

**TOWN OF IRVINGTON
JOINT PUBLIC HEARING**

NOTICE

Notice is hereby given pursuant to VA Code §15.2-2204, that the Town of Irvington Town Council in conjunction with the Planning Commission is holding a joint public hearing on Tuesday August 11, 2020 starting at 5:30 PM at the Irvington Baptist Church to hear public views about two (2) pending conditional use Permit (CUP) applications.

The public may provide its views from 5:30 pm – 6:30 pm on the following topics:

Proposed Conditional Use Permit (CUP) TOI#CUP-2020.CUP5_for a pier;
Tax Map 34-20; The Lane, which is located in R-1 (Residential) District.

Proposed Conditional Use Permit (CUP) Application TOI# CUP-2020.CUP6_to modify use of existing building; create mixed use building of 3 units, namely 1 professional office and 2 apartments; enlarge existing building to allow for this use; Tax Map 33-379C; 37 Seafood Lane, which is located in the M-1 (Industrial) District..

These topics are placed on the joint public hearing agenda pursuant to VA Code Ann. § 15.2-2204. Copies of the applications are available in the Town Office or on the Town website, www.town.irvington.va.us. Individuals requiring additional information or clarification may contact Lara Brown Zoning Administrator, (804) 438.6044.

AGENDA

**Joint Public Hearing
Irvington Town Council & Planning Commission
Tuesday, August 11, 2020 at 5:30 PM at the Irvington Baptist Church**

1. Call to Order – *Tripp Bugg, Mayor*
2. Roll Call –*S. Phillips, Clerk*
3. Approve Agenda
4. Joint Public Hearing
 1. Proposed Conditional Use Permit (CUP) TOI#CUP-2020.CUP5_for a pier; Tax Map 34-20; The Lane, which is located in R-1 (Residential) District.
 2. Proposed Conditional Use Permit (CUP) Application TOI# CUP-2020.CUP6_to modify use of existing building; create mixed use building of 3 units, namely 1 professional office and 2 apartments; enlarge existing building to allow for this use; Tax Map 33-379C; 37 Seafood Lane, which is located in the M-1 (Industrial) District..
6. Adjourn



RESOLUTION 2020-05.PC

Recommendation Regarding Conditional Use Permit Application – Dock , R-1, Tax Map 34 20 _____

WHEREAS, the Irvington Planning Commission was asked to review and make a recommendation to Town Council on Proposed Conditional Use Permit (“CUP”) Application TOI# CUP – 2020.5_Forrester to build a new private dock at residence in R-1 zoning district; Tax map # 34 20, ___ The Lane (“Application”); and

WHEREAS, a joint public hearing on the Application was advertised in the Rappahannock Record on July 30, 2020 and August 6, 2020; and

WHEREAS, the Planning Commission and Town Council held a joint public hearing on August 11, 2020 to hear public views on the Application; and

WHEREAS, the Planning Commission considered the Application at its meetings held on August 11, 2020 and September 8, 2020.

NOW THEREFORE, BE IT RESOLVED that the Irvington Planning Commission hereby recommends **[CHOOSE --approval or against approval]** of the Application to Town Council.

Reasons given, if any: _____.

I, Steve Kimmeth, Secretary of the Planning Commission, do hereby certify that the above is a true copy of Resolution 2020-05.PC adopted at a special meeting of the Planning Commission of Irvington, Virginia held on September 8, 2020, at which a quorum was present and voting. The vote was:

In favor

Opposed

IRVINGTON PLANNING COMMISSION

Steve Kimmeth, Secretary

Zoning Application for Conditional Use Permit

2020, CUP 5

Town of Irvington, Virginia

To: The Zoning Administrator:

Date 5-18-20

The Applicant Brian Forrester is (are) the

(Please print owner's name)

i _____ (street address)

Between Steamboat Rd Street and _____
James Point Street.

Exact legal description of said property being (tax map and

Parcel #) Tax Map 34 20

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 Feb 2020 (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. _____ (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: new residential dock

*110' x 140' wooden dock, 6ft wide, with 19' x 8' L head platform
channelward of MLW

(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 payable to the Town of Irvington must be paid at the time of filing the application.

R Brian Forrester 5/29/2020
R Brian Forrester

Paid 5-29-2020
(date)

Notes: VMRC approved request 6-9-2020.
ACOE issued compliance authorization.

See attached

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.

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?

