



**TOWN OF IRVINGTON, VIRGINIA  
CONNEMARA CORPORATION  
18700 MARY BALL RD, WHITE STONE, VA 22578  
TOWN COUNCIL SPECIAL CALLED MEETING  
& PLANNING COMMISSION SPECIAL CALLED MEETING  
*to be held as a Joint Public Hearing*  
THURSDAY, DECEMBER 10, 2020 5:30 PM**

**NOTICE:** the Irvington Town Council & Planning Commission will hold a Special Called Meeting to be held as a Joint Public Hearing on Thursday, December 10, 2020 at 5:30 PM; Connemara Corporation 18700 Mary Ball Rd, White Stone, VA 22578

**AGENDA**

**A. CALL TO ORDER** – Mayor Bugg

**B. ROLL CALL** – S. Phillips, Town Clerk

**C. PUBLIC HEARING**

**1. Rezoning Application 2020.RZ1\_Town of Irvington**

The Town seeks public comment on the rezoning of tax map 33-378, 235 Steamboat Road from R-1 to B-1 or B-2

**2. Ordinance 2020-011, Repeal, Re-enact Town Code**

The Town seeks public comment on an ordinance which will amend the town code to add a permitted use in the B-1 or B-2 zoning district of “pilates, yoga, music or art studio”

**3. CUP Application 2020.CUP10\_Town of Irvington**

The Town seeks public comment on a conditional use permit for tax map 33-378, 235 Steamboat Road as a pilates studio in B-1 or B-2.

**DUE TO THE GOVERNOR’S EXECUTIVE ORDER LIMITING MEETINGS TO 25 PERSONS, PUBLIC ATTENDANCE WILL BE ON A FIRST COME, FIRST SERVED BASIS UNTIL THE LIMIT IS ATTAINED.**

**YOU MAY COMMENT IN ADVANCE BY SENDING AN EMAIL TO THE UNDERSIGNED BY DECEMBER 9, 2020 AT 5PM.**

These topics are placed on the joint public hearings agenda pursuant to VA Code §15.2-2204. Copies of the applications, ordinance, and resolution are available in the Town Office. Individuals requiring additional information or clarification may contact Lara M. Brown, Zoning Administrator, 804.438.6044.

**Reason for Re-Zoning application 2020.RZ1\_Town of Irvington  
235 Steamboat Road, Irvington, VA 22480**

The property, 235 Steamboat Road, is being re-zoned to facilitate the sale of the property. Steamboat Road has a mixture of residences and business uses, with all except the Bank Building being located on the east side of Steamboat. Therefore, rezoning this parcel is in keeping with the mixture on this side of the street. The property cannot be sold in its current designation of R-1 or used as R-1. The Virginia Department of Health has limited the septic use to one (1) full-time employee per the May 10, 1978 septic permit (See attachment).

# Application for Rezoning...

TOWN OF IRVINGTON, VIRGINIA

TO THE PLANNING COMMISSION AND TOWN COUNCIL OF IRVINGTON, VIRGINIA:

I (we), the undersigned, do hereby respectfully make application and petition the Governing Body to amend the Zoning Ordinance and to change the Zoning Map of 33-378 as hereinafter requested, and in support of this application, the following facts are shown:

1. The property sought to be rezoned is located at 235 Steamboat Rd between 221 Steamboat Road Street and 245 Steamboat Road Street on the East side of the street and known as lot (s) Number \_\_\_\_\_. It has a frontage of 31 feet and a depth of 60 feet.

2. The property sought to be rezoned is owned by: Town of Irvington as evidenced by deed from See attachment A recorded in Book 112, Page 321, Registry of Town of \_\_\_\_\_

3. It is desired and requested that the foregoing property be rezoned FROM Residential R-1 TO Business B-2 or B-1

4. The following are all of the individuals, firms, or corporations owning property adjacent within 300 feet from to ~~both sides and rear, and the property in front of (across street from)~~ the property sought to be rezoned: See attached sheet

	NAME	STREET ADDRESS
(a)	<u>See attachment B</u>	_____
(b)	_____	_____
(c)	_____	_____
(d)	_____	_____
(e)	_____	_____
(f)	_____	_____
(g)	_____	_____
(h)	_____	_____
(i)	_____	_____

(Use reverse side if necessary and look up the names in the office of \_\_\_\_\_ in the \_\_\_\_\_ Courthouse, if they are not known.)

