

**Buckingham County  
Planning Commission  
Monthly Meeting  
Packet**



**May 23, 2016**

**Buckingham County Planning Commission**  
**Agenda**  
**Monday, May 23, 2016**  
**County Administration Building**  
**7:00 P.M.**

1. Call to Order by Planning Commission Chairman
  - Invocation
  - Pledge of Allegiance
  - Establishment of Quorum
  
2. Adoption of Agenda
  
3. Approval of Minutes
  - A. April 19, 2016 work session\*
  - B. April 23, 2016 regular meeting\*
  
4. Public Comment
  
5. New Business
  - A. Public Hearing – 16SUP234 Bed and Breakfast\*
  
6. Reports / Correspondence
  - A. April Building Permits\*
  
7. Zoning Administrator's Report
  
8. Commission Matters / Concerns
  
9. Adjournment

**Buckingham County  
Planning Commission  
Work Session  
April 19, 2016**

At a work session of the Buckingham County Planning Commission held on Tuesday, April 19, 2016 at 7:00 p.m. in the Peter Francisco meeting room, located within the Buckingham County Administration Complex, the following members were present: John E. Bickford, Chairman; Alice T. Gormus, Vice-Chair; Royce Charlton, III; Patrick Bowe; Sammy Smith; Chet Maxey and Danny R. Allen, Board of Supervisors' representative. Also present were Rebeca S. Cobb, Zoning Administrator, and E.M. Wright, Jr., County Attorney. The following member was absent: James D. Crews.

**Re: Call to Order, Invocation, and Pledge of Allegiance**

Chairman Bickford called the meeting to order and Commissioner Smith gave the invocation. Vice-Chair Gormus led the Pledge of Allegiance and it was said by all who were in attendance.

**Re: Quorum Present**

Chairman Bickford certified there was a quorum - seven of eight members were present. The meeting could continue.

**Re: Adoption of Agenda**

**Bickford:** That brings us to our adoption of the agenda. Ms. Cobb are there any changes to the agenda?

**Cobb:** No sir.

**Bickford:** Seeing none do I have a motion to approve?

**Smith:** So moved.

**Allen:** Second.

**Commissioner Smith moved, Supervisor Allen seconded and was unanimously carried by the Commission to approve the agenda.**

**Re: Public Comment**

**Bickford:** Ok that passes unanimously. We have our Public Comment period. We do not have anyone here so we'll move forward with that...skip that and move on to Ms. Cobb our Old Business which is the Zoning Ordinance Automobile Graveyards and Junkyards.

**Re: Old Business-Zoning Ordinance-Automobile Graveyards/Junkyards**

**Cobb:** Yes I've provided you all with some of the State Code language. Part of it is directly in the title that belongs to the planning commissions, counties, local government. And part of it is pertaining to highways actually and the visibility of junk from highways and that sort of thing and gives some localities rights to have the requirements regarding that. And so then the last page is some of the...shows you the current language that we have which is basically a definition of automobile junkyard stating that any lot or place which is exposed to the weather upon which five or more vehicles of any kind, incapable of being operated are placed. And just to let you know that in the Zoning Ordinance there's a special use requirement for automobile junkyard. So then from there I have suggested some changes, ideas for this. I would say keep automobile junkyard/graveyard as special use as we've got it and possibly add in the definitions portions. We could add language regarding also...you'll see the underlined portion there that follows five or more vehicles of any kind incapable of being operated" and then added language that says "and/or do not display a valid license plate." I...This is coming from the State language. I did not add in the State language 33.2-804 it says in which would not be economical practical to make operative. I didn't add that just because I feel like what is economically practical...what is economical practical for one person is completely different for someone else and you know you're going just get in an argument with people about oh yeah I'm going to fix that up. You know I can do that next week. Yeah right.

**Smith:** Yeah we see them go through Barret's every week where somebody has spent \$300,000.00 to restore and it's only worth \$200,000.00 but it was fun.

**Cobb:** Right. So I didn't add that. I don't think we should add that. I do think that adding the valid license plate shows an element of intent. If you don't have you know a valid license then you know are you really planning on doing anything you know. So I guess I want to see if you all agree with adding that portion. The other question which I guess maybe we need to ask Mr. Wright is about the five or more vehicles because the 33.2-804 defines it as more than five. But the 15.2-904 says that we can limit the number. So I'm not sure how you all feel about that or if Mr. Wright has any comments on that. Mr. Wright.

**Wright:** No I don't have any comments on that.

**Cobb:** So can we keep it even...

**Wright:** Let's wait till we get to the end of the day.

**Cobb:** Even though it says in part of the State it says that it should be more than five we can say five or more?

**Wright:** You're talking about 33.2-804?

**Cobb:** Yeah.

**Wright:** Well that's an automotive, an automobile graveyard and...

**Cobb:** Right.

**Wright:** That's connected with 1,000 feet from a highway. You can't put it that way. So I think beyond that you're relying on the 15.2 to do what you want to unless you're near a highway.

**Cobb:** Ok. And so would that...and so we can keep that as five or more if that's what you all are happy with. So I guess that's what the first question is. Are you happy with five or more yes or no?

**Smith:** I'm happy with the five or more but what are you going to do when they say this is the car we raced last year and we still have parts on it and this is the car we're going to race next year.

**Maxey:** It ought to be within those five.

**Bowe:** Put it in a garage.

**Wright:** That's the purpose of 15.2.

**Bickford:** Right.

**Wright:** In other words you've got to either put it in a garage or you've got to close it up, put it inside then you...you know.

**Gormus:** Can we put these codes in there when we do the language so that...

**Cobb:** Yeah we can refer to the codes.

**Gormus:** Yeah so that they know we're just not pulling it out of the air.

**Charlton:** Now with the garage comment are we saying that five or more would be exempt if they were screened from view from the property line? Is that what we're saying?

**Smith:** That's what the law states is what I'm reading. As long as you can't see them you can have 100.

**Charlton:** Got ya.

**Cobb:** Right.

**Bickford:** Right. That's what it's...

**Cobb:** So that's another question is that something that you want to add is about visibility that if it is behind a fence or down back in somebody's little hollow in the woods that it's you know not visible from a highway then they can have 50 or whatever.

**Smith:** Because that's what the State Code says and I think we ought to stick to that.

**Cobb:** Ok.

**Smith:** If you can't see it it's...

**Wright:** I don't think you can get beyond it.

**Bickford:** Do what Mr. Wright?

**Wright:** I don't think you can get beyond it. I think you're going to have to... the Dillon Rule is going to dictate that you can't be more stringent than what the State says you can be.

**Bickford:** Alright.

**Cobb:** Right. But so currently that is not in our...specified in our ordinance but do you want that specified in the ordinance and referred to by code?

**Smith:** Well I want to go up one more line and does not display a valid license. How about can we add and county sticker?

**Wright:** No.

**Smith:** We can't?

**Cobb:** No, that's not one of the choices.

**Smith:** Well you know I didn't see that in there. I was just hoping.

**Wright:** Good question and I would like to tell you yes but...

**Bickford:** Ok. Do you need a decision on these two or just make it into one big motion at the end?

**Cobb:** We can make it into one big motion at the end or just kinda give me some kind of consensus to let me know that everyone's in agreement or the majority is in agreement.

**Smith:** I think we ought to reference the codes as Alice mentioned.

**Bickford:** I concur wholeheartedly with Mr. Smith.

**Gormus:** And I think that we ought to have this for all the districts not just A-1 or whatever you know or...

**Cobb:** It is listed in several as a special use permit.

**Bickford:** Yeah.

**Cobb:** It's listed in several as a special use permit and then these are just the definitions that define it as to what that really means.

**Maxey:** As long as they're shielded my understanding. I have the same question that we're Ok. In other words you can't see them from the road.

**Cobb:** Can't see them from the road. Correct. Now...

**Maxey:** The five or more does not come into play.

**Cobb:** Correct.

**Gormus:** How about if I own this lot and Johnny owns this lot and he wants to put a fence up so the road it can't see it but I can see it?

**Maxey:** That's a good question.

**Cobb:** Then...

**Gormus:** Johnny am I right or no?

**Cobb:** Well let's let Mr. ... I have my opinion but let's see what Mr. Wright says.

**Wright:** This says "Any locality may, by ordinance, provide that it shall be unlawful for any person to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view..." from view, from view.

