

TOWN OF WINDSOR

P.O. Box 307

8 East Windsor Boulevard

Windsor, Virginia 23487

Phone 757-242-4288

E-Mail Windsor@windsor-va.gov

PLANNING COMMISSION MEETING AGENDA

September 28, 2022

7:00 p.m.

Town Hall

- 1) Call to Order
 - a) Welcome
 - b) Roll Call and Determination of Quorum
- 2) Public Comments
- 3) Approval of the Minutes of the May 25, 2022 Planning Commission meeting
- 4) Public Hearing:
 - a) 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 at 57 East Windsor Blvd., and Tax Parcel 54B-01-200A. The purpose of the application is for a contractor's office and storage yard.
- 5) Town Attorney's Report
- 6) Economic Development Authority (EDA) Report
- 7) Old or Unfinished Business
- 8) New Business
- 9) Next Regular Meeting Date: October 26, 2022
- 10) Motion to Adjourn

MINUTES OF THE PLANNING COMMISSION - WINDSOR, VIRGINIA

The Planning Commission met on Wednesday, May 25, 2022 at 7:00 p.m. at the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Chairman Marshall called the meeting to order and welcomed all who were present. Terry Whitehead, Town Clerk, recorded the minutes. James Randolph, Planning and Zoning Administrator, was present. Mrs. Whitehead called the roll.

Planning Commission members present: Leonard L. Marshall, Chairman
Dale Scott
Ricky Vaughan
Larissa Williams

Planning Commission members absent: George Stubbs, Vice Chairman
Devon Hewitt
Jesse Taylor

PUBLIC COMMENTS

None

MINUTES

Chairman Marshall asked if there were any amendments or comments regarding the minutes of the April 27, 2022 regular Planning Commission meeting.

Commissioner Scott made a motion to approve the minutes as presented. Commissioner Vaughan seconded, and the Commission unanimously passed the motion as recorded on the attached chart as motion #1.

TOWN ATTORNEY REPORT

None

ECONOMIC DEVELOPMENT AUTHORITY REPORT – EDA

Commissioner Scott reported that the Windsor Christian Church held a ceremony in honor of the placement of the first frog, funded by the church, in support of the Windsor Economic Development Authority Frog Project on Sunday, May 1, 2022. He said other organizations are expressing interest in purchasing frogs to be located throughout the Town.

Commissioner Scott noted that the sale of the property located on the west side of Town is still progressing.

OLD OR UNFINISHED BUSINESS

None

NEW BUSINESS

Presentation and Discussion of Census Data

Mr. Randolph reported that the Census Bureau has released the data on the 2016-2020 American Community Survey five-year estimates. He said at the last meeting, we discussed the upcoming update to the comprehensive plan and the need for the Commission to undertake that endeavor. He said one of the key components as we look at updating the comprehensive plan is looking at the demographics and statistics in the Town. Mr. Randolph continued to review the census data.

Mr. Randolph stated that the 2020 population for the Town of Windsor is listed at 2,746. He said this is an increase of 120 people from the 2010 census, so over that 10-year period, it leads to a growth rate of about a little over 4.5%. By contrast, Isle of Wight County grew from 2010 to 2020 from about 35,000 to 38,600. He said this is an approximately 9.5% increase at the County level.

Mr. Randolph explained that the growth here in the Town has been approximately half of what the County has been experiencing. He noted that Windsor experienced significant growth between late 2020 and spring 2022 that is not included in this data. He explained that many of the homes in the second phase of Holland Meadows were really not sold and occupied until late 2020 and throughout 2021; therefore, the current estimate is much closer to about 2,800 here in May of 2022.

Mr. Randolph added that when we look at a 10-year growth rate of about 4.5%, it averages out to about one half of 1% per year, which is a very manageable growth rate from a planning perspective. He said the Town and its provision of services is not being overwhelmed by a massive influx of people all coming in at the same time.

Mr. Randolph said the Census Bureau data also showed that there are 1,061 total households in Windsor and 1,110 housing units; with the median household income of Windsor residents being \$52,075. Mr. Randolph also added that the Town's employment rate is 49.6%, 15.6% of residents have a bachelor's degree or higher, and 6% of residents are without health care coverage.

Mr. Randolph noted that the median age in the Town is now approximately 47 years old; slightly higher than the median age in Virginia, which is listed in the data at 38.4. He said those 65 years and older represents about 23% of the Town's population. He said Isle of Wight has an older population of approximately 19%.

