

# FLUVANNA COUNTY PLANNING COMMISSION

## REGULAR MEETING AGENDA

Carysbrook Performing Arts Center  
8880 James Madison Hwy Fork Union, VA 23055

Tuesday, October 11, 2022

6:00 pm Work Session  
7:00 pm Regular Meeting

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### TAB AGENDA ITEMS

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#### WORK SESSION

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- A. Call to Order, Pledge of Allegiance and followed by a Moment of Silence
  - B. County Administrator and Finance Director FY 2024-2028 CIP comments
  - C. Work Session: Capital Improvement Plan Department Presentations
  - D. Adjournment
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#### OCTOBER IS COMMUNITY PLANNING MONTH IN FLUVANNA COUNTY, VIRGINIA REGULAR MEETING

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1 – CALL TO ORDER – Pledge of Allegiance and Followed by a Moment of Silence

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2 – DIRECTOR’S REPORT – Douglas Miles, AICP, CZA, Community Development Director

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3 – PUBLIC COMMENTS #1 (5 minutes per speaker)

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4 – MINUTES: Review and Approval of Draft Minutes from September 13, 2022

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5 – PUBLIC HEARING:

**AFD 22:01 SAH, LLC – Withdrawal from North 640 AFD** – Request to withdraw Tax Map 29 Section A Parcel 42 and 8.39 acres from Tax Map 29 Section A Parcel 37, totaling 19.62 acres, from the North 640 Agricultural and Forestal District. The North 640 Agricultural and Forestal District consists of approximately 2295.7 acres and the subject parcels are fronting on Sclaters Ford Road (SR 660) and are generally north of Haden Martin Road (SR 640) and they are located in the Rural Preservation Area and the Fork Union Election District.

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6 – PRESENTATIONS:

**2040 Comp Plan Update and Presentation** – Douglas Miles, AICP, CZA, Community Development Director

**2040 Comprehensive Plan Presentations** – Historic Preservation and Rural Preservation Advisory Groups

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7 – SITE DEVELOPMENT PLANS: None

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8 – SUBDIVISIONS: None

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9 – UNFINISHED BUSINESS: None

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*For the Hearing-Impaired – Listening devices are available 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 434.591.1910.*

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**10 – NEW BUSINESS: None**

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**11 – PUBLIC COMMENTS #2 (5 minutes per speaker)**

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**12 – ADJOURNMENT**

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*Douglas Miles*

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Community Development Director Review

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## 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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**FLUVANNA COUNTY PLANNING COMMISSION  
REGULAR MEETING MINUTES**

**Carysbrook Performing Arts Center  
8660 James Madison Hwy  
Fork Union, VA 23055**

**September 13, 2022  
Regular Meeting at 7:00 pm**

**MEMBERS PRESENT:**

Barry Bibb, Chair  
Mike Goad, Commissioner  
Ed Zimmer, Commissioner  
Howard Lagomarsino, Commissioner  
Patricia Eager, Board of Supervisors Representative

**ABSENT:**

Gequetta "G" Murray-Key, Vice Chair

**STAFF PRESENT:**

Eric Dahl, County Administrator  
Fred Payne, County Attorney  
Douglas Miles, Community Development Director  
Jon-Mikel Whalen, Planner / GIS Technician  
Valencia Porter, Administrative Programs Specialist

**1. CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:**

At 7:08 pm, Chair Bibb, called to order the Regular meeting of September 13, 2022. After the recitation of the Pledge of Allegiance then a moment of silence was observed.

**2. DIRECTOR'S REPORT – Douglas Miles, AICP, CZA, Community Development Director**

**September 7th Board of Supervisors meeting**

The Safe Streets and Roads for All Comprehensive Safety Action Plan Grant funding seeks to reduce serious crashes and fatalities by providing additional federal roads funding, along with VDOT state funding. A Board of Supervisors Letter of Support was approved for the Thomas Jefferson Planning District Commission staff to be able to qualify regionally, with all the other member localities, for US DOT federal funding under Safe Streets and Roads Grant program.

**September 23rd Dominion Energy – Bremo Power Station Demolition**

The Bremo Power Station and Smokestacks will be demolished on site:

When: Friday, September 23rd at 10:00 am with public notification in all major newspapers and adjacent owner letters mailed to impacted areas.

Bremo Road (cars) VDOT has scheduled Road closure at 9:15 am  
James River (boats) VDWR has scheduled River closure at 9:15 am

**September 29th Rivanna River Basin Commission – Solar Energy in Virginia**

When: Thursday, September 29th from 1:00 pm – 4:00 pm, Free training session is available  
Where: Lewis & Clark Exploratory Center - 1490 Darden Towe Park in Charlottesville, Virginia

What: DEQ and UVA Weldon Cooper Center Solar speakers in person training via Event Brite or via a Zoom link and go online to register: <https://rivannariverbasin.org/meetings-events/>

**3. PUBLIC COMMENTS #1**

Chair Bibb opened up the Public Comments at 7:16 pm by giving each public speaker a limit of five (5) minutes to speak and asked that they state their name and their address for the record.

**James Schoenster at 843 Jefferson Drive:** Spoke in favor of the safe streets and roads, and he would love to hear more discussion on this going forward and to see Fluvanna County and the region receive the federal grant funds which would be providing for the safety of our residents.

With no one else wishing to speak in person or online, Chair Bibb closed the first round of Public Comments at 7:18 pm.

4. **MINUTES:**

<b>MOTION:</b>	<b>July 12, 2022 minutes</b>				
<b>MEMBER:</b>	Bibb	Goad	Murray-Key	Lagomarsino	Zimmer
<b>ACTION:</b>		<b>Second</b>			<b>Motion</b>
<b>VOTE:</b>	Yes	Yes	Absent	Yes	Yes
<b>RESULT:</b>	<b>4-0-1 Approved</b>				

<b>MOTION:</b>	<b>August 9, 2022 minutes</b>				
<b>MEMBER:</b>	Bibb	Goad	Murray-Key	Lagomarsino	Zimmer
<b>ACTION:</b>		<b>Motion</b>		<b>Second</b>	
<b>VOTE:</b>	Yes	Yes	Absent	Yes	Abstained, as he was absent
<b>RESULT:</b>	<b>3-1-1 Approved</b>				

5. **PUBLIC HEARINGS:**

None

6. **PRESENTATIONS:**

None

7. **SITE DEVELOPMENT PLANS:**

None

8. **SUBDIVISIONS:**

None

9. **UNFINISHED BUSINESS:**

None

10. **NEW BUSINESS: 2040 Comprehensive Plan Schedule and Update**

**Douglas Miles, AICP, CZA, Community Development Director:**

**What Have we Learned in 2022 in the Comp Plan Review Process?**

Fluvanna County wants to retain its Rural Character features  
 Comprehensive Plan and Zoning Ordinance Amendments needed  
 Major Corridor tree buffer areas Or enhanced Site landscaping  
 Strike a balance with commercial visibility and rural character

Fluvanna County wants to develop Fork Union and Zion Crossroads  
 Completion of overall County water and sewer infrastructure  
 Utilize the Available water and sewer for commercial growth  
 Plan for office / industrial parks and Public facility investment

**Rural and Historic Preservation Advisory Groups Update:**

Rural Preservation and Historic Preservation Advisory Groups  
 Met Thursday, July 28th and they discussed what the Rural Preservation Advisory Group had prepared between April and June of 2022 during the Open House events and group meetings  
 Met Thursday, August 11th and they discussed what the Historic Preservation Advisory Group needed to prepare in August and September 2022 so both groups could provide presentations  
 Both groups have met at outside meetings at Fluvanna Library as well as with the County Staff

**Thursday, September 15th at 4:30 pm in the Morris Room**

Rural Preservation and Historic Preservation Advisory Groups

Meeting to discuss the Rural Preservations Group's progress reports and to further refine the Comprehensive Plan's recommended goals and objectives in relationship to Group's research Meeting to discuss the Historic Preservation Group's research on revising Chapter 6 – Historic Preservation in the 2015 Comprehensive Plan and to finalize Rural Crossroads historic elements Groups are preparing presentations for the October 11th Planning Commission regular meeting

**Chair Bibb** asked for all commissioners to review the goals in the Plan chapters and areas in the comprehensive plan. What goals still need to be in the comprehensive plan and what goals do need to be changed? Chair Bibb requested that the Planning Commissioners should decide on what chapters they would like to work on in the Plan for potential revisions along with their own professional backgrounds and interests and complete the 2040 Comprehensive Plan revisions. He stated that he would be following up with an e-mail prior to the next meeting along with Mr. Miles to better coordinate the Comprehensive Plan revisions to follow our new Plan schedule.

**11. PUBLIC COMMENTS #2:**

**Chair Bibb** opened up the Public Comments at 7:36 pm by giving each speaker a limit of five (5) minutes to speak and asked that they state their full name and property address for the record.

With no one coming forward wishing to speak in person or online, Chair Bibb closed the Public Comments period at 7:37 pm.

**12. ADJOURNMENT:**

**Chair Bibb** adjourned the Planning Commission meeting on September 13, 2022 at 7:37 pm.

Minutes were recorded by Valencia Porter, Administrative Programs Specialist.

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**Barry A. Bibb, Chair**  
**Fluvanna County Planning Commission**



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# COUNTY OF FLUVANNA

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## PLANNING COMMISSION STAFF REPORT

**To:** Fluvanna County Planning Commission  
**Case Number:** AFD 22:01  
**Tax Map:** 29, Section A, Parcel 42 & Parcel 37

**From:** Jason Overstreet, CZA  
**District:** Fork Union  
**Date:** October 5, 2022

**General Information:** This item is scheduled to be heard by the Planning Commission on Tuesday, October 11, 2022 at 7:00 p.m. at the Carysbrook Performing Arts Center.