**Gormus:** Ok.

**Wright:** It doesn't say from the road. It says from view so you can put something all the way around it.

**Gormus:** Ok. So my view and the road. Yeah.

**Smith:** So when this comes through and goes through the Board of Supervisors and somebody says oh it's my land I can do what I want we can override that.

**Wright:** Not if they don't pass it you can't.

**Smith:** Well we only have one that's saying that. Oh did I say that out loud?

**Wright:** I was telling them before you arrived we looked at this issue in 1995. We looked at this issue in 2005. In 2005 we actually got to Public Hearing on it. And after the Public Hearing they tabled it for a month and then when they came back the next month they tabled it indefinitely. So you're on the 10 year cycle to look at it again.

**Bickford:** This was the Board of Supervisors?

**Wright:** Right.

**Bickford:** Ok.

**Gormus:** Well don't we have more of an outcry about these things from the public. I mean we didn't just pull this down out of the sky either did we, or did we?

**Cobb:** I mean this is an ongoing issue that I hear complaints about yeah but I wasn't here in 2005 to know if it was then.

**Bickford:** Ms. Cobb would it make sense...I know this is the ordinance but in the introduction could you tie this to the Comprehensive Plan because it relates directly to the Comprehensive Plan rural and the scenic?

**Gormus:** And can we tie it and say we've had numerous complaints?

**Cobb:** Well I don't think we want to start adding other extra things to the Zoning Ordinance. I think the Zoning Ordinance is here's the rules. This is what you have to do. This is how you follow it.

**Bickford:** I guess what I was saying in the...not to the ordinance specifically itself but the introduction...

**Gormus:** Make the case to the Supervisors?

**Cobb:** You mean when I'm presenting it to the Supervisors? Yeah

**Wright:** I want to make sure we're on the same page. 15.2 section you're looking at is authorization for the County to do something with cars. The 33, 32...33 section is State law and when we talk about junkyards don't just think about junkyards that we have in our special use permit associated with 33.2 because they're different animals.

**Bickford:** Ok.

**Wright:** Ok. Now junkyard in terms of a special use permit a junkyard really should be a business. I think Becca's suggestion that we redefine that definition a junkyard is a business. So I think we need to rework some of those definitions to make sure we understand when somebody comes and asks for a SUP for a junkyard it is a business like the salvage people did up here on 60 and not just say I want a SUP to keep 8 cars on my lot.

**Bickford:** Right.

**Gormus:** Can we put junkyard, graveyard/recycling center or whatever? I mean you know since we've gotten out of that zone that was up there just so we'll be prepared for the next person that wants to do that. Can we do it junkyard, graveyard/recycling?

**Wright:** I don't think you need the slash.

**Allen:** I think it's two different things you're talking about. The junkyard is like E.M. was just talking about. That's a business that you have that somebody's going to have cars coming in and out all the time. All you're trying to say is you want it fenced, covered up so can't nobody see the junkyard.

**Gormus:** Ok.

**Allen:** But then to me you got to the other problem homeowners with five cars in the yard.

**Smith:** Well that's what 15.2 is for.

**Wright:** And then when it comes to ask for a special use permit in other words, you've got to decide whether that is an appropriate use for the district that you're in. I mean that's really where you come back to the Comprehensive Plan. Is a junkyard something you want in a residential subdivision? And you know I guess we probably should have played the 33.2-804 on the salvage people up there because they were in 1,000 feet and I suspect 60 has a designation that's required in 33.2.

**Smith:** Part of the Eisenhower system.

**Wright:** Right.

**Maxey:** So 33.2 is State law.

**Wright:** State law.

**Maxey:** It's not anyway...15.2 is just suggesting these are the Codes of Virginia that...

**Wright:** 15.2 is an authorizing statute. You know as you all understand Dillon Rule applies to Virginia that says the State government has got to give you authority...the localities authority to do things. 15.2 says alright county you can do the things listed in here.

**Maxey:** But you don't have to.

**Wright:** But you don't have to right.

**Maxey:** Right.

**Wright:** So and really the concept is what do you want to do with the cars? When it gets to...what number do you want to start at five or more and we can make that go across you make that apply pretty well in ag...in any of those districts listed in agriculture, the regular residential and whatever else they set it at.

**Bickford:** Ok.

**Wright:** And the other one is State law that you can mimic State law in your statute but you really if it comes down to it you will be charging them under State regulation. We probably ought...to make sure we're on the same page when you get into... if you're going to do this rework some of these definitions and to really sort of standardize it a little different way.

**Maxey:** We can't change 33.2 though.

**Wright:** Can't change 33.2.

**Maxey:** So that's there. We got that.

**Wright:** Right. Well you can do the things allowed in 15.2 all of them or most of them would be fair to say...you're not required to do every bit of it. I mean you can tweak that a little bit. Becca's suggesting leaving out...

**Cobb:** Economically practical.

**Wright:** Economically. Yeah because it's in the disjunctive rather than the conjunctive so I think you can pick the ones out.

**Bickford:** Am I understanding you right. You're suggesting that we separate automobile junkyard from an automobile graveyard in our definitions?

**Wright:** Well yeah I think so.

**Bickford:** Ok.

**Wright:** I think it would be...

**Smith:** Because a junkyard is a business.

**Wright:** It would give you a more direct approach because a junkyard I think has a commercial aspect.

**Bickford:** Aspect to it.

**Wright:** An automobile graveyard is a designation that says you've got five or more vehicles there which is really what people seem to be complaining about but I think to split that out might be better. Might let you more directly address the problem that seems to be causing the concern.

**Maxey:** State law.

**Cobb:** So I guess maybe to put some pieces of the puzzle together for this discussion is I've also got here add definition for junk means old or scrap copper, brass, rope, rages, batteries and it goes on to say junked dismantled, or wrecked automobiles or parts thereof; and old or scrap iron, steel. And then also add or may add definition for junkyard "means an establishment or place of

business that is maintained, operated, or used for storing, keeping, buying, or selling junk for maintenance or operation of an automobile graveyard.”

**Wright:** You know I like her def...I like incorporating those definitions. Those are standard definitions that come out of the 33.2. So if you pull them over into the Zoning Ordinance you've got a known quantity we're working with. So when somebody comes to say junkyard we know what they're talking about. That's why I think separating the automobile graveyard situation allows you a more friendly approach to the situation where people got too many cars on their lot. I agree with adding I think you suggested too adding commercial aspect to it too, don't you? I think somewhere down there in one of these definitions.

**Cobb:** In the junkyard definition it says that it's an establishment or place of business.

**Bickford:** Well if we do in your question at the bottom does an establishment or place of business limit those we ask to clean up if we separate the two that will get rid of that correct? Because we're talking about a junkyard as a business versus a graveyard as just a...

**Cobb:** Right the graveyard as the...yeah.

**Maxey:** 33.2 is talking about it as a junkyard.

**Wright:** An automobile graveyard if you say five will apply to all districts. It's just not allowed either as a permitted use or as a special use permit use. That would cut across the whole package.

**Allen:** You bring that definition over to the automobile graveyard that first one under 33.2.

**Bickford:** You mean that you're talking about up there at the top?

**Allen:** Place that is exposed to the weather and upon which five or more than five vehicles of any kind...

**Maxey:** Section B. first paragraph.

**Bickford:** Well what we've got is if we're going to separate them won't we need to change that though? Because we've got...

**Wright:** Well 33 you don't get to tweak with as far as that part. You can use that definition to define if as long as it's consistent with 15.2 to define the automobile graveyard.

**Cobb:** Right. What's Danny's saying is if we're separating them out we've got a definition that I've listed for junkyard so he's saying let's supply that definition for the graveyard.

**Wright:** I think that's a good idea. I think that's a very good idea. Because you've got a working quantity you know what to deal with and that's...

**Bowe:** Who's going to enforce this stuff?

**Wright:** We've come up with a new plan for enforcement officers. There are eight of you all and so you all will take eight months and then the County would do four. Ha, ha, ha.

**Smith:** At fifty and a half cents a mile let me think ...

**Wright:** No, no this is volunteer work. We want volunteer enforcers.

**Smith:** I want that on the record.

Everyone laughing.

