



**The Town of Irvington Planning Commission
Special Called Meeting April 13, 2021, 6:30 PM
Irvington Baptist Church
53 King Carter Drive, Irvington, VA 22480**

- 1. Call to order** - Julie Harris, Chair
- 2. Roll Call and Determination of Quorum**- Julie Harris, Chair
- 3. Approve Minutes**
 1. March 9, 2021 Special Called Meeting
- 4. Report from Chair** - J. Harris
- 5. Report from Zoning Administrator** - L. Brown
- 6. Old Business**
- 7. New Business**
 1. First Reading of Resolution 2021-08.PC recommending CUP 2021.CUP1_Hope & Glory Inn to extend food and beverage service to front patio in B1 district
 2. First Reading of Resolution 2021-09.PC recommending Ordinance 2021-01 pertaining to CUPs for docks and swimming pools
- 8. Next meeting**, Tuesday, May 11, 2021 at 6:30 at Irvington Baptist Church.
- 9. Adjourn**

The Town of Irvington Planning Commission
Special Called Meeting March 9, 2021
Irvington Baptist Church
53 King Carter Drive, Irvington, Va. 22480

Summary of minutes from March 9, 2021 Meeting

1. Call to Order - Julie Harris, Chair - 6:30pm.
2. Roll Call and Determination of Quorum - Julie Harris, Chair
 - Harris - Present
 - Chapman - Present
 - Kimmeth - Present
 - Capps - Present
 - Robinson - Present
 - Braly - Present
 - Forrester - Present
 - Total - Present - 7 Absent - 0. Quorum was established by Julie Harris, Chair.
3. Approve Minutes
 1. February 16, 2021 Planning Commission Public Hearing
 - Motion to approve - Robinson
 - Second - Capps
 - Vote: Yes - 7 No - 0
 - Minutes approved.
 2. February 16, 2021 Special Called Meeting
 - Julie Harris, Chair - called attention to a clerical error under New Business.
 - Motion to approve - Chapman
 - Second - Forrester
 - Vote: Yes - 7 No - 0
 - Minutes approved.
4. Report from Chair - Julie Harris
 - Attended the Town Council workshop and requested \$500.00 for new zoning maps. Also, met with the Zoning Administrator and requested \$900.00 for upcoming ads which will appear in the Rappahannock Record newspaper. These items total \$1400.00 for the 2021 - 2022 town budget.
5. Report from Zoning Administrator - L. Brown
 - The Zoning Administrators report is attached and incorporated within.

6. Old Business

1. Second Reading of Resolution 2021-01 PC; Proposed Rezoning Application
2020.RZ2_ICN Enterprises to rezone parcel Tax Map #33 422 from R-1 to B-1; at
4203 Irvington Road. Discussion / Vote. Resolution Read by Lara Brown.

Discussion: Chapman - made reference to use and conflicting uses in the town code,
etc. Also, in B-2, made comments regarding not to exceed 1500 Sq. Ft. in size etc.
Braly - General discussion on the fact that several properties in same area had been
rezoned to B-1. Zoning Administrator - Lara Brown stated that the applicant was now
requesting B-1 approval only. Also gave zoning information about surrounding property
owners and use.

Vote - Harris - Disapprove
Chapman - Disapprove
Kimmeth - Approve
Capps - Disapprove
Robinson - Approve
Braly - Approve
Forrester - Approve
Total - Approve - 4 Disapprove - 3 Resolution Approved.

2. Second Reading of Resolution 2021-02PC; Conditional Use Permit Application
#2020.CUP12_ICN Enterprises - Town Office in B-1; Tax Map #33 422 at 4203 Irvington Road.
Discussion / Vote. Resolution Read by Lara Brown.

Discussion: Braly - discussion on future use after the town office moves from the parcel.
Future business use would require a CUP except for residential use.

Vote - Harris - Approve
Chapman - Approve
Kimmeth - Approve
Capps - Approve
Robinson - Approve
Braly - Approve
Forrester - Approve
Total - Approve - 7 Disapprove - 0 Resolution Approved.

