

# Town of Lovettsville

## Planning Commission

### Minutes of Public Hearings and Regular Meeting, April 7, 2010

The Public Hearings of the Lovettsville Planning Commission was called to order by Chairwoman Mari Bushway on Wednesday, April 7, 2010 at 7:33 PM at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA 20180.

#### **Welcomes and Introductions**

Chairwoman Bushway welcomed the citizens attending the meeting and thanked them for coming. She introduced Mayor Elaine Walker and Planning Commissioners Lorraine Bauer, Jack Burden, Elaine Fischer, and Aaron Kahn. She also introduced Town Manager Keith Markel, Zoning Administrator Steve McGregor and Town Clerk Judy Kromholz.

#### **Absent**

Commissioners Joseph Mueller, Rodney Gray

#### **Audience**

Among the many citizens present were Councilman Scott Dockum, Councilwoman Charlotte Coleman, applicant Dr. and Mrs. Peter Pruckowski, and Fred George.

#### **Explanation of Procedures and Opening of the Hearings**

Chairwoman Bushway read the Public Notice of these Public Hearings as they appeared in the *Purcellville Gazette* on March 26, 2010 and April 2, 2010 (Attachment I: Public Notices).

#### **Public Hearing: LVZA 2010-0004**

Chairwoman Bushway opened the first Public Hearing on LVZA 2010-0004: Zoning Ordinance Amendment to allow Veterinary Offices as a Conditional Use in Zones C-1, C-2 and Town Center Planned Development Districts.

#### **Presentation**

Administrator McGregor made a presentation on LVZA 2010-0004 (Attachment II: Staff Report).

#### **Public Speakers** (Attachment III-Signup Sheet)

All of the citizens who had signed up to speak confirmed that they wished to speak at the second Public Hearing. Chairwoman Bushway confirmed that no member of the audience wished to speak on this item and declared this hearing closed at 7:48 PM.

#### **Public Hearing: LVCA 2010-0001**

Chairwoman Bushway called the second Public Hearing on LVCA 2010-0001: Consider a Request for a Conditional Use Permit to Allow a Veterinary Hospital Use on the Property Located at 2 East Broad Way to order at 7:48 PM.

#### **Presentation**

Administrator McGregor made a presentation on LVCA 2010-0001 (Attachment IV: Staff Report). Commissioner Bauer asked about the old right of way on route 287 and Administrator McGregor stated that the Town is assuming the land will eventually revert to the adjacent land owners.

#### **Public Speakers** (Attachment III-Signup Sheet)

Dr. Pruckowski clarified the dimensions of the dog walk area and described the fence and hedges that will be built along the dog run.

Chairwoman Bushway introduced the speakers in the order in which they had signed up to speak on this item.

- |  |   |
|--|---|
| 1 Fred George<br>(Property<br>Owner/Applicant) | 1. The applicant is proposing positive changes to the property.<br>2. This will be a nice asset for the Town<br>3. This business will bring people into the Town and benefit other businesses.  |
| 2 Ken Hinman<br>Milltown Road                  | 1. Client of Dr. Pruckowski, trusts him completely<br>2. This is the best use of the property<br>3. A veterinarian in Lovettsville would be better than retail sales available in other places.   |
| 3 Sarah Haene                                  | Read a prepared statement (Attachment V)  |
| 4 Lisa Haene                                   | Read a prepared statement (Attachment VI)   |
| 5 Kate Freeman                                 | 1. Spoke in support of having a local veterinarian, especially in emergency situations.   |
| 6 Sandy Ryan                                   | 1. A long time client of Dr. Pruckowski.<br>2. This veterinary hospital is a perfect use of this cornerstone property.  |
| 7 Howard Williamson                            | 1. A long time client of Dr. Pruckowski<br>2. A great use of this facility<br>3. This will bring business to the community and benefit other business owners.   |
| 8 Amy Newton<br>Hillsboro                      | 1. A long time client of Dr. Pruckowski who will come to town from Hillsboro to maintain this relationship.<br>2. Other residents of Hillsboro will also come to this veterinarian.   |
| Kirk Hawn, DDS                                 | 1. Dr. Pruckowski is an excellent veterinarian<br>2. As a Lovettsville businessman himself, asked that required beatification be limited due to cost  |
| Kenny Myers                                    | 1. A long time resident of Lovettsville who believes this business will be a big plus to the community.   |
| Bill Lahr                                      | 1. Gave examples of Dr. Pruckowski's veterinary skills and caring manner  |
| Renee Hawn                                     | 1. This will be good business for Lovettsville<br>2. Dr. Pruckowski is a great veterinarian   |
| Scott Dockum<br>(Councilman)                   | Councilman Dockum thanked all the citizens who had come out to support Dr. Pruckowski. He met the doctor himself only a few weeks ago, and thinks he would be a wonderful addition to the Lovettsville business community. He encouraged everyone to return when this application goes before the Town Council. |

Clerk Kromholz reported that eight emails have been received in Town Hall, all supported the conditional use permit application (Attachment VII). Commissioner Mueller had also sent an email supporting both the Zoning Ordinance Amendment and the Conditional Use Permit (Attachment VIII).

Councilman Dockum asked Manager Markel to explain the process for both the ordinance change and the conditional use permit to the audience and the applicant. Manager Markel explained the steps involved and noted that, if the Planning Commission elected to vote on this matter at their meeting tonight, the earliest these items could go before Council would be May 13, 2010.

Chairwoman Bushway confirmed that no additional member of the audience wished to speak on this item and declared this hearing closed at 8:18 PM. She declared a five minute break before the next public hearing.

#### **Public Hearing: LVZA 2010-0002 Fee Amounts**

Chairwoman Bushway called the third Public Hearing on LVZA 2010-0002/LVCU 2010-0001: Fee Amounts in the Zoning and Subdivision Ordinances to order at 8:24 PM.

#### **Presentation**

Administrator McGregor made a presentation on LVZA 2010-0002 (Attachment IX: Staff Report). Commissioner Kahn asked if this change would affect anyone already in the process and Manager Markel explained that no fee or process changes are being proposed.

**Public Speakers** (Attachment III-Signup Sheet)

Chairwoman Bushway confirmed that no member of the audience wished to speak on this item and declared this hearing closed at 8:27 PM.

**Regular Planning Commission Meeting**

Chairwoman Bushway called the Regular Meeting of the Lovettsville Planning Commission to order at 8:30 PM.

