



# TOWN OF HAYMARKET PLANNING COMMISSION

## REGULAR MEETING ~ AGENDA ~

Robert B. Weir,  
<http://www.townofhaymarket.org/>

15000 Washington Street, Suite 100  
Haymarket, VA 20169

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Monday, January 14, 2013

7:00 PM

Council Chambers

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### **1. Call to Order**

### **2. Public Hearing**

- a. Public Hearing for Funeral Home Use - ZTA for the B-1 District

### **3. Announcements**

### **4. Citizens Time**

### **5. Minutes Approval**

- a. Planning Commission - Regular Meeting - Dec 10, 2012 7:00 PM

### **6. Zoning Permit Applications**

- a. 15004 Gossom Manor Drive - Deck
- b. 15161 Washington Street - Uhaul Business

### **7. ARB and Council Update**

### **8. New Business**

- a. Funeral Home Use - Zoning Text Amendments

### **9. Town Planner Report**

### **10. 1-Mile Development**

- a. John Marshall Commons

### **11. Old Business**

- a. 14830 Jordan Lane - New House
- b. Comprehensive Plan
- c. Zoning Text Amendments

### **12. Discussion Items**

### **13. Adjournment**



# TOWN OF HAYMARKET PLANNING COMMISSION

## REGULAR MEETING ~ MINUTES ~

Robert B. Weir,  
<http://www.townofhaymarket.org/>

15000 Washington Street, Suite 100  
Haymarket, VA 20169

Monday, December 10, 2012

7:00 PM

Council Chambers

A Regular Meeting of the Planning Commission of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 7:00 PM

called the meeting to order.

### 1. Call to Order

Chair Robert Weir: Present, Councilwoman Rebecca Bare: Present, Ed Robinson: Absent, Commissioner Ralph Ring: Present, Commissioner Christopher Johnson: Present.

### 2. Announcements

Bare motions to amend agenda to add Zoning Permit Application for a sign for The Very Thing for Her. Ring seconds.  
Ayes: 4

Add to section 5, item b of the Agenda.

### 3. Citizens Time

No Citizens speaking tonight.

### 4. Minutes Approval

a. Planning Commission - Regular Meeting - Nov 19, 2012 7:00 PM  
Minutes approved with correction noted to the Clerk.

<b>RESULT:</b>	<b>ACCEPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Ralph Ring, Commissioner
<b>AYES:</b>	Robert Weir, Rebecca Bare, Ralph Ring, Christopher Johnson
<b>ABSENT:</b>	Ed Robinson

### 5. Zoning Permit Application

a. 15000 Gossom Manor Place - Deck  
The deck was approved in accordance with Town Code section 58-15 b, with no exceptions.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>AYES:</b>	Robert Weir, Rebecca Bare, Ralph Ring, Christopher Johnson
<b>ABSENT:</b>	Ed Robinson

b. 6630 Jefferson Street - Sign  
Approved in accordance with town code section 58-343 b (2).  
Will go to the ARB on December 19th.

Make sure applicant realizes as the Town Center Master Plan evolves, the location of the sign may have to change.

Minutes Acceptance: Minutes of Dec 10, 2012 7:00 PM (Minutes Approval)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Ralph Ring, Commissioner
<b>AYES:</b>	Robert Weir, Rebecca Bare, Ralph Ring, Christopher Johnson
<b>ABSENT:</b>	Ed Robinson

## 6. ARB and Council Update

ARB Update. Nothing to report yet. Ring hasn't been to a meeting.

Council: Bare.

Council would like further information from PC regarding Historic Overlay district.

Weir is putting together a report. Will be presented.

There are 10 towns in the Commonwealth of VA that are a part of CLG. Will give to council to look at and give guidance.

Doesn't want to waste time with text amendments until this decision is made with the historic overlay.

Get guidance from Council in January.

a. Town Council and ARB Update

## 7. New Business

a. Villages of Haymarket Phase II Site Plan

Final to Preliminary reviewed early this year. McBride and Gorman here.

Holly, the Engineer, has 2 outstanding issues.

Have 60 days to make recommendation.

Johnson recused himself as he is a resident of Villages.

Need for decorative street lighting. Lighting plan.

2nd issue what to do with Washington street frontage. Streetscape development.

Their frontage is short. Not developed. Escrow what those improvements would be. Sidewalk stops at edge of Baptist Church property.

Up to Council and PC to either escrow or require it from them.

Mr. McBride speaking. 1st issue lighting. Zoning ordinance requirement. Not requesting waiver or modification. Specific design of houses with lamppost will be subject of the ARB. Make a condition of site plan that it will be addressed to the ARB. Then will know at that time what kind of lamp is required. They are not trying to get out of any requirements.

2nd - frontage issue. Thought this was dealt with at the Preliminary stages. Does have lot frontage but on Bleight Drive. Washington Street was not frontage under our definition of ordinance. Agrees to take curb and gutter around corner, tie asphalt together, extend sidewalk and do handicap ramp which will become bus stop.

Weir - Is there a dedication of the parcel to the Town? Yes there will be.

Weir has no issue with it. Such a small section and making improvements for bus stop. Is comfortable with it.

Lighting handling prior to building permit. Can get with council and attorney as far as lighting. No other issues.

Weir moves that PC forward FSP20121130 Final Site Plan dated 1/20/2012, sealed 11/29/2012, to Town Council with recommendation of approval in accordance with town code section 58-506 (3) and 58-509, and conditioned upon the applicant and staff coordinating compliance with 58-717 of the Town Code prior to the January 7, 2013 Town Council meeting.

<b>RESULT:</b>	<b>ADOPTED [3 TO 0]</b>
<b>MOVER:</b>	Robert Weir, Chair
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Robert Weir, Rebecca Bare, Ralph Ring
<b>ABSTAIN:</b>	Christopher Johnson
<b>ABSENT:</b>	Ed Robinson

b. Zoning Text Amendment - Funeral Home & Crematory Use  
Applicant here.

Marchant owns property next to the proposed location.

For disclosure reasons, he does not have a financial interest in this project

Planning Commission has 65 days to make a recommendation.

14850 Washington Street. Apply to B1 district. First establish by-right, site plan process, bonds etc.

Also proposed crematory, requires a Special Use Permit.

Require parking to side or rear. They're also proposing adding definition to our ordinance. Look at compatibility. Character use of the area. Property values.

Bare research needs to be done at staff level to make this comport with Comp plan and land use. As written now, can't see allowing in B1 even with SUP and crematory definition in Industrial district.

Mr. Foote, Walsh Colucci. Nothing serves this portion of the county. Observe talking about crematory only as an SUP. Not a critical issue.

This is permitted by-right in every other jurisdictions. Can't find any jurisdictions in which a funeral home/mortuary was required by SUP. Funeral home business is low impact. Only time impact is during a funeral. This site accommodates parking. Very low impact use which is why treated as nothing more than an office business. One concern is an unyielding seller. Time is of the essence. Requests that PC schedule Public Hearing as soon as possible to move forward to Council.

Weir - no problem moving to Public Hearing. Concerned that sending to a PH might be premature. If rewrites Zoning Texts post PH, would have to go back. There could be dramatic revisions to text as presented.

Our B1 is limited. Carries over to b2 as well. Probably with confined geographic nature of the town and small size, very limited places to put this. Site specific concerns. Traffic, parking, access, lack of road frontage and this backs up to 2 different neighborhoods. Want to see performance standards. Don't see by-right working. Not convinced it comports with towns plan. Not comfortable with straight B1 zoning change.

Bare agrees 100%. Maybe more on western end better place. Parking issue.

Ring similar concerns. Traffic, chapels, crematorium. Where would parking spaces go? 128 spaces. Would need police escorts during the procession. Also, other drivers queuing up for procession. Problematic piece of land the way it's structured, flow of traffic.

Johnson - it is narrow property. Would like to see the plan of how it would be set up and vehicles staged. Does believe it could provide something to the town with proper plans brought in. Needs to make sense for the town and applicant.

Foote - it is always conundrum of purchaser of land to deal with site specific concerns. Enough analysis of the site that it would work. Seller that won't abide Will consult with applicant about comments tonight. Thank you for candid discussion. More information is helpful.

Weir - Do we want to carry over to next meeting? Mr. Foote would like a Public Hearing set.

Parking standard needs addressed per Marchant. Weir says we can talk offline with other issues. Set the Public Hearing tonight with text as exists. Marchant will get a legal determination at what point, post Public Hearing, if we do amendments to text, will a 2nd Public Hearing be required?

Weir advises clerk to schedule a Public Hearing for the Planning Commission at January 14, 2013 meeting.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>AYES:</b>	Robert Weir, Rebecca Bare, Ralph Ring, Christopher Johnson
<b>ABSENT:</b>	Ed Robinson

c. Zoning Waiver Application

Town Manager speaks on the request. Renovating the Old Post Office Building. In order to get power to the building we have to go from current power pole, SE corner, adjacent prop (Exit Heritage). Reason is topographical situation. Bring power from pole up western side of driveway and go straight across. Would take out a lot of trees and shrubbery.

Bare no concerns.

Ring - with hearing of retail space possibly there, and heard a possible porch/patio being put in, do we have any safety considerations with overhead power lines? No it is high enough above the area used. The original plan for patio use is probably not going to work out. Potential tenant dropped out.

Johnson - only concern about cost and maintenance of keeping trees limbs clear overhead.

Bare motions that the Planning Commission forward the request for a waiver of Section 58-185 of the town code for 15020 Washington Street, Old Post Office building for reason of existing topography and environmental controls.

Johnson seconds.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Christopher Johnson, Commissioner
<b>AYES:</b>	Robert Weir, Rebecca Bare, Ralph Ring, Christopher Johnson
<b>ABSENT:</b>	Ed Robinson

## 8. Town Planner Report

Ice rink has done their permanent landscaping. Looks good. Has put the screening of the chiller on the outside.

Will come in with alternate proposal to build an overhang. Will be a trade off for doing 2nd edition in the back.

McDonalds vetting architectural changes to ARB next week in an informal set down. Quite a contrast as to what's there today.

Gearing up for Sheetz. Will be coming forward with architectural drawings soon. Complete tear down and rebuild.

The town will be busy the next few months. Did speak to ARB about Master Plan. Next few months. Streetscape work, 66 expanding, etc.

Town Manager - talks about PlanVA, part of Virginia Tech. Certified program for planning commissioners. Another round of training in Leesburg in January. Wanted to see if any interest. Would be 2 day sessions. Jan 11th and 12th. Final session March 22nd and 23rd. Lot of good information. Cost is \$450/each. May need to ask Council for additional funding if enough want to go. Let him or Marchant know.

## 9. 1-Mile Developments

Rezoning notice. 208 apartments and 102 single family attached.  
 Major impact on town with traffic.  
 1st round of review.  
 We can provide comments.  
 a. John Marshall Commons

## 10. Old Business

### a. Comprehensive Plan

Back burner til ZTA's done.  
 And guidance on Historic overlay district from Council.  
 Expensive Public Hearing for some ZTA's. Doesn't make sense to rewrite sign ordinance until historic district done.

Rather handle start at top and go to end all at one time. Want input from Council first as thoughts on Historic District.  
 Address requirement for a site plan.  
 Still looking at 2 sets of Zoning Text going forward from here.

Weir says if Council is intent on pursuing CLG status, there is no way, given what requirements and statutes that we can do that, leaving entirety of town as Historic District.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>AYES:</b>	Robert Weir, Rebecca Bare, Ralph Ring
<b>ABSENT:</b>	Ed Robinson

### b. Zoning Text Amendments

## 11. Discussion Items

None

## 12. Adjournment

Bare motions to adjourn the meeting at 8:30pm.  
 Ring seconds.  
 Ayes: 4  
 Absent: 1

Meeting adjourned.



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TO: Town of Haymarket Planning Commission

SUBJECT: 15004 Gossom Manor Drive - Deck

DATE: 01/14/13

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10' x 19' Deck to be built on rear of new home. No stairs. 4' in height.

**ATTACHMENTS:**

- 15004 Gossom Manor Place - Deck (PDF)

JAN - 3 2013

TOWN OF HAYMARKET



ZONING PERMIT #: ZP20130103

NOTE: This application must be filled out completely and all components of submission requirements must be met before the application can be accepted and scheduled for review/hearing.

ZONING PERMIT APPLICATION

ZONING ACTIVITY: [ ] New Construction [x] Alteration/Repair [x] Addition [ ] New Tenant/Use [ ] Change of Use [ ] Relocation

NAME OF BUSINESS/APPLICANT: Gibson Home Services LLC

PROPOSED USE: residential deck Size (Sq. Ft./Length) of Construction: 190

SITE ADDRESS: 15004 Gossom Manor Pl Parcel ID #:

Subdivision Name: Shady Brook Forest Lot Size: 6,008 SF

ZONING DISTRICT: [ ] R-1 [x] R-2 [ ] B-1 [ ] B-2 [ ] I-1 [ ] C-1 Site Plan Required: [ ] Yes [x] No

Special Use Permit Required: [ ] Yes [x] No Homeowners Association (HOA) Approval: [x] Yes [ ] No

Off-street Parking: Spaces Required: Spaces Provided:

BRIEF DESCRIPTION OF ACTIVITY: (i.e. previous use, type and dimensions of signs, height/length of fencing, etc.) Build 10x19 deck on rear of home using pressure treated lumber. Height will be approximately 4'.