**Bowe:** If it's not going to be enforced we're kinda wasting our time doing this.

**Wright:** When somebody complains.

**Bickford:** That's all that you've got. You've got a fallback position when somebody calls in and complains. It's there. I guess. So I guess it is serving a purpose.

**Smith:** My suggestion is we keep the automotive graveyard at five and go by the State Code for the junkyards at more than five.

**Charlton:** On the graveyards are they...

**Wright:** Now on the graveyards understand the 33 section that's State law. That's what they say and you've got to read that as in conjunction with being within 1000 feet of a designated highway. That could be enforced.

**Smith:** If it's over 1000 feet we can't see it anyway.

**Wright:** That's right.

**Maxey:** Yeah but we have that. We don't have to do anything to 33.2.

**Wright:** But take those definitions...

**Smith:** But we do have to carry them over for our zoning.

**Wright:** Just makes it easier.

**Smith:** Yeah it makes it easier.

**Maxey:** That's what Danny's saying. He's just saying move that over to...separate the definition out of 33.2, move it over.

**Bowe:** E.M. but if they've got four junked cars and two junked tractors how many is that.

**Wright:** It says motor vehicles. That's six. If you make it... don't say cars. You make it motor vehicles.

**Bowe:** Ok.

**Bickford:** Right.

**Allen:** That was very important. That was a good point.

**Bickford:** That was a very good point.

**Wright:** You could make it cars but it would...

**Bowe:** Or you say 4 junked tractors and 2 junked cars then you're dealing with a farmer.

**Wright:** The question comes in with the mopeds. If you've got five mopeds...

**Bickford:** Or four -wheelers, ATV's.

**Wright:** ATV's is an interesting area right now.

**Charlton:** If you have 6 junked cars that have been there so long that there is no title for them and you can't take them to the junkyard.

**Bickford:** I guess they're grandfathered then.

**Smith:** I can clear that up for you. If you cut it in half by definition it is no longer a motor vehicle and you can sell one half today and another half tomorrow without a title. I've been doing it for 35 years.

**Wright:** We've been wondering where all those cars have been going. Chop shop right up there.

**Charlton:** I've got another question. This one applies to me and I imagine it applies to a lot of other people. I have farm use. I have a semi-tractor, three different trailers I use for different purposes: moving hay; moving animals; storage of things, all road worthy but not licensed for the road. That's four right there. A digger derrick which is one of those pulsating trucks I use for setting tall poles for electric on the farm, all different fence posts and a bucket truck that I use for trimming and maintaining the lines.

**Bowe:** You need to clean that place up.

**Wright:** If you go get yourself a State Farm Tag they will be licensed.

**Smith:** No you don't even have to have a State Farm Tag because I as your representative from Farm Bureau I will give you the pamphlet that says if it says farm use on it, it is legally tagged.

**Gormus:** That's what they told us last year.

**Smith:** That's what they told us last month.

**Wright:** I would suggest you get a farm use tag from the State.

**Allen:** Question.

**Gormus:** Yes.

**Allen:** What I'm reading, maybe I'm not reading enough, but it says which is inoperable. So if it operates it doesn't count.

**Smith:** That's right.

**Charlton:** Ok.

**Allen:** Am I wrong?

**Wright:** Let me go down to...

**Allen:** I'm back on 15.2...

**Wright:** 15.2 that's where you need to be. Yeah you're right. You're exactly right. I'm way ahead. As long as they're operating you can crank them up and move them around.

**Allen:** As long as you can start them up, run them, move them...

**Wright:** Don't let them sit in the same spot all the time.

**Allen:** Royce you hear what...?

**Wright:** Yeah he's got a valid point.

**Allen:** As long as they are inoperable it's a problem. If you can start them up and move don't worry about it.

**Charlton:** Oh ok.

**Allen:** It says right here inoperable.

**Charlton:** Oh ok.

**Wright:** It says... Wait a minute let me think about this. I don't want to give you bad advice here. If we define it as an inoperable being any of those disjunctives I have to think of whether she might...

**Charlton:** I saw something about not having a license.

**Wright:** Yeah. I've got to think about that a second or two.

**Cobb:** It says or does not display valid license.

**Gormus:** But farm use is a valid license.

**Smith:** That's right.

**Gormus:** State Police told us that.

**Maxey:** Why don't we just exempt farmers then we wouldn't have any problems with tractors.

**Wright:** Let me tell you there are more people running farm tags who are not farmers right now so all you want to do is expand the problem, fine.

**Smith:** That is my pet peeve right now. Teenagers driving \$65,000.00 trucks with farm use tag on it. They're no more farmers than my sister.

**Gormus:** Put a grill on that sucker and the police will pull you over and give you a ticket. We saw it happen.

**Maxey:** But don't we have laws that deal with that?

**Gormus:** Yes. The State Police...

**Wright:** Yes...

**Maxey:** It should be dealt with in that way.

**Wright:** I agree with it.

**Allen:** It says it's left up to us. Right here. And you've got 4 or 5 different things that you can go by. It's left up to...

**Wright:** There's responsibility to prove beyond a reasonable doubt on a criminal violations so the judge is more inclined to say ok it's plausible so... But don't get me started on farm tags. I think farm tags have a very correct purpose when properly used.

**Smith:** When properly used.

**Bickford:** That's the caveat, properly.

**Cobb:** Alright so to bring it all back in...

**Wright:** Quit getting us back off track. They tell me I shouldn't talk because the meetings run too long when I talk.

**Bickford:** Bring it back around Rebecca we've got...

**Cobb:** So we're talking about separating junkyard and graveyard uses.

**Bickford:** Correct.

**Cobb:** We're adding definition of junk, adding definition of junkyard, adding definition of automobile graveyard.

**Bickford:** Correct.

**Cobb:** We are referencing the codes that we are using.

**Bickford:** Correct.

**Cobb:** Ok. Is there anything else that I'm forgetting, leaving out?

**Smith:** The number.

**Cobb:** Five.

**Gormus:** Does this include...

**Smith:** No not five or more. It says we can change it to five.

**Gormus:** Does this include places of parking for towed vehicles like Anderson's behind his shop house, Chucky Wood down there off of 15? Are those people included in this or are they exempt by definition of what they do? Cause that's going to be a...

**Allen:** That's something that we can pick. I mean that's one that says it's been sitting more than 60 days.

**Gormus:** Because I can see those people...

**Smith:** Well that's like Palmore's up there. They use parts.

**Bickford:** Palmore's is a better example because they...

**Gormus:** Yeah right there on 20. Are those people exempt or are they included in this count? Some of them have been there forever and some of them have not been there forever. But the minute you put it out there somebody will squawk.

**Cobb:** Well I will say I mean this to me we're not changing a lot. I mean we've always said five. We've always said junkyard/graveyard is a special use permit and if they are already in existence...

**Gormus:** Somebody will ask so we need to talk about that.

**Bickford:** They would be grandfathered in but I think in my opinion then they would fall under the definition of an established or place of business that is maintained operating or used for storing. I doesn't... If you're running... if that's a business yeah they do mechanical work but they're also somewhat doing a junkyard at the same time so you've got sort of a two facet business going on because they complement each other. So to me they fall under that. But it is a good point for discussion in the future.

**Wright:** Well if a business has a car impounded for more than six months they need to do something with it.

**Smith:** Yeah like apply for the title.

**Wright:** If they are calculating their storage lanes against it, they can sell that vehicle and get it out of there. I mean just sitting there it's...

**Maxey:** Well they use them for parts. I mean they can stay there for more than 60 days if they're going to use those parts.

**Bickford:** Yeah.

**Allen:** Well the last business that I remember we've done that was a mechanic; we gave them a number of vehicles they could leave sitting outside. And it never came to that amount. It was a whole lot more but we've already done it.

**Gormus:** It was never enforced either.

**Allen:** A whole lot of things aren't enforced.

**Smith:** One of his arguments was half of them belonged to the County. If they paid their bill they could have them. Oops.

**Allen:** I don't know about that. I don't know about that.

**Wright:** What was that?

**Smith:** It was garage trucks. He used the solid waste vehicles as part of the delinquent number...

**Wright:** He said the County was not paying their bill?

**Smith:** No and he said if they would write me a purchase order they wouldn't be on the lot so they don't count. They wouldn't count then. But it doesn't matter now because it's non-descript.