Mr. Randolph reported that the data indicates Windsor's population of children, which includes those younger than 18, is about 23.2%.

Mr. Randolph noted that the average household size in Windsor is approximately 3 people per household, the disabled population is 16.9%, 15.1% of the Town's population are veterans, and the poverty level in the Town is just under 11%. He said the census data shows that the average commute time for workers in the Town of Windsor is just under 35 minutes.

Mr. Randolph said with the two major upcoming residential housing projects; the Windsor Station project and the Villas at Cambridge on North Court Street, he anticipates with the gross projections going forward, we're basically on track for the population to be approximately 3,000 by the 2030 census. Mr. Randolph noted that the Villas at Cambridge housing project has no sunset clause, as questioned at a previous meeting.

Mr. Randolph said as we go through the comprehensive plan update, we will be seeing a lot of these numbers again. He said he wanted to give the Commissioners a first glance at the numbers so they can digest that information to help with the planning for the Town's future.

Commissioner Scott asked Mr. Randolph if he believed any of the numbers in the 2020 census could have been off somewhat due to the impact of the COVID-19 pandemic.

Mr. Randolph said he does believe the numbers could be off due to the pandemic. He said typically, the Census Bureau, by this time, would be coming out with the hard, concrete numbers. He said the bureau looked back and used the American Community Survey to help develop its census data. He said the Census Bureau replaced the more detailed form with an American Community Survey. This survey is conducted in the five-year window leading up to the actual census, so they can glean the information off of that.

Mr. Randolph explained that the numbers they released and the numbers you have in front of you are more of a combination of that community survey and the actual numbers they received. Mr. Randolph said he would agree that the numbers are probably slightly less than what is actually out there.

ADJOURNMENT

Chairman Marshall stated that the next Planning Commission meeting is scheduled for July 27, 2022.

There being no further business, Commissioner Scott made the motion to adjourn. Commissioner Vaughan seconded, and the Commission unanimously passed the motion as recorded on the attached chart as motion #2.

The meeting adjourned at 7:16 p.m.

Leonard L. Marshall, Chairman

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
RECORD OF
PLANNING COMMISSION VOTES

Commission Meeting Date May 25, 2022

Motion #	L. Marshall	G. Stubbs	L. Williams	J. Taylor	D. Hewitt	D. Scott	R. Vaughan
1	Y	absent	Y	absent	absent	Y	Y
2	Y		Y			Y	Y
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Jerry Whitehead, Clerk

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

TOWN OF WINDSOR

Department of
Planning & Zoning
757-242-4288



Established 1902

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-4, Office/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.

Attachments:

- Leitner application for a change in zoning classification
- 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 black ink that reads "Christopher Leitner".

CHRISTOPHER LEITNER

A handwritten signature in black ink 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@leitnerardson.com

Agent-Correspondence should be sent to Christy Leitner

Address/location of Subject Property 57 E. Windsor Blvd

Tax Map Number 54B-01-200A Proposed Zoning District B2 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

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 B-1

Use(s) auto parts, dentist office, restaurant

SOUTH- Zoning A-1

Use(s) tree land

EAST- Zoning O-R

Use(s) private residence

WEST- Zoning O-R

Use(s) private residence

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.

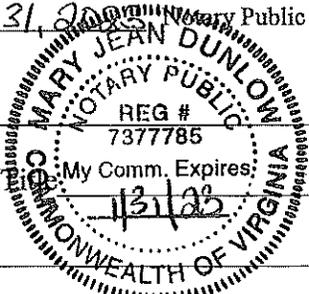
Name William Leitner
(Print)

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 22nd day of August, of the year

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



STAFF USE ONLY - DO NOT WRITE IN THIS AREA

Fee Paid \$800.00 Date 9/7/22 Accepted by Signature/ _____ My Comm. Expires: _____ 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: SETTMNT
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
Wtrfrnt 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 Fir Bed/Bath: Yes
Appliances: 220 V Elec, Dryer Hookup, Range-electric, Washer Hookup
Equipment:
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:

View:
Condo Level:
Unit Desc:
Agency Apprvd:

See page 2.

Room Details

Room:	Level:	Dimensions:	Room:	Level:	Dimensions:
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

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

Sold Information

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

Christy Leitner, Choice Real Estate (757-515-1100, Direct: 757-515-1100)

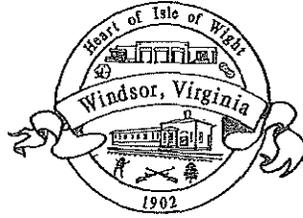
08/22/2022 1:49:17 PM



57 Windsor Boulevard East, Isle of Wight County VA 23487

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



Town Manager
Michael R. Stallings

Town Clerk
Terry Whitehead

Town Attorney
Wallace W. Brittle, Jr.

