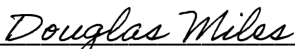




FLUVANNA COUNTY BOARD OF ZONING APPEALS
Fluvanna County Administration Building, Morris Room
November 19, 2019
7:00 PM (Morris Room)

TAB	AGENDA ITEMS
REGULAR MEETING	
1	CALL TO ORDER: Harold Morris, Chairman
2	APPROVAL OF MINUTES
	Minutes of June 18, 2019
3	PUBLIC HEARINGS
	BZA 19:05—Nermin Smajlovic—Brad Robinson, Senior Planner
4	UNFINISHED BUSINESS
	None
5	NEW BUSINESS
	None
6	ADJOURN



Planning/Zoning Administrator Review

Fluvanna County...The heart of central Virginia and your gateway to the future!

For the Hearing-Impaired – Listening device available in the Board of Supervisors Room upon request. TTY access number is 711 to make arrangements.
For Persons with Disabilities – If you have special needs, please contact the County Administrator's Office at 591-1910.

PLEDGE OF ALLEGIANCE

I pledge allegiance to the flag
of the United States of America
and to the Republic for which it stands,
one nation, under God, indivisible,
with liberty and justice for all.

ORDER

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Commission wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Commission to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman shall be the judge of such breaches, however, the Commission may vote to overrule both.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

PUBLIC HEARING RULES OF PROCEDURE

1. **PURPOSE**
 - The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action.
 - A hearing is not a dialogue or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.
2. **SPEAKERS**
 - Speakers should approach the lectern so they may be visible and audible to the Commission.
 - Each speaker should clearly state his/her name and address.
 - All comments should be directed to the Commission.
 - All questions should be directed to the Chairman. Members of the Commission are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion.
 - Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
 - Speakers with questions are encouraged to call County staff prior to the public hearing.
 - Speakers should be brief and avoid repetition of previously presented comments.
3. **ACTION**
 - At the conclusion of the public hearing on each item, the Chairman will close the public hearing.
 - The Commission will proceed with its deliberation and will act on or formally postpone action on such item prior to proceeding to other agenda items.
 - Further public comment after the public hearing has been closed generally will not be permitted.

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For Persons with Disabilities – If you have special needs, please contact the County Administrator's Office at 591-1910.*

FLUVANNA COUNTY BOARD OF ZONING APPEALS
Morris Room, Fluvanna County Administration Building
June 18, 2019
7:00 PM (Morris Room)

Members Present: Peter Von Keyserling (Vice-Chairman)
Carol Walker
Ed Zimmer

Staff Present: Eric Dahl, DCA/Interim Director of Community Development
Brad Robinson, Senior Planner
Holly Steele, Planner
Frederick Payne, County Attorney

Members Absent: Harold Morris (Chairman)
Easton Loving
Valencia Porter, Senior Program Support Assistant

CALL TO ORDER:

Vice Chairman Mr. Von Keyserling called the Board of Zoning Appeals meeting of June 18, 2019 to order at 7:00 p.m.

APPROVAL OF MINUTES:

Walker made a motion to approve the minutes of May 21, 2019 as presented. Seconded by Zimmer. The motion was carried by a vote of 3-0 AYES: Walker, Zimmer, and Von Keyserling, NAYS: None ABSTAIN: None ABSENT: Morris, and Loving

PUBLIC HEARING:

BZA 19:03—Keith Bray—Holly Steele, Planner

A request for a variance to Fluvanna County Code Sec.22-4-3(G) of the Zoning Ordinance to allow for the reduction of the minimum rear setback, from 75 feet to 51 feet, for the purpose of constructing a new 42' x 70' garage building with a gable roof with respect to 2.5 acres of Tax Map 8, Section 6, Parcel 2.

Variance Request Analysis:

- Improvements Proposed
 - The applicant would like to remove the lean to on the existing carport and build a 42' x 70' garage with a gable roof.
- Special Conditions
 - Determination of the garage as being the primary structure on the property due to its being larger than the home.
 - Location of power lines through the property
 - Frontage on both a private and public road.
- Impact on Adjacent Property Owners
 - The dense tree line that surrounds the property will shield the garage from adjacent property owners and Lake Monticello Rd. Additionally, the home and natural slope of the property will largely shield the garage from Lake Monticello Rd.

MOTION:

Zimmer made a motion to declare as moot. Seconded by Walker. A reduction of the minimum required rear setback, from 75 feet to 51 feet, for the purpose of construction a new 42' x 70' garage building with a gable roof with respect to 2.5 acres of Tax Map 8, Section 6, Parcel 2. The motion carried by a vote of 3-0 AYES: Walker, Zimmer, and Von Keyserling NAY: None ABSTAIN: None ABSENT: Morris, and Loving.

PUBLIC HEARING:

BZA 19:04—Greenberry's—Brad Robinson, Senior Planner

A request for a variance to Fluvanna County Code Sec.22-11-5 of the Zoning Ordinance to allow for the reduction of the minimum building setback required from a street right-of-way, from 50 feet to 25 feet, for the purpose of constructing a light manufacturing facility with respect to 1.095 acres of Tax Map 5, Section 24, Parcel 6.

Variance Request Analysis:

- Subject property is a corner lot located at the intersection of Zion Station Road and Zion Station Court.
- The applicant is requesting to reduce the required setback from the street right-of-way of both adjacent streets from 50 feet to 25 feet.
- The variance would allow for the construction of a larger light manufacturing facility for Greenberry's Coffee Co.
- SDP 17:07 sketch plan approved by Planning Commission on October 10, 2017 for an 8,050 square foot building.
- The applicant now desires to reposition the building on the site along the property line of Lot 5 in order to include potential future offices (480 sq. ft.) and warehouse/production expansion (1,248 sq. ft.) in an effort to plan for future growth and expansion.

