



Planning Commission
340 South Sixth Street - Administration Building
Wytheville, Virginia 24382-2598
Telephone (276) 223-4508 or 223-4500
FAX (276) 223-4515

Eric W. Crowgey, Chair
Randal C. Wright, Vice Chair
Stephen D. Bear, Assistant County Administrator
K. Michelle Cassell, Assistant Department Head

MEMORANDUM

Eural D. Clippard
Timothy W. Carter
Robert H. Walk
David P. Midkiff
Douglas E. Wilson

TO: Wythe County Planning Commission Members

FROM: K. Michelle Cassell, Assistant Department Head

DATE: October 1, 2015

SUBJECT: October Meeting

The Wythe County Planning Commission will conduct its regular monthly meeting on **Monday, October 5, 2015 at 7:00 p.m.** The meeting will be held in the Board Room of the County Administration Building, 340 South 6th Street, Wytheville, VA.

Enclosed is an agenda package for your review and if you have any questions, please do not hesitate to call me at 223-4508.

Enclosures

MICHELLE CASSELL



**ORDER OF BUSINESS
WYTHE COUNTY PLANNING COMMISSION
OCTOBER 5, 2015
7:00 P.M.**

- I. Determination of Quorum and Call to Order**
- II. September 2, 2015 Minutes (Page 1)**
- III. Subdivision Ordinance**

7:05 p.m.

- A. Request for Variance – Public Hearing - Davis (Page 2)**
 - 1. Public Hearing**
 - 2. Report from Staff**
 - 3. Decision on Variance**

7:10 p.m.

- IV. B. Request for Variance – Public Hearing – Shupe (Page 3)**
 - 1. Public Hearing**
 - 2. Report from Staff**
 - 3. Decision on Variance**
- C. Subdivision Plat Report (Page 4)**
- D. Staff Report**
 - 1. Minor Subdivision**
 - a. Sheffey (Page 5)**

V. Citizens Time

VI. New Business

A. October/November Calendars (Page 6)

B. Comprehensive Plan

VII. Adjourn

September 2, 2015

The Wythe County Planning Commission held its regular monthly meeting on Wednesday, September 2, 2015, in the Board Room of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia beginning at 7:00 p.m.

PRESENT

Eric W. Crowgey, Chair
Douglas E. Wilson
Randal C. Wright

Eural D. Clippard
Robert H. Walk

ABSENT

David P. Midkiff

Timothy W. Carter

OTHERS PRESENT

Stephen D. Bear, Assistant County Administrator
K. Michelle Cassell, Assistant Department Head
Connie A. Bonham Martin

Kristina Weisiger
J.R. Gilman

DETERMINATION OF QUORUM AND CALL TO ORDER

Chair Crowgey determined that a quorum was present and called the meeting to order.

APPROVAL OF MINUTES

A motion was made by Mr. Clippard to approve the August 3, 2015 minutes as presented. The motion was seconded by Mr. Wilson and passed.

INTRODUCTION OF NEW COUNTY ADMINISTRATOR

Mr. Bear introduced Mr. Allen Lamberson to the Planning Commission as the newly hired Wythe County Administrator.

Mr. Lamberson thanked Mr. Bear for the introduction and announced that he has been meeting the staff and touring the facilities over the last two days. He stated that is looking forward to his new position.

SUBDIVISION ORDINANCE

1. **Request for Variance – Public Hearing – Davis** – Chair Crowgey opened the public hearing for discussion on the request for variance to the Subdivision Ordinance submitted by Dexter P. Davis. Chair Crowgey asked staff to advise the Commission regarding this request.

Mr. Bear explained that Mr. Dexter Davis is proposing to subdivide his property of 51.839 acres located along Newground Road, a 50 feet wide right-of-way in the Fort Chiswell Magisterial District. Mr. Davis is proposing to convey 18.889 acres (New Parcel B) to his adjoining owner, Kristina Weisiger.

Section 14.2(2) of the subdivision ordinance allows for the sale or exchange of parcels between adjoining lot owners provided such sale or exchange of property does not leave a lot or parcel that does not conform to the ordinance. The deed and plat for the land under this section shall contain the statement, "No building may be erected on this lot, except an accessory structure, unless, or until, the lot is brought into compliance with the full terms and conditions of this ordinance".

Because Mr. Davis does not have any state road frontage and would be leaving a non-conforming lot by this division, he is requesting a variance to Section 5.3.1(8) of the ordinance in order to proceed with his proposed division.

Ms. Kristi Weisiger appeared before the Commission explaining that when she initially purchased her property from Mr. Dexter Davis she was supposed to be purchasing New Parcel B as shown on the plat as provided to the Planning Commission. However, the original survey that was presented to her for the sale was a poor survey. Ms. Weisiger explained that when the property was recently resurveyed it was determined that what she actually owns Existing Tract 2 as shown on the provided plat. She explained that Mr. Davis is proposing a land swap of New Parcel B and Existing Tract 2. She added that she believes that after this issue is resolved, he plans to sell Existing Tract 2.

Ms. Weisiger stated that her home is on Tract 1 shown on the plat and she accesses her property via Whipoorwill Road, SR 720.

Mr. Bear stated that she does not have access or adjoin Newground Road.

Mr. Crowgey inquired if Newground Road will ever be included in the state road system.

Mr. Bear reported that he is unsure if Newground Road is eligible for improvements under the Revenue Sharing Program.

Mr. Wright inquired how someone would access Existing Tract 2 if it is traded back to Mr. Davis,

Ms. Weisiger stated that they received a good price for that property because Mr. Davis was always unable to access the property. She stated that she is unsure if anyone would be able to do anything with that property as a standalone lot.

Mr. Bear explained that Ms. Weisiger does not currently have access to Existing Tract 2.

Hearing no further comments, Chair Crowgey closed the public hearing.

Mr. Wright stated that he is in favor of resolving Ms. Weisiger's issue that she has been faced with; however, is not in favor of leaving Existing Tract 2 without any access when it could be combined with New Parcel A to give it access to the 50 feet wide right-of-way on Newground Road.

Mr. Clippard inquired about Crystal Lane shown on the plat.

Mr. Bear reported that Crystal Lane is a non-state maintained 50' wide right-of-way that is shown on a non-recorded plat.

The Commission explored options to resubdivide Existing Tract 2 and New Parcel A in order for Existing Tract 2 to have access.

Mr. Bear explained that Existing Tract 2 is technically not an equation in this request for variance. He stated that it is not being subdivided and is nothing more than an adjoining owner property.

Mr. Wright stated that Existing Tract 2 was supposed to be property that adjoins Ms. Weisiger's existing house lot; therefore, he feels it is a consideration of the variance.

Mr. Bear stated that Mr. Davis is the proposed subdivider and the individual requesting the variance. He explained that Planning Commission can ask him as a consideration of this variance request to relocate the property line in order for Existing Tract 2 to have access.

