

ORANGE COUNTY PLANNING COMMISSION

COMMUNITY DEVELOPMENT BUILDING
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960



(540) 672-4347
FAX: (540) 672-0164
orangecountyva.gov

Regular Meeting
Gordon Building Meeting Room
112 W. Main Street, Orange, VA 22960
Thursday, June 19, 2014
AGENDA

1. Call to Order
2. Determination of Quorum
3. Approval of Agenda
4. Public Comment
5. Old Business
 - A. Board of Supervisors Report – Jim Crozier
 - B. Planning and Zoning Report – Gregg Zody
 - C. Route 3 Steering Committee Report – George Yancey/Nigel Goodwin

7:15 p.m. PUBLIC HEARING

SUP 14-03: Randolph Hoffman is seeking an amendment to his special use permit (SUP 06-03) which permits the operation of a public garage on his property located at 15175 Pamunkey Ln in Orange and referenced by tax map 60-45D. This special use permit is pursuant to Sec. 70-303(13) of the county's Zoning Ordinance. The specific request is a change to conditions #2 and #5 in order to increase the permitted number of cars, from 25 to 50, that can be stored on-site, and to permit the construction of an addition to the garage, an additional storage building and a parking structure for a tow truck. The property is zoned Agricultural (A) and identified as Agricultural A2 on the future land use map in the 2013 Comprehensive Plan.

6. New Business
7. Commissioner Comments
8. Next meeting – July 3, 2014
9. Adjourn

ORANGE COUNTY
DEPARTMENT OF PLANNING AND ZONING

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STAFF REPORT

TO: Orange County Planning Commission
FROM: Josh Frederick, Senior Planner
THROUGH: Gregg Zody, AICP
Director of Planning and Zoning
DATE: June 10th, 2014
RE: SUP 14-03: Randy's Auto Service & Towing

STAFF RECOMMENDATION

Based on the analysis and in furthering the goals of the Comprehensive Plan, Staff recommends approval of this special use permit application with the conditions included in the draft PC Resolution 14-09, as attached. While the applicant only applied for an amendment to two of the original six conditions, Staff recommends superseding the original SUP 06-03 conditions with the conditions recommended for this application. This will clarify the language and make for better transparency and easier recordkeeping.

