

PUBLIC NOTICE

Town of Windsor-  
Town Council

PUBLIC HEARING

The Town Council of the Town of Windsor, Virginia will hold a public hearing on Tuesday, October 11, 2022 in the Windsor Town Hall located at 8 East Windsor Blvd., Windsor, Virginia to consider the following:

Beginning at 7:00 p.m.

An application for a change in zoning classification from O-R, Office/Residential to B-2, Restricted Business. The application includes Tax Parcel 54B-01-200, also identified as 57 East Windsor Blvd., and Tax Parcel 54B-01-200A. The purpose of the application is for a contractor's office and storage yard.

Any person desiring to be heard in favor of or in opposition to the application is hereby invited to participate in the public hearing. A copy of the application is on file with Department of Planning & Zoning, 8 East Windsor Blvd., Windsor, Virginia and is available for public review.

Publish: September 28, October 5

## PLANNING & ZONING REPORT

### Application:

Request for a change of zoning classification from O-R, Office/ Residential to B-2, Restricted Business.

### Property Owners:

Christopher Leitner, William Leitner

### Property Location:

57 East Windsor Boulevard & adjacent parcel, both just east of Community Drive

### Tax Parcel Numbers:

54B-01-200

54B-01-200A

### Acreage:

Parcel 54B-01-200, 1.028 acres

Parcel 54B-01-200A, .759 acres

Total application acreage 1.787

### Current Zoning:

O-R, Office/Residential

### Current Use:

Contractor's Office and Storage Yard- Offices are permitted in the O-R district. Storage yards are not a permitted use in the O-R district and therefore this use is deemed nonconforming. A nonconforming use may be allowed to continue, however, the use cannot be expanded or enlarged.

### Proposed Zoning:

B-2, Restricted Business

### Proposed Use:

Contractor's office and contractor's storage yard. The applicants also propose to construct a 36' by 70' structure for storage of equipment and materials. This structure would be subject to zoning regulations associated with a business zoning classification should the zoning change be approved.

**Comprehensive Plan Designation:**

Commercial

**Adjacent Properties:**

Adjacent properties consist of residences along Community Drive and a residence at 61 East Windsor Boulevard.

**Site Characteristics:**

The site is generally flat and level with a gentle slope to the rear of the property. The site is open in the front and wooded in the rear. An 1800 square foot brick residence is located on the property. Behind the house is a 792 square foot metal utility building. A fence is located on the adjacent lot which provides some screening of the storage yard. Equipment associated with a contractor's business including trailers, an excavator, a bulldozer, round concrete pipes, and gravel are located on site. There are two (2) entrances serving the property from Windsor Boulevard (U.S. Route 460). The entrances form a loop behind the residence and the parking lot and storage area consist primarily of compressed stone.

**Environmental:**

No issues noted at this time.

**Historical:**

No issues noted at this time.

**Transportation:**

No issues noted at this time.

**Utilities:**

The site is served by public water and sewer. No additional upgrades are proposed and there are no concerns noted at this time.

**Cultural:**

No concerns noted at this time.

**Economic:**

The business license for the current entity, Leitner Construction, is current. Property taxes are current. The business has several employees.

### History and Overview:

Both parcels, herein referred to as the property, were purchased by the current owners in 2013. Subsequently, an office was established in the residential building in accordance with the O-R, Office/Residential zoning standards. On November 8, 2016 the former Planning & Zoning Administrator issued a letter to Mrs. Christy Leitner indicating the zoning classification for Tax Parcel 54B-01-200 as B-2, Business and provided information about the permitted uses in the B-2 district. On December 22, 2016 a permit was issued for the installation of a 792 square foot metal utility building. On March 22, 2017 a permit was issued for the installation of a sign which was located on the wooden fence adjacent to the driveway.

During the month of May 2022 staff spoke with Mrs. Leitner several times regarding the zoning classification of the property and any proposed future expansions they may be considering. Staff provided information indicating the property as having a zoning classification of O-R, Office Residential. Staff researched all land use records and actions of the governing body, the Town Council, to determine if at any time the property in question was ever zoned B-2, Business. After researching the past 20 years of records, no evidence could be found that the Town Council ever took affirmative action to change the zoning designation from O-R, Office/Residential to B-2, Business. Therefore, staff concluded the actual zoning classification of the property to be O-R, Office/Residential. The Town Council in 2015 did change the name of the zoning district from a numerical category R-3, Professional/Residential to its current name of O-R, Office/Residential. However, no parcels had their zoning classifications changed. Staff cannot attest as to why the former administrator issued the letter. However, staff concluded the letter was issued in error based upon the lack of evidence discovered during the research process.

On June 16, 2022 staff met with Mrs. Leitner to discuss a potential rezoning application to bring the property into conformity based upon the current uses. On July 25, 2022 an application for construction of a 36' by 70' structure was submitted for zoning approval. On August 16, 2022 the application was denied. Staff provided a letter to the applicant indicating the current use of the property as an office and contractor's storage yard was not in compliance with the zoning designation of O-R, Office/Residential, thereby resulting in a nonconforming situation. Properties that are nonconforming can continue to be utilized, however, expansion of the use with the addition of new structures is not permitted.

The applicants have now filed an application requesting a change in zoning classification from O-R, Office/Residential to B-2, Restricted Business. A copy of the application is attached along with an exhibit showing the proposed location of the 36' by 70' structure.

### **Staff Conclusions:**

- The properties identified as Tax Parcels 54B-01-200 and 54B-01-200A have a zoning classification of O-R, Office/Residential.
- The current use of the properties as a contractor's storage yard in the O-R, Office/Residential district is considered nonconforming.
- A change in zoning classification to B-2, Restricted Business would allow the contractor's storage yard to be in conformity with the zoning district.