Mr. Dwight Nester appeared before the Commission stating that he understood that if the landowners on Newground Road wanted to subdivide their property, they would have to request a variance. He expressed his concern about the maintenance of the road.

After further discussion Mr. Wright recommended to deny the variance request submitted by Mr. Dexter Davis and if he's ok with it he can come next month with a revised request.

Mr. Wright made a motion to deny the variance request. Mr. Wright recommended staff advise the landowner that the Planning Commission are in favor of combining the lots to fix the problem.

2. Request for Variance – Public Hearing – Martin – Chair Crowgey opened the public hearing for discussion on the request for variance to the Subdivision Ordinance submitted by Connie Annette Bonham Martin. Chair Crowgey asked staff to advise the Commission regarding this request.

Mr. Bear reported that Connie Bonham Martin is proposing to subdivide her property located along SR 696, Barrett Mill Road, and SR 640, Carrington Lane, in the Speedwell Magisterial District, to create two lots.

Mrs. Martin is proposing to create a 2.45+/- acre lot with approximately 79 feet of frontage on SR 696 and a 1.5+/- lot with approximately 48 feet of frontage on SR 640. The existing house on the proposed 1.5+/- acre lot is served by private water and private sewer and any future development on the 2.45+/- lot will be served by the same. Both proposed properties will be utilized for residential/agricultural purposes.

Mr. Bear stated that neither of the lots that Mrs. Martin is proposing to create have adequate state frontage on a state maintained road to meet the ordinance requirements. Therefore, she is requesting a variance to Section 5.3.1(8) of the Subdivision Ordinance regarding the frontage requirement in order to proceed with this division.

Mrs. Martin appeared before the Commission explaining that she and her husband, Tom Martin, own the adjoining parcel (TM #41-9-1B). Mrs. Martin stated that she is receptive to combining this parcel with the residual 2.45+/- acres to create a parcel with additional frontage on Barrett Mill Road.

Hearing no further comments, Chair Crowgey closed the public hearing.

After brief discussion, a motion was made by Mr. Wright to approve the request for variance to Section 5.3.1(8) of the Subdivision Ordinance regarding the frontage requirement submitted by Connie Bonham Martin her property located along SR 696, Barrett Mill Road, and SR 640, Carrington Lane, in the Speedwell Magisterial District, with the stipulation that the adjoining parcel (TM #41-9-1B) be combined with the residual 2.45+/- acres. The motion was seconded by Mr. Wilson and passed.

3. Request for Variance – Shupe – Chair Crowgey asked staff to advise the Commission regarding the request for variance submitted by Ronald L. Shupe.

Mr. Bear explained in March 2015, Ronald L. Shupe subdivided his property and conveyed 22.096 acres to his grandson, Jason Hale, under the family provision in the Subdivision Ordinance, leaving a 42+/- acre residual.

Mr. Shupe is currently proposing to subdivide his 42+/- acres located along a 60 feet wide right-of-way off of U.S. Route 21, Grayson Turnpike, to convey 25+/- acres to his adjoining owner and grandson, Jason Hale.

Section 14.2(2) of the subdivision ordinance allows for the sale or exchange of parcels between adjoining lot owners provided such sale or exchange of property does not leave a lot or parcel that does not conform to the ordinance. The deed and plat for the land under this section shall contain the statement, "No building may be erected on this lot, except an accessory structure, unless, or until, the lot is brought into compliance with the full terms and conditions of this ordinance".

Because Mr. Shupe's 42+/- acres does not front a state maintained road and this proposed division would leave a non-conforming lot, he is requesting a variance to Section 5.3.1(8) of the ordinance in order to proceed with his proposed division.

Mr. Wright inquired if the proposed combined parcel will have the family restriction.

Mr. Bear stated that the Commission can recommend the same 5-year family restriction on the revised property.

The Commission scheduled a public hearing to be held on this request for variance at its October 5, 2015 meeting.

4. Subdivision Plat Report – The Commission reviewed a report including plats completed from July 28, 2015 through August 24, 2015.
5. Adjoining Owner/Lot Line Revisions – The Commission reviewed a plat showing an adjoining owner/lot line revision that was approved by Ms. Cassell for David Ray Danner and David Ray Danner II.
6. Adjoining Owner – The Commission reviewed a plat showing an adjoining owner division that was approved by Ms. Cassell for Mr. and Mrs. Robert Downey.

7. Lot Line Revision/Family Division – The Commission reviewed a plat showing a lot line revision/family division that was approved by Ms. Cassell for Junior and Lowetta Parnell.
8. Family Subdivision – The Commission reviewed a plat showing a family subdivision that was approved by Ms. Cassell for Dennis G. Simmerman.

Completed divisions by staff will be included on the agenda each month to keep the Commission up to date on the divisions that are being done in the County.

CITIZENS TIME

Chair Crowgey asked if anyone wished to address the Commission during citizen's time. Hearing no comments, he proceeded with the agenda.

PLANNING COMMISSION MONTHLY CALENDARS

The Commission reviewed and accepted the monthly calendars for September and October 2015.

COMPREHENSIVE PLAN

The Planning Commission reviewed a proposed addition to the transportation chapter in the Comprehensive Plan. This addition is in regards to the recently adopted House Bill 2 (HB2) by the Virginia General Assembly. This bill required the Commonwealth Transportation Board to develop and implement a quantifiable and transparent prioritization process for making funding decisions for capacity-enhancing projects within the six-year improvement program.

Wythe County can make application through HB2 for projects on Corridors of Statewide Significance, which are Interstates 77 & 81. Wythe County should consider making applications under HB2 for improvement to enhance flow of freight, improve safety, decrease bottlenecks, and meet expected growth.

Due to the adoption of this Bill the County must prioritize its key projects and include them in the Comprehensive Plan.

He stated that the County is preparing to make application for three projects:

- 1) Where I-77N merges onto I81-S there are currently two lanes that come across the bridge that merge into one lane. This project would extend the two lanes across the bridge up to Exit 80.
- 2) Construct a truck climbing lane on I-77N beginning at mile marker 31.

3) Improvements study at Exit 41.

Mr. Bear explained that part of the application form requests if this information is included in the Comprehensive Plan. Road improvements were generally mentioned in the previous plan; however, projects must be listed in the upcoming plan to compete for House Bill 2 consideration.

The Board of Supervisors held its public hearing on the entire Comprehensive Plan at its August 25th meeting and held it open to give the Planning Commission an opportunity to review the transportation information and recommend that it be included in the Comprehensive Plan.