5. It is proposed that the property will be put to the following use:

Anything to be allowed under B-2 <sup>or B-1</sup> zoning regulations. Per the septic permit, this property cannot be used as a residence. (See attachment C)

6. It is proposed that the following buildings will be constructed:

none

7. It is proposed that the following setbacks and offstreet parking provisions will be made:

N/A

8. Attached is a copy of a Vicinity Map.

Attachment D

*Albert O. Buzz...*  
Signature of Applicant

PO Box 173  
Irvington, Va 22480  
Address of Applicant

TO THE TOWN COUNCIL OF

This petition for rezoning property within the jurisdiction of the \_\_\_\_\_ of \_\_\_\_\_ was received on \_\_\_\_\_, a public hearing was held on \_\_\_\_\_, and the Planning Commission wishes to make the following recommendations to the Governing Body.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLANNING COMMISSION

By \_\_\_\_\_  
Secretary

ACTION OF THE TOWN COUNCIL:

On \_\_\_\_\_ the Governing Body took the following action on the attached petition for rezoning:

mailed - Dixon & Foster, attys - 11-27-57

BOOK 112 PAGE 321

THIS DEED, Made this 19th day of November, 1957, by and between W. J. HAYNIE and E. W. BUSSELLS, Trustees of the Irvington Public Library Association, parties of the first part, and the TOWN OF IRVINGTON, a municipal corporation, party of the second part,

WITNESSETH, That in consideration of the sum of Ten Dollars, and other good and valuable considerations not herein mentioned, in hand paid to the parties of the first part at and before the sealing and delivery of this deed, receipt whereof is hereby acknowledged, the said parties of the first part do grant unto the said party of the second part, with General Warranty of Title, the following described property:

All of that certain lot or parcel of land, together with all buildings and appurtenances in anywise appertaining thereto, situate, lying and being in the Town of Irvington, White Stone Magisterial District, Lancaster County, Virginia, which said lot has a frontage on the main road leading through Irvington, which road is designated as Virginia State Highway, #635, said frontage being thirty-one feet, and extends back between parallel or near parallel lines a distance of sixty feet, and is the same property conveyed to H. B. Currell, W. J. Haynie and E. W. Bussells, Trustees, by T. C. Treacle by deed dated the 2nd day of February, 1942, of record in the Clerk's Office of the Circuit Court of Lancaster County, Virginia, in Deed Book 75 at page 453, the said W. J. Haynie and E. W. Bussells being the surviving Trustees, and having been appointed and authorized by the Circuit Court of Lancaster County, Virginia, to make this conveyance by order entered November 18, 1957, and recorded in chancery order book number 8 at page 178.

The said parties of the first part covenant that they have the right to convey the said land to the grantee; that they have done no act to encumber the said land; that the grantee shall have quiet possession of the land, free from all encumbrances, and that the said parties of the first part will execute such further assurance of the said land as may be requisite.

Witness the following signatures and seals.

W. J. Haynie (SEAL)  
W. J. Haynie

E. W. Bussells (SEAL)  
E. W. Bussells

Trustees of the Irvington Public Library Association

(Page Two)

BOOK 112 PAGE 322

State of Virginia,

County of Lancaster, to-wit:

I, Dixon L. Foster, a <sup>Commissioner in Chancery</sup> ~~Notary Public~~ in and

for the County aforesaid, in the State of Virginia, do certify that W. J. Haynie and E. W. Bussells, Trustees, whose names are signed to the foregoing writing bearing date on the 19th day of November, 1957, have acknowledged the same before me in my County aforesaid. My commission ~~expires~~ continues indefinitely.

Given under my hand this 20<sup>th</sup> day of November, 1957.

Dixon L. Foster  
~~Notary Public~~  
Commissioner in Chancery for the  
Circuit Court of Lancaster County,  
Virginia

VIRGINIA, to-wit:  
In the Clerk's Office of the Circuit Court of Lancaster  
County, the 20<sup>th</sup> day of November 1957, the  
foregoing writing was presented and with certificate.....  
annext, admitted to record at 10:50 o'clock, A.M.  
Teste:  
Penelope G. Adams ~~Notary~~ - Dep. Clerk.

Attachments

Rezoning and CUP Application(s), 235 Steamboat Rd, Tax Map 33 378

Property Owners within 300 ft of Tax Map Parcel 33 378

Tax Map	Name	Mailing Address	Physical Address
33D 12	Prentiss & Mark Lay	David & Mary Lloyd TTEES, 6620 Jill Ct, McLean, VA 22101	200 Steamboat Rd
33D 11A & 33 379C	Albert C Pollard Jr	48 Steamboat Rd, Irvington, VA 22480	23 Fleet Ln - changed to 214 Stearn
33D 11	Sandra & Peter Porteous	11707 Lariat Ln, Oakton, VA 22124	222 Steamboat Rd
33D 13	Robert & Virginia Fleet	PO Box 481, Irvington, VA 22480	
33 347	Cynthia Miller & Milton McInturff	1408 Valley Ave, Winchester, VA 22601	242 Steamboat Rd
33 348	Danielle & George Kuper	PO Box 26, Irvington, VA 22480	
33 349, 33 375, 33 373, 33 374	Irvington Professional Offices	PO Box 340, Irvington, VA 22480	293 Steamboat Rd
33 396 & 33 379E	Ronald & Catherine Crockett	PO Box 312, Irvington, VA 22480	40 The Lane
33 397	Ann McCloskey TTEE	520 Woodlawn Rd, Baltimore, MD 21210	205 Steamboat Rd
33 394	Janet Dawson	76 The Lane, Irvington, Va 22480	Same
33 379	Quarles Petroleum Inc	1701 Fall Hill Ave, Suite 200, Fredericksburg, VA 22401	73 Seafood Ln
22 378A	Robert & Carol Nelms TTEE	7487 Pinehurst Dr, Quinton, VA 23141	221 Steamboat Rd
33 377A	Cam Sites, LLC	286 Windy Ln, Kilmarnock, VA 22482	245 Steamboat Rd
33 377	Barbara Breeden & James C TTEES	PO Box 35 Irvington, VA 22480	265 Steamboat Rd
33 376	Kathryn Pleasants Dunn	PO Box 702, Irvington, VA 22480	277 Steamboat Rd