### **Strength**

The application to change the zoning classification to B-2, Restricted Business is consistent with the Comprehensive Plan for commercial development.

### **Weakness**

There are thirty five (35) permitted uses in the B-2, Restricted Business zoning district. As there are no proffered conditions associated with this application, any of these permitted uses may occur, subject to site development regulations. Zoning classifications stay with the land. It is unknown what future use may occur at this site beyond the intended use of a contractor's office and contractor's storage yard.

Because the comprehensive plan's standards are wide ranging but explicit, it should be the principal guide to the Planning Commission's discussions and actions concerning land use management and development, particularly zoning amendments. The Commission, however, should also look beyond the plan and consider whether proposed developments or requests for amendments to zoning or other ordinances, even if consistent with the plan, advance the best interests of public health, safety, and general welfare.

## **Planning Commission Summary and Recommendation**

The Planning Commission held a public hearing and considered this application at their meeting on September 28, 2022. As the minutes from this meeting are not yet available, staff will provide a summary of the discussion and actions of the Planning Commission.

Chairman Marshall and Commissioner Taylor were not present at the meeting. Vice Chairman Stubbs conducted the meeting, a quorum was present. Staff provided a summary of the history of the property and correspondence that was provided by the Town to the applicant. Staff provided further detail on the current zoning and what the proposed application involves. Vice Chairman Stubbs opened the public hearing.

Mrs. Christy Leitner, a representative for the property owners, spoke in favor of the application. She indicated that the property was purchased in 2013 with representation from the real estate agent that the property was zoned B-2. Their business was originally located at 70 W. Windsor Blvd. and in 2016 they wanted to move the business across the street to this location. They checked with the Town zoning office to ensure the property was zoned for business. In 2016 they were given a letter by the Town indicating the property was zoned B-2 and that they had to put their storage yard behind a fence. Later, they applied for and were given permits for a sign and a metal building. After a storm took down the sign, they re-applied for a permit and were told that the O-R zoning district only allows a 2 square foot sign. Additionally, they applied for a zoning permit for a 36x70 structure, open on one side to store equipment and materials and were told that the zoning would not allow for such a structure because the business was considered non-conforming. She indicated that they believe the 36x70 structure would be an improvement to the property and that they didn't plan on changing anything else with their operation. They ask that the zoning be changed so they can be considered conforming and be allowed to place the 36x70 structure on the property.

There were no other speakers during the public hearing. Vice Chairman Stubbs closed the public hearing and asked for discussion from the Planning Commission members. Commissioner Scott provided reference to the real estate office property which is zoned B-2 and was rezoned to that classification in 1996 or 1997. He asked staff if they could look at that rezoning to see if any conditions were associated with it. He indicated that if there were conditions, it would be prudent to have similar conditions on this application to help ensure consistency along this corridor of O-R zoning as they transition to business zoning. Commissioner Hewitt asked if he was asking that they rezone all the O-R in this corridor to B-2. Commissioner Scott indicated that was not his preference, but rather to help ensure consistency among applications as they come before the Planning Commission because the number of uses in the B-2 is fairly broad, while the number of uses in the O-R is much more narrow. Commissioner Hewitt indicated that

they could take requests for business zonings on a case by case basis, as they are doing with the Leitner application.

Commissioner Hewitt suggested that in the future the Planning Commission could develop a corridor plan for this area to address what types of business may be appropriate. Vice-Chairman Stubbs provided historical information about previous plans that were being considered, including the formation of an “Old Town Windsor” district. This was being considered during the same time frame as the creation of the 2016 Comprehensive Plan. (For reference, you can see an area designated as “Future study area” on the future land use map in the Comprehensive Plan. This study area is in close proximity to the property being considered in this application.) Vice-Chairman Stubbs concluded that the Leitner’s had been moving forward with their business operations based upon the errant information received from the Town regarding their zoning classification. He indicated he had also researched the minutes from previous meetings and could not find any information that the zoning had been previously changed.

Commissioner Hewitt made a motion to recommend approval of a change in zoning classification from O-R, Office/Residential to B-2, Restricted Business for the parcels included in the application. Commissioner Vaughn seconded the motion. The motion was passed, 5-0. Therefore, the Planning Commission recommends approval of the application.

Attachments:

- Leitner application for a change in zoning classification
- Planning Commission notice of public hearing
- Adjoining property owner notification
- Comprehensive Plan Future Land Use Map
- B-2, Restricted Business Permitted Uses
- November 8, 2016 Zoning Letter
- August 16, 2022 Zoning Letter



August 22, 2022

Town of Windsor  
ATTN: ZONING ADMINISTRATOR  
8 E. Windsor Blvd.  
Windsor, VA 23487

Dear Sir:

Attached please find our application for a request to re-zone the property located at 57 E. Windsor Blvd, Windsor, VA. When we purchased the parcels in 2013, it was our understanding that the property was zoned B-2 already. In support of this understanding, we have attached a copy of the real estate listing (please see page 2 of listing) when the properties were sold to us. Also attached is a letter dated Nov 8, 2016 from Dennis Carey, Zoning Administrator, indicating that the zoning was B-2. Hence, the current use for our contractor office/yard.

Recently, we wanted to apply to add an open shelter on the property to the south of an existing metal building. We learned at that time from Jay Randolph that our current zoning is O-R. This was a complete shock to us as we have always been informed that our zoning is B-2.