3. Second Reading of Resolution 2021-03PC; Conditional Use Permit Application
#2020.CUP17_Stephens for new pool inside the RPA, redevelopment, no further
encroachment and no increase in impervious cover, R-1; Tax Map #33 361 at 416 Steamboat
Road. Discussion / Vote. Resolution read by Lara Brown.

Discussion : Zoning Administrator - Lara Brown stated she had received 1 more letter from an adjacent property owner indicating support for the application. There were no objections from any adjacent property owners.

Vote - Harris - Approve
Chapman - Approve
Kimmeth - Approve
Capps - Approve
Robinson - Approve
Braly - Approve
Forrester - Approve

Total - Approve - 7 Disapprove - 0 Resolution Approved.

4. Second Reading of Resolution 2021-04PC; Conditional Use Permit Application # 2020.CUP13_Sanders Robinson for new pier for private use; Tax Map #33 252B; M-1 at Carters Creek Road / King Carter Drive. Discussion / Vote. Resolution read by Lara Brown.

Discussion: None.

Vote - Harris - Approve
Chapman - Approve
Kimmeth - Approve
Capps - Approve
Robinson - Approve
Braly - Approve
Forrester - Approve

Total - Approve - 7 Disapprove - 0 Resolution approved.

5. Second Reading of Resolution 2021-05PC; Conditional Use Permit Application #2020.CUP14_Sanders Robinson for new pier for private use; Tax Map #33 252A; M-1/R-1 at Carters Creek Road / King Carter Drive. Discussion / Vote Resolution read by Lara Brown.

Discussion - None.

Vote - Harris - Approve
Chapman - Approve
Kimmeth - Approve
Capps - Approve
Robinson - Approve
Braly - Approve
Forrester - Approve

Total - Approve - 7 Disapprove - 0 Resolution Approved.

6. Second Reading of Resolution 2021-06PC; Conditional Use Permit Application #2020.CUP15_Sanders Robinson for new pier for private use; Tax Map #33 252; M-1 R-1 at 902 King Carter Drive. Discussion / Vote. Resolution read by Lara Brown.

Discussion: None.

Vote - Harris - Approve
Chapman - Approve
Kimmeth - Approve
Capps - Approve
Robinson - Approve
Braly - Approve
Forrester - Approve

Total - Approved - 7 Disapprove - 0 Resolution Approved.

7. Second Reading of Resolution 2021-07PC; Conditional Use Permit Application #2020.CUP16_SandersRobinson for new pier for private use; Tax Map 33 253A; M-1/R-1 at King Carter Drive Discussion / Vote. Resolution read by Lara Brown.

Discussion: None.

Vote - Harris - Approve
Chapman - Approve
Kimmeth - Approve
Capps - Approve
Robinson - Approve
Braly - Approve
Forrester - Approve
Total - Approve - 7 Disapprove - 0 Resolution Approved.

7. New Business

No new business.

8. Next Meeting

Tuesday, April 13, 2021 at 6:30 at Irvington Baptist Church.

Also, Tom Chapman offered comments on the CUP procedure, consolidating the process, Etc.

9. Adjourn

Motion to Adjourn - Chapman

Second - Capps

Vote - Harris - Yes

Chapman - Yes

Kimmeth - Yes

Capps - Yes

Robinson - Yes

Braly - Yes

Forrester - Yes

Total - Yes - 7 No - 0 Motion Approved

Meeting Adjourned at 6:55 pm.

Respectfully Submitted - Charles Steven Kimmeth, Secretary



Town of Irvington Zoning Administrator Report
Prepared for Planning Commission and Town Council
Prepared For: April 8 and April 13, 2021 Meetings
Staff Contact: Lara M. Brown, Zoning Administrator

Zoning Permits

#2021-07, Hope and Glory Inn for 20 x 40 concrete pad and 97' fence to match existing fence (Withdrawn)

#2021-08, Heather Sheehan and Phil Robinson at 90 Railway Rd. Construction of in-ground swimming pool.

