WASHINGTON COUNTY
PLANNING COMMISSION
AGENDA - MONDAY, SEPTEMBER 28, 2026

Planning Commission - Regular Meeting **7:00 PM**

Board of Supervisors Auditorium

Christina Rehfuss**, Chairman**
Paul Widener**, Vice Chairman**
William Gibson**, Board Member**
Bruce W Dando**, Board Member**
Ron Edins**, Board Member**
Cathie Freeman**, Board Member**
Dulcie Mumpower**, Board Member**
Stephen Richardson**, Zoning Official**

1. **CALL TO ORDER**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF MEETING AGENDA**

4. **APPROVAL OF MINUTES**
   1. **Minutes of the July 27, 2026 regular meeting, and Minutes of the August 24, 2026 meeting.**

5. **PUBLIC HEARINGS**
   1. **AN ORDINANCE TO ADD ZONING FOR ENERGY STORAGE PROJECTS IN THE CODE OF WASHINGTON COUNTY, VIRGINIA, CHAPTER 66, ARTICLE XIV, DIVISION 3, SECTIONS 66-1271 THROUGH 66-1299**

      (An ordinance to regulate permitting of energy storage projects in Washington County)

   2. **<u>Maria & Lynn Rundle, on behalf of Heartwood Farm, LLC, Tax Map # 148-A-49B</u>: Request for Rezoning of approximately 45.3 acres of property located at 21560 Alvarado Road, Abingdon, VA 24211, from the A-1 (Agricultural, Limited) zoning district to the A-2 (Agricultural, General) zoning district, Taylor Magisterial District, Taylor (E-21) Election District.**

   3. **<u>Joey Blevins on behalf of Marcus Street, Tax Map # 143A4-A-30</u> : Request for a Special Exception Permit, for a recreational facility, specifically an indoor softball training facility, on approximately 2.33 acres of property located at 16118 Lee Highway, Bristol, VA 24202, in the B-2 (Business, General) zoning district, Wilson Magisterial District, Wilson (G-21) Election District.**

   4. **<u>Mitch Walters on behalf of Camp Friendship LLC, Tax Map # 167-7-17</u>: Request for a Special Exception Permit, for Ecotourism, major, including a children's camp, on approximately 18.8 acres of property located at 23176 Moonshine Road, Abingdon, VA 24211, in the SR (Shoreland, Recreation) zoning district, Madison Magisterial District, Madison (C-21) Election District.**

6. **PUBLIC COMMENT**

7. **COMMISSION MEMBER REPORTS AND COMMITTEE REPORTS**

8. **COMMISSION INFORMATION AND REMINDERS**

9. ADJOURN OR RECESS

AGENDA ITEM NO. 4.1

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE:	September 28, 2026
SUBMITTED BY:	Stephen Richardson , Zoning
ITEM TYPE:	Public Hearing
AGENDA SECTION:	APPROVAL OF MINUTES
SUBJECT:	Minutes of the July 27, 2026 regular meeting, and Minutes of the August 24, 2026 meeting.
SUGGESTED MOTION:	Motion to adopt the minutes or motion to amend the minutes.

BACKGROUND AND SUMMARY:

Minutes of the July 27, 2026 regular meeting and minutes of the August 24, 2026 regular meeting.

ATTACHMENTS:

WASHINGTON COUNTY
PLANNING COMMISSION MEETING

MINUTES • JULY 27, 2026

Board Auditorium **7:00 p.m.**

1 GOVERNMENT CENTER PLACE
ABINGDON, VA 24210

1) CALL TO ORDER

Attendee Name	Status
Christina Rehfuss	Present
Paul Widener	Present
William Gibson	Present
Bruce W Dando	Present
Ron Edins	Present
Cathie Freeman	Present
Dulcie Mumpower	Present
Stephen Richardson	Present

Chairman Rehfuss called the meeting to order. Cathie Freeman arrived at the beginning of Public Hearings.

2) INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Widener gave the invocation and Commissioner Gibson led the pledge of allegiance.

3) APPROVAL OF MEETING AGENDA

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Dulcie Mumpower
SECONDER: William Gibson
AYES:

Christina Rehfuss, Paul Widener, William Gibson, Bruce W Dando, Ron Edins, Dulcie Mumpower
ABSENT: Cathie Freeman

Motion to adopt 3) APPROVAL OF MEETING AGENDA Moved by Dulcie Mumpower, seconded by William Gibson

4) APPROVAL OF MINUTES

4.1) Minutes of the June 22, 2026 regular meeting.

Cover Page
PC Minutes June 22, 2026.pdf

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Ron Edins
SECONDER: William Gibson
AYES: Christina Rehfuss, Paul Widener, William Gibson, Bruce W Dando, Ron Edins, Dulcie Mumpower
ABSENT: Cathie Freeman

Motion to adopt 4) APPROVAL OF MINUTES Moved by Ron Edins, seconded by William Gibson

5) PUBLIC HEARINGS

5.1) Request to amend the Chapter 6 of the Washington County, Virginia Comprehensive Plan. The amendment is to add proposed future road improvements to: 1) the intersection of U S Route 11 (Lee Highway) and SR 677 (Watauga Road) and, 2) the intersection of U S Route 75 (Green Spring Road) and SR 665 (Green Spring Church Road).

Cover Page
US11_Watagua Road - Washington County 6-2026 Comp Plan Amendment.pdf
Route_75_Green_Springs_Church_Road_Washington_County_-_6-2026_Comp_Plan_Amendment.pdf

Stephen Richardson summarized the request. These two projects have been identified by the Virginia Department of Transportation as being eligible for application in the "Smart Scale" category for funding from the Virginia Department of Transportation.

Chairman Rehfuss opened the public hearing.

Lauren Blevins from Rosedale Baptist Church addressed the Planning Commission. She had questions about how the U. S. Route 11 and Watauga Road project would affect the church entrance, the church sign, and about how much property the project would take. She suggested that the acquisition of property on the other side of U. S. Route 11 would be less impactful.

Sam Ryburn addressed the Planning Commission in opposition to the U. S. Route 11 and Watauga Road project. He stated that there was enough area within the current right-of-way to make the improvements and that the proposed expansion was excessive, not needed, and a waste of money.

No one spoke regarding the Green Spring Road and Green Spring Church Road project.

Chairman Rehfuss closed the public hearing.

There was consensus among the Planning Commission to recommend the project at the intersection of Green Spring Road and Green Spring Church Road. There was also consensus to not recommend the project at the intersection of U. S. Route 11 and SR 677, Watauga Road because there were too many concerns about the area taken and how it would affect property owners. The Planning Commission was unanimous in voicing their request that when these kinds of issues come before the Commission that the recommending agency be invited to the meeting so the Planning Commission can ask questions and perform their due diligence.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bruce W Dando
SECONDER:	Paul Widener
AYES:	Christina Rehfuss, Paul Widener, William Gibson, Bruce W Dando, Ron Edins, Cathie Freeman, Dulcie Mumpower

Motion to adopt Motion to recommend amending Chapter 6 of the Washington County Virginia Comprehensive Plan, to add proposed future road improvements at the intersection of U S Route 75 (Green Spring Road) and SR 665 (Green Spring Church Road), and to not recommend amending Chapter 6 of the Comprehensive Plan for the intersection of U S Route 11 (Lee Highway) and SR 677 (Watauga Road). Moved by Bruce W Dando, seconded by Paul Widener

5.2) Request to amend the Code of the County of Washington Virginia in compliance with legislation enacted by the Virginia General Assembly (H 655). Request to amend Section 66-247, Section 66-347, Section 66-397, Section 66-422, Section 66-431, and Section 66-942.

Cover Page
Amending zoning for manufactured homes.pdf

Stephen Richardson addressed the Planning Commission to explain the request. He stated that the Virginia Code was changed July 1, 2026, and that it directs that localities permit manufactured homes in any zoning district that allows site built homes. He said these amendments are being requested to make the county zoning ordinance consistent with the state law.

A lot of discussion ensued among the Planning Commission members.

Commissioner Mumpower asked how this would apply to subdivisions that had restrictive covenants. Stephen Richardson replied that the county could not deny a permit but the covenants are still valid and can be enforced by a Home Owner's Association or the owners of property in the subdivision. Commissioner Mumpower said that she had a problem with the state telling the county what we can and can't do. She said that we already have rules in place and the state should respect that.

Commissioner Freeman stated that there will be several problems with this, including limiting the number of manufactured homes on a parcel. She also said that she thinks more should be required to consider manufactured homes as real property.

Chairman Rehfuss opened the public hearing.

No one spoke during the public hearing.

Chairman Rehfuss closed the public hearing.

There was strong opposition among the commission members to these changes and that this was going to cause a lot of problems to the residents of the county. Not amending the county zoning ordinance could send a message to Richmond.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Paul Widener
SECONDER:	William Gibson
AYES:	Christina Rehfuss, Paul Widener, William Gibson, Bruce W Dando, Ron Edins, Cathie Freeman, Dulcie Mumpower

Motion to adopt Motion to not recommend amending the Code of the County of Washington Virginia Section 66-247, Section 66-347, Section 66-397, Section 66-422, Section 66-431, and Section 66-942. Recommend the amendment be denied because this runs contrary to decades of land use policy in Washington County, and it leaves far too many unanswered questions and issues about how this could be successfully implemented to the benefit of our citizens. Moved by Paul Widener, seconded by William Gibson

6) PUBLIC COMMENT

No one spoke during public comment.

7) COMMISSION MEMBER REPORTS AND COMMITTEE REPORTS

Commissioner Mumpower said that she was glad to see Commissioner Freeman and asked everyone to continue to pray for Commissioner Freeman.

Commissioner Gibson said that he was glad to see Commissioner Dando and Commissioner Freeman.

Commissioner Rehfuss reported about Joe Huttons memorial. She said it was a good service and she was glad to meet Joe's daughter.

Commissioner Rehfuss pointed out a draft of the latest draft of a Battery Energy Storage System (BESS) ordinance. She noted that tier 2 systems would be permitted by right in the M-1 and M-2 zoning district in this draft.

Commissioner Mumpower asked if the changes requested by the Planning Commission were included in this draft. Stephen Richardson said that there were not many changes in this draft.

Chairman Rehfuss and Commissioner Mumpower stated that they had a lot of frustration regarding why the suggested changes are not in the draft.

Stephen Richardson said that the county attorney had met with the Chairman of the Board of Supervisors and that this is what he felt is what the Board wants in the ordinance.

Commissioner Widener said that the main thing is to get some feedback. He said that every suggestion may not get into the draft but it would be helpful to get feedback about those decisions.

Stephen Richardson pointed out that the statement from the state is included that directs that if Solar projects are permitted by special exception then battery energy storage systems are permitted as an accessory.

Commissioner Mumpower asked if Mr. Richardson knew of a solar application coming any time soon. He said that he did not know of any currently. He said that he reached out to the person, with Catalyst Energy that sent a letter to the Planning Commission and the Board of Supervisors. He said he asked for clarity about a meeting with "the leaders" that was referred to in the letter. He said the reply was that the person from Catalyst Energy had met with landowners that possibly would lease to Catalyst Energy for the project. He said that they were not ready at this time to apply.

Chairman Rehfuss asked about the status of the updating of the comprehensive plan. Stephen Richardson stated that the Mount Rogers Planning District Commission has been hired to do the update. He stated that the MRPDC will receive all of the work that was done by the Planning Commission a few years ago. Chairman Rehfuss stated that it was most important to her that the people be included in the process of updating the comprehensive plan. She said that the plan is not what the officials want but should be a reflection of what the people want. The comprehensive plan articulates a shared community vision for future growth and the public needs to be involved in its development. She said that she wanted to be sure the Planning Commission is included in the process.