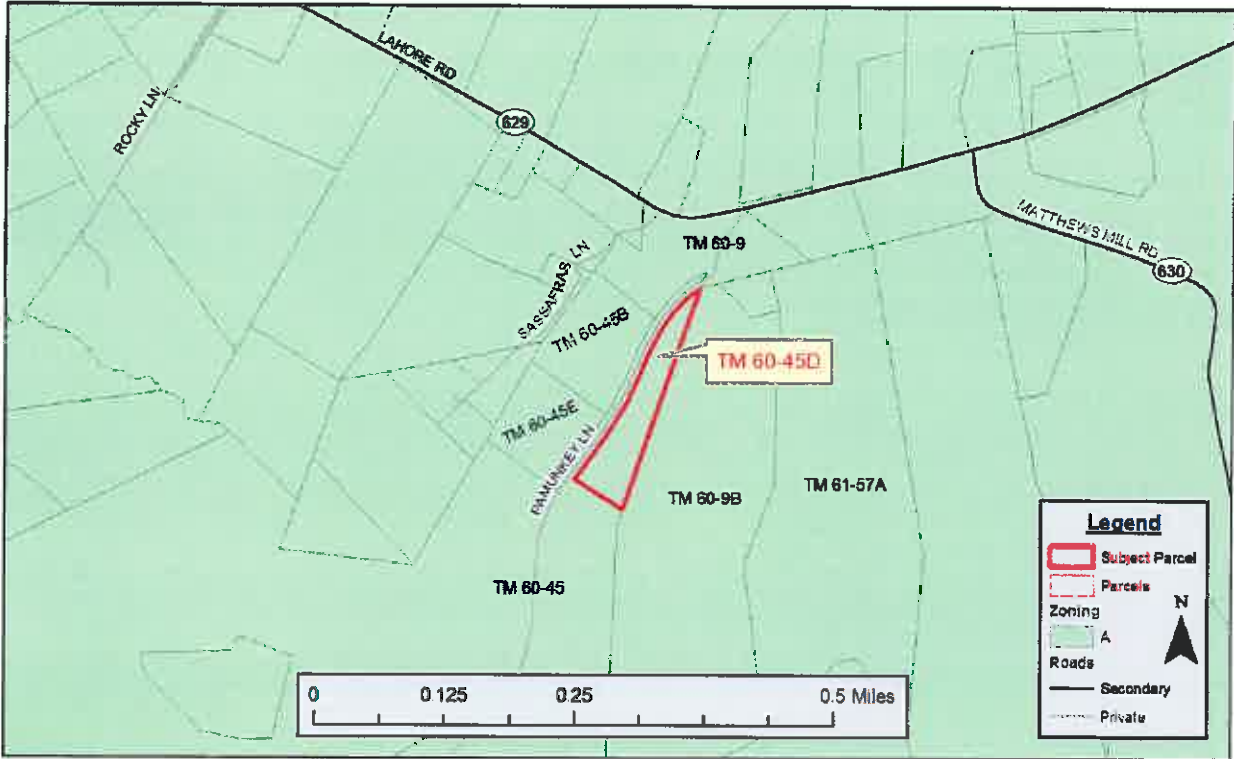
CASE OVERVIEW

Request – Randolph Hoffman is seeking an amendment to his special use permit (SUP 06-03) which permits the operation of a public garage on his property, which is referenced by tax map 60-45D. The specific request is a change to conditions #2 and #5 in order to increase the permitted number of cars, from 25 to 50, that can be stored on-site in relation to the business, and to permit the construction of an addition to the garage, an additional storage building and a parking structure for a tow truck.

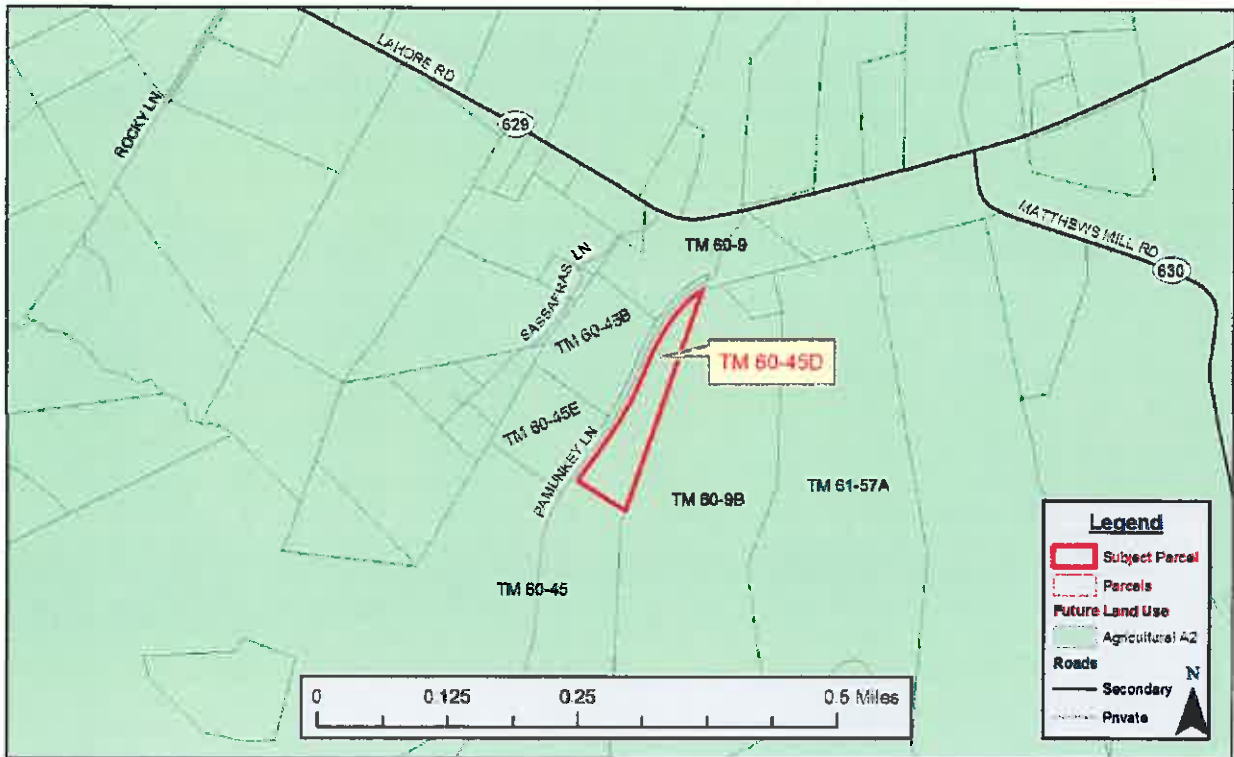
Location – The property is located at 15175 Pamunkey Ln, which is off of Lahore Rd (Rt 629), approximately 7 miles southeast of the Town of Orange.

