



**Smyth County
Planning Commission**
121 Bagley Circle, Suite 120
Marion, Virginia 24354

**Clerk's 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
Zoning Administrator, Clerk*

*Hazel L. Wagoner
Graham S. Davidson Jr.
Robert Campbell
Lea Meadows
Anthony "Tony" Ray Dean
Paul D. Shepherd
David L. Spence
Clegg Williams
Becca Creasy*

AGENDA

Thursday, January 25, 2024

6:30 p.m.

1. Call Meeting to Order
2. Adoption of Agenda
3. Reappointment Updates (Meadows and Campbell)
4. Election of Officers:
 - a. *Temporary Chairperson*
 - b. *Chairperson*
 - c. *Vice-Chairperson*
 - d. *Secretary*
 - e. *Clerk*
5. Review meeting dates for 2024 (staff recommends November 21 and December 19)
6. Adopt Minutes of November 16, 2023, meeting
7. Adopt Operating Procedures
8. Adopt Annual Report for 2023
9. Ordinance Committee Appointments
10. Citizens Time
11. Other Business; if any
12. Questions/Comments from Commissioners
13. Recess

JOINT PUBLIC HEARING WITH BOARD OF SUPERVISORS

7:00 p.m.

14. Chairman of the Board and Chairman of the Planning Commission call the joint public hearing to order.
15. Map Amendment request from Charles W. Bridgers to rezone 6.2 acres from R to A/R.
16. Special Use Permit request from DeBusk Farms LLC for a *Recreational Vehicle Park*.
17. Special Use Permit request from James Craig Harper for a *Service Business*.
18. Adjourn public hearing.
19. Reconvene Planning Commission meeting to deliberate applications.
20. Adjournment.



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

SMYTH COUNTY PLANNING COMMISSION
Thursday, November 16, 2023

The Smyth County Planning Commission met in their regular meeting on Thursday, November 16, 2023, at 5:30 P.M. in the Smyth County Office Building.

Commissioners Present: Hazel Wagoner, Chairperson, Atkins District; Graham Davidson Jr., Vice-Chairman, Chilhowie District; Lea Meadows, Park District; Tony Dean, Royal Oak District; Paul Shepherd, Rye Valley District; Robert Campbell, North Fork District, and David Spence, Saltville District

Commissioners Absent: None

Staff Present: Becca Creasy

At approximately 5:30 p.m. Mrs. Wagoner called the meeting to order.

Adoption of Agenda: Mrs. Wagoner opened the floor for motions to approve the agenda as presented. Mr. Davidson made a motion to approve the agenda which was seconded by Mr. Spence, and the vote passed unanimously.

Minutes: Mr. Spence made a motion to approve the minutes of the Thursday, September 28, 2023, meeting. Ms. Meadows seconded the motion, and the vote passed unanimously.

Zoning Administrator Updates: Ms. Creasy updated the Commissioners on the special use permits approved by the Board for the solar facility and the battery energy storage facility. She further shared her knowledge of multiple applications for their upcoming January meeting.

Citizens' Time: No citizens present.

Other Business: None.

Commissioner Questions/Comments: Mr. Davidson wished everyone a Happy Thanksgiving and Merry Christmas.

5/25/2023 7:29 PM Mrs. Wagoner adjourned the meeting.

Tony Dean, Secretary

SMYTH COUNTY PLANNING COMMISSION

Operating Procedures

Organizational Actions by Planning Commission at January meeting

1. A chairman, vice-chairman, and secretary shall be elected to serve a one-year term.
2. A clerk will be appointed to take minutes at the meeting.
3. The calendar for January through December shall be set. Note, pursuant to Virginia Code §15.2-2214, the Planning Commission shall meet at least every two months.
4. The time and location of the meeting shall be set.

Public Notice

5. Notification of date, time, and place of Planning Commission meetings and committee meetings shall be sent to the editor of the local media and anyone else requesting such notification by the Community Development Director or the Planning Commission Clerk.
6. The Zoning Administrator shall send notification of public hearings for special use permits and rezoning requests to the local media.
7. The Subdivision Agent shall make public notice as required by Virginia Code §15.2-2204.

Agenda

8. The agenda shall be prepared by the Planning Commission Clerk and all enclosures shall be mailed to the Planning Commission at least ten days before a Planning Commission meeting. - The agenda shall provide space for each committee report.
9. According to Article 4 of the Subdivision Ordinance, all final plats shall be submitted to the subdivision agent and submitted to the Planning Commission at their next scheduled meeting. -All such information shall be placed on the agenda and mailed to the Planning Commission at least seven days before the Planning Commission meeting. -Changes shall not be made to the plat after it is placed on the agenda.
10. According to the Manufactured Home Ordinance Section 50-10(6), a park plat shall be submitted to the manufactured home ordinance agent at least ten days before a Planning Commission meeting. -All such information shall be placed on the agenda and mailed to the Planning Commission at least seven days before the Planning Commission meeting. -Changes shall not be made to the plat after it is placed on the agenda.
11. Requests for variances to ordinances under ~~the~~ review of the Planning Commission shall be submitted to the agent at least ten days before a Planning Commission meeting. Variance requests shall be placed on the agenda and mailed to the Planning Commission at least seven days before the Planning Commission meeting.
12. The Planning Commission will provide a "citizens' time" on each monthly agenda for anyone to speak to the Planning Commission on any matter. - However, no action will be taken on any matters, which come under ~~the~~ review of the subdivision agent, or the manufactured home agent, and will be referred to the agent for review and report at the next Planning Commission meeting. -The Planning Commission Chairman may refer other matters introduced at Citizens' Time to a Planning Commission committee for study, the Board of Supervisors, the Building and Zoning Department-Inspection Office, or ~~other~~another appropriate agency.
The "Citizens' Time" should be placed on the agenda, and the speaker should be limited to the amount of time set by the Chairman. -The Chairman shall announce at the onset of "Citizens' Time" Operating Procedures
That it is the general policy of the Commission not to make decisions on matters presented at "Citizens' Time".
13. An agenda will be made available to visitors.