A motion was made by Mr. Wright to add this segment of Chapter 7 – Transportation to the proposed Comprehensive Plan and recommend it to the Board of Supervisors for adoption. The motion was seconded by Mr. Walk and the vote is as follows:

AYES:	Eric W. Crowgey	Eural D. Clippard
	Randal C. Wright	Robert H. Walk
	Douglas E. Wilson	

NAYS: None

ABSENT:	Timothy W. Carter	David P. Midkiff
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WATER ISSUE

Chair Crowgey inquired about the loss of water reported in the informational package.

Mr. Bear reported that the issue is being reviewed. He stated that he can invite Don Crisp, Director of Water and Wastewater, to speak and address the Planning Commission anytime about water projects and concerns.

COUNTY REPORT

1. Appalachian Regional Exposition Center – Mr. Tim Reeves, Chair of the Board of Supervisors, confirmed that the County has received \$750,000 from the Tobacco Commission towards the development of an Appalachian Regional Exposition Center. He advised that Wythe County was the largest recipient and can reapply for the same amount of funding for the next four years.

Mr. Bear added that the County is officially the landowner of the property proposed for the construction of the Appalachian Regional Exposition Center.

Unapproved Minutes
September 2, 2015

ADJOURN

With no further business to come before the Planning Commission a motion was made by Mr. Wright to adjourn. The motion was seconded by Mr. Walk and passed unanimously.

Eric W. Crowgey



PUBLIC HEARING NOTICE

The Wythe County Planning Commission will be conducting two (2) public hearings on Monday, October 5, 2015 to consider applications for variance to the Wythe County Subdivision Ordinance.

Beginning at 7:05 p.m., or soon thereafter, the Commission will conduct a public hearing to consider an application submitted by Dexter Davis and Kristina Weisiger requesting a variance to Section 5.3.1(8) regarding the state road frontage requirement of the Wythe County Subdivision Ordinance.

Beginning at 7:15 p.m., or soon thereafter, the second public hearing will be conducted to consider an application submitted by Ronald L. Shupe who is requesting a variance to Section 5.3.1(8) regarding the state road frontage requirement.

The hearings will be conducted in the Board Room of the Wythe County Administration Building, 340 South 6th Street, Wytheville, VA. Any person may appear and state their views thereon. The hearing is held in compliance with Section 3.1.2.1 of the Subdivision Ordinance of Wythe County.

BY ORDER OF THE
WYTHE COUNTY PLANNING COMMISSION
ERIC W. CROWGEY, CHAIR

Legals: Please print in the Wednesday, September 23, 2015 edition of the *Wytheville Enterprise*. Please forward a certificate of publication to Michelle Cassell at 340 South Sixth Street, Wytheville, VA 24382.



Subdivision Report

To: Planning Commission
From: Michelle Cassell, Assistant Department Head
Date: 9/29/2015
Re: Request for Variance - Davis

At its September 2, 2015 meeting, the Planning Commission denied a request for variance to Section 5.3.1(8) of the Subdivision Ordinance submitted by Mr. Dexter Davis. The Planning Commission express concerns about access to Existing Tract 2 on the attached plat and recommended that Mr. Davis reconfigure his proposal in order to provide access to this property.

Mr. Davis is submitting a revised proposal to subdivide his property of 51.839 acres located along Newground Road, a 50 feet wide right-of-way in the Fort Chiswell Magisterial District. Mr. Davis is proposing to convey 18.889 acres (New Parcel B) to his adjoining owner, Kristina Weisiger. He will be left with a 29.466 acre parcel (New Parcel A). Further, he will combine a 3.484 acre tract with the 19.278 acres that Ms. Weisiger will be conveying to him to create a 22.762 acre parcel (New Tract 2).

Section 14.2(2) of the subdivision ordinance allows for the sale or exchange of parcels between adjoining lot owners provided such sale or exchange of property does not leave a lot or parcel that does not conform to the ordinance. The deed and plat for the land under this section shall contain the statement, "No building may be erected on this lot, except an accessory structure, unless, or until, the lot is brought into compliance with the full terms and conditions of this ordinance".

Because Mr. Davis does not have any state road frontage and would be leaving non-conforming lots by this division, he is requesting a variance to Section 5.3.1(8) of the ordinance in order to proceed with his proposed division.

Staff will answer any questions that the Commission may have regarding this division.

WYTHE COUNTY PLANNING COMMISSION
340 S. 6TH STREET, WYTHEVILLE, VA 24382
276-223-4508 ~ MCASSELL@WYTHECO.ORG

**APPLICATION
REQUEST FOR VARIANCE TO THE
WYTHE COUNTY SUBDIVISION ORDINANCE**

Any property owner desiring to make application for a variance shall file a written application for variance with the Planning Commission. The application and accompanying maps, plans, or other information shall be acted upon by the Commission within sixty (60) days of date of filing. A notice of the application for variance shall be published in a newspaper having center circulation in Wythe County, which notice shall state the application requests, why it is requested, and shall give notice of a public hearing concerning said application. The applicant shall pay all costs associated with the request.

NAME OF APPLICANT (LANDOWNER): DEXTER P. DAVIS

E-911 ADDRESS: END OF NEW GROUND ROAD NEAR INTERSECTION
OF MUSKIEAT RD

MAILING ADDRESS: 6690 STREAM VIEW LN
*(if different than 911 address) WARRENTON, VA 20187

TELEPHONE: 540-359-6317 (DAYTIME)
 (CELL)

The following information must be enclosed with this application:

1. A copy of all preliminary maps, plans or other information related to the application.
2. A list of names and addresses of all of those owning property adjacent to the property for which a variance is being requested.
3. A filing fee (non-refundable) in the amount of \$65.00 to cover the cost of advertising and administration.

Briefly explain below the nature of the variance and justification for the variance as set forth in Section 15 of the Subdivision Ordinance:

ADJOINING OWNER DEVELOPER, NEW PARCEL 'B' WILL BE
CONVYED TO BRITTING WEISSER, DAVIS & WEISSER
ARE SWAPPING PARCELS DUE TO ERRANDS CONVEYANCE TO WEISSER
RECONVEYING NEW TRACT 2 TO ALLOW FRONTAGE ON NEW GROUND RD

Signature of Landowner(s): Bradley [Signature] Date: 09-16-15
REPRESENTING DEXTER DAVIS

**APPLICATION
REQUEST FOR VARIANCE TO THE
WYTHE COUNTY SUBDIVISION ORDINANCE**

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NAME OF APPLICANT (LANDOWNER): Kristina Weisiger

E-911 ADDRESS: _____

MAILING ADDRESS: P.O. Box 871 289 W. MAIN ST. (COUNTS)
*(if different than
911 address) Wytheville, VA 24382

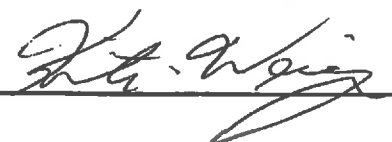
TELEPHONE: ²⁷⁶⁻389-8014 (DAYTIME)

_____ (CELL)

The following information must be enclosed with this application:

- 1. A copy of all preliminary maps, plans or other information related to the application.
- 2. A list of names and addresses of all of those owning property adjacent to the property for which a variance is being requested.
- 3. A filing fee (non-refundable) in the amount of \$65.00 to cover the cost of advertising and administration.

