

TOWN OF WARSAW, VA.

Public Notice

Notice is hereby given that a Conditional Use Permit is petitioned by J.D.R. Properties to allow for a proposed Gas Station and Convenience Store on Tax Map Parcel No. 17- 33G located at the corner of Community Park Drive and the Route 3 Bypass Road. The property is zoned C-1, Limited Commercial which requires a Conditional Use Permit and Public Hearing to authorize the aforementioned “use”.

The Warsaw Town Council and Planning Commission will conduct a Joint Public Hearing at a meeting on Thursday, August 14th, 2025, at 6:00P.M., respectively, in the Warsaw Town Council Chambers located at 78 Belle Ville Lane, Warsaw, VA, 22572. Following the Public Hearings action is anticipated. A copy of the existing zoning ordinance and proposed development are available at Town Hall.

Questions may be directed to the Town Office between 8:30 A.M. and 4:30 P.M., Monday through Friday by calling (804) 333-3737 or by emailing Joseph Quesenberry, Town Manager, at jquesenberry@town.warsaw.va.us. All interested parties will be heard at the hearing or written statements may be sent to Town of Warsaw, P.O. Box 730, Warsaw, VA 22572 and will be presented at the hearing.



Town of Warsaw
78 Belle Ville Lane
Warsaw, Virginia 22572
Phone: (804) 333-3737 Fax: (804) 333-3104
www.townofwarsaw.com

Office use:
Date 6-18-25
Tax Map # 17-336
Zoning District C-1
Application # CUP25-04
Paid \$250

LAND USE AMENDMENT APPLICATION
*Information must be typed or printed and completed in full.
Attach additional pages where necessary.*

Part 1 – Completed by ALL applicants

Part 1A

Land Use Information:

Application Type: Amendment Appeal Conditional Use Permit
 Rezoning Telecommunications Tower
 Tower Co-location Variance

Description of Request: Convenience Store with Fuel

Identification of the land for the request:

Number and Street: N/A Proposed Acreage: 2.52 +/-

Current Zoning: C-1 Tax Map #: 17-33G

Legal Description of Property (omit for zoning text amendment) – Attach if necessary: SEE ATTACHED PLAN

Part 1B

Property History:

List any deed restrictions, covenants, trust indentures, etc. (or copy attached); if NONE, state none: _____

NONE ON RECORD

Has this property or any part thereof ever been considered for Variances, Special Use, Appeal of Administrative Decision or Amendment to the Zoning District Map before? Yes No (if no, skip to Part 1C)

Date: _____ Former Application No. _____ Former Applicant Name: DOLAN MINI STORAGE

Former Applicant Address: _____ Former Applicant Phone: _____

Part 1C

Applicant Information:

Is the applicant: Property Owner (if owner skip to Part 1D) Contract Purchaser Other: _____

Name: JDR PROPERTIES Address: P.O. BOX 1684 TAPPAHANNOCK, VIRGINIA 22560

Phone Number: 804-443-6305 E-mail: dawnhoweth@gmail.com

If you are the agent for the property owner, do you have consent of the owner(s) attached? Yes No

Part 1D

Owner(s) Information (omit for zoning text amendment):

If the property is owned or controlled by a Land Trust or Partnership, List name and interest of ALL beneficiaries or Partners and attach evidence that the person submitting the application on behalf of the Land Trust or Partnership is authorized to do so.

Name: Dawn M. Howeth Interest: 100 Phone Number: 804-443-6305

Mailing Address: 556 Riverdale Road Tappahannock, Virginia 22560

Name: _____ Interest: _____ Phone Number: _____

Mailing Address: _____

Attach additional names as necessary.

Part 2 – Complete ONLY the portion(s) pertaining to your case (as checked in Part 1A)

Part 2A

Amendment, Zoning Text – Applications for amendments to the zoning text are heard by the Planning Commission, which makes a recommendation to the Town Council. Only the Town Council has the authority to change the zoning text.

1. What section(s) of the Town code is proposed to be amended? _____
2. Attach the exact language suggested by the application to be added, deleted, or changed in the Town Code.
3. Attach a written statement, which justifies the proposed change. The statement should also identify potential positive and negative impacts (if any) of the proposed change to the applicant's property, nearby properties, and the entire community if the application is approved or if it is denied.

Part 2B

Appeal of Administrative Decision – Administrative decisions are reviewed by the Board of Zoning Appeals (BZA). Such administrative decisions may be reversed or sustained.

1. Date of administrative decision leading to the appeal: _____
2. Attach a description of the decision the administrative official made and their reasons for the decision.
3. Attach what you are specifically appealing.
4. Attach detailed reasons for this request, and why the BZA in your opinion should overrule the administrative decision.

Part 2C

Conditional Use Permit – Conditional use requests are heard by the Planning Commission, which makes a positive or negative recommendation to the Town Council. Only the Town Council has the authority to grant or deny a conditional use.

Tower/Tower Co-Location – No Public Hearing, plans and specifications required.

