



**Smyth County
Board of Zoning Appeals**
121 Bagley Circle, Suite 120
Marion, Virginia 24354

**Direct Phone: (276) 706-8316
Fax: (276) 783-9314**

*Atkins District
Chilhowie District
North Fork District
Park District
Royal Oak District
Rye Valley District
Saltville District
Zoning Administrator
Administrative Assistant*

*Bill Moss
Kim Davidson.
Jerl D. Armstrong
Robert Shults
Newell Johnson
Daniel Sturgill
John DeBusk III
Clegg Williams
Becca Creasy*

**SMYTH COUNTY BOARD OF ZONING APPEALS
AGENDA
June 6, 2023, at 5:30 p.m.
Board Room**

1. Adoption of Agenda
2. Approve minutes of January 3, 2023
3. Appeal by Veda Odle – Zoning Administrator's (ZA) refusal to revoke Robert de Camara's Special Use Permit for an *airport* based on the ZA's determination that there is no significant site plan change.
4. Other business, if any
5. Adjournment



Ph. (276) 783-3298 | Fax (276) 783-9314 | www.smythcounty.org

Smyth County Board of Zoning Appeals Tuesday, January 3, 2023

The Smyth County Board of Zoning Appeals met Tuesday, January 3, 2023, at 5:30 p.m. in the Smyth County Office Building.

BZA Members Present: Chairman John DeBusk III, Saltville District; Bill Moss, Atkins District; Robert Shults, Park District; Newell Johnson, Royal Oak District; Daniel Sturgill, Rye Valley District.

BZA Alternate Members: Three vacancies (non-district specific)

BZA Members Absent: Kim Davidson, Chilhowie District and Jerl Armstrong, North Fork District

Staff Members Present: Clegg Williams and Becca Creasy

At approximately 5:30 p.m. Chairman John DeBusk III called the meeting to order.

Agenda: Mr. DeBusk asked for a motion to approve the agenda. Mr. Shults made a motion to approve the agenda and it was seconded by Mr. Moss. The following vote was recorded:

5 yeas:	DeBusk, Sturgill, Shults, Moss, Johnson
0 nays	
2 absent	Davidson, Armstrong

Appointment of Temporary Chair: Chairman DeBusk called the meeting to order and appointed Clegg Williams as temporary Chair.

Election of Officers:

Chairman: Mr. Williams opened the floor for nominations of Chairman for calendar year 2023. Mr. DeBusk nominated Mr. Bob Shults for Chairman; it was seconded by Mr. Johnson. With no other nominations, the nominations for Chairman were closed. The following vote was recorded:

4 yeas:	DeBusk, Sturgill, Moss, Johnson
0 nays	
1 abstain	Shults
2 absent	Davidson, Armstrong

Mr. Williams then turned the meeting over to Mr. Shults.

Vice Chairman and Secretary: Chairman Bob Shults opened the floor for nominations for Vice Chairman. Mr. Newell Johnson made a motion to keep all officers in the same position for 2023. His motion was seconded by Mr. DeBusk and unanimously carried thereby Mr. Dan Sturgill as Vice Chairman and Mr. Kim Davidson as Secretary for calendar year 2023.

Clerk: Chairman Bob Shults opened the floor for nominations for Clerk for calendar year 2023. Mr. Sturgill nominated Becca Creasy for Clerk; it was seconded by Mr. Moss. The following vote was recorded:

5 yeas:	DeBusk, Sturgill, Shults, Moss, Johnson
0 nays	

2 absent Davidson, Armstrong

Approval of minutes: Mr. DeBusk made the motion to approve the minutes of January 4, 2022 which was seconded by Mr. Sturgill. The following vote was recorded:

5 yeas: DeBusk, Sturgill, Shults, Moss, Johnson
0 nays
2 absent Davidson, Armstrong

Set Calendar for 2024: Meetings for calendar year 2024 were scheduled for the first Tuesday of each month at 5:30 p.m. when an application is filed; otherwise, the next meeting will be held January 2, 2024. Mr. Moss made the motion to approve calendar for 2024 and seconded by Mr. DeBusk. The following vote was recorded:

5 yeas: DeBusk, Johnson, Sturgill, Shults, Moss
0 nays
2 absent Davidson, Armstrong

Review and Adopt 2023 Operating Procedures: Mr. Johnson made a motion to approve the Operating Procedures as presented, seconded by Mr. Moss. The following vote was recorded:

5 yeas: DeBusk, Johnson, Sturgill, Shults, Moss
0 nays
2 absent Davidson, Armstrong

Other Business: Mr. DeBusk expressed his interest in being reappointed at the end of his term on January 31, 2023.

