



## STAFF REPORT

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CAROLINE COUNTY PLANNING COMMISSION

MAY 26, 2022 REGULAR MEETING

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**CASE NUMBER:** SB-03-2022  
**CASE NAME:** WENDY'S SUBDIVISION  
**LOCATION:** LADYSMITH ROAD  
**TAX MAP:** 52-3-1  
**ZONING:** B-1 BUSINESS  
**ACREAGE:** 1.29  
**DISTRICT:** MADISON

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**REQUEST:**

THE APPLICANT IS REQUESTING APPROVAL OF A PRELIMINARY AND FINAL PLAT FOR CREATION OF ONE COMMERCIAL LOT.

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**DISCUSSION**

THE APPLICANT IS REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL FOR A SUBDIVISION OF PARCEL 52-3-1. THIS SUBDIVISION IS TO LOCATE WENDY'S ON A STAND-ALONE PARCEL.

BECAUSE THIS PROPERTY WAS SUBDIVIDED PREVIOUSLY, CREATION OF THIS LOT CONSTITUTES A MAJOR SUBDIVISION REQUIRING PLANNING COMMISSION REVIEW & APPROVAL.

THE FINAL PLAT DOES NOT RETURN TO THE PLANNING COMMISSION FOR APPROVAL UNLESS THE PLANNING COMMISSION REQUESTS IT. CONSTRUCTION PLANS FOR THE WENDY'S ARE IN TECHNICAL REVIEW. UPON APPROVAL OF THE CONSTRUCTION PLANS AND STAFF REVIEW & APPROVAL OF THE FINAL PLAT, IT CAN BE PUT TO RECORD.

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**CONFORMANCE WITH SUBDIVISION ORDINANCE**

STAFF HAS REVIEWED THE SUBDIVISION PLAT AND BELIEVES IT TO MEET THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE.

**OWNERS CONSENT AND DEDICATION**

THE PLATTING OF THE FOLLOWING DESCRIBED LAND "FINAL SUBDIVISION PLAT PARCEL 2 ON LANDS OF LADYSMITH HHH, LLC" IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS AND/OR TRUSTEES, IF ANY.

FOR: LADYSMITH HHH, LLC  
1201 CENTRAL PARK BOULEVARD  
FREDERICKSBURG, VIRGINIA 22401

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
BY: B. JUDSON HONAKER, JR., MANAGER

