

Berryville – Clarke County
Government Center
101 Chalmers Court, Suite A
Berryville, VA 22611



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B E R R Y V I L L E
EST. 1798 *Genuine* VIRGINIA

BERRYVILLE PLANNING COMMISSION

Regular Meeting

Tuesday, August 26, 2025 – 7:00 p.m.

101 Chalmers Court – Main Meeting Room – Second Floor

AGENDA

1. Call to Order – William Steinmetz, Chair
2. Approval of Agenda
3. Approval of Minutes – July 22, 2025
4. Public Hearings:

Nova Power Systems, Inc., is requesting a Special Use Permit in order to allow a contractor's establishment with outdoor storage (Section 609.3(a) of the Town of Berryville Zoning Ordinance) on the property located at 3 Cattleman's Lane, identified as Tax Map Parcel number 14A3-((A))-17, zoned L-1 Industrial. SUP 01-25

Matthew and Deborah Renzi, Owners, are requesting an amendment to a special use permit per Section 604.3(g) of the Berryville Zoning Ordinance in order to change the hours of operation for a home occupation (fitness classes) at the property located at 308 Breckinridge Court, identified as Tax Map Parcel number 14A7-((2))-64, zoned DR-4 Detached Residential. SUP 03-24

5. Citizens' Forum
6. Planning Update
7. Other
8. Adjourn

Harry Lee Arnold, Jr.
Mayor

Erecka L. Gibson
Vice Mayor

William Steinmetz
Ward 1

Diane Harrison
Ward 2

Grant Mazzarino
Ward 3

Ryan Tibbens
Ward 4

Keith R. Dalton
Town Manager

BERRYVILLE PLANNING COMMISSION
Berryville-Clarke County Government Center
Regular Meeting Minutes
July 22, 2025

A meeting of the Berryville Planning Commission was held on Tuesday, July 22, 2025 at 7:00 p.m. at the Berryville-Clarke County Government Center in Berryville.

Attendance: Members of the Planning Commission present: William Steinmetz, Michael Bell, Gwen Malone, Michelle Marino, Dana Libby, Tim Sinclair

Absent: William Gilpin, Tom Parker

Staff present: Terry Russell, Community Development Director

Press present: none

1. Call to Order – Chair Steinmetz

Mr. Steinmetz called the meeting to order at 7:00 p.m.

2. Approval of Agenda

Ms. Malone made the motion to approve the agenda as presented, seconded by Mr. Bell. The motion passed by voice vote.

3. Approval of Meeting Minutes

Mr. Sinclair made the motion to approve the minutes of the January 28, 2025 meeting as presented, seconded by Ms. Malone. The motion passed by voice vote.

4. Set Public Hearings

Nova Power Systems, Inc., is requesting a Special Use Permit in order to allow a contractor's establishment with outdoor storage (Section 609.3(a) of the Town of Berryville Zoning Ordinance) on the property located at 3 Cattleman's Lane, identified as Tax Map Parcel number 14A3-((A))-17, zoned L-1 Industrial. SUP 01-25

Ms. Marino moved that the Planning Commission of the Town of Berryville set a public hearing for August 26, 2025. Ms. Malone seconded the motion. The motion passed by voice vote.

Matthew and Deborah Renzi, Owners, are requesting an amendment to a special use permit per Section 604.3(g) of the Berryville Zoning Ordinance in order to change the hours of operation for a home occupation (fitness classes) at the property located at 308 Breckinridge Court, identified as Tax Map Parcel number 14A7-((2))-64, zoned DR-4 Detached Residential. SUP 03-24

Mr. Bell moved that the Planning Commission of the Town of Berryville set a public hearing for August 26, 2025. Ms. Malone seconded the motion. The motion passed by voice vote.

5. Citizens' Forum

There were no comments.

6. Planning Update

Mr. Russell presented information related to Senate Bill SB974, passed by the Virginia General Assembly that amended the Code of Virginia effective July 1, 2025.

Mr. Sinclair moved that the Planning Commission of the Town of Berryville sponsor text amendments to the Subdivision Ordinance, and other ordinances as may be found necessary, in response to the changes in the Code of Virginia that became effective July 1, 2025, and that the Town Staff bring proposed amendments to the Planning Commission to set a public hearing at a future meeting. Ms. Marino seconded the motion. The motion passed by voice vote.

7. Other

There was no other business.

8. Adjourn

Ms. Malone made the motion to adjourn the meeting, seconded by Mr. Bell. The meeting was adjourned at 7:47 p.m.

William Steinmetz, Chair

Terry Russell, Secretary

Planning Commission Agenda Item Report Summary

August 26, 2025

Item Title

Public Hearing – Special Use Permit – Contractor’s Establishment With Outdoor Storage

Prepared By

Terry Russell

Nova Power Systems, Inc., is requesting a Special Use Permit in order to allow a contractor’s establishment with outdoor storage (Section 609.3(a) of the Town of Berryville Zoning Ordinance) on the property located at 3 Cattleman’s Lane, identified as Tax Map Parcel number 14A3-((A))-17, zoned L-1 Industrial. SUP 01-25

Background/History/General Information

Nova Power Systems, Inc. is requesting a Special Use Permit in order to allow outdoor storage with the contractor’s establishment by-right use in the L-1 Industrial Zoning District at the location referenced above. Section 609.2(d) of the Berryville Zoning Ordinance allows for contractor establishment. Outdoor storage for this use is permitted with an approved Special Use Permit under Section 609.3(a).

The Special Use Permit process allows for the ability to set conditions on specific uses and parcels which may include hours of operation, site requirements, and items deemed appropriate as recommended by the administrative body and approved by the governing body.

Findings/Current Activity

The parcel is 1.56 acres and is located on the west side of Cattleman’s Lane, a private road owned by Norfolk-Southern Railroad.

There is one building on the parcel. Public water and sewer are on-site.

Nova Power Systems, Inc., is an electrical contractor establishment. It intends to store trailers, trucks, equipment, containers, and materials outdoors on the site.

Schedule/Deadlines

At its meeting on July 8, 2025 the Town Council set a public hearing on this Special Use Permit application for its meeting on September 9, 2025.

Other Considerations

N/A

Recommendation

Recommend that the Town Council approve Special Use Permit SUP 01-25 as presented.

Sample Motion

I move that the Planning Commission of the Town of Berryville recommend that the Town Council approve Special Use Permit SUP 01-25 in order to allow a contractor's establishment with outdoor storage on the property located at 3 Cattleman's Lane, as presented.

Attachments:

- Public Hearing Notice
- Vicinity map
- Application
- Site plan
- Section 609 L-1 Industrial District Berryville Zoning Ordinance
- Section 503 Special Use Permit Berryville Zoning Ordinance

Legal Notices

Legal Notices

**BERRYVILLE PLANNING
COMMISSION
PUBLIC HEARING NOTICE**

The Berryville Planning Commission will hold the following public hearings at 7:00 p.m., or as soon after as these matters may be heard, on **Tuesday, August 26, 2025**, in the Main Meeting Room, Second Floor, of the Berryville/Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia to consider the following:

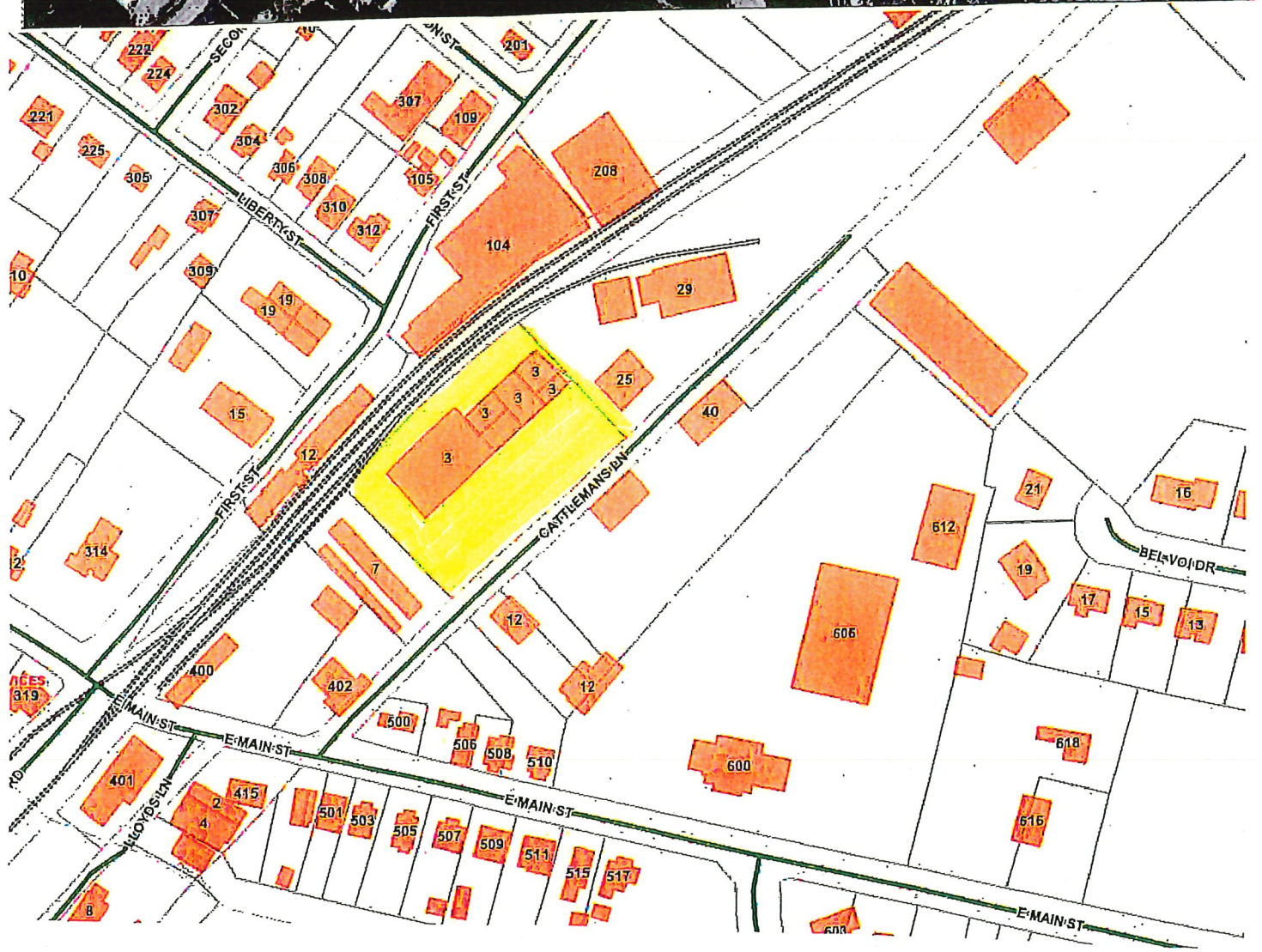
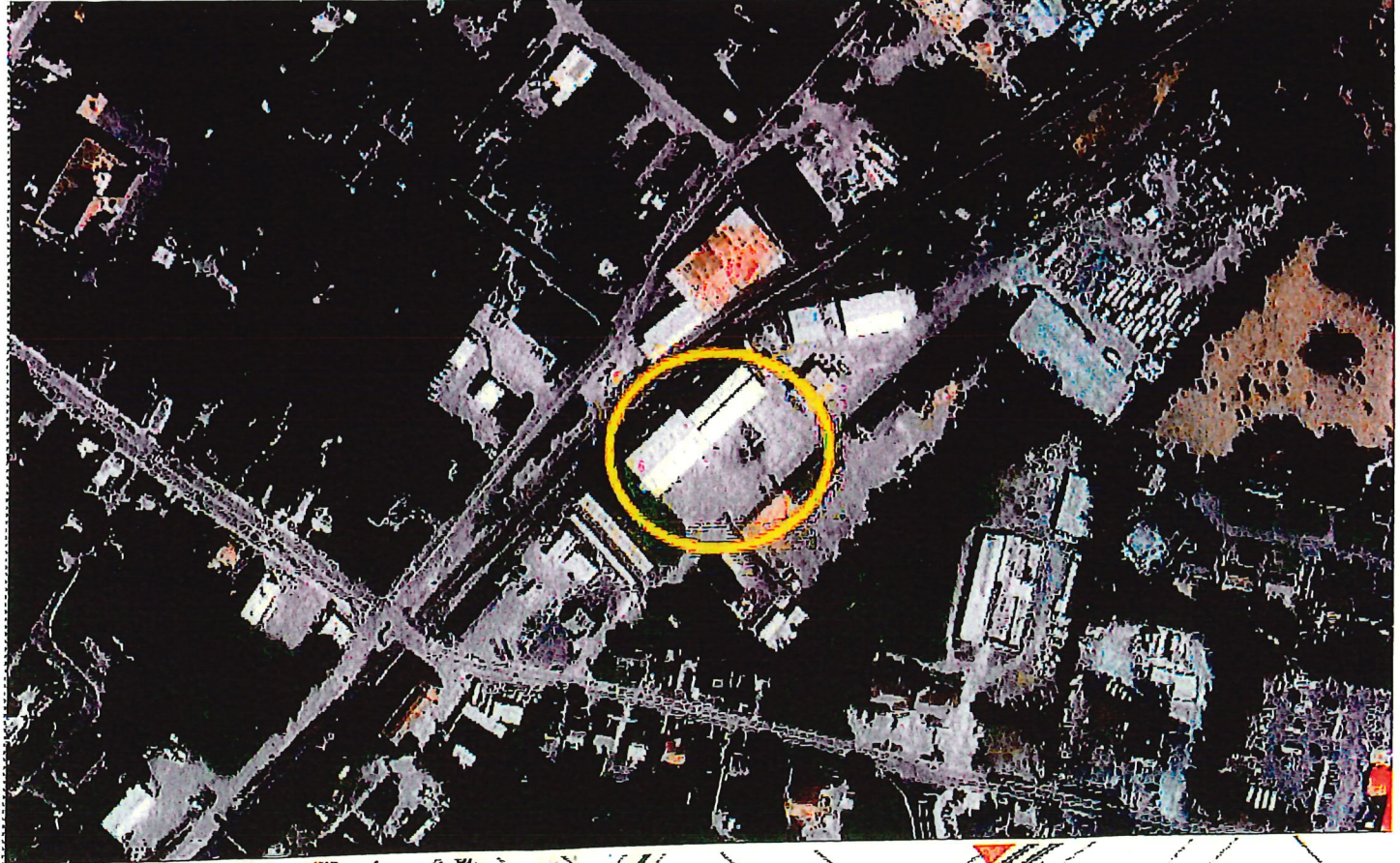
Nova Power Systems, Inc., is requesting a Special Use Permit in order to allow a contractor's establishment with outdoor storage (Section 609.3(a) of the Town of Berryville Zoning Ordinance) on the property located at 3 Cattleman's Lane, identified as Tax Map Parcel number 14A3-((A))-17, zoned L-1 Industrial. SUP 01-25

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Copies of the applications, amendments, and maps may be examined at the Town Business Office, Berryville/Clarke County Government Center (101 Chalmers Court), First Floor, Berryville, Virginia during regular business hours. Additional information may be obtained by calling Community Development Director Terry Russell at 540 955-4081. Any person desiring to be heard on these matters should appear at the appointed time and place.

The Town of Berryville does not discriminate against disabled persons in admission or access to its programs and activities. Accommodations will be made for disabled persons upon prior request.

By order of the Berryville Planning Commission
Terry Russell, Community Development Director



SPECIAL USE PERMIT APPLICATION

Please Note: This is an application only. The permit will be issued only if approved by the Berryville Town Council after review and recommendation from the Planning Commission.

To be completed by Applicant: _____ Date: June 30, 20 25

Applicant's Name: NOVA Power Systems, LLC

Applicant's Address: 2405 James Madison Hwy, Haymarket, VA 20169

Use Applied For: Outdoor Storage

At the following address: 3 Cattleman's Ln, Berryville, VA 22611

Special Conditions: Outdoor storage for electrical contractor establishment, including trailers, trucks, equipment, containers, and materials.

Property Owner's Name: 1881 REAL ESTATE, LLC. Attn: Ben Farahani

Property Owner's Address: 9913 Cyrandall Place Oakton VA 22124

Owner or Agent: The information provided is accurate to the best of my knowledge. I understand that the Town may deny, approve, or conditionally approve the request for which I am applying. I certify that all property corners have been clearly staked and flagged.

Signature:  _____ Date: 6/30/25

Owner: I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Town Planning Department and other government agents to enter the property and make such investigations and tests, as they deem necessary. I acknowledge that in accordance with Article X of the Subdivision Ordinance I am responsible for costs incurred for review of subdivision and/or development plans by the Town's engineer and that any other required tests or studies will be carried out at owner/agent expense

Signature: Ben Farahani _____ Date: 6/30/25

TO BE COMPLETED BY ZONING ADMINISTRATOR

Special Use: OUTDOOR STORAGE _____ Zone: L-1

Street Address: 3 CATTLEMAN'S LANE _____ Tax Map #: 14A3-(CA)-17

Special Use Permit Fee: \$2500⁰⁰ _____ Paid: _____

Site Plan Fee: _____ Paid: _____

Signature of Zoning Administrator:  _____ Date: 7-1-25

LEGEND

These standard symbols will be found in the drawing.

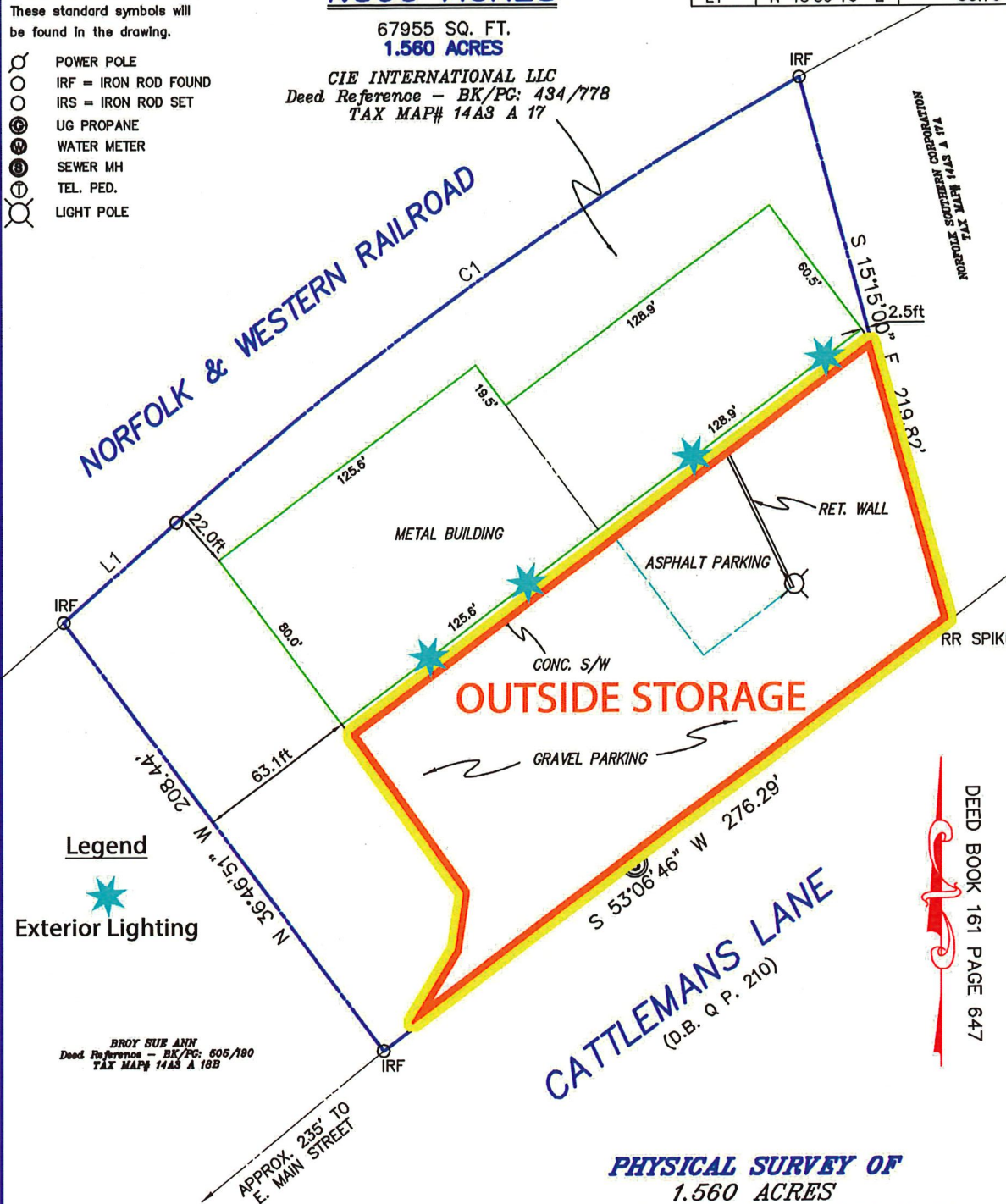
- POWER POLE
- IRF = IRON ROD FOUND
- IRS = IRON ROD SET
- UG PROPANE
- WATER METER
- SEWER MH
- TEL. PED.
- LIGHT POLE

CURVE	RADIUS	CHORD LENGTH	CHORD BEARING
C1	1399.40'	298.56'	N 54°46'38" E
LINE	BEARING	DISTANCE	
L1	N 48°39'16" E	58.70'	

1.560 ACRES

67955 SQ. FT.
1.560 ACRES

CIE INTERNATIONAL LLC
Deed Reference - BK/PG: 434/778
TAX MAP# 14A3 A 17



Legend

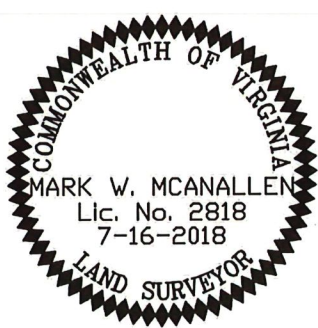
Exterior Lighting

BROU SUB ANY
Deed Reference - BK/PG: 606/190
TAX MAP# 14A3 A 18B

** THIS SURVEY REPRESENTS A PHYSICAL SURVEY ONLY
ALL EXISTING CORNERS FROM THE ORIGINAL SURVEY
WERE MARKED WITH WOODEN STAKES.
A BOUNDARY SURVEY IS REQUIRED IN ORDER TO
RESTORE THE MISSING MONUMENTS.