**Public Comment**

No member of the public had signed up to speak at the regular meeting. Councilman Dockum thanked Manager Markel for explaining the Zoning Ordinance Amendment and Conditional Use Permit processes to the public during the public hearings.

**Additions/Deletions/Modifications to the Agenda**

Chairwoman Bushway called for changes to the agenda. There were none.

**Approval of Planning Commission Minutes**

No minutes were presented.

**Staff Reports**

Steve presented his written report for February 2010. There were no questions from the Mayor or Commission.

**Action Items**

A. LVZA 2010-0004 Zoning Ordinance Amendment to allow Veterinary Offices as a Conditional Use in Zones C-1, C-2 and Town Center Planned Development Districts

Commissioner Kahn requested that the phrase 'no animal should be kept outside the building' be changed to 'no animal shall be housed outside the facility'. Dr. Pruckowski stated that no animal would ever be outside unattended. The Commissioners agreed to this change.

There being no further discussion, Chairwoman Bushway called for a motion.

**Motion:** I move that the Planning Commission recommend to the Town Council that the Council approve the recommended ordinance as revised text amendments presented in item LVZA 2010-0004 Veterinary Hospital Use, at the April 7, 2010 public hearing.

**By:** Chairwoman Bushway

**Second:** Commissioner Kahn

**Aye:** Commissioners Bauer, Burden, Bushway, Fischer, Kahn

**Nay:** None

**Abstain:** None

**Absent:** Commissioner Gray, Mueller

B. LVCU 2010-0001 Consider a request for a Conditional Use Permit to Allow a Veterinary Hospital use on the property located at 2 East Broad Way

Administrator McGregor explained the location and type of plantings and fencing he has asked the applicant to install in addition to what he has already proffered. He explained that these are not Ordinance-based requirements but recommendations by staff. Commissioner Burden stated that the applicant should only be held to what he had originally proffered and that he could always undertake additional beautification projects. Manager Markel explained that the meaning of a Conditional Use Permit is that the Town can request whatever it deems appropriate to granting the permit. Dr. Pruckowski noted that it is in his own best interest to make the property attractive. Commissioner Kahn asked Dr. Pruckowski if he would be comfortable committing to meeting staff's suggestions within a year of receiving the permit, rather than the four months originally proposed. Dr. Pruckowski stated that he would be very pleased with that arrangement. Manager Markel noted that the owners of the property would be ultimately responsible for fulfilling the approved conditions.

There being no further discussion, Chairwoman Bushway asked the Commissioners if they were comfortable voting on this item tonight or if they needed more information before making a final decision. The Commission decided to move to a vote immediately.

**Motion:** I move that the Planning Commission recommend to the Town Council that the Council approve the use and recommended conditions as amended presented in item LVCU 2010-0001 Bernhart Corner LLC? Veterinary Hospital, at the April 7, 2010 planning commission meeting.

**By:** Commissioner Kahn

**Second:** Commissioner Bauer

**Aye:** Commissioners Bauer, Burden, Bushway, Fischer, Kahn

**Nay:** None

**Abstain:** None

**Absent:** Commissioners Gray, Mueller

Manager Markel stated that this would go before Council on May 13, 2010. Mayor Walker thanked the Planning Commission for expediting this process and stated that this business will be a great thing for the Town.

C. LVZA 2010-0002/LVSA 2010-0001 Fee Amounts in the Zoning and Subdivision Ordinances

Chairwoman Bushway asked Manager Markel if this change would affect the fees charged in any way and Manager Markel confirmed that it would not, noting that fees are set by the Town Council during the budget process. There being no further questions from the Commissioners, Chairwoman Bushway called for a motion.

**Motion:** I move that the Planning Commission recommend to the Town Council that the Council approve the recommended ordinance text amendments presented in item LVZA 2010-0002 Fees, at the April 7, 2010 public hearing and planning commission meeting.

**By:** Commissioner Kahn

**Second:** Commissioner Bauer

**Aye:** Commissioners Bauer, Burden, Bushway, Fischer, Kahn

**Nay:** None

**Abstain:** None

**Absent:** Commissioners Gray, Mueller

**Discussion Items**

None

**Information Items**

No information items were presented.

**Comments from the Mayor and Commissioners**

There were no comments.

**Adjournment/Recess**

**Motion:** To adjourn the Planning Commission meeting of April 7, 2010  
**By:** Commissioner Fischer  
**Second:** Commissioner Burden  
**Aye:** Commissioners Bauer, Burden, Bushway, Fischer, Kahn  
**Nay:** None  
**Abstain:** None  
**Absent:** Commissioners Gray, Mueller

The Meeting was adjourned at 9:30 PM

Respectfully submitted,

  
Judy L. Kromholz, Town Clerk

Date Approved: June 2, 2010

Attachments:

- I. *Purcellville Gazette* Public Hearing Notices
- II. Staff Report: LVZA 2010-0004 Zoning Ordinance Amendment to allow Veterinary Offices as a Conditional Use in Zones C-1, C-2 and Town Center Planned Development Districts
- III. Speaker signup sheet for all hearings and for the regular meeting
- IV. Staff Report LVCU 2010-0001 Consider a request for a Conditional Use Permit to Allow a Veterinary Hospital use on the property located at 2 East Broad Way
- V. Sarah Haene statement
- VI. Lisa Haene statement
- VII. Emails Supporting LVCU-2010-0001
- VIII. Commissioner Mueller's email
- IX. Staff Report for LVZA 2010-0002/LVSA 2010-0001 Fee Amounts in the Zoning and Subdivision Ordinances

**PUBLIC HEARING NOTICE  
TOWN OF RICHLAND**

The Board of Planning Commission will hold a public hearing on the Conditional Zoning Ordinance (CZO) for the proposed rezoning of the property located at 10000 West Main Street, Richland, Virginia, for the proposed rezoning from R-1 to R-2.

**1. CHURCH & Main Street Industrial Project:** The proposed rezoning is to rezone an approximately 10-acre parcel located at 10000 West Main Street, Richland, Virginia, for the proposed rezoning from R-1 to R-2. The rezoning is to allow for the construction of a new industrial facility. The rezoning is to be effective upon the adoption of the rezoning ordinance by the Board of Planning Commission.

Additional information regarding the application is available from the Planning Commission at 10000 West Main Street, Richland, Virginia 22427. The rezoning is to be effective upon the adoption of the rezoning ordinance by the Board of Planning Commission.

