

DRAFT

At a meeting of the Spotsylvania County Board of Supervisors held on August 13, 2019 on a motion by _____, seconded by _____ and passed _____, the Board adopted the following resolution:

RESOLUTION NO. 2019-

Deny

Special Use Permit SUP19-0001

Shirley Ann Ali and Bashar Itraish (Mazari Motors)

WHEREAS, Shirley Ann Ali and Bashar Itraish (Mazari Motors): Requests a special use permit to allow vehicle sale, rental, and ancillary service establishment (small scale) on a parcel consisting of approximately 1.18 acres currently zoned Commercial 3 (C-3). The parcel is addressed as 10900 Courthouse Road and is located at the intersection of Courthouse Road (Route 208) and Ewell Road (Route 636), approximately 1,250 feet east of Jefferson Davis Highway (Route 1). The parcel is located in the Primary Development Boundary and the Primary Highway Corridor Overlay District. The property is designated for Commercial Land Use on the Future Land Use Map of the Comprehensive Plan. Tax parcel 23 (A) 140. Courtland Voting District; and

WHEREAS, staff has reviewed the subject application and recommends approval with conditions as stated in the staff report and the executive summary; and

WHEREAS, the Spotsylvania County Planning Commission held a public hearing on June 5, 2019, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Planning Commission continued the public hearing to July 17, 2019 with a vote of 5-2; and

WHEREAS, the Spotsylvania County Planning Commission held the continued public hearing on July 17, 2019, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Planning Commission recommended approval of the project with conditions with a vote of 5-2; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing on August 13, 2019, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Board of Supervisors considered the Special Use Permit request in accordance with Sec. 23-4.5.7, Standards of Review, and finds that the application does not sufficiently satisfy the following standards:

1. That the proposed use is in accord with the comprehensive plan and other official plans adopted by the county;
2. That the proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area or neighborhood in which it is located;
3. That the proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
4. That the proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;
5. That the proposed use will not be detrimental to the public welfare or injurious to property or improvements within the neighborhood;
6. That the proposed use is appropriately located with respect to transportation facilities, water supply, wastewater treatment, fire and police protection, waste disposal, and similar facilities;
7. That the proposed use will not cause undue traffic congestion or create a traffic hazard; and
8. That the proposed use will have no unduly adverse impact on environmental or natural resources.

WHEREAS, general welfare and good zoning practice are served by denial of the Special Use Permit application.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby deny SUP19-0001.

(SEAL)

A COPY TESTE:

Aimee Mann
Deputy Clerk to the Board of Supervisors

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____