In order to bring into conforming use, we respectfully request that the parcels as follows be re-zoned to B-2. We would appreciate consideration of having the re-zoning fee of \$800 waived as we have notice on official Town of Windsor letterhead that the property, in fact, is B-2 zoning. In the interim, we have enclosed a check in the amount of \$800 as required.

54B-01-200

54B-01-200A

Should our request be approved, we would like to add an open shelter as indicated on the attached site plan. It would provide an orderly place for dry storage for items already stored on the property out in the weather. This shelter would likely not be seen from the road. We strive to keep the property organized and clean and feel this would benefit the ability to do more so.

Thank you for your consideration. If there are additional questions, please feel free to contact Christy Leitner at 757-515-1100.

Regards,

A handwritten signature in cursive script that reads "Christopher Leitner".

CHRISTOPHER LEITNER

A handwritten signature in cursive script that reads "William Leitner".

WILLIAM LEITNER



# TOWN OF WINDSOR

Zoning Map Amendment



Planning and Zoning  
Administrator  
(757)242-4288

Established 1902

Property Owner(s) Christopher Leitner / William Leitner Owners Ph.# 757-515-1100  
Owners Mailing Address 57 E. Windsor Blvd, Windsor VA 23487  
Applicant (if different from Owner) Christy Leitner Ph# 757-515-1100  
E-Mail christy@leitnerandson.com

Agent-Correspondence should be sent to Christy Leitner

Address/location of Subject Property 57 E. Windsor Blvd  
54B-01-200

Tax Map Number 54B-01-200A Proposed Zoning District B-2 Present Zoning District O-R

Parcel Size 1.028 / 1.788 Street Frontage 251.98'

Are there proffered conditions with this rezoning (if so please submit an original set of proffers signed by the owner). Yes        No X

Purpose of this Zoning Map Amendment to bring into conforming use  
(If more room is needed - refer to and write a narrative and attach to this application)

Is this request in general accord with the current Town of Windsor Comprehensive Plan? yes

If no, is a Comprehensive Plan revision being submitted concurrently with this application? (Please submit a siteplan of the proposed rezoning including any new structures, streets, driveways and any other amenities that are present or to be constructed on the property, including structures or streets/driveways to be removed or moved. An application is not considered to be complete without such a siteplan).

Are there structures on the property, and if yes, will they be re-used or removed? yes, they will remain

If the property is vacant or if new structures are envisioned, what types (and sizes) of structures and how many such structures will be constructed if this property is rezoned (please provide what the proposed structures will look like? approx 70' x 36' open shelter (one side open))

Number of Parking Spaces Required and how many are being provided? nothing additional

Are there Chesapeake Bay Resource Protection Areas on the property? no

Was a Traffic Impact Analysis (TIA) required for this Request? NO If yes, has the Virginia Department of Transportation (VDOT) approved it?

**(If not, the application cannot proceed until this review is completed)** (Please include a copy of the TIA and VDOT's response with this application and provide an explanation of how VDOT's comments are being addressed.)

Are there adequate water and sewer facilities to serve the proposed use that would follow this rezoning (if not, how will these facilities be provided)? yes, everything will remain

What are the properties zoned and what is the use of the properties on the property adjacent to the subject property?

NORTH- Zoning <u>B-1</u>	Use(s) <u>auto parts, dentist office, restaurant</u>
SOUTH- Zoning <u>A-1</u>	Use(s) <u>freed land</u>
EAST- Zoning <u>O-R</u>	Use(s) <u>private residence</u>
WEST- Zoning <u>O-R</u>	Use(s) <u>private residence</u>

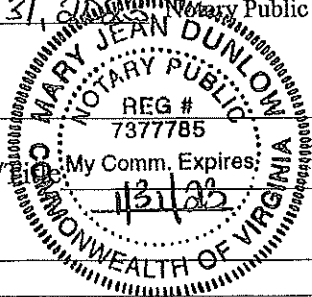
**I/WE HAVE READ THIS COMPLETED APPLICATION, UNDERSTAND ITS INTENT AND FREELY CONSENT TO ITS FILING. THE INFORMATION PROVIDED IS ACCURATE TO THE BEST OF MY/OUR KNOWLEDGE. I UNDERSTAND THAT THE TOWN MAY APPROVE OR DENY THE REQUEST FOR WHICH I AM APPLYING. FURTHERMORE, I GRANT PERMISSION TO THE PERSONNEL OF THE TOWN AND OTHER AGENTS OF THE TOWN OF WINDSOR AND ANY OTHER AUTHORIZED GOVERNMENT AGENCY TO ENTER THE PROPERTY AND MAKE SUCH INVESTIGATIONS AS THEY DEEM NECESSARY TO EVALUATE THE REQUEST.**

Name William Leitner (Print) Christopher Leitner Signature (Applicant)

(owner / contract purchaser / authorized agent - please circle one) Date

NOTARY: COUNTY OF Isle of Wight STATE OF Virginia  
Subscribed and sworn to me on the 22<sup>nd</sup> day of August, of the year