**PERMIT TO INSTALL  REPAIR,  REASONS FOR REJECTION   
 WATER SUPPLY  SEWAGE DISPOSAL SYSTEM**

(1) Void after (12) twelve months. (2) Automatically cancelled when site conditions are changed from those shown on permit.  
 (3) Automatically cancelled should facts later become known that a potential hazard would be created by continuing installation.

LIBRARY FHA/VA  Yes  No Date 5-10-78 Case No. G-33

Owner TOWN OF IRVINGTON Address IRVINGTON, VA. Phone 438-5161  
 (Mailing Address)

Occupant ATHEN. F.B. McGuinness Address \_\_\_\_\_ Phone \_\_\_\_\_  
 (Mailing Address)

Exact Location of premises IRVINGTON, VSH 635, 2<sup>nd</sup> structure post lane to Va. Sea foods  
 (Subdivision, Street or Road Name, Section or Lot No.)

FOR:  Dwelling  Other Library Automatic Washing Machine  Yes  No Consumption 20 gal. per day  
 Actual  Potential  Bedrooms 0 Garbage Disposal Unit  Yes  No ( Actual  Estimated Water)

THIS SEPTIC SYSTEM IS DESIGNED FOR ONE FULL TIME EMPLOYEE

(1) WATER SUPPLY (Existing) Class \_\_\_\_\_ Approved  Yes  No Other OF A BUSINESS OR  
 (To be installed) Class \_\_\_\_\_ Cased \_\_\_\_\_ ft. to be grouted \_\_\_\_\_ ft. PUBLIC SERVICE OPERATION

(Unless supported by positive evidence Class III is to be considered as to be installed.)

SOIL STUDY Naturally drained, suitable by sight  Yes  No Technical Classification pure sand 48"  
 (If Known)

(2) Estimated Percolation Rate 1-10  11-25  26-50  > 51  Percolation Test Required  Yes  No  Rate 6  
 (Minutes per inch)

Depth to Grey Mottles 48+ inches (estimate over 4 ft.) OTHER \_\_\_\_\_  
 Surface drainage required  Yes  No OTHER DRAINAGE ROOF & GROUND DRAINAGE DIVERTED AWAY FROM SEPTIC SYSTEM.

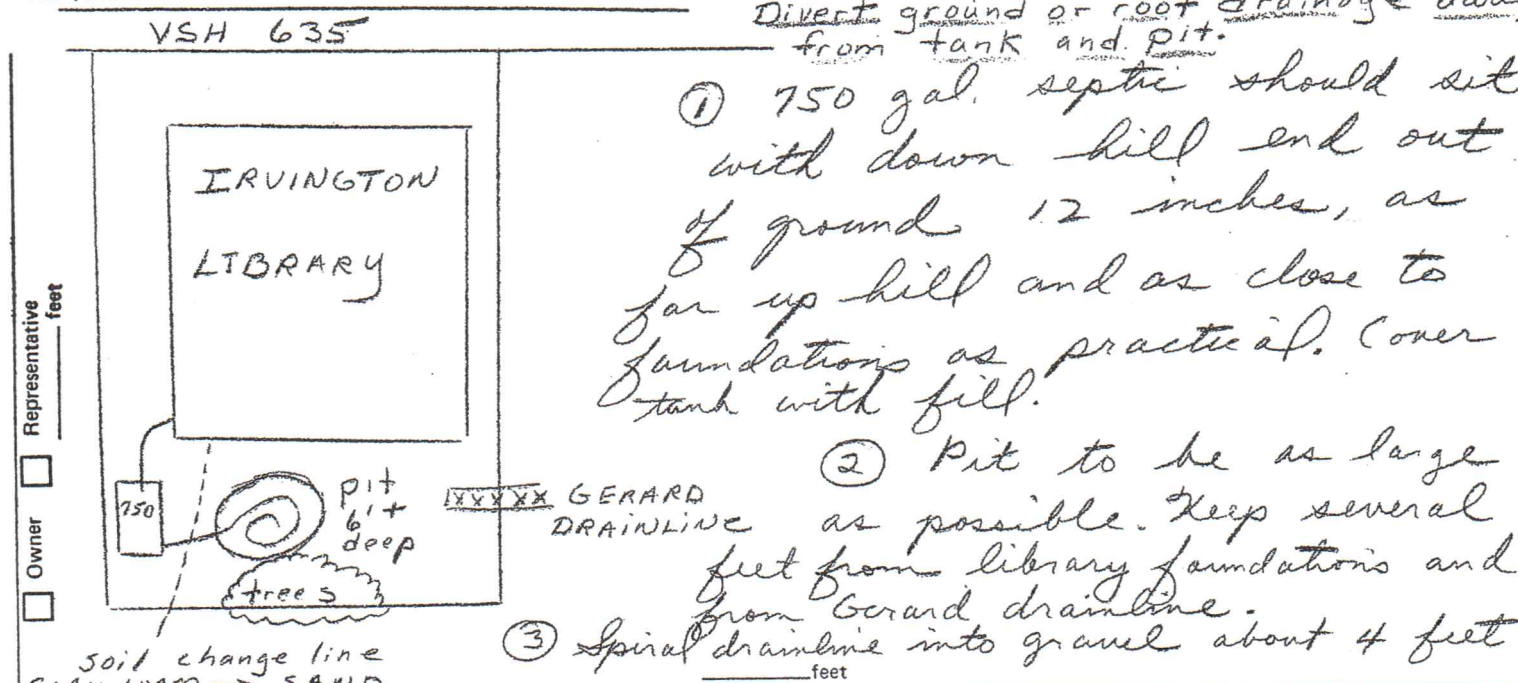
(3) HOUSE SEWER LINE Size 4 inches. Type of material required PVC-40. Distance from Water Supply 10 feet.