**Applicant/Owner:** SAH, LLC / Shannon Haislip, Applicant

**Requested Action:** **AFD 22:01 SAH, LLC – Withdrawal from North 640 AFD** – Request to withdraw Tax Map 29 Section A Parcel 42 and 8.39 acres from Tax Map 29 Section A Parcel 37, totaling 19.62 acres, from the North 640 Agricultural and Forestal District. The North 640 Agricultural and Forestal District consists of approximately 2295.7 acres and the subject parcels are fronting on Sclaters Ford Road (SR 660) and are generally north of Haden Martin Road (SR 640) and they are located in the Rural Preservation Area and the Fork Union Election District. (Attachment A)

**Location:** Subject parcels front Sclaters Ford Road (SR 660) approximately ¾ mile north of its intersection with Haden Martin Road (SR640).

**Existing Zoning:** A-1, Agricultural, General

**Existing Land Use:** Agricultural

**Adjacent Land Uses:** Adjacent properties are zoned A-1.

**Comprehensive Plan:** Rural Preservation Planning Area

**Zoning History:** None

### **Fiscal Implications:**

The application fee has been paid by the applicant. If the proposed withdrawal is approved, the property could be subdivided into additional residential lots. Residential development typically costs more in terms of the provision of public services than the revenue it generates through the

fees to develop the land and through tax revenues.

**Policy Implications:**

This application was referred to the Agricultural and Forestal District Advisory Committee in accordance with Section 3.1-13 of the County Code. The advisory committee made a recommendation to the Planning Commission who must hold a public hearing and then report its recommendations to the governing body. The governing body must then hold a public hearing after receiving the report of the Planning Commission and the advisory committee.

A landowner seeking to withdraw land from a district, if denied favorable action by the governing body, shall have an immediate right of appeal de novo to the circuit court serving the territory wherein the district is located.

**Staff Analysis:**

The purpose of Agricultural and Forestal Districts, as outlined in the Virginia Agricultural and Forestal District Act (Virginia Code), is “...to conserve and protect and to encourage the development and improvement of the Commonwealth’s agricultural and forestal lands for the production of food and other agricultural and forestal products...and to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open space for clear air sheds, watershed protection, wildlife habitat, as well as for aesthetic purposes.”

When evaluating proposed withdrawals from Agricultural and Forestal Districts, the County Code states that any owner of land lying within such a district may file with the County a written request to withdraw all or part of his land from the district for good and reasonable cause. The Fluvanna County Agricultural and Forestal District Brochure specifically addresses petitions for withdrawals and stipulates criteria for such requests. These criteria should be evaluated by the Agricultural and Forestal District Advisory Committee and the Planning Commission prior to making any recommendations. The criteria are as follows:

1. *The proposed new land use will not have an adverse effect upon farming or forestry operations in the remaining portion of the district.*

The applicant has indicated an intent to subdivide the property and create several new two-acre lots for sale. The applicant does not want to subdivide off 22 acres which is the minimum lot size required for divisions of land in an AFD that are not family divisions. As a result, the applicant has requested removal of all of TMP 29-A-42 and 8.39 acres of TMP 29-A-37 from the district. Both agriculture and single-family residential uses are permitted by right in the A-1 zoning district, therefore the proposed lots are not expected to have an adverse impact upon farming or forestry operations in the remainder of this district.

2. *The proposed new land use is in compliance with the most recently approved*



*Comprehensive Plan.*

The North 640 AFD lies within both Rural Preservation and Rural Residential Planning Areas, however the subject parcels are only within Rural Preservation areas. In accordance with the 2015 Comprehensive Plan, “*the rural preservation areas are intended to be the least developed areas of the county. Large parks, agricultural and forestal districts, working farms, and passive open spaces should comprise most of the land use, with very low-density residential development.*” In that respect, removing land from an AFD could result in an increase in development in this area. However, only a maximum of nine lots can be created and the A-1 District does not permit major subdivisions aside from the rural cluster development option, therefore any development would be low-density.

- 3. The proposed land use is consistent with the public interest of the County and not solely to benefit the proprietary interests of the landowner requesting withdrawal.*

The proposed withdrawal would primarily benefit the proprietary interests of the landowner. However, the landowner has experienced unfortunate circumstances leading to the need for the withdrawal, and the landowner has stated that in order to keep his additional two farms viable it is necessary to remove the requested acreage. While the withdrawal would benefit the landowner, it is also in the County’s best interest to preserve as much agricultural land as possible particularly if disapproval of a request to withdrawal land leads to less land being used for farming and other agricultural production.

- 4. The proposed land use was not anticipated by the landowner at the time the property was placed in the district, and there has been a change in conditions or circumstances since that time.*

The applicant purchased the subject property with the intent of establishing a turkey farm. Before he was able to establish the farm the Covid pandemic began. This has resulted in significant increases to the costs of creating the farm as well as to the projected operational costs. Additionally, the applicant’s partner is no longer interested in retaining his share of the farm and the applicant is unable to establish the farm independently.

Removal of this parcel would reduce the total acreage of the North 640 AFD from 2295.7 acres to 2276.2 acres which still complies with the minimum size requirement for an AFD. Remaining parcels will continue to be located within one mile of the boundary of the core as required. Additionally, the applicant has stated that it may be necessary to sell the farm in its entirety which could ultimately lead to a decrease of farm land within the County and increased development within the Rural Preservation Planning area. This outcome would be inconsistent with the stated purposes of preservation and protection of rural areas.

**Agricultural and Forestal District Committee Recommendation:**

The Agricultural and Forestal District Advisory Committee reviewed this application at their meeting on September 20, 2022. The Committee recommended approval of the applicant's request to the Planning Commission by a vote of 5-0.

**Suggested Motion:**

I move to recommend [approval/denial] of AFD 22:01, a request to withdraw Tax Map 29 Section A Parcel 42 and 8.39 acres from Tax Map 29 Section A Parcel 37, totaling 19.62 acres, from the North 640 Agricultural and Forestal District.

**Attachments:**

- A – Application & APO Letter
- B – Map of North 640 Ag/For District & Map of Subject Parcels
- C – Table of North 640 Ag/For District Parcels
- D – Resolution No. 05-2020
- E – County Code, Chapter 3.1, Agricultural and Forestal Districts

Copy:

Applicant/Owner: SAH, LLC / Shannon Haislip  
File

RECEIVED

RECEIVED

Attachment A



AUG 02 2022

AUG 01 2022

Fluvanna County Planning Dept

Fluvanna County Planning Dept

Application for the Creation of or Addition to an

AGRICULTURAL/FORESTAL DISTRICT

FEES payable with application:	Establishment of a new district = \$500.00
	Additions and reviews to existing districts = \$500.00
	Withdrawal from district = \$500.00

A copy of this completed form and required maps shall be submitted by the applicant landowner(s) to the Planning and Zoning Department. This form shall be accompanied by:

- 1 - United States Geological Survey 7.5 minute topographic maps that clearly show the boundaries of the district or addition and boundaries of the property each applicant owns within the district or addition and
- 2 - A Department of Transportation general highway map for the locality that shows the general location of the district or addition
- 3 - Fluvanna County Land Map(s) showing the parcels or boundaries within the parcels included in the district.

Name of Existing or Proposed Agricultural/Forestal District: NORTH 640 AFD

General Location of the District: BETWEEN RTS. 640 & 660, 1 MILE SOUTH OF CUNNINGHAM

Total Acreage in the District or Addition: ≈ 2,118 ACRES 2369 ACTUAL

Name	Address current legal address	Total Acreage owned in the District or Addition	Land Book Reference Tax Map/Parcel Number
SAH, LLC	1330 HATSLIP LN PALMYRA	147.2 ACRES	29-A-37 29-A-42

OFFICE USE ONLY  
\$500.00 Fee: Date Received: 08/02/2022 Check# 4644 AFD: 22: 01 AFD Name: North 640

Submitted to Board of Supervisors: \_\_\_\_\_ Referred to Planning Commission: \_\_\_\_\_

Referred to Advisory Committee: \_\_\_\_\_ Planning Commission Public Hearing Date: \_\_\_\_\_

Board of Supervisors Public Hearing Date: \_\_\_\_\_ Election District: Fork Union

Approved: \_\_\_\_\_ Modified: \_\_\_\_\_ Rejected: \_\_\_\_\_

Fluvanna AFD Advisory Council  
C/O Jason Overstreet  
Fluvanna County Planning Dept.  
132 Main Street  
Palmyra, VA 22963

June 25, 2022

Re: Request to remove 19.628 acres from the North 640 AFD

Dear Council Members,

I am a fourth generation farmer in Fluvanna County and owner of a small excavation company. I started helping my dad on his farm operation at a very young age. Eventually, I was able to start buying my own farm equipment and cattle and, while continuing to help my dad, started my own farm operation. Currently, my personal operation covers more than 800 acres on owned/leased land and I have been looking for more land to lease.

In 2017, I negotiated to buy my granddaddy's 138 acre farm (tax map parcel 39-A-112) from my aunts, which is in the Kidd's Store AFD.

That same year, an elderly neighbor, in rapidly declining health, told me he wanted me to buy his 115 ac farm (tax map parcel 39-A-5), also in the Kidd's Store AFD, from his wife after his death. I had been leasing this farm for 6 years and it had become an important part of my operation but, with my recent purchase of 138 acres, I knew I would need a partner. I found an investor about the time my neighbor passed and we got a verbal commitment for a ten year contract from a national turkey processor, which would have covered the cost of constructing/operating two, seven hundred feet long turkey houses and our land payments. My neighbor died in February of 2018 and we closed on the farm in December of 2018. Over the next ten months, I spent \$15,000 on engineering services for an E&SC/Stormwater Plan to cover the construction project and was finalizing our contracts and financing when Covid hit. With pandemic related labor shortages and rising materials cost, we decided to postpone the start of construction until conditions improved. Conditions certainly have not improved but cattle and grain prices remained strong, making it easier for me to cover my share of the mortgage.