**Wright:** Really those places should be shielded.

**Gormus:** Right.

**Wright:** Particularly the one on 15 that you referred to because that's within the 1000.

**Gormus:** Yeah. That one on 20 too. That's within...

**Wright:** Although 20 is designated primary...I don't know whether that falls in the designated list under 33.2.

**Gormus:** That's a scenic. That can never be widened according to Governor Wilder.

**Maxey:** They're in the process of widening it now...

**Gormus:** Yeah but not straightened and widened.

**Maxey:** I mean they just flew it. All of Route 20.

**Wright:** If you go across the James River you'd have a problem. Albemarle has a different notion about it.

**Smith:** Yeah what would happen to Scottsville? One more flood and it won't matter anyway.

**Maxey:** I'm thinking of the other Palmore's that are up at Glenmore who have very neatly...

**Bickford:** Yeah now that's different. The one that we're referring to is right across from the...

**Wright:** They run a pretty neat place there.

**Bickford:** Right.

**Maxey:** I wouldn't want to see them bothered by the ruling.

**Bickford:** Oh no the one we're talking about is the one right across from Midway.

**Maxey:** Oh I know from Midway Market.

**Wright:** That's the most entertaining place in the world you go by. You'll never know what you'll see there.

**Maxey:** It's always changing. I mean they recycle a lot of stuff.

**Bickford:** We also need to put, decide whether we want a...well two things. One I'm assuming we don't want an automobile graveyard in any of our districts do we?

**Cobb:** Right so I have put a note to separate that in the special use list and only list it as junkyard.

**Bickford:** Ok.

**Allen:** To me junkyard is you've already got a permit.

**Bickford:** Right.

**Allen:** Junkyard and then we list what's under it. Automobile graveyard is anywhere that you find any house...

**Bickford:** Anywhere. You don't want that in any of the districts.

**Cobb:** Right so not even list it a special use permit. They couldn't even apply for a permit to have a graveyard.

**Bickford:** Not unless they're going to start a business and then they trip...

**Cobb:** I think we are saying the same thing.

**Allen:** And then it could go into a graveyard, junkyard.

**Bickford:** I guess the second question is now what districts do we want to possibly allow a functional junkyard? The ones that are already not grandfathered in. We already have those in the County. I guess we don't have to decide now but you need to thinking about it. I mean A-1 certainly but I guess but... That's just... we're in the process of doing it you might as well be thinking about it too.

**Cobb:** Right.

**Allen:** Where you don't want junkyards. Is that what you're saying?

**Bickford:** Yeah, I mean we're redoing this so just to follow up is alright we decide we don't want the graveyards in any of our districts but someone comes and says I want to put a junkyard what districts do we allow or do we not allow.

**Allen:** Definitely not in the Village Center.

**Maxey:** Well doesn't that apply to every district by the State Code, by the State law?

**Wright:** That's within 1000 feet of one of those highways.

**Smith:** That's unshielded.

**Bickford:** Right I mean this could be a junkyard that's you know off the road and functional with you know 500 cars.

**Wright:** You've got to deal with where we would allow it under our ordinances and it certainly is going to have to comply with that.

**Bickford:** Yes and that's something we don't have to decide tonight. You need to be thinking on it. If we're going to change it we've got to address it in case someone does come to Rebecca and says hey where can I put my junkyard? Or I've got this piece of land I want to start up a salvage junkyard. Can I do it? So... I guess right now we don't have any restrictions do we on any of the districts?

**Cobb:** I think it's listed in A-1, B-1 and I think that is it.

**Bickford:** Yeah. Ok.

**Allen:** What did you say a while ago instead of saying motor vehicle.

**Wright:** You want to say motor vehicles and not cars.

**Bickford:** Motor vehicles...motorized vehicles I mean. Even down to your mopeds.

**Wright:** It is a very defined definition for motor vehicles as opposed to... That's one of those things Royce was concerned about.

**Charlton:** I do have another question for clarification just out of curiosity. Does junkyard automatic...does the definition of junkyard automatically have to include a commercial component? If you have a hobbyist, a hot rodder something like who has cars and is building things does that automatically fall under graveyard or can that be classified as a junkyard because he using components?

**Wright:** If he's got motor vehicles that meet that definition he better put them inside if you all adopt what you're talking about...shield them.

**Bickford:** And most...and I thought the same thing. That was one of the first things not hot rodders but I know people that remodel...

**Smith:** Restore.

**Bickford:** Yeah restore vehicles but they're normally inside because once they get them to a point they're protecting them. So I think it would not be a big issue with that that they would be inside.

**Charlton:** Yes.

**Bowe:** Next thing they'll be telling them you can't keep a boat in the County.

**Gormus:** A junk one.

**Cobb:** Alright so I think that's enough to bring you something else next time some language to firm up. The only other thing I'll say is looking at the RV stuff that we've talked about, kinda hard to find. Most localities just kinda say you can't live in it permanently. Or if you're going to it has to be tied down like a singlewide, mobile home. What else have I seen? Others don't really address it but I'm still looking through and I'll bring you it what I can find next time.

**Bickford:** Ok.

**Cobb:** And that's all I have.

**Bickford:** Very good. Well, being that you're going to write up the suggestions we do have and have come up with we really don't need to vote on anything tonight then.

**Cobb:** No.

**Bickford:** Ok. Alright.

**Allen:** Do we need to talk anymore about what is inoperable or do we want one of the other definitions? We're going in deep this week.

**Wright:** Probably ought to use the definitions up in 15.2.

**Allen:** Yeah I think they gave you three or four different options to go by.

**Wright:** You might put them all in there because sometimes you might want to cast a wider net. That will be up to you all to make that final decision when she brings back that.

**Bickford:** Alright. Any other questions before we move forward on to concluding here? Commissioners? Alright. That finishes that part. And Rebecca I see you have reports and correspondence. Do you have anything you need to...

#### **Re: Reports and Correspondence**

**Cobb:** That was just my report on RV stuff. I went ahead and did that.

**Bickford:** Ok. You jumped ahead there didn't you?

**Re: Commission Matters/Concerns**

**Bickford:** Alright that brings us to Commission Matters and Concerns. Any Commissioners have anything they want to enlighten us with?

**Smith:** I do have one thing.

**Bickford:** Ok. Commission Smith you go ahead.

**Smith:** On Route 60 there seems to be popping up a tent village. So I checked with the Sheriff last night and he said the man bought the property at auction. He has no intent to build a house on it and he knows under State Code he can live in a tent on his own property as long as he wants to. So that was just FYI because you come down between Alcoma Road and Mt. Rush Farm and look over to the left and there's two tents and a tarp set up. Yes he is living there.

**Bowe:** Summertime too. Wait until winter and see if he stays.

**Bickford:** Yeah that change of temp. Alright very good.

**Allen:** Look and see if he has a stack coming out of it with a pipe.

**Bickford:** Any other Commissioners have anything they want to share?

**Re: Adjournment**

**Gormus:** Move to adjourn.

**Bickford:** Alright do I have a second?

**Allen:** Second.

**Commissioner Smith moved Supervisor Allen seconded and was unanimously carried by the Commission to adjourn the meeting.**

There being no further business, Chairman Bickford declared the meeting adjourned.

ATTEST:

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Rebecca S. Cobb  
Zoning Administrator

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John E. Bickford  
Chairman

**Buckingham County  
Planning Commission  
Regular Meeting  
April 25, 2016**

At a regular meeting of the Buckingham County Planning Commission held on Monday, April 25, 2016 at 7:00 p.m. in the Peter Francisco meeting room, located within the Buckingham County Administration Complex, the following members were present: John E. Bickford, Chairman; Alice T. Gormus, Vice-Chair; Royce Charlton, III; Patrick Bowe; James D. Crews; Sammy Smith and Danny R. Allen, Board of Supervisors' representative.. Also present were Rebeca S. Cobb, Zoning Administrator, and E.M. Wright, Jr., County Attorney. The following member was absent: Chet Maxey.

**Re: Call to Order, Invocation, and Pledge of Allegiance**

Chairman Bickford called the meeting to order and Commissioner Crews gave the invocation. Commissioner Smith led the Pledge of Allegiance and it was said by all who were in attendance.

**Re: Quorum Present**

Chairman Bickford certified there was a quorum - seven of eight members were present. The meeting could continue.