Supporting Documentation (attached): [ ] Narrative [x] Plan/Plat [x] Specification Sheet

FEE: [x] \$25.00 Residential [ ] \$50.00 Commercial

PAID 2013 JAN - 3 2013 Town of Haymarket

CERTIFICATE OF APPROPRIATENESS

ADDITIONAL DESCRIPTION: (i.e. color, type of material, font style, etc.) pressure treated wood, no color to be applied at this time

Supporting Documentation (attached): [x] Specification Sheet [ ] Photograph(s)

PERMIT HOLDER INFORMATION: Valerie Gibson, Gibson Home Services LLC, PO Box 315, Markham VA 22043, (540) 364-1200, gibsonhome@yaho.com
PROPERTY OWNER INFORMATION: Ajit Buttar, 15004 Gossom Manor Pl, Haymarket VA 20169, (703) 818-3405, ash3405@ya.com

Attachment: 15004 Gossom Manor Place - Deck (1269 : 15004 Gossom Manor Drive - Deck)



**APPLICANT / PROPERTY OWNER SIGNATURE**

**\*\*\*\*\*REQUIRED\*\*\*\*\***

I, as owner or authorized agent for the above-referenced parcel, do hereby certify that I have the authority to make the foregoing application and that the information provided herein is correct. Construction of improvements described herein and as shown on the attached plat, plan and/or specifications will comply with the ordinances of the Town of Haymarket and any additional restrictions and/or conditions prescribed by the Architectural Review Board (ARB), Planning Commission, or the Town Council and all other applicable laws.

[Handwritten Signature]  
Applicant Signature

[Handwritten Signature]  
Property Owner Signature

**\*\*\*OFFICE USE ONLY\*\*\***

ZONING PERMIT #: 2P20130103

Date Filed: 1-3-13 Fee Amount: 25- Date Paid: 1-3-13

DATE TO ARCHITECTURAL REVIEW BOARD (ARB): 1-16-12

APPROVED  DISAPPROVED  TABLED UNTIL: \_\_\_\_\_  DEFERRED UNTIL: \_\_\_\_\_

ARCHITECTURAL REVIEW BOARD CHAIR: \_\_\_\_\_  
SIGNATURE PRINT

CONDITIONS:  
\_\_\_\_\_  
\_\_\_\_\_

DATE TO PLANNING COMMISSION: 1-14-12

APPROVED  DISAPPROVED  TABLED UNTIL: \_\_\_\_\_  DEFERRED UNTIL: \_\_\_\_\_

PLANNING COMMISSION {where required}: \_\_\_\_\_  
SIGNATURE PRINT

CONDITIONS:  
\_\_\_\_\_  
\_\_\_\_\_

DATE TO TOWN COUNCIL: \_\_\_\_\_

APPROVED  DISAPPROVED  TABLED UNTIL: \_\_\_\_\_  DEFERRED UNTIL: \_\_\_\_\_

TOWN COUNCIL {where required}: \_\_\_\_\_  
SIGNATURE PRINT

CONDITIONS:  
\_\_\_\_\_  
\_\_\_\_\_

Attachment: 15004 Gossom Manor Place - Deck (1269 : 15004 Gossom Manor Drive - Deck)

Sherwood Forest  
ARCHITECTURAL IMPROVEMENT REQUEST FORM  
c/o  
Sequoia Management  
13998 Parkeast Circle  
Chantilly, VA 20151-2283  
703-803-9641  
www.sequoiamanagement.com

Name of Applicant: Ajit S. Buttar Date: 11/27/12  
Address: 15004 Gossom Manor Pl Haymarket, VA 20149 Lot #: 22  
Telephone: (H) 703-818-3465 (W) 202-692-0776 (FAX) \_\_\_\_\_  
Email: ASB3465@YAHOO.COM

(to be utilized to verify receipt of application as well as communication for additional information as required)

Anticipated Construction Duration: 10 Days

Type of Alteration/Change (please check appropriate box)

- |                                     |                          |                            |
|-------------------------------------|--------------------------|----------------------------|
| <input type="checkbox"/>            | <u>Second Story Deck</u> | Complete Section (a) below |
| <input checked="" type="checkbox"/> | <u>Ground Level Deck</u> | Complete Section (a) below |
| <input type="checkbox"/>            | <u>Fence</u>             | Complete Section (b) below |
| <input type="checkbox"/>            | <u>Patio</u>             | Complete Section (c) below |
| <input type="checkbox"/>            | <u>Storm Door</u>        | Complete Section (d) below |
| <input type="checkbox"/>            | <u>Other</u>             | Complete Section (e) below |

Section (a) Deck Additions

Dimensions: Across the back of the house: 19'  
Dimensions: Length out from house: 10'  
Elevation from ground level: 4'  
Railing Height (from surface of deck): 36"  
Railing type (describe): 4x4 post, 2x4 bottom rail, 2x2 pickets & 5/4x6 top rail  
Type of materials to be utilized: Pressure treated wood  
Stain color (Sample Color Chip or Brochure Required): none - std pressure treated wood

Include information on any additional attachments, such as trellis, lighting, benches, flower boxes, etc.

Section (b) Fence Additions

Total Dimensions of the fence: \_\_\_\_\_  
Fence Type: \_\_\_\_\_  
Type of Gate: \_\_\_\_\_  
Type of materials to be utilized: \_\_\_\_\_  
Stain color (Sample Color Chip or Brochure Required): \_\_\_\_\_

Section (c) Patio Additions

Total Dimensions of the patio: \_\_\_\_\_  
Type of materials to be utilized: \_\_\_\_\_

Section (d) Storm Doors

Placement of Door: \_\_\_\_\_  
Describe type of Storm Door: \_\_\_\_\_  
Describe color of Storm Door as it relates to the following:  
Front Door, Siding (Brick), and Trim \_\_\_\_\_

Section (e) Other

Please provide an explanation of the project, providing details on dimensions, materials, colors as applicable

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attachment: 15004 Gossom Manor Place - Deck (1269 : 15004 Gossom Manor Drive - Deck)

All applications must be accompanied by the following materials:

- Attached architectural plans/drawings or photographs of the proposed project. Drawings MUST show elevations, dimensions, height off the ground, relationship to existing structures, railings, footings, color samples if necessary and manufacturer's brochure, if available.
- Attach a copy of the property plat showing size, shape and location of improvement to residence and to adjoining properties (including specific dimensions of improvement and distances to adjoining properties.) Grading plan must be included, if applicable.
- Obtain the signatures of all adjacent or affected property owners. The signatures only indicate their awareness of your proposed plans, not their approval. Signatories having concerns about your proposed plan must notify the Association of specific concerns in writing.

Name: Cylin Mattox Phone Number: 703-994-2433  
 Address: 15008 Gossom Manor Pl Lot Number: 23  
 Signature: Cylin Mattox

Name: Ortosh Eastman Phone Number: 832-775-6313  
 Address: 15008 Gossom Manor Pl Lot Number: 21  
 Signature: Ortosh Eastman

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_ Lot Number: \_\_\_\_\_  
 Signature: \_\_\_\_\_

I understand and agree to the following:

- > that this modification may require a County building permit or may be subject to other governmental regulations. I agree to obtain all required city/county approvals. Miss Utility will be contacted prior to the commencement of any construction. Approval of this application satisfies only the requirements of the Association and not any obligations to the County or as may be required.
- > that I assume full responsibility for all landscaping, grading and/or drainage issues relating to the improvements, including applicable replacing bonds or escrows posted by Developer/Builder currently in place affecting the lot. All work associated with the project will be completed within the property lines. Any damage to adjoining property (including common area) or injury to third persons associated with the improvement.
- > that no work on this proposal will commence until I receive written approval of the Association. To do so is a violation of the Covenants of the Association and may result in my being required to remove an unapproved modification and restore my property to its original condition at my own expense if this application is disapproved. I also understand I may be held responsible for any legal fees incurred on behalf of the Association in enforcing this provision.
- > that an approval is contingent upon the construction being completed in a timely and a professional and workmanlike manner as per the specifications as submitted in this applications.
- > the members of the Association may enter upon my property to make a routine inspections.
- > that there are architectural requirements addressed in the Design Standards and the Declaration and a review process as established by the Board of Directors.
- > that the approval authority granted by the Association (if so granted) will automatically expire should the proposed project not be commenced within six (6) months of the approval or completed within thirty (30) days of the approval
- > that a variation from the original application must be submitted for approval of the Association

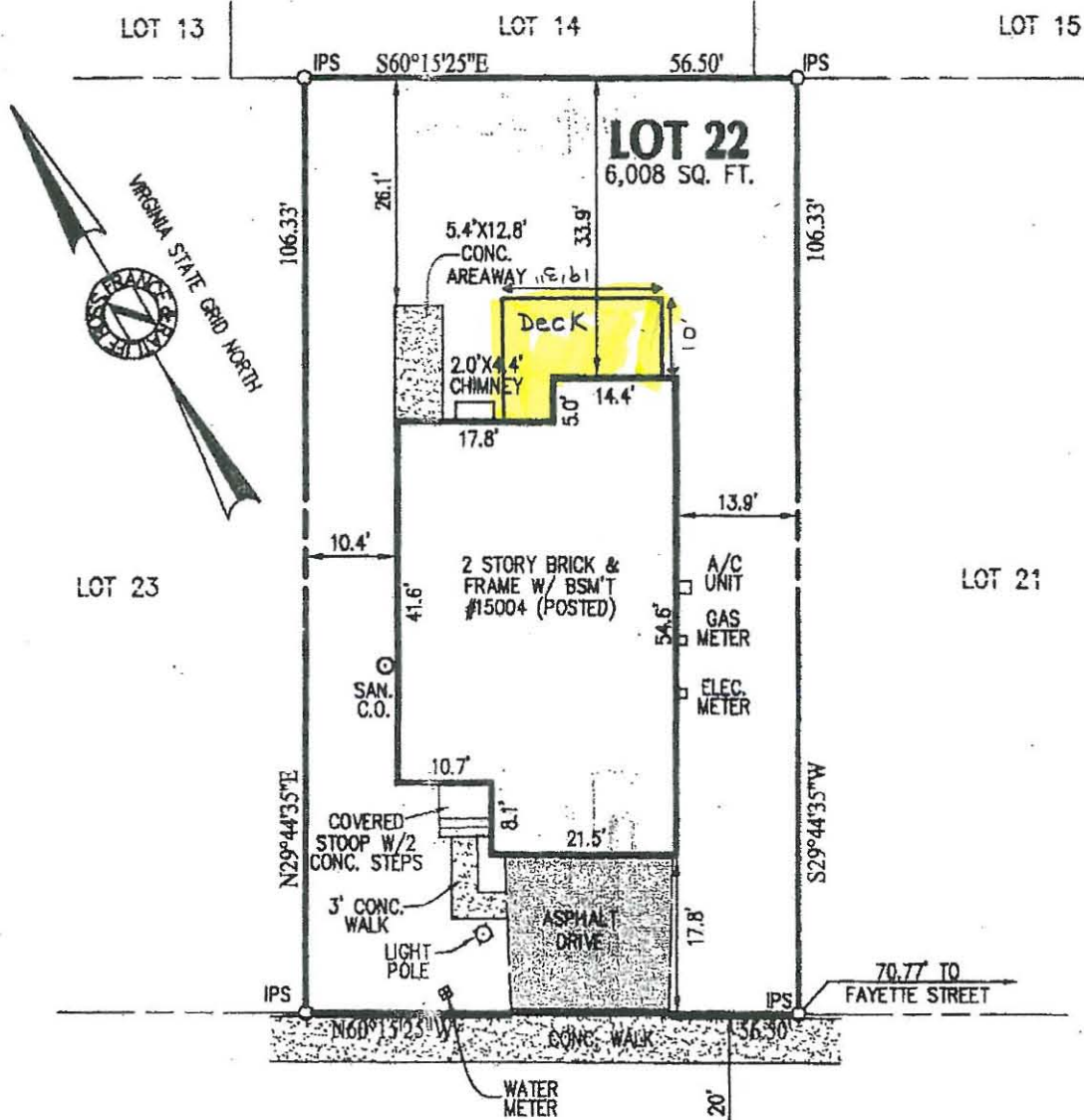
Owner/Applicant's Signature: April Elaine Bultman Date: 11-20-12

(For committee Use Only)

- Approved
- Disapproved
- Approved with conditions: \_\_\_\_\_

Committee Representative: [Signature] Date of Decision: 12/10/12

Attachment: 15004 Gossom Manor Place - Deck (1269 : 15004 Gossom Manor Drive - Deck)



# GOSSOM MANOR PLACE

(40' RIGHT-OF-WAY)

A/C	-	AIR CONDITIONER
BSM'T	-	BASEMENT
CONC.	-	CONCRETE
C.O.	-	CLEANOUT
ELEC.	-	ELECTRIC
IPS	-	IRON PIPE SET
SAN.	-	SANITARY
SQ. FT.	-	SQUARE FEET

THE GEOGRAPHIC PARCEL IDENTIFICATION NUMBER (G.P.I.N.) FOR THE PROPERTY SHOWN HEREON IS 7298-80-9994. THIS PROPERTY WAS ACQUIRED BY DEED RECORDED AS INSTRUMENT #201011050098724 IN THE LAND RECORDS OF PRINCE WILLIAM COUNTY, VIRGINIA.

THE PROPERTY DELINEATED HEREON DOES NOT LIE WITHIN THE LIMITS OF A 100-YEAR FLOODPLAIN EASEMENT.

