

LEGAL NOTICE
NOTICE OF PUBLIC HEARINGS OF THE
BOTETOURT COUNTY PLANNING COMMISSION

Pursuant to the provisions of Section 15.2-2204 of the Code of Virginia of 1950, as amended, the Botetourt County Planning Commission hereby gives notice of public hearings to be held on Monday, June 12, 2023 at 6:00 P.M. in the Botetourt County Administration Center at 57 S. Center Drive, Daleville, Virginia to consider the requests listed below. The Planning Commission will make a recommendation to the Board of Supervisors, which will make a final decision on the request. Information may be reviewed at the Community Development Planning & Zoning Office at 57 South Center Drive, in Daleville from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays and is available online at <https://va-botetourtcounty.civicplus.com/AgendaCenter>, by scrolling down to the Planning Commission section.

Valley District: The Western Virginia Water Authority requests a commission permit, in accordance with *Section 15.2-2232* of the Code of Virginia and *Section 25-576. – Commission Permit (“2232 Review”)* of the Botetourt County Code, for a capital improvements project involving the construction of approximately 5,000 feet of waterline within the right of way of Sanderson Dr (SR 605) from Stonegate Dr (SR 1295) to Read Mountain Rd (SR 654) that will loop two existing water lines and provide more consistent water pressure/service within the existing system.

Valley District: Shamus Equity Corporation LLC requests a change of proffered conditions associated with an Industrial (M-2) rezoning approved on July 28, 2015 in accordance with *Section 25-47. – Conditional Zoning* of the Botetourt County Code, located on Lee Hwy (US Route 11), approximately 0.10-mile northeast of its intersection with 2nd Ave (SR 1003), identified on the Real Property Identification Maps of Botetourt County as Section 107, Parcels 126, 128, 129 & 130.

Valley District: Robert W. Jr. & Diane G. Poehner request a change of proffered conditions associated with a Business (B-1) and Industrial (M-2) rezoning approved on March 17, 1998 in accordance with *Section 25-47. – Conditional Zoning* of the Botetourt County Code, located at 4510 Read Mountain Rd, identified on the Real Property Identification Maps of Botetourt County as Section 107(4), Parcel 22.

Blue Ridge District: JM Industrial Properties, LLC requests a Special Exception Permit, with possible conditions, for a hospital in the Industrial (M-1) Use District in accordance with *Section 25-323(9).- Uses by special exception* and *Section 25-583. – Special exceptions* of the Botetourt County Code, located at the end of Avery Row (SR 1400), identified on the Real Property Identification Maps of Botetourt County as Section 112(3), Parcel C.

Amsterdam District: The Botetourt County Board of Supervisors have authorized consideration of a property owner-initiated petition for an amendment to the 2010 Comprehensive Plan’s Future Land Use Map #9 in accordance with *Section 25-581.3 Comprehensive plan amendment-Owner initiated* and *Section 25-581.4 Comprehensive plan amendment and review*, to amend the future land use designation from Mixed Use Highway Commercial to Industrial / Flex for a 49.9-acre parcel, located on Lee Hwy (US Route 11), approximately 0.10 miles southwest of its intersection with Old RT 604 (SR 811), identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcel 145.

Amsterdam District: SR Investments Inc. requests to rezone a 49.9-acre parcel from the Business (B-2) Use District to the Industrial (M-1) Use District, with possible proffered conditions, in accordance with *Section*

25-323.- *Permitted Uses* and *Sec. 25-581. - Zoning map amendment—Owner-initiated.*, as well as a Special Exception Permit pertaining to building height in accordance with *Section 25-326(d) Building Requirements* and *Section 25-583. – Special exceptions* of the Botetourt County Code, located on Lee Hwy (US Route 11), approximately 0.10 miles southwest of its intersection with Old RT 604 (SR 811), identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcel 145.

Blue Ridge District: The Botetourt County Board of Supervisors have authorized consideration of a property owner-initiated petition for amendments to the 2010 Comprehensive Plan's Sewer & Water Infrastructure Map #37 and the Future Land Use Map #9 in accordance with *Chapter 25, Zoning, Division 6. Special Development Approvals, Section 25-581.3 Comprehensive plan amendment-Owner initiated* and *Section 25-581.4 Comprehensive plan amendment and review*, to create a sewer and water service area within the right of way of Blue Ridge Blvd between Coyner Springs Road and the Blue Ridge Pkwy which would connect three existing service areas together and to amend the future land use designation of several properties in the vicinity of the intersection of Blue Ridge Blvd (US Route 460 & 221) and Laymantown Rd (SR659) from medium density residential to commercial.

Blue Ridge District: Higginbotham Farms LLC, and Four H Investment LLC (Sheetz, Inc., contractual purchaser) request rezoning of two contiguous parcels totaling 3.434 acres from the Agricultural (A-1) and Industrial (M-1) Use Districts to the Business (B-2) Use District with possible proffered conditions in accordance with *Section 25-242.- Permitted uses*, with a Special Exception Permit for a convenience store, with possible conditions in accordance with *Section. 25-243(10). – Convenience store* and *Section 25-583. – Special exceptions* of the Botetourt County Code, located at the corner of Laymantown Rd (SR 659) and Blue Ridge Blvd (US Route 460 & 221), identified on the Real Property Identification Maps of Botetourt County as Section 108C(1), Parcels 1&2 and 3.

Blue Ridge District: ML Properties LLC requests to rezone 2.052 acres of a 3.692-acre parcel from the Business (B-1) Use District to the Business (B-3) Use District, with possible proffered conditions, in accordance with *Section 25-262.- Permitted Uses* and *Section 25-581. - Zoning map amendment—Owner-initiated.* of the Botetourt County Code with a change of proffered conditions associated with the Business (B-3) rezoning approved on June 18, 1996 in accordance with *Section 25-47. – Conditional Zoning* of the Botetourt County Code, located at 2655 Blue Ridge Boulevard, (US Routes 460 and 221), identified on the Real Property Identification Maps of Botetourt County as Section 108, Parcels 221A.