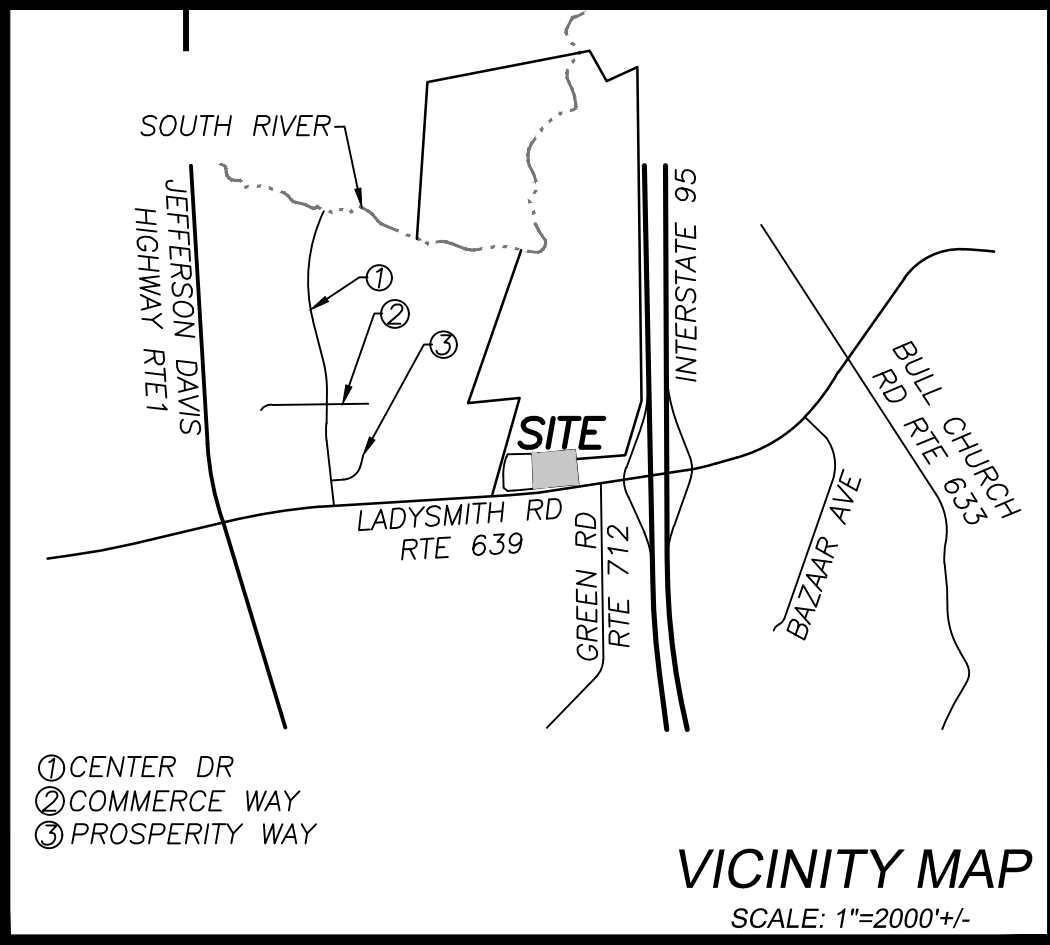
**NOTARY CERTIFICATE**

I, \_\_\_\_\_, A NOTARY PUBLIC IN THE STATE/Commonwealth of \_\_\_\_\_, DO HEREBY CERTIFY THAT B. JUDSON HONAKER, JR., THE MANAGER OF LADYSMITH HHH, LLC, WHOSE NAME IS SIGNED TO THE FOREGOING STATEMENT OF CONSENT, HAS

ACKNOWLEDGED THE SAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 IN THE CITY/COUNTY OF \_\_\_\_\_.

REGISTRATION #: \_\_\_\_\_ MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC



**AREA TABULATION**

TAX MAP 52-3-1
PARCEL 2 = 1.292 ACRES
REMAINDER = 2.461 ACRES
<b>TOTAL TM 52-3-1 = 3.753 ACRES</b>

**CERTIFICATE OF APPROVAL**

THIS "FINAL SUBDIVISION PLAT PARCEL 2 ON LANDS OF LADYSMITH HHH, LLC" IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE COMMITTED TO RECORD.

DIRECTOR OF PLANNING \_\_\_\_\_ DATE \_\_\_\_\_

HIGHWAY OFFICIAL \_\_\_\_\_ DATE \_\_\_\_\_

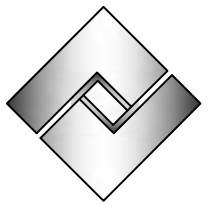
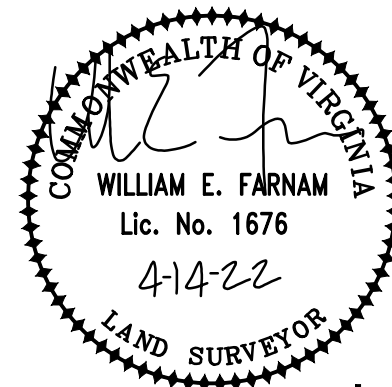
**NOTICE: THIS PLAT SHALL BECOME NULL AND VOID AND BE OF NO FURTHER FORCE AND EFFECT IF THE PLAT IS NOT RECORDED IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF CAROLINE COUNTY WITHIN SIX (6) MONTHS OF THE DATE OF APPROVAL. APPROVAL AND/OR RECORDING OF THIS PLAT DOES NOT CONSTITUTE ASSURANCE THAT PUBLIC SEWER OR PUBLIC WATER SERVICE WILL BE AVAILABLE TO SERVE THE LAND DESCRIBED ON THIS PLAT AT ANY PARTICULAR TIME.**

