



**Town of Urbanna  
Planning Commission  
Monthly Meeting and Public Hearing  
AGENDA  
Town Council Chambers  
390 Virginia St., Suite B  
Tuesday July 23, 2024 6:00 PM**

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Public Hearing
  - a. 2024-SUP-03 201 Colorado
  - b. 2024-ZOA-01 Home Occupancy Permits/B-1 Uses
5. Other business
  - a. Town Initiated Re-zoning
6. Adjourn



**Planning Commission  
Agenda Item Summary  
July 23, 2024**

**Agenda Item: 3-**Approval of Agenda

**Staff Recommendation:** Approve

**Council Action Requested:** Yes

**Sample Motion(s):** Motion to approve agenda as presented.

**Staff Report**  
2024-SUP Application-03

**Location:** 201 Colorado Ave.

**Property Owner:** Bryan & Jennifer Harrelson

**Lessor:** N/A

**Applicant:** Bryan Lee Harrelson

**Request:** Conversion of the detached single car garage to an accessory dwelling unit to accommodate guests. Planned renovations include exterior improvements, new windows, decorative carriage doors, and paver patio. Interior improvements include new bathroom, new finishes, and HVAC. Plumbing and electrical connections will be fed from the main house.

**Acreage:** 0.234 acres

**Map:** 20A-6-22

**Zoning District:** R-1

**Overlay District(s):** Chesapeake Bay Preservation Area Overlay District

**Use:** Residential

**Adjacent Composition:** Residential-zoned R-1

**Environmental:** This is a developed site and no exterior additions are proposed that would alter the land as it exists requiring any concerns to be addressed.

**Comprehensive Plan:** The proposed plan, as it is presented, using the existing footprint of the garage, avoids adding any impervious surfaces to the lot, and does not go against the Chesapeake Bay Preservation Act (CBPA). This furthers the environmental goals and objectives as noted on page 45 of the Comprehensive Plan.  
Under Land Use Goals and Objectives, it would encourage harmonious and wise use of the land, and improve the compatibility of existing land use relationships.

**Zoning Compliance:** The existing structure's placement is non-conforming and therefore exempted from setback requirements.

**Analysis:**

Various state agencies, to include the Virginia Department of Transportation, and contractors were contacted for comments on this case. The only comment received was from Hampton Roads Sanitation District requesting a sketch showing the location of the sewage pump and service line connecting the garage to the house main line.

Per §17-13.2 of the Urbanna Town Code, the definition of a “Dwelling Unit” is:

*Space, within a building, comprising living, dining, and sleep rooms, storage closets, and space and equipment for cooking, bathing, and toilet facilities, occupied as separate living quarters by a single family or other group of persons living together as a household or by a person living alone and having its own permanently installed cooking and sanitary facilities.*

Based on this definition, this would not be a complete dwelling unit, due to its lack of cooking equipment (kitchen) limiting its use as a separate living unit.

Rather than putting on an extension to the current home, which would alter the view of the water for some adjacent neighbors, the applicant is converting the structure for personal guest use only. By doing this the proposed use would not “unreasonably impair an adequate supply of light and air to adjacent property” as found in §17-9.4(a) of the Urbanna Town Code.

Staff finds, per §17-9.4(a) of the Urbanna Town Code, the proposed use would not have an adverse effect on the surrounding neighborhood and recommends approval of the SUP with the conditions below.

**Suggested Permit Conditions:**

1. All federal, state and local laws shall be observed at all times.
2. The property shall be maintained in a clean and orderly manner at all times.
3. This Ordinance shall be recorded in the Middlesex County Clerk’s Office by the property owner; the property owner shall provide a stamped copy of the recorded Ordinance to the Town Administrator.
4. No ingress/egress will be added to the Kent Street side of the unit.
5. If owner and/or applicant violates any of the conditions above or fails to adhere to the representations set forth in the application and supporting materials, this special use permit may be terminated upon notice being given the applicant and hearing by the Town Council.



Special Use Permit Application Number \_\_\_\_\_

## Town of Urbanna, Virginia

### Application for Special Use Permit – Standard Form

The undersigned property owner or agent for the property owner, of the following property hereby applies for a Special Use Permit in accordance with Chapter 17, Urbanna Town Code, Article 9, Zoning Ordinance of Urbanna, Virginia.

#### Applicant / Property Owner Information

Bryan Lee Harrelson

Applicant Name

201 Colorado Avenue	Urbanna	Virginia	23175
Applicant Address	City/Town	State	Zip Code

703-772-9209

Applicant phone number

Applicant fax number

You are the ( X ) property owner; ( ) agent for the property owner.

Note: If you are the agent for the property owner written consent of the owner must be attached to this application.

Bryan Lee Harrelson

Property Owner Name

2406 Logan Street	North Chesterfield	Virginia	23235
Property Owner Mailing Address	City/Town	State	Zip Code

703-772-9209

Property owner telephone number

Property owner fax number

#### Location of Property

201 Colorado Avenue	20A-622
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Street Address

Tax parcel ID number

#### General Description of Property

3 Bedroom Residence with Single Car Detached Garage

Current Zoning District \_\_R-1\_\_ Tax Map 20A DC      Lot(s) 622

Overlay District(s): Flood Zone ( ) Zone X ( ) Zone AE Historic District ( ) Yes ( X ) No  
Chesapeake Bay ( ) RMA ( ) RPA

#### Existing Use(s) of Property

Vacation/Weekend Home

Is this application a request to amend an existing special use permit?

Yes



If so, explain the amendment(s).

Describe the proposed change in use or change in structure(s) for the property.

Conversion of the detached single car garage to an accessory dwelling unit to accommodate guests. Planned renovations include exterior improvements, new windows, decorative carriage doors, and paver patio. Interior improvements include new bathroom, new finishes, and HVAC. Plumbing and electrical connections will be fed from the main house.

Maximum Building Height(s) with Proposed Change: No planned change in height.

Number of Dwelling Units/Density Calculations: Existing house has 3 bedrooms. 1 bedroom will be added.

**Proffers, Restrictive Covenants, Deed Restrictions and Other Special Considerations**

None.

Does this property have any conditions attached to it from a previous application for a special use permit? If so, please list them here.

None.

Demonstrate how the proposed special use will not negatively impact the surrounding properties or detract from the neighborhood character in terms of public health, safety, and welfare. How will such impacts be mitigated or avoided?

Refer to attachment for details.

Attach a site plan / plot plan / survey plat showing location(s) of existing and proposed structures to be erected and applicable setback lines and distances including all zoning district requirements.

