



## AMELIA COUNTY PLANNING COMMISSION

### Regular Meeting

County Administration Conference Room

16360 Dunn Street,  
Amelia, Virginia 23002

Monday, April 24, 2023  
7:30 P.M.

### AGENDA

### Action Needed

- |    |   |               |
|----|---|---------------|
| 1. | <b>Call to Order and Welcome of Guests:</b> Larkin Moyer, Chairman  | Call to Order |
| 2. | <b>Determination of Quorum</b>  | Quorum        |
| 3. | <b>Approval of Minutes</b>  |               |
|    | I. Regular Meeting - March 27, 2023   | Motion        |
| 4. | <b>Old Business</b>   |               |
|    | I. Rezoning - Amelia County Economic Development Authority,<br>RR-3 to M-1  | Motion        |
| 5. | <b>New Business</b>   |               |
|    | I. Public Hearing - Special Exception Request - Rick Benson<br>(Country General/Convenience Store)                      | Motion        |
|    | II. Public Hearing - Special Exception Request - Richard<br>Ricchezza (Detached Dwelling Unit)                          | Motion        |
|    | III. Public Hearing - Special Exception Request - Gregory Poore<br>(Service & Repair of Farm Equipment)                 | Motion        |
|    | IV. Public Hearing - Special Exception Request - Vanguard<br>Organics, LLC (Agricultural Resource Reclamation Facility) | Motion        |
| 6. | <b>Chairman Comments</b>  |               |
| 7. | <b>Informational</b>  |               |
| 8. | <b>Adjournment</b>  |               |

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### **SPEAKER RULES OF PROCEDURE**

**Please respect all speakers and allow all opinions to be expressed in a tolerant atmosphere.**

- Speakers may speak only once during a specific comment time and all comments should be directed to the Planning Commission.
- Speakers should approach the podium so they may be visible and audible to the Commission.
- Each speaker should clearly state his/her name and address.
- All questions should be directed to the Chairman. Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
- Speakers should be brief and avoid repetition of previously presented comments.

VIRGINIA: AT A REGULAR MEETING OF THE AMELIA COUNTY PLANNING COMMISSION HELD IN THE CONFERENCE ROOM OF THE COUNTY ADMINISTRATION BUILDING ON MONDAY, March 27, 2023, AT 7:30 P.M.

PRESENT: LARKIN MOYER- Chairman  
ROY EASTER – Vice-Chairman  
JERRY “WHIT” MORRIS  
DENNIS RAMSEY  
RICHARD CUMBIE, JR.  
JOHN AARON  
MICHAEL BATES  
TRAVIS BARNARD  
JUAN WHITTINGTON  
DAVID FELTS, JR. – Board of Supervisors Representative

ABSENT: JENNIFER HARRIS

Amelia County Planning Commission

BRADY DEAL, Director of Community Development

I. CALL TO ORDER

Chairman Moyer called the meeting of the Amelia County Planning Commission to order at 7:30 p.m.

II. DETERMINATION OF QUORUM

Chairman Moyer declared there was a quorum with 10 of 11 members present at 7:30 p.m.

III. APPROVAL OF MINUTES

Vice-Chairman Easter made a motion, seconded by Commissioner Morris that the Planning Commission approve the minutes of the February regular meeting.

The motion carried 10-0 recorded as follows: Larkin Moyer- AYE, John Aaron- AYE, Dennis Ramsey- AYE, Juan Whittington- AYE, Michael Bates- AYE, Travis Barnard- AYE Whit Morris- AYE, Roy Easter- AYE, Richard Cumbie- AYE, David Felts- AYE.

Prior to moving to the Old Business Item, Chairman Moyer asked Mr. Deal if there had been any changes in the minutes. Mr. Deal stated that Dutch Gap Gas & Grill had withdrawn their application due to comments received from VDOT that indicated a required Traffic Impact Statement (TIS) would need to be completed. The applicant plans to complete the traffic study and resubmit their rezoning application.

IV. OLD BUSINESS

Rezoning - Hunter Price LLC, R-1 to R-2

Chairman Moyer stated that the Planning Commission had to make a decision on this item as it had already been deferred twice. He then asked Mr. Deal if there were any updates on this item for the Planning Commission.

Mr. Deal stated that the comments from VDOT had been received regarding the amended entrance proposal and that VDOT was unable to support the proposed access as it would result in the construction of a commercial grade entrance within the functional area of the intersection. He added that this proposed access would not conform to the Access Management Regulations. Mr. Deal stated that an entrance in this proposed area would in essence create an off-set intersection.

Chairman Moyer asked if Mr. Adam Wilkerson from VDOT would come forward and speak to VDOT's perspective on the proposed access.

Mr. Wilkerson stated that VDOT could potentially support an entrance that had a slight off-set from the existing portion of Dunn Street. He added that once an entrance is out of the direct intersection with Dunn Street and Virginia Street, then the maneuvers from the two points would have to operate as stand alone areas and would require a certain distance particularly 100 feet of storage and 100 feet of taper for a total of 200 feet of separation.

Commissioner Morris asked if they were to work out a solution to have use of the reserved road, VDOT would review a new proposal and provide comments.

Mr. Wilkerson responded that Commissioner Morris was correct.

Commissioner Easter asked if VDOT would issue an entrance permit as it is depicted in the current conceptual site plan.

Mr. Wilkerson stated that VDOT would not issue an entrance permit for the current proposed access area.

Commissioner Easter stated that he doesn't see how the Planning Commission could recommend approval if the access issue is not resolved.

A discussion ensued regarding the reserved road between the Commissioners and the conflict over their applicant's accessibility to the potential road.

Commissioner Cumbie stated that even if the Planning Commission recommended denial that the applicant could still work to get some of the issues straightened out before the Board of Supervisors makes their decision.

Commissioner Whittington made a motion, seconded by Commissioner Barnard that the Planning Commission recommend denial of the rezoning request.

The motion carried 10-0 recorded as follows: Larkin Moyer- AYE, John Aaron- AYE, Dennis Ramsey- AYE, Juan Whittington- AYE, Michael Bates- AYE, Travis Barnard- AYE Whit Morris- AYE, Roy Easter- AYE, Richard Cumbie- AYE, David Felts- AYE.

V. NEW BUSINESS

Public Hearing – Rezoning – Amelia County Economic Development Authority, RR-3 to M-1

Mr. Deal provided the staff report for this item by explaining the requested rezoning and the parcels subject to the request which he said were formerly identified as TM 40-63 & TM 40-62 having since been merged which total approximately 132 acres. He stated that the proposed use would be a commerce park similar to the commerce park located behind the Food Lion Shopping Center. Mr. Deal added that in addition to the property owned by the Amelia County EDA, two parcels totaling 27 acres owned by JGL, LLC have been included in the request.

Mr. Deal stated that the applicant is requesting this property be rezoned to M-1 Industrial which is the light industrial zoning district in the County Zoning Ordinance. He stated that the property was relatively close to the landfill and had a significant amount of road frontage along Route 360 and Richardson Road.

Mr. Deal then provided a presentation of visual images depicting the location, zoning, and flood zone/wetland proximity.

He also provided an overview of the VDOT comments regarding the proposed entrances in the conceptual site plan. Mr. Deal stated that VDOT supported the proposed entrances and was not going to require a traffic study but did recommend a traffic study be completed due to the proposed trip generation as calculated based on the total square footage of buildings depicted in the site plan. He added that the VDOT's did have some concerns regarding the traffic that would be using the central crossover affected by the potential development.

Commissioner Easter stated that for each entrance, they would likely need to add turn lanes so he thought it may be better for the applicant to construct an interior roadway that would serve the various sites.

Commissioner Felts asked Mr. Deal to reference the intent of the M-1 Industrial District and list some of the uses that may be accessed.

Mr. Deal provided an overview of the M-1 Industrial District uses by right and special exception. He stated that the intent of the M-1 district is to allow for commercial and light industrial uses that do not detract from residential desirability. Specifically, he stated that these uses limit sight, sound, and smell significantly more so than the M-2 District.

Chairman Moyer asked about the 27 acres that is being included in the request and the intended use on those parcels.

Mr. Deal responded that the owner desires to increase the usability of that property as it is currently all wooded and not able to be used for ancillary purposes pertaining to their operation.

Chairman Moyer asked if there had been any direct response from the two residential properties that are located on Route 360 and surrounded by the subject parcels.

Mr. Deal stated that there had not been any comments received from residents of either of those two properties.

Chairman Moyer opened the public hearing at 8:18 p.m.

Robert McGarvey, Phyllis McGarvey, Janet Eley, Joseph Stranick, Patrina Miller, Mickey Myers, Thomas Mauler, Alicia Myers, and Bethany Stranick spoke in opposition of the proposed rezoning.

Chairman Moyer then asked if Neal Barber, the consultant representing the Amelia County EDA wanted to speak on behalf of the request.

Mr. Barber stated that the property would not accommodate more intense uses due to the lack of water/sewer infrastructure. He added that he believes the property would attract operations looking to move from more urban areas due to the higher cost of doing business in those places. Mr. Barber stated that over the years, businesses that looked in the county but were unsuccessful in their search for property were often not water heavy operations but operations that needed more space and potential outdoor storage than current sites permitted.

Commissioner Easter asked Mr. Barber if the EDA had considered permanent natural screening so it would be less noticeable and not bother the neighbors as much.

Mr. Barber stated that it has been discussed and that the EDA intends to limit the development along the Richardson Road side of the parcel to alleviate some of these viewshed concerns.

Commissioner Morris asked if the EDA was intending on getting a traffic study completed since it was recommended by VDOT.

Mr. Barber stated that the EDA had applied for the Virginia Business Ready Sites Program last year, which is a grant that would provide funds for pre-development costs such as master plan, preliminary engineering report, wetlands determination, soil analysis, and traffic impact study. He stated that the acquisition costs of the property can serve as a match for this grant but since the property was not closed on at the time of the grant submission and the zoning was not industrial, the grant application had to be withdrawn. Mr. Barber added that if this request for rezoning is successful, the EDA would reapply for that grant to complete some of the work including but not limited to the traffic study.

Chairman Moyer asked if there were any further questions for Mr. Barber and closed the public hearing at 9:00 p.m.

Commissioner Cumbie stated that the submitted site plan seems to show the maximum developability of the site. He stated that the people have invested everything they got in this area and that you can not retreat any further than your home. He added that it is in a good location and he understands the need for this type of development but that the Dusty Hill subdivision needs to be taken into account and protected as much as possible. Commissioner Cumbie stated he understands the community wanting some say so on what the structures in this park look like and where these structures are going to be placed.

Commissioner Barnard stated that maybe some increased setbacks would help alleviate the impact on the Dusty Hill Subdivision.

Commissioner Easter stated that he would like some further details possibly including increased setbacks, aesthetic details of the proposed structures, and possibly some screening information.

Commissioner Whittington stated that he was originally disappointed when he heard the details of the conceptual site plan but feels more confident seeing that there are more proposed entrances off of Rte. 360 which is a major throughfare in the County.

Commissioner Barnard stated that the Planning Commission may not be able to get the most detailed site plan but can review the request to determine if the Comprehensive Plan supports this type of development in this area.

Commissioner Cumbie stated that he is primarily concerned with the impact on Dusty Hill and would just like the plan to have a large buffer to protect the homes in that area.

Commissioner Easter asked for if staff could review the VDOT comments again on the proposed project.

Mr. Wilkerson spoke that the Department could not require a traffic study for this proposed development because the new calculated traffic generation does not meet the threshold. He added a list of measures that VDOT would likely require to ensure the project doesn't negatively impact the traffic flow in that area.

Commissioner Morris made a motion, seconded by Commissioner Ramsey that the Planning Commission defer their recommendation until the next meeting to allow for some further information to be provided on buffers and setbacks.

The motion carried 10-0 recorded as follows: Larkin Moyer- AYE, John Aaron- AYE, Dennis Ramsey- AYE, Juan Whittington- AYE, Michael Bates- AYE, Travis Barnard- AYE Whit Morris- AYE, Roy Easter- AYE, Richard Cumbie- AYE, David Felts- AYE.

#### Public Hearing - Zoning Text Amendment – Wireless Support Structures

Chairman Moyer asked Mr. Deal to provide the staff report for this item.

Mr. Deal stated that this amendment would increase the flexibility of the regulations governing the setbacks for wireless support structures over 80'. He provided an overview of the current ordinance and then read the proposed version with the amendments. He stated that due to newer technology, the amended language would allow for the setbacks to be less than 120% of the height of the proposed structure if the tower is designed to fall within this reduced setback area as signed and approved by a registered engineer in the Commonwealth of Virginia.

A discussion ensued between the Commissioners regarding a tower in Nottoway near the Courthouse and how it was permitted due to the new fall technology allowing the tower to collapse within itself in the event of failure.

Commissioner Whittington stated that he believed the residential provision needed to be maintained.

Chairman Moyer opened the public hearing at 9:31 p.m.

No one spoke in favor or opposition of the proposed amendment.

Commissioner Easter made a motion, seconded by Commissioner Whittington to recommend the zoning text amendment be approved as submitted.

The motion carried 10-0 recorded as follows: Larkin Moyer- AYE, John Aaron- AYE, Dennis Ramsey- AYE, Juan Whittington- AYE, Michael Bates- AYE, Travis Barnard- AYE Whit Morris- AYE, Roy Easter- AYE, Richard Cumbie- AYE, David Felts- AYE.