MOTION:

Walker made a motion to deny without prejudice. Seconded by Zimmer. A request for a variance to Fluvanna County Code Sec.22-11-5 of the Zoning Ordinance to allow for the reduction of the minimum building setback required from a street right-of-way, from 50 feet to 25 feet, for the purpose of constructing a light manufacturing facility with respect to 1.095 acres of Tax Map 5, Section 24, Parcel 6. The motion carried by a vote of 3-0 AYES: Zimmer, Walker, and Von Keyserling NAYS: None ABSTAIN: None ABSENT: Morris, and Loving

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

ADJOURNMENT:

There being no further business, Chairman Morris adjourned the Board of Zoning Appeals meeting of June 18, 2019 at 7:22 p.m.

Minutes recorded by Valencia Porter, Senior Program Support Assistant

**Chairman Harold Morris
Fluvanna County Board of
Zoning Appeals**



COUNTY OF FLUVANNA

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132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

STAFF REPORT

To: Board of Zoning Appeals
Case Number: BZA 19:05
Tax Map: 5, Section 9, Parcel 2

Staff: Brad Robinson
District: Columbia
Date: November 19, 2019

General Info:

The Board of Zoning Appeals is scheduled to hear this request at 7:00 pm on Tuesday, November 19, 2019 in the Morris Room of the Fluvanna County Administration Building.

Applicant/Owner:

Nermin Smajlovic

Requested Action:

A request for a variance to Fluvanna County Code Sec.22-9-6 of the Zoning Ordinance to allow for the reduction of the minimum building setback required from a residential or agricultural district, from 50 feet to 35.1 feet, for the purpose of constructing a contractor's storage yard with respect to 0.957 acres of Tax Map 5, Section 9, Parcel 2.

Code Section:

Fluvanna County Code Sec.22-9-6 of the Zoning Ordinance

Location:

The affected property is located along James Madison Highway (U.S. Route 15) approximately 0.4 miles south of the intersection with Richmond Road (U. S. Route 250). The property is within the Zion Crossroads Community Planning Area and the Columbia Election District. (Attachment B)

Existing Zoning:

B-1, Business, General (Attachment C)

Existing Land Use:

Vacant

Adjacent Land Use:

Adjacent properties are zoned A-1, Agricultural, General.

Comprehensive Plan:

Zion Crossroads Community Planning Area

Zoning History:

This property was rezoned from A-1 to B-1 on September 18, 2019 (ZMP 19:01).

Analysis:

The applicant is requesting a variance to reduce the minimum setback required from a residential or agricultural district in order to construct a new office location for Mechanical Building Solutions, a local HVAC contractor which currently operates as a home-based business. Due to growth of the business, a physical location is now needed to accommodate materials and employees.

A request by the applicant to rezone the subject property from A-1 to B-1 was approved by the Board of Supervisors on September 18, 2019. The rezoning to B-1 resulted in the property being surrounded by A-1 zoning on all sides except for the frontage along Route 15. Per Section 22-9-6 of the B-1 district regulations, a minimum setback of 50 feet is required from an adjacent agricultural or residential district. In the case of this property, this requirement applies to both the side and rear boundaries. In addition to the setback requirement, commercial and industrial uses are also required to be screened from view of adjacent properties in residential and agricultural zoning districts in accordance with Section 22-24-7.

The concept plan for the rezoning request proposed the new building meeting the 50 foot setback on all three sides. The applicant is now requesting to reduce the required setback from the northern boundary from 50 feet to 35.1 feet, due to how the property slopes from north to south. The variance would result in a total reduction of 14.9 feet.

(Attachments A & E)

Sec. 22-9-6 of the Fluvanna County Zoning Ordinance states:

Sec. 22-9-6. Yard regulations.

The minimum yard requirements for permitted uses adjoining or adjacent to a residential or agricultural district shall be fifty feet (50'). All parking lots and accessory uses shall be located not less than twenty-five feet (25') from any residential or agricultural district.

As stated in Section 22-18-2(B) of the Fluvanna County Code, the Board of Zoning Appeals must consider certain statutory considerations when reviewing a variance request. The Board may grant a variance if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and:

- i. the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
- ii. the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;

- iii. the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
- iv. the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and
- v. the relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application.

The Board must make each of the above findings in order to grant a variance as required by the Code of Virginia. Approval of a variance that does not meet each finding would be unlawful. The Board may impose, as part of an approval, conditions regarding the location, character, and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.

After evaluation of the above factors, staff has the following comments:

The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance:

The applicant created the hardship by rezoning the property; however, the applicant did not create the parcel size.

The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area:

While adjoining properties are zoned A-1, they are also located within the Zion Crossroads Community Planning Area which is envisioned to be the most intensely developed part of the county and is an area targeted for economic development. Much of the county's existing business or industrial zoning is located within the same vicinity of the subject property.

The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance:

The applicant's situation with regard to setback requirements is shared by all properties in the county that are zoned B-1 and adjoin residential or agricultural districts. Many B-1 zoned properties are larger in size. The slope and topography of the subject property does not appear abnormal or uncharacteristic when compared to surrounding properties.

The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property:

The proposed use of the property is permitted by right in the B-1 zoning district and does not necessitate a change in the property's zoning classification.

The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application:

A special exception process is not available to the applicant and no zoning ordinance amendment is currently in progress.

A draft resolution is attached. (Attachment G)

Suggested Motion:

I move to approve/deny/defer BZA 19:05, a request for a variance to Fluvanna County Code Sec.22-9-6 of the Zoning Ordinance to allow for the reduction of the minimum building setback required from a residential or agricultural district, from 50 feet to 35.1 feet, for the purpose of constructing a contractor's storage yard with respect to 0.957 acres of Tax Map 5, Section 9, Parcel 2.

Attachments:

A – Application and APOs

B – Aerial Vicinity Map

C – Zoning Map

D – Aerial Map with Contours

E – Variance Concept Plan

F – Rezoning ZMP 19:01 Approval Letter & Concept Plan

G – Draft Resolution

Copy: Nermin Smajlovic via email - mechanicalbuildingsolutions@gmail.com
File

Received

SEP 27 2019



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Variance Application (BZA) Planning Dept.