**ANY FUTURE SUBDIVISIONS OF THE PARENT (RESIDUAL) OR SUBDIVIDED TRACT WILL CONSTITUTE A MAJOR SUBDIVISION SUBJECT TO PLANNING COMMISSION APPROVAL AND ALL APPLICABLE STANDARDS OF SECTION 5 OF THE CAROLINE COUNTY SUBDIVISION ORDINANCE.**

**SURVEYORS CERTIFICATE & CERTIFICATE OF TITLE**

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF CAROLINE COUNTY AND THE COMMONWEALTH OF VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS, HAVE BEEN COMPLIED WITH AND THE SOURCE OF TITLE OF THE OWNER OF THE LAND SUBDIVIDED AND THE PLACE OF RECORD OF THE LAST INSTRUMENT IN THE CHAIN OF TITLE IS AS FOLLOWS: LADYSMITH HHH, LLC DEED BOOK 1471 PAGE 574. I FURTHER CERTIFY THAT THE PLAT OF WHICH THIS CERTIFICATE IS A PART IS OF LAND ACQUIRED FROM ONLY ONE SOURCE OF TITLE OR IN THE EVENT THIS PLAT IS OF LAND ACQUIRED FROM MORE THAN ONE SOURCE OF TITLE, THE OUTLINES OF THE SEVERAL TRACTS ARE INDICATED ON THIS PLAT.

GIVEN UNDER MY HAND THIS 14TH DAY OF APRIL, 2022.



**Fairbanks & Franklin**

Civil Engineering  
Land Planning

1005 Mahone Street  
Fredericksburg, VA 22401  
(540) 899-3700

**FINAL SUBDIVISION PLAT  
PARCEL 2  
ON LANDS OF**

**LADYSMITH HHH, LLC**  
DEED BOOK 1471 PAGE 574

MADISON MAGISTERIAL DISTRICT  
CAROLINE COUNTY, VIRGINIA

**NOTES**

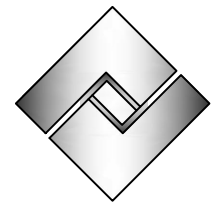
- PRESENT OWNER: LADYSMITH HHH, LLC DEED BOOK 1471 PAGE 574.
- TAX MAP IDENTIFICATION: TAX MAP 52-3-1.
- PRESENT ZONING: B1-BUSINESS.
- BASED UPON GRAPHIC PLOTTING ONLY, THE PROPERTY DELINEATED ON THIS PLAT DOES NOT APPEAR TO LIE WITHIN A FEMA IDENTIFIED 'SPECIAL FLOOD HAZARD AREA' AS PER FLOOD INSURANCE RATE MAP FOR CAROLINE COUNTY, VIRGINIA, COMMUNITY PANEL NUMBER 51033C0200C DATED EFFECTIVE MARCH 2, 2009. THE PROPERTY IS LOCATED WITHIN ZONE 'X', "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS DEFINED THEREIN.
- SOURCE OF MERIDIAN: VCS 1983 NORTH ZONE {NAD83(2011)}.
- THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL OR ANY ENCUMBRANCES ON THE PROPERTY.
- THIS PLAT HAS BEEN PREPARED UTILIZING DEEDS AND PLATS OF RECORD. NO BOUNDARY SURVEY PERFORMED BY FAIRBANKS AND FRANKLIN).
- THESE PARCELS ARE LOCATED IN THE COMMERCIAL SERVICE CORRIDOR AND THE HIGHWAY CORRIDOR OVERLAY DISTRICT.
- SUBSEQUENT ACTION BY CAROLINE COUNTY MAY RESULT IN THIS PROPERTY BEING DESIGNATED AS BEING SUBJECT TO THE CAROLINE COUNTY CHESAPEAKE BAY PRESERVATION AREA OVERLAY DISTRICT.
- PROPERTY OWNERS ARE RESPONSIBLE FOR PRESERVING DRAINAGE EASEMENTS ON/ACROSS THEIR PROPERTY. SUCH EASEMENTS SERVING ROADWAYS MAINTAINED BY VDOT WILL BE MAINTAINED BY VDOT ONLY AS REQUIRED TO PROTECT THE ROADWAY FROM DAMAGE OR FLOODING.
- PER THE "SOIL SURVEY OF CAROLINE COUNTY, VIRGINIA" PREPARED BY THE USDA SOIL CONSERVATION SERVICE, THE LOTS CREATED HEREIN DO NOT CONTAIN MODERATE OR HIGH POTENTIAL SHRINK/SWELL SOILS.

