

LAW OFFICES

HUBBARD, TERRY & BRITT

A PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS AT LAW

293 STEAMBOAT ROAD POST OFFICE BOX 340

IRVINGTON, VIRGINIA 22480

TELEPHONE (804) 438-5522

TELECOPIER (804) 438-5003

MATSON C. TERRY, II
RAYMOND L. BRITT, JR., PLLC
WILLIAM B. HUBBARD

GABRIELLE L. ONGIES

J. GRANT SPEARS

B. H. B. HUBBARD, III (1946-2018)

OF COUNSEL:

W. LESLIE KILDUFF, JR.

February 20, 2020

VIA HAND DELIVERY

Ms. Sharon Phillips
Zoning Administrator
Town of Irvington

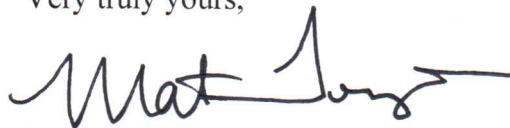
Dear Sharon:

Enclosed herewith you will please find the Notice letters that went out yesterday together with the certification of mailing. Please note that Tax Map 33 Parcel 416 was recently sold to Edwin T. Burton, Inc., accordingly we have sent notice directly to him. Please note further that we have sent notice to Mr. and Mrs. David Bresett who own Tax Map 33 Parcel 403 although it certainly appears that they are outside of the 300-foot radius.

The form that you sent us did not have a provision for identifying the property of the Addressee, so we have inserted it in the first line of each letter.

Thank you for your cooperation

Very truly yours,



Matson C. Terry, II

MCTII/med

Enclosures

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OF COUNSEL:

W. LESLIE KILDUFF, JR.

February 19, 2020

Certified Return Receipt

RBT L C

P.O. Box 720

Irvington, Virginia 22480

Dear RBT L C.:

This notice is provided to you as the owner of Tax Map 33-412

An application for a Conditional Use Permit ("CUP") for an office building (the application with conditional use permit covers the entire row of shops. They are one building and the addition of this conditional use is intended for all of these properties), in B-1 (Business) District has been made by ICN Enterprises who owns the property at 4357 Irvington Road, Tax Map 34, Parcel 417, which is within 300 feet of your property. A copy of the CUP Application, TOI#CUP-2020.2_ICN, is attached.

Under Town Code 154.017 (I), applicant must provide written notice to every neighbor within 300 feet that the application will be considered by Planning Commission and Council and that a joint public hearing will be held on March 3, 2020, at 5:30 pm at the Town Office pursuant to the CUP Schedule adopted by Council at its last meeting. A copy of that CUP schedule (which is an expedited schedule) is attached.

The purpose of the joint public hearing shall be to gather public comment on the application. According to the attached CUP schedule adopted by Council, the Planning Commission will take up the application again on March 12, 2020 and Council will take it up on March 3, 2020 and again on March 12, 2020.

As an adjacent owner, your input to the Town, although not binding, is considered important. If you have an objection, or if you have none, all responses are important to us. Please indicate your comments below and return to Town of Irvington, PO Box 174, Irvington, VA 24480, or you may deliver it to the Town Office 235 Steamboat Road, Irvington, VA 24480. If we receive no written response from you, together with the evidence by the applicant that this notice was mailed to you by certified mail at least ten (10) days prior to the meeting, it shall be deemed to indicate that you have no objection to the application. If you have any questions, please contact the Irvington Town Office.

Sincerely,


FOR THE APPLICANT

Enclosures

RE: CUP Application, TOI#CUP-2020.2_ICN, 4357 Irvington Road, Irvington, VA 24480 for an office building (the application with conditional use permit covers the entire row of shops. They are one building and the addition of this conditional use is intended for all of these properties) in B-1 (Business) District; Tax Map 34 417:

_____ I HAVE NO OBJECTION TO THE CUP APPLICATION.

_____ I HAVE THESE CONCERNS ABOUT THE CUP APPLICATION.
Please give details.

SIGNATURE

Print Name
Address
Phone
Date

SIGNATURE

Name

Print
Address
Phone
Date

Please return this page to:

Town of Irvington
PO Box 173
Irvington, VA 24480

OR

Town of Irvington
253 Steamboat Rd
Irvington, VA 24480

Zoning Application for Conditional Use Permit
Town of Irvington, Virginia

To: The Zoning Administrator:

Date 1/28/2020

The Applicant, ICN Enterprises, LLC

is (are) the

(Please print owner's name)

4357 Irvington Road, Irvington, Virginia 22480

(street address)

Between across from Chesapeake Dr. Street and _____
Street.