With no other business or discussions, at approximately 5:45 p.m. Chairman Bob Shults adjourned the meeting.

Secretary

APPLICATION FOR AN APPEAL TO A DECISION OF THE ZONING ADMINISTRATOR

Applicant: Veda Odle
Site: 592 South Fork Road, Marion, Virginia
Tax Map No.: Tax Map No. 67-A-45

Background Information

- On November 12, 2021, Robert de Camara applied for a special use permit to establish a 60' x 2400' grass airstrip on his property located at 592 South Fork Road in Marion.
- On December 30, 2021, The Planning Commission (PC) and Board of Supervisors (BOS) held a joint public hearing. Immediately after the joint public hearing, the PC recommended the BOS approve the special use permit with the condition that it be a Visual Flight Rules (VRR) grass strip only.
- On January 27, 2022, the BOS approved the special use permit with the condition that it follows any required FAA standards.
- On February 24, 2022, Ms. Odle, an adjoining property owner, filed a Petition for Appeal to the Smyth County Circuit Court appealing the BOS's decision.
- On January 18, 2023, the Circuit Court heard Smyth County's argument for their *Demurrer and Motion Craving Oyer* filing. At said hearing, the Court granted the Demurrer filed by the County and dismissed to Petition for Appeal by Order dated March 22, 2023.
- On March 29, 2023, Ms. Odle requested the special use permit be reviewed and nullified as described in 6-2.2(d) of the County Zoning Ordinance because Mr. de Camara's airstrip was not constructed precisely as his site plan wherein Mr. de Camara proposed a 60' x 2400' airstrip.
- On April 4, 2023, Clegg Williams, Zoning Administrator, notified Ms. Odle of her right to appeal his decision to the BZA to not revoke Mr. de Camara's special use permit based on the information listed on the FAA Airport Data and Information Portal stating Mr. de Camara's airstrip as 40' x 1400' which is less than Mr. de Camara's site plan.
- On May 2, 2023, Clegg Williams received Ms. Odle's request to appeal his decision to the BZA.

Relevant Zoning Ordinance Sections

§3-2.2(fff) – Airport by Special Use Permit

Article X – Definitions

Article VI – Special Use Permits

Article VII – Board of Zoning Appeals

Note from Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION

Thursday, December 30, 2021

The Smyth County Planning Commission met in their regular meeting on Thursday December 30, 2021, at 6:30 P.M. in the Smyth County Office Building.

Planning Commissioners (PC) Present: Joel Pugh, Chairman, Park District; Graham Davidson, Jr., Vice- Chairman Chilhowie District; Hazel Wagoner, Atkins District; Paul Shepherd, Rye Valley District; David Spence, Saltville District; Robert Campbell, North Fork District

Planning Commissioners (PC) Absent: Tony Dean, Royal Oak District

Staff Present: Clegg Williams and Sarah Parris

At 6:30 p.m. Mr. Pugh called the meeting to order.

Adoption of Agenda: 6:31 PM Mr. Pugh opened the floor for a motion to approve the agenda as presented. Mr. Spence made a motion which was seconded by Mr. Davidson. The following vote was recorded.

Vote: 6 yeas Pugh, Davidson, Jr., Wagoner, Shepherd, Spence, Campbell
0 nays
1 absent Dean

Minutes: 6:32 PM Mr. Pugh opened the floor for a motion to approve the minutes as presented. Mr. Davidson made a motion to approve the minutes for the November 18, 2021, meeting. Ms. Wagoner seconded the motion. The following vote was recorded.

Vote: 6 yeas Pugh, Davidson, Jr., Wagoner, Shepherd, Spence, Campbell
0 nays
1 absent Dean

Comprehensive Plan (RFP) - Update: 6:33 PM Mr. Williams reported a firm has been selected. Hill Studio has presented a contract and budget for approval. He recommended the committee remain the same throughout the process.

Citizens' Time: 6:35 PM No citizens spoke

Other Business/Questions/Comments for the Commissioners: 6:36 PM Mr. Williams said he did not anticipate any applications for January and considering the terms of three members will expire January 31, 2022, Mr. Williams recommended the organizational meeting be postponed until February 25, 2022. After discussion, it was decided to move the organizational meeting to February.

Recess: At approximately 6:40 p.m. Mr. Pugh asked for a motion to recess. Mr. Spence made the motion to recess the Planning Commission's meeting until their 7:00 p.m. public hearing and was seconded by Mr. Davidson. All were in favor.