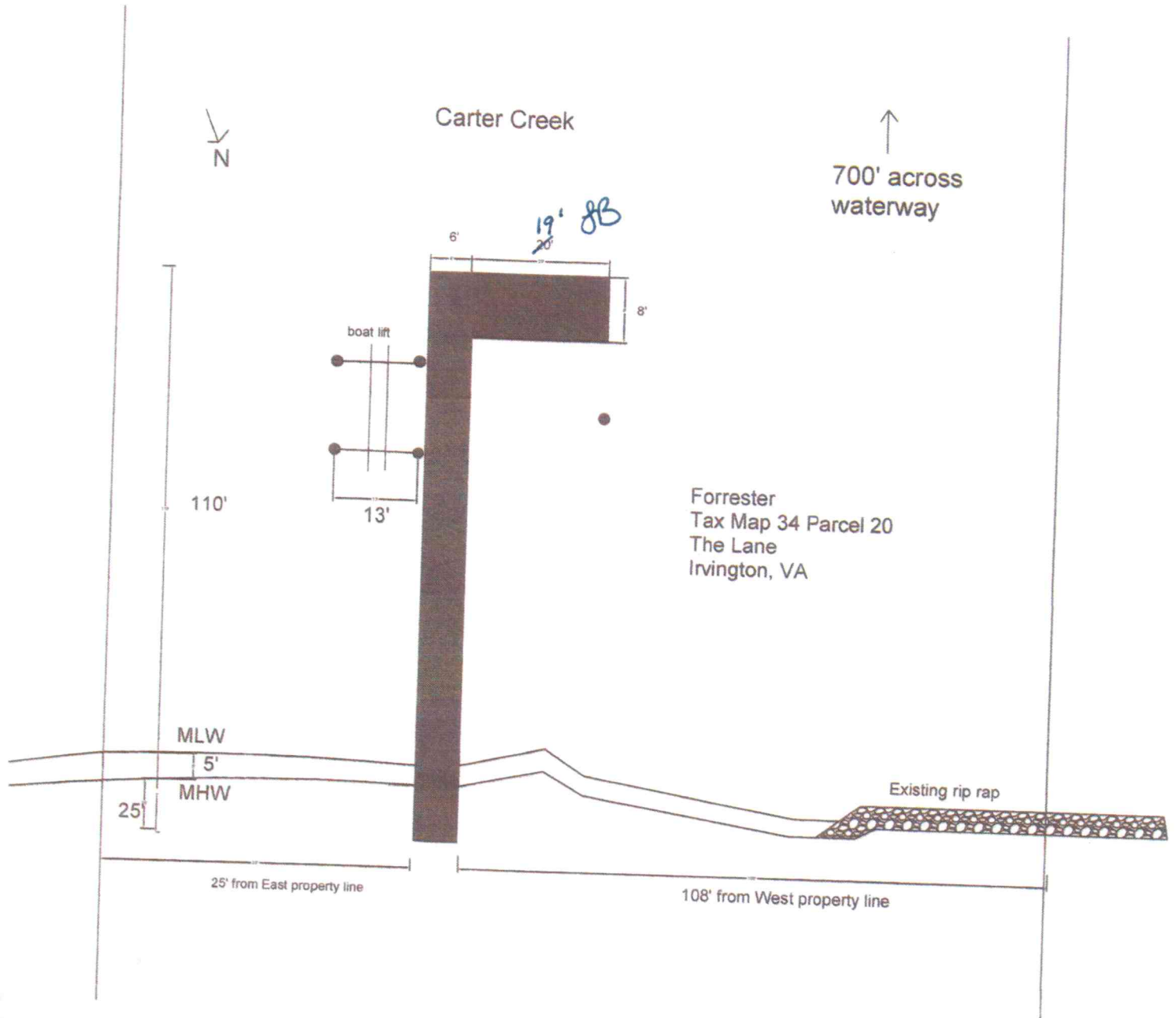
3. Describe how the proposed use and improvements are to be designed and arranged to fit into the development of adjacent property and the neighborhood.