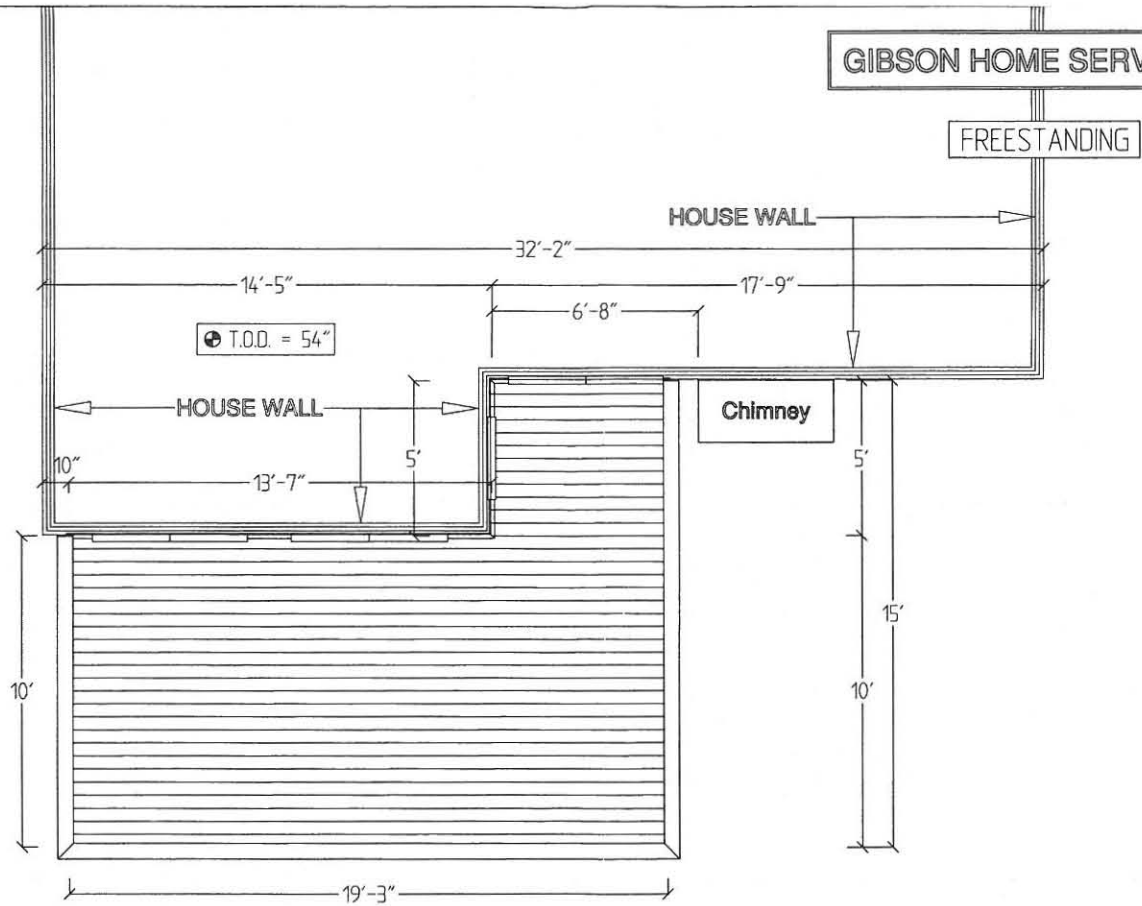
HOUSE LOCATION SURVEY  
LOT 22

I HEREBY CERTIFY THAT THE POSITION OF ALL THE EXISTING IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN CAREFULLY ESTABLISHED BY A FIELD SURVEY AND THAT UNLESS OTHERWISE SHOWN THERE ARE NO ENCROACHMENTS.



Attachment: 15004 Gossom Manor Place - Deck (1269 : 15004 Gossom Manor Drive - Deck)

**PLAN VIEW**



GIBSON HOME SERVICES

FREESTANDING

T.O.D. = 54"

Chimney

T.O.D. = 54"

T.O.D. = Measurement from Ground to Top of Deck

SCALE: 1/4" = 1'-0"

**Decks 6.a.a**

Custom Environments  
7994 Glenwood Avenue  
Youngstown, OH 44512-582  
330-726-5540  
330-726-5542 FAX  
www.DecksUSA.com

Bultar Project  
Draft #1  
DATE: 11-26-12  
SF = 221

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**GENERAL NOTES**

T.O.D. = 54"

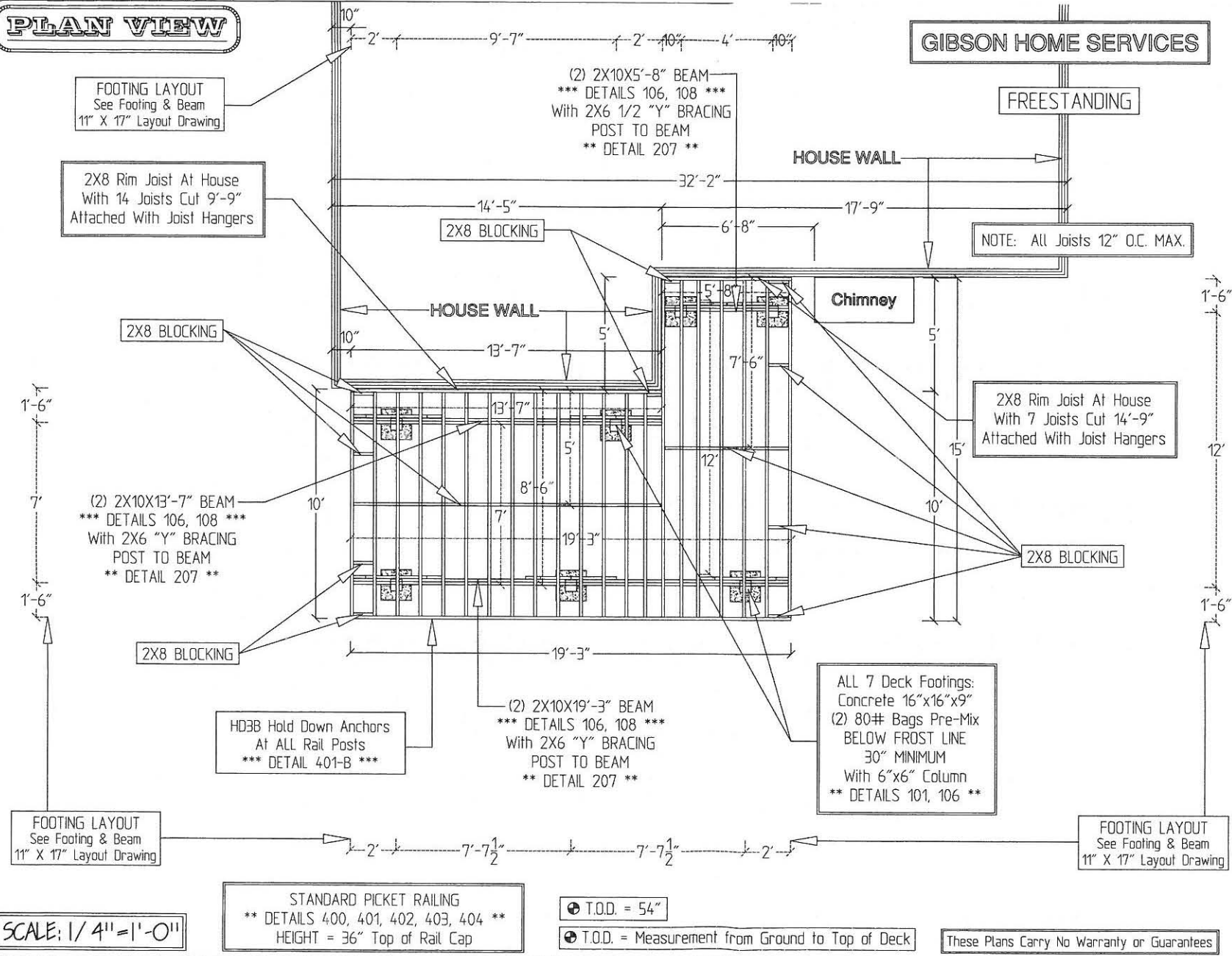
NOTE: Submit building plans to your local Building Department for review.

These plans have been purchased from Decks USA. The buyer is granted permission to build from these plans but is not granted permission to reproduce or sell these plans in any manner.

Attachment: 15004 Gossom Manor Place - Deck (1269 : 15004 Gossom Manor Drive - Deck)



**PLAN VIEW**



**Decks 6.a.a**

Custom Environments  
7994 Glenwood Avenue  
Youngstown, OH 44512-58;  
330-726-5540  
330-726-5542 FAX  
www.DecksUSA.com

Buttar Project  
Draft #1  
DATE: 11-26-12  
SF = 221

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**GENERAL NOTES**

- FOOTINGS BELOW FROST LINE  
- ALL FOOTINGS 16"x16"x9" THICK, UNO
- ALL FRAMING LUMBER TO BE #2 SYP OR BETTER, PRESSURE TREATED A-C, UNO
- ALL IN-GRADE DESIGN VALUES BASED ON THE NFA&A
- PRESUMPTIVE SAFE SOIL BEARING CAPACITY 2000 PSF.

BASED ON: IRC 2009

- 16X16X9 Concrete Footings
- 6X6 COLUMNS
- (2) 2X10 BEAM(S)
- 2X6 "Y" Bracing - NOTED
- 2X8 Joists 12" O.C. - max.
- 2X8 SOLID BLOCKING
- 5/4X6 DECK BOARDS

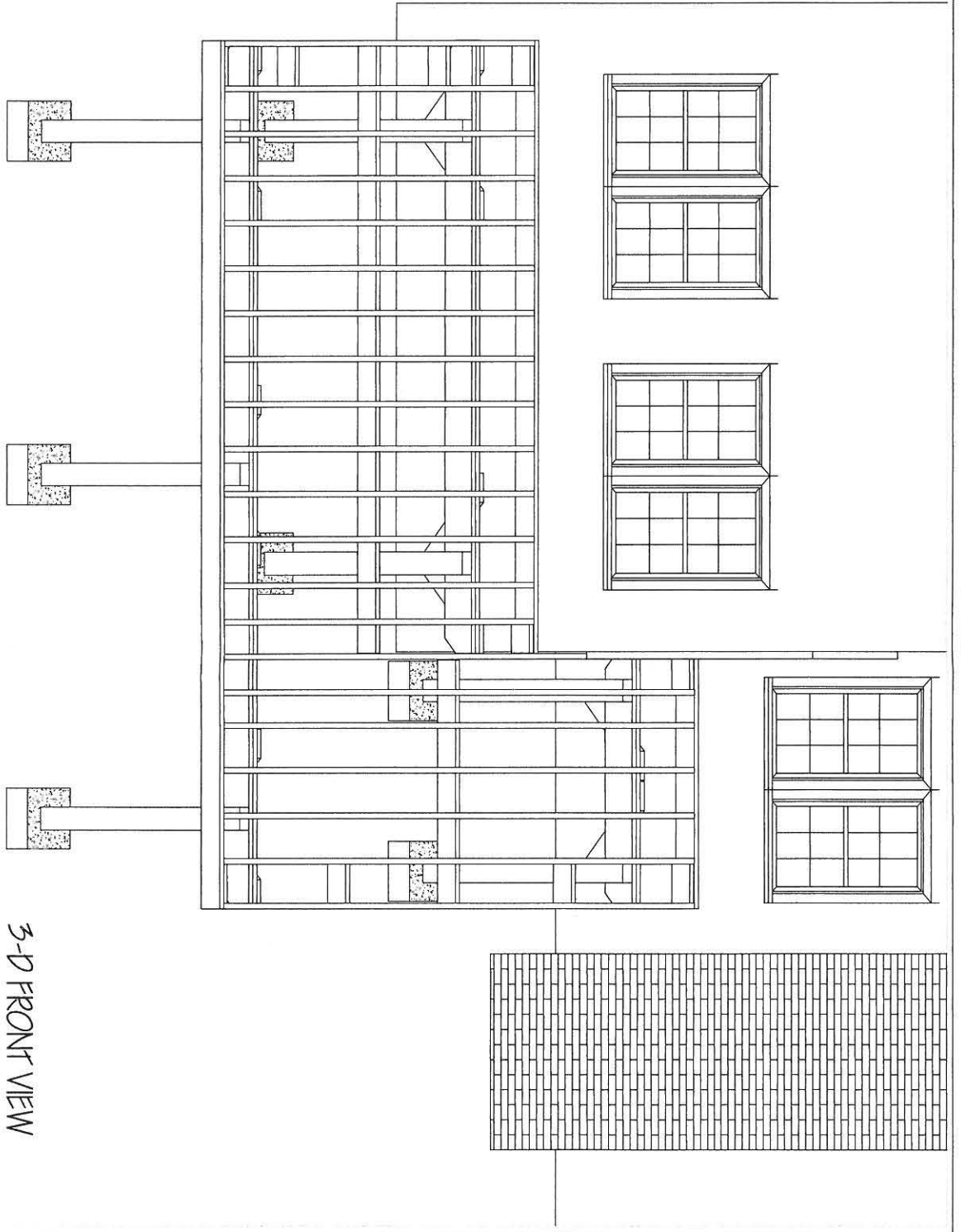
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Attachment: 15004 Gossom Manor Place - Deck (1269 : 15004 Gossom Manor Drive - Deck)

Decks USA

www.DecksUSA.com



3-D FRONT VIEW

Gibson Home Services	
Bullter Project	
SF = 221	

NOTE: Submit building plans to your local Building Department for review. These plans have been purchased from Decks USA. The buyer is granted permission to build from these plans, but is not granted permission to reproduce or sell these plans in any manner.