Owner of Record: NERMIN SMATLOVICApplicant of Record: SAMEE911 Address: 35 Seminole Trl, Palmyra VA 22963E911 Address: 35 SEMINOLE TR. PALMYRA 22963Phone: 434-305-6778 Fax: —Phone: — Fax: —Email: MECHANICAL BUILDING SOLUTIONS @ GMAIL.COMEmail: —Representative: —

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

E911 Address: —Phone: — Fax: —Email: —Tax Map and Parcel(s): 5-9-2Deed Book Reference: 55-48Acreage: , 957 Zoning: B-1Deed Restrictions? ☒ No ☐ Yes (Attach copy)E911 Address of Parcel: 21398 JAMES MADISON HWY.Description of Property: Vacant

Request for a variance from Section 22-9-6 of the Fluvanna County Code in respect to the requirement for in order to build

Fill in only the line(s) that apply to your request(s)	Applicant has	Code requires or permits	Variance requested
Total Area <u>, 957 ACRES</u>			
Lot Width	<u>208.8'</u>		
Front yard setback			
Minimum side yard setback	<u>35.1'</u>	<u>50'</u>	<u>14.9'</u>
Total side yard setback			
Rear yard setback			
Public road frontage	<u>208.8'</u>		
Other (write in)			

Two copies of a plan must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

By signing this application, the undersigned authorizes entry onto the property by County employees, the Planning Commission, the Board of Supervisors, and the Board of Zoning Appeals during the normal discharge of their duties in regard to this request.

All plats must be folded prior to submission to the Planning Department. Rolled plans will not be accepted.

Owner/Applicant Name (Please Print) NERMIN SMATLOVICDate 9/25/19Owner/Applicant Signature Nermin Smatlovic

OFFICE USE ONLY

Date Received: <u>9/30/19</u>	PH Sign Deposit Received: <u>9/30/19</u>	Application #: <u>BZA 19-0005</u>
\$550 plus mailing cost and fee paid: <u>V# 1166</u>	Mailing Costs: \$20.00 Adjacent Property Owner (APO) after 1st 15, Certified	
Election District: <u>Columbia</u>	Planning Area: <u>Trans Crossroads Community</u>	
Approved <input type="checkbox"/> Denied <input type="checkbox"/> Date: <u>—</u>	Zoning Administrator: <u>—</u>	

Fluvanna County Department of Planning & Community Development * Box 540 * Palmyra, VA 22963 * (434)591-1910 * Fax (434)591-1911

This form is available on the Fluvanna County website: www.fluvannacounty.org

IMPROVEMENTS PROPOSED

Describe the improvements proposed. State whether new buildings or structures are to be constructed; existing buildings or structures are to be used, or additions made to existing buildings or structures.

NEW CONTRACTORS YARD WITH OFFICE BUILDING, 90' WIDE BY 50' DEEP

SPECIAL CONDITIONS

Relate here the special conditions or circumstances (topography, soil type, shape of property) peculiar to the above described land, building, or structure or to the intended use or development of the land, building or structure involved that do not apply generally to other property in the same district.

PROPERTY SLOPES FROM LEFT TO RIGHT. LEFT BEING HIGH SIDE (NORTH)
RIGHT BEING LOW SIDE (SOUTH) LEVEL PART OF PROPERTY IS ON SOUTH SIDE WHERE
CURRENT DRIVEWAY ACCESS AND PROPOSED PARKING ARE LOCATED

UNNECESSARY HARDSHIP

Describe here how the literal interpretation and enforcement of Section _____ of the Zoning Ordinance would effectively prohibit or unreasonably restrict the use or intended use or development of the properties involved by the applicant.

HARDSHIP IS TO FIT PROPOSED NEW BUILDING IN CURRENT SETBACKS CAUSES ISSUE
WITH DRIVEWAY LOCATION AS NEW BUILDING WOULD BE APPROXIMATELY 12' INTO FLOW OF TRAFFIC
PULLING IN + OUT. ALSO FUTURE HOOK UP OF UTILITIES TO PUBLIC WATER + SEWER WOULD BE IN MIDDLE
OF PAVED PARKING LOT

ADJACENT PROPERTY

Describe the effects of this variance on adjacent property and the surrounding neighborhood. How will adjoining property owners be protected.

ADJACENT PROPERTY TO THE NORTH HAS A SPECIAL USE PERMIT FOR SMALL
ENGINE REPAIR SHOP AND IS CONSIDERING CHANGING HIS ZONING FROM A1 TO B1
ALSO. ADJACENT PROPERTY OWNER IS IN AGREEMENT WITH PROPOSED VARIANCE

PLAN

Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings and structures on the site, roadways, walks, off-street parking and loading space, landscaping and the like. (Architect's sketches showing elevations of proposed buildings and structures and complete plans are desirable and may be required with the application if available.)



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Public Hearing Sign Deposit

Name: NERMIN SMASLOVIC

Address: 35 SEMINOLE TRAIL

City: PALMYRA

State: VA. Zip Code: 22963

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.

Nermin Smaslovic
Applicant Signature

9/25/19
Date

*Number of signs depends on number of roadways property adjoins.

OFFICE USE ONLY

Application #: BZA 19 : 0005 CPA : SUP : ZMP : ZTA :

\$90 deposit paid per sign*: 9/30/19 ✓ # 1167

Approximate date to be returned:

Fluvanna County/Department of Planning & Community Development *Box 540 *Palmyra, VA 22963 *(434)591-1910 *Fax (434)591-1911

This form is available on the Fluvanna County website: www.co.fluvanna.va.us

Received

SEP 27 2019

Planning Dept.