Briefly explain below the nature of the variance and justification for the variance as set forth in Section 15 of the Subdivision Ordinance:

Signature of Landowner(s):  Date: 9-17-15

NOTES:

1. THIS PLAN HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE AS PER DATE OF THIS PLAN AND THERE ARE NO VISIBLE ENCUMBRANCES OR ENCROACHMENTS EXCEPT AS SHOWN.
2. THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
3. THE AREA SHOWN HEREON IS LOCATED IN FLOOD HAZARD ZONE "X" AND IS NOT LOCATED WITHIN FLOOD HAZARD ZONE "A" FOR A 100 YEAR FLOOD AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON COMMUNITY-PANEL MAP #01197C22200 DATED MAY 2, 2008.
4. THERE IS A 50' SIDE RIGHT OF WAY THAT BENEFITS THIS SUBJECT PROPERTY WHICH EXTENDS TO RTE. 720 WAPPOROULL ROAD AS SHOWN ON A PLAN RECORDED IN D.B. 452 PG. 712. THE EXISTING GRAVEL/SOIL ROAD IS WITHIN THIS RIGHT OF WAY AS SHOWN. THERE IS A 30' RIGHT OF WAY (WAPPOROULL ROAD) THAT BENEFITS ADJACENT PARCELS EAST OF NEW GROUND ROAD AS SHOWN ON A PLAN RECORDED IN P.S. 9 PG. 94. AN EXISTING GRAVEL IS WITHIN THIS RIGHT OF WAY.
5. SUBJECT PROPERTY WILL BE SERVED BY PRIVATE SANITARY SEWER AND PRIVATE WATER.
6. THERE ARE NO PRINCIPLE STRUCTURES WITHIN THE SETBACK AREAS ALONG NEW BOUNDARY LINES. FRONT SETBACKS = 35', REAR SETBACKS = 10', AND SIDE SETBACKS = 10'.
7. PUBLIC UTILITY ENCUMBRANCES OF NOT LESS THAN TEN (10) FEET IN WIDTH SHALL BE PROVIDED FOR WATER, SEWER, POWER LINES, AND OTHER PUBLIC UTILITIES IN THE SUBDIVISION ALONG EACH PROPERTY LINE EXCEPT ALONG THE OUTSIDE BOUNDARY WHERE TWENTY (20) FEET SHALL BE REQUIRED.
8. SUBJECT PROPERTY IS CURRENTLY USED AS RESIDENTIAL/AGRICULTURAL. THE PROPOSED USE FOR THE NEW LOT SHALL BE RESIDENTIAL/AGRICULTURAL. ALL ADJACENT PROPERTIES ARE CURRENTLY USED AS AGRICULTURAL/RESIDENTIAL.
9. THERE ARE NO EXISTING STORM SEWER STRUCTURES ON THE PROPERTY EXCEPT AS SHOWN HEREON.
10. RESTRICTIONS AND/OR COVENANTS, IF ANY, ARE TO BE RECORDED SIMULTANEOUSLY WITH THIS PLAN AND THERE ARE NO EXISTING COVENANTS.
11. THERE ARE CURRENTLY NO PLANS FOR DEVELOPING NEW PARCEL 'A' OR NEW PARCEL 'B'.
12. NO BUILDING MAY BE ERECTED ON NEW PARCEL 'B', EXCEPT AN ACCESSORY STRUCTURE, UNLESS OR UNTIL THE LOT IS BROUGHT INTO COMPLIANCE WITH THE FULL TERMS AND CONDITIONS OF THE SUBDIVISION ORDINANCE. THIS LOT SHALL NOT BE SOLD EXCEPT (1) ALONG WITH THE TRACT TO WHICH IT WAS CONVEYED UNDER THE ADJOINING OWNERS PROVISION OF THE WYTHE COUNTY SUBDIVISION ORDINANCE OR (2) TO THE ORDER OF AN ADJOINING LOT.
13. THE PARENT TRACT ORIGINAL ACRES IS EIGHTY-SEVEN (87) ACRES. THE INTENT OF THIS PLAN IS TO CREATE NEW PARCEL 'B' TO BE CONVEYED TO THE ADJACENT TAX PARCEL 42-28. A BOUNDARY SURVEY WAS ALSO PERFORMED ON ADJACENT PROPERTY SHOWN HEREON AS 'EXISTING TRACT 2'.



OWNER'S COMMENT:
THIS IS TO CERTIFY THAT THIS SUBDIVISION AS SHOWN HEREON HAS BEEN PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSEIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

DEXTER P. DAVIS DATE _____
COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA
COUNTY/CITY OF _____
I, _____ A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS/REPRESENTATIVES WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS _____ DAY OF _____ 20____.
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC
WYTHE COUNTY CERTIFICATE OF APPROVAL:
THE SUBDIVISION PLAN KNOWN AS THE DAVIS DIVISION IS IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.
ADMINISTRATOR DATE _____
PLANNING COMMISSION DATE _____

LINE	BEARING	LENGTH
L1	N 08°46'06" W	121.85
L2	N 18°27'45" W	187.80
L3	N 38°21'09" W	174.80
L4	N 82°22'02" W	111.30
L5	N 14°33'45" W	232.54