**Notes**

- (1) Special use permits are issued subject to approval of a site plan. Permits may be issued for either a limited or indefinite period of time and shall be revocable by the Town Council for failure to adhere to the applicable conditions. Unless otherwise specified, work must begin within one year and be completed within 2 and one-half years.
- (2) The Town Council may include, as part of the ordinance granting any special use permit, suitable regulations and safeguards as it may deem appropriate. Once a special use permit is approved subject to such conditions, they shall be deemed to be a part of the zoning ordinance and may be enforced by the zoning administrator. Conditions attached to a special use permit may only be amended or deleted by subsequent application for the purpose.
- (3) This permit shall expire and may be revoked if the work performed does not conform to the approved site plan and application (drawings/site plan/elevations), the conditions attached thereto, or other applicable regulations. The permit shall be revoked if the use made of the property does not conform to the use applied for and approved hereby.

- (4) This application for a special use permit must be accompanied by three (3) copies of any required site plans or plot plans. Plans are to be drawn to scale, showing actual dimensions of all existing and proposed structures/alterations.

**Attach the Names and Addresses of All Adjacent Property Owners to this Application:** *Please include lot numbers*

**Applicant(s) Remarks:**

*Use a separate sheet if necessary.*

RIETDORF HAROLD & WIGGINS LISA R/S – 190 Colorado Avenue  
CHAPMAN STEVEN B & LAURA S R/S – 221 Colorado Avenue  
HIGHT COMMERCIAL RENTALS INC – 189 Kent Street  
ADLER RACHEL – 195 Kent Street

POWERS WILLIAM & LISA LIVING TRUST – 210 Colorado Avenue  
KLINGLER CATHERINE VOLK ETAL – 170 Kent Street  
HIGHT WAREHOUSE NC INC - 191 Kent Street  
JOSEPH RONALD C & MICHELE W R/S – 210 Kent Street

**Application Fee:** A \$300.00 application fee for Level 1 applicants or \$1500 fee for Level 2 applicants must be paid to the Town of Urbanna. In addition, the applicant is responsible for the cost of advertising and for expenses of notifying the adjacent property owners. The application fee must be paid before any action is taken. The fee is non-refundable.

In making this application, the Applicant requests that the Town of Urbanna approve the location, modifications, or construction of the above proposed special use on the property described above.



6-10-24

Property Owner Signature

Date

Applicant Signature (If Not Property Owner)

Date

If this application is not signed by the property owner, Agent hereby swears and affirms that he has legally sufficient power of attorney to obligate the owner for all matters relating to this application.

Agent Signature

Date

**For Office Use by the Urbanna Zoning Administrator and the Planning Commission**

Town Official Receiving Application

Date

Permit Level \_\_\_\_\_

Fee paid \$ \_\_\_\_\_

Date Paid/Received by \_\_\_\_\_

Special Use Permit Application Number \_\_\_\_\_

Actions Taken:

Application returned for correction/additional information

Date

Public Hearing advertised

Date

Adjacent property owner notifications mailed

Date

Action by Planning Commission

Dates

Action by Town Council

Date

Additional Action - Describe

Date

Additional Action - Describe

Date

(Revised 7/2013)

## **Application for Special Use Permit – Standard Form**

### **Supplemental Information**

Demonstrate how the proposed special use will not negatively impact the surrounding properties or detract from the neighborhood character in terms of public health, safety, and welfare. How will such impacts be mitigated or avoided?

- The planned upgrades are primarily to accommodate guest families, and to provide a degree of privacy for guests as an alternative to staying in the main house. We anticipate this space will be used no more than 5-10 times per year for this purpose.
- Other options were analyzed prior to consideration of upgrading the garage. Building an addition to the main house was studied but there is no feasible way to do this and provide the required privacy without excessive cost. Construction of a new bedroom on one end of the house would be immediately adjacent to the master bedroom and would block views of the water from the master bedroom (and potentially block water views for neighbors). Adding to the opposite end of the house would block views of the water from the main living areas. Neither option would provide any real privacy for a visiting family due to the size of the house. Both options would impact the scale of the house with respect to the lot, negatively impacting property value. Ultimately, upgrades to the garage were deemed to be the best option.
- 201 Colorado Avenue is unique in that it has street frontage on both Colorado Avenue and Kent Street. The garage is on Kent street and is a very basic structure. Adding carriage doors and installing a patio will enhance this structure to provide more of a cottage look, improving the back of the property that faces Kent Street. No expansion of the structure is planned.
- The planned upgrades do not have any new windows that directly face onto neighboring properties. New windows would face back towards the main house and the driveway.
- Rather than serving functions typical for a garage such as auto maintenance, engine repair, storage, etc, which cause potential fumes, the structure will serve as a guest sleeping quarters with bathroom. We envision a small patio on the side facing the yard perhaps with adirondack chairs and decorative planters.
- Several new outdoor appliances including an underground sewage grinder pump and an HVAC condensing unit will be required. The grinder pump is accessible from the yard. It is silent and pumps back to the main house where waste then drains by gravity to the HRSD sewer connection. The HVAC condensing unit (which will be very small) is planned to be located in the adjacent flower bed with adequate screening. It will not face Kent Street. A bath fan will be required and will discharge through the sidewall facing the back of the property through an approved 4" dryer vent terminal.

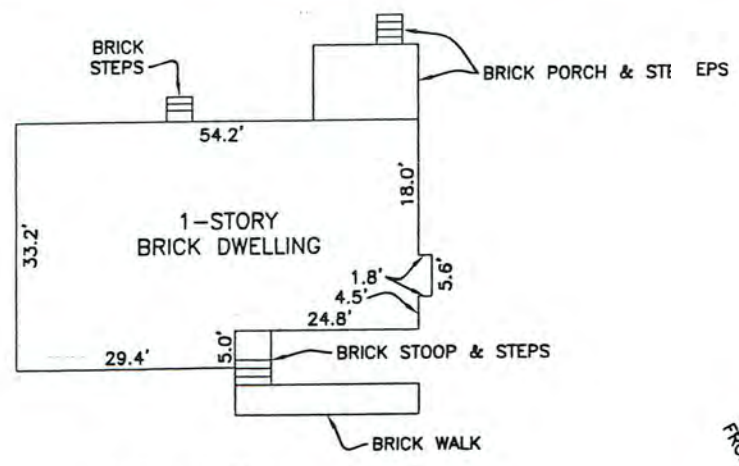


- Construction will be performed during normal business hours, by a licensed and insured contractor. We do anticipate some noise from sawing and hammering, but anticipate this type of noise will last less than 2 weeks.
- We have no plans to rent the house or the accessory dwelling unit.