PHYSICAL SURVEY OF 1.560 ACRES

KNOWN AS TAX MAP# 14A3 A 17
#3 CATTLEMANS LANE
LONGMARSH MAGISTERIAL DISTRICT
CLARKE COUNTY, VIRGINIA
SCALE 1"=50' DATE 7-16-18

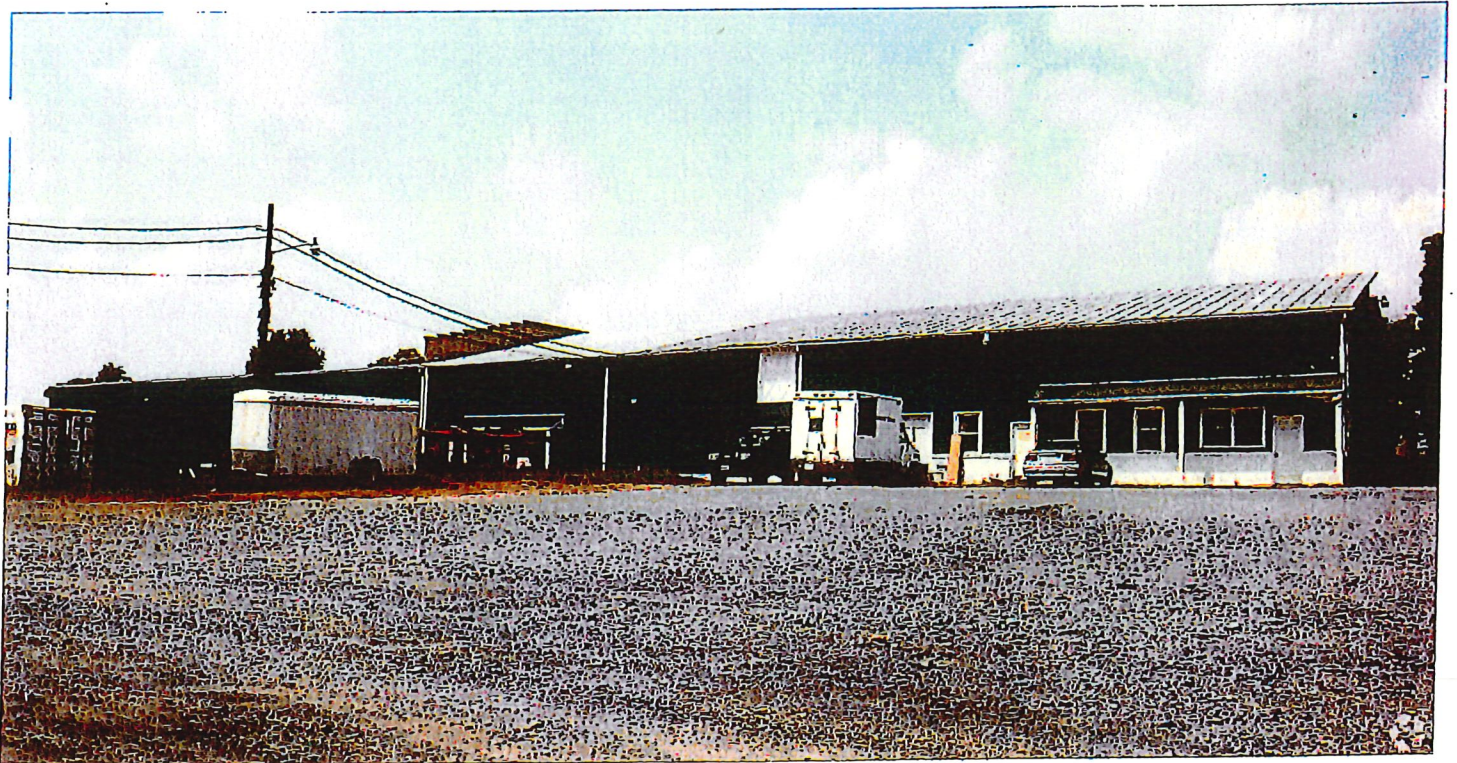


- 1.) NO TITLE REPORT FURNISHED.
- 2.) CURRENT ZONING FOR THIS PARCEL IS COMMERCIAL
- 3.) EASEMENTS & OTHER ENCUMBRANCES NOT SHOWN MAY EXIST.
- 4.) FENCE LOCATIONS, IF SHOWN, ARE APPROXIMATE ONLY AND DO NOT CERTIFY AS TO OWNERSHIP.
- 5.) BOUNDARY INFORMATION SHOWN HEREON WAS OBTAINED FROM RECORD DEED BOOK 161 PAGE 647
- 6.) SETBACKS IF SHOWN ARE TAKEN FROM THE SURVEY OF RECORD, COUNTY ZONING IS SUBJECT TO CHANGE, VERIFY WITH COUNTY FOR ACCURACY.

CEDAR MOUNTAIN LAND SURVEYING

www.cedarmountainlandsurveying.com

CEDAR MOUNTAIN LAND SURVEYING
9278 KIRTLBY TRAIL, CULPEPER, VA 22701
(540) 718-1775 CMLS@COMCAST.NET

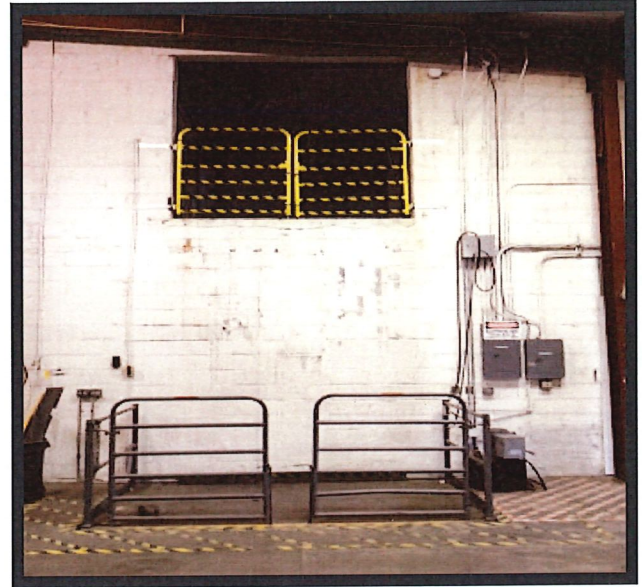




- **Approximately 25,600 SF of industrial warehouse /office space on approximately 1.56 Acres located in Clarke County, Virginia**
- **Original 15,000 SF of warehouse space with hydraulic lift and 6,000 SF of office space**
- **A 10,000 SF warehouse addition (17-21' ceiling clear height) was later built in 2006**
- **Entire Building Sprinklered**
- **Two Dock Doors & One At-Grade Door**
- **Upstairs Warehouse Area with Lift**
- **Outside Storage Available**
- **First Floor-2 Spaces Leased**
- **Light Industrial Zoning**
- **Ample Parking**
- **Easy Access to Routes 7, 340 and Interstate 81**