RECEIPT (REC-000686-2019)
FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT

BILLING CONTACT

Nermin Smajlovic
Mechanical Building Solutions
35 Seminole Trail
Palmyra, Va 22963



Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
BZA19:0005	Variance	Fee Payment	Check #1166	\$550.00
SUB TOTAL				\$550.00

TOTAL \$550.00

RECEIPT (REC-000687-2019)
FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT

BILLING CONTACT

Nermin Smajlovic
Mechanical Building Solutions
35 Seminole Trail
Palmyra, Va 22963



Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
BZA19:0005	Sign Deposit for Public Hearing	Fee Payment	Check #1167	\$90.00
SUB TOTAL				\$90.00

TOTAL \$90.00



COUNTY OF FLUVANNA

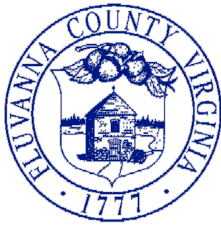
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Fax (434) 591-1911
www.fluvannacounty.org

MEMORANDUM

Date: November 4, 2019
From: Valencia Porter
To: Douglas Miles
Subject: Board of Zoning Appeals

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the November 19, 2019 Board of Zoning Appeals meeting.



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NOTICE OF PUBLIC HEARING

November 4, 2019

«Owner»
«Address»
«City_State» «Zip_Code»
TMP# «TMP»

Re: Public Hearing on BZA 19:05

Dear «Owner»:

This letter is to notify you that the Fluvanna County Board of Zoning Appeals will hold a public hearing on the above referenced item as noted below:

Purpose:	Board of Zoning Appeals Hearing
Day/Date:	Tuesday, November 19, 2019
Time:	7:00 PM
Location:	Morris Room, Fluvanna County Administration Building, Palmyra, VA

The applicant or applicant's representative will be present at the Board of Zoning Appeals meeting for a request for a variance that is described as follows:

BZA 19:05 – Nermin Smajlovic: A request for a variance to Fluvanna County Code Sec.22-9-6 of the Zoning Ordinance to allow for the reduction of the minimum yard required from a residential district, from 50 feet to 35.1 feet, for the purpose of constructing a contractor's storage yard with respect to 0.957 acres of Tax Map 5, Section 9, Parcel 2. The subject property is zoned B-1, Business, General and located along James Madison Highway (U.S. Route 15) approximately 0.4 miles south of the intersection with Richmond Road (U. S. Route 250). The property is within the Zion Crossroads Community Planning Area and the Columbia Election District.

You are welcome to attend the Public hearing and you will have an opportunity to comment, if desired. The tentative agenda and staff report for this action is available for public review on the County website at <http://fluvannacounty.org/meetings>. You can also view the report in the Fluvanna County Planning and Zoning Department during working hours (8:00 am – 5:00 pm, Monday through Friday).

If you have any questions regarding this variance request or the Public Hearing, please contact me at 434-591-1910.

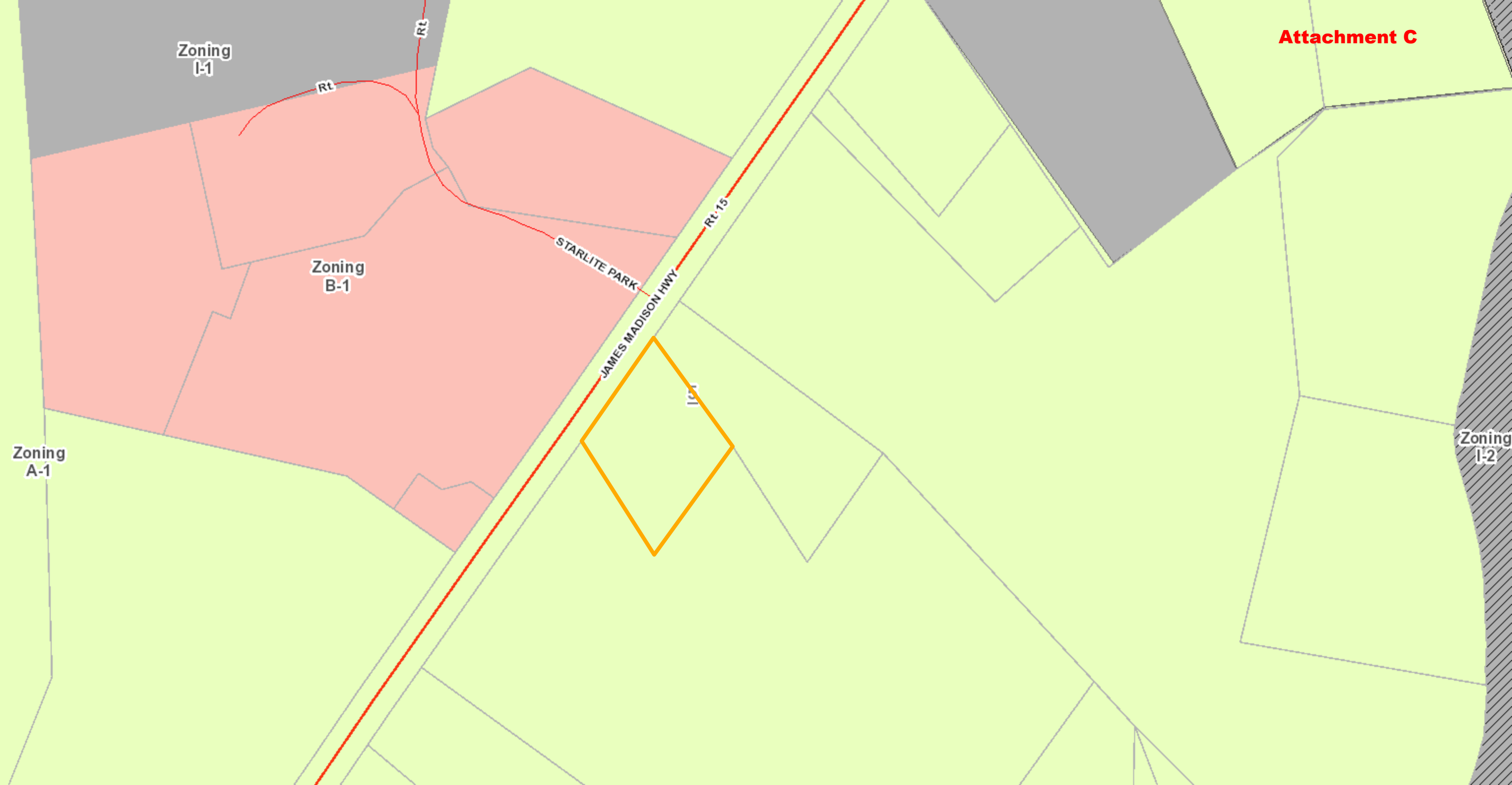
Sincerely,

Douglas Miles
Community Development Director

ADJACENT PROPERTY OWNERS BZA 19:05

[illegible]







