



# TOWN OF HAYMARKET PLANNING COMMISSION

## REGULAR MEETING ~ AGENDA ~

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

15000 Washington Street, Suite 100  
Haymarket, VA 20169

Monday, May 13, 2013

7:00 PM

Council Chambers

### 1. Call to Order

### 2. Public Hearing

- a. Haymarket Baptist Church Final Site Plan
- b. Historic District Overlay Revision

### 3. Announcements

### 4. Citizens Time

### 5. Minutes Approval

- a. Planning Commission - Regular Meeting - Apr 8, 2013 7:00 PM

### 6. Construction Permits/Zoning Permit Application-COA

- a. 6777 Fayette Street - Fence
- b. 14979 Keavy Place - Fence
- c. 6701 Leaberry Avenue - Food Lion Banner
- d. 6590 Jefferson Street - New Business

### 7. ARB and Council Update

### 8. New Business

### 9. Town Planner Report

### 10. Old Business

- a. Haymarket Baptist Church - Final Site Plan
- b. 15161 Washington Street - U-Haul Business
- c. Capital Improvement Items
- d. Historic District Overlay
- e. Comp Plan/ZTA's
- f. Haymarket Self Storage

### 11. 1-Mile Notices

- a. 1 Mile Notices

### 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, April 8, 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, Ed Robinson: Absent, Commissioner Ralph Ring: Present, Commissioner Christopher Johnson: Absent.

### 2. Public Hearings

a. Haymarket Baptist Church Site Plan Waivers

No one to speak.

Continue to hold open thru May 13.

No action tonight.

b. Historic District Overlay revision

No citizen spoke.

### 3. Announcements

No announcements.

### 4. Citizens Time

No one spoke at citizens time.

### 5. Minutes Approval

a. Planning Commission - Regular Meeting - Mar 11, 2013 7:00 PM

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

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

a. 6590 Jefferson Street - Vintage Marketplace

Planner spoke with applicant before the meeting. They are setting up a furniture sales in barn next to Details for the Home. There could be Building code restrictions. It also could require a Site Plan as it changes the use of the Barn. Parking issues would need to be established as well. Would need a bathroom that is ADA compatible. They could use the bathroom in the main building. Need square footage on Details for the Home and the barn.

Weir not is not comfortable moving forward without exact details. Defer to the May 13th meeting.

Minutes Acceptance: Minutes of Apr 8, 2013 7:00 PM (Minutes Approval)

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

**b. 15161 Washington Street - BandM Welding**

This is in the Donald B. Rice Tire building. The use is Grandfathered. 2 year timeline ends this summer.

They are within the time frame. In accordance with Town Code Section 58-257 (2)

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

## 7. ARB and Council Update

Moved to Item 10 c first.

ARB Update: Ring. Spent most of last months ARB meeting discussing Sheetz.

Marchant met with attorney last week. Explained the process. They know they need to come to PC for signage.

They are not ready for signage at this time. They will probably take the sign plan out of the site plan set, and when they submit site plan, no signs. Will have to come back to ARB and PC with signs.

Council: No update.

## 8. New Business

**a. Capital Improvement Plan 2014**

Is there a timeline for this? We are missing 2 PC members tonight and would like to have everyone weigh in on it.

Budget meeting is tomorrow at 7pm.

This is just a draft. Council has not acted yet.

Defer until May meeting.

## 9. Town Planner Report

Reporting in Old Business.

## 10. Old Business

**a. Haymarket Baptist Church Final Site Plan Waivers**

Site plan and waivers. Site plan open. Not received VDOT's authority yet.

Maybe by May.

Weir moves to Table to date uncertain. Bare seconds.

Ayes: 3

Absent: 2

**b. Funeral Home Use in the B1**

Mr. Blasius is here this evening. Met with commission, and town attorney.

Created language. Recommended changes handed out.

Recommend joint hearing again in May with Town Council. Do not need to agree with it. Give recommendation.

Could adopt ordinance that night.

Bare motions to forward proposed ZTA for allowing a Funeral Home in B1 Town Council for joint Public Hearing on May 6th.

WITHDRAWN

DIRECT CLERK TO ADVERTISE JOINT PUBLIC HEARING.

**c. Historic District Overlay**

Shows motions made by Tobias sending recommended map from Town Council to Planning Commission.

Deal with overlay district? Or go with the initial proposed expansion of currently proposed map, to include corridor from Bloom property to 15.

Keep in Giuseppes and JBIII building. Include area of the old fairgrounds. Quarles under unified development plan.

Leaberry shopping center up to back prop line of Fosters bldg. All of Piedmont Tire in it. Tie into Bloom property. Dissecting 84 lumber parcel.

Details to the interstate? Preference is not to include that. Nothing historic out there. 66 is manmade barrier.

Language for ARB members has to be adopted.

Weir suggest mark up map as discussed. Redraft language. Hearing is open. Prefer all members here.

Will discuss next month. Leave the hearing open. He will have the map next month.

**d. Comp Plan/ZTA's**

TABLED

**e. 15161 Washington Street- UHaul Business**

Holding pattern pending conclusion on self storage.

Did not respond. Self storage submitted application and paid the fee. Had a meeting. Issue still outstanding.

How to kick-start self storage? Cite them with zoning violation? Marchant has not sent that notice.

They're not meeting timeline and diligently pursuing.

They need to file an SUP.

## 11. 1/Mile Notice/Discussion Items

Went to PH for office complex north of town. Was approved. Medical office.

PACE west contract signed. Purchaser year to go thru zoning due diligence and closing.

Asked for an interim use until they file rezoning. school. Talked to a few private schools.

Keep fields open.

Boundary line adjustment should still happen.

Approached by applicant for Midwood. They want to come in and meet with leadership to see what town would like to look for.

Proffer analysis done? Not sure they've even submitted zoning yet.

## 12. Adjournment

Bare motions to adjourn the Planning Commission Meeting.

Ring seconds

Meeting adjourned at 7:38pm.



---

TO: Town of Haymarket Planning Commission

SUBJECT: 6777 Fayette Street - Fence

DATE: 05/13/13

---

The resident, Rich Gillin, is taking the current black aluminum fence from around the swimming pool, and extending it to enclose his entire back yard. The ARB approved this application on April 17, 2013.

**ATTACHMENTS:**

- 6777 Fayette Street - Gillin Fence (PDF)



RECEIVED  
APR 12 2013  
TOWN OF HAYMARKE

6.a.a

ZONING PERMIT #: ZP20130415

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: RICHARD T GILLIN

PROPOSED USE: FENCE Size (Sq. Ft./Length) of Construction: ≈ 90 FT/54" H.

SITE ADDRESS: 6777 FAYETTE STREET Parcel ID #: LOT 5

Subdivision Name: 18<sup>th</sup> Century Haymarket 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: N/A Spaces Provided: N/A

BRIEF DESCRIPTION OF ACTIVITY: (i.e. previous use, type and dimensions of signs, height/length of fencing, etc.)  
Install fencing ≈ 90 Feet and 1 gate. Fence height 54" (Pool code approved height)  
Color: Black, Material: no maintenance aluminum, Appearance: wrought Iron

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

FEE:  \$25.00 Residential  \$50.00 Commercial

PAID APR 15 2013

### CERTIFICATE OF APPROPRIATENESS

ADDITIONAL DESCRIPTION: (i.e. color, type of material, font style, etc.)  
Fence: 54" (code approved height for pool), Appearance: Black wrought iron  
Material: Aluminum, Gate: 48" wide

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

PERMIT HOLDER INFORMATION			PROPERTY OWNER INFORMATION		
<u>RICHARD T GILLIN</u>			<u>RICHARD T GILLIN</u>		
Name			Name		
<u>6777 FAYETTE STREET</u>			<u>6777 FAYETTE STREET</u>		
Address			Address		
<u>HAYMARKET</u>	<u>VA</u>	<u>20169</u>	<u>HAYMARKET</u>	<u>VA</u>	<u>20169</u>
City	State	Zip	City	State	Zip
<u>(571) 212-7897</u>	<u>psu8387@comcast.net</u>		<u>(571) 212-7897</u>	<u>psu8387@comcast.net</u>	
Phone#	Email		Phone#	Email	

Attachment: 6777 Fayette Street - Gillin Fence (1426 : 6777 Fayette Street - Fence)



**APPLICANT / PROPERTY OWNER SIGNATURE**

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

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

*[Handwritten Signature]*

*[Handwritten Signature]*

Applicant Signature

Property Owner Signature

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

ZONING PERMIT #: ZP20130415

Date Filed: 4-15-13

Fee Amount: 25.00

Date Paid: 4-15-13

DATE TO ARCHITECTURAL REVIEW BOARD (ARB): 4-17-13

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

ARCHITECTURAL REVIEW BOARD CHAIR: *[Signature]*   Keneth M Caroran  
SIGNATURE   PRINT

CONDITIONS: As described in application

DATE TO PLANNING COMMISSION: 5-13-13

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

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

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

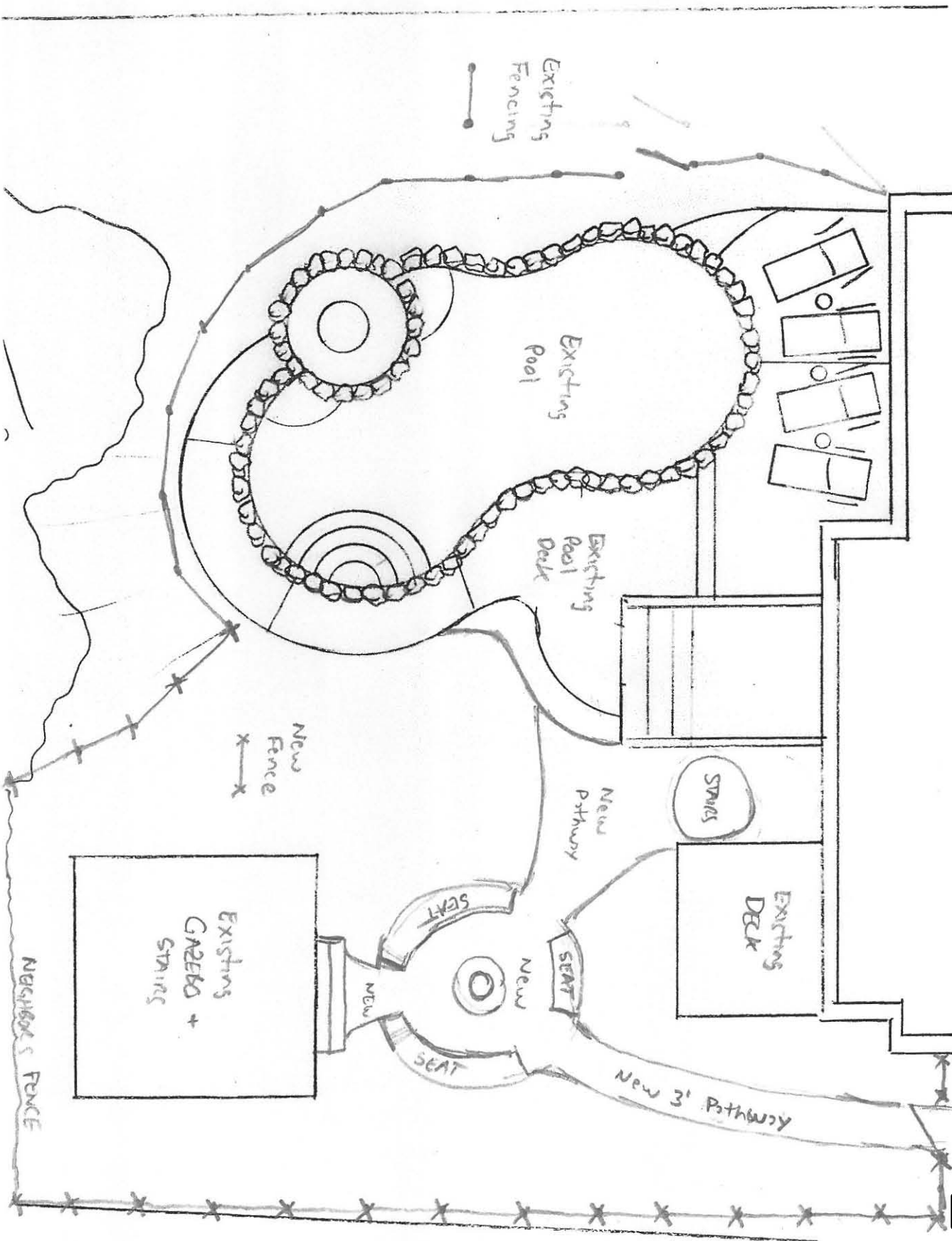
DATE TO TOWN COUNCIL: N/A

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

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

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

Attachment: 6777 Fayette Street - Gillin Fence (1426 : 6777 Fayette Street - Fence)



DATE:

PHONE NO.:

LOCATION:

IGN FOR:



**OTHER FENCE STYLES/RETAINING WALLS:**



**Ornamental Fencing**



**Wrought Iron Fence**



**Stone Retaining Wall**



**Wood Retaining Wall**

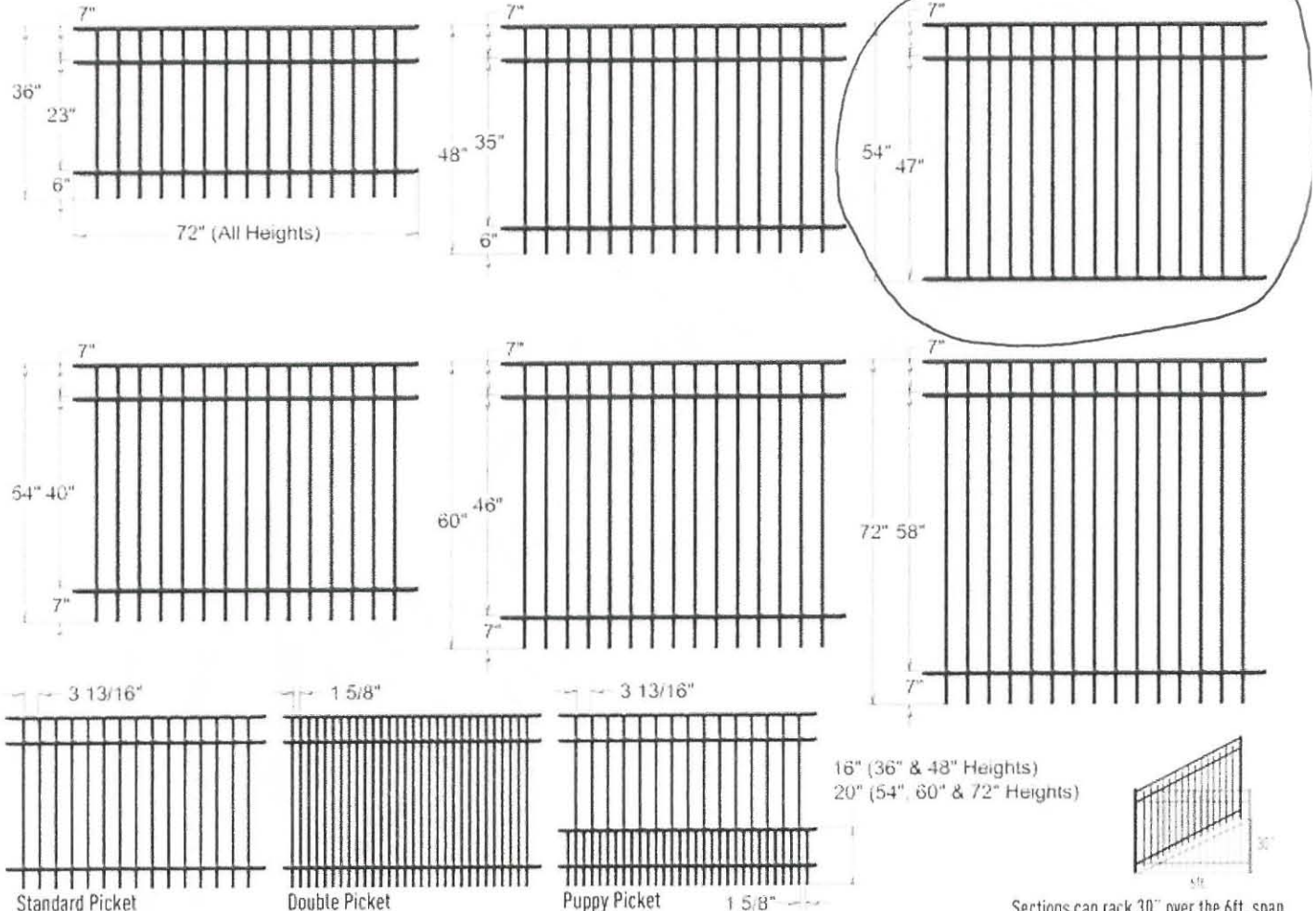
Attachment: 6777 Fayette Street - Gillin Fence (1426 : 6777 Fayette Street - Fence)

### Style B Residential Aluminum Fencing - 3 Rail Smooth Top

#### Specifications

Material: 6063-T5 Aluminum • Pickets: 5/8" sq. x .050" Wall • Rails: 1" sq. x .055" Wall • PPG® TGIC Polyester Powder Coating  
Screws: Hardened 410 Stainless Steel With Cr6 Plating & Colored Heads • All Sections Are Offered Pre-Assembled Or Un-Assembled

BLACK ↘



Style B Aluminum Fence Sections Are Available In Standard Picket, Double Picket & Puppy Picket Designs.

Sections can rack 30" over the 6ft. span to accommodate hilly terrain.



**Style B Pool Code Approved Heights**  
 Standard Picket Design: 54" Flush Bottom 60" & 72" • Double Picket Design: 48", 54", 60" & 72"  
 Please Note That 36" Height & Any Puppy Picket Design Fence Sections Do Not Meet Pool Code

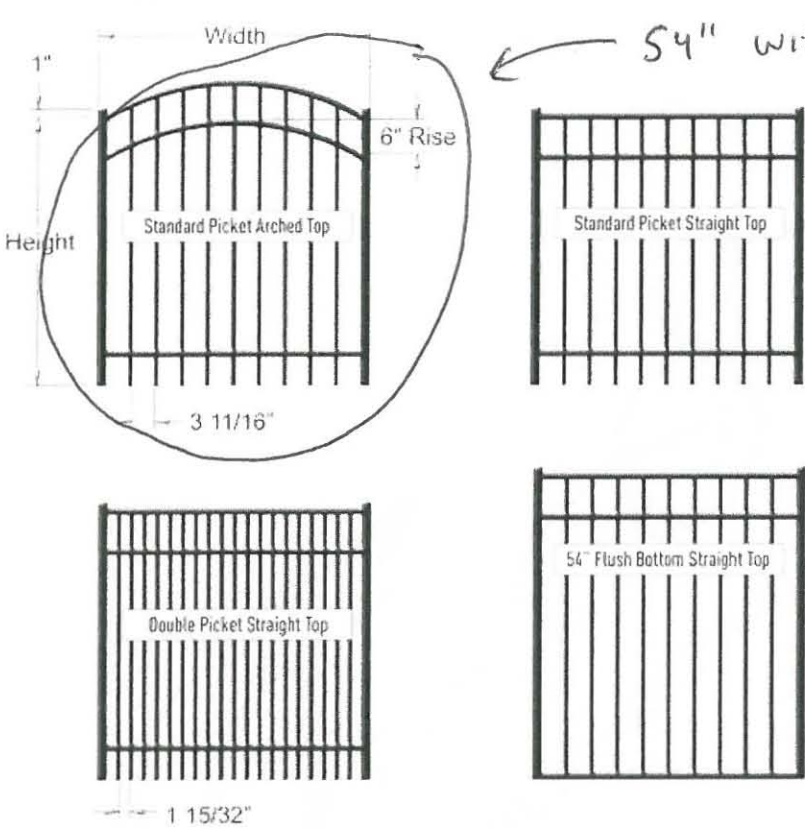
Attachment: 6777 Fayette Street - Gillin Fence (1426 : 6777 Fayette Street - Fence)



## Style B Commercial Aluminum Gates - 3 & 4 Rail Smooth Top

### Specifications

Material: 6063-T6 Aluminum • Pickets: 3/4" sq. x .062" Wall • Rails: 1 1/4" sq. x .080" Wall • Gate Uprights: 2" sq. x .090" Wall  
 PPG® TGIC Polyester Powder Coating • Welded Construction • All Gates Are Assembled and Ready For Installation



← 54" with flush bottom

All Gates Include (2) 3 1/2" Adjustable Tension Gate Hinges & (1) Standard Gate Gravity Latch (Additional Latch Options Are Available)

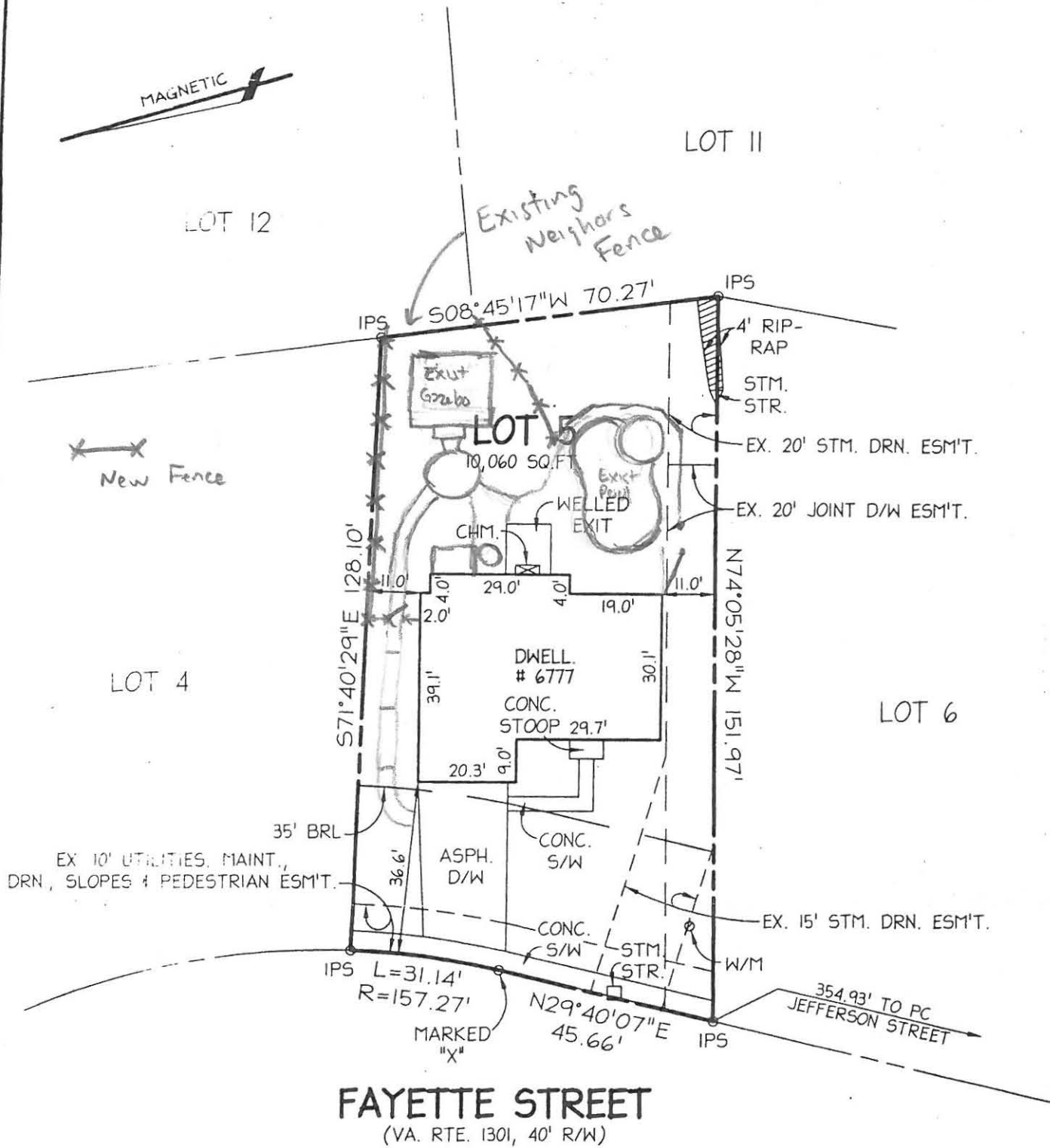


- Available Heights: 36", 48", 54" Flush Bottom, 54", 60", 72" 3 Rail & 72" 4 Rail
- Available Widths: 36", 48", 60" & 72"
- Available in Arched or Straight Top Designs
- Available in Standard Picket & Double Picket Configurations



**Style B Pool Code Approved Heights**  
 Standard Picket Design: 54" Flush Bottom, 60" & 72" • Double Picket Design: 48", 54", 60" & 72"  
 Please Note That 36" Height Gates Do Not Meet Pool Code

Attachment: 6777 Fayette Street - Gillin Fence (1426 : 6777 Fayette Street - Fence)



**FAYETTE STREET**  
(VA. RTE. 1301, 40' R/W)

FLOOD ZONE NOTE THE DWELLING SHOWN HEREON WAS NOT FOUND TO LIE WITHIN A FEMA IDENTIFIED "SPECIAL FLOOD HAZARD" AREA.  
 FLOOD INSURANCE RATE MAP TOWN OF HAYMARKET 1/17/90  
 COMMUNITY-PANEL NUMBER: 510121 0001 A  
 ZONE DESIGNATION: "X"

PROPERTY SUBJECT TO ALL NOTES & RESTRICTIONS AS SHOWN ON RECORD PLAT.

ALL EASEMENTS SHOWN HEREON ARE RECORDED IN D.B. 2221 AT PG. 154 UNLESS SHOWN OTHERWISE.

**HOUSE LOCATION**

LOT 5

18th CENTURY HAYMARKET

IPS DENOTES IRON PIPE SET.  
 W/M DENOTES WATER

Attachment: 6777 Fayette Street - Gillin Fence (1426 : 6777 Fayette Street - Fence)



---

TO: Town of Haymarket Planning Commission

SUBJECT: 14979 Keavy Place - Fence

DATE: 05/13/13

---

The resident, Jackie Walker, wants to install a 4' High black aluminum fence with two gates around the rear of the house. ARB approved this application on April 17, 2013.

**ATTACHMENTS:**

- 14979 Keavy Place - Walker fence (PDF)



RECEIVED

APR 10 2013

TOWN OF HAYMARKET

# The Town of HAYMARKET

Established in 1799

ZONING PERMIT #: ZP20130410

**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:** Jackie Walker

**PROPOSED USE:** fence Size (Sq. Ft./Length) of Construction: See attached 23

**SITE ADDRESS:** 14979 Keavy Place Haymarket VA Parcel ID #: lot 13

Subdivision Name: Shorwood Forest 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.)  
installing 239 linear Feet of 4' Foot High  
ornamental aluminum black with  
2 walk gates

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

FEE:  \$25.00 Residential  \$50.00 Commercial PAID APR 10 20

## CERTIFICATE OF APPROPRIATENESS

**ADDITIONAL DESCRIPTION:** (i.e. color, type of material, font style, etc.)  
See Above + Attached Picture

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

PERMIT HOLDER INFORMATION		PROPERTY OWNER INFORMATION	
Name	<u>Rob Alger</u>	Name	<u>Jackie Walker</u>
Address	<u>11604 Lakeway Drive</u>	Address	<u>14979 Keavy Place</u>
City	<u>Manassas VA</u>	City	<u>Haymarket VA</u>
State	<u>VA</u>	State	<u>VA</u>
Zip	<u>20112</u>	Zip	<u>20169</u>
Phone#	<u>703-732-6625</u>	Phone#	<u>703-444-4444</u>
Email		Email	<u>jackie4walker@gmail</u>

Attachment: 14979 Keavy Place - Walker fence (1427 : 14979 Keavy Place - Fence)

**APPLICANT / PROPERTY OWNER SIGNATURE**

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

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

[Signature]  
Applicant Signature

[Signature]  
Property Owner Signature

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

ZONING PERMIT #: 2P20130410

Date Filed: 4-10-13

Fee Amount: 25<sup>00</sup>

Date Paid: 4-10-13

DATE TO ARCHITECTURAL REVIEW BOARD (ARB): 4-17-13

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

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

CONDITIONS: As per description in application.