1. Current use of property: Vacant
2. Proposed use: Convenience Store with Fuel
3. Are development plans submitted with this application? Yes No
4. Estimated completion date of project or use of property: 12/31/2026
5. Attach information concerning the use of public utilities, traffic impact, parking, signage, survey etc.
6. Summarize on a separate sheet how the proposed use will positively impact the district.

Please Note: The Town of Warsaw may grant a permit with suitable regulations and safeguards, known as conditions, as it deems appropriate. Conditional use permits are for an indefinite period unless a condition is imposed specifying a shorter duration. Such permits shall run with the land unless the Town imposes a more restrictive condition regarding succession to rights in the permit.

Part 2D

Rezoning – (Amendment to the zoning district map) – These are heard by the Planning Commission which makes a positive or negative recommendation to the Town Council. Only the Town Council has the authority to grant or deny amendments to the Zoning Map.

1. Existing Zoning: _____
2. Proposed Zoning: _____
3. Existing Use: _____
4. Proposed Use: _____
5. Are development plans submitted with this application? Yes No
6. Estimated completion date of project: _____
7. Attach information concerning the use of public utilities, traffic impact, parking, signage, survey, etc.
8. Summarize how the project relates to the Comprehensive Plan.

Part 2E

Variance – Variances are granted or denied by the Board of Zoning Appeals (BZA), which may only make decisions based on the criteria set forth in the Code of Virginia § 15.2-2309. A variance will not be granted unless the BZA finds:

- a. That the strict application of the zoning ordinance would produce undue hardship.
- b. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
- c. That the authorization of the variance will not be of substantial detriment to adjacent property.
- d. That the character of the district will not be changed by the granting of the variance.
- e. That a remedy is not available through some other permitting.

The applicant shall provide:

1. Brief description of the requested variation: _____

2. How does the Zoning Ordinance unreasonably restrict the use of the property: _____

3. What hardship would be alleviated: _____

4. Was the hardship created by the owner/applicant: _____

5. What physical features of the property make the variance necessary: _____

6. Describe how the condition or situation is unique to this property: _____

7. What effect will the variance have on adjacent properties: _____

Part 3 – To be completed by ALL applicants

Part 3A

Affidavit – This part of the application must be notarized. Do not sign until in the presence of a Notary Public.

To the best of my knowledge, I hereby affirm that all information in this application and any attached material and documents are true:

Printed Name of applicant: Dawn M. Howell

Signature of applicant: [Signature] Date: 6/18/25

Signed and sworn before me on this: 6/18/2025

Signature of Notary: Julia Blackley-Rice

JULIA CAROLE BLACKLEY-RICE
NOTARY PUBLIC
REGISTRATION # 7799013
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
AUGUST 31, 2028

Checklist:

- ✓ The required fee must accompany this application. A fee schedule is attached for your convenience. Checks must be made payable to: "Town of Warsaw Treasurer".
- ✓ Enclosed with the application a copy of the appropriate tax map with the property marked and, if available, a survey plat of the entire parcel.
- ✓ Enclose any required plans or plats
- ✓ Enclose with this application any additional information to assist with review and determination
- ✓ All pertinent sections of this form have been filled out

For Office Use Only

Received by: M Coakus Date: 6/17/25 Fee Paid: Y N

Complete: Yes No Date: _____

If no, what needs to be added: - Bill/Invoice For Public Hearing Notice

Date Action Taken by PC: TBD Date Action Taken by BZA: N/A

Date Action Taken by Council: TBD Final Decision: Approval Denial

	R 1	R-2	C-1	C-2	M-1	CBPA	TT
-Clothing Stores			P	P			P
-Commercial Printing			P	P			P
-Computer and Data Processing			CUP	P	P		P
-Daycare Centers		CUP	P	P			P
-Dry Cleaners			P	P			P
-Feed and Seed Sales and Storage		CUP	CUP	CUP			
-Florist Shop			P	P			P
-Funeral Homes		CUP	P	P			P
-Furniture Sales			P	P			P
-			CUP	P			
Gasoline/Convenience Stores							
-Hardware stores			P	P			P
-Home Appliance Repair			P	P			P

JDR Properties, LLC

556 Riverdale Road

P.O. Box 1684

Tappahannock, Virginia 22560

May 28, 2025

Ms. Melissa Coates, Zoning Administrator
Town of Warsaw
Warsaw, Virginia 22572
VIA: HAND DELIVERY

Dear Ms. Coates:

The following summary explains the anticipated impact the proposed convenience store with fueling facilities request would have on the surrounding neighborhood:

Public utilities – The proposed convenience store with fueling facilities would be similar in character to the Sheetz and WaWa convenience stores located in the Town of Tappahannock. From previous studies of those facilities, it has been determined that these facilities use approximately 3000 gallons per day of water. Using a standard VDI/DEQ analysis of the wastewater pump station impacts, this additional flow would add an average of 2 gallons per minute to the pump station base flow. Using a peaking factor of 2.5, this would equate to an additional 5 gallons per minute of flow at peak hour or, if pumping rates weren't changed, an additional 1.5 minutes of pump cycle time per typical four cycle per hour pump run regime.

Electricity – The facility will be located within line of sight of the Northern Neck Cooperative Building which purchases power from Dominion Energy. We do not believe electricity consumption will be a limiting factor for this facility.