Meeting Procedures

14. The Planning Commission shall follow normal parliamentary procedures under the guidelines of *Robert's Rules of Order*.
15. A quorum to conduct a meeting shall consist of four members. ~~After determining that a quorum is present a quorum for voting purposes on any matter shall consist of a majority of those present and eligible to vote. An abstention will not be counted as a vote either way.~~
16. Minutes shall be kept at each meeting and committee meeting by the Planning Commission Clerk and presented at the next Planning Commission meeting for approval. ~~A copy of the minutes shall be given to the Clerk of the Board of Supervisors for distribution to the Board of Supervisors.~~
17. Variance requests to the Subdivision Ordinance and the Manufactured Home Ordinance shall be heard in the following manner:
 - a. The agent shall explain the request for variance.
 - b. The applicant or the applicant's representative may speak for the request.
 - c. Any citizen may speak for or against a variance request.

General

18. Special meetings of the commission may be called by the chairman or by two members upon written request to the ~~Clerk~~^{Secretary}. ~~The secretary or eClerk shall mail to all members, at least five days in advance of a special meeting, a written notice fixing the time and place of the meeting and the purpose thereof.~~
19. The Chairman of the Planning Commission or his designee shall serve as liaison between the Planning Commission and the Board of Supervisors.
20. A representative from the Building ~~and Zoning Inspection~~ Department shall attend Planning Commission meetings.
21. The Planning Commission Chairman may appoint committees on an as-needed basis. Committee members may consist of Planning Commission members as well as county staff and/or other county citizens. ~~No more than three Planning Commission members may serve on the same committee. Committee members shall participate on joint Committees as requested by the Board of Supervisors.~~
22. The Building and Zoning Department shall prepare a proposed budget and present it at the January meeting to the Planning Commission for recommendations to the Board of Supervisors at the February meeting.
23. The Planning Commission may request advice from the county attorney.
24. The Planning Commission may call upon any county office or agency for information in the performance of its duties.
25. The Planning Commission may choose to make site visits to proposed projects prior to approving plats or variance requests but shall do so individually unless a meeting is announced to the public for a group visit.
26. If a ~~Commissioner~~^{commissioner} cannot attend a meeting, the commissioner should, if possible, notify the ~~Chairman or the Commission~~ Clerk at least 24 hours prior to the meeting.
- ~~27. The use of tobacco products is prohibited during meetings.~~
- ~~28.~~^{27.} The Clerk shall keep ~~the~~ minutes of the meetings of the Commission. ~~At the request of any member, made at the time of said presentation of discussion, the minutes shall include a summary of the substance of the presentation or debated. The Clerk may also maintain one recording by means of an electronic device of the proceedings of all Planning Commission meetings. A copy of the minutes of the transcribed proceedings shall be kept on file in the Building and Zoning Department for the general public. Copies of documents which have been typed and filed, or copies of attachments to the minutes, may be purchased according to the Board of Supervisors fee schedule for \$.50 per page.~~

SMYTH COUNTY PLANNING COMMISSION 2023 ANNUAL REPORT



Planning Commission Members and Officers for 2023

Hazel Wagoner, Chairperson
Graham Davidson Jr, Vice Chairman
Robert Campbell
Lea Meadows
Tony Dean
Paul Shepherd
David Spence

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

Support Staff

Clegg Williams

Building & Zoning Department Administrator

Becca Creasy

Building & Zoning Department Administrative Assistant and
Planning Commission Clerk

The Planning Commission was responsible in 2023 for review and approval or recommendations on applications to the following county ordinances:

- Zoning Ordinance
- Subdivision Ordinance
- Manufactured Home Ordinance
- Other matters as requested by the Board of Supervisors

Zoning Ordinance

After public hearings, the Planning Commission reviewed and made recommendations to the Board of Supervisors on applications to the Zoning Ordinance for Special Use Permits, Text Amendments, and Map Amendments in 2021 on the following:

Applicant	Special Use Permit	Text Amend.	Map Amend.	Airport	Comp Plan	Description	Recommendation	Date
Brian & Brandi Cregger	X					164 Gailliot Vista Drive, Marion, VA SUP - Kennel	Approval	1/26/23
US Cellular	X					Behind 174 Fullen Lane, Chilhowie, VA SUP – Communication Tower	Approval	1/26/23
US Cellular	X					Lead Mine Road, Sugar Grove SUP – Communication Tower	Applicant withdrew	3/23/23
Kermit & Teresa McCall	X					South Fork Road, Marion, VA SUP- Event Center	Approval	5/25/23
Clean Footprint LLC	X					Cedar Branch Road, Saltville, VA SUP- Solar Energy Facility	Approval	7/27/23
Hobert Widener	X					Belle Hollow Road, Chilhowie SUP – Automotive Sales & Service	Approval	7/27/23
Robert de Camara	X					South Fork Road, Marion, VA SUP - Airport	Approval	8/24/23
Laurel Creek Energy Storage	X					Maloyed Place, Saltville, VA SUP – Battery Storage Facility	Approval	9/28/23

Board of Zoning Appeals

Pursuant to Section 7-1.6 j) of the Zoning Ordinance the Planning Commission shall be permitted to submit an advisory opinion on any matter before the Board of Zoning Appeals, and such opinion shall be made part of the record of the public hearing.