JOINT PUBLIC HEARING WITH BOARD OF SUPERVISORS


Board of Supervisors (BOS) Members Present: Charlie Atkins, Chairman, Atkins District; Lori Deel, Vice- Chairman Rye Valley District; Michael Sturgill, Chilhowie District; Roscoe Call, Saltville District; Kris Ratliff, Park District


Board of Supervisors (BOS) Members Absent: Phil Stevenson, North Fork District; Judy Wyant, Royal Oak District

Planning Commissioners (PC) Present: Joel Pugh, Chairman, Park District; Graham Davidson, Jr., Vice- Chairman Chilhowie District; Hazel Wagoner, Atkins District; Paul Shepherd, Rye Valley District; David Spence, Saltville District; Robert Campbell, North Fork District

Planning Commissioners (PC) Absent: Tony Dean, Royal Oak District

Staff Present: Shawn Utt, County Administrator; Clegg Williams, Zoning Administrator; Sarah Parris and Paula Harvey, Administrative Assistants. Approximately ten citizens were present.

 12/30/2021 7:00 PM Charlie Atkins, Chairman of the Board called the Board of Supervisors meeting to order and Joel Pugh, Chairman of the Planning Commission called the Planning Commission to order for a joint public hearing.

 12/30/2021 7:01 PM Mr. Williams read the advertisement as placed in the Smyth County News and Messenger.

**BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND
SMYTH COUNTY PLANNING COMMISSION**

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, December 30, 2021, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application to the Zoning Ordinance of Smyth County, Virginia:

An application from Robert de Camara for a Special Use Permit to establish an airport. The property was addressed as 592 South Fork Road, Marion Virginia, identified as Tax Map Number 67-A-45 and zoned Agricultural/Rural.


At this public hearing, subject to the rules of procedure of the Board of Supervisors and Planning Commission of Smyth County, Virginia, any person may appear and state his/her views thereon.

Copies of the application along with their maps/drawings are on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning Administrator at the address given above and may be viewed during regular business hours Monday through Friday.


In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact Clegg Williams, ADA Coordinator, at (276) 706-8315 at least 48 hours prior to the hearing.


Done by order of the Board of Supervisors and the Planning Commission.


Shawn Utt, County Administrator
Joel Pugh, Chairman of the Planning Commission

 12/30/2021 7:02 PM Mr. Atkins, BOS Atkins District Representative asked for a motion to waive the reading of the rules of the public hearing. Mr. Call, BOS Saltville District Representative made the motion and was seconded by Mr. Ratliff, BOS Park District Representative. The following vote was recorded.


Vote: 5 yeas Atkins, Deel, Sturgill, Call, Ratliff
0 nays
2 absent Wyant, Stevenson


 12/30/2021 7:02 PM Mr. Williams presented an application for Robert de Camara. Mr. de Camara is requesting to establish a grass airstrip on a tract of land formerly addressed as 592 South Fork Road. The property is zoned agricultural/rural and is further identified as tax map number 67-A-45. In accordance with State Code 15.2-2204, notice of the hearing was advertised in the Smyth County News on December 18 and 25, 2021. In addition, notification was sent to each of the adjoining property owners by first class mail. Mr. Williams highlighted Section 3-2.2 (fff) which allows *airports* in the Agricultural/Rural district by issuance of a special use permit and Article 6 which contains the provisions for Special Use Permits. He also noted the 2013 Comprehensive Plan identifies this property as Rural Residential on the Future Land Use Map.

 12/30/2021 7:03 PM Robert de Camara of 1640 Redstone Road, Chilhowie presented his application. Mr. de Camara proposed a private grass airstrip that will not be a commercial airport. He stated with the airstrip being private, anyone wanting to land would have to get approval from him as the owner. Mr. de Camara presented a Federal Aviation Administration (FAA) report and letters of support for his airstrip from the following: 1) Rebecca Harris who lives near another grass airstrip in the county, she stated the planes were not a nuisance to surrounding homes or livestock. 2) John Goodwin who leases the adjoining farm to the proposed airstrip, wrote a letter indicating the airstrip would have no effect on his livestock. As a Visual Flight Rules (VFR) airstrip, Mr. de Camara stated that he is limited to daylight and fair-weather flights.

 12/30/2021 7:06 PM Veda Odle of 506 South Fork Road, Marion. Ms. Odle stated the following concerns: 1) A flight pattern that crosses over her home. 2) Disruption to her when a plane is taking off and landing, especially if she is outside. 3) No provisions have been put in place to provide privacy to her property. 4) Fears of decreasing her property value. 5) She feels it would not be an enhancement to the Adwolfe area. 6) The height of future structures allowed on her property may be affected. 7) She would not be able to operate a drone to check on livestock effectively. 8) Planting future trees near to airstrip would be affected. 9) She stated concerns about storage of fuel and equipment on the airstrip. 10) She questioned if EPA standards are being met or reviewed. 11) Noise may be an issue, causing decreased productivity of her livestock, and 12) Decrease peace and enjoyment at her home.

