



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

Office use:  
Date \_\_\_\_\_  
Tax Map # \_\_\_\_\_  
Zoning District \_\_\_\_\_  
Application # \_\_\_\_\_

**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: **Rezoning 6 parcels from R-1, C-1 & C-2 in TT Overlay to R-12**

*Identification of the land for the request:*

Number and Street: **see attached parcel map** Proposed Acreage: **Total request 63.55 ac**

Current Zoning: **see attached parcel map** Tax Map #: **see attached parcel map**

Legal Description of Property (omit for zoning text amendment) – Attach if necessary: \_\_\_\_\_

**Part 1B**

**Property History:**

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

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: \_\_\_\_\_

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: Warsaw LLC Address: PO Box 28, Tappahannock, VA 22560

Phone Number: 804-450-7935 E-mail: packet74@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: \_\_\_\_\_ Interest: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

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.

1. Current use of property: \_\_\_\_\_
2. Proposed use: \_\_\_\_\_
3. Are development plans submitted with this application? ☐ Yes ☐ No
4. Estimated completion date of project or use of property: \_\_\_\_\_
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: **See Attached** \_\_\_\_\_
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: Gregory N. Packett

Signature of applicant:  Date: 11/07/2024

Signed and sworn before me on this: 11-7-2024 Sep

Signature of Notary: 



**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: \_\_\_\_\_ Date: \_\_\_\_\_ Fee Paid: ☐ Y ☐ N

Complete: ☐ Yes ☐ No Date: \_\_\_\_\_

If no, what needs to be added: \_\_\_\_\_

Date Action Taken by PG: \_\_\_\_\_ Date Action Taken by BZA: \_\_\_\_\_

Date Action Taken by Council: \_\_\_\_\_ Final Decision: ☐ Approval ☐ Denial

Permit Fees	
Appeal Administrative Decision	\$ 250
Amendment to Zoning Ordinance	\$ 300
Appeal	\$ 200
Conditional Use Permit	\$ 250
Rezoning	\$ 200
Variance	\$ 300



**PLAN OF DEVELOPMENT AND REZONING APPLICATION  
PHASE I SUBMITTAL**

**Rhodes Place and Broadus Creek Development**

**PROJECT NARRATIVE**

Prepared for:

Warsaw, LLC  
P.O. Box 28  
Tappahannock, Virginia 23233

Prepared by:

ARM Group LLC  
9560 Kings Charter Drive  
Ashland, VA 23005

November 8, 2024

ARM Project 024012002.00



**ARM Group LLC**  

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**Engineers and Scientists**

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## **1.0 INTRODUCTION**

This application is a request to obtain approval for a Plan of Development and the rezoning of a 63.16+/- acres of property located within the Town limits of Warsaw, VA. The property includes Tax Parcels 16A4(A)48, 16A4(A)59, 16A4(6)10, 16A4(A)76, 16A4(A)77, 16A4(A)79. The Parcels are in the Traditional Town Overlay District with existing zoning classification of R-12, R-1, C-1 and C-2. The application requests that all 6 parcels be rezoned to R-12. The Plan of Development submitted with the application demonstrates the applicant's intention to comply with the Tradition Town Overlay Standards. The Plan has been prepared to meet certain conditions as outlined section 3-5-2 g.in the Density Bonus Provisions of the Towns Growth Management Ordinance.

## **2.0 DESCRIPTION OF PROPERTY**

As represented by the Conceptual Development Plant (Appendix 3 – Sheets 1 thru 5), the property is located within the Town's Traditional Town Overlay District between Wallace Street, Route 360and Route 3. The Property has direct access to each of the Public Roads.

The property is composed of forest and cleared land without active development. There is a creek that runs north and south along the western boundary and also another stream that runs east and west and bisects the property. The northwest corner of the property contains the Tom Rhodes Tree Carving Trail that is often referred to as "Faces in the Trees". There appear to be wetlands along the stream banks and appear to be subject to a RPA buffer which is shown on the Plan of Development.

## **3.0 ZONING AMENDMENT CONSIDERATIONS**

### **3.1 Current Zoning**

As shown on Sheet 3 of the Plan of Development, the subject property has 4 separate zoning classifications to include R-1, R-12, C-1 and C-2. The Project is also located within the designated Traditional Town Overlay District.

### **3.2 Proposed Conditional Zoning Request**

The proposed project, as presented, is intended to be a residential development. Because the property has four (4) separate zoning classifications including Commercial C-1 and C-2 zoning it is proposed that the entire project area be rezoned to R-12. This zoning will reflect the diverse mix of housing proposed and the densities necessary for development for each development phase. The project will also be developed utilizing the Traditional Town Overlay Standards and will include the Density Bonus Provisions in the GMP to provide a unique residential community meeting the needs of a diverse family and residential market.

The proposed zoning and development plan permits smaller lot sizes that will permit the developer to build more affordable housing options for the residential customers. These customers may include young professionals, retirees and families. The provision for open space

and protection of environmental resources provides an opportunity for a more sustainable development compatible with the Town's overall development plan.