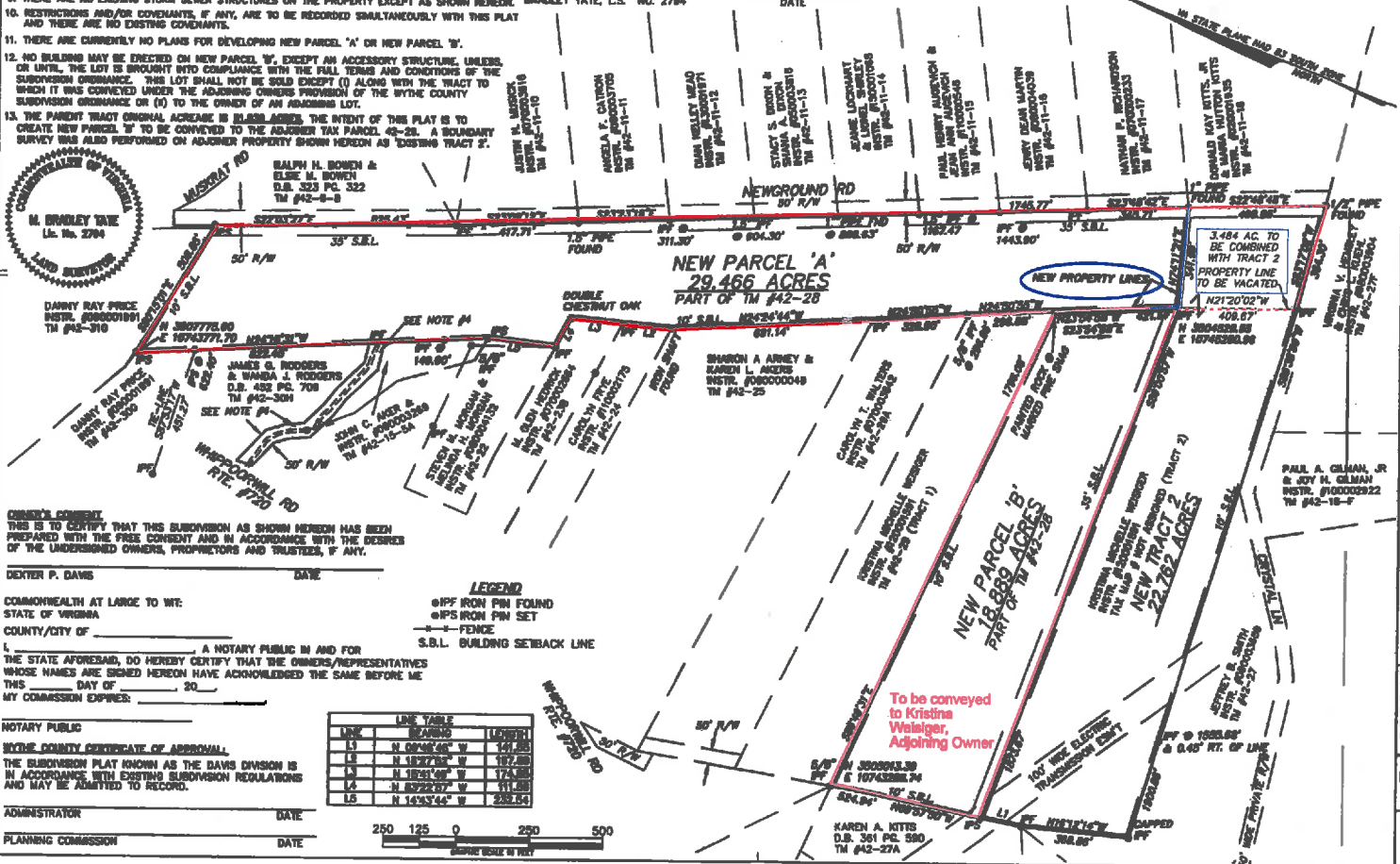
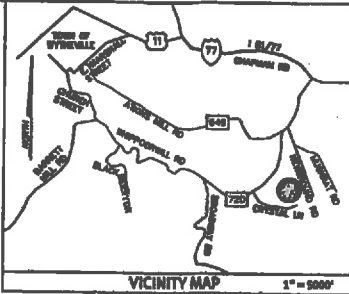


DEED OF TRUST, DAVIS PROPERTY (TM 42-28)
PART OF THE AREA SHOWN WAS ORIGINALLY ACQUIRED BY PEYTON D. DAVIS FROM MARIE B. EASTWOOD & JOHN R. EASTWOOD, OLIE G. ANCHER, SALLIE A. SMITH, KENNY G. DAVIS, JUDSON A. DAVIS, HELEN D. KINDER & EDWARD KINDER, MARY T. DAVIS, FRANK AUGUSTINE DAVIS, JR., & JACQUELIN DAVIS, FRANCES B. HENRY & GEORGE J. HENRY BY DEED DATED JUNE 26, 1948 AND RECORDED IN D.B. 132 PG. 84 OF THE CIRCUIT CLERK'S OFFICE OF WYTHE COUNTY, VIRGINIA. TRACT 2 (16 ACRES MORE OR LESS) PERTAIN TO THE SUBJECT PROPERTY SHOWN HEREON.
THE AREA SHOWN WAS ACQUIRED BY DEXTER P. DAVIS AND ROLFE M. DAVIS WHO ARE SHOWN AS THE ONLY HEIRS OF MARTHA RUTH OPERARY DAVIS (WIFE OF PEYTON D. DAVIS) IN A WILL FILE AS RECORDED IN CWFO7000073 OF THE CIRCUIT COURT CLERK'S OFFICE OF WYTHE COUNTY, VIRGINIA.
THE AREA SHOWN IS ALSO SUBJECT TO THE "LIST OF HEIRS/REAL ESTATE AFFIDAVIT" DATED "AUGUST 18, 1987" AND RECORDED IN VOL. 42 PG. 595 OF THE CIRCUIT CLERK'S OFFICE OF WYTHE COUNTY, VIRGINIA. WHERE DEXTER P. DAVIS IS SHOWN AS THE ONLY HEIR TO ROLFE M. DAVIS.
ALSO SEE D.B. 38 PG. 401, D.B. 38 PG. 418, AND D.B. 24 PG. 439 WHICH MAY PERTAIN TO THE SUBJECT PROPERTY. DESCRIPTIONS ARE TO VAGUE TO DETERMINE.

DEVELOPER'S AFFIDAVIT:
I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND THE ORDINANCES OF WYTHE COUNTY, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITH THE COUNTY HAVE BEEN MET.

OWNER'S ADDRESS:
DEXTER P. DAVIS
6890 STREAM VIEW LN
WARRENTON, VA 20187
540-358-8317

BRADLEY TATE, L.S. NO. 2794 DATE _____



HURT & PROFFITT
REGISTERED PROFESSIONAL SURVEYORS
305 S. 1ST STREET
WYTHEVILLE, VA 24245
TEL: 540-358-8317
FAX: 540-358-8318

PLAT SHOWING
ADJOINING OWNER DIVISION OF THE PROPERTY OF
DEXTER P. DAVIS
FORT CHISWELL, MAGISTERIAL DISTRICT, WYTHE COUNTY, VIRGINIA

PROJECT NO. 20134182
S.L. NO. _____
FILE NO. _____
DATE 07-25-2015
DRAWN BY: BHS
CHECKED BY: MBT

HURT & PROFFITT

SHEET NO.
1 OF 1



Subdivision Report

To: Planning Commission
From: Michelle Cassell, Assistant Department Head
Date: 9/29/2015
Re: Request for Variance - Shupe

In March 2015, Ronald L. Shupe subdivided his property and conveyed 22.096 acres to his grandson, Jason Hale, under the family provision in the Subdivision Ordinance, leaving a 42+/- acre residual.