In 2020, I was informed by the owner of a farm in the North 640 AFD that he was going to sell the farm that my dad had been renting for thirty years. The price was very fair and this farm (tax map parcels 29-A-37 & 29-A-42) totaling 147.201

acres, had become an integral part of dad's and my operations, so I agreed to purchase the farm.

Just after I closed on the 147 acre farm in April of 2021, with skyrocketing estimates for constructing the turkey houses, my partner informed me that he was no longer interested in retaining his share of the 115 acre farm. The cost of constructing the turkey houses has now increased from \$1.2 million to \$2 million and interest rates are rising. As I am now "land poor", I will not, in the foreseeable future, be able to pursue the turkey business alone, nor can I afford to buy out my partner's interest in the land.

I own three farms totaling 400.201 acres, all of which are in AFDs. I would like to keep as much of it in AFDs as possible. If I could withdraw parcel 29-A-42 (11.23 acres) and 8.398 acres from parcel 29-A-37 from the North 640 AFD, I could generate the funds needed to buy out my partner and continue to own/farm 380.573 acres of the original 400.201 acres in their respective AFDs. If I can't withdraw a total of 19.628 acres from the North 640 AFD, my next best option is to sell the 115 acre farm which would have a substantial negative impact on my farm operation.

My partner has been somewhat patient while I try to find a remedy for my predicament but I'm afraid I will need to resolve this soon. To make matters worse, in addition to the increased cost of equipment parts and other supplies, my fuel bill for the excavation business and farm is now \$10,000/week, up from \$5,400/week previously.

Thank you in advance for your consideration of my request.

Sincerely,

Shannon Haislip  
1330 Haislip Ln  
Palmyra VA 22963  
434-531-6027

## **WITHDRAWAL FROM A DISTRICT:**

### **By-right Withdrawal:**

1. A property owner may withdraw by written notice at any time before the Board of Supervisors act on the application.
2. A property owner may withdraw by written notice during the time of review.
3. Upon the death of a property owner, any heir or devisee of an owner of land within the district may withdraw such land upon inheritance by written notice within two years of the date of death of the owner. Such a withdrawal, regardless of the acreage or location of the parcel, has no effect on the continuation of the district until the following review time.
4. No fee is require for a by-right withdrawal.

### **Petition for Withdrawal:**

1. Withdrawal from an established district may be permitted by the Board of Supervisors for "good and reasonable cause shown".
2. The property owner requesting withdrawal must make application to the Board of Supervisors and submit a fee of \$500.
3. Any petition to withdraw property from a district must meet the following criteria:
  - a. The proposed new land use will not have an adverse effect upon farming or forestry operations in the remaining portion of the district.
  - b. The proposed new land use is in compliance with the most recently approved Comprehensive Plan.
  - c. The proposed land use is consistent with the public interest of the County and not solely to serve the proprietary interests of the landowner requesting withdrawal.
  - d. The proposed land use was not anticipated by the landowner at the time the property was placed in the district, and there has been a change in conditions or circumstances since that time.
4. Such petition for withdrawal is referred to the Advisory Committee for recommendation to the Planning Commission.
5. The Planning Commission holds a public hearing and makes a recommendation to the Board of Supervisors.
6. The Board of Supervisors holds a public hearing and makes a determination.
7. If denied favorable action, the applicant may appeal the Board's decision to the Circuit Court.

4644

**H AISLIP CONSTRUCTION INC**

1330 H AISLIP LN  
PALMYRA, VA 22963-5133

DATE 8/2/22

68-316/514

PAY  
TO THE  
ORDER OF

Spvanna County

[Signature]  $\frac{500}{100}$

\$ 500.00

DOLLARS



FOR AFD

[Signature]

⑈004644⑈ ⑆051403164⑆ 8517393844⑈

Details on bank Security Features



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# COUNTY OF FLUVANNA

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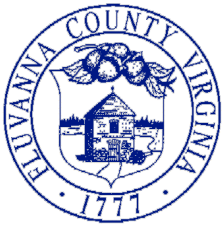
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(434) 591-1910  
Fax (434) 591-1911  
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## MEMORANDUM

**Date:** October 4, 2022  
**From:** Valencia Porter  
**To:** Douglas Miles  
**Subject:** APO Memo Complete

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the October 11, 2022 Planning Commission meeting.






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# COUNTY OF FLUVANNA

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 P.O. Box 540  
 Palmyra, VA 22963  
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## PUBLIC HEARING NOTICE

**October 4, 2022**

**AFD 22:01 SAH, LLC - WITHDRAWAL FROM NORTH 640 AFD / Tax Map 29 Section A Parcel 42 and 8.39 acres from Tax Map 29 Section A Parcel 37 and totaling 19.62 acres being withdrawn**

This is to notify you that the Fluvanna County Planning Commission will hold a public hearing on:

**Meeting:** Planning Commission Public Hearing

**Date:** **Tuesday, October 11, 2022 at 7:00 pm**

**Location:** Carysbrook Performing Arts Center  
 8880 James Madison Hwy Fork Union, VA 23055

**AFD 22:01 SAH, LLC – Withdrawal from North 640 AFD** – Request to withdraw Tax Map 29 Section A Parcel 42 and 8.39 acres from Tax Map 29 Section A Parcel 37, totaling 19.62 acres, from the North 640 Agricultural and Forestal District. The North 640 Agricultural and Forestal District consists of approximately 2295.7 acres and the subject parcels are fronting on Sclaters Ford Road (SR 660) and are generally north of Haden Martin Road (SR 640) and they are located in the Rural Preservation Area and the Fork Union Election District.

The regular meeting of the Planning Commission will be held in person and attendees can attend in person, virtually online or by telephone. Instructions for public participation during the meeting will be made available on the Fluvanna County website. Interested persons may submit written comments prior to the scheduled meeting to [dmiles@fluvannacounty.org](mailto:dmiles@fluvannacounty.org) and any questions may be directed to Douglas Miles, Community Development Director at 434-591-1910, between 8:00 am and 5:00 pm, Monday – Friday in the County Administration Building at 132 Main Street Palmyra, VA 22963. Please be advised that additional information can be obtained from Jason Overstreet, Senior Planner at [joverstreet@fluvannacounty.org](mailto:joverstreet@fluvannacounty.org) and he has provided a site location map for reference purposes that is included in this Public Notice letter for your use.