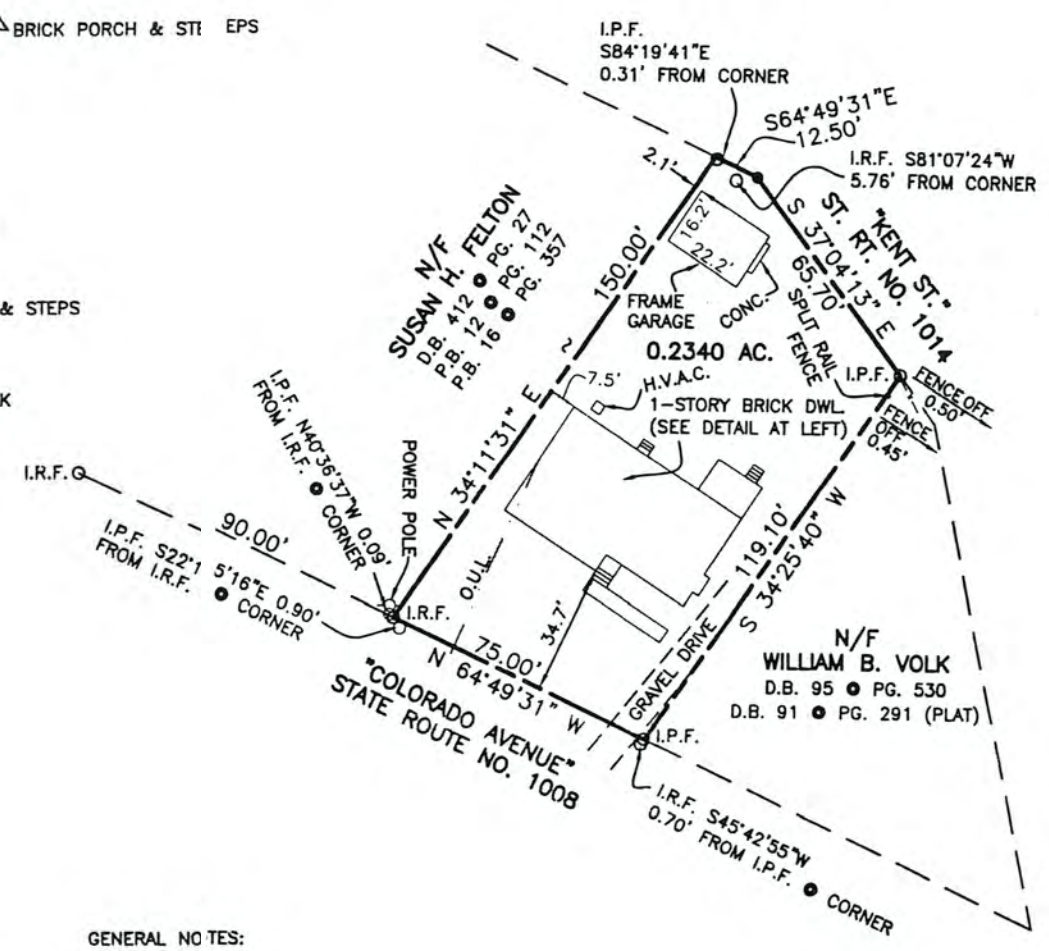




PB 16  
Pg 525



DWELLING DETAIL  
(NO SCALE)



**PLAT**  
SHOWING LOCATION OF IMPROVEMENTS  
ON THE LAND TO BE CONVEYED TO  
**ANDREW G. BURY, JR.,**  
**MARLENE S. WOOD-BURY**  
**& KATHERINE A. WOOD**  
LOCATED IN THE TOWN OF URBANNA  
MIDDLESEX COUNTY, VIRGINIA  
SCALE: 1"=40'      OCTOBER 20, 2005

**GENERAL NOTES:**

1. THE LAND DELINEATED HEREON IS LOCATED ON COUNTY TAX MAP NO. 20A(6) AS PARCELS 22 & 22A.
2. CURRENT OWNER & REFERENCES: MARK W. WILLEY  
D.B. 376 • PG. 707; W.B. 67 • PG. 611; D.B. 299 • PG. 96  
D.B. 91 • PG. 291 (PLAT); D.B. 47 • PG. 205 (PLAT)
3. PROPERTY ADDRESS: 201 COLORADO AVE.
4. THIS PARCEL LIES IN ZONE X, AREA DETERMINED TO BE OUTSIDE THE FLOOD HAZARD AREA, AS DEFINED ON THE NATIONAL FLOOD INSURANCE RATE MAP, PANEL NO. 510292 0001A, DATED NOV. 3, 1989.
5. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY SHOW ALL EASEMENTS, SERVITUDES AND COVENANTS OF RECORD.

**LEGEND:**

- ⊕ IRON ROD FOUND (I.R.F.) OR IRON PIPE FOUND (I.P.F.)
- ⊕ CONCRETE MONUMENT FOUND
- ⊕ IRON ROD OR PIPE SET
- ⊕ CONCRETE MONUMENT SET
- ⊕ POWER POLE
- ⊕ T.J.B. TELEPHONE JUNCTION BOX
- ⊕ O.U.L. OVERHEAD UTILITY LINE
- ⊕ OLD MARK
- ⊕ N/F NOW OR FORMERLY
- ⊕ R/W RIGHT-OF-WAY
- ⊕ N.R. NON RADIAL
- ⊕ W.M. WATER METER

I, THE UNDERSIGNED HEREBY CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND IS BASED ON A CURRENT FIELD SURVEY.

