

### Application to Planning Commission and Board of Supervisors

<b>Application For:</b> (check appropriate boxes) <input type="checkbox"/> Rezoning <input type="checkbox"/> Rezoning & Special Use Permit <input checked="" type="checkbox"/> Special Use Permit	
<b>Owner/Applicant Information:</b> (Use current mailing/contact information for <u>all</u> property owners. An additional sheet may be attached for multiple owners.)	
Property Owner: <u>James + Sherry Carter</u>	Agent: _____
Address: <u>3591 Peppers Ferry Rd.</u> <u>Radford VA 24141</u>	Address: _____
Phone 1: <u>540-357-1273</u>	Phone 1: _____
Phone 2: _____	Phone 2: _____
Email: _____	Email: _____
<b>Location of Property/ Site Address:</b> <u>3591 Peppers Ferry Rd.</u>	
<b>Legal Record of Property:</b> Total Area: <u>2.2533</u> Acres    Magisterial District <u>Riner</u>	
Parcel ID: <u>030005</u>	Tax Parcel Number(s): <u>64-A-86A</u>
<b>Rezoning Details:</b> Current Zoning District: <u>A-1</u> Requested Zoning District: <u>NA</u>	
Desired Use(s): _____	
<b>Special Use Permit:</b> Current Zoning District <u>A-1</u> Total Area/Acres: <u>2.2533</u>	
Desired Use(s): <u>Family Subdivision above lot assignments allowed per sliding scale</u>	
<b>Comprehensive Plan Designation:</b> _____	
<b>Traffic Impact Analysis Required:</b> <input type="checkbox"/> Yes (payment enclosed) <input type="checkbox"/> No	
<i>I certify that the information supplied on this application and on the attachments provided (maps or other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.</i>	
<u>[Signature]</u> Property Owner(s) Signature	Agent's Signature
_____ Date	_____ Date

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**FOR OFFICE USE ONLY**

Date Received: 9/30/2014    Application Number: \_\_\_\_\_

Traffic Impact Analysis and Payment Received:  Yes     No    Date Submitted to VDOT: N/A

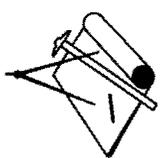
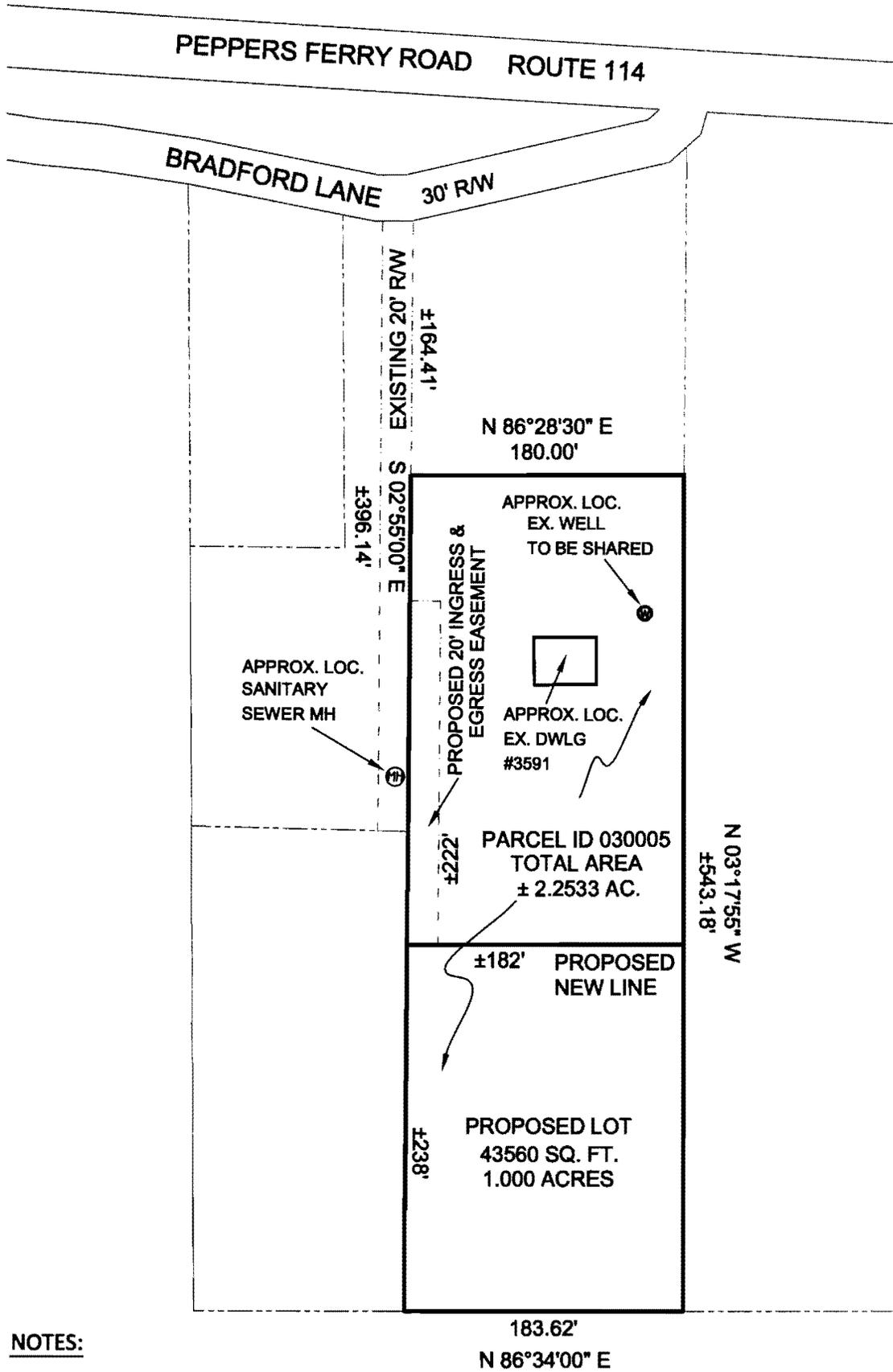
## Additional Rezoning Requirements