8) COMMISSION INFORMATION AND REMINDERS

9) ADJOURN OR RECESS

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Paul Widener
SECONDER:	Bruce W Dando
AYES:	Christina Rehfuss, Paul Widener, William Gibson, Bruce W Dando, Ron Edins, Cathie Freeman, Dulcie Mumpower

Motion to adopt 9) ADJOURN Moved by Paul Widener, seconded by Bruce W Dando

WASHINGTON COUNTY
PLANNING COMMISSION MEETING

MINUTES • AUGUST 24, 2026

Board Auditorium **7:00 p.m.**

1 GOVERNMENT CENTER PLACE
ABINGDON, VA 24210

1) CALL TO ORDER

Chairman Rehfuss called the meeting to order.

Attendee Name	Status
Christina Rehfuss	Present
William Gibson	Present
Bruce W Dando	Present
Ron Edins	Present
Dulcie Mumpower	Present
Paul Widener	Absent
Cathie Freeman	Absent
Stephen Richardson	Present

2) INVOCATION AND PLEDGE OF ALLEGIANCE

Stephen Richardson gave the invocation, and Chairman Rehfuss led the pledge of allegiance.

3) APPROVAL OF MEETING AGENDA

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Bruce W Dando
SECONDER: Ron Edins
AYES: Christina Rehfuss, William Gibson, Bruce W Dando, Ron Edins, Dulcie Mumpower

ABSENT: Paul Widener, Cathie Freeman

Motion to adopt 3) APPROVAL OF MEETING AGENDA Moved by Bruce W Dando, seconded by Ron Edins

APPROVAL OF THE MINUTES

Minutes of the July 27, 2026 regular meeting.

Cover Page
PC Minutes July 27, 2026.pdf

RESULT: **TABLE [UNANIMOUS]**
MOVER: Dulcie Mumpower
SECONDER: Ron Edins
AYES: Christina Rehfuss, William Gibson, Bruce W Dando, Ron Edins, Dulcie Mumpower
ABSENT: Paul Widener, Cathie Freeman

Motion to table TABLE THE MINUTES Moved by Dulcie Mumpower, seconded by Ron Edins

4) PUBLIC HEARINGS

4.1) Barbara and Rodney Glover, Tax Map # 085-A-30C: Request for rezoning, of approximately 4.38 acres of property, located at 15205 Baugh Lane, Abingdon, VA 24211, from the R-2 (Residential, General) zoning district to the A-2 (Agricultural, General) zoning district, Harrison Magisterial District, Harrison (A-21) Election Districts.

Cover Page
Barbara & Rodney Glover application for Rezoning 8-26.pdf

Stephen Richardson summarized the request. He said that the Glovers have had a horse on the property in the past, but have not had one recently. He said that the Glovers have the property for sale and that potential buyers have expressed that they would also like to have a horse on the property. The Glovers are asking to rezone so that they can advise potential buyers that horses are a permitted use.

Barbara Glover addressed the Planning Commission. Mrs. Glover stated that when the property was purchased there were no developments around the property. She said that there have been no horses on the property for the last few years. She said that she has lost one potential buyer because the property is in the R-2 zoning district.

Chairman Rehfuss opened the public hearing.

Shelly Griffith, an adjoining property owner, addressed the Planning Commission. Mrs. Griffith expressed concerns that if the property is rezoned to agricultural, there could be all kinds of other livestock. She said that she did not have concerns about a horse being on the property, but she did not want a pig farm next to her home.

Chairman Rehfuss closed the public hearing.

Commissioner Mumpower asked about how long has it been since there was a horse on the property. Mrs. Glover replied that it had been a few years. Commissioner Mumpower asked about the properties adjoining this property. Mrs. Glove said there

were six homes in the two subdivision that adjoined the property, and the property behind her is open pasture.

Commissioner Gibson said that the question is not really about horses, but that if the property is rezoned then there is no control over what animals could be placed on the property.

Chairman Rehfuss reopened the public hearing.

Russell Bryant addressed the Planning Commission. He had questions about the process of the special exception and if the past history would allow horses. He said that R-2 may have more uses that would be objectionable than A-2.

Chairman Rehfuss closed the public hearing.

Commissioner Mumpower stated that she is sympathetic to the applicant, but she has to be consistent. She stated that she has not supported similar request to change properties from R-2 to A-2, in two situations near her, and that she can't support changing the zoning in this situation.

Commissioner Gibson said that he agreed, that there have been several requests brought to the Planning Commission asking to rezone residential areas to agricultural, and that you can't guarantee what future owners may bring to the property.

Commissioner Mumpower made a motion to recommend that the Board of Supervisors deny this request. Commissioner Gibson seconded the motion. The motion carried 4-1.

There was discussion after the vote, at Mrs. Glover's request, to consider an exception to allow horses in the R-2 zoning district.

RESULT:	**ADOPTED [4-1]**
MOVER:	Dulcie Mumpower
SECONDER:	William Gibson
AYES:	Christina Rehfuss, William Gibson, Ron Edins, Dulcie Mumpower
NAYS:	Bruce W Dando
ABSENT:	Paul Widener, Cathie Freeman

Motion to adopt motion to recommend the rezoning be denied. Moved by Dulcie Mumpower, seconded by William Gibson

4.2) Travis Wynegar, Tax Map # 165A-1-13: Request for rezoning, of approximately 2.1 acres of property, located near 23822 Green Spring Rd, Abingdon, VA 24211, from the R-2 (Residential, General) zoning district to the A-2 (Agricultural, General) zoning district, Madison Magisterial District, Wilson (G-21) Election District.

Cover Page
Travis Wynegar application for Rezoning 8-26.pdf

Stephen Richardson summarized the request. He noted that the property adjoins the A-2 zoning district and that it is in TVA's flowage easement. He said that any construction on the property would require a permit from TVA, and that any development of the property would be very limited. He said that the applicant only wants to use the property for agricultural purposes.

Mr. Wynegar addressed the Planning Commission. He said that he wanted to keep

agricultural equipment, hay and some sheep on the property. He said he did not want to build or live on the property.

Chairman Rehfuss opened the public hearing.

Cory Shortt addressed the Planning Commission. He said that he is an adjoining property owner and that he supports the application. He said that he hoped rezoning this property may help make it possible to rezone his property.

Chairman Rehfuss closed the public hearing.

Commissioner Mumpower made a motion to recommend that the Board of Supervisors grant this request for rezoning. Commissioner Edins seconded the motion. Motion carried 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dulcie Mumpower
SECONDER:	Ron Edins
AYES:	Christina Rehfuss, William Gibson, Bruce W Dando, Ron Edins, Dulcie Mumpower
ABSENT:	Paul Widener, Cathie Freeman

Motion to adopt to recommend the rezoning be approved. Moved by Dulcie Mumpower, seconded by Ron Edins

5) PUBLIC COMMENT

No one spoke during public comment.

6) COMMISSION MEMBER REPORTS AND COMMITTEE REPORTS

Chairman Rehfuss said that if there is a request from the Planning Commission to hear from experts, she would like for that to be included in the minutes.

She said that she is concerned that she has not heard any information about public meetings for the update for the comprehensive plat. She said that it is very important that the entire community be included in the process of creating the comprehensive plan, and that she would like to be updated each month about the status of the comprehensive plan.

Commissioner Mumpower said that the last time the comprehensive plan was updated there were several public meetings and that there were many people that participated in the process.

Commissioner Dando stated that he was on the committee participating in the update the last time, and having public input is very important.

Chairman Rehfuss said that she does not want a document presented to the Planning Commission that has not had public input. She said that she would like information each month about the comprehensive plat and any ordinances that are being considered.

7) COMMISSION INFORMATION AND REMINDERS

County Attorney Brandon Snodgrass addressed the Planning Commission about a proposed ordinance for battery energy storage systems. He discussed that the General Assembly is working to come up with a model ordinance for this, and that there is work being done to make an automated application process with the Virginia Department of Conservation and Recreation. All of these projects would be screened by state agencies. He also noted that the General Assembly has made it possible to permit battery energy storage systems by right, as an accessory to a solar energy system. He also pointed out that, and presented a physical copy of some of the books of regulations that all of these projects are subjected to. He discussed that he wanted to emphasize that these projects are not just submitted to localities, but that they have to be scrutinized by several state agencies.

Commissioner Rehfuss said that when applicants come for solar energy projects that they be required to provide information about any battery energy storage components that would be included in their projects. Mr. Snodgrass said that he and Mr. Richardson could work to see that that is included in applications. Stephen Richardson pointed out that if there is an ordinance for battery energy storage systems then it would provide for predetermined setbacks and other requirements.

Commissioner Rehfuss said that an ordinance needs to be approved, even if changes have to be made after the state comes out with more guidance.

Mr. Snodgrass gave additional information about how the state will examine these applications and that they are going to be issuing information to localities to help evaluate the applications on the local level.

Commissioner Mumpower asked that if localities are required to permit battery energy storage systems with solar projects, does the county have to allow more panels to approved solar projects. Mr. Snograss replied that localities are not required to allow expansion of approved solar projects. Commissioner Mumpower asked if a project like Catalyst Energy were to apply in the future, and they were approved, then would a battery energy storage system would have to be permitted. Mr. Snodgrass answered yes, that would be the case.

Chairman Rehfuss asked that if an approved solar energy project adds a battery energy storage system, could we require them to provide that information to the county. Mr. Snodgrass replied that the legislation states that battery energy storage systems must be permitted by right with no special or conditional permits form the county. Mr. Richardson said that the county would have no authority to ask for the information. He pointed out that if these projects are commercial or industrial, they would be required to have an electrical permit.

Mr. Snodrass and Heather Damron explained about the information about the schedule of sources in the binders that were provided. The schedule of sources provided information about other agencies and requirements that are included in the proposed battery energy storage system ordinance.

Mr. Snodgrass said that Planning Commission members can refer to this schedule to answer questions about air quality requirements, mitigation plans for wildlife, site plan requirements and all other requirements are included in this source. This is a way that you can see the information without including all of the state code in the county ordinance, which would make the ordinance about 400 pages. He went on to say that multiple state agencies will be reviewing these projects before localities even look at the application.

Chairman Rehfuss noted that commissioners have a handout that Amy Venable has compiled on the changes to the drafts for the BESS ordinance.

8) ADJOURN OR RECESS

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bruce W Dando
SECONDER:	Dulcie Mumpower
AYES:	Christina Rehfuss, William Gibson, Bruce W Dando, Ron Edins, Dulcie Mumpower
ABSENT:	Paul Widener, Cathie Freeman

Motion to adopt 8) ADJOURN Moved by Bruce W Dando, seconded by Dulcie Mumpower

AGENDA ITEM NO. 5.1

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE:	September 28, 2026
SUBMITTED BY:	Stephen Richardson
ITEM TYPE:	Public Hearing
AGENDA SECTION:	PUBLIC HEARINGS
SUBJECT:	**AN ORDINANCE TO ADD ZONING FOR ENERGY STORAGE PROJECTS IN THE CODE OF WASHINGTON COUNTY, VIRGINIA, CHAPTER 66, ARTICLE XIV, DIVISION 3, SECTIONS 66-1271 THROUGH 66-1299** (An ordinance to regulate permitting of energy storage projects in Washington County)
SUGGESTED MOTION:	Motion to recommend the proposed ordinance be adopted or motion to recommend the proposed ordinance be denied.
BACKGROUND AND SUMMARY:	

AN ORDINANCE TO ADD ZONING FOR ENERGY STORAGE PROJECTS IN THE CODE OF WASHINGTON COUNTY, VIRGINIA, CHAPTER 66, ARTICLE XIV, DIVISION 3, SECTIONS 66-1271 THROUGH 66-1299

(An ordinance to regulate permitting of energy storage projects in Washington County)

Tier 2 battery energy storage system permitted in M-1 and M-2 by special exception, not permitted in any other zoning district.