Appellant	Variance Request	Description	Recommendation	Date
Veda Odle		Appeal to Zoning Administrator's Decision	None	5/25/23

Subdivision Ordinance Plat Approval

Name	Location	Decision	Date	No. of Lots
Smyth County Board of Supervisors – Transfer Station	Hwy 107, Chilhowie	Approval	1/26/23	1
Total Lots				

Miscellaneous Notes/ Goal(s) for 2024

- Work with Community and Economic Development to develop concise regulations to aid recruitment for retail development.
- Finalize Update of Comprehensive Plan.

APPLICATION FOR MAP AMENDMENT

Residential to Agricultural/Rural

Applicant: Charles W. Bridgers
Site: across from 2121/beside 2082 Scratch Gravel Road
Tax Map No.: Tax Map No. 56-A-48K

Background Information

Charles W. Bridgers and his wife own lots 8, 9 and 10 of the Muriel S. Terry Estate Subdivision located on Scratch Gravel Road in Marion. The subdivision was originally subdivided as an exception to our ordinance under 2.3(4) – two acre lots. In 2008, a former owner of Lots 9 and 10 rezoned the property to Residential. The current owner, Mr. Bridgers, has vacated the property lines and now wishes to rezone his property to Agricultural/Rural. Smyth County has identified this property as Rural Residential on the *Future Land Use Map* in the 2013 Comprehensive Plan.

Relevant Zoning Ordinance Sections

§ 3-3 Residential District (current zoning designation)
§ 3-2 Agriculture/Rural District (proposed zoning designation)
Article IX Amendments

Adjoining Property Owners

Nathaniel Andrew Selfe, et al
2184 Scratch Gravel Road
Marion, Virginia 24354

Everette N. Umbarger et al
1026 Laurel Springs Road
Marion, Virginia 24354

Terry Wayne Ratliff
2078 Scratch Gravel Road
Marion, Virginia 24354

Kenneth E. Hopkins Jr.
2082 Scratch Gravel Road
Marion, Virginia 24354

Joseph E. Ferland et al
2085 Scratch Gravel Road
Marion, Virginia 24354

Anthony M. Costigan et al
2089 Scratch Gravel Road
Marion, Virginia 24354

Hunter D. Reedy et al
417 Pioneer Road
Marion, Virginia 24354

Hubert E. Hopkins et al
2121 Scratch Gravel Road
Marion, Virginia 24354

John L. Bise et al
2139 Scratch Gravel Road
Marion, Virginia 24354

Carol June D. Spickard et al
156 Willow Springs Road
Marion, Virginia 24354



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

APPLICATION TO AMEND ZONING ORDINANCE OR MAP

Article IX of Zoning Ordinance

Date 11-16-23

Application Fee: \$250.00

Name of Applicant Charles W. Bridges

Mailing Address 402 Lee Ave Colonial Heights VA 23834

Telephone: (Home) — (Cell) 804-513-9415 (Email) RFBQ06@gmail.com

Property Owner (if not applicant) SAME

Mailing Address —

Telephone: (Home) — (Cell) — (Email) —

Preferred Method of Contact (circle one): Home ☐ Cell ☒ Email ☐

911 Site Address or Adjoining Address across from 2121 Scratch Gravel Road, Marion

Legal Description of Property: 56-A-48K

Tax Map Number ~~56-A-48L~~ 56-A-48M Deed Book 1104 Page 34

Subdivision Name Muriel S. Terry Estate Lot # 9410

Proposed Map Amendment:

Existing Zoning District R Proposed Zoning District A/R

Proposed Text Amendment:

Existing Text: N/A

Proposed Text: —

Has the same or substantially same amendment been proposed previously? No

Attach a Site Plan showing the following information:

- Shape and dimensions of lot
- Existing structures with distances to lot lines.
- Dimensions and locations of all proposed buildings or structures (including additions or alterations) with distances to lot lines.
- Existing and intended uses of the land and of each building or part of a building
- Significant natural features, such as woods, streams, etc.
- Existing and proposed roads and driveways
- Source of water and means of sewage disposal
- Existing public water and sewer lines
- Off-street parking spaces

Attach a list of names and addresses of all abutting property owners and property owners directly across the street.



I swear that: (check one)

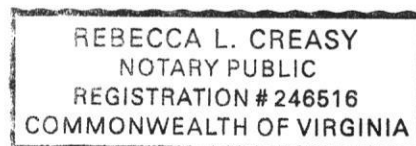
_____ Members of the Smyth County Planning Commission or Smyth County Board of Supervisors or members of the immediate household of members of the Planning Commission or the Board of Supervisors who have an interest in the property for which this Special use permit is requested, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust are listed below.