The applicant for rezoning shall provide a statement of justification to address the following items in the application materials to demonstrate what impact the proposed request will have on the County's resources and how the request complies with Montgomery County's comprehensive plan.

### **Section 10-54(1)(k)(4), Montgomery County Zoning Ordinance**

**Zoning Map Amendments.** If the application is for a reclassification of property to a different zoning district classification on the Zoning Map, the applicant shall address all the following in its statement of justification or plat unless not applicable. The Planning Commission shall give reasonable consideration to the following matters:

- a) Whether the proposed zoning district classification is consistent with the Comprehensive Plan. (Addressed under "3. Comprehensive Plan Justification")
- b) Whether there are any changed or changing conditions in the area affected that make the proposed rezoning appropriate.
- c) Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity.
- d) Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.
- e) The effect of the proposed rezoning on the County's ground water supply.
- f) The effect of uses allowed by the proposed rezoning on the structural capacity of the soils.
- g) The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas.
- h) Whether a reasonably viable economic use of the subject property exists under the current zoning.
- i) The effect of the proposed rezoning on environmentally sensitive land or natural features, wildlife habitat, vegetation, water quality and air quality.
- j) Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base.
- k) Whether the proposed rezoning considers the needs of agriculture, industry, and businesses in future growth.
- l) Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies.
- m) Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.
- n) Whether the proposed rezoning considers trends of growth or changes, employment, and economic factors, the need for housing, probable future economic and population growth of the county.
- o) The effect of the proposed rezoning on the provision of moderate housing by enhancing opportunities for all qualified residents of Montgomery County.
- p) The effect of the rezoning on natural, scenic, archaeological, or historic features of significant importance.



NRV LAND SURVEYORS INC.

P.O. BOX 1038  
DUBLIN, VIRGINIA 24084  
PHONE: (540)674-4275 FAX: (540)674-2672

**NOTES:**

1. PARCEL ID 030005  
TAX MAP ID 64- A-86A  
JAMES H. CARTER & SHERRY R. CARTER  
DEED BOOK 24, PAGE 157

2. THIS SKETCH DOES NOT CONSTITUTE  
AN ACTUAL FIELD SURVEY. BOUNDARY

JOB NO.:	30514
SCALE:	1" = 100'
DATE:	9/29/2014

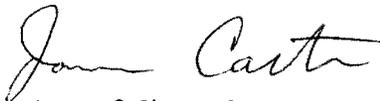
SKETCH NRV 30514.DWG

To: Montgomery County Planning Commission  
Montgomery County Board of Supervisors

Date: September 30, 2014

We are requesting a special use permit to allow a family subdivision. In 2004, an additional parcel was purchased and is deeded separate from the original parcel. At that time, the surveyor vacated the property boundary without our knowledge. We desire to convey the parcel to our daughter so she can move to the property. The proposed dwelling will be connected to public sewer and the existing well. There is a 20 ft. existing easement to the property and upon approval it will be extended to the proposed parcel.

