



AGENDA

**Madison County Board of Zoning Appeals
Madison County Administrative Auditorium
414 North Main Street, Madison, VA 22727
Tuesday, January 21st, 2025 - 7:00 p.m.**

Call to Order

Adoption of Agenda

Public Hearings

- a) (Case Number V-1-21-25) Mr. P. Massie Saunders, Jr. on behalf of Central Virginia Services Incorporated (dba Firefly), lessee of real property owned by Rappahannock Electric Cooperative (REC) has requested a variance of Madison County Zoning Ordinance 4-4-1 *"Structures shall be located 50 feet or more from any street right-of-way which is 50 feet or greater in width, or 100 feet or more from the center line of any street right-of-way less than 50 feet in width"* on the parcel know as Madison County tax map number 24-31I. The applicant is requesting that the required front setback be reduced from 100' to 40' so that a 10'x20' prefabricated masonry building may be installed.
- b) (Case Number V-1-21-25-2) The Madison County Board of Supervisors has requested a variance of Madison County Zoning Ordinance 8-4-1 *"Buildings shall be located 45 feet or more from any street right-of-way which is 50 feet or greater in width or 70 feet or more from the center line of any street right-of-way less than 50 feet in width. The minimum distance which the main building is required to be located from the street right-of-way or center line shall be known as the setback line"* to reduce the front setback on Madison County Tax Map 40-18B from 45' to 35' so that a carport may be installed on the site.

New Business

- c) Adoption of previous minutes from December 17, 2024

Old Business

None

Adjournment



To: Madison County Board of Zoning Appeals

From: Allen Nicholls, Planning and Zoning Administrator

Subject: Rappahannock Electric Cooperative Variance Request for 34-31I

Date: January 21, 2025

Summary of Request

Mr. P. Massie Saunders, Jr. on behalf of Central Virginia Services Incorporated (dba Firefly), lessee of real property owned by Rappahannock Electric Cooperative (REC) has requested a variance of Madison County Zoning Ordinance 4-4-1 "*Structures shall be located 50 feet or more from any street right-of-way which is 50 feet or greater in width, or 100 feet or more from the center line of any street right-of-way less than 50 feet in width*" on the parcel know as Madison County tax map number 24-31I. The applicant is requesting that the required front setback be reduced from 100' to 40' so that a 10'x20' prefabricated masonry building may be installed.

Items Required for Application

Application – Submitted December 13, 2024

Application Fee – \$250 collected December 17, 2024

Survey/Plat/Site Plan – GIS maps, Plat, and Site Plan are attached

A copy of the current paid real estate taxes – Attached

Agency Comments

Madison County Health Department – Requested December 26, 2024

Virginia Department of Transportation – Requested December 26, 2024

Madison County Building Official – Requested December 26, 2024

MADISON COUNTY BUILDING & ZONING DEPARTMENT

410 N Main Street, Madison, VA 22727

Phone: (540) 948-6102

www.madisonco.virginia.gov

VARIANCE APPLICATION INSTRUCTIONS

IT IS THE RESPONSIBILITY OF THE APPLICANT TO COMPLETE THIS PACKET IN ITS ENTIRETY AND AS PRECISELY AS POSSIBLE. VARIANCE APPLICATIONS ARE CONSIDERED BY THE BOARD OF ZONING APPEALS. SEE ARTICLE 17 OF THE MADISON COUNTY ZONING ORDINANCE AND SECTION 15.2-2309 OF THE CODE OF VIRGINIA FOR FURTHER INFORMATION.

This packet is considered complete when the following have been received:

☒ Variance application (attached).

☒ A \$250.00 non-refundable fee is due when this application is submitted to our office.

☒ A placement survey plat and/or a drawn site plan must be submitted with this application. On the plat or plan, you must identify the location of any proposed or existing structures and/or buildings, any existing or proposed roads/rights-of-way/easements, entrance location to the property, and measurements to all property lines.

☒ A copy of the current paid real estate tax receipt for the property (may be obtained from the Madison County Treasurer's Office).

☒ You may be required to provide a copy of the deed to the property if staff cannot locate it in the clerk's office.

☒ Staff must have written comments from the following departments/agencies on the variance request prior to the scheduling of the public hearing. Also, staff may work with you on obtaining all comments except for the Property Owners Association which is the responsibility of the owner/applicant:

N/A • The Madison County Health Department

• The Virginia Department of Transportation

• The Madison County Building Official

N/A • The Property Owners Association- President, Vice President, or Secretary (*if in a subdivision*)

☒ Any other evidence or exhibits the applicant desires to be reviewed by the Board of Zoning Appeals should be submitted along with this application.

If you have any questions, please call the Madison County Building and Zoning Office at (540) 948-6102, Monday through Friday, 8:30 a.m. to 4:30 p.m.

*****ADDITIONAL INFORMATION MAY BE REQUIRED IF THE PLANNING & ZONING ADMINISTRATOR DETERMINES IT NECESSARY TO ENSURE CONFORMANCE AND TO PROVIDE ENFORCEMENT OF THE ORDINANCE(S). *****

#P2024-407

REC

Mark Ponton
Director Broadband
and Fiber Services

MADISON COUNTY BUILDING & ZONING DEPARTMENT

410 N Main Street, Madison, VA 22727

Phone: (540) 948-6102

www.madisonco.virginia.gov

CUST
Jay Palmer
Vice President
of Operations
Central Va. Elec.
Coop.

VARIANCE APPLICATION TO THE BOARD OF ZONING APPEALS

#20040333

- 1) The applicant is the: ☐ Owner ☐ Lessee ☒ Agent for Owner Lessee

Owner	Lessee or Agent for Owner (if applicable)
Name: <u>Rappahannock Electric Cooperative (REC)</u>	Name: <u>Central Virginia Services, Inc.</u>
Mailing Address: <u>Cooperative (REC)</u>	Mailing Address: <u>dba Firefly</u>
<u>P.O. Box 7388</u>	<u>P.O. Box 359</u>
<u>Fredericksburg, Va. 22404</u>	<u>Lovington, Va. 22949</u>
Phone Number: <u>540-891-5874</u>	Phone Number: <u>434-263-8336</u>
Email: <u>m.ponton@myrec.coop</u>	Email: <u>j.palmer@myCVEC.com</u>

- 2) E911 Address of Construction: Behind substation of Rappahannock Electric Cooperative (REC) located @ 6348 West Hoover Rd., Rt. #609
- 3) Please provide detailed directions to the site: Site is located on south side of West Hoover Rd., Rt. #609, approximately 0.7 miles southwest of intersection Ridgeview Rd., Rt. #607, and West Hoover Rd., Rt. #609, @ 6348 West Hoover Rd.