Zoning/Land Use – This special use request is pursuant to Sec. 70-303(13) of the Zoning Ordinance. The applicant's property, as well as all adjacent and nearby properties, are zoned Agricultural (A). The current garage business/building exists as an accessory use to the applicant's primary residence. Across Pamunkey Ln from the subject property are two single family residences and the North Pamunkey Baptist Church; the predominant land use in the area is forestland and agriculture/open space. The church obtained a special use permit in 2006 (SUP 06-08) to operate a preschool, which is currently active.

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Current Zoning Map



Future Land Use Map

ORANGE COUNTY

DEPARTMENT OF PLANNING AND ZONING

Other Information – SUP 06-03 was approved with six conditions by the Board of Supervisors at their August 8th, 2006 regular meeting (see Attachment B); it is currently active. Staff conducted a site visit during the preparation of this staff report and, to the best of our abilities, found the property to be in compliance with said conditions.

Community Input - The public hearing notice was advertised in the Orange County Review on June 5th and 12th, and notices to adjacent property owners were mailed out on June 3rd. No public comment was received prior to distribution of agenda packets to the Commission.

Application Review Committee Comments - The ARC did not meet for this application. Instead, members were invited to comment on the applicant's proposal and express concerns via email. Relevant comments are outlined below:

- Virginia Department of Transportation – “[We] did investigate this existing entrance, and it appears adequate for both the current use and the proposed expanded use. We have no further comments and recommend approval of the SUP amendment.” This comment was from John Orr, P.E, our Area Land Use Engineer, in an email dated 5/16/14.

ANALYSIS

In granting a special use permit, Section 70-141 of the County Zoning Ordinance states that the Planning Commission and Board of Supervisors shall consider whether the proposed use would further the purposes of the Comprehensive Plan; whether it would threaten the public health, safety or welfare; whether it would be compatible with its surroundings; and whether it would result in a substantial detriment to the surrounding property.

Zoning Ordinance

A public garage is permitted as a special use in the (A) zoning district under Sec. 70-303(13) of the Zoning Ordinance. The original special use permit was approved under this same code section in 2006 and therefore represents a legal, conforming use.

Comprehensive Plan

The Future Land Use Map of the 2013 Comprehensive Plan identifies the subject parcel, as well as those in the general vicinity, as *Agricultural A2*. To guide land use decisions in this future land use area, the Plan offers the following relevant guidance:

Encourage agricultural, commercial and industrial enterprises that are compatible with Orange County's unique features. (pg. 17)

Protect the characteristics of those areas of the County that feature a mix of agricultural activities, residential neighborhoods and small scale commercial uses. (pg. 25)

The land in the area identified as A2 generally shares one or more of the following characteristics: ...Varied commercial uses located along primary and secondary highways that support and provide convenience for County residents living in this area. (pg. 27)

ORANGE COUNTY

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Small-scale auto garages are a common commercial use found in the A2 areas of the county and conform to the guidance above. The applicant's proposal, as submitted, is consistent with the Comprehensive Plan.

Public Services and Facilities

A public garage does not represent any appreciable impact on the county's services and/or facilities. The property is served by a private well and septic system.

Public Health and Welfare

The applicant's proposal does not represent an appreciable increase in intensity, and is a minor expansion of use. Since auto-part salvaging is not a permitted use for the property, concerns over prolonged automotive chemical leaks are not significant. Staff does not foresee a threat to the public health and welfare

Historic and Cultural Resources

The nearest historic site is Orange Springs (NRHP Ref #90002134; VA DHR Ref #068-0066), approximately 4 miles to the east of the applicant's property. Staff does not foresee any impact to any historic and/or cultural resources.