DATE TO PLANNING COMMISSION: 5-13-13

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

PLANNING COMMISSION (where required): \_\_\_\_\_  
SIGNATURE    PRINT

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

DATE TO TOWN COUNCIL: N/A

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

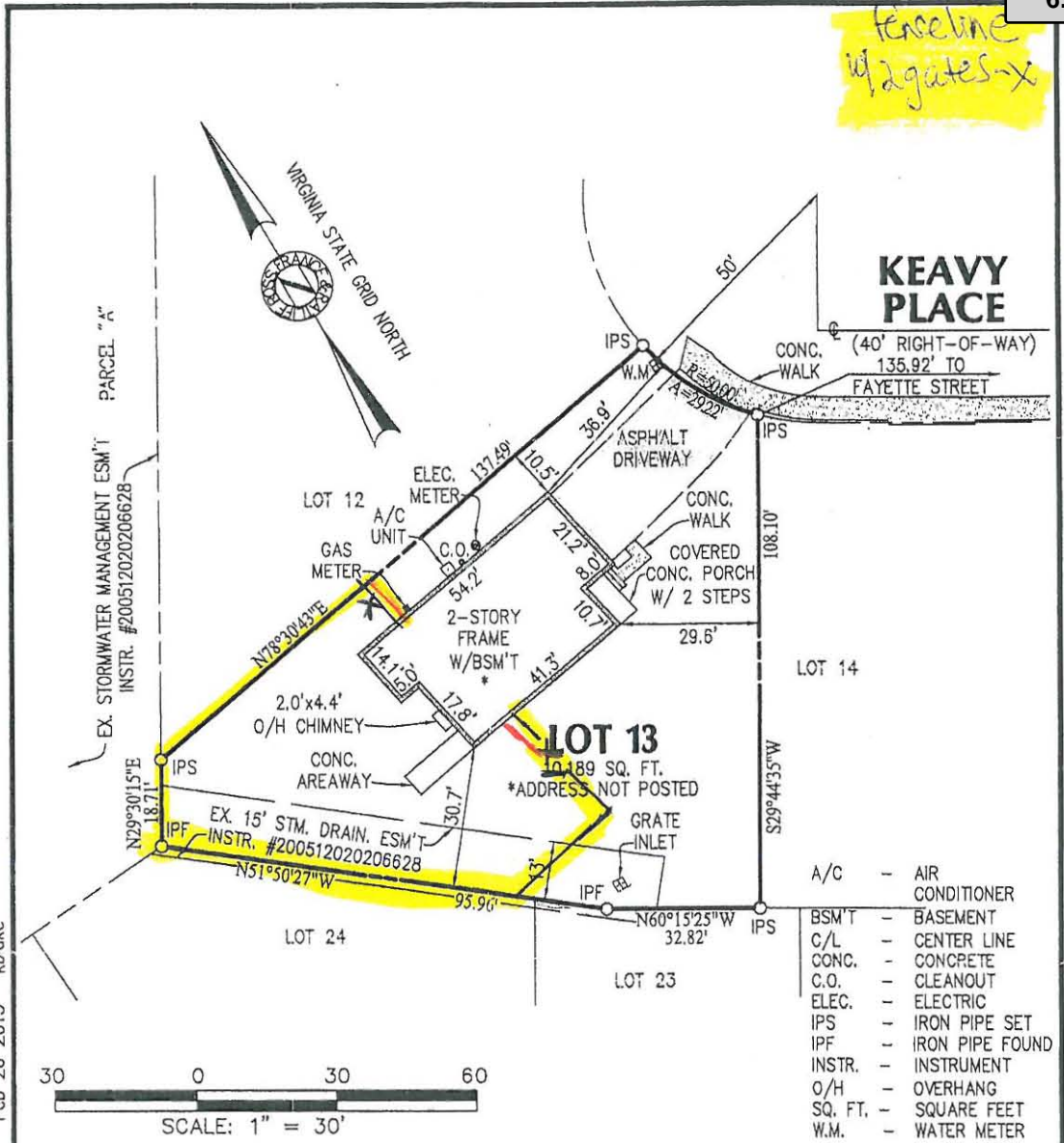
TOWN COUNCIL (where required): \_\_\_\_\_  
SIGNATURE    PRINT

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

Attachment: 14979 Keavy Place - Walker fence (1427 : 14979 Keavy Place - Fence)



fence line  
w/ 2 gates - x



- A/C - AIR CONDITIONER
- BSM'T - BASEMENT
- C/L - CENTER LINE
- CONC. - CONCRETE
- C.O. - CLEANOUT
- ELEC. - ELECTRIC
- IPS - IRON PIPE SET
- IPF - IRON PIPE FOUND
- INSTR. - INSTRUMENT
- O/H - OVERHANG
- SQ. FT. - SQUARE FEET
- W.M. - WATER METER

THE GEOGRAPHIC PARCEL IDENTIFICATION NUMBER (G.P.I.N.) FOR THE PROPERTY SHOWN HEREON IS 7298-81-9607. THIS PROPERTY WAS ACQUIRED BY DEED RECORDED AS INSTRUMENT #201011050098724 IN THE LAND RECORDS OF PRINCE WILLIAM COUNTY, VIRGINIA.

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

HOUSE LOCATION SURVEY  
LOT 13


### SHERWOOD FOREST

GAINESVILLE MAGISTERIAL DISTRICT  
TOWN OF HAYMARKET  
PRINCE WILLIAM COUNTY, VIRGINIA  
SCALE: 1" = 30'  
FEBRUARY 26, 2013

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



COPYRIGHT © 2013  
by  
ROSS, FRANCE & RATLIFF, LTD.  
NO TITLE REPORT FURNISHED

DWN:	KWB	 <b>Ross, France &amp; Ratliff, Ltd.</b> CIVIL ENGINEERING - LAND SURVEYING 8802 SUDLEY ROAD MANASSAS, VIRGINIA 20110 703-361-4188 FAX 703-361-6353	CERTIFIED CORRECT
CHK:	JWL		RE-CERTIFIED CORRECT

P:\Engineer\pwc\SHERWOOD\House-Loc\dwg\Lot-13-hls.DWG Tue, Feb 26 2013 kb:ake

Attachment: 14979 Keavy Place - Walker fence (1427 : 14979 Keavy Place - Fence)

F#5150-A



# ALUMINUM

FENCE SUPPLY

*The Superior Alternative*

Attachment: 14979 Keavy Place - Walker fence (1427 : 14979 Keavy Place - Fence)



*Classic Series*





---

TO: Town of Haymarket Planning Commission  
SUBJECT: 6701 Leaberry Avenue - Food Lion Banner  
DATE: 05/13/13

---

Food Lion wants to hang a 12 square foot banner attached to the front facade of the building. The letter indicates they want the banner hung from 5/15/2013 - 5/29/2013, but amended this to the Clerks office to be hung immediately, thru 5/29/2013.

**ATTACHMENTS:**

- 6701 Leaberry Avenue - Food Lion Banner (PDF)





ZONING PERMIT #: ZP20130418

**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:** Food Lion

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

**SITE ADDRESS:** 6701 Leaberry Ave 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 N/A

Off-street Parking: Spaces Required: N/A Spaces Provided: N/A

**BRIEF DESCRIPTION OF ACTIVITY:** (i.e. previous use, type and dimensions of signs, height/length of fencing, etc.)  
installing a 12sf banner on the building for the grand re-opening of the Food Lion grocery store.

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.)  
green banner with blue and white lettering - "We've Lowered Prices", made out of vinyl, and will be securely attached to building

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

PERMIT HOLDER INFORMATION			PROPERTY OWNER INFORMATION		
<u>Brittany Mae</u>			<u>Karen Weidon</u>		
Name			Name		
<u>5 Tech View Drive</u>			Address		
Address			Address		
<u>Linnah</u>	<u>OH</u>	<u>45215</u>	City State Zip		
City	State	Zip	City State Zip		
<u>800-837-6306</u>	<u>bmae@asapevents.com</u>	<u>703-987-8050</u>	<u>KHweidon@hotmail.com</u>	Phone# Email	
Phone#	Ext.	Email	Phone#	Email	
<u>Ext. 110</u>					

Attachment: 6701 Leaberry Avenue - Food Lion Banner (1428 : 6701 Leaberry Avenue - Food Lion Banner)

**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.

B. Moe  
Applicant Signature

X Property owner (Karen) is bringing her approval letter to the town hall  
Property Owner Signature

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

ZONING PERMIT #: ZP20130418

Date Filed: 4-18-13 Fee Amount: 50- Date Paid: 4-18-13

DATE TO ARCHITECTURAL REVIEW BOARD (ARB): 5-15-13

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

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

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

DATE TO PLANNING COMMISSION: 5-13-13

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: 6701 Leaberry Avenue - Food Lion Banner (1428 : 6701 Leaberry Avenue - Food Lion Banner)

**Sherrie Wilson**

---

**From:** Brittany Moe [bmoe@asapevents.com]  
**Sent:** Monday, May 06, 2013 9:45 AM  
**To:** Sherrie Wilson  
**Cc:** khweldon@hotmail.com  
**Subject:** Re: Food Lion Haymarket, VA

Sherrie,

We are currently putting banners up at 200 stores in the area, so our installer started a little early to make sure everything would be up by the 15th. I wasn't aware that this store was going to go up that early, that is why I applied for the permit for the 15th-29th. That is the only banner that will be installed at this location. Let me know if you would like me to submit a new permit with the new dates on it.

Thanks!!

Brittany Moe

ASAP Event Advertising

5 Tech View Dr., Cincinnati, OH 45215

P: 513-733-9500 ext 110 F: 513-588-3737

[www.asapevents.com](http://www.asapevents.com) [www.windwavers.com](http://www.windwavers.com)

♻️ SAVE A TREE! Please consider the environment before printing this e-mail

On 5/6/13 9:37 AM, "Sherrie Wilson" <[swilson@townofhaymarket.org](mailto:swilson@townofhaymarket.org)> wrote:

**Brittany**

**I did receive the application and request for installing a temporary banner for the Food Lion here in Haymarket. The letter indicated that the banner will go up 5/15 – 5/29/2013. But I noticed yesterday that it is already up. Is there only one banner? Or will there be several. I noticed it's not actually on the front of the building. It's under the "alcove", near the door.**

**This is going to Planning Commission next Monday, May 13th, and to the ARB to review on May 15th as well, for approval.**

Sherrie Wilson  
 Deputy Clerk



P.O. Box 1230

Haymarket, VA 20168

703-753-2600

Fax: 703-753-2800

Please visit our website at [www.townofhaymarket.org](http://www.townofhaymarket.org)





create excitement • drive store traffic • increase sales  
grand openings • special events • seasonal promotions • brand awareness

RECEIVED

APR 18 2013

TOWN OF HAYMARKET

April 4, 2013

Town of Haymarket  
PO Box 1230  
Haymarket, VA 20168

Dear Zoning Official,

I work with Food Lion's corporate office to arrange for temporary decorations for stores that are having grand openings/re-grand openings.

They have remodeled one of their locations in Haymarket at 6701 Leaberry Avenue

We would like to put up temporary decorations to let their customers know that the store remodel is complete. The decorations would be displayed on the store from 5/15/2013 – 5/29/2013 – 14 days. The store will have the following:

1 – 2' x 16' re-opening banner

Please let me know whether you would allow Food Lion to display these decorations.

Sincerely,

Brittany Moe  
Event Project Director  
800-837-6306  
513-733-9500 X 110  
513-588-3737 fax  
bmoe@asapevents.com

5 Tech View Drive • Cincinnati, OH 45215 • phone 513-733-9500 • fax 513-588-3737



asapevents.com windwavers.com



Attachment: 6701 Leaberry Avenue - Food Lion Banner (1428 : 6701 Leaberry Avenue - Food Lion Banner)



create excitement • drive store traffic • increase sales  
 grand openings • special events • seasonal promotions • brand awareness

Example of Re-Opening Banner



Attachment: 6701 Leaberry Avenue - Food Lion Banner (1428 : 6701 Leaberry Avenue - Food Lion Banner)

5 Tech View Drive • Cincinnati, OH 45215 • phone 513-733-9500 • fax 513-588-3737







April 15, 2013

Dear Ms. Weldon,

I would like to request permission to install temporary outdoor visibility for a Grand Re-opening Event at the Food Lion located at 6701 Leaberry Avenue in Haymarket, VA.

The Visibility Package includes:

1 – Grand Re-opening Banner (2' x 6')- Attached to the front façade of the building.

The Grand Re-opening Banner will be installed 5/15/13 – 5/29/13.

If you are disapproving of these elements, please contact me as soon as possible. If you have any questions or require more information please free to contact me at 800-837-6306 x 110.

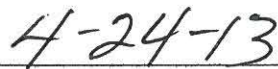
Thank you for your time and help!