- 4) Tax Map Number: 24-31 I

- 5) Size of Property: 0.7086 Ac.
(see attached plat)

- 6) Is the parcel located in a subdivision? ☐ Yes
If yes, which one: _____

☒ No

- 7) Is the parcel located in the floodplain? ☐ Yes

☒ No

- 8) Is the proposed structure and/or building located in the floodplain? ☐ Yes

☒ No

- 9) Water and sewage disposal source for the property:

☐ Private Well

☐ Private Septic

☐ Public Water

☐ Public Sewer

☒ None

- 10) Is this application the result of receiving a notice of violation? ☐ Yes

☒ No

- 11) Please check which zoning district the parcel is located (If unknown, office staff can look this up for you):

☐ Conservation (C-1)

☒ Agricultural (A-1)

☐ Residential, Limited (R-1)

☐ Residential, General (R-2)

☐ Residential, Multiple Family (R-3)

☐ Business, General (B-1)

☐ Industrial, Limited (M-1)

☐ Industrial, General (M-2)

- 12) Current use of property (Ex: Vacant, Residence, Farming, etc.):

Parking lot & drive serving properties of REC

- 13) List existing structures and/or buildings that are currently on the property:

None

- 14) It is desired and requested that the property be varied from _____ feet to _____ feet.
(If this question is not applicable, see #19).

100 feet to 40 feet.
for closest part of proposed construction (bollard) to centerline existing road

15) Proposed structure and/or building (Ex: New Home, Addition, Porch, Deck, Accessory Building, etc.):

10'x20' prefab masonry building w/ generator, propane tank and fencing

16) The proposed structure and/or building will be used for the following (Residence, Farm Use, Household Storage, etc.):

Hub for distribution of broadband service

17) Dimensions of Proposed Structure and/or Building (Please include dimensions of any proposed decks and/or porches, if applicable):

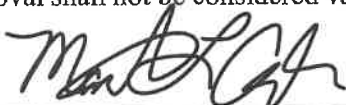
10'x20' masonry building with a 5' long front stoop

18) Height of proposed structure and/or building: 10 feet \pm

19) Please explain the reason for the variance request and add any additional comments you may have:

see attached,

I (we), the undersigned, do hereby certify that the above information is true and correct. I (we) further understand that in granting approval of this application, the Board of Zoning Appeals may require that I (we) comply with certain conditions and that such approval shall not be considered valid until these conditions are met.



Signature of Owner

12/13/24

Date



Signature of Lessee and/or Agent for ~~Owner~~ Lessee

12/16/24

Date

Saunders' Surveys, Inc.
329 Crabtree Falls Hwy
Roseland, Va. 22967

434-277-8574

434-841-5684 (Cell)
massie@saunderssurveys.com

Please list names and mailing addresses of all adjoining landowners, including landowners across any road or right-of-way. Names and addresses of owners may be found on the Madison County website (www.madisonco.virginia.gov) under the GIS link.

<u>Name</u>	<u>Mailing Address</u>
Rappahannock Electric Attn: ^{Cooperative} Mark Ponton	P.O. Box 7388 Fredericksburg, Va. 22404
Dennis Rodney Griffith, II	6314 West Hoover Rd. Reva, Va. 22735
Elsie R. Aylor	6330 West Hoover Rd. Reva, Va. 22735
Charles W. & Elva R. Aylor	282 Tibbs Shop Rd. Brightwood, Va. 22715
Raymond W. & Barbara E. Carpenter	6495 West Hoover Rd. Reva, Va. 22735

Adjoining Property Owner Verification:

As applicant for this variance request, I (we) P. Massie Saunders, Jr hereby acknowledge that I (we) have faithfully and correctly provided names and complete mailing addresses of all of my adjoining property owners and those directly across the road or right-of-way. I (we) understand that failure to provide all adjoining property owners will leave me liable for additional cost for re-advertisement and notices mailed, and that my request may be delayed until proper notification has been given to all adjoining property owners and those property owners across the road or right-of-way.

Signature of Owner

12/13/24

Date

Signature of Lessee and/or Agent for Owner

Lessee

12/6/24

Date

Question #19 as a part of the Variance Application to the Board of Zoning Appeals

Rappahannock Electric Cooperative (REC) is working with Central Virginia Services, Inc. (CVSI), dba Firefly, to provide broadband and high speed internet service to Madison County, Virginia.

Currently there is an existing substation of REC on the adjoining property as shown on the attached plan. The adjoining property is Tax Map #24-31F. CVSI needs to locate a “hub” for distribution of their services on one of the two adjoining properties (Tax Map #24-31F and Tax Map #24-31I) of REC. Tax Map #24-31F is completely utilized by the existing substation and there is no room for additional facilities. Tax Map #24-31I is currently a vacant lot with multiple utilities crossing it, overhead electric and fiber lines as well as underground communication lines along Rt. #609, West Hoover Road. This property, Tax Map #24-31I, is where the “hub” must be located.

Based on a meeting with Allen Nichols, Planning and Zoning Administrator for Madison County, VA, it was determined that the setback from Rt. #609 and the setback from the center of the private 40' R/W is 100'. The side and rear setbacks are 10'.

The first proposal that CVSI came up with, see attached drawing, shows the proposed location in the southeast corner of Tax Map #24-31I and will meet the setback requirements of Madison County. However, it was unknown to CVSI that REC was working on a proposal to upgrade this existing station as a part of their long range planning due to the growth of the area that this station serves. See attached email from Mat Anderson, Director – Substation, Transmission Engineering & Technical Services, for Rappahannock Electric Cooperative.

With that information from Mr. Anderson, CVSI put together a second plan, see attached, to locate their “hub” in the southwest corner of the property so that REC would have room to do the upgrades that they needed to do on the remaining property. When relocating the “hub” to the southwest corner of the property, CVSI can meet the rear setback requirement, 10', but cannot meet the front setback requirement of 100' from the centerline of the road within the R/W. It was determined in the meeting with Mr. Nichols, that anything that was a part of the facility that CVSI was going to build would need to meet the setback requirement. Also, there is an overhead electric line that that needs to be considered in the development of this second plan.

The plan that we have come up with is to locate the proposed fence around the generator and propane tank at about 20' from the overhead electric line which positions the fence enclosure at about 40.6' from the center of the R/W and about 43.1' from the center of the private drive (drive is not centered in the 40' R/W). With this plan, the closest portion of the site to the center of the road, the bollards, will be approximately 41' from the center of the road.

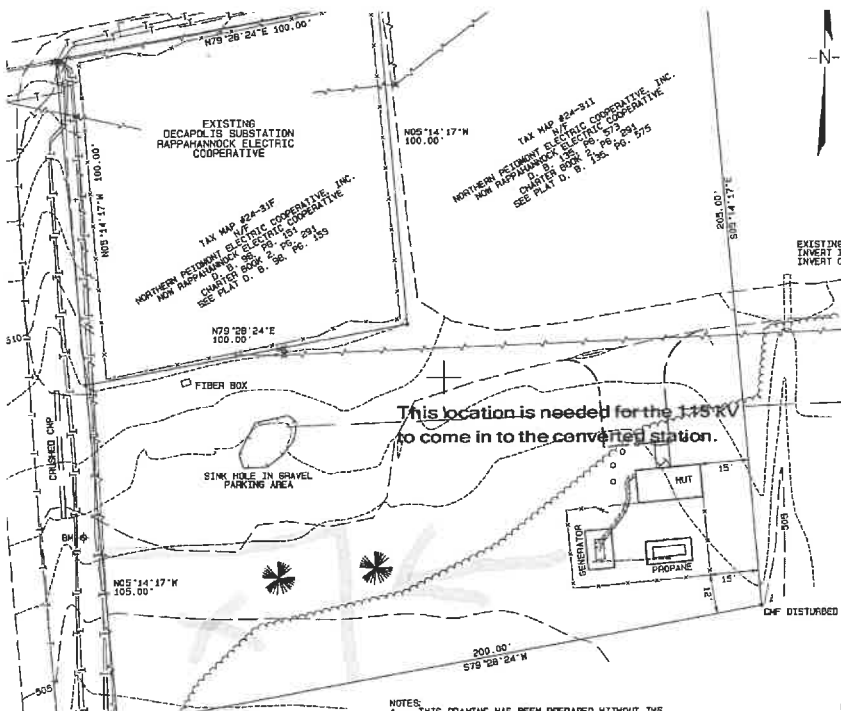
CVSI is requesting a variance from the 100' front setback from the center of road within the 40' R/W to 40' from the center of the road so that we can build the hub on the property of REC and avoid their proposed expansion/upgrade to their station.