(4) DETAILS OF CONSTRUCTION Watertight Septic Tank of concrete Material Liquid Capacity 750 gallons.  
 Inside Dimensions Length 7 feet. Width 3 1/2 feet. Liquid Depth 4 feet. Depth of Air Space 1 feet.

SUBSURFACE ABSORPTION FIELD Number of square feet required \_\_\_\_\_ Type aggregate required \_\_\_\_\_

(5) Depth of aggregate from base of tile to bottom of ditches SPECIAL DESIGN inches. Allowable fall \_\_\_\_\_ inches.  
 Total aggregate minimum depth \_\_\_\_\_ inches or more. Depth of drainfield to be \_\_\_\_\_ inches from surface of original ground.  
 Distance from well to septic tank \_\_\_\_\_ feet; distance from well to drainfield \_\_\_\_\_ feet.

Rough Sketch of Premises (Including adjacent properties if pertinent, Showing Location of Lot Line, Buildings, Water Supplies, Sewage Disposal Systems, Trees, and Other Possible Sources of Contamination of Water Supplies, by Indicating Distances and Slope with regard to one another.)



Note: Owner or his agent must notify Lancaster Co. Health Department, Phone 462-2462 when installation is ready for inspection. If any Sewage Disposal System, or part thereof, is covered before being inspected by the Health Department, it shall be uncovered at the direction of the Health Director or his agent. CONDITIONS DISCOVERED DURING INSTALLATION MAY REQUIRE ADJUSTMENTS OF SYSTEM DESIGN. Changes from above specifications require Health Department approval before being made.

Based on the above information, the undersigned recommends that this permit be issued.  
 Date \_\_\_\_\_ Approved \_\_\_\_\_ (Reviewing Authority) Date 5-10-78 Signed Thomas Bruce Anderson (Sanitarian or Health Director)



RECORD OF INSPECTION-SEWAGE DISPOSAL SYSTEM

Date 5-10-78 Case No. G-33-378

Owner LIBRARY TOWN OF IRVINGTON Address IRVINGTON, VA. Phone \_\_\_\_\_  
(Mailing Address)

Occupant ATTEN. F.B. McGUINNES Address \_\_\_\_\_ Phone \_\_\_\_\_  
(Mailing Address)

Exact Location of Premises IRVINGTON, VSH 635, 2 nd STRUCTURE PAST LANE TO VA. SEAFOODS.  
(Subdivision, Street or Road Name, Section or Lot No.)

**WATER SUPPLY INSPECTION**

Installed according to Permit Design  Yes  No. Distance to nearest House Sewer \_\_\_\_\_ feet. Distance to nearest Sewage Disposal System \_\_\_\_\_ feet. (Use Form LHS-143 for Detailed inspection of Water Supply Reference Materials.)

**SEWAGE DISPOSAL SYSTEM INSPECTION**

**(1) LOCATION**

Allotted Area adequate  Yes  No. Distance from nearest lot lines \_\_\_\_\_ feet. Trees \_\_\_\_\_ feet. Water Supplies \_\_\_\_\_ feet. Buildings \_\_\_\_\_ feet.

**(2) INSTALLATION AND DESIGN**

Installed according to Permit Design  Yes  No.  
 Have additional Household Appliances been added NOT on Permit:  
 Automatic Washer  Garbage Disposal  
 Other \_\_\_\_\_  
(Describe)

**(3) SOIL CONDITION**

Are there soil conditions now evident which indicate system may be unsatisfactory as designed:  Yes  No. If Yes, show adjustments required under "Remarks" below.

**(4) HOUSE SEWER LINE**

Installed  Yes  No. Type of material PVC-40  
 Size 4 Inches.