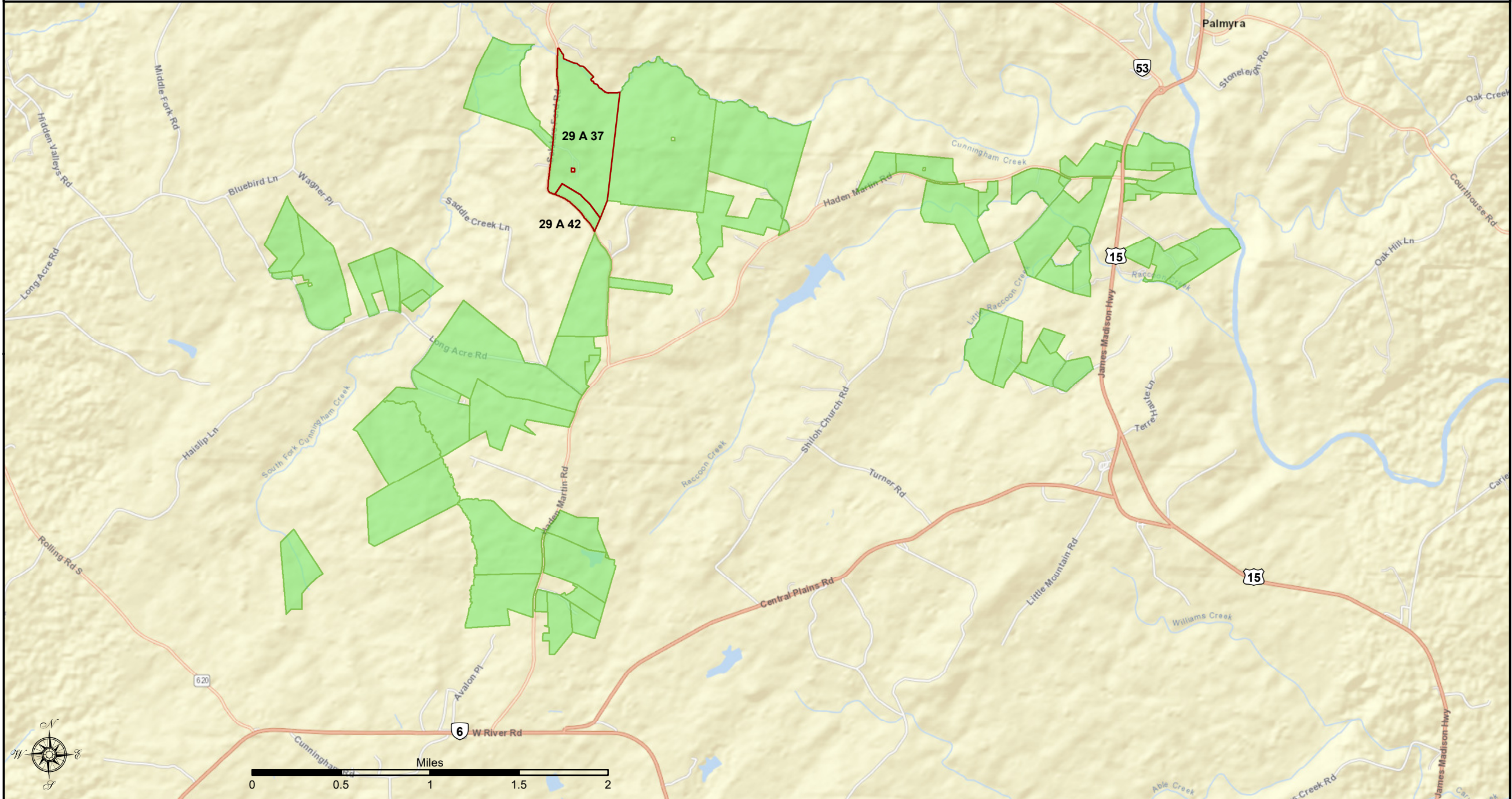
Sincerely,

*Douglas Miles*

Douglas Miles, AICP, CZA  
 Community Development Director

<b>ADJACENT PROPERTY OWNERS AFD 22:01</b>			
<b>TAX MAP</b>	<b>NAME</b>	<b>ADDRESS</b>	<b>CITY/STATE/ZIP</b>
29-A-36B	ERIC & SARAH H MILES	1968 SCLATERS FORD RD	PALMYRA, VA 22963
29-A-39	KORRY LEE ANTOL	1401 SCLATERS FORD RD	PALMYRA, VA 22963
29-A-36C	BRIAN P HANEY & ROSE MARY BROGAN	1964 SCLATERS FORD RD	PALMYRA, VA 22963
29-A-37, 29-A-42	SAH, LLC	1330 HAISLIP LN	PALMYRA, VA 22963
29-A-77	SEBECRF LLC & SEBECRJ LLC	3772 DONAVON MILL CT	POWHATAN, VA 23139
29-8-C	PAUL D HEATWOLE	12307 TWIN MOUNTAINS RD	RAPIDAN, VA 22733
29-8-B	KEVIN & TAMMY CANARD	1285 SCLATERS FORD RD	PALMYRA, VA 22963
29-8-A	ROBERT W & MARY L WEAVER	1217 SCLATERS FORD RD	PALMYRA, VA 22963
28-A-33F	JAMES WILLIAMS JR & KATHLEEN WILLIAMS ET AL	4477 BONSACK RD	ROANOKE, VA 24012
29-5-10	ANDREW D & MINA GRACE SEARCY	1079 SCLATERS FORD RD	PALMYRA, VA 22963
29-5-9	LEAON A DIMMIE	1043 SCLATERS FORD RD	PALMYRA, VA 22963
29-5-8	LEON DIMMIE & SCHERRY ROSS	1015 SCLATERS FORD RD	PALMYRA, VA 22963
29-A-43	WANDA FIELDING	634 SCLATERS FORD RD	PALMYRA, VA 22963
29-5-7	JANET, MELVIN, & VALERIE MORRIS	985 SCLATERS FORD RD	PALMYRA, VA 22963
29-5-6	JAMES BARNETT C/O JANE HAMILTON	3123 DOGWOOD DR	PALMYRA, VA 22963
29-A-50	WILLIAM & MARGARET KLEINOT	340 MANOR BLVD	PALMYRA, VA 22963
29-5-5	SCOTT GOOD	97 HUNTERS LODGE RD	PALMYRA, VA 22963
29-5-4	GEORGE FERGUSON	899 SCLATERS FORD RD	PALMYRA, VA 22963
29-5-3	VINCENT & LISA AGEE	863 SCLATERS FORD RD	PALMYRA, VA 22963
29-5-2	VERNETTE COBBS	26 DRAPER CIR	STAFFORD, VA 22554-4754
29-5-1	JAMES RUSSELL & BERTHA BROWN	801 SCLATERS FORD RD	PALMYRA, VA 22963
29-A-37A	STEPHANIE SCHMIDT	4301 DONNA MARIE CT	HAYMARKET, VA 20169
29-A-35	BROWNING FAMILY TRUST	1615 SCLATERS FORD RD	PALMYRA, VA 22963
29-A-40A	STEVEN WAYNE SCLATER	1389 SCLATERS FORD RD	PALMYRA, VA 22963
29-A-41	LAUREL OAK PROPERTIES LLC	24 PLUM CT	PALMYRA, VA 22963





# North 640 Agricultural & Forestal District

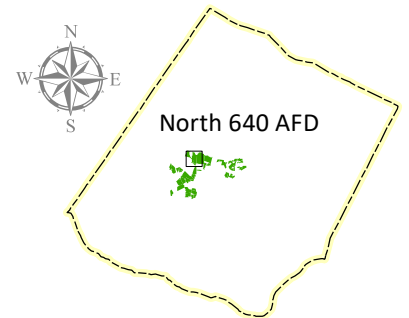




# North 640 AFD Withdrawal

Tax Parcel	Owner	Acreage	Withdrawal
29 A 37	SAH, LLC	135.971	8.39
29 A 42	SAH, LLC	11.23	11.23

-  North 640 AFD
-  Approximate acreage to withdraw from 29 A 37
-  Road
-  Tax Parcel





# COUNTY OF FLUVANNA

*"Responsive & Responsible Government"*

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

The North 640 Agricultural and Forestal District consists of the following 56 tax parcels:

OWNER 2019	TAX MAP PARCEL #	ACREAGE
Aldridge, Larry S. & Darlene W.	28 A 27I	20.918
Antol, Theodore D. & Korry H.	29 A 39	78
Bossong, Donald G. & Rebecca W.	30 A 52	37.834
Bossong, Donald G. & Rebecca W.	30 A 53	28.02
Brookman Asset Protection Trust	30 A 33	25.186
Brookman Asset Protection Trust	30 A 34	1.5
Cavanaugh, Burdell D.	30 A 40	15
Cavanaugh, D. Burdell Sr	30 A 43	14.586
Ch Krammes & Co Inc	29 A 111	16.553
Cioban, James R & Lisa B	40 10 2	14.5
Cox, Robert D. & Toni C.	30 A 38	22.234
Critzer, Dale L. & Lori A.	28 A 27D	6
Critzer, Dale L. & Lori A.	28 A 27E	24.247
Demarco, Robert & Deborah A.	28 A 27H	20
Dimmie, Gene Austin & Robert C/o Robert F Dimmie Jr	30 A 56	32
Dimmie, Gene Austin & Robert C/o Robert F Dimmie Jr	30 A 57	7.3
Dimmie, Gene Austin & Robert C/o Robert F Dimmie Jr	41 A 1	15
Feisner, David C. & Edith A.	40 10 3	14.5
Haislip, Edward F. & Wife	30 A 21	2
Haley, Sherron J. Le Et Al C/o Sylvia Marie Johnson	29 A 45	30
Hawthorne, Sammy N.	28 A 35	86
Hawthorne, Sammy N.	28 A 37	29.8
Hawthorne, Sammy N.	28 A 37A	1.25
Higgins, William E. & Mary K.	30 16 B2	8.508
Johnson, Sylvia M.	29 A 44	155.5
Johnson, Sylvia M.	39 A 91	100
Johnson, Sylvia M.	40 A 3A	72.63
Johnson, Sylvia Marie Et Al	29 A 47	3
Johnson, Sylvia Marie Et Al	40 A 9	70
Johnson, Sylvia Marie Et Al	40 A 10	95.128
Kennedy, Sandra Phanelson	30 A 28	82.947
Landes, Dalene Maude Johnson	39 A 93	80
Miller, Jack B. & Angela M.	30 12 2	47.98

O'Malley Living Trust % George & Janice O'Malley	40 13 5	27.334
O'Malley Living Trust % George & Janice O'Malley	40 A 57	56.71
Park, Sidney A. & Ann L.	30 12 3A	6.78
Staton, Howard L. & Virginia J.	39 A 92	61.53
Stockton, Eugene Andre	40 10 4	22.84
Stockton, Eugene Andre	40 10 5	4.5
Sweeters, Christine	29 17 1	2.589
Sweeters, Christine	29 A 70	58.706
Sweeters, Christine	29 A 74	134.543
Tapscott Brothers Logging, Inc	39 3 1	41.26
Trentacosta, Eugene E. & Cindy	30 8 A	23.14
Trentacosta, Eugene E. & Cindy	30 8 C	10.021
Tucker, Frederic L. & Jeri Lynn	30 A 17	28.653
Tucker, Frederic L. & Jeri Lynn	30 A 18A	3.349
Webb, Kenneth O. & M Ruth	30 A 20	22
Webb, Kenneth O. & Webb, Nancy	29 A 37	133.951
Webb, Kenneth O. & Webb, Nancy	29 A 42	13
Webb, Kenneth O. & Webb, Nancy	29 A 77	240
Webb, Kenneth O. & Webb, Nancy	29 A 78	0.75
Webb, Kenneth O. & Webb, Nancy	30 A 35	68
Webb, Kenneth O. & Webb, Nancy	30 A 41	5
Webb, Nancy J.	29 A 37A	60
Webb, Nancy J.	29 A 64	13
<b>Total</b>		<b>2295.777</b>



**BOARD OF SUPERVISORS**  
County of Fluvanna  
Palmyra, Virginia

**RESOLUTION No. 05-2020**

**A RESOLUTION TO AUTHORIZE RENEWAL OF THE NORTH 640  
AGRICULTURAL/FORESTAL DISTRICT FOR AN ADDITIONAL TEN-YEAR  
PERIOD TO EXPIRE NOVEMBER 17, 2029**

At a regular meeting of the Board of Supervisors of the County of Fluvanna held in the Fluvanna County Courts Building at 7:00 p.m. on the 22<sup>nd</sup> of January 2020, at which the following members were present, the following resolution was adopted by a majority of all members of the Board of Supervisors, the vote being recorded in the minutes of the meeting as shown below:

**WHEREAS**, the Fluvanna County Board of Supervisors approved the creation of the North 640 Agricultural/Forestal District on November 17, 1999 for a ten-year period; and

**WHEREAS**, the Fluvanna County Board of Supervisors approved the renewal of the North 640 Agricultural/Forestal District on October 7, 2009; and

**WHEREAS**, the district expired on November 17, 2019; and

**WHEREAS**, in accordance with Section 15.2-4311 of the Code of Virginia, the Fluvanna County Planning & Community Development Department contacted the current property owners of parcels identified in the North 640 Agricultural/Forestal District and advised them that the approved district would expire on November 17, 2019 and inquired whether the owners desired that the property remain in or be removed from the district.