Massie Saunders

From: Mathew Anderson <manderson@myrec.coop>
Sent: Friday, November 22, 2024 11:30 AM
To: Jason Palmer; Massie Saunders; Mark Ponton; Kevin Smelser
Subject: RE: Proposed Firefly Site at Decapolis

Jay and Massie,

Can you all please move this to the other side of the property as shown in my crude drawing below? As I mentioned before, the 34.5 kV next to the station will be converted to 115 kV which requires a rebuild of the station. I can bring the 115 kV into the back and have my feeders facing toward the road, but I need access on this side of the property to do that. Our new LRP also shows that I need to add an addition 1-2 circuits here. Let me know.



Thanks!

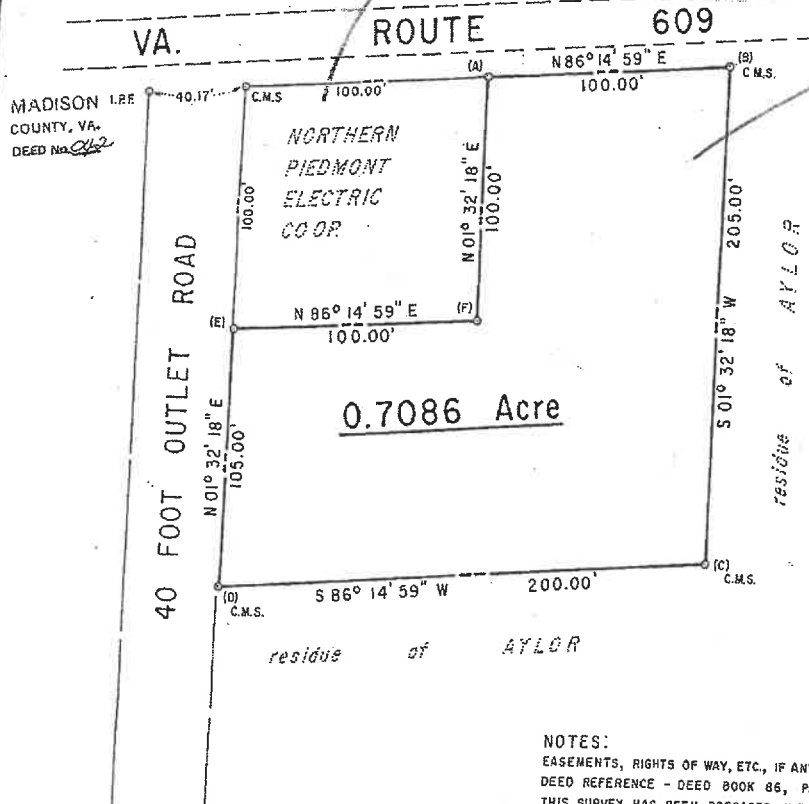
Mat Anderson
Director – Substation, Transmission Engineering & Technical Services
Email: manderson@myrec.coop
Mobile: 540-706-9135



From: Jason Palmer <jpalmer@MyCVEC.com>
Sent: Friday, November 22, 2024 11:00 AM

TM# 24-31F

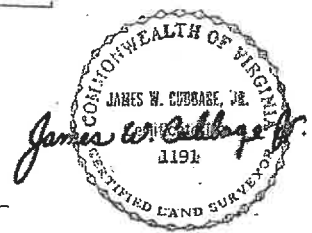
TM# 24-31I



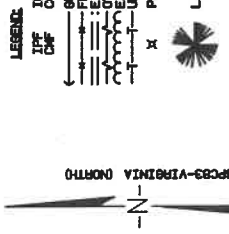
NOTES:
EASEMENTS, RIGHTS OF WAY, ETC., IF ANY, ARE NOT SHOWN
DEED REFERENCE - DEED BOOK 86, PAGE 438.
THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT
OF A TITLE REPORT AND DOES NOT THEREFORE
NECESSARILY INDICATE ALL ENCUMBRANCES ON
THE PROPERTY.
I.P.F. DENOTES IRON PIPE FOUND.
C.M.S. DENOTES CONCRETE MONUMENT SET.

BOUNDARY SURVEY - PORTION OF
AYLOR PROPERTY
ROBERTSON MAGISTERIAL DISTRICT
MADISON COUNTY, VIRGINIA
SCALE: 1" = 50' NOVEMBER 24, 1976
JAMES W. CUBBAGE, JR.
CERTIFIED LAND SURVEYOR
CULPEPER, VIRGINIA

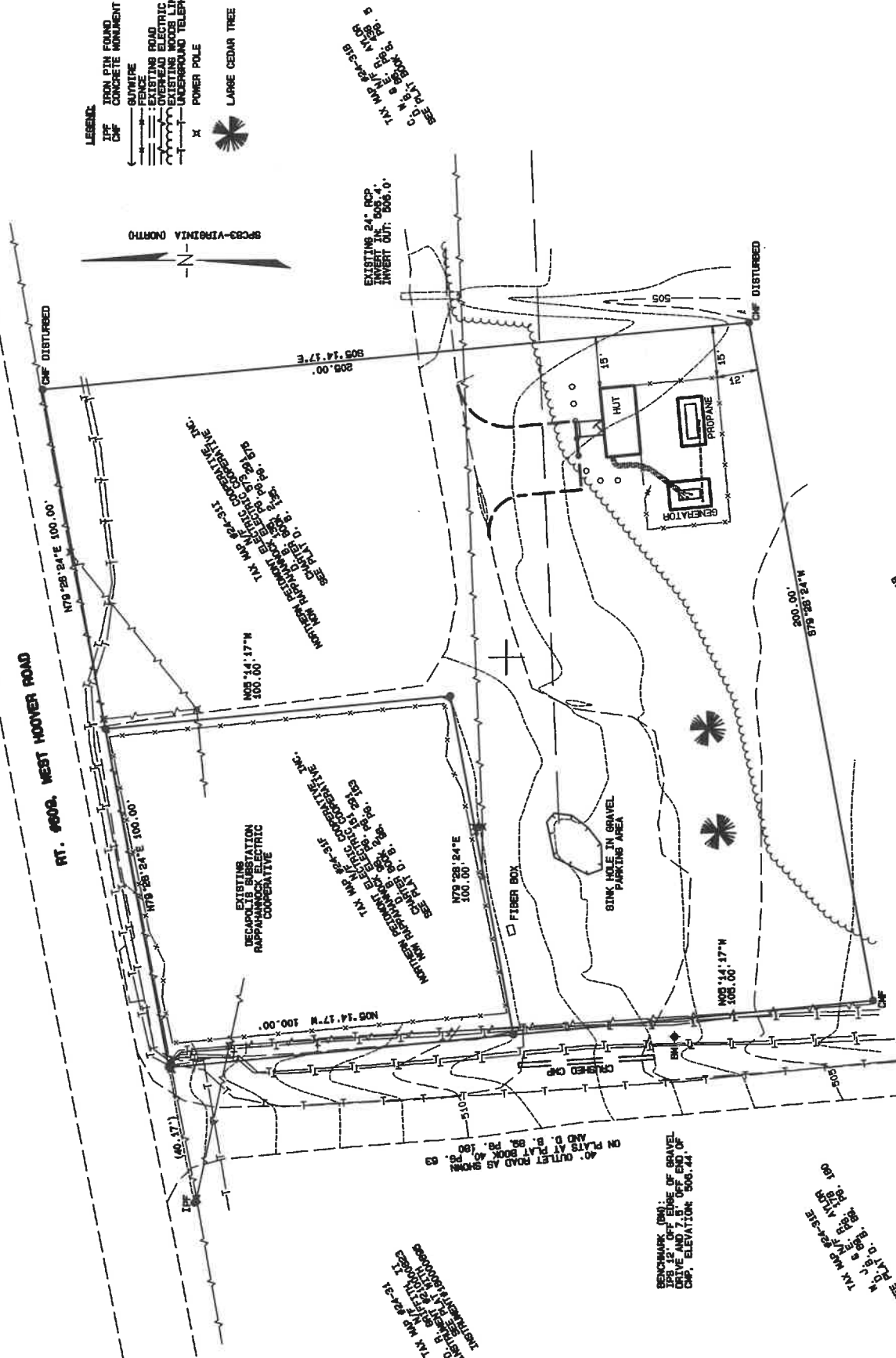
David C. Langley
Zoning Assistant
12-18-1976