DATE : APRIL 14, 2022  
DRAWN : WEF  
CHECKED : WEF

REVISIONS:

DOCUMENT NO.  
**1-1225 SUBD PCL 2**

SHEET  
**1 OF 2**



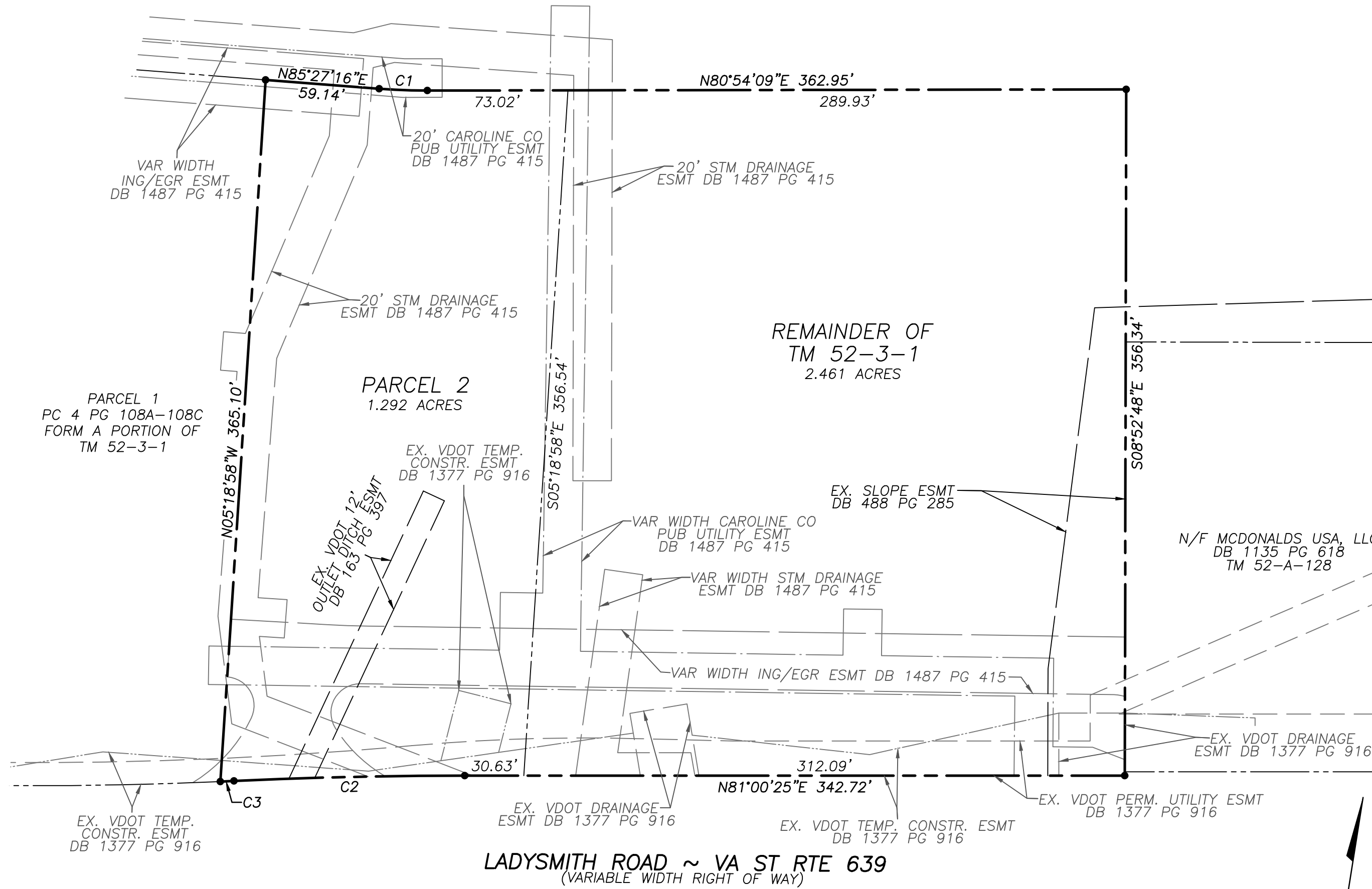
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CURVE DATA						
CURVE	ARC	RADIUS	DELTA	TANGENT	CH BEARING	CHORD
C1	25.03'	315.00'	4°33'07"	12.52'	N83°10'43"E	25.02'
C2	119.88'	2548.50'	2°41'42"	59.95'	S79°39'34"W	119.86'
C3	7.07'	2204.50'	0°11'02"	3.54'	S78°24'13"W	7.07'