Outside newer 10,000 SF Section



*Lift View from
10,000 SF Warehouse*



10,000 SF Warehouse



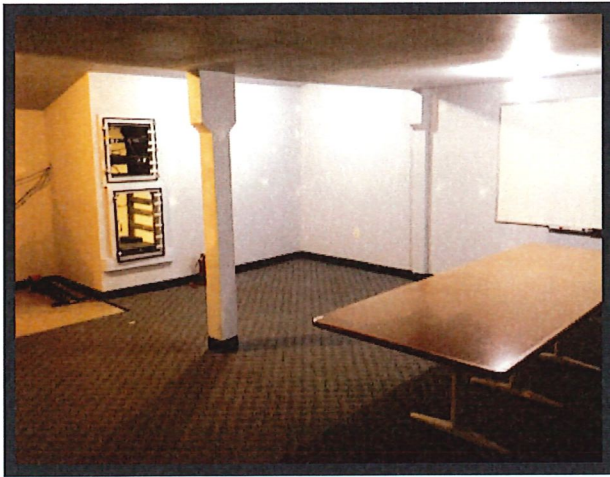
*2,600 SF Warehouse
12 foot Ceiling*



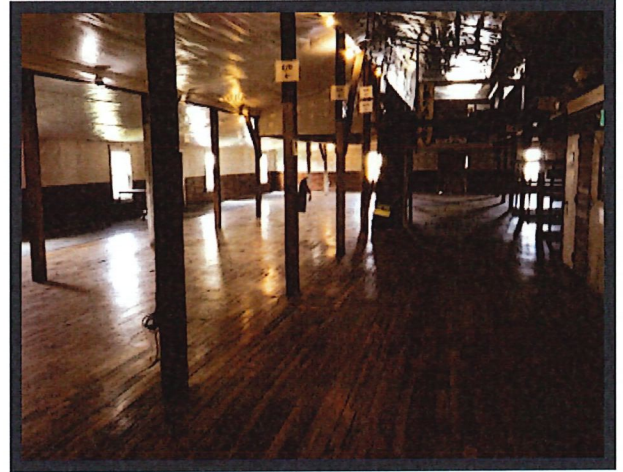
Office Space Front



Office Space with Window Access to 10,000 SF Warehouse



Upstairs Office Space




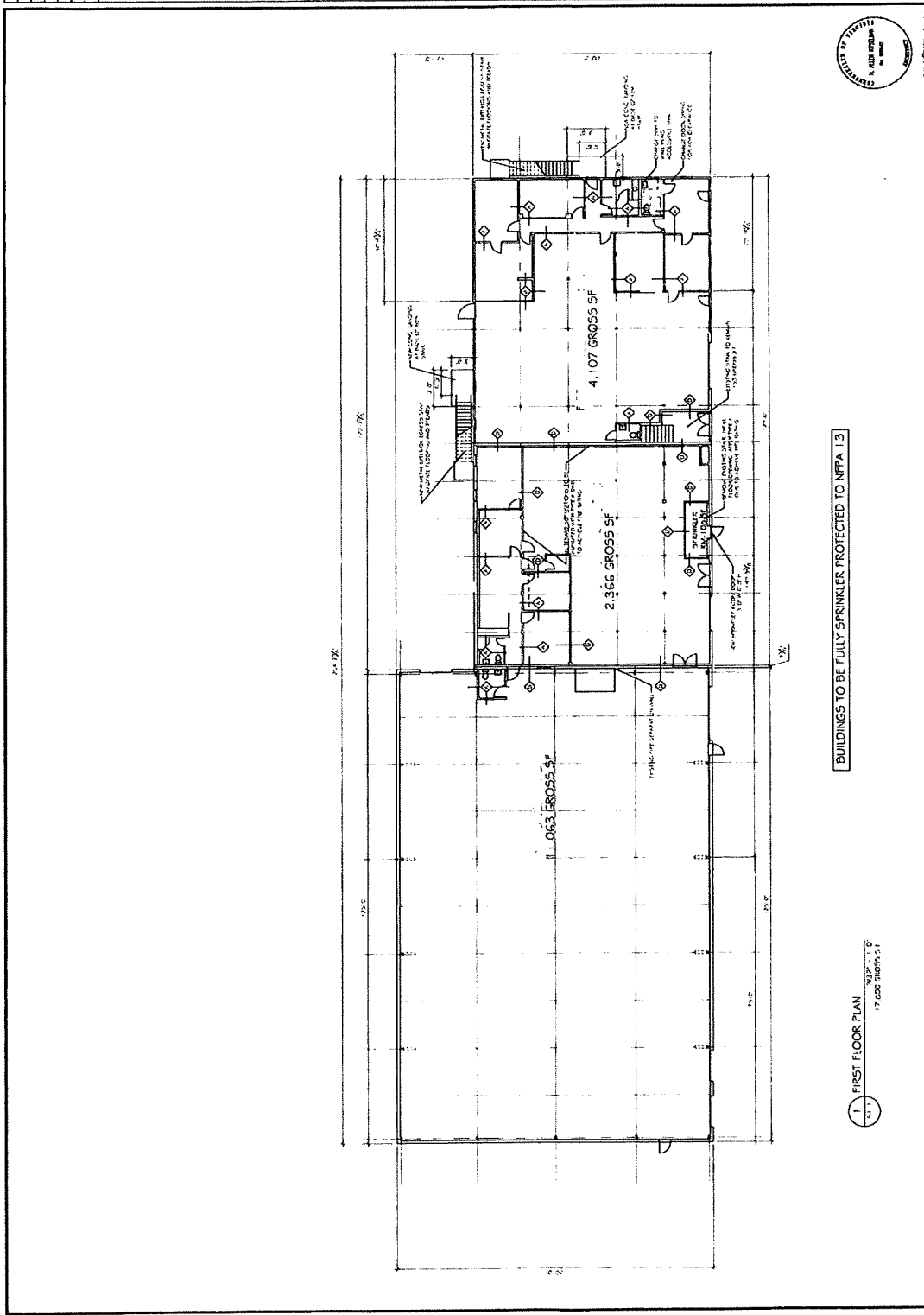
Upstairs Storage Area



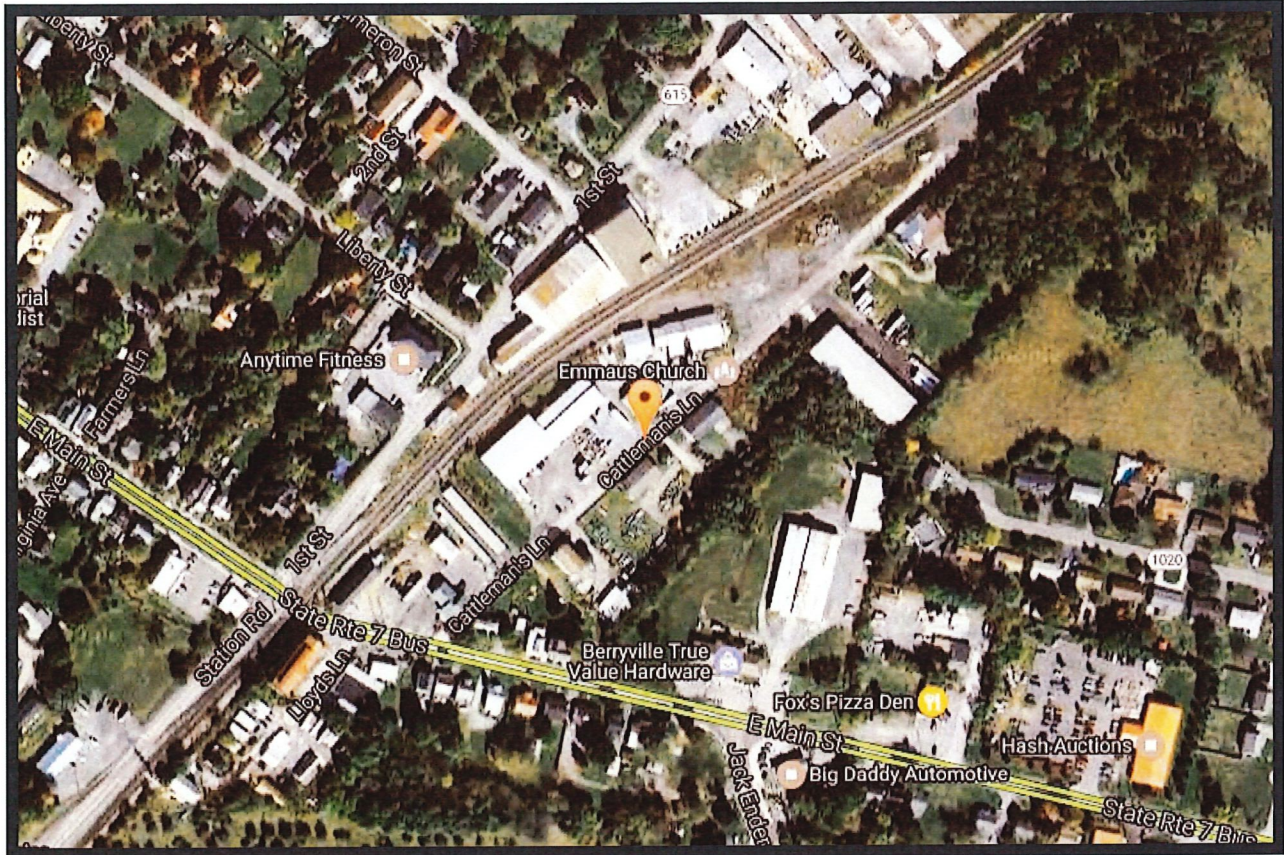
Kitchen with access to offices and both Warehouses

First Floor Plan

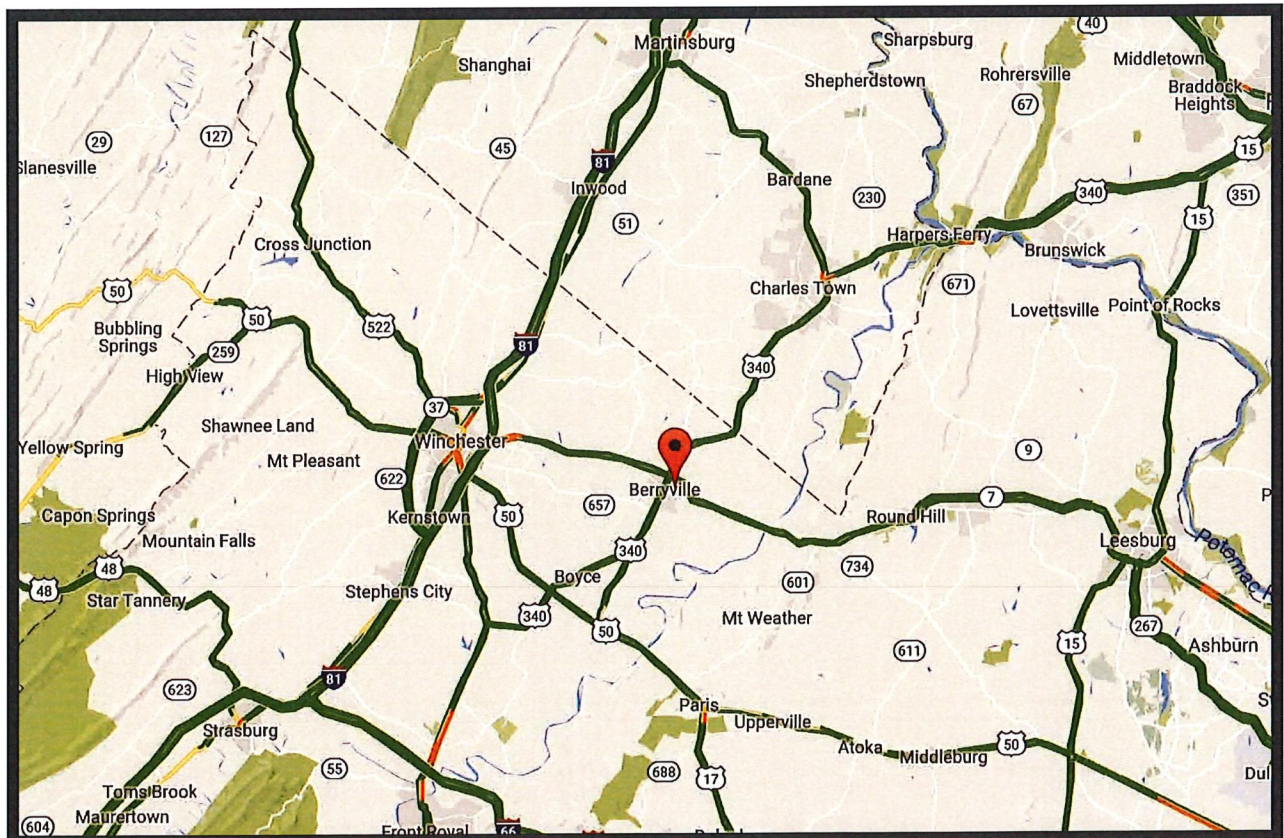
	Cartlemans Lane Warehouse - Berryville, Virginia	MSA MAIN STREET ARCHITECTURE, P.C. 10309 W. BROAD STREET, SUITE 100 FARMERSVILLE, VA 22434 TEL: 540-338-1111 FAX: 540-338-1112	A.I.I. 11/11/11
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Satellite Map