Sincerely,

**Brittany Moe**

Event Project Manager  
 5 Tech View Dr., Cincinnati, OH 45215  
 800-837-6306 X 107  
 bmoe@asapevents.com  
[www.asapevents.com](http://www.asapevents.com)    [www.windwavers.com](http://www.windwavers.com)

  
 \_\_\_\_\_  
 Property Owner

  
 \_\_\_\_\_  
 Date

RECEIVED

APR 26 2013

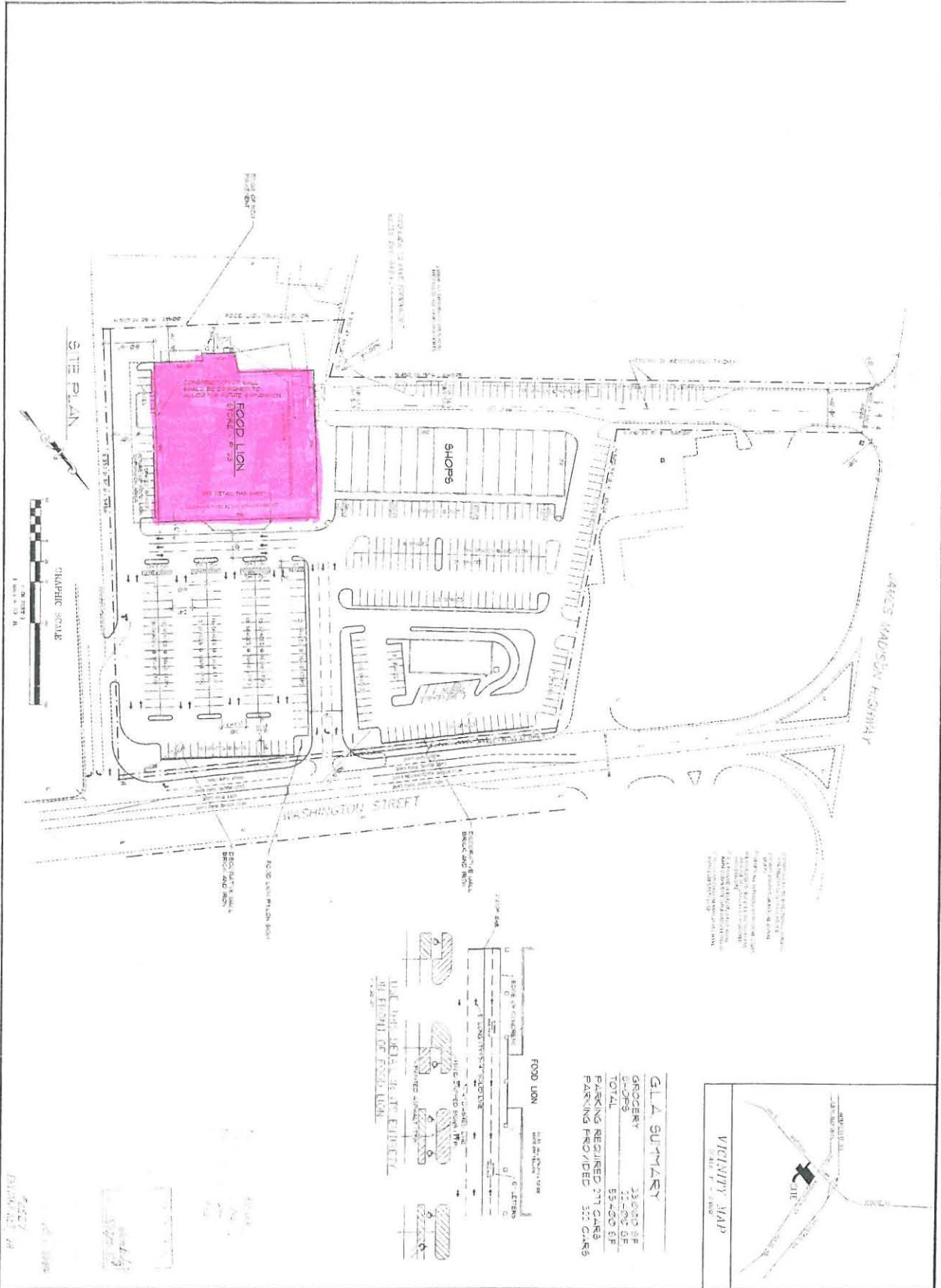
TOWN OF HAYMARKET

Attachment: 6701 Leaberry Avenue - Food Lion Banner (1428 : 6701 Leaberry Avenue - Food Lion Banner)

**WE'VE LOWERED  
PRICES**

Attachment: 6701 Leaberry Avenue - Food Lion Banner (1428 : 6701 Leaberry Avenue - Food Lion Banner)





SP-1

SHOPPES AT HAYMARKET  
 VA ROUTE 55 & US ROUTE 15  
 HAYMARKET, VIRGINIA  
 SHOPPES AT HAYMARKET, LLC  
 HAYMARKET, VIRGINIA

BARLEW • NEUHOFF  
 ARCHITECTS INCORPORATED  
 899 DALLAS ROAD CHATTANOOGA, TN 37405  
 (423) 266-7831 FAX (423) 266-5502

REVISIONS

NO.	DATE	DESCRIPTION
0011	1/1/00	ISSUED FOR PERMIT



---

TO: Town of Haymarket Planning Commission

SUBJECT: 6590 Jefferson Street - New Business

DATE: 05/13/13

---

This application was tabled from the 4/8/2013 Planning Commission Meeting. The applicant wants to set up the business in the barn, of the Details for the Home property. More information was needed as to the square footage of Details for the Home, and the barn area. Parking may be an issue as well.

**ATTACHMENTS:**

- 6590 Jefferson Street - Vintage Marketplace (PDF)





---

TO: Town of Haymarket Planning Commission  
SUBJECT: 6590 Jefferson Street - Vintage Marketplace  
DATE: 04/08/13

---

This is a Retail shop in the B1 Zone. Selling antiques, home decor, etc.

**ATTACHMENTS:**

- 6590 Jefferson Street - Vintage Marketplace (PDF)



RECEIVED APR - 2 2013

TOWN OF HAYMARKET

ZONING PERMIT #: ZP2013040Z

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

PAID APR - 2 20

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

NAME OF BUSINESS/APPLICANT: Vintage Marketplace LLC

PROPOSED USE: Retail Size (Sq. Ft./Length) of Construction: 700 to 1,000 sq

SITE ADDRESS: 6590 Jefferson Street, Haymarket VA (The BARN) Parcel ID #: \_\_\_\_\_

Subdivision Name: N/A Lot Size: \_\_\_\_\_

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

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

Sell Antiques, Home decor, ect.

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

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

PAID APR - 2 201

CERTIFICATE OF APPROPRIATENESS

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

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

PERMIT HOLDER INFORMATION: Nancy Kemper, 14508 Brinestone Place, Haymarket VA 20169, 703-963-1578, ShopNancy@Aho.com
PROPERTY OWNER INFORMATION: Michael R ZUPAN, 5241 STALLION RD, BROAD RUN VA 20137, 540 270 0935

Attachment: 6590 Jefferson Street - Vintage Marketplace (1429 : 6590 Jefferson Street - New Business)







---

TO: Town of Haymarket Planning Commission  
SUBJECT: Haymarket Baptist Church - Final Site Plan  
DATE: 05/13/13

---

A joint public hearing was held with the Town Council for the Final Site Plan, of construction of a sanctuary addition and parking lot improvements.



---

TO: Town of Haymarket Planning Commission  
SUBJECT: 15161 Washington Street - U-Haul Business  
DATE: 05/13/13

---

Tabled from previous months.

**ATTACHMENTS:**

- 15161 Washington Street - U-Haul Business (PDF)



---

TO: Town of Haymarket Planning Commission  
SUBJECT: 15161 Washington Street - Uhaul Business  
DATE: 03/11/13

---

Tabled from previous months.

**ATTACHMENTS:**

- 15161 Washington Street - Uhaul Business (PDF)



# The Town of HAYMARKET

Established in 1799

ZONING PERMIT #: ZP20121220

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

## ZONING PERMIT APPLICATION

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

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

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

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

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

**ZONING DISTRICT:**  R-1  R-2  B-1  B-2  U-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 12/20/12*

## CERTIFICATE OF APPROPRIATENESS

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

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

PERMIT HOLDER INFORMATION			PROPERTY OWNER INFORMATION		
Name			Name		
Address			Address		
City	State	Zip	City	State	Zip
Phone#	Email		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 See email

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

ZONING PERMIT #: ZP20121220

Date Filed: 12-20-12

Fee Amount: 50

Date Paid: 12-20-12

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

N/A

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

ARCHITECTURAL REVIEW BOARD CHAIR:

SIGNATURE

PRINT

CONDITIONS:

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

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

PLANNING COMMISSION (where required):

SIGNATURE

PRINT

CONDITIONS:

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

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

TOWN COUNCIL (where required):

SIGNATURE

PRINT

CONDITIONS:

Attachment: 15161 Washington Street - U-Haul Business (1431 : 15161 Washington Street - U-Haul Business)

**Sherrie Wilson**

---

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

**Importance:** High

i am aware of this an approve jim d

---

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

Mr. Durham

Can you sign the attached Zoning Permit Application for Haymarket Motors?

This is for them to come into compliance with their U-Haul business at your property.

Or an email back saying you are aware of this business on your property and approve?

Thank you.

---

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

Attachment: 15161 Washington Street - U-Haul Business (1431 - 15161 Washington Street - U-Haul Business)





---

TO: Town of Haymarket Planning Commission  
SUBJECT: Capital Improvement Plan 2014  
DATE: 05/13/13

---

This is a draft CIP item list for consideration in the 2013/2014 Budget.

**ATTACHMENTS:**

- CIP Draft Budget (PDF)

Capital Items for Consideration in the 2013/2014 Budget  
**DRAFT**  
 General Government

	Item	Estimated Cost	Notes	Funding Source
1	Streetscape	\$1,000,000	Construction Phase of the project extending brick sidewalk from Madison Street to the Harrover Property.	Meals Tax ,Cash on Hand
2	Washington Street Beautification a.Installation 2 light poles b. Light Pole Painting c. Benches and Pads, Trashcans, Bike Racks d. Crosswalk repair/replacement	a. \$7000 per b. \$5000-\$7000 c. Benches \$3000 (not including retaining walls if needed), trashcans \$1600 d.\$72,000	a. Install 2 poles missing on Washington Street in front of the Bloom building b. Paint all 60 poles on Washington Street c. Purchase and install 2 benches and pads, and 2 trashcans on Washington Street d. Convert remaining brick crosswalks to stamped asphalt	a,b,c & d--Meals Tax, General Fund d--Connolly earmark funds if available
3	Town Center Property	\$500,000	Master Plan Design and Construction Old Post Office construction completion	General Fund, Grant Funds, Bonds
4	Reserve Study	\$20,000	Provide Information for the Reserve Account	General Fund
5	Shared Used Path	\$500,000	To connect the shared use path which VDOT will install on the bridge.	\$500,000 earmark from Connolly
6	Accounting a.Quickbooks reinstate and update or b. Additional training for staff on ASYST	a. \$2500 b. \$7400	There is a need for additional training for Town staff on the accounting program ASYST, (price is estimate for 7 days of training including airfare and accomadations for trainer)or the decision needs to be made to go back to Quickbooks and update to cover governmental needs.	General Fund

Capital Items for Consideration in the 2013/2014 Budget  
DRAFT  
General Government (continued)

	Item	Estimated Cost	Notes	Funding Source
8	Town signage	\$45,000	Signs for the 4 entryways, 1 Police Department Sign(lighted), 1 Town Hall Sign.	General Fund, Parks and Recs Proffer funds
9	Computer work station	\$1,500	One additional station to be shared by contractors	General Fund
10	Quiet Zone	\$50,000	Installation of signage both in and out of town to implement a Quiet Zone.	General Fund, PWC General Funds

Attachment: CIP Draft Budget (1432 : Capital Improvement Plan 2014)



Capital Items for Consideration in the 2013/2014 Budget  
DRAFT  
Public Safety

	Item	Estimated Cost	Notes	Funding Source
1	Telephone system	\$3,000	Telephone system in need of replacing	General Fund
2	Security System	\$7,500	Installation of Security system, with Cameras for additional security of building.	General Fund
3	Radar Replacements	\$5,000.00	Replacement of older units	General Fund
4	In-Car computers	\$12,000.00	Purchase and Install 2 in-car computers	General Fund
5	In-Car cameras	\$7,000.00	Purchase and Install 2 in-car cameras	General Fund
6	Lockers	\$750.00	Purchase and install Lockers in the evidence room.	General Fund
7	Driveway Repair/Replacement		Gravel driveway and parking areas in need of repairs	General Fund
8	Taser and Shots	\$1,800	Purchase of one new taser and 20 shots	General Fund

Attachment: CIP Draft Budget (1432 : Capital Improvement Plan 2014)

Capital Items for Consideration in the 2013/2014 Budget  
DRAFT  
Museum

	Item	Estimated Cost	Notes	Funding Source
1	Caboose	\$42,000.00	Installation of deck and other improvements to make the caboose an attraction	80% VDOT - 20% Town



---

TO: Town of Haymarket Planning Commission  
SUBJECT: Historic District Overlay  
DATE: 05/13/13

---

Historic District Overlay revision, text and Map.

**ATTACHMENTS:**

- Historic Overlay District (PDF)





## MEMORANDUM

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

**FROM:** MARCHANT SCHNEIDER, TOWN PLANNER / ZONING ADMINISTRATOR

**SUBJECT:** CONSIDER AMENDMENTS TO THE OLD AND HISTORIC HAYMARKET DISTRICT OVERLAY BOUNDARIES OF THE TOWN OF HAYMARKET, VIRGINIA

**DATE:** 05-13-13

**CC:** STAFF

At its April 1, 2013 meeting, the Town Council held a joint public hearing with the Planning Commission regarding proposed revisions to the Historic District Overlay. At the conclusion of the hearing, the Council motioned to send historic district overlay back to the Planning Commission for them to draft a formal resolution for a small central historic district with due consideration of all four entry ways into the Town for corresponding review as they see fit. At its April 8 meeting, the Planning Commission considered expanding their previously recommended boundary to include all gateways into the Town. The Commission directed staff to revise the boundary accordingly (see attached).

Staff has also included email correspondence from the state department of historic resources regarding appropriate district boundaries to be included in a Certified Local Government historic district. Lastly, staff has included example historic district language, also from the state with regard to CLG status. Based on the Commission direction, staff is incorporating the language into the existing language of the Zoning Ordinance.



-----Original Message-----

From: Schenian, Pam (DHR) [mailto:Pam.Schenian@dhr.virginia.gov]  
Sent: Fri 5/3/2013 2:25 PM  
To: Jennifer Preli  
Subject: CLG eligibility

Kathleen Kilpatrick just forwarded your March 18th email to me. It arrived when she was sick and got lost in the sea of messages.

The town does not have to amend the boundaries of its local overlay district to qualify for CLG status. Communities frequently have larger local districts than would be eligible for listing on the Virginia Landmarks Register and National Register of Historic Places so it creates a buffer around the listed district.

