1. CALL TO ORDER

2. APPROVAL OF MINUTES

3. UNFINISHED BUSINESS

3.I. RZ-05-2019– Mushtaq, Raza; Mushtaq, Waqas; Akhtar, Muhammad Yaseen, Owners /Applicants

RZ-05-2019 – Mushtaq, Raza; Mushtaq, Waqas; Akhtar, Muhammad Yaseen, Owners /Applicants: Request a Rezoning from RP, Rural Preservation (density of one dwelling unit per 10 acres of land) to B-1 Business (no specified density), on tax map #26-A-30 consisting of 1.02 acres, more or less. This property is located on Jefferson Davis Highway at the Caroline/Spotsylvania Line, Port Royal Voting District. **Proposed Use: Business.** The 2030 Comprehensive Plan designates this property as outside of a growth area as Rural Transition.

Documents:

PC PACKET 05-28-2020 RZ-05-2019.PDF

4. ANY AND ALL MATTERS

5. ADJOURNMENT
MEMORANDUM

TO: Caroline Planning Commission
FROM: Craig Pennington
Planner
SUBJECT: RZ-05-2019; Raza
DATE: May 21, 2020

Staff followed up with County Administration regarding Commissioner Wieber's request for an answer on annexation of the subject property into Spotsylvania County. The County is not opposed to the boundary adjustment concept. However, any request for a boundary adjustment should be initiated by Spotsylvania County. The applicant would be responsible for approaching Spotsylvania County with this request.

Staff has not received any new information from the Applicant and has not been approached by Spotsylvania County regarding a boundary adjustment.

/cp
### Staff Report

**Caroline County Planning Commission**  
**February 27, 2020 Regular Meeting**

<table>
<thead>
<tr>
<th>Case Number:</th>
<th>RZ-05-2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case Name:</td>
<td>Raza Auto Sales</td>
</tr>
<tr>
<td>Location:</td>
<td>Adjacent to 5513 Jefferson Davis Highway at the Caroline/Spotsylvania Line</td>
</tr>
<tr>
<td>Tax Map:</td>
<td>26-A-30</td>
</tr>
<tr>
<td>Zoning:</td>
<td>RP, Rural Preservation</td>
</tr>
<tr>
<td>Acreage:</td>
<td>1.02</td>
</tr>
<tr>
<td>District:</td>
<td>Port Royal</td>
</tr>
<tr>
<td>Comp Plan:</td>
<td>Comp Plan shows this area as Rural Transition, outside of any growth area</td>
</tr>
</tbody>
</table>

**Request:**  
The applicant is requesting approval of rezoning of tax map parcel 26-A-30 from RP to B1.

### Agency & Department Comments

- **VDOT:** Commercial Entrance approved in Spotsylvania County
- **Building Official:** Approved
- **Sheriff’s Office:** No Comments
- **Utilities:** No Comments Received
- **Health Department:** Utilities approved in Spotsylvania County
- **Economic Dev:** See Attached
- **Schools:** No Comments Received
- **Fire & Rescue:** No Issues
- **Fort AP Hill:** Approved
- **REC:** No Comments Received
- **Parks & Recreation:** No Comments Received
- **Environmental:** No Comments Received
DISCUSSION

The applicant is requesting a rezoning of tax map parcel 26-A-30 from Rural Preservation, RP to B1, Business for the purpose of a used car dealership and minor repair shop. This parcel was sold as a singular parcel that is split by the County line between Spotsylvania County and Caroline County. The applicant had a site plan approved by Spotsylvania County that depicts the car dealership on the Spotsylvania side of the County line along with the entrance to the facility. The Caroline portion of the property shows a parking area for the display of cars. Spotsylvania County did not contact Caroline Planning during the approval process of the site plan for the used car dealership. Caroline County Planning Department discovered the project as the entrance improvements were taking place. Caroline County contacted the applicant via a letter notifying the owner that to operate a used car dealership in Caroline County the portion of the property located in Caroline would need to be rezoned and Special Exceptions applied for as the minor repair facility is to be located on the Caroline portion. The applicant applied for the rezoning and should the rezoning be approved will apply for the Special Exception permits.

During discussion with staff about the application process, the applicant was advised not to make any further improvements to the Caroline portion of the property. There was an existing gravel area and a shop on the Caroline portion that will be utilized for the Minor Repair facility should all applications be approved. The applicant did finish the paving of the gravel portion of the property, which was not completed when staff advised the applicant of the issues.

All stormwater and utility aspects of the property, as well as the entrance to the property, are contained within the Spotsylvania portion of the property.

The adjacent property in Caroline County is a 2 acre parcel zoned RR-2 (Rural Residential). That property separates this parcel from a B1, (Business) property (Bargain Village). The Caroline portion of the property only has access through the Spotsylvania portion of the property.

AGENCY COMMENTS

VDOT comments were addressed with the Spotsylvania site plan approval.

Economic Development provided a comment of disapproval which is included with your packet.

Water and Sewer - Spotsylvania is providing water/sewer to the portion of the property located within its boundary. Utility comments are not resolved at this time as to the minor repair shop or potential used car dealership on the Caroline portion of the property. Should the rezoning & subsequent special exception be approved, those buildings would require well & drainfield approval from VDH, unless the Caroline & Spotsylvania Board of Supervisors agree on a utility connection.
THERE WERE NO OTHER COMMENTS.

COMPREHENSIVE PLAN

THE COMPREHENSIVE PLAN DEPICTS THIS AREA TO REMAIN RURAL AND IS OUTSIDE OF THE CAROLINE COUNTY GROWTH AREAS. THIS PROJECT IS NOT CONSISTENT WITH THE 2030 COMPREHENSIVE PLAN.