Traffic – The proposed convenience store with fueling facilities will be located at the intersection of the State Route 3 Bypass and Community Park Drive. In accordance with the ITE's Trip Generation Manual, convenience store with 20 fueling positions generates approximately 3260 vehicles per day. For turn lane analysis purposes, approximately 67 vehicles in the evening peak hour of operation would turn from the existing right and left turn lanes of State Route 3. These vehicles would combine and travel east on Community Park Drive and all turn left into the convenience store parking lot. Since no traffic data is provided on Community Park Drive by VDOT, we can assume that the road operates as a low volume road of less than 400 vehicles per day during a normal weekday. Therefore, no dedicated left turn lane would be required based upon the existing road capacity.

Parking – The proposed convenience store with fueling facilities will be considered a high traffic generating facility and will provide 7 parking spaces per 1000 square feet of convenience store gross floor area per Town of Warsaw ordinances. Based upon the General Development Plan provided, this will provide 38 parking spaces for a 5400 square foot convenience store. If the gross floor area is less, the final parking space count will be based upon 7 parking spaces per 1000 square feet of store gross floor area.

Ms. Melissa Coates, Zoning Administrator
Bo's Convenience Store
May 28, 2025
Page 2

Signage – Signage for the proposed convenience store with fueling facilities will be in accordance with the current Town of Warsaw ordinances regarding site signage for the proposed use.

Survey – Appropriate surveys of the property, including boundary surveys, topographic surveys, hydrologic and drainage studies as well as any other surveys or investigations required by ordinance or deemed appropriate by the developer and the Town of Warsaw will be provided.

Lighting – The proposed convenience store with fueling facilities will be provided with lighting that will meet the requirements of the Town of Warsaw's ordinances. All lighting will be downward facing and will not be more than 0.5 footcandles illumination at the property line of adjacent residential zoned properties.

We trust that the above explanations adequately address the information requested in Part 2C of the Town of Warsaw's Land Use Amendment Application. As always, we remain available to provide further information as may be requested concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Howeth". The signature is fluid and cursive, with a large initial "J" and "H".

Jeffrey L. Howeth, P.E., I.S., C.F.M., D.C.A.
Managing Member, JDR Properties, LLC
President, J. L. Howeth, P.C.

cc: Mr. Jim Breeden, Esquire, Breeden and Breeden

JDR Properties, LLC

556 Riverdale Road

P.O. Box 1684

Tappahannock, Virginia 22560

May 28, 2025

Ms. Melissa Coates, Zoning Administrator
Town of Warsaw
Warsaw, Virginia 22572
VIA: HAND DELIVERY

Dear Ms. Coates:

The approval of the proposed Conditional Use Permit for a convenience store with fuel located at the intersection of State Route 3 Bypass and Community Park Drive would have a positive impact on the surrounding community and district. First and foremost, the existing property is currently zoned commercial and the proposed convenience store with fuel is listed as a conditional use. By definition, a conditional use is an appropriate use to be located in the neighborhood and district, although one or more conditions of use may be required to keep the use in harmony with the surrounding properties. These conditions are typically related to hours, noise, light, buffering of adjacent existing uses and landscaping of the proposed project. However, since the developed properties abutting the proposed convenience store with fuel are already commercial in nature, we do not believe that any conditions other than those contained in the existing zoning ordinance regarding light, buffering and landscaping will need to be implemented.

The surrounding properties consist of the County Fairgrounds, which typically operate till midnight during the two weeks of the Richmond County Fair. The Fairgrounds are used sparingly during the balance of the year but are capable of handling large crowds when requested. The Richmond County Little League Fields are located at the end of the road and are used for two-thirds of the year. The remaining buildings are the Richmond County EMS building which by necessity operates 24 hours a day and the Northern Neck Electric Cooperative, which also may operate 24 hours per day as needed during an outage.

The addition of a convenience store with fuel at the end of the road would certainly provide potentially needed fuel and food/drink resources for workers and the public who happen to be out late at night. It is also not anticipated that any detrimental effects of this type of business would be imposed upon the surrounding community.

We trust that the above explanations adequately justify the proposed Conditional Permit Use request. As always, we remain available to provide further information as may be requested concerning this matter.

Sincerely,



Jeffrey L. Howeth, P.E., L.S., C.F.M., D.C.A., C.Z.A.
Managing Member, JDR Properties, LLC
President, J. L. Howeth, P.C.

TOWN OF WAKESAW
P.O. Box 730
Wakesaw, VA 22572
(804)333-3737

P A Y M E N T

Date: 5/24/2025
Time: 2:17 PM

FOR PROPERTIES 00125 04 D HOME 11 17 336
IAS STATION CONVENIENCE STORE C 1

Cash:	\$0.00
Check:	\$250.00
Charge:	\$0.00
Money Order:	\$0.00
Total Fee:	\$250.00
TOTAL PAID:	\$250.00
Charge Due:	\$0.00

1 300 PERMITS & FEES \$250.00

Operator: 3
Receipt#: 49926

T H A N K Y O U !