Pamela A. Schenian  
Architectural Historian and CLG Program Manager Department of Historic Resources Tidewater Regional Preservation Office  
14415 Old Courthouse Way, 2nd Floor  
Newport News, VA 23608  
Phone: (757) 886-2818  
Fax: (757) 886-2808  
www.dhr.virginia.gov

Attachment: Historic Overlay District (1435 : Historic District Overlay)



**MODEL HDZ ORDINANCE DRAFT #1  
July 28, 2010**

**1.1 Statement of Intent**

The intent of this section is to - implement the Comprehensive Plan goal of protecting our natural, scenic and historic resources and provide a means to recognize and protect the historic, architectural, cultural, and artistic heritage of the community, and to promote and protect the health, safety, recreational, educational, economical and general welfare of the community through the identification, preservation and enhancement of buildings, structures, sites, districts, objects, neighborhoods, landscapes, places and areas which have special historical, cultural, artistic, architectural or archaeological significance as provided by Section 15.2-2306 of the Code of Virginia, as amended, hereinafter the "Virginia Code".

It is hereby recognized that the deterioration, destruction or alteration of said buildings, structures, sites, districts, objects, landscapes, places and areas may cause the permanent loss of unique resources which are of great value to current and future generations of our community, the Commonwealth of Virginia, and the nation, and that the special controls and incentives are warranted to ensure that such losses are avoided.

The purposes for establishing a historic district zoning are:

1. To protect the historic significance and integrity of the properties within the historic district(s) which are or may be recognized for having association with historic events that have made a significant contribution to the broad patterns of our history; *or* have association with significant persons; *or* possess distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; *or* have the potential to yield information important to prehistory or history.
2. To preserve and improve the quality of life and sense of place for residents by protecting familiar and treasured tangible, visual elements in the area.
3. To promote tourism and other economic benefits by protecting historical, architectural, archaeological and cultural resources, including historic landscapes, attractive to visitors and thereby supporting local business and industry.
4. To stabilize and improve property values by providing incentives for the upkeep and rehabilitation of significant older buildings and structures and encourage appropriate land use planning and development that will enhance both the economic viability and historic character of the district.
5. To educate residents, students and tourists about the local cultural and historic heritage as embodied in the historic district(s) through the preservation of our architectural and archaeological past that demonstrates the social and artistic development pattern of our predecessors.
6. To promote local historic preservation efforts and to encourage the identification and nomination by their owners of eligible individual historic properties to the National Register of Historic Places and the Virginia Landmarks Register.
7. The promotion of harmony of style, geographical context, form, color, proportion, scale, height, width, spacing, setback, orientation, rhythm, traditional quality, appearance, texture, finish and material between buildings of historic design and those of more modern design.
8. To develop the historic areas, not in a vacuum, but as a vital area in which each succeeding generation may build with the quality and sensitivity of past generations.
9. Encourage sound stewardship and foster a sense of pride in heritage resources.

**1.2 Definitions Related to Historic Zoning**

**Aggrieved Person** – A person with an immediate, pecuniary and substantial interest in an action taken by the Zoning Administrator or ARB under this Ordinance, as opposed to a remote or indirect interest.

**Alteration** - Any change, modification or addition to the form, materials, workmanship, design, appearance, texture or details of all or a part of the exterior of any building, structure, site or object other than normal repair, maintenance, and landscaping.

**Architectural Significance** – Importance of a property based on physical aspects of its design, materials, form, style or workmanship and recognized by National Register Criterion No. 3.

**Area of Significance** – The aspect of historic development in which a property made contributions for which it meets the National Register Criteria, such as architecture, agriculture, commerce, community planning and development, politics/government, religion, etc.

**Association** – Link of a historic property with a historic event, activity or person. Also, the quality of integrity through which a historic property is linked to a particular past time and place.

**Building** – A resource created principally to shelter any form of human activity, including, but not limited to: a house, barn, meat house, bank, store, church, town hall, courthouse, jail, library, garage, hotel.

**Building Official** – The person designated by the locality to administer and enforce the Virginia Statewide Building Code.

**Certificate of Appropriateness (COA)** - The approval statement signed by the Chairman of the Architectural Review Board or designated staff member which certifies the appropriateness of a particular request for the construction, alteration, reconstruction, repair, rehabilitation, restoration, demolition, or relocation of all or part of any building, structure, site or object within a historic district, subject to the issuance of all other regional permits needed for the matter sought to be accomplished.

**Contributing Building** – A building, which has historic significance by reason of type, period, design, style, workmanship, form, materials, architectural details, or historic association to a significant event or person or has or may yield information important to prehistory or history.

**Contributing Properties** - Parcels of land containing a contributing building, structure, site or object adding to its historic significance and so designated on the inventory map and inventory of contributing properties and non-contributing properties which are adopted as a part of this Ordinance. The designated contributing properties, which may or may not be individually listed in the Virginia Landmarks Register or National Register of Historic Places, are those properties which by reason of type, period, design, style, workmanship, form, materials, architectural details, or have historic association to a significant event or person, or have or may yield information important to prehistory or history and relation to surrounding properties contribute favorably to the general character of the part of the Historic District in which they are located.

**Contributing Resource** – A building, site, structure, district or object adding to the historic associations, historic architectural qualities or archaeological values for which a property is significant because it was present during the period of significance, relates to the documented significance of the property and possesses historic integrity or is capable of yielding important information about the period; or it independently meets the National Register Criteria.

**Corridor District** – A geographical area contiguous to arterial streets or highways on a significant route of tourist access to the locality or to designated historic landmarks buildings, structures or districts therein or in a contiguous locality determined by the Governing Body to be a historic district.

**Cultural Landscape** - A geographic area, including both cultural and natural features, associated with an event, person, activity, or design style that is significant in the history of the locality, state or the nation. Historic sites, landscapes designed by a landscape architect, master gardener, architect or horticulturalist and vernacular landscapes developed by human use and activities are types of cultural landscapes.

**Design** – A quality of integrity applying to the elements that create the physical form, plan, space, structure and style of a property.

**District** – One of the five resource types, being a concentration, linkage or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development.

**Eligibility** – The ability of a property to meet the National Register Criteria.

**Feeling** – A quality of integrity through which a historic property evokes the aesthetic or historic sense of past time and place.

**Historic Area** – An area containing one or more buildings or places in which historic events occurred or having special public value because of notable architectural, archaeological or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation.

**Historic Context** – An organizing construct for interpreting history that groups information about historic properties which share a common theme, common geographical location and common time period. The development of historic contexts is a foundation for decisions about the planning, identification, evaluation, registration and treatment of historic properties, based upon comparative significance.

**Historic District** – Any geographical area delineated by the governing body and consisting of public or private property, containing a significant concentration, linkage or continuity of contributing properties containing contributing building(s), structure(s), site(s) or object(s), united historically or aesthetically by plan or physical development and having a common historical, architectural, archaeological or cultural heritage being of such interest and significance as to warrant conservation and preservation.

**Historic Landmark** – A building, structure, district, site or object determined to have historical, architectural or archaeological statewide or national significance listed on the Virginia Landmarks Register.

**Historic Property** – Any prehistoric or historic building, district, site, structure or object.

**Historic Significance** – Importance for which a property has been evaluated and found to meet the National Register Criteria.

**Integrity** – The authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period.

**Level of Significance** – The geographical level – local, state or national – at which a historic property has been evaluated and found to be significant.

**Local Significance** – The importance of a property to the history of its community, this locality, general vicinity or area.

**Location** – A quality of integrity retained by a historic property existing in the same place as it did during the period of significance.

**Materials** – A quality of integrity applying to the physical elements that were combined or deposited in a particular pattern or configuration to form a historic property.

**National Historic Landmark (NHL)** – A historic property evaluated and found to have significance at the national level and designated as such by the Secretary of the Interior.

**National Register Criteria** – The established criteria for evaluating the eligibility of properties for inclusion in the National Register of Historic Places (which is the same criteria used for inclusion in the Virginia Landmarks Register). Specifically, The quality of significance in American history, architecture, archaeology, engineering and culture is present in districts, sites, buildings, structures and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; *or*
2. That are associated with the lives of persons significant in our past; *or*
3. That embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; *or*
4. That have yielded, or may be likely to yield, information important in prehistory or history.

**National Register of Historic Places** – The official federal list of districts, sites, buildings, structures and objects significant in American history, architecture, archaeology, engineering or culture.

**National Significance** – The importance of a property to the history of the United States as a nation.

**Non-Contributing Building** – A building that does not add to the historic architectural qualities, historic associations or archaeological values for which a property is significant because it was not present during the period of significance or does not relate to the documented significance of the district; or due to alterations, disturbances, additions or other changes, it no longer possesses historic integrity or is capable of yielding important information about the period; or it does not independently meet the National Register Criteria.

**Non-Contributing Property** – A property that does not add to the historic architectural qualities, historic associations or archaeological values for which a resource is significant because it was not present during the period of significance or does not relate to the documented significance of the district; or due to alterations, disturbances, additions or other changes, it no longer possesses historic integrity or is capable of yielding important information about the period; or it does not independently meet the National Register Criteria.

**Non-Contributing Resource** – A building, site, structure, district or object that does not add to the historic architectural qualities, historic associations or archaeological values for which a resource is significant because it was not present during the period of significance or does not relate to the documented significance of the district; or due to alterations, disturbances, additions or other changes, it no longer possesses historic integrity or is capable of yielding important information about the period; or it does not independently meet the National Register Criteria.

**Normal Repair and Routine Maintenance** – For the purpose of maintaining the existing condition of the building, structure, site or object, normal repair and routine maintenance involves the repair of existing materials and features with equivalent material through stabilization, consolidation and conservation of historic materials, features and workmanship when the physical condition of these character-defining features has deteriorated. Routine maintenance includes repainting the same or different color, but does not include the initial painting of masonry surfaces on any contributing resource.

**Object** – The resource term used to distinguish from buildings and structures those constructions, which are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment, i.e., sculpture, statuary, monuments, boundary markers, fountains.

**Period of Significance** – The span of time in which a property attained the significance for which it meets the National Register Criteria.

**Preservation** – The process of determining what to keep from the present for the future and applying measures to sustain the existing form, integrity, type, style, design, details, workmanship and materials of a historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction.



**Rehabilitation** - The act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.

**Resource** – Any building, structure, site, district or object that is part of or constitutes a historic property.

**Restoration** - The act or process of accurately recovering the form, features, character, materials and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

**Setting** – A quality of integrity applying to the physical environment of a historic property.

**Site** – One of the five resource types, being the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing or non-existing structure.

**Site Improvements** - Structural changes to the grounds of a property including the installation or alteration of walls, fences, or structures, paving, regrading, and the installation or removal of major plantings.

**State Significance** – The importance of a property to the history of the state where it is located.

**Structure** – One of the five resource types distinguished from a building, being a functional construction made usually for purposes other than creating shelter, including but not limited to, a gazebo, windmill, communication tower, bridge, canal, roadway, power plant, fence, silo.

**Virginia Landmarks Register (VLR)** – The official state of Virginia list of districts, sites, buildings and structures of historical, architectural *or* archaeological statewide or national significance.

**Workmanship** – A quality of integrity applying to the physical evidence of the crafts of a particular culture, people or artisan.

### 1.3 CREATION OF AN ARCHITECTURAL REVIEW BOARD

#### 1.3.1 Creation of the ARB And Membership

For the general purposes of this article and specifically to preserve and protect historic places and areas in the historic district through the control of demolition and relocation of such places and through the regulation of architectural design and uses of buildings, structures, sites and objects in such areas, there is hereby created a board to be known as the “Architectural Review Board” (the “ARB”) to be composed of five (5) voting members. The members of the Architectural Review Board shall be appointed by the governing body.

#### 1.3.2 Terms

Members of the ARB shall be appointed for terms of four (4) years and shall serve at the pleasure of the governing body. Initial appointments shall be for two (2) members for four (4) years and three (3) members for two (2) years, so that terms of office shall be staggered. Members shall serve until their successors are appointed.

#### 1.3.3 Removal of Members

Any member of the ARB may be removed from office by the governing body for neglect of duty, malfeasance, the continued absence from the regular or called meetings of the ARB or ongoing disregard for the positive mission of the district and ARB.

#### 1.3.4 Compensation

Members of the ARB shall receive such compensation as may be authorized by the governing body, from time to time.

**1.3.5 Interests and Qualifications of Members**

Members of the Architectural Review Board shall have demonstrated a positive interest in preserving the architectural integrity of the buildings, structures, sites and objects within the designated historic district(s). One (1) member may be selected among the membership of the planning commission. To the extent practicable, at least one (1) member shall be a licensed architect, and one (1) shall be an architectural historian or have substantial background in local, state, or national history or in historic preservation, architecture, archaeology or cultural preservation or in landscape architecture, or shall be a licensed contractor or be employed in the building materials industry.

**1.3.6 Training Sessions**

Members shall make every effort to attend training sessions periodically sponsored or approved by the Virginia Department of Historic Resources, Preservation Virginia or other organizations, including those arranged by the staff of the Planning Department, that are involved with historic preservation issues, design and review standards or other work of the ARB.

**1.3.7 Selection of the Board’s Officers**

The ARB shall elect from its own membership a chairman and vice-chairman who shall serve annual terms and may succeed themselves. The local zoning administrator shall serve as administrative staff to the ARB and maintain all records, minutes and files relating to the ARB meetings.

**1.3.8 Powers and Duties of the Review Board**

1. The ARB shall administer the provisions of this Ordinance in accordance with duties as set forth in each section.
2. The ARB shall develop and recommend to the governing body, as well as periodically review, appropriate design guidelines that are consistent with guidelines established herein and the Secretary of the Interior’s Standards and Guidelines for Rehabilitation, for each such district and which have been approved by the governing body;
3. The ARB may, from time to time, recommend areas for designation as Historic Districts, and additions or deletions to districts;
4. The ARB shall review and approve or deny all applications for Certificates of Appropriateness in any Historic District. Decisions of the board are binding upon applicants, unless and until said decisions are overturned on appeal;
5. Act in an advisory role to other officials and departments of the locality regarding protection of local historic resources;
6. Periodically conduct, or cause to be conducted, a survey of historic resources in the community according to guidelines established by the State Historic Preservation Office;
7. Disseminate information within the locality on historic preservation issues and concerns;
8. Coordinate local preservation efforts with those of local historic and preservation organizations, the Virginia Department of Historic Resources, and other parties, both public and private;
9. Receive and act on public comment;
10. Advise owners of historic properties on issues of preservation, as requested;

Attachment: Historic Overlay District (1435 : Historic District Overlay)

11. Make recommendations to the governing body regarding authorization of plaques to commemorate historic resources;

12. Seek out funds to forward the purposes of this ordinance, and to make recommendations to the governing body regarding the use of the funds;

13. Investigate and support incentives programs including heritage tourism events and activities;

14. Investigate and support heritage education activities.

### **1.3.9 Power to Adopt Rules of Procedure**

The ARB shall be authorized to adopt rules of procedure for the transaction of its business and implementation of the purposes of this Ordinance. The rules of procedure shall not conflict with the provisions of this Ordinance.