**(5) SEPTIC TANK**

Constructed of 2-36" well curbs, concrete  
(Kind of Material) bottom  
 Inside Dimensions Length \_\_\_\_\_ feet. Width \_\_\_\_\_ feet.  
 Liquid Depth \_\_\_\_\_ feet. Depth of Air Space \_\_\_\_\_ inches.  
 Inside Fittings comply with requirements  Yes  No.

**(6) DISTRIBUTION BOX**

Watertight and equal surcharge to each line by Water Test  Yes  No. Distribution Box provided with 2  
(Number)  
 extra outlets for future use.

**(7) SUBSURFACE ABSORPTION FIELD**

Total Area in bottom of ditches see over square feet.  
 Number of ditches \_\_\_\_\_ Length of ditches \_\_\_\_\_ feet.  
 Grade of ditches Minimum \_\_\_\_\_ Inches per 100 feet.  
 Maximum \_\_\_\_\_ inches per 100 feet. Has system been checked by instruments (Level)  Yes  No.  
 Type aggregate used \_\_\_\_\_  
 Depth of aggregate under Tile \_\_\_\_\_ inches  
 Total depth of aggregate \_\_\_\_\_ inches  
 Depth of backfill over aggregate \_\_\_\_\_ inches

**(8) SURFACE DRAINAGE**

Storm Drains from House and Basement flowing away from Subsurface Drainage Field:  Yes  No. Was Surface Drainage required  Yes  No. If Yes, has this been provided  Yes  No. Has area been drained by lowering Ground Water Table:  Yes  No.  Not required.

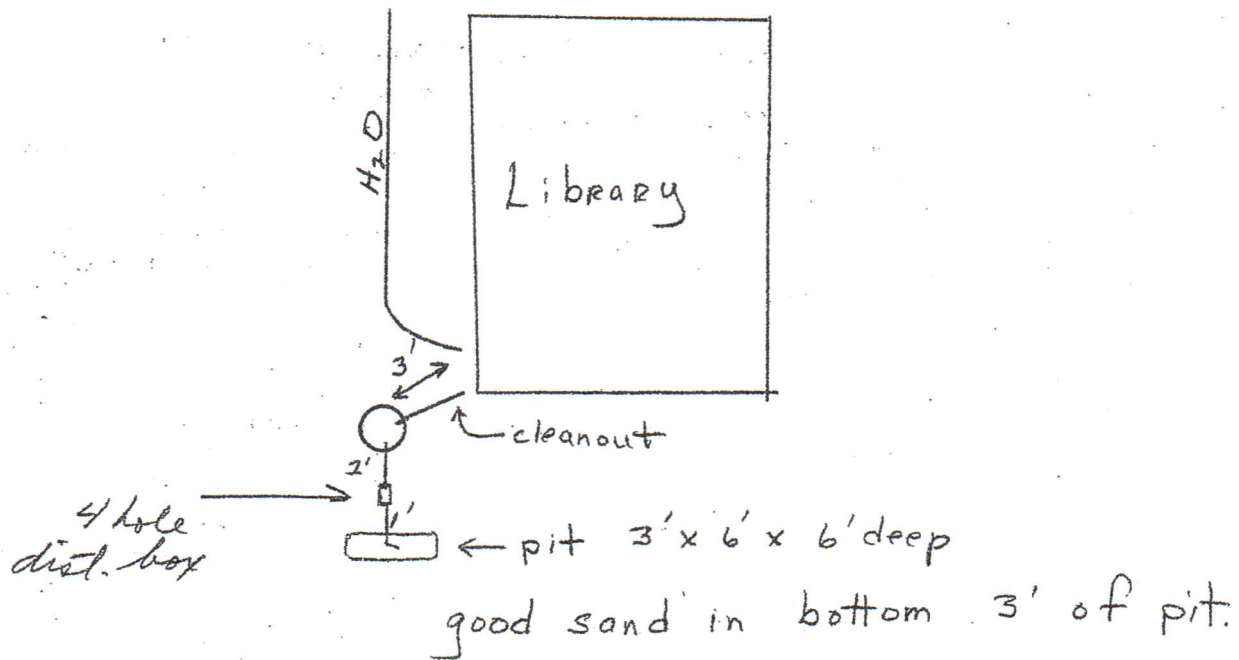
**(9) Are follow-up inspections necessary**  Yes  No.

Septic Tank Contractor: Billy Franklin Address Browns Store Phone 580-6142  
 This Sewage Disposal System (Is) (Is Not) Approved by \_\_\_\_\_ LANCASTER COU TY Health Department

Date \_\_\_\_\_ Signed \_\_\_\_\_ (Sanitarian)  
 Date \_\_\_\_\_ Approved \_\_\_\_\_ (Reviewing Authority)

With proper maintenance, approved Sewage Disposal systems may be expected to function satisfactorily, provided no overloading or physical damage occurs to the system. Remarks: #1 Allotted area not adequate (prop. lines) - special design used, #2 Contractor made H.D. approved revisions, see over. Maintain facilities in proper functioning order. Control usage - this cannot become a public facility.