#2021-10, Zoning permit, David Alga, c/o Docks by the Bay, construct pier per approved CUP.

#2021-11, Sign permit, Windswept Experience. 32" Round, fixed on front of building.

#2021-12, Sign permit, Caron, Linda & Richey, Ollen, 5160 Irvington Rd. House sign on post, 10.5" x 35.5".

Conditional Use Permit Application

CUP#2021.01_HopeandGlory, Extend food and beverage service to front patio in B-1

Conditional Use Permits (approved)

CUP#2020.CUP12, ICN Enterprises, LLC, operate a Town Office at 4203 Irvington Road

CUP#2020.CUP13, Robinson, private, residential pier

CUP#2020.CUP14, Robinson, private, residential pier

CUP#2020.CUP15, Robinson, private, residential pier

CUP#2020.CUP16, Robinson, private, residential pier

Proposed Ordinance Update

Proposed ordinance change, remove piers and swimming pools not in the RPA in the CUP requirement. 1st reading scheduled for the April 8th TC meeting and April 13th PC meeting. Joint Public hearing scheduled for May

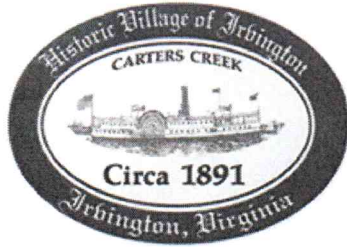
Notice of Violation Update

The matter regarding Tax Map Parcel(s) 34I 1 9 and 34I 1 8, public safety/nuisance violations specifically abandoned trailers, sheds and roll-back trailer. Property owner has contracted with

Magic Tree to have the property cleared. Zoning Administrator has confirmed with Magic Tree there is a contract to clear the debris. Work to be completed as soon as possible.

North Commons Update

Attachment - Soil report



RESOLUTION 2021-08.PC

Recommendation Regarding Conditional Use Permit Application – Extend food, beverage to front patio in B-1, Tax Map 33-436

WHEREAS, the Irvington Planning Commission has reviewed Proposed Conditional Use Permit (“CUP”) Application 2021.CUP1_Hope&Glory to extend food and beverage service to front patio in B-1 zoning district, Tax Map # 33-436, at 65 Tavern Road (“Application”); and

WHEREAS, the joint public hearing on the Application was advertised in the Rappahannock Record on April 29 and May 6, 2021; and

WHEREAS, Council and the Planning Commission held a joint public hearing on May 11, 2021 to hear public views on the Application; and

WHEREAS, the Planning Commission considered the Application at its meetings on April 13 and May 11, 2021; and

NOW THEREFORE, BE IT RESOLVED that the Irvington Planning Commission hereby recommends to the Town Council [approval/no approval] of the Application subject to the following conditions: _____ . (Either state the conditions or indicate there are no conditions.)

Reasons given, if any: _____ .

I, Steve Kimmeth, Secretary of the Planning Commission, do hereby certify that the above is a true copy of Resolution 2021-08.PC adopted at a special meeting of the Planning Commission of Irvington, Virginia held on May 11, 2021, at which a quorum was present and voting. The vote was:

In favor

Opposed

IRVINGTON PLANNING COMMISSION

Steve Kimmeth, Secretary



RESOLUTION 2021-09.PC

Recommendation Regarding Ordinance 2021-01

WHEREAS, the Irvington Planning Commission has reviewed proposed Ordinance 2021-01 which clarifies that a CUP is not required for private docks/piers or for pools outside the RPA in Zoning District R-1/R-2; and

WHEREAS, a joint public hearing on the Ordinance was advertised in the Rappahannock Record on April 29 and May 6, 2021; and

WHEREAS, Council and the Planning Commission held a joint public hearing on May 11, 2021 to hear public views on the Ordinance; and

WHEREAS, the Planning Commission considered the Ordinance at its meetings on April 13 and May 11, 2021; and

NOW THEREFORE, BE IT RESOLVED that the Irvington Planning Commission hereby recommends to the Town Council that it [approve/not approve] the Ordinance.