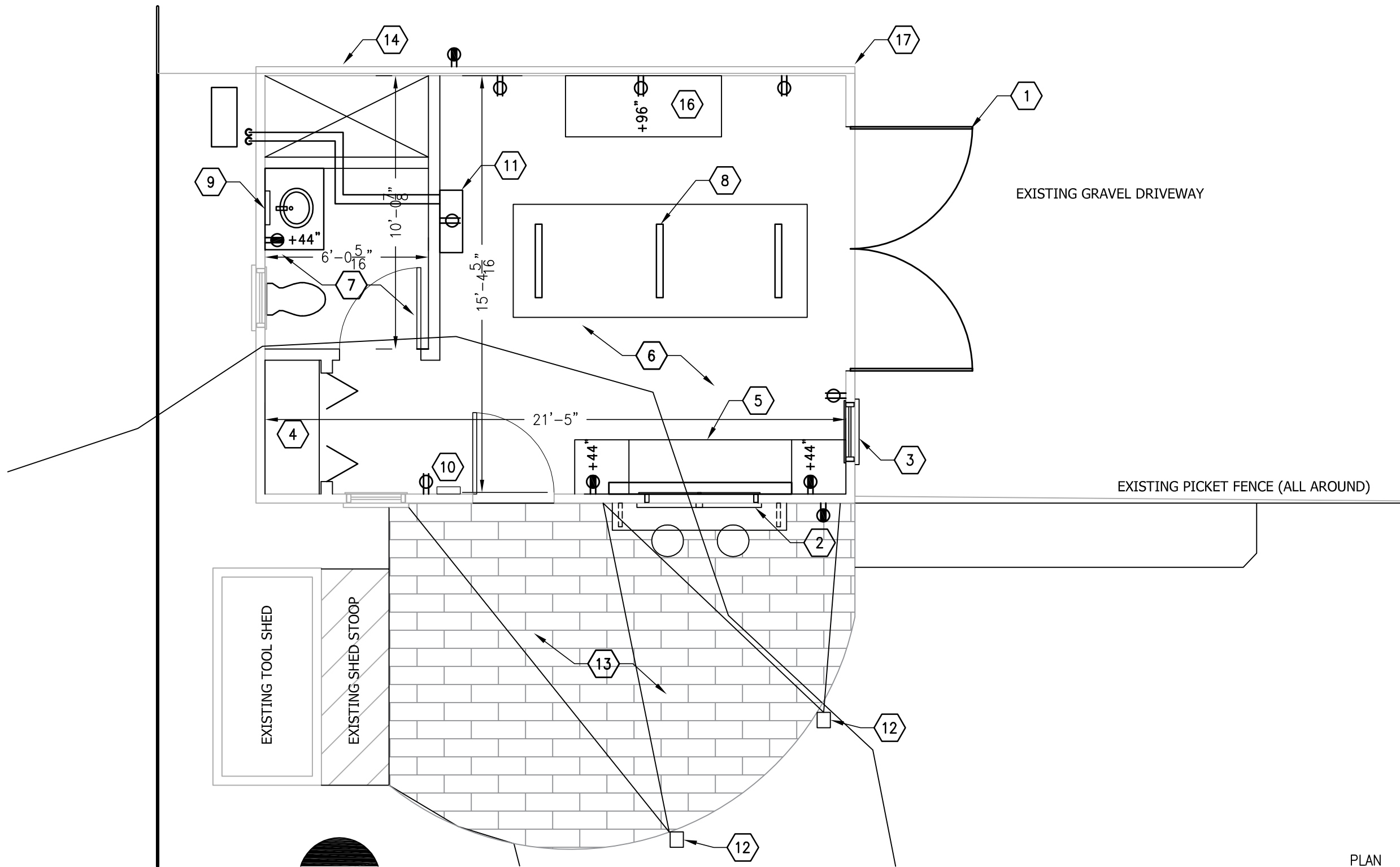


www.baydesigngroup.com

MIDDLE PENINSULA 5690 PARKWAY DRIVE GLOUCESTER, VIRGINIA 23061 804-693-2993 (F) 804-693-5596 RICHMOND 9415-A ATLEE COMMERCE BLVD ASHLAND, VIRGINIA 23005 804-550-4855 (F) 804-550-4857



COMPS: J.A.W. CAD: D.M. CHECK: D.M.  
DWG. NO.: 05331PLT JOB NO.: 05331-01



# TAG NOTES

1. NEW CARRIAGE DOORS WITH 8 PANE WINDOWS TO REPLACE EXISTING GARAGE DOOR. REMOVE EXISTING DOOR AND RAILS.
2. NEW KITCHEN PASS THROUGH GAS STRUT AWNING WINDOW 36"W X 48"H.
3. NEW 24"Wx30"H WINDOW TO MATCH EXISTING.
4. NEW 24" DEEP CLOSET WITH SHELVING AND BI-FOLD DOORS.
5. NEW MILLWORK WITH SOLID SURFACE PASS THRU COUNTERTOP TO OUTSIDE.
6. NEW WHITE WITH GRAY FLECK EPOXY GARAGE FLOOR.
7. TILE FLOOR AND SHOWER SURROUND WITH FIBERGLASS PREFAB SHOWER BASIN.
8. NEW TRACK LIGHTING ON EXISTING JOISTS.
9. NEW BATH SCENCE.
10. EXISTING LOAD CENTER. REUSE FOR NEW CIRCUITING.
11. NEW 1-TON DUCTLESS MINISPLIT
12. NEW POSTS FOR STRING LIGHTS.
13. NEW PATIO WITH PAVERS.
14. RUN NEW PLUMBING TO BATHROOM. PROVIDE 20 GALLON WATER HEATER ABOVE BATHROOM CEILING.
16. FOLD DOWN MURPHY BED/SHELVING UNIT.
17. DEMOLISH EXISTING WORKBENCH, WOOD PANELING ON WALLS, AND ELECTRICAL DEVICES. REPAIR WALL INSULATION. INSTALL ROOF INSULATION. INSTALL NEW DRYWALL WALLS, DRYWALL OR TONGUE AND GROOVE PLANK CEILING, MOULDINGS, AND PAINT.

1

## GARAGE ACCESSORY DWELLING UNIT CONVERSION PROJECT

SCALE: 1/4"=1'-0"



201 COLORADO AVENUE  
URBANNA, VA

PROJECT NO: 000.1401

SHEET NO: A-3

DATE: 05-18-24

SKETCH NO:

SCALE: 1/4"=1'-0"

BY: BLH

A-1

**Staff Report**  
**Zoning Ordinance Amendment**

<b>Applicant:</b>	Town of Urbanna
<b>Request:</b>	<ol style="list-style-type: none"><li>1. Amend Sections 17-4.2.3 (6), 17-4.4.3 (7) and 17-5.2 and adds Section 17-4.2.2 (10).</li><li>2. Amend Section 17-4.6.2 (1) by repeal and replace with an allowance for public and private utilities. Amend Section 17-4.6.2 (21) which is Reserved with an allowance for parks and similar uses.</li></ol>
<b>Impact:</b>	<ol style="list-style-type: none"><li>1. Taken together these amendments will allow Home Occupations in residential districts as Permitted Uses and no longer require Special Use Permit unless administrative standards contained in 17-5.2 cannot be met.</li><li>2. This section currently allows all principal permitted use in the R-1 zoning district to occur in the General Commercial District. The proposal would allow for utilities and park like activities to continue to occur.</li></ol>
<b>Comprehensive Plan:</b>	<p>While not associated with any specific parcel there is general language to support both sets of amendments to reduce conflicts in use, but at the same time allowing for economic growth such as evidenced by Home Occupations.</p> <p><b>Land Use Goal:</b> <i>Encourage harmonious and wise use of the land in all future development decisions.</i></p> <p><b>Objective:</b> <i>Preserve the character and quality of life in the Town and improve the compatibility of existing land use relationships. (p.45)</i></p> <p><b>Economic Goal:</b> <i>Expand the economic activities commensurate with the existing character and lifestyle of the local community.</i></p> <p><b>Objective:</b> <i>Encourage light industrial uses (no nuisance problems) and commercial operations.... (p.46)</i></p>
<b>Zoning Compliance:</b>	<ol style="list-style-type: none"><li>1. Historically, Business License Applications have been processed independent of zoning review. That process has been altered beginning this year and is working well. However, this process has revealed several ongoing businesses working out of homes with no Home Occupation Permit (HOP). HOPs under the town's zoning ordinance require a Special Use Permit (SUP). Local zoning ordinances typically allow for administrative approval of Home Occupations and only when the HOP standards set out in the ordinance at 17-5.2 cannot be met, a SUP or similar approval (rezoning) would come into consideration. There is with the passage of the proposed amendment an opportunity to correct several technical existing situations of non-compliance.</li><li>2. There are no known violation concerns with the allowance of R1 uses in the B1. Concerns do exist for the potential of use conflicts between commercial and residential as well as the loss of commercial enterprises to</li></ol>

residential uses which do not contribute as much to the economic well being of the town.