Economic Development

The applicant's proposal represents a small impact on the county's overall economic development efforts. It does not require the investment of any public funds.

Compatibility with Surroundings

The garage exists as an accessory use to the applicant's single-family residence on the property. SUP 06-03 was approved with buffering and use restrictions to mitigate any noise and/or visual impacts on the adjacent residences and church. These conditions have been met and are in compliance with the original special use permit. As long as the buffers and use restrictions are maintained, Staff does not foresee any incompatibility arising from the applicant's proposal.

Attachments:

- A) SUP Application
- B) SUP 06-03 approval letter with conditions, dated 8/10/06
- C) Draft resolution recommending approval of SUP 14-03 (conditions attached)
- D) Draft resolution recommending denial of SUP 14-03

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Entrance to the rear of the garage



Looking southward toward the site from Pamunkey Ln



The existing buffer along Pamunkey Ln



Looking northward toward the site from Pamunkey Ln

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ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347
FAX: (540) 672-0164
orangecountyva.gov

APPLICATION FOR SPECIAL USE PERMIT

Applicant Name RANDOLPH B. HOFFMAN Phone 540-854-7264

Mailing Address 15175 Pamunkey LANE ORANGE VA, 22960

Email Address RANDYHOFFMAN02@gmail.com

Application must be made by the Landowner or with his/her permission. If Applicant is not the Landowner, complete the following and attach (1) a letter of permission from the landowner or affidavit to act on his or her behalf; or (2) a copy of the contract to purchase the property, if applicable.

Name of Landowner RANDOLPH B. HOFFMAN Phone 540-661-6691

Mailing Address 15175 Pamunkey LANE ORANGE VA, 22960

Location and description of the proposed site:

Tax Map # 60-45D Acreage 5

Street Address 15175 Pamunkey LANE ORANGE VA, 22960 Route 621

Special Use Request Current Zoning _____

Briefly explain in the space below why the proposed special use permit request is an appropriate use that will not negatively impact your adjacent neighbors and the general area, and how the proposed special use permit is consistent with the Comprehensive Plan (attach a separate page of explanation if necessary).

EXPAND ORIGINAL Special Use Permit Application # SUP-06-03

ADD on To Existing Building - ADD more Cars - Only

Information to be submitted with this application shall be as noted on the "Application Information Checklist."

Property corners must be marked by applicant at time of application submittal to ensure proper placement of public hearing notification signs.

Print name(s) RANDOLPH B. HOFFMAN

Sign name(s) Randolph B. Hoffman

Date April-22-14 Phone (where you can be easily reached) 540-661-6691

Application fee is not refundable.

RECEIVED

MAY 2 2014

County of Orange
Planning & Zoning Department

May-1-2014

To Whom it may Concern:

Due to the many complaints of my ex-brother in law, following a divorce. I have decided to revise my special use permit, to save the county and myself, time and money. Due to the fact of all his complaints.

(Note: He is the only one making all these complaints.) With that being said, I plan to expand my shop and make it bigger, better, and more useful. Here's a list of things I plan to do.

- (A.) Add on to shop 32x48.
- (B.) Put a storage building on lot maybe 12x32, or smaller.
- (C.) Increase the car capacity in back lot to about 50 cars, at any given time.
- (D.) Add a storage lean to, on the back of the shop. For compressor, ect.
- (E.) Put a truck port for my Rollback to keep off snow and rain.
- (F.) Due to all my neighbors No complaints at all. I try an help everyone in the area.
- (G.) Possibly Asphalt or Concrete Lot and Road Later on

Neighbors

North Pamunkey Church

Benny Lauffer -

Nira Luy-Land
doesn't connect.

Betty Weaver -

EQ Dickinson -
or new owner.

Thanks, for taking the time to look over this, and take into consideration

Randy's Auto Service + Towing

Randy Hoff

May-1-2014

Traffic and Environmental Impact:

Randy's Auto Service & Towing is off of Route 621 Lahore and Pamunkey Lane.

These many additions and or changes will Not have any Impact on Traffic. Randy's Auto is a good 1,000 ft from the main Road. You can't see my Shop from the road. I just want to modify my old Special Use Permit SUP-06-03.