2022 My Commission expires on January 31, 2025  
Mary Jean Dunbar Notary Public Signature: Stamp:



STAFF USE ONLY- DO NOT WRITE IN THIS AREA

Fee Paid \$800.00 Date 9/7/22 Accepted by Signature/ JR

Comments \_\_\_\_\_

**57 Windsor Boulevard East, Windsor, VA 23487, Isle of Wight County VA**

**MLS#:** 1315297  
**Contingent:** N  
**Ownership:** Simple  
**Parcel ID:** 54B01200  
**Model Name:**

**Area:** 66 - Isle of Wight - South  
**Subdivision:** 031 - WINDSOR  
**Neighborhood:** WINDSOR

**Sold**  
**LP:** \$199,900  
**OLP:** \$219,900  
**SP:** \$171,000

**Listing Details**



**RM:** No  
**Prop Type:** Residential  
**Res Type:** Detached  
**Possession:** SETTLMNT  
**Lock Box:** REIN Lockbox  
**Market Time:** 104  
**Date Listed:** 04/16/13  
**Date Entered:** 04/16/13  
**Date Updated:** 08/27/13  
**Date Off-Mrkt:** 07/29/13  
**Date Expire:** 12/31/13  
**Date Closed:** 08/26/13  
**Owner Phone:** CALL AGENT  
**Owner:** JUDY H. WHITLEY  
**Contingencies:**  
**Disclosures:** Disclosure Statement  
**Vacant:**  
**Showing Inst:** CALL AGENT  
**Photo Code:** Listing Agent/Office Uploads Own Photo(s)

**Agent/Office Information**

**List Office:** 5840 - Chorey & Associates Realty LTD  
**List Agent:** 3581 - Billy Chorey Sr.  
**LA Email:** bchorey@choreyrealty.net  
**LA 2:**  
**List Type:** Standard Agency ER  
**LO Phone:** 757-539-7451  
**LA Phone:** 757-539-7451  
**LA Other Ph:**  
**LA2 Phone:**  
**Sub Agent:** Yes  
**Fax:** 757-539-0628  
**SBC:** 3.5  
**BBC:** Yes  
**SCA:** Yes

**General Description**

**Bedrooms:** 3  
**Beds w/ Ensuite:**  
**F/H Baths:** 1 / 1  
**# Rooms:** 7  
**# Stories:** 1.0  
**Appx Acres:** 1.79  
**Appx Yr Built:** 1953  
**New Cnstr:** No  
**Mstr Model:** No  
**Appx SqFt:** 1,803  
**LP/SqFt:** \$110.87  
**Appx Lot Frnt:** 252  
**Appx Lot Depth:** 330  
**Appx Lot Dim:** 252 X 330  
**Legal:** LOTS 1 & 2, K. C. WHITLEY PROPERTY  
**Zoning:** B-2  
**AICUZ:** Crash:None / Noises: -65

**Schools**

**High:** Windsor  
**Elementary:** Windsor Elementary  
**Middle:** Windsor Middle  
**Other:** IOW ACADEMY

**Features**

**Style:** Ranch  
**Wtrfnt Desc:** Not Waterfront  
**Heating:** Heat Pump  
**Cooling:** Heat Pump  
**Efficiency:**  
**Foundation:** Crawl  
**Floors:** Ceramic, Wood  
**Garage Y/N:** No  
**Garage Tot. SqFt:**  
**Parking:** Lot  
**Interior Feat:** Perm Attic Stairs  
**Exterior Feat:** Storage Shed  
**Other Rooms:** Attic, Breakfast Area, 1st Floor Primary BR, Sun Room, Utility Room  
**1st Flr Bed/Bath:** Yes  
**Appliances:** 220 V Elec, Dryer Hookup, Range-electric, Washer Hookup  
**Pool:** No Pool  
**Fence Desc:** None  
**Water Htr:** Electric  
**Water:** City/County  
**Sewer:** City/County  
**Exterior:** Brick  
**Roof:** Asphalt Shingle  
**Fireplace:** 1  
**View:**  
**Condo Level:**  
**Unit Desc:**  
**Agency Approved:**

*See page 2.*

**Amenities:**  
**Accessibility:**  
**Green Cert:**  
**Sustainability:**  
**Miscellaneous:**  
**Condo Assoc Legal Name:**  
**Condo Assoc Mgmt Co and Contact Info:**  
**HOA/POA Assoc Legal Name:**  
**HOA/POA Assoc Mgmt Co and Contact Info:**

Room Details

<u>Room:</u>	<u>Level:</u>	<u>Dimensions:</u>	<u>Room:</u>	<u>Level:</u>	<u>Dimensions:</u>
Dining Room	1	13 X 13	Kitchen	1	16 X 12
Living Room	1	19 x 16	Primary Bedroom	1	16 X 12
Utility Room	1				

Remarks

**Agent Rmrks:** EXCELLENT PURCHASE OPPORTUNITY COMES WITH THIS 3 BR 1.5 BATH BRICK HOME ON 2 SEPARATE LOTS WITH A TOTAL OF 1.79 ACRES! ZONED B-2 AND MAY BE USED FOR RESIDENTIAL OR COMMERCIAL USE! LOT 1 MAY BE SOLD SEPARATELY BY BUYER OR HELD FOR INVESTMENT!

**Public Rmrks:** EXCELLENT PURCHASE OPPORTUNITY COMES WITH THIS 3 BR 1.5 BATH BRICK HOME ON 2 SEPARATE LOTS WITH A TOTAL OF 1.79 ACRES! ZONED B-2 AND MAY BE USED FOR RESIDENTIAL OR COMMERCIAL USE! LOT 1 MAY BE SOLD SEPARATELY BY BUYER OR HELD FOR INVESTMENT!