**Re: Adoption of Agenda**

**Bickford:** Ms. Cobb any changes to the agenda?

**Cobb:** No sir.

**Bickford:** Seeing none do I have a motion to approve?

**Smith:** So moved.

**Allen:** Second.

**Commissioner Smith moved, Supervisor Allen seconded and was unanimously carried by the Commission to approve the agenda.**

**Re: Approval of Minutes**

**Bickford:** Ok very good. Approval of minutes we have the minutes from March 21st for regular work session.

**Smith:** So move to accept.

**Allen:** Second.

**Bickford:** Have a motion to accept as presented. Any discussion? Seeing none we'll vote.

**Commission Smith moved, Supervisor Allen seconded and was unanimously carried by the Commission to approve the minutes of March 21, 2016 work session meeting as presented.**

**Bickford:** Then our regular meeting of March 28<sup>th</sup>.

**Smith:** So moved Mr. Chairman.

**Allen:** Second.

**Bickford:** Motion is seconded as to approve as presented. Alright we will vote.

**Commission Smith moved, Supervisor Allen seconded and was unanimously carried by the Commission to approve the minutes of March 28, 2016 regular meeting as presented.**

**Re: Public Comment**

**Bickford:** That brings us to our Public Comment period. Anyone that would like to speak please come forward to the podium. You have 3 minutes if you're speaking on your own. If you happen to be representing a group you have 5 minutes. I'll now up the floor.

**Cobb:** They're both here for new business.

**Bickford:** Alright I'll close the Public Comment period and move to our new business.

**Re: New Business-Introduction-16SUP234 Bed and Breakfast**

**Bickford:** Ms. Cobb you've got the introduction of the Bed and Breakfast.

**Cobb:** Yes this is case 16-SUP234, owner/applicant Sidney Paterson, Tax Map Section 206, Parcel 1, Lot 1 containing approximately 8.4 acres, on Saw Mill Road, in the Francisco Magisterial District. The property is currently zoned A-1 agriculture and the applicant is asking for a Special Use Permit to operate a Bed and Breakfast. Special...a bed and breakfast is a special use requirement under the A-1 district. I'm asking you tonight to set a Public Hearing for this request. The applicant is here if you have questions for her.

**Bickford:** Ok. Do any of the Commissioners have any questions they'd like to ask the applicant?

**Smith:** I just have one.

**Bickford:** Ok. Ms....

**Smith:** Paterson.

**Bickford:** Ms. Paterson. I'm sorry Ms. Paterson. Thank you Commissioner Smith. Would you just state your full name mam please?

**Paterson:** Sidney J. Paterson.

**Bickford:** Thank you. Mr. Smith has a question for you.

**Smith:** When it says that your continental breakfast will be served from a commercial kitchen...answer... Let me ask you does that mean it will be pre-prepared food which you just warm up?

**Paterson:** (Nodded her head yes.)

**Smith:** I wanted to make that clear. And that was the only question I had.

**Paterson:** Ok.

**Bickford:** Ok very good. Alright any other Commissioners have any questions at all? Seeing none all then in favor, motion to move forward to the...

**Allen:** Oh I'm sorry.

**Bickford:** Go ahead.

**Allen:** So moved.

**Charlton:** Second.

**Bickford:** Alright we have a motion and second to move this forward to Public Hearing.

**Supervisor Allen moved, Commissioner Charlton seconded and was unanimously carried by the Commission to move Case 16-SUP234 Bread and Breakfast to Public Hearing.**

**Bickford:** So Ms. Paterson will be taking us up at Public Hearing next month which will be the date... Ms. Cobb do you happen to have the date?

**Cobb:** May 23<sup>rd</sup>.

**Bickford:** The 23<sup>rd</sup> of May. Look forward to seeing you here. Thank you mam.

**Re: New Business-03V88 Variance on Side Setback**

**Bickford:** Alright Ms. Cobb that brings us back to our review of the variance on side setback.

**Cobb:** Yes so this was a variance that was granted in 2003 by the Board of Zoning Appeals. I provided you some of the minutes from that as well as the letter of conditions. You'll see that in those conditions it said that if it wasn't completed within a year's time frame that they were to come back to the Planning Commission and provide a letter as to why it wasn't completed. You've been provided that letter in your handout as to why it hasn't been completed and so now I'm just bringing this before you all tonight to review and see if you think we can continue this application on so that he can...he would be required to get another building permit. His building permit is expired. He would have to get a building permit and finish the addition.

**Bowe:** Can I ask a question?

**Cobb:** Yes and he is here.

**Bowe:** Why shouldn't he be able to?

**Cobb:** Why shouldn't...

**Bowe:** Because he didn't comply with the first one? Is that what you're saying?

**Cobb:** I haven't said that he shouldn't be able to but that was part of his conditions was to come back to the Planning Commission. I mean the...to me the outside structure is already up so you've already got the setback issue there so unless...if you say no then to me you'd have to say take it down as well I mean...

**Bowe:** I don't think we need to do that.

**Bickford:** No. Mr. Toney is here if anyone would like to ask him any questions.

**Smith:** Well let's have a little discussion before we ask him any questions.

**Bickford:** Alright. Ok. Go ahead Mr. Smith.

**Smith:** I drove out there and I met Ms. Mary Toney and the brother...her brother that is living there with her. I asked for permission to walk around the house. The house is finished from the outside.

**Bickford:** Ok.

**Smith:** I see no reason...do we have as the Planning Commission the ability to say yes he can go and apply for another building permit or do we have to move this on to the Board of Supervisors?

**Cobb:** It would not go to the Board of Supervisors. You have the option to send it back to the Board of Zoning Appeals...

**Bickford:** They make the final decision if I recall.

**Cobb:** That's who it would go back to but because it's listed in the conditions as it coming to the Planning Commission I just brought it to you all.

**Smith:** Right and I think the hardship letter pretty much explains why. Why. And you know I think from the nodding heads that I'm seeing that we have a consensus that there is no reason so how do we move forward?

**Bickford:** How does the Commission feel? Does anyone have any questions for Mr. Toney or Ms. Cobb?

**Gormus:** I have a question.

**Bickford:** Ok. Would you like to address it to Mr. Toney?

**Gormus:** I just want to address it to anybody that will answer. How long does a building permit last?

**Cobb:** So a building permit generally lasts for 6 months. However, with that being said that's if there's no activity. So say you came in today and got a building permit and then you did nothing, then it would expired in 6 months. If you came in today and got a building permit and in a month you got a footer inspection then that keeps it going. That kinda reactivates it.

**Gormus:** Ok so it is activated by the inspections?

**Cobb:** Yes.

**Gormus:** Ok. So then why do we need to redo this if it's already done? I'm totally confused.

**Cobb:** It's not done on the inside. So he had a building permit. That building permit has expired because he didn't continue to do work. The outside was finished. There's still plumbing and wiring and the framing I think is done but the finishing of the walls and that sort of thing has to be done.

**Smith:** There's no dry wall.

**Cobb:** So that...he needs the building permit for the electrical and the plumbing because he still needs inspections for electrical and plumbing.

**Gormus:** So he needs the zoning to say yes before he can get the building permit to say yes?

**Cobb:** He does not need zoning to say yes.

**Gormus:** Well then why do we have this?

**Cobb:** Because it was a condition of his variance. Just like we would issue...

**Gormus:** Oh ok. Ok, ok.

**Bickford:** They have the final say so on the change of a variance or acceptance of a variance.

**Bowe:** But they put it in our hands.

**Bickford:** Well...

**Allen:** So can you say you wanted to do a continuation of the building permit.

**Cobb:** Tonight all I need is for you all to vote and say yes he may continue with the variance and get his building permit.

**Bowe:** And then what? Does he still have to go back to the variance people?

**Gormus:** No.

**Bickford:** He wouldn't have to because it's already been accepted.

**Bowe:** So we can make the decision right here tonight?

**Cobb:** Yes.

**Bowe:** I commend the man for even asking for a building permit. I'm goin tell you I mean if it was my house and the outside was finished...

**Bickford:** You're not supposed tell us that Pat.

**Bowe:** Ok. I commend you for even getting one.

**Bickford:** You're not supposed to tell us that Pat.

**Bowe:** Ok.

**Smith:** That's too much information.

**Bickford:** But that is good. So if we say we want... if we say we accept this and just want to agree to extend the building permit and the variance and it does...