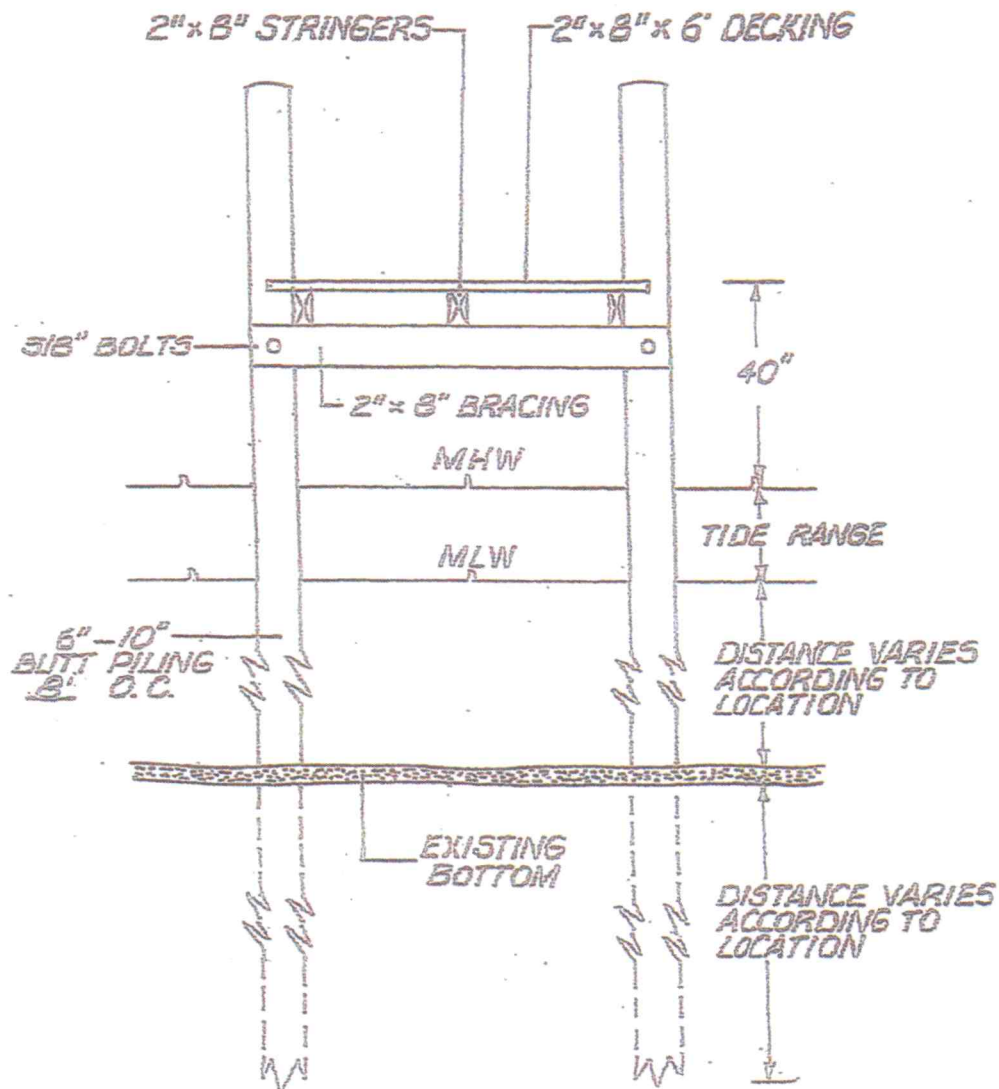
4. Furnish plot plan showing the boundaries and dimensions of property, width of boundary streets, location and size of buildings on the site, roadways, walks, off street parking and loading space, landscaping and the like. Architect's sketches showing elevations of proposed buildings and complete plans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

Zoning Application for Conditional Use Permit

Town of Irvington, VA

1. The proposed improvement is a new residential dock that extends 110' below Mean Low Water into the Eastern Branch of Carter's Creek. The dock will have an "L-head" that turns towards the west that is 20' x 8'. There is a proposed boat lift to be installed along the main stem.
19
2. The new dock will add value to the property and is a similar size to that of adjacent docks. Thus it will maintain the value and aesthetics of the neighboring properties.
3. The dock design and length are similar to those of the adjacent properties. The dock dimensions and placement on the property will adhere to all town, county and state guidelines.
4. See attached drawings, plats and aerial images to illustrate the size and location of the proposed dock.





NOTES

ALL WOODEN MATERIALS USED TO BE PRESSURE TREATED.
 ALL HARDWARE USED TO BE HOT GALVANIZE DIPPED.
 PIER TO BE 4' IN WIDTH AND 4' IN HEIGHT ACROSS VEGETATIVE
 WETLANDS.