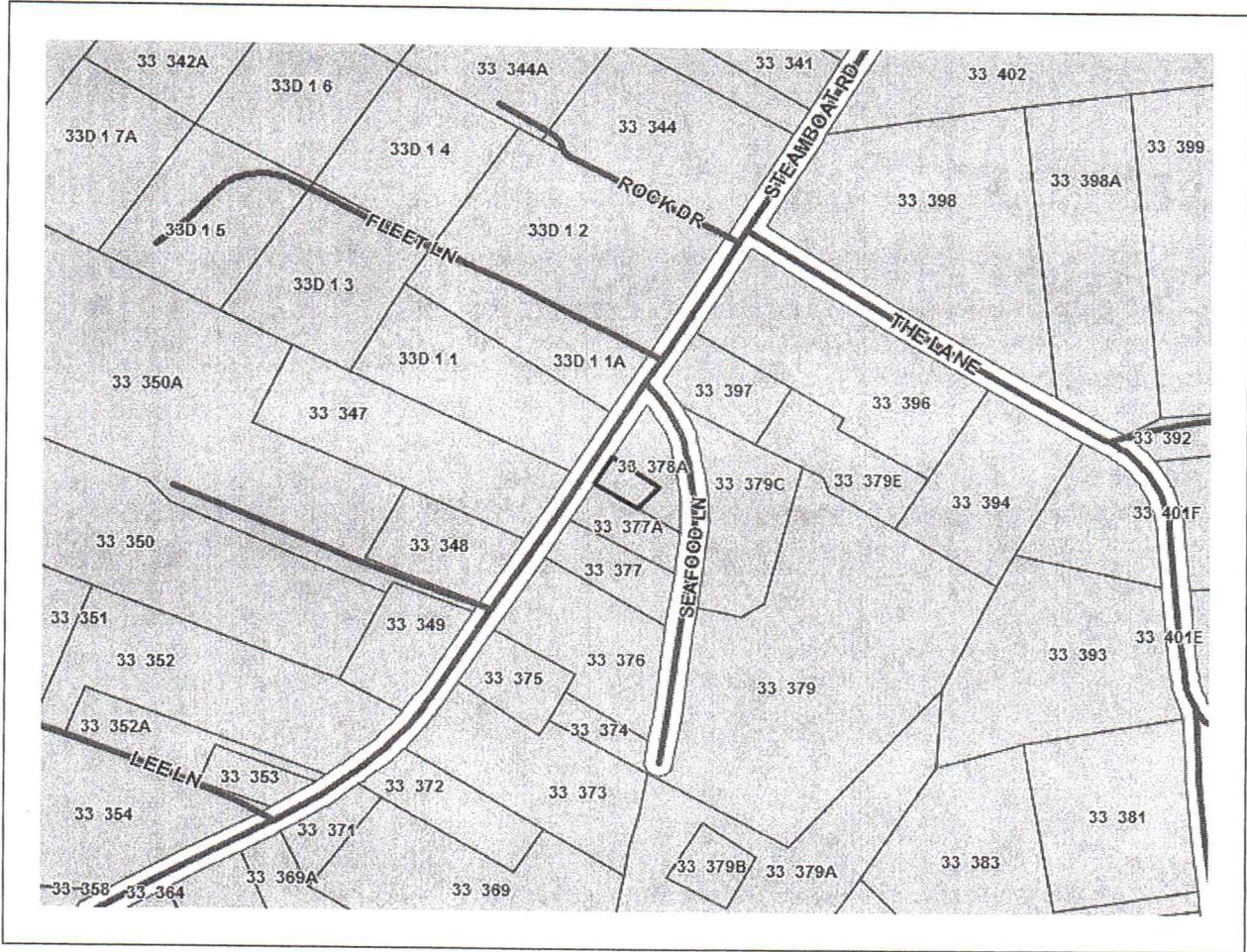
VSIT 635



Recommendations for lengthening life of this grease trap system:

- #1 Provide guttering on library which discharges roof water below pit.
- #2 Provide surface drainage (mound area over tank and pit) so surface drainage flows around these.
- #3 Never allow toilet to hang & run or faucet to drip continuously. This system has no margin for error.

### Lancaster County GIS Parcel Data Report



Parcel Number:	33 378
Owner Name:	IRVINGTON PUBLIC LIBRARY
Address:	PO BOX 174
	IRVINGTON VA 22480
Property Address:	235 STEAMBOAT RD
Property Description:	RT 635 LOT
Acreage:	.000
Land Value:	50000
Improvements Value:	35200
Total Value:	85200

**DISCLAIMER: No warranty is offered for content or accuracy. Any information obtained from this web site which is to be used in the preparation of legal documents should be verified by an outside source prior to inclusion in said documents.**





## ORDINANCE 2020-11

### REPEAL, RE-ENACT TOWN CODE 154.106 USE REGULATIONS IN B-2 ZONING DISTRICT

**WHEREAS**, the Irvington Town Council (“Council”) proposes to repeal and re-enact Town Code §154.106 regarding B-2 zoning district use regulations; and

**WHEREAS** this Ordinance 2020-11 will create a new subsection (K) in Town Code §154.106, allowing pilates, yoga, music or art studio in the B-2 zoning district.