Regional Map



SECTION 609 L-1 INDUSTRIAL DISTRICT

609.1 PURPOSE AND INTENT

The L-1 Industrial District is established to provide locations within the Town of Berryville for a broad range of general light-industrial uses, recreational and event venues, infill development, and employment-related businesses operating under well-governed performance standards. The specific uses permitted within the L-1 District must be in harmony with the cultural and environmental character of the Town of Berryville. No use should be permitted that might be harmful to the adjoining land uses and the residential ambience of the community at large. Adaptive reuse is encouraged in the L-1 District. Outdoor storage and heavy industrial uses are discouraged but may be permitted by special use and environmental performance review. The L-1 District recognizes and is to be applied to existing conforming industry in the Town of Berryville as of the date of adoption of this District. Existing industrial uses shall be considered as satisfying the purpose and intent of the L-1 District, but expansion of existing industrial uses shall conform to the provisions herein. **(08/16)**

609.2 PERMITTED USES (12/94)

- (a) Auction establishments (indoor only) **(5/95)**
- (b) Business and professional offices **(7/99)**
- (c) Business service, supply and delivery establishments
- (d) Contractor's establishments without outdoor storage
- (e) Establishments for the production, processing, assembly, manufacturing, compounding, cleaning, servicing, testing and repair of materials, goods or products which conform to applicable Federal, State and local environmental performance standards or other standards referenced by the Town as related to (a) air pollution; (b) fire and explosion hazards; (c) radiation hazards; (d) electromagnetic radiation and interference hazards; (e) liquid and solid wastes hazards; (f) noise and odor standards; and (g) vibration standards.
- (f) Existing or expansion of existing industrial uses in operation as of the date of adoption of this Ordinance which conform to the previous industrial zoning district requirements.
- (g) Farm supply establishments
- (h) Financial institutions
- (i) Indoor mini-storage facilities
- (j) Light manufacturing, fabrication, testing or repair establishments without outdoor storage
- (k) Light warehousing establishments, without outdoor storage
- (l) Light wholesale trade establishments, without outdoor storage
- (m) Printing and publishing establishments
- (n) Private training and vocational schools
- (o) Public utilities (sub-stations, pump stations, transmission/receiving facilities and lines for telecommunications and similar uses, storage tanks, etc.)
- (p) Sheet metal shops
- (q) Small animal veterinary hospitals, exclusive of boarding kennels
- (r) Vehicle and machinery service, and parts sales ("service" including but not limited to internal and external repair, body work, paint, car washes, etc.)

- (s) Welding shops
- (t) Craft beverage manufacturing (03/18)

609.3 SPECIAL PERMIT USES

- (a) All above permitted uses requiring outdoor storage (10/94)
- (b) Day care centers (12/94)
- (c) Eating establishments including microbreweries, wineries, and distilleries (05/95, 08/16)
- (d) Heliports
- (e) Laundry and dry cleaning establishments
- (f) Lumber yards and building materials establishments
- (g) Motor freight terminals
- (h) Retail sales incidental to a manufacturing, production or related use, provided that:
 - a) the gross floor area used for retail purposes (excluding storage) shall not occupy more than five-thousand (5,000) square feet of gross floor area on any one lot, and shall not exceed twenty-five (25) percent of the total floor area for the site; and
 - b) the areas dedicated for retail uses must be indicated on an approved site plan.The provisions of this Section shall not apply to those permitted or special permit uses for which retail sales are a primary activity. (12/07)
- (i) Scientific research, development, and training establishments
- (j) Service stations
- (k) Vehicle and machinery sales and rentals
- (l) Recreation, commercial indoor (06/10)
- (m) Retreat and conference centers (08/16)
- (n) Residential lofts and apartments (08/16)
- (o) Wholesale/retail food hubs (08/16)
- (p) Commercial kitchens (08/16)
- (q) Hotels, motels, and accommodations (08/16)
- (r) Short-term rentals (10/23)

609.4 PROHIBITED USES

The specific uses which follow shall not be permitted in the L-1 District:

- (a) Asphalt mixing plants
- (b) Blast furnaces
- (c) Boiler works
- (d) Bulk storage of flammable materials
- (e) Coal, wood or wood distillation
- (f) Concrete mixing and batching products
- (g) Extraction or mining of rocks and minerals
- (h) Garbage incineration
- (i) Junk yards
- (j) Landfills
- (k) Manufacture of ammonia, chlorine, fertilizer, lime, cement, fireworks, explosives, soaps, acids, pesticides, herbicides or insecticides
- (l) Metal foundries and smelting
- (m) Petroleum, asphalt or related product refining
- (n) Rendering plants
- (o) Slaughterhouses

- (p) Stockyards
- (q) Tanning and curing of skins
- (r) Any other similar use which in the opinion of the Town Council might be injurious or noxious by reason of odor, fumes, dust, smoke, vibration, noise or other cause

609.5 MAXIMUM LOT COVERAGE

(12/91) The maximum lot coverage—including buildings, streets, parking spaces, driveways, loading areas and all other impervious surfaces—shall not be greater than seventy-five percent (75%) of the area of an L-1 lot.

609.6 MINIMUM DISTRICT SIZE

The minimum district size shall be four (4) acres.

609.7 LOT SIZE REQUIREMENTS AND BULK REGULATIONS

- (a) Minimum lot area: 30,000 square feet
- (b) Minimum lot width: 125 feet
- (c) The maximum building height shall be forty (40) feet, except in particular instances the Town Council may, upon recommendation from the Planning Commission or its agent, modify the maximum building height.
- (d) Minimum yard requirements
 - (1) Front yard: 50 feet
 - (2) Side yard: 25 feet (except where side yard abuts a public right-of-way the side yard shall be 50 feet) (5/94)
 - (3) Rear yard: 50 feet (5/94)

609.8 OPEN SPACE

- (a) An open space plan and landscape design program shall be submitted with applications for any land use governed by this District.
- (b) Twenty five percent (25%) of the site shall be landscaped open space. Landscaping may be limited to setback areas and unused portions.

609.9 PARKING, PARKING ACCESS AND DRIVEWAYS

- (a) No parking space shall be located closer than fifteen (15) feet from any common property line.
- (b) Where lot is contiguous to property located in any district other than the L-1, I, C-1 or C-2 District, no parking space shall be closer than 40 feet from such property line. (5/94)
- (c) All parking requirements shall be met by off-street, on-site spaces and shall include designated spaces for the handicapped and elderly.
- (d) Refer to Section 305 for additional off-street parking requirements.

609.10 SETBACK, BUFFERING AND LANDSCAPING

- (a) Where an L-1 lot is contiguous to property located in a district other than an L-1, I, C-1 or C-2 District, all buildings shall have a minimum 60-foot setback from lot lines. In particular instances the Town Council may waive the 60-foot setback requirement, upon recommendation from the Planning Commission. (5/94)

- (b) Where an L-1 lot is contiguous to property located in a district other than an L-1, I, C-1 or C-2 District, a landscaped buffer strip of 30 feet in width shall be provided, with landscape materials and placement subject to final plan approval. Where contiguous to a C-1 or C-2 District property, the landscaped buffer strip shall be 15 feet. Approved fencing or additional buffering may be used in lieu of landscaping. (5/94)

609.11 STORAGE OF GOODS, MATERIALS, FUEL AND REFUSE

- (a) The outdoor area devoted to storage, loading and display of goods shall be limited to that area so designated on an approved site plan.
- (b) All equipment and materials shall be contained entirely within a building or screened from public rights-of-way and contiguous properties that are in land uses other than industrial in nature.
- (c) Any establishment involved with the storage of fuel for sale, or for other purposes, shall be permitted only if the fuel is stored underground, except where otherwise permitted under provisions granted and stipulations required by the Town Council.
- (d) All refuse shall be contained in completely enclosed facilities and shall be screened.

609.12 STREET ENTRANCES

- (a) On a corner lot, no street entrance shall be located closer than 60-feet to the curb line extended from the intersecting street. This distance may be increased with respect to the types and turning radii of vehicles using the site.
- (b) No street entrance shall be located closer than 30 feet to a side or rear lot line, unless a common street entrance serves adjacent uses, and in no instance shall the distance between separate street entrances serving adjacent uses be less than 60 feet. The maximum width of such street entrances shall not exceed thirty feet (30').
- (c) A freestanding use shall have no more than two street entrances on any single right-of-way, and such street entrances shall have a minimum distance of 90 feet between them.

609.13 SITE PLAN REQUIREMENTS AND PERFORMANCE STANDARDS

- (a) All uses shall be subject to final site plan approval.
- (b) Any L-1 District land use application which is not in strict compliance with the pre-existing approved master site plan and preliminary plat for the district shall require an amendment to that master site plan and preliminary plat prior to site plan approval of the specific use.
- (c) Master site plans and preliminary plats for L-1 Districts shall include provisions for:
 - (1) adequate public facilities;
 - (2) development phasing;
 - (3) stormwater management facilities to address the ultimate development coverage within the district;
 - (4) lighting and signing; and
 - (5) other special features and land use considerations deemed necessary to serve the industrial district.

- (d) Applications for all uses subject to special use permits shall be accompanied by a report indicating the compliance with and use compatibility issues related to the Town's applicable performance standards.

609.14 ADDITIONAL REQUIREMENTS

- (a) Public Streets within the L-1 District shall be constructed to industrial road standards as determined by the Town Council or its agent. Sidewalks may be required on one or both sides of the street.
- (b) Common property ownership agreements and covenants for L-1 District developments shall be reviewed and approved by the Town Council or its agent.
- (c) Refer to Section 306 for off-street loading requirements.
- (d) Refer to Sections 301-304 for general regulations and other provisions which may supplement those cited herein.
- (e) Refer to specific Overlay Zoning districts, where applicable.

SECTION 503 - SPECIAL USE PERMIT

503.1 PROVISIONS FOR SPECIAL USE PERMITS

- (a) In consideration of an application filed with the Zoning Administrator, the Council may, after a public hearing, authorize the establishment of those uses that are expressly listed as Special Permit uses in a particular zoning district.
- (b) In addition to all applicable conditions and requirements of this Ordinance, the Council may impose any conditions deemed appropriate in the public interest to secure compliance with the provisions of this Ordinance.
- (c) Once a Special Use Permit is granted, the use shall not be enlarged, extended, increased in intensity or relocated unless authorized by the Council.
- (d) Whenever a Special Use Permit is granted by the Council, the authorized activities shall be established within one (1) year of the date of approval, or such Special Use Permit shall expire without notice.
- (e) Should the owner or operator of the use covered by the Special Permit fail to observe all requirements of law with respect to the maintenance and conduct of the use and all permit conditions, the Council may, after due notice to permit holder and a public hearing, revoke the Special Use Permit.

503.2 APPLICATIONS

An application for a Special Use Permit may be submitted by the property owner of record, tenant, or contractor owner.