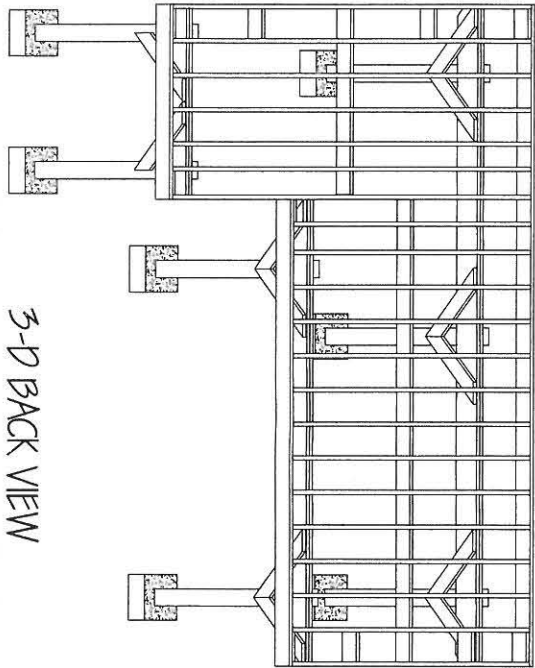
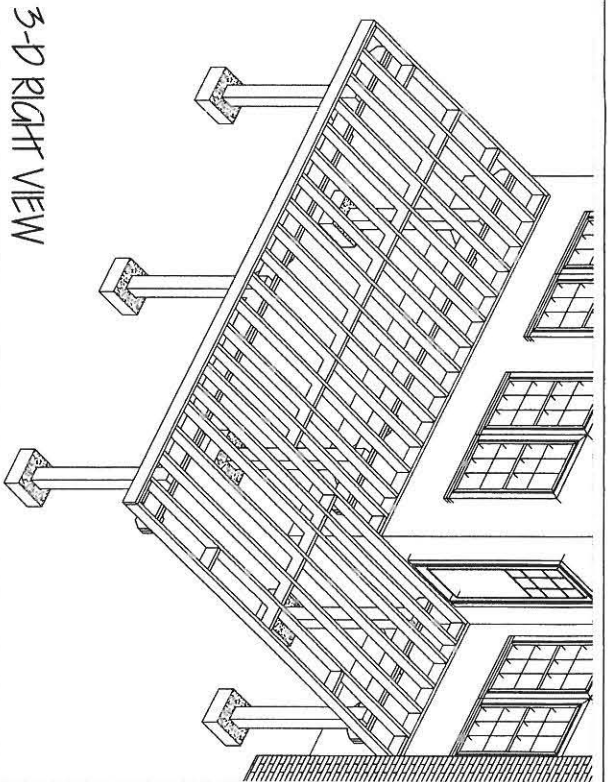
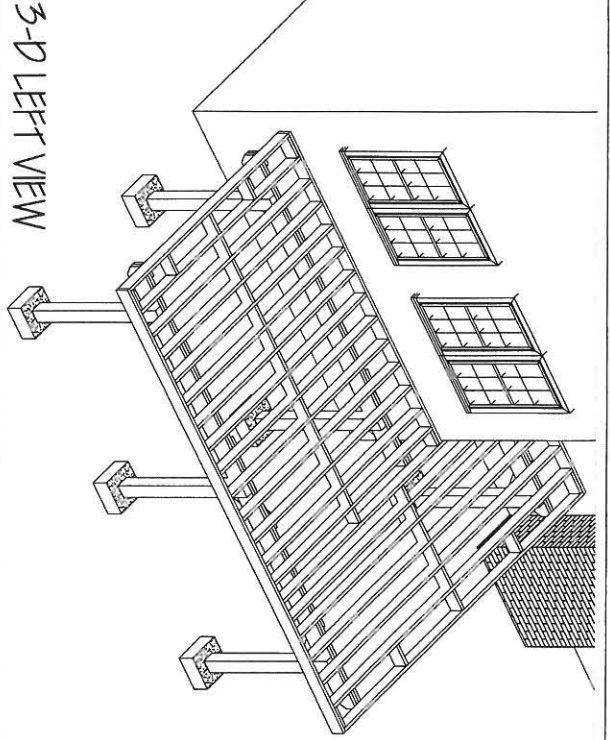
No.	Revision/Issue	Date

APPROVED:

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 (330) 726-5542 FAX





Attachment: 15004 Gossom Manor Place - Deck (1269 : 15004 Gossom Manor Drive - Deck)

Gibson Home Services

Butler Project

SF = 221

NOTE: Show building plans to your local Building Department for review.

These plans have been purchased from Decks USA. The buyer is granted permission to build from these plans but is not granted permission to reproduce or sell these plans in any manner.

No.	Revision/Issue	Date

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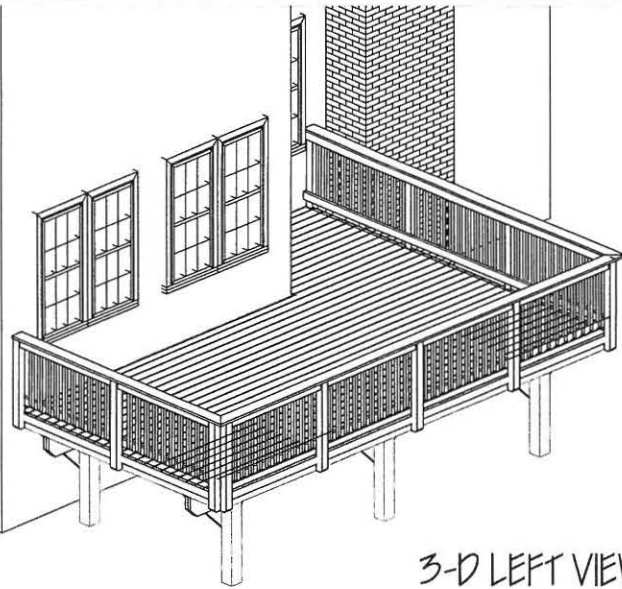
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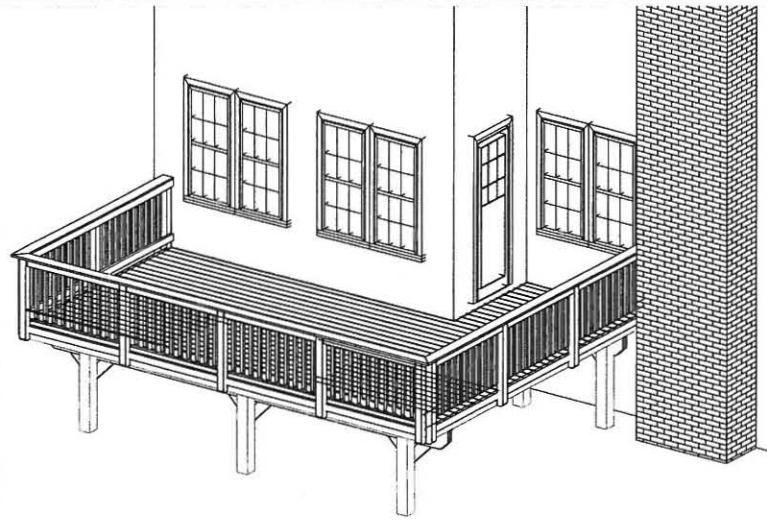
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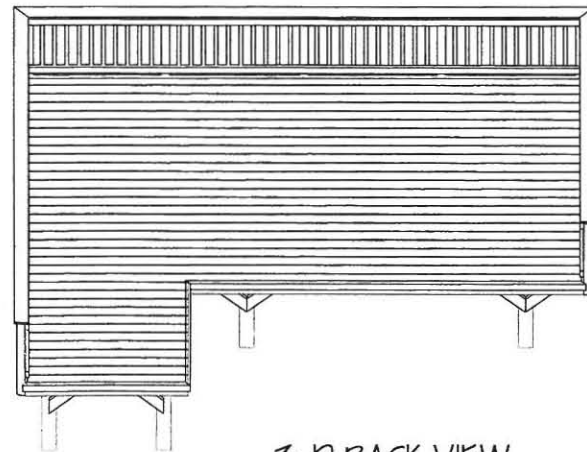
3-D LEFT VIEW



3-D RIGHT VIEW



3-D FRONT VIEW



3-D BACK VIEW

Gibson Home Services

Buttar Project

SF = 221

NOTE: Submit building plans to your local Building Department for review.

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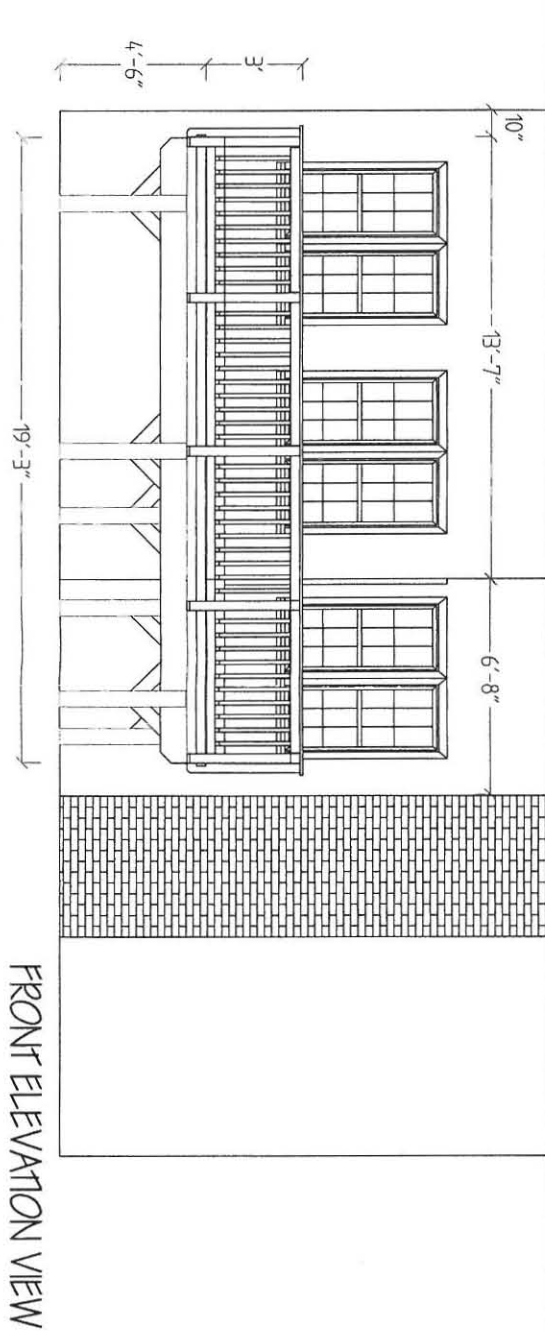
No.	Revision/ Issue	Date

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\_\_\_\_\_

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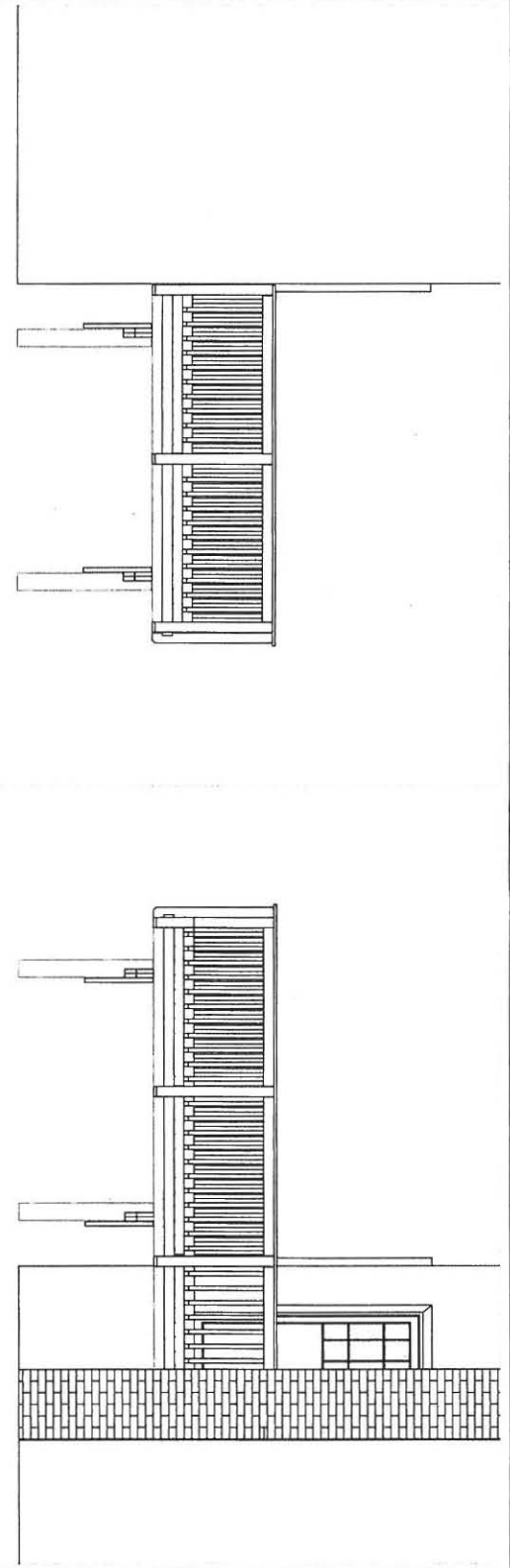
Attachment: 15004 Gossom Manor Place - Deck (1269 : 15004 Gossom Manor Drive - Deck)



LEFT ELEVATION VIEW

RIGHT ELEVATION VIEW

FRONT ELEVATION VIEW



Attachment: 15004 Gossom Manor Place - Deck (1269 : 15004 Gossom Manor Drive - Deck)

Gibson Home Services	
Butler Project	
SF = 221	

NOTE: Submit building plans to your local Building Department for review.

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---

TO: Town of Haymarket Planning Commission  
SUBJECT: 15161 Washington Street - U-Haul Business  
DATE: 01/14/13

---

Haymarket Motors is running a U-Haul Renting business on the side. The Property owner, Jim Durham, is aware of this and has approved the business.

**ATTACHMENTS:**

- 15161 Washington Street - Uhaul Business (PDF)

# The Town of HAYMARKET

Established in 1799

ZONING PERMIT #: ZP20121220

**NOTE:** This application must be filled out completely and all components of submission requirements must be met before the application can be accepted and scheduled for review/hearing.