She also stated the airstrip is a hobby for Mr. de Camara and her farm is a livelihood and she had enjoyed her farm for twenty-six years and would like to continue.

 12/30/2021 7:15 PM Curtis Pennington of 148 Hiler Bridge Road, Chilhowie. Mr. Pennington is the Smyth-Wythe Airport Commission Chairman. Mr. Pennington stated the FAA rules states a plane can land anywhere with the owner's permission and Virginia has no regulations. He has been operating Catron Field near Whitetop Road in Chilhowie since 1985 and has never received a complaint of noise or disturbance of the livestock. He also stated no fuel is stored at this airstrip.

 12/30/2021 7:18 PM Brain Burkett of Mountain Empire Airport stated when you are landing a plane, your focus should be on the airplane instrument panel and the runway, in reference to Ms. Odle's concern about privacy. He also noted several aircraft fly in the area and he felt the proposed airstrip would be an advantage to the county.


 12/30/2021 7:18 PM. Sharon Hayden of 1604 Redstone Road, Chilhowie pointed out a revised site plan had been submitted that relocated the airstrip in such a way as to ensure it doesn't cross any


Smyth County Planning Commission Minutes


December 30, 2021


Page 4


structures. As a point of reference, she indicated the flags placed on the property represented the proposed location of the runway.


 12/30/2021 7:20 PM Mr. Ratliff, BOS Park District Representative asked if the plane would land and take off in both directions. Mr. de Camara stated it would be dictated by the prevailing winds, but typically, they would land on the South end of the runway. He added that it typically takes 500 feet to land and take off.


 12/30/2021 7:22 PM Ms. Deel, BOS Rye Valley District Representative asked the length of airstrip. Mr. de Camara stated it is proposed to be 2400 feet.

 12/30/2021 7:23 PM Mr. Atkins, BOS Atkins District Representative asked if someone builds on the adjoining property, are there any height regulations from FAA. Mr. Pennington stated the FAA does not regulate private airstrips and height requirements were not regulated.


 12/30/2021 7:28 PM Ms. Deel, BOS Rye Valley District Representative asked if FAA states private airstrips are allowed, then why is there a reason for a public hearing. Mr. Williams stated there are different federal, state, and local regulations. He stated the Smyth County Zoning Ordinance is a local ordinance. Having adopted the zoning ordinance, he stated all potential land uses in Smyth County are regulated. As far as the distinction between private and commercial airstrips, we did not distinguish between the two when "airports" were added to the ordinance.

 12/30/2021 7:35 PM Mr. Call, BOS Saltville District Representative stated his family member flies a plane over his home on occasion and the noise from the aircraft is minimal and not an issue.

 12/30/2021 7:38 PM There being no further comments from the public, Mr. Atkins, Chairman of the Board and Mr. Pugh, Chairman of the Planning Commission closed the public hearing. Mr. Atkins, Chairman of the Board adjourned the Board of Supervisors portion of the meeting.

 12/30/2021 7:38 PM Mr. Pugh, PC Park District Representative reconvened the Planning Commission Meeting to deliberate. During the discussion, Ms. Odle was asked to point out her home on the map. There was a question about the position of the runway. Mr. de Camara stated the runway is by compass direction, which is 10-degree northwest of the original position of the runway in the packet. The field will be mowed for hay seasonally, but the runway will be maintained year-round. Mr. Pugh, PC Park District Representative pointed out Mr. de Camara would not be able to fly but on clear days. Mr. Burkett stated the type of plane Mr. de Camara flies is a high-performance plane and would easily clear any surrounding homes and would likely be turning before approaching Ms. Odle's home.

Because Mr. de Camara only intends to utilize the airstrip during the day and only during clear weather, there was discussion on Visual Flight Rules (VFR) airstrips.


 12/30/2021 7:48 PM Mr. Spence, PC Saltville District Representative made the motion to recommend the Board of Supervisors approve Robert de Camara's application for a special use permit to establish an airport with the condition that it be a Visual Flight Rules (VFR) grass strip only. Mr. Davidson, PC Chilhowie District Representative seconded the motion. The following vote was recorded.