Mr. Shupe is currently proposing to subdivide his 42+/- acres located along a 60 feet wide right-of-way off of U.S. Route 21, Grayson Turnpike, to convey 25+/- acres to his adjoining owner and grandson, Jason Hale. Jason Hale is proposing to simultaneously combine the 25+/- acres with his existing 22.096 acres that he previously obtained from his grandfather to create a 47+/- acre tract.

Section 14.2(2) of the subdivision ordinance allows for the sale or exchange of parcels between adjoining lot owners provided such sale or exchange of property does not leave a lot or parcel that does not conform to the ordinance. The deed and plat for the land under this section shall contain the statement, "No building may be erected on this lot, except an accessory structure, unless, or until, the lot is brought into compliance with the full terms and conditions of this ordinance".

Because Mr. Shupe's 42+/- acres does not front a state maintained road and this proposed division would leave a non-conforming lot, he is requesting a variance to Section 5.3.1(8) of the ordinance in order to proceed with his proposed division.

Staff will answer any questions that the Commission may have regarding this division.

**APPLICATION
REQUEST FOR VARIANCE TO THE
WYTHE COUNTY SUBDIVISION ORDINANCE**

Any property owner desiring to make application for a variance shall file a written application for variance with the Planning Commission. The application and accompanying maps, plans, or other information shall be acted upon by the Commission within sixty (60) days of date of filing. A notice of the application for variance shall be published in a newspaper having center circulation in Wythe County, which notice shall state the application requests, why it is requested, and shall give notice of a public hearing concerning said application. The applicant shall pay all costs associated with the request.

NAME OF APPLICANT (LANDOWNER): RONALD L. SHUPE

E-911 ADDRESS: 5517 GRAYSON TURNPIKE
SPEEDWELL, VA 24374

MAILING ADDRESS: " "
*(if different than 911 address)

TELEPHONE: 276-686-6479 (DAYTIME)
 (CELL)

The following information must be enclosed with this application:

- 1. A copy of all preliminary maps, plans or other information related to the application.
- 2. A list of names and addresses of all of those owning property adjacent to the property for which a variance is being requested.
- 3. A filing fee (non-refundable) in the amount of \$65.00 to cover the cost of advertising and administration.

Briefly explain below the nature of the variance and justification for the variance as set forth in Section 15 of the Subdivision Ordinance:

(P.B. 12 PG 704)

RONALD SHUPE CONVEYED A 22 ACRE PARCEL TO HIS GRANDSON
JASON HALL IN FEB. 2015. MR. SHUPE NOWS WANTS TO CONVEY
AN ADDITIONAL 25 ACRES TO JASON HALL & WOULD LIKE TO
VACATE THE ORIGINAL DIVISION LINE AND CREATE A BIGGER PARCEL

Signature of Landowner(s): Ronald J Shupe Date: 08-20-15

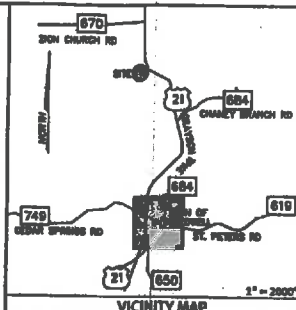
In March, 2016 a family division was approved for Ronald L. Shupe to convey 22.086 acres to his grandson, Jason Hale, leaving a residual parcel of +/- 42 acres. (see attached plat showing approved division)

Mr. Shupe is now proposing to subdivide his remaining +/-42 acres to convey an additional +/-25 acres to Jason Hale and retain +/- 17 acres.

Jason Hale intends to combine these two properties to create a +/-47.086 acre parcel.

The residual 17+/- acres will be accessed by a 80 feet wide right-of-way.

SOURCE OF TITLE: T.L. 888-244
 THE PROPERTY SHOWN HEREON WAS ACQUIRED BY RONALD LEE SHUPE FROM R.L. CLEARING & GRUBBING, INC. BY DEED DATED JANUARY 10, 2005 AS RECORDED IN INSTR. #150600018 OF THE CIRCUIT COURT CLERK'S OFFICE OF WYTHE COUNTY, VIRGINIA, WHICH IS THE LAST INSTRUMENT IN THE CHAIN OF TITLE TO SAID PROPERTY.



- LEGEND**
- PS 1/2" REBAR SET
 - PF 1/2" IRON PIPE FND
 - WOVEN WIRE FENCE
 - CENTER LINE ROAD
 - S.B.L. BUILDING SETBACK
 - SUGAR RUN CREEK
 - W — UG WATER LINE

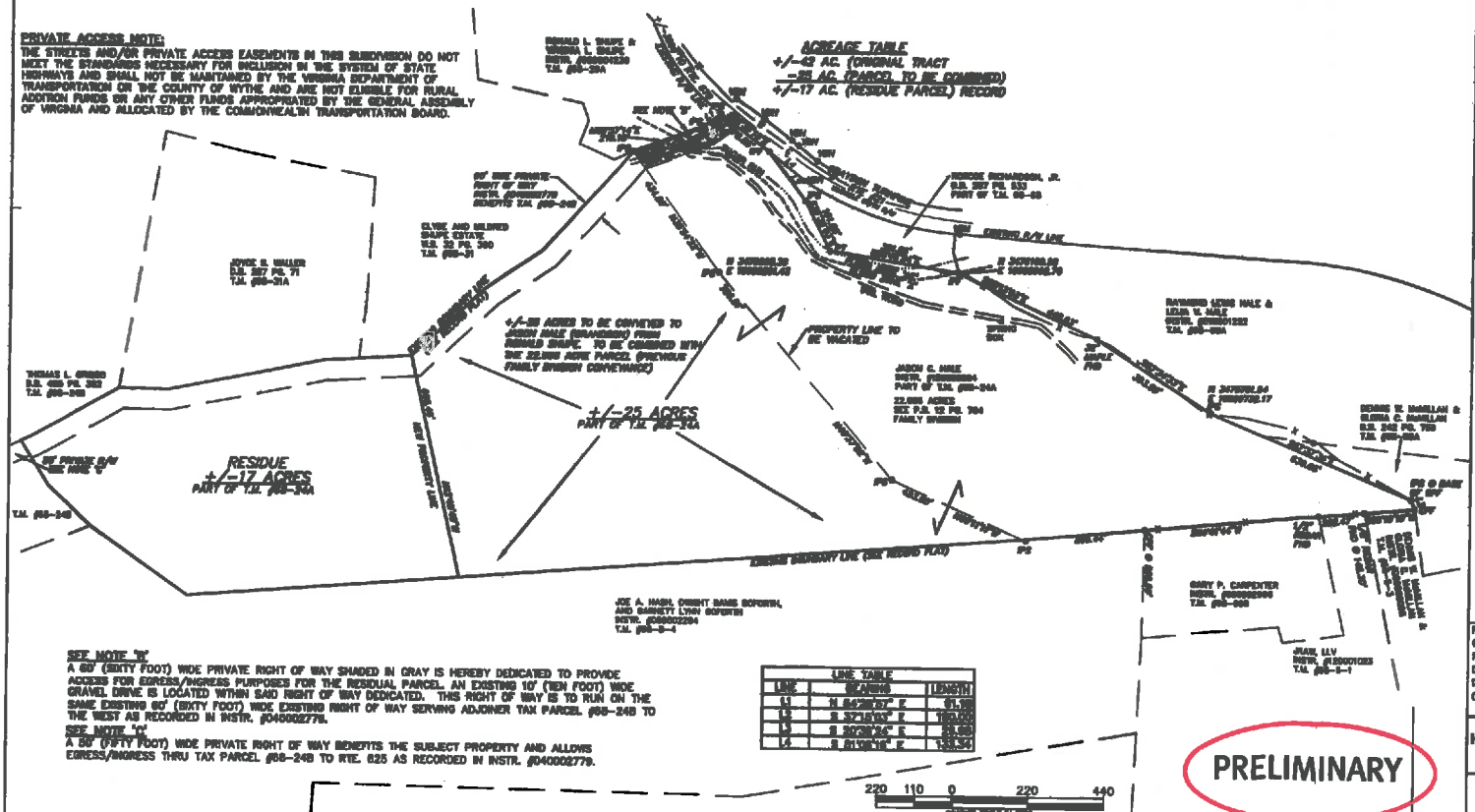
OWNER'S ADDRESS
 RONALD L. SHUPE
 5017 GRAYSON TURNPIKE
 SPEEDWELL, VA 24376
 278-888-8478