ATTACHMENTS:

AN ORDINANCE TO ADD ZONING FOR ENERGY STORAGE FACILITIES IN THE CODE OF WASHINGTON COUNTY, VIRGINIA, CHAPTER 66, ARTICLE XIV, DIVISION 3, SECTIONS 66-1271 THROUGH 66-1277

WHEREAS, the Board of Supervisors has requested the Code of Washington, County, Virginia, to add Zoning for battery energy storage facilities to include purpose, applicability, restrictions and requirements on battery energy storage facilities.

WHEREAS, the Code of Virginia §15.2-2288.8, provides any locality may grant a special exception permit pursuant to § 15.2-2286, and include in its zoning ordinance reasonable regulations and provisions for a special exception as defined in § 15.2-2201, for any energy storage facilities that is capable of absorbing energy, storing such energy for a period of time, and redelivering that energy after it has been stored.

WHEREAS, the Code of Virginia § 15.2-2316.7 provides that any applicant for a battery storage facility shall provide written notice of the applicant's intent to locate in such locality and shall meet, discuss and negotiate a siting agreement with such locality.

NOW, THEREFORE, **BE IT ORDAINED**, by the Board of Supervisors of Washington County, Virginia, after notice and public hearing, as required by law, hereby adopts this Ordinance, which shall be incorporated into the Code of Washington County, Virginia (2002), to add to Chapter. 66, Article XIV, Division 3, Sections 66-1271- 66-1277, zoning for battery energy storage facilities and to include certain regulations and requirements for battery energy storage facilities;

1. That Chapter 66, Article XIV, Division 3, Sections 66-1271 through 66-1277 of the Code of Washington County, Virginia (2002), be added, as set forth below.

2. That should any section or provision of this Ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this Ordinance or the Code of Washington County, Virginia (2002).

3. That this Ordinance shall become effective immediately upon its enactment.

Chapter 66: Zoning
Article XIV: Alternative Energy Generating Systems
Division 3: Energy Storage Facilities
Sections 66-1271 through 66-1277

Sec. 66-1271: Purpose and Applicability

The purpose of this Division is to provide for the siting, development, and decommissioning of battery energy storage facilities in the county, subject to reasonable conditions that protect the public health, safety and welfare of the community while promoting battery energy storage facilities, with the following objectives:

1. To provide a regulatory scheme for the designation of properties which may be suitable for the location, including construction and operation of battery energy storage facilities.
2. To ensure land use compatibility in the areas surrounding battery energy storage facilities.
3. To mitigate the impacts of battery energy storage facilities on the environmental resources such as agricultural land, forests, wildlife and other protected resources.

State Law and Regulatory References – Similar provisions, Code of Virginia §§ 15.2-2232, 20VAC5-335-80.

Sec. 66-1272: Definitions

The following words, terms and phrases, when used in this subdivision, will have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ANSI means the American National Standards Institute.

Applicant means the person or entity which submits an application to the locality for a permit, to install an energy storage facility under this division.

Battery(ies) means a single cell, or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. Consumer use products are excluded from these requirements.

Battery Energy Storage Management System means an electronic system that protects energy storage from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in safe condition if potentially hazardous temperatures or other conditions are detected.

*Battery Energy Storage System means o*ne or more battery energy storage devices, assembled together, capable of storing energy in order to supply electrical energy at a future date or time, but not to include a stand-alone 12-volt car battery or an electric motor vehicle or consumer products. A battery storage system is classified as a tier 1 or tier 2 battery energy storage system as follows:

1. Tier 1 battery energy storage systems have an aggregate energy capacity less than or equal to 600 kWh and, if in a room or enclosed area, consist of only a single energy storage system technology with no more than 600 kWh to be located per parcel;
2. Tier 2 battery energy storage systems have an aggregate energy capacity greater than 600 kWh or are comprised of more than one storage battery technology in a room or enclosed area.

Cell means the basic electrochemical unit, characterized by an anode and cathode, used to receive, store, and deliver electrical energy.

Commissioning means a systematic process that provides documented confirmation that a battery energy storage system functions according to the intended design criteria and complies with the applicable code requirements.

Decommissioning means the removal, recycling and proper disposal of battery energy storage equipment, facilities or devices with a battery energy storage facility, which includes the reasonable restoration of property upon which the battery energy storage equipment, facilities, or devices are located, including, but not limited to:

1. Soil stabilization
2. Revegetation of the ground cover of the property disturbed by the battery energy storage facilities.

Dedicated-use-building means a building that is built for the primary intention of housing battery energy storage system equipment, is classified as Group F-1 ("USBC") and the International Building Code, and complies with the following:

1. The building's only use is battery energy storage, energy delivery and other electrical grid-related operations.
2. No other occupancy types are permitted in this building.
3. Occupants in the rooms and areas containing battery energy storage systems are limited to personnel that operate, maintain, service, test, repair the battery energy storage system and other energy systems.
4. Administrative and support personnel are permitted in areas within the buildings that do not contain battery energy storage systems, providing the following:
    a. The areas do not occupy more than ten percent of the building area of the story in which they are located to ensure a small footprint for safety.
    b. A means of egress is provided from the administrative and support use areas to the public way that does not require occupants to traverse through areas containing battery energy storage systems or other energy storage equipment.

Distribution Lines means utility lines that transport electricity, generally from substations to a load point at lower voltages and over shorter distances than transmission lines.

Disturbance Zone means the area of land occupied by a battery energy storage facilities, and for purposes of the disturbance zone, "occupied" means not only the points of contact of the battery energy storage facilities with the ground but also the ground area underneath the storage array, its related appurtenances, and internal corridors within the battery storage array, if any.

Energy code means the Virginia USBC Energy Conservation Construction Code, as currently in effect and as hereinafter amended from time to time.

Fire code means the fire code sections of the USBC and the Virginia Statewide Fire Prevention Code, as currently in effect and as hereinafter amended from time to time.

Nationally recognized testing laboratory (NRTL) means a U.S. Department of Labor designation recognizing a private sector organization to perform certification for certain products to ensure they meet the requirements of both the construction and general industry OSHA electrical standards.

NEC means the National Electric Code.

NFPA means the National Fire Protection Association.

Non-dedicated-use building means all buildings that contain a battery energy storage system and do not comply with the dedicated-use building requirements.

Non-participating property means any property that is a not participating property.

Non-participating residence means any residence located on non-participating property.

Occupied community building means any building in Occupancy Group A, B, E, I, R, as defined in the USBC and/or the International Building Code, including, but not limited to, schools, colleges, daycare facilities, hospitals, correctional facilities, public libraries, theaters, stadiums, apartments, hotels, and places of worship.

Parcel means a tract of land having specific boundaries of legal significance for transfer of ownership or for possession and for development purposes. The word "parcel" shall be synonymous with "lot".

Participating property means a battery energy storage system host property or any real property that is subject of an agreement that provides for the payment of monetary compensation to the landowner from the battery energy storage system owner (or affiliate) regardless of whether any part of a battery energy storage system is constructed on the property.

Facilities Owner means the person or entity who owns all or a portion of a battery energy storage facilities.

Property Owner means the person or entity who owns the parcel on which the battery energy storage facilities is located. The property owner may or not be the same person or entity as the facilities owner.

Siting Agreement means a mutually beneficial agreement, in compliance with the Code of Virginia § 15.2-2316.6 through § 15.2-2316.8, between an applicant and Washington County that is binding upon both the County and the applicant, whereby execution of the siting agreement that a battery energy storage facilities is deemed to be substantially in accord with the Washington County Comprehensive Plan and thereby satisfies the requirements of the Code of Virginia § 15.2-2232 and ensures the entire system, including batteries, invertors, wiring and other equipment work safely together. Insurance coverage shall be required in all siting agreements to include any clean-up for pollution from battery energy storage facilities.

UL 9540 Certification means a comprehensive underwriters laboratories (UL) safety standard and certification for battery energy storage systems.

Uniform Code means the Virginia Uniform Statewide Building Code adopted pursuant to Code of Virginia § 36-98, as currently in effect and as hereafter amended from time to time.

Sect. 66-1273: General Guidelines and Requirements

All battery energy storage facilities, whether a primary and secondary use, shall be subject to the following standards:

1. All battery energy storage system installations shall comply with site plan requirements in accordance with Code of Virginia §15.2-2316.6 through §15.2-2316.8, Washington County Code § 66-1276 and Virginia Administrative Code 9VAC15-70-70.

2. All battery energy storage systems, all dedicated use buildings or structures that contain or are otherwise associated with battery energy storage systems are subject to the Washington County Code, the Code of Virginia, Virginia Department of Environmental Quality, FAA, NFPA, and all applicable federal regulations.

3. All battery storage systems which include batteries and various chemistries and types, are classified as hazardous waste upon reaching end of life or in a condition of degradation that requires replacement. All batteries and components, upon end of life or in a condition of degradation shall be managed, transported and disposed of in accordance with all applicable local, state and federal hazardous materials and waste management laws and regulations.

4. Permitting requirements for Tier 1 and Tier 2 battery energy storage facilities
    a. Tier 1 battery storage systems shall be permitted in all districts, subject to the Uniform Code, Virginia Department of Environmental Quality regulations, Code of Virginia, Washington County Code, and all federal regulations where infrastructure allows it and shall be exempt from separate site plan review and shall have no more than one (1) per parcel.
    b. Tier 2 battery energy storage systems to be located in M1 and M2 are permitted through the issuance of a special exception permit process with Board approval after Planning Commission review and recommendations. Tier 2 facilities are disallowed in all other zoning classifications and subject to the USBC, Virginia Department of Environmental Quality, Code of Virginia, Washington County Code, the site plan application requirements set forth in this section and 9VAC15-100-130.

5. *Distribution Lines, utility lines and electrical circuitry.* To the extent reasonably practical, all new distribution lines to any building, structure, or utility connection shall be located underground (trenched) to the extent permitted by the electric company.

6. *Security fencing.* The battery energy storage facility shall be enclosed around the perimeter by a security fence with a minimum height of six (6) feet.

7. *Signage.* Appropriate warning signage is required on the battery energy storage facility fencing, not to exceed thirty-two (32) square feet, displaying warnings, the facility name, address, physical E-911 address and emergency contact information. Facility warning signs shall be the only signs allowed to be posted on the fence to be determined during siting agreement.

8. *Noise.* Battery Energy Storage facilities shall comply with the County's Noise Ordinance, Washington County Code Chapter 30, Article II, Section 30

9. *Vegetative screening.* A vegetative buffer yard shall be required and implemented prior to construction of the battery energy storage facility. Landscaping intended for screening shall consist of a combination of non-invasive species (species listed on DCR's Invasive Plant Species list shall not be allowed), pollinator species, and native plants, shrubs, trees, grasses, forbs, and wildflowers. The vegetative buffer yard shall meet two (2) or more of the following set of requirements.
    a. Fifty (50) feet wide with;
        i. Four (4) canopy trees per one hundred (100) linear foot which are at least six (6) feet high at time of planting and shall be within ten (10) feet high within four (4) years;
        ii. Six (6) understory trees per one hundred (100) linear foot which are at least six (6) feet high at time of planting and shall be within ten (10) feet high within four (4) years;
        iii. Eleven (11) evergreen trees per one hundred (100) linear foot which are at least six (6) feet high at time of planting and shall be within ten (10) feet high within four (4) years .

    b. The use of existing, healthy, well-formed canopy trees, understory trees, evergreen trees, and shrubs shall be maximized wherever practical to comply with these vegetative buffer requirements. Any fencing shall be located interior to the vegetative buffer.