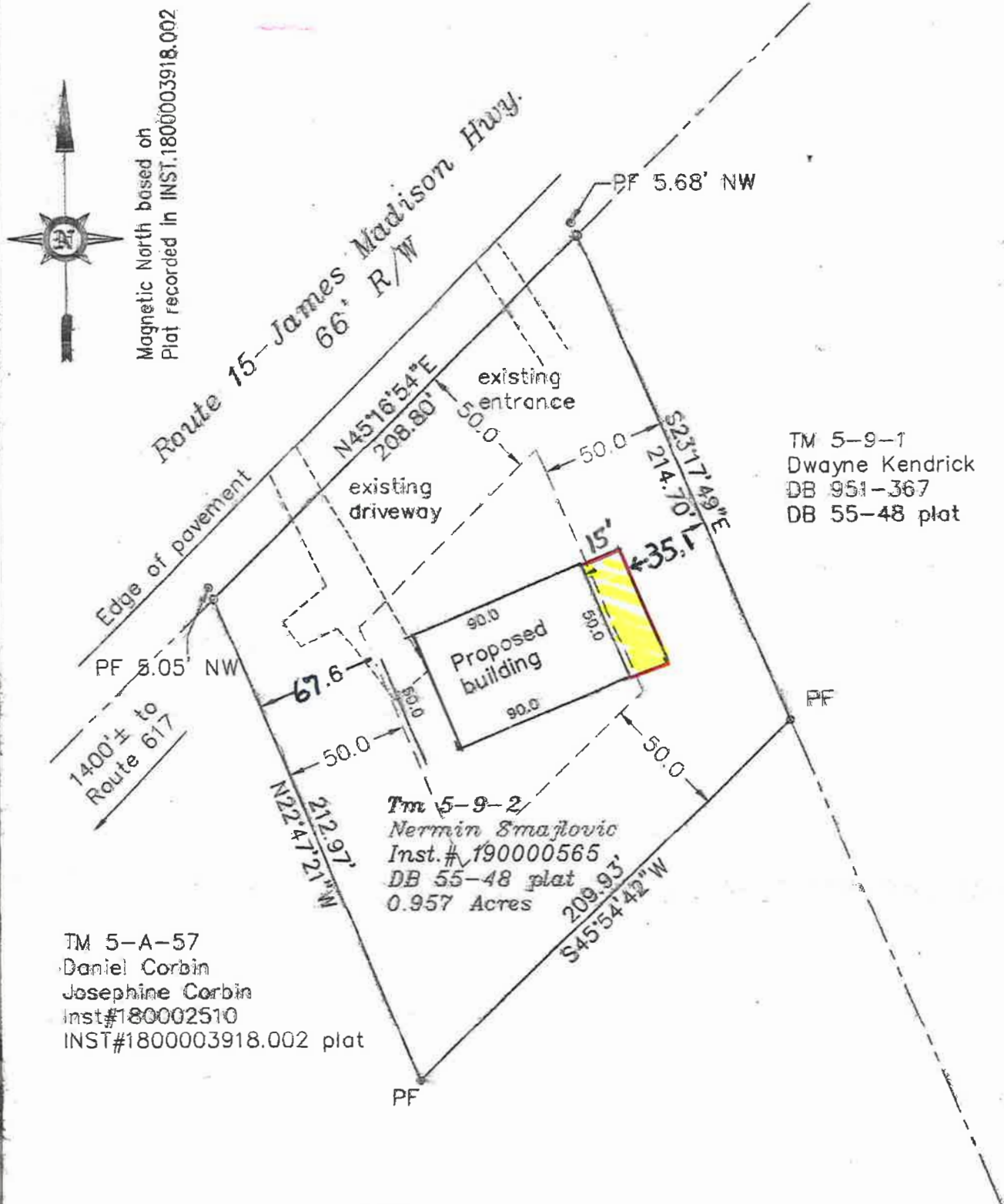
NOTES:

The boundary survey shown is based on a current field survey.

This Plat has been prepared without benefit of a current title report and does not therefore necessarily indicate all encumbrances on the property. It is therefore subject to easements, restrictions, conditions and reservations contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to this property which have not expired by limitation of time contained therein or have not otherwise become ineffective.

LEGEND

PF Iron Pipe Found



PLAT SHOWING BOUNDARY SURVEY OF
TAX MAP 5 PARCEL (9) 2

THE SMAJLOVIC PROPERTY

PALMYRA DISTRICT, FLOUVANNA COUNTY, VIRGINIA

SCALE: 1" = 60' DATE: JUNE 10, 2019

5(9)02.dwg folder tm 5-57A

STANLEY LAND SURVEYS, P.C.