**Analysis:**

1. Consideration should be given to the cost imposed on Home Occupation operations which are relatively small and thus low impact businesses if having to pursue a SUP. Such an expense could be a detriment to continuing or starting a small home business. From staff's experience, the vast majority of those existing home occupations are free of nuisances and would easily meet the proposed new criteria of Section 17-5.2 which has only been altered to remove existing SUP references. The proposed application form adds language to address parking and signage standards located and already existing elsewhere in the ordinance. At present, ten business licenses are being held in hopes of resolving this issue as proposed. Should the current ordinance language be unaltered, staff will be overwhelmed with the processing of that many SUPs in a short amount of time. This assumes the applicants would go forward with the SUP process.

2. As noted, concerns do exist for the potential of use conflicts between commercial and residential as well as the loss of commercial enterprises to residential uses. Passage of the amendment will lessen the potential for conflicts in uses as well as lessen the threat of commercially used property being lost.

**Recommendation:**

Approve as presented.





Amendment Application Number 2024-20A-1

## Town of Urbanna, Virginia

### Application for Amendment

The undersigned hereby applies for a Zoning Ordinance Amendment under Chapter 17, Urbanna Town Code, Article 10, Zoning Ordinance of Urbanna, Virginia.

#### Applicant Information

Town of Urbanna Administrator Ted Costin

Applicant Name

390 Virginia Street, Suite B

Urbanna

VA

23175

Applicant Address

City/Town

State

Zip Code

804-758-2613

Applicant phone number

t.costin@urbannava.gov

Applicant alternative number

Email

*Use a separate sheet if necessary.*

#### Existing Language:

R-1 Uses Permitted by Special Use Permit Section 17-4.2.3 (6) reads: Home Occupations, meeting regulations in Section 17-5.2.

R-2 Uses Permitted by Special Use Permit Section 17-4.4.3 (7) reads: Home Occupations, meeting regulations in Section 17-5.2.

Section 17-5.2 Home Occupations reads:

- (A) Any occupation, profession, enterprise or activity conducted solely by one or more members of a family on the premises which is incidental and secondary to the use of the premises for dwelling may be permitted under an approved Special Use Permit, with the appropriate Certificate of Occupancy, provided that:

...

- (2) External alterations required by such occupation shall be subject to special use provisions contained in Article 9.

...

B-1 Permitted Uses Section 17-4.6.2 (1) reads: Any principal permitted use permitted by right in the R-1 zoning district. Dwellings are subject to the same lot area and yard space requirements as in the R-1 district.

#### Proposed Language:

Amend R-1 Permitted Uses and Structures Section 17-4.2.2 to add: (10) Home Occupations, subject to regulations in Section 17-5.2.

Amend R-1 Uses Permitted by Special Use Permit Section 17-4.2.3 to alter (6) to read: Home Occupations, not meeting regulations in Section 17-5.2.

Amend R-2 Uses Permitted by Special Use Permit Section 17-4.4.3 to alter (7) to read: Home Occupations, not meeting regulations in Section 17-5.2.

Amend Section 17-5.2 Home Occupations to read:

Any occupation, profession, enterprise or activity conducted solely by one or more members of a family on the premises which is incidental and secondary to the use of the premises for dwelling may be permitted with the appropriate Certificate of Occupancy, provided that:

...

- (2) External alterations required by such occupation shall not be undertaken.

...

Repeal Section 17-4.6.2 (1) B-1 Permitted Uses as written which allows for all R-1 uses and replace with:

Facilities, structures and right-of ways necessary for rendering public utility service, including poles, wires, transformers, telephone booths and the like for electrical power distribution or communication service, and underground pipelines or



conduits for electrical, gas, sewer, or water service.

Amend Section 17-4.6.2 (21) which is Reserved with:

Public parks, parkways, playgrounds, and athletic fields; public and private forests, wildlife preserves and conservation areas. Public and private facilities requiring night illumination or associated buildings and facilities require a special use permit.

**Justification:**

As to the first four proposed text changes:

Allowing Home Occupations Permits (HOP) to be issued after administrative review is the normal level of review in zoning enforcement. Only when the HOP standards set out in the ordinance cannot be met, a Special Use Permit would be required. Approval will also clear several technical violations. Consideration should also be given to the cost imposed on these relatively small and thus low impact businesses by having them submit to the Special Use Permit process.

The last two proposed changes are intended to avoid the loss of commercial/business uses in commercially zoned areas by disallowing residential/agricultural uses. This change will also reduce the opportunity for conflicting uses. The two uses specifically added are non-residential (institutional uses) that need to be maintained in the B-1 District.

**Application Fee:** A \$300.00 application fee must be paid to the Town of Urbanna. The fee is non-refundable.

*P. St. Carlin*  
Applicant Signature

6/24/2024  
Date

**For Office Use by the Urbanna Zoning Administrator and the Planning Commission**

*P. St. Carlin*  
Town Official Receiving Application

Fee paid \$ *300.00*

6/24/2024  
Date Paid/Received by *P. St. Carlin*

Actions Taken:

6/24/2024  
Date

2024-ZOA-1  
Amendment Application Number

Application returned for correction/additional information

Date

Public Hearing advertised

Date

Adjacent property owner notifications mailed

Date

Action by Planning Commission

Dates

Action by Town Council

Date

Additional Action - Describe

Date

Additional Action - Describe

Date

## **Permitted Uses and Structures**

### **Section 17-4.2.2**

A building or land shall be used only for the following purposes:

- 1) Detached single-family dwellings
- 2) For parcels greater than five (5) acres, general agriculture, farming and forestry, including raising of crops, truck gardens, field crops, orchards or nurseries for growing or propagation and harvesting of plants, turf, trees, and shrubs and other general agricultural uses; provided that temporary open air stands shall not exceed 200 square feet in area for seasonal sales of product raised on the premises and provided that no retail or wholesale business office or store shall be permanently maintained on the premises.
- 3) Livestock and animals; the raising of large animals, such as pigs, cows, horses, sheep, or goats, on a farm of ten acres or more, or the raising for sale of birds, bees, fish, rabbits, or other small animals on a lot of five acres or more shall be permitted.
- 4) Facilities, structures and right-of-ways necessary for rendering public utility service, including poles, wires, transformers, telephone booths and the like for electrical power distribution or communication service, and underground pipelines or conduits for electrical, gas, sewer, or water service.
- 5) Public parks, parkways, playgrounds, and athletic fields; public and private forests, wildlife preserves and conservation areas. Public and private facilities requiring night illumination or associated buildings and facilities require a special use permit.
- 6) Yard sale or garage sale for disposal of used household items as defined in Article 13 of this chapter, and provided such sales comply with the regulations therein. Signs associated with the sale shall comply with the district regulations and shall not be attached to trees, utility poles, or street name poles.
- 7) Accessory buildings and uses, including but not limited to accessory private garages, storage buildings and workshops, farm buildings and structures, servants or caretakers quarters, guest houses, swimming pools, tennis courts and similar recreation facilities.
- 8) Boat houses, covered docks and piers which have an absolute total height equal to or less than twenty (20) feet above mean high water.
- 9) Short-term rentals
- 10) Home Occupations, subject to regulations in §17-5.2

## **Uses Permitted by Special Use Permit**

### **Section 17-4.2.3**

The following uses shall only be permitted by special use permit in accordance with the procedures, guides and standards set forth in Article 9 of the chapter.

