

## **SPECIAL USE PERMIT- NARRATIVE**

**Applicant:** Builders Choice Excavating, Inc. (BCE)

**Owner:** DMS Properties

**Representative:** David P. Sedlak, Owner DMS Properties and BCE

**Engineer:** SDI

**Property:** Tax Map Parcel 76-A-15A

**Current Zoning:** Agriculture A-3

**Request:** Special Use Permit – Contractor’s Office & Shop

**Date:**

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### **I. Project Overview.**

This Application made by Builders Choice Excavating, Inc. ( the “Applicant”) is a request for a special use permit (“SUP”) to operate a contractor’s office and shop pursuant to Section 23-6.4.3 (14) of the County of Spotsylvania (“County”) zoning ordinance (“Ordinance”) on Tax Map Parcel 76-A-15A (the “Property”). The Property is currently zoned A-3 and a rezoning is not required for this application. The Property is located within the Berkeley Magisterial District and the Berkeley Voting District. The Property and its proposed use is more particularly shown on that certain generalized development plan entitled “Generalized Development Plan, dated \_\_\_\_\_, as last revised, and prepared by SDI (the “GDP”), which is attached as Exhibit A. The Property is located at 5730 Jefferson Davis Highway (Route 1).

The Applicant desires to operate a contractor office and shop on the Property. The Applicant believes the proposed use is a more viable use and will provide necessary contracting services and facilities to the County. The contractors yard will be used to store machinery, equipment and supplies consistent with the use desired. Equipment stored on site when not being used elsewhere will consist of several small work trucks, small trailers, skid steer loaders, mini excavators, two roll-off type vehicles and two pump trucks. Small quantities of building lumber, rebar, pvc pipe may exist from time to time. While not all employees will report to this facility each day, we do anticipate that 15 to 20 will. Most car pool together. It is our intention to preserve the rural/agricultural character present currently. The metal building that we plan on installing will be consistent with that theme. The Property has immediate access to Route 1 with adequate right of way and site distance needed for a VDOT commercial entrance.

### **II. Land Use Proposal.**

- a. **Use.** The Applicant will use the Property for the purposes of this SUP to operate a contractor’s office and shop, which is permitted with a SUP under Section 23-6.4.3 (14) of the County Ordinance. The proposed facility may utilize the existing houses. The front house being used as a potential home office. The rear house use will remain unchanged at this time. The detached garage structures use will remain unchanged at this time and the use of the block structure next to the detached garage will remain unchanged at this time. Additionally, the entrance would be improved to a VDOT approved commercial entrance and the driveway moved north along Rt. 1 so that any vehicles entering or exiting the property will not impact the existing residential homes. Appropriate parking would be provided as depicted on the GDP for any employees which may report to the yard to pick up equipment, and an equipment storage yard to west & southwest of the Property would be built for staging and preventive maintenance of company owned equipment not currently on job sites. A dustless surface waiver will be requested for the driveway and areas that equipment will be staged and maintained.

**b. Maximum Lot Coverage and Floor Area Ratio.** The total area tabulation of the Property is 439,956 square feet. The maximum FAR is 0.10 and the current square footage of the existing homes is approximately 3,000sf or 0.007 FAR, well below the maximum allowances for this district.

**c. Buffering from Adjoining Properties, Landscaping and Screening.** All landscaping, access and buffering for the site will be in conformance with the requirements of the applicable sections of the Ordinance regarding the proposed use or as approved, all as depicted on the GDP. In addition, an existing barrier of mature trees border the entire western, southern and a part of the northern portion of the Property. The Applicant also offers to install a screen fence around the contractors yard on the northern and eastern sides as shown on the GDP therein providing complete screening of the yard. The screen fencing would be in lieu of plantings at the property periphery as the remainder of the property will be undisturbed by this improvement. Upon request of neighbors at the community meeting, the Applicant offers that all new site lighting shall be designed as down lighting.

**d. Maximum Height of Buildings.** The maximum height of any building on the Property shall not exceed 35 feet above finished lot grade as authorized under applicable County Ordinance for A-3 uses. The existing building heights are less than 35 feet.

**e. Special Amenities.** None.

**f. Phasing.** The Applicant anticipates the initial construction to consist of completing the entrance, driveway, and yard and other improvements consistent with the plans submitted and approved immediately upon approval and permit from Spotsylvania and VDOT. No other future expansion is expected at this time.

**III. Cultural Resources.** This project will have no impact on cultural resources. The Applicant, as shown on the GDP, offers to shift the location of the existing entrance for installation of the new commercial entrance North along RT 1 in order to not impact the existing Historical Marker. One of the structures on this lot may have some historical significance based on a 1987 survey. No changes to this structure are anticipated, photos of the existing condition will be done.

**IV. Fire and Rescue.** The Applicant does not believe there will be any additional impacts to fire and rescue services and the facility will be constructed in accordance with applicable state and County code requirements.

**V. Schools.** This project will have no impacts on schools.

**VI. Parks and Open Space.** This project will have no impacts on County park services and FAR requirements will restrict the buildable area by code.

**VII. Water and Sewer.** The Applicant shall use the existing well for water and drain field for sewer.

**VIII. Environment.** The Applicant does not believe the project will have an impact on the environment and will be in accordance with applicable State and County code requirements. There are no plans for future development beyond this initial request.

**IX. Housing.** The project will have no impact on County housing matters.

**X. Transportation.** It is anticipated that the project will generate a total of 39 vehicles per day ("VPD") with 5 vehicles per hour AM Peak trips and 5 vehicles per hour PM Peak trips being generated. On a Saturday the VPD will be approximately 8. These trip counts should have little impact on the average traffic generated along Jefferson Davis Highway. The commercial entrance intended to serve access of off RT 1, to meet the design standards based on the traffic volume, is a Single Two Way Entrance with tapers to the north and south.

**XII. Fiscal Impact.** The project will generate a positive fiscal impact for the County. Real estate tax revenues that will be generated from the upgrade of the use from residential to business use. The purchase and conversion of the property will represent an initial investment of over \$550,000 in the

County. Additional revenues for the County will be provided through BPOL and the purchase of goods and services in the County. Currently the Applicant's payroll consists of about 48 employees some of which do not report to the facility but report directly to the job site. The applicant also hires numerous subcontractors and purchases millions of dollars in equipment, goods and services on an annual basis. The Applicant will not only have an immediate fiscal impact on the County but will continue to be a revenue positive use into the future.

**Exhibit Index:** **Exhibit A:** "Generalized Development Plan",  
dated 9-27-18, as last revised, and prepared by SDI.

**Exhibit B:** General pictorial of metal building type proposed,  
door locations and colors may change

**Exhibit C:** General pictorial of screen fence type proposed