#### Public Hearing - Zoning Text Amendment - Dog Kennel Definition

Chairman Moyer asked Mr. Deal to provide the staff report for this item.

Mr. Deal provided an overview with some background on why this amendment is being proposed by staff. He stated that as the ordinance is currently written, anyone that is required to get a business license for breeding dogs due to the amount of annual gross receipts is classified as a dog kennel. He stated that this use is only allowed via special exception in the RP-5 and A-5 district. Mr. Deal stated that this amendment would allow for individuals that breed dogs but have 3 or fewer litters per year to be classified under the home occupation use.

Commissioner Easter stated that the information in the packet said fewer than 3 meaning 2 or less.

Mr. Deal responded that he had made a mistake in the packet and then checked and confirmed that he advertised it as 3 or fewer.

Commissioner Whittington stated that he agreed with the 2 or less litters per year.

A discussion ensued between the commissioners on whether the language amendment should be 3 litters or 2 litters.

Chairman Moyer opened the public hearing at 9:40 p.m.

Shelby Rogerville stated that she was in favor of more regulation on breeders because of the amount of dogs that are ending up in the shelter.

Chairman Moyer closed the public hearing at 9:42 p.m.

Commissioner Easter made a motion, seconded by Commissioner Felts to recommend approval of the zoning text amendment with a change that the language change permit only 2 litters per year under the home occupation use.

The motion carried 10-0 recorded as follows: Larkin Moyer- AYE, John Aaron- AYE, Dennis Ramsey- AYE, Juan Whittington- AYE, Michael Bates- AYE, Travis Barnard- AYE Whit Morris- AYE, Roy Easter- AYE, Richard Cumbie- AYE, David Felts- AYE.

#### VI. CHAIRMAN'S COMMENTS

Chairman Moyer stated that the Board of Supervisors approved the Zoning Text Amendment for the Agricultural Resource Reclamation Facility and that a community meeting should be held in the middle of April regarding the project.

#### VII. INFORMATIONAL

VIII. ADJOURNMENT

There being no further business to come before the Planning Commission, Chairman Moyer adjourned the meeting at 9:45 p.m.

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Larkin Moyer, Chairman  
Amelia County Planning Commission

ATTEST:

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Brady Deal  
Director of Community Development



## AMELIA COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT SUMMARY REPORT

Meeting Date: April 24, 2023

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**Subject:** Amelia County Economic Development Authority (the “Applicant”), requests a Rezoning from RR-3 Rural Residential District to M-1 Industrial District for property located along the Northside of US 360 (Patrick Henry Highway) and adjacent to Richardson Road, State Route 640, identified as a portion of TM 40-63 and 40-62A on the Amelia County Real Property Identification Map having been merged into one parcel. Additionally, the Applicant, serving as agent on behalf of JGL, LLC, requests a Rezoning from RR-3 Rural Residential District to M-1 Industrial District for property located on the Northside of US 360 (Patrick Henry Highway), identified as TM 40-64 and 40-53B on the Amelia County Real Property Identification Map. The requested rezoning would impact the intensity of use and development by right permitted on the subject parcels. According to the Amelia County Comprehensive Plan Future Land Use Map, the property is located in the Rural Preservation Area

### **Summary of Information:**

The Applicant is requesting to rezone TM 40-62A, portion of 40-63, 40-64, & 40-53B, location of which is identified in the previous section, from RR-3 Rural Residential to M-1 Industrial for the purpose of developing a commerce park similar to the project that was completed on the property off of Old River Drive behind the Food Lion Shopping Center. The commerce park will specifically be located on TM 40-62A & portion of 40-63 which have been merged into one parcel. This is approximately 132 acres as is depicted in the survey included in the agenda packet. JGL, LLC has permitted the EDA to include an additional 27 acres in the request, being TM 40-64 & 40-53B, which would allow for them to expand their facilities operations to an extent. The parcel that their operation is located on is zoned M-2 and is TM 40-52E.

The Conceptual Site Plan has been resubmitted and indicates that there will be a 200’ wooded buffer between the houses on Dusty Hill Lane and the development lots on the subject property. It also indicates only 10 building sites instead of 12. Water would be provided by groundwater in the area and sewer would be accessed through on-site septic systems.

A comprehensive site plan will need to be submitted by the applicant for staff to review to ensure compliance with the federal, state, and local codes including but not limited to zoning, erosion and sediment, and stormwater management once a final plan is developed. Also, this project will require a subdivision application that would require review from VDOT, VDH, and staff to ensure compliance.

### **Public Hearings**

## REZONING APPLICATION NUMBER: RZN23-02

Planning Commission Public Hearing March 27, 2023

### **Summary of Facts**

Applicant: Amelia County Economic Development Authority

Land Owner: Amelia County Economic Development Authority | JGL, LLC

Proposed Use: New Commerce Park

Location: ACEDA - TM 40-62A & 63 | JGL, LLC – TM 40-64 & 40-53B

Acreage: 159.834

Existing Zoning: RR-3 Rural Residential

Proposed Zoning: M-1 Industrial

Comprehensive Plan: This property is located in the Rural Preservation Area.

Surrounding Zoning: M-2 to the West, RR-3 to the North and East, B-1 and RR-3 to the South

Utilities: N/A

Wetlands Impact: There is a freshwater forested/shrub wetland on the northern property line.

Zoning History: RR-3

### **Recommendation:**

Review and (PC) provide recommendation to the Board of Supervisors

APPLICATION FOR REZONING  
COUNTY OF AMELIA  
P.O. BOX A  
AMELIA, VA 23002  
(804)561-3039

FOR OFFICE USE ONLY  
Application No. \_\_\_\_\_  
Date Application Filed \_\_\_\_\_  
Date and Time of Hearing \_\_\_\_\_

Applicant: Amelia County Economic Development Authority  
Address: 16360 Dunn Street  
Amelia Court House, VA 23002  
Phone No.: (804) 561-3039

**PROPERTY DESCRIPTION**

Location: TM 40-63 (portion of) + 40-62A / TM 40-64 + 40-53B  
Owner/Lessee: Amelia County EDA / JJJ, JJC  
Tax Map No: Section 40 Lot No. 63, 62A, 64, 53B Subdivision N/A  
Magisterial District [ ] Leigh [ ] Jackson [ ] Giles Public Road Access: Rte 360 + Rte 640  
No. of Parcels: 4 Acreage: 159.834 Deed Book/Page: \_\_\_\_\_ Plat Book: \_\_\_\_\_  
Date Acquired: 1/25/2023 (40-63 + 62A) Zoning District: RR-3  
Are there any deed restrictions? [ ] Yes [X] No, if yes, attach copy of deed restrictions.  
Date restrictions expire: \_\_\_\_\_

**NECESSITY OF REQUEST**

The applicant requests a change of zoning classification for the above-described property from RR3 zone to M-1 zone. Describe the proposed use and the reason for the proposed zoning request.

Parcels 40-63 (portion of) + 40-62A being merged as one parcel, will be used for an industrial park with possibly a dozen construction sites as is indicated by the conceptual site plan included with the application. Parcels 40-64, 40-53B will allow for Swift Creek Forest products to have additional area to access user permitted in the M-1 district.

**PROFFERS**

List proffer(s), if the rezoning request is a conditional rezoning.

N/A

## **REQUIREMENTS AND INSTRUCTIONS FOR FILING APPLICATION FOR REZONING**

The following must be filled out completely and submitted by the applicant.

1. The application form must be filled out completely with full answers to every statement and question. The application may be signed by an agent or attorney or by the lessee, owner, or owners in front of a Notary Public in the space provided on Page 4. Additional sheets may be attached, as necessary.
2. Furnish a site plan for any cases involving expansion of an existing structure or construction of a new building. The plan shall consist of the following:
  - a. Plot plan or survey plat showing the dimensions of the property drawn to an appropriate scale.
  - b. Location and dimensions of existing structures, right-of-ways, easements, boundaries, water courses, and bodies of water.
  - c. Location and dimensions of proposed development including structures, types of uses, access drives, setbacks, easements, etc.
  - d. In the case of commercial and industrial developments, sketches and plans for proposed off-street parking and loading areas, signage, outdoor lighting, buffers and screening.

### **APPLICATION FEE**

The application fee required by Section 1-6 of the Amelia County Zoning Ordinance is \$300.00. This fee must be paid at the time of the filing of the application. This fee only partially covers the County's costs for advertising and processing the application through the various stages. Make checks payable to "Treasurer of Amelia County."

### **PHOTOGRAPHS**

Photographs of the property involved (not over 8½ X 11 inches) to illustrate the conditions of the property under consideration are always helpful and are suggested as exhibits to accompany this application.

### **LEGAL DESCRIPTION**

Legal description of the area to be rezoned shall be submitted with the application.

**IMPROVEMENTS PROPOSED**

Describe briefly the improvements proposed. State whether new buildings are to be constructed, existing buildings are to be used and/or renovated or additions are to be made to existing buildings.

*This rezoning would result in new construction, particularly on the 132+1- acres*

**PROTECTION TO ADJOINING PROPERTY**

Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

*The property to the west is zoned R-3 and there are 7 neighboring residences, 6 of which are in the Dusty Hill subdivision. To the south are two residential properties. The M-1 zoning is intended to be compatible with residential uses and the uses are limited to those that would not decrease*

**ENHANCEMENT OF COUNTY**

Why does the applicant believe that this requested change will be advantageous to the County? (Please substantiate with facts)

*This will allow the county to promote development and the establishment of new business/industries, while limiting the impact of this development by controlling the spread of such growth*

*the desirability of the surrounding residential area.*

**PLAN**

Furnish a plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable.

## STATEMENT FOR VALIDITY OF INFORMATION

Every applicant shall sign the following document to substantiate the validity of submitted information.

State of Virginia

County of \_\_\_\_\_ to wit

I, Eldon R. Dieffenbach, being duly sworn, depose and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or I will present written certification contract to purchase the property or I will present written certification from the owner granting me the right to submit this application.

I, declare that I have familiarized myself with the rules and regulation pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.

Signed Eldon R. Dieffenbach chairman EDA

Print Name Eldon R. Dieffenbach

Subscribed and sworn to before me this 10<sup>th</sup> day of March, 20023

Debra Jean Dellicker Ricchezza  
Notary Public

February 28, 2025  
My Commission Expires





**SWIFT CREEK**  
**FOREST PRODUCTS**

P.O. Box 507, Amelia VA 23002  
(804) 561-4498 Fax (804) 561-6137  
swiftcreekforestproductscorp@outlook.com

**PALLETS**  
**BOXES**  
**SKIDS**  
**LUMBER**

March 15, 2023

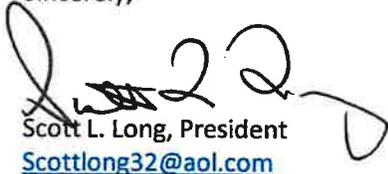
Daniel B. Deal  
Director of Community Development  
County of Amelia  
P.O. Box A  
16360 Dunn St., Suite 101  
Amelia Court House, VA 23002

RE: Rezoning Authorization

Dear Mr. Deal,

This letter is to certify that the Amelia County Economic Development Authority has my permission to include parcels 40-64 & 40-53B in their rezoning request for the Borum property. Please feel free to call or email if you need any other information.

Sincerely,



Scott L. Long, President  
[Scottlong32@aol.com](mailto:Scottlong32@aol.com)

STATE OF VIRGINIA  
COUNTY OF AMELIA

)  
) to wit

I, Eldon R. Dieffenbach, being duly sworn, deposed and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or right to submit this application. I further declare that I have familiarized myself with respect to preparing and filing the application and that the foregoing statements and answers herein contained and the information on the attached sheets thoroughly and to the best of my ability present the argument on behalf of the applicant herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my knowledge and belief.