Legal/Tax/Financial

<b>Appx Taxes:</b> \$900	<b>Seller Finance:</b> None	<b>Seller Cont:</b>	<b>Mo. HOA/POA Fees:</b> \$0
<b>Appx Mtg Bal:</b>	<b>MCOA:</b>	<b>Type Mtg:</b>	<b>Mo. Condo Fees:</b> \$0
<b>Mtg Pmt:</b>	<b>Pmt Incl:</b>		<b>Web Excl:</b>
<b>Mtg Yrs:</b>	<b>Mtg ROL:</b>		<b>HOA/POA:</b>
<b>Mtg Int:</b>	<b>Mtg SOE:</b>		

Sold Information

<b>Date Closed:</b> 08/26/13	<b>Sold Price:</b> \$171,000
<b>Selling Agent:</b> 41169 - Christy Leitner	<b>SA Phone:</b> 757-515-1100
<b>Selling Office:</b> 6360 - All/Pros Realty Inc.	<b>SO Phone:</b> 757-467-9555
<b>Selling Agent 2:</b>	<b>Sold Terms:</b>
	<b>Financing:</b> Conventional

Christy Leitner, Choice Real Estate (757-515-1100, Direct: 757-515-1100)  
57 Windsor Boulevard East, Isle of Wight County VA 23487

08/22/2022 1:49:17 PM



# TOWN OF WINDSOR

Town Elected Officials  
Carita J. Richardson, Mayor  
Clint Bryant-Vice Mayor  
Durwood V. Scott  
Greg Willis  
N. Macon Edwards, III  
Patty Fleming  
Tony Ambrose



Established 1902

November 8, 2016

Town Manager  
Michael R. Stallings

Town Clerk  
Terry Whitehead

Town Attorney  
Wallace W. Brittle, Jr.

Mrs. Christy Leitner  
Leitner and Son, Inc.  
57 E. Windsor Blvd.  
Windsor, VA 23487


**RE: Clarification, B-2 Requirements TM 54B-01-200**

Dear Mrs. Leitner

Thank you and Mr. Leitner for our congenial conversation last Friday. The information cleared up several issues. The property is zoned B-2 Business and the office and contractors storage yard (provided it is within the enclosed fence) are permitted uses in the B-2 Business District. The residential use of the house is permitted because it is related to the business. The occasional construction of forms is permitted provided it is sporadic and not an everyday activity where it would be considered a manufacturing use. The employee vehicles in the front of the property must be parked behind the fence or in the rear yard. Once the size of the sign is decided upon, please contact me and the sign permit which you have submitted should be able to be issued.

The business is in compliance with the Town's ordinances. If you have any questions or we can assist you in any way, please contact me at (757) 242-4288.

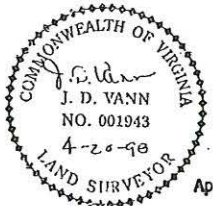
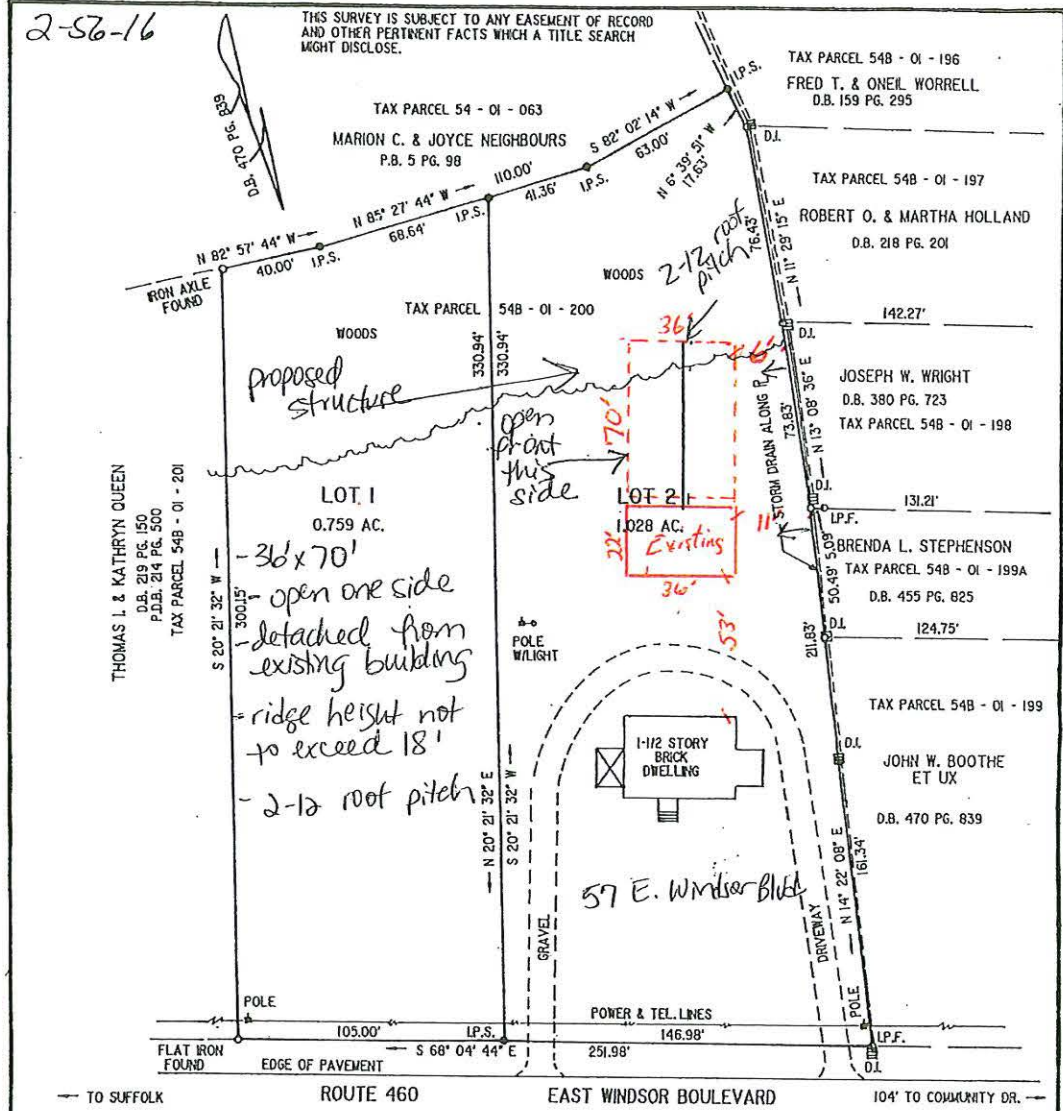
Sincerely,