**NOW, THEREFORE BE IT RESOLVED** on this 22<sup>nd</sup> day of January 2020 that the Fluvanna County Board of Supervisors hereby renews the North 640 Agricultural/Forestal District for an additional ten-year period to expire on November 17, 2029.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Fluvanna County Board of Supervisors at the regular meeting of the Board held on the 22<sup>nd</sup> day of January, 2020;

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	X					X
Patricia B. Eager, Palmyra District	X					
Anthony P. O'Brien, Rivanna District				X		
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X				X	

Attest:

  
\_\_\_\_\_  
John M. Sheridan, Chair  
Fluvanna County Board of Supervisors

## Chapter 3.1 - AGRICULTURAL AND FORESTAL DISTRICTS

### Sec. 3.1-1. - Definitions.

As used in this chapter, unless the context requires a different meaning:

*Advisory committee* means the agricultural and forestal districts advisory committee.

*Agricultural products* means crops, livestock and livestock products, including but not limited to: field crops, fruits, vegetables, horticultural specialties, cattle, sheep, hogs, goats, horses, poultry, furbearing animals, milk, eggs and furs.

*Agricultural production* means the production for commercial purposes of crops, livestock and livestock products, and includes the processing or retail sales by the producer of crops, livestock or livestock products which are produced on the parcel or in the district.

*Agriculturally and forestally significant land* means land that has recently or historically produced agricultural and forestal products, is suitable for agricultural or forestal production or is considered appropriate to be retained for agricultural and forestal production as determined by such factors as soil quality, topography, climate, markets, farm structures, and other relevant factors.

*Application* means the set of items a landowner or landowners must submit to the governing body when applying for the creation of a district or an addition to an existing district.

*District* means an agricultural, forestal, or agricultural and forestal district.

*Forestal production* means the production for commercial purposes of forestal products and includes the processing or retail sales, by the producer, of forestal products which are produced on the parcel or in the district.

*Forestal products* includes, but is not limited to, saw timber, pulpwood, posts, firewood, Christmas trees and other tree and wood products for sale or for farm use.

*Landowner or owner of land* means any person holding a fee simple interest in property but does not mean the holder of an easement.

*Program Administrator* means the governing body or official appointed by the governing body to administer the agricultural and forestal districts program.

(Ord. 11-4-98; Ord. 11-18-15)

### Sec. 3.1-2. - Enactment of ordinances; application form and fees; maps.

- (A) The governing body may, by ordinance, create one or more agricultural and forestal districts within the County in accordance with title 15.2, chapter 43 of the Code of Virginia. The zoning administrator shall, subject to the approval of the governing body, promulgate forms in substantially the form prescribed in section 15.2-4303 of the Code of Virginia. Each application submitted pursuant to this chapter shall be accompanied by a fee of \$500.00 or the costs of processing and reviewing an application, whichever is less.
- (B) Each application shall include but need not be limited to the following information:
- (1) The general location of the district;
  - (2) The total acreage in the district or acreage to be added to an existing district;
  - (3) The name, address, and signature of each landowner applying for creation of a district or an addition to an existing district and the acreage each owner owns within the district or addition;
  - (4) The conditions proposed by the applicant pursuant to section 15.2-4309 of the Code of Virginia;



- (5) The period before first review proposed by the applicant pursuant to section 15.2-4309 of the Code of Virginia; and
  - (6) The date of application, date of final action by the governing body and whether approved, modified or rejected.
- (C) The application form shall be accompanied by maps or aerial photographs, or both, that clearly show the boundaries of the proposed district and each addition and boundaries of properties owned by each applicant.
- (D) For each notice required by this chapter to be sent to a landowner; notice shall be sent by first-class mail to the last known address of such owner as shown on the application hereunder or on the current real estate tax assessment books or maps. A representative of the planning commission or governing body shall make an affidavit that such mailing has been made and file such affidavit with the papers in the case.

(Ord. 11-4-98; Ord. 5-19-10; Ord. 11-18-15)

Sec. 3.1-3. - Agricultural and forestal districts advisory committee.

Upon receipt of the first agricultural and forestal districts application, the governing body shall establish an advisory committee, which shall consist of four landowners who are engaged in agricultural or forestal production, four other landowners of the County, the commissioner of revenue, and a member of the governing body. The members of the committee shall be appointed by and serve at the pleasure of the governing body. The advisory committee shall elect a chairman and a vice-chairman and elect or appoint a secretary who need not be a member of the committee. The advisory committee shall serve without pay. The committee shall advise the planning commission and the governing body and assist in creating, reviewing, modifying, continuing or terminating districts within the County. In particular, the committee shall render expert advice as to the nature of farming and forestry and agricultural and forestal resources within the district and their relation to the entire County.

(Ord. 11-4-98)

Sec. 3.1-4. - Application for creation of district in one or more localities; size and location of parcels.

On or before November 1 of each year, any owner or owners of land may submit an application to the County for the creation of a district or addition of land to an existing district within the County. Each district shall have a core of no less than 200 acres in one parcel or in contiguous parcels. A parcel not part of the core may be included in a district if the nearest boundary of the parcel is within one mile of the boundary of the core, or if it is contiguous to a parcel in the district the nearest boundary of which is within one mile of the boundary of the core. No land shall be included in any district without the signature on the application, or the written approval of all owners thereof. A district may be located in more than one county, provided that (i) separate application is made to each county involved, (ii) each governing body approves the district, and (iii) the district meets the size requirements of this section. In the event that the governing bodies of one or more such counties disapproves the creation of a district within its boundaries, the creation of the district within Fluvanna County shall not be affected, provided that the district otherwise meets the requirements set out in this chapter. In no event shall the act of creating a single district located in two localities pursuant to this subsection be construed to create two districts.

(Ord. 11-4-98)

Sec. 3.1-5. - Criteria for evaluating application.

Land being considered for inclusion in a district may be evaluated by the advisory committee and the planning commission through the Virginia Land Evaluation and Site Assessment (LESA) System. The

following factors shall be considered by the planning commission and the advisory committee, and at any public hearing at which an application that has been filed pursuant to this chapter is being considered:

- (1) The agricultural and forestal significance of land within the district or addition and in areas adjacent thereto;
- (2) The presence of any significant agricultural lands or significant forestal lands within the district and in areas adjacent thereto that are not now in active agricultural or forestal production;
- (3) The nature and extent of land uses other than active farming or forestry within the district and in areas adjacent thereto;
- (4) Local developmental patterns and needs;
- (5) The comprehensive plan and applicable provisions of the zoning ordinance;
- (6) The environmental benefits of retaining the lands in the district for agricultural and forestal uses; and
- (7) Any other matter which may be relevant.

In judging the agricultural and forestal significance of land, any relevant agricultural or forestal maps may be considered, as well as soil, climate, topography, other natural factors, markets for agricultural and forestal products, the extent and nature of farm structures, the present status of agriculture and forestry, anticipated trends in agricultural economic conditions and such other factors as may be relevant.

(Ord. 11-4-98; Ord. 11-18-15)

**State Law reference**— See Code of Va., § 15.2-4303.

Sec. 3.1-6. - Review of application; notice; hearing.

Upon the receipt of an application for a district or for an addition to an existing district, the program administrator shall refer such application to the advisory committee. The advisory committee shall review and make recommendations concerning the application or modification thereof to the planning commission, which shall:

- (1) Notify, by first-class mail, adjacent property owners as shown on the maps of the County used for tax assessment purposes, and where applicable, any political subdivision whose territory encompasses or is part of the district, of the application. The notice shall contain: (i) a statement that an application for a district has been filed with the program administrator pursuant to this chapter; (ii) a statement that the application will be on file open to public inspection in the office of the County Administrator; (iii) a statement that any owner of additional qualifying land may join the application within thirty days from the date of the notice or, with the consent of the governing body, at any time before the public hearing the governing body must hold on the application; (iv) a statement that any owner who joined in the application may withdraw his land, in whole or in part, by written notice filed with the governing body, at any time before the governing body acts pursuant to Section 3.1-8 of this chapter; and (v) a statement that additional qualifying lands may be added to an already created district at any time upon separate application pursuant to this chapter;
- (2) Hold a public hearing as prescribed by law; and
- (3) Report its recommendations to the governing body including but not limited to the potential effect of the district and proposed modifications upon the County's planning policies and objectives.

(Ord. 11-4-98; Ord. 11-18-15)

**State Law reference**— See Code of Va., §§ 15.2-4307, 15.2-4309.

Sec. 3.1-7. - Repealed.

(Ord. 11-4-98; Ord. 11-18-15)

Sec. 3.1-8. - Hearing; creation of district; conditions; notice.