Public hearing will be held on Monday, March 23, 2010, at 7:00 PM in the Board Room of the Town of Richland, Virginia, located at 10000 West Main Street, Richland, Virginia 22427. The rezoning is to be effective upon the adoption of the rezoning ordinance by the Board of Planning Commission.

**PUBLIC HEARING NOTICE  
TOWN OF RICHMOND**

The Board of Planning Commission will hold a public hearing on the Conditional Zoning Ordinance (CZO) for the proposed rezoning of the property located at 10000 West Main Street, Richmond, Virginia, for the proposed rezoning from R-1 to R-2.

**1. CHURCH & Main Street Industrial Project:** The proposed rezoning is to rezone an approximately 10-acre parcel located at 10000 West Main Street, Richmond, Virginia, for the proposed rezoning from R-1 to R-2. The rezoning is to allow for the construction of a new industrial facility. The rezoning is to be effective upon the adoption of the rezoning ordinance by the Board of Planning Commission.

Additional information regarding the application is available from the Planning Commission at 10000 West Main Street, Richmond, Virginia 22427. The rezoning is to be effective upon the adoption of the rezoning ordinance by the Board of Planning Commission.

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**Notice of Public Hearing  
Town of Loudoun Planning Commission**

The Board of Planning Commission will hold a public hearing on the Conditional Zoning Ordinance (CZO) for the proposed rezoning of the property located at 10000 West Main Street, Loudoun, Virginia, for the proposed rezoning from R-1 to R-2.

**1. CHURCH & Main Street Industrial Project:** The proposed rezoning is to rezone an approximately 10-acre parcel located at 10000 West Main Street, Loudoun, Virginia, for the proposed rezoning from R-1 to R-2. The rezoning is to allow for the construction of a new industrial facility. The rezoning is to be effective upon the adoption of the rezoning ordinance by the Board of Planning Commission.

Additional information regarding the application is available from the Planning Commission at 10000 West Main Street, Loudoun, Virginia 22070. The rezoning is to be effective upon the adoption of the rezoning ordinance by the Board of Planning Commission.

Public hearing will be held on Monday, March 23, 2010, at 7:00 PM in the Board Room of the Town of Loudoun, Virginia, located at 10000 West Main Street, Loudoun, Virginia 22070. The rezoning is to be effective upon the adoption of the rezoning ordinance by the Board of Planning Commission.

**PUBLIC NOTICE  
TOWN OF RICHLAND**

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**1. CHURCH & Main Street Industrial Project:** The proposed rezoning is to rezone an approximately 10-acre parcel located at 10000 West Main Street, Richland, Virginia, for the proposed rezoning from R-1 to R-2. The rezoning is to allow for the construction of a new industrial facility. The rezoning is to be effective upon the adoption of the rezoning ordinance by the Board of Planning Commission.

Additional information regarding the application is available from the Planning Commission at 10000 West Main Street, Richland, Virginia 22427. The rezoning is to be effective upon the adoption of the rezoning ordinance by the Board of Planning Commission.

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**PUBLIC HEARING NOTICE  
TOWN OF RICHLAND**

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Additional information regarding the application is available from the Planning Commission at 10000 West Main Street, Richland, Virginia 22427. The rezoning is to be effective upon the adoption of the rezoning ordinance by the Board of Planning Commission.

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# Town of Lovettsville

## PUBLIC HEARING

**TO:** Planning Commission

**FROM:** Stephen E. McGregor, Zoning Administrator

**DATE:** April 7, 2010

**SUBJECT: LVZA 2010-0004 Veterinary Hospital Use – Zoning Ordinance  
Amendment**

**CONCURRENT WITH:**

**LVCU 2010-0001 Bernhart Corner Veterinary Hospital –  
Conditional Use Permit**

**PURPOSE:** To provide an evaluation for a public hearing discussion scheduled for April 7, 2010 to amend the Zoning Ordinance by adding the Veterinary Hospital use to the C-1 Community Commercial zoning district and to the I-1 Light Industrial zoning district and a definition in Section 13-2 and to convert the use from by-right to conditionally permitted in the C-2 and Town Center Fringe districts.

**BACKGROUND:** A prospective tenant for the existing building that formerly housed the US Postal Service facility has requested that they be able to operate a veterinary hospital in the building. Bernhart Corner LLC wants to lease the old post office building on East Broad Way across from the 7-11 market.

**DISCUSSION:** The building being requested for the veterinary hospital use is on land zoned under the C-1 Community Commercial district, which does not permit the use either as a permitted or conditionally permitted use. The use, however, complies with the stated purpose of the C-1 district, which is stated in part:

“This district is designed to accommodate general commercial business to which the public requires direct and frequent access, but which is not characterized by constant heavy trucking other than stocking and delivery of retail goods.”

The activity of the veterinary hospital use should be defined as being almost entirely contained within the facility. The only outdoor activity should be limited to brief periodic airing of the dogs on leashes. The facility does not need a full dog

run as would be required for a kennel in which animals are boarded and where the dogs would not be leashed. The veterinary hospital houses some animals but for short periods of time. The outdoor walking area should be limited and fenced. Details of any outdoor features should be determined by each set of circumstances and based upon any relevant Comprehensive Plan policies, such as on page 53 of the Town Plan in the Land Use chapter under Implementation Policies, where it states that landscaping and beautification should be encouraged for new and existing developments. Therefore, such a use can occur if it requires a conditional use permit. General conditions should be outlined in the Zoning Ordinance in order to guide decisions to be made on individual cases.

**CONCLUSION:** Not only is the veterinary hospital use appropriate for the C-1 district but it is appropriate for the I-1 Light Industrial district, which permits a large variety of commercial and light industrial uses as long as they do not have an impact on residential areas. A conditional use permit would be needed to determine the outdoor facilities on a case-by-case basis. The veterinary hospital use that is now permitted in the C-2 district “by-right” should be changed for the same reasons as stated above so that it is permitted conditionally, in order to exercise more control of any outdoor features that are requested than may be required by ordinance provisions.

As a format issue, the terminology for the veterinary hospital use should be made uniform in the Zoning Ordinance. The term used in the T-C Town Center Planned Development district, Fringe Area, is “Veterinary and Animal Hospital Facilities.” In addition, there is no definition of the use in the Zoning Ordinance and there should be one.