  
Dennis W. Carney  
Planner/Zoning Administrator

cc: Michael Stallings, Town Manager

2-56-16

THIS SURVEY IS SUBJECT TO ANY EASEMENT OF RECORD AND OTHER PERTINENT FACTS WHICH A TITLE SEARCH MIGHT DISCLOSE.



WILLIAMS & VANN - LAND SURVEYORS  
1213 CLAY STREET  
FRANKLIN, VIRGINIA 23851

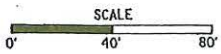
PLAT SHOWING SUBDIVISION OF  
**THE PROPERTY OF KATHRYN CARR WHITLEY**  
LOCATED AT 57 EAST WINDSOR BOULEVARD  
TOWN OF WINDSOR  
ISLE OF WIGHT COUNTY, VIRGINIA  
SCALE 1" = 40' APRIL 10, 1998

Approved *W. Pooland* REGISTERED BOOK 196 PAGE 335  
Resident Engineer **5-29-98**

○ - DENOTES IRON PIN OR PPE FOUND LP.F.  
● - DENOTES IRON PIN SET LP.F.  
DL - DENOTES DROP RILET

*Christopher Leitner*  
*William Leitner*

WHERE SEPTIC TANKS ARE TO BE INSTALLED ON INDIVIDUAL LOTS, THERE SHALL BE AN APPROVAL OF THE PRIMARY DRAINFIELD AND 100% RESERVE DRAINFIELD BY THE HEALTH DEPARTMENT AT THE TIME APPLICATION IS MADE FOR A SEPTIC TANK PERMIT. BOTH DRAINFIELDS SHALL BE LOCATED ENTIRELY OUTSIDE OF THE RESOURCE PROTECTION AREA. APPROVAL OF THIS PLAT BY THE PLATTING AUTHORITY DOES NOT INDICATE THAT THE INDIVIDUAL LOT IS SUITABLE FOR APPROVAL OF A PRIMARY AND 100% RESERVE DRAINFIELD.



TOTAL AREA SUBDIVIDED = 1.787 AC.

I HEREBY CERTIFY THAT THE PROPERTY SHOWN ON THIS PLAT IS LOCATED ENTIRELY ABOVE THE FLOOD PLAN AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY...

I, A DULY LICENSED SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARDS AND PROCEDURES FOR LAND BOUNDARY SURVEYING PRACTICE AS ESTAB-

PUBLIC NOTICE  
Town of Windsor-  
Planning Commission

PUBLIC HEARING

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Beginning at 7:00 p.m.

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Any person desiring to be heard in favor of or in opposition to the application is hereby invited to participate in the public hearing. A copy of the application is on file with Department of Planning & Zoning, 8 East Windsor Blvd., Windsor, Virginia and is available for public review.

Publish: September 14, September 21

# TOWN OF WINDSOR

P.O. Box 307  
8 E. Windsor Blvd.  
Windsor, VA 23487

Department of  
Planning & Zoning  
757-242-4288



Established 1902

October 6, 2022

Dear Property Owner:

You are receiving this notice because an adjacent land owner has filed an application that will be considered by the Town Council. Further information is listed below.

## PUBLIC NOTICE

Town of Windsor-  
Town Council

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An application for a change in zoning classification from O-R, Office/Residential to B-2, Restricted Business. The application includes Tax Parcel 54B-01-200, also identified as 57 East Windsor Blvd., and Tax Parcel 54B-01-200A. The purpose of the application is for a contractor's office and storage yard.

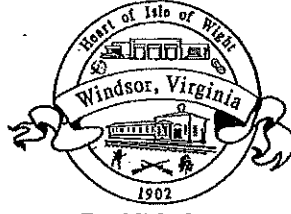
Any person desiring to be heard in favor of or in opposition to the application is hereby invited to participate in the public hearing. A copy of the application is on file with Department of Planning & Zoning, 8 East Windsor Blvd., Windsor, Virginia and is available for public review.



# TOWN OF WINDSOR

P.O. Box 307  
8 E. Windsor Blvd.  
Windsor, VA 23487

Department of  
Planning & Zoning  
757-242-4288



Established 1902

September 9, 2022

Dear Property Owner:

You are receiving this notice because an adjacent land owner has filed an application that will be considered by the Planning Commission. Further information is listed below.

## PUBLIC NOTICE

Town of Windsor-  
Planning Commission

## PUBLIC HEARING

The Planning Commission of the Town of Windsor, Virginia will hold a public hearing on Wednesday, September 28, 2022 in the Windsor Town Hall located at 8 East Windsor Blvd., Windsor, Virginia to consider the following:

Beginning at 7:00 p.m.

An application for a change in zoning classification from O-R, Office/Residential to B-2, Restricted Business. The application includes Tax Parcel 54B-01-200, also identified as 57 East Windsor Blvd., and Tax Parcel 54B-01-200A. The purpose of the application is for a contractor's office and storage yard.