**Cobb:** Well not extend the building permit. He would have to go get a building permit. We can extend the approval of his variance.

**Bickford:** He would still have to get a building permit. But the variance would be extended which would avoid going back to the Board. Ok. Very good.

**Gormus:** Alright I say yes. So I'm making the motion.

**Bowe:** I'll second it.

**Allen:** We're getting a new building permit or can you just extend the other?

**Bickford:** Yes he has to get a new building permit but he does not have to get approval of the variance is what it will do so. We have a motion to approve... or continue the variance with the understanding that Mr. Toney will still have to get a new building permit. Everyone understand that? Ok. Any discussion before we vote. Any further? Alright seeing none we'll vote.

**Vice-Chair Gormus moved, Commissioner Bowe and Commissioner Charlton seconded and was unanimously carried by the Commission to extend the variance for Case 03V88 variance on side setback.**

**Bickford:** It is approved Mr. Toney. You just have to get a building permit sir.

**Toney:** Thank you.

**Bickford:** Thank you for your answers.

**Smith:** Tell your sister I said hey.

**Toney:** Inaudible.

**Re: Reports/Correspondence-March Building Permits and Zoning Administrator's Report**

**Bickford:** Ok Ms. Cobb that takes care of all the business except for your reports and correspondence so are you...

**Cobb:** In March there were 33 building permits totaling \$7,988.95. And that's the end of my report.

**Bickford:** Very good. Alright, that wraps you up?

**Cobb:** Yep that's it for me.

**Re: Commission Matters/Concerns**

**Bickford:** Ok that brings us to Commission Matters. Does any Commissioners have anything they'd like to voice at this time? Seeing none do I have a motion to adjourn?

**Re: Adjournment**

**Gormus:** Move to adjourn.

**Allen:** Second.

**Vice-Chair Gormus moved, Supervisor Allen seconded and was unanimously carried by the Commission to adjourn the meeting.**

There being no further business, Chairman Bickford declared the meeting adjourned.

ATTEST:

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Rebecca S. Cobb  
Zoning Administrator

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John E. Bickford  
Chairman

**Buckingham County Planning Commission**

**May 23, 2016**

**Administration Building**

**7:00 PM**

**Public Hearing for Case 16-SUP234**

**OWNER/APPLICANT:** Sidney Paterson 1771 Saw Mill Rd Farmville, VA 23901

**PROPERTY INFORMATION** – Tax Map Section 206, Parcel 1, Lot 1 containing an approximate 8.4 acres, on Saw Mill Rd (Rt 683), in the Francisco Magisterial District.

**ZONING DISTRICT** – Agricultural District (A-1)

**REQUEST** –Special Use Permit – The applicant is asking the Planning Commission to recommend approval of her request for a Special Use Permit for the purpose of a Bed and Breakfast.

**BACKGROUND/ZONING INFORMATION:** The property is located in the southern portion of the County. The property is zoned Agriculture (A-1) and the Comprehensive plan list the area as agricultural and forestall. The Zoning Ordinance requires that a Bed and Breakfast obtain a Special Use Permit. The Zoning Department recommends approval with the following conditions:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.
2. The facility shall meet all safety requirements of all applicable building codes.
3. That commencement of the facility shall begin within one year of the approval by the Board of Supervisors or this special use permit shall be null and void.
4. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions.
5. Ample parking for occupants shall be supplied on premises and no roadway shoulders shall be used.
6. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
7. That the property be kept neat and orderly.
8. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable

9. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Planning Commission or Board of Supervisors.
10. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property at any time to check for compliance with the provisions of this permit.
11. That the applicant (s) understands the conditions and agrees to the conditions.

What is the recommendation of the Planning Commission?

**APPLICATION FOR A SPECIAL USE PERMIT**

CASE NUMBER: 16-SUP934  
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: April 12, 2016

Special Use Permit Request: Bed and Breakfast

Purpose of Special Use Permit: ESTABLISH AN ONLINE BED AND BREAKFAST FACILITY.

Zoning District: AGRICULTURE (A-1) Number of Acres: 8.44

Tax Map Section 206 Parcel 1 Lot 1 Subdivision \_\_\_\_\_ Magisterial Dist. Francisco

Street Address: 1771 SAW MILL Rd Rt 683  
Directions from the County Administration Building to the Proposed Site: Rt 155 south to SAW MILL Rd TURN R + 1st DRIVE ON RIGHT

Name of Applicant: SIDNEY J. PATERSON

Mailing Address: 1771 SAW MILL Rd FARMVILLE VA 23901

Daytime Phone: 434-414-6826 Cell Phone: 434-414-6949

Email: JAKIPAT@ICLOUD.COM Fax: N/A

Name of Property Owner: SIDNEY J. PATERSON

Mailing Address: 1771 SAW MILL Rd FARMVILLE VA 23901

Daytime Phone: 434-414-6826 Cell Phone: 434-414-6949

Email: JAKIPAT@ICLOUD.COM Fax: —

Signature of Owner: Sidney J. Paterson Date: 4/12/2016

Signature of Applicant: Sidney J. Paterson Date: 4/12/2016

Please indicate to whom correspondence should be sent:  
 Owner of Property  Contractor Purchaser / Lessee  Authorized Agent  Engineer  
 Applicant

### ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: ERIC TIPTON

Mailing Address: 1661 Saw Mill Rd, Farmville Va 23901

Physical Address: SAME

Tax Map Section: 206 Parcel: 1-3 Lot: 3 Subdivision: RIVERVIEW ESTATES

2. Name: REDFORD, JAMES + KELLY

Mailing Address: 1753 Saw Mill Rd Farmville, Va 23901

Physical Address: SAME

Tax Map Section: 206 Parcel: 2 Lot: 2 Subdivision: RIVERVIEW ESTATES

3. Name: RON DOWDY

Mailing Address: 993 High View Farmville, VA

Physical Address: SAME

Tax Map Section: 206 Parcel: 3 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

4. Name: POWELL, ELAINE H.

Mailing Address: 1045 South James Madison Hwy Farmville 23901

Physical Address: SAME

Tax Map Section: 154 Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

This 12 day of April, year 2016

I SIDNEY J. PATERSON hereby make oath that  
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

Sidney J. Paterson

(owner / contract purchaser / authorized agent – please circle one)

NOTARY:  
COMMONWEALTH OF VIRGINIA

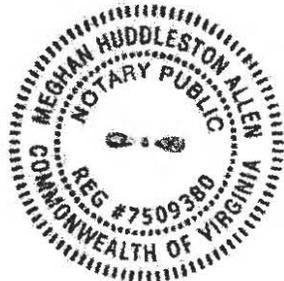
COUNTY OF Buckingham

STATE OF Virginia

Subscribed and sworn to me on the 12 day of April

of the year 2016. My Commission expires on 9/30/2019

Notary Public Signature: [Signature]  
Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM, VIRGINIA

On this 12 day of APRIL, of the year 2016

I SIDNEY J. PATERSON (printed name of owner)  
hereby make oath that no member of the Buckingham County Board of Supervisors nor  
the Buckingham County Planning Commission has interest in such property either  
individually, or by ownership of stock in a corporation owning such land, or by  
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of  
stock in or as a director or officer of any corporation owning such land, directly or  
indirectly by such members of his/her immediate household, except as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

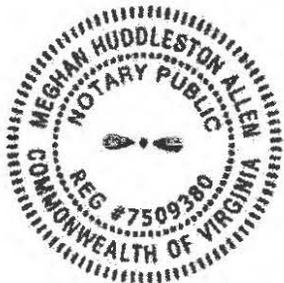
Signature of Owner: (to be signed in front of notary public)

Sidney J. Paterson

NOTARY PUBLIC  
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 12 day of April  
of the year 2016. My commission expires 9/30/2019.

