

**Caroline County  
Board of Supervisors Agenda  
Executive Summary**

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**Meeting Date:** February 8, 2022

**Title:** SPEX-03-2012 – Review of Special Exception Condition  
TM 39-A-21; Norton Enterprises, LLC, Applicant  
Deliz I, LLC, Owner

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*(Check Mark)*

Consent

Action

No Action (Information Only)

Resolution

Closed Meeting

Public Hearing

Ordinance

PowerPoint Presentation

**Summary:** The Board of Supervisors approved SPEX-03-2012 for Norton Enterprises subject to conditions (copy attached) which include a review of those conditions one year from the date of issuance of the Certificate of Occupancy and yearly thereafter. The property is located at 14144 Jefferson Davis Highway, Port Royal Voting District.

Staff conducted a site visit to review the permit conditions for the motor vehicle repair facility and tow storage lot and did not find any violations pursuant to the issuance of the permit by the Board of Supervisors. No complaints concerning the use permit have been received by staff. The applicant has regularly provided required documentation to staff.

No action is necessary by the Board unless they wish to modify any conditions of the previously approved permit.

**Budget Impact:** N/A.

**Action(s) Requested of the Board of Supervisors:** No action.

# Caroline County, Virginia

## Board of Supervisors

Wayne A. Acors  
Madison District

Jeff Black  
Western Caroline District

Jeff Sili  
Bowling Green District

Calvin B. Taylor, Sr.  
Port Royal District

Floyd W. Thomas  
Mattaponi District

Reginald L. Underwood  
Reedy Church District

Charles M. Culley, Jr.  
County Administrator

January 25, 2013

**Special Exception Request:**

SPEX-03-2012

**Applicant:**

Norton Enterprise, LLC

**Tax Map Numbers:**

39-A-21 (part of)

**County of Caroline, To-Wit:**

At a regular meeting of the Caroline County Board of Supervisors on Tuesday, January 22, 2013, in the Community Services Center, Auditorium, located at 17202 Richmond Turnpike, Milford, Virginia, at the hour of 7:30 p.m.

**Present**

- Floyd Thomas, Chairman
- Calvin Taylor, Vice -Chairman
- Wayne Acors
- Jeff Black
- Jeff Sili
- Calvin Taylor
- Reginald Underwood

**On a motion by Supervisor Taylor, seconded by Supervisor Acors, the following special exception request was approved subject to the following conditions:**

**SPEX-03-2012 – Deliz I. Owner / Norton Enterprise, LLC, Applicant:**  
Request a Special Exception Permit in accordance with Article XVII, Section 13 (Standards for Special Use Permits) and Article X, Section 3.16 and 3.19, on tax map #39-A-21 (part of), consisting of 2.0 acres, more or less, zoned M-1, Industrial (no specified density). This property is located on Route 1 (14144 Jefferson Davis Highway), approx. ¼ mile south of Wayne Avenue, Port Royal Voting District. **Proposed Use:** Motor Vehicle Repair (Major) and Tow Storage Lot. The 2030 Comprehensive Plan identifies this property as being in an area designated as Rural Preservation with a density of one dwelling unit per 10 acres of land.