10. *Setbacks.* With the exception of poles and lines necessary to connect to the power grid, the perimeter of the system shall be located at least fifty (50) feet from the property line of any adjoining parcel owned by any landowner other than the owner of the parcel on which the battery energy storage facility is being proposed,; at least two hundred, fifty (250) feet from the nearest inhabitant residence at the time of the initial application; and at least two hundred (200) feet from the nearest road.

11. *Land Disturbance.* A land disturbance plan shall be prepared by an engineer licensed in the Commonwealth of Virginia, submitted by the applicant, and approved in compliance with the Commonwealth of Virginia Department of Environmental Quality prior to any land disturbance. The owner or operator shall construct, maintain and operate the facilities in compliance with the approved plan. A surety bond (or other security) will be posted for the construction of the facility. No battery energy storage facility shall be permitted on land that has been clear-cut or heavily timbered in the five (5) years immediately preceding the date of application. Placement of utility-scale battery energy storage facilities should be prioritized on existing impervious surfaces. This land disturbance plan does not replace the Erosion and Sediment Control Plan nor the Stormwater Management Plan, which also must be submitted in Washington County where 10,000 square feet or more land disturbance is proposed. Grading and filling shall be avoided. If grading is required, it should not result in the loss of agricultural soil and shall be completed in phases to reduce erosion and sediment runoff. In cases where grading is required, topsoil shall be removed from the area prior to grading. Topsoil shall be stored on site and replaced after the

grading is completed. Compression mats shall be employed to avoid compaction of soils from heavy equipment.

12. *Utility notification.* No grid tied battery energy storage facility shall begin construction or installation until accepted evidence has been submitted to the planning departments showing the developer and/or owner has been approved by the utility company to install the system.

13. *Slope.* All battery energy storage facilities shall follow Virginia Department of Environmental Quality, Stormwater Management, Erosion and Sediment Control requirements and ordinances.

14. *Liability insurance.* The applicant shall provide proof of adequate liability insurance for a battery energy storage facility, to be set out in the Siting Agreement pursuant to Washington County Code § 66-1275, prior to the issuance of a zoning or building permit. This shall be provided to the Zoning Official, annually, upon renewal of policy.

15. *Maintenance*. Ground cover on the site shall be maintained in accordance with an approved landscaping plan and possibly a "dual use" maintenance plan. Native grasses or any non-invasive species shall be used to stabilize the site for the duration of the facility's use. The facility/facilities owner shall be responsible for maintaining the battery energy storage facility, the vegetative screening, access roads and fully comply with Virginia Department of Environmental Quality, Stormwater and Erosion Control Act and all local ordinances.

16. *FAA requirements*. Any battery energy storage facilities located within five (5) nautical miles of any airport shall meet FAA requirements for energy storage systems.

17. *Lighting*. All outdoor lighting shall be shielded to direct light and glare onto the system's premises.

18. *Wetland and Water Sources.* Facility/Facilities Owner shall preserve and prevent the destruction of wetlands, well water sources and riparian rights in a manner consistent with the Clean Water Act, Section 401 & 404 regulated by the Virginia Water Protection Program and U.S. Army Corps. of Engineers as well as Virginia Department of Environmental Quality regulations.

19. *Access*. The County Administrator, Building Official, Zoning Official, Erosion and Sediment Control Administrator or any other parties designated by those County officials shall be allowed to enter the property at any reasonable time to check for compliance with the provisions of this permit. However, access shall be granted without notice if the security, health and safety standards, and regulations that apply to the facilities site pose a risk to the general public, environment, or if any other emergency arises.

20. *Emergency Services/Personnel*. Emergency services and personnel shall be allowed to enter the property without notice, in the event of an emergency.

21. *Change in ownership or operator and activities.* The owner and operator shall provide a written notice to the County Administrator and Zoning Official in the event of any change in ownership, change in the operator, inactivity, *technology* or modifications to equipment or activities on site, excluding general maintenance. Any change of ownership *or technology* shall be required to sign a new siting and decommissioning agreement for a review and reapproval process for Board approval, will be bound by ordinance and successor in interest is bound by UL 9540, and any previous siting agreement and decommissioning agreement.

22. *Fire Suppression Plan*. Prior to operating the system for storage of power, a Fire Suppression Plan shall be based upon the facility personnel located at such facility and prepared by Facility/Project Owner. The Fire Suppression plan shall be coordinated and approved by the Washington County Coordinator of Emergency Management Services and the Washington County Building Official.

Sec. 66-1274: Permitting Applications and procedures

a. All battery energy storage facilities that are regulated by this division shall obtain certification of zoning compliance by the County Zoning Official before installation. In addition to zoning compliance certification, all facilities must comply with applicable building code requirements, stormwater, erosion and sediment control requirements. All facilities must comply with applicable Virginia Department of Environmental Quality's Stormwater Management Act and Washington County Erosion and Sediment Control Ordinance(s). All battery energy storage facilities must comply with all applicable Department of Environmental Quality requirements.

b. Applicants for zoning compliance certification for all battery energy storage facilities shall include the following items:

    1. Scaled horizontal and vertical (elevation) drawings. The drawings must show the location of the facility on the parcel for a ground-mounted facility, including the parcel boundaries and setback lines, and on the building for integrated or on-building-mounted facilities.
    2. Written acknowledgement of the property owner of responsibility for the battery energy storage facilities.
    3. Documentation to show compliance with the requirements set forth in this Division.
    4. For battery energy storage facilities that are not mounted on or over a building, a certified statement of the area in square feet or acreage of disturbance zone and explanation of how such figure was determined (e.g., by professional survey or by personal measurement).

c. Special Exception Permit are required for any Tier 2 battery energy storage facility and must follow all below requirements and adhere to all applicable locality, state and federal laws and regulations.

    1. All battery energy storage facilities to be located in M1 and M2 require a special exception permit before the installation may begin, subject to the following exceptions.

2. Special Exception Permits shall include conditions as determined by the Board of Supervisors to be necessary to carry out the intent of this section.
3. Battery energy storage facilities shall comply with all applicable requirements of the Virginia Department of Environmental Quality, the Code of Virginia, federal laws and regulations, and the Washington County Code.

Sec. 66-1275: Site Plans and Agreement Required.

The Code of Virginia § 15.2-2316.6, § 15-2316.7, and § 15.2-2316.8 provides that any applicant for an energy storage facilities shall give to the host locality written notice of the applicant's intent to locate in such locality and request a meeting to discuss and negotiate a siting agreement with such locality, which may contain terms and conditions, including (i) mitigation of any impacts of such energy storage facilities (ii) financial compensation to the host locality to address capital needs set out in the (a) capital improvement plan adopted by the host locality, (b) current fiscal budget of the host locality, or (c) fiscal fund balance policy adopted by the host locality; or (iii) assistance by the applicant in the deployment of broadband and provides that the governing body of a host locality shall have the power to: hire and pay consultants and other experts on behalf of the host locality in matters pertaining to the siting of an energy storage facilities; meet, discuss and negotiate a siting agreement with the applicant, enter into a siting agreement that is binding upon the governing bodies of the locality and enforceable against it and future governing bodies of the host locality in any court of competent jurisdiction by signing a siting agreement pursuant to this article. Such contract may be assignable at the parties' option. Upon agreement of the siting plan agreement terms and conditions, the host locality shall schedule a public hearing, pursuant to subsection A of § 15.2-2204, for the purpose of consideration of such siting agreement.

Sec. 66-1276 Site plan required.

The Code of Virginia § 15.2-2232, provides that a local planning commission may recommend a comprehensive plan or part thereof for the locality and if such plan is approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan. Tier 1 facilities shall be compliant with Washington County Code § 66-1273 (4)(a). Battery storage facilities must be developed in accordance with an approved site plan that meets the standards of Section § 15.2-2232 Code of Virginia and §15.2-2239, provide that the local planning commission may, and at the direction of the governing body, shall, prepare and revise annually a capital improvement program based on the comprehensive plan of the locality for a period to not exceed five years.

Sec. 66-1277 Decommissioning Agreement *and* Plan, and Surety Bond

1. *Decommissioning Agreement and Surety*. Prior to installation of battery energy storage facilities, the facilities or property owner shall record in the land records of the Circuit Court of Washington County, a County-approved Decommissioning Agreement. The Decommissioning Agreement shall include the decommissioning plan and the owner's commitment to comply with the County Zoning Ordinance as such may be amended from time to time and shall be written to run with the land and terminate upon removal from the property of the battery energy storage

facilities and completion of site restoration. The Decommissioning Agreement will include the following terms and conditions:

a. The system owner and owner of the land shall provide acceptable surety to the County, in the form of surety bond, letter of credit or cash, based upon an estimate of a professional engineer licensed in the Commonwealth with experience in preparing decommissioning estimates and approved by the locality; such estimate shall not exceed the total of the facility's cost of decommissioning, which may not include the net salvage value of such equipment, facilities or devices, plus a reasonable allowance for estimated administrative costs-related to the default of the owner, lessee, or developer, and an annual inflation factor and shall be updated every five (5) years. Surety instruments shall only be released after decommissioning has been completed in accordance with the provisions below, Siting Agreement and Decommissioning Agreement, and;
b. The system owner and the owner of the land on which the battery storage facility is located shall be responsible and liable, jointly and severally, to begin removing all obsolete or unused systems, facilities and equipment within six (6) months of cessation of operation and shall have them fully removed within twelve (12) months.
c. All component disposal of battery energy storage facilities shall comply with all requirements of local, state and federal law and regulations and any components that may be recycled shall be recycled whenever feasible and disposed in locations other than Washington County, Virginia.
d. Reasonable extensions of that time may be granted from time to time by the Zoning Official upon timely application and a showing that:
    i. The system owner and/or landowner are actively seeking sale or lease of the battery energy storage facilities for future operation; or
    ii. The system owner and/or landowner have continuously maintained the land and facilities in good condition.
e. If the owner defaults in the obligation to decommission such equipment, facilities or devices in the timeframe set out in such agreement, the locality shall provide notice where feasible and has the right to enter the property on which the battery energy storage facilities is located without further consent of such owner and engage in decommissioning. Decommissioning provided by County will use approved surety according to the Siting Agreement.
f. Every charge authorized by this section which remains unpaid shall constitute a lien against the property on which a battery energy storage facility is located ranking on a parity with liens for unpaid County taxes and enforceable in the same manner as provided in the Code of Virginia § 58.1-3940 et seq. and § 58.1-3965 et. seq., as amended.

A Decommissioning Plan shall be prepared and shall include the following:

1. The anticipated life of the facilities;
2. Any conditions that may be warrant decommissioning;
3. The estimated decommissioning cost and how cost is determined;

4. The manner in which it shall be decommissioned;
5. All battery energy storage facilities' decommissioning must comply with federal regulations, Department of Environmental Quality requirements, Code of Virginia and Washington County Code**.**

The Decommissioning Plan must provide for the disconnection from the power grid at a minimum; removal of all battery energy storage systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated facilities, so that the ground is again tillable and suitable for agricultural purposes. Disturbed earth shall be graded and reseeded. Hazardous material shall be disposed of in accordance with federal and state law.