503.3 APPLICATION REQUIREMENTS

Applications for Special Use Permits shall be accompanied by seven (7) copies of the following items:

- (a) Letter of request, signed by property owner and applicant, outlining complete details of special use desired.
- (b) Site development plan.
- (c) Floor plan, front, side, and rear elevations of proposed new buildings.
- (d) Certified house location plat.
- (e) Information deemed necessary by the Zoning Administrator.
- (f) Applicable filing fee.

503.4 APPLICATION PROCEDURE

- (a) Application submitted to Zoning Administrator, which shall be referred to the Planning Commission for recommendation, and a public hearing shall be scheduled by the Town Council.
- (b) Review by the Planning Commission (public hearing if desired) and recommendation to Town Council.
- (c) Public hearing by Town Council.
- (d) Town Council action (In acting upon the application, the Town Council shall consider the following, among other relevant factors):
 - 1. The health, safety, and welfare of the general public.
 - 2. Physical and visual impact on adjoining and abutting properties.
 - 3. Adequate utilities, drainage, parking, and other necessary facilities to serve the proposed use.

4. Compliance with the adopted master plan.
 5. Environmental compatibility.
 6. Community sentiment.
- (e) Applicant to be notified by Zoning Administrator of Town Council action.

SECTION 504 - SCHEDULE OF FEES, CHARGES, AND EXPENSES

504.1 The Town Council shall establish, by resolution, a schedule of fees, charges, and expenses and collection procedures for zoning permits, certificates of use and occupancy, special permits, variances, appeals, amendments, and other matters pertaining to this Ordinance.

504.2 The schedule of fees shall be available for inspection in the office of the Zoning Administrator and may be altered or amended by the Governing Body by resolutions. Until all application fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

Item Title

Public Hearing – Special Use Permit – Home Occupation

Prepared By

Terry Russell

Matthew and Deborah Renzi, Owners, are requesting an amendment to a special use permit per Section 604.3(g) of the Berryville Zoning Ordinance in order to change the hours of operation for a home occupation (fitness classes) at the property located at 308 Breckinridge Court, identified as Tax Map Parcel number 14A7-((2))-64, zoned DR-4 Detached Residential. SUP 03-24

Background/History/General Information

The applicant was granted a Special Use Permit for a Home Occupation by the Town Council at its meeting on September 10, 2024. Mr. Renzi offers private and small group fitness sessions not exceeding 6 participants at his home located on Breckinridge Court. He is requesting that the hours of operation be changed.

Hours of Operation

The applicant is requesting that the hours of operation be changed to Monday through Friday 9:00 a.m. to 1:00 p.m., and 6:00 p.m. to 8:00 p.m. all year round; and that Saturday hours be eliminated.

Parking

The Special Use Permit provides for no more than two client parking spaces on-site. Mr. Renzi has permission from Martin's for his clients to park in their parking lot.

Signage

Up to two (2) square feet of signage is permitted for a home occupation per Section 315.5(a) of the Berryville Zoning Ordinance.

Home occupations are regulated under Section 315 of the Berryville Zoning Ordinance. A copy of this section is included in the packet.

Section 503 of the Berryville Zoning Ordinance regulates special use permits. The Council may impose any conditions deemed appropriate in the public interest to secure compliance with the provisions of the ordinance. Once a special use permit is granted, the use shall not be enlarged,

extended, increased in intensity or relocated unless authorized by the Council. The authorized activities shall be established within two (2) years of the date of approval with an extension of one (1) additional year with Council approval, or such special use permit shall expire without notice.

Adjacent Zoning

The adjacent property is zoned DR-4 Detached Residential.

Findings/Current Activity

N/A

Schedule/Deadlines

At its meeting on July 8, 2025, the Town Council set a public hearing for its meeting to be held on September 9, 2025.

Discussion

The applicant is requesting that the hours of the fitness classes be changed, therefore, the condition regarding hours of operation would change as follows:

- Hours of operation from 9:00 a.m. to ~~12:00~~ 1:00 p.m. ~~on Mondays, Wednesdays, and Fridays from June through August; 6:00 p.m. until 8:00 p.m. on Mondays and Wednesdays from September through May; and Tuesday and Thursday evenings from 6:30 p.m. until 8:00 p.m. and Saturdays from 10:00 a.m. until 12:00 noon throughout the year~~ Monday through Friday;

Recommendation

Recommend that the Town Council Approve SUP 03-24 with amended conditions as presented.

Sample Motion

I move that the Planning Commission of the Town of Berryville recommend that the Town Council approve Special Use Permit SUP 03-24 in order to operate a home occupation (fitness classes) at the property located at 308 Breckinridge Court with the following conditions:

- No more than six (6) clients per session;

Legal Notices

Legal Notices

BERRYVILLE PLANNING COMMISSION PUBLIC HEARING NOTICE

The Berryville Planning Commission will hold the following public hearings at 7:00 p.m., or as soon after as these matters may be heard, on **Tuesday, August 26, 2025**, in the Main Meeting Room, Second Floor, of the Berryville/Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia to consider the following:

Nova Power Systems, Inc., is requesting a Special Use Permit in order to allow a contractor's establishment with outdoor storage (Section 609.3(a) of the Town of Berryville Zoning Ordinance) on the property located at 3 Cattleman's Lane, identified as Tax Map Parcel number 14A3-((A))-17, zoned L-1 Industrial. SUP 01-25

Matthew and Deborah Renzi, Owners, are requesting an amendment to a special use permit per Section 604.3(g) of the Berryville Zoning Ordinance in order to change the hours of operation for a home occupation (fitness classes) at the property located at 308 Breckinridge Court, identified as Tax Map Parcel number 14A7-((2))-64, zoned DR-4 Detached Residential. SUP 03-24

Copies of the applications, amendments, and maps may be examined at the Town Business Office, Berryville/Clarke County Government Center (101 Chalmers Court), First Floor, Berryville, Virginia during regular business hours. Additional information may be obtained by calling Community Development Director Terry Russell at 540 955-4081. Any person desiring to be heard on these matters should appear at the appointed time and place.

The Town of Berryville does not discriminate against disabled persons in admission or access to its programs and activities. Accommodations will be made for disabled persons upon prior request.

By order of the Berryville Planning Commission
Terry Russell, Community Development Director

- All activities must take place within the structure with the garage door and windows closed;
- No noise from business-related activities may be detected off site;
- Hours of operation from 9:00 a.m. to 1:00 p.m., and 6:00 pm to 8:00 pm on Monday through Friday.
- Signage shall be limited to a nameplate no more than two square feet per Section 315.5(a) of the Berryville Zoning Ordinance;
- Special Use Permit 24-03 shall be revoked if the off-site parking agreement with Martin's is not maintained;
- On-street parking related to business activities at 308 Breckinridge Court is prohibited; and
- A maximum of two (2) clients parking on-site.

Attachments:

- Public Hearing Notice
- Application
- Vicinity map
- Site plan
- September 10, 2024 Approval
- Section 315 Home Occupations, Home Offices of the Berryville Zoning Ordinance

July 17, 2025 Hours and clients

Terry Russell

From: Matthew Renzi <berryvillemuaythai@gmail.com>
Sent: Thursday, July 17, 2025 3:57 PM
To: Terry Russell
Subject: Re: Special Use Permit

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Terry,

The hours request change is to remove Saturday hours, amend private and small group private lessons of no more than 4 people including myself to 9am-1pm Monday thru Friday throughout the year and amend Class times to Monday-Friday 6-8 with no more than 7 people including myself. Let me know if any more clarification is needed.

Thanks,
Matt

On Thu, Jul 17, 2025, 2:17 PM Terry Russell <planner@berryvilleva.gov> wrote:

Matt, Do you have the information I requested regarding your Special Use Permit? I will be sending information to the Planning Commission shortly and I would like to include the details of # of students and times I mentioned in my email earlier this week. Thanks, Terry

Terry Russell

Community Development Director

Town of Berryville

101 Chalmers Court, Suite A

Berryville, VA 22611

540-955-4081

To Whom it may concern,

We hope this message finds you well. We are writing to request a change of hours for Berryville Muay Thai at 308 Breckinridge Ct. Our goal is to continue to foster and grow our small community and work towards owning our own commercial space.

We intend to use the extended hours for private and small group lessons during the morning weekday hours as our current hours limit us to morning private lessons during summer hours only.

We request that the hours be adjusted to Monday thru Friday 9am-1pm and 6pm to 8pm alongs with Saturdays from 10-12 all year round. This will allow our members to have more flexibility for scheduling private and small group lessons throughout the year. We will continue to have the members park in the Martins parking lot at 409 North McNeil Rd with our continued standing agreement during session times to limit the traffic in and out of the neighborhood.

To ensure the comfort and safety of our clients during the summer and winter hours, portable heaters and a portable AC unit have been installed into the garage to handle the extreme temperatures. Sound proofing has also been installed to prevent any noise that may emanating from the garage space. The garage doors will continue to remain shut during hours of operation and members will enter and exit through the front door.

Sincerely,

Matthew and Deborah Renzi

Town of Berryville
101 Chalmers Court – Suite A
Berryville, Virginia 22611
Phone: (540) 955-4081 Fax: (540) 955-4524 E-mail: planner@berryvilleva.gov

SPECIAL USE PERMIT APPLICATION

Please Note: This is an application only. The permit will be issued only if approved by the Berryville Town Council after review and recommendation from the Planning Commission.

To be completed by Applicant: _____ Date: June 30, 20 25

Applicant's Name: Matthew + Deborah Renzi

Applicant's Address: 308 Breckinridge Ct Berryville VA 22611

Use Applied For: Change of hours for Berryville Music Theater

At the following address: 308 Breckinridge Ct, Berryville VA 22611

Special Conditions: Change hours to Monday - Friday to ~~9am-1pm~~ and 6pm - 8pm

Property Owner's Name: Matthew + Deborah Renzi

Property Owner's Address: 308 Breckinridge Ct Berryville VA 22611

Owner or Agent: The information provided is accurate to the best of my knowledge. I understand that the Town may deny, approve, or conditionally approve the request for which I am applying. I certify that all property corners have been clearly staked and flagged.

Signature: [Signature] Date: 6/30/2025

Owner: I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Town Planning Department and other government agents to enter the property and make such investigations and tests, as they deem necessary. I acknowledge that in accordance with Article X of the Subdivision Ordinance I am responsible for costs incurred for review of subdivision and/or development plans by the Town's engineer and that any other required tests or studies will be carried out at owner/agent expense

Signature: [Signature] Date: 6/30/2025

TO BE COMPLETED BY ZONING ADMINISTRATOR

Special Use: HOME OCCUPATION Zone: DR-4

Street Address: 308 BRECKINRIDGE CT. Tax Map #: 14A7-(2)-64

Special Use Permit Fee: \$300.00 Paid: _____

Site Plan Fee: _____ Paid: _____

Signature of Zoning Administrator: [Signature] Date: 7-1-25

Parking Lot Usage Agreement

This agreement outlines the terms between Martins and Berryville Muay Thai regarding the use of the Martins parking lot for private and small group lessons.