Thank you for consideration of this request.

  
James & Sherry Carter



**County of Montgomery**  
**Grantor's Affidavit for Family Exempt Subdivisions**

Grantor's Name: JAMES & SHERRY CARTER  
Grantee's Name: SARAH THOMPSON  
Tax Map Number: 64-A-86A Parcel ID Number(s): 030005

I, JAMES & SHERRY CARTER (Affiant), after being duly sworn, deposed and said the following, hereby certify these items to be true:

1. That the Affiant is the true and rightful owner of that certain real estate situate in the County of Montgomery, Virginia as noted above; and
2. That a plat has been submitted by the Affiant for a proposed subdivision of said real estate and that the parcel(s) platted by the above referenced plat will only be transferred to an immediate family member as defined by section 8-111 of the Montgomery County Code. This subdivision is commonly known as "Family Exempt Subdivision"; and
3. That the proposed Grantee is a qualifying legal family member as stated above; and
4. That I have not previously given this family member another parcel within the County of Montgomery using the Family Exempt Subdivision provisions; and
5. That this transfer of property is for the purpose of keeping family estates within the immediate family, and passing real property from one generation to another, not for the purpose of circumventing the subdivision requirements for short term investment; and

6. That I am related to the grantee by the following relationship:

<u>  X  </u> Parent	<u>          </u> Spouse
<u>          </u> Sibling	<u>          </u> Grandparent
<u>          </u> Child	<u>          </u> Grandchild

James Carter Grantor                      Sherry Carter Grantor

State of Virginia, County of Montgomery

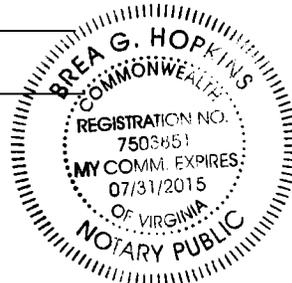
To Wit:

I, Brea Hopkins, a Notary Public in the City and State aforesaid do hereby certify that the person(s) whose name(s) signed to the above writing bearing date on the 30th Sept. day of 2014 has acknowledged before me in my City and State Aforesaid.

Given under my hand this 30th day of Sept., 2014

My commission expires: July 31, 2015

Brea Hopkins  
Notary Public



**County of Montgomery  
Grantee's Affidavit for Family Exempt Subdivisions**

Grantee's Name: SARAH THOMPSON

Grantor's Name: JAMES & SHERRY CARTER

Tax Map Number: 64-A-86A Parcel ID Number(s): 030005

I SARAH THOMPSON (Affiant), after being duly sworn, deposed and said the following, hereby certify these items to be true:

- 7. That the Affiant is the true and rightful owner of that certain real estate situate in the County of Montgomery, Virginia as noted above; and
- 8. That a plat has been submitted by the Affiant for a proposed subdivision of said real estate and that the parcel(s) platted by the above referenced plat will only be transferred to an immediate family member as defined by section 8-111 of the Montgomery County Code. This subdivision is commonly known as "Family Exempt Subdivision"; and
- 9. That the proposed Grantee is a qualifying legal family member as stated above; and
- 10. That I have not previously given this family member another parcel within the County of Montgomery using the Family Exempt Subdivision provisions; and
- 11. That this transfer of property is for the purpose of keeping family estates within the immediate family, and passing real property from one generation to another, not for the purpose of circumventing the subdivision requirements for short term investment; and
- 12. That I am related to the grantor by the following relationship:

<u>          </u> Parent	<u>          </u> Spouse
<u>          </u> Sibling	<u>          </u> Grandparent
<u>  X  </u> Child	<u>          </u> Grandchild

Sarah Thompson Grantee

State of Virginia  
County of Montgomery

To Wit:

I, Brea Hopkins, a Notary Public in the City and State aforesaid do hereby certify that the person(s) whose name(s) signed to the above writing bearing date on the 30th day of Sept. 2014 has acknowledged before me in my City and State Aforesaid.

Given under my hand this 30th day of September 2014

My commission expires: July 31, 2015

Brea Hopkins  
Notary Public