Sections 66-1278-1299 Reserved

AGENDA ITEM NO. 5.2

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE:	September 28, 2026
SUBMITTED BY:	Stephen Richardson , Zoning
ITEM TYPE:	Public Hearing
AGENDA SECTION:	PUBLIC HEARINGS
SUBJECT:	Maria & Lynn Rundle, on behalf of Heartwood Farm, LLC, Tax Map # 148-A-49B: Request for Rezoning of approximately 45.3 acres of property located at 21560 Alvarado Road, Abingdon, VA 24211, from the A-1 (Agricultural, Limited) zoning district to the A-2 (Agricultural, General) zoning district, Taylor Magisterial District, Taylor (E-21) Election District.
SUGGESTED MOTION:	Motion to recommend the rezoning be granted or motion to recommend the rezoning be denied.

BACKGROUND AND SUMMARY:

All properties in the area are in the A-1 zoning district. All properties in this area are agriculture and residential. The owners wish to make a division of the property and the A-2 zone allows smaller lot sizes.

ATTACHMENTS:

County of Washington, Virginia
Department of Zoning Administration

APPLICATION FOR REZONING
Non-Refundable Application Fee - $50

The following items must be submitted with this form before application may be processed.
Please bring the following items with you when submitting your application form.

1. Copy of survey plat(s) and/or deed(s) to the parcel(s) requested for rezoning.
2. Completed *Adjoining Property Owner(s) List* form.
3. Completed *Project Questionnaire* included on page four of the application.
4. A site plan/development plan outlining features of the proposed use of the property (if new construction is proposed). Please submit 8.5"x11" size copies. The following items should be included on the plan:
   - Title, preparer, and date of plan
   - Property lines and dimensions
   - Easements affecting the property
   - Physical features such as flood plains
   - Setbacks, dimensions, floor area, and height of all existing and proposed buildings
   - Dimension and locations of existing and proposed roads, driveways, entrances/exits, and parking areas (please label number of parking spaces on plan)
   - Location and description of site features such as landscaping, lighting, and signage (if proposed).
5. A letter of favorable review for a commercial entrance permit issued by the Virginia Department of Transportation must be submitted for all commercial and/or industrial projects. If a commercial entrance exists, please provide a copy of the existing permit and documentation from the Virginia Department of Transportation that the existing entrance is adequate for the proposed project.

Additional Notes:

- Following approval of the rezoning application, your project may require additional permits issued through the Building and Development Services Department. Please contact this department to discuss permits that may be required for the construction of your project at (276) 525-1320.
- You are encouraged to contact the Planning Commissioner and Supervisor for your district to discuss your project. Please let county staff know if you need help with contact information for these individuals.
- **You (or a designated representative) are strongly encouraged to attend all public hearings for your project. Failure to appear may result in the delay of the application.**

Applicant Information

Applicant Name: Heartwood Farm LLC - Maria and Lynn Rundle

Applicant Contact Information:

155 Crestview Dr — Abingdon VA 24210

Street Address or P.O. Box — City/State/Zip Code

785-587-4908 — 785-587-4908 —

Home/Work Phone Number — Mobile Number — Email

Is the applicant the owner of the parcel(s) to be rezoned? ☐ Yes ☐ No

Owner Information

Owner Name: SAME AS ABOVE

Owner Contact Information:

Street Address or P.O. Box — City/State/Zip Code

Home/Work Phone Number — Mobile Number — Email

Applicant and Owner Certification and Signature

NOTE: *If Applicant and Owner are different individuals, both must sign. If Applicant and Owner are the same, please sign as Owner.*

Applicant Signature: _____ Date: _____

I THE UNDERSIGNED AM AN OWNER OF THE ABOVE-DESCRIBED PARCEL(S) AND CERTIFY I AM LEGALLY AUTHORIZED TO MAKE THIS APPLICATION FOR REZONING, HAVING THE PERMISSION OF ALL OTHER OWNERS (IF ANY).

Owner Signature: Lynn Rundle Date: 8/19-2026

Washington County Department of Zoning Administration
1 Government Center Place, Suite A
Abingdon, VA 24210
(276)525-1391 OR (276) 669-0877

Permit Information

Need help finding a parcel number? Check the following sources: tax statements, deeds, or the county's online GIS map (http://washcova.interactivegis.com/). If you need help, please call county staff at (276)525-1390.

Owner Requests Rezoning of the Following Parcel(s):

Parcel #1: 148-A-49B (County Tax Map ID) Parcel Size: 45.3 (Acres/Square Feet) 21560 / 21570 Alvarado Rd (Street Address of Existing Building located on Parcel (if any))

Current Parcel Zoning: A1 Request to Rezone to: A2

Current Parcel Use: ■ Agricultural ☐ Commercial ☐ Industrial ■ Residential ☐ Vacant/Unused

Proposed Use if Rezoned: sell the double wide at 21570 Alvarado Rd on a .69 acre lot including water fronta

Owner Requests Rezoning of the Following Parcel(s):

Parcel #2: _____ (County Tax Map ID) Parcel Size: _____ (Acres/Square Feet) _____ (Street Address of Existing Building located on Parcel (if any))

Current Parcel Zoning: _____ Request to Rezone to: _____

Current Parcel Use: ☐ Agricultural ☐ Commercial ☐ Industrial ☐ Residential ☐ Vacant/Unused

Proposed Use if Rezoned: _____

Owner Requests Rezoning of the Following Parcel(s):

Parcel #3: _____ (County Tax Map ID) Parcel Size: _____ (Acres/Square Feet) _____ (Street Address of Existing Building located on Parcel (if any))

Current Parcel Zoning: _____ Request to Rezone to: _____

Current Parcel Use: ☐ Agricultural ☐ Commercial ☐ Industrial ☐ Residential ☐ Vacant/Unused

Proposed Use if Rezoned: _____

Owner Requests Rezoning of the Following Parcel(s):

Parcel #4: _____ (County Tax Map ID) Parcel Size: _____ (Acres/Square Feet) _____ (Street Address of Existing Building located on Parcel (if any))

Current Parcel Zoning: _____ Request to Rezone to: _____

Current Parcel Use: ☐ Agricultural ☐ Commercial ☐ Industrial ☐ Residential ☐ Vacant/Unused

Proposed Use if Rezoned: _____

Owner Requests Rezoning of the Following Parcel(s):

Parcel #5: _____ (County Tax Map ID) Parcel Size: _____ (Acres/Square Feet) _____ (Street Address of Existing Building located on Parcel (if any))

Current Parcel Zoning: _____ Request to Rezone to: _____

Current Parcel Use: ☐ Agricultural ☐ Commercial ☐ Industrial ☐ Residential ☐ Vacant/Unused

Proposed Use if Rezoned: _____

Owner Requests Rezoning of the Following Parcel(s):

Parcel #6: _____ (County Tax Map ID) Parcel Size: _____ (Acres/Square Feet) _____ (Street Address of Existing Building located on Parcel (if any))

Current Parcel Zoning: _____ Request to Rezone to: _____

Current Parcel Use: ☐ Agricultural ☐ Commercial ☐ Industrial ☐ Residential ☐ Vacant/Unused

Proposed Use if Rezoned: _____

Owner Information
Owner Name: SAME AS ABOVE

Adjoining Property Owner(s)		For County Use Only
Please list ALL property owner(s) and street address(es) of parcel(s) immediately adjoining AND directly across street(s), road(s), and highway(s) from parcel(s) requested for rezoning and/or special exception permit (this information is needed for comparison purposed and will be verified by county records):		County Tax Map ID Numbers
Russell & Melissa Belcher	27500 COOL BREEZE DR Abingdon VA 24212	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
SWEET HERBERT JR ET AL	21459 SWEET HOLLOW RD 24211 VACANT	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
GREENWALD MICHAEL EDWARD & KARALEE	Vacant	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
MORETZ CHRISTOPHER MICHAEL	22049 Sweet Hollow Rd VACANT	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
MORETZ JOSEPH E & LYNN G	27423 LONG SHADOW DR VACANT	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
MORETZ CHRISTOPHER MICHAEL	VACANT	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	

For County Use Only
Date Application Received: 8/19/21 Received By: ARA

Project Questionnaire

Rezoning requests involve analysis by county staff, Planning Commission members and the Board of Supervisors members. The information provided below will help staff members to review the application for compliance with county regulations. The questionnaire will also serve as an introduction to Planning Commissioners and Supervisors as a copy of the application will be included in information delivered to each member prior to the meeting date.

Please use additional paper and attach photographs if necessary.

Why are you requesting this rezoning?

We would like to be able to sell just the double wide on a .69 acre lot

For the buyers privacy we would like to change the existing ROW entrance for Belcher that crosses the creeper trail to our alternate existing entrance on west side of the property

Please provide a description of the site before and after development (if construction is proposed).

NA - no construction just want to sell the double wide

Please describe the operation proposed including number of employees and hours of operation, if applicable.

NA

Please describe how the properties around your site are used (residential, churches, business, schools) and how the proposed project may impact the surrounding area (e.g. noise, traffic, light, impact on environmental or other unique features).

vacant pasture land all around and A1

Please describe potential impacts on public facilities and infrastructure such as the water/wastewater system, public schools, and roads.

no impacts 21570 Alvarado has its own water and septic

Will your project require a permit from other licensing agencies (e.g. Department of Environmental Quality, Department of Mines, Minerals and Energy, Virginia Department of Social Services, Virginia Department of Transportation, Virginia Department of Motor Vehicles).
☐ Yes ☐ No **If yes, please explain.**

NO

AFFIDAVIT

I, Stephen R. Richardson, hereby certify that I have sent by U.S. Postal Service, a Notice of Request for Rezoning by Maria & Lynn Rundle, Property Tax Map # 148-A-49B to the following individuals on the 4th day of September 2026

APPLICANT:

Maria & Lynn Rundle
144 Crestview Dr
Abingdon, VA 24210

ADJOINING PROPERTY OWNERS:

Russell & Melissa Belcher
27500 Cool Breeze Dr
Abingdon, VA 24211
148-A-49

Joseph & Lynn Moretz
31188 Rhea Valley Rd
Meadowview, VA 24361
169-A-74

Christopher Moretz
417 Union St
Kingsport, TN 37660
169-A-71 & 71B

Michael & Karalee Greenwald
15326 Greenway Rd
Meadowview, VA 24361
148-A-12

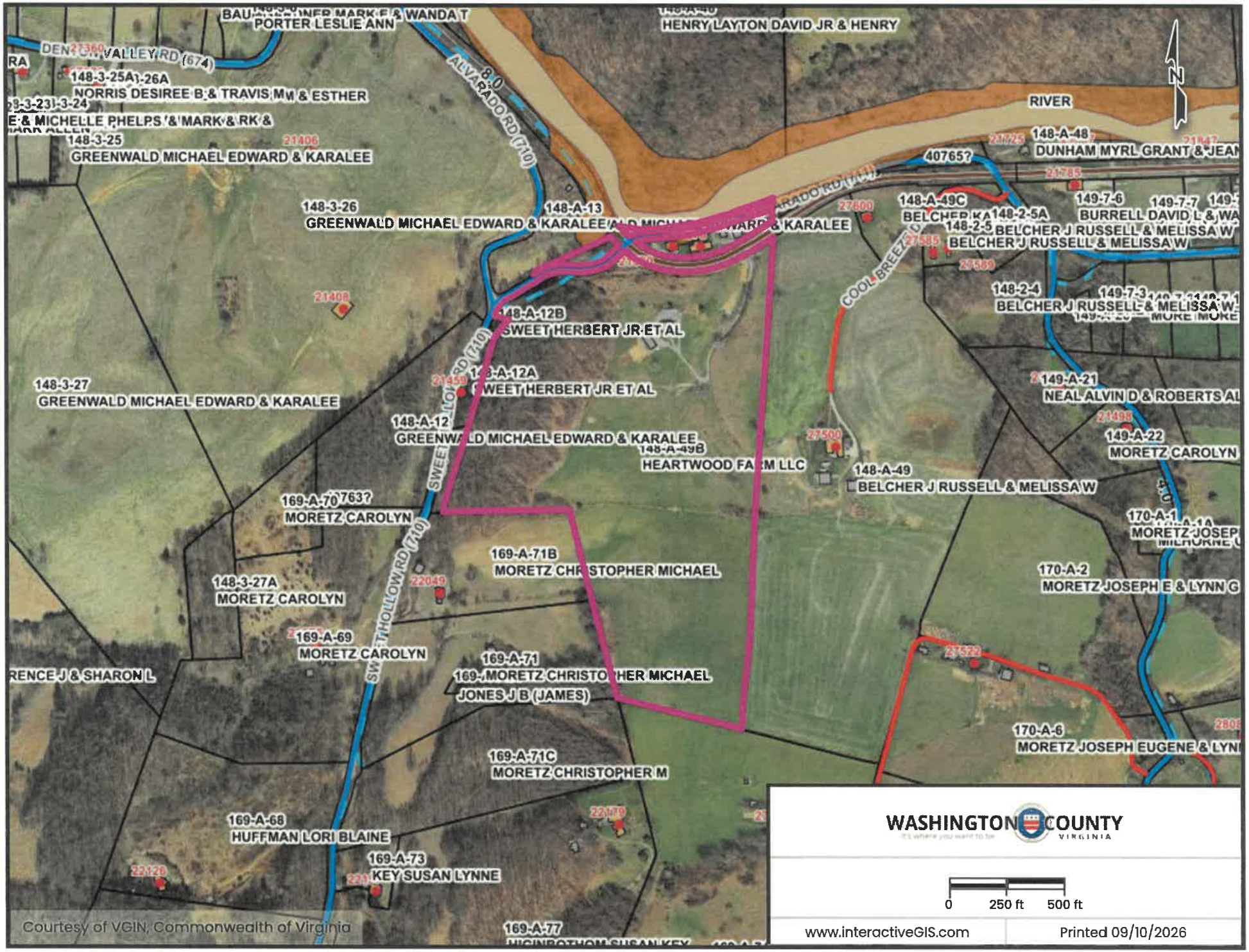
Herb Sweet ET AL
21459 Sweet Hollow Rd
Abingdon, VA 24211
148-A-12A

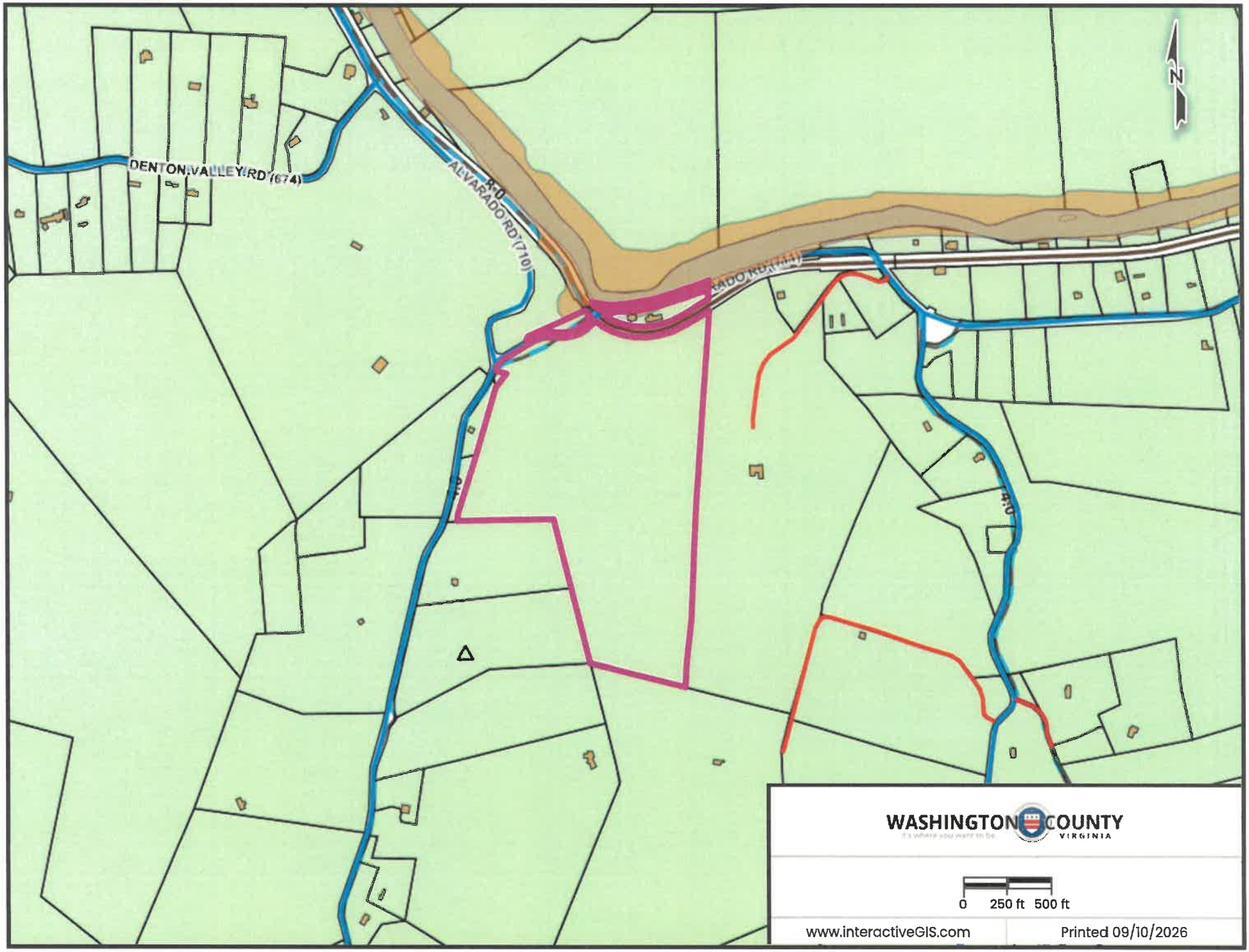
David & Will Henry
30551 Rhea Valley Rd
Meadowview, VA 24361
148-A-46

NOTE: ADJACENT & ADJOINING PROPERTY OWNERS PULLED FROM GIS & APPLICATION






PORTER LESLIE ANN
HENRY LAYTON DAVID JR & HENRY
DENTON VALLEY RD (674)
148-3-25A-26A
NORRIS DESIREE B & TRAVIS M & ESTHER
148-3-25
GREENWALD MICHAEL EDWARD & KARALEE
ALVARADO RD (710)
RIVER
148-A-48
DUNHAM MYRL GRANT & JEAN
148-3-26
GREENWALD MICHAEL EDWARD & KARALEE
148-A-13
148-A-49C
BELCHER KA
148-2-5A
148-2-5
BELCHER J RUSSELL & MELISSA W
149-7-6
BURRELL DAVID L & WA
COOL BREEZE CT
148-2-4
BELCHER J RUSSELL & MELISSA W
149-7-3
148-A-12B
SWEET HERBERT JR ET AL
148-A-12A
SWEET HERBERT JR ET AL
148-3-27
GREENWALD MICHAEL EDWARD & KARALEE
148-A-12
GREENWALD MICHAEL EDWARD & KARALEE
SWEET HOLLOW RD (710)
148-A-49B
HEARTWOOD FARM LLC
148-A-49
BELCHER J RUSSELL & MELISSA W
149-A-21
NEAL ALVIN D & ROBERTS AL
149-A-22
MORETZ CAROLYN
169-A-70
MORETZ CAROLYN
169-A-71B
MORETZ CHRISTOPHER MICHAEL
170-A-1
MORETZ JOSEP
148-3-27A
MORETZ CAROLYN
170-A-2
MORETZ JOSEPH E & LYNN G
169-A-69
MORETZ CAROLYN
169-A-71
MORETZ CHRISTOPHER MICHAEL
JONES J B (JAMES)
170-A-6
MORETZ JOSEPH EUGENE & LYN
169-A-71C
MORETZ CHRISTOPHER M
169-A-68
HUFFMAN LORI BLAINE
169-A-73
KEY SUSAN LYNNE
169-A-77
Courtesy of VGIN, Commonwealth of Virginia
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ALVARADO RD (710)
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www.interactiveGIS.com
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AGENDA ITEM NO. 5.3

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: September 28, 2026

SUBMITTED BY: Stephen Richardson , Zoning

ITEM TYPE: Public Hearing

AGENDA SECTION: PUBLIC HEARINGS

SUBJECT:

Joey Blevins on behalf of Marcus Street, Tax Map # 143A4-A-30: Request for a Special Exception Permit, for a recreational facility, specifically an indoor softball training facility, on approximately 2.33 acres of property located at 16118 Lee Highway, Bristol, VA 24202, in the B-2 (Business, General) zoning district, Wilson Magisterial District, Wilson (G-21) Election District.

SUGGESTED MOTION: Motion to recommend the special exception be granted or motion to recommend the special exception be denied.

BACKGROUND AND SUMMARY:

The portion of the property where the building is located is in the B-2 zoning district. The southern part of the property is in the A-2 zoning district. Adjoining properties are in the B-2 and A-2 zoning district. This area has residential, commercial and open space uses.

ATTACHMENTS:

Effective 1/1/2016 (Revision 1)

County of Washington, Virginia
Department of Zoning Administration

APPLICATION FOR SPECIAL EXCEPTION PERMIT

Non-Refundable Application Fee - $50

The following items must be submitted with this form before application may be processed.
Please bring the following items with you when submitting your application form.

1. Copy of survey plat(s) and/or deed(s) to the parcel(s) requested for Special Exception Permit.
2. Completed *Adjoining Property Owner(s) List* form.
3. Completed *Project Questionnaire* included on page four of the application.
4. A site plan/development plan outlining features of the proposed use of the property. Please submit 8.5"x11" size copies. The following items should be included on the plan:
   - Title, preparer, and date of plan
   - Property lines and dimensions
   - Easements affecting the property
   - Physical features such as flood plains
   - Setbacks, dimensions, floor area, and height of all existing and proposed buildings
   - Dimension and locations of existing and proposed roads, driveways, entrances/exits, and parking areas (please label number of parking spaces on plan)
   - Location and description of site features such as landscaping, lighting, and signage (if proposed).
5. A letter of favorable review for a commercial entrance permit issued by the Virginia Department of Transportation must be submitted for all commercial and/or industrial projects. If a commercial entrance exists, please provide a copy of the existing permit and documentation from the Virginia Department of Transportation that the existing entrance is adequate for the proposed project.