## ZONING PERMIT APPLICATION

**ZONING ACTIVITY:**  New Construction  Alteration/Repair  Addition  Sign  
(Check all that apply)  New Tenant/Use  Change of Use  Relocation

**NAME OF BUSINESS/APPLICANT:** HAYMARKET MOTORS

**PROPOSED USE:** UHAUL RENTAL Size (Sq. Ft./Length) of Construction: \_\_\_\_\_

**SITE ADDRESS:** 15161-D WASH ST Parcel ID #: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_ Lot Size: \_\_\_\_\_

**ZONING DISTRICT:**  R-1  R-2  B-1  B-2  I-1  C-1 Site Plan Required:  Yes  No

Special Use Permit Required:  Yes  No Homeowners Association (HOA) Approval:  Yes  No

Off-street Parking: Spaces Required: \_\_\_\_\_ Spaces Provided: \_\_\_\_\_

**BRIEF DESCRIPTION OF ACTIVITY:** (i.e. previous use, type and dimensions of signs, height/length of fencing, etc.)  
Additional use of renting U-Haul vehicles

Supporting Documentation (attached):  Narrative  Plan/Plat  Specification Sheet

**FEE:**  \$25.00 Residential  \$50.00 Commercial

*PAID 12/20/16*

## CERTIFICATE OF APPROPRIATENESS

**ADDITIONAL DESCRIPTION:** (i.e. color, type of material, font style, etc.)

Supporting Documentation (attached):  Specification Sheet  Photograph(s)

**PERMIT HOLDER INFORMATION**

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone# \_\_\_\_\_ Email \_\_\_\_\_

**PROPERTY OWNER INFORMATION**

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone# \_\_\_\_\_ Email \_\_\_\_\_

Attachment: 15161 Washington Street - Uhaul Business (1270 : 15161 Washington Street - U-Haul Business)

**APPLICANT / PROPERTY OWNER SIGNATURE**

\*\*\*\*\*REQUIRED\*\*\*\*\*

I, as owner or authorized agent for the above-referenced parcel, do hereby certify that I have the authority to make the foregoing application and that the information provided herein is correct. Construction of improvements described herein and as shown on the attached plat, plan and/or specifications will comply with the ordinances of the Town of Haymarket and any additional restrictions and/or conditions prescribed by the Architectural Review Board (ARB), Planning Commission, or the Town Council and all other applicable laws.

Applicant Signature 

Property Owner Signature See email

\*\*\*OFFICE USE ONLY\*\*\*

ZONING PERMIT #: ZP20121220

Date Filed: 12-20-12 Fee Amount: 50 Date Paid: 12-20-12

**DATE TO ARCHITECTURAL REVIEW BOARD (ARB):**

N/A

APPROVED  DISAPPROVED  TABLED UNTIL: \_\_\_\_\_  DEFERRED UNTIL: \_\_\_\_\_

ARCHITECTURAL REVIEW BOARD CHAIR:

SIGNATURE \_\_\_\_\_

PRINT \_\_\_\_\_

CONDITIONS:

**DATE TO PLANNING COMMISSION:** 1-14-13

APPROVED  DISAPPROVED  TABLED UNTIL: \_\_\_\_\_  DEFERRED UNTIL: \_\_\_\_\_

PLANNING COMMISSION {where required):

SIGNATURE \_\_\_\_\_

PRINT \_\_\_\_\_

CONDITIONS:

**DATE TO TOWN COUNCIL:** 2-4-13

APPROVED  DISAPPROVED  TABLED UNTIL: \_\_\_\_\_  DEFERRED UNTIL: \_\_\_\_\_

TOWN COUNCIL {where required):

SIGNATURE \_\_\_\_\_

PRINT \_\_\_\_\_

CONDITIONS:

Attachment: 15161 Washington Street - Uhaul Business (1270 : 15161 Washington Street - U-Haul Business)

**Sherrie Wilson**

---

**From:** James Durham [pemco70@hotmail.com]  
**Sent:** Saturday, January 05, 2013 5:06 PM  
**To:** Sherrie Wilson  
**Subject:** RE: Haymarket motors

**Importance:** High

i am aware of this an approve jim d

---

**Subject:** Haymarket motors  
**Date:** Fri, 4 Jan 2013 11:59:41 -0500  
**From:** [swilson@townofhaymarket.org](mailto:swilson@townofhaymarket.org)  
**To:** [pemco70@hotmail.com](mailto:pemco70@hotmail.com)

Mr. Durham

Can you sign the attached Zoning Permit Application for Haymarket Motors?  
 This is for them to come into compliance with their U-Haul business at your property.  
 Or an email back saying you are aware of this business on your property and approve?

Thank you.

---

**From:** [Copier@townofhaymarket.org](mailto:Copier@townofhaymarket.org) [mailto:Copier@townofhaymarket.org]  
**Sent:** Thursday, January 03, 2013 9:43 PM  
**To:** Sherrie Wilson  
**Subject:** Message from KMBT\_C452

Attachment: 15161 Washington Street - Uhaul Business (1270 : 15161 Washington Street - U-Haul Business)



---

TO: Town of Haymarket Planning Commission  
SUBJECT: Funeral Home Use - Zoning Text Amendments  
DATE: 01/14/13

---

Revised Application for Zoning Text Amendments - Mortuary - Funeral Home Use in the B-1 Zoning District

**ATTACHMENTS:**

- 1 - 01-07-13 funeral home ZTA (PDF)





## MEMORANDUM

**TO:** CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

**FROM:** MARCHANT SCHNEIDER, TOWN PLANNER

**SUBJECT:** [PUBLIC HEARING] - REVISED APPLICATION FOR ZONING TEXT AMENDMENT – MORTUARY, FUNERAL HOME USE IN THE B-1 ZONING DISTRICT

**DATE:** 01-07-13

**CC:** STAFF

The Commission reviewed the above-mentioned application at its December 2012 meeting. The Commission commented on the appropriateness of the use within the Town, the application's compliance with the Comprehensive Plan, traffic and parking associated with such a use, and compatibility with adjacent residential zoning districts. The Applicant noted the limited availability of such uses within the area and stated the use was similar to an office use with minimal impact and occasional traffic due to funeral services. The subject site can accommodate adequate parking. The Applicant requested that a public hearing be scheduled as soon as possible due to its purchase contract with the seller. Subsequent to the December meeting, the Applicant revised its application to remove "crematory" use and permit mortuary, funeral home as a special use in the B-1 Zoning District.

The Commission has 65 days from the first meeting after the item has been referred to forward the application to Council for action. The deadline for a recommendation by the Planning Commission is February 13, 2013. The Commission may recommend approval, denial, or may recommend draft amendments.

BACKGROUND

At its November Meeting, the Town Council adopted a resolution of intent to amend Chapter 58 of the Town Code (Zoning) to consider a Zoning Text Amendment Application to permit "Mortuary, funeral home" use by-right within the B-1 zoning district as well as permit "Crematory" use by special use permit. Pursuant to Section 58-425 of the Zoning Ordinance, the Town Council forwarded the application to the Planning Commission for consideration.

The application was submitted by John Foote on behalf of Clifford Blasius and McGraw's Corner, LLC, and is specific to establishing a mortuary, funeral home use at 14850 Washington Street; however, the amendment would permit the proposed uses generally within the district (i.e. not limited to the site). A narrative explaining the proposal is attached.

As noted in the Town Council resolution, the Planning Commission is to consider whether the amendments are in furtherance of the public necessity, convenience, general welfare, and good zoning practice; to consider whether these amendments are consistent with the Town's Comprehensive Plan; to consider the impact of these amendments on the services, character, and needs of the community; and to prepare draft amendments for consideration.

Section 58-429 further states the proposed amendments shall be considered with reasonable consideration of the following matters.

- (1) Existing use and character of the area;
- (2) Suitability of the property for various uses;
- (3) Trends of growth or change;

- (4) Current and future requirements of the town as to land for various purposes as determined by population and economic studies and other studies;
- (5) Transportation requirements of the community and the town's requirements for parks, playgrounds, recreation areas, other public services, or the conservation of natural resources and preservation of floodplains; and
- (6) Conservation of properties and their values and the encouragement of most appropriate use of land throughout the town.

The Ordinance also states that the above considerations shall include but are not limited to comprehensive plans or their parts, capital improvement programs, relation of development to roads and construction programs, and the proximity of the development to utilities and public facilities.

*[Excerpts from the Comprehensive Plan and Zoning Ordinance relevant to the land area in question are included below]*

STAFF REVIEW AND RECOMMENDATION

As offered previously, it is recommended that the Planning Commission give consideration of the above-mentioned matters for consideration, applicable land use policy, and B-1 Zoning District intent. It is also recommended that the commission continue to evaluate the impact and compatibility of the proposed uses to those uses permitted within the B-1 zoning district and those land uses that abut the B-1 zoning district. Lastly, it is recommended that the commission also review the applicable minimum off-street parking standards. Pursuant to Section 58-11(7), "For mortuaries and liquor stores, at least 10 parking spaces" are required. The Ordinance otherwise requires commercial buildings to provide one parking space for each 200 square feet of business floor space in a building (Section 58-11(9)). Should the Planning Commission consider the application further, it is recommended that Section 58-11(7) be removed from the Ordinance.

Regarding the Applicant's revised application, permitting a "mortuary, funeral home" as a special use within the B-1 Zoning District will allow for the assessment and mitigation of possible impacts of such a use on a case by case, site specific basis (i.e. traffic impact, screening, lighting, etc.). However, as noted during the December PC discussion, accommodation of an influx of attendees during funeral services could be problematic as no on-street parking is available on Washington Street. Specific to the subject site, the only opportunity for overflow public parking is on-street parking within Greenhill Crossing across Washington Street. Private parking is available at the adjacent animal hospital and Baptist Church, but use of these facilities is at the discretion of the landowner and only those spaces in excess of the Town's parking requirements could be used.

DRAFT MOTION(S)

- 1. I move that the Planning Commission forward the application to a future meeting for further consideration.
- Or,
- 2. I move that the Planning Commission forward the application with a recommendation of [approval] [denial] based on the following findings: \_\_\_\_\_.
- Or,
- 3. I move an alternate motion

Attachment: 1 - 01-07-13 funeral home ZTA (1278 : Funeral Home Use - Zoning Text Amendments)

## COMPREHENSIVE PLAN

The B-1 zoning district encompasses a land area planned as two distinct land use patterns: Neighborhood/Town Center and Transitional Commercial. The Comprehensive Plan's guidance regarding the development of these planned areas is as follows (*excerpt from Chapter 3.4, Land Use Plan*):

*“Continued scattered commercial development in the Town, with resultant problems such as parking, traffic congestion and noise, should be discouraged. To accommodate future commercial development the plan recommends that major commercial growth be limited to those areas designated as the Neighborhood/Town Center, Transitional Commercial and the Planned Interchange Park. These areas are located primarily along Washington Street which should be promoted as the Town’s “main street”. Consideration should be given to the addition of a restricted commercial district zone along Washington Street east of the Town Center to create a more cohesive mix of low intensity commercial uses either in existing historic structures or new structures consistent with styles that reflect a post-Civil War era.*

*Neighborhood/Town Center – Development of a center within the Town is proposed to provide a convenient focus for community activities and services such as neighborhood stores, offices and restaurants. A cluster of dwellings, stores, and local institutions has grown at the intersection of Washington Street and Jefferson Street as a result of convenient location, traffic flow, and nearby residential development.*

*Neighborhood/Town Center commercial areas with a visual connection of brick sidewalks and period street furniture.*

*Features of community development needed to strengthen Haymarket’s Town Center include:*

- 1. Provisions for expansion of retail stores and offices serving Town residents in a manner consistent with an appropriate village character for the Center;*
- 2. Provision of additional off-street parking and loading facilities to serve commercial development, including a public parking lot to limit parking needs at individual sites;*
- 3. Preservation of architecturally significant structures including older residential and commercial structures as well as the Old Town Hall and Old Post office buildings;*
- 4. Beautification activities including additional landscaping, new street furniture (lights, benches, trashcans) and brick sidewalks;*
- 5. The elimination of distracting signs;*
- 6. Repair and improve maintenance of sidewalks serving the residents adjacent to the Town Center;*
- 7. The construction of new structures that are carefully integrate with older, existing buildings and do not overpower the existing Street-scape or pose a threat to the center’s character.*

*Transitional Commercial – The Plan calls for low-intensity commercial uses to serve as a distinct transition between low and moderate density residential areas and high intensity commercial uses within the neighborhood/Town Center and Planned Interchange Park. Conversions of existing residential structures to commercial uses are encouraged and should continue the open, small town atmosphere and sense of place. New structures or additions to existing structures should be permitted under the guidance of the Architectural Review Board and should take into account the impact of parking, lighting, and screening requirements of commercial uses when adjacent to planned residential areas. A zoning ordinance amendment implementing this land use area is anticipated following the adoption of this plan.”*

## B-1 ZONING DISTRICT – PURPOSE AND INTENT

Section 58-176 of the Zoning Ordinance states the intent of the B-1 zoning district as follows:

*“The town center district B-1 provides primarily for retail shopping and personal services uses to be developed either as a unit or in individual parcels oriented to attracting pedestrian shoppers, tourism and local convenience. Recognizing the economic value of the existing historical area, it shall further be the intent of the district to encourage the retention and rehabilitation of structures and uses in the district that have historic and/or architectural significance. The range, size, hours of operation, lighting, signs and other developmental aspects of permitted uses may be limited in order to enhance the general character and historic nature of its compatibility with its residential surroundings.”*



WALSH COLUCCI  
LUBELEY EMRICH  
& WALSH PC

Jessica L. Sacksteder  
Planner  
(703) 680-4664 Ext. 5119  
jsacksteder@pw.thelandlawyers.com

December 21, 2012

Via E-Mail and Mail

R. Marchant Schneider  
Town Planner  
Town of Haymarket  
P.O. Box 1230  
Haymarket, VA 20168

Re: Zoning Text Amendment - Funeral Home

Dear Marchant:

As a follow-up to the Planning Commission hearing and subsequent meetings, attached please find a revised blackline of the Zoning Ordinance to permit "mortuary, funeral home" with a special use permit in the B-1, Town Center, District. Please note that crematory has been removed.

Please do not hesitate to contact John Foote or me if you should have any questions or need additional information.

Very truly yours,

WALSH, COLUCCI, LUBELEY,  
EMRICH & WALSH, P.C.

Jessica L. Sacksteder  
Planner

Enclosure

cc: Clifford Blasius  
John Foote, Esq.

PROPOSED ZONING TEXT AMENDMENT

Amend the Town's Zoning Ordinance to add certain definitions and to amend the Use Regulations for the B-1 Town Center District as follows:

**Add the following definitions to be inserted into the Code in proper alphabetical location.**

Funeral home means a facility used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation where permitted by special use permit, and may include storage of caskets, funeral urns, and other related funeral supplies and the storage of funeral vehicles.