Exact legal description of said property being (tax map and
Parcel #) Map 34, Parcel 417

A Map and Adjacent Property Owner's List are hereto attached and made "a" part of this application.

- (A) Above described property was acquired by Applicant 2/8/2018 (Mo, Day, Yr)
(B) What original deed restrictions concerning the type of improvements permitted, if any, were placed on the property involved? Give date said restrictions expire. None (you may attach copy of original printed restrictions in answer to this question after properly underscoring those features governing the type and class of uses permitted thereby.)

- (C) Request: The Applicant requests that you approve the location of the following use on the above described property: Office building *(THE APPLICATION WITH CONDITIONAL USE PERMIT COVERS*

THE ENTIRE ROW OF SHOPS. THEY ARE ONE BUILDING AND THE ADDITION OF THIS

(Use this space ONLY to state exactly what is intended to be done on or with the property. Use space on Page 2 for circumstances pertaining to this request. If a building is involved a sketch or plan with photographic or other suitable description should accompany this application.)

REQUIREMENTS AND INSTRUCTIONS

FOR FILING APPLICATION FOR CONDITIONAL USE

1. The Application Form must be filled out completely with full answers to every statement and question. The application may not be signed by an agent or attorney but must be signed by the lessee, owner or owners before a Notary Public in the space provided on the Applicant's Affidavit. Signatures of adjacent property owners who approve the request may be signed in the space provided on the Applicant's Affidavit. If space is not sufficient a supplemental sheet may be added to the petition. Such Signatures are desirable but are not absolutely required
2. The Filing Fee in the Amount of \$ 35.00 payable to the Town of Irvington must be paid at the time of filing the application.

Paid _____
(date)

conditional use is Inted For ALL of These Properties.

Page 1

amended 17 FEB 2020

Amended by [Signature] Manager

Zoning Application for Conditional Use Permit
Town of Irvington, Virginia

To: The Zoning Administrator: _____ Date 1/28/2020
The Applicant ICN Enterprises, LLC is (are) the
(Please print owner's name)

1
4357 Irvington Road, Irvington, Virginia 22480 (street address)
Between across from Chesapeake Dr. Street and _____
_____ Street.

Exact legal description of said property being (tax map and
Parcel #) Map 34, Parcel 417

A Map and Adjacent Property Owner's List are hereto attached and made "a" part of this application.

- (A) Above described property was acquired by Applicant 2/8/2018 (Mo, Day, Yr)
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(C) Request: The Applicant requests that you approve the location of the following use on the above described property: Office building

(Use this space ONLY to state exactly what is intended to be done on or with the property. Use space on Page 2 for circumstances pertaining to this request. If a building is involved a sketch or plan with photographic or other suitable description should accompany this application.)

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Paid _____
(date)

1. Describe briefly the type of use and improvements proposed. State whether new buildings are to be constructed, existing buildings are to be used or additions made to existing buildings.

The existing shop formerly operated as "Jimmy & Sook" to be used as a real estate sales and management office. No change to the exterior of the existing building is anticipated.

2. Why does applicant believe the location of the use in question on the particular property is essential or desirable for the public convenience or welfare and will not be detrimental to the immediate neighborhood?

Creates a tenant for the existing space and avoids an empty storefront.

3. Describe how the proposed use and improvements are to be designed and arranged to fit into the development of adjacent property and the neighborhood.