**RECOMMENDATION:**

1. The Veterinary Hospital use should be conditionally permitted in the C-1 and I-1 zoning districts.
2. The C-2 district should be amended so that the veterinary hospital use is not permitted “by-right” but conditionally permitted.
3. The term Veterinary Hospital should replace all similar terms found in the Zoning District.
4. A definition of the Veterinary Hospital use should be added to Article 13, Section 13-2 Definitions.

In order to implement these recommendations the following ordinance text amendments are recommended:

**ADD:** To Article 13, DEFINITIONS, Section 13-2 (in alphabetical order):

"VETERINARY HOSPITAL. A facility where pets and animals are given medical and/or surgical treatment and the indoor boarding of such animals is limited to short-term care incidental to the hospital use."

**MODIFY:** Article 3, Section 3-11, the title, to read:

COMMERCIAL AND LIGHT INDUSTRIAL ZONING DISTRICTS -  
GENERAL

**ADD:** To Article 3, Section 3-11, to read:

"(f) GENERAL STANDARDS FOR CERTAIN USES

The following identified uses, wherever permitted in a commercial or light industrial district, shall conform to the standards set forth in this section, unless otherwise specifically modified in the provisions authorizing such use in a district:

- (i) VETERINARY HOSPITALS: This use shall be subject to the following development criteria:
  - (A) The entire business must be conducted wholly within a completely enclosed soundproofed, heated and air-conditioned building, except for a limited outdoor fenced dog walk area.
  - (B) Noise and odors created by activities within the facility shall not be perceptible beyond the property line or facility itself if the property has other buildings with human activity.
  - (C) No animals shall be kept outside the building at any time.
  - (D) Outdoor features shall comply with any appropriate design or amenity policies in the Town Comprehensive Plan.
  - (E) Additional buffering, screening or landscaping may be required under conditional use permits, especially to protect visual or other adverse impacts on residential areas."

**DELETE:** In Article 3, Section 3-13 Mixed Use Business District C-2, under (b)  
Permitted Uses: (v) Veterinary Hospital. [renumber subsequent numerals]

**ADD:** To In Article 3, Section 3-13 Mixed Use Business District C-2, under (c)  
Conditionally Permitted Uses:

(vii) Veterinary Hospital.

**ADD:** To Article 3, Section 3-12 Community Commercial District C-1, under (c)  
Conditionally Permitted Uses:

(xiv) Veterinary Hospital.

**ADD:** To Article 3, Section 3-14 Light Industrial District I-1, under (g) Conditionally  
Permitted Uses:

(viii) Veterinary Hospital.

**MODIFY:** In Article 3, Section 3-7 Town Center Planned Development District T-C, (j)  
Conditionally Permitted Uses (iii) Town Center Fringe Area (A)

**FROM:** Veterinary and Animal Hospital Facilities,

**TO:** Veterinary Hospital.

**DRAFT MOTION:** "I move that the Planning Commission recommend to the Town Council that the Council approve the recommended ordinance text amendments presented in item LVZA 2010-0004 Veterinary Hospital Use, at the April 7, 2010 public hearing."

**ATTACHMENT:** Request letter from Peter Pruckowski, March 13, 2010.

March 13,2010

To Keith Markel  
Town Manager  
Lovettsville, VA 20180

This letter is to document my desire to open and operate a small animal veterinary clinic in the town of Lovettsville, VA. The citizens of Lovettsville deserve quality veterinary care for their pets. At present they must travel either to Purcellville or Leesburg, VA or to Jefferson, MD. With the ever increasing population and density of the Lovettsville area, I believe that a full service veterinary clinic would be beneficial to the general population and enhance the standard of living.

Currently there is limited C-2 zoning available for a veterinary clinic. I am requesting the Town of Lovettsville to amend the Zoning Ordinance to allow the Veterinary Clinic use as a use permitted conditionally in the C-1 zoning district. This would allow for a veterinary clinic to be located in the "old post office" building in the heart of the town. With improvements to the building, a fresh coat of paint, and landscaping to the property, I believe that not only would a necessary service be provided, but the changes would beautify the area. It is understood that there would be no outside runs for the animals. A dog walk area with a quality fence would be built to insure protection for the dogs and limit the area that they could access.

I hope that the Town of Lovettsville, VA will accept my request. I look forward to working with you to answer any of your questions regarding this project. I also hope to accommodate further requests and/or changes or amendments to my proposal.

Sincerely,



Peter Pruckowski DVM  
13504 Picnic Woods RD.  
Lovettsville, VA 20180  
540-822-5223  
BMDOG@aol.com

3 minutes

# Town of Snowlettsville

## Speaker Sign - Up Sheet Planning Commission Public Hearings & Meeting of April 7, 2010

Please Print

Name and Association	Address	Topic	Email Address (Optional)
Timol Green Co	13620 Berlin Pk 20180	VET	
Don Hoffman	13841 Milltown	V	
Jarah Hagens	12662 Mountain Rd	Vet	
Lisa Harns	12662 Mountain Rd	Vet	
Kate Swerman	91193 Podeler Rd.	Vet	
<del>Walter</del>	<del>37433</del>	<del>Business</del>	
Sandy Rye	10180 Celtic Ln	Vet	
Howard Williamson	12605 LUTHERAN CHURCH RD LEWISTSVILLE	VET	
Amy Neustadt	36503 Chwinlston Pl Harrison	VET	
Kate Harris DS	11305 Georges Mill Rd	Vet	

<sup>1</sup> If you provide your email address, you will be added to the Town Council & Planning Commission Meeting Notification List.

# Town of Lovettsville

## Speaker Sign - Up Sheet

### Planning Commission Public Hearings & Meeting of April 7, 2010

Name and Association	Address	Topic	Email Address (Optional)
Henry Myers	19704 Broward Mill Rd 20180	Vet	
Bill Leh	13516 Pine Woods 20180	VET (don't want to speak)	
Renee Hawn	11305 Georges Mill	Vet	
Scott Dockum			

# Town of Lovettsville

## PUBLIC HEARING

**TO:** Planning Commission

**FROM:** Stephen E. McGregor, Zoning Administrator

**DATE:** April 7, 2010

**SUBJECT:** **LVCU 2010-0001 Bernhart Corner Veterinary Hospital –**  
Conditional Use Permit

**CONCURRENT WITH:**

**LVZA 2010-0004 Veterinary Hospital Use –** Zoning Ordinance  
Amendment

**PURPOSE:** To provide an evaluation with draft recommendations for a public hearing discussion scheduled for April 7, 2010 to consider granting a conditional use permit to Bernhart Corner LLC for a veterinary hospital at 2 East Broad Way.