- 1) Additional dwelling units.
- 2) Duplexes or two-family dwellings, subject to the special regulations in § 17-4.2.7.
- 3) Bed and Breakfasts.
- 4) Cemeteries
- 5) Churches and Sunday Schools, rectories, parish houses, convents and monasteries, temples, and synagogues.
- 6) Home occupations, ~~subject to~~ not meeting regulations in §17-5.2.



- C) Common refuse bins shall be completely screened from view and enclosed by a fence or wall, with an appropriately designed gate which can be latched open and closed.

**Section 17-4.3**                    **[Reserved]**

**Section 17-4.4**                    **High Density Residential District (R-2)**

**Section 17-4.4.1**                **Purpose of the District**

The purpose of this district is to provide for high density residential uses and to provide for variety in housing types and densities as well as for those public and semi-public uses and accessory uses as may be necessary or are normally associated with residential surroundings. In general, utilities and public services exist or are planned to be adequate for the type or types of development contemplated. Certain special care facilities and certain governmental, educational, recreational and utility uses are permitted by special use permit subject to such restrictions and requirements as will ensure compatibility with residential surroundings.

**Section 17-4.4.2**                **Permitted Uses and Structures**

A building or land shall be used only for the following purposes:

- 1) Those buildings and uses permitted by right in the R-1 Low Density Residential District.
- 2) Multiple-family dwellings, subject to the special regulations of this article.
- 3) Attached single-family dwellings or townhouses, subject to the special regulations of this
- 4) article.

**Section 17-4.4.3**                **Uses Permitted by Special Use Permit**

The following uses may be permitted by special use permit approved by the Town Council following a report by the Planning Commission in accordance with the procedures, guides and standards of Article 9, of this chapter.

- 1) Accessory buildings and uses, including but not limited to accessory storage and accessory off-street parking.
- 2) Bed and breakfast facilities.
- 3) Boarding and rooming houses.
- 4) Churches and Sunday Schools, rectories, parish houses, convents and monasteries, temples and synagogues.
- 5) Convalescent homes, rest homes, nursing homes or homes for the aged.
- 6) Family care homes and foster homes.
- 7) Home Occupations ~~subject to~~ **not meeting** the regulations of Article 5, §17-5.2, ~~this chapter.~~
- 8) Nursery schools, kindergartens, child care centers, day nursery, or day care centers.
- 9) Private schools, colleges, or universities.
- 10) Public or governmental buildings and uses, including schools, libraries, fire stations, and rescue squad facilities.
- 11) Publicly or privately operated parks, playgrounds, and athletic fields; including buildings and facilities customarily associated with these recreational activities.
- 12) Radio or television transmission or receiving tower more than fifty (50) feet in height, and satellite transmission receiving dishes.

## **Section 17-4.6**

## **General Commercial District (B-1)**

### **Section 17-4.6.1**      **Purpose of the District**

The purpose of this district is to provide sufficient space in appropriate locations for a wide variety of retail shopping, commercial, automotive, and miscellaneous recreational and service activities, generally serving the Town, a wide area of the County, and the traveling public. These commercial uses are generally located along major thoroughfares or near development centers where a general mixture of commercial and service activity now exists or is planned, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, or the nuisance factors of dust, odor, and noise, associated with manufacturing.

### **Section 17-4.6.2**      **Permitted Uses**

- 1) Facilities, structures and right-of ways necessary for rendering public utility service, including poles, wires, transformers, telephone booths and the like for electrical power distribution or communication service, and underground pipelines or conduits for electrical, gas, sewer, or water service.
- ~~1) Any principal permitted use permitted by right in the R-1 zoning district. Dwellings are subject to the same lot area and yard space requirements as in the R-1 district.~~
- 2) Arts, cultural, and historic institutions, including museums and tourist information and orientation facilities.
- 3) Retail automobile or truck parts sales, but not wholesale and not auto salvage or wreckage.
- 4) Bakeries, provided that the majority of products produced on the premises are sold at retail on the premises.
- 5) Banks and other financial institutions.
- 6) Barber shops or beauty parlors.
- 7) Bed and breakfast facility.
- 8) Bicycle sales and repair shops.
- 9) Catering or delicatessen business.
- 10) Churches and Sunday Schools, rectories, parish houses, convents and monasteries, temples, and synagogue.
- 11) Drive-in automatic banking or vending machine station. Groups of three or more vending machines shall be contained in a building.
- 12) Employment service or agency.
- 13) Frozen food lockers for individual or family use.
- 14) Funeral home or undertaking establishment.
- 15) Hospital or clinic.
- 16) Hotel, motel, inn, lodge, or tourist home having less than five (5) rooms for use by transient boarders.
- 17) Janitorial service establishment.
- 18) Laundries, laundromats or dry-cleaning establishments with floor area not exceeding 2,500 square feet.
- 19) Lawn mower, yard and garden equipment, rental and sales and service but no service or repair permitted.
- 20) Libraries.

- 21) ~~Reserved.~~ Public parks, parkways, playgrounds, and athletic fields; public and private forests, wildlife preserves and conservation areas. Public and private facilities requiring night illumination or associated buildings and facilities require a special use permit.
- 22) Nurseries for growing and sale of plants, trees and shrubs and related materials.
- 23) Offices; general, business or professional; manufactured or mobile home for temporary (not to exceed 120 days) office use by approved special use permit only.
- 24) Parking lots, parking spaces and parking areas.
- 25) Pet shop or dog beauty parlor, provided that any work rooms, cages, pens or kennels be maintained within a completely enclosed, soundproof building and that such shop or parlor be operated in such a way as to produce no objectionable noise or odors outside its walls.
- 26) Printing, publishing, and engraving establishments, photographic processing or blueprinting with floor area not exceeding 2,500 square feet.
- 27) Radio and television stations and studios or recording studios, but not towers more than 125 feet in height.
- 28) Rental of household items, tools and appliances.
- 29) Repair shops with floor area not exceeding 2,500 square feet.
- 30) Reserved.
- 31) Security service office or station.
- 32) Shopping Centers.
- 33) Stores or shops for the conduct of retail business, including sale of accessories, antiques, appliances, art or art supplies, beverages (alcoholic or otherwise), books, carpets, clothing, drugs, fabrics, flowers, food, furniture, hardware, jewelry, office supplies and stationery, shoes, paint, wallpaper, sporting goods, and similar stores and shops.
- 34) Studios or shops for artist, photographers, writers, teachers, jewelers, weavers or other crafts, sculptors or musicians.
- 35) Telephone station or booth, including drive-in or talk-from-car stations.
- 36) Temporary stands, or outdoor areas or temporary truck parking for sale of produce, Christmas trees, and other seasonal items.
- 37) Video rental and sales.
- 38) Accessory buildings and uses, including accessory storage of supplies and merchandise normally carried in stock or used in connection with a permitted use, subject to applicable district regulations.
- 39) Massage Therapy practiced by a graduate of a training program certified by the State Board of Education.