These additions and Changes won't have any affect on wetlands or Stream's, or anything else in the area.

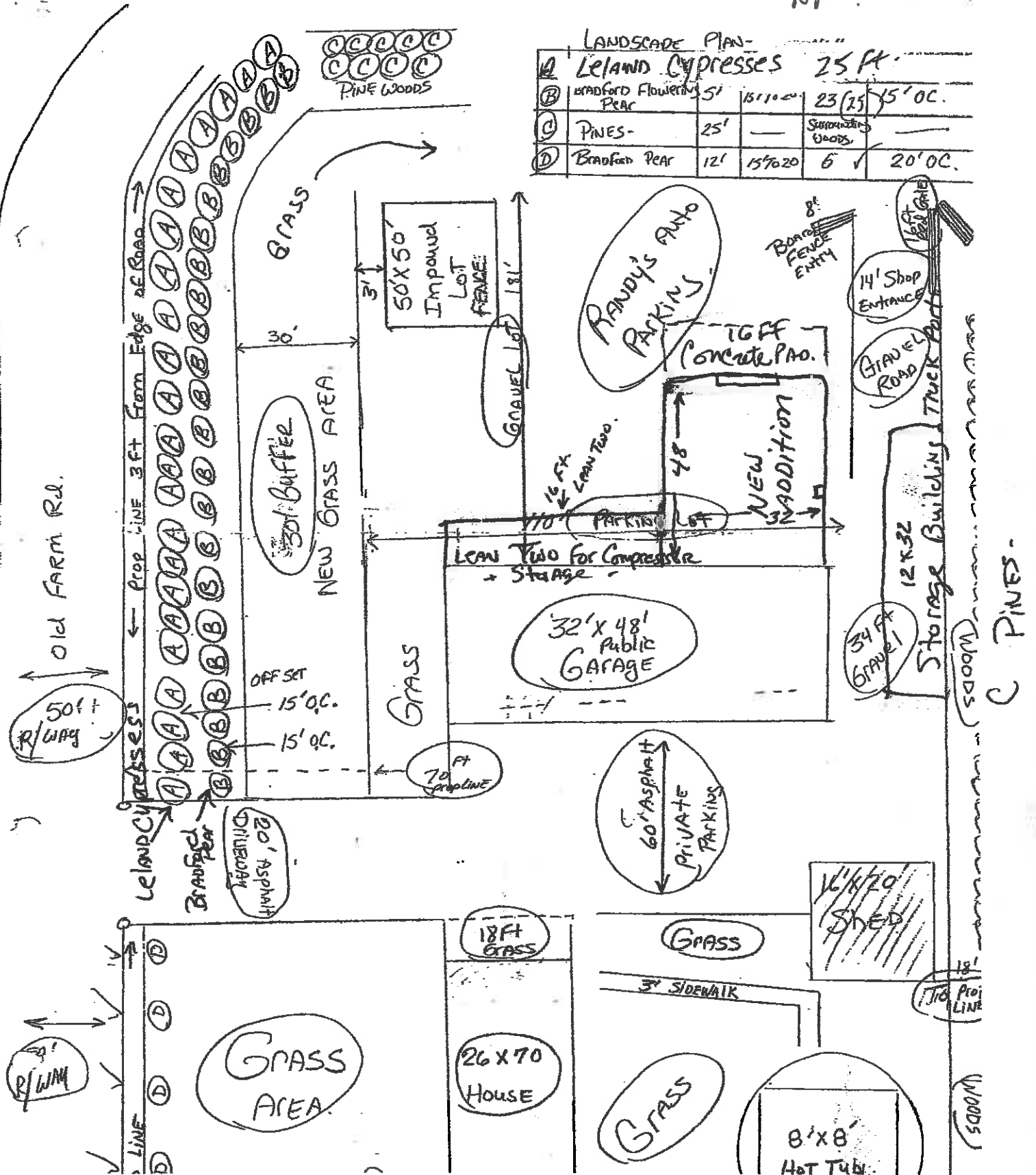
Randy Hoffman-

Randy's Auto Service + Towing

SHE PLAN / LANDSCAPE PLAN

Rt 629 Lahore Rd.