PROFFERS

THE APPLICANT HAS NOT PROVIDED ANY PROFFERS ASSOCIATED WITH THE REZONING AT THIS TIME.
Date: November 20, 2019

Proposed Use: Spotsylvania County approved a site plan for a used auto sales business which included property located in Caroline County. The Caroline property does not have the appropriate zoning or special exception for this use. Therefore the Applicant is seeking a rezoning from RP to B1 Business and a special exception for a used auto sales.

Owner/Applicant: Raza Mushtaq

Tax Map #: 26-A-30

Location: Adjacent to 5513 Jefferson Davis Highway at the Spotsylvania/Caroline County Line

# of acres in parcel: 1.02 acres +/- # of acres in request: 1.02 acres +/-

Please return comments to the Planning Department by: December 30, 2019

Approved Approved with comments/conditions Disapproved

Comments/Conditions

The disapproval is contingent on understanding how a project can be approved in Spotsylvania that is also located in Caroline; what percentage of sales taxes will be apportioned to Caroline, if any; and what is the overall economic impact of this project on Caroline. Though, as a matter of course, economic development suggests cooperating with Spotsylvania any way possible to promote growth and development. As long as Caroline is not penalized in the long run by approving this project for the convenience of Spotsylvania, this office recommends helping Spotsylvania secure this investment.

Gary R. Wilson Economic Development November 21, 2019
Signature Department Date
Nov 11, 2019

Caroline County, Virginia

Subject: Site plan for Used Auto Sales on Tax Map 26-A-30 In Caroline County

I am Raza Mushtaq as an Owner of property TM 26-A-30 would like to request an approval for Rezoning subject property zoned Rural Preservation (RP) to B-1 zoning districts for used Auto sale and repair shop which allowed by Special Exception.

The Property TM 26-A-30 have physical address located is 5513 Jefferson Davis HWY Woodford, Virginia 22580. The entrance to the property is from jefferson davis HWY TM 76-A-71 has a record of the same ownership.

If you have any questions please feel free to contact me at 917-403-950 or by email raza_mushtaq@msn.com.

Sincerely,

Raza Mushtaq
**PLANNING & DEVELOPMENT APPLICATION**

**DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**

233 WEST BROADDUS AVENUE
BOWLING GREEN, VA 22427
(804) 633-4303
WWW.CO.CAROLINE.VA.US

**DATE SUBMITTED:** 11.12.19  
**CASE NUMBER:** RZ05-2019

*Note: An application shall not be deemed officially filed until all required plans, plats, fees and supporting documentation are submitted to this department.

1. **TYPE OF REQUEST**
   - [X] REZONING: FROM **RP** TO **B1**
   - [ ] PROFFER AMENDMENT [Rezoning Case #]
   - [ ] SPECIAL EXCEPTION: [Ordinance Section]
   - [ ] SITE PLAN: **MAJOR** **MINOR**
   - [ ] VARIANCE: ____________________
   - [ ] ADMINISTRATIVE APPEAL ____________________
   - [ ] COMP. PLAN AMENDMENT ____________________
   - [ ] OTHER ____________________
   - [ ] SUBDIVISION (MAJOR)
     - [ ] PRELIMINARY
     - [ ] FINAL
     - [ ] CONCEPT
   - [ ] SUBDIVISION (OTHER)
     - [ ] Minor
     - [ ] BLA/VACATION
     - [ ] FAMILY

2. **PROPERTY INFORMATION**

   **TAX MAP NUMBER:** 26 - A - 30  
   **CURRENT ZONING:** RP

   **ACREAGE OF REQUEST:** 1.02 Acr  
   **TOTAL ACREAGE:** 1.02 Acr

   **PHYSICAL ADDRESS/LOCATION:** 5513 Jefferson Davis Hwy.
   Woodford, VA, (Adjacent to)

   **VOTING DISTRICT:** ____________________

   **UTILITIES:** 
   - [ ] Public
   - [ ] Private
   - [X] Existing
   - [ ] New
3. Applicant / Owner Information

Owner of Record:

Raza Mushtaq

Waqas Mushtaq, Muhammad Yaseen Abid

Name

5724 Lucas St, Fredericksburg, VA 22407

Mailing Address

Phone Number

Mail ing Address

917-403-9540

E-mail

Raza_mushtaq@msn.com

Applicant:

Raza Mushtaq

Name

5724 Lucas St, Fredericksburg, VA 22407

Mailing Address

917-403-9540

E-mail

Raza_mushtaq@msn.com

Agent/Developer/Engineer:

Name

Mailing Address

Phone Number

E-mail

Main Point of Contact:

Raza Mushtaq

Name

5724 Lucas St, Fredericksburg, VA 22407

Mailing Address

Mail ing Address

917-403-9540

E-mail

Raza-Mushtaq@msn.com
4. I/We read this completed application, understand its intent and freely consent to its filing. The information provided is accurate to the best of my/our knowledge. I understand that the County may approve, conditionally approve, or deny the request for which I am applying. Furthermore, I grant permission to the Department of Planning and Community Development and other authorized government agents to enter the property and make such investigations as they deem necessary to evaluate the request.

Owner Signature: [Signature]

Owner's Name: Raza Mughtak

Date: 11/10/2019

Agent/Applicant Signature: [Signature]

Agent/Applicant Name: [Name]

Date: [Date]

5. Fee Schedule

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Check # 7301234

Cash

Charge

Review by / Comments: Muhammad Inc.