## **ARTICLE 5**

### **SUPPLEMENTARY DISTRICT REGULATIONS**

#### **Section 17-5.1**      **General**

The purpose of these supplementary district regulations is to set specific conditions with various uses, classifications of uses, or areas where problems are frequently encountered with respect to the zoning districts.

#### **Section 17-5.2**      **Home Occupations**

- (A) Any occupation, profession, enterprise or activity conducted solely by one or more members of a family on the premises which is incidental and secondary to the use of the premises for dwelling may be permitted ~~under an approved Special Use Permit,~~ with the appropriate Certificate of Occupancy, provided that:
- (1) Not more than the equivalent area of one quarter of one floor of any principal or accessory structure shall be used for such purpose;
  - (2) External alterations required by such occupation shall ~~be subject to special use provisions contained in Article 9.~~not be undertaken.
  - (3) No more than two (2) persons, other than a member of the family, shall be employed on the premises;
  - (4) No commodity is stored or sold, except such as made on the premises or related to the home occupation.
  - (5) There shall be no group instruction, assembly or activity, or no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling.
  - (6) The home occupation or use is in compliance with all other sections of this code and all other rules, regulations and ordinances of the Town.



Rezoning Application Number: RZ-1-2024

## Town of Urbanna, Virginia

### Application for Rezoning

The undersigned property owner or agent for the property owner of the following property hereby applies for a Rezoning under Chapter 17, Urbanna Town Code, Article 10, Zoning Ordinance of Urbanna, Virginia.

#### Applicant / Property Owner Information

Town of Urbanna

Applicant Name

390 Virginia St., Suite B, POB 179

Urbanna

VA

23175

Applicant Address

City/Town

State

Zip Code

804-758-2613

804-758-0389

Applicant phone number

Applicant fax number

Email: t.costin@urbannava.gov

You are the ( ) property owner; ( ) agent for the property owner.

Note: If you are the agent for the property owner written consent of the owner must be attached to this application.

See attached documentation.

Property Owner Name

Property Owner Mailing Address

City/Town

State

Zip Code

Property owner telephone number

Property owner fax number

#### Location of Property

See Attached List, but generally the lands include those laying southeast, southwest, and south/southwest up to 1200 feet of the intersection of Waverly Road (State Route 1010) and Virginia Street (State Route 227 and 602).

Street Address

Tax parcel ID number

Current Zoning District: R-1 Requested Zoning District: See Attached List – B1 & R2

#### Overlay District(s):

Flood Zone (x) Zone X ( ) Zone AE Historic District ( ) Yes (x) No Chesapeake Bay (x) RMA ( ) RPA

#### Applicant(s) Remarks/Justification: *Use a separate sheet if necessary.*

In 2023 the Town of Urbanna completed a successful Boundary Line Adjustment (BLA). Pursuant to Section 17-2-12 of the Zoning Ordinance of Urbanna Virginia properties incorporated via BLA or annexation are given the lowest intensity zoning designation which is R1. Proposed is a comprehensive rezoning to match existing and compatible uses in furtherance of the town's Comprehensive Plan for economic development, housing and utility management.

Does this property have any Proffers, Restrictive Covenants, Deed Restrictions and/or Other Special conditions attached to it? If so, please list them here:

None

Attach a Site Plan or Survey Plat or plot plan: See Attached BLA Survey

Rezoning Application Number: RZ-1-2024

**Application Fee:** A \$300.00 application fee must be paid to the Town of Urbanna. The fee is non-refundable.



### Properties Highlighted in Yellow May be Removed from Application

**NOTICE OF JOINT PUBLIC HEARING**  
**URBANNA TOWN COUNCIL AND URBANNA PLANNING COMMISSION**

Please take notice that the Urbanna Town Council and Urbanna Planning Commission will hold a joint public hearing on Thursday, August 8, 2024 beginning at 6:00 PM in the Council Chambers, 390 Virginia Street, Suite B, Urbanna VA 23175 to consider the following:

Rezoning Application (RZA) – 1- 2024 which proposes to rezone from R-1 (Low Density Residential District) the following properties recently incorporated into the Town of Urbanna to the designations proposed; either R-2 (High Density Residential District) or B-1 (General Commercial District) as noted:

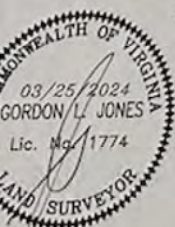
Tax Map Parcel Number	Size/acres	Applicable Address/Use	Owner	Proposed Zoning Designation
19 (12) 1	1.48	Undeveloped	Thurston Properties, LLC	R2
19(12)1A	0.38	Utility Well Lot	Town of Urbanna	B1
20-26	1.34	390 Virginia St/Offices	Thurston Properties, LLC	B1
20-27	4.43	Undeveloped	Thurston Properties, LLC	B1 (1.54 acres) R2 (2.89 acres)
20B (1)2 20B (1)2A	1.879	Recreational Complex	Middlesex Volunteer Fire Dept.	B1
20B (1)2B	0.721	133 Waverly/Duplex	Thurston Properties, LLC	R2
20B (1)1	9.484	Vacant Structure	F.L. Hall Family LP	R2
20B (13)A	0.413	Road Strip	Town of Urbanna	B1
20B (1)3A	0.9	138 Laurel Hill/Water Tower	Town of Urbanna	B1
20B (12)20A	0.56	Vacant Utility Lot	Hampton Roads Sanitation District	B1
20B (1) 3C	1.07	110 Laurel Hill/Treatment Plant	Hampton Roads Sanitation District	B1

A copy of the proposed Rezoning Application and other relevant documents are available at Urbanna Town Hall, 390 Virginia Street, Suite B, Urbanna VA 23175, or by contacting Ted Costin at (804) 758-2613 or [t.costin@urbannava.gov](mailto:t.costin@urbannava.gov). All persons are invited to attend and express their views. Any person requiring assistance in order to participate in the public hearing is asked to contact the Urbanna Town Clerk, Martha Rodenburg, at (804) 758-2613 or [m.rodenburg@urbannava.gov](mailto:m.rodenburg@urbannava.gov) prior to the public hearing so that appropriate arrangements may be made.

Southside Sentinel run: July 25, 2024 (Thursday)  
August 1, 2024 (Thursday)



DESIGNED HEREBY CERTIFY THAT  
THE EXHIBIT IS CORRECT TO THE  
BEST OF MY KNOWLEDGE AND BELIEF.