Signed Eldon R. Dieffenbach  
Chairman EDA

Phone Number 804-561-3039

Subscribed and sworn to before me this 10<sup>th</sup> Day of March 2023



Debra Jean Dellicker Ricchezza  
Notary Public

February 28, 2025  
My Commission Expires

**ADJACENT PROPERTY OWNER'S LIST**

<u>Section/Lot</u>	<u>Owner</u>	<u>Address</u>
<u>40-2-1</u>	<u>Beulah Holden Estate</u>	<u>19641 Dusty Hill Lane</u>
<u>40-2-2</u>	<u>Daniel Miller D</u>	<u>19701 Dusty Hill Lane</u>
<u>40-2-3</u>	<u>Eugene Lester Stone</u>	<u>19751 Dusty Hill Lane</u>
<u>40-2-4</u>	<u>Robert McKim</u>	<u>19750 Dusty Hill Lane</u>
<u>40-67</u>	<u>Charlotte Berlin</u>	<u>8600 Highlands Loop</u>
<u>40-66-65</u>	<u>Reginald E. Elgin</u>	<u>8301 Mt. Zion Lane</u>
<u>40-54A</u>	<u>Mameta Harris</u>	<u>20020 Robert Henry Hwy</u>
<u>40-71</u>	<u>Buddy's Place LLC</u>	<u>411 Second Avenue</u>

additional list of property owners on back of page

RZN23-02 ADJPO List

Beulah Golden Estate  
19641 Dusty Hill Lane  
Jetersville, VA 23083

Darrell Miller  
19701 Dusty Hill Lane  
Jetersville, VA 23083

Eugene Lester Stine  
19751 Dusty Hill Lane  
Jetersville, VA 23083

Robert McGarvey  
19750 Dusty Hill Lane  
Jetersville, VA 23083

Charlotte Perrin  
8600 Richardson Road  
Jetersville, VA 23083

Reginald Flippen  
7631 Mt. Zion Road  
Jetersville, VA 23083

Shameka Harris  
20020 Patrick Henry Hwy  
Jetersville, VA 23083

Buddy's Place LLC  
411 Second Avenue  
Farmville, VA 23901

Theresa Lovett  
8051 Richardson Road  
Jetersville, VA 23083

Jessica M Burgan  
20601 Patrick Henry Hwy  
Amelia Court House, VA 23002

Gurjit Singh  
5813 Fox Club Lane  
Midlothian, VA 23112

Laci Burroughs  
19540 Maplewood Road  
Jetersville, VA 23083

RZN23-02 ADJPO List

Virginia Anderson  
19550 Maplewood Road  
Amelia Court House, VA 23002

Julie Strumb  
19601 Maplewood Road  
Amelia Court House, VA 23002

Bettie Borum  
19650 Maplewood road  
Amelia Court House, VA 23002

Dillon Puffenbarger  
19821 Patrick Henry Hwy  
Amelia Court House, VA 23002

Stephen Nash  
19931 Patrick Henry Hwy  
Jetersville, VA 23002

Christina Minter  
20001 Patrick Henry Hwy  
Jetersville, VA 23083

Martha Hill  
20041 Patrick Henry Hwy  
Jetersville, VA 23083

Langston Clay  
20201 Patrick Henry Hwy  
Jetersville, VA 23083

Troy Beverly  
20200 Maplewood Road  
Jetersville, VA 23083

Charles Bradbury  
20381 Patrick Henry Hwy  
Jetersville, VA 23083

Janet Bailey  
23901 Pear Orchard Road  
Moseley, VA 23120

OWNERSHIP DISCLOSURE

Please list below the names and addresses of all owners or parties in interest of the land subject to this request:

**NOTE:** If this request is in the name of a corporation, artificial person, joint venture, trust, or other form of ownership, all officers, directors, and any stock holders owning ten percent or more of such stock must be listed.

NAME

ADDRESS (Include Zip Code)

Dennis Tatum  
Robert Smith  
Robert Llewellyn  
Carly Bullock  
John Winston Vaughn, IV  
Mandie B. Scott

I, Eldon R. Dieffenbach, do hereby swear and affirm that to the best of my knowledge and belief, the above information is true and that I am the applicant for this request for parcel number(s) \_\_\_\_\_ of tax map number(s) \_\_\_\_\_ requesting Rezoning, Conditional Use Permit, and Variance/Appeal. **(Please circle one)**

If the above information changes at any time while this case is being considered, I will provide the County with an updated list.

Eldon R. Dieffenbach Chairman EDA.  
Signature

STATE OF VIRGINIA  
COUNTY OF Amelia to wit:

This day Eldon Dieffenbach personally appeared before me, Debra Jean Dellicker Picchezza, a Notary Public in and for the County and State aforesaid, and swore or affirmed that the matters stated in the foregoing Ownership Disclosure Affidavit are true to the best of his/her knowledge and belief.

Given under my hand this 10<sup>th</sup> day of March, 2023 Debra Jean Dellicker Picchezza  
Notary Public

My commission expires: February 28, 2025



**PERSUANT TO SECTION 15.2-2204 OF THE CODE OF VIRGINIA, 1950, AS AMENDED, I HEREBY CERTIFY THAT A LETTER WAS MAILED TO EACH INDIVIDUAL LISTED ON THE REZONING APPLICATION, WHERE ADDRESSES WERE KNOWN, NOTIFYING THEM OF THE PUBLIC HEARING TO BE HELD ON MONDAY, MARCH 27, 2023, AT 7:30 P.M. IN THE COUNTY ADMINISTRATION CONFERENCE ROOM RELATING TO THE REZONING REQUESTED FOR PROPERTY DESIGNATED AS LOT 63 & 62A OF SECTION 40 OF THE AMELIA COUNTY REAL PROPERTY IDENTIFICATION TAX MAPS.**

BY: *Daniel B. Deal*  
**Brady Deal, Director of Community Development**

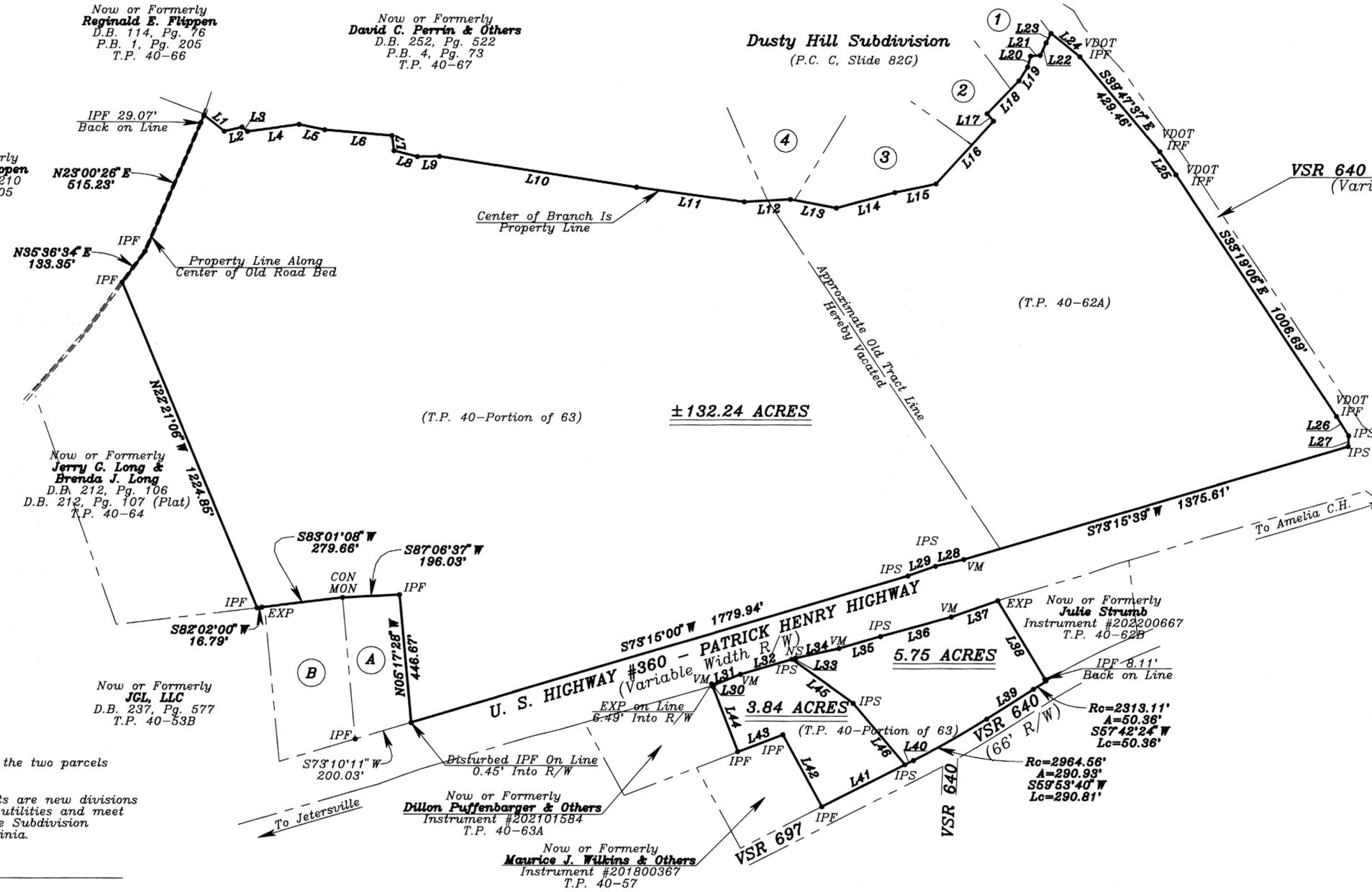
**LEGEND:**  
 IPF = Iron Pin Found  
 EXP = Existing Pipe Found  
 IPS = Iron Pin Set  
 VM = Virginia Department of Transportation Monument Found  
 VDOT IPF = Virginia Department of Transportation Iron Pin Found  
 D.B. = Deed Book  
 P.B. = Plat Book  
 T.P. = Tax Parcel  
 CON MON = Concrete Monument  
 NS = Nail Set  
 P.C. = Plat Cabinet

This plat meets the exemption requirements of the Amelia County Subdivision Ordinance.  
*Samuel S. Hartsoe* 12/16/22  
 -Subdivision Agent/Designee - Date



**(A)**  
 Now or Formerly  
**Shameka Harris**  
 Instrument #202001762  
 T.P. 40-54A

**(B)**  
 Now or Formerly  
**WSJ, LLC**  
 Instrument #201900153  
 D.B. 166, Pg. 471 (Plat)  
 T.P. 40-53A



LINE	BEARING	DISTANCE
L1	S51°15'29" E	89.45'
L2	N76°29'18" E	62.82'
L3	S51°29'00" E	24.23'
L4	N82°03'06" E	178.32'
L5	S77°56'00" E	89.75'
L6	S85°03'49" E	231.81'
L7	S07°46'50" E	52.29'
L8	S75°36'07" E	83.69'
L9	N89°10'40" E	75.68'
L10	S81°05'09" E	685.31'
L11	S82°07'20" E	373.86'
L12	N86°39'30" E	158.64'
L13	S79°20'38" E	161.09'
L14	N74°45'23" E	208.43'
L15	N78°06'57" E	144.00'
L16	N41°55'55" E	294.47'
L17	N40°33'09" W	33.43'
L18	N43°27'12" E	159.07'
L19	N31°56'40" E	55.70'
L20	N14°06'31" E	39.72'
L21	N85°29'46" E	33.23'
L22	N24°35'13" E	47.99'
L23	N26°54'41" E	37.09'
L24	S50°43'32" E	128.39'
L25	S34°36'14" E	97.49'
L26	S31°47'41" E	79.34'
L27	S01°40'48" W	36.99'
L28	S76°21'33" W	100.60'
L29	S70°23'29" W	100.12'
L30	N73°46'29" E	2.94'
L31	N67°32'35" E	100.50'
L32	N73°15'13" E	184.59'
L33	N73°15'13" E	15.41'
L34	N77°04'04" E	150.33'
L35	N73°15'13" E	150.00'
L36	N74°23'58" E	250.05'
L37	N70°23'29" E	170.95'
L38	S30°42'42" E	326.30'
L39	S57°04'59" W	190.44'
L40	S62°42'21" W	32.17'
L41	S62°42'21" W	321.73'
L42	N28°11'46" W	285.00'
L43	S68°46'24" W	165.66'
L44	N21°02'20" W	245.97'
L45	S54°27'13" E	258.96'
L46	S39°56'47" E	280.55'

**NOTE:**  
 Improvements that may exist on the two parcels were not located for this survey.

**NOTE:** The 38.4 and 5.75 acre lots are new divisions requiring no additional roads or utilities and meet the minimum requirements of the Subdivision Ordinance of Amelia County, Virginia.

County Agent \_\_\_\_\_ Date \_\_\_\_\_

**OWNER:**  
 Bettie E. Borum

**LEGAL REFERENCES:**  
 Will Instrument #202100160  
 D.B. 254, Pg. 497

**TAX MAP:**  
 40-63 & 40-62A

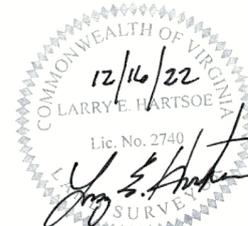
REVISED: December 16, 2022  
 SCALE: 1" = 300'  
 DATE: October 26, 2022  
 FILE: 21722-NB-L

**BOUNDARY SURVEY OF AN EXISTING PARCEL & TWO NEW LOTS  
 LOCATED IN THE GILES DISTRICT,  
 AMELIA COUNTY, VIRGINIA**

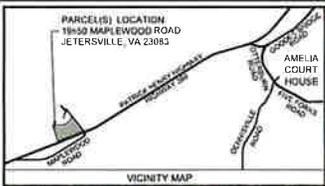
**SURVEYOR'S CERTIFICATE**

I hereby certify that this current boundary survey, to the best of my knowledge and belief, is correct and complies with the Minimum Procedures and Standards established by the Virginia State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects.

The property shown hereon was surveyed without the benefit of a title report and does not necessarily reflect all encumbrances on the property.

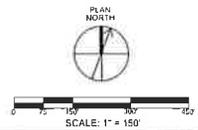


**B & B Consultants, Inc.**  
 Engineers - Surveyors - Lab Analysts -  
 Plant Operators - Environmental Services  
 Chase City & South Hill, Virginia



PROPERTY SUMMARY	
PARCEL IDENTIFICATION	40-63, 40-62A
LOCATION	18650 PATRICK HENRY HWY AMELIA COURT HOUSE, VA 23002
PARCEL ACREAGE:	132.24± ACRES - TOTAL
ZONED:	RURAL RESIDENTIAL DISTRICT (RR-3)
DISTRICT:	LEIGH - 40-63 GILES - 40-62A

NOTES:  
1. PROPERTY INFORMATION HEREIN OBTAINED FROM AMELIA COUNTY RECORDS & COUNTY GIS



**CONCEPTUAL MASTER PLAN**  
**BORUM TRACT**  
 Located in LEIGH & GILES DISTRICTS  
 AMELIA COUNTY, VIRGINIA

PREPARED BY  
**B&B Consultants, Inc.**  
10000 Park Road, Suite 100, Leesville, SC 29556  
 Phone: (803) 781-1111 Fax: (803) 781-1112  
 Email: info@bbconsultants.com

DATE: APRIL 10, 2023



**AMELIA COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
SUMMARY REPORT**

**Meeting Date: April 24, 2023**

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**SUBJECT**

**Rick Benson** (the “Applicant”), requests a Special Exception Permit for a country general store/convenience store per section 325-6.3 of the Amelia County Code for property located on the Northside of Patrick Henry Highway (Route 360) and North of Holly Farms Road (Route 307), at 23800 Thompson Lane identified as TM 51-22 on the Amelia County Real Property Identification map. The property is zoned A-5 Agricultural, and the Amelia County Comprehensive Plan shows the property is located in the Rural Preservation Area.