Vote: 5 yeas Pugh, Davidson, Jr., Wagoner, Shepherd, Spence
0 nays
1 abstain Campbell
1 absent Dean

Smyth County Planning Commission Minutes

December 30, 2021

Page 5

 12/30/2021 7:50 PM Mr. Pugh, PC Park District Representative asked for a motion to adjourn. Mr. Davidson, PC Chilhowie District Representative made the motion to adjourn the public hearing and was seconded by Ms. Wagoner, PC Atkins District Representative. All were in favor.

 , Secretary



Smyth County Virginia
121 Bagley Circle, Suite 100
Marion, VA 24354
(276) 783-3298 phone
www.smythcounty.org

Atkins District
Chilhowie District
North Fork District
Park District
Royal Oak District
Rye Valley District
Saltville District

Charles E. Atkins
Michael L. Sturgill
Charles P. Stevenson
Kristopher S. Ratliff, DPH
S. Courtney Widener
Lori H. Deel
Roscoe D. Call

County Administrator
Assistant County Administrator

Shawn M. Utt
Alicia Richardson

To: Clegg Williams, Building & Zoning Administrator

From: Shawn Utt, County Administrator

Date: January 28, 2022

Re: Special Use Permit Request – Robert de Camara

At the January 27, 2022 meeting of the Board of Supervisors, the following recommendation was presented:

Planning Commission Recommendation

Recommendation on the Proposal for Robert de Camara for a Special Use Permit for an Airport

David Spence, Planning Commissioner Saltville District Representative made the motion to recommend the Board of Supervisors approve Robert de Camara's application for a special use permit to establish an airport with the condition that it will be a Visual Flight Rules (VFR) grass strip only. Graham Davidson, Jr., Planning Commissioner seconded the motion. The following vote was recorded.

Vote: 5 yeas	Pugh, Davidson, Jr., Wagoner, Shepherd, Spence
0 nays	
1 abstain	Campbell
1 absent	Dean

After discussion, the following motion was rendered:

- *North Fork District Supervisor Phil Stevenson made a motion to approve the Special Use Permit for Robert de Camara located at 592 South Fork Road, Marion, VA with the conditions that it follows any required FAA standards.*

Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.

AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Courtney Widener,
Saltville District Supervisor Roscoe Call, and
North Fork District Supervisor Phil Stevenson

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



Smyth County Building and Zoning Department

121 Bagley Circle, Suite 120, Marion, VA 24354
Phone (276) 783-3298 Ext. 2 Fax (276) 783-9314
buildingandzoning@smythcounty.org

Zoning Ordinance
Floodplain Ordinance
Subdivision Ordinance
Erosion Control Ordinance
Manufactured Home Ordinance
Virginia Uniform Statewide Building Code

January 31, 2022

Robert de Camara
1640 Redstone Road
Chilhowie, Virginia 24319

Dear Mr. de Camara:

On Thursday, January 27, 2022, the Smyth County Board of Supervisors were presented the following recommendation from the Planning Commission for a special use permit to establish an airport on property addressed 592 South Fork Road in Marion.

David Spence, Planning Commissioner Saltville District Representative made the motion to recommend the Board of Supervisors approve Robert de Camara's application for a special use permit to establish an airport with the condition that it will be a Visual Flight Rules (VFR) grass strip only. Graham Davidson, Jr., Planning Commissioner Chilhowie District Representative seconded the motion. The following vote was recorded.

5 yeas	Pugh, Davidson, Jr, Wagoner, Shepherd, Spence
0 nays	None
1 abstain	Campbell
1 absent	Dean

After discussion, the Board of Supervisors made the following vote:

North Fork District Supervisor Phil Stevenson made a motion to approve the Special Use Permit for Robert de Comara located at 592 South Fork Road, Marion, VA with the conditions that it follows only required FAA standards. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion

AYES:	Chair, Atkins District Supervisor Charles Atkins, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, Park District Supervisor Kris Ratliff, Royal Oak District Supervisor Courtney Widener, Saltville District Supervisor Roscoe Call, and North Fork District Supervisor Phil Stevenson
NAYS:	None.
ABSTAINERS:	None.
ABSENT:	None.

For your records, I have enclosed a copy of the Board's memo. If you have any questions, please don't hesitate to contact me.