Reasons given, if any: _____.

I, Steve Kimmeth, Secretary of the Planning Commission, do hereby certify that the above is a true copy of Resolution 2021-09.PC adopted at a special meeting of the Planning Commission of Irvington, Virginia held on May 11, 2021, at which a quorum was present and voting. The vote was:

In favor

Opposed

IRVINGTON PLANNING COMMISSION

_____,
Steve Kimmeth, Secretary

Application for Conditional Use Permit

Internal Use Only

Irvington CUP# 2020.01 - Hope and Glory
 CK# 13217
pd



P.O. Box 174, Irvington, VA 22480
 804-438-6044 (Zoning & Land Use) ✓
 Application Fee \$200

IMPORTANT NOTE: The application must be filled out completely. The application may not be signed by an agent or attorney but must be signed by the owner, agent of owner or owners before a Notary Public in the space provided on page 4.

Applicant Name (s): Hope and Glory Inn, LLC dba Hope and Glory Inn and Vineyard

Tax Map Parcel(s): 33 436

Address/Location: 65 Tavern Road

Deed Restrictions: Yes ___ No x (If yes, attach copy of deed) **Current Zoning** _____

Proposed Use: Food and Beverage service on front lawn pursuant to attached diagram

Acreage of Parcel: .742 **Overlay District(s):** Chesapeake Bay ___ Yes X No

Is this an amendment to an existing conditional use permit? If so, provide CUP number: _____	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
A scale drawing (see p.3) is required to be attached to any CUP application. Is a scale drawing attached to this application?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is this an application for a private pier or dock? If so, please attach your VMRC and ACOE applications and permits.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Owner or Agent Contact: Dudley and Peggy Patterson

Address: 65 Tavern Road

City: Irvington **State:** Va **Zip:** 22480

Phone Number: 804.438.6053 **Email address:** dudley@hopeandglory.com

Official Owner(s) of Record (If different than applicant): Hope and Glory Realty, LLC

Address: 65 Tavern Road

City: Irvington **State:** Va **Zip:** 22480

Phone Number: 804.438.6053 **Email address:** dudley@hopeandglory.com

Does the property owner also own or have any ownership interest in any abutting property? If yes, please list those tax map numbers:

N/A

Section 154.017 of the Town of Irvington Zoning Ordinance provides guidelines for conditional use permit applications. Please address the following standards which will be reviewed by the staff in analysis of your request. If you need assistance filling out these items, staff is available.

Provide a written statement demonstrating that:

1. The establishment, maintenance or operation of the CUP will not adversely affect the public health, safety, morals and general welfare and is in compliance with the Chesapeake Bay Act;
2. The establishment of the CUP will not substantially diminish or impair property values within the neighborhood nor will it be detrimental to the environment and surrounding properties;
3. The purpose of the CUP is to provide for certain uses which may not be compatible with certain surrounding uses or which may be compatible with surrounding uses only if the use in question is established in conformance with certain limiting conditions;
4. That proper landscape designs detailing plantings, screening for sight and sound and proper buffers be provided, that only certain appropriate activities shall occur;
5. Adequate utilities, and off street parking are provided;
6. That soil erosion and sedimentation be avoided;
7. The height, area, yard and sign limitations shall be the same as for other uses in the district;
8. That businesses and other operations be carried out only at appropriate times;
9. The establishment of the CUP is not in conflict with the Comprehensive Plan;
10. The CUP shall, in all other respects, conform to the applicable regulations of the zoning district in which it is located, except as such regulations may, in each instance, be modified by the Governing Body.

(Governing Body may impose reasonable conditions to make use compatible, to protect environment, surrounding properties, persons, neighborhood values.)