- (A) The governing body, after receiving the report of the planning commission and the advisory committee, shall hold a public hearing as provided by law, and after such public hearing, may by ordinance create the district or add land to an existing district as applied for, or with any modifications it deems appropriate.
- (B) As a condition to creation of the district, any parcel in the district shall not, without the prior approval of the governing body, be developed to any more intensive use, other than uses resulting in more intensive agricultural or forestal production, during the period which the parcel remains within the district. The following shall not be prohibited as a more intensive use, unless the governing body finds that such use in the particular case would be incompatible with farming or forestry in the district:
  - (1) Construction and placement of dwellings for persons who earn a substantial part of their livelihood from a farm or forestry operation on the same property, or for members of the immediate family of the owner; or
  - (2) Divisions of parcels for such family members as provided in Section 19-2-1 of the County Code; or
  - (3) Divisions of land into two or more lots no one of which is less than 22 acres in area.
- (C) Any conditions to creation of the district and the period before the review of the district shall be described, either in the application or in a notice sent by first-class mail to all landowners in the district and published in a newspaper having a general circulation within the district at least two weeks prior to adoption of the ordinance creating the district. The ordinance shall state any conditions to creation of the district and shall prescribe the period before the first review of the district, which shall be no less than four years but not more than ten years from the date of its creation. In prescribing the period before the first review, the governing body shall consider the period proposed in the application. The ordinance shall remain in effect at least until such time as the district is to be reviewed. In the event of annexation by a city or town of any land within a district, the district shall continue until the time prescribed for review.
- (D) The governing body shall act to adopt or reject the application, or any modification of it, no later than 180 days from November 1.
- (E) Upon the adoption of an ordinance creating a district or adding land to an existing district, the governing body shall submit a copy of the ordinance with maps to the local commissioner of the revenue, and the State Forester, and the Commissioner of Agriculture and Consumer Services for information purposes. The commissioner of the revenue shall identify the parcels of land in the district in the land book and on the tax map, and the governing body shall identify such parcels on the zoning map, where applicable and shall designate the districts on the official comprehensive plan map each time the comprehensive plan map is updated.

(Ord. 11-4-98)

Sec. 3.1-9. - Additions to a district.

Additional parcels of land may be added to an existing district at any time by following the process and application deadlines prescribed for the creation of a new district.

(Ord. 11-4-98; Ord. 11-18-15)

**State Law reference**— See Code of Va., § 15.2-4310.

Sec. 3.1-10. - Review of districts.

The governing body may complete a review of any district created under this section, together with additions to such district, no less than four years but no more than ten years after the date of its creation and every four to ten years thereafter. If the governing body determines that a review is necessary, it shall begin such review at least 90 days before the expiration date of the period established when the district was created. In conducting such review, the governing body shall ask for the recommendations of the advisory committee and the planning commission in order to determine whether to terminate, modify or continue the district. When each district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the governing body at any time before it acts to continue, modify or terminate the district. The planning commission or the advisory committee shall schedule as part of the review a public meeting with the owners of land within the district, and shall send by first-class mail a written notice of the meeting and review to all such owners. The notice shall state the time and place for the meeting; that the district is being reviewed by the governing body; that the governing body may continue, modify, or terminate the district; and that land may be withdrawn from the district at the owner's discretion by filing a written notice with the governing body at any time before it acts to continue, modify or terminate the district. The governing body shall hold a public hearing as provided by law. The governing body may stipulate conditions to continuation of the district and may establish a period before the next review of the district, which may be different from the conditions or period established when the district was created. Any such different conditions or period shall be described in a notice sent by first-class mail to all owners of land within the district and published in a newspaper having a general circulation within the district at least two weeks prior to adoption of the ordinance continuing the district. Unless the district is modified or terminated by the governing body, the district shall continue as originally constituted, with the same conditions and period before the next review as that established when the district was created.

If the governing body determines that a review is unnecessary, it shall set the year in which the next review shall occur.

(Ord. 11-4-98; 11-18-15)

**State Law reference**— See Code of Va., § 15.2-4311.

Sec. 3.1-11. - Effects of districts.

- (A) Land lying within a district and used in agricultural or forestal production shall automatically qualify for an agricultural or forestal use-value assessment pursuant to article 4 (section 58.1-3229 et seq.) of chapter 32 of title 58.1 of the Code of Virginia, if the requirements for such assessment contained therein are satisfied.
- (B) The County shall not exercise any of its powers to enact local laws or ordinances within a district in a manner which would unreasonably restrict or regulate farm structures or farming and forestry practices in contravention of the purposes of this chapter unless such restrictions or regulations bear a direct relationship to public health and safety. The comprehensive plan and zoning and subdivision ordinances shall be applicable within said districts, to the extent that such ordinances are not in conflict with the conditions to creation or continuation of the district set forth in the ordinance creating or continuing the district or the purposes of this chapter. Nothing in this chapter shall affect the authority of the County to regulate the processing or retail sales of agricultural or forestal products, or structures therefor, in accordance with the comprehensive plan or any ordinance. Ordinances, comprehensive plans, land use planning decisions, administrative decisions and procedures

affecting parcels of land adjacent to any district shall take into account the existence of such district and the purposes of this chapter.

- (C) No special district for sewer, water or electricity or for nonfarm or nonforest drainage may impose benefit assessments or special tax levies on the basis of frontage, acreage or value on land used for primarily agricultural or forestal production within a district, except a lot not exceeding one-half acre surrounding any dwelling or nonfarm structure located on such land.

(Ord. 11-4-98)

Sec. 3.1-12. - Proposals as to land acquisition or construction within district.

- (A) Any agency of the Commonwealth or any political subdivision which intends to acquire land or any interest therein other than by gift, devise, bequest or grant, or any public service corporation which intends to: (i) acquire land or any interest therein for public utility facilities not subject to approval by the State Corporation Commission, provided that the proposed acquisition from any one farm or forestry operation within the district is in excess of one acre or that the total proposed acquisition within the district is in excess of ten acres or (ii) advance a grant, loan, interest subsidy or other funds within a district for the construction of dwellings, commercial or industrial facilities, or water or sewer facilities to serve nonfarm structures, shall at least 90 days prior to such action notify the governing body and all of the owners of land within the district. Notice to landowners shall be sent by first-class or registered mail and shall state that further information on the proposed action is on file with the governing body. Notice to the governing body shall be filed in the form of a report containing the following information:
- (1) A detailed description of the proposed action, including a proposed construction schedule;
  - (2) All the reasons for the proposed action;
  - (3) A map indicating the land proposed to be acquired or on which the proposed dwellings, commercial or industrial facilities, or water or sewer facilities to serve nonfarm structures are to be constructed;
  - (4) An evaluation of anticipated short-term and long-term adverse impacts on agricultural and forestal operations within the district and how such impacts are proposed to be minimized;
  - (5) An evaluation of alternatives which would not require action within the district; and
  - (6) Any other relevant information required by the governing body.
- (B) Upon receipt of a notice filed pursuant to subsection A, the governing body, in consultation with the planning commission and the advisory committee, shall review the proposed action and make written findings as to (i) the effect the action would have upon the preservation and enhancement of agriculture and forestry and agricultural and forestal resources within the district and the policy of the Agricultural and Forestal Districts Act; (ii) the necessity of the proposed action to provide service to the public in the most economical and practical manner; and (iii) whether reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts on agricultural and forestal resources within the district.
- (C) If the governing body finds that the proposed action might have an unreasonably adverse effect upon either state or local policy, it shall (i) issue an order within 90 days from the date the notice was filed directing the agency, corporation or political subdivision not to take the proposed action for a period of 150 days from the date the notice was filed and (ii) hold a public hearing, as prescribed by law, concerning the proposed action. The hearing shall be held where the governing body usually meets or at a place otherwise easily accessible to the district. The County shall publish notice in a newspaper having a general circulation within the district, and mail individual notice of the hearing to the political subdivisions whose territory encompasses or is part of the district, and the agency, corporation or political subdivision proposing to take the action. Before the conclusion of the 150-day period, the governing body shall issue a final order on the proposed action. Unless the governing

body, by an affirmative vote of a majority of all the members elected to it, determines that the proposed action is necessary to provide service to the public in the most economic and practical manner and will not have an unreasonably adverse effect upon state or local policy, the order shall prohibit the agency, corporation or political subdivision from proceeding with the proposed action. If the agency, corporation or political subdivision is aggrieved by the final order of the governing body, an appeal shall lie to the circuit court having jurisdiction of the territory wherein a majority of the land affected by the acquisition is located. However, if such public service corporation is regulated by the State Corporation Commission, an appeal shall be to the State Corporation Commission.

(Ord. 11-4-98)

Sec. 3.1-13. - Withdrawal of land from a district; termination of a district.

- (A) At any time after the creation of a district within the County, any owner of land lying in such district may file with the County a written request to withdraw all or part of his land from the district for good and reasonable cause. The program administrator shall refer the request to the advisory committee for its recommendation. The advisory committee shall make recommendations concerning the request to withdraw to the local planning commission, which shall hold a public hearing and make recommendations to the governing body. Land proposed to be withdrawn may be reevaluated through the Virginia Land Evaluation and Site Assessment (LESA) System. The landowner seeking to withdraw land from a district, if denied favorable action by the governing body, shall have an immediate right of appeal de novo to the circuit court serving the territory wherein the district is located. This section shall in no way affect the ability of an owner to withdraw an application for a proposed district or withdraw from a district pursuant to subsection (iv) of subdivision (1) of Section 3.1-6 or Section 3.1-10 of this chapter.
- (B) Upon termination of a district or withdrawal or removal of any land from a district created pursuant to this chapter, land that is no longer part of a district shall be subject to roll-back taxes as are provided in section 58.1-3237 of the Code of Virginia.
- (C) Upon termination of a district or upon withdrawal or removal of any land from a district, land that is no longer part of a district shall be subject to those local laws and ordinances prohibited by the provisions of subsection B of Section 3.1-11 of this chapter.
- (D) Upon the death of a property owner, any heir at law, devisee, surviving cotenant or personal representative of a sole owner of any fee simple interest in land lying within a district shall, as a matter of right, be entitled to withdraw such land from such district upon the inheritance or descent of such land provided that such heir at law, devisee, surviving cotenant or personal representative files written notice of withdrawal with the governing body and the commissioner of the revenue within two years of the date of death of the owner.
- (E) Upon termination or modification of a district, or upon withdrawal or removal of any parcel of land from a district, the governing body shall submit a copy of the ordinance or notice of withdrawal to the local commissioner of revenue, the State Forester and the State Commissioner of Agriculture and Consumer Services for information purposes. The commissioner of revenue shall delete the identification of such parcel from the land book and the tax map, and the governing body shall delete the identification of such parcel from the zoning map, where applicable.
- (F) The withdrawal or removal of any parcel of land from a lawfully constituted district shall not in itself serve to terminate the existence of the district. The district shall continue in effect and be subject to review as to whether it should be terminated, modified or continued pursuant to Section 3.1-10 of this chapter.