**SUMMARY OF INFORMATION:**

The applicant desires to open a store that sells outdoor apparel and hunting related products. He currently owns and operates Buck Rub Taxidermy and is looking to expand his offerings to customers. The space that he will operate out of is an existing building currently located on the property. Since this is technically a retail type use and the property is zoned Agricultural

**PUBLIC HEARINGS**

Planning Commission Public Hearing April 24, 2023

**SUMMARY OF FACTS**

Applicant:	Rick Benson
Land Owner:	David Benson II ETUX
Proposed Use:	Outdoor Apparel Store
Location:	On the Northside of Holly Farms Road (Route 307), at 23800 Thompson Lane identified as TM 11-7B on the Amelia County Real Property Identification map.
Acreage:	4.00
Existing Zoning:	A-5 Agricultural
Proposed Zoning:	A-5 Agricultural

**SPECIAL EXCEPTION PERMIT APPLICATION NUMBER: SEP23-02**

Comprehensive Plan: This property is located in the Rural Preservation Area

Surrounding Zoning: A-5 Agricultural

Utilities: n/a

Wetlands Impact: n/a

Zoning History: A-5 Agricultural

**RECOMMENDATION:**

Review and (PC) provide recommendation to the Board of Supervisors

\$300.00

PAID  
MAR 24 2023

Treasurer- Amelia Co.



### Application for Special Exception Permit

Date: 3-24-23 File Number: 23-03

Application Fee Paid: \$300

Applicant: Rick Benson Phone: 804-698-9912

Applicant Address: 23800 Thompson Ln

Email: \_\_\_\_\_

Owner: David Benson II ETUX Phone: \_\_\_\_\_

Property Address: 23800 Thompson Ln

Email: \_\_\_\_\_

#### Property Information:

Tax Map Number: 51-22 Acreage: 4.00

Subdivision: YES  NO  Zoning District: A-5 Deed restrictions: YES  NO

Access to Property (easement, public road, private road): road frontage (Thompson Lane)  
Rte 654

The applicant requests a permit to locate the following use on the above-referenced property, as permitted by Section 6.3 of the Amelia County Zoning Ordinance.

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

<b>FOR OFFICE USE ONLY:</b>	
Public Notice Dates: <u>4/6/23 &amp; 4/13/23</u>	Board of Supervisors Mtg Date: _____
Planning Commission Hearing Date: <u>4/24/23</u>	Board of Supervisors Decision: _____
Planning Commission Recommendation: _____	Permit Signed by Applicant/Owner: <u>✓</u>

**IMPROVEMENTS PROPOSED**

Describe briefly the improvements proposed on the property. State whether new buildings are to be constructed, existing buildings are to be used and/or renovated or additions are to be made to existing buildings. Please include a plat, conceptual layout, and/or sketch plan demonstrating the proposed improvements.

*Existing Building*

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**PROTECTION TO ADJOINING PROPERTY**

Describe the effects of the proposed use on adjacent properties and the surrounding neighborhood. What protection will be offered to adjoining property owners?

*Family farm surrounds property*

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**ENHANCEMENT OF COUNTY**

How will this requested change be advantageous to the County?

*New Business with potential to grow*

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**PLAN**

Furnish a plan showing boundaries and dimensions of the property, width of abutting rights-of-way, location and size of buildings on the site, roadways, walks, off street parking and loading spaces, landscaping, etc. A conceptual layout of the proposed changes is also required.

**OWNERSHIP DISCLOSURE**

Please list below the names and addresses of all owners or parties in interest of the land subject to this request:

NOTE: If this request is in the name of a corporation, artificial person, joint venture, trust, or other form of ownership, all officers, directors, and any stockholders owning ten percent or more of such stock much be listed.

**NAME:**

**ADDRESS:**

Alexandra Benson 23981 Thompson Ln  
Jetersville, VA 23083

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I, Rick Benson, do hereby swear and affirm that to the best of my knowledge and belief, the above information is true and that I am the applicant for this request for parcel number(s) \_\_\_\_\_ of tax map number(s) \_\_\_\_\_ requesting a Special Exception Permit. If the information above changes at any time while this request is being considered, I will provide the County with an updated list.

Signature: Rick Benson

STATE OF VIRGINIA  
COUNTY OF AMELIA to wit

This day 3/24/23 personally appeared before me, Rebecca Carr a Notary Public in and for the County and State aforesaid, and swore or affirmed that the matters stated in the foregoing Ownership Disclosure are true to the best of his/her knowledge and belief.

Given under my hand this 24th day of March, 2023.

Rebecca Carr  
Notary Public

My Commission Expires: 3/31/26



STATE OF VIRGINIA  
COUNTY OF AMELIA

to wit

I, Rick Benson, being duly sworn, deposed and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or right to submit this application. I further declare that I have familiarized myself with respect to preparing and filing the application and that the foregoing statements and answers herein contained and the information on the attached sheets thoroughly and to the best of my ability present the argument on behalf of the applicant herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my knowledge and belief.

Signed: Rick Benson

Subscribed to and sworn before me on this 24<sup>th</sup> day of March 2023.

Rebecca Carr  
Notary Public



03/31/24  
My Commission Expires

**STATEMENT FOR VALIDITY OF INFORMATION**

Every applicant shall sign the following document to substantiate the validity of submitted information.

**STATE OF VIRGINIA**  
**COUNTY OF AMELIA**            to wit

I, Rick Benson, being duly sworn, depose and say that I am the lessee/owner of the property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or I will present written certification contract To purchase the property or I will present written certification from the owner granting me the right to submit this application. I, declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.

Signed: Rick Benson

Print Name: Rick Benson

Subscribed and sworn before me this 24<sup>th</sup> day of March, 2023.

[Signature]  
Notary Public

03/31/24  
My Commission Expires



**APPLICANT'S PERMISSION FOR INSPECTION OF PROPERTY**

I, Rock Benson, hereby grant access to the Planning Director, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application for

(Circle One)    Special Exception Permit                      Rezoning                      Variance

Rock Benson  
Applicant's Signature

3/24/23  
Date

Subscribed and sworn to before me this 24<sup>th</sup> day of March, 20 23.

Rebecca Carr  
Notary Public

3/31/26  
Commission Expiration Date

7987587  
Notary Registration Number



**PERSUANT TO SECTION 15.2-2204 OF THE CODE OF VIRGINIA, 1950, AS AMENDED, I HEREBY CERTIFY THAT A LETTER WAS MAILED TO EACH INDIVIDUAL LISTED ON THE REZONING APPLICATION, WHERE ADDRESSES WERE KNOWN, NOTIFYING THEM OF THE PUBLIC HEARING TO BE HELD ON MONDAY, APRIL 24, 2023, AT 7:30 P.M. IN THE COUNTY ADMINISTRATION CONFERENCE ROOM RELATING TO THE SPECIAL EXCEPTION PERMIT REQUESTED BY RICK BENSON FOR HIS PROPERTY LOCATED AT 23800 THOMPSON LANE, JETERSVILLE, VA.**

**BY:** *Daniel B. Deal*  

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**Brady Deal, Director of Community Development**



## AMELIA COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT SUMMARY REPORT

Meeting Date: April 24, 2023

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### **SUBJECT**

**Richard Ricchezza** (the “Applicant”), requests a Special Exception Permit for a Detached Dwelling Unit per section 325-8.3 of the Amelia County Code for property located on the Southside of Patrick Henry Highway (Route 360) off of Five Forks Road (Route 38) at 12501 Five Forks Road identified as TM 44-19A on the Amelia County Real Property Identification map. The property is zoned RR-3 Rural Residential, and the Amelia County Comprehensive Plan shows the property is located in the Rural Preservation Area.

### **SUMMARY OF INFORMATION:**

The applicant is requesting a detached dwelling unit that would be occupied by his sister. The house would be similar in design to the existing house, with approximately 976 square feet, featuring two bedrooms. The plan is for the house to tie in to the existing septic which may be expanded if needed as determined by the Health Dept. The application includes a site plan indicating the location of the house and the proposed setbacks which are all greater than required for a primary structure in this district (Front = 160' / Right Side = 20' / Left Side = 200'+ / Rear = 400'+).

### **PUBLIC HEARINGS**

Planning Commission Public Hearing April 24, 2023

### **SUMMARY OF FACTS**

Applicant:	Richard Ricchezza
Land Owner:	Richard Ricchezza
Proposed Use:	Detached Dwelling Unit
Location:	On the Southside of Patrick Henry Highway (Route 360) off of Five Forks Road (Route 38) at 12501 Five Forks Road identified as TM 44-19A on the Amelia County Real Property Identification map.
Acreage:	3.410
Existing Zoning:	RR-3 Rural Residential

**SPECIAL EXCEPTION PERMIT APPLICATION NUMBER: SEP23-04**

Proposed Zoning: RR-3 Rural Residential

Comprehensive Plan: This property is located in the Rural Preservation Area

Surrounding Zoning: B-1 (Northwest) RR-3 (All other surrounding properties)

Utilities: n/a

Wetlands Impact: n/a

Zoning History: RR-3 Rural Residential

**RECOMMENDATION:**

Review and (PC) provide recommendation to the Board of Supervisors

CACONU

PAID

MAR 27 2023



Application for Special Exception Permit

Amelia Co.

Date: 3-27-23 File Number: 73-04

Application Fee Paid: 300.00

Applicant: Richard J. Ricchezza Phone: 804-517-4413

Applicant Address: 12501 Five Forks Rd, Amelia CourtHouse VA 23002

Email: photofly16@gmail.com

Owner: Richard J Ricchezza Phone:

Property Address: same

Email:

Property Information:

Tax Map Number: 44-19A Acreage: 3.4

Subdivision: YES (NO) Zoning District: RR-3 Deed restrictions: YES (NO)

Access to Property (easement, public road, private road): public road

The applicant requests a permit to locate the following use on the above-referenced property, as permitted by Section 8.3 of the Amelia County Zoning Ordinance.

Second dwelling for sister

FOR OFFICE USE ONLY:

Public Notice Dates:

Board of Supervisors Mtg Date:

Planning Commission Hearing Date:

Board of Supervisors Decision:

Planning Commission Recommendation:

Permit Signed by Applicant/Owner:

**IMPROVEMENTS PROPOSED**

Describe briefly the improvements proposed on the property. State whether new buildings are to be constructed, existing buildings are to be used and/or renovated or additions are to be made to existing buildings. Please include a plat, conceptual layout, and/or sketch plan demonstrating the proposed improvements.

Build second house similar in design to existing house with 2 bedrooms. Expansion of existing septic if needed, per Health Dept, once evaluated.

**PROTECTION TO ADJOINING PROPERTY**

Describe the effects of the proposed use on adjacent properties and the surrounding neighborhood. What protection will be offered to adjoining property owners?

House will be placed approx 160' from the roadside property line and at least 20' from neighboring property line along side of tax map # 44-19

**ENHANCEMENT OF COUNTY**

How will this requested change be advantageous to the County?

Resident will be shopping and dining locally

**PLAN**

Furnish a plan showing boundaries and dimensions of the property, width of abutting rights-of-way, location and size of buildings on the site, roadways, walks, off street parking and loading spaces, landscaping, etc. A conceptual layout of the proposed changes is also required.

See attached

STATE OF VIRGINIA  
COUNTY OF AMELIA

to wit

I, Richard J. Ricchezza, being duly sworn, depose and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or right to submit this application. I further declare that I have familiarized myself with respect to preparing and filing the application and that the foregoing statements and answers herein contained and the information on the attached sheets thoroughly and to the best of my ability present the argument on behalf of the applicant herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my knowledge and belief.

Signed: 

Subscribed to and sworn before me on this 27 day of March 20 23.

  
Notary Public

8/31/2023  
My Commission Expires



**STATEMENT FOR VALIDITY OF INFORMATION**

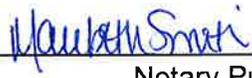
Every applicant shall sign the following document to substantiate the validity of submitted information.

**STATE OF VIRGINIA**  
**COUNTY OF AMELIA**            **to wit**

I, Richard J. Ricchezza, being duly sworn, depose and say that I am the lessee/owner of the property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or I will present written certification contract To purchase the property or I will present written certification from the owner granting me the right to submit this application. I, declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.

Signed:   
Print Name: Richard J Ricchezza

Subscribed and sworn before me this 27<sup>th</sup> day of March, 20 23.

  
Notary Public

8/31/2023  
My Commission Expires



**APPLICANT'S PERMISSION FOR INSPECTION OF PROPERTY**

I, Richard L. Ricchezza, hereby grant access to the Planning Director, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application for

(Circle One)    Special Exception Permit                      Rezoning                      Variance

  
Applicant's Signature

27- MARCH 2023  
Date

Subscribed and sworn to before me this 27<sup>th</sup> day of March, 20 23.