Please attach your written statement with this document upon submission.

WRITTEN STATEMENT AS REQUIRED BY SECTION 154.017

1. Our proposed expansion will not adversely affect the public health, safety, morals and general welfare and is in compliance with the Chesapeake Bay Act;
2. The establishment of the CUP will not substantially diminish or impair property values nor will it be detrimental to the environment;
3. The purpose of the CUP is to provide for certain uses which are compatible with the business and the surrounding uses specifically outdoor dining; we are seeking to expand an already existing use(fountain patio).
4. The landscaping will be consistent with what one would expect from a property that has been on Historic Garden Week;
5. Utilities are in place and parking has been grandfathered;
6. The lawn will be shaped and improved to limit the current collection of water;
7. The height, area, yard and sign limitations will be consistent with other uses;
8. The hours of operation are appropriate and respectful;
9. This CUP is not in conflict with the Comprehensive Plan;
10. This CUP conforms with the applicable regulations of the zoning district in which it is located,

Describe your request in detail and include any relevant information such as the number of persons involved in the use, operating hours, or any unique features of the proposed use.

This will be a venue for the Hope and Glory Inn to serve lunch, a normal and customary function of bed and breakfasts and inns.
Hours open will be 11AM to 5PM five days per week. Though its primary use is for lunch, on occasions and as needed, food and beverage service may be part 5PM and said space may be used for private events and for other restaurant use.
Food operations will include a Chef plus 3. Beverage operations will be 3-6 part time staff.
All required permits to be in place - ABC, UDH, Town of Irvington, and Hancock County.

If any improvements are being proposed, briefly state whether new structures are to be constructed, existing structures are to be used or modifications, expansion, reconstruction, or additions are to be made to existing structures. If available, provide dimensions of any structures that will be used for this CUP.

Our picket fence will be extended to enclose the venue with ingress and egress at the front gate only.
Front lawn guests will not have access to The Colonnade or any other parts of the Hope and Glory property which is reserved for requested guests only and those with Colonnade dining reservations.
The cover will be a temporary tent the size depicted on the attached diagram.
The tent will cover a paver patio.

Attachments Required – provide three copies of each

1. A scale drawing showing the size and shape of the parcel of land on which the proposed use is located. Scale drawing shall show the size and shape of the parcel of land on which the proposed building is to be constructed, the nature of the proposed use of the building or land and the location of such building or use with respect to the property lines of said parcel of land to the right-of-way of any street or highway adjoining said parcel of land.
2. Ownership information – If ownership of the property is in the name of any type of legal entity or organization including, but not limited to, the name of a corporation, partnership or association, or in the name of a trust, or in a fictitious name, an acceptable document must be submitted certifying that the person signing below has the authority to do so.

Certification

State of Virginia, Town of Irvington, To Wit

I (We) _____, being duly sworn, depose and say that I am the Owner/Or Agent of Owner of the property involved in the application. If I am not the Owner, I have attached written certification from the owner granting me the right to submit this application. I further declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application and that the foregoing statements and answers provided herein are in all respects true and correct.

I have read this application, understand its intent, and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission to Town of Irvington officials and other authorized government agents on official business to enter the property as necessary to process this application and to monitor compliance with any permit issued hereunder. I hereby have posted a notice on my property, near the boundary, in a place visible to the public notifying the public of my application.

Signature of Owner or Agent

Date

Mailing Address

Phone No.

Subscribed and sworn to before me this ____ day of _____, 20 ____.

My Commission Expires

Notary Public

[Handwritten Signature]

Signature of Property Owner

04/02/2021

Date

P.O. Box 37 Irvington, Va

Mailing Address

804.761.7879

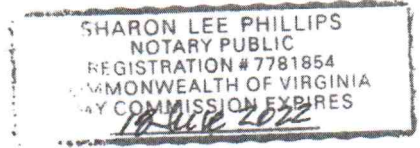
Phone No.