**WHEREAS**, a notice of public hearing on this Ordinance 2020-11 was advertised November 25, 2020 and December 3, 2020, pursuant to VA Code Ann. § 15.2-2506; and

**WHEREAS**, a public hearing on Ordinance 2020-11 was held on December 10, 2020 and the public also had the opportunity to speak about the ordinance at meetings held on December 10, 2020 and January 14, 2021; and

**WHEREAS**, this Ordinance 2020-11 was read twice before approval, at the December 10, 2020 and January 14, 2021 Council meetings.

**BE IT ENACTED AND ORDAINED BY THE TOWN OF IRVINGTON, VIRGINIA, AS FOLLOWS:**

1. Council hereby repeals Town Code §154.106, Use Regulations.
2. Council hereby re-enacts Town Code §154.106 Use Regulations as follows:

**“§ 154.106. USE REGULATIONS.**

In Limited District B-2, structures to be erected, not to exceed 1,500 sq ft of floor area, first and second floor total, can be used for one or more of the following uses with a conditional use permit:

- (A) Town offices and other similar public uses;
- (B) Bed and breakfast establishments;
- (C) Office buildings;

- (D) Professional offices;
- (E) Antique shops and galleries;
- (F) Catering;
- (G) Bakeries;
- (H) Florist shops;
- (I) Barbershops and beauty shops;
- (J) Hobby and craft shops;
- (K) Pilates, yoga, music and art studios.”

3. This Ordinance is effective upon passage.

**BE IT FURTHER ORDAINED BY THE TOWN OF IRVINGTON, VIRGINIA** that the Town of Irvington shall place this Ordinance 2020-011 in the Minutes of its January 14 2021 meeting.

Certification

I, Albert D. Bugg, III, Mayor, do hereby certify that Ordinance 2020-11 was adopted at the January 14, 2020 meeting at which a quorum was present and voting. The Vote was:

IN FAVOR

OPPOSED

Jackie Brown  
R. Wayne Nunnally  
Anthony Marchetti  
Dudley M. Patteson  
Bonnie Schaschek  
Frances Westbrook

---

Albert D. Bugg, III, Mayor

ATTEST:

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Sharon Phillips, Town Clerk

ALTERNATE ORDINANCE 2020-011 REGARDING B-1 ZONE

TO COME UNDER SEPARATE COVER



**Application for Conditional Use Permit**  
**Last Revised 10/2020**  
**Town of Irvington**  
 P.O. Box 174, Irvington, VA 22480  
 804-438-6044 (Zoning & Land Use)

<b>Internal Use Only</b>	
RECEIVED	11-24-2020
APP FEE PD	/
APPLICATION #	2020.CUP10
PC Public Hearing	12-10-2020
TC Public Hearing	

*dent*

**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.

Address/Location: 235 Steamboat Rd., Irvington, Va 22480  
 Deed Restrictions: Yes \_\_\_ No  (If yes, attach copy of deed) Current Zoning: R-1  
 Proposed Use: Pilates Studio  
 Acreage of Parcel: \_\_\_\_\_ Overlay District(s): Chesapeake Bay \_\_\_\_\_ Historic \_\_\_\_\_  
 Tax Map Parcel(s): 33-378

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:** Town of Irvington / Mayor Tripp Bugg  
 Address: P.O. Box 174  
 City: Irvington State: Va Zip: 22480  
 Phone Number: 804-438-6044

**Official Owner(s) of Record** (If different than applicant):

Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_



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

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:    *See Attachment A*

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.

## Attachment A

1. The proposed use of a Pilates Studio does not adversely affect the public health, safety, morals and general welfare of the town or surrounding properties.
2. The establishment of a Pilates Studio will not substantially diminish or impair property values within the neighborhood nor will it be detrimental to the environment and surrounding properties.
3. The proposed use is compatible with established businesses on the same side of the street within 100 feet of the location. There is an industrial piece of property behind the parcel located within 100 feet. It is compatible with all the nearby businesses and the Town cannot sell the building as a residence.
4. The proposed use of a Pilates Studio will occur inside the building. The activities associated with a Pilates Studio are not in conflict with either residences or businesses.
5. The proposed Pilates Studio will not require additional utilities to the structure. Off street parking is not available at the location. On street parking has been established by the Town Office staff and the residents. There will not be a substantial change in on street parking.
6. Proposed improvements are not proposed therefore a Pilates studio will have no impact to soil erosion and sedimentation.
7. A sign for the Pilates Studio shall meet the size requirements in §154.197.
8. Existing use of the Town Office is between 8 am and 11 pm. The evening hours were dependent on Planning Commission, Town Council and staff meetings.
9. The proposed use is not in conflict with the Comprehensive Plan.
10. The use will conform to either B-1 or B-2, whichever is approved.

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.

One full time employe will operate the Pilates Studio with up to 5 guests.

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.

No improvements are being proposed.

**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) Albert D. Bugg, III, 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.

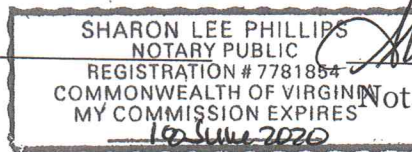
I have read this application, understand its intent, and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission to Town of Irvington officials and other authorized government agents on official business to enter the property as necessary to process this application 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.