SECTION

SCALE 1" = 3'

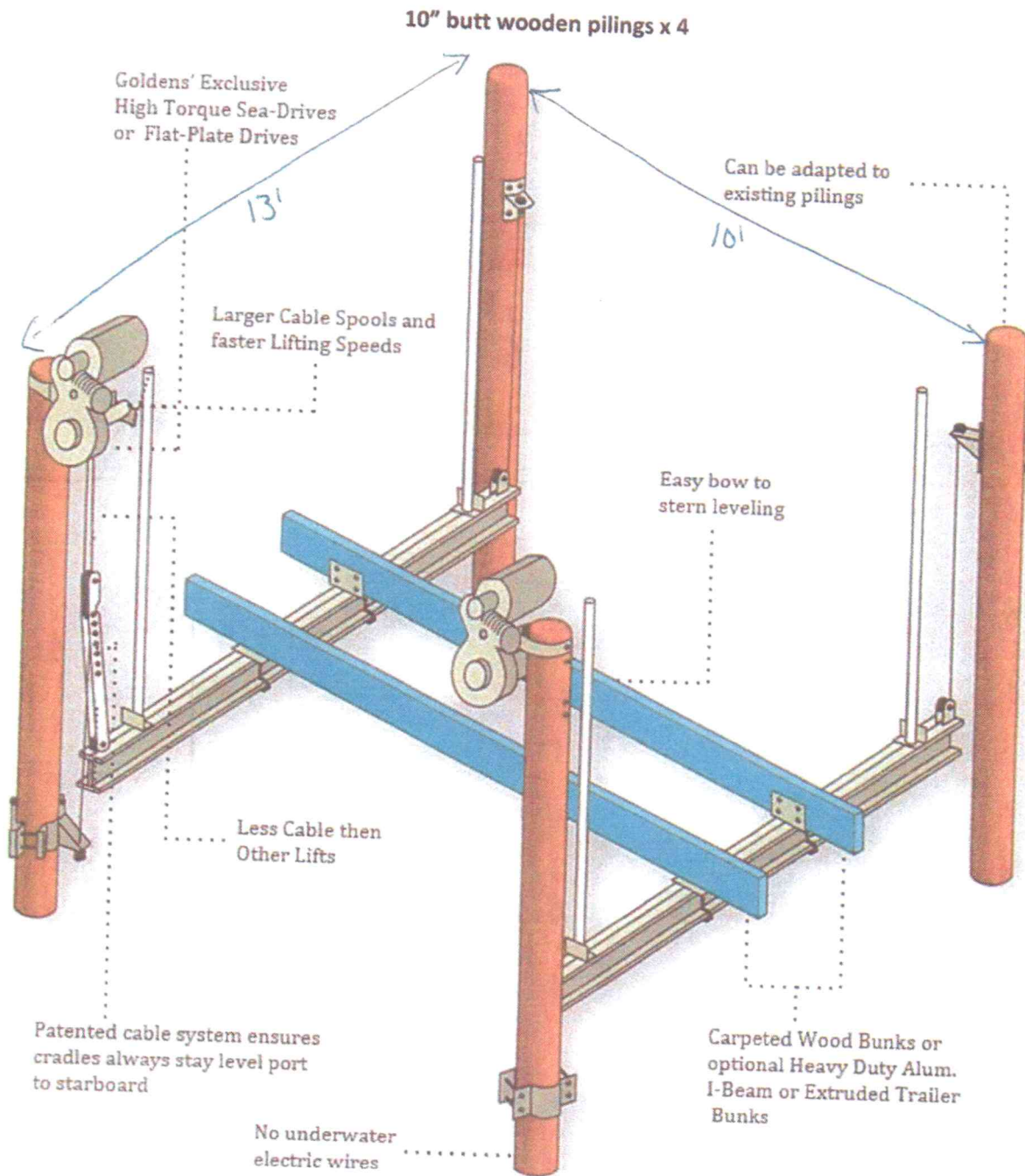
Forrester
 Tax Map 34 Parcel 20
 The Lane
 Irvington, VA 22480

Forrester



The Lane
Irvington, VA

PROJECT PROFILE VIEW :



GENERAL NOTES:

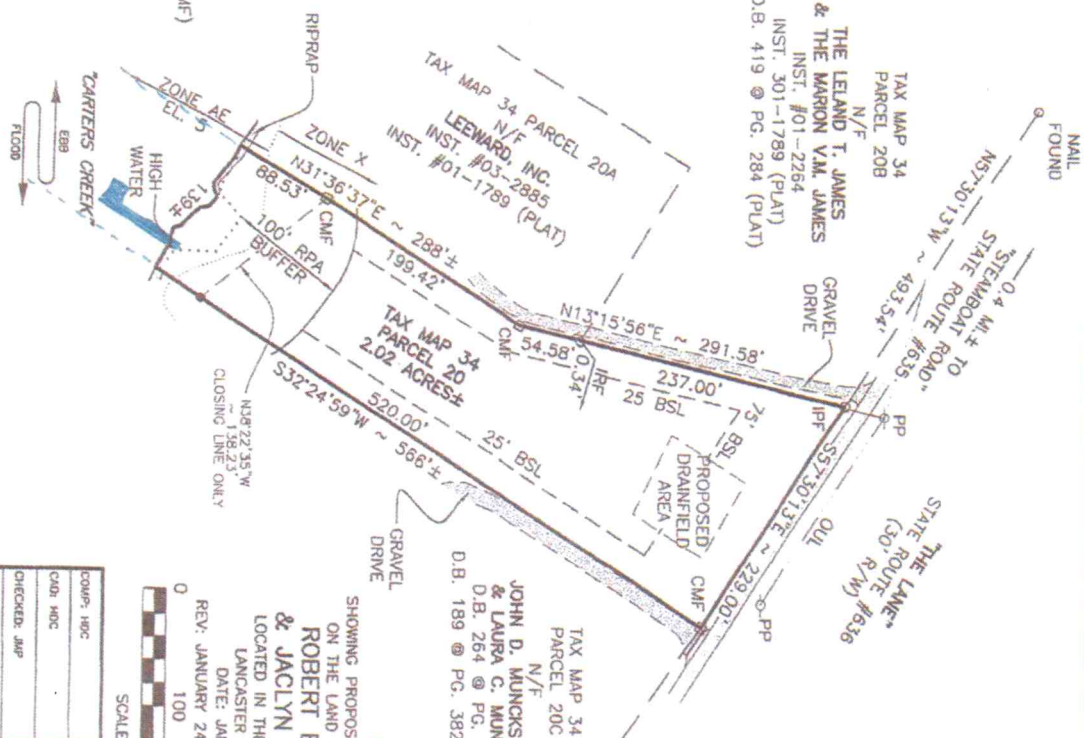
1. THIS PLAT WAS PREPARED WITH THE BENEFIT OF TITLE REPORT #P20-5 FROM FIDELITY NATIONAL TITLE INSURANCE COMPANY AND DATED JANUARY 8, 2020 AT 8:00AM.
2. THE LAND DELINEATED HEREON IS LOCATED ON COUNTY TAX MAP NO. 34 PARCEL 20.
3. CURRENT OWNER & REFERENCES:
THE LELAND T. JAMES TRUST & THE MARRION V.M. JAMES TRUST
INST. #07-2137; D.B. 184 @ PG. 302 (PLAT)
4. EDGE OF WATER SHOWN HEREON IS AS OF TIME OF SURVEY AND NO EFFORT IS MADE BY THIS PLAT TO ESTABLISH OWNERSHIP OR ANY OTHER RIGHTS BEYOND THIS LINE.
5. THIS PARCEL LIES IN ZONE X, AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND ZONE AE (EL. 5), AREA DETERMINED TO HAVE BASE FLOOD ELEVATIONS, AS DEFINED ON THE NATIONAL FLOOD INSURANCE RATE MAP PANEL NO. 510221 0143 D, DATED OCTOBER 2, 2014, THE ZONE LINES SHOWN ARE APPROXIMATE AND SCALED FROM SAID MAP.
6. SITE IS ZONED: R-1
FRONT SETBACK: 75' FROM CENTERLINE OF ROAD
SIDE SETBACK: 25' TO DRIP LINE OF MAIN STRUCTURE
HEIGHT: 35'
DWELLING: MINIMUM 1,200 S.F. FOR MAIN STRUCTURE

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND IS BASED ON A CURRENT FIELD SURVEY.



LEGEND:

- ⊕ IRON ROD FOUND (IRF) OR IRON PIPE FOUND (IPF)
- ⊖ T-BAR FOUND (TBF)
- ⊙ CONCRETE MONUMENT FOUND (CMF)
- ⊕ IRON ROD SET
- ⊖ CONCRETE MONUMENT SET
- ⊙ POWER POLE (PP)
- ⊕ TELEPHONE JUNCTION BOX
- ⊖ OUL OVERHEAD UTILITY LINE
- ⊙ R/W NOW OR FORMERLY
- ⊕ R/W RIGHT-OF-WAY
- ⊙ RESOURCE PROTECTION AREA
- ⊕ DEED BOOK
- ⊖ PLAT BOOK



COMP: HBC
CAD: HBC
CHECKED: JJP
DATE: 19287-01
FILED: 19287-01

BAY design group
Engineering, Surveying & Land Management
40 DUNES STREET, SUITE 100
DUNES, VA 22621
TEL: 540-333-5511
WWW.BAYDESIGNGROUP.COM