Subscribed and sworn to before me this *2nd* day of *April*, 20 *21*.

18 June 2022 *[Handwritten Signature]*

My Commission Expires

Notary Public

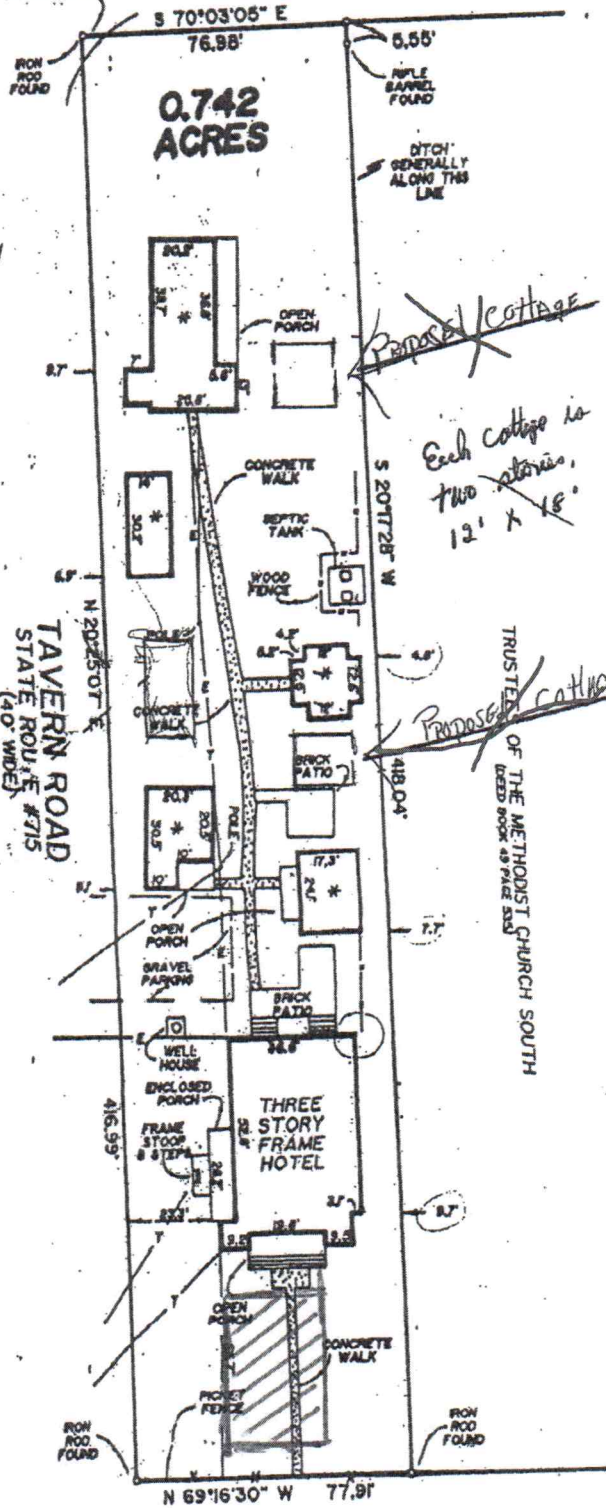


November 20, 2002

MAP 33 PARCEL 436

CHESAPEAKE DRIVE
STATE ROUTE #715
(40' WIDE)

ASPHALT
PAVEMENT
(ENCROACHMENT)



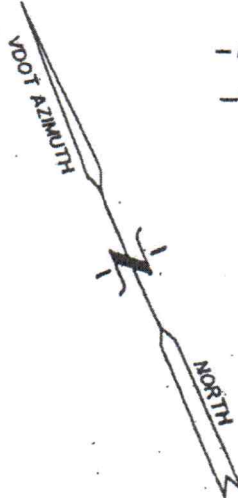
0.742
ACRES

TAVERN ROAD
STATE ROUTE #715
(40' WIDE)

KING CARTER DRIVE
STATE ROUTE #634
(49' WIDE)