Any person desiring to be heard in favor of or in opposition to the application is hereby invited to participate in the public hearing. A copy of the application is on file with Department of Planning & Zoning, 8 East Windsor Blvd., Windsor, Virginia and is available for public review.

Town of Windsor  
Comprehensive Plan

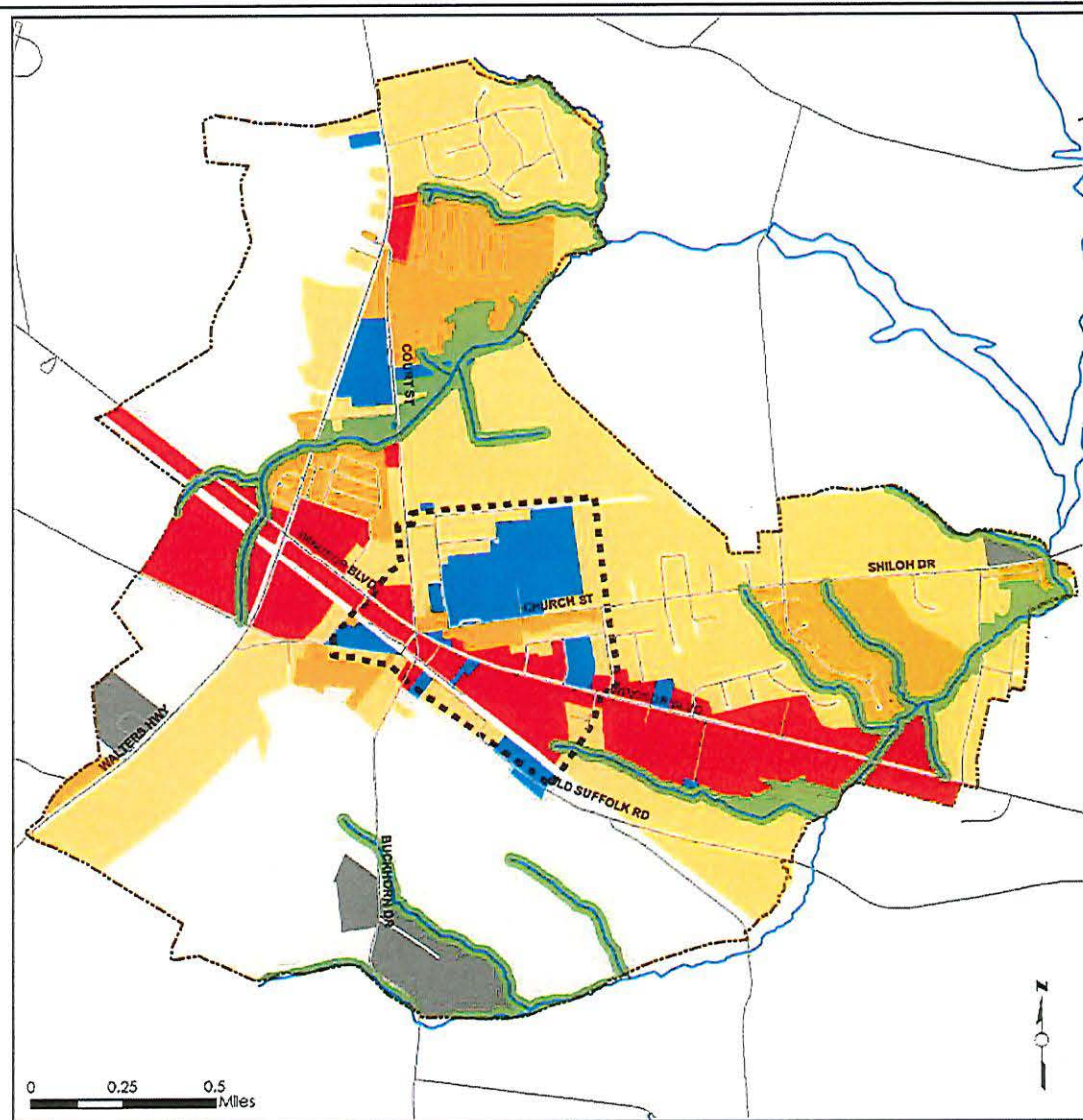
Map 7-3

Future Land Use

-  Town of Windsor Boundary
-  Roads
-  Future Study Area
- Future Land Use**
  -  Low Density Residential
  -  High Density Residential
  -  Commercial
  -  Industrial
  -  Public/Institutional
  -  Agriculture
  -  Conservation



Map Created by the Hampton Roads Planning District Commission GIS Staff, Revised April 2016



## B-2 , RESTRICTED BUSINESS PERMITTED USES

1. Individual freestanding retail and wholesale providers (such as apparel, shoe stores, department stores, grocery stores, variety stores, specialty shops (retail), and appliance stores of under 10,000 square feet, and which are not a part of a shopping center;
2. Shopping centers of not more than 10,000 square feet of retail area;
3. Restaurants, taverns, and soda fountains;
4. Business, professional and governmental offices including banks, loan and finance offices, police, fire, and rescue squad stations, post offices of under 10,000 square feet of usable office space, not including an office park;
5. Barber shops, beauty salons, nail salons and similar shops;
6. Laundries and dry-cleaning shops;
7. Movie and cultural art theaters, (not to include adult entertainment establishments), assembly halls, playhouses, dinner theaters of under 10,000 square feet;
8. Lumber/building materials/hardware store of under 10,000 square feet of retail sales area;
9. Pawn shops;
10. Contractors office for construction, electrical, plumbing, heating, provided all equipment and vehicles shall be completely enclosed either within a building or storage yard such that it not visible to the public;
11. Appliance, bicycle sales and repair, or any other similar shop, provided that business shall be conducted within a completely enclosed building;
12. Donut shops and bakeries;
13. Hotels, motels and bed-and-breakfast houses of less than 10,000 square feet of rentable area;
14. Churches, other places of worship, and related church schools;
15. Schools such as business or commercial schools, trade schools, public schools and colleges and private schools and colleges having similar academic curriculum;
16. Public libraries;