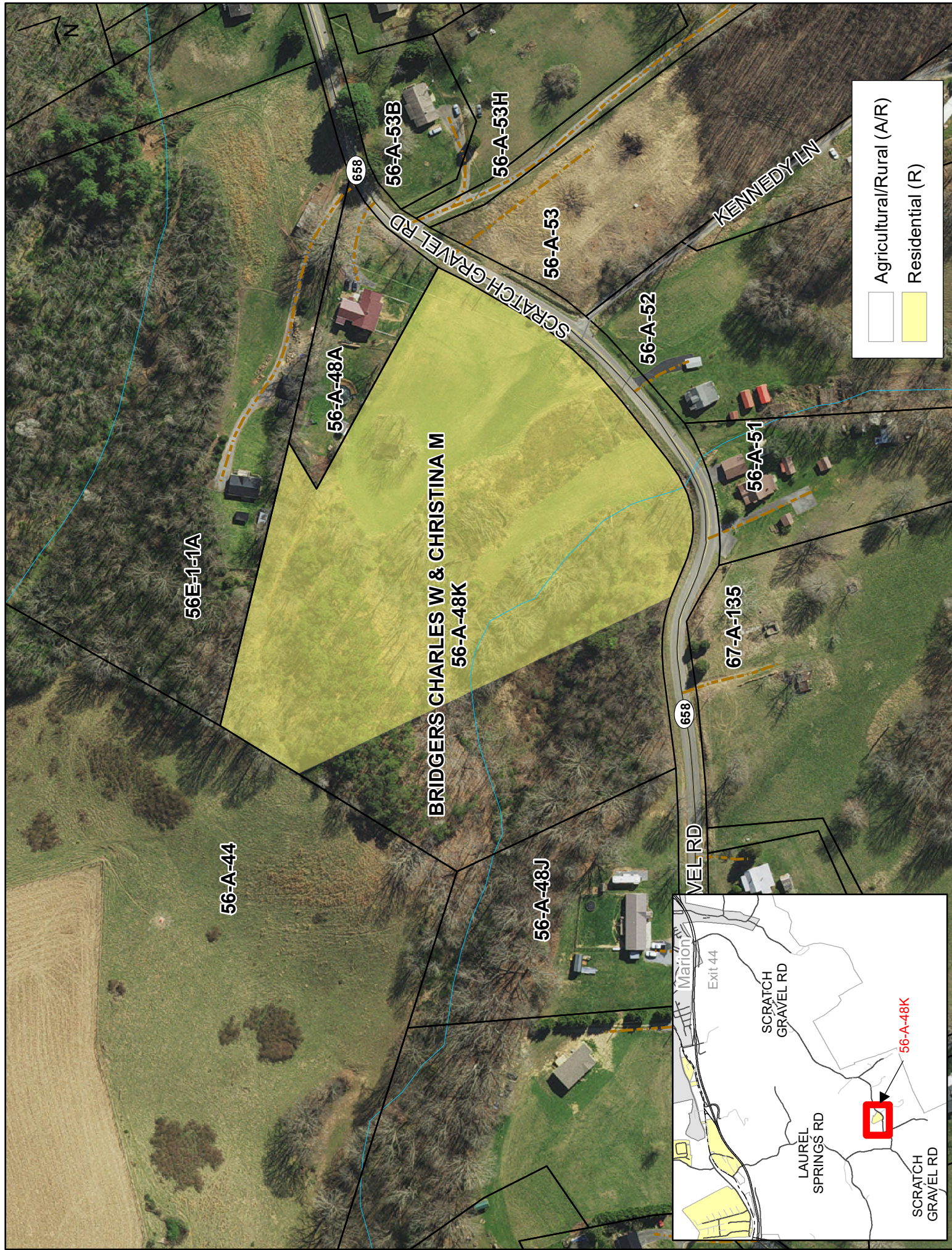
Names of all owners of the property, including in the case of corporate ownership, the name of stockholders, officers and directors, and in any case the names and addresses of all of the real parties of interest. (Requirement of listing names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders.)