April-29-14



LANDSCAPE PLAN-

A	Leland Cypress	25 ft.			
B	Bradford Flowering Pear	5'	15/10/20	23 (25)	15' O.C.
C	PINES-	25'		Surrounding Woods	
D	Bradford Pear	12'	15/10/20	6	20' O.C.

P.O. BOX 565
ORANGE COUNTY, VIRGINIA
PHONE: (540)-672-1434

SCALE: 1" = 100'

SHEET 1 OF 1
JOB NO. OR-5013

DATE: OCTOBER 14, 1996

TM. 60-9
NORTH PAMUNKEY
CHURCH
DB. 61 PG. 353
DB. 43 PG. 404

N58°57'39"E 45.04'
N72°06'23"E 35.46'

N52°55'15"E 69.23'

N49°09'20"E 82.49'

N38°10'19"E 95.66'

N38°10'19"E 34.35'

50' EASEMENT

TM. 60-45B
Re: W. C. Weaver
DB. 414 PG. 204
PC.-C-244.

Approx. Location
Underground Cable

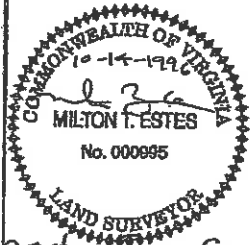
N39°29'19"E 110.00'

TM. 60-57
H. Q. DICKINSON III
DB. 215 PG. 425

TAX MAP # 60-45D
Hoffman Prop.

5.000 AC.

TM. 60-45
RESIDUE OF
W. C. WEAVER
DB. 208 PG. 643



MILTON TERRY ESTES
VA. C. L. S. NO. 995 © 1996

APPROVED:

C.A. R. [Signature]
HEALTH DEPT. DATE 10/17/96

NOTES:

1. NO TITLE REPORT FURNISHED.
2. EASEMENTS NOT SHOWN MAY EXIST.
3. UNDERGROUND UTILITIES AND SUBSURFACE FACILITIES NOT LOCATED.
4. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY COMPLETED BY THIS FIRM.
5. DIVISION SHOWN IS FOR A MEMBER OF THE FAMILY.
6. PLAT SHOWING PROPOSED HOUSE, WELL, AND DRAINFIELD LOCATIONS ON FILE AT HEALTH DEPARTMENT. DEVIATIONS REQUIRE APPROVAL.

Randolph B. Hoffman Prop.

C. [Signature] 11/1/96



Magnetic
1996

ORANGE COUNTY, VIRGINIA

BOARD OF SUPERVISORS

R. MARK JOHNSON, DISTRICT ONE
THOMAS E. GRAVES, DISTRICT TWO
C. L. "SONNY" DODSON, JR., DISTRICT THREE
TERI PACE, DISTRICT FOUR
RICHARD D. WALLACE, DISTRICT FIVE

WILLIAM C. ROLFE
COUNTY ADMINISTRATOR



R. LINDSAY GORDON III BUILDING
112 WEST MAIN STREET
P O BOX 111
ORANGE, VIRGINIA 22960

PHONE: (540) 672-3313
FAX: (540) 672-1679

August 10, 2006

Mr. & Mrs. Randolph Hoffman
15175 Pamunkey Lane
Orange, VA 22960

SUP06-3: Randolph Hoffman Public Garage

Dear Mr. and Mrs. Hoffman:

This is to let you know that the Board of Supervisors, at their August 8, 2006 meeting, unanimously approved your request for a special use permit to operate a public garage and impound lot subject to the following conditions:

- ✓ 1. All vehicle services, except towing service, shall be conducted between the hours of 8am and 6pm, Monday through Saturday only.
- ✓ 2. At any one time, a maximum of twenty-five (25) vehicles may be stored on the property for compensatory service provided that when fifteen (15) or more vehicles are present, no less than five (5) vehicles shall be contained within the fenced impound area; and all vehicles stored on the property for compensatory service shall be parked in the graveled area behind the garage only.
- ✓ 3. One (1) fenced vehicle impound area that shall not exceed twenty-five hundred (2500) square feet in area may be established; and such impound area shall be located no less than thirty (30) feet from any property line in the general area shown on the site plan submitted with the Special Use Permit application.
- ✓ 4. A thirty (30) foot wide buffer shall be designated along the property lines adjacent to the garage and vehicle storage areas; and no structures shall be constructed, erected or installed in such buffer area; and all existing trees and shrubs within the buffer area shall be preserved and maintained, including the prompt replacement of dead or diseased plants, as long as the Special Use Permit shall remain in effect; and the buffer area along Pamunkey Lane shall be improved with an appropriate quantity of dense shrubbery that shall reach a height of five (5) to seven (7) feet within five (5) years to provide complete screening of the