Additional Notes:

- Following approval of the Special Exception Application, your project may require additional permits issued through the Building and Development Services Department. Please contact this department to discuss permits that may be required for the construction of your project at (276) 525-1320.
- You are encouraged to contact the Planning Commissioner and Supervisor for your district to discuss your project. Please let county staff know if you need help with contact information for these individuals.
- [redacted]

Applicant Information

Applicant Name: Joey Blevins

Applicant Contact Information: 13467 Countiss Rd. — Abingdon, VA 24210

Street Address or P.O. Box — City/State/Zip Code

276-494-6389 — Home/Work Phone Number — Mobile Number — Email

Is the applicant the owner of the parcel(s) on which the Special Exception Permit will be used? ☐ Yes ☑ No

Owner Information

Owner Name: Marcus A. Street

Owner Contact Information: P.O. Box 1098 — Abingdon, VA 24212

Street Address or P.O. Box — City/State/Zip Code

276-623-1655 — Home/Work Phone Number — 276-619-1602 Mobile Number — Email

Applicant and Owner Certification and Signature

NOTE: *If Applicant and Owner are different individuals, both must sign. If Applicant and Owner are the same, please sign as Owner.*

Applicant Signature: Joey Blevins Date: 8/27/24

I THE UNDERSIGNED AM AN OWNER OF THE ABOVE-DESCRIBED PARCEL(S) AND CERTIFY I AM LEGALLY AUTHORIZED TO MAKE THIS APPLICATION FOR SPECIAL EXCEPTION PERMIT, HAVING THE PERMISSION OF ALL OTHER OWNERS (IF ANY).

Owner Signature: Marcus A Street Date: 8/27/24

Permit Information

Need help finding a parcel number? Check the following sources: tax statements, deeds, or the county's online GIS map (http://washcova.interactivegis.com/). If you need help, please call county staff at (276)525-1390.

Applicant Requests Special Exception Permit for Use(s) and/or Activity(ies) on the Following Parcel(s):

Parcel #1: 143A4-A-30 (County Tax Map ID) Parcel Size: 2.33 acres (Acres/Square Feet) 16118 Lee Hwy, Bristol VA 24202 (Street Address of Existing Building located on Parcel (if any))

Current Parcel Zoning: B2 (Front) A2 (Rear) Split Zone

Current Parcel Use: ☐ Agricultural ☐ Commercial ☐ Industrial ☐ Residential ☑ Vacant/Unused

A Special Exception Permit for Parcel #1 is requested pursuant to County Code Section 66-258-SEP for the following use(s) and/or activity(ies):

Indoor softball training facility (max 20 occupants) accessory parking located on rear A2 portion

Will the above take more than 24 months to complete? ☐ Yes ☒ No If 'Yes', how many months? _____

Applicant Requests Special Exception Permit for Use(s) and/or Activity(ies) on the Following Parcel(s):

Parcel #2: _____ (County Tax Map ID) Parcel Size: _____ (Acres/Square Feet) _____ (Street Address of Existing Building located on Parcel (if any))

Current Parcel Zoning: _____

Current Parcel Use: ☐ Agricultural ☐ Commercial ☐ Industrial ☐ Residential ☐ Vacant/Unused

A Special Exception Permit for Parcel #2 is requested pursuant to County Code Section _____ for the following use(s) and/or activity(ies):

Will the above take more than 24 months to complete? ☐ Yes ☐ No If 'Yes', how many months? _____

Applicant Requests Special Exception Permit for Use(s) and/or Activity(ies) on the Following Parcel(s):

Parcel #3: _____ (County Tax Map ID) Parcel Size: _____ (Acres/Square Feet) _____ (Street Address of Existing Building located on Parcel (if any))

Current Parcel Zoning: _____

Current Parcel Use: ☐ Agricultural ☐ Commercial ☐ Industrial ☐ Residential ☐ Vacant/Unused

A Special Exception Permit for Parcel #3 is requested pursuant to County Code Section _____ for the following use(s) and/or activity(ies):

Will the above take more than 24 months to complete? ☐ Yes ☐ No If 'Yes', how many months? _____

Owner Information

Owner Name: Marcus A. Street

Adjoining Property Owner(s)

Please list ALL property owner(s) and street address(es) of parcel(s) immediately adjoining AND directly across street(s), road(s), and highway(s) from parcel(s) requested for rezoning and/or special exception permit (this information is needed for comparison purpose and will be verified by county records):

Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	For County Use Only: County Tax Map ID Numbers
Mumpower Carolyn	16122 Lee Hwy	143A4-A-37
Bailey Meritt F III Katha	16140 Lee Hwy	143A4-A-38
Ball Wilson & Jennifer	Vacant Lot	143A4-A-42
White Jackie R & Bonita G	20202 Jade Ln. Bristol, VA 24202	143A4-A-43
White Jackie R & Bonita G	Vacant Lot	143A4-A-29A
Arnold Patricia Ann	Vacant Lot	143A4-A-29
Arnold Patricia Ann	20269 Windon Acres Bristol, VA 24202	143A4-A-28
Ratliff John D Jr.	Vacant Lot	143A4-A-32
CME Sales Inc.	20250 Windon Acres Bristol, VA 24202	143A4-A-27
Wilson Kelly S	16090, 16088, 16092 Lee Hwy Bristol, VA 24202	143A4-A-35
Lowe Caleb William & Myr	16106 Lee Hwy Bristol, VA 24202	143A4-A-36

For County Use Only

Date Application Received: 8/27/26 Received By: BBL

Project Questionnaire

Requests for special exception permits involve analysis by county staff, Planning Commission members and the Board of Supervisors members. The information provided below will help staff members to review the application for compliance with county regulations. The questionnaire will also serve as an introduction to Planning Commissioners and Supervisors as a copy of the application will be included in information delivered to each member prior to the meeting date.

Please use additional paper and attach photographs if necessary.

Please provide a description of the site before and after development:

The B-2 parcel contains an existing commercial warehouse along Lee Highway.

The building is used for storage and has no public facing operations at this time.

Surrounding area includes gravel parking, grass, and minimal exterior lighting.

The warehouse will be converted into a small indoor softball training facility.

Improvements include safety net, pitching lanes & padding. No new buildings.

Please describe the operation proposed including number of employees and hours of operation.

Operation - Private indoor training facility with small group sessions.

Weekly hours will be 3:00 PM - 9:00 PM, Weekend hours 10:00 AM - 6:00 PM

All activities indoor with no amplified sound or outdoor achieving

Small groups & staggered sessions to minimize traffic

1-3 instructors present during operating hours

Please describe how the properties around your site are used (residential, churches, business, schools) and how the proposed project may impact the surrounding area (e.g. noise, traffic, light, impact on environmental or other unique features).

Commercial uses along Lee Hwy and agricultural land behind the site. Residenital properties are located farther from the highway

corrido. The project is low-impact, and all activities occur inside warehouse.

Exterior lighting will be shielded & directed downward to prevent glare.

Traffic impact is minimal due to small group sizes & scheduled sessions.

No environmental features will be disturbed and no outdoor activity.

Please describe potential impacts on public facilities and infrastructure such as the water/wastewater system, public schools, and roads.

Water & waste-water usage will be limited to restroom usage & cleaning. No food service or high-water usage is planned

No additional public infrastructure improvement is needed.

Project does not impact public schools due to small numbers

Road impact is minimal with direct access to Lee Hwy & low traffic volume

Project is not to affect public utilities or services.

Will your project require a permit from other licensing agencies (e.g. Department of Environmental Quality, Department of Mines, Minerals and Energy, Virginia Department of Social Services, Virginia Department of Motor Vehicles, Virginia Department of Motor Vehicles).

☐ **Yes** ☑ **No** **If yes, please explain.**


LEE HWY (11)
B2
143A4-A-38
16140
B2
20170
143A4-A-40
20173
143A4-A-44
JAT LN
N
B2
20168
143A4-A-41
A2
16122
B143A4-A-37
16118
FACILITY
16114
A2
A143A4-A-42
16106
143A4-A-36
16088
OVER FLOW
180'
EXISTING PARKING LOT
50'
143A4-A-30
A2
EXISTING PARKING LOT
22 SPOTS & Room for more if Needed
20282
143A4-A-43
ENTRANCE
B143A4-A-35
16090
B2
143A4-A-34
16076
16078
P143A4-1-1
A143A4-A-32
A143A4-A-29A
WINDON ACRES LN
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WASHINGTON COUNTY
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Printed 08/26/2026

AFFIDAVIT

I, Stephen R. Richardson, hereby certify that I have sent by U.S. Postal Service, Certified Mail, Return Receipt Requested, Notice of Request for a Special Exception by Joey Blevins, on behalf of Marcus Street Map # 143A-A-30 to the following individuals on the 4th day of September 2026.

APPLICANT:

Marcus Street
P. O. Box 1098
Abingdon, VA 24212

Joey Blevins
13467 Countiss Rd
Abingdon, VA 24210

ADJOINING PROPERTY OWNERS:

Carolyn Mumpower
P. O. Box 758
Glade Spring, VA 24340
143A4-A-37

Merritt & Katharin Bailey
528 W Harvie Ave
Gastonia, NC 28052
143A4-A-38

Wilson & Jennifer Ball
20170 Jade Ln
Bristol, VA 24202
143A4-A-42

Jackie & Bonita White
20202 Jade Lane
Bristol, VA 24202
143A4-A-43, 143A4-A-29A

Patricia Arnold
20269 Windon Acres Lane
Bristol, VA 24202
143A4-A-28, 143A4-A-29

John Ratliff
24466 Abbey Lane
Bristol, VA 24202
143A4-A-32

CME Sales, Inc.
20250 Windon Acres Lane
Bristol, VA 24202
143A4-A-27

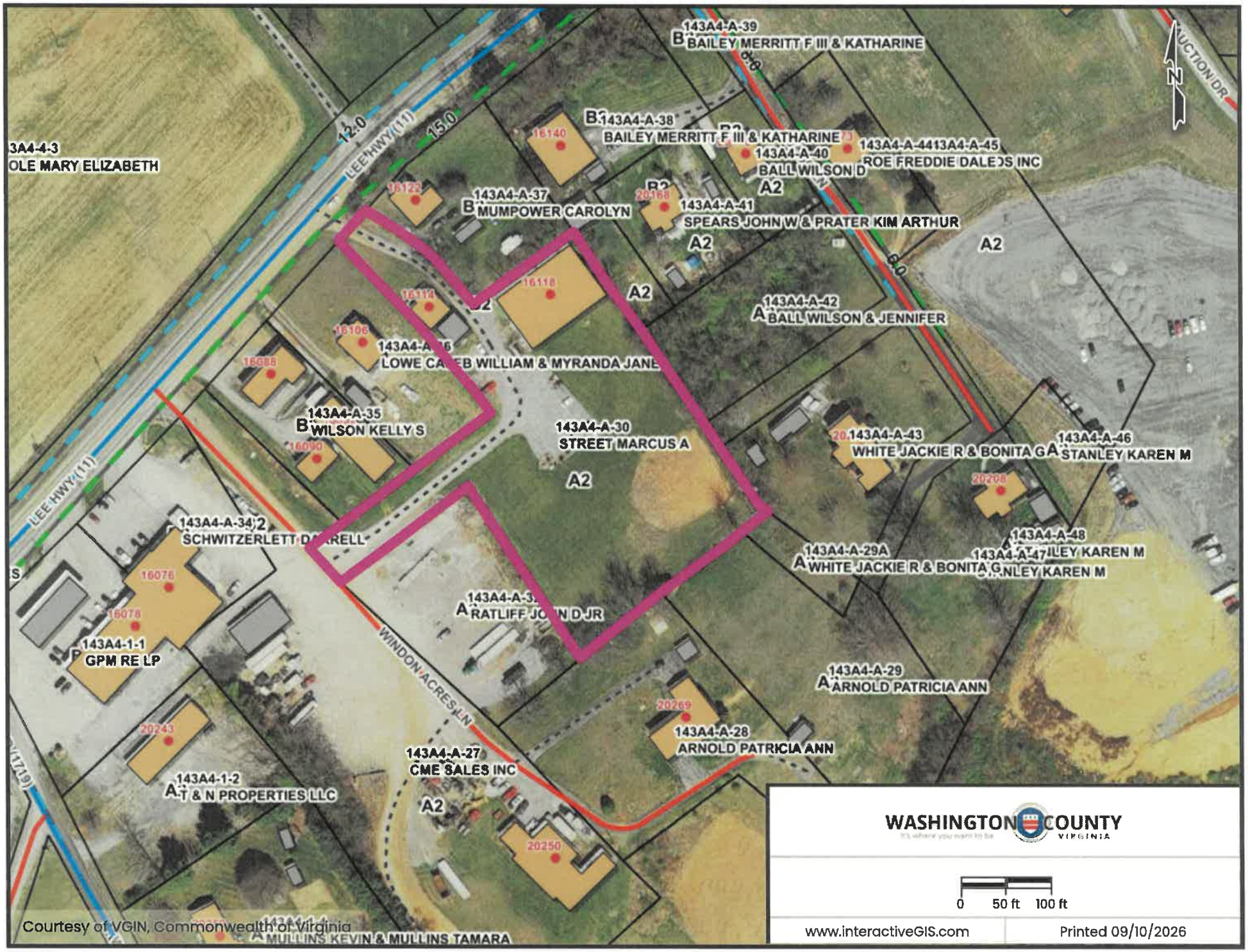
Kelly Wilson
203 Augusta Court
Bristol, VA 24202
143A4-A-35