Parties Involved

- Martins: Owners and operators of the parking lot.
- Berryville Muay Thai: An organization providing martial arts instruction.

Agreement Terms

Berryville Muay Thai is granted permission to use the Martins parking lot for conducting private and small group lessons under the following conditions:

- Permitted Hours: Lessons may only be conducted between the hours of 9:00 AM and 1:00 PM, and 6:00 PM and 8:00 PM.
- Purpose: The parking lot may only be used for private and small group Muay Thai lessons. No other activities are permitted.
- Responsibility: Berryville Muay Thai is responsible for ensuring the safety and conduct of its instructors and students during the permitted hours.
- Cleanliness: Berryville Muay Thai must ensure the parking lot is left clean and free of any debris after each lesson.
- Liability: Berryville Muay Thai assumes all liability for any injuries or damages that occur during its use of the parking lot.

Duration

This agreement is valid from June 11, 2025, and may be terminated by either party with a 30-day written notice.

Acknowledgement and Signature

By signing below, Berryville Muay Thai acknowledges and agrees to these terms.

Item	Description
Location	Martins Parking Lot
Authorized User	Berryville Muay Thai
Permitted Hours	9:00 AM - 1:00 PM and 6:00 PM - 8:00 PM
Effective Date	June 11, 2025

Martins Representative Signature

Printed Name: Wardford W. Dolsen Signature: 

Date: 6-11-25

Berryville Muay Thai Operation Agreement

This agreement outlines the operational hours for Berryville Muay Thai, agreed upon by the surrounding neighbors.

Agreement for Operation Hours

This document serves to confirm the agreement of neighbors to the operational hours of Berryville Muay Thai at 308 Breckinridge Ct, Berryville VA 22611 for private and group lessons. All neighbors who sign this document agree to the operation of Berryville Muay Thai under the following terms:

Operational Hours

- 1. Private and Private Small Group Lessons:**
 - Monday to Friday: 9:00 AM - 1:00 PM
- 2. Private and Group Lessons (Maximum 7 Members)**
 - Monday to Friday: 6:00 - 8:00 PM
- 3. Private and Private Small Group Lessons:**
 - Saturday: 10 - 12 AM

Conditions of Agreement

- The hours of operation listed above are agreed upon for the use of Berryville Muay Thai at the specified location.
- Group lessons shall not exceed 7 members per session during the evening hours of 6:00 PM - 8:00 PM.
- All parties signing this document acknowledge that they have read and understood the terms of this agreement.

Signatures

Please sign below to indicate your agreement to the operational hours for Berryville Muay Thai.

Printed Name:

Signature:

Date:

Alex Arroyo

[Signature]

6/11/25

Robert Anderson

[Signature]

6/11/25

Kristen Kizer

[Signature]

6-11-25

Kristina Maddox

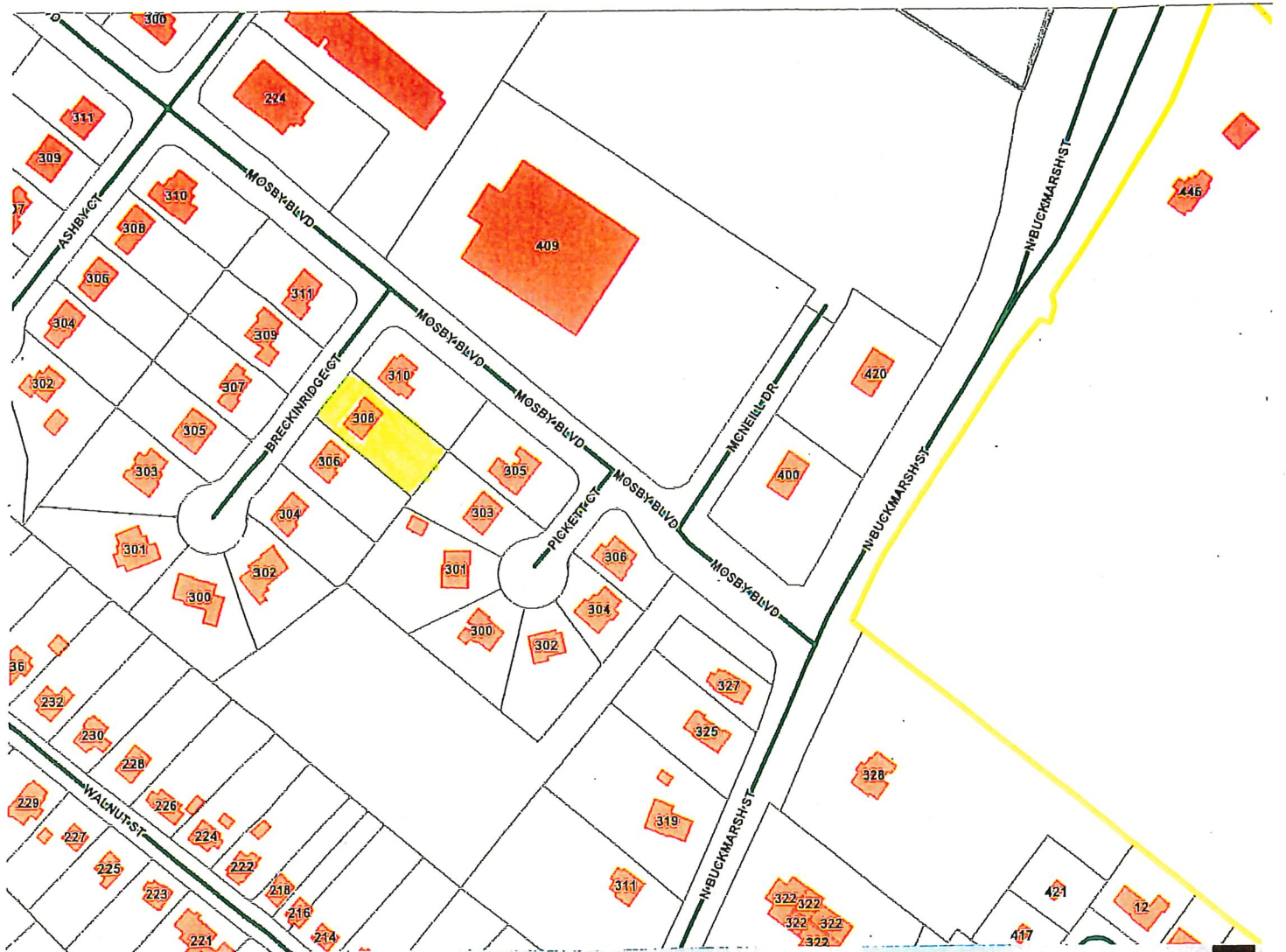
[Signature]

6-11-25

JERMAN DAVIS

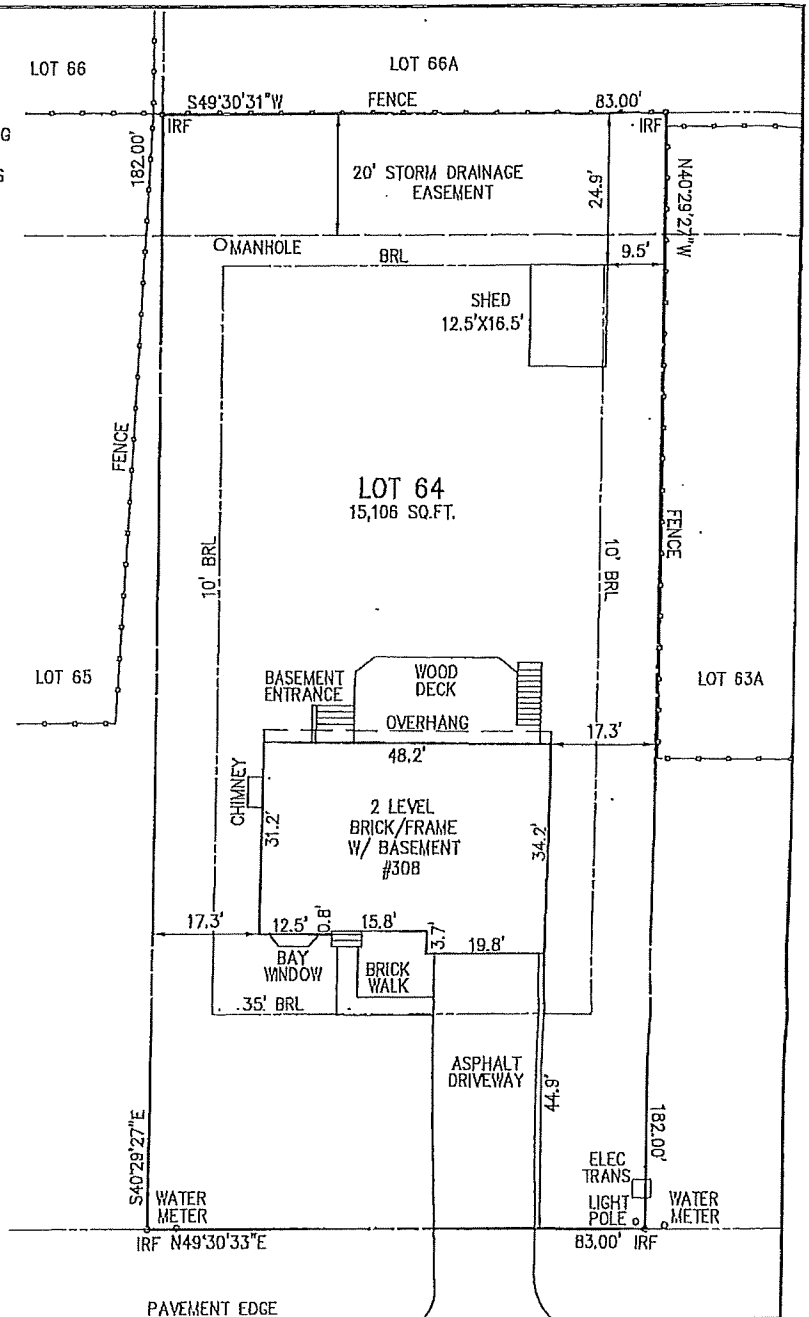
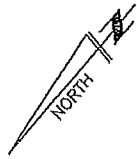
[Signature]

6-11-25

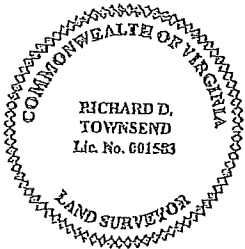


NOTES:

1. FENCE LOCATIONS, IF SHOWN, ARE APPROXIMATE ONLY AND DO NOT CERTIFY AS TO OWNERSHIP.
2. ACCORDING TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S FLOOD INSURANCE RATE MAP, THE HOUSE SHOWN HEREON APPEARS TO BE IN ZONE; "X"
3. NO TITLE REPORT FURNISHED, PLAT SUBJECT TO RESTRICTIONS AND EASEMENTS OF RECORD.
4. METES AND BOUNDS AND MERIDIAN SHOWN WERE TAKEN FROM DEEDS OF RECORD.
5. IRF = IRON ROD FOUND.
BRL = BUILDING RESTRICTION LINE



BRECKINRIDGE COURT
(50' R/W)



HOUSE LOCATION SURVEY
LOT 64 - PHASE 1A2
BATTLEFIELD ESTATES
TOWN OF BERRYVILLE
CLARKE COUNTY, VIRGINIA
SCALE: 1"=20' DATE: 07-28-2022

NYS

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS OTHERWISE SHOWN THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS THE PROPERTY LINE.