TAX MAP 19  
PARCEL 204  
N/F  
THURSTON  
PROPERTIES, LLC  
INST. #13-2172  
INST. #07-0407  
P.C. 2 SLIDE 73-4

TAX MAP 20  
PARCEL 25  
N/F  
TANYA F.T. BAYLOR  
& GLENN H. BAYLOR  
D.B. 417 @ PG. 308  
P.C. 2 SLIDE 32-7  
D.B. 64 @ PG. 254 (PLAT)

TAX MAP 19(12) PARCEL 1  
N/F  
THURSTON PROPERTIES, LLC  
1.478 ACRES  
INST. #21-2899  
P.C. 2 SLIDE 92-7  
INST. #21-1665  
P.B. 8 @ PG. 140

TAX MAP 19  
PARCEL 204A  
N/F  
THURSTON  
PROPERTIES, LLC  
INST. #07-0407  
INST. #13-2172  
P.C. 2 SLIDE 73-4

TAX MAP 20B(13) PARCEL A  
N/F  
TOWN OF URBANNA  
0.413 ACRES  
D.B. 174 @ PG. 730  
(PLAT @ PG. 732)

TAX MAP 20B(12)  
PARCEL 1A  
WELL LOT  
TOWN OF URBANNA  
0.3759 ACRES  
INST. #21-2899  
P.C. 2 SLIDE 92-7

TAX MAP 19(12)  
PARCEL 2  
N/F  
THOMAS H. HAMILTON, JR.  
& LISA L. HAMILTON  
INST. #11-1812  
P.B. 8 @ PG. 140

TAX MAP 20B(1)  
PARCEL 3A  
N/F  
TOWN OF URBANNA  
0.9017 ACRES  
INST. #21-2899  
P.C. 2 SLIDE 92-7  
D.B. 188 @ PG. 477

TAX MAP 20B(1)  
PARCEL 3C  
N/F  
THE HAMPTON ROADS  
SANITATION DISTRICT  
1.0715 ACRES  
D.B. 298 @ PG. 596  
P.B. 14 @ PG. 277

TAX MAP 20B(12)  
PARCEL 20A  
N/F  
TOWN OF URBANNA  
0.5579 ACRES  
D.B. 131 @ PG. 325  
(PLAT @ PG. 328)

TAX MAP 20B(1)  
PARCEL B  
N/F  
THE HARRIS TRUST  
INST. #08-0962  
D.B. 188 @ PG. 482 (PLAT)

TAX MAP 20  
PARCEL 25A  
N/F  
GLENN H. BAYLOR  
INST. #11-0961  
P.C. 2 SLIDE 32-7

TAX MAP 20 PARCEL 27  
N/F  
THURSTON PROPERTIES, LLC  
4.4292 ACRES  
INST. #07-0079  
P.B. 7 @ PG. 72

TAX MAP 20B(1) PARCEL 3A1  
N/F  
GERALD D. SNELLINGS &  
SHARLEEN B. SNELLINGS  
INST. #08-1527  
P.C. 2 SLIDE 12-8

TAX MAP 20B(1)  
PARCEL 3A2  
N/F  
TYLER WAKE DANIEL  
INST. #19-1072  
P.B. 6 @ PG. 150A

TAX MAP 20B(1)  
PARCEL 3B  
N/F  
JOHN K. MILBY  
D.B. 401 @ PG. 271  
D.B. 163 @ PG. 194  
(PLAT)

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD LENGTH	CHORD BEARING
C1	176.63'	162.71'	52°46'52"	87.64'	157.02'	N45°47'34"W
C2	406.97'	270.50'	38°05'00"	140.46'	265.55'	N89°59'30"E
C3	21541.86'	200.00'	0°31'55"	100.00'	200.00'	N42°13'34"W
C4	128.94'	133.77'	59°26'16"	73.60'	127.84'	S11°52'05"E

TAX MAP 20A(1) PARCEL 37  
N/F  
MIDDLESEX VOL  
FIRE DEPT. &  
CENTRAL MIDDLESEX  
RESCUE SQUAD, INC.  
INST. #080319  
D.B. 124 @ PG. 485  
(PLAT @ PG. 487)

TAX MAP 20A(1) PARCEL 38  
N/F  
MIDDLESEX VOL  
FIRE DEPT.  
D.B. 88 @ PG. 223  
D.B. 68 @ PG. 326 (PLAT)  
D.B. 64 @ PG. 355 (PLAT)

TAX MAP 20A(1) PARCEL 39A  
N/F  
MIDDLESEX VOL FIRE DEPT.  
D.B. 103 @ PG. 327  
(PLAT @ PG. 329)  
D.B. 68 @ PG. 326 (PLAT)

TAX MAP 20A(1) PARCEL 40  
N/F  
H&M FAMILY PROPERTIES, LLC  
INST. #17-1955  
D.B. 110 @ PG. 445 (PLAT)

TAX MAP 20A(1)  
PARCEL 41  
N/F  
MICHAEL EDWARD  
STATES &  
SHERI NUNN STATES  
INST. #20-1470  
D.B. 127 @ PG. 389  
(PLAT)

TAX MAP 20B(1)  
PARCEL 1  
N/F  
F.L. HALL FAMILY  
LIMITED PARTNERSHIP  
9.4837 ACRES  
D.B. 330 @ PG. 792  
P.B. 11 @ PG. 7

TAX MAP 20B(1)  
PARCEL 2B  
N/F  
THURSTON  
PROPERTIES, LLC  
0.721 ACRES  
INST. #07-1724  
D.B. 209 @ PG. 792  
(PLAT)

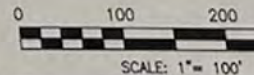
TAX MAP 20A(1)  
PARCEL 70  
N/F  
LARRY S. CHOWNING  
D.B. 295 @ PG. 278  
D.B. 56 @ PG. 374  
(PLAT)

TAX MAP 20B(2)  
PARCEL 3  
N/F  
F.L. HALL FAMILY  
LIMITED PARTNERSHIP  
D.B. 330 @ PG. 792  
D.B. 60 @ PG. 166  
(PLAT)

TAX MAP 20B(2)  
PARCEL 4  
N/F  
F.L. HALL FAMILY  
LIMITED PARTNERSHIP  
INST. #19-0248  
D.B. 74 @ PG. 556  
P.C. 2 SLIDE 77-5  
D.B. 60 @ PG. 166  
(PLAT)

TAX MAP 20B(2)  
PARCEL 8  
N/F  
GRACE V. MOON  
D.B. 182 @ PG. 442  
D.B. 71 @ PG. 234  
(PLAT)

COMPILED EXHIBIT  
SHOWING REZONING FOR  
THE TOWN OF URBANNA  
LOCATED IN MIDDLESEX COUNTY, VA  
DATE: MARCH 25, 2024



COMP: HOC	
CAD: HOC	
CHECKED: GLJ	
FILED: 22004-02	

Engineering Survey  
4000 S. 1st St.  
Farmingdale, NY 11735  
609-443-2525  
www.bayco.com