Notary Public Signature: Meghan Huddleston Allen  
Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR  
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: \_\_\_\_\_

Visual Inspection Findings (describe what is on the property now):

HOUSE AND ONE STORAGE SHED. A GARPORT  
WITH SMALL ATTACHED STORAGE SHED

County Records Check (describe the history of this property):

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes \_\_\_\_\_ No

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes \_\_\_ No

If yes, please explain any impact:

Owner/Applicant Signature: Sidney J. Paterson Date: 4/12/2016

Printed Name: SIDNEY J. PATERSON Title: OWNER

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: \_\_\_\_\_

Applicant: <sup>ETA</sup> SEDNEY <sup>ETA</sup> PATTERSON

Location: 1771 SAWMILL RD. RT. 683 - TAX MAP # 206-1-1

Proposed Use: BED + BREAKFAST

For VDOT use only:

\_\_\_\_\_ A Traffic Impact Statement is required per 24 VAC 30-155-60.

A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

\_\_\_\_\_ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_

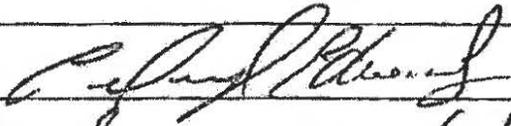
Does the existing entrance meet VDOT requirements for the proposed use?

Yes \_\_\_\_\_ No  If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

PLEASE SEE ATTACHED DOCUMENTS -

1- LETTER FROM DARYL EDWARDS - VDOT TO MS. PATTERSON

2- VDOT DIAGRAM FIGURE 4-1 LOW VOLUME COMMERCIAL ENTRANCE

Signature of VDOT Resident Engineer: 

Printed Name: Charles J. Edwards Date: 4/7/16



# COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION  
4219 CAMPBELL AVENUE  
LYNCHBURG, VIRGINIA 24501  
VDOT.Virginia.gov

CHARLES A. KILPATRICK, P.E.  
COMMISSIONER  
April 7, 2016

Ms. Sydney Patterson  
1771 Sawmill Rd.  
Farmville, VA 23901

Re: Special Use Application for Proposed Bed & Breakfast  
Tax Map Parcel 206-1-1  
Buckingham Co., VA

Dear Ms. Patterson,

Per our phone conversation of 4/7/16, you provided information that you are applying for a Special Use Permit to change your property usage from a single-family dwelling (private use) to a single-family dwelling / Bed & Breakfast (commercial use). You indicated that only (2) two bedrooms of your existing dwelling would be designated for Bed & Breakfast use. This action will change the requirements for the connection to a State Highway from the existing private entrance to a required Low Volume Commercial entrance.

Per your request, I am including a standard detail of a VDOT Low Volume Commercial entrance to give you a view of the possible upgrades that will be required.

If you have any further questions please don't hesitate to contact me at (434)505-3262.

Sincerely,

A handwritten signature in black ink, appearing to read "Daryl Edwards".

Daryl Edwards  
Land Use Permits Manager  
VDOT-Lynchburg-East

Entrance pipe culverts shall be sized to accommodate the run-off expected from a 10-year frequency storm. Alternate methods for placing pipe culverts under the entrance (cut/fill details) are presented in the PE-1 design standard illustration in the VDOT *Road and Bridge Standards*, Section 600, available on the VDOT web.

All private and low volume commercial entrance grades shall start back of the shoulder line. If drainage is necessary, the ditch line may be moved back to provide 9 inches minimum cover over pipe.

Entrances shall be at least 12' wide and tied smoothly into the roadway surface.

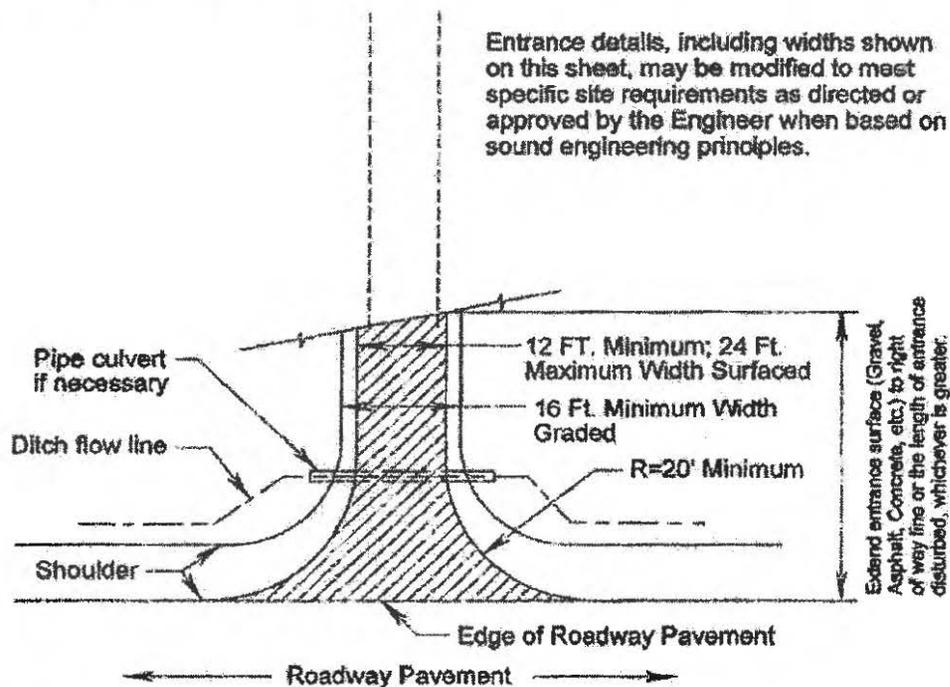
The entrance surface can be crusher run aggregate (gravel), asphalt, concrete, etc. and shall extend from the edge of the roadway to the right-of-way line.

**Private and Low Volume Commercial Entrance Grades**

In the interest of assuring an adequate, convenient, and safe access to public roads, VDOT recommends the grades along such entrances not exceed 10%.

**Modification of an Existing Private or Low Volume Commercial Entrance**

When an existing street is re-developed and modification of an existing entrance is required, the entrance surface shall be extended to the right-of-way line or the extent of disturbance to the existing entrance.



**FIGURE 4-1 PRIVATE ENTRANCE AND LOW VOLUME COMMERCIAL ENTRANCE DETAIL**

From: **Sidney Paterson** [janipat@icloud.com](mailto:janipat@icloud.com)  
Subject: **Special use permit narrative**  
Date: **Today at 4:12 PM**  
[roobb@buckinghamcounty.virginia.gov](mailto:roobb@buckinghamcounty.virginia.gov)

**I am applying for a Special Use Permit to operate an Airbnb facility at 1771 Saw Mill Rd/Va Rt 683, Farmville, Va. 23901, Buckingham County. My home is 3 bedrooms, two and a half bath, built by Eicher Construction in 2006.**

**airbnb.com is an on-line reservation service for temporary overnight accommodations for visitors and tourists who enjoy the sites of historic Virginia. There will be no signage or advertising for the facility. The second floor of my home has two bedrooms and a full bath which will be used for four to six temporary overnight guests.**

**There is ample parking for four guest vehicles out of site of the road.**

**There is a circular drive well back from the entrance on Saw Mill Rd. (see plat). The property is buffered from the road and adjacent properties by thick, natural woods and gardens. Chemicals and pesticides are not used on the property.**

**A continental breakfast consisting of Danish, fruit and juice/coffee will be offered and prepared in certified commercial facilities. No food will be prepared at the B&B for guests.**

**Fire and rescue and law enforcement needs are served by Farmville and Buckingham County organizations. Prospect fire and rescue responds to our area, also. We are four miles from Southside/ Centra Hospital.**

**Water and sewage are on the property. Any food waste is composted for gardens, including paper and cardboard.**

**I have visited all adjacent property owners and received very favorable responses. A traffic impact study was made by Mr. Edwards of VDOT Dillwyn office. Report is attached. His comments were very favorable. The Airbnb will offer a much needed service to visitors and tourists enjoying our beautiful, historic part of Virginia.**

Jimmy G. Powell  
H. Elaine Powell  
D.B.154 p.348:  
D.B.154 p.354(plat)