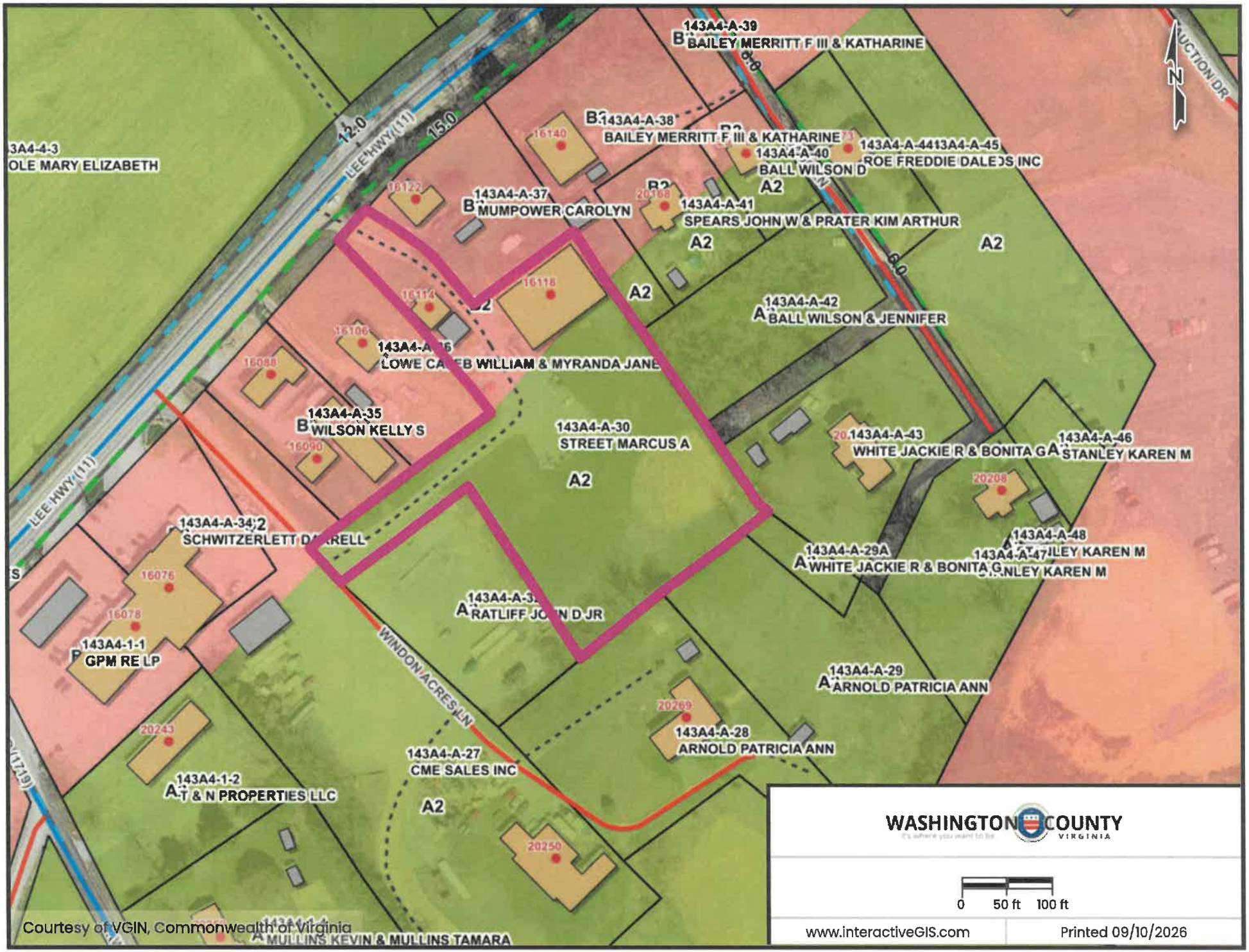
Caleb & Myranda Lowe
16106 Lee Highway
Bristol, VA 24202
143A4-A-36

Mary Elizabeth Cole
16125 Lee Highway
Bristol, VA 24202
143A-4-3

NOTE: ADJACENT & ADJOINING PROPERTY OWNERS PULLED FROM GIS & APPLICATION


COUNTY OF WASHINGTON
DEPARTMENT OF ZONING ADMINISTRATION
ZONING PUBLIC HEARING
THIS PROPERTY
FOR INFORMATION CALL
276-525-1391 276-669-0877


143A4-A-39
B BAILEY MERRITT F III & KATHARINE
143A4-A-38
BAILEY MERRITT F III & KATHARINE
143A4-A-40
BALL WILSON D
143A4-A-4413A4-A-45
ROE FREDDIE DALE)S INC
143A4-A-37
B MUMPOWER CAROLYN
143A4-A-41
SPEARS JOHN W & PRATER KIM ARTHUR
143A4-A-42
A BALL WILSON & JENNIFER
143A4-A-43
WHITE JACKIE R & BONITA G
143A4-A-46
A STANLEY KAREN M
143A4-A-35
B WILSON KELLY S
143A4-A-30
STREET MARCUS A
143A4-A-34
SCHWITZERLETT DARRELL
143A4-A-29A
A WHITE JACKIE R & BONITA G
143A4-A-48
143A4-A-47
143A4-1-1
GPM RE LP
143A4-A-29
A ARNOLD PATRICIA ANN
143A4-A-28
ARNOLD PATRICIA ANN
143A4-A-27
CME SALES INC
143A4-1-2
A T & N PROPERTIES LLC
MULLINS KEVIN & MULLINS TAMARA
3A4-4-3
OLE MARY ELIZABETH
LEE HWY (11)
WINDON ACRES LN
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Courtesy of VGIN, Commonwealth of Virginia


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143A4-A-38
BAILEY MERRITT F III & KATHARINE
143A4-A-40
BALL WILSON D
143A4-A-4413A4-A-45
ROE FREDDIE DALE JS INC
143A4-A-37
MUMPOWER CAROLYN
143A4-A-41
SPEARS JOHN W & PRATER KIM ARTHUR
143A4-A-42
BALL WILSON & JENNIFER
143A4-A-35
WILSON KELLY S
143A4-A-30
STREET MARCUS A
143A4-A-43
WHITE JACKIE R & BONITA G
143A4-A-46
STANLEY KAREN M
143A4-A-34;2
SCHWITZERLETT DARRELL
143A4-A-29A
WHITE JACKIE R & BONITA G
143A4-A-48
143A4-A-47
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143A4-A-3
RATLIFF JOHN D JR
143A4-1-1
GPM RE LP
143A4-A-29
ARNOLD PATRICIA ANN
143A4-A-28
ARNOLD PATRICIA ANN
143A4-A-27
CME SALES INC
143A4-1-2
T & N PROPERTIES LLC
MULLINS KEVIN & MULLINS TAMARA
LEE HWY (11)
WINDON ACRES LN
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AGENDA ITEM NO. 5.4

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: September 28, 2026

SUBMITTED BY: Stephen Richardson , Zoning

ITEM TYPE: Public Hearing

AGENDA SECTION: PUBLIC HEARINGS

SUBJECT:

Mitch Walters on behalf of Camp Friendship LLC, Tax Map # 167-7-17: Request for a Special Exception Permit, for Ecotourism, major, including a children's camp, on approximately 18.8 acres of property located at 23176 Moonshine Road, Abingdon, VA 24211, in the SR (Shoreland, Recreation) zoning district, Madison Magisterial District, Madison (C-21) Election District.

SUGGESTED MOTION: Motion to recommend the special exception be granted or motion to recommend the special exception be denied.

BACKGROUND AND SUMMARY:

Camp Friendship operates a summer camp program at this location. This is a permitted use as ecotourism minor. The owner would like to add a shelter with restrooms. Adding another structure would move the camp to a use of ecotourism major, which requires a special exception permit. The location is part of Lake Pointe Estates. All properties in the area are in the SR (Shoreland Recreation) zoning district.

ATTACHMENTS:

Effective 1/1/2016 (Revision 1)

County of Washington, Virginia
Department of Zoning Administration

APPLICATION FOR SPECIAL EXCEPTION PERMIT

Non-Refundable Application Fee - $50

The following items must be submitted with this form before application may be processed.
Please bring the following items with you when submitting your application form.

1. Copy of survey plat(s) and/or deed(s) to the parcel(s) requested for Special Exception Permit.
2. Completed *Adjoining Property Owner(s) List* form.
3. Completed *Project Questionnaire* included on page four of the application.
4. A site plan/development plan outlining features of the proposed use of the property. Please submit 8.5"x11" size copies. The following items should be included on the plan:
   - Title, preparer, and date of plan
   - Property lines and dimensions
   - Easements affecting the property
   - Physical features such as flood plains
   - Setbacks, dimensions, floor area, and height of all existing and proposed buildings
   - Dimension and locations of existing and proposed roads, driveways, entrances/exits, and parking areas (please label number of parking spaces on plan)
   - Location and description of site features such as landscaping, lighting, and signage (if proposed).
5. A letter of favorable review for a commercial entrance permit issued by the Virginia Department of Transportation must be submitted for all commercial and/or industrial projects. If a commercial entrance exists, please provide a copy of the existing permit and documentation from the Virginia Department of Transportation that the existing entrance is adequate for the proposed project.

Additional Notes:

- Following approval of the Special Exception Application, your project may require additional permits issued through the Building and Development Services Department. Please contact this department to discuss permits that may be required for the construction of your project at (276) 525-1320.
- You are encouraged to contact the Planning Commissioner and Supervisor for your district to discuss your project. Please let county staff know if you need help with contact information for these individuals.
- You (or a designated representative) are strongly encouraged to attend all public hearings for your project. Failure to appear may result in the delay of the application.

Applicant Information

Applicant Name: Camp Friendship / Mitch Walters

Applicant Contact Information:

23176 Moonshine Dr	Abingdon, VA 24211	
Street Address or P.O. Box	City/State/Zip Code	
423-340-6211	423-340-6211	
Home/Work Phone Number	Mobile Number	Email

Is the applicant the owner of the parcel(s) on which the Special Exception Permit will be used? ☑ Yes ☐ No

Owner Information

Owner Name: Camp Friendship / Mitch Walters

Owner Contact Information:

23176 Moonshine Dr	Abingdon, VA 24211	
Street Address or