Established 1902

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.

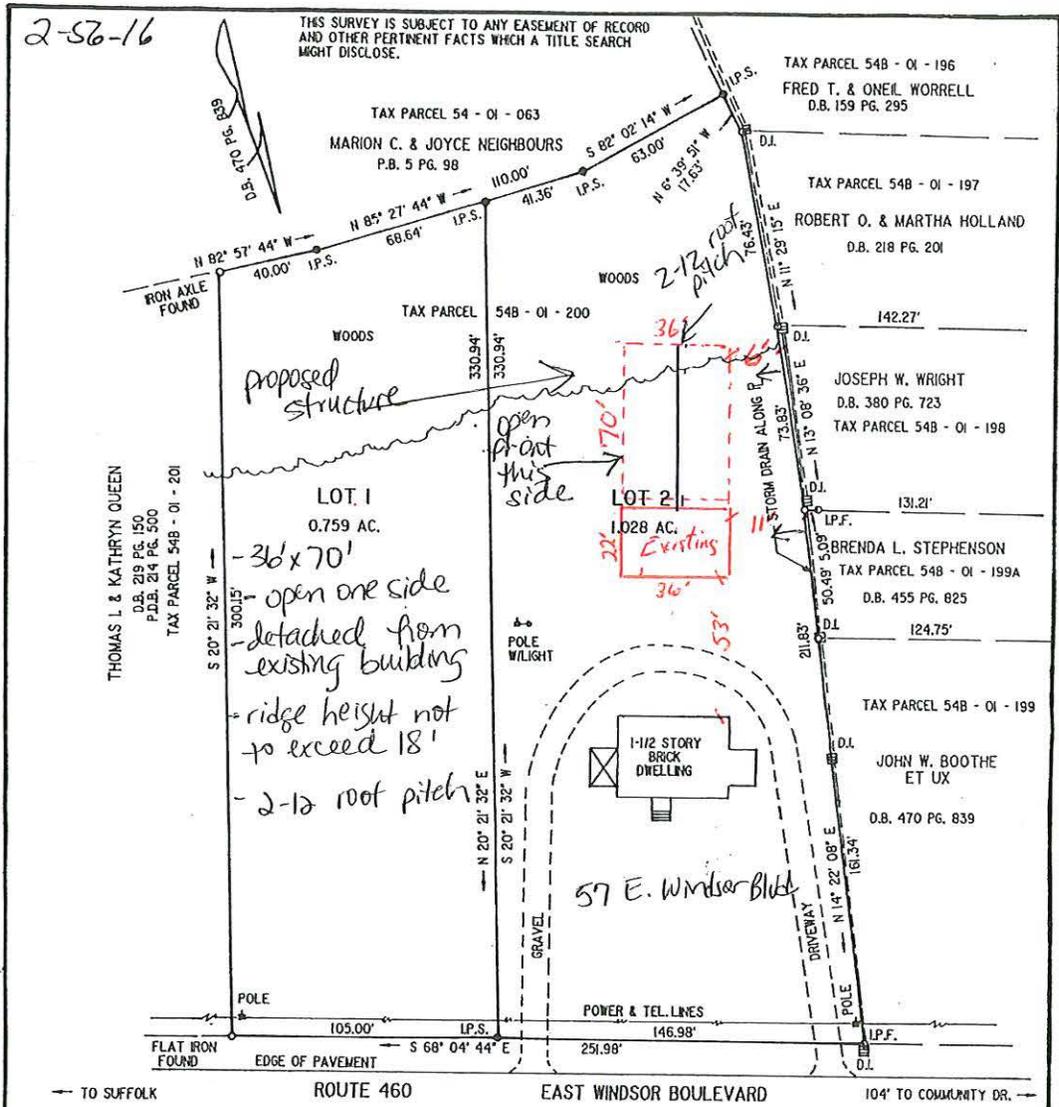
Sincerely,

Dennis W. Carney
Planner/Zoning Administrator

cc: Michael Stallings, Town Manager

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. J. ...* RESIDENT ENGINEER NO. 196 PAGE 335
5-29-98
● - DENOTES IRON PIN OR PPE FOUND LP.F.
● - DENOTES IRON PIN SET LP.S.
D.I. - DENOTES DROP INLET

Christopher Leather
William Leather

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.