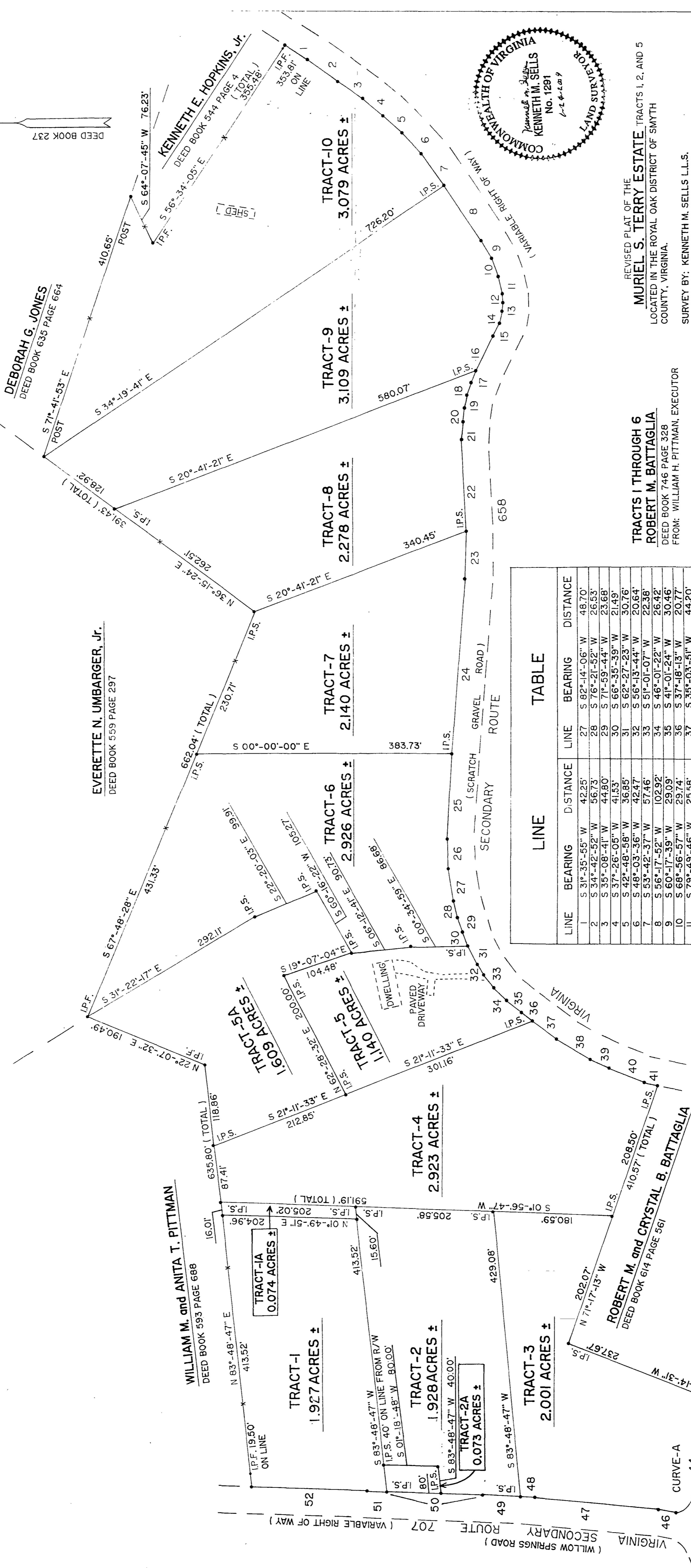
NOTARY PUBLIC

Rebecca H Creasy
Notary Public

My Registration No. 246516







LINE		TABLE			
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
1	S 31°-35'-55" W	42.25'	27	S 82°-14'-06" W	48.70'
2	S 34°-42'-52" W	56.73'	28	S 76°-21'-52" W	26.53'
3	S 35°-08'-41" W	44.80'	29	S 71°-59'-44" W	23.68'
4	S 37°-26'-05" W	41.53'	30	S 66°-35'-39" W	21.49'
5	S 42°-48'-56" W	36.85'	31	S 62°-27'-23" W	30.76'
6	S 48°-03'-36" W	42.47'	32	S 56°-13'-44" W	20.64'
7	S 53°-42'-37" W	57.46'	33	S 51°-01'-07" W	22.38'
8	S 56°-17'-52" W	102.92'	34	S 46°-01'-22" W	26.42'
9	S 60°-17'-39" W	29.09'	35	S 41°-01'-24" W	30.46'
10	S 68°-56'-57" W	29.74'	36	S 37°-18'-13" W	24.77'
11	S 79°-49'-46" W	25.58'	37	S 35°-03'-51" W	44.20'
12	S 88°-21'-09" W	12.73'	38	S 30°-44'-15" W	61.08'
13	N 84°-53'-53" W	13.77'	39	S 25°-45'-41" W	30.42'
14	N 77°-20'-52" W	16.91'	40	S 21°-35'-26" W	58.64'
15	S 69°-26'-37" W	22.30'	41	S 12°-43'-45" W	17.75'
16	N 62°-42'-57" W	59.82'	42	N 76°-40'-51" W	36.93'
17	N 67°-29'-27" W	17.68'	43	S 75°-32'-59" W	34.41'
18	N 73°-09'-36" W	19.42'	44	N 76°-32'-03" W	27.38'
19	N 78°-41'-04" W	19.43'	45	N 78°-38'-04" W	27.58'
20	N 83°-37'-11" W	21.46'	46	N 75°-37'-48" E	27.69'
21	N 88°-59'-55" W	27.02'	47	N 05°-33'-56" E	186.66'
22	S 87°-15'-49" W	13.75'	48	N 03°-24'-35" E	17.49'
23	S 88°-09'-26" W	70.41'	49	N 03°-24'-35" E	61.17'
24	N 85°-44'-08" W	264.26'	50	N 01°-18'-48" E	144.43'
25	N 87°-17'-23" W	129.59'	51	N 01°-18'-48" E	31.50'
26	S 87°-48'-57" W	44.36'	52	N 01°-55'-30" E	173.46'

TRACTS 1 THROUGH 6
ROBERT M. BATTAGLIA
DEED BOOK 746 PAGE 328
FROM: WILLIAM H. PITTMAN, EXECUTOR

REVISED PLAT OF THE
MURIEL S. TERRY ESTATE TRACTS 1, 2, AND 5
LOCATED IN THE ROYAL OAK DISTRICT OF SMYTH
COUNTY, VIRGINIA.

SURVEY BY: KENNETH M. SELLS L.L.S.
P.O. BOX 914 MARION, VIRGINIA 24364
DATE: 10-17-2007 REVISED DATE: 01-24-2009
LEGAL REF: WILL BOOK 59 PAGE 721
TAX MAP #: 56-A-48

TRIM DANCY AND 2A
JIM DANCY
DEED BOOK 750 PAGE 579

TRACT 5
HALLIE AND JUDY MUTTER
DEED BOOK 765 PAGE 742
FROM: ROBERT M. BATTAGLIA

THIS LAND DIVISION KNOWN AS REVISED PLAT OF THE
MURIEL S. TERRY ESTATE IS APPROVED BY THE UNDERSIGNED
 IN ACCORDANCE WITH PLANNING COMMISSION APPROVAL DATED
 OCTOBER 23, 2008, AND MAY BE COMMITTED TO RECORD.

CURVE-A
CHORD: N 36°-30'-08" W 32.06'
RADIUS: 23.89'
ARC LENGTH: 35.14'

NOTE: THIS TRACT IS SUBJECT TO ANY EXISTING EASEMENTS, RIGHT OF WAYS AND, OR RESTRICTIONS. NO TITLE REPORT FURNISHED.

NOTE: THIS PLAT WAS PREPARED FROM A CURRENT FIELD SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICATION FOR SPECIAL USE PERMIT

Recreational Vehicle Park

Applicant: Debusk Farms LLC
Site: Between 1528 & 1366 Buckeye Hollow Road, Saltville
Tax Map No.: Tax Map No. 41-A-109B

Background Information

Debusk Farms LLC was approved for a special use permit to establish a recreational vehicle park on a tract of land they own on Buckeye Hollow Road on April 10, 2018. An expiration of six years was placed on the SUP. They are now reapplying to continue their operation.