PREPARED BY: **HURTT & PROFFITT**
 REGISTERED PROFESSIONAL SURVEYORS
 200 S. 4TH STREET
 WYTHEVILLE, VIRGINIA 24382
 (278) 888-8478

PRIVATE ACCESS NOTE:
 THE STREETS AND/OR PRIVATE ACCESS EASEMENTS IN THIS SUBDIVISION DO NOT MEET THE STANDARDS NECESSARY FOR INCLUSION IN THE SYSTEM OF STATE HIGHWAYS AND SHALL NOT BE MAINTAINED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION OR THE COUNTY OF WYTHE AND ARE NOT ELIGIBLE FOR RURAL ADDITION FUNDS OR ANY OTHER FUNDS APPROPRIATED BY THE GENERAL ASSEMBLY OF VIRGINIA AND ALLOCATED BY THE COMMONWEALTH TRANSPORTATION BOARD.

ACREAGE TABLE

+/- 42 AC. (ORIGINAL TRACT)
- 25 AC. (PARCEL TO BE COMBINED)
+/- 17 AC. (RESIDUE PARCEL) RECORD



LINE TABLE

LINE	BEARING	LENGTH
L1	N 84°00'00" E	61.78
L2	S 34°30'00" E	103.00
L3	S 30°00'00" E	111.00
L4	S 81°00'00" E	133.34

SEE NOTE 'A'
 A 60' (SIXTY FOOT) WIDE PRIVATE RIGHT OF WAY SHADED IN GRAY IS HEREBY DEDICATED TO PROVIDE ACCESS FOR EGRESS/INGRESS PURPOSES FOR THE RESIDUAL PARCEL. AN EXISTING 10' (TEN FOOT) WIDE GRAVEL DRIVE IS LOCATED WITHIN SAID RIGHT OF WAY DEDICATED. THIS RIGHT OF WAY IS TO RUN ON THE SAME EXISTING 60' (SIXTY FOOT) WIDE EXISTING RIGHT OF WAY SERVING ADJACENT TAX PARCELS #68-248 TO THE WEST AS RECORDED IN INSTR. #040002776.

SEE NOTE 'B'
 A 50' (FIFTY FOOT) WIDE PRIVATE RIGHT OF WAY BENEFITS THE SUBJECT PROPERTY AND ALLOWS EGRESS/INGRESS THRU TAX PARCEL #68-248 TO RTE. 625 AS RECORDED IN INSTR. #040002779.



PRELIMINARY

**PRELIMINARY EXHIBIT SHOWING
 A FAMILY SUBDIVISION FOR THE PROPERTY OF
 RONALD L. SHUPE**
 SPEEDWELL MAGISTERIAL DISTRICT, WYTHE COUNTY, VIRGINIA

PROJECT NO. 20141263
 S.L. NO.
 FILE NO.
 DATE: 06-20-19
 DRAWN BY: AMT
 CHECKED BY: AMT

HURTT & PROFFITT

SHEET NO.
1 OF 1

Aug 22, 2019 - 11:13 AM W:\1\land\proj\612019\20190822\19aug\19aug\19aug.dwg

Landowner	Subdivision Name	Surveyor	Parcels	Submitted	Completed	District
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Sheffey, Robin	n/a	Pillar, Inc.	1	9/08/15	9/15/15	Speedwell
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Minor Subdivision
9/8/15 - 1st review - needs revisions
9/8/15 - 2nd review - ok for originals
9/14/15 - received originals
9/15/15 - complete
pb 12 pg 754

Total Number of Parcels: 1

-1-



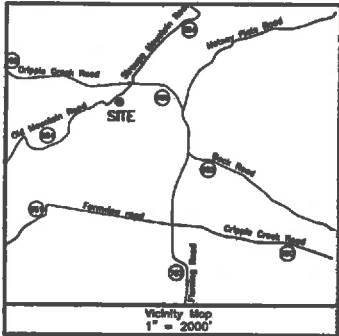
Subdivision Report

To: Planning Commission
From: Michelle Cassell, Assistant Department Head
Date: 9/30/2015
Re: Minor Subdivision - Sheffey

Robin Arnold Sheffey recently subdivided her property of 5.064 acres located along Old Mountain Road, SR 684, in the Speedwell Magisterial District. This minor subdivision created a 2.003 acre lot (Lot A) and a 3.061 acre lot (Lot B).

Both parcels will be utilized for residential purposes and will be served by private sewer and private water. They both have adequate state road frontage to meet the ordinance requirements.

Staff will answer any questions that the Commission may have regarding this division.



Symbols & Abbreviations

---	Building setback line
---	Gravel drive way
---	Property line
---	Fence line
R/W	Right-of-way line
---	Found
---	Tract line
---	Utility pole
---	Overhead utility

County Approval:
This Minor Subdivision as shown hereon, is approved by the undersigned in accordance with the existing subdivision regulations, and may be committed to record.

County Administrator _____ Date _____
Planning Commission _____ Date _____

Source of Title
The property shown hereon is the property acquired by Robin Sealaine Arnold Shaffley by Deed Instrument No. 120002289 recorded in the Clerk's office of Wayne County, Virginia which is the last instrument in the chain of title to said property.