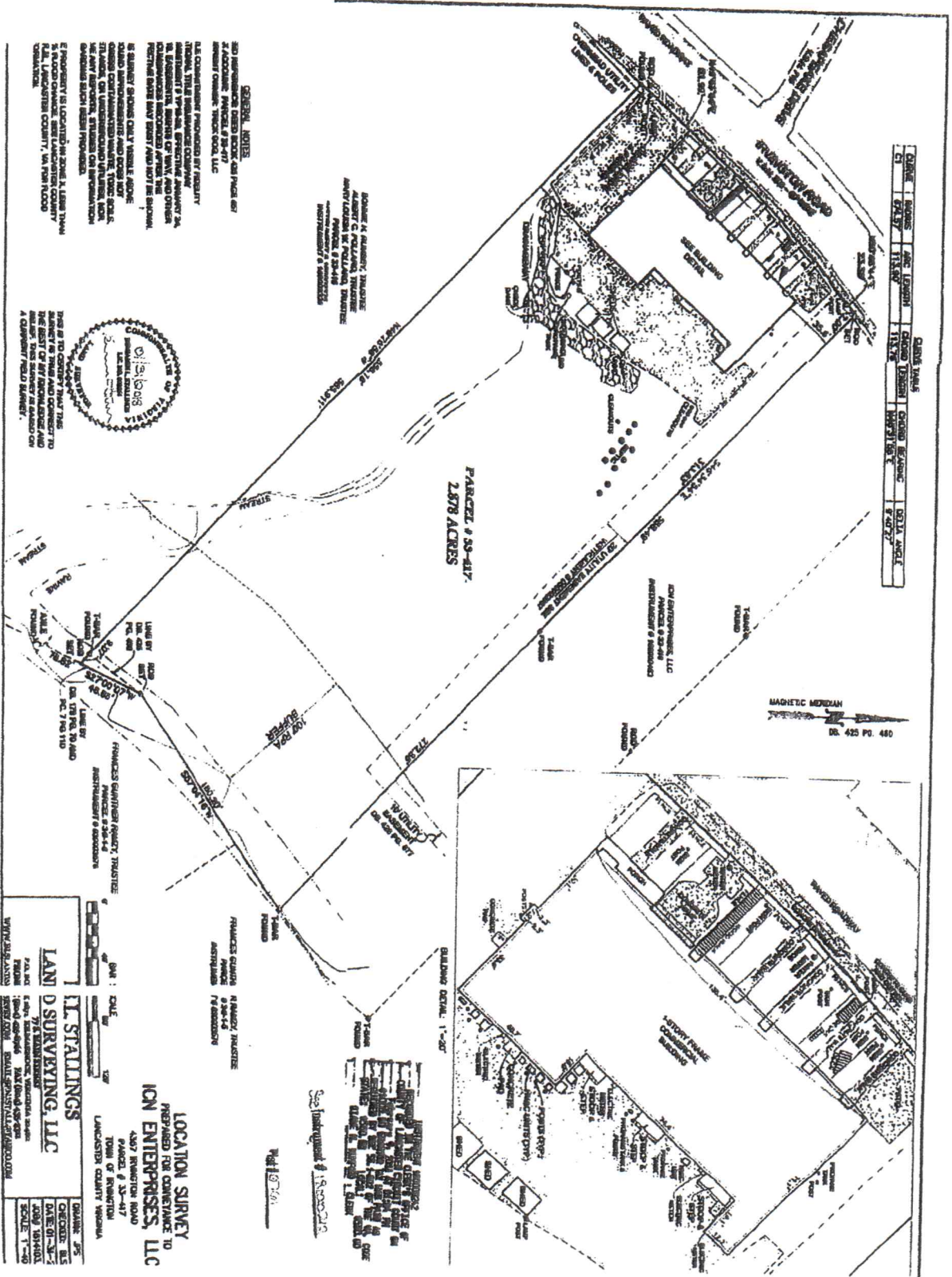
The line of shops already exists.

4. Furnish plot plan showing the boundaries and dimensions of property, width of boundary streets, location and size of buildings on the site, roadways, walks, off street parking and loading space, landscaping and the like. Architect's sketches showing elevations of proposed buildings and complete plans are also desirable and if available should be filed with the application.

See attached.

DATE	SCALE	NO. SHEETS	SHEET NO.	TOTAL SHEETS
11/18/18	1"=100'	1	1	1

MAGNETIC MERIDIAN
DL 425 PG. 480



GENERAL NOTES:
 1. ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN FEET AND INCHES.
 2. ALL DIMENSIONS SHOWN ON THIS PLAN ARE APPROXIMATE.
 3. ALL DIMENSIONS SHOWN ON THIS PLAN ARE TO BE VERIFIED BY THE FIELD SURVEYOR.
 4. ALL DIMENSIONS SHOWN ON THIS PLAN ARE TO BE VERIFIED BY THE FIELD SURVEYOR.
 5. ALL DIMENSIONS SHOWN ON THIS PLAN ARE TO BE VERIFIED BY THE FIELD SURVEYOR.
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 9. ALL DIMENSIONS SHOWN ON THIS PLAN ARE TO BE VERIFIED BY THE FIELD SURVEYOR.
 10. ALL DIMENSIONS SHOWN ON THIS PLAN ARE TO BE VERIFIED BY THE FIELD SURVEYOR.