### **1.3.10 Authority to Employ Staff and Consultants**

The ARB may employ or contract for such secretaries, clerks, legal counsel, consultants and other technical and clerical services as the ARB may deem necessary for the transaction of its business. The ARB shall have the authority to request the opinion, advice or other aid of any officer, employee, board, bureau or commission of the locality.

### **1.3.11 Annual Report by Board**

The ARB shall submit an annual report of its activities to the governing body.

## **1.4 CREATION OF HISTORIC DISTRICTS**

### **1.4.1 Inventory of Historic Resources**

In accordance with the Virginia Department of Historic Resource's criteria and guidelines, the ARB shall conduct, or cause to be conducted, a survey of buildings, structures, objects and sites for the purpose of identifying those resources which have historical, architectural, archaeological or cultural significance, and for the purpose of compiling appropriate descriptions, documentation. Upon completion or updating of the inventory, the ARB shall use the survey results to recommend to the governing body the designation of Historic Districts or revisions to existing Historic Districts. In accomplishing the survey and study, the ARB shall place particular emphasis upon evaluating and incorporating the findings of historic, architectural, and archaeological surveys and studies already completed. The resulting new or updated inventory shall be adopted by the ARB and recommended to the governing body for adoption, as a part of this ordinance.

### **1.4.2 Inventory Map of Historic Resources**

Based upon the inventory, or any amendment thereto, the ARB shall prepare and recommend for adoption by the governing body, as a part of this Ordinance, an inventory map, hereinafter called the "Inventory Map." When adopted by the governing body, following the recommendation of the ARB and the Planning Commission, the Inventory Map, and any amendments thereto, shall be a part of this Ordinance and shall be filed with this Ordinance and with the Zoning Map.

### **1.4.3 Designation of Contributing and Non-Contributing Properties**

Buildings, structures, objects or sites designated as properties which contribute to the historic character of the district shall be shown as contributing properties for the purpose of this Ordinance. Contributing properties that are further distinguished with individual listing on the Virginia Landmarks Register and National Register of Historic Places will also be noted. Buildings, structures, sites or objects that do not contribute to the historic district shall be shown as noncontributing properties.

#### 1.4.4 Establishment of, and Amendments to, Historic District Boundaries

The ARB shall propose to the governing body one or more historic districts based upon the inventory and the Inventory Map, or any amendments thereto. Historic Districts so proposed or later modified shall be established as amendments to the Zoning Ordinance. Upon receipt of a proposal, the governing body shall initiate an amendment pursuant to the provisions of the Zoning Ordinance.

#### 1.4.5 Preparation of Report on Proposed Designation

The ARB shall prepare and submit a report to the governing body evaluating the proposal to establish or amend a Historic District. Such report shall identify the Historic District boundaries as well as the historic, architectural, archaeological, or cultural significance of buildings, structures, objects or sites to be protected, and describe present trends, conditions and desirable public objectives for preservation. In addition, such report shall include the following specific information:

1. An analysis of existing structures by period of construction, architectural style, type, form, materials, design, integrity, condition and matters relating to site conditions, such as building location, location of yards and other open spaces, access to interior of lots, and off-street parking provided.
2. A description of individual buildings, structures, sites and objects that add historic significance to a property and premises of substantial public interest, with maps, photographs and other data indicating the public importance of their preservation and the particular features to be preserved. These shall be identified as contributing properties and noted as such in the report.
3. An analysis of the extent and historic significance of identified archaeological sites including general location maps, photographs and other data indicating the public importance of a particular site.
4. The boundaries of the proposed Historic District, or expansion area, and the location of the district core and all contributing properties, including those individually listed on the state and national registers, and non-contributing properties shall be shown on a proposed Map.
5. Recommendations concerning detailed regulations to be applied within the district, to supplement or modify general regulations set forth in this Ordinance and any Guidelines adopted pursuant thereto.

#### 1.4.6 Criteria for Establishing Historic Districts

Criteria for evaluating the merits of a given building, structure, site or object shall be based on architectural features as well as historic associative factors. Certain buildings, structures, objects or areas, although not associated with a historic personage or event, may be valuable examples of the community's physical and cultural heritage. Buildings, structures, objects and sites of local significance shall be evaluated as well as those of State and National significance, and any structures individually listed upon the National Register of Historic Places or the Virginia Landmarks Register shall be designated upon the community's register as contributing VLR and NRHP properties. In addition, such evaluation shall be based on the following specific matters:

1. The evaluation shall respect the qualities of each architectural and landscape style or type and its geographical context and shall judge a resource's merit on how well it exemplifies the distinguishing characteristics of said style or type. Consideration will be given to:
  - A. Significance of architectural design, period, form, method of construction, character-defining details or representation of a significant distinguishable entity whose components may lack individual distinction.
  - B. Scale, size and/or interrelationships of resources and/or environmental features.
  - C. Significant patterns of development.



- D. Quality of workmanship.
- E. Amount of surviving original fabric.
- F. Original location and/or use.
- G. Remaining outbuildings or dependencies.
- H. Surrounding environment, including gardens, landscaping, and walks.
- I. Aesthetic or artistic quality.
- J. Original integrity of the resource and its details.

2. It is related to a park, street configuration, open space, hill, body of water, or landscaped grounds of significance in the areas of urban planning or landscape architecture.

3. It is contiguous with a neighborhood, district, building, structure, object or site that meets one or more of the forgoing criteria, and changes to it could impact the neighborhood, district, building, structure, object or site that meet the foregoing criteria.

4. It fosters civic pride in the community’s past and enhances the community’s attractiveness to visitors.

5. Historical and/or Cultural Significance.

Buildings, structures, objects, districts or sites relating to one or more of the following National Register Criteria will be considered historically or culturally valuable:

- A. Association with historic personage.
- B. Association with historic event.
- C. Work of leading architect or master craftsman. (Associative value of Criterion C – architectural significance).
- D. Site of cultural significance that has or may be likely to yield information important in prehistory or history.

In addition, sole or infrequent surviving building types and structures not historic in themselves but adding to the character of a historic district need to be looked at as potentially deserving preservation.

**1.4.7 Boundaries of Historic Districts**

1. The boundaries of a historic district shall, in general, be drawn to include areas containing historic landmarks as established by the Virginia Board of Historic Resources, and any other concentration, linkage or continuity of buildings, structures or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community of such significance and integrity as to warrant conservation and preservation. The district may include either individual buildings or places of such character and a reasonable distance beyond to incorporate the contributing setting, or it may include areas or groupings of resources which have significance relative to their patterns of development or social and economic or architectural interrelationships even though some in the defined area might not possess significant merit when considered alone.

2. Historic District boundaries may also be drawn to include any area of unique architectural value located within designated conservation, rehabilitation or redevelopment districts and land contiguous to arterial streets or highways, as designated under Title 33.1 of the Code of Virginia, 1950, as amended, found by the governing body to be significant routes of tourist access to the locality or to designated historic districts, landmarks, buildings or structures.

3. The boundaries of a historic district shall conform to the boundaries of individual lots of record to the extent possible. Where a street is proposed as a historic district boundary, the edge right-of-way adjoining the district shall be deemed the district boundary

#### **1.4.8 Existing Zoning Not Affected**

The regulation of a Historic District shall be in addition to the regulations of the underlying zoning, and shall be applied so as to overlay and be superimposed on such other zoning districts as permitted by the provisions of this Zoning Ordinance and shown on the official zoning map. Any property lying within a Historic District shall also lie within one or more of such other zoning districts, which shall be known as underlying districts. The regulations of the Historic District Zoning Article shall be in addition to the regulations of the underlying zoning district.

#### **1.4.9 Zoning Map Amendment**

All historic districts, and amendments thereto, shall be designated on the locality's zoning map and approved in compliance with the requirements of the zoning ordinance for zoning map amendments.

### **1.5 CERTIFICATE OF APPROPRIATENESS**

#### **1.5.1 Power to Approve Alterations and New Construction**

After the designation of a historic district, no exterior portion of any historic landmark, building, structure or object (including, but not limited to, walls, fences, light fixtures, statuary, monuments, steps and pavement, or other appurtenant features) nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished within such district until after an application for a certificate of appropriateness as to exterior features has been submitted to and approved by the ARB or, on appeal of a decision of the ARB, by the governing body.

#### **1.5.2 Exemptions**

Notwithstanding the foregoing, any work under Normal Repair and Routine Maintenance to stabilize, consolidate and conserve historic materials, features and workmanship by strengthening fragile fabric through consolidation, patching, limited splicing in kind or otherwise reinforcing using recognized preservation methods to prevent further deterioration or to partially replace too-decayed parts with in-kind materials in order to correct any deterioration, decay or damage, or to restore as nearly as practicable to its condition prior to any decay, deterioration or damage shall be exempt from the requirements of a Certificate of Appropriateness.

#### **1.5.3 Limitations on Board Power to Review**

The ARB shall not consider interior arrangements.

#### **1.5.4 Pre-application Conference**

Prior to the submission of an application for a certificate of appropriateness, an owner may hold a conference with the chairman of the ARB or the director of planning to discuss and review any proposal for a change in a protected property. The principal objective of this conference shall be to simplify and expedite the formal review process.

#### **1.5.5. Pre-application Review**

Any person may request the ARB to review conceptual design proposals for exterior work before submitting a formal application for a certificate of appropriateness. The ARB shall review and discuss the proposal with the applicant and make any necessary recommendations. Such conceptual review shall be advisory only.

### **1.5.6 Information Required**

In consideration of a complete application, the ARB may require any or all of the following information and any other materials as may be deemed necessary for its review:

1. Statement of proposed use and user.
2. Statement of estimated construction time.
3. Photographs and maps showing the existing condition, design, details and location of any existing buildings, structures, objects or sites and relating proposed use to the surrounding property and/or the corridor on which it is located.
4. Site plan drawings, showing the location of the existing and proposed building and site improvements, including:
  - A. Existing property boundaries, building placement and site configuration, location of parking, pedestrian access, signage, exterior lighting, fencing, buildings, structures and other appurtenant elements.
  - B. Existing topography and proposed grading.
  - C. Relationship to adjacent land uses and any buildings or structures thereupon.
5. Scaled architectural drawings showing plan view and elevations of new planned construction or alterations, including drawings of original building.
6. Proposed building materials including their composition, texture, finish, quality and appearance, including product brochures and specifications.
7. Existing landscape preservation plan, if applicable, and the proposed landscaping and buffer plan.
8. Designs for exterior signage, lighting and graphics, to include description of materials, colors, placement and means of physical support, lettering style and message to be placed on signs.
9. Comprehensive design and material details of doors and windows, ornamentation, including any product specifications.
10. A written statement concerning construction methods to be employed.
11. Samples to show the nature, texture, finish, appearance and color of materials proposed.
12. In the case of a demolition request where structural integrity is at issue, the applicant shall also provide a structural evaluation prepared by a qualified structural engineer and cost estimates for rehabilitation. The ARB may waive the requirement for a structural evaluation and cost estimates (i) in the case of an emergency, or (ii) if it determines that the structure proposed for demolition is not historically significant.

### **1.5.7 Other Approvals Required**

No application for a Certificate of Appropriateness shall be complete until the Zoning Administrator can determine that the use of the property, building or structure is permitted under the current zoning for such property.

### **1.5.8 Certain Minor Actions Exempted from Review**

Certain minor actions, which are deemed not to permanently affect the character of the historic district are exempted from review for architectural compatibility. Such actions shall include the following and any similar actions, which, in the opinion of the Zoning Administrator, will have no more effect on the character of the district than those listed:

1. Repainting resulting in the same or like color. (Original painting of masonry surfaces is not exempted from review.)
2. Addition or deletion of storm windows and storm doors. Addition or deletion of window air conditioners. Character-defining features, alteration, addition or deletion of windows and doors or alteration to their frames, shall be reviewed by the ARB. The replacement of broken window panes is exempted from review.
3. Addition or deletion of television or radio antennas, skylights, solar collectors, or satellite dishes, in locations not visible from a public street.
4. Planting of grass, trees and shrubs, but not including landscape treatment which substantially alters the contour of a landmark site.
5. Permitted new construction of outside storage, which will not substantially change the architectural character in any office, business or industrial district, which is not visible from a public street.

Notwithstanding the above, the Zoning Administrator shall have the authority to order that work be stopped and that an appropriate application be filed for review in any case where the action may produce arresting effects, violent contrasts of materials or colors and intense or lurid colors or patterns, or incongruous details inconsistent with the character of the present buildings and structures or with the prevailing character of the surroundings and the historic district.

#### **1.5.9 Consideration of Application for Certificate of Appropriateness**

1. The ARB shall be guided in its decisions by the standards and guidelines established in this article and in the Historic District Design Guidelines. The ARB shall have authority to request modification of proposed actions in order to comply with said standards and guidelines.
2. The ARB shall not approve or disapprove an application except with respect to the standards and guidelines in this article or the Historic District Design Guidelines. The ARB shall give reasons for its decisions, shall act promptly on applications before it and shall coordinate its procedures with those of other agencies and individuals charged with the administration of this Ordinance.
3. Meetings of the ARB shall be open to the public.
4. Where the exterior appearance of any building or structure is involved, no building permit shall be issued for erection, alternation or improvement, and no certificate of occupancy shall be issued, by the Building Official, unless a Certificate of Appropriateness has first been issued.
5. No exterior alternations which do not require a building permit but which can change the exterior appearance and character-defining features of the building or structure such as alteration or replacement of doors, window sash, porch railings, roof areas and porch flooring; installation, removal or replacement of trim detail, cornices, shutters, gutters and down spouts; sign face changes; and the like shall be constructed or installed unless a certificate of appropriateness has first been obtained.
6. No driveway permit shall be issued by the department of public works unless a certificate of appropriateness has first been obtained.
7. No site features or appurtenances, such as walls, fences, arbors, paved parking areas, patios, decks, garages, tool sheds, other accessory structures, and the like, shall be constructed or installed unless a certificate of appropriateness has first been obtained.