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

SCALE
0' 40' 80'
TOTAL AREA SUBDIVIDED = 1.787 AC.

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

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.

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



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

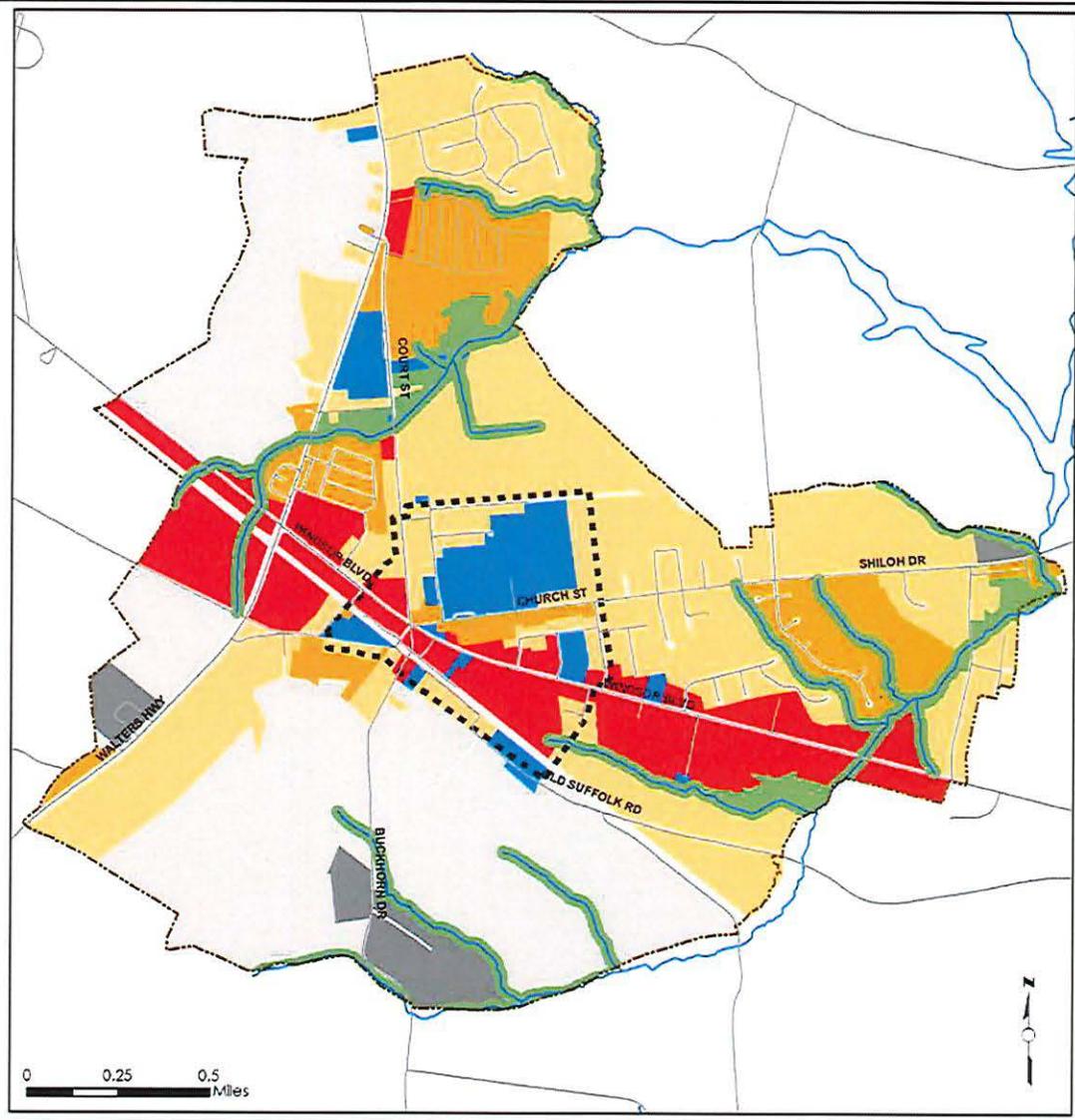
Map 7-3

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
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

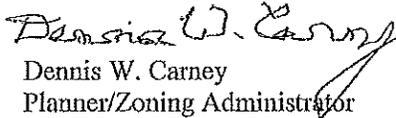
RE: Clarification, B-2 Requirements TM 54B-01-200

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

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