SCALE: 1" = 100'

REV. JANUARY 24, 2020 (TITLE REPORT)

PLAT
SHOWING PROPOSED DRAINFIELD LOCATION
ON THE LAND TO BE CONVEYED TO
**ROBERT B. FORESTER
& JACLYN N. FORESTER**
LOCATED IN THE TOWN OF IRVINGTON
LANCASTER COUNTY, VIRGINIA
DATE: JANUARY 4, 2020

TAX MAP 34
PARCEL 20C
N/F
**JOHN D. MUNCKS, JR.
& LAURA G. MUNCKS**
D.B. 264 @ PG. 407
D.B. 189 @ PG. 382 (PLAT)



Forrester Tax Map 34 20

Write a description for your map.

© 2008 Google
Google Earth

Legend
Line Measure





RESOLUTION 2020-06.PC

Recommendation Regarding Conditional Use Permit Application – Mixed use, one office and two apartments, M-1, Tax Map 33-379 C

WHEREAS, the Irvington Planning Commission was asked to review and make a recommendation to Town Council on Proposed Conditional Use Permit (“CUP”) Application TOI# CUP – 2020.6_ Pollard for mixed use building of three units, namely one professional office and two apartments, M-1 zoning district; Tax map # 33-379 C, 37 Seafood Lane (“Application”); and

WHEREAS, a joint public hearing on the Application was advertised in the Rappahannock Record on July 30, 2020 and August 6, 2020; and

WHEREAS, the Planning Commission and Town Council held a joint public hearing on August 11, 2020 to hear public views on the Application; and

WHEREAS, the Planning Commission considered the Application at its meetings held on August 11 and September 8, 2020.

NOW THEREFORE, BE IT RESOLVED that the Irvington Planning Commission hereby recommends **[CHOOSE --approval or against approval]** of the Application to Town Council.

Reasons given if any: _____.

I, Steve Kimmeth, Secretary of the Planning Commission, do hereby certify that the above is a true copy of Resolution 2020-06.PC adopted at a special meeting of the Planning Commission of Irvington, Virginia held on September 8, 2020, at which a quorum was present and voting. The vote was:

In favor

Opposed

IRVINGTON PLANNING COMMISSION

Steve Kimmeth, Secretary

Zoning Application for Conditional Use Permit
Town of Irvington, Virginia

CUP # 2020 .cup6

To: The Zoning Administrator: Date, May 26 2020

The Applicant, Albert C. Pollard, Jr. is the owner of 37 Seafood Lane, Irvington, VA 22480

Exact legal description of said property being (tax map and Parcel #): 33-379C

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: June 30, 2019

(B) What original deed restrictions concerning the type of improvements permitted, if any, were placed on the property involved? *The subject property is zoned industrial so all uses are allowed except for the requested setback variance from the street.*

(C) Request: The Applicant requests that you approve the location of the following use on the above described property:

My goal is to add two nice apartments for lease and to keep my office in the building known as "37 Seafood Lane".

Therefore, I am making this application for two apartments in 37 Seafood Lane in a mixed use building with a professional office. In this way the building will have a use similar to "Trick Dog" (Dredge) building where offices and apartments are under the same roof. Or similarly, the "Ann Mekins Office" is a mixed use building with a professional office.

Apartments and offices (indeed, all "higher uses") are allowed under present industrial zoning. Per the zoning administrator, when applying for use allowed under "B2 Zoning" those setbacks apply, therefore the 600 sq foot addition to the present building meets the setback requirements.

(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.)

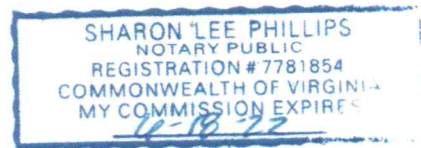
**REQUIREMENTS AND INSTRUCTIONS
FOR FILING APPLICATION FOR CONDITIONAL USE**

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 payable to the Town of Irvington must be paid at the time of filing the application.

Paid
(date)

Signature

Albert C. Pollard, Jr.
June 5, 2020
CK# 1111 5JUN2020



Sharon Lee Phillips
5 June 2020

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 improvement would be one frame addition of 600 square feet so there could be two apartments total each equalling 600 square feet. Additionally, my professional office would remain in the building. Further improvements would be landscaping, fencing, shutters and such details to make the building more attractive.

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?