RT. #606, WEST HOOVER ROAD



SPC83-VIRGINIA NORTH



COMPOSITE DRAWING
SHOWING A CONCEPTUAL PLAN FOR A POTENTIAL
FIREFLY FIBER BROADBAND SITE ON THE PROPERTY OF
RAPPAHANNOCK ELECTRIC COOPERATIVE
ROBERTSON DISTRICT MADISON COUNTY, VIRGINIA
COMM. #222082 DATE: NOVEMBER 21, 2024

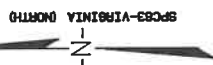
SEE P.L. 10, Bk. 1, P. 180
TKL WD 22-312

SAUNDERS' SURVEYS, INC.
300 COURTESY FALLS HIGHWAY
ROSELAND, VIRGINIA 22667
434-277-8674
GRAPHIC SCALE 1"=20'

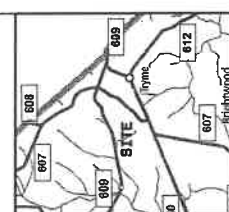
22-037, CRD 22-037A, PRO

LEGEND

- IRON PIN FOUND
- CONCRETE MONUMENT FOUND
- CPF
- BUYWIRE
- EXISTING ROAD
- EXISTING ELECTRIC
- EXISTING WOODS LINE
- UNDERGROUND TELEPHONE LINE
- POWER POLE
- LARGE CEDAR TREE



SEE PLAT D.B. 8, PG. 100
TAX MAP #24-318
C, N, S, E, W, R, AYLOR
D, J, & E, PG. 179
SEE PLAT D.B. 8, PG. 180



VICINITY MAP
NOT TO SCALE

SAUNDERS' SURVEYS, INC.
320 CRADDOCK FALLS HIGHWAY
ROBERTSON DISTRICT, VIRGINIA 22067
TEL: 434-277-0074



REVISED 11/22/24
REVISED 12/6/24 FOR INFORMATION FOR VARIANCE

COMPOSITE DRAFTING
SHOWING A CONCEPTUAL PLAN FOR A POTENTIAL
FIREFLY FIBER BROADBAND SITE ON THE PROPERTY OF
RAPPAHANNOCK ELECTRIC COOPERATIVE
ROBERTSON DISTRICT MADISON COUNTY, VIRGINIA
COMM. #222082 DATE: NOVEMBER 21, 2024

222082.CRD 224082A.PRD

RT. #606, WEST HOOVER ROAD

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MADISON COUNTY
OFFICE OF THE COMMISSIONER OF THE REVENUE
P.O. Box 56 ~ Madison, Virginia 22727
(540) 948-4421 ~ Fax: (540) 948-6732
www.madisonco.virginia.gov

BRIAN L. DANIEL
COMMISSIONER

December 9, 2024

To whom it concerns,

This letter provides verification that parcels known as tax parcels 24-31F and 24-31I have been assessed by Madison County and the taxes have been verified paid for Tax Year 2024, with no delinquent balance, as verified by the Treasurer.

Sincerely,

A handwritten signature in cursive script, appearing to read "B L Daniel".

Brian L. Daniel
Commissioner of the Revenue

General Information

Developer of broadband site:

Central Virginia Services, Inc., dba "Firefly"

Physical Address:

800 Cooperative Way
Arrington, Va. 22922

Mailing Address:

P. O. Box 359
Lovingston, Va. 22949

434-263-8336

Contact: Jason Palmer

Vice President of Operations

Cell: 434-981-6984

jpalmer@MyCVEC.com

Agent for Central Virginia Services, Inc.:

P. Massie Saunders, Jr.
Land Surveyor, Professional Engineer

Saunders' Surveys, Inc.
329 Crabtree Falls Highway
Roseland, Va. 22967

434-277-8574

Cell: 434-841-5684

massie@saunderssurveys.com

Re: Request for comment

From Winn, Jr., John W. L.S. (VDOT) <John1.Winn@VDOT.Virginia.gov>

Date Sun 1/5/2025 11:03 PM

To Allen Nicholls <anicholls@madisonco.virginia.gov>

Cc Janet Henshaw <jhenshaw@madisonco.virginia.gov>

Good evening Mr. Nicholls, VDOT has no comment on this variance. In the future, please refrain from sending a variance to VDOT unless it impacts the right of way or involves a change to the existing entrance or construction to install a new entrance.

Regards

John Winn L.S.



Land Development Engineer

Charlottesville Residency

Virginia Department of Transportation

540-881-0651

john1.winn@VDOT.Virginia.gov

From: Allen Nicholls <anicholls@madisonco.virginia.gov>

Sent: Thursday, December 26, 2024 11:07 AM

To: Winn, Jr., John W. L.S. (VDOT) <John1.Winn@VDOT.Virginia.gov>

Cc: Janet Henshaw <jhenshaw@madisonco.virginia.gov>

Subject: Request for comment

Good morning John,

As a representative for VDOT, do you have any comments on the proposed variance request? The Board of Zoning Appeals is scheduled to hear this case on January 21, 2025. Plat and details are in the .pdf attached.

Mr. P. Massie Saunders, Jr. on behalf of Central Virginia Services Incorporated (dba Firefly), lessee of real property owned by Rappahannock Electric Cooperative (REC) has requested a variance of Madison County Zoning Ordinance 4-4-1 "*Structures shall be located 50 feet or more from any street right-of-way which is 50 feet or greater in width, or 100 feet or more from the center line of any street right-of-way less than 50 feet in width*" on the parcel know as Madison County tax map number 24-31I. The applicant is requesting that the required front setback be reduced from 100' to 40' so that a 10'x20' prefabricated masonry building may be installed.