(Ord. 11-4-98; Ord. 11-18-15)



**BUILDING INSPECTIONS MONTHLY REPORT**  
County of Fluvanna

Building Official:	Period:
Andrew Wills	September, 2022

Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
<b>BUILDING PERMITS ISSUED</b>														
NEW - Single Family Detached (incl. Trades permits & SWMH)	2018	8	3	16	12	13	17	13	10	8	8	6	9	123
	2019	8	10	14	9	12	9	10	14	14	2	11	7	120
	2020	12	13	23	14	8	19	19	17	16	20	22	11	194
	2021	15	9	19	20	16	22	15	11	8	22	13	8	178
	2022	17	11	20	11	18	32	10	9	11	0	0	0	139
NEW - Single Family Attached (Town Homes)	2018	0	0	0	0	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	1	6	0	0	6	0	0	5	18
	2021	6	0	0	0	0	0	0	0	0	0	0	0	6
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
Multi Family (Apartments)	2018	0	0	0	0	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	5	0	0	0	0	5
Additions and Alterations	2018	19	6	10	19	8	13	26	25	32	42	22	21	243
	2019	35	33	37	27	38	38	44	34	34	36	35	31	422
	2020	37	38	23	30	30	22	27	20	30	34	35	23	349
	2021	28	14	43	39	31	40	30	29	26	30	35	33	378
	2022	33	48	60	45	47	50	51	63	45	0	0	0	442
* Trade permits count not in														
Accessory Buildings	2018	2	3	3	6	2	1	4	2	1	2	2	2	30
	2019	2	4	6	4	4	3	3	8	2	8	4	4	52
	2020	2	4	4	4	5	5	1	7	8	3	5	1	49
	2021	1	3	3	6	3	6	1	3	2	4	4	2	38
	2022	3	4	13	6	5	2	5	4	5	0	0	0	47
Swimming Pools	2018	0	1	1	1	0	1	2	0	1	2	0	0	9
	2019	0	0	0	3	2	2	0	1	0	1	0	1	10
	2020	0	1	3	3	1	2	3	1	1	0	0	0	15
	2021	0	0	7	1	5	2	3	4	1	0	1	2	26
	2022	0	2	4	4	1	0	3	3	0	0	0	0	17
Commercial/Industrial Build/Cell Towers	2018	0	0	0	0	0	2	0	0	0	0	0	0	2
	2019	0	0	1	1	0	2	0	0	0	0	0	0	4
	2020	0	0	1	0	1	0	0	3	0	0	2	0	7
	2021	1	0	1	0	0	0	1	0	0	0	2	0	5
	2022	0	0	0	0	0	2	3	2	0	0	0	0	7
<b>TOTAL BUILDING PERMITS</b>	2018	29	13	30	38	23	34	45	37	42	54	30	33	408
	2019	45	47	58	44	56	54	57	57	50	48	50	43	609
	2020	51	56	54	51	46	54	50	48	63	57	54	40	624
	2021	51	26	73	66	55	70	50	47	37	56	55	45	631
	2022	54	65	97	66	71	86	72	77	61	0	0	0	649
* Trade permits count not included as in previous years														

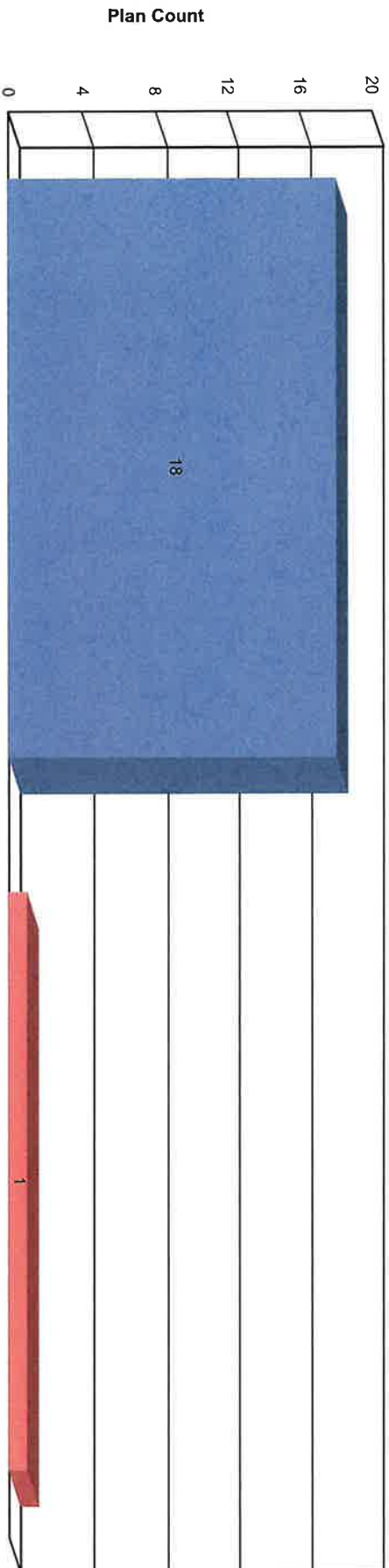
<b>BUILDING VALUES FOR PERMITS ISSUED</b>														
<b>TOTAL BUILDING VALUES</b>	2018	\$2,451,433	\$1,075,551	\$3,544,096	\$2,153,241	\$3,834,995	\$5,693,348	\$3,156,593	\$4,929,005	\$3,637,992	\$1,791,222	\$2,169,284	\$2,421,169	\$ 37,107,929
	2019	\$1,991,054	\$2,502,719	\$5,639,238	\$4,695,173	\$3,057,597	\$3,228,152	\$3,360,952	\$3,926,015	\$3,457,214	\$2,636,194	\$3,148,369	\$2,960,579	\$ 40,603,256
	2020	\$2,292,161	\$3,206,055	\$7,238,708	\$2,997,448	\$2,245,441	\$4,389,903	\$3,644,002	\$5,555,492	\$5,271,906	\$4,201,357	\$3,513,834	\$2,954,193	\$ 47,506,500
	2021	\$5,397,000	\$1,687,484	\$2,506,869	\$4,952,702	\$3,473,256	\$5,766,891	\$2,885,146	\$2,053,053	\$2,046,134	\$3,637,390	\$4,633,868	\$2,712,396	\$ 41,734,789
	2022	\$5,073,054	\$3,017,155	\$5,012,175	\$2,937,240	\$5,654,955	\$9,371,750	\$11,374,772	\$17,974,068	\$2,743,309	\$0	\$0	\$0	\$ 63,158,478

Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
<b>LAND DISTURBING PERMITS ISSUED</b>														
<b>LAND DISTURBING PERMITS</b>	2018	10	4	16	13	11	17	13	7	9	6	7	8	<b>121</b>
	2019	8	12	16	9	14	10	12	14	13	2	11	8	<b>129</b>
	2020	11	10	26	13	8	24	13	19	20	19	13	16	<b>192</b>
	2021	22	10	18	20	18	22	16	11	4	23	13	8	<b>185</b>
	2022	16	13	19	11	18	34	11	10	8	0	0	0	<b>140</b>
<b>INSPECTIONS COMPLETED</b>														
<b>TOTAL INSPECTIONS</b>	2018	163	148	173	186	215	176	164	220	144	221	154	141	<b>2,105</b>
	2019	237	207	232	297	305	246	324	332	295	298	204	216	<b>3,193</b>
	2020	213	197	302	369	371	304	434	368	439	464	407	412	<b>4,280</b>
	2021	430	349	465	431	402	426	333	355	419	453	422	356	<b>4,841</b>
	2022	304	414	551	449	439	486	594	589	523	0	0	0	<b>4,349</b>
<b>FEES COLLECTED</b>														
<b>Building Permits</b>	2018	\$8,988	\$4,311	\$9,939	\$14,765	\$13,796	\$23,633	\$14,993	\$8,748	\$10,826	\$12,613	\$9,556	\$14,570	<b>\$ 146,738</b>
	2019	\$11,377	\$13,617	\$14,005	\$14,308	\$11,228	\$16,260	\$13,778	\$18,772	\$14,375	\$8,468	\$14,747	\$11,059	<b>\$ 161,994</b>
	2020	\$12,863	\$15,468	\$18,152	\$16,803	\$13,147	\$28,068	\$23,193	\$28,887	\$24,237	\$19,359	\$15,359	\$15,871	<b>\$ 231,407</b>
	2021	\$18,733	\$15,400	\$15,654	\$21,333	\$16,184	\$23,031	\$27,000	\$11,923	\$9,144	\$20,620	\$15,563	\$9,211	<b>\$ 203,766</b>
	2022	\$21,100	\$19,347	\$23,488	\$15,404	\$19,739	\$23,621	\$18,713	\$54,782	\$11,348	\$0	\$0	\$0	<b>\$ 207,542</b>
<b>Land Disturbing Permits</b>	2018	\$1,450	\$5,975	\$1,890	\$1,625	\$1,625	\$2,850	\$1,625	\$1,175	\$1,125	\$875	\$10,675	\$2,150	<b>\$ 33,040</b>
	2019	\$1,000	\$1,500	\$1,625	\$1,125	\$3,553	\$1,250	\$2,975	\$6,556	\$1,920	\$250	\$1,375	\$1,125	<b>\$ 24,251</b>
	2020	\$1,375	\$1,250	\$6,365	\$1,625	\$1,000	\$3,000	\$2,125	\$8,369	\$2,500	\$2,375	\$4,294	\$1,875	<b>\$ 36,153</b>
	2021	\$5,678	\$1,250	\$14,463	\$2,500	\$2,250	\$2,750	\$13,581	\$2,824	\$500	\$4,848	\$1,625	\$1,000	<b>\$ 53,268</b>
	2022	\$2,000	\$2,050	\$9,963	\$1,375	\$2,250	\$10,014	\$1,375	\$2,175	\$27,225	\$0	\$0	\$0	<b>\$ 58,427</b>
<b>Zoning Permits/ Proffers</b>	2018	\$1,400	\$800	\$1,750	\$1,600	\$1,400	\$2,200	\$2,050	\$1,400	\$1,050	\$1,400	\$700	\$1,400	<b>\$ 17,150</b>
	2019	\$1,200	\$1,800	\$2,200	\$1,550	\$2,050	\$1,350	\$1,950	\$2,300	\$1,700	\$1,150	\$1,450	\$1,400	<b>\$ 20,100</b>
	2020	\$1,650	\$1,600	\$3,000	\$1,700	\$15,550	\$3,050	\$2,350	\$2,300	\$2,900	\$2,850	\$1,600	\$1,700	<b>\$ 26,250</b>
	2021	\$2,150	\$1,150	\$3,650	\$2,950	\$2,650	\$3,400	\$2,450	\$1,850	\$1,300	\$2,900	\$1,900	\$1,150	<b>\$ 27,500</b>
	2022	\$1,900	\$1,400	\$3,900	\$1,650	\$2,300	\$3,900	\$1,800	\$1,500	\$1,500	\$0	\$0	\$0	<b>\$ 19,850</b>
<b>TOTAL FEES</b>	2018	\$11,838	\$11,086	\$13,579	\$17,990	\$16,821	\$28,683	\$18,668	\$11,323	\$13,001	\$14,888	\$20,931	\$14,120	<b>\$ 196,928</b>
	2019	\$13,577	\$16,917	\$17,830	\$16,983	\$16,831	\$18,860	\$18,703	\$27,628	\$17,995	\$9,868	\$15,028	\$13,584	<b>\$ 203,804</b>
	2020	\$15,888	\$18,318	\$27,517	\$20,128	\$15,697	\$34,118	\$27,668	\$39,556	\$29,637	\$24,584	\$24,584	\$19,446	<b>\$ 293,810</b>
	2021	\$26,561	\$17,800	\$33,767	\$26,783	\$21,084	\$29,181	\$43,031	\$16,597	\$10,944	\$28,368	\$24,584	\$11,361	<b>\$ 290,061</b>
	2022	\$25,001	\$22,797	\$37,351	\$18,429	\$24,289	\$37,535	\$21,888	\$58,547	\$40,073	\$0	\$0	\$0	<b>\$ 285,910</b>





**PLANS APPLIED BY TYPE (09/01/2022 TO 09/30/2022)  
FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT**



Plan Case #	Type	Workclass	Status	Main Address	Project	District	Parcel
	Application Date Zone	Expiration Date Sq Ft	Complete Date Valuation	Approval Expire Date Fee Total	Applicant Assigned To		
<b>MISCELLANEOUS</b>							
MSC22:0233	Miscellaneous	Miscellaneous - Other	Approved		Not Assigned	Palmyra	9 15 4
	09/07/2022	0	\$0.00	\$0.00	Jason Overstreet		
	<i>Description: Proposed New House</i>						
MSC22:0234	Miscellaneous	Miscellaneous - Other	Approved	3 Stonewall Rd, Palmyra, VA 22963	Not Assigned	Rivanna	18A 1 222
	09/07/2022	0	\$0.00	\$0.00	Jason Overstreet		
	<i>Description: New Garage with living space above connected to existing home</i>						
MSC22:0235	Miscellaneous	Miscellaneous - Other	Approved		Not Assigned	Cunningham	46 A 11
	09/07/2022						

## PLANS APPLIED BY TYPE (09/01/2022 TO 09/30/2022)

Plan Case #	Type	Workclass	Status	Main Address	Project	District	Parcel
	Application Date Zone	Expiration Date Sq Ft	Complete Date Valuation	Approval Fee Total	Expire Date	Applicant Assigned To	
<b>MSC22-0236</b>	Description: 28' X 56' 3 Bdrm house with a full Basement		Approved	2991 Central Plains Rd, Palmyra, VA 22963	Not Assigned	Fork Union	41 A 11B
	Miscellaneous	Miscellaneous - Other					
	09/07/2022	0	\$0.00	\$0.00		Jason Overstreet	
	Description: Accessory Building						
<b>MSC22-0237</b>	Miscellaneous	Miscellaneous - Other	Approved	15 Avalon Pl, Palmyra, VA 22963	Not Assigned	Fork Union	39 8 1
	09/07/2022	0	\$0.00	\$0.00		Douglas Miles	
	Description: A two story 2 room addition						
<b>MSC22-0238</b>	Miscellaneous	Miscellaneous - Other	Approved	864 Rock Ln, Scottsville, VA 24590	Not Assigned	Cunningham	16 14 3
	09/07/2022	0	\$0.00	\$0.00		Jason Overstreet	
	Description: Replacing a doublewide home						
<b>MSC22-0239</b>	Miscellaneous	Miscellaneous - Other	In Review		Not Assigned	Fork Union	41 A 34
	09/15/2022	0	\$0.00	\$0.00		Jason Overstreet	
	Description: Proposed New Home						
<b>MSC22-0240</b>	Miscellaneous	Miscellaneous - Other	Approved	3531 Union Mills Rd, Troy, VA 22974	Not Assigned	Palmyra	9 8 5
	09/20/2022	0	\$0.00	\$0.00		Jason Overstreet	
	Description: Equipment / Barn						
<b>MSC22-0241</b>	Miscellaneous	Miscellaneous - Other	Approved	2974 Gold Mine Rd, Palmyra, VA 22963	Not Assigned	Fork Union	50 A 129D
	09/21/2022	0	\$0.00	\$0.00		Jason Overstreet	
	Description: Residential Ground Mount Solar Panel System						
<b>MSC22-0242</b>	Miscellaneous	Miscellaneous - Other	Approved	427 Two Rivers Dr, Troy, VA 22974	Not Assigned	Palmyra	9 9 11
	09/21/2022	0	\$0.00	\$0.00		Jason Overstreet	
	Description: Covered & Screened Deck						
<b>MSC22-0246</b>	Miscellaneous	Miscellaneous - Other	In Review	210 Beagle Ln, Scottsville, VA 24590	Not Assigned	Cunningham	26 A 26C

## PLANS APPLIED BY TYPE (09/01/2022 TO 09/30/2022)

Plan Case #	Type	Workclass	Status	Main Address	Project	District	Parcel
	Application Date Zone	Expiration Date Sq Ft	Complete Date Valuation	Approval Expire Date Fee Total	Applicant Assigned To		
MSC22:0243	09/22/2022	0	\$0.00	\$0.00	Jason Overstreet		
	Description: Covered front stoop and rear stoop						
MSC22:0244	09/22/2022	Miscellaneous - Other	Approved	\$0.00	Not Assigned	Palmyra	9 15 26
	Description: Proposed New Home						
MSC22:0245	09/22/2022	Miscellaneous - Other	Approved	\$0.00	Not Assigned	Palmyra	21 22 3
	Description: Pool House						
MSC22:0247	09/26/2022	Miscellaneous - Other	Approved	\$0.00	Not Assigned	Columbia	11 18 10
	Description: Deck						
MSC22:0248	09/28/2022	Miscellaneous - Other	Approved	\$0.00	Not Assigned	Columbia	12 14 5
	Description: Porch Extension						
MSC22:0249	09/30/2022	Miscellaneous - Other	Approved	\$0.00	Not Assigned	Columbia	11 A 10
	Description: Adding a deck to an above ground pool						
MSC22:0250	09/30/2022	Miscellaneous - Other	Approved	\$0.00	Not Assigned	Palmyra	9 15 6
	Description: Garage with apartment on top						
	09/30/2022	Miscellaneous - Other	Approved	\$0.00	Not Assigned	Palmyra	9 15 6
	Description: Proposed New Home						

**PLANS APPLIED BY TYPE (09/01/2022 TO 09/30/2022)**

Plan Case #	Type	Workclass	Status	Main Address	Project	District	Parcel
	Application Date Zone	Expiration Date Sq Ft	Complete Date Valuation	Approval Expire Date Fee Total	Applicant Assigned To		

PLANS APPLIED FOR MISCELLANEOUS: 18

SUBDIVISION							
SUB22:0031	Subdivision	Subdivision - Minor	In Review	2531 West River Rd, Scottsville, VA 24590	Not Assigned	Cunningham	37 A 30
	09/07/2022	10/22/2022	\$0.00	\$650.00	Double H Farm Jason Overstreet		
	Description: Minor Subdivision						

PLANS APPLIED FOR SUBDIVISION: 1

GRAND TOTAL OF PLANS: 19