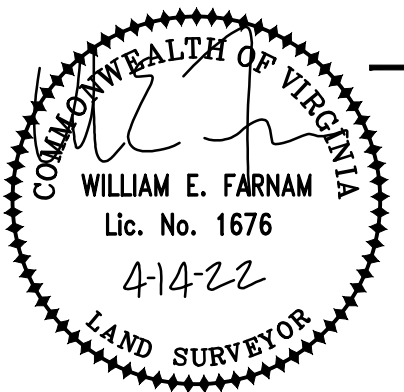
N/F W H C ASSOCIATES, LLC  
DB 300, PG 183  
DB 338, PG 185  
TM 52-A-129



FINAL SUBDIVISION PLAT  
PARCEL 2  
ON LANDS OF

LADYSMITH HHH, LLC  
DEED BOOK 1471 PAGE 574

MADISON MAGISTERIAL DISTRICT  
CAROLINE COUNTY, VIRGINIA

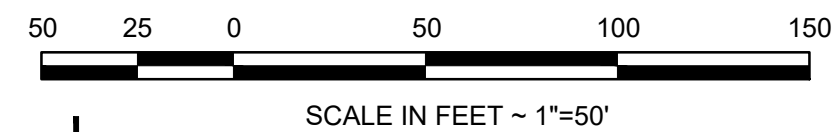
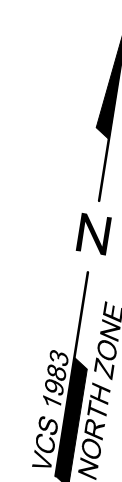


DATE : APRIL 14, 2022  
DRAWN : WEF  
CHECKED : WEF

REVISIONS:

DOCUMENT NO.  
**1-1225 SUBD PCL 2**

SHEET  
**2 OF 2**





# 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: April 25, 2022

CASE NUMBER: SR 03-2022

\*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

- REZONING: FROM \_\_\_\_\_ TO \_\_\_\_\_  PROFFER AMENDMENT \_\_\_\_\_  
(REZONING CASE #)
- SPECIAL EXCEPTION: \_\_\_\_\_  SITE PLAN: \_\_\_\_\_ MAJOR \_\_\_\_\_ MINOR  
(ORDINANCE SECTION)
- VARIANCE: \_\_\_\_\_  ADMINISTRATIVE APPEAL \_\_\_\_\_
- COMP. PLAN AMENDMENT \_\_\_\_\_  OTHER \_\_\_\_\_
- SUBDIVISION (MAJOR)  
\_\_\_\_\_ PRELIMINARY  FINAL \_\_\_\_\_ CONCEPT
- SUBDIVISION (OTHER)  
\_\_\_\_\_ MINOR \_\_\_\_\_ BLA/VACATION \_\_\_\_\_ FAMILY