LAND SURVEYING-LAND PLANNING

106 CROFTON PLAZA SUITE 8

PALMYRA, VA. 22963-0154

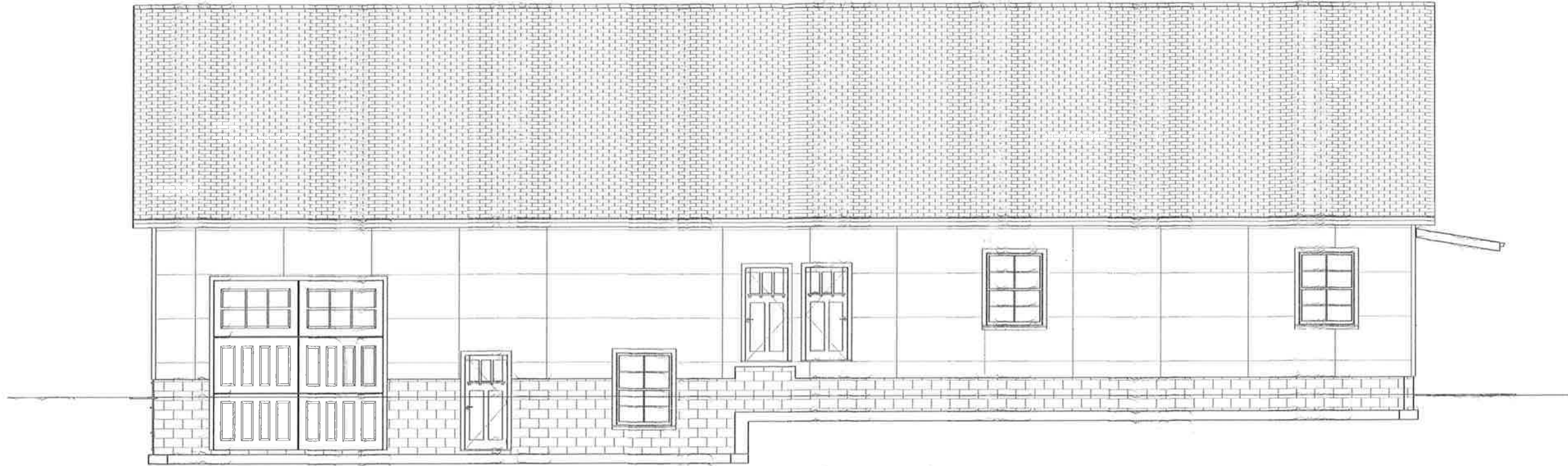
PHONE: (434) 589-8395



Received

SEP 27 2019

Planning Dept.



Exterior Elevation Back 2



Exterior Elevation Left

REVISION TABLE		REVISION BY	DESCRIPTION
NUMBER	DATE		

Nermin Shop Rt 15 90'

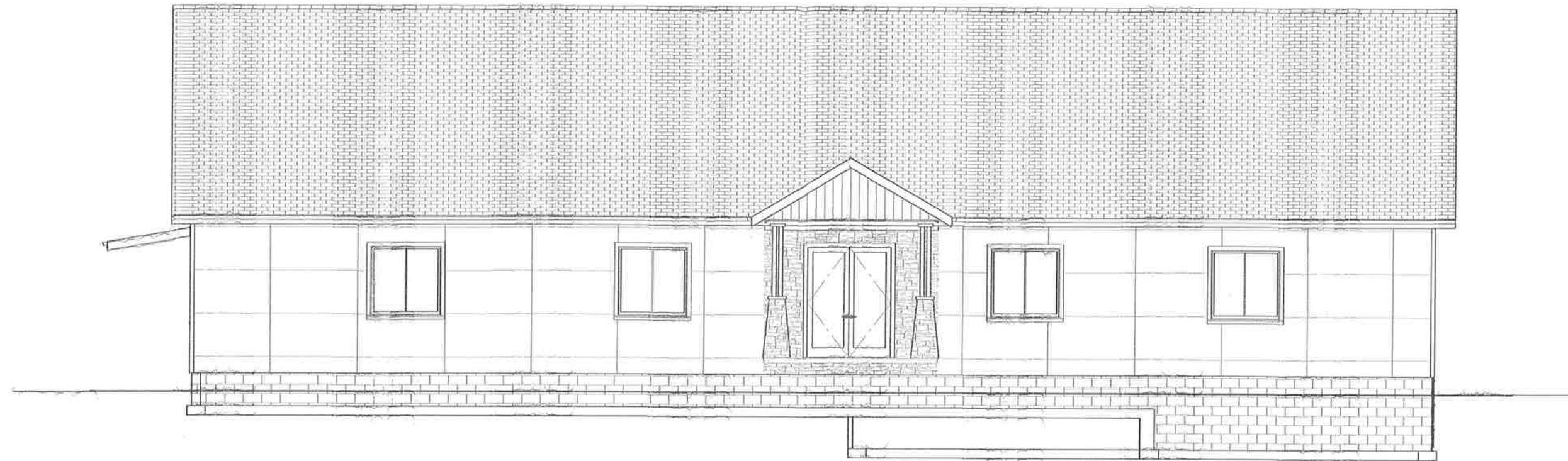
DRAWINGS PROVIDED BY:
QUANTUM
CONSTRUCTION

DATE:

9/30/2019

SCALE:

SHEET:



Exterior Elevation Front 2



Exterior Elevation Right

REVISION TABLE	
NUMBER	DATE

Nermin Shop Rt. 15 90'



DATE:

9/30/2019

SCALE:

SHEET:



COUNTY OF FLUVANNA

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132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

September 19, 2019

Delivered via email to mechanicalbuildingsolutions@gmail.com

Nermin Smajlovic
Mechanical Building Solutions
35 Seminole Trail
Palmyra, VA 22963

Re: ZMP 19:01
Tax Map: 5, Section 9, Parcel 2

Dear Mr. Smajlovic:

Please accept this letter as notification of the action taken on September 18, 2019 by the Board of Supervisors with regard to rezoning application ZMP 19:01. The request to rezone the above referenced parcel from A-1, Agricultural, General to B-1, Business, General was **approved 3-0**.

As your rezoning application has been approved, you may now submit a site development plan in accordance with Article 23 of the Fluvanna County Code. The application and checklists are available on the county website at www.fluvannacounty.org/planning/page/site-development-forms.

If you have any questions or concerns, please do not hesitate to call me at (434) 591-1910, or email me at brobinson@fluvannacounty.org.