Yes, by approving this Conditional Use Permit, it improves the neighborhood by taking away the other more intensive, industrial and undesirable use for the property and the building.

Since the subject property is zoned industrial, I believe this use to be "by right", however, I also believe this use to be consistent with the density, look and feel of the neighborhood. I say this because: one of the neighboring properties is a duplex on a small lot; three of the neighboring properties are zoned residential and have lot size approximately half of subject property or smaller (37-378-A, 37-799E & 37-397); the town office is a considerable smaller lot size than subject property and, finally, 33-379 (the Quarles Property) is also zoned industrial and, as a storage yard, is probably not exemplary of what the town seeks to be.

The applicant intends to landscape with crepe myrtles, knockout roses and native plants around the building/property.

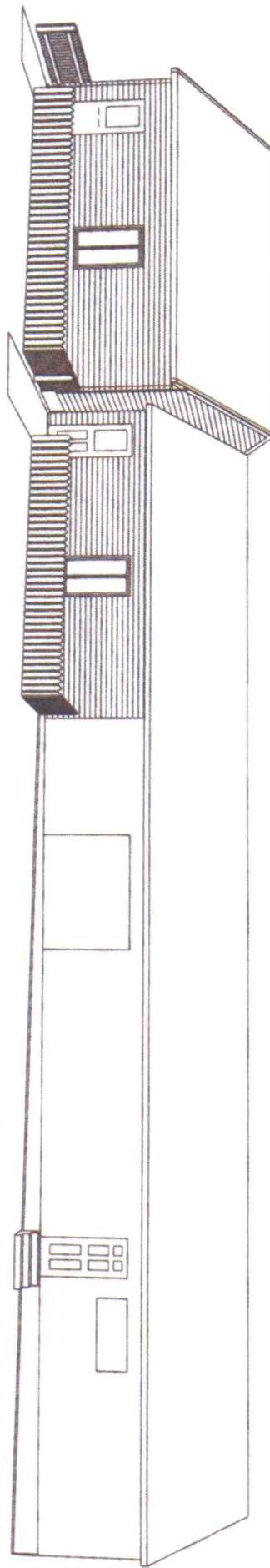
Soil tests indicate a drain field for two, one bedroom apartments and the light office use will fit between the existing building and back fence line. Obviously, no certificate of occupancy can be granted by the county unless the drain field is suitable for the described use.

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.

By approving this Conditional Use Permit, it improves the neighborhood by taking away the other more intensive, industrial and undesirable use for the property and the building.

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 Attachments A, B, C and D.