Mortuary shall mean a place for the storage of dead human bodies prior to their burial or where permitted by special use permit, cremation.

**Amend Sec. 58-177. - Use regulations.**

A building or land in the B-1 district shall be used exclusively for one or more of the following uses:

- (1) Apartments as ancillary uses on the second floor of structures designed for other commercial uses; not more than 40 percent of the gross floor area of any structure may be devoted to apartment use.
- (2) Banks, drive-in or otherwise, so long as driveway space shall be provided off the street for all vehicles waiting for drive-in service.
- (3) Bakeries occupying not more than 3,000 square feet of floor area, and provided all products produced on the premises shall be sold at retail on the premises.
- (4) Barbershops or beauty parlors.
- (5) Catering or delicatessen businesses.
- (6) Dry cleaning or pressing pickup stations or shops occupying not more than 3,000 square feet of floor area.
- (7) Florists' shops.
- (8) Nursery schools, child care centers, kindergartens.
- (9) Offices, general business or professional.
- (10) Pet shops or dog beauty parlors, provided that any workrooms, cages or pens are maintained within a completely enclosed, soundproof building.

- (11) Public uses, including post offices, utility company offices and libraries.
- (12) Private clubs, lodges or meeting halls, not to include those of an adult nature.
- (13) Restaurants, but not with drive-in or fast food restaurants.
- (14) Shoe repair shops occupying not more than 3,000 square feet of floor area.
- (15) Service stations (with major repairs under cover).
- (16) Shops for the sale, service or repair of home appliances, office machines, electrical, television and radio equipment occupying not more than 3,000 square feet of floor area.
- (17) Stores or shops for the conduct of retail business of new merchandise, including the sale of accessories, appliances, beverages, books, carpets, clothing, drugs, fabrics, food, furniture, garden supplies, groceries, hardware, hobby supplies, office supplies, paint, saddlery supplies, sporting goods, stationery, and similar stores, but not including adult bookstores or adult mini motion picture theaters; but no shop may occupy more than 3,000 square feet of floor area.
- (18) Studios for artists, photographers, teachers, sculptors or musicians.
- (19) Sale of antiques and collectibles.
- (20) Nonprofit, community service organizations.
- (21) Veterinary hospitals (small animal).
- (22) Farmer's Market

**Amend Sec. 58-178. - Special uses.**

The following uses shall be permitted in the B-1 district with a special use permit:

- (1) Estate/liquidation auction sale.
- (2) Outdoor craft and/or antique shows/sales.
- (3) Parades.
- (4) Carousels; games (as defined in section 14-9).
- (5) Secondhand retail sales.
- (6) Wire line telecommunications services not to exceed 5,000 square feet.

(7) Mobile office/classroom shall only be permitted with a special use license with the following restrictions:

- a. For use as a classroom for a period of one year and must reapply for a special use permit for each additional year thereafter;
- b. For use as an office for a period of six months and must reapply for an additional six months, with one year being the maximum for an office.

(8) Mortuary, funeral home.



WALSH COLUCCI  
LUBELEY EMRICH  
& WALSH PC

John H. Foote  
(703) 680-4664 Ext. 5114  
jfoote@pw.thelandlawyers.com  
Fax: (703) 680-2161

November 2, 2012

Mr. Gene Swearingen, Town Manager,  
Mr. Marchant Schneider, Town Planner  
Town of Haymarket  
P. O. Box 1230  
Haymarket, Virginia 20168

Re: Application for Zoning Text Amendment

Dear Messrs. Swearingen and Schneider:

This firm represents Clifford Blasius and McGraw's Corner, LLC, in connection with their request that the Planning Commission and Council consider amendments to the Town's Zoning Ordinance that would permit construction of a funeral home in the Town's B-1 District. McGraw's Corner is soon to be under contract to acquire a property in that District. As you can see from the draft of that contract attached, purchase would be contingent upon approval of zoning text amendments to permit the desired use of the property.

Mr. Blasius has long and successful experience in this essential business. Most recently, he was the owner/manager of the Blasius-Baker Funeral Home in Old Town Manassas, adjacent to residential and commercial uses, where he operated for many years until he sold that company. He wishes to re-enter the business, and after much analysis has determined that the need for the services of a funeral home is greatest in the Gainesville/Haymarket area. There are, indeed, presently no such facilities in the area.

For purposes of comparison, most jurisdictions in which this firm works, including as examples Prince William, Stafford, and Fairfax Counties, the cities of Manassas and Fairfax, and the Towns of Occoquan, Herndon, and Front Royal permit funeral homes as a use by right in one or more of their commercial districts, in recognition they are business operations with minimal impact on a locality, and that are fundamentally identical to other business uses.<sup>1</sup> They present no adverse effects on surrounding businesses or residences, and increase the taxable value of the

<sup>1</sup> We note that most Virginia jurisdictions appear to use the term "funeral home," rather than "mortuary." The terms do not have a significant difference in meaning, and both are proposed in the text provided.



Mr. Gene Swearingen  
Mr. Marchant Schneider  
November 2, 2012  
Page | 2

real property on which they are located. They are, in short, good neighbors providing a service that, unless the laws of nature have been repealed, all need in the fullness of time, and that are participating taxpayers and citizens.

The application submitted proposes the addition of the necessary definitions, and the inclusion of the appropriate uses, including the inclusion of a crematory as a special use, it should be understood that the applicant does not propose a crematory and has no present plans for such a facility. Because such services are today often associated with funeral homes, however, we suggest that the Town consider providing for them but only by special use permit.

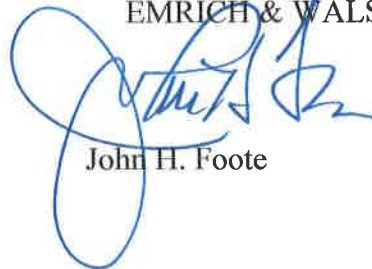
We also note that although the current Town Zoning Ordinance does not provide for funeral homes, mortuaries, or crematoria, there is, interestingly, a provision in § 58-11(7) of the Ordinance regulating minimum off-street parking for mortuaries, requiring at least ten parking spaces.

Because we have had long experience in the development of ordinance amendments, we are also attaching for the Council's convenience a proposed initiating resolution that comports with the requirements of Virginia law for the commencement of the zoning text amendment process.

We are pleased to submit this application on our clients' behalf, and pleased as well to discuss this with you, the Commission, and the Council. We appreciate the Town's cordial consideration of this proposal.

Very truly yours,

WALSH, COLUCCI, LUBELEY,  
EMRICH & WALSH, P.C.



John H. Foote

JHF/jf

cc: Clifford Blasius



- Check Appropriate Item(s):
- Amendment to Zoning Map
  - Zoning Text Amendment

Office Use Only

Date Received: \_\_\_\_\_

Application Number: \_\_\_\_\_

Fees Received: \_\_\_\_\_

**Part 1** – to be completed by **ALL** applicants

**1-A Identification of Property** – For zoning text amendments, this is the property in which the applicant has an interest, which will be affected by the text change. For zoning map amendments, it is the land, which is covered by the application.

- 1) Number and Street: 14850 Washington ST. HAYMARKET, VA
- 2) Present Zoning: B1 3) Acres: 2.1662
- 4) Legal Description of Property (Omit for zoning text amendment) – Attach if necessary.

**1-B Property** – (Omit for zoning text amendments)

- 1) The deed restrictions, covenants, trust indentures, etc. on said property are as follows (or copy attached); if NONE, so state: \_\_\_\_\_
- 2) a) Has this property or any part thereof ever been considered for Variance, Special Use, Appeal of Administrative Decision or Amendment to the Zoning District Map before?  
 YES  NO  
 b) Date: \_\_\_\_\_ c) Former Application No. \_\_\_\_\_  
 d) What was the disposition of the case? \_\_\_\_\_  
 e) Former Applicant Name: \_\_\_\_\_  
 Former Address: \_\_\_\_\_  
 Former Phone: \_\_\_\_\_

**1-C Identification of Applicant** – All applicants must have standing (an interest in property that will be directly affected by requested action)

- 1) Applicant Information:  
 Name: CLIFFORD C. BLASIUS JR.; Mc Graws Corner, LLC.  
 Address: 10544 Knollwood DR. MANASSAS, VA.  
 Phone Number: 703 330 8394(H) 703 489 4639(C)
- 2) Agent Information (if any):  
 Name: John H. Foote, Jessica Sachsteder, Haley Colucci, Lizabeth Environ + Health  
 Address: 4310 Prince William Parkway # 300, Prince William, VA 22192  
 Phone Number: 703 680 4664

3) Owners of all property included in this application (omit for zoning text change):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

*Not applicable*

4) If applicant is a Land Trust or Partnership or if the subject property is owned or controlled by a Land Trust or Partnership, List name and interest of ALL Land Trust Beneficiaries or Partners and attach evidence that the person submitting the application on behalf of the Land Trust or Partnership is authorized to do so.

Trustee/Partner Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Interest: \_\_\_\_\_

\_\_\_\_\_

Beneficiary/Partner Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Interest: \_\_\_\_\_

\_\_\_\_\_

Beneficiary/Partner Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Interest: \_\_\_\_\_

\_\_\_\_\_

*Not applicable*

5) Does the applicant have a proprietary interest in the land or land improvements?  YES  NO (In the case of a zoning text amendment, this means at least one parcel of land is subject to the text change)

If YES, state interest and attach documentation: \_\_\_\_\_

\_\_\_\_\_

If NO, state what interest otherwise qualifies the applicant to apply:

*The applicant proposes to purchase the property identified above, for business use.*

6) Names of the owners of improvement(s) on the property in this application if different from above: (Omit for zoning text amendment)

*See K attached.*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

*Not applicable*

7) If the applicant is a corporation, attach the evidence that the person submitting the application on behalf of the corporation is authorized to do so.

*Please see the attached.*

**Part 2** – Complete **ONLY** portion(s) pertaining to your case. (as checked at top of Page 1)

**2-A Rezoning** – (Amendment to the zoning district map) – Applications for Amendments to the Zoning District Map are heard by the Planning Commission which makes a positive or negative recommendation to the Town Council. Only the Town Council has authority to grant or deny amendments to the Zoning District Map.

- 1) a) Existing Zoning: \_\_\_\_\_ b) Proposed Zoning: \_\_\_\_\_  
 c) Existing Use: \_\_\_\_\_  
 d) Proposed Use: \_\_\_\_\_
- 2) a) The following are submitted with this application:  
 Preliminary Site Plan  Rendering or Perspective  Other  
 b) Are there any land use intensity (LUI) requirements?  YES  NO  
 c) Attach brief justifying this request. This brief should include an analysis of how the rezoning application is supportive or not supportive of relevant goals, objectives, policies or programs in the Comprehensive Plan. (Staff will assist.)

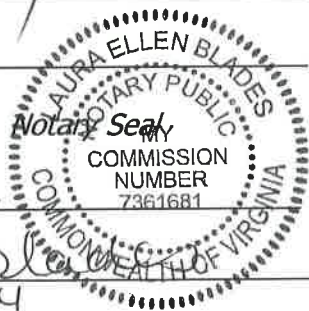
**2-B Zoning Text Amendment** – Applications for amendments to the zoning text are heard by the Planning Commission, which makes a recommendation to the Town Council. Only the Town Council has the authority to change the zoning text, which is done by passing an amendment to the Town Code.

- 1) What section(s) of the Town Code is proposed to be amended? \_\_\_\_\_  
*Zoning Definitions; § 58-177; § 58-178*
- 2) What is the nature of the proposed change? \_\_\_\_\_  
*Please see the attached narrative*
- 3) Attach the exact language suggested by the application to be added, deleted, or changed in the Town Code.
- 4) Attach a written statement which justifies the proposed change. The statement should also identify potential positive and negative impacts (if any) of the proposed change to the applicant's property, nearby properties, and the entire community if the application is approved or if it is denied.

**Part 3** – To be completed by ALL applicants

**AFFIDAVIT** – This part of the application must be notarized. Do not sign until in the presence of a Notary Public.

- 1) To the best of my knowledge, I hereby affirm that all information in this application and any attached material and documents are true:
  - a) Signature of **applicant**: *Clyff C. Blasing*
  - b) Signature of **agent** (if any): \_\_\_\_\_
  - c) Date: 10/25/12
- 2) a) Signed and sworn before me this: 10/25/12  
 b) Signature of **Notary**: *Laura Ellen Blades*  
*my Commission Expires 9/30/14*



Please read the following sections of the Haymarket Town Code for information on the procedures for zoning text amendment and zoning map amendment petitions:

PLEASE SEE THE FOLLOWING PAGE, THE REMAINDER OF THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY.