  
Notary Public

8/31/2023  
Commission Expiration Date

711408  
Notary Registration Number



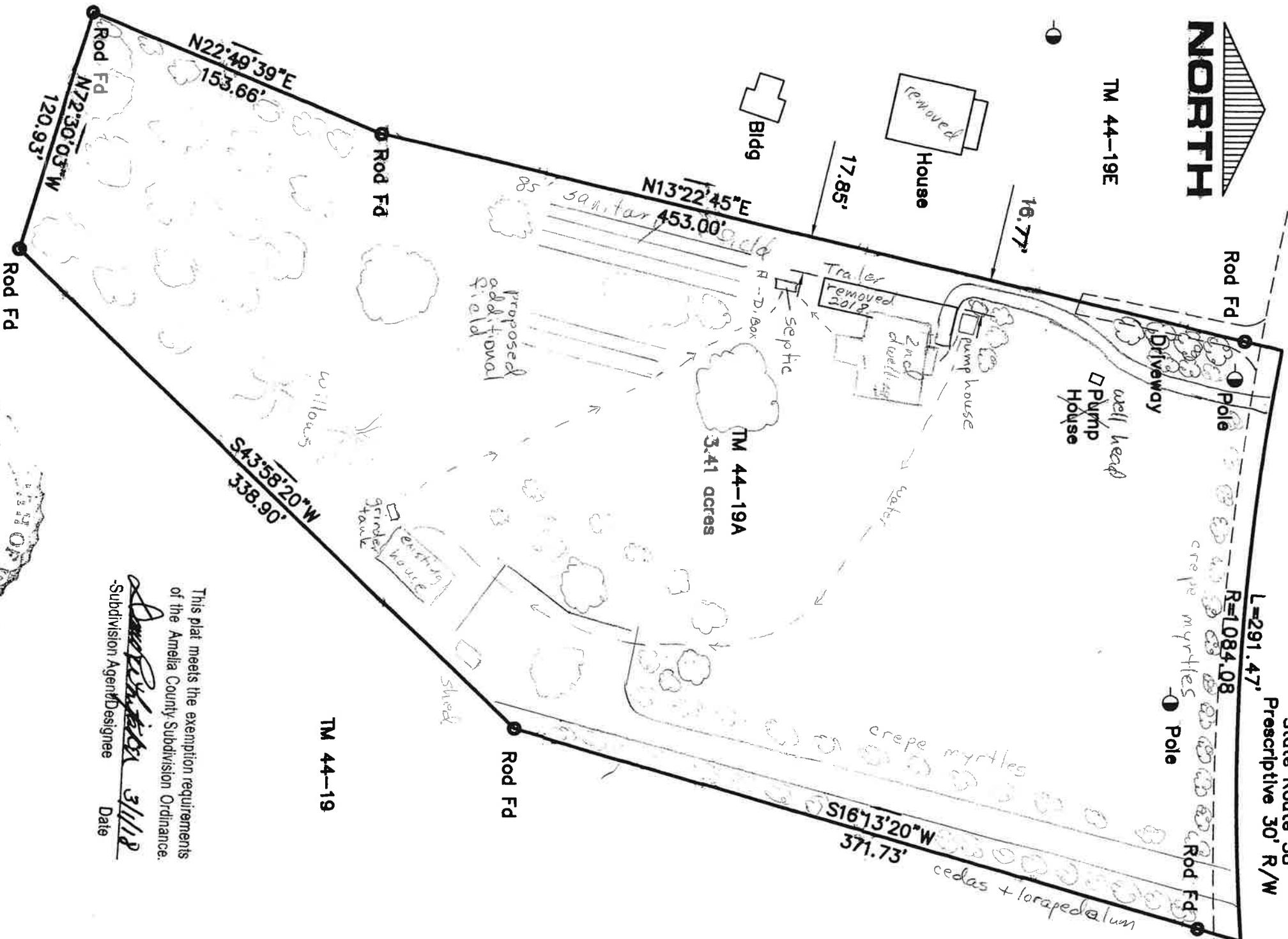
**PERSUANT TO SECTION 15.2-2204 OF THE CODE OF VIRGINIA, 1950, AS AMENDED, I HEREBY CERTIFY THAT A LETTER WAS MAILED TO EACH INDIVIDUAL LISTED ON THE REZONING APPLICATION, WHERE ADDRESSES WERE KNOWN, NOTIFYING THEM OF THE PUBLIC HEARING TO BE HELD ON MONDAY, APRIL 24, 2023, AT 7:30 P.M. IN THE COUNTY ADMINISTRATION CONFERENCE ROOM RELATING TO THE SPECIAL EXCEPTION REQUEST FROM RICHARD RICCHEZZA FOR PROPERTY LOCATED AT 12501 FIVE FORKS ROAD, AMELIA COURT HOUSE, VA.**

BY: *Daniel B. Deal*  
**Brady Deal, Director of Community Development**



TM 44-19E

Five Forks Road  
State Route 38  
Prescriptive 30' R/W



TM 44-19

Plat Showing the  
Physical Improvements to

TM 44-19A

12501 Five Forks Road  
Debra Ricchiazza

Jackson District  
Amelia County



This plat meets the exemption requirements  
of the Amelia County Subdivision Ordinance.

*Debra Ricchiazza*  
Subdivision Agent/Designer Date 3/1/18

C. E. Duncan & Associates, Inc.

2609 Rocky Oak Road  
POWhatan, Virginia 23139

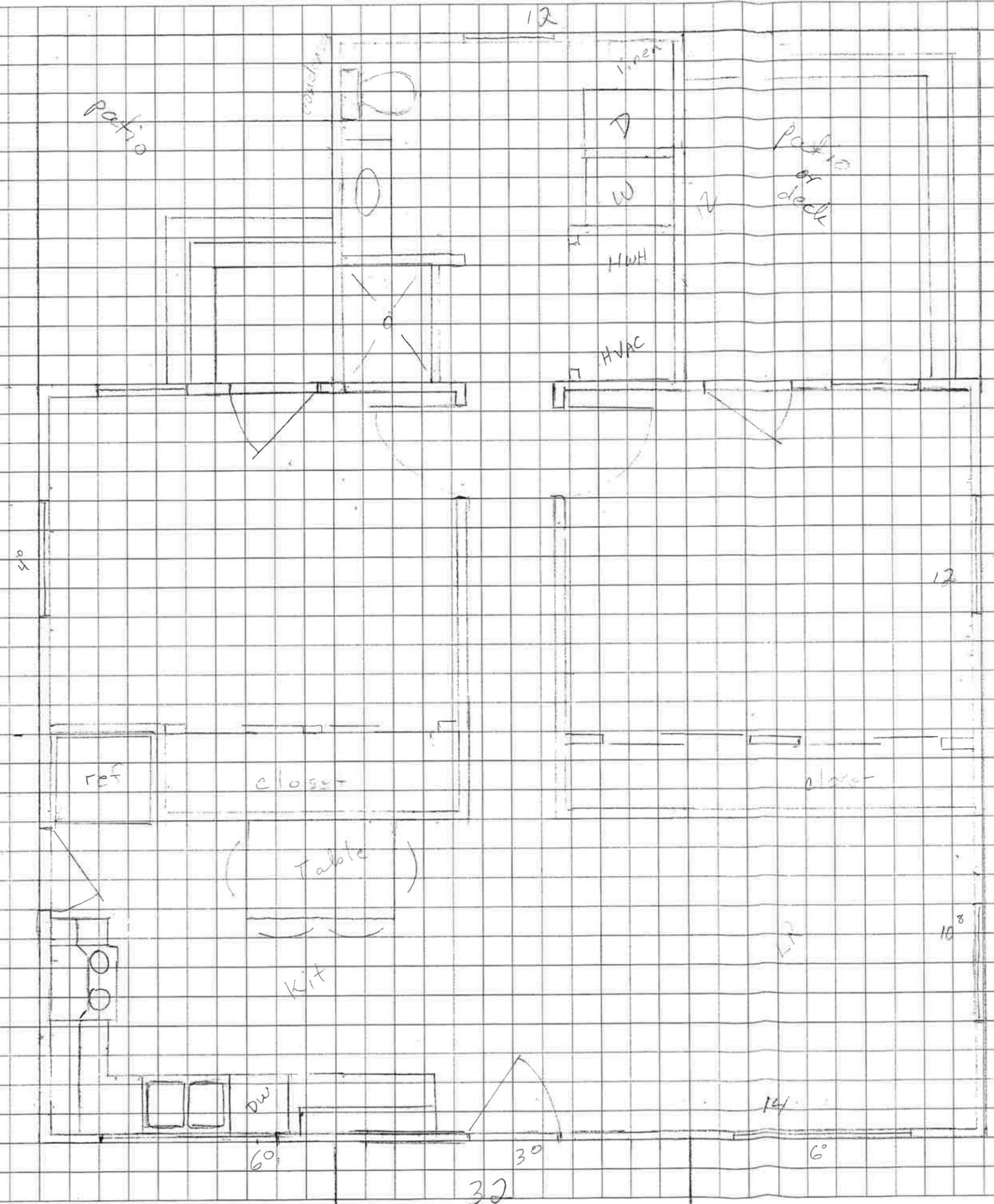
(804) 598-9240 Fax (804) 598-9240

DATE: 1/10/18 SCALE: 1"=60'

DRAWN BY: CED JOB NO.: 18-0030

$32 \times 26 = 832$   
 $12 \times 12 = 144$   
 $\underline{\quad 976}$

2 decks @ 76 sq each

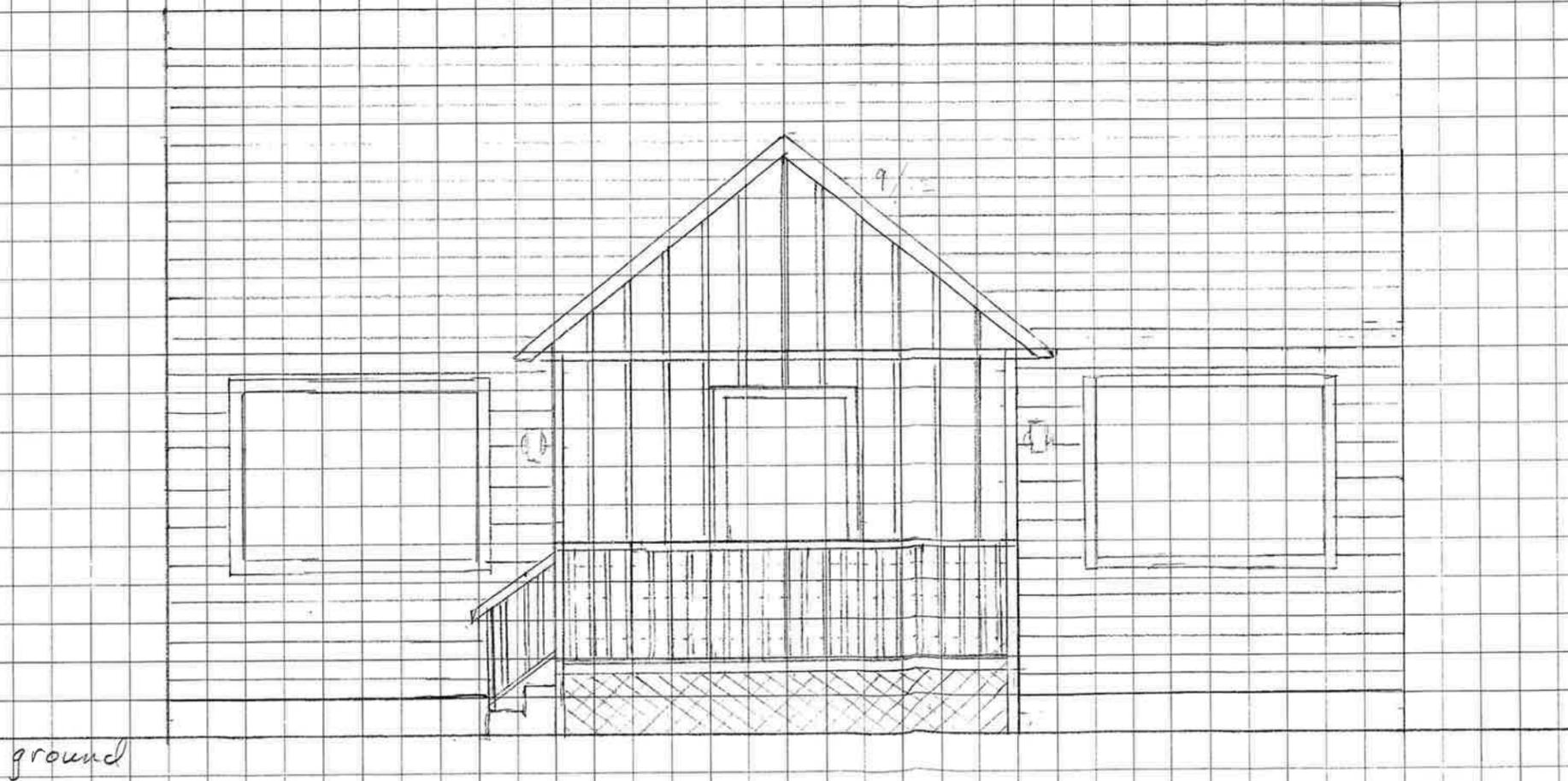


DESIGNED FOR: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 PHONE: \_\_\_\_\_