Willy Joe Anderson, L.S. No. 3064 _____ Date _____

Surveyor's Certificate
I hereby certify, to the best of my knowledge and belief, that the measurements of Wayne County, Virginia regarding the platting of Minor Subdivisions within the county have been complied with.

Willy Joe Anderson, L.S. No. 3064 _____ Date _____

APPROVED
By Michelle Cassell at 7:53 am 06/21/2013

Please advise client that subdividing property will affect real estate location including land use location if applicable. Contact the Commissioner of the Division to discuss tax implications @ 225-6916.

Owner's Consent
This is to certify that the Minor Subdivision as shown hereon has been approved with the free consent and in strict accordance with the wishes and desires of the undersigned owner.

Robin Sealaine Arnold Shaffley _____ Date _____

Mayor's Certificate
Commonwealth of Virginia

County of _____ to-wit:

I, _____, a notary public in and for the Commonwealth and County aforesaid do hereby certify that Robin Sealaine Arnold Shaffley whose name is signed to the foregoing writing bearing date of _____, 2013 has personally appeared before me and acknowledged the same.

Given under my hand and seal on this _____ day of _____, 2013

Notary Public _____
My commission expires _____

Owner's Address:
854 Old Mill Road
Waynesville Va. 24382
276-621-4140

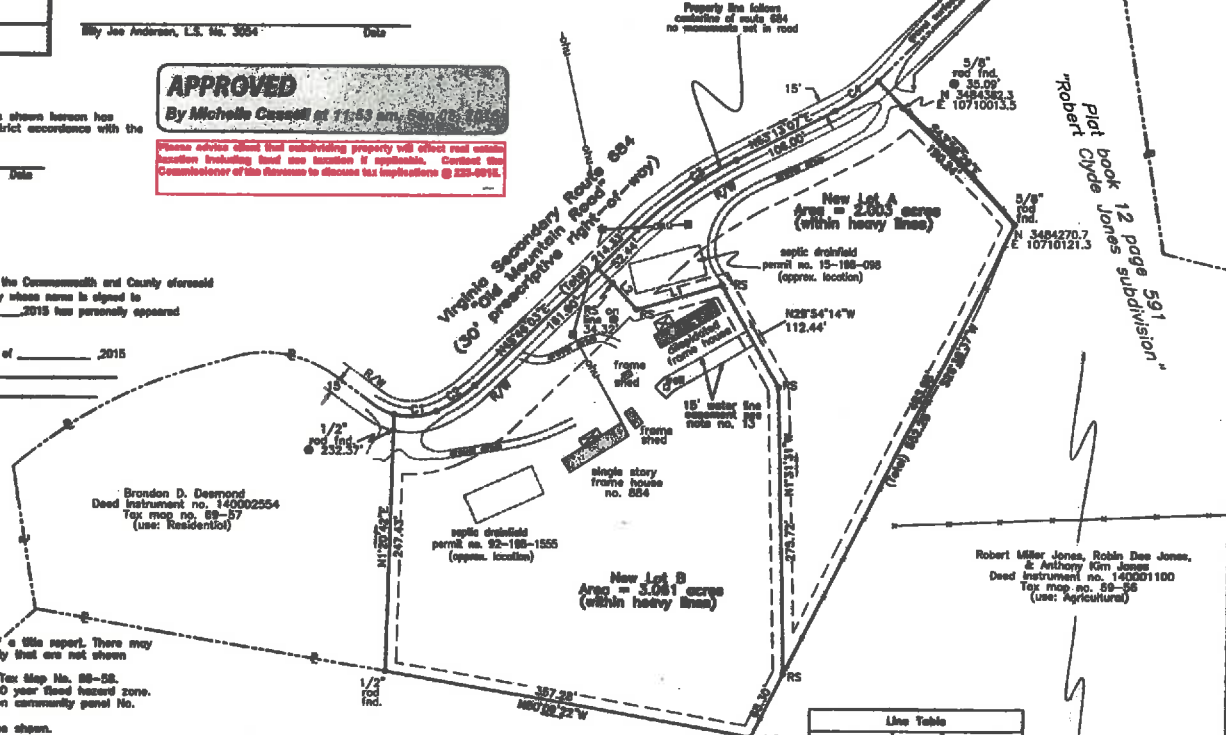
Brandon D. Desmond
Deed Instrument no. 140002254
Tax map no. 58-57
(Use: Residential)

Robert Miller Jones, Robin Dee Jones,
& Anthony Kim Jones
Deed Instrument no. 140001100
Tax map no. 58-56
(Use: Agricultural)

- Notes:**
- This plat is based on a current field survey.
 - This plat was prepared without the benefit of a title report. There may be existing encumbrances that encumber this property that are not shown hereon.
 - Reference: Deed Instrument No. 120002289; Tax Map No. 58-56.
 - This property does not lie within a HAZUS 300 year flood hazard zone. This system is based on the flood zone shown on community panel No. 81197C0338D effective date May 2, 2008.
 - 1/2" rubber mat at all corners unless otherwise shown.
 - There are not any buildings within setback areas along new boundary lines. Front Setback = 40' 235' + 10' for future road widening; Rear Setback = 10'; Side Setback = 10'.
 - Parent tract 5.864 Acres by survey (Record). 2 New lots are created by this division with no residual.
 - Proposed common name; Existing common name: none.
 - Current use = residential. Proposed use = residential.
 - Public utility measurements of not less than 10 feet in width shall be provided for water, sewer, power lines, and other public utilities in the subdivision along each property line except along the outside boundary where 20 feet shall be required.
 - There are not any existing storm sewer structures on the property shown hereon.
 - New Lots are served by private water, and private sewer system as shown hereon.
 - New 15' waterline easement dedicated for installation & repair of waterline from existing pump house & well to new lot A shown hereon (contained on future installed platting)

Plat book 12 page 528

James J. & Joe M. Graham
Deed Instrument no. 130002273
Tax map no. 58-56A
(Use: Residential)



Line Table

Line Number	Length	Direction
L1	85.47'	57°32'10"W
L2	54.32'	044°13'57"W

Curve Table

Curve Number	Delta	Radius	Length	Tangent	Chord Length	Chord Bearing
C1	38°48'13"	62.01'	42.00'	31.84'	41.20'	N88°24'44"E
C2	20°14'38"	128.00'	44.16'	22.31'	43.03'	N55°53'20"E
C3	17°27'04"	385.00'	117.59'	59.09'	116.61'	N5°29'30"E
C4	17°00'34"	170.00'	50.47'	28.42'	50.38'	N5°48'50"E



Plat of Minor Subdivision Survey of
Tax map no. 69-58
Property of Robin Sealaine Arnold Shaffley



Job Number: 151789
Drawn By: SMC
Checked By: BMA
Date: 06/21/2013
Scale: 1" = 70'

Sheet
1 of 1