①  
8.44 Acres

③  
1.79 Acres

②  
4.39 Acres

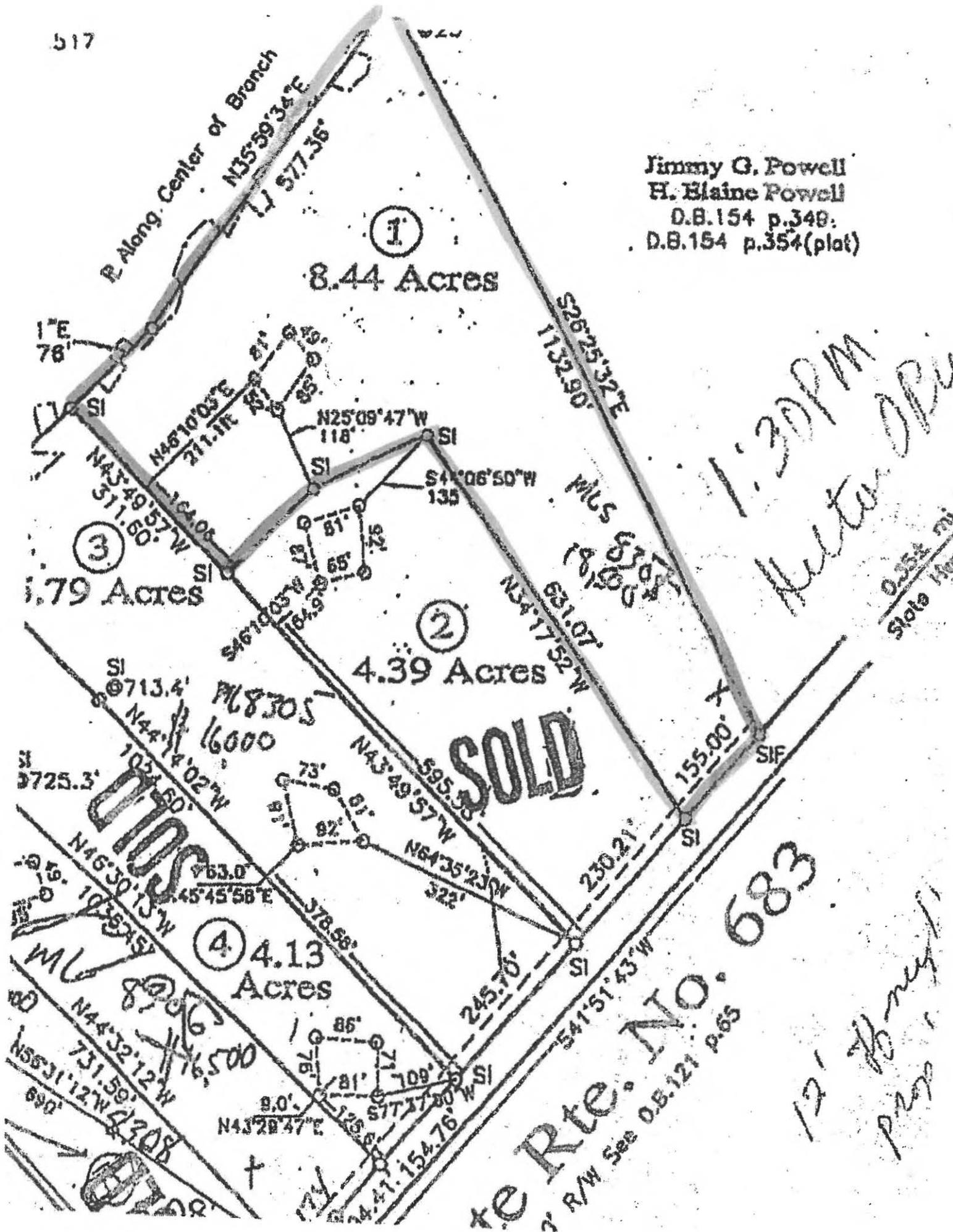
④  
4.13 Acres

**SOLD**

**PLAT NO. 683**  
Rte. No. 683  
R/W See O.B. 121 p. 65

*1:30 PM*  
*Kurtis O'Brien*

*12' Home*  
*prop.*





REBECCA S. COBB  
Zoning Administrator/Planner

**Buckingham County**  
**Planning Commission**  
Office of the County Administrator  
13360 W. James Anderson Highway  
Post Office Box 252  
Buckingham, Virginia 23921-0252  
Telephone 434-969-4242  
Fax 434-969-1638

John E. Bickford  
Chairman  
District 1 Commissioner

Royce E. Charlton, III  
District 2 Commissioner

R. Patrick Bowe  
District 3 Commissioner

James D. Crews, Sr.  
District 4 Commissioner

Sammy Smith  
District 5 Commissioner

Chet Maxey  
District 6 Commissioner

Alice Gormus  
Vice-Chairman  
District 7 Commissioner

DANNY R. ALLEN  
Board Representative  
District 7 Supervisor

Sidney J. Paterson  
1771 Saw Mill Rd  
Farmville, VA 23901

May 13, 2016

Dear Ms. Paterson:

The Planning Commission has scheduled a Public Hearing for your request for a Special Use Permit for the purpose of operating a bed and breakfast facility. The public hearing with the Planning Commission is scheduled for May 23, 2016 (Monday) at 7:00 PM in the County Administration Building.

The following are conditions that may be attached to your Special Use Permit if approved:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.
2. The facility shall meet all safety requirements of all applicable building codes.
3. That commencement of the facility shall begin within one year of the approval by the Board of Supervisors or this special use permit shall be null and void.
4. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions.
6. Ample parking for occupants shall be supplied on premises and no roadway shoulders shall be used.
9. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
10. That the property be kept neat and orderly.
11. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable

- 12 That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Planning Commission or Board of Supervisors.
- 13 The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property at any time to check for compliance with the provisions of this permit.
- 14 That the applicant (s) understands the conditions and agrees to the conditions.

If you disagree with this recommendation of conditions you may state such at the meeting. You or a representative is encouraged to attend the meeting to answer any questions that may arise concerning this request. At this meeting the Planning Commission may make a recommendation to the Board of Supervisors.

Sensory accommodations are available upon a five (5) working day notice to the Office of the County Administrator, PO Box 252, Buckingham Virginia 23921 or by calling (434) 969-4242. If you have any questions, please call 434-969-4242.

Sincerely,



Rebecca S. Cobb  
Zoning Administrator/Planner

May 5, 2016

The attached adjoining landowners letter was mailed by first class mail by prepaid postage to the following list of landowners on May 5, 2016 to let them know about the public hearing to be held by the Planning Commission on May 23, 2016

Eric Tipton  
1661 Saw Mill Rd  
Farmville, VA 23901

James & Kelly Redford  
1753 Saw Mill Rd  
Farmville, VA 23901

Ron Dowdy  
992 High View  
Farmville, VA 23901

Elaine H Powell  
1045 S. James Madison Hwy  
Farmville, VA 23901

John & Mary Meeks  
1572 Saw Mill Rd  
Farmville, VA 23901

Patricia Earlene Simpson  
3800 Bay Shore Rd  
Sarasota , FL 34234

I Rebecca Cobb do certify that the above information is correct. Date 5/5/16  
*Rebecca Cobb*

Notary Public  
Commonwealth of Virginia

County of Buckingham

State of Virginia

Subscribed and sworn to me on 5 day of May, of the year 2016

My Commission expires on 9/30/2019

Notary Public Signature  
Stamp: 7509380

*Meghan Huddleston Allen*





REBECCA S. COBB  
Zoning Administrator/Planner

**Buckingham County**  
**Planning Commission**  
Office of the County Administrator  
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Alice Gormus  
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District 7 Commissioner

DANNY R. ALLEN  
Board Representative  
District 7 Supervisor

Eric Tipton  
1661 Saw Mill Rd  
Farmville, VA 23901

May 5, 2016

To Whom It May Concern:

The purpose of this letter is to make you aware that the Buckingham County Planning Commission is holding a public hearing for case number 16-SUP234. This is a Special Use Permit request to operate a bed and breakfast. The applicant and owner is Sidney J Paterson. This request is for tax parcel 206-1-1 on Saw Mill Rd. You are being contacted because your property is located adjacent to the parcel on which the permit is requested.

Detailed information is available for your review in the Zoning Administrator's office in the Buckingham County Administration Building. The public hearing will be held at a regularly scheduled Planning Commission Meeting on May 23, 2016 (Monday). The meeting begins at 7:00 P.M. and will be held in the Buckingham County Administration Building Board Room. The public hearing process includes a public comment time where you may speak in favor or against this matter. If you have any questions regarding this case please call or come to the Zoning Office located in the County Administration Building.

Sincerely,

  
Rebecca S. Cobb  
Zoning Administrator

**The Geographic Heart of Virginia**