8. During construction or installation, the certificates of appropriateness shall be posted on the property in a location that is visible from the public right-of-way, and a complete set of the approved plans shall be retained on the premises and shall be made available to the city inspectors.

#### 1.5.10 Criteria for ARB

The ARB shall consider, among other things, the following in determining the appropriateness of any erection, exterior alteration or restoration:

1. The compatibility with the design, development standards and criteria as included in this ordinance and the adopted Historic District Guidelines, entitled “Historic District Guidelines for the \_\_\_\_\_ of \_\_\_\_\_ (200\_), with additions and amendments as may be adopted from time to time.

2. The appropriateness of the type, form, style, general overall design geometry, size, scale, massing, height, width, spacing, rhythm and proportions, structural arrangement, decorative and design details, materials, texture, finish, quality, appearance and color of the proposed building, structure or appurtenant element in relation to such factors as the architectural compatibility with similar features of buildings or structures within the area of any Historic District.

3. The historical or architectural value and significance of the building, structure or appurtenant element and its relationship to the historic or architectural value of the area in which it is proposed to be located.

4. The extent to which the building, structure or appurtenant element will be harmonious with or architecturally incompatible with the historic buildings within any Historic District.

5. The compatibility of planned improvements and alterations with the architectural and historic quality, character, size, scale, massing, spacing, proportions, rhythm, decorative and design details, materials, texture, finish and appearance of the historic buildings, structures and objects in any Historic District and to the components on the subject building or structure.

6. The effect of the building, structure or appurtenant element on the Comprehensive Plan’s goals for tourism, economic development and residential land uses in and around the historic areas.

7. The compatibility of the proposed building, structure or appurtenant element with the Comprehensive Plan’s goals for historic preservation and architectural design review.

8. The impact of the proposed alteration, new construction or restoration upon the historic setting, streetscape or area.

9. The probable effect of proposed construction on historic sites and other cultural landscapes.

10. Any other factors, including aesthetic design factors, which the ARB deems to be pertinent.

11. Signage – The type, form design, overall dimensions, scale in relation to the building or site, materials, texture, finish, design of the message, lettering dimensions and style, colors, method of physical support or erection, any exterior illumination, orientation and setting shall be considered.

12. Awnings and Canopies – The type, form, design, overall dimensions, height, scale in relation to the building or site, materials, texture finish, colors, and the dimensions, style and colors of any lettering, the shape and design of the opening to be covered, the method of physical support and attachment to the building, any exterior illumination, orientation and setting shall be considered.

13. Fencing – The location, setting, orientation, type, form, design, overall dimensions, scale, materials, texture, finish, color, impact on adjacent property owners and any additional screening shall be considered.

14. Mechanical Equipment (HVAC Systems, Exhaust Fans, Satellites, Skylights) – The location, setting, visibility, screening, method of installation into the building, orientation, type, form overall dimensions, scale, design, materials, texture, finish and appearance shall be considered.

15. The ARB shall also be guided by the purposes for which historic landmarks and historic districts with contributing and non-contributing properties are designated and by the particular standards and considerations contained in *The Secretary of the Interior's Standards for Rehabilitation* and guidelines for applying the Standards.

#### **1.5.11 Design Guidelines**

The ARB shall develop design guidelines and criteria that are substantially consistent with *The Secretary of the Interior's Standards for Rehabilitation* to guide the ARB in its determinations of the appropriateness of applications. These guidelines shall be approved as amendments to the Zoning Ordinance by the governing body upon the recommendation of the Planning Commission and the ARB. Approval of the Guidelines, and any amendments thereto, shall be subject to the notice and hearing requirement of Section 15.2-2204 of the Code of Virginia of the Planning Commission and the governing body.

#### **1.5.12 Public Hearings on Applications for Certificate of Appropriateness**

The ARB shall hold a public hearing on all applications for a Certificate of Appropriateness and on the approval or amendment to, any historic district, and on any guidelines or amendments thereto in compliance with the notice and hearing requirements of Section 15.2-2204 of the Virginia Code.

#### **1.5.13 Form of Decision and Required Findings**

Evidence of the approval required under the terms of the Historic District shall be a Certificate of Appropriateness issued by the ARB and the Zoning Administrator as the case may require, stating that the demolition, moving or changes in the exterior architectural appearance of the proposed construction, reconstruction, alteration or restoration for which application has been made, are approved by the ARB, or the Zoning Administrator as the case may require. A Certificate of Appropriateness shall be in addition to any other permits required. Any action of applicants following issuance of a permit requiring certificate of appropriateness shall be in accord with the application and material approved.

#### **1.5.14 Reasons for Action**

The ARB shall state clearly its reasons for approval, denial, modification, or deferral of an application in the records of the ARB proceedings.

#### **1.5.15 Failure of Board to Review Plans in Timely Fashion**

The ARB shall render a decision upon any request or application for a Certificate of Appropriateness within sixty (60) days after such application is deemed complete by the Zoning Administrator; failure of the ARB to render such a decision within said sixty (60) day period, unless such period be extended with the concurrence of the applicant, shall be deemed a denial of the application.

#### **1.5.16 Authority to Inspect**

When a Certificate of Appropriateness has been issued, the Zoning Administrator shall, from time to time, inspect the alteration or construction approved by such certificate and shall give prompt notice to the applicant of any work not in accordance with such certificate or in violation of the Zoning Ordinance. The Zoning Administrator may revoke the certificate or the building permit if violations are not corrected by the applicant in a timely manner.

#### **1.5.17 Certificate of Appropriateness Void if Construction Not Commenced or Halted**

A Certificate shall become null and void if no significant improvement or alteration is made in accordance with the approved application within twelve (12) months from the date of approval. On written request from an

applicant, the ARB may grant a single extension for a period of up to one year if, based upon submissions from the applicant, the ARB finds that conditions on the site and in the area of the proposed project are essentially the same as when approval originally was granted.

### **1.5.18 Certificate of Compliance**

Prior to the issuance of a final occupancy permit by the Building Official, the applicant shall obtain a Certificate of Compliance from the ARB indicating the compliance of the final building or structure with the terms and conditions of his or her Certificate of Appropriateness. The ARB shall be the issuing agency for all Certificates of Compliance, whether the ARB issued the original Certificate of Appropriateness or whether the governing body issued it upon appeal.

## **1.6 MAINTENANCE OF HISTORIC PROPERTIES**

### **1.6.1 Ordinary Maintenance Exclusion**

Normal maintenance and repair - Nothing in this section shall be construed to prevent the normal repair and maintenance of any exterior architectural feature now or hereafter located in the Historic District. Repair and maintenance should strive to retain existing materials and features while employing as little new material as possible. Such repair begins with the least degree of intervention possible by strengthening fragile materials through consolidation, patching, limited splicing in kind or otherwise reinforcing using recognized preservation methods. All work should be physically and visually compatible, identifiable upon close inspection and documented for future research. If repair by stabilization, consolidation and conservation proves inadequate, the next level of intervention involves the limited replacement in kind of extensively deteriorated or missing parts of features when there are surviving prototypes, i.e., brackets, dentils, slate shingles. The replacement material needs to match the old both physically and visually, i.e., wood for wood, slate for slate.

### **1.6.2 Minimum Maintenance Requirement (Demolition by Neglect)**

1. No contributing building or structure within any Historic District shall be allowed to deteriorate due to neglect to the extent that decay, deterioration or defects may, in the opinion of the ARB, result in the irreparable deterioration of any exterior appurtenance or architectural feature, loss of integrity or produce a detrimental effect upon the character of the district as a whole or upon the life and character of the structure itself. Upon such determination, the ARB shall request a report of the Building Official who shall, within thirty (30) days report to the ARB on the following matters:

- A. Deterioration of exterior walls or other vertical supports;
- B. Deterioration of roofs or other horizontal members;
- C. Deterioration of chimneys;
- D. Deterioration or crumbling of exterior stucco or mortar;
- E. Ineffective, long-neglected peeling paint representing a lack of a protective waterproof coating on exterior wooden wall surfaces and wooden elements causing prolonged water penetration, rotting and other forms of decay.
- F. The lack of maintenance of the surrounding environment causing deterioration to the building or structure through poorly maintained landscaping or plant overgrowth including overhanging trees, limbs or roots allowed to beat against or grow into the resource; or invasive vines such as climbing ivy with tendrils that attach to and cause loss of mortar and structural soundness in masonry walls and pull out corner boards, weatherboard and other wooden elements.
- G. Deterioration of any feature so as to create, or permit the creation of any hazardous or unsafe condition;

H. Determination by the Building Official or other state authorized safety expert that a structure is unsafe or not in compliance with any safety provisions of the Statewide Building Code.

2. The ARB shall hold a public hearing on the report prior to making a determination about any violation of this Section. The Zoning Administrator shall notify the owner of the subject property of the hearing and provide the owner with a copy of the report. The owner shall have thirty (30) days from the decision to appeal to the governing body a determination by the ARB of a violation of this Section. (See 15.2-2283 and Virginia Statewide Building Code)

3. The owner shall have sixty (60) days from the date of the ARB’s determination to present to the ARB a plan to remedy the neglect and six (6) months from the ARB’s approval of the Plan and issuance of a Certificate of Appropriateness to complete the necessary remedial work. If appropriate action is not taken by the owner, the Zoning Administrator shall initiate appropriate legal action for a violation of the Zoning Ordinance.

**1.6.3 Public Safety Exclusion**

Nothing in this Article shall prevent the razing or demolition of any building or structure without consideration of the ARB which is in such an unsafe condition that it would endanger life or property, and protection from such condition is provided for in the Statewide Building Code and/or other applicable ordinances. However, such razing or demolition shall not be commenced without written approval of the Building Official verifying the conditions necessitating such action.

**1.7 DEMOLITION APPLICATIONS**

**1.7.1 Razing or Demolition**

No historic landmark or contributing building or structure, which accompanies this Ordinance shall be partly or fully demolished until a Certificate of Appropriateness is issued by the ARB, with right of direct appeal from an adverse decision to the governing body, as hereinafter provided. An appeal for final decision by the governing body shall be automatic and mandatory in the case of approval of the demolition of a building or structure so designated as a landmark. The Zoning Administrator may approve the demolition of a building or structure within the Historic District(s), which has not been designated either as a landmark or contributing structure on said inventory map.

**1.7.2 Matters to be Considered in Determining Whether or Not to Grant a Certificate of Appropriateness for Razing or Demolition.**

The ARB shall consider the following criteria in determining whether or not to grant a certificate of appropriateness for razing or demolition:

1. Whether or not the historic landmark, contributing building or structure is of such architectural or historic significance that its removal would be to the detriment of the public interest, to education, cultural heritage, the architectural history of the locality and would cause a loss of a visual tangible demonstration of local history and the social and artistic pattern of community development and planning.

2. Whether or not the contributing building or structure is of such interest or historic significance that it would qualify as a National, State, or local historic landmark through individual listing on the Virginia Landmarks Register or National Register of Historic Places.

3. Whether or not the historic landmark, contributing building or structure embodies the distinctive characteristics of a type, period, style, method of construction, represents the work of a master, possesses high artistic values or represents a significant or distinguishable entity whose components may lack individual distinction or whether the resource is associated with events that have made a significant contribution to the broad pattern of history or is associated with significant persons.

Attachment: Historic Overlay District (1435 : Historic District Overlay)



4. Whether or not retention of the historic landmark, contributing building or structure would help to preserve and protect a historic or architecturally significant place, the quality of life and pride of place or area of historic interest in the locality and promotes the purposes and intent of historic district zoning including tourism.

5. Whether or not the historic landmark, contributing building or structure has retained integrity or authenticity of its historic identity of design, materials, workmanship, setting, location, association and feeling and whether its unusual design, quality and workmanship of traditional materials and details of character-defining features could be easily reproduced.

6. Whether the proposed razing or demolition will effect the archaeological potential to yield information important to prehistory or history at this site.

**1.7.3 Offer for Sale.**

However, the owner of a historic landmark, contributing building or structure, as a matter of right shall be entitled to raze or demolish provided that:

1. He has applied to the ARB for such right.

2. The owner has for the period of time set forth in the time schedule hereinafter contained at a price reasonably related to its fair market value as determined by independent appraisal, as hereinafter set forth, made a bona fide offer to sell such landmark, building or structure, and the land pertaining thereto, to such person, firm, corporation, government, or agency, or political subdivision or agency thereof, which gives reasonable assurance that it is willing to preserve and restore the landmark, building or structure and the land pertaining thereto. The procedure for establishing the fair market value, unless the owner and the ARB agree upon the said value, shall be that the owner and ARB shall each retain one independent, qualified appraiser, and should the two appraisers not agree upon the said fair market value, those appraisers shall choose a third qualified appraiser. A median value shall be established by the three appraisers, which shall be final and binding upon the owner and the ARB.

3. No contract for the sale of any such historic landmark, or contributing building or structure and the land pertaining thereto, shall be binding or enforceable prior to the expiration of the applicable time period as set forth in the time schedule hereinafter contained. Any appeal which may be taken to the governing body from the decision of the ARB, and from the governing body to the Circuit Court, shall not affect the right of the owner to make bona fide offer to sell. Offers to sell as provided in this section shall be made within one (1) year of the date of application to the ARB.

4. Notice. Before making a bona fide offer to sell, an owner shall first file a written statement with the Chairman of the ARB. Such statement shall identify the property, state the offering price, the date the offer of sale is to begin, and name of the real estate agent, if any. No time period set forth in the time schedule hereinafter set forth shall begin to run until such statement has been filed.

The time schedule for offers to sell shall be as follows:

1. Three (3) months when the offering price is less than twenty-five thousand dollars (\$25,000);

2. Four (4) months when the offering price is twenty-five thousand dollars (\$25,000) or more but less than forty thousand dollars (\$40,000);

3. Five (5) months when the offering price is forty thousand dollars (\$40,000) or more but less than fifty-five thousand dollars (\$55,000);

4. Six (6) months when the offering price is fifty-five thousand dollars (\$55,000) or more but less than seventy-five thousand dollars (\$75,000);

5. Seven (7) months when the offering price is seventy-five thousand dollars (\$75,000) or more but less than ninety thousand dollars (\$90,000);

Attachment: Historic Overlay District (1435 : Historic District Overlay)

6. Twelve (12) months when the offering price is ninety thousand dollars (\$90,000) or more.
7. Or such other schedule as may be established from time to time in Section 15.2-2306 of the Virginia Code.

#### **1.7.4 Moving or Relocation**

No building or structure officially designated as a historic landmark or contributing building or structure within the district on the inventory map which accompanies this Ordinance shall be moved or relocated unless the same is approved by the ARB and a Certificate of Appropriateness issued with right of direct appeal of an adverse decision to the governing body as herein provided. An appeal for final decision by the governing body shall be automatic and mandatory in the case of approval of the moving or relocation of a building or structure so designated as a historic landmark. The Zoning Administrator may approve the moving or relocation of the building or structure within the historic district, which has not been designated either as a historic landmark, contributing building or structure on said inventory map.

#### **1.7.5 Matters to be Considered in Determining the Appropriateness of Moving or Relocating a Historic Landmark, Contributing Building or Structure within a Historic District:**

1. Whether or not the proposed relocation would have a detrimental effect on the structural soundness of the historic landmark, contributing building or structure or any other resource in the district with its relocation.
2. Whether or not the proposed relocation would have a detrimental effect on the historical and architectural aspects of other historic landmarks, contributing buildings or structures at the present site or in the district(s).
3. Whether the proposed relocation would provide new surroundings that would be harmonious with or incompatible with the historical and architectural aspects of the historic landmark, contributing building, or structure.
4. Whether or not the proposed relocation is the only means of saving the building or structure from demolition or demolition by neglect.
5. Whether the proposed relocation will take into consideration any related outbuildings and the impact or effect upon these resources.
6. Whether the present site will remain vacant for a long period of time and how this will effect the historic streetscape and Historic District(s).
7. Whether the proposed relocation will effect the archaeological potential to yield information important to prehistory or history on the current site and proposed site.

### **1.8 APPEAL PROVISION**

#### **1.8.1 From ARB to Local Governing Body**

1. The applicant or any aggrieved person may appeal a final decision of the ARB to the governing body by filing a written notice of appeal within thirty (30) days of the date of the ARB decision.
2. The governing body may affirm, reverse, or modify, in whole or in part, the decision of the ARB. In so doing, the governing body shall give due consideration to the recommendations of the ARB along with other evidence as it deems necessary for the proper review of the application.

3. Hearing before the governing body - Upon appeal, the final decision of the ARB shall be stayed pending the decision of the governing body; provided, however, that the applicant is prohibited from taking any action for which approval is sought during the pendency of such appeal. The governing body shall conduct a full and impartial public hearing on the matter using the same adopted standards, criteria and design guidelines, in compliance with Section 15.2-2204 of the Virginia Code, before rendering any decision.

### **1.8.2 From Local Governing Body to Circuit Court**

1. Appeal to Circuit Court - Any person may appeal any decision of the governing body to affirm, modify or reverse a decision of the ARB to the Circuit Court for review by filing a petition at law. The petition shall set forth the alleged illegality of the action of the governing body and the grounds thereof. The petition shall be filed within thirty (30) days after the decision of the governing body. The filing of the petition shall stay the decision of the governing body, except that a decision denying a request for demolition in a Historic District shall not be stayed. A copy of the petition shall be delivered to the locality's attorney, who shall file with the Circuit Court a certified or sworn copy of the record and documents considered by the governing body.

2. Review by Circuit Court - The Circuit Court shall review the record, documents and other materials filed by the governing body. The Circuit Court may reverse or modify the decision of the governing body, in whole or in part, if it finds upon review that the decision of the governing body is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or the Court may affirm the decision of the governing body.

## **1.9 ENFORCEMENT OF PROVISION**

### **1.9.1 Injunctions and Revocations of Permits**

Wherever any person has engaged in or is about to engage in any act or practice which constitutes or will constitute a violation of this Ordinance, the Zoning Administrator, upon resolution of the ARB of such violations, may make application to the circuit court for an order enjoining such act or practice, or requiring such person to refrain from such prospective violation, or to remedy such violations by restoring the affected property to its previous condition or remedying neglect. Upon proof by the ARB that such person has engaged in or is about to engage in any such act or practice, a temporary or permanent injunction, restraining order or other appropriate order shall be granted.

### **1.9.2 Authority to Revoke Permits**

The Zoning Administrator shall have authority to order that work be stopped and that all permits for the work being performed be revoked upon a resolution of the ARB of any violations of this Ordinance.

### **1.10 Criminal Penalty**

1. Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not more than one thousand dollars (\$1,000.00) and not less than one hundred dollars (\$100.00).

2. For the purpose of this Ordinance, each day during which there exists any violation of any provision herein shall constitute a separate violation of such provision.

### **1.11 Severability**

Severability - If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this section and the application of such provisions to other persons or circumstances shall not be affected thereby.

C:\W\Washington\HDZ Ordinance (HCDfinal).doc





---

TO: Town of Haymarket Planning Commission  
SUBJECT: Comp Plan/ZTA's  
DATE: 05/13/13

---

Town Planner will update.



---

TO: Town of Haymarket Planning Commission  
SUBJECT: Haymarket Self Storage  
DATE: 05/13/13

---

Application for Zoning Text Amendment for outdoor storage of non-motorized vehicles and equipment.

**ATTACHMENTS:**

- Cover memo and application (PDF)



## MEMORANDUM

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

**FROM:** MARCHANT SCHNEIDER, TOWN PLANNER / ZONING ADMINISTRATOR

**SUBJECT:** APPLICATION FOR ZONING TEXT AMENDMENT – ZTA#20130308  
OUTDOOR STORAGE OF NON-MOTORIZED VEHICLES AND EQUIPMENT

**DATE:** 05-13-13

**CC:** STAFF

Haymarket Self Storage has submitted a zoning text amendment application to permit the storage of non-motorized vehicles and equipment by special use permit in the I-1 zoning district and to exempt the use from requiring the storage lot to be surfaced with concrete or asphalt. Haymarket Self Storage is currently storing boats, travel trailers, motor homes, and contracting equipment on a separate lot south of North Fork Creek without the requisite special use permit, site plan, and surfaced lot. The requested text amendment would distinguish non-motorized vehicles and equipment. The intent of the Applicant is to store motorized vehicles and equipment on a concrete or asphalt surface draining into a stormwater management facility. Non-motorized vehicles and equipment would be stored on a separate crushed aggregate surface. Approval of the text amendment is intended to bring the site into compliance with the Zoning Ordinance. It is recommended that the Commission review the application, suggest edits as appropriate, and send the application to the Town Council for initiation of the text amendment. Once initiated, the Town Council will forward the application to the Planning Commission for public hearing and formal recommendation.

BACKGROUND

Over the last year and half, Town staff and various Council and Commission members have met with the representatives of Haymarket Self Storage to discuss an approach to bring the site into compliance with the Zoning Ordinance. The applicant has expressed concerns over the cost of meeting the Town requirements of a surfaced storage lot (concrete or asphalt) and inquired about the necessity for the requirement. Town staff has noted the storage area is in proximity to the 100-year flood plain associated with North Fork Creek. North Fork Creek is part of the Chesapeake Watershed. The resulting request is intended to address both concerns.

APPLICANT PROPOSAL

The Applicant requests to amend Sections 58-1, 58-258 and 58-260 in order to define the storage of non-motorized vehicles and equipment, to identify storage of non-motorized vehicles and equipment as a special use, and to not require the lot for the storage of non-motorized vehicles and equipment to be surfaced with concrete or asphalt; specifically:

- Section 58-1. – Definitions – add Outdoor Storage – Storage for non-motorized vehicles and equipment.

- Section 58-258. Special Uses – add item (19) Outdoor storage of non-motorized vehicles and equipment.
- Section 58-260. Requirements for Special Uses -- Amend item (4) to read: except that a crushed aggregate surface may be allowed under non-motorized vehicles and equipment.

### APPLICANT JUSTIFICATION

Use and Character of the Area – The property is currently used as open vehicular storage. The use is compatible with the surrounding area since it is located on the southern edge of the Town of Haymarket and is bounded on the north by the Norfolk and Southern Railway tracks. The western boundary contains the Town line. To the south is a storage and residential use, also zoned C-1. To the east is the property of Haymarket Landing, zoned C-1, Conservation.

Suitability – The property is highly suitable for the use since it is convenient for customers but relatively invisible from the historic portion of the Town to the north and east and from James Madison Highway (U. S. Route 15) to the west.

Trends of Growth or Change – The Town and surrounding area will continue to grow and the need for open vehicular storage will increase significantly. Haymarket Self Storage is ideally located near 3 major highways being Interstate Route 66, John Marshall Highway (State Route 55) and James Madison Highway (U. S. Route 15). There is an economic demand for the use that should only increase.

Environmental – The property borders the North Fork of Broad Run and but the use is sensitive to this fact and is separated from the stream by a Resource Protection Area (RPA) and will help conserve the natural resources located there. With this in mind, storm water management (detention) and water quality treatment (BMP) is proposed with bio-retention facilities (rain gardens) and have a partial ground water recharge function. The owner is willing to do this for the entire site and provide landscaping and screening, as well, subject to Town approval. A large portion of the site will remain as green area.

Finally, this use meets the vision of the Town's Comprehensive Plan, should have no negative impacts to the surrounding properties and uses, and there would be a negative impact if the application is denied due to a demand for the use.

### PLANNING COMMISSION REVIEW

Once forwarded to the Planning Commission, the 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 the Applicant has approached the Commission several times regarding this matter, staff felt it appropriate that the Commission weigh in on the proposal prior to initiation by the Town Council. As noted above, It is recommended that the Commission review the application, suggest edits as appropriate, and send the application to the Town Council for initiation of the text amendment. Once initiated, the Town Council will forward the application to the Planning Commission for public hearing and formal recommendation.

#### DRAFT MOTION(S)

1. I move that the Planning Commission forward ZTA#20130308 to the Town Council for initiation.

Or,

2. I move an alternate motion

COMPREHENSIVE PLAN

The I-1 zoning district encompasses a land area planned Light Industrial. The Comprehensive Plan's guidance regarding the development of these planned areas is as follows (*excerpt from Chapter 3.4, Land Use Plan*):

"Light Industrial Category

*The Plan recommends that future industrial development be limited to a light non-polluting variety. The area shown on the Future Land Uses Plan has been designated for industrial development because of rail and highway access and existing development character. Industrial development should be planned under strict site control so as not to negatively impact adjacent neighborhoods and the Town as a whole. Particular attention must be given to guiding height and bulk, screening, storm-water runoff, impacts on groundwater supplies, and the relationship of the building to the site. While it is recognized that additional employment must be promoted for Town residents, the impact of new industry on the environment and Town facilities and services must be fully studied.*

*In 1989, recognizing the major industrial development generating and employment center in the adjacent county, the Town reduced the total areas of desired industrial zoning. Those acres were designated for commercial uses under the Planned Interchange commercial category. Due to residential development encouraged by Prince William County as a result of rezoning applications, The Planning Commission has modified the planned land use map by removing additional industrial uses along the northern boundary north of Interstate 66 as County Zoning now encourages residential use. This will be revisited as the needs of residents of western Prince William County warrant."*

I-1 ZONING DISTRICT – PURPOSE AND INTENT

Section 58-256 of the Zoning Ordinance states the intent of the I-1 zoning district as follows:

*"The primary purpose of the limited industrial district I-1 is to permit certain industries, which do not in any way detract from residential desirability, to locate on designated industrial sites. The limitations on (or provisions relating to) height of building, horsepower, heating, flammable liquids or explosives, controlling emission of fumes, odors, and/or noise, landscaping, and the number of persons employed are imposed to protect and foster adjacent residential desirability while permitting industries to locate near a labor supply."*

RECEIVED

PAID MAR - 8 2013

MAR - 8 2013

TOWN OF HAYMARKET



The Town of HAYMARKET  
Established in 1789

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

Office Use Only
Date Received: 3/8/2013
Application Number: ZTA20130308
Fees Received: \$2500

**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: 15250 and 15251 Kapp Valley Way
- 2) Present Zoning: I-1 and C-1      3) Acres: 6.06
- 4) Legal Description of Property (Omit for zoning text amendment) – Attach if necessary.  
N/A

**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: Haymarket Self Storage  
 Address: 6600 James Madison Highway, Haymarket, VA., 20169  
 Phone Number: 703-754-0445
- 2) Agent Information (if any):  
 Name: Burgess and Niple  
 Address: 12700 Black Forest Lane, Suite 100, Woodbridge, VA., 22192  
 Phone Number: 703-670-6400

Attachment: Cover memo and application (1438 : Haymarket Self Storage)

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

Name: Wolf Realty Associates  
 Address: 129 W. Patrick St., Suite 6, Frederick, MD., 21701  
 Phone Number: 301-662-1643  
 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: Herb Wolf III  
 Address: 129 W. Patrick St., Suite 6, Frederick, MD., 21701  
 Phone Number: 301-662-1643 Interest: General Partner  
 Beneficiary/Partner Name: Available upon request  
 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: To be announced  
 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.



**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? 58-1 Definitions  
Section 58-258 Special Uses and Section 58-260
- 2) What is the nature of the proposed change?  
Allow portion of open storage parking lot to have crushed Aggregate Surface.
- 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**: [Signature]
- b) Signature of **agent** (if any): \_\_\_\_\_
- c) Date: 3-8-13 Notary Seal

2) a) Signed and sworn before me this: 8<sup>th</sup> Day of March, 2013

- b) Signature of **Notary**: [Signature]  
My commission expires October 14, 2016

Attachment: Cover memo and application (1438 : Haymarket Self Storage)



---

TO: Town of Haymarket Planning Commission  
SUBJECT: 1 Mile Notices  
DATE: 05/13/13

---

The Town Planner will update on these items:  
Heathcote Development rezoning.  
The Haven at Haymarket Crossing rezoning.