Relevant Zoning Ordinance Sections

Section 3-2	Agricultural/Rural District
Article X	Definitions
Article VI	Special Use Permit

Adjoining Property Owners

Danny Ray Hanshew Sr et al
131 Sycamore Road
Saltville, Virginia 24370

Tiphney H. Evans
209 Timber Brook Drive
Saltville, Virginia 24370

Eugene Clayton Hess
115 Miles Lane
La Follette, Tennessee 37766

Chad Edward Totten et al
832 Apex Lane
Saltville, Virginia 24370

John R. Carrico et al
P. O. Box 216
Chilhowie, Virginia 24319

Andrea H. Jamison
1366 Buckeye Hollow Road
Saltville, Virginia 24370

Harris Family Irrevocable Trust
925 Buckeye Hollow Road
Saltville, Virginia 24370

SMYTH COUNTY BUILDING AND ZONING DEPARTMENT

121 BAGLEY CIRCLE, SUITE 120, MARION, VA 24354

Telephone (276) 706-8316

Facsimile (276) 783-9314

APPLICATION FOR SPECIAL USE PERMIT

Article VI of Zoning Ordinance

Date: 11/6/23

Application Fee: \$250.00

Name of Applicant:	_____ <u>De Busk Farms LLC</u>
Mailing Address:	_____ <u>1384 Cedar Branch Road</u>
	<u>Saltville</u> State: <u>VA</u> Zip: <u>24370</u>
Phone:	(Home): (<u>276</u>) <u>496-4122</u> (Cell) (<u>276</u>) <u>706-0806</u>
Email:	_____

Property Owner's Name (if not Applicant)	_____ <u>John L. DeBusk Jr.</u>
Mailing Address:	_____ <u>1384 Cedar Branch Road</u>
	<u>Saltville</u> State: <u>VA</u> Zip: <u>24370</u>
Phone:	(Home): (<u>276</u>) <u>496-4122</u> (Cell) (<u>276</u>) <u>706-0806</u>
Email:	_____ <u>Jay and Frankie @ comcast.net</u>

Preferred Method of Contact (circle one): ☐ Home ☐ Cell ☒ E-mail

911 Site Address or Adjoining 911 Address:	_____ <u>0 Buckeye Hollow Road</u>
	<u>Saltville</u> State: <u>VA</u> Zip: <u>24370</u>
Tax Map No.	<u>41A 109B</u>

Existing Use of Property:	_____ <u>RV Park</u>
Proposed Use as defined in the Zoning Ordinance:	_____ <u>RV Park</u>
Uses of immediately adjoining properties:	_____
Source of Water:	<u>Co.</u> Means of Sewage Disposal: <u>septic system</u>

Attach a Site Plan showing the following information:
a. Shape and dimensions of lot
b. Existing structures with distances to lot lines.
c. Dimensions and locations of all proposed buildings or structures (including additions or alterations) with distances to lot lines.
d. Existing and intended uses of the land and of each building or part of a building
e. Significant natural features, such as woods, streams, etc.
f. Existing and proposed roads and driveways
g. Existing public water and sewer lines
h. Off-street parking spaces

Zoning District: AR

Attach a list of names and addresses of all abutting property owners and property owners directly across the street.

AFFIDAVIT:

I swear that: (check one)

☒ No member of the Smyth County Planning Commission or Smyth County Board of Supervisors or no member of the immediate household of any member of the Planning Commission or the Board of Supervisors has any interest in the property for which this Special Use Permit is requested, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust;

or

Members of the Smyth County Planning Commission or Smyth County Board of Supervisors or members of the immediate household of members of the Planning Commission or the Board of Supervisors who have an interest in the property for which this Special use permit is requested, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust are listed below.

Disclosure of Ownership of Property for which this Special Use Permit is requested:

Names of all owners of the property, including in the case of corporate ownership, the name of stockholders, officers and directors, and in any case the names and addresses of all of the real parties of interest. (Requirement of listing names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders.)

John L. DeBusk Jr.

11/6/23

Date

John L. DeBusk Jr.