Best regards,

Allen Nicholls
Planning and Zoning Administrator
Madison Co. Building & Zoning Department
410 N Main St/PO Box 1206
Madison, VA 22727

(P): 540-948-6102 EXT: 1200

(email): anicholls@madisonco.virginia.gov

(website): www.madisonco.virginia.gov





Madison County Building Department

410 N. Main St, Madison VA 22727; Phone: (540) 948-6102

Mailing address: PO Box 1206, Madison VA 22727

Website: www.madisonco.virginia.gov

To: File

Date: 12-27-2024

Re: BZA Variance and the State Building Code

E911 Location: TM 24-31I, next to 6348 W Hoover Rd

I have reviewed the proposed variance request and have no issues with the proposed set back request as shown on the conceptual drawing dated 12/05/2024.

The proposed location will not have any negative issues or problems related to the Virginia Uniform Statewide Building Code, specifically fire separation provisions in the code.

Permits will be required for all proposed construction and Land Disturbance activities.

Jamie R Wilks CBO

Madison County Building Official



December 30, 2024

Dear Neighbor,

You are hereby informed that Mr. P. Massie Saunders, Jr. on behalf of Central Virginia Services Incorporated (dba Firefly), lessee of real property owned by Rappahannock Electric Cooperative (REC) has filed a variance request for property located on W Hoover Rd, and further identified as Madison County Tax Map 24-31I. This application is scheduled for a public hearing at an upcoming Board of Zoning Appeals meeting. **This public hearing will take place on Tuesday, January 21st, 2025, at 7:00 p.m. at the Madison County Administrative Auditorium located at 414 North Main Street, Madison, Virginia.** Notice of this hearing has been advertised on The Madrapp Recorder website. The text of this advertisement states the following:

(Case Number V-1-21-25) Mr. P. Massie Saunders, Jr. on behalf of Central Virginia Services Incorporated (dba Firefly), lessee of real property owned by Rappahannock Electric Cooperative (REC) has requested a variance of Madison County Zoning Ordinance 4-4-1 "Structures shall be located 50 feet or more from any street right-of-way which is 50 feet or greater in width, or 100 feet or more from the center line of any street right-of-way less than 50 feet in width" on the parcel know as Madison County tax map number 24-31I. The applicant is requesting that the required front setback be reduced from 100' to 40' so that a 10'x20' prefabricated masonry building may be installed.

The public is invited to attend the public hearing at the time and place aforesaid and present their views. Comments may be submitted prior to the meeting. Written comments received prior to January 17th, 2025 will be placed into the official staff packet and distributed to the Board of Zoning Appeals prior to the meeting. Copies of the application packet are available for review in the Madison County Building & Zoning Office located at 410 N Main Street, Madison, VA, Monday through Friday from 8:30 a.m. to 4:30 p.m. The application packet may also be reviewed on the County's website at www.madisonco.virginia.gov. Should you have any questions, please contact the Madison County Building and Zoning Office at (540) 948-6102 or via email at anicholls@madisonco.virginia.gov. My office hours are Monday through Friday, 8:30 a.m. to 4:30 p.m.

Sincerely,

Allen Nicholls
Planning & Zoning Administrator

DATE: 11/25/2024

TIME: 03:33 PM

CASHIER: AJENKINS

DRAWER # 12022

PMT #: 60861



MADISON COUNTY
Receipt For Transactions Paid

Stephanie G. Murray

PO Box 309 410 N.Main St, Madison, Virginia 22727

Phone: 540-948-4409 www.madisonco.virginia.gov

DATE: 11/25/2024

TIME: 03:33 PM

CASHIER: AJENKINS

DRAWER # 12022

PMT #: 60861

Item #	Description	Amount
1	Account #: 10027754	
	Account Owner: RAPPAHANNOCK ELECTRIC COOPERATIVE	\$248,583.19
	RevenueOne Auto-Allocated - \$248,583.19	
	Property Other Than Vehicles (2024 Taxes)	\$248,583.19
	TOTAL TRANSACTIONS	\$248,583.19
	PAYMENT METHOD/AMOUNT	
	CHECK #149418, RAPPAHANNOCK ELECTRIC COOPERATIVE	\$248,583.19
	TOTAL PAYMENT RECEIVED	\$248,583.19
	CHANGE DUE	\$0.00

Source Deed

Decagon
D.B. 135, Pg. 573

MADISON
COUNTY, VA.
DEED NO. 042

TM#
24-31 I

Zoned A-1

THIS DEED made and entered into this 28th day of December 1976, by and between ELVA R. AYLOR, widow, as party of the first part, and NORTHERN PIEDMONT ELECTRIC COOPERATIVE, INC., as party of the second part.

WITNESSETH: That for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand and other good and valuable consideration paid by the party of the second part to the party of the first part, the receipt of which is hereby acknowledged, the said party of the first part does hereby grant, bargain, sell and convey with GENERAL WARRANTY OF TITLE and with ENGLISH COVENANTS OF TITLE unto Northern Piedmont Electric Cooperative, Inc., said party of the second part, all that certain lot or tract of land located in Robertson Magisterial District, Madison County, Virginia, situate on the south side of Route 609, and more particularly described by survey of James W. Cubbage, Jr., CLS, dated the 24th day of November, 1976, a plat of which is attached hereto, as follows: Beginning at (a), a point corner to Northern Piedmont Electric Cooperative property and on the southerly side of Virginia Route 609, said point (A) being located N 86° 14' 59" E 100.00 feet from a concrete monument set, thence from (A) and with the southerly side of Virginia Route 609 N 86° 14' 59" E 100.00 feet to (B), a concrete monument set, corner to the residue of Aylor, thence with the residue of Aylor as follows: S 01° 32' 18" W 205.00 feet to (C), a concrete monument set, thence S 86° 14' 59" W 200.00 feet to (D), a concrete monument set on the easterly side of a 40 foot wide outlet road, thence with the easterly side of said road N 01° 32' 18" E 105.00 feet to (E), a point corner to Northern Piedmont Electric Cooperative property, thence with Northern Piedmont Electric Cooperative property as follows: N 86° 14' 59" E 100.00 feet to (F), a point, thence N 01° 32' 18" E 100.00 feet to (A), the point of beginning, and containing 0.7086 Acre.

Being part of the same land conveyed to Charles W. Aylor

and Elva R. Aylor, husband and wife, with rights of survivorship, by deed of Thomas L. Lowe, single, dated the 27th day of May, 1965, and recorded in Deed Book 86, Page 438, among the land records of Madison County, Virginia. The said Charles W. Aylor died July 1, 1970, leaving as his survivor, Elva R. Aylor.

The party of the first part further grants to Northern Piedmont Electric Cooperative, Inc., the right to use the 40-foot outlet road which runs from the subject property to Virginia Route 609, as shown on the plat attached hereto and this shall be a covenant running with the land.

Witness the following signature and seal.

Elva R. Aylor (SEAL)
Elva R. Aylor

STATE OF VIRGINIA

COUNTY OF MADISON, to-wit:

The foregoing instrument was acknowledged before me this 29th day of December, 1976 by Elva R. Aylor, widow.

My commission expires DECEMBER 9, 1978.