## 2. PROPERTY INFORMATION

TAX MAP NUMBER 52-3-1 CURRENT ZONING B-1 Business

ACREAGE OF REQUEST 1.292 TOTAL ACREAGE 3.753

PHYSICAL ADDRESS/LOCATION West of I-95 on Ladysmith Rd

VOTING DISTRICT Madison Magisterial District

UTILITIES:  PUBLIC \_\_\_\_\_ PRIVATE \_\_\_\_\_ EXISTING \_\_\_\_\_ NEW \_\_\_\_\_

### 3. APPLICANT / OWNER INFORMATION

**OWNER OF RECORD:**

Ladysmith HHH, LLC

NAME

1201 Central Park Blvd

MAILING ADDRESS

Fredericksburg, VA 22401

MAILING ADDRESS

540-786-1405

Bdove@silverco.com

PHONE NUMBER

E-MAIL

**APPLICANT:**

Same as owner

NAME

MAILING ADDRESS

MAILING ADDRESS

PHONE NUMBER

E-MAIL

**AGENT/DEVELOPER/ENGINEER:** William Farnam

Fairbanks & Franklin

NAME

1005 Mahone Street

MAILING ADDRESS

Fredericksburg, VA 22401

MAILING ADDRESS

540-899-3700

Farnam@ff-pc.com

PHONE NUMBER

E-MAIL

**MAIN POINT OF CONTACT:** **Agent:** (Robert Dodd Jr, Owner)

DLR Contracting, Inc

NAME

216 Burlington Dr

MAILING ADDRESS

Fredericksburg, VA 22407

MAILING ADDRESS

540-846-1773

RLDoddJr@DLRContracting.com

PHONE NUMBER

E-MAIL

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 B. Jackson Honaker, Jr  
 DATE 4-22-2022

OR  
 AGENT/APPLICANT SIGNATURE [Signature]  
 AGENT/APPLICANT NAME Robert L Dodd Jr  
 DATE 4/25/22

5. FEE SCHEDULE

REZONING	_____	+	( _____ X \$50 )	=	_____
	BASE FEE		ACREAGE \$/ACRE		TOTAL
PROFFER AMENDMENT	_____	+	( _____ X \$100 )	=	_____
	BASE FEE		NO. OF REQUESTS \$/REQUEST		TOTAL
SPECIAL EXCEPTION	_____	+	( _____ X \$50 )	=	_____
	BASE FEE		ACREAGE \$/ACRE		TOTAL
<u>SITE PLAN: MAJOR</u>	_____	+	( _____ X \$50 )	=	<u>1300.00</u>
	BASE FEE		ACREAGE \$/ACRE		TOTAL
SITE PLAN: MINOR	<u>\$400</u>	X	_____	=	_____
	BASE FEE		NUMBER OF REQUESTS		TOTAL
COMP PLAN AMENDMENT	_____	X	_____	=	_____
	BASE FEE		NUMBER OF REQUESTS		TOTAL
VARIANCE/ADM. APPEAL	<u>\$600</u>	X	_____	=	_____
	BASE FEE		NUMBER OF REQUESTS		TOTAL
SUBDIVISION: MINOR			\$250 - MINOR \$200 - BLA \$100 - VACATION	=	_____
TYPE: _____			\$200 + \$50 PER NEW LOT - FAMILY		TOTAL
SUBDIVISION: MAJOR	_____	+	( _____ X \$50 )	=	_____
	BASE FEE		NUMBER OF LOTS \$/LOT		TOTAL
CONCEPT PLAN	<u>\$250</u>	X	_____	=	_____
	BASE FEE		NUMBER OF REQUESTS		TOTAL
OTHER	_____	X	_____	=	_____
					TOTAL

CHECK # 1109       CASH       CHARGE      RECEIPT # \_\_\_\_\_

REVIEW BY / COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_