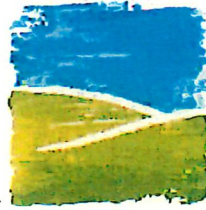
[Signature]
CERTIFIED LAND SURVEYOR



SCHOOLS & TOWNSEND, P.C.
ENGINEERS - SURVEYORS
9252 MOSBY STREET • MANASSAS, VIRGINIA 20110
703-368-8001 • WWW.SCHOOLSANDTOWNSEND.COM

PARCEL IDENTIFICATION #: 14A7-2-64 OWNER OF RECORD: CURTIS (D.B. 631 PG. 581)	CASE NAME: POTOMAC TITLE	DRFT. BY: EW
	WD#: 4-22-637	FB. 749 PG. 37

Berryville – Clarke County
Government Center
101 Chalmers Court, Suite A
Berryville, VA 22611



[T] 540/955-1099
[F] 540/955-4524
[E] info@berryvilleva.gov
www.berryvilleva.gov

BERRYVILLE
EST. 1798 *Genuine* VIRGINIA

September 11, 2024

Matthew and Deborah Renzi, via email
308 Breckinridge Ct.
Berryville, VA 22611

Dear Matthew and Deborah:

The Berryville Town Council, at their meeting held on September 10, 2024, held a public hearing for the following request:

Matthew and Deborah Renzi, Owners, are requesting a special use permit per Section 604.3(g) of the Berryville Zoning Ordinance in order to operate a home occupation (fitness classes) at the property located at 308 Breckinridge Court, identified as Tax Map Parcel number 14A7-((2))-64, zoned DR-4 Detached Residential. SUP 03-24

Town Council approved the request with the following conditions:

- No more than six (6) clients per session;
- All activities must take place within the structure with the garage door and windows closed;
- No noise from business-related activities may be detected off site;
- Hours of operation from 9:00 a.m. to 12:00 p.m. on Mondays, Wednesdays, and Fridays from June through August; 6:00 p.m. until 8:00 p.m. on Mondays and Wednesdays from September through May; and Tuesday and Thursday evenings from 6:30 p.m. until 8:00 p.m. and Saturdays from 10:00 a.m. until 12:00 noon throughout the year;

(continued)

Harry Lee Arnold, Jr.
Mayor

Erecka L. Gibson
Vice Mayor

Council Members

William Steinmetz
Ward 1

Diane Harrison
Ward 2

Grant Mazzarino
Ward 3

Ryan Tibbens
Ward 4

Keith R. Dalton
Town Manager

- Signage shall be limited to a nameplate no more than two square feet per Section 315.5(a) of the Berryville Zoning Ordinance;
- Special Use Permit 03-24 shall be revoked if the off-site parking agreement with Martin's is not maintained;
- On-street parking related to business activities at 308 Breckinridge Court is prohibited; and
- A maximum of two (2) clients parking on-site.

Please let me know if you have additional questions or if I can be of assistance. I can be reached at planner@berryvilleva.gov or 540 955-4081.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christy Dunkle', written over a horizontal line.

Christy Dunkle
Community Development Director

Cc: Miranda Dodson, Town Clerk, via email
file

(2/01) SECTION 315 – HOME OCCUPATIONS, HOME OFFICES

315.1 INTENT

The Town Council intends to allow Home Occupations and Home Offices in the town to foster economic activity. Through the application of this Ordinance, the Town Council intends to preserve the sanctity, tranquility, value, appearance, and ambiance of the residential neighborhoods, residential units, or residential uses in the Town and to prevent, eliminate, or discontinue home-based businesses that negatively impact residents living near, around, or next to the site of the home-based business.

315.2 ALLOWANCE OF HOME OCCUPATIONS AND HOME OFFICES

- (a) Under the terms of the Section, a Home Office may be conducted by right in any dwelling unit in any residence in the Town.
- (b) Home occupations are allowed in residences either by right or by Special Use Permit as permitted in a given zoning district.
- (c) No such use shall be instituted or maintained unless the Zoning Administrator has first issued a zoning permit for this use.

315.3 ADMINISTRATION AND ENFORCEMENT

- (a) The practitioner of the proposed Home Occupation or Home Office shall file a zoning permit application with the Zoning Administrator. The application shall include a description of the business to be conducted, the square footage of the dwelling unit and the square footage to be used for the Home Occupation or Home Office, and the names and addresses of the proposed owners.
- (b) A Home Occupation or Home Office may be conducted within a dwelling unit or accessory building only so long as the business use remains incidental and secondary to the use of the dwelling unit as a place of residence. The Zoning Administrator shall determine if a Home Occupation or Home Office is not, or stops being, incidental and secondary to the use of the dwelling unit as a place of residence if and when Town officers, or residents living near, around, or next to the dwelling unit used for a Home Occupation or Home Office may hear, see, smell, or detect the existence of this use, in such a manner as alters the residential character of the zoning district in which the Home Occupation or Home Office is located. In making this determination, the Zoning Administrator shall rely on the intent Section of the respective zoning district regulations, the Intent Section of this Article, and any public affidavits filed by such residents. If the Zoning Administrator determines that due to growth or change in the Home Occupation or Home Office, the Home Occupation or Home Office is no longer consistent with this Article and other relevant provisions of this Section, the Zoning Administrator may revoke the zoning permit issued to the person conducting the Home Occupation or Home Office. The person conducting this use shall cease operation after forty-five days written notice mailed by certified mail. During this time period the business owner may apply to the Board of Zoning Appeals for a determination of the Zoning Administrator's decision.

Section 315 – Home Occupations, Home Offices

- (c) The Town Treasurer shall refuse to issue a business license to any person conducting a Home Occupation or Home Office that the Zoning Administrator certifies is in violation of this Article.
- (d) No vested rights shall accrue to any person as to a Home Occupation or Home Office that begins as conforming to this Article and through growth or change becomes inconsistent with this Article and related provisions of this Section.

**315.4 GENERAL RESTRICTIONS ON HOME OCCUPATIONS AND HOME OFFICES
(2/01)**

A use within a residential dwelling shall meet the following criteria in order to qualify as either a Home Occupation or Home Office:

- (a) Such use shall be clearly incidental to a dwelling and if located within the dwelling, it must not occupy more than twenty-five (25) percent of the floor area of the principal structure.
- (b) No Home Occupation conducted in any accessory building shall occupy more than four hundred (400) square feet, which area shall be included in the maximum square footage allowed in Section 315.4(a). If located within an accessory building, a landscaping plan must be submitted for review and approval by the Zoning Administrator. If a Special Use Permit is required, the landscaping plan will be reviewed by the Planning Commission.
- (c) Such use shall be carried on by a resident or residents of the premises. No person not a resident on the premises may be employed, nor may there be sub-contracting of any work performed at the premises.
- (d) No stock, commodity, equipment or process shall be used in the Home Occupation which creates noise, vibration, glare, fumes, odors, electromagnetic interference, or radio frequency interference detectable to the normal senses off the lot if the occupation is conducted in a detached single-family residence, or outside the dwelling unit if conducted in an attached residence.
- (e) There shall be no exterior evidence that the building is being used for any purpose other than a dwelling.
- (f) There shall be no motor vehicle regularly operated from the premises that carries advertising.
- (g) All applicable licenses and permits shall be secured and other local, state, and federal requirements satisfied.
- (h) A Town of Berryville business license shall be obtained in accordance with Chapter 9 of the Code of the Town of Berryville (if applicable).
- (i) Home Occupation/Home Office permits shall be automatically renewed annually; however, permit shall be reviewed upon receipt of complaints.

315.5 HOME OCCUPATIONS (12/92)

In addition to those requirements listed in Section 315.4 above, a use within a residential dwelling shall meet the following criteria in order to qualify as a Home Occupation:

- (a) There shall be no advertising sign displayed other than a nameplate not exceeding two (2) square feet in area on each face of said plate.

Section 315 – Home Occupations, Home Offices

- (b) No storage of explosive or hazardous material is permitted in quantities not normally found in a residence.
- (c) Vehicular repair is specifically prohibited as a Home Occupation.

315.6 HOME OFFICE

In addition to the requirements listed in Section 315.4, a Home Office shall be a permitted use in a residential dwelling when fully meeting each of the following criteria:

- (a) Customers shall not come to the premises in order to receive the service provided.
- (b) There shall be no signs identifying or advertising the Home Office either attached to the dwelling or posted in the yard.
- (c) There shall be no advertising of the street address.

SECTION 316 – PROVISIONS FOR CUL-DE-SAC LOTS

316 PROVISIONS FOR CUL-DE-SAC LOTS

The minimum width of any lot 15,000 square feet or greater in area that fronts on a cul-de-sac, as defined in Section IX of the Subdivision Ordinance, shall not be more than a twenty (20) percent reduction at the setback line as set forth in the appropriate zoning district regulations. (9/98)

SECTION 317 – KARST FEATURES (07/04)

- 317.1** Prior to the issuance of a Zoning Permit for principal structures or additions thereto on lots in subdivisions for which a Karst Plan has been prepared or lots of record on which karst features have been identified, a geotechnical study shall be conducted at the site of the principle structure or addition to determine the existence of karst features. If karst features are found, a remediation plan shall be prepared by a PE or PG in order to protect the health, safety, and welfare of the occupants of the structure. This remediation plan shall:
- a. provide for mitigation of all karst features and sinkholes, except those identified as Critical Environmental Areas, in accordance with the Virginia Department of Transportation's Location and Design Division Instructional and Informational Memorandum 228 (IIM-LD-228) or other applicable mitigation standard as recommended by a PE or PG and approved by the Town's Engineer and the Town's Zoning Administrator, or
 - b. the applicant shall submit a report prepared by a PE or PG that identifies subsurface conditions within one-hundred (100) feet, or an appropriate distance as determined by the Town Zoning Administrator and Town's Engineer, of the discernable edge of any sinkhole or karst feature and establishes a minimum recommended setback for structures and a minimum recommended ground water protection buffer approved by the Town's Engineer and the Town's Zoning Administrator shall review and approve the report before issuance of said permit. (7/04)