DOOR STYLE: \_\_\_\_\_  
 FINISH: Front porch  
 HARDWARE: 12 wide

DESIGNED BY: \_\_\_\_\_ PAGE: \_\_\_\_\_ OF \_\_\_\_\_  
 DATE: \_\_\_\_\_ REVISED DATE: \_\_\_\_\_  
 SCALE: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_

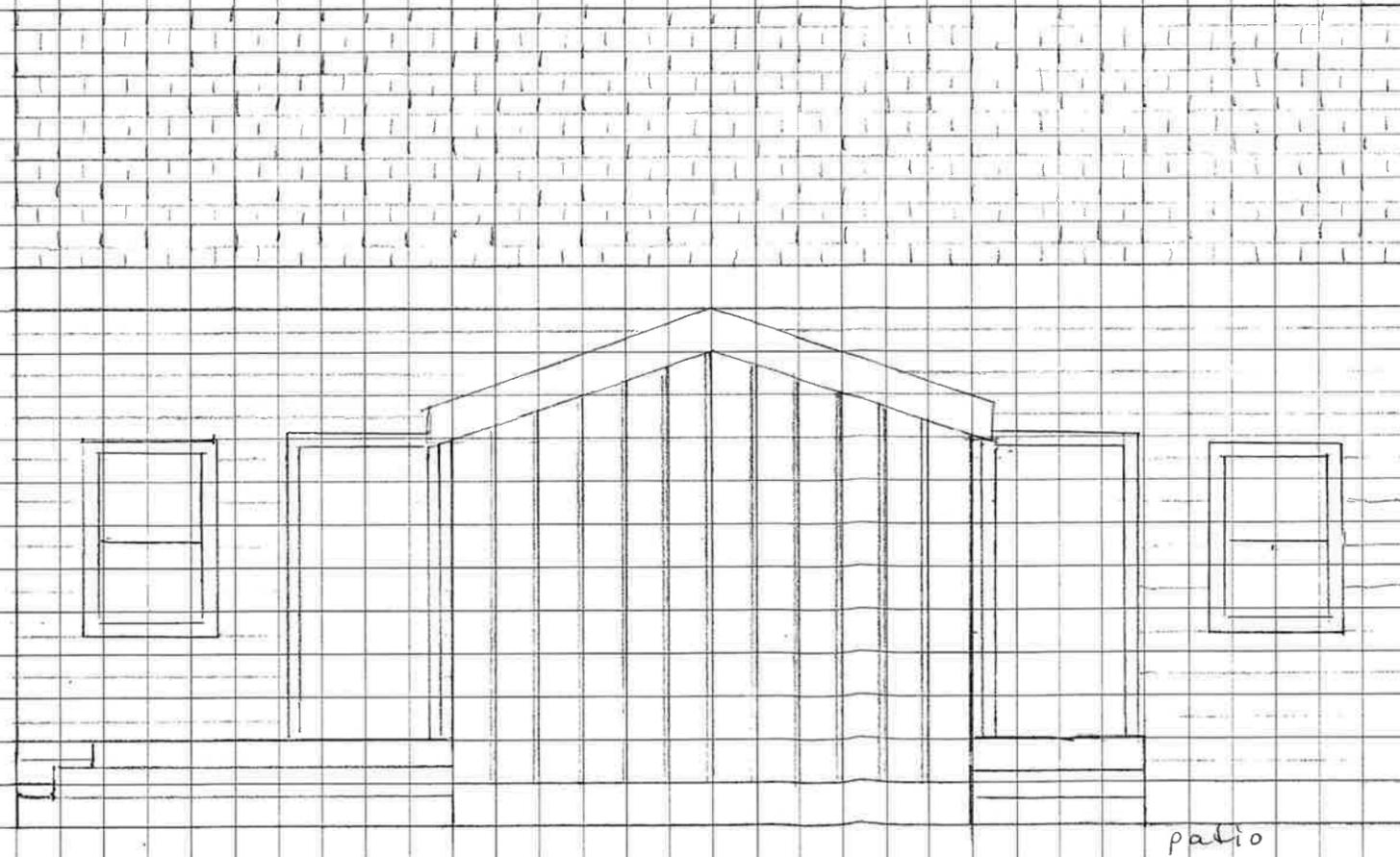




DESIGNED FOR: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
PHONE: \_\_\_\_\_

DOOR STYLE: \_\_\_\_\_  
FINISH: \_\_\_\_\_  
HARDWARE: \_\_\_\_\_

DESIGNED BY: \_\_\_\_\_ PAGE: \_\_\_\_\_ OF \_\_\_\_\_  
DATE: \_\_\_\_\_ REVISED DATE: \_\_\_\_\_  
SCALE: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_

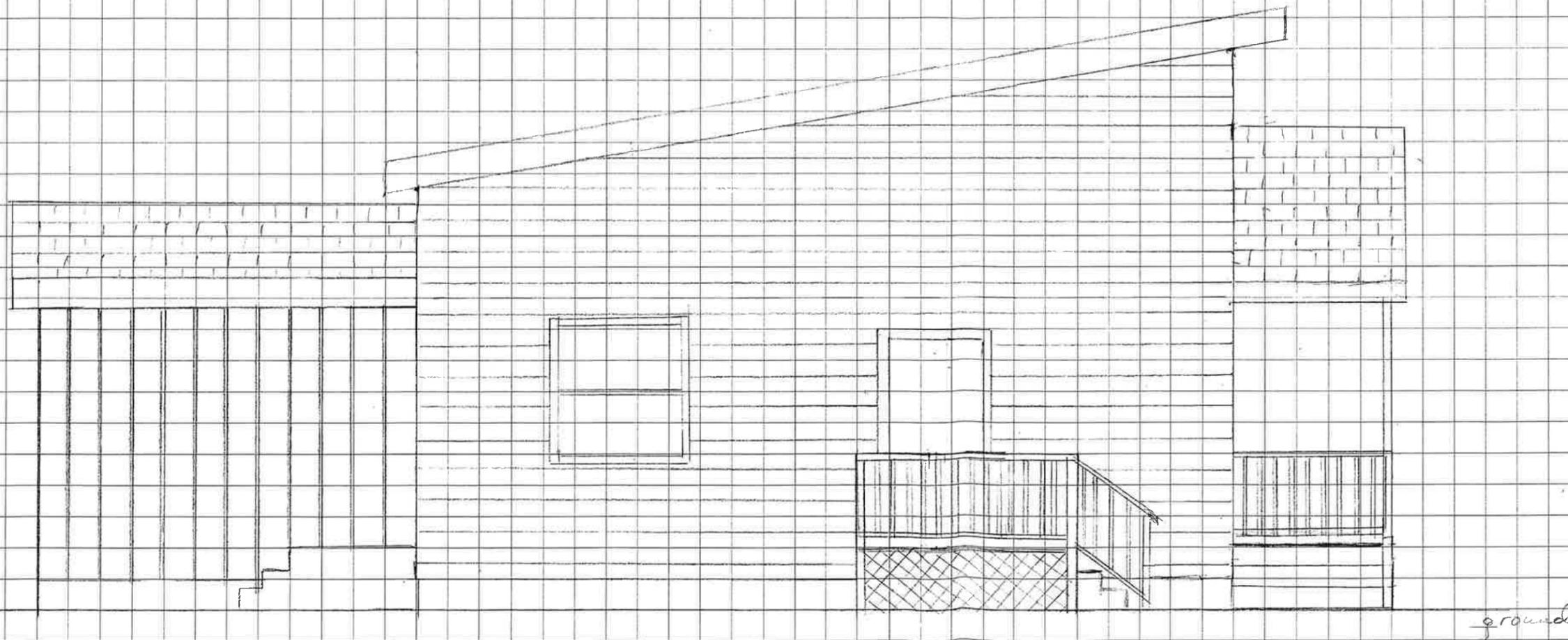


DESIGNED FOR: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
PHONE: \_\_\_\_\_

DOOR STYLE: \_\_\_\_\_  
FINISH: \_\_\_\_\_  
HARDWARE: \_\_\_\_\_

DESIGNED BY: \_\_\_\_\_ PAGE: \_\_\_\_\_ OF \_\_\_\_\_  
DATE: \_\_\_\_\_ REVISED DATE: \_\_\_\_\_  
SCALE: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_

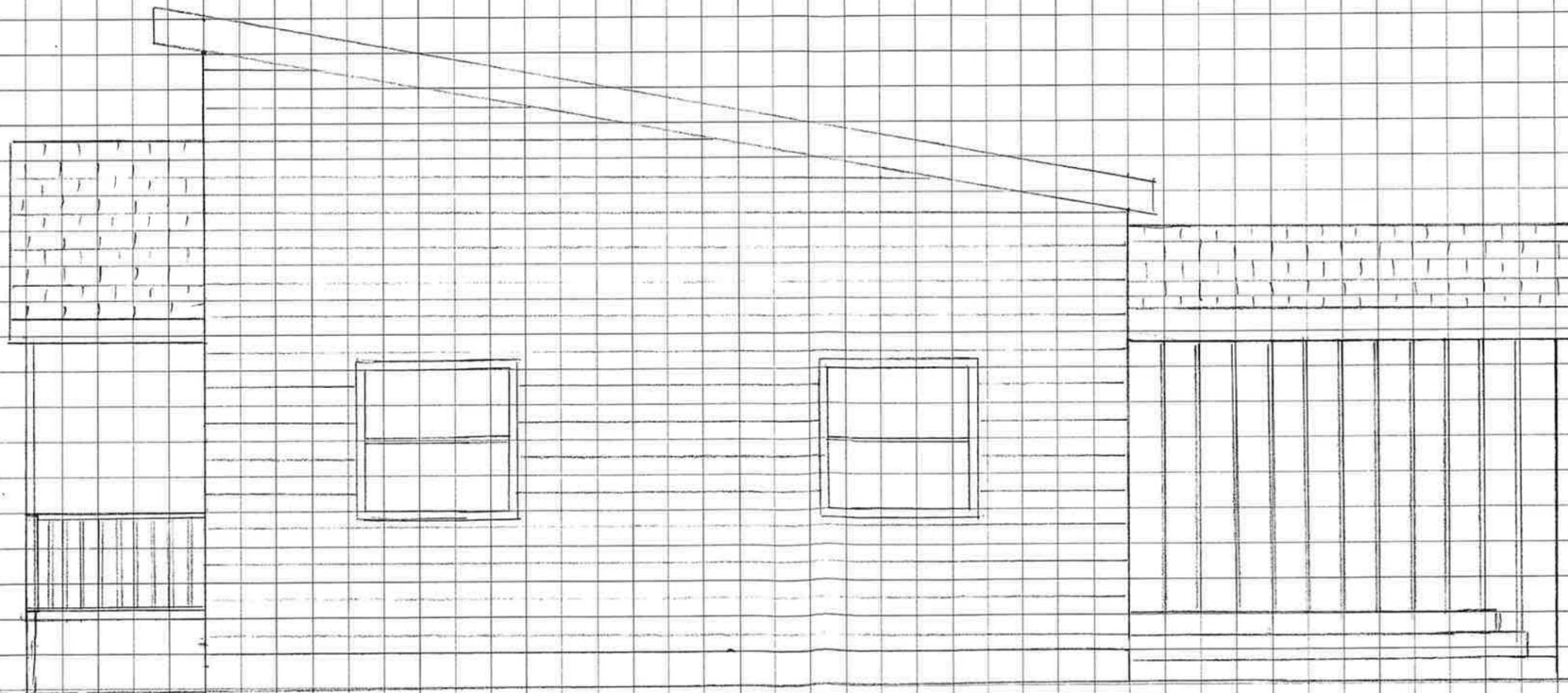




DESIGNED FOR: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
PHONE: \_\_\_\_\_

DOOR STYLE: \_\_\_\_\_  
FINISH: \_\_\_\_\_  
HARDWARE: \_\_\_\_\_

DESIGNED BY: \_\_\_\_\_ PAGE: \_\_\_\_\_ OF \_\_\_\_\_  
DATE: \_\_\_\_\_ REVISED DATE: \_\_\_\_\_  
SCALE: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_



DESIGNED FOR: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
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DOOR STYLE: \_\_\_\_\_  
FINISH: \_\_\_\_\_  
HARDWARE: \_\_\_\_\_

DESIGNED BY: \_\_\_\_\_ PAGE: \_\_\_\_\_ OF \_\_\_\_\_  
DATE: \_\_\_\_\_ REVISED DATE: \_\_\_\_\_  
SCALE: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_



**AMELIA COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
SUMMARY REPORT**

**Meeting Date: April 24, 2023**

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**SUBJECT**

**Gregory E. Poore** (the “Applicant”), requests a Special Exception Permit for Service and Repair of Farm Equipment per section 325-8.3 of the Amelia County Code for property located on the Southside of Patrick Henry Highway (Route 360) and East of Military Highway (Route 153) off of Bevils Bridge Road (Route 602) at 11481 Bevils Bridge Road, identified as TM 44-77 on the Amelia County Real Property Identification map. The property is zoned RR-3 Rural Residential, and the Amelia County Comprehensive Plan shows the property is located in the Rural Preservation Area.

**SUMMARY OF INFORMATION:**

The applicant operates a service and repair shop from which he primarily works on equipment that is operated at Land Vue Farm. The county amended the zoning ordinance last year to allow this type of use via special exception in the RR-3 district having an operation like this in mind.

