

ORANGE COUNTY PLANNING COMMISSION

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COMMUNITY DEVELOPMENT BUILDING
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RESOLUTION RECOMMENDING APPROVAL

MOTION: Brooks September 6, 2012
Regular Meeting
SECOND: Hutchison Res. No. 12 - 09

RE: SUP 12-02: JEREMY G. AND MELANNIE D. BEVERIDGE –
TO OPERATE A PUBLIC GARAGE ON TAX MAP NO. 36-44J

WHEREAS, Mr. Jeremy G. and Mrs. Melannie D. Beveridge, owners, have applied for a special use permit to operate a public garage on the 4.54 acre property addressed at 8475 Gold Dale Road (Route 604); identified on County Tax Map 36 as Parcel 44J (“Parcel 36-44J”). The subject property is zoned Agricultural (A), and is located approximately 1.81 miles southeast of the intersection of Route 604 and Constitution Highway (Route 20); and

WHEREAS, a public garage is an allowed use in the Agricultural (A) zoning district subject to an approved special use permit; and

WHEREAS, the Planning Commission held a duly advertised public hearing on this proposed Special Use Permit on September 6, 2012; and

WHEREAS, this Special Use Permit is consistent with the Comprehensive Plan land use designation of the land as Agricultural; and

WHEREAS, the Department of Planning and Zoning staff has recommended approval of this Special Use Permit subject to certain conditions; and

WHEREAS, the Planning Commission has considered whether this proposed Special Use Permit, as conditioned, would further the purposes of the Comprehensive Plan and the Zoning Ordinance; threaten the public health, safety or welfare; be compatible with its surroundings; or would result in substantial detriment to the surrounding property; and

WHEREAS, public necessity, convenience, general welfare, and/or good zoning practice support approval of this Special Use Permit as conditioned;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Planning Commission hereby recommends that the Orange County Board of Supervisors approve SUP 12-02 with the attached conditions in order to mitigate the impacts of the proposed use.

Votes:

Ayes:

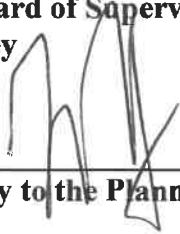
Nays:

Absent from Vote:

Absent from Meeting:

**For Information: Jeremy G. and Melannie D. Beveridge
 Clerk to the Board of Supervisors
 County Attorney**

CERTIFIED COPY



Secretary to the Planning Commission

SUP 12-02 / Mr. Jeremy G. and Mrs. Melannie D. Beveridge (Owner)
Public Garage
Orange County T.M. # 36-44J
August 22, 2012

The conditions of this Special Use Permit shall apply to the property identified on County Tax Map 36 as Parcel 44J ("Parcel 36-44J") and compliance is the responsibility of the Applicant, owners, and assigns. The following conditions are intended to offset and mitigate impacts of the proposed development on adjacent properties and uses, and to render the Application consistent with the applicable provisions of the Comprehensive Plan. If the conditions of this special use permit ("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** – The controlling document shall be these conditions and the application materials submitted by the Applicants.
2. **Uses** – This special use permit is to allow the operation of a public garage, including 24-hour towing and storage, lock out, jump start, and flat tire service.
3. **Hours of Operation** – All vehicle repair services, except towing services and the drop off and pick up of vehicles, shall only be conducted between the hours of **7:00 a.m. to 10:00 p.m., Sunday through Saturday**.
4. **Number of Vehicles** – At any one time, a maximum of ~~20~~ 25 vehicles may be stored on the property for compensatory service, provided that when **15** or more customer vehicles are present, no less than ~~3~~ 6 vehicles shall be contained within the fenced impound area; and all vehicles parked on the property for compensatory service shall be parked in the designated customer parking and additional parking spaces, as indicated in the site sketches included with this SUP application.
5. A **20** foot wide existing tree preservation buffer shall be designated along the left-side, right-side, and rear property lines around 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 this SUP shall remain in effect.
6. The existing repair garage at the time of this SUP approval by the Board of Supervisors 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 besides the customer parking and additional parking spaces, impound lot, or interior of the garage be used for storage of vehicles not owned by the property owner, unless a subsequent SUP for such is granted.
7. All waste and hazardous materials shall be properly stored and disposed of in a safe, legal, and responsible manner.

8. Pursuant to definition of “Automobile Graveyard,” included in Sec. 70-1 of the Zoning Ordinance, no more than five (5) inoperable and unlicensed motor vehicles shall be stored on the property at one time.
9. Upon approval by the Board of Supervisors, a site plan must be submitted to Planning and Zoning staff for review and approval, prior to the issuance of any permits.
10. A zoning permit and a building permit must be obtained for a “change of use” from personal garage to ~~private~~ public garage.