LEGEND

- E- DENOTES OVERHEAD ELECTRIC WIRES
- T- DENOTES OVERHEAD TELEPHONE WIRES
- * DENOTES ONE STORY FRAME COTTAGE



~~PROPOSED COTTAGE~~

Each cottage is two stories, 12' x 18'

~~PROPOSED COTTAGE~~

TRUSTEE'S COTTAGE OF THE METHODIST CHURCH SOUTH
(DEED BOOK 49 PAGE 554)

NOTES

1. THE LAND SHOWN HEREON IS NOW IN THE NAME OF MARILYN TAYLOR AS RECORDED IN DEED BOOK 255 AT PAGE 112 AMONG THE LAND RECORDS OF LANCASTER COUNTY, VIRGINIA.
2. THE PROPERTY DELINEATED HEREON IS LOCATED ON ASSESSMENT MAP 33-3 PARCEL 436.
3. THE IMPROVEMENTS SHOWN HEREON ARE LOCATED WITHIN THE LIMITS OF ZONE "X" (OUTSIDE THE 500 YEAR FLOOD PLAIN) AS DELINEATED ON FEMA FLOOD MAP (COMMUNITY PANEL NO. 51021 0001 B) EFFECTIVE DATE OF AUGUST 4, 1987.
4. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

COMMONWEALTH OF VIRGINIA
CHARLES R. PRUETT

~~KING CARTER INN~~
WILLIAM E. WESTBROOK, JR.

TOWN OF IRVINGTON
LANCASTER COUNTY, VIRGINIA
SCALE 1"=40'
JULY 17, 1995
CHARLES R. PRUETT
CERTIFIED LAND SURVEYOR

March 18, 2021 Schedule of Review for Zoning Ordinances to

Eliminate CUPs for all Private Docks and for Swimming Pools outside the RPA in the R-1/R-2
Zoning Districts

cancelled

<u>Date</u>	<u>Time</u>	<u>Authority</u>	<u>Description</u>
March 18	6:30 PM		Council Workshop – gain consensus on Schedule
April 8	6:30 pm		Council Mtg – 1st reading Ordin 2021-XX
April 13	6:30 pm		PC Mtg – 1 st reading Resolution 2021-XX recommending Ordin 2021-XX
April 29		§ 15.2-2204	Ad Rapp Record for Joint Pub Hearing May 11
May 6		§15.2-2204	Ad Rapp Record for Joint Public Hearing May 11
May 11	6 pm	§15.2-2204	Joint Public Hearing
	6:30 pm		PC Meeting – 2 nd reading Res 2021-XX recommending Ordinance 2021-XX
May 13	6:30 pm		Council Meeting -2 nd reading Ordinance 2021-XX

PROPOSED SCHEDULE FOR CUP

Location: Tax Map 33-436; Zoning B-1; Address: 65 Tavern Road

2021. CUP 1_ Hope & Glory

Property Owner: Peggy and Dudley Patteson

Purpose: Extend food and beverage service to front yard patio

Completed application date: March __, 2021

PROPOSED CUP SCHEDULE - Ends May 13, 2021 (proposed to follow same schedule as zoning ordinance)

April 8 6:30 pm TC Reg Mtg – 1st reading Resolution on CUP

April 13 6:30 pm PC – 1st reading Resolution recommending CUP

April 27 All written notices shall have been provided to property owners w/in 300 ft**

April 29 Ad Rapp Record Town Code §154.017 citing VA Code §15.2-2204

May 6 Ad Rapp Record Town Code §154.017 citing VA Code §15.2-2204

May 6 Certification and Listing shall have been received by Town VA Code §15.2-2206

May 11 6 pm Joint Pub Hearing of CUP VA Code §15.2-2204

6:30 pm PC Spec Mtg – 2nd reading of Resolution recommending CUP

May 13 6:30 pm TC Reg Mtg – 2nd reading of Resolution for decision on CUP

** Code §154.017(I)