17. Personal fitness establishments and gymnasiums;
18. Hospitals;
19. Funeral homes and/or mortuaries (including crematorium that are accessory to the facility);
20. Automobile service stations for the dispensing of fuel;
21. Repair garages for vehicles (all repairs and storage of vehicles being repaired must be completely enclosed or screened from the public's view);
22. Clubs and lodges;
23. Automobile sales, (all repairs and storage of cars being repaired that are or will be for sale must be completely enclosed or screened from the public's view);
24. Public utility transmission systems;
25. Public service and storage buildings;
26. Child-care centers;
27. Newspaper office including publication presses and other production equipment;
28. Railroad train stations, bus terminals and taxi stands;
29. Radio and television broadcasting studios, not to include transmission towers of over 55 feet in height;
30. Wholesale and retail greenhouses and plant nurseries;
31. Parking garages and parking lots;
32. Mini storage warehouses (must be at least 50 feet from any residence);
33. Recording studios, dance studios, and other music-related instructional facilities;
34. Museums; and
35. Massage therapy practitioners, offices and clinics licensed in physiotherapy by the Commonwealth of Virginia.

# TOWN OF WINDSOR

Town Elected Officials  
Carita J. Richardson, Mayor  
Clint Bryant-Vice Mayor  
Durwood V. Scott  
Grag Willis  
N. Macon Edwards, III  
Patty Fleming  
Tony Ambrose



Established 1902

Town Manager  
Michael R. Stallings

Town Clerk  
Terry Whitehead

Town Attorney  
Wallace W. Brittle, Jr.

November 8, 2016

Mrs. Christy Leitner  
Leitner and Son, Inc.  
57 E. Windsor Blvd.  
Windsor, VA 23487

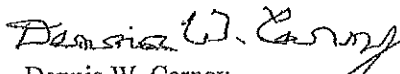
**RE: Clarification, B-2 Requirements TM 54B-01-200**

Dear Mrs. Leitner

Thank you and Mr. Leitner for our congenial conversation last Friday. The information cleared up several issues. The property is zoned B-2 Business and the office and contractors storage yard (provided it is within the enclosed fence) are permitted uses in the B-2 Business District. The residential use of the house is permitted because it is related to the business. The occasional construction of forms is permitted provided it is sporadic and not an everyday activity where it would be considered a manufacturing use. The employee vehicles in the front of the property must be parked behind the fence or in the rear yard. Once the size of the sign is decided upon, please contact me and the sign permit which you have submitted should be able to be issued.

The business is in compliance with the Town's ordinances. If you have any questions or we can assist you in any way, please contact me at (757) 242-4288.

Sincerely,

  
Dennis W. Carney  
Planner/Zoning Administrator

cc: Michael Stallings, Town Manager

# TOWN OF WINDSOR

Town Elected Officials  
Glyn Willis, Mayor  
Greg Willis, Vice Mayor  
George Stubbs  
J. Randy Carr  
Kelly Blankenship  
Walter Bernacki  
Jake Redd



Established 1902

Town Manager  
William G. Saunders IV

Town Clerk  
Terry Whitehead

Treasurer  
Cheryl McClanahan

Town Attorney  
Fred Taylor

August 16, 2022

Christy Leitner, Authorized agent for:  
Christopher Leitner  
57 E. Windsor Blvd.  
Windsor, VA 23487

## RE: Zoning Permit Application

Dear Christy Leitner:

As authorized agent for property owner Christopher Leitner, I am writing this letter to inform you that your application dated July 25, 2022 for an accessory building at 57 East Windsor Boulevard and further identified as Tax Parcel 54B-01-200 is denied.

The property identified as 57 East Windsor Boulevard and further identified as Tax Parcel 54B-01-200 has a zoning classification of O-R Office/Residential. As Zoning Administrator, I have hereby determined that the use of said property is for a contractor's storage yard and office. Contractor's storage yards are not a permitted use in the O-R zoning district. Therefore, the referenced property is considered a nonconforming use of land. In accordance with the Land Development Ordinance for the Town of Windsor, Virginia, Article II Zoning Ordinance, Section 160-40, Nonconforming Lots, Structures and Uses, Section 4 states "No additional structure not conforming to the requirements of this chapter shall be constructed in connection with such nonconforming use."

Pursuant to the Virginia Code, as amended, Section 15.2-2311, you have the right to appeal the zoning determination within 30 days of receipt of the notice. Please note, this zoning determination shall be final and un-appealable if not appealed within 30 days. Section 160-70 of the Zoning Ordinance provides detail on the appeals process for the Town of Windsor, Virginia.

If the property owner desires to bring the contractor's yard into conformity with applicable zoning regulations, the appropriate option to pursue would be to apply for a zoning map amendment (rezoning). Contractor's yards and offices are permitted uses in the B-2, Restricted Business District. Section 160-73 of the Zoning Ordinance for the Town of Windsor, Virginia outlines the procedures for zoning map amendments.

Should you have any questions or require additional information, please feel free to contact me.

Sincerely,

James Randolph  
Planning & Zoning Administrator