**PUBLIC HEARINGS**

Planning Commission Public Hearing April 24, 2023

**SUMMARY OF FACTS**

Applicant:	Gregory Poore
Land Owner:	Emily Lynn
Proposed Use:	Service and Repair of Farm Equipment
Location:	On the Southside of Patrick Henry Highway (Route 360) and East of Military Highway (Route 153) off of Bevils Bridge Road (Route 602) at 11481 Bevils Bridge Road, identified as TM 44-77 on the Amelia County Real Property Identification map.
Acreage:	5.00 acres
Existing Zoning:	RR-3 Rural Residential
Proposed Zoning:	RR-3 Rural Residential

**SPECIAL EXCEPTION PERMIT APPLICATION NUMBER: SEP23-05**

Comprehensive Plan: This property is located in the Rural Preservation Area

Surrounding Zoning: RR-3 (Is near the line of RR-3 and RP-5)

Utilities: n/a

Wetlands Impact: n/a

Zoning History: RR-3 Rural Residential

**RECOMMENDATION:**

Review and (PC) provide recommendation to the Board of Supervisors

CALONU  
PAID

MAR 31 2023

Treasurer- Amelia Co.



### Application for Special Exception Permit

Date: 3/1/23 File Number: \_\_\_\_\_

Application Fee Paid: \_\_\_\_\_

Applicant: Gregory E Poore Phone: 804 477 4491

Applicant Address: 11481 Bovils Bridge Rd

Email: SLDGOAT@yahoo.com

Owner: same as above Phone: \_\_\_\_\_

Property Address: \_\_\_\_\_

Email: \_\_\_\_\_

#### Property Information:

Tax Map Number: 44-77 Acreage: 5.000

Subdivision: YES NO Zoning District: R-3 Deed restrictions: YES NO

Access to Property (easement, public road, private road): \_\_\_\_\_

The applicant requests a permit to locate the following use on the above-referenced property, as permitted by Section 8.3 of the Amelia County Zoning Ordinance.

Service & Repair of Farm, Yard, Garden, Blacksmith, & Logging Implements and Equipment

<b>FOR OFFICE USE ONLY:</b>	
Public Notice Dates: <u>4/6 - 4/13</u>	Board of Supervisors Mtg Date: _____
Planning Commission Hearing Date: <u>4/27</u>	Board of Supervisors Decision: _____
Planning Commission Recommendation: _____	Permit Signed by Applicant/Owner: <input checked="" type="checkbox"/>

**IMPROVEMENTS PROPOSED**

Describe briefly the improvements proposed on the property. State whether new buildings are to be constructed, existing buildings are to be used and/or renovated or additions are to be made to existing buildings. Please include a plat, conceptual layout, and/or sketch plan demonstrating the proposed improvements.

*Existing Building on the property*

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**PROTECTION TO ADJOINING PROPERTY**

Describe the effects of the proposed use on adjacent properties and the surrounding neighborhood. What protection will be offered to adjoining property owners?

*Fast growing ever green trees have been planted*

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**ENHANCEMENT OF COUNTY**

How will this requested change be advantageous to the County?

*Another repair facility to offer*

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**PLAN**

Furnish a plan showing boundaries and dimensions of the property, width of abutting rights-of-way, location and size of buildings on the site, roadways, walks, off street parking and loading spaces, landscaping, etc. A conceptual layout of the proposed changes is also required.

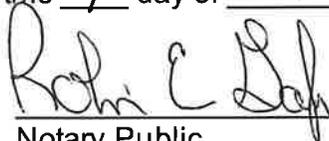
COUNTY OF AMELIA

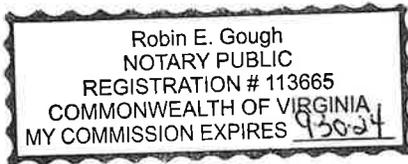
to wit

I, Gregory E Poore, being duly sworn, depose and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or right to submit this application. I further declare that I have familiarized myself with respect to preparing and filing the application and that the foregoing statements and answers herein contained and the information on the attached sheets thoroughly and to the best of my ability present the argument on behalf of the applicant herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my knowledge and belief.

Signed: 

Subscribed to and sworn before me on this 1 day of March 2023.

  
Notary Public



9-30-24  
My Commission Expires

**STATEMENT FOR VALIDITY OF INFORMATION**

Every applicant shall sign the following document to substantiate the validity of submitted information.

**STATE OF VIRGINIA**  
**COUNTY OF AMELIA**      to wit

I, Gregory E Poore, being duly sworn, depose and say that I am the lessee/owner of the property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or I will present written certification contract To purchase the property or I will present written certification from the owner granting me the right to submit this application. I, declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.

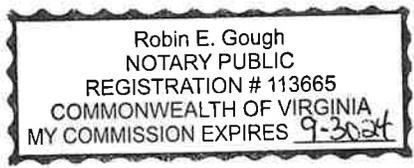
Signed: 

Print Name: Gregory E Poore

Subscribed and sworn before me this 1 day of March, 20 23.

  
Notary Public

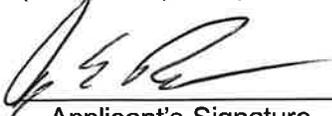
9-30-24  
My Commission Expires



**OWNERSHIP DISCLOSURE**

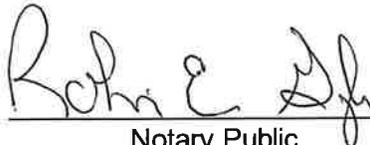
I, Gregory E Peore, hereby grant access to the Planning Director, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application for

(Circle One) Special Exception Permit      Rezoning      Variance

  
Applicant's Signature

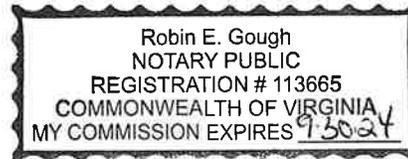
3/1/23  
Date

Subscribed and sworn to before me this 1 day of March, 20 23.

  
Notary Public

9.30.24  
Commission Expiration Date

113665  
Notary Registration Number



**PERSUANT TO SECTION 15.2-2204 OF THE CODE OF VIRGINIA, 1950, AS AMENDED, I HEREBY CERTIFY THAT A LETTER WAS MAILED TO EACH INDIVIDUAL LISTED ON THE REZONING APPLICATION, WHERE ADDRESSES WERE KNOWN, NOTIFYING THEM OF THE PUBLIC HEARING TO BE HELD ON MONDAY, APRIL 24, 2023, AT 7:30 P.M. IN THE COUNTY ADMINISTRATION CONFERENCE ROOM RELATING TO THE SPECIAL EXCEPTION REQUEST FROM GREGORY POORE FOR PROPERTY LOCATED AT 11481 BEVILS BRIDGE ROAD, AMELIA COURT HOUSE, VA.**

BY: *Daniel B. Deal*  
**Brady Deal, Director of Community Development**



**AMELIA COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
SUMMARY REPORT**

**Meeting Date: April 24, 2023**

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**SUBJECT**

**Vanguard Organics, LLC** (the “Applicant”), requests a Special Exception Permit for an Agricultural Resource Reclamation Facility per section 325-7.3 of the Amelia County Code for property located on the Northside of Patrick Henry Highway (Route 360) and North of Genito Road (Route 616) off of Giles Road (Route 637) at 16120 Giles Road, identified as TM 3-4 on the Amelia County Real Property Identification map. The property is zoned RP-5 Rural Preservation, and the Amelia County Comprehensive Plan shows the property is located in the Rural Preservation Area.

**SUMMARY OF INFORMATION:**

The applicant is requesting a special exception permit to construct an Agricultural Resource Reclamation Facility at the Oakmulgee Dairy Farm. This operation will primarily feature an anaerobic digester that will convert manure from the farm into usable agricultural by-products such as liquid fertilizer while also producing a biogas that will be sold and transferred to a facility in Goochland.

The plant will occupy approximately 7.55 acres and be accessed from Giles Road (Rte. 637). There is a list in their application of all the structures that will be constructed at this property. It will be approximately 800’ off of the road and be surrounded by a 4’ high fence with entry and exit controlled by a reception office. Between 18-25 trucks a day will visit the site and the facility intends to employ up to 10 individuals.

If the request is successful, the applicant will have to submit a comprehensive site plan that staff will review to ensure compliance with various local, state, and federal regulations.

**PUBLIC HEARINGS**

Planning Commission Public Hearing April 24, 2023

**SUMMARY OF FACTS**

Applicant: Vanguard Organics, LLC  
Land Owner: C&B, LLC (Sole Member = Larkin Moyer)  
Proposed Use: Agricultural Resource Reclamation Facility

**SPECIAL EXCEPTION PERMIT APPLICATION NUMBER: SEP23-06**

Location: On the Northside of Patrick Henry Highway (Route 360) and North of Genito Road (Route 616) off of Giles Road (Route 637) at 16120 Giles Road, identified as TM 3-4 on the Amelia County Real Property Identification map.

Acreage: 7.55 acres

Existing Zoning: RP-5 Rural Preservation

Proposed Zoning: RP-5 Rural Preservation

Comprehensive Plan: This property is located in the Rural Preservation Area

Surrounding Zoning: RP-5 Rural Preservation (Borders Appomattox River and Powhatan County Line on Northside)

Utilities: n/a

Wetlands Impact: n/a

Zoning History: RP-5 Rural Preservation

**RECOMMENDATION:**

Review and (PC) provide recommendation to the Board of Supervisors

CACONLY PAID

MAR 31 2023

Treasurer- Amelia Co.



### Application for Special Exception Permit

Date: 03/31/2023 File Number: 23-06

Application Fee Paid: \$ 300.00

Applicant: Vanguard Organics, LLC Phone: (781) 232-7592

Applicant Address: 133 Boston Post Road, Building 15, 2nd Floor, Weston, MA 02493

Email: ncunha@vanguardrenewables.com

Owner: C & B, LLC Phone: (804) 543-1819

Property Address: 16120 Giles Road, Amelia Court House, VA

Email: \_\_\_\_\_

#### Property Information:

Tax Map Number: Tax Map 3, Lot 4, part Acreage: 6.85 acres (lease area)

Subdivision: YES  NO  Zoning District: RP-5 Deed restrictions: YES  NO

Access to Property (easement, public road, private road): private road within an easement

The applicant requests a permit to locate the following use on the above-referenced property, as permitted by Section <sup>325-2.1</sup><sub>325-6.3</sub> <sup>325-7.3</sup> of the Amelia County Zoning Ordinance.

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

#### FOR OFFICE USE ONLY:

Public Notice Dates: \_\_\_\_\_

Board of Supervisors Mtg Date: \_\_\_\_\_

Planning Commission Hearing Date: \_\_\_\_\_

Board of Supervisors Decision: \_\_\_\_\_

Planning Commission Recommendation: \_\_\_\_\_

Permit Signed by Applicant/Owner: \_\_\_\_\_

**IMPROVEMENTS PROPOSED**

Describe briefly the improvements proposed on the property. State whether new buildings are to be constructed, existing buildings are to be used and/or renovated or additions are to be made to existing buildings. Please include a plat, conceptual layout, and/or sketch plan demonstrating the proposed improvements.

\_\_\_\_\_  
Please see attached statement.  
\_\_\_\_\_  
\_\_\_\_\_

**PROTECTION TO ADJOINING PROPERTY**

Describe the effects of the proposed use on adjacent properties and the surrounding neighborhood. What protection will be offered to adjoining property owners?

\_\_\_\_\_  
Please see attached statement.  
\_\_\_\_\_  
\_\_\_\_\_

**ENHANCEMENT OF COUNTY**

How will this requested change be advantageous to the County?

\_\_\_\_\_  
Please see attached statement.  
\_\_\_\_\_  
\_\_\_\_\_

**PLAN**

Furnish a plan showing boundaries and dimensions of the property, width of abutting rights-of-way, location and size of buildings on the site, roadways, walks, off street parking and loading spaces, landscaping, etc. A conceptual layout of the proposed changes is also required.

January 26, 2023

RE: Agent Authorization for filing of a Special Exception Application on Property  
Referenced as Tax Map 3, Lot 4

To Whom It May Concern:

The undersigned, as Applicant in the above referenced application, hereby authorizes McGuireWoods LLP to act as agent with regard to the processing of the application.

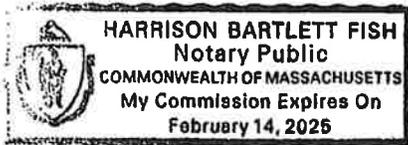
Very truly yours,

Vanguard Organics, LLC

By: [Signature]  
Name: Raylene Spilner  
Title: VP Development

COMMONWEALTH OF Massachusetts  
CITY/COUNTY OF Suffolk, to-wit:

The foregoing instrument was acknowledged before me this 26 day of January,  
2023 by Harrison Fish as notary public of and on behalf of  
Vanguard Organics, LLC.



Harrison Fish  
Notary Public  
Notary Registration No:  
N/A - Massachusetts

My Commission Expires: 02/14/2025

**OWNERSHIP DISCLOSURE**

Please list below the names and addresses of all owners or parties in interest of the land subject to this request:

NOTE: If this request is in the name of a corporation, artificial person, joint venture, trust, or other form of ownership, all officers, directors, and any stockholders owning ten percent or more of such stock must be listed.

