

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

Meeting Date: September 27, 2022

Title: Public Hearing - RZ-04-2022 and SPEX-03-2022
Saffelle's, LLC, Owner/Applicant
Tax map #16-A-75

(Check Mark)

<input type="checkbox"/> Consent	<input type="checkbox"/> Closed Meeting
<input checked="" type="checkbox"/> Action	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> No Action (Information Only)	<input type="checkbox"/> Ordinance
<input type="checkbox"/> Resolution	<input type="checkbox"/> PowerPoint Presentation

Summary: The Applicant is requesting to rezone 2.0 acres from RP, Rural Preservation to M1 Industrial for use with his existing auto repair business. The use of these 2 acres also requires approval of a special exception permit for a major auto repair.

The property is located on Rozell Road in the Port Royal Voting District.

The Planning Commission forwards the request to the Board with a recommendation of approval.

Budget Impact: N/A

Action(s) Requested of the Board of Supervisors: Conduct public hearing for RZ-04-2022 and SPEX-03-2022 and take action, if appropriate.

Presenter: Michael A. Finchum, Director, Planning & Community Development



STAFF REPORT

CAROLINE COUNTY BOARD OF SUPERVISORS SEPTEMBER 27, 2022 REGULAR MEETING

CASE NUMBER: SPEX-03-2022
CASE NAME: SAFFELLE'S DBA FRANKS AUTO REPAIR
LOCATION: 8340 ROZELL ROAD
TAX MAP: 16-A-75
ZONING: RP
ACREAGE: 2.0
DISTRICT: PORT ROYAL
COMP PLAN: COMP PLAN SHOWS THIS AREA AS AGRICULTURAL PRESERVATION

REQUEST:

THE APPLICANT IS REQUESTING APPROVAL OF A SPECIAL EXCEPTION PERMIT FOR MAJOR AUTO REPAIR.

AGENCY & DEPARTMENT COMMENTS

COMMENTS ARE INCLUDED WITH RZ-04-2022.

DISCUSSION

THE APPLICANT IS REQUESTING APPROVAL OF A SPECIAL EXCEPTION PERMIT FOR USE AS A MAJOR AUTO REPAIR FACILITY. FRANK'S AUTO REPAIR CURRENTLY OPERATES AS A NON-CONFORMING USE AT 8340 ROZELL ROAD. THE OWNER OF THE FACILITY HAS ACQUIRED TWO ACRES FROM AN ADJACENT PARCEL AND WOULD LIKE TO UTILIZE THIS PROPERTY TO PARK CARS AWAITING REPAIR. THIS USE OF THIS 2 ACRES REQUIRES APPROVAL OF THE SPECIAL EXCEPTION PERMIT IN ORDER TO USE WITH THE LEGAL NON-CONFORMING AUTO REPAIR FACILITY.

APPROVAL OF RZ-04-2022, REZONING THE PROPERTY TO M-1, IS NECESSARY FOR THIS SPECIAL EXCEPTION TO MOVE FORWARD.

PLANNING COMMISSION

THE PLANNING COMMISSION HELD A PUBLIC HEARING AT THE JULY 28TH MEETING. THERE WERE SEVEN SPEAKERS IN FAVOR OF THE REQUEST. THE COMMISSION UNANIMOUSLY VOTED TO FORWARD SPEX-03-2022 TO THE BOARD WITH A RECOMMENDATION OF APPROVAL (5-0, REEDY CHURCH ABSENT).

CONDITIONS

STAFF OFFERS THE FOLLOWING SUGGESTED CONDITIONS FOR THE BOARD'S CONSIDERATION:

1. THE TO-WIT (APPROVAL LETTER) FOR THIS SPECIAL EXCEPTION PERMIT SHALL BE RECORDED IN THE OFFICE OF THE CIRCUIT COURT OF CAROLINE COUNTY WITHIN 30-DAYS OF RECEIPT FROM THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT.
2. THERE SHALL BE NO INOPERABLE MOTOR VEHICLES STORED OUTSIDE THE BUILDING NOR SHALL THERE BE ANY WRECKED OR "JUNK" VEHICLES STORED ON THE PROPERTY.
3. NO VEHICLES SHALL BE OFFERED FOR SALE.
4. VEHICLE PARTS AND SCRAP METAL MAY NOT BE STORED ON OR SOLD FROM THE PROPERTY.
5. NO RAZOR WIRE IS PERMITTED TO BE ATTACHED TO OR MADE PART OF THE PRIVACY FENCE.
6. ANY LIGHTING SHALL BE SOURCE SHIELDED AND DOWNWARD FACING AND NOT EXCEED 0.5 FOOT CANDLES AT THE PROPERTY LINE.
7. A MINOR SITE PLAN SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR REVIEW AND APPROVAL BY THE COUNTY, VIRGINIA DEPARTMENT OF HEALTH, VIRGINIA DEPARTMENT OF TRANSPORTATION, AND VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY.
8. THE APPLICANT SHALL COMPLY WITH ALL OTHER STATE AND FEDERAL REGULATIONS AS RELATED TO THE OPERATION OF THIS FACILITY.

THE GENERAL DEVELOPMENT PLAN FOR THIS REQUEST CAN BE FOUND IN THE REZONING PACKET RZ-04-2022.



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: 3/25/2022

CASE NUMBER: SPEX 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: X _____
(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 16-A-75

CURRENT ZONING RP

ACREAGE OF REQUEST 2.0

TOTAL ACREAGE 2.0

PHYSICAL ADDRESS/LOCATION 8340 Rozell Road

VOTING DISTRICT Port Royal

UTILITIES: _____ PUBLIC _____ PRIVATE _____ EXISTING _____ NEW

3. APPLICANT / OWNER INFORMATION

OWNER OF RECORD:

Saffell's LLC

NAME 4817 Green Branch Street

MAILING ADDRESS Castlow VA 22534

MAILING ADDRESS

PHONE NUMBER

E-MAIL

APPLICANT:

Same

NAME

MAILING ADDRESS

MAILING ADDRESS

PHONE NUMBER

E-MAIL

AGENT/DEVELOPER/ENGINEER:

Brent Elam

NAME

9068 Rozell rd

MAILING ADDRESS

Woodford VA

MAILING ADDRESS

540 642 2971

PHONE NUMBER

Belam@mossmillwinery.com

E-MAIL

MAIN POINT OF CONTACT:

Brent Elam

NAME

As Above

MAILING ADDRESS

MAILING ADDRESS

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 _____ OR Brent R Elam
 AGENT/APPLICANT SIGNATURE
 OWNER'S NAME _____ Brent R. Elam
 AGENT/APPLICANT NAME
 DATE _____ 30 June 22
 DATE

5. FEE SCHEDULE

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

CHECK # 1380 CASH CHARGE RECEIPT # 357627

REVIEW BY / COMMENTS: _____