**Sec. 58-422. Amendments generally.**

Whenever public necessity, general welfare or good zoning practice requires, the council may by general ordinance amend, supplement or change the regulations, restrictions, district boundaries or classification of property established in this chapter by majority vote, provided that no such action may be taken until after at least one public hearing has been held in relation to such action as provided by Code of Virginia, § 15.2-2204, as amended, at which parties of interest and citizens shall have an opportunity to be heard. Any such amendment may be initiated by petition of any property owner addressed to the council, by resolution of the council or by motion of the planning commission in the following manner:

- (1) **Property owner petition.** By filing with the town clerk a petition of any owners of land proposed to be rezoned. The petition shall be addressed to the town council and shall be on a standard application form signed by the owner or his agent, accompanied by three copies of metes and bounds description and the plat of the property proposed for rezoning, a conflict of interest statement, a fee to be determined in accordance with the fee schedule adopted by the town council, and a narrative addressing compatibility of the request with the adopted comprehensive plan and its goals and objectives. When the petitioner desires to submit, or the application contains conditions proffered in accordance with Code of Virginia, § 15.2-2297, as amended, the application shall contain the conditions and the following statement: "I hereby proffer that the development and/or use of the subject property of this application shall be in strict accordance with the conditions set forth in this submission, unless an amendment thereto is mutually agreed upon by the town council and the undersigned."
- (2) **Town council resolution.** By the adoption by the council of a resolution of intention to amend, which resolution upon adoption shall be referred to the commission for consideration pursuant to Code of Virginia, § 15.2-2285, as amended.
- (3) **Planning commission resolution.** By the adoption by the commission of a resolution of intention to propose an amendment.  
(Ord. of 2-20-1989)

**Sec. 58-423. Conflict of interest.**

When a zoning application is filed by a property owner, such petition shall be sworn to under oath before a notary public, stating whether any member of the council or the commission has an interest in such property, whether individually, by ownership of stock in a corporation owning such land or by partnership, or whether a member of the immediate household of any member has such interest. For the purpose of this section, own or have any interest in shall mean being a holder of ten percent or more of the outstanding shares of stock in or serving as a director or officer of any corporation owning such land, directly or indirectly, by members of his immediate household.  
(Ord. of 2-20-1989)

**Sec. 58-424. Notice of hearings.**

The commission shall not recommend nor the council adopt any plan, ordinance or amendment, change in district boundaries or classification of property until the notice and public hearing requirements as required by the Code of Virginia have been satisfied.  
(Ord. of 2-20-1989)

**Sec. 58-425. Review and action.**

- (1) In accordance with Code of Virginia, tit. 15.2, proposed amendments to this chapter, changes in district boundaries or classifications of property shall be referred to the planning commission for its recommendation. The commission, in review of the proposal, shall consider the nature of the request, its consistency with the comprehensive plan, and the impact of such request on the services, character and needs of the community. Any request submitted to the planning commission must be forwarded to the council for action within 65 days of the first commission meeting of which the request appeared as an agenda item. Failure of the commission to act within 65 days shall be deemed no recommendation by the commission, and the town clerk shall forward the request to the council for action. The commission and the town council shall each hold at least one public hearing prior to the council's action. Such public hearings may, with the consent of both

bodies, be held during a joint session when advertised in accordance with section 58-424. The town council shall render a decision on an applicant's request not later than one year after the date the application for amendment was filed with and accepted by the town clerk.

- (2) All requests must be accepted by the town, in accordance with all land use policy memos, a least twenty days prior to the next regularly scheduled meeting of the planning commission to appear as an agenda item at that meeting.

(Ord. of 2-20-1989)

**Sec. 58-426. Limitation on refiling of petition following denial.**

Upon denial of any petition to change a zoning district, no further petition concerning any or all of the same property for amendment to the same zoning district as applied for in the petition denied shall be filed within one year of such denial.

(Ord. of 2-20-1989)

**Sec. 58-427. Withdrawal of petition.**

An application for an amendment may be withdrawn at any time; provided that, if the request for withdrawal is made after the notice of public hearing, no application for the reclassification of any or all of the same property shall be filed within six months of the withdrawal date. There shall be no refund of fees in the case of a withdrawal.

(Ord. of 2-20-1989)

**Sec. 58-428. Deferral upon request of applicant.**

Nothing in this article shall deny the applicant the consideration to request deferral of his petition. However, any request for deferral must be submitted in writing nine days prior to any scheduled meeting or public hearing affecting the application in question; and the commission or council, upon receipt of such request, must agree that such deferral may allow for the production of substantial information affecting the appropriateness of the request with the comprehensive plan.

(Ord. of 2-20-1989)

**Sec. 58-429. Matters to be considered in reviewing proposed amendments.**

Proposed amendments shall be considered with reasonable consideration for the:

- (1) Existing use and character of the area;
- (2) Suitability of the property for various uses;
- (3) Trends of growth or change;
- (4) Current and future requirements of the town as to land for various purposes as determined by population and economic studies and other studies;
- (5) Transportation requirements of the community and the town's requirements for parks, playgrounds, recreation areas, other public services, or the conservation of natural resources and preservation of floodplains; and
- (6) Conservation of properties and their values and the encouragement of most appropriate use of land throughout the town.

These considerations shall include but are not limited to comprehensive plans or their parts, capital improvement programs, relation of development to roads and construction programs, and the proximity of the development to utilities and public facilities.

(Ord. of 2-20-1989)

**Sec. 58-430. Conditions as part of rezoning or zoning map amendment.**

A landowner may voluntarily proffer in writing reasonable conditions, prior to a public hearing before the council, in addition to the regulations provided for the zoning district or zone by this chapter, as a part of a rezoning or amendment to a zoning map, provided that the rezoning itself gives rise to the need for the conditions, such conditions have a reasonable relation to the rezoning, and all such conditions are in conformity with the comprehensive plan as defined in Code of Virginia, § 15.2-2223, as amended. Once proffered and accepted as part of an amendment to this chapter, such conditions

shall continue in effect until a subsequent amendment changes the zoning on the property covered by such conditions; however, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.  
(Ord. of 4-1-1996, § 1)

Secs. 58-431--58-465. Reserved.



## PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT ("**Agreement**"), made this 1st day of November, 2012 by and between Ramsey Holdings, LLC, a Virginia limited liability company ("**Seller**") and McGraws Corner LLC ("**Purchaser**").

Seller is the owner of the premises and building located at 14850 Washington Street, Haymarket, Virginia 20169 ("**Property**"). Seller desires to sell to Purchaser and Purchaser desires to purchase from Seller the Property on the terms and conditions hereinafter set forth.

NOW THEREFORE, in consideration of the mutual covenants of Seller and Purchaser and for other good and valuable consideration the receipt and sufficiency of which Seller hereby acknowledges, Seller and Purchaser hereby agree as follows:

1) Agreement of Sale and Purchase. Seller hereby agrees to sell and convey to Purchaser and Purchaser hereby agrees to purchase from Seller, in fee simple absolute, under the terms and conditions hereinafter set forth, the Property, together with any and all improvements, appurtenances, rights, privileges and easements benefiting, belonging or pertaining thereto.

2) Description of the Property. The Property is located at 14850 Washington Street, Haymarket Virginia 20169, and is more particularly described as follows:

Beginning at a point in the northeasterly right of way line of Virginia Route 55 (John Marshal Highway), said point being the southeasterly corner of the Paxton Van Line, Inc Property, and the southwesterly corner of the parcel herein described; thence departing John Marshall Highway and with the Paxton Van Lines Inc. Property North 34 degrees 19' 38" E. 586.21 feet to a point in the line of the now or formerly M.S. Melton Estate; thence with the Melton Estate N 53 degrees 23' 08" E. 213.89 feet to an iron pipe found at the northwesterly corner of the Haymarket Baptist Church Property; thence with the Haymarket Baptist Church Property S. 35 degrees 56' 22" W. 350.80 feet to an iron pipe found at the northeasterly corner of the Kasbohm Property (Animal Clinic); thence with the Kasbohm property the following course and distances: S. 35 degrees 56' 22" W., crossing an iron pipe found at 234.16 feet, and being 236.16 feet in all to a point in the aforesaid northeasterly right of way line of John Marshall Highway; thence with John Marshall Highway N. 53 degrees 02' 32" W. 86.41 feet to the point of beginning containing 2.1662 acres.

Less and except that portion conveyed to the Town of Haymarket recorded at Instrument No. 201107070056080.

Parcel ID Number: 7397-09-1178

Property Address: 14850 Washington St., Haymarket, Virginia 20169

3) Closing. The closing and settlement of this Agreement ("**Closing**") shall take place on or before March 30, 2013, at U.S. Titles, Annandale, Virginia ("**Closing Agent**").

4) Purchase Price. Purchaser shall pay to Seller a total purchase price of [REDACTED] ("**Purchase Price**") for the Property.

5) Deposit. Upon the full execution and delivery of this Agreement, in exchange for Seller's agreement not to sell the Property to another during the term of this Agreement, the Purchaser shall deposit with Closing Agent a certified or cashier's check or wire transfer in the sum of [REDACTED] ("**Initial Deposit**"). Except as set forth in Paragraph 7 and 8 below, the Deposit is non-refundable. At the end of the Study Period (defined below) if this Contract has not been terminated, Purchaser shall deposit the additional sum of [REDACTED] with Closing Agent (the "**Additional Deposit**") and credited to Purchaser at Settlement or paid to Seller or Purchaser pursuant to the terms of this Contract. The term "Deposit" shall refer to the amounts paid to Closing Agent including the Initial Deposit, Additional Deposit, and all interest earned thereon (if any). In the event of any dispute between Purchaser and Seller regarding the disbursement or disposition of the Deposit, or in the event Closing Agent shall receive conflicting demands or instructions with respect thereto, Closing Agent shall withhold such disbursement or disposition until otherwise instructed by both of the parties or until directed by a court of competent jurisdiction. Purchaser and Seller hereby jointly and severally agree that, except as provided herein, Closing Agent shall incur no liability whatsoever in connection with its good faith performance under this Agreement. Purchaser and Seller hereby jointly and severally release and waive any claims they may have against Closing Agent that may result from its performance in good faith in its functions under this Agreement. Closing Agent shall be liable only for loss or damage caused by its, or any of its officers' or employees', acts of gross negligence or willful misconduct while performing as Closing Agent.

6) Payment of Purchase Price. The Purchase Price shall be paid at Closing by cashier's check or wire transfer, of which the Deposit shall be a part, less deductions and prorations, if any, required by this Agreement.

7) Study Period. This Agreement shall be conditioned upon and contingent upon Purchaser having 90 days from the date of final acceptance of this Agreement to conduct a study of the Property ("**Study Period**"). Purchaser shall have the right to access the Property for conducting such engineering and other feasibility studies as it deems appropriate. At any time prior to the expiration of the Study Period, Purchaser shall have the right to terminate this Agreement and receive a return of the Deposit. Upon execution of this Agreement, Seller shall provide to Purchaser all engineering, surveys, title reports, and other studies that

Seller has in its possession or under its control concerning or relating to the Property. If Purchaser's tests and studies alter the condition of the Property, Purchaser shall restore the Property at the Purchaser's expense as nearly as possible to its condition prior to the entry of Purchaser and its agents. Purchaser shall indemnify and hold Seller harmless from and against all costs, expenses, and liabilities incurred by Purchaser in connection with the tests, studies and investigations conducted by Purchaser.

8) • Contingency. This Agreement is contingent upon approval by the Prince William County Board of Supervisors and the Town of Haymarket for the construction and operation of a full service funeral home/mortuary of a size acceptable to Purchaser. This Agreement is contingent upon Purchaser obtaining a land acquisition, development and construction loan commitment of not less than [REDACTED] at the then prevailing rates. Contingency shall expire on February 28, 2013.

9) Title. Seller will convey the Property with special warranty and title that is insurable by a licensed title insurance company with no additional risk premium, but subject to commonly acceptable easements, covenants, conditions and restrictions of record, if any.

10) Property Owners' Association Disclosure. Seller represents that the Property (check as applicable) \_\_\_ is x is not located within a development which is subject to the Virginia Property Owners' Association Act (Section 55-508 through 55-516 of the Code of Virginia). If the Property is within such a development, the Act requires the Seller to obtain from the property owners' association an association disclosure packet and provide it to the Purchaser. Purchaser may cancel this Agreement within 3 days after receiving the packet or being notified that the association disclosure packet will not be available. The right to receive the association disclosure packet and the right to cancel this Agreement are waived conclusively if not exercised before Closing.

11) Default and Remedies.

(a) If, prior to Closing, Purchaser shall default under this Agreement and such default has not been cured within five (5) business days after written notice given by Seller to Purchaser specifying the nature of such default or if, at Closing, Purchaser shall fail, refuse or be unable to purchase the Property in accordance with the terms and provisions of this Agreement, Seller shall be entitled to terminate this Agreement and any closing escrow and promptly receive the Deposit and Seller shall have all remedies available under law.

(b) If, prior to Closing, Seller shall default under this Agreement and default has not been cured within five (5) business days after written notice given by Purchaser to Seller specifying the nature of such default or if, at Closing, Seller shall fail, refuse or be unable to convey the Property to Purchaser in accordance with the terms and provisions of this Agreement, Purchaser shall be entitled, provided Purchaser is not in default hereunder, to elect any one of the following: (i) terminate its obligation to purchase and Seller's obligation

to sell the Property, and not proceed to Closing hereunder, whereupon Purchaser shall be entitled to cancel or terminate the closing escrow and receive a prompt return of the Deposit; or (ii) waive such default and proceed to Closing; or (iii) seek such other remedies as are available under Virginia law including, without limitation, specific performance.

12) Closing Costs. Seller shall pay the Virginia Grantor's Tax and a portion of the settlement fee not to exceed \$150.00. Purchaser shall pay state and local recordation taxes, the costs of examination of title and preparation of a survey if required, the premium of any title insurance policy purchased by Purchase, and all other settlement fees. Seller and Purchaser shall pay their own attorney's fees. Real estate taxes and condominium or homeowner association assessments shall be prorated and adjusted to the date of Closing.

13) Condition of Property, Sold "As Is"; Possession. At Closing, Purchaser shall take the Property in its "as is" condition without any representations or warranties of any kind. Seller assumes all risk of loss or damage to the Property by fire or other casualty until Closing. Seller makes no warranties whatsoever of the condition of the Property including, but not limited to, environmental conditions or availability of utilities. Purchaser, at its expense, is solely responsible for determining the condition of the Property and its suitability for Purchaser's purposes. Seller shall not deliver possession of the Property to Purchaser; recovery of possession being the sole responsibility of Purchaser.

14) Intentionally Omitted.

15) Representations and Warranties of Seller. Seller represents and warrants to Purchaser as follows, all of which representations and warranties are true and correct as of the date hereof and shall be true and correct as of Closing:

(a) Seller is authorized to sell the Property to Purchaser without the consent of any other person or entity; and

(b) Seller is not a "foreign person" as that term is defined in Section 1445 of the Internal Revenue Code, and Seller shall execute an affidavit to such effect in the form to be provided by Purchaser.

16) Representations and Warranties of Purchaser. Purchaser acknowledges that Seller is not making and has not made any representations, warranties or covenants with respect to the Property or otherwise. Purchaser purchases the Property solely on the basis of its own investigation of the condition of the Property, including any tenants or occupants. Other than as expressly set forth in this Agreement, neither Seller nor any of its agents, employees, members, managers, partners, officers, attorneys or other representatives have made, or will make, any representations, or warranties, express or implied, verbal or written, on which Purchaser may, or shall be entitled to, rely.

17) Brokerage. Each party warrants to the other that it has not dealt with any real estate broker or finder in connection with this transaction. Should any claim for a commission be established by any broker or agent, the parties hereby expressly agree to hold one another harmless with respect thereto to the extent that one or the other is shown to have been responsible for the creation of such claim.

18) Notice. Any notice to be given hereunder may be served upon the parties personally or served by registered or certified mail, addressed to the parties as follows:

If to Seller:	Ramsey Holdings, LLC 100 S. Fairfax Street Alexandria, Virginia 22314
with a copy to:	William H. Casterline, Jr., Esquire Blankingship & Keith, PC 4020 University Drive, Suite 300 Fairfax, Virginia 22030
If to Purchaser:	McGraws Corner, LLC Attn: Mr. Clifford C. Blasius Jr. 10544 Knollwood drive Manassas, VA 20111 Fax 703 257-1192 Email: <a href="mailto:ccblasius@yahoo.com">ccblasius@yahoo.com</a>
with copy to:	Glenn H. Silver, Esquire 10621 Jones Street, Suite 101 Fairfax, Virginia 22030 Fax: 703 591-5618 Email: <a href="mailto:ctbqhs@aol.com">ctbqhs@aol.com</a>

19) Binding Effect. Except as otherwise noted herein, this Agreement shall be binding upon and inure to the benefit of, and be enforceable by the heirs, assigns, and legal representatives of the parties hereto.

20) Miscellaneous.

(a) Entire Agreement. This instrument contains the entire agreement between the parties hereto with respect to the transaction contemplated hereby and shall not be changed or terminated except by written amendment signed by all of the parties.

(b) Governing Law. This Agreement shall be construed and interpreted in accordance with, and the rights of the parties shall be governed by, the laws of the Commonwealth of Virginia.

(c) Separability. If any provision of this Agreement is held to be illegal, invalid or unenforceable under present or future laws effective during the term of this Agreement, such provision shall be fully severable; this agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part of this Agreement; and the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid or unenforceable provisions or by its severance from this Agreement. Furthermore, in lieu of each such illegal, invalid or unenforceable provision, there shall be added automatically as part of this Agreement a provision as similar in terms to such illegal, invalid or unenforceable provision as may be possible and legal, valid and enforceable.

(d) Headings. The headings contained in this Agreement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Agreement.

(g) Counterparts. This Agreement may be executed in a number of counterparts and all counterparts executed by the parties together shall constitute one and the same Agreement and it shall not be necessary for each of the parties to execute the other counterparts thereof.

[Signature Page to Follow]



## PROPOSED ZONING TEXT AMENDMENT

Amend the Town's Zoning Ordinance to add certain definitions and to amend the Use Regulations for the B-1 Town Center District as follows:

**Add the following definitions to be inserted into the Code in proper alphabetical location.**

*Crematory* means a place where bodies are consumed by incineration and the ashes of the deceased are collected for permanent burial or storage in urns.

*Funeral home* means a facility used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation where permitted by special use permit, and may include storage of caskets, funeral urns, and other related funeral supplies and the storage of funeral vehicles.

*Mortuary* shall mean a place for the storage of dead human bodies prior to their burial or where permitted by special use permit, cremation.

**Amend Sec. 58-177. - Use regulations.**

A building or land in the B-1 district shall be used exclusively for one or more of the following uses:

- (1) Apartments as ancillary uses on the second floor of structures designed for other commercial uses; not more than 40 percent of the gross floor area of any structure may be devoted to apartment use.
- (2) Banks, drive-in or otherwise, so long as driveway space shall be provided off the street for all vehicles waiting for drive-in service.
- (3) Bakeries occupying not more than 3,000 square feet of floor area, and provided all products produced on the premises shall be sold at retail on the premises.
- (4) Barbershops or beauty parlors.
- (5) Catering or delicatessen businesses.
- (6) Dry cleaning or pressing pickup stations or shops occupying not more than 3,000 square feet of floor area.
- (7) Florists' shops.
- (8) Nursery schools, child care centers, kindergartens.
- (9) Offices, general business or professional.



- (10) Pet shops or dog beauty parlors, provided that any workrooms, cages or pens are maintained within a completely enclosed, soundproof building.
- (11) Public uses, including post offices, utility company offices and libraries.
- (12) Private clubs, lodges or meeting halls, not to include those of an adult nature.
- (13) Restaurants, but not with drive-in or fast food restaurants.
- (14) Shoe repair shops occupying not more than 3,000 square feet of floor area.
- (15) Service stations (with major repairs under cover).
- (16) Shops for the sale, service or repair of home appliances, office machines, electrical, television and radio equipment occupying not more than 3,000 square feet of floor area.
- (17) Stores or shops for the conduct of retail business of new merchandise, including the sale of accessories, appliances, beverages, books, carpets, clothing, drugs, fabrics, food, furniture, garden supplies, groceries, hardware, hobby supplies, office supplies, paint, saddlery supplies, sporting goods, stationery, and similar stores, but not including adult bookstores or adult mini motion picture theaters; but no shop may occupy more than 3,000 square feet of floor area.
- (18) Studios for artists, photographers, teachers, sculptors or musicians.
- (19) Sale of antiques and collectibles.
- (20) Nonprofit, community service organizations.
- (21) Veterinary hospitals (small animal).
- (22) Farmer's Market
- (23) Mortuary, funeral home

**Amend Sec. 58-178. - Special uses.**

The following uses shall be permitted in the B-1 district with a special use permit:

- (1) Estate/liquidation auction sale.
- (2) Outdoor craft and/or antique shows/sales.
- (3) Parades.
- (4) Carousels; games (as defined in section 14-9).

(5) Secondhand retail sales.

(6) Wire line telecommunications services not to exceed 5,000 square feet.

(7) Mobile office/classroom shall only be permitted with a special use license with the following restrictions:

a. For use as a classroom for a period of one year and must reapply for a special use permit for each additional year thereafter;

b. For use as an office for a period of six months and must reapply for an additional six months, with one year being the maximum for an office.

(8) Crematory.

**RESOLUTION OF THE HAYMARKET TOWN COUNCIL INITIATING  
CONSIDERATION  
OF PROPOSED ZONING TEXT AMENDMENTS**

WHEREAS certain amendments have been proposed to the Zoning Ordinance of the Town of Haymarket, Virginia, with respect to the provisions of the B-1 Commercial District, to add certain definitions relating to funeral homes or mortuaries, and to amend §§ 58-177 and -178 to permit such uses in that District, and

WHEREAS, the Town Council has determined pursuant to the provisions of Va. Code Ann. § 15.2-2286(A)(7) and § 58-422 of the Town's Zoning Ordinance that the public necessity, convenience, general welfare, and good zoning practices require due consideration of the merit of those proposed amendments,

NOW, THEREFORE BE IT RESOLVED that pursuant to the foregoing authority and provisions of the Haymarket Town Zoning Ordinance, the Town Council does hereby initiate consideration of the said amendments, in the form attached hereto and incorporated herein by reference and refers those proposed amendments to the Town Planning Commission for its recommendation thereupon, pursuant to law.



---

TO: Town of Haymarket Planning Commission  
SUBJECT: John Marshall Commons  
DATE: 01/14/13

---

The Town Planner will update on this development.



---

TO: Town of Haymarket Planning Commission  
SUBJECT: 14830 Jordan Lane - New House  
DATE: 01/14/13

---

New Home Construction.

**ATTACHMENTS:**

- 14830 Jordan Lane - New Home (PDF)

AUG 15 2012

TOWN OF HAYMARKET



ZONING PERMIT #: ZP20120815

NOTE: This application must be filled out completely and all components of submission requirements must be met before the application can be accepted and scheduled for review/hearing.

ZONING PERMIT APPLICATION

ZONING ACTIVITY: [X] New Construction [ ] Alteration/Repair [ ] Addition [ ] Sign [ ] New Tenant/Use [ ] Change of Use [ ] Relocation

NAME OF BUSINESS/APPLICANT: The Drees Company

PROPOSED USE: New Construction Size (Sq. Ft./Length) of Construction: 3,534 sq. ft.

SITE ADDRESS: 14830 Jordan Lane Parcel ID #: 1A1

Subdivision Name: Piedmont Mews Lot Size: 31,130 sq. ft.

ZONING DISTRICT: [X] R-1 [ ] R-2 [ ] B-1 [ ] B-2 [ ] I-1 [ ] C-1 Site Plan Required: [X] Yes [ ] No

Special Use Permit Required: [ ] Yes [X] No Homeowners Association (HOA) Approval: [ ] Yes [ ] No

Off-street Parking: Spaces Required: 0 Spaces Provided: 0

BRIEF DESCRIPTION OF ACTIVITY: (i.e. previous use, type and dimensions of signs, height/length of fencing, etc.) New Home construction, McClaren A, Walkout Foundation, Sunroom, Lower Level Rec Room with full bath

Supporting Documentation (attached): [ ] Narrative [ ] Plan/Plat [ ] Specification Sheet

FEE: [X] \$25.00 Residential [X] \$50.00 Commercial

CERTIFICATE OF APPROPRIATENESS

ADDITIONAL DESCRIPTION: (i.e. color, type of material, font style, etc.) Stone/Siding Exterior, Black Shingle Roof, Black Panel Shutters, Black Entrance Door

Supporting Documentation (attached): [X] Specification Sheet [ ] Photograph(s)

PERMIT HOLDER INFORMATION and PROPERTY OWNER INFORMATION table with fields for Name, Address, City, State, Zip, and Phone#.

Attachment: 14830 Jordan Lane - New Home (1271 : 14830 Jordan Lane - New House)

APPLICANT / PROPERTY OWNER SIGNATURE

\*\*\*\*\*REQUIRED\*\*\*\*\*

I, as owner or authorized agent for the above-referenced parcel, do hereby certify that I have the authority to make the foregoing application and that the information provided herein is correct. Construction of improvements described herein and as shown on the attached plat, plan and/or specifications will comply with the ordinances of the Town of Haymarket and any additional restrictions and/or conditions prescribed by the Architectural Review Board (ARB), Planning Commission, or the Town Council and all other applicable laws.

[Signature]  
Applicant Signature

[Signature]  
Property Owner Signature

\*\*\*OFFICE USE ONLY\*\*\*

ZONING PERMIT #: ZP20120815

Date Filed: 8-15-12 Fee Amount: 50.00 Date Paid: \_\_\_\_\_

DATE TO ARCHITECTURAL REVIEW BOARD (ARB): 10-17-12

APPROVED  DISAPPROVED  TABLED UNTIL: \_\_\_\_\_  DEFERRED UNTIL: \_\_\_\_\_

ARCHITECTURAL REVIEW BOARD CHAIR: [Signature] Kenneth M. Luersen  
SIGNATURE PRINT

CONDITIONS: No conditions

DATE TO PLANNING COMMISSION: 10-15-12

APPROVED  DISAPPROVED  TABLED UNTIL: \_\_\_\_\_  DEFERRED UNTIL: 11/19/12

PLANNING COMMISSION {where required}: \_\_\_\_\_  
SIGNATURE PRINT

CONDITIONS: \_\_\_\_\_

DATE TO TOWN COUNCIL: \_\_\_\_\_

APPROVED  DISAPPROVED  TABLED UNTIL: \_\_\_\_\_  DEFERRED UNTIL: \_\_\_\_\_

TOWN COUNCIL {where required}: \_\_\_\_\_  
SIGNATURE PRINT

CONDITIONS: \_\_\_\_\_

Attachment: 14830 Jordan Lane - New Home (1271 : 14830 Jordan Lane - New House)

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION  
COMMONWEALTH OF VIRGINIA

EXPIRES ON  
08-31-2013

9960 Mayland Dr., Suite 400, Richmond, VA 23233  
Telephone: (804) 367-8500

NUMBER  
2701 035032A

BOARD FOR CONTRACTORS  
CLASS A CONTRACTORS LICENSE

RALPH A DREES  
THE DREES COMPANY  
9817 GODWIN DR SUITE 201  
MANASSAS VA 20110



*Gordon N. Dixon*  
Gordon N. Dixon, Director

\*CLASSIFICATIONS\* BLD

ALTERATION OF THIS DOCUMENT, USE AFTER EXPIRATION, OR USE BY PERSONS OR FIRMS OTHER THAN THOSE NAMED MAY RESULT IN CRIMINAL PROSECUTION UNDER THE CODE OF VIRGINIA.

(SEE REVERSE SIDE FOR NAME AND/OR ADDRESS CHANGE)

(POCKET CARD)

COMMONWEALTH OF VIRGINIA

BOARD FOR CONTRACTORS - CLASS A  
CONTRACTOR LICENSE - CLASSIFICATIONS: BLD

NUMBER: 2701 035032A EXPIRES: 08-31-2013

RALPH A DREES  
THE DREES COMPANY  
9817 GODWIN DR SUITE 201



MANASSAS VA 20110

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DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION  
9960 Mayland Dr., Suite 400, Richmond, VA 23233

(DETACH HERE)

(PUSH)

Attachment: 14830 Jordan Lane - New Home (1271 : 14830 Jordan Lane - New House)









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TO: Town of Haymarket Planning Commission  
SUBJECT: Comprehensive Plan  
DATE: 01/14/13

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The Town Planner will update.



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TO: Town of Haymarket Planning Commission  
SUBJECT: Zoning Text Amendments  
DATE: 01/14/13

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The Town Planner will report on this.