#### **4.0 GENERAL DESCRIPTION OF THE PROJECT**

The proposed project will offer a diverse mix of housing products to meet the market interest in new and more modern construction standards. The existing stream that runs east to west through the property provides a natural separation between two specific areas of the project, called Rhodes Place and The Broadus Creek. While the project has 2 separate development areas, the project will offer an integrated sense of community with a proffered trail system that will connect each area. An interconnection with the existing Town's existing pathway system north of the project will offer walking access to the Town's Main Street business areas.

The overall project will provide public water and sewer and other landscaping and amenities as part of its community development plan and to comply with the Town's bonus density provisions.

While public road access is not offered between Rhodes Place and Broadus Creek an alternative access between the two (2) development areas will be completed. While normally closed by a gate or other methods, this will be an all-weather access road sufficient to support emergency vehicles when and if needed. This access will be built and integrated into the trail system.

##### **4.1 Rhodes Place**

This area has been designated as a multifamily development that may include Apartments and or Condos depending on market conditions and preference. This area is located in the where the Faces in the Trees carvings and trails are and will include up to 14 separate buildings containing 12 units each. The area will have its primary access from Wallace Street by a private road built by the developer crossing the existing stream. The private road network will provide integrated parking spaces directly in front of each residential building and additional spaces to accommodate visitors and overflow parking. The Rhodes Place project is proposing a clubhouse, pool, and community space, which when built will offer access to the Broadus Creek Community.

##### **4.2 Broadus Creek Development**

Located south of the stream that divides the project property, the Broadus Creek residential community will focus on owner occupied residential units feature both detached and attached single family residences. This residential community will offer public roads, sidewalks, walking trails and eventual integration with the Rhodes Place development. The Broadus Creek community will have a separate Boulevard entrance at the southeast corner of the property aligned with the existing median break on Route 3.

- A. **Broadus Creek** will be a single family detached community of 84 individual units. The community will contain a public road network with sidewalk, walking trails integrated with the Villas and Rhodes Place, open space, and a communal bus stop. Appendix A provides a conceptual illustration of the single-family homes that could be built on Broadus Creek.
- B. **The Villas at Broadus Creek** will offer multifamily housing units containing 4 or 5 villa attached residences for a total of 68 units. The individual units will have garages and driveways and a public road network that will offer on-street parking. The Villas will use the Boulevard Entrance at the southeast end of the property and the right-hand turn only exit on Route 360. Appendix B provides a conceptual illustration of the Villas.

## 5.0 Density Bonus Provisions

The proposed development plan, as presented, represents the intent to comply with the Town's Growth Management Ordinance (GMO) and the status intent to encourage site and project design harmonious with the adjoining properties, preserve natural resources, and provide positive influence on the quality of life of its residences. While the Density Bonus Provisions provide a range of project densities of 3 to no more than 8 dwelling units per acre, the proposed project has a calculated density of 5.15 units per acre.

In response to the GMO the Development Plans offer the following community elements:

- 1. **Preservation of natural resources** - a representative sample of the Faces of the Trees Carving, compatible with the development plan and to preserve wetland, RPA's and natural areas.
- 2. **Sidewalks** – Proposed on one side of each internal road, with handicap access ramps at appropriate access points.
- 3. **Integrated trail and path** – A path system between all separate development areas within the project.
- 4. **Connection with the Town trail/pathway system** - Pedestrian access to Main Street and the business community.
- 5. **Open space** – To be maintained and utilized by the residents and their Property Owners Association.
- 6. **Park** – Created in Open Space area to provide interpretative signage to describe natural and environmental features and information regarding the Rhodes Tree Carvings.
- 7. **A Boulevard Entrance** – a grassed median with landscaping for the Broadus Creek Community with a masonry entrance sign feature and decorative fence.
- 8. **Entrance feature** for the Rhodes Place community
- 9. **Cluster mailbox** locations for each community
- 10. **Sign posts and Lamp posts** - Compatible with the Town standards at each intersection in Broadus Creek Single Family Community,
- 11. **Automatic pole lights** - At each Single-Family house to provide added security lighting and require maintenance of those lights as part of the POA guidelines.
- 12. **Limit tree clearing** to the greatest extent possible.

13. **Community Clubhouse and Pool** – Once a community clubhouse and pool are constructed access will be provided to the entire development.
14. **Bus Stop** – a proposed bus stop for Bay Transit is in the Broadus Creek Development.
15. **Emergency Access** – A standby emergency only access connector between Rhodes Place and Broadus Creek development. This will be incorporated in the trail system and there will not be available access for vehicular traffic other than emergency vehicles.

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## **APPENDIX A – Homes of Broadus Creek**

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Type text here

Conceptual illustrations













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## **APPENDIX B – Villas at Broadus Creek**

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Conceptual illustration

*Villas at Broadus Creek*