Sincerely,

Clegg Williams
sp



SMYTH COUNTY, VA

121 BAGLEY CIRCLE SUITE 120
MARION, VA 24354-0000
Phone: (276)783-3298 ext: 227 Fax: (276)783-9314

Zoning Permit

Permit Status: ACTIVE

Permit Number: ZONE-1-22-40345

Issue Date: 1/31/2022

Expires: 1/31/2023

Application Date: 1/31/22

Applicant: ROBERT DE CAMARA

Permit Type: ZONING PERMIT

Address: 1640 RED STONE ROAD

Work Classification: <NONE>

CHILHOWIE, VA 24319-

Parcel #: N/A

Phone: (828)964-3499

Job Address:

592 SOUTH FORK ROAD

Zoning:

A/R

FRONT SETBACK: N/A
LEFT SETBACK: N/A
RIGHT SETBACK: N/A
BACK SETBACK: N/A
FLOODPLAIN: NO
WATER SOURCE: N/A
SEWAGE: N/A
PROPOSED USE: AIRPORT

Comments: SPECIAL USE PERMIT WAS APPROVED FOR ESTABLISHING AN AIRPORT BY THE BOARD OF SUPERVISORS ON 1/27/2022 WITH THE CONDITIONS THAT IT FOLLOW ONLY REQUIRED FAA STANDARDS
PARCEL # 67-A-45

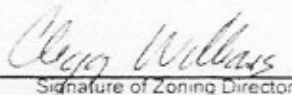
OWNERS AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

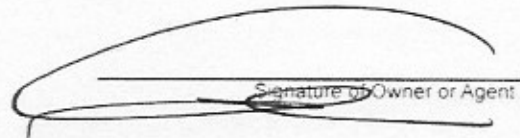
Fees Due	Amount
Total	

Invoice Number	Amt Due	Pay Type	Trans #	Amt Paid
			N/A	
Total:				

NOTE: Completion of the applicant's portion of this application does not guarantee that a zoning permit will be issued. The application will be used to determine if your project complies with the Zoning Ordinance.

If issued, the zoning permit shall expire if use of the site authorized by the permit is not commenced within twelve months after issuance of the permit and completed within another twelve months.


Signature of Zoning Director


Signature of Owner or Agent

New Search

Facility Details

Facility Map

Charts

Login to [ADIP](#) application to make changes to airport data. Instructions can be found [here](#).

Effective: March 23, 2023

Toggle Detail Section

Location and General Information

Site Id:	25872.05*A	Ownership	PRIVATE
Airport Status:	Operational	Type:	
Location:	36° 46' 0.705" N / 81° 34' 38.705" W	Facility Use:	PRIVATE
	ESTIMATED	CBD To	06NM / SSW
City/State:	MARION, VA	Airport:	
County:	SMYTH	ARTCC:	ATLANTA (ZTL)
Elevation:	2290 ft.	Sectional:	CINCINNATI
	ESTIMATED Location:	Region /	AEA / NONE
		ADO:	

Services & Facility Information

Control	On Airport ATCTNONE	Landing Fee:	No
Tower:		International	NO
FSS On	NO	Airport of	
Airport:		Entry for	
FSS:	LEESBURG (DCA)	Customs:	
FSS Toll Free	1-800-WX-BRIEF	Military/Civil	NO
Phone:		Joint Use:	
Attendance:			

Based Aircraft

Single Engine (SE):	1
Multi Engine (ME):	0
Jet (J):	0
Helicopters:	0
TOTAL:	1
Gliders:	0
Military:	0
Ultra-Light:	0

Annual Operations

Air Carrier:	0
Air Taxi:	0
General Aviation Local:	0
General Aviation Itinerant:	0
Military:	0
TOTAL OPERATIONS:	0
Operations for 12 Months Ending:	

Facility Communications / Frequencies

UNICOM	None
CTAF	None
ATIS	None

Radio Aids to Navigation

Type	ID	Frequency	Hours	Distance	Bearing
NDB	JUH	410 MHz	24	23.5 nm	328.4°
VOR/DME	GZG	110.2 MHz	24	24.4 nm	98.1°
• VOR UNUSBL 010-095; 115-120 BYD 20 NM BLW 10000 FT; 351-004 BYD 15 NM BLW 8000 FT.					

(VA59) SOUTH FORK FLD

New Search

Facility Details

Facility Map

Charts

Login to [ADIP](#) application to make changes to airport data. Instructions can be found [here](#).