**PROPOSAL and DESCRIPTION OF THE SITE:** Bernhart Corner (LLC) has applied for a conditional use permit to operate a veterinary hospital in an existing building at 2 East Broad Way. The property identification number is 369107761 and it is zoned C-1. The property is .34 acres at the intersection of Berlin Turnpike opposite the Town Square and East Broad Way. The existing building has 1,645 gross square feet, not including the outdoor loading platform. The existing building, which formerly housed the post office, is proposed to be renovated in order for a tenant to operate a veterinary hospital. The applicant is offering to provide some landscaping and fencing features on the site, as indicated in the request letter and a sketch of the proposal (revised March 31). The proposed landscaping features include:

- Three (3) forsythia bushes along the eastern property boundary (next to the existing sidewalk).
- Two (2) large trees (existing) along the eastern property boundary (next to the existing sidewalk).
- Shrubs along the fenced pen.
- Fence (8'X6') to screen existing fuel tank facing the western property boundary and Berlin Pike.
- Two (2) ornamental grasses at either end of the fence screening the fuel tank.
- Raised flower bed (27'X3') along East Broad Way frontage
- Three (3) dwarf evergreens on the northwest corner of the property at the intersection of Berlin Pike and East Broad Way.
- Two (2) large flower buckets (planters) on the sidewalk running along the west façade of the existing structure.

It should be noted that a portion of the site is in the public road right-of-way, which at some point will be vacated by VDOT because of the realignment of Berlin Pike for the Town Square. Some existing parking spaces on the site are in the right-of-way. There are an indeterminate number of parking spaces on the property because some of the spaces currently used are in the current ROW and others are shared with the adjacent restaurant site.

**ANALYSIS:** In order for the Town to meet the applicant's request for a veterinary hospital on the subject property the property would have to be either rezoned to C-2, which permits the use "by-right", or, the C-1 district would have to be amended to include the use. The applicant chose to ask for the C-1 district to be amended with the understanding that the change would mean the use would be permitted conditionally so the Town can exercise some control of the external features of the new facility. Therefore, this conditional use permit application is being evaluated and scheduled for public hearing concurrently with the Zoning Ordinance amendment to include the use in the C-1 district. The ordinance amendment has to be approved before the conditional use permit can be considered for approval.

As stated in the discussion section of LVZA 2010-0004 Veterinary Hospital Use Zoning Ordinance Amendment, the purpose and intent of the C-1 district would accommodate the veterinary hospital use. Assuming that the ordinance amendment is approved as proposed the veterinary hospital use proposed in this application would be a beneficial use in the Town as there is no veterinary service in the Town. Generally, the site can accommodate the use given the existing building and parking.

The site, however, has some deficiencies in terms of visual amenity. The Town Plan has the following Town-wide policy in the Land Use chapter under Implementation Policies (5<sup>th</sup> bullet) that states:

"Encourage landscaping and beautification in existing and new developments."

This policy applies to this site and this application. The landscaping improvements proposed by the applicant will add to the visual improvement of the facility but it would be more beneficial to the community if they were slightly altered. This site is one of the most visible in the Town and it is barren of vegetation. The building is stark without many windows or relief from the brick façade, which has the visual impact of a two story wall. The proposed landscaping helps the visual amenity of the site but instead of three forsythia bushes placed along the eastern boundary of the property next to the existing sidewalk it would be better to have a continuous row of evergreen shrubs along the façade in order to help soften the harsh appearance of this façade. Also, because of the location of the western façade there should be four, not two large planters with evergreen shrubs.

Planted landscaping takes time to install and has to be done only at certain times of the year. Therefore, permanent landscaping additions do not need to be installed upon occupancy. Four months is a reasonable amount of time to complete these improvements from the time of approval of the permit. A sign permit for both the

screening fence in front of the fuel tank and the picket fence around the dog walk should be submitted at the time the occupancy permit is submitted. The fence design, including materials and color, should be included in the application.

The Zoning Ordinance requires five parking spaces (one for every 300 square feet of the facility). There are more than enough parking spaces serving the site, even without those now located in the ROW. There is some expectation that the existing ROW when vacated by VDOT may accrue to the subject property.

**RECOMMENDATIONS:** If the Zoning Ordinance is amended to conditionally permit the veterinary hospital use the following conditions should apply for this application:

1. The veterinary hospital should comply with provisions in Article 3, Section 3-11 Commercial and Light Industrial Districts – General, paragraph (f) General Standards for Certain Uses, paragraph (i) Veterinary Hospitals.
2. The exterior of the existing structures can only be altered to comply with the requirements of a building permit or building code safety requirements. Any exterior improvements shall comply with applicable major or minor improvements permits requirements of the Zoning Ordinance.
3. The applicant shall install four (4) large (36" minimum diameter) planters with evergreen plantings at least three (3) feet high (from the top of the planter) at planting on the existing sidewalk next to the western façade of the existing building. A continuous row of evergreen shrubs should be planted along the sidewalk along the east façade in addition to the two existing trees. Shrubs should be at least two (2) feet high at planting. A continuous row of evergreen shrubs, at least three feet high at planting, should be planted along the border of the dog walk. Two (2) tall ornament grasses should be planted at either end of the screening fence in front of the fuel tank. A raised flower bed, 27 feet by 3 feet should be planted in the front of the existing structure along the East Broad Way frontage. Three (3) dwarf evergreen trees or shrubs, at least two feet high at planting, should be planted near the intersection of Berlin Pike and East Broad way.
4. All plantings described in these conditions shall be installed no later than four (4) months from the date of approval of this conditional use permit.
5. As stated in section 6-3 (b) the applicant shall maintain all existing and new landscape material in good condition.
6. All deliveries shall be made on site. Delivery vehicles shall not park on the public street for this purpose.
7. Ten business days prior to occupancy the applicant shall file a zoning certificate permit application with the Town for a conversion of use, a County required occupancy permit application and a fence application for the screening fence in front of the fuel tank and the picket fence around the dog walk.

8. This conditional use permit is not transferable from one tenant to another regardless of the type of business involved.

**DRAFT MOTION:** "I move that the Planning Commission recommend to the Town Council that the Council approve the use and recommended conditions presented in item LVCU 2010-0001 Bernhart Veterinary Hospital, at the April 7, 2010 public hearing."