Wallace D. Minor
Notary Public

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF MADISON, THE 29th DAY OF DECEMBER 1976 THE FOREGOING INSTRUMENT WAS PRESENTED, AND WITH THE CERTIFICATE ANNEXED, ADMITTED TO RECORD AT 3:32 O'CLOCK P.M., AFTER PAYMENT OF TAX IMPOSED BY SECTION 58-54 (GENERALLY) OF \$ 2.00, ED-54.1 (ADDITIONAL) \$ 2.00 58-65 (LOCAL) \$ 2.00 TRANSFER \$ 1.00, RECORDING \$ 2.00, PLAT \$ 2.00

Arthur P. Moore
CLERK - DEPUTY CLERK

**CENTRAL
VIRGINIA
SERVICES
INCORPORATED**

19 April 2023

Mr. P. Massie Saunders, Jr.
Land Surveyor, Professional Engineer
Rose Isle Farm
329 Crabtree Falls Highway
Roseland, VA 22967

RE: CVSI Designated Representative for Building Projects

Dear Mr. Saunders,

This letter is to confirm your assignment as Central Virginia Services Inc.'s agent and representative to take all actions necessary in the name of Central Virginia Services, Inc. and to allow for obtaining the necessary permits and permissions to build communications huts in counties where electric service is provided by CVEC or where retail service is provided by Firefly Fiber Broadband. The buildings will be used to house electronics required to deliver internet service over the new fiber optic communication system.

The counties in which we ask that you represent us include: Albemarle, Amherst, Appomattox, Buckingham, Cumberland, Fluvanna, Goochland, Greene, Louisa, Madison, Nelson, Orange, and Powhatan. Your work will include land acquisition, zoning approvals, building permits, and all necessary work to locate the huts necessary for the fiber optic communication project.

Please share this letter with prospective building official(s) for the counties in which construction will occur.

Sincerely,



President and CEO



Madison County
Building & Zoning Department
410 N Main St
Madison, VA 22727
(540) 948-6102
www.madisonco.virginia.gov

Zoning Permit

Permit Number	726
Date	12/17/2024
Permit Type	VARIANCE

PROPERTY NUMBER	STREET ADDRESS	JURISDICTION
*24*31I*	W HOOVER ROAD	MADISON COUNTY

OWNER INFORMATION	APPLICANT INFORMATION
NAME: RAPPAHANNOCK ELECTRIC COOPERATIVE	NAME:
ADDRESS: 247 INDUSTRIAL CT FREDERICKSBURG, VA 22408	ADDRESS:

USE REQUESTED	ZONE CODE
REQUESTING TO DECREASE SETBACKS FOR THE FIREFLY PROJECT	A-1
LOT ACREAGE	FIRM ZONE

REMARKS

I, the undersigned, hereby agree to comply with all Zoning and-or Subdivision Ordinances. I understand that it is my responsibility to notify the Building & Zoning Office if the approved plans in my permit change, and that any change requires approval from the County. I further acknowledge that this Zoning Permit is valid for one (1) year from the date of issuance.

Allen Nicholls Zoning Administrator
Approving Official
EMAILED
12/17/24
Owner/Contractor

License Number	
Date	12/17/2024
Application Number	P2024-407
Total Fees	\$250.00

DATE: 12/17/2024

TIME: 02:50 PM

CASHIER: tnicholson

DRAWER # 12069

PMT #: 63778



MADISON COUNTY
Receipt For Transactions Paid

Stephanie G. Murray

PO Box 309 410 N.Main St, Madison, Virginia 22727
Phone: 540-948-4409 www.madisonco.virginia.gov

DATE: 12/17/2024

TIME: 02:50 PM

CASHIER: tnicholson

DRAWER # 12069

PMT #: 63778

Item #	Description	Amount
1	BUILDING PERMITS BUILDING PERMIT NUMBER: P2024-407	\$250.00
	TOTAL TRANSACTIONS	\$250.00
	PAYMENT METHOD/AMOUNT	
	CHECK #17207, SAUNDERS SURVEYS INC	\$250.00
	TOTAL PAYMENT RECEIVED	\$250.00
	CHANGE DUE	\$0.00



To: Madison County Board of Zoning Appeals

From: Allen Nicholls, Planning and Zoning Administrator

Subject: Madison County Board of Supervisors Variance Request

Date: January 21, 2025

Summary of Request

The Madison County Board of Supervisors has requested a variance of Madison County Zoning Ordinance 8-4-1 *"Buildings shall be located 45 feet or more from any street right-of-way which is 50 feet or greater in width or 70 feet or more from the center line of any street right-of-way less than 50 feet in width. The minimum distance which the main building is required to be located from the street right-of-way or center line shall be known as the setback line"* to reduce the front setback on Madison County Tax Map 40-18B from 45' to 35' so that a carport may be installed on the site.

Items Required for Application

Application – Submitted December 20, 2024

Application Fee – A waiver of fee is anticipated

Survey/Plat/Site Plan – GIS maps and a conceptual site plan are attached.

A copy of the current paid real estate taxes – N/A

Agency Comments

Madison County Health Department – Requested December 23, 2024

Virginia Department of Transportation – Requested December 23, 2024

Madison County Building Official – Requested December 23, 2024

MADISON COUNTY BUILDING & ZONING DEPARTMENT

410 N Main Street, Madison, VA 22727

Phone: (540) 948-6102

www.madisonco.virginia.gov

VARIANCE APPLICATION INSTRUCTIONS

IT IS THE RESPONSIBILITY OF THE APPLICANT TO COMPLETE THIS PACKET IN ITS ENTIRETY AND AS PRECISELY AS POSSIBLE. VARIANCE APPLICATIONS ARE CONSIDERED BY THE BOARD OF ZONING APPEALS. SEE ARTICLE 17 OF THE MADISON COUNTY ZONING ORDINANCE AND SECTION 15.2-2309 OF THE CODE OF VIRGINIA FOR FURTHER INFORMATION.

This packet is considered complete when the following have been received:

☒ Variance application (attached).

N/A ☐ A \$250.00 non-refundable fee is due when this application is submitted to our office.

☒ A placement survey plat and/or a drawn site plan must be submitted with this application. On the plat or plan, you must identify the location of any proposed or existing structures and/or buildings, any existing or proposed roads/rights-of-way/easements, entrance location to the property, and measurements to all property lines.

N/A ☐ A copy of the current paid real estate tax receipt for the property (may be obtained from the Madison County Treasurer's Office).

☒ You may be required to provide a copy of the deed to the property if staff cannot locate it in the clerk's office.

☒ Staff must have written comments from the following departments/agencies on the variance request prior to the scheduling of the public hearing. Also, staff may work with you on obtaining all comments except for the Property Owners Association which is the responsibility of the owner/applicant:

- The Madison County Health Department
- ☒ • The Virginia Department of Transportation
- ☒ • The Madison County Building Official
- The Property Owners Association- President, Vice President, or Secretary (*if in a subdivision*)

☒ Any other evidence or exhibits the applicant desires to be reviewed by the Board of Zoning Appeals should be submitted along with this application.

If you have any questions, please call the Madison County Building and Zoning Office at (540) 948-6102, Monday through Friday, 8:30 a.m. to 4:30 p.m.