Type	ID	Frequency	Hours	Distance	Bearing
VORTAC	HMV	114.6 MHz	24	33.2 nm	53.2°

VOR/DME	BLF	115.05 MHz	24	37.2 nm	209.7°
<ul style="list-style-type: none">DME UNUSBL 090-120 BYD 20 NM; 120-220 BYD 20 NM BLW 10000 FT.					
NDB	TR	299 MHz	24	37.9 nm	70.2°
NDB	BAR	320 MHz	24	39.6 nm	21.5°
VORTAC	PSK	116.8 MHz	24	45.8 nm	245.4°
<ul style="list-style-type: none">DME UNUSBL 034-038 BYD 25 NM; 135-175 BYD 25 NM BLW 10000 FT; 200-225 BYD 10 NM; 250-350 BYD 25 NM BLW 10000 FT; 284-286 BYD 10 NM BLW 10000 FT; 287-316 BYD 25 NM BLW 10000 FT; 315-335 BYD 10 NM BLW 10000 FT; 334-033 BYD 25 NM BLW 10000 FT.TACAN AZIMUTH UNUSBL 034-038 BYD 25 NM; 053-100; 135-175 BYD 25 NM BLW 10000 FT; 200-225 BYD 10 NM; 234-283; 284-286 BYD 10 NM BLW 10000 FT; 287-316 BYD 25 NM BLW 10000 FT; 334-033 BYD 25 NM BLW 10000 FT; 315-335 BYD 10 NM BLW 10000 FT.					
NDB	BO	221 MHz	24	49.6 nm	63.2°
<ul style="list-style-type: none">3RD PARTY SURVEYNDB UMMONITORED WHEN ATCT CLOSED.					
VOR/DME	BZM	113.75 MHz	24	56.2 nm	343.3°
<ul style="list-style-type: none">VOR UNUSBL 030-040 DEG BYD 15NM BLO 8500.					
FAN MARKER	MRN	MHz	24	58.2 nm	2.2°
<ul style="list-style-type: none">TACAN AZIMUTH UNUSBL 290-301.					

Weather Data Services

ID	Type	Frequency	Phone	Distance
MKJ*AWOS-3	AWOS-3	123.875 MHz	276-686-6420	13.4 nm
JFZ*AWOS-3	AWOS-3	118.075 MHz	276-596-9927	20.6 nm
GEV*AWOS-3	AWOS-3	120.675 MHz	336-982-5555	21.4 nm
VJI*AWOS-3	AWOS-3	128.125 MHz	276-628-2940	22.7 nm
6A4*AWOS-3	AWOS-3	126.225 MHz	423-727-4365	24.2 nm

Runway - 17/35

Dimensions:	1400 ft. x 40 ft.
Surface	TURF
Type/Condition:	

17

True Heading:	167°
Latitude:	36° 46' 7.45" N
Longitude:	81° 34' 40.66" W
Elevation:	2280 ft.
Obstruction Data	
Far 77 Category:	A(V)
Close In Obstacle:	N

35

True Heading:	347°
Right Hand Pattern:	YES
Latitude:	36° 45' 53.96" N
Longitude:	81° 34' 36.75" W
Elevation:	2290 ft.
Obstruction Data	
Far 77 Category:	A(V)
Close In Obstacle:	N

(VA59) SOUTH FORK FLD

 [New Search](#)

Facility Details

 Facility Map Charts

Login to [ADIP](#) application to make changes to airport data. Instructions can be found [here](#).

Owner Information (PRIVATE)

DORSET M. DE CANADA

828-964-3499

Manager Information

ROBERT M. DE CAMARA
1640 RED STONE ROAD
CHILHOWIE, VA 24319
828-964-3499

Remarks

Element Number	Remark
----------------	--------

Ⓡ = Remark.

Veda Odle
506 South Fork Rd
Marion, VA 24354

March 25, 2023

Clegg Williams, Administrator
121 Bagley Circle Suite 121
Marion, VA 2435



Mr. Williams,

On Dec. 30, 2021, the Planning Commission approved an application for a private use airport for Robert DeCamera and Sharon Hayden.

This permit described the airport to be 2400' in length and 60' wide.

These dimensions are what was described and recorded on the application.

You are aware the actual dimensions as per the conservation easement adjustment was decreased by 1000' or 42% in length and 20' or 33% in width.

The Airport Master Record filed with the US Dept of Transportation, Federal Aviation Administration, listed the actual runway length to be 1400' not the 2400' and 40' in width not the 60' listed on the permit.

The Planning Commission approved the permit to add airports as an operation that could be considered as a SPECIAL USE APPLICATION, at the request, of Mr. DeCamera and then approved his Special Use Application.

The Planning Commission did no research of any kind to insure public health, safety, and welfare would be protected. We now know, as indicated by Mr. DeCamera and one of his expert witnesses, then verified by the video on the joint meeting on Dec. 30, 2021, the length of 2400' would be required for safe operation of the runway. In fact, the "expert witness" and Mr. DeCamera agreed that anything less would be unsafe.

Mr. DeCamera knowingly submitted a permit application that was to be reviewed by the holder of the conservation easement. This was documented in the easement letter. In the haste to get this airstrip approved, no one, considered what that review would entail. That review resulted in the dimensions listed on the application to be substantially different than the actual dimensions of the airstrip.