**ATTACHMENTS:** 1) Request letter from Peter Pruckowski, March 13, 2010  
2) Revision to Pruckowski request, March 31, 2010

March 13, 2010

Keith Markel  
Town Manager  
Lovettsville VA. 20180

Dear Keith,

Please excuse the paper work job. It was quite a rush to get it all together. I have enclosed a letter to you requesting to modify the C-1 zoning to accept a veterinary clinic with a conditional use permit. An application for a zoning certificate which may need additional information such as "inside use" and "outside use" is also included. Inside, there is an area of 1645 sq.ft., which will be used to provide veterinary services (i.e. exams, vaccinations, surgeries, medical treatments and hospitalized care.) Outside area of 250 sq. ft. will be used as a walking area for dogs needing to eliminate. It will be fenced (white picket to match the square.) There will be no outside runs.

The application for the conditional use permit for a veterinary clinic requires some additional information. On the plat labeled #1 Fred George has outlined the parcel in question. There will not be a division of the parking lot shared with Andy's. The parking spaces are drawn close to scale and total 19. The distances to the other properties are to the east 12 feet and to the southeast 37 feet. The front door is marked and it will be the route of entrance for clients and employees. The back door over the loading dock will be used for deliveries and possibly critical cases that cannot walk through the front door as well as patients needing to be walked during their stay. As stated before, a veterinary clinic provides services for cats and dogs to maintain a healthy life and reduce and eliminate disease if possible. The dog walk has been addressed. I could not find an application for a fence permit online and I would be happy to file one with the town.

The beautification plan (see plat marked #2) will encompass a 3ft. by 27.5 ft. flower bed in the front of the building composed of bulbs, perennials and annuals. A forsythia bush will marked the east boundary, Ornamental grass will be placed along side the outside oil tank, which will have a fence like barrier to deflect its unsightliness. The outside dog walk with picket fencing will also have a hedge row. And finally, the northwest corner (which still belongs to VDOT) will have some evergreen trees.

I hope I have covered everything. The sign permit is premature pending the zoning modification. I have included it with the other documents but without a fee. It is there for your perusal. The long sign on the west wall will be lighted. It will read LOVETTSVILLE VETERINARY CLINIC. A monument sign will be in the front of the building and have changeable letters to detail special events. A plaque-like wall sign will be placed to east side of the front door. Hours of operation will be included in the monument sign and on the front door.

One last thing, there are no fees stipulated for the applications other than the sign permit. I hope I am not overlooking anything. Please let me know if any fees are due and do not let my ignorance of this matter cause any delay in the application procedure. I look forward to hearing from you soon to discuss any omissions of my application.

Sincerely,



Peter Pruckowski DVM

MAR 15 2010

March 31, 2010

Dear Steve,

Please see proposed placement of shrubs, flowers, grasses, and fences. See numbers on plat for identification and positioning.

1. 3 forsythia bushes along east boundary
  2. 2 large trees, already present, along east boundary
  3. shrub border along fenced in pen
  4. privacy fence, 8'x6', to shield fuel tank on west side of building
  5. 2 ornamental grasses on west side of building
  6. raised flower bed, 27'x3', to include bulbs, annuals, and perennials
  7. 3 dwarf evergreens on northwest corner
  8. 2 large flower buckets on the west side of building
- B. white picket fence, 25'x10', east side of building

Talk to you soon,

A handwritten signature in black ink that reads "Jeta (Dr. J.)". The signature is written in a cursive, flowing style.



Hi, my name is Sarah Haene. I have known Dr. Prucoski ever since I was a baby, when I got a little older I got to watch him give my dog shots, and check-ups. Dr. Prucoski has always been kind to animals, he has been extra nice to my dog "Gatsby", that was very ill. Gatsby has passed away a few years ago.

Dr. Prucoski also helped my pet rats that I had a ~~rat~~ while ago. ~~was~~

I trust Dr. Pruckoski  
very much. I would  
love it if he move  
his veterinarian office closer.  
There is lots of animal  
lovers here in Levettsville,  
we need him to be  
here to help animals when  
the animals need help!!  
If my dog "Chance" ever gets  
sick I would straight away  
say, "lets take him to Dr. Pruckoski!"  
Those are the reasons why  
we need Dr. Pruckoski HERE!!  
That concludes my  
speech.

H: My name is [unclear] + I have  
lived in Lovettsville for nearly 4 yrs  
with my family + pet.  
We have seen Lovettsville grow  
over the yrs + people are still  
coming. They are ~~coming~~ moving in  
places that are better - have to  
travel to Purcellville or further to  
get Veterinary care.

He has been doing for Professionals  
for nearly 10 yrs. He has seen  
our dogs cars + even our  
childrens beloved pet rats.

Dr Pruckowski is a lovely  
person + cares about our  
community. His wife is a  
kindergarten teacher at Lovettsville  
Eln. School.

He needs to have [unclear]  
Our Veterinarian [unclear] [unclear]

We have many great animal  
lovers here + we need

~~to find~~ somewhere

~~to take them for their~~  
~~care~~

We have many great animal  
lovers here + we need

a closer veterinary service

to fulfill the needs of

our growing community.

I also want to mention our

older residents who would

also greatly



Town of Lovettsville <toflovettsville@gmail.com>

### Form Submission

8 messages

**support@lovettsvilleva.gov <support@lovettsvilleva.gov>**  
To: clerk@lovettsvilleva.gov

**Tue, Apr 6, 2010 at 6:01 PM**

A user has filled in the Contact Us form on your website at 4/6/2010 6:01:03 PM

E-mail	tb466@aol.com
Name	Teri Baine
Phone Number	540-822-9791
Message	I am writing to let you know that we need to get moving here in Lovettsville, we need conveniences. Let's start by approving Dr. Prucowski starting a vetermanian service in the old post office building. I for one am tired of going to Purcellville for any conveniences, let's get Lovettsville on the map!

**support@lovettsvilleva.gov <support@lovettsvilleva.gov>**  
To: clerk@lovettsvilleva.gov

**Tue, Apr 6, 2010 at 6:04 PM**

A user has filled in the Contact Us form on your website at 4/6/2010 6:04:57 PM

E-mail	merdkopp@hotmail.com
Name	Meredith Kopp
Phone Number	540 822-4477
Message	Dr. Pruckowski has been my trusted family vet for years. We would be so happy to welcome him and his business to our town. I hope the town makes this wonderful addition to our town happen quickly!