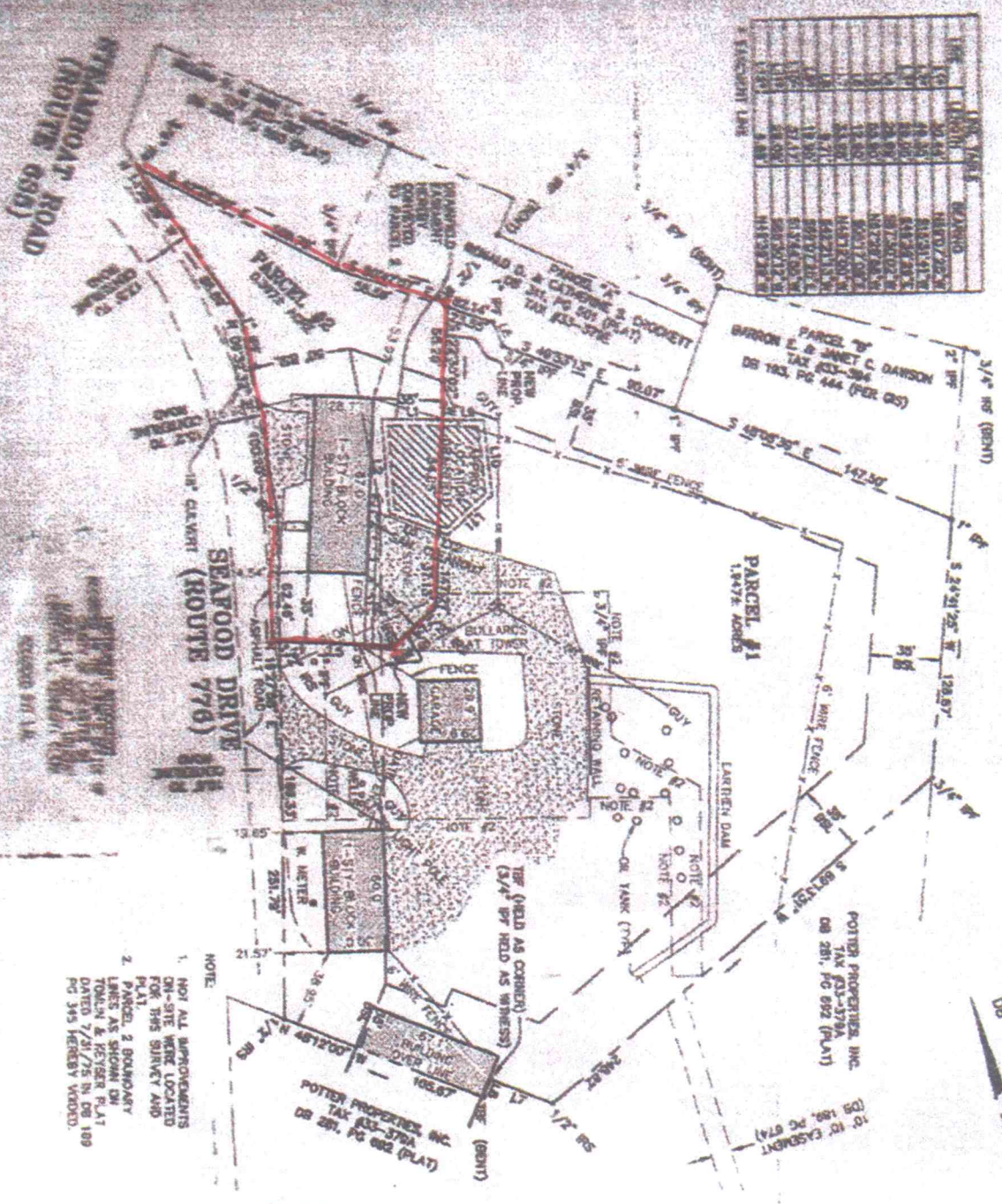


Appendix 'A'

MONUMENT LEGEND

| TYPE OF MONUMENT | SYMBOL |
|--|----------|
| PIPE/ROD SET <td>(Symbol)</td> | (Symbol) |
| CONCRETE MONUMENT SET <td>(Symbol)</td> | (Symbol) |
| CONCRETE MONUMENT FOUND <td>(Symbol)</td> | (Symbol) |
| RPA RESOURCE PROTECTION AREA <td>(Symbol)</td> | (Symbol) |
| RMA RESOURCE MANAGEMENT AREA <td>(Symbol)</td> | (Symbol) |

| LINE | LENGTH | BEARING |
|------|--------|-----------------|
| 1 | 10.00 | S 89° 52' 00" W |
| 2 | 10.00 | S 89° 52' 00" W |
| 3 | 10.00 | S 89° 52' 00" W |
| 4 | 10.00 | S 89° 52' 00" W |
| 5 | 10.00 | S 89° 52' 00" W |
| 6 | 10.00 | S 89° 52' 00" W |
| 7 | 10.00 | S 89° 52' 00" W |
| 8 | 10.00 | S 89° 52' 00" W |
| 9 | 10.00 | S 89° 52' 00" W |
| 10 | 10.00 | S 89° 52' 00" W |



PATL JENKINS, JR. & CHRISTINE F. JENKINS
 TAX 633-383
 DE 180, PG 101

DE 180, PG 345

JOHN A. CHRISTOPHER, INC.

TOWN OF IRVINGTON - LANCASTER COUNTY, VIRGINIA

BOUNDARY LINE ADJUSTMENT
 BETWEEN THE PROPERTIES OF

AUGUST 1, 2007
 SHEET 2 OF 2
 SCALE: 1" = 40'



Simmone Newsome, P.C.
 Surveyors & Planners
 22800 Westpark Drive, Suite 200
 Yorktown, Virginia 23692
 Phone (757) 856-4014 Fax (757) 856-7164

- LEGEND**
- Pipe/Rod Set
 - Concrete Monument Set
 - Pipe/Rod Found
 - Concrete Monument Found
 - RPA Resource Protection Area
 - RMA Resource Management Area



APPROVED:
 TOWN OF IRVINGTON
 BY: *[Signature]*
 Plat Approving Agent

DATE: 8-9-07

STATE OF VIRGINIA
 COUNTY OF LANCASTER
 In the Clerk's Office of the Circuit Court for the
 County of Lancaster this ____ day of _____, 20____ this
 map was presented and admitted to record as
 the law directs in instrument # _____

TESTE: _____
 Clerk
 BY: _____
 07-06-300
 BOLDRYN/CMS