Signature of Applicant

NOTARY PUBLIC

STATE/Commonwealth of

Smyth

City/County of

Virginia

The foregoing signature(s) were subscribed and sworn before me this 8th day of

November

2023 by

and

Delia K. Merchant

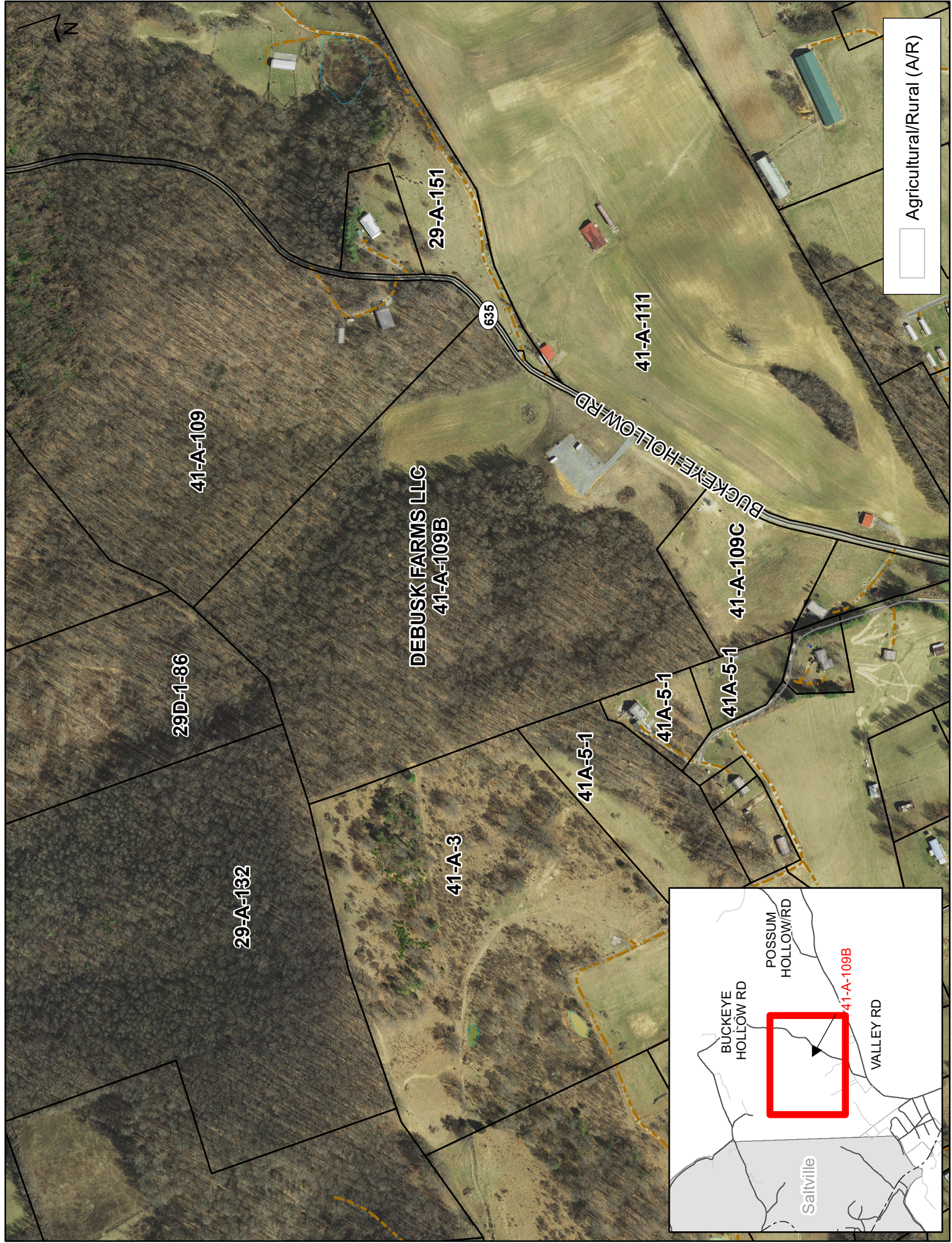
Notary Public

My Commission Expires

December 31, 2025

My Registration No.

7964166



APPLICATION FOR SPECIAL USE PERMIT

Service Business – Towing Business

Applicant: James Craig Harper
Site: Beside 174 Southwood Lane; Saltville, VA
Tax Map No.: Tax Map No. 41A-4-2

Background Information

James Craig Harper is applying for a special use permit to establish a service (towing) business on a tract of land located beside 174 Southwood Lane in Saltville. The proposed plan will have a 50' x 50' fenced area for vehicle storage and a 50' x 50' garage.

Relevant Zoning Ordinance Sections

Section 3-2 Agricultural/Rural District
Article X Definitions
Article VI Special Use Permit

Adjoining Property Owners

Edgar Rene Colaj et al 109 Lynnside Drive Chilhowie, Virginia 24319	James W. Carter Jr. 130 Valley Road Saltville, Virginia 24370	Jared D. Haynes 648 Possum Hollow Road Saltville, Virginia 24370
William Woodward III et al P. O. Box E Saltville, Virginia 24370	Midway Development Corp. P. O. Box 501 Meadowview, Virginia 24361	Mark Allen Hess et al 1289 Valley Road Saltville, Virginia 24370



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

APPLICATION FOR SPECIAL USE PERMIT

Article VI of Zoning Ordinance

Date: 11/30/23

Application Fee: \$250.00

Name of Applicant James Craig Harper

Mailing Address 160 Harper Lane, Saltrille, VA 24370

Phone: (Home) _____ (Cell) (276) 706-0060 (Email) _____

Property Owner's Name (if not Applicant) _____

Mailing Address _____

Phone: (Home) _____ (Cell) _____ (Email) _____

Preferred Method of Contact (circle one): ☐ Home ☒ Cell ☐ Email

911 Site Address or Adjoining 911 Address beside 174 South Wood Lane, Saltrille, VA 24370 Tax Map No. 41A-4-2

Existing Use of Property: A/R - farm

Proposed Use as defined in the Zoning Ordinance: Service business

Uses of immediately adjoining properties: Commercial, Agriculture, Residential

Source of Water: County Means of Sewage Disposal: Septic

Attach a Site Plan showing the following information:

- Shape and dimensions of lot
- Existing structures with distances to lot lines.
- Dimensions and locations of all proposed buildings or structures (including additions or alterations) with distances to lot lines.
- Existing and intended uses of the land and of each building or part of a building
- Significant natural features, such as woods, streams, etc.
- Existing and proposed roads and driveways
- Existing public water and sewer lines
- Off-street parking spaces

Zoning District: A/R

Attach a list of names and addresses of all abutting property owners and property owners directly across the street.



AFFIDAVIT:

I swear that: (check one)

☒ No member of the Smyth County Planning Commission or Smyth County Board of Supervisors or no member of the immediate household of any member of the Planning Commission or the Board of Supervisors has any interest in the property for which this Special Use Permit is requested, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust;
or

☐ Members of the Smyth County Planning Commission or Smyth County Board of Supervisors or members of the immediate household of members of the Planning Commission or the Board of Supervisors who have an interest in the property for which this Special use permit is requested, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust are listed below.

Disclosure of Ownership of Property for which this Special Use Permit is requested:

Names of all owners of the property, including in the case of corporate ownership, the name of stockholders, officers and directors, and in any case the names and addresses of all of the real parties of interest. (Requirement of listing names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders.)