**Voting yea: Acors, Taylor, Thomas, Underwood**  
**Voting nay: Black Sili**

*“Committed To Service, Dedicated To The People”*

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Caroline County, VA



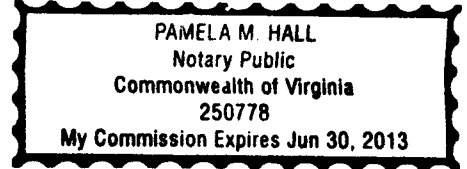
1. If approved by the Board of Supervisors, within 30 days of receiving the To-Wit, the applicant shall have the To-Wit (approval letter) recorded in the Office of the Caroline County Clerk and provide Department of Planning & Community Development a copy of the recorded instrument.
2. Site improvements as required by ordinance, VDOT or other agencies shall be installed at the applicant's expense prior to the issuance of any permanent certificate of occupancy.
3. The existing commercial entrance established along U.S. Route 1 shall be utilized and no other entrances shall be permitted without VDOT and/or County approval.
4. All motor vehicle repairs shall occur within the garage.
5. Only parts and equipment used in the operation of the vehicle repair facility are to be stored on site and must be in an enclosed structure.
6. The Towing Storage Lot may only be operated as part of a bona fide Towing Service Operation.
7. Motor vehicle(s) shall not remain on the property for more than thirty (30) days.
8. A maximum of ten (10) motor vehicle(s) are permitted to be in the tow lot, notwithstanding any other provision of this Ordinance or any provision of Chapter 77 of the Code of Caroline County related to inoperable vehicles.
9. Motor vehicle(s) shall not be stacked.
10. Scrap metal shall not be stored on the property.
11. The sale of used motor vehicle parts, scrap metal or other materials shall not be permitted.
12. The sale of motor vehicles shall not be permitted.
13. A minimum of an eight (8) foot board on board fence or masonry wall shall be erected around the tow storage lot so as to wholly screen the vehicles from view from adjacent properties and public-rights-of-way. No razor wire is permitted.
14. The applicant must obtain and provide to the County all required state licenses. The applicant must comply with all applicable state and local regulations.
15. Any motor vehicles which are damaged so as to be leaking fluid shall be brought to a concrete surface where all fluids shall be contained and disposed of in conformance with all state and federal regulations.
16. The applicant shall install a separator or other accepted industry practices of equal value/protection to prevent any leaking fluids from the motor vehicles from entering the soil or surface waters.

17. The applicant shall provide to the County a copy of an annual contract with an approved hazardous waste company retained to collect and dispose of all hazardous wastes.
18. The applicant shall submit a quarterly report to the Caroline County Department of Planning & Community Development of all vehicles which have been stored on the property. The report shall provide the following information:
  - i. The total number and type of vehicles on the site.
  - ii. The length of time each motor vehicle has been on the site (days).
  - iii. The vehicle identification numbers of all vehicles on the site.
  - iv. The disposition of vehicles that have been removed from site.
19. All towed vehicles shall be located within the fenced lot.
20. At no time shall anyone reside on the property unless a special exception is granted by the Board of Supervisors for a caretaker/night watchman as permitted by Ordinance.
21. Existing landscaping must be maintained. New landscaping, if necessary, shall be installed consistent with landscape standards in Article XV, Section 15 of the Zoning Ordinance (copy attached).
22. The special exception permit shall be subject to review one year from the date of issuance of the Certificate of Occupancy and yearly thereafter by the Board of Supervisors.
23. Should the existing fencing fall into disrepair, the property shall be screened from view as per Article XV Section 15 (Highway Corridor Overlay District) of the Zoning Ordinance.

[Signature]  
Clerk

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of January, 2013, by Charles M. Culley, Jr.

Pamela M. Hall  
Notary Public



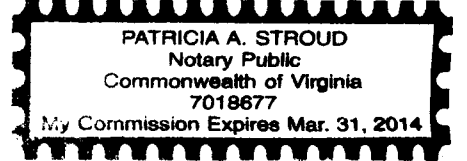
My Commission Expires: 6/30/2013

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APPLICANT: [Signature]  
Roy A. Norton  
Norton Enterprise, LLC Manager/member [Signature]

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of October, 2013 by Roy A. Norton  
Norton Enterprise, LLC manager/member [Signature]

[Signature]  
Notary Public



My Commission Expires: 3-31-2014

**VIRGINIA:** In the Clerk's Office of the Circuit Court of Caroline County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 23<sup>rd</sup> day of October, 2013, 10:48 A. M. The tax imposed by §56.1-902 of the Code has been paid in the amount of \$0.00

Teste: [Signature] Clerk