Sincerely,

Brad Robinson
Senior Planner

Copy: File

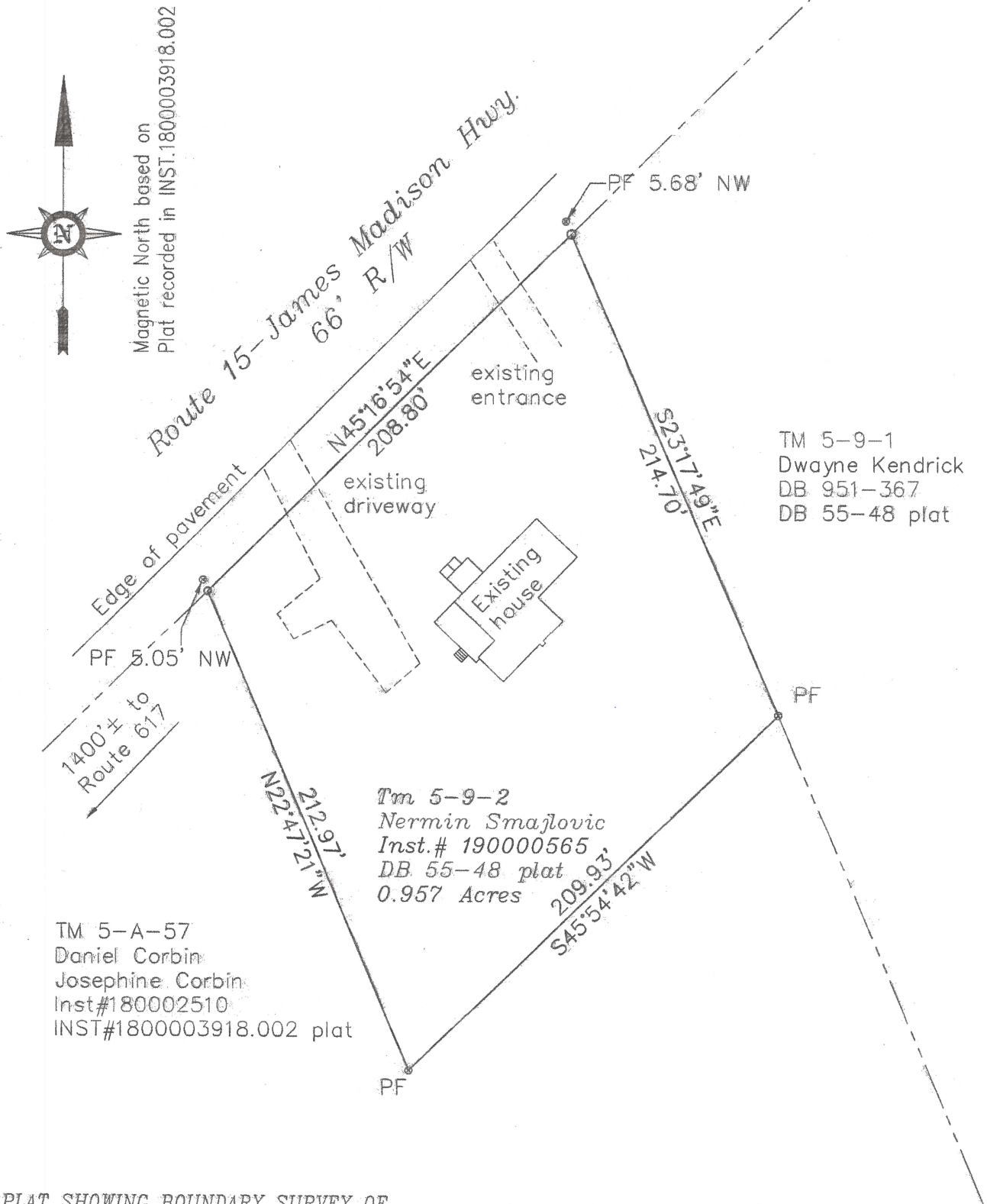
NOTES:

The boundary survey shown is based on a current field survey.

This Plat has been prepared without benefit of a current title report and does not therefore necessarily indicate all encumbrances on the property. It is therefore subject to easements, restrictions, conditions and reservations contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to this property which have not expired by limitation of time contained therein or have not otherwise become ineffective.

LEGEND

PF Iron Pipe Found



PLAT SHOWING BOUNDARY SURVEY OF
TAX MAP 5 PARCEL (9) 2

THE SMAJLOVIC PROPERTY

PALMYRA DISTRICT, FLUVANNA COUNTY, VIRGINIA

SCALE: 1" = 60' DATE: JUNE 10, 2019

5(9)02.dwg folder tm 5-57A

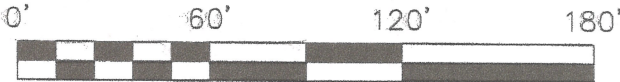
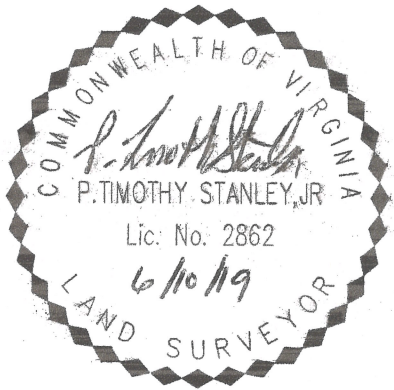
STANLEY LAND SURVEYS, PLC

LAND SURVEYING-LAND PLANNING

106 CROFTON PLAZA SUITE 8

PALMYRA, VA. 22963-0154

PHONE: (434) 589-8395



Received

JUL 19 2019

Planning Dept.