vehicle storage areas from Pamunkey Lane; and such improvement to the buffer area shall be subject to County approval of a detailed scaled site plan of the property showing all structures, parking areas and the buffer area with accurate dimension and distance measurements, and including a landscape plan for the buffer area which shall identify the location, type and number of plant species, existing and to be installed; and such site plan shall be submitted to the Planning & Zoning department within forty five (45) days of the date of the Special Use Permit approval letter; and the installation of all screening shrubbery shall be completed within sixty (60) days of the date of the site plan approval letter; and all screening shrubbery shall be maintained, including the prompt replacement of dead or diseased plants, as long as the Special Use Permit shall remain in effect.

- 5. The garage shall not be enlarged, nor shall any additional structures related to the repair and storage of vehicles be constructed, erected or installed, nor shall any area of the property except the existing graveled lot behind the garage be used for temporary storage of vehicles not owned by the property owner, unless a subsequent Special Use Permit for such is granted.*
- 6. The special use permit shall apply only to the landowner and shall not be transferable to his heirs or assigns.*

Please be advised that there is a time limit following the issuance of a special use permit, per section 70-144 of the Orange County Code of ordinances, which says:

Any special use permit shall expire if the applicant does not avail himself of the privilege granted by the permit within nine months of its issuance. The zoning administrator may grant an extension of up to three months upon written application and for good cause shown.

Please be advised that you must obtain the proper zoning and building permits prior to any construction related to this use. If you have any questions or need additional information, please contact me or Deborah Sturm Kendall, Director of Planning.

Respectfully yours,


William C. Rolfe
County Administrator

cc: Deborah S. Kendall, Director of Planning
William M. Schwind, Building Official
Donna Chewning, Commissioner of the Revenue
File: Chronological Correspondence

ORANGE COUNTY
PLANNING COMMISSION

ATTACHMENT C

COMMUNITY DEVELOPMENT BLDG.
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DRAFT RESOLUTION RECOMMENDING APPROVAL

MOTION: June 19th, 2014
Regular Meeting
SECOND: Res. No. 14-09

RE: SUP 14-03: Randy's Auto Service & Towing

WHEREAS, Randolph Hoffman has applied for an amendment to SUP 06-03, originally approved with conditions by the Board of Supervisors on August 8th, 2006, in order to permit a public garage on the applicant's property at 15175 Pamunkey Ln and referenced by tax map 60-45D; and

WHEREAS, the applicant is requesting a change to the conditions in order to store additional automobiles on the property, to construct additional buildings and to expand the garage, all in relation to the special use; and

WHEREAS, the request is pursuant to Sec. 70-303(13) of the Zoning Ordinance; and

WHEREAS, the Planning Commission held a duly advertised public hearing on this proposed special use permit on June 19th, 2014; and

WHEREAS, Staff of the Department of Planning and Zoning have recommended approval of this special use permit subject to certain conditions; and

WHEREAS, the Planning Commission has determined that this special use permit, as conditioned, would further the purposes of the Comprehensive Plan and the Zoning Ordinance; not threaten the public health, safety or welfare; promote compatibility with the surroundings; and not result in substantial detriment to the surrounding property.

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Planning Commission hereby recommends, based on public necessity, convenience, general welfare, and good zoning practice, that the Orange County Board of Supervisors **approve** SUP 14-03 for tax map 60-45D with the attached conditions, in order to mitigate the impacts of the proposed use.

ORANGE COUNTY

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SUP 14-03: Randy's Auto Service & Towing

The conditions of this special use permit ("SUP") shall apply to the properties identified on county tax map 60 as parcel 45D as well as any future division or consolidation of said property. Compliance is the responsibility of the applicant, owners and assigns. The following conditions are intended to offset and mitigate impacts of the proposed development, and to render the application consistent with the applicable provisions of the Comprehensive Plan. If the conditions of the SUP or the information on the SUP plans are in conflict with one another or with the Zoning Ordinance, the more restrictive shall apply, unless, specifically modified, waived or otherwise specified in these conditions.