**support@lovettsvilleva.gov <support@lovettsvilleva.gov>**  
To: clerk@lovettsvilleva.gov

**Tue, Apr 6, 2010 at 6:34 PM**

A user has filled in the Contact Us form on your website at 4/6/2010 6:34:51 PM

E-mail	kaarin_nelson@yahoo.com
Name	Kaarin Nelson
Phone Number	540 8224309
Message	It would be a tremendous feather in L'ville's cap to have Dr. P in our town as a veterinarian. It would be one more service we would not have to leave our town for... I can not see any downside to a having a clinic in town.

**support@lovettsvilleva.gov <support@lovettsvilleva.gov>**  
 To: clerk@lovettsvilleva.gov

**Tue, Apr 6, 2010 at 7:20 PM**

A user has filled in the Contact Us form on your website at 4/6/2010 7:20:32 PM

E-mail	tucktuck7@comcast.net
Name	stephanie moore
Phone Number	301 8349495
Message	I am a teacher at Lovettsville El and reside in Brunswick. Would love to see Peter Pruckowski open up a veterinarian office in Lovettsville. Brunswick would benefit form this office as well. Please consider his application. He is a wonderful person and an assett to the town of Lovettsville. Thanks, Stephanie Moore

**support@lovettsvilleva.gov <support@lovettsvilleva.gov>**  
 To: clerk@lovettsvilleva.gov

**Tue, Apr 6, 2010 at 7:22 PM**

A user has filled in the Contact Us form on your website at 4/6/2010 7:22:21 PM

E-mail	neel-lori@verizon.net
Name	Lori Taylor
Phone Number	703-408-3369
Message	To the Lovettsville Town Council Members: I am writing in support of Dr. Peter Pruckowski's proposal to amend the zoning for the old Lovettsville Post Office in order that he may open a veterinary clinic. I have known Dr. Pruckowski and his for over 6 years. He is one of the finest gentlemen I have ever met and his passion for animals and their care is exemplary. I currently take my pets to Jefferson, MD for veterinary services, however, I would change to Dr. Pruckowski the minute he would open his doors in Lovettsville. He not only cares about his pets, but Dr. Pruckowski cares about his community. He is active throughout the community and his wife is one of the best kindergarten teachers in Loudoun County! Lovettsville is lucky to have her! It is my hope that you will support his application to rezone the old Post Office in order to allow him to open a veterinary clinic here in Lovettsville. Thank you for your consideration!

**support@lovettsvilleva.gov <support@lovettsvilleva.gov>**  
 To: clerk@lovettsvilleva.gov

**Tue, Apr 6, 2010 at 9:06 PM**

A user has filled in the Contact Us form on your website at 4/6/2010 9:06:15 PM

E-mail	BDecre@aol.com
Name	Brenda Stanley
Phone Number	5408224115
Message	I am in favor os allowing Dr Pruckowski to open a vet clinic in the old post office. I really, really hope you will change the zoning to allow this to happen for him. They are residents of this community and I think we should support our own!!

**support@lovettsvilleva.gov <support@lovettsvilleva.gov>**  
 To: clerk@lovettsvilleva.gov

**Tue, Apr 6, 2010 at 9:27 PM**

A user has filled in the Contact Us form on your website at 4/6/2010 9:27:56 PM

E-mail	thebickmores@yahoo.com
Name	Steph Bickmore
Phone Number	
Message	I'm writing in support of vetrinarian, Dr. Pruckoski, opening a vet office in the old post office. He already has an established local client based from a previous position in Purcellville. What a nice way to bring more business to Lovettsville!

**support@lovettsvilleva.gov <support@lovettsvilleva.gov>**  
To: clerk@lovettsvilleva.gov

**Tue, Apr 6, 2010 at 9:31 PM**

A user has filled in the Contact Us form on your website at 4/6/2010 9:31:37 PM

E-mail	staceybthomas@loudounwireless.com
Name	Stacey Thomas
Phone Number	540-882-4616
Message	My husband Dave and I fully support a veterinary office opening in the old post office. Our town needs a vet!!! Please consider allowing this much needed service in Lovettsville.



Town of Lovettsville <toflovettsville@gmail.com>

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## FW: planning commission meeting tonight

Keith Markel <kmarkel@lovettsvilleva.gov>  
To: Town Records <clerk@lovettsvilleva.gov>

Wed, Apr 7, 2010 at 7:25 PM

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**Keith Markel**

**Town Manager**

Post Office Box 209

6 East Pennsylvania Avenue

Lovettsville, VA 20180

(540) 822-5788 (Office)

(540) 454-9750 (Mobile)

**From:** Joe Mueller [mailto:jmueller@lovettsvilleva.gov]  
**Sent:** Wednesday, April 07, 2010 8:44 AM  
**To:** mbushway@lovettsvilleva.gov  
**Cc:** kmarkel@lovettsvilleva.gov; highland6@cox.net  
**Subject:** planning commission meeting tonight

I am unable to attend tonight.

I am in favor of granting a conditional use permit for the veterinary hospital in the C-1 zone and not rezoning to c-2. I don't have any particular questions that I would like addressed on this topic. I think Steve's recommendation to us is reasonable.

I'll see you all next week.

Joe

# Town of Lovettsville

## PUBLIC HEARING

**TO:** Planning Commission

**FROM:** Stephen E. McGregor, Zoning Administrator

**DATE:** March 3, 2010

**SUBJECT: LVZA 2010-0002/LVSA 2010-0001 Fee Amounts in the Zoning and Subdivision Ordinances – Zoning and Subdivision Ordinance Amendment**

**PURPOSE:** To provide an evaluation of the need to eliminate the dollar amount of fees charged for various types of permit applications required in the Zoning and Subdivision Ordinances and to provide recommendations related to the conclusions of the evaluation.

**BACKGROUND:** On October 22, 2009 the Town Council directed staff and the Zoning Administrator to prepare a combined Zoning and Subdivision Ordinance amendment item to consider and make recommendations to the Council based upon their conclusion that specific dollar amounts for fees should be omitted from the ordinances. Specific fee dollar amounts are found in Article 11 Fees in the Zoning Ordinance; and in Article VI Administration and Enforcement, Sec. 6.4.11 Service Fees of the Subdivision Ordinance. The types of application that have specific fee dollar amount in the Zoning Ordinance are for a major improvement, a minor improvement, a conditional use permit, a zoning map amendment (referred to as a zoning concept plan or, commonly, as a "rezoning"), a sign, a building location permit, a zoning certificate for conversion of use, a home occupation business, and a variance requiring a public hearing. The types of application that have specific fee dollar amount in the Subdivision Ordinance are for a preliminary [subdivision] plat, a final [subdivision] plat, a boundary line adjustment, a minor subdivision, a preliminary site plan, a final site plan, a construction plan, a preliminary/final site plan, an inspection, a phasing plan, a bond reduction, a bond release, a variation, and a Street conveyance [into the public street system].