Albert D. Bugg, III 11/23/2020  
Signature of Owner or Agent Date

P.O. Box 174, Irvington Va 22480 804 438 6230  
Mailing Address Phone No.

Subscribed and sworn to before me this 24 day of November, 20 20.

18 June 2020  
My Commission Expires



Sharon Lee Phillips  
Notary Public

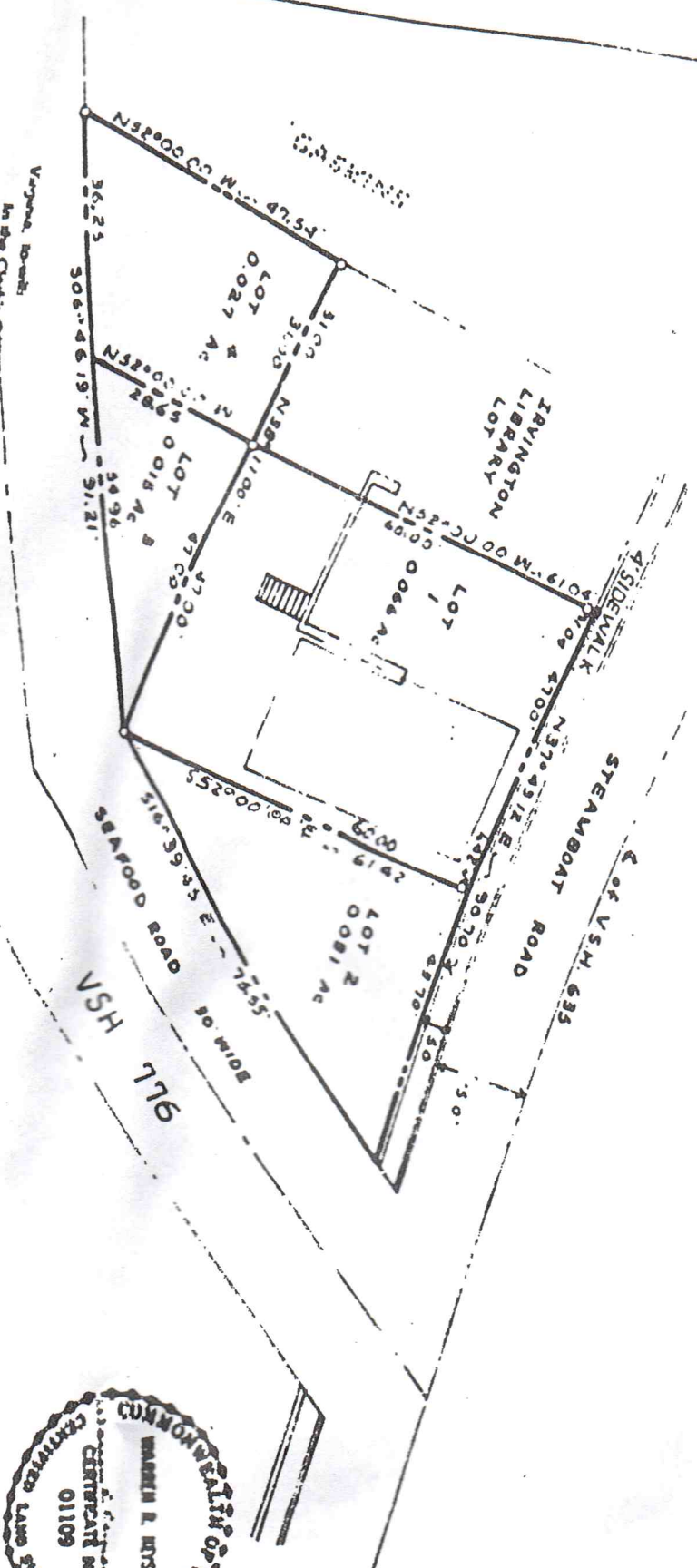
\_\_\_\_\_  
Signature of Property Owner Date  
\_\_\_\_\_  
Mailing Address Phone No.

Subscribed and sworn to before me this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
My Commission Expires Notary Public

BOOK 177 PAGE 677

LOT LOCATION SURVEY  
**DURIVE E. GERARD**  
TOWN OF IRVINGTON  
LANCASTER COUNTY, VIRGINIA



Virginia, Beach:  
 In the Clerk's Office of the Circuit Court of Lancaster County, the 24th day of July 1923  
 the foregoing writing was presented and with \$ .45  
 on these fees \$ .75 County Tax, and with other  
 disbursements estimated to total \$ 3.85 of which \$ .75  
 and with \$ .50 for under Section 28.5-48 all  
 approved taxes having been paid.

*Durive E. Gerard*  
 Sub-Dep. Clerk



Date JUNE 4 1923 Scale 1" = 20'  
**TOMLIN & KEYSER**  
 WICOMICO CHURCH, VA  
 Drawn by P.J.S. Job No. LS 982  
 Checked by A.A. P.B.