*****ADDITIONAL INFORMATION MAY BE REQUIRED IF THE PLANNING & ZONING ADMINISTRATOR DETERMINES IT NECESSARY TO ENSURE CONFORMANCE AND TO PROVIDE ENFORCEMENT OF THE ORDINANCE(S). *****

MADISON COUNTY BUILDING & ZONING DEPARTMENT

410 N Main Street, Madison, VA 22727

Phone: (540) 948-6102

www.madisonco.virginia.gov

VARIANCE APPLICATION TO THE BOARD OF ZONING APPEALS

- 1) The applicant is the: ☐ Owner ☐ Lessee ☒ Agent for Owner

Owner	Lessee or Agent for Owner (if applicable)
Name: <u>Madison County Board of Supervisors</u>	Name: <u>Jonathan Weakley</u>
Mailing Address:	Mailing Address: <u>PO Box 1705</u> <u>Madison, VA 22727</u>
Phone Number:	Phone Number: <u>540 948 7500</u>
Email:	Email: <u>jweakley@madisonco.virginia.gov</u>

- 2) E911 Address of Construction: _____

- 3) Please provide detailed directions to the site: _____

- 4) Tax Map Number: 40-18B 5) Size of Property: 0.5 Acres

- 6) Is the parcel located in a subdivision? ☐ Yes ☒ No
If yes, which one: _____

- 7) Is the parcel located in the floodplain? ☐ Yes ☒ No

- 8) Is the proposed structure and/or building located in the floodplain? ☐ Yes ☒ No

- 9) Water and sewage disposal source for the property:
☐ Private Well ☐ Private Septic ☒ Public Water ☒ Public Sewer ☐ None

- 10) Is this application the result of receiving a notice of violation? ☐ Yes ☒ No

- 11) Please check which zoning district the parcel is located (If unknown, office staff can look this up for you):

<input type="checkbox"/> Conservation (C-1)	<input type="checkbox"/> Agricultural (A-1)
<input type="checkbox"/> Residential, Limited (R-1)	<input type="checkbox"/> Residential, General (R-2)
<input type="checkbox"/> Residential, Multiple Family (R-3)	<input checked="" type="checkbox"/> Business, General (B-1)
<input type="checkbox"/> Industrial, Limited (M-1)	<input type="checkbox"/> Industrial, General (M-2)

- 12) Current use of property (Ex: Vacant, Residence, Farming, etc.): EMS Station

- 13) List existing structures and/or buildings that are currently on the property:

EMS Station and modular building

- 14) It is desired and requested that the property be varied from 45' feet to 35' feet.
(If this question is not applicable, see #19).

15) Proposed structure and/or building (Ex: New Home, Addition, Porch, Deck, Accessory Building, etc.):

Carport

16) The proposed structure and/or building will be used for the following (Residence, Farm Use, Household Storage, etc.):

Storage of trailer and equipment

17) Dimensions of Proposed Structure and/or Building (Please include dimensions of any proposed decks and/or porches, if applicable):

26'W X 31'L X 14'H

18) Height of proposed structure and/or building: 14 feet

19) Please explain the reason for the variance request and add any additional comments you may have:

See addendum

I (we), the undersigned, do hereby certify that the above information is true and correct. I (we) further understand that in granting approval of this application, the Board of Zoning Appeals may require that I (we) comply with certain conditions and that such approval shall not be considered valid until these conditions are met.

Signature of Owner



Signature of Lessee and/or Agent for Owner

Date

12/20/24

Date

Please list names and mailing addresses of all adjoining landowners, including landowners across any road or right-of-way. Names and addresses of owners may be found on the Madison County website (www.madisonco.virginia.gov) under the GIS link.

<u>Name</u>	<u>Mailing Address</u>
Evergro Cooperative	PO Box 590, Orange, VA 22960
James, David L or Michelle L	83 Willow Way Lane, Haywood, VA 22722
United States Postal Service	1438 N Main St, Madison, VA 22727

Adjoining Property Owner Verification:

As applicant for this variance request, I (we) Jonathon Weakley hereby acknowledge that I (we) have faithfully and correctly provided names and complete mailing addresses of all of my adjoining property owners and those directly across the road or right-of-way. I (we) understand that failure to provide all adjoining property owners will leave me liable for additional cost for re-advertisement and notices mailed, and that my request may be delayed until proper notification has been given to all adjoining property owners and those property owners across the road or right-of-way.

Signature of Owner

Signature of Lessee and/or Agent for Owner

Date

12/2/24
Date


Setback Variance Request for Carport Structure

From Jonathon Weakley <jweakley@madisonco.virginia.gov>

Date Fri 12/20/2024 4:01 PM

To Allen Nicholls <anicholls@madisonco.virginia.gov>

Cc Brian Gordon <bgordon@madisonco.virginia.gov>

 1 attachment (3 MB)

EMS Shed Setback.pdf;

Allen,

As you are aware, we are currently renovating the old rescue squad building. The renovation of this space will allow us to move out of a leased location and have a permanent home for our EMS team. At the current leased location, Madison County has two carports we wish to relocate. The carports are currently used to house our ambulances to keep them out of the weather. We have decided on where we would like to locate these structures. One of the locations, is directly beside the modular building, known as Tax map #40-18B. This parcel is zoned as B-1 which requires a front setback of 45ft. The building code requires us to stay 10 feet off the modular building per fire code. The carport measures 26'W x 31'L x 14'H. Due to the building code separation requirement, we only have 18' of width. Therefore, to locate the carport as the illustrated location, see attached image, we are requesting a 10ft variance of the front setback. Basically, reducing our setback from the road from 45' to 35'. Please let me know if you have any questions.

Thanks,

Jonathon Weakley
County Administrator
Madison County
PO Box 705
Madison, VA 22727
540-948-7500

Setback EMS Shed

Legend

- 10' Building Setback
- 10' Setback
- 40 18B
- 45' Front Setback
- Madison Plumbing and Electric Service
- Shed



Google Earth

Madison Plumbing and Electric Service
Image © 2024 Airbus



100 ft

Re: Request for Comment

From Winn, Jr., John W. L.S. (VDOT) <John1.Winn@VDOT.Virginia.gov>

Date Mon 1/6/2025 12:01 AM

To Allen Nicholls <anicholls@madisonco.virginia.gov>

Cc Janet Henshaw <jhenshaw@madisonco.virginia.gov>

Mr. Nicholls, VDOT has no comment.

John Winn L.S.



Land Development Engineer

Charlottesville Residency

Virginia Department of Transportation

540-881-0651

john1.winn@VDOT.Virginia.gov

From: Allen Nicholls <anicholls@madisonco.virginia.gov>

Sent: Monday, December 23, 2024 12:09 PM

To: Winn, Jr., John W. L.S. (VDOT) <John1.Winn@VDOT.Virginia.gov>

Cc: Janet Henshaw <jhenshaw@madisonco.virginia.gov>

Subject: Request for Comment

Good morning John,

The Madison County Board of Supervisors has requested a variance from Madison County Zoning Ordinance 8-4-1 to reduce the front setback from 45' to 35' on Madison County Tax Map 40-18B. The intent is to install a carport in the reduced setback area (see site plan attached). Do you have any commentary on behalf of VDOT? This case is scheduled to be heard January 21, 2025.

Thank you,

Allen Nicholls

Planning and Zoning Administrator

Madison Co. Building & Zoning Department

410 N Main St/PO Box 1206

Madison, VA 22727

(P): 540-948-6102 EXT: 1200

(email): anicholls@madisonco.virginia.gov

(website): www.madisonco.virginia.gov





Madison County Building Department

410 N. Main St, Madison VA 22727; Phone: (540) 948-6102

Mailing address: PO Box 1206, Madison VA 22727

Website: www.madisonco.virginia.gov

To: File

Date: 12-23-2024

Re: comments for BZA variance request

Location: TM 40-18B; 1449 N Main St

The following comments are in reference to a BZA variance request to the above mentioned property:

1. Permits will be required to relocate the carport (s)
2. No fees shall be assessed, this is a County owned property
3. A min. of 10 feet of separation is required from the existing building to satisfy the fire resistance requirements in the Virginia USBC
4. The carport (s) shall be anchor or secured to the ground per the manufacturer's installation instructions/construction documents
5. The carport must also be located outside any REC easement on the site

Jamie R Wilks CBO

Madison County Building Official



December 30, 2024

Dear Neighbor,

You are hereby informed that the Madison County Board of Supervisors has filed a variance request for property located on N Main St, and further identified as Madison County Tax Map 40-18B. This application is scheduled for a public hearing at an upcoming Board of Zoning Appeals meeting. **This public hearing will take place on Tuesday, January 21st, 2025, at 7:00 p.m. at the Madison County Administrative Auditorium located at 414 North Main Street, Madison, Virginia.** Notice of this hearing has been advertised on The Madrapp Recorder website. The text of this advertisement states the following:

(Case Number V-1-21-25-2) The Madison County Board of Supervisors has requested a variance of Madison County Zoning Ordinance 8-4-1 "Buildings shall be located 45 feet or more from any street right-of-way which is 50 feet or greater in width or 70 feet or more from the center line of any street right-of-way less than 50 feet in width. The minimum distance which the main building is required to be located from the street right-of-way or center line shall be known as the setback line" to reduce the front setback on Madison County Tax Map 40-18B from 45' to 35' so that a carport may be installed on the site.

The public is invited to attend the public hearing at the time and place aforesaid and present their views. Comments may be submitted prior to the meeting. Written comments received prior to January 17th, 2025 will be placed into the official staff packet and distributed to the Board of Zoning Appeals prior to the meeting. Copies of the application packet are available for review in the Madison County Building & Zoning Office located at 410 N Main Street, Madison, VA, Monday through Friday from 8:30 a.m. to 4:30 p.m. The application packet may also be reviewed on the County's website at www.madisonco.virginia.gov. Should you have any questions, please contact the Madison County Building and Zoning Office at (540) 948-6102 or via email at anicholls@madisonco.virginia.gov. My office hours are Monday through Friday, 8:30 a.m. to 4:30 p.m.

Sincerely,

Allen Nicholls
Planning & Zoning Administrator

Madison Co., VA

Inst. No. 220001831

Prepared By: Return:

Sean D. Gregg, Esquire

VSB #31785

The Law Offices of Sean D. Gregg, P.L.C.

111 E. Main Street

Orange, Virginia 22960

540-672-7070 (phone)

sgregg@johnstongregg.com

Tax Map No.: 40-18A & 40-18B

Consideration: \$500,000.00

Total Assessed Value: \$ 633,500.00

Tax EXEMPT UNDER 58.1-81(A)(3) and 58.1-81(B)(4)

DEED OF BARGAIN AND SALE

THIS DEED of BARGAIN and SALE made and entered into this 1st day of December 2022, by and between **THE MADISON COUNTY RESCUE SQUAD, INCORPORATED**, as "Grantors" and **THE COUNTY OF MADISON**, as "Grantee," whose mailing address is 414 N. Main Street, PO Box 705, Madison, Virginia 22727

WHEREAS, The Madison County Rescue Squad, Inc., pursuant to a duly adopted resolution of the membership, does hereby grant, bargain, sell, and convey the following described real property unto The County of Madison.

W I T N E S S E T H:

That for and in consideration of the sum of FIVE HUNDRED THOUSAND AND 00/100 DOLLARS (\$500,000.00) cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, The Madison County Rescue Squad, Incorporated, Grantor, does hereby bargain, sell, grant and convey the property with GENERAL WARRANTY and MODERN ENGLISH COVENANTS OF TITLE, unto The County of Madison, Grantee, the following described real estate, to-wit:

Parcel One: All that certain lot or parcel of land, containing one- and one-half acre, more or less, located in former Rapidan Magisterial District Madison County, Virginia, on the east side of old U.S. Route 29, just north of the Town of Madison, Virginia, more particularly shown and described in those certain plats of survey by Melvin Aylor, recorded in the Madison County Circuit Court Clerk's Office, Virginia, in Plat Book 3 page 160 and Plat Book 3 page 174.


Being the same property conveyed to Madison County Rescue Squad Incorporated by Deed dated April 1969 from Dorothy S. Waugh, widow, P. Daniel Waugh and Jean Y. Waugh recorded in the aforementioned Clerk's Office on April 25, 1969, in Deed Book 98 at page 494.

Parcel Two: All that certain tract or parcel of land with all improvements thereon and appurtenances thereto, lying and situate in the former Rapidan Magisterial District of Madison County, Virginia, fronting on U.S. Route 29, containing 0.500 acres, more or less, more particularly described on a plat of survey by William P. Gimbel, L.S., dated December 19, 1990, recorded in the Madison County Circuit Court Clerk's Office, Virginia, in Deed Book 238 at page 724.

Being the same property conveyed to Madison County Rescue Squad, Inc. by Deed dated May 26, 1995, from Orange-Madison Cooperative Farm Services, Inc. recorded in the aforementioned Clerk's Office on August 17, 1995, in Deed Book 238 at page 740.

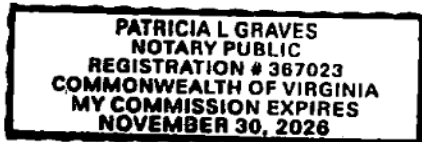
The property hereby conveyed is further subject to any and all easements, restrictions, reservations and conditions contained in duly recorded deeds, plats and other instruments constituting notice in the chain of title to the property hereby conveyed, which have not expired by a time limitation containing therein or have not otherwise become ineffective.

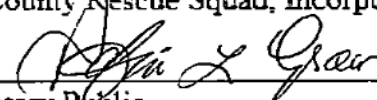
WITNESS the following signature and seal.

 (SEAL)
Steve Grayson, President
The Madison County Rescue Squad, Incorporated

STATE OF VIRGINIA
City/County of Madison, to-wit:

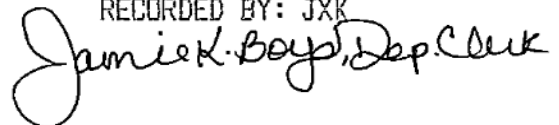
The foregoing deed was acknowledged before me on this 14th day of December 2022,
by Steve Grayson, President for The Madison County Rescue Squad, Incorporated.




Notary Public
Commission Expires: November 30, 2026
Registration Number: 367023

Approved as to form.

INSTRUMENT 220001831
RECORDED IN THE CLERK'S OFFICE OF
MADISON CIRCUIT COURT ON
DECEMBER 14, 2022 AT 04:10 PM
LEETA D. LOUK, CLERK
RECORDED BY: JXK

 Dep. Clerk