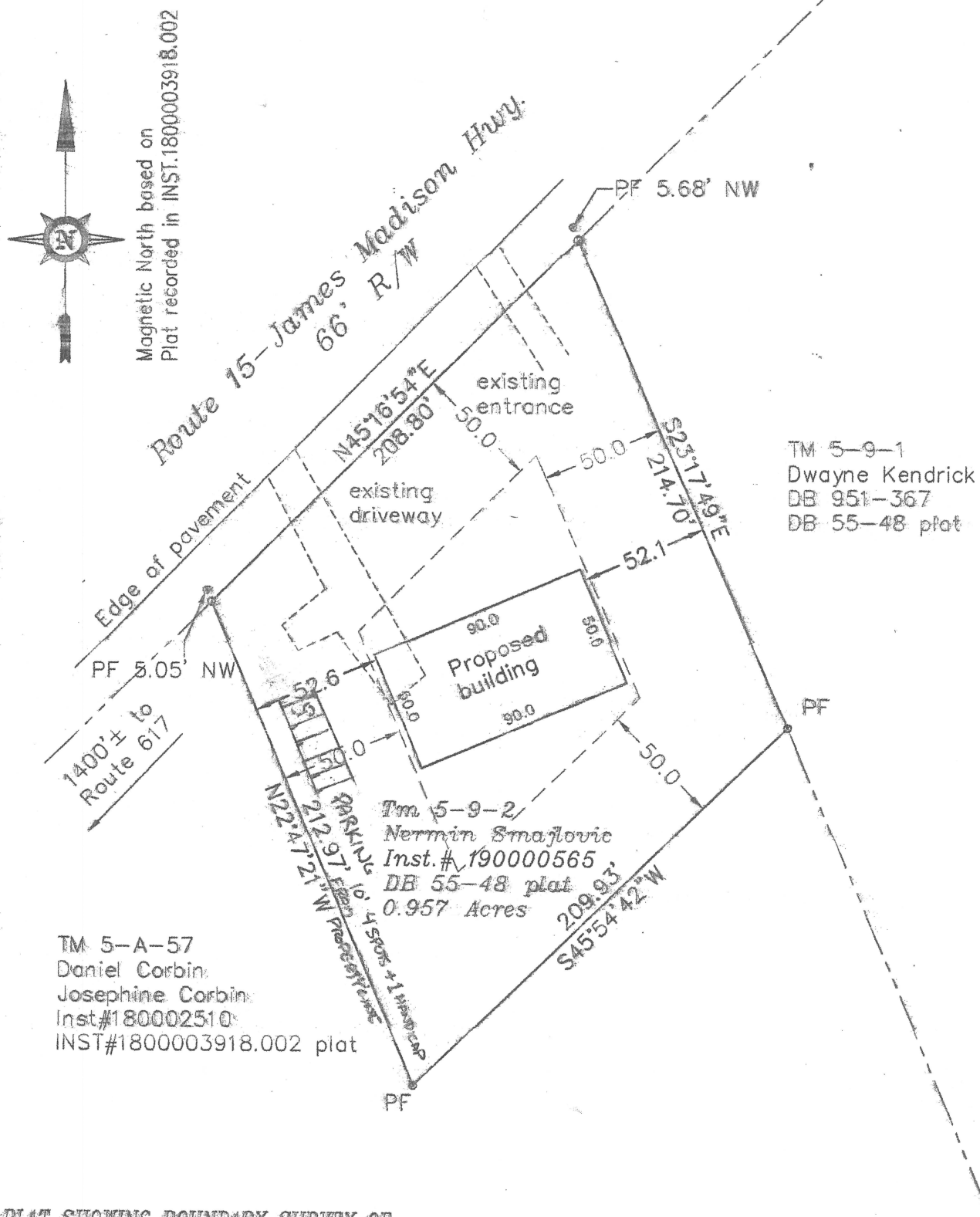
NOTES:

The boundary survey shown is based on a current field survey.

This Plot has been prepared without benefit of a current title report and does not therefore necessarily indicate all encumbrances on the property. It is therefore subject to easements, restrictions, conditions and reservations contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to this property which have not expired by limitation of time contained therein or have not otherwise become ineffective.

LEGEND

PF Iron Pipe Found



PLAT SHOWING BOUNDARY SURVEY OF
TAX MAP 5 PARCEL (9) 2

THE SMAJLOVIC PROPERTY

PALMYRA DISTRICT, FLUVANNA COUNTY, VIRGINIA

SCALE: 1" = 60' DATE: JUNE 10, 2019

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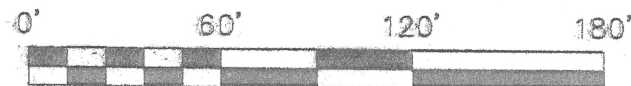
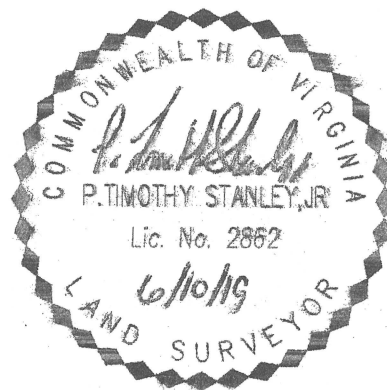
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RESOLUTION APPROVING VARIANCE CASE NUMBER BZA 19:05

BE IT RESOLVED BY THE BOARD OF ZONING APPEALS OF FLUVANNA COUNTY, VIRGINIA, that the strict terms of the Fluvanna County Zoning Ordinance be varied with respect to the property described as set forth in the application for case number BZA 19:05 in the following respects:

BZA 19:05 – Nermin Smajlovic: *A request for a variance to Fluvanna County Code Sec.22-9-6 of the Zoning Ordinance to allow for the reduction of the minimum yard required from a residential or agricultural district, from 50 feet to 35.1 feet, for the purpose of constructing a contractor's storage yard with respect to 0.957 acres of Tax Map 5, Section 9, Parcel 2. The subject property is zoned B-1, Business, General and located along James Madison Highway (U.S. Route 15) approximately 0.4 miles south of the intersection with Richmond Road (U. S. Route 250). The property is within the Zion Crossroads Community Planning Area and the Columbia Election District.*

The Board, having considered the evidence presented to it as reflected in the record of this case, finding as facts that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and:

- i. the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
- ii. the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
- iii. the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
- iv. the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and
- v. the relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application.

PROVIDED, HOWEVER, that the said variance be subject to the following conditions:
