



# TOWN OF HAYMARKET PLANNING COMMISSION

## REGULAR MEETING ~ AGENDA ~

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

15000 Washington Street, Suite 100  
Haymarket, VA 20169

Monday, February 11, 2013

7:00 PM

Council Chambers

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

### **2. Public Hearing - Funeral Home ZTA**

- a. This Public Hearing was left open from the January 14, 2013 Planning Commission Meeting.

### **3. Announcements**

### **4. Citizens Time**

### **5. Minutes Approval**

- a. Planning Commission - Regular Meeting - Jan 14, 2013 7:00 PM

### **6. Certificate of Appropriateness/Construction Permits/Zoning Permit Application**

- a. 6590 Jefferson Street - New Business
- b. 6601 Jefferson Street - New Business
- c. 14711 Alexandras Keep Lane - Deck
- d. 15009 Gossom Manor Place - Deck

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

### **8. New Business**

- a. Haymarket Baptist Church - Rezoning
- b. Haymarket Baptist Church - Final Site Plan

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

### **10. Old Business**

- a. 15161 Washington Street - Uhaul Business
- b. Funeral Home - Zoning Text Amendment
- c. Comp Plan and ZTA's
- d. Certified Local Government

### **11. Discussion Items**

- a. Advantage Landscaping - Rezoning
- b. Haymarket Self Storage - Outdoor Equipment Storage

### **12. 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, January 14, 2013

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, Commissioner Ed Robinson: Present, Commissioner Ralph Ring: Present, Commissioner Christopher Johnson: Absent.

### 2. Public Hearing

Open the Public Hearing to the public for anyone to speak.

B1 district. Town Code 58-176

All those in favor or opposition please come forward:

Cliff Blasius speaks on behalf of funeral home. Asking for permit of mortuary and funeral home. Building will be brick and keep with the charm of Haymarket. Meets all requirements by the ordinance. The grounds will meet requirements of the ARB. We want to be part of the Haymarket community. This is a personal service and a convenient location. A fitting use of B1 property. There is nothing more personal than caring for deceased family member. Traffic will not stack up. Would not disturb the neighborhood. It would also promote other businesses in town. Melanies Florist will benefit as well as local restaurants, and the gas station. Would appreciate a recommendation approval to permit.

Commissioner Johnson not here tonight. He did have some questions. We could hold hearing open until February and defer action until entire Board is here.

Mr. Foote speaks on behalf of the Funeral Home. This is solely a mortuary funeral home. Not a crematory.

Resident speaks from Greenhill Crossing, Sheridan King. 6801 St. Paul Drive. They moved here in 2003. What appealed to them was town was evolving into walking town. The concern with this business or any other closer to them, would appear to no longer make this a walking town for them. The sidewalks aren't good. We do have a safe area but the traffic standpoint is too dangerous. Traffic constantly backs up from the light at Jefferson all the way to her street. Walmart has dramatically increased traffic. So she does have parking concerns. If parking overflows, where does it go. Doesn't want people parking down their street. Traffic impact most concern.

Susan Zupan at 14942 Greenhill Crossing Drive. Agrees with what Sheridan expressed. Does take exception that traffic would be manageable. Traffic is not manageable now on 55. There are days now she can't get out onto 55 from the neighborhood. Major increase in volume of traffic as 55 used as a cut thru. Her question is, how does the Funeral home fit into the vision of a walking town of Haymarket? Knows a Funeral Home is necessary. It has an important job. As far as our vision how does it fit.

Hold hearing open until Feb 11th. Defer action until that date.

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

### 3. Announcements

Ring was not at the last ARB meeting so cannot report.

Minutes Acceptance: Minutes of Jan 14, 2013 7:00 PM (Minutes Approval)

Bare no announcements.

## 4. Citizens Time

No citizens spoke at this time.

## 5. Minutes Approval

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

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

## 6. Zoning Permit Applications

- a. 15004 Gossom Manor Drive - Deck  
In accordance with town code section 58-15 b

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

- b. 15161 Washington Street - Uhaul Business  
Town Code section 58--257 and 258  
SUP in I1 District.  
Requires a PH.

Weir asks to publish a notice of PH under 258-14

Schneider says return the Zoning Permit and have them fill out correctly and get sense of site plan/stormwater.  
Does it fit in with the Comp Plan? Get with property owner to develop consensus.  
Only SUP for a one year.

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

- c. Motion to amend the Agenda to consider ZP20130109 - Life in Balance Counseling Center

New tenant/use at 6611 Jefferson Street

<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, Ed Robinson, Ralph Ring
<b>ABSENT:</b>	Christopher Johnson

- d. Approve Zoning Permit 20130109 for a new tenant/use

For Life in Balance Counseling Center, 6611 Jefferson Street, in accordance with Town Code section 58-177 (9).  
Board instructs the Clerk to get a drawing of where the office space is located in the building.

Minutes Acceptance: Minutes of Jan 14, 2013 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, Ed Robinson, Ralph Ring
<b>ABSENT:</b>	Christopher Johnson

## 7. ARB and Council Update

Council update: Bare. Historic overlay district. Mayor asked to send to the ARB for their consideration. Harnest to report to the ARB on it.  
Will poll Council at their next meeting.

## 8. New Business

- a. Funeral Home Use - Zoning Text Amendments  
Deferred until Public Hearing is held and all applicable paperwork is in and reviewed.

## 9. Town Planner Report

2 applications came to the ARB. Rebuilding of Sheetz and refacing of McDonald's.  
ARB will look at style and aesthetics.

Ring says there are dramatic increases in lighted sign. McDonald's wants a swoosh on the sign. Not part of trademark but not negotiable.

Robinson asks what is the time frame? Sheetz gone to the ARB. Will submit plans soon. They will run pumps while building being done.  
Wants to do outside sit down area. It will be a larger footprint. Consolidate 2 canopies.

We did receive a site plan for soccer complex.

Haymarket Baptist Church. That was settled. Resubmitted along with rezoning. The church is split zoned. They want to expand chapel area soon. Weir asks if there was any thought to lot consolidation? Marchant says that's part of it. Would consolidate into 1 lot.  
Not expecting proffers or anything. Just resolve conflict. Got the preliminary plan approve. In final site plan now. Not much different than the preliminary.

There has been an interest in Robinsons paradise property to redevelop that site.

Not heard from PACE West.

Firehouse went out for RFI. Some put interest in it but we don't know the status of review. Marchant asked for a copy. Can't be provided to us would compromise those that put in. Involves offers of purchase.

Bare says make a request to the county. It would constitute a FOIA request. Someone from Council should respond to that. Bare will work on it.

Council has approved temporary occupancy from Snyder Baseball to move to the back. They've finalized contract with engineer. Moving forward soon.

Holly is here with any questions.

Weir asks when is Lowery back? No time frame. We have a company that is stepping in. Soil Consultants.

Weir says a resident approached him about getting an inspection for their basement. Weir will disclose to Clerk.



## 10. 1-Mile Development

### a. John Marshall Commons

No movement on that recently.  
East side of town.

Weir ask if there has been any additional request from PWC for the Haymarket Elementary school?

Not yet. No courtesy comments on that yet.

## 11. Old Business

### a. 14830 Jordan Lane - New House

Came before PC several months ago. Single family detached on Jordan Lane.

Ready for PC action. Grading plan approved.

No contingencies. Have plat. Will be part of Council's final motion.  
Approved according to Town Code section 58-52 (1)

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

### b. Comprehensive Plan

Comp Plan on hold. As well as ZTA's and the CLG.

Weir report to Town Council on concerns with CLG regarding map. Everyone has information on it. Unless the Historic map is modified, CLG is dead in the water. Not recommend we act until that is answered.

Until we get an answer from Town Council to see if they would consider a reduction/modification of boundaries. Table ZTA and CLG until then.

No objections from commissioners.

### c. Zoning Text Amendments

## 12. Discussion Items

No other discussion items tonight.

## 13. Adjournment

Bare motions to adjourn.

Robinson seconds.

Ayes: 4

Absent: 1

Meeting adjourned.



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TO: Town of Haymarket Planning Commission

SUBJECT: 6590 Jefferson Street - New Business

DATE: 02/11/13

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Totally Vintage Design is a new business going in at 6590 Jefferson Street (In the Details for the Home building). They are a retail chalk/paint of furniture.

**ATTACHMENTS:**

- 6590 Jefferson Street - Totally Vintage Design (PDF)



ZONING PERMIT #: ZP20130122

**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:** Totally Vintage Design

**PROPOSED USE:** Retail chalk paint Size (Sq. Ft./Length) of Construction: \_\_\_\_\_

**SITE ADDRESS:** 6590 Jefferson St Haymarket 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.)  
Retail chalk paint & furniture - Vintage Furniture Refurbish

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

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

## 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 Melissa Harris

Address 6590 Jefferson St

City Haymarket State VA Zip 20169

Phone# 703 969 9272 Email melissa@totallyvintagedesign.com

### PROPERTY OWNER INFORMATION

Name Michael R Zupan

Address 5241 STALLION RD

City BROAD RUN State VA Zip 20137

Phone# 540 270 0935 Email \_\_\_\_\_

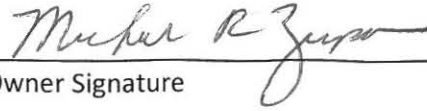
**APPLICANT / PROPERTY OWNER SIGNATURE**

\*\*\*\*\*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

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

ZONING PERMIT #: 2P20130122Date Filed: 1-22-13 Fee Amount: 50.00 Date Paid: \_\_\_\_\_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: 2-11-13
☐ APPROVED    ☐ DISAPPROVED    ☐ TABLED UNTIL: \_\_\_\_\_    ☐ DEFERRED UNTIL: \_\_\_\_\_

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

SIGNATURE

PRINT

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

DATE TO TOWN COUNCIL: 3-4-13
☐ APPROVED    ☐ DISAPPROVED    ☐ TABLED UNTIL: \_\_\_\_\_    ☐ DEFERRED UNTIL: \_\_\_\_\_

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

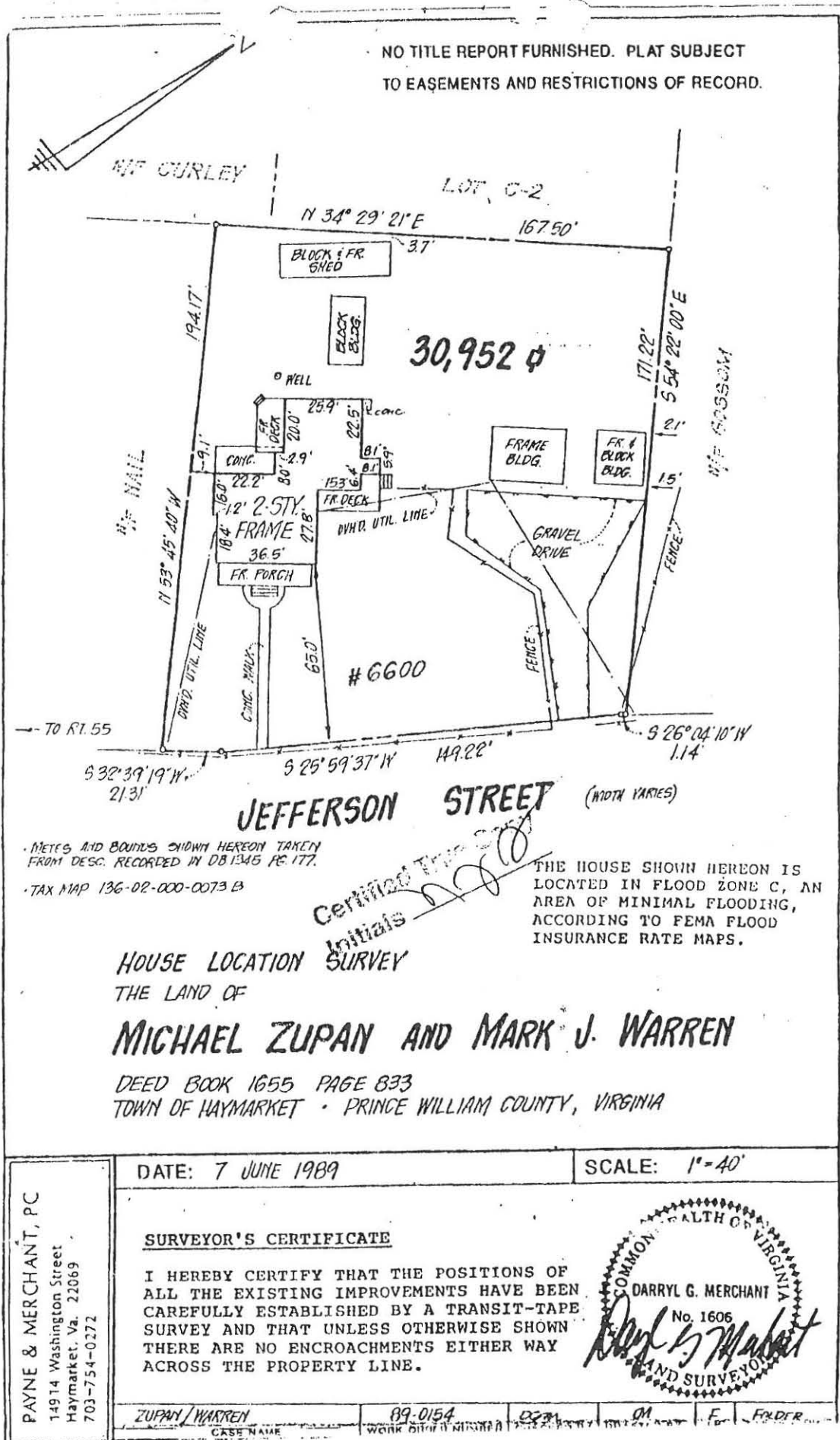
SIGNATURE

PRINT

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

Attachment: 6590 Jefferson Street - Totally Vintage Design (1310 : 6590 Jefferson Street - New Business)







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TO: Town of Haymarket Planning Commission

SUBJECT: 6601 Jefferson Street - New Business

DATE: 02/11/13

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Total Pools and Service Plus, selling swimming pool supplies.

**ATTACHMENTS:**

- 6601 Jefferson Street - Total Pools and Service (PDF)

(A)



RECEIVED

6.b.a

JAN 30 2013

TOWN OF HAYMARKET

ZONING PERMIT #: ZP20130130

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: Total Pools and Service Pbs LLC

PROPOSED USE: Retail & Service Size (Sq. Ft./Length) of Construction: 1134

SITE ADDRESS: 6601 Jefferson St Ste C 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.)

Pool supply store - retail

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

FEE: ☐ \$25.00 Residential ☒ \$50.00 Commercial **PAID JAN 30 2013**

## CERTIFICATE OF APPROPRIATENESS

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

white & blue

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

### PERMIT HOLDER INFORMATION

Name: Total Pools + Service  
Address: 6601 Jefferson St Ste C  
City: Haymarket State: VA Zip: 20169  
Phone#: \_\_\_\_\_ Email: \_\_\_\_\_

### ★ PROPERTY OWNER INFORMATION

Name: CONTRUCCI  
Address: PO Box 400  
City: Gamesville State: VA Zip: 20156  
Phone#: 703-754-2400 Email: novago@aol.com



## 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

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

ZONING PERMIT #: 2P20130130Date Filed: 1-30-2013 Fee Amount: 50 - Date Paid: 1-30-2013DATE TO ARCHITECTURAL REVIEW BOARD (ARB): N/A
☐ APPROVED ☐ DISAPPROVED ☐ TABLED UNTIL: \_\_\_\_\_ ☐ DEFERRED UNTIL: \_\_\_\_\_

ARCHITECTURAL REVIEW BOARD CHAIR:

SIGNATURE

PRINT

CONDITIONS:

DATE TO PLANNING COMMISSION: 2-11-13
☐ APPROVED ☐ DISAPPROVED ☐ TABLED UNTIL: \_\_\_\_\_ ☐ DEFERRED UNTIL: \_\_\_\_\_

PLANNING COMMISSION {where required}:

SIGNATURE

PRINT

CONDITIONS:

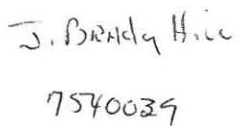
DATE TO TOWN COUNCIL: 3-4-13
☐ APPROVED ☐ DISAPPROVED ☐ TABLED UNTIL: \_\_\_\_\_ ☐ DEFERRED UNTIL: \_\_\_\_\_

TOWN COUNCIL {where required}:

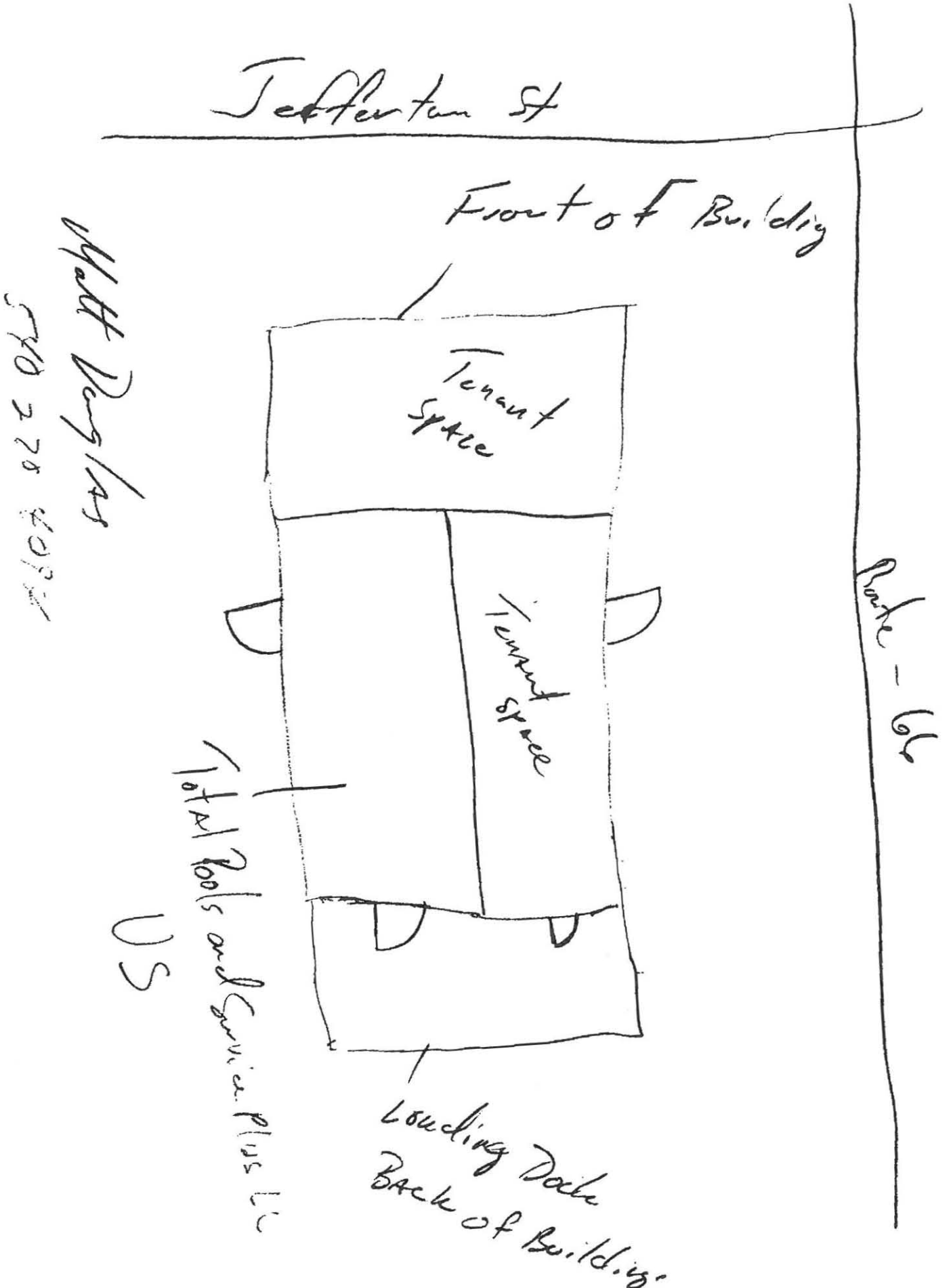
SIGNATURE

PRINT

CONDITIONS:



Packet Pg. 13





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TO: Town of Haymarket Planning Commission

SUBJECT: 14711 Alexandras Keep Lane - Deck

DATE: 02/11/13

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Carlos Castillo has applied for a 10' x 20' deck with stairs.

**ATTACHMENTS:**

- 14711 Alexandras Keep Lane - Deck (PDF)





6.c.a  
RECEIVED

JAN 14 2013

TOWN OF HAYMARKET

ZONING PERMIT #: 20121218

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: CARLOS CASTILLO

PROPOSED USE: DECK Size (Sq. Ft./Length) of Construction: \_\_\_\_\_

SITE ADDRESS: 14711 ALEXANDRAS KEEP LN Parcel ID #: 7397-19-3774

Subdivision Name: ALEXANDRA'S KEEP Lot Size: .1102

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.)

10' x 20' Deck with STAIRS.

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

FEE: ☒ \$25.00 Residential ☐ \$50.00 Commercial

## CERTIFICATE OF APPROPRIATENESS

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

DECK w/STAIRS. STAIRS will be SPIRAL - METAL POSTS - BLACK P.T. Wood.

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

### PERMIT HOLDER INFORMATION

CARLOS CASTILLO

Name

14711 ALEXANDRAS KEEP LN

Address

HAYMARKET, LA 70169

City

State

Zip

571-527-7448

Phone#

Email

### PROPERTY OWNER INFORMATION

SALE

Name

Address

City

State

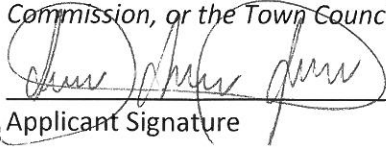
Zip

Phone#

Email

**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

Same  
Property Owner Signature

**\*\*\*OFFICE USE ONLY\*\*\*****ZONING PERMIT #:** 20121218

Date Filed: 1-14-13 Fee Amount: 25 Date Paid: \_\_\_\_\_

**DATE TO ARCHITECTURAL REVIEW BOARD (ARB):** 2-20-13

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

ARCHITECTURAL REVIEW BOARD CHAIR: \_\_\_\_\_

SIGNATURE

PRINT

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

**DATE TO PLANNING COMMISSION:** 2-11-13

☐ 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: 14711 Alexandras Keep Lane - Deck (1312 : 14711 Alexandras Keep Lane - Deck)



SEQUOIA MANAGEMENT COMPANY, INC. • 13998 PARKEAST CIRCLE • CHANTILLY, VIRGINIA 20151-2283 • 703-803-9641 • FAX 703-968-0936  
www.sequoiamanagement.com

October 8, 2012

Carlos Castillo  
14711 Alexandras Keep Lane  
Haymarket, VA 20169

Dear Homeowner:

I am pleased to inform you that the Alexandras Keep Homeowners Association Architectural Review Board has approved your application to install a deck as submitted.

A copy of your approved application is enclosed.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

**SEQUOIA MANAGEMENT COMPANY, INC.**

Kristy L. Faulk, CMCA®, AMS®  
Community Management Assistant

Enclosure

Attachment: 14711 Alexandras Keep Lane - Deck (1312 : 14711 Alexandras Keep Lane - Deck)



## Alexandras Keep Homeowners Association Architectural Review Application

Please note: In order for your application to be processed, you must provide a picture of your home and the proposed change(s), and complete in full for approval.

Please Mail or Deliver To: Architectural Review Board  
C/o Sequoia Management Company, Inc.  
13998 Parkoast Circle  
Chantilly, VA 20151-2283  
Attention: Kristy Faulk  
Community Management Assistant

1. Name: CARLOS CASERINO  
(Please Type or Print)
2. Address of Proposed Change: 14711 Alexandra's Keep Ln. HAYMARKET VA  
Mailing Address of Applicant: 14711 Alexandra's Keep Ln. HAYMARKET VA  
20169
3. Parcel/Lot Number: 20169
4. Home Telephone: (703) 909-6077 Work Telephone: (703) 703-5319609
5. General Description of Proposed Change:

Provide a description of the proposed change, including the purpose or reason for the change, the type and color of materials to be used, location of property, and any other pertinent information required to evaluate the proposed change(s).

I want to build the deck in my house  
documentation will be attached with this application

6. Required Exhibits and Supporting Documentation:

The supporting exhibits or documentation listed below must accompany this design review application for the proposed change(s). An application submitted without all required information will be considered incomplete. In such case, the Architectural Control Committee's sixty (60) day review period will not commence until all required information has been received. Applicants should provide all documents and exhibits required by Fairfax County.

- a. Paint or Stain Colors -- A sample and model number of the color(s) to be used must be provided, both for repainting or restaining existing improvements and for structural additions, together with a list of existing paint colors on the house or appurtenant structures that will remain unchanged.
- b. Finish Materials -- A description and/or sample of all finish materials to be used for the exterior surface of proposed improvements must be provided.
- c. Site Plan (Recorded Plat) -- A site plan, drawn to scale, showing the location and dimensions of the proposed improvement, including orientation with respect to the property lines, unit, and adjacent dwelling units must be provided for decks, patios, walls, storage sheds, fences, recreation equipment, major landscape changes that require approval, and structural additions to the home.

## Alexandras Keep Homeowners Association Architectural Review Application

- d. Architectural Drawings and Landscape - Detailed architectural drawings or plans must be provided for decks, storage sheds, and structural additions to the home and major landscape improvements that would change the topography of the lot or landscape plan originally provided by the builder.
- e. Photographs - The inclusion of photographs is appropriate for exterior lighting fixtures, decorative objects and similar cosmetic additions to the unit or lot.
- f. Other Exhibits - Other exhibits may be required in order to permit adequate evaluation of the proposed change. Homeowners are advised to seek guidance from the Architectural Control Committee or Managing Agent before submitting an application.

7. Notification of Adjacent Lot Owners:

A homeowners submitting a design review application is required to provide notice of the application to all lot owners (other than builders) whose lots immediately abut the applicant's lot or are separated from the applicant's lot by a street or common area and for whom the proposed improvement will be visible from the adjacent lots.

Proof of notice is required through the signing of the design review application by the adjacent lot owners.

Signatures and Address(es) of adjoining lot owners:

14711 Alexandras Keep Ln Huntwood VA 20169

- 8. Estimated Starting Date of Construction (After Approval by the Architectural Review Board):  
as soon as you approve it
- 9. Estimated Completion Date: 4/1/2017
- 10. Owner acknowledges that he/she is familiar with the design review requirements and procedures for the Preserve at Great Oak Homeowners Association.
- 11. Owner understands that the authority to perform an alteration granted by this application will automatically expire if the work is not commenced within one-hundred eighty (180) days following approval and work completed within three-hundred sixty (360) days of approval of other time frame authorized by the Architectural Review Board.

Owner's Signature and Date:





## Alexandras Keep Homeowners Association

### Architectural Review Application

- ☒ Approved Obtain my applicant's Permit
- ☐ Disapproved \_\_\_\_\_
- ☐ Additional Information needed to process application: \_\_\_\_\_
- ☐ Comments or restrictions: \_\_\_\_\_

Approval for any project by the Association does not in any way imply waiver or approval of Fairfax County requirements. Newgate residents must comply with all Fairfax County Requirements. Thank you for helping to keep our community beautiful!

#### ARB REVIEWER SIGNATURES

Date 10/2/12

Date \_\_\_\_\_

Date \_\_\_\_\_

#### Notes

1. Nothing contained herein shall be construed to represent that alterations to lots or buildings in accordance with these plans shall not violate any of the existing provisions of local building and zoning codes. Further, nothing contained herein shall be construed as a waiver or modification of any restrictions.
2. When required, building permits shall be obtained prior to start of any construction. Nothing contained herein shall be construed as a waiver of permit requirements.
3. Owner understands and agrees that no work on this request will commence until written approval has been obtained from the Architectural Review Board.
4. Owner further understands and agrees that any exterior alterations undertaken before written approval is obtained are not permitted and that the owner may be required to restore the property to its former condition at the owner's expense if such alterations are made and subsequently disapproved in whole or in part. Further, owner understands that any legal expense associated therewith will be the responsibility of the owner.
5. Owner agrees to give the Architectural Review Board and/or Managing Agent, express permission to enter on the owner's property at a reasonable time to inspect the proposed project in progress, and the completed project.
6. Owner understands that any approval is contingent upon the completion of alterations in a workmanlike manner and in accordance with the approved plan and specifications for alterations.

**Brian Matte**

---

**From:** Kristy Faulk <kfaulk@sequoiamgmt.com>  
**Sent:** Tuesday, October 02, 2012 4:55 PM  
**To:** Brian Matte  
**Subject:** ACC Application-14711 Alexandra's Keep Lane  
**Attachments:** img-X02165411-0001.pdf

Application attached.

Thank you,

Kristy L. Faulk, CMCA®, AMS®

Community Management Assistant

Sequoia Management Company  
13998 Parkeast Circle  
Chantilly, Virginia 20151  
[www.sequoiamanagement.com](http://www.sequoiamanagement.com)

703.803.9641 work  
703.968.0936 fax

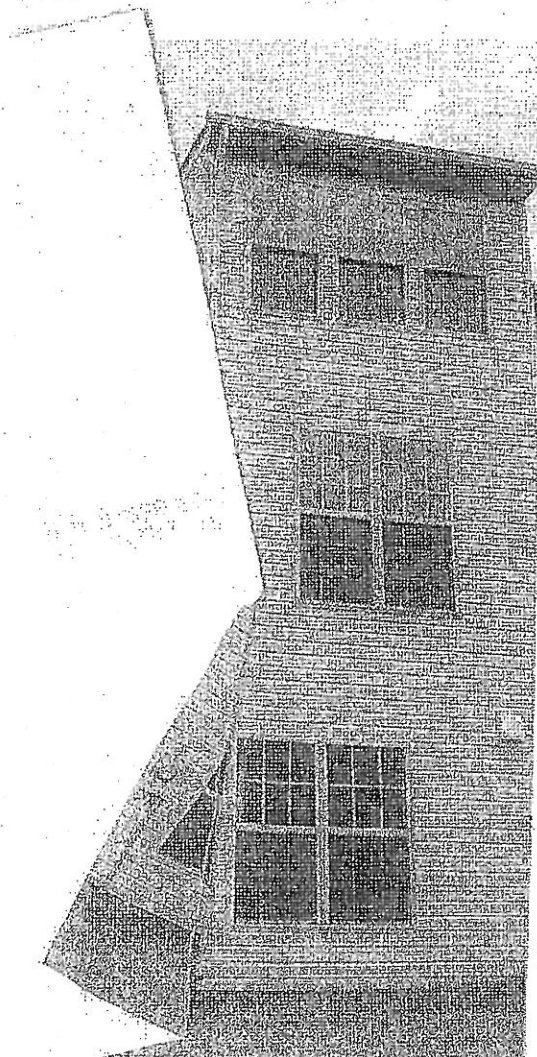
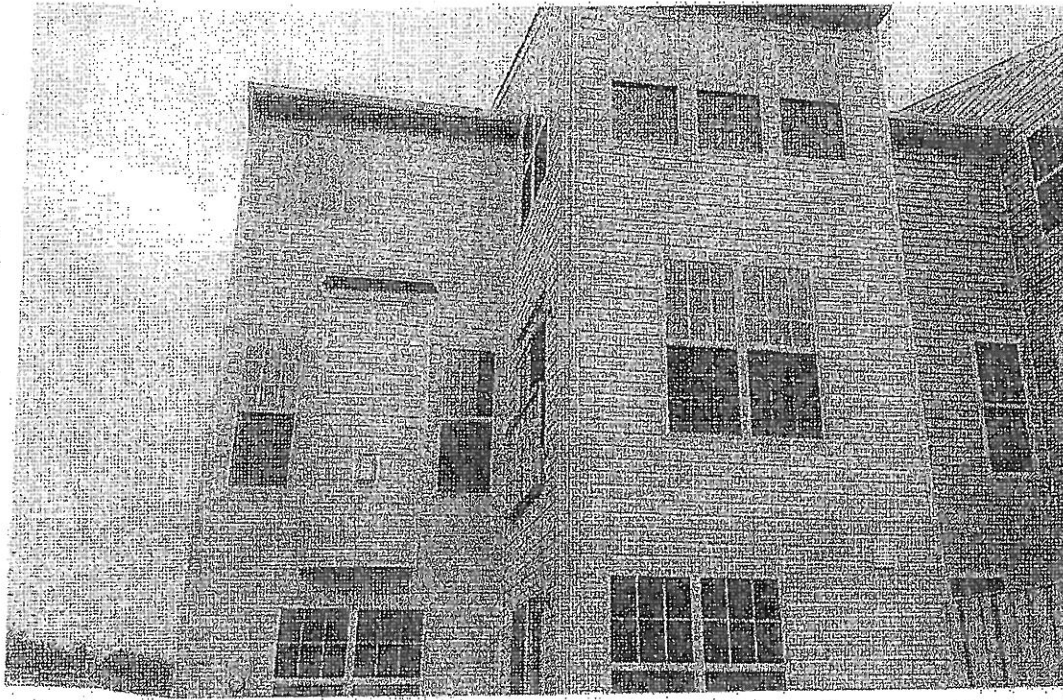
P Please consider the environment before printing this e-mail.

NOTICE: This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

----- Forwarded Message -----

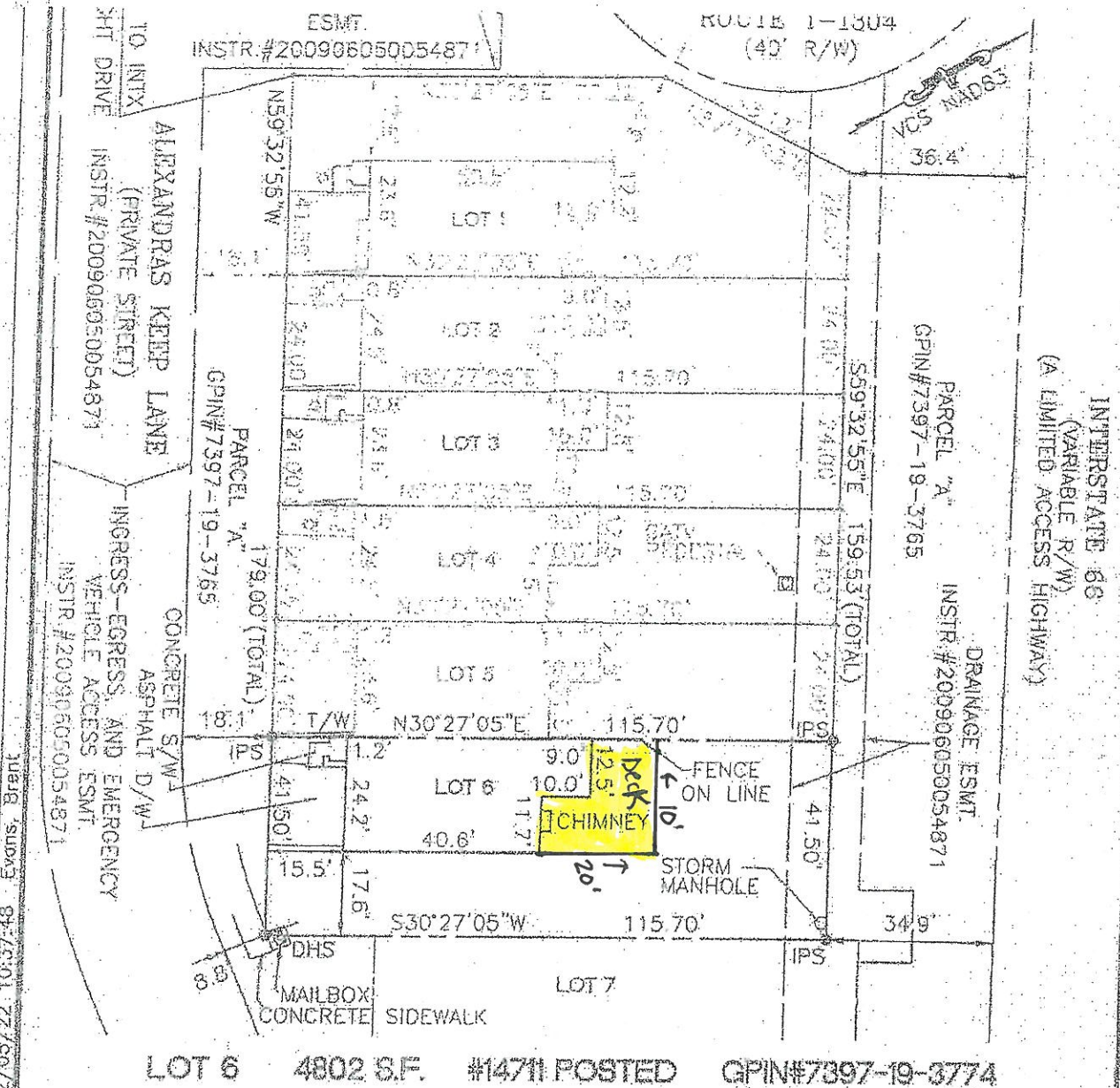
From: "4112" <X4112@sequoiamgmt.com>  
To: kfaulk@sequoiamgmt.com  
Sent: Tuesday, October 2, 2012 5:54:11 PM  
Subject: Scan from a Xerox 4112/4127





Attachment: 14711 Alexandras Keep Lane - Deck (1312 : 14711 Alexandras Keep Lane - Deck)





## LEGEND

DHS	DRILL HOLE SET
D/W	DRIVEWAY
S/W	SIDEWALK
T/W	TIMBER WALL
IPS	IRON PIPE SET

## NOTES:

1. THE PROPERTY SHOWN HEREON LIES WITHIN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN) AS SHOWN ON F.I.R.M. COMMUNITY PANEL 51153C0067 D, DATED JANUARY 5, 1995.
2. NO TITLE REPORT FURNISHED.
3. ALL IMPROVEMENTS NOT SHOWN.

## PHYSICAL IMPROVEMENT SURVEY

LOT 6

*Alexandras Keep*

INSTR. #200906050054871

TOWN OF HAYMARKET  
PRINCE WILLIAM COUNTY, VIRGINIA

REV:

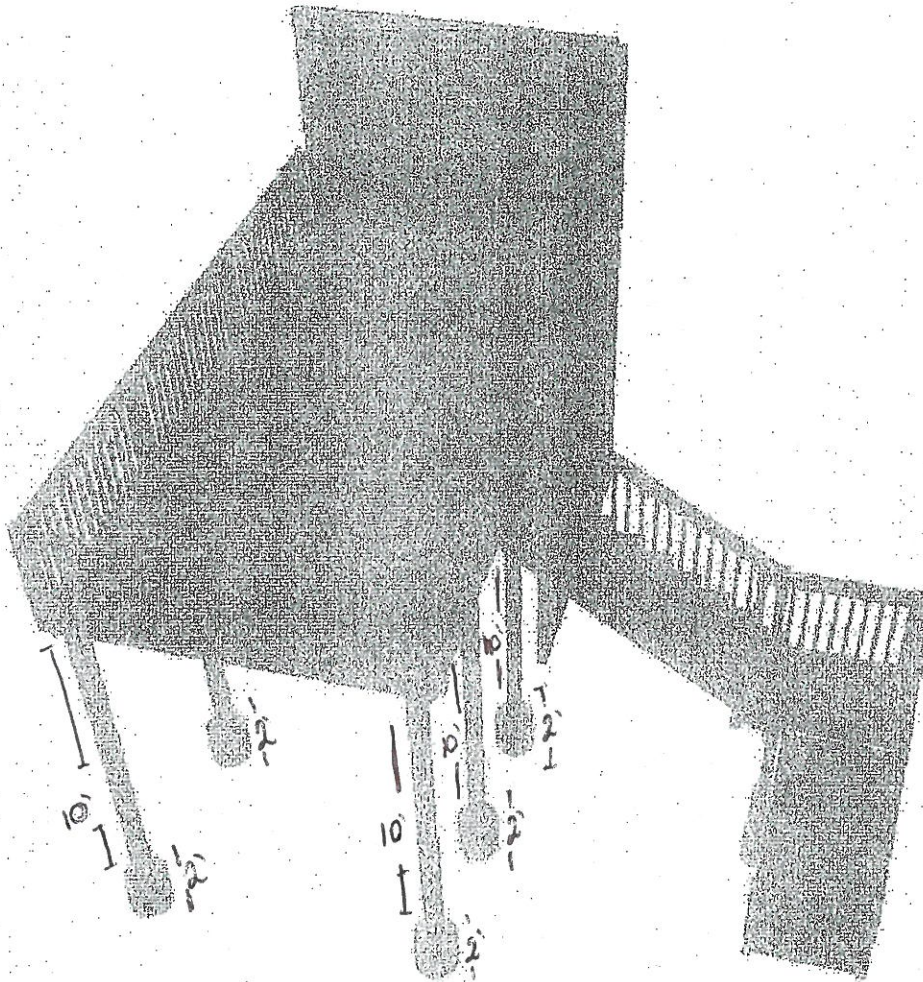




# Pro Deck Design™



3D View



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Page 2 of 27

DocID d52f73f9-2024-4f49-9d58-ec529a101802

Attachment: 14711 Alexandras Keep Lane - Deck (1312 : 14711 Alexandras Keep Lane - Deck)

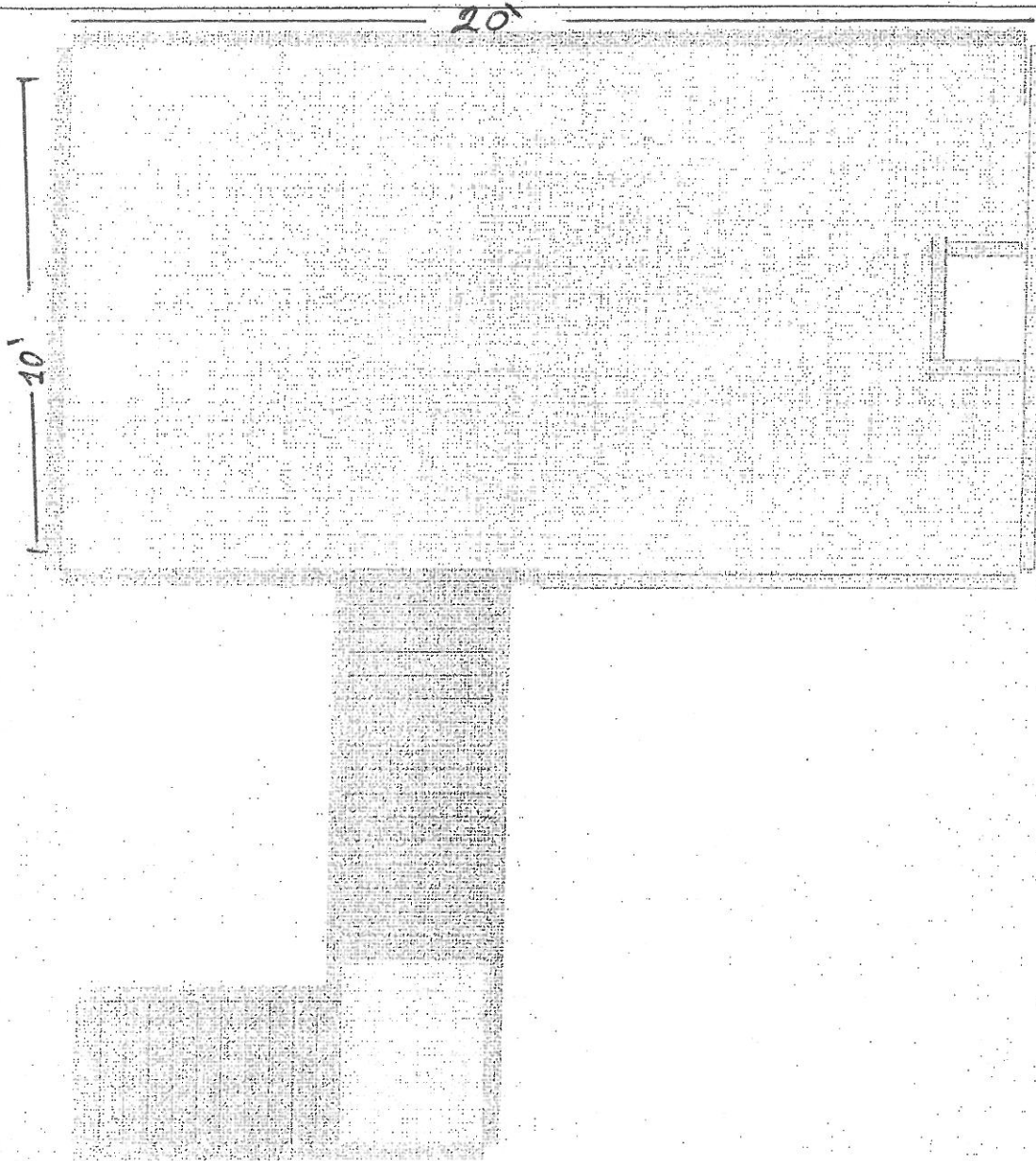




# Pro Deck Design<sup>TM</sup>



Plan View



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Page 3 of 27

Doc ID: d52f73f9-2024-4f59-9d56-ebf88a101802

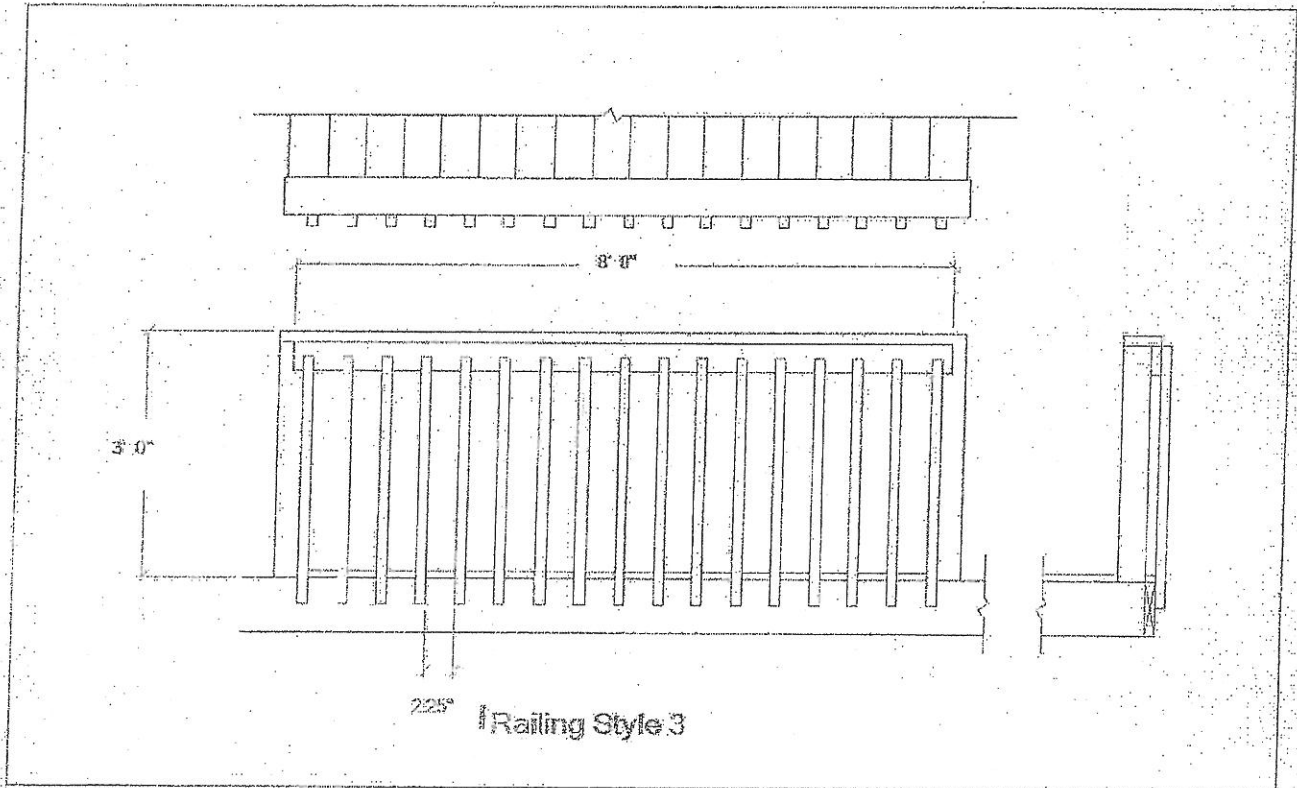
Attachment: 14711 Alexandras Keep Lane - Deck (1312 : 14711 Alexandras Keep Lane - Deck)



# Pro Deck Design™



## Railing Details View



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Page 9 of 27

Doc ID d52f73f9-2024-8149-9d55-ec688a1018c2



---

TO: Town of Haymarket Planning Commission

SUBJECT: 15009 Gossom Manor Place - Deck

DATE: 02/11/13

---

Susan O'Connell has applied for a 10' x 20' Deck with stairs and landing, for the Williams Residence.

**ATTACHMENTS:**

- 15009 Gossom Manor Place - Deck (PDF)





RECEIVED 6.d.a

JAN 14 2013

TOWN OF HAYMARKET

ZONING PERMIT #: ZP20130114

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: Suzen O'Connell / Prince William Home ampPROPOSED USE: Deck Size (Sq. Ft./Length) of Construction: 200 SFSITE ADDRESS: 15009 Gossom Manor Pl Parcel ID #: \_\_\_\_\_Subdivision Name: Sherwood Forest Lot Size: \_\_\_\_\_ZONING DISTRICT: ☐ R-1 ☐ R-2 ☐ B-1 ☐ B-2 ☐ I-1 ☐ C-1 Site Plan Required: ☐ Yes ☐ NoSpecial 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.)

Deck - 10x20 w/ steps + 4x5 landingSupporting Documentation (attached): ☐ Narrative ☐ Plan/Plat ☐ Specification SheetFEE: ☒ \$25.00 Residential ☐ \$50.00 Commercial

## CERTIFICATE OF APPROPRIATENESS

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

10' x 20' Deck with stairs + landing - Trex Color TreehouseSupporting Documentation (attached): ☐ Specification Sheet ☐ Photograph(s)

### PERMIT HOLDER INFORMATION

Name: Prince William Home amp  
Address: 14906 Persistence Dr  
Woodbridge VA 22191  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: runaround  
(703) 414-0496 Email: 1 e verizon  
Phone# \_\_\_\_\_ Email: \_\_\_\_\_

### PROPERTY OWNER INFORMATION

Name: Irvin + Nicole Williams  
Address: 15009 Gossom Manor Pl  
Haymarket VA 20169  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
(703) 724-7778  
Phone# \_\_\_\_\_ Email: \_\_\_\_\_

**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

**\*\*\*OFFICE USE ONLY\*\*\*****ZONING PERMIT #:** ZP20130114Date Filed: 1-14-13Fee Amount: 25 -Date Paid: 1-14-13**DATE TO ARCHITECTURAL REVIEW BOARD (ARB):** 2-20-13
☐ APPROVED    ☐ DISAPPROVED    ☐ TABLED UNTIL: \_\_\_\_\_ ☐ DEFERRED UNTIL: \_\_\_\_\_

ARCHITECTURAL REVIEW BOARD CHAIR: \_\_\_\_\_

SIGNATURE

PRINT

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

**DATE TO PLANNING COMMISSION:** 2-11-13
☐ 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}: \_\_\_\_\_

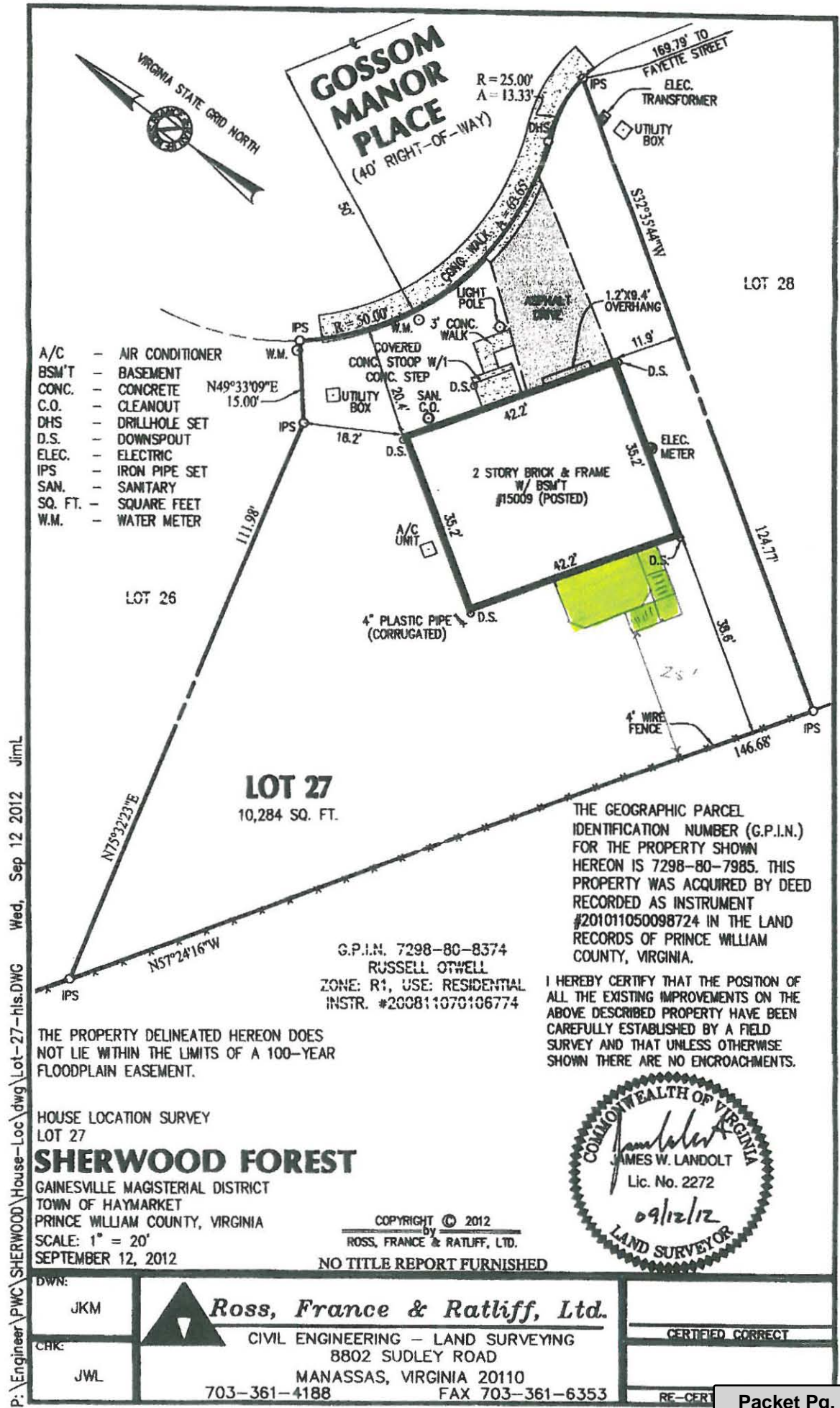
SIGNATURE

PRINT

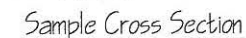
CONDITIONS: \_\_\_\_\_

Attachment: 15009 Gossom Manor Place - Deck (1313 : 15009 Gossom Manor Place - Deck)





Attachment: 15009 Gossom Manor Place - Deck (1313 : 15009 Gossom Manor Place - Deck)



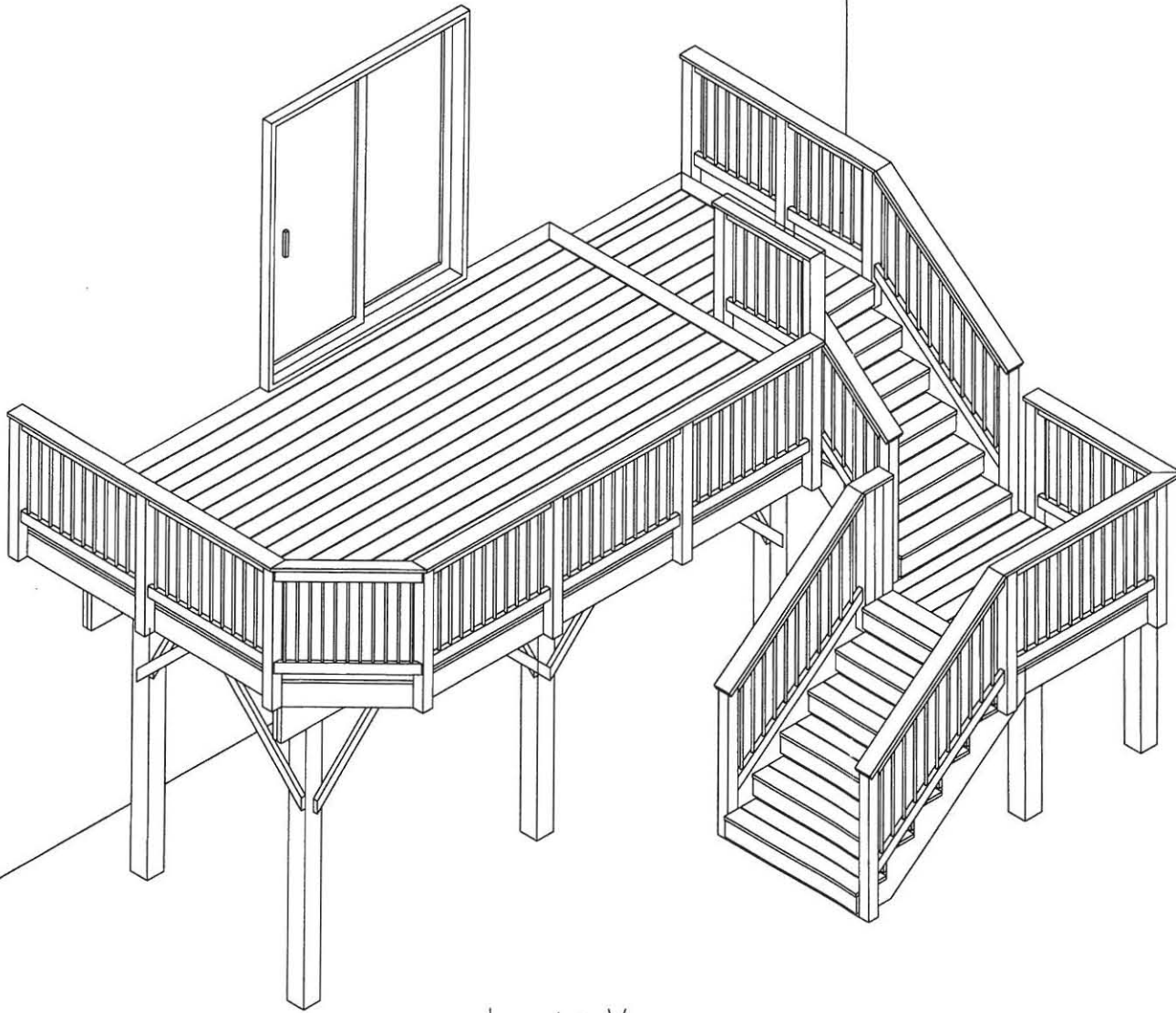
This Space Left  
Blank Intentionally

- 1) Joist to be spaced at 16" o.c.
- 2) Beam - Double 2x12 P.T.
- 3) Footers 24" deep - 18" across - 10" min concrete
- 4) Decking to be 5/4" x 6" Trex - Transcend - Tree House w/  
Vintage Lantern picture frame
- 5) Stairs to be built per county typical deck details.
- 6) Railings are to be P.T. w/ Trex - Vintage Lantern Rail Cap  
w/ Black Round Balusters
- 7) Elevation is 9' - 0"

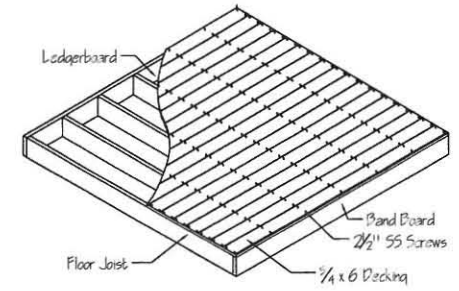
Customer Name	Date:
Irvin & Nicole Williams	Jan. 9, 13
Customer Address	
15009 Gossom Manor Place,	Haymarket, VA 20169
Contractor	
Prince William Home Improvement	
Contractor's Address	Drawn by:
14906 Persistence Dr Woodbridge, VA 22191	Henry Villanueva



Note: This drawing is an artistic interpretation of the general appearance of the design. It is not meant to be an exact rendition.



Isometric View



Typical Floor Section

This Space Left  
Blank Intentionally

Customer Name	Irvin & Nicole Williams	Date	Jan. 9, 13
Customer Address	15009 Gossom Manor Place, Haymarket, VA 20169		
Contractor	Prince William Home Improvement		
Contractor's Address	14906 Persistence Dr Woodbridge, VA 22191	Drawn by:	Henry Villanueva

Trex Transcend® Colors

Tree House

Find Trex Near You

Find a Contractor

News & Events

Request Information

Open Workbook

Lava Rock

Spiced Rum

Attachment: 15009 Gossom Manor Place - Deck (1313 : 15009 Gossom Manor Place - Deck)

<http://www.trex.com/plan/products/decking/transcend/Colors/index.htm>

**Packet Pg. 34**  
1/14/2013

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION  
COMMONWEALTH OF VIRGINIA

EXPIRES ON  
01-31-2013

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

NUMBER  
2705 026530A

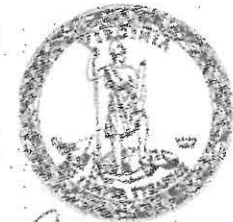
BOARD FOR CONTRACTORS  
CLASS A CONTRACTORS LICENSE

SCOTT HOLTZHAUER INC  
PRINCE WILLIAM HOME IMPROVEMENT  
14910 PERSISTENCE DRIVE

WOODBIDGE VA 22191

\*CLASSIFICATIONS\* BLD HIC

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.



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

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





---

TO: Town of Haymarket Planning Commission

SUBJECT: Haymarket Baptist Church - Rezoning

DATE: 02/11/13

---

Haymarket Baptist Church has put in an application to amend the Zoning Map.

**ATTACHMENTS:**

- Complete Packet - Rezoning - Haymarket Baptist Church (PDF)



## INTEROFFICE MEMORANDUM

**TO:** MAYOR AND TOWN COUNCIL

**FROM:** MARCHANT SCHNEIDER, TOWN PLANNER

**SUBJECT:** APPLICATION TO AMEND THE ZONING MAP – TRUSTEES OF HAYMARKET BAPTIST CHURCH

**DATE:** 02-11-13

**CC:** STAFF

Jessica Sacksteder, on behalf of the Trustees of Haymarket Baptist Church, has submitted a Zoning Map Amendment Application to rezone approximately 0.69 acres from the B-1 Zoning District to the R-1 zoning district. At its February Meeting, the Town Council adopted a resolution of intent to amend the Town Zoning Map in consideration of the Church's request. Pursuant to Section 58-425 of the Zoning Ordinance, the Town Council forwarded the application to the Planning Commission for consideration. 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 April 17, 2013. The Commission may recommend approval, denial, or further consideration.

BACKGROUND

The Applicant has submitted an application to amend the Zoning Map associated with Chapter 58 of the Town's Codified Ordinance (Zoning Ordinance) in order to rezone 0.69 acres from the B-1 Zoning District to the R-1 Zoning District. The application is being co-processed with the Haymarket Baptist Church – Building Addition and Parking Expansion Final Site Plan. The church complex currently consists of three parcels, two of which are zoned R-1 and the third zoned B-1. Consolidation of the three parcels is proposed in conjunction with the approval of the final site plan. The resulting lot would be "split-zoned" and problematic to develop due to minimum buffer restrictions between R-1 and B-1 zoning districts (25 feet). The rezoning would unify the church complex under one zoning district designation and resolve the buffer requirement. A justification for the application 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.

#### STAFF REVIEW AND RECOMMENDATION

It is recommended that the Planning Commission give consideration of the above-mentioned matters for consideration, applicable land use policy, and R-1 Zoning District intent.

#### 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



RECEIVED

NOV - 6 2012

TOWN OF HAYMARKE

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

WALSH COLUCCI  
LUBELEY EMRICH  
& WALSH PC

November 6, 2012

Via Courier

Jennifer Preli, Town Clerk  
15000 Washington Street  
Suite 100  
Haymarket, VA 20168

Re: Haymarket Baptist Church - Rezoning Application

Dear Ms. Preli:

On behalf of the Applicant, Trustees of Haymarket Baptist Church, enclosed please find the following items constituting a rezoning application from B-1, Town Center District, to R-1, Residential District, at 14820 Washington Street, which is north of the existing Haymarket Baptist Church building.

1. One (1) original and one(1) copy of the Amendment of Zoning Map Application Form, which has been signed by all five (5) trustees of the church;
2. A check in the amount of \$4,000.00 constituting the rezoning review fee;
3. Two (2) copies of the Justification for Rezoning dated August 9, 2012; and
4. Six (6) full sized copies and two (2) 8.5x11 copies of the plan entitled "Rezoning Plat – The Property of Trustees of Haymarket Baptist Church," prepared by Ross, France & Ratliff, Ltd., dated August 23, 2012.

After you have had an opportunity to review the application together with the supporting documents, please contact Mike Coughlin or me if any additional information is required for acceptance. I appreciate your assistance in this regard.

Very truly yours,

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

Jessica L. Sacksteder, Planner

JLS

Enclosures

cc: Otelia Frazier(w/encl)  
Mike Massey  
Michael Coughlin, Esq.

P0302450.DOCX

**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-1 b) Proposed Zoning: R-1  
c) Existing Use: Church and related facilities  
d) Proposed Use: Church and related facilities
- 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? \_\_\_\_\_
- 2) What is the nature of the proposed change? \_\_\_\_\_
- 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**: Jean Farrell, Trustee  
Haymarket Baptist Church
  - b) Signature of **agent** (if any): \_\_\_\_\_
  - c) Date: 8/22/2012 Notary Seal
- 2) a) Signed and sworn before me this: August 30, 2012
- b) Signature of **Notary**: Julia Ann Whitney

Application for Zoning Map Amendment & Zoning Text Amendment  
Page 3 of 7

City/County of Prince William  
Commonwealth/State of Virginia  
Sworn to and subscribed before me this  
day of August, 2012  
Witness my hand and official seal.  
Julia Ann Whitney Notary P  
# 7303248

Attachment: Complete Packet - Rezoning - Haymarket Baptist Church (1305 : Haymarket Baptist Church - Rezoning)



**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-1 b) Proposed Zoning: R-1  
c) Existing Use: Church and related facilities  
d) Proposed Use: Church and related facilities
- 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.)

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- 1) What section(s) of the Town Code is proposed to be amended? \_\_\_\_\_
- 2) What is the nature of the proposed change? \_\_\_\_\_
- 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**: Joan Suckler  
b) Signature of **agent** (if any): \_\_\_\_\_
- c) Date: 8/22/2012 Notary Seal
- 2) a) Signed and sworn before me this: 4 September 2012  
b) Signature of **Notary**: Julia Ann Whitely

# 7303248  
Expires October 31, 2012  
Application for Zoning Map Amendment & Zoning Text Amendment  
Page 3 of 7

City/County of Prince William  
Commonwealth of Virginia  
Sworn to and subscribed before me  
day of September, 20 12  
Witness my hand and official seal.  
Julia Ann Whitely Notary

Attachment: Complete Packet - Rezoning - Haymarket Baptist Church (1305 : Haymarket Baptist Church - Rezoning)



**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.

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- 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? \_\_\_\_\_
- 2) What is the nature of the proposed change? \_\_\_\_\_
- 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**: Thomas Fenwick

b) Signature of **agent** (if any): \_\_\_\_\_

c) Date: 8/22/2012

Notary Seal

- 2) a) Signed and sworn before me this: 4 September 2012

b) Signature of **Notary**: Julia Ann Whitey

Exp. Oct 31, 2013

City/County of Prince William  
Commonwealth of Virginia  
Sworn to and subscribed before me  
day of September, 20 12  
Witness my hand and official seal  
Julia Ann Whitey  
#730-3248

**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-1 b) Proposed Zoning: R-1  
c) Existing Use: Church and related facilities  
d) Proposed Use: Church and related facilities
- 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? \_\_\_\_\_
- 2) What is the nature of the proposed change? \_\_\_\_\_
- 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**: W E Swartz, Trustee  
Haymarket Baptist Church
  - b) Signature of **agent** (if any): \_\_\_\_\_
  - c) Date: August 22, 2012 Notary Seal
- 2) a) Signed and sworn before me this: September 18, 2012  
b) Signature of **Notary**: Julia Ann White  
# 7303248

Application for Zoning Map Amendment & Zoning Text Amendment  
Page 3 of 7

City/County of Prince William  
Commonwealth/State of Virginia  
Sworn to and subscribed before me this  
day of September, 2012  
Witness my hand and official seal  
Julia Ann White Notary  
EXP. October 3, 2013



**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-1 b) Proposed Zoning: R-1  
c) Existing Use: Church and related facilities  
d) Proposed Use: Church and related facilities
- 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? \_\_\_\_\_
- 2) What is the nature of the proposed change? \_\_\_\_\_
- 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.

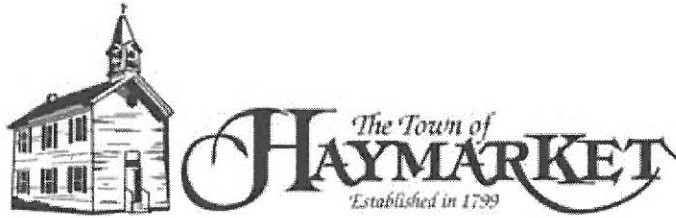
- 1) To the best of my knowledge, I hereby affirm that all information in this application and any attached material and documents are true:
  - a) Signature of applicant: Tommy Roberson  
Trustee, Haymarket Baptist Church
  - b) Signature of agent (if any): \_\_\_\_\_
  - c) Date: August 22, 2012 Notary Seal
- 2) a) Signed and sworn before me this: August 29, 2012  
b) Signature of Notary: Julia Ann White  
# 7303248

Application for Zoning Map Amendment & Zoning Text Amendment  
Page 3 of 7

City/County of Prince William Co.  
Commonwealth/State of Virginia  
Sworn to and subscribed before me this  
day of August, 2012  
Witness my hand and official seal.  
Julia Ann White Notary Pub.  
Exp. October 31, 2013



- 3) Owners of all property included in this application (omit for zoning text change):  
*Name:* Trustees of Haymarket Baptist Church  
*Address:* See above.  
*Phone Number:* \_\_\_\_\_  
*Name:* \_\_\_\_\_  
*Address:* \_\_\_\_\_  
*Phone Number:* \_\_\_\_\_  
*Name:* \_\_\_\_\_  
*Address:* \_\_\_\_\_  
*Phone Number:* \_\_\_\_\_  
*Name:* \_\_\_\_\_  
*Address:* \_\_\_\_\_  
*Phone Number:* \_\_\_\_\_
- 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:* \_\_\_\_\_
- 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: Attached please find the deed \_\_\_\_\_  
conveying the property to the Trustees of Haymarket Baptist Church.  
If NO, state what interest otherwise qualifies the applicant to apply: \_\_\_\_\_
- 6) Names of the owners of improvement(s) on the property in this application if different from above: (Omit for zoning text amendment)  
*Name:* \_\_\_\_\_  
*Address:* \_\_\_\_\_  
*Phone Number:* \_\_\_\_\_  
*Name:* \_\_\_\_\_  
*Address:* \_\_\_\_\_  
*Phone Number:* \_\_\_\_\_  
*Name:* \_\_\_\_\_  
*Address:* \_\_\_\_\_  
*Phone Number:* \_\_\_\_\_
- 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.



Check Appropriate Item(s):

- ☒ Amendment to Zoning Map  
☐ Zoning Text Amendment

Office Use Only

Date Received: 11-6-2012  
 Application Number: REZ 20121106  
 Fees Received: \$4,000-

**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: 14820 Washington Street
- 2) Present Zoning: B-1 3) Acres: approximately .6998
- 4) Legal Description of Property (Omit for zoning text amendment) – Attach if necessary.  
The property is located to the north (behind) the existing Haymarket Baptist Church Building.

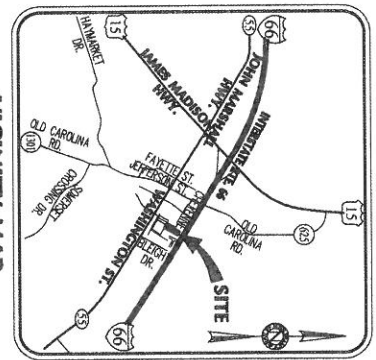
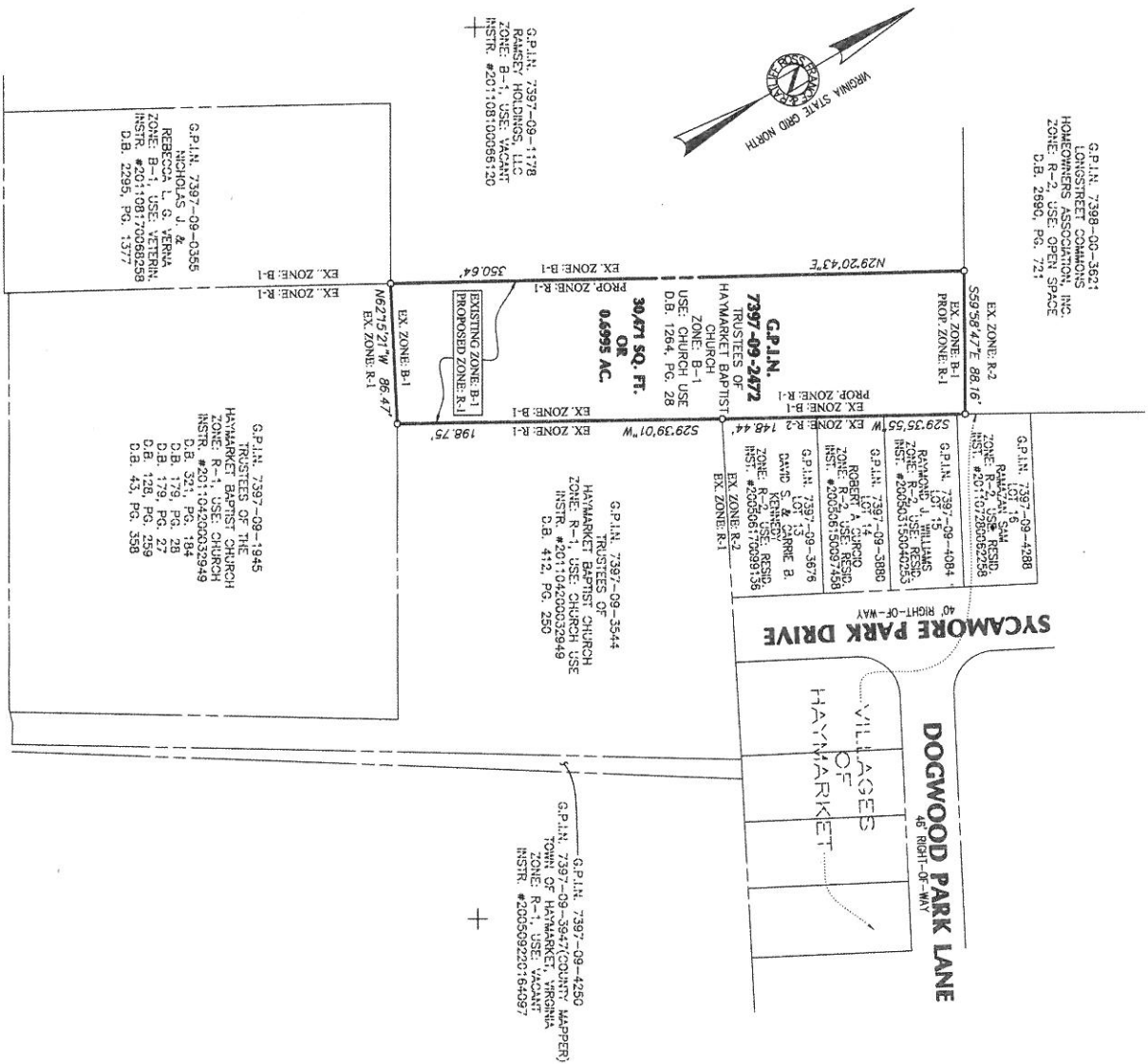
**1-B Property** – (Omit for zoning text amendments)

- 1) The deed restrictions, covenants, trust indentures, etc. on said property are as follows (or copy attached); if NONE, so state: None that we are aware of.
- 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)

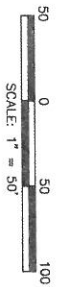
- 1) Applicant Information:  
 Name: Trustee of Haymarket Baptist Church  
 Address: P.O. Box 182, Haymarket, Virginia 20168  
 Phone Number: \_\_\_\_\_
- 2) Agent Information (if any):  
 Name: Michael Coughlin/Jessica Sacksteder (Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.)  
 Address: 4310 Prince William Parkway, Suite 300, Prince William, Virginia 22192  
 Phone Number: (703)680-4664

TO SAINT PAUL DRIVE  
**WASHINGTON STREET - VIRGINIA ROUTE 55**  
 VARIABLE WIDTH RIGHT-OF-WAY



LEGEND	
AC.	ACRES
D.B.	DEED BOOK
EX.	EXISTING
G.P.L.N.	GEOGRAPHIC PARCEL IDENTIFICATION NUMBER
INST. #	INSTRUMENT NUMBER
PG.	PAGE
P.O.B.	POINT OF BEGINNING
SQ. FT.	SQUARE FEET

- NOTES**
1. METES AND BOUNDS SHOWN HEREON ARE THE RESULT OF A CURRENT FIELD SURVEY AND DEEDS & PLATS OF RECORD.
  2. THE PRINCE WILLIAM COUNTY GEOGRAPHIC PARCEL IDENTIFICATION NUMBER (G.P.L.N.) AND ADDRESS FOR THE PROPERTIES SHOWN HEREON ARE AS FOLLOWS:  
 G.P.L.N. 7397-09-2472 / ZONE: B-1 / 14820 WASHINGTON STREET
  3. THE PROPERTY SHOWN HEREON WAS ACQUIRED BY TRUSTEES OF HAYMARKET BAPTIST CHURCH BY DEED RECORDED IN BOOK 1264, PAGE 28 OF THE LAND RECORDS OF PRINCE WILLIAM COUNTY, VIRGINIA.
  4. THE PROPOSED REZONING IS BY THE ENTIRETY OF THE SUBJECT PARCEL, AND NOT BY METES AND BOUNDS OR AREAS. ALL OF WHICH ARE SUBJECT TO MINOR REVISIONS BASED UPON A CURRENT FIELD BOUNDARY SURVEY.



DATE	BY	REVISION
01/17/2013	RMM	REVISED PER TOWN COMMENTS

**Ross, France & Ratliff, Ltd.**  
 CIVIL ENGINEERING - LAND SURVEYING  
 8802 SUDLEY ROAD  
 MANASSAS, VIRGINIA 20110  
 (703) 361-4188 FAX (703) 361-6353

REZONING PLAT  
 THE PROPERTY OF  
**TRUSTEES OF HAYMARKET BAPTIST CHURCH**  
 TOWN OF HAYMARKET, VIRGINIA  
 PRINCE WILLIAM COUNTY VIRGINIA

SCALE: 1" = 50'

CHK: JWL  
 DWN: MSJ

AUGUST 23, 2012



## JUSTIFICATION FOR REZONING HAYMARKET BAPTIST CHURCH

Record Owner: Trustees of Haymarket Baptist Church ("Applicant")  
 Prince William County GPIN 7397-09-2472 ("Property")  
 (Approximately 0.6998 acres)  
 August 9, 2012  
 Updated – January 23, 2013

The Property subject to this rezoning application consists of GPIN 7397-09-2472, having an area of approximately 0.6998 acres, as shown on the rezoning plat submitted with this application. The Property is located at 14820 Washington Street, to the north of the existing Haymarket Baptist Church building.

The Property is zoned B-1, Town Center District. The Applicant is requesting a rezoning to R-1, Residential District. A church with associated facilities is permitted in the R-1 district by-right. The other parcels associated with the church are all zoned R-1. As a part of the site plan process, the Church is consolidating all of its parcels, which includes the Property subject to this rezoning as well as GPINs 7397-09-1945 and 7397-09-3544.

The rezoning proposal is consistent with the Town's Comprehensive Plan, as follows.

- The church is part of a commercial/residential blend of uses east of the Town's Center.
- The existing church is listed on the Historic Building Inventory in the Comprehensive Plan. The existing church building will not change with this proposal and the rezoning will make the church's property more viable.
- The church provides parking for the Haymarket Day, which is consistent with the goal in the Comprehensive Plan that churches develop a program of shared parking.

A preliminary site plan was approved by the Town Council on February 19, 2008 for an addition to the sanctuary and related church facilities. Sec. 58-179 (b) of the Town Zoning Ordinance states that between commercial and residential properties "there shall be a landscaped buffer of not less than 25 feet at any property line adjoining residential uses." The Applicant is requesting this rezoning because a church is permitted by-right in R-1 and most of the church is also zoned R-1. With this rezoning, a 25 foot buffer between residential and commercial uses will not be required.

In summary, the Applicant is requesting this rezoning to consistently zone the church to R-1 and address the buffer.



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TO: Town of Haymarket Planning Commission

SUBJECT: Haymarket Baptist Church - Final Site Plan

DATE: 02/11/13

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Haymarket Baptist Church is wanting approval on their Final Site Plan for building an addition and a parking lot extension.



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TO: Town of Haymarket Planning Commission  
SUBJECT: 15161 Washington Street - Uhaul Business  
DATE: 02/11/13

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Haymarket Motors turned in a Zoning Permit Application to run a Uhaul Business at this location. This was tabled from the January 2013 Meeting.

**ATTACHMENTS:**

- 15161 Washington Street - Uhaul Business (PDF)





**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:** U-Haul 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 \_\_\_\_\_

**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

**\*\*\* OFFICE USE ONLY \*\*\*****ZONING PERMIT #:**2P20121220Date Filed: 12-20-12Fee Amount: 50Date 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 (1307 : 15161 Washington Street - Uhaul 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](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 (1307 : 15161 Washington Street - Uhaul Business)





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TO: Town of Haymarket Planning Commission  
SUBJECT: Funeral Home - Zoning Text Amendment  
DATE: 02/11/13

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Revised Application for Zoning Text Amendment. Public Hearing was continued from the January 2013 meeting.

**ATTACHMENTS:**

- 2-11-13 funeral home ZTA complete packet (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:** 02-11-13

**CC:** STAFF

The Planning Commission held a public hearing regarding the above-mentioned application on January 14, 2013. The public hearing was held open by the Commission until its February Meeting. Several members of the public spoke in opposition to the application noting, among other issues, traffic associated with such a use as well as perceived conflicts with the Town's goal to create a "walking town".

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 Cifford Blasius and McGraw's Corner, LLC, and is specific to establishing a mortuary, funeral home use at 14850 Washington Street; however, the amendment, which has been subsequently amended, would permit the proposed use by special use permit anywhere within the district (i.e. not limited to the site). A narrative explaining the proposal is attached.

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.

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



## 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**

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

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<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.

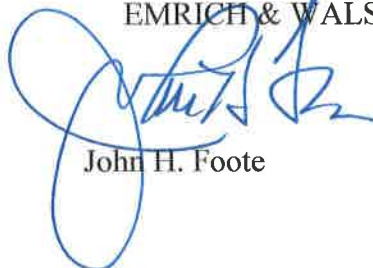
We also note that although the current Town Zoning Ordinance does not provide for funeral homes, mortuaries, or crematoria, there is, interestingly, a provision in § 58-11(7) of the Ordinance regulating minimum off-street parking for mortuaries, requiring at least ten parking spaces.

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. BLASINS 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 Sacksteder, Walter Colucci, Loretta 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: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_
- 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: \_\_\_\_\_
- 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: \_\_\_\_\_
- 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**: Clyde C. Blasing

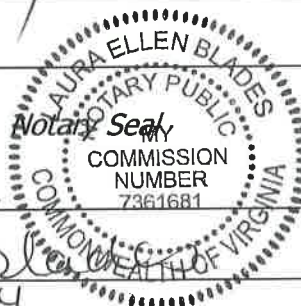
b) Signature of **agent** (if any): \_\_\_\_\_

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 as 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:ctbghs@aol.com">ctbghs@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]



Commonwealth of Virginia  
State Corporation Commission

11/02/12

LLCM3220

LLC DATA INQUIRY

09:02:22

LLC ID: S333578 - 5 STATUS: 00 ACTIVE STATUS DATE: 07/21/10  
 LLC NAME: MCGRAWS CORNER, LLC

DATE OF FILING: 07/21/2010 PERIOD OF DURATION: INDUSTRY CODE: 0

STATE OF FILING: VA VIRGINIA MERGER INDICATOR:

CONVERSION/DOMESTICATION INDICATOR:

PRINCIPAL OFFICE ADDRESS

STREET: 10544 KNOLLWOOD DR

CITY: MANASSAS

STATE: VA ZIP: 20111-0000

REGISTERED AGENT INFORMATION

R/A NAME: CLIFFORD C BLASIU JR

STREET: 10544 KNOLLWOOD DR

RTN MAIL:

CITY: MANASSAS

STATE: VA ZIP: 20111-0000

R/A STATUS: 1 MEMBER/MANAGER EFF DATE: 07/21/10 LOC: 176 PRINCE WILLIAM

YEAR FEES PENALTY INTEREST BALANCE

12 50.00

(Screen Id:/LLC\_Data\_Inquiry)

## 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.

(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.



- (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.**

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## 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:

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*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.**

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- (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.



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

**WALSH COLUCCI  
LUBELEY EMRICH  
& WALSH PC**

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.

PHONE 703 680 4664 ■ FAX 703 680 6067 ■ WWW.THELANDLAWYERS.COM  
GLEN PARK I ■ 4310 PRINCE WILLIAM PARKWAY, SUITE 300 ■ WOODBRIDGE, VA 22192-5199

ARLINGTON OFFICE 703 528 4700 ■ LOUDOUN OFFICE 703 737 3633



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TO: Town of Haymarket Planning Commission

SUBJECT: Comp Plan and ZTA's

DATE: 02/11/13

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Report from Marchant Schneider on these items.





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TO: Town of Haymarket Planning Commission  
SUBJECT: Certified Local Government  
DATE: 02/11/13

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This is to amend the Historic Overlay boundary, so that the Town may apply for the Certified Local Government program.



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TO: Town of Haymarket Planning Commission  
SUBJECT: Advantage Landscaping - Rezoning  
DATE: 02/11/13

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Danny Humphreys from Advantage Landscaping is asking to rezone from C1 to I1. 15200 Kapp Valley Way.



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TO: Town of Haymarket Planning Commission  
SUBJECT: Haymarket Self Storage - Outdoor Equipment Storage  
DATE: 02/11/13

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Haymarket Self Storage would like to request a special exception, to allow them to have outdoor equipment storage. 6600 James Madison Highway.