1. Controlling documents – Controlling documents shall be the conditions as set forth herein and the documents submitted with the application. **These conditions shall supersede those approved for the property as part of the Board of Supervisors' approval of SUP 06-03 at their August 8th, 2006 regular meeting.**
2. Compliance – Use and development of the subject property shall be in substantial conformance with these conditions. The Zoning Administrator shall determine "substantial conformance." The business owner and/or property owner shall be responsible for obtaining all required site plan approvals, building permits, health permits, VDOT permits, zoning, stormwater and erosion & sediment control permits.

The business owner and/or property owner shall be responsible for complying with all local, state and federal laws and regulations that are applicable to the business.
3. Uses – This SUP shall permit the operation of a public garage, as defined in the Zoning Ordinance and as generally described in the application.
4. Performance Standards:
 - (1) Vehicles stored on-site for compensatory service shall be only within the parking lot located behind the primary garage building. In the case of future business expansion, building alterations, or parcel boundary changes, said vehicles shall be limited to storage only behind the primary garage building. A fenced impound area no greater than 2,500 ft² in area may be maintained within the boundaries of the parking lot.
 - (2) The maximum number of vehicles that may be stored on-site for compensatory service at any given time shall be constrained by minimum parking space dimensions and parking lot surface requirements established by the Zoning Ordinance. The applicant shall, within 6 months of approval of this special use permit, submit an application for a zoning permit along with a scaled site plan to show compliance with this standard, and to establish the maximum number of vehicles permitted for storage. Failure to do so shall cause the maximum to be set at the previously approved limit of 25 vehicles.
 - (3) An opaque, landscape/screening buffer with a minimum width of 30 feet and a minimum height of 6 feet shall be maintained along all property lines adjacent to the garage building(s) and vehicle storage lot. Natural vegetation shall be utilized where practical. In any case of expansion of this special use

ORANGE COUNTY
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in which additional buffering is required by this standard, the applicant shall submit an application for a zoning permit along with a scaled site plan to show compliance with this standard.

5. Expiration – The expiration provisions prescribed by Section 70-144 of the Zoning Ordinance shall not apply to this special use permit.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

CERTIFIED COPY: _____
Secretary to the Planning Commission

ORANGE COUNTY
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ATTACHMENT D

COMMUNITY DEVELOPMENT BLDG.
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ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347
FAX: (540) 672-0164
orangecountyva.gov

DRAFT RESOLUTION RECOMMENDING DENIAL

MOTION: June 19th, 2014
SECOND: Regular Meeting
Res. No. 14-09

RE: SUP 14-03: Randy's Auto Service & Towing

WHEREAS, Randolph Hoffman has applied for an amendment to SUP 06-03, originally approved with conditions by the Board of Supervisors on August 8th, 2006, in order to permit a public garage on the applicant's property at 15175 Pamunkey Ln and referenced by tax map 60-45D; and

WHEREAS, the applicant is requesting a change to the conditions in order to store additional automobiles on the property, to construct additional buildings and to expand the garage, all in relation to the special use; and

WHEREAS, the request is pursuant to Sec. 70-303(13) of the Zoning Ordinance; and

WHEREAS, the Planning Commission held a duly advertised public hearing on this proposed special use permit on June 19th, 2014; and

WHEREAS, Staff of the Department of Planning and Zoning have recommended approval of this special use permit subject to certain conditions; and

WHEREAS, the Planning Commission has determined that this special use permit, as conditioned, would not further the purposes of the Comprehensive Plan or the Zoning Ordinance; threaten the public health, safety and welfare; promote incompatibility with the surroundings; and result in substantial detriment to the surrounding property.

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Planning Commission hereby recommends, based on public necessity, convenience, general welfare, and good zoning practice, that the Orange County Board of Supervisors **deny** SUP 14-03 for tax map 60-45D.

ORANGE COUNTY
PLANNING COMMISSION

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

CERTIFIED COPY:

_____ **Secretary to the Planning Commission**