According to the Smyth County Code of Ordinances, a significant change (as determined by the the Zoning Administrator) of the preliminary site plan approved by the Board of Supervisors shall nullify the Special Use Permit and require re-submittal for Planning Commission review and Board action.

The litigation process regarding this case is now completed. I expect the SUP to be reviewed as described in Smyth County Ordinances, 6-2.2, section D, as soon as possible.

Now that we have all the proper documentation acquired and verified through different reliable sources it is obvious that the permit was submitted with obvious discrepancies. These result in a what could only be describe as significant changes. Changes that are very unsafe.

Please advise me as soon as possible of your decision. I'm of the opinion that 14 days would be adequate for your review. If you need additional time, please let me know.

Thank you for your consideration.

Sincerely,


Veda Odle

cc: Scot Farthing



Smyth County
Building and Zoning Department
121 Bagley Circle, Suite 120
Marion, Virginia 24354

Direct Phone: (276) 706-8317
buildingandzoning@smythcounty.org

Department Administrator
Building Inspector
Building Inspector
Administrative Assistant
Administrative Assistant
GIS Coordinator

Clegg Williams
Danny Wilson
Kenneth Pennington
Becca Creasy
Kelsey Marchant
Manuel Street

April 4, 2023

Veda Odle
506 South Fork Road
Marion, Virginia 24354

Re: De Camara, Robert – Airport SUP

Dear Ms. Odle:

I am in receipt of your letter dated March 29, 2023, requesting Robert de Camara's special use permit, approved for an Airport, be reviewed pursuant to Article 6-2.2(d) of the County Zoning Ordinance.

According to information published in the FAA's Airport Data and Information Portal, the current size of Mr. De Camara's airstrip is listed as 40' x 1,400'. Because he was approved for an airstrip 60' x 2,400' in size and he has not exceeded that amount, I do not feel a significant change has occurred. Consequently, I have no reason to revoke his special use permit.

Pursuant to Article 8-5.4 *Appeal*, you have a right to appeal my decision to the Board of Zoning Appeals by filing a letter with this office within 30 days, along with a check payable to *Smyth County Treasurer* in the amount of \$250. Should you have any questions, please contact the office.

Sincerely,

Clegg Williams

bc

cc: Shawn Utt, County Administrator
Scot Farthing, County Attorney
Lori Deel, Rye Valley District Supervisor



Ph. (276) 783-3298 | Fax (276) 783-9314 | www.smythcounty.org

April 27, 2023

Clegg Williams
Smyth County
Building and Zoning Department
121 Bagley Circle Suite 120
Marion, VA 24354

Re: Special Use Permit Appeal

Mr. Williams,

I'm in receipt of your letter dated April 4, 2023.

Thank you for providing me your opinion and the information I needed to appeal your decision.

I wish to appeal your decision. I don't understand your rationale. Mr. DeCamera didn't have 2400' to be approved. You knew this very early in this process. The easement holder and I notified you. The 1400' he has available is not safe for landing or take off according to Cessna engineers. How you can support this decision after all you have learned about this airstrip is a mystery.

Enclosed is my check for \$250. Please advise me of the date, time, and location of the proceedings.

I look forward to hearing from you.

Sincerely,



Veda Odle





Smyth County
Building and Zoning Department
121 Bagley Circle, Suite 120
Marion, Virginia 24354

Direct Phone: (276) 706-8317
buildingandzoning@smythcounty.org

Department Administrator
Building Inspector
Building Inspector
Administrative Assistant
Administrative Assistant
GIS Coordinator

Clegg Williams
Danny Wilson
Kenneth Pennington
Becca Creasy
Kelsey Marchant
Manuel Street

May 9, 2023

Ms. Veda Odle
506 South Fork Road
Marion, Virginia 24354

Re: Appeal to Board of Zoning Appeals (BZA)

Dear Ms. Odle:

We received your letter appealing my decision to decline your request that I nullify Robert De Camara's special use permit for an *Airport*. Pursuant to Section 7-1.6(j) of the Zoning Ordinance the Planning Commission can submit an advisory opinion to the BZA. As such, I will present this matter at their next scheduled meeting on May 25, 2023, at 6:30 p.m. The BZA will hear your appeal and any comments the Planning Commission may forward at their next meeting on June 6, 2023, at 5:30 p.m. in the Board of Supervisors board room. You will receive a copy of the BZA's meeting package prior to the meeting. In the meantime, if you have any questions, please feel free to contact the office.

Sincerely,



Clegg Williams

bc

cc: Shawn Utt, County Administrator
Scot Farthing, County Attorney



Ph. (276) 783-3298 | Fax (276) 783-9314 | www.smythcounty.org