11-30-23
Date

James Craig Harper
Signature of Applicant

NOTARY PUBLIC

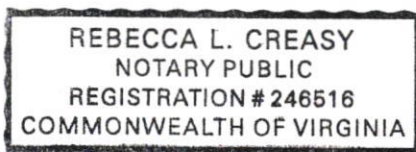
STATE/Commonwealth of Virginia
City/County of Smyth

The foregoing signature(s) were subscribed and sworn before me this 30th day of November, 2023 by James Craig Harper and

Rebecca L. Creasy
Notary Public

My Commission Expires 12-31-26

My Registration No. 246516



PREPARED BY: BRANDON R. BOYLES, ESQ. - V.S.B. Number 72755
RETURNED TO: Blue Ridge Title & Settlement Agency, LLC
TAX MAP NO.: 41A-4-2 TAX MAP NO.: 41A-4-1
Tax Assessed Value: \$12,200 Tax Assessed Value: \$1,400

RECEIVED
CIRCUIT COURT CLERK
SMYTH COUNTY VIRGINIA

2019 AUG 22 PM 3:58

THIS DEED OF GIFT, Made this 22nd day of August, 2019, by and between JAMES CRAIG HARPER, Grantor, and RAMONA GRACE HARPER and JAYSON CRAIG HARPER as joint tenants, whose address is 160 Harper Lane, Saltville, Virginia 24370, Grantees.

-WITNESSETH-

That for and in consideration of a gift, the said Grantor does hereby grant and convey unto the said Grantees EXPRESSLY RESERVING UNTO HIMSELF A LIFE ESTATE IN SAID PROPERTY, in fee simple, with General Warranty and Modern English Covenants of Title and as joint tenants with the right of survivorship as at common law, the following described property, to wit;

That certain tract or parcel of land lying and being in North Fork District, Smyth County, Virginia, and described as follows:

"Those certain lots or parcels of land designated as Lot 1 and Lot 2 as shown on plat of the Lyons Gap Estates by E. C. Holmes, C.L.S., dated September 1978, and recorded in the Clerk's Office of Smyth County, Virginia, in Plat Book 9, Page 72, and further described from said plat as follows:

Brandon R. Boyles, P.C.
108 Courthouse Street, Suite A
P.O. Box 253
Independence, Virginia 24348

Beginning at a point which is the southernmost point of intersection between Virginia State Secondary Highway 773 and Virginia State Highway 107, which said point is the southwestern most point of a 60-ft. future right-of-way as shown on the abovementioned map; thence with the 60-ft. right-of-way on a slight curve to the right with a radius of 25-ft. to a point; thence continuing with said right-of-way N 81° 07' E 379.74 feet to a point; thence as a division line between the property herein conveyed and other property of the party of the first part S 10° 8' E. 259.47 feet to a point; S 1° 35' 55" E 325.66 feet to a point; N 43° 09' 40" W 157.39 feet to a point; S 47° 00' W 69.30 feet to a point in the northeastern line of Virginia Highway 107; thence with said Highway N 35° 13' 07" W 148.86 feet to a point; thence N 35° 13' 07" W 284.91 feet to a point; N 26° 31' 23" W 82.94 feet to a point; N 15° 30' 42" W 1.16 feet to the point of beginning, and containing 3.40 acres, more or less."

AND BEING that same property conveyed to Carl P. Brickey, Jr. and Sue H. Brickey, husband and wife as tenants by the entirety with the right of survivorship as at common law, by Deed from C. Preston Brickey, III and Robin E. Brickey, dated May 22, 2003, filed for record in the Clerk's Office of the Circuit Court of Smyth County, Virginia in Deed Book 627, Page 515.

The said Carl P. Brickey, Jr., departed this life on the 3rd day of September, 2009 and by virtue of the survivorship provision in the aforesaid Deed, title vests in his widow, Sue H. Brickey.

Reference is further made to that Deed to James Craig Harper from Sue H. Brickey, dated August 22, 2019 and to be filed for record prior to this conveyance.

Reference to said survey and deed is here made for a more definite description of the property herein conveyed and for chain of title.

This property is SUBJECT to such rights-of-way or easements for access by others or utilities which are of record in the aforesaid Clerk's Office or are apparent to observation.

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This conveyance is subject to and includes all other easements, covenants and restrictions of record as they may lawfully apply to the aforesaid property, including but not limited to those noted on plat of record in the Clerk's Office of Smyth County, Virginia in Plat Book 9, Page 72.

This deed is exempt from recording tax pursuant to Section 58.1-811(D) 1950 code of Virginia, as amended.

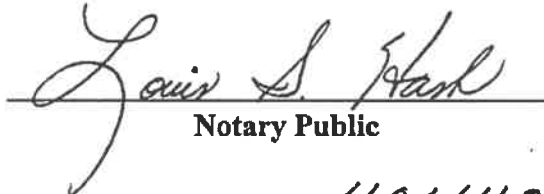
This deed was prepared without the benefit of a title search by the preparer.

WITNESS the following signature and seal.

 (SEAL)
JAMES CRAIG HARPER

STATE OF Virginia
CITY/COUNTY OF Smyth, to-wit:

The foregoing instrument was acknowledged before me this 22nd day of August, 2019, by James Craig Harper.


Notary Public

Registration No. 4066426

My commission expires: 12-31-2022.

Brandon R. Boyles, P.C.
108 Courthouse Street, Suite A
P.O. Box 253
Independence, Virginia 24348



LOUIS S. HASH
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
COMMISSION NO. 4066426

INSTRUMENT 190001966
RECORDED IN THE CLERK'S OFFICE OF
SMYTH CIRCUIT COURT ON
AUGUST 22, 2019 AT 04:01 PM
JOHN H. GRAHAM, CLERK
RECORDED BY: AAM