NAME:	ADDRESS:
C&B, LLC	16120 Giles Road, Amelia Court House, VA 23002
Larkin D. Moyer, sole member	16120 Giles Road, Amelia Courthouse, VA 23002
Vanguard Renewables Holdings LLC, Sole Owner	133 Boston Post Road Building 15, Fl 2 Weston, MA 02493
Vanguard Organics, LLC, Applicant	133 Boston Post Road Building 15, Fl 2 Weston, MA 02493

I, Raycho Spilkov, do hereby swear and affirm that to the best of my knowledge and belief, the above information is true and that I am the applicant for this request for parcel number(s) 4 (lot) of tax map number(s) 3 requesting a Special Exception Permit. If the information above changes at any time while this request is being considered, I will provide the County with an updated list.

Signature: x 

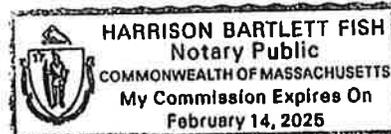
STATE OF VIRGINIA  
COUNTY OF AMELIA to wit

This day Raycho Spilkov personally appeared before me, Harrison Fish, a Notary Public in and for the County and State aforesaid, and swore or affirmed that the matters stated in the foregoing Ownership Disclosure are true to the best of his/her knowledge and belief.

Given under my hand this 13 day of February, 2023.

Harrison Fish  
Notary Public

My Commission Expires: 02/14/2023



**STATEMENT FOR VALIDITY OF INFORMATION**

Every applicant shall sign the following document to substantiate the validity of submitted information.

**STATE OF VIRGINIA**  
**COUNTY OF AMELIA**            to wit

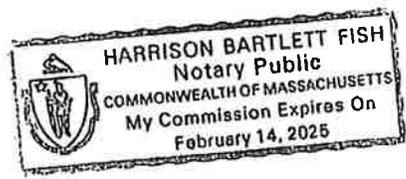
I, Raycho Spilkov, being duly sworn, depose and say that I am the lessee/owner of the property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or I will present written certification contract To purchase the property or I will present written certification from the owner granting me the right to submit this application. I, declare that I have familiarized myself with the rules and regulations pertaining to preparing and filling this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.

Signed: X   
Print Name: Raycho Spilkov

Subscribed and sworn before me this 13 day of February, 2023.

Harrison Fish  
Notary Public

02/14/2025  
My Commission Expires



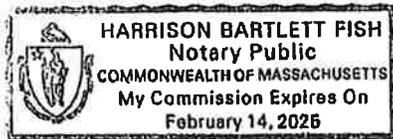
STATE OF VIRGINIA  
COUNTY OF AMELIA

to wit

I, Raycho Spilkois, being duly sworn, depose and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or right to submit this application. I further declare that I have familiarized myself with respect to preparing and filing the application and that the foregoing statements and answers herein contained and the information on the attached sheets thoroughly and to the best of my ability present the argument on behalf of the applicant herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my knowledge and belief.

Signed: x 

Subscribed to and sworn before me on this 13 day of February 2023.



Harrison Fish  
Notary Public

02/14/2025  
My Commission Expires

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PERSONS:

- 1. That I/We Larkin D. Moyer, (C&B, LLC) Phone: 804-543-1819  
 (Name) 16120 Giles Road, Amelia Court  
 (Address) House, VA 23002  
 (Name) \_\_\_\_\_ Phone: \_\_\_\_\_  
 (Address) \_\_\_\_\_  
 (Name) \_\_\_\_\_ Phone: \_\_\_\_\_  
 (Address) \_\_\_\_\_  
 (Name) \_\_\_\_\_ Phone: \_\_\_\_\_  
 (Address) \_\_\_\_\_

Being all of the owner(s) of the property described as County Tax Map Numbers:  
Tax Map 3, Lot 4

And authorized to take such action, do hereby make, constitute, and appoint:

- 2. (Name) Vanguard Organics, LLC Phone: (781) 232-7697  
 (Address) 133 Boston Post Road Building 15, Ft 2 Weston, MA 02493

to act as my/our true and lawful attorney-in-fact for and in my/own name, place and stead with full power and authority I/we would have if acting personally to seek rezoning, conditional use, or variance, and to set forth and offer such legally acceptable voluntarily proffered conditions including any additions, amendments, modifications or deletions thereto that in his or her discretion are deemed reasonable, appropriate and necessary except as follows:

- 3. \_\_\_\_\_  
 \_\_\_\_\_

- 4. In witness whereof, I/we have hereto set my/our hand and seal this 26th day of January, 2023.

Larkin D. Moyer  
Signature

\_\_\_\_\_  
Signature

Witnessed by: Blair B. Mene Witnessed by: \_\_\_\_\_



**APPLICANT'S PERMISSION FOR INSPECTION OF PROPERTY**

I, Rayche Spilkov, hereby grant access to the Planning Director, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application for

(Circle One) Special Exception Permit      Rezoning      Variance

  
Applicant's Signature

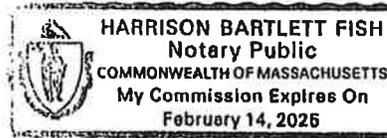
2/13/23  
Date

Subscribed and sworn to before me this 13 day of February, 2023.

Harrison Fish  
Notary Public

02/14/2025  
Commission Expiration Date

N/A - Massachusetts  
Notary Registration Number



**PERSUANT TO SECTION 15.2-2204 OF THE CODE OF VIRGINIA, 1950, AS AMENDED, I HEREBY CERTIFY THAT A LETTER WAS MAILED TO EACH INDIVIDUAL LISTED ON THE REZONING APPLICATION, WHERE ADDRESSES WERE KNOWN, NOTIFYING THEM OF THE PUBLIC HEARING TO BE HELD ON MONDAY, APRIL 24, 2023, AT 7:30 P.M. IN THE COUNTY ADMINISTRATION CONFERENCE ROOM RELATING TO THE SPECIAL EXCEPTION REQUEST FROM VANGUARD ORGANICS, LLC FOR PROPERTY LOCATED AT 16120 GILES ROAD, AMELIA COURT HOUSE, VA.**

BY: *Daniel B. Deal*  

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**Brady Deal, Director of Community Development**

**Vanguard Organics, LLC**  
**Special Exception Permit Application**  
**Oakmulgee Farm**  
**Statement of Request**

Introduction

Vanguard Organics, LLC, the Applicant, is requesting approval of a special exception permit pursuant to Article IV, Chapter 325, Part III, Land Use Ordinances of the Amelia County Code. Specifically, the request is to allow an Agricultural Resource Reclamation Facility (the "Proposed Use") on a portion of property located at 16120 Giles Road, Tax Map 3, Lot 4.

Vanguard Organics LLC, a wholly owned subsidiary of Vanguard Renewables, is the U.S. leader in dairy waste and food waste-to-renewable energy. Their mission is to support the sustainability of the American dairy farmer and to create a positive impact on climate change through the efficient conversion of organic waste to energy and to usable agricultural by-products. They are an experienced developer, builder, owner and operator of anaerobic digesters on dairy farms across the United States.

Anaerobic digestion is a common technology utilized across the Nation by large dairies to manage large amounts of manure and convert the same into energy and usable agricultural by-products such as liquid fertilizer. The process is not cost-efficient or sustainable, though, for small to medium-sized dairies with smaller herds. Most do not have the labor resources to operate a digester independently, the capital to build a project, nor enough manure to create sufficient volumes of biogas required to make the effort economically feasible. The type of facility proposed by the Applicant will fill that gap and allow the smaller farms to take advantage of the sustainability and operational benefits of this technology.

Background

The subject property is zoned RP-5. The farm itself contains approximately 309 acres and the reclamation facility is proposed to be located on approximately 7.55 acres in the northern portion of the farm, approximately 337 feet from the County line. The surrounding properties to the east, west and south are zoned RP-5. The property to the north, in Powhattan County, is zoned Agricultural-10.

On March 15, 2023, the Board of Supervisors approved a Zoning Text Amendment which added an "Agricultural Resource Reclamation Facility" as a special exception use in the RP-5 and A-1 zoning districts, in addition to adding a definition of the use to the Zoning Ordinance.

Description of Use

In general, the reclamation facility will intake food and other organic waste and combine that with all the manure from the farm in anaerobic digester tanks. The end products produced by the digesters which are, biogas, organic liquid fertilizer and solids, are then treated and stored

within the facility for use on the farm and elsewhere. Specifically, the following enclosed buildings, tanks and other structures are typically part of the facility:

- Anaerobic digester tanks
- Three enclosed hydrolysis tanks to begin the breakdown of slurried food waste and manure through hydrolysis temporarily as the material is dosed into the digester
- Building for the intake, sorting, and processing of packaged food-grade waste
- Technical container which will contain the electrical controls
- Laboratory/office building for testing at various stages
- Back-up generator within insulated housing
- Biogas upgrader which will receive biogas from the digesters and remove elements such as carbon dioxide, hydrogen sulfide, and water vapor to be periodically disposed of off-site, to generate pipeline quality gas
- Flare to burn off excess biogas during system testing, commissioning or emergency rejection of gas into the receiving upgrading system
- Separation building where the product (digestate) from the anaerobic digester tanks is separated into solid and liquid form, of which the solids are diverted to a bunker for the farmer to receive and transport to the barn for daily use as cow bedding material
- Digestate storage lagoon for the storage of digestate liquid fertilizer prior to field application
- Truck filling station where the cleaned biogas is loaded into gas trailers to be trucked to nearby gas transmission pipelines for injection into the grid

### Concept Plan

A proposed layout of the waste reclamation facility was submitted with this special exception permit application. It shows the various buildings and tanks described above. Access will be via a 30 foot wide private drive off of Route 637, Giles Road. The facility will be a minimum of 796 feet from Giles Road and a minimum of 337 feet from the nearest property line, well in excess of the minimum setback requirements of the RP-5 District. The proposed maximum building height, which will be the digester tanks, will be 45 feet. The facility will be surrounded by a 48-inch high fence and entry and exit will be controlled by a reception office. It is estimated that between 18 and 25 trucks will enter and exit the facility each day. The facility will be manned on a daily basis by up to 10 employees.

### Benefits of the Use

The benefits afforded the small to mid-sized dairy farm and the environment in general are numerous:

1. The facility provides an efficient method of managing manure compared to conventional storage and application; aligns with local and regional environmental goals.
2. Food waste and dairy processing waste will be diverted from landfills.
3. The use results in a reduction of on-farm and landfill methane emissions.

4. Improvement in neighbor relations will result as the organic liquid fertilizer by-product (digestate) greatly reduces odors compared to the spread of solid manure.
5. The farmer can drastically reduce or eliminate the use, and thus the cost, of commercial fertilizer.
6. Local water resources will be protected by reducing both nutrient run-off and pathogen risk.
7. The solid by-product can be used as bedding material, reducing the cost of off-farm bedding material/sand excavation or soil amendments.
8. The facility provides diversity in revenue stream for the farm, reducing farm financial exposure to commodity market fluctuations and providing reliable steady income.
9. Based on preliminary research and anecdotal use, there could potentially be higher crop yield and nutrient availability.

#### Standards for Special Exception Permit Approval

Section 325-4.2 of the Zoning Ordinance indicates that a special exception permit may be approved under the following conditions:

- The use must be permitted as a special exception use in the district in which it is proposed. *As noted above, the use was added to the Zoning Ordinance as a special exception use in the RP-5 District by action of the Board of Supervisors.*
- The location is appropriate and not in conflict with the Comprehensive Plan and the statement of intent for the zoning district. *A common thread throughout the County's Comprehensive Plan is the concern about loss of farmland to new subdivision development. Within the rural preservation area, the Plan encourages the establishment of "disincentives to reduce the turnover of existing active agricultural properties for development into conventional large-lot subdivision". (page 43, The Future Land Use Plan). The plan also outlines startling statistics about the loss of farmland indicating that in a 10-year period, 3,000 acres of farmland had been lost and 50 farms had ceased operation. The Plan states that "continuation of rural development trends runs counter to the County's goals for its future". The Plan has as one of its "Three Principles for the Future of Amelia County" the protection of rural areas from uncontrolled residential growth. (previous three quotes from page 27, The Future Land Use Plan). The entire section of the Plan entitled Agriculture (page 83) echoes these same sentiments.*

*These statements get to the crux of this application in that one of the principle purposes of the facility proposed in this special exception application is to help ensure the viability of the farm as noted above in Benefits 5, 7, 8, and 9. This not only benefits the farm, but aligns completely with the stated goals of the Comprehensive Plan.*

- The public health, safety and general welfare will not be adversely affected. *The public health, safety, and general welfare will not be adversely impacted. As a matter of fact, as noted above, there are significant local and regional benefits to implementing this type of system for manure management which range from reducing odors to reducing methane*

*production to better protection of local water resources. As noted above, there will be a slight increase in truck traffic on Rt. 637 which can be accommodated by the existing road network.*

- *The necessary safeguards are provided for the protection of surrounding properties, persons and neighborhood values. As noted, there will be no impact to surrounding properties. The support this type of facility can provide to the farm to help ensure the farm's viability is a benefit to the surrounding properties.*

### Conclusion

This type of agricultural-related facility has been developed in other parts of the country and has received awards such as "Agricultural Project of the Year" from the American Biogas Council and the "Outstanding Dairy Processing and Manufacturing Sustainability" award from the Innovation Center for U.S. Dairy. The Applicant looks forward to furthering the future land use goals of the County by bringing this technology to the Oakmulgee Farm and respectfully requests approval of this special exception permit.