LAND D SURVEYING, LLC
 7176 WINDYBROOK
 LANCASTER, VA 23090
 PHONE: (804) 885-4444 FAX: (804) 885-4444
 WWW.LANDD.SURVEYING.COM

LOCATION SURVEY
 PREPARED FOR COMPLIANCE TO
ICON ENTERPRISES, LLC
 4327 REMINGTON ROAD
 TOWN OF REMINGTON
 LANCASTER COUNTY, VIRGINIA

DATE: 11/18/18
SCALE: 1"=100'
PROJECT NO.: 18-001
DRAWN BY: J. STALLINGS
CHECKED BY: J. STALLINGS
DATE: 11/18/18
SCALE: 1"=100'

Applicant's Affidavit

TO ACCOMPANY APPLICATION FOR REZONING, ETC.
TOWN OF IRVINGTON, VIRGINIA

Cond. Use Permit

We (I), Julien Patterson, Manager of ICN Enterprises, LLC
being duly sworn, depose and say that we are ~~LESSEE~~ (I am the OWNER) of the property involved in this application and that we (I) have familiarized ourselves (myself) with the rules and regulations of the Zoning Administrator with respect to preparing and filing this application, and that the foregoing statements and answers herein contained and the information on the attached map and property owners' list thoroughly to the best of our (my) ability present the argument on behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of our (my) knowledge and belief.

Signed *Julien Patterson, Manager, ICN Enterprises, LLC*

Phone No. 1-571-220-7654

Mailing address of applicant.

Subscribed and sworn to before me this 28th day of January, 2020

[Signature]
Notary Public

Gminion expires: 5-31-2021

This is to certify that the foregoing application has been inspected by me and has been found to be thorough and complete in every particular and to conform to the rules and regulations of the Zoning Administrator governing the filing of such application.

State below the name, address, and phone number of person to be contacted for details if other than above signatory.

Name Matson C. Terry, II
Address P.O. Box 340, Irvington, VA 22480
Phone No. 804-438-5522

	Receipt Nos.	Date
Map and list	_____	___/___/197__
Application	_____	___/___/197__
Application Completed and Received by Zoning Administrator	_____	___/___/197__
By _____		

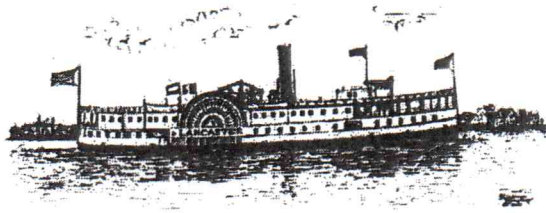
(For the Zoning Administrator)

We, the undersigned OWNERS of ADJACENT PROPERTY as shown upon map attached to the application hereby certify that we have read the foregoing petition and agree that the facts stated correctly and completely present the conditions surrounding the property involved in this application, and believe the application SHOULD BE GRANTED. (Add additional sheets where necessary. These signatures are desirable but not demanded).

No. on Map	Name	Address	Lot	Block	Tract
33-416	Edwin T. Burton, Trustee of the	155 Hayden Road			
	Edwin Thomas Burton, III &	Weems, VA 22576			
	Patricia Ann Burton Inter Vivos Trust				
33-418	Same as applicant				

TOWN OFFICIALS
Ralph D. Ransone
Mayor
Roy C. Kime
Zoning Administrator
Town Manager
Nancyellen Keane, Esq.
Town Attorney
Sharon L. Phillips
Clerk of Council

Town of Irvington



TOWN COUNCIL
Kathleen F. Pollard
Vice Mayor
Michael Bombay
Jackie Brown
Bonnie Schaschek
R. Wayne Nunnally
Frances E. Westbrook

February 13, 2020

CUP Schedule for Meetings

Tuesday March 3, 2020

5:30 PM Joint Public Hearing of 4 proposed CUP's

6:30 PM Planning Commission Regular Meeting

Immediately Following Town Council Special Called Meeting

Thursday March 12, 2020

5:00 PM Planning Commission Special Called Meeting

6:30 PM Town Council Regular Meeting

235 Steamboat Road ☞ Post Office Box 174 Irvington, Virginia 22480
Telephone (804) 438-6230 ☞ Fax (804) 441-9048
sphillips@town.irvington.va.us ☞ rkime@town.irvington.va.us
www.town.irvington.va.us