Both ordinances require that additional fees be paid for the specific dollar amounts billed to the Town for the review of applications by the Town Engineer, the Town Attorney, the Town Zoning Administrator (after two hours of review time for certain types of permit applications). These fees are collected separately from an application fee.

**DISCUSSION:** When specific dollar amounts for development fees are listed in the Zoning and Subdivision Ordinances it requires an ordinance amendment when the Town fee schedule changes. Specific dollar amounts are considered and established annually in the budget and advertised in accordance with the requirements of Va. Code Section 15.2-107 as applicable. Therefore, it is only necessary to refer to the current fee schedule in the ordinances instead of amending the ordinances every time the specific fee dollar amount is changed. Many other

April 1, 2010

Northern Virginia jurisdictions, including the Town of Purcellville, require fees as a general provision in their ordinances for development related applications and reference the jurisdiction's fee schedule for the specific dollar amount.

Removing specific dollar amounts for different types of applications from the ordinance does not change the Town's requirement that an applicant is responsible for other fees, such as those paid for the Town Attorney, Town Engineer or Town Zoning Administrator services. This requirement is not affected by the changes discussed above for application fees.

It would provide more uniformity if the titles of the sections on fees in both ordinances use the same terminology.

**CONCLUSION:** It is more efficient for the Town to remove specific dollar amounts for fees from the ordinances and refer to the Town's Schedule of Fees. Therefore, the Town ordinances should be so amended.

**RECOMMENDATION:** The Zoning Ordinance and Subdivision Ordinance should omit dollar amounts for applications and permits. Instead, the ordinances should refer to the Town's approved Schedule of Fees.

**MODIFY:** On page 11-1 of the Zoning Ordinance, Article 11 FEES, to read:

(a) Reasonable fees may be charged to applicants sufficient to cover the costs of administration, inspection, publication of notice and similar matters for such permits as required for building location, major and minor improvements, signs, conditional use permits, zoning amendments (zoning map amendments, zoning concept plans), variances requiring a public hearing and home occupation permits. The amount of the fees charged shall be established by ordinance of the Town Council and known as the Schedule of Fees, which shall be filed with the Town Clerk.

(b) Fees shall be tendered with submission of a signed application or notice of appeal.

~~(a) For construction of major improvements as defined in section 10-4(d), the fee for filing the zoning permit shall be \$150.00.~~

~~(b) For construction of minor improvements as defined in section 10-4(d), the fee for filing the zoning permit shall be \$75.00.~~

~~(c) For Conditional Use Permit, the fee for filing the application shall be \$350.00.~~

~~(d) For Zoning Map Amendments, the fee for filing the application shall be \$500 for the first acre acres plus \$250 per acre for each additional acre.~~

~~(e) Review fees for all applications shall be imposed at cost to cover the Town's cost of legal, engineering and planning consulting fees, as applicable. Two (2) hours~~

~~of Zoning Administrator review time is included with all Major and Minor Zoning Permit, Sign Permit, Home Occupation Permit and Zoning Certificate application fees.~~

~~(f) Applications for Sign Permits shall be filed on a form provided by the Zoning Administrator and shall contain information required herein and shall be accompanied by a fee of \$75.00 for approval of up to three signs.~~

~~(g) A new Zoning Certificate shall be secured from the Zoning Administrator prior to the reoccupation or reuse of any lot, building or structure in previously established use when such reoccupation or reuse is of a different character or type than that of the previously established use. The Zoning Certificate shall state that the extent and kind of use proposed to be made of the lot building or structure conforms to the provisions of this Ordinance. Each request shall be accompanied by a fee of \$20.00.~~

~~(h) The application fee for Home Occupation shall be \$50.00.~~

~~(i) Applications for a variance or an appeal, requiring an advertised, public hearing, shall be accompanied by a certified check for one hundred dollars (\$100.00) payable to the Treasurer of Lovettsville, Virginia.~~

## 11-2 ADOPTION OF FEES

All fees shall be adopted on an annual basis by the Town Council in conjunction with the annual budget process.

**MODIFY:** On page 43 of the Subdivision Ordinance, Section 6.4.11 Service Fees, to read:

### "6.4.11 SERVICE FEES

Applicants may be charged fees sufficient to recover incurred costs for the review of applications for a preliminary subdivision plat; a final subdivision plan; a boundary line adjustment; a minor subdivision; a preliminary site plan, a final site plan; a set of construction drawings; a preliminary/final site plan; an inspection; a phasing plan; a bond reduction; a bond release; and a variation. A Schedule of Fees applicable to such reviews, may be adopted in accordance with the provisions of § 15.2-107, Code of Virginia, 1950 (as amended).

The following nonrefundable application and review fees are hereby established:

- (a) Preliminary Plat: \$300 + \$15 per lot
- (b) Final Plat: \$500 + \$25 per lot
- (c) Boundary Line Adjustment: \$150
- (d) Minor Subdivision: \$300 + \$15 per lot
- (e) Preliminary Site Plan: \$1,000 + \$50 per acre

- ~~(f) Final Site Plan: \$1,000 + \$50 per acre~~
- ~~(g) Construction Plan: \$1,000 + \$25 per lot~~
- ~~(h) Preliminary/Final Site Plan: \$1,000 + \$50 per acre~~
- ~~(i) Inspections: \$75 per visit~~
- ~~(j) Phasing Plan: \$300~~
- ~~(k) Bond Reduction: \$100 per reduction~~
- ~~(l) Bond Release: \$150~~
- ~~(m) Variation Request: \$100 per section varied~~
- ~~(n) Revisions: Actual staff & Admin costs~~
- ~~(o) Street Conveyance: \$150~~

**DRAFT MOTION:** "I move that the Planning Commission recommend to the Town Council that the Council approve the recommended ordinance text amendments presented in item LVZA 2010-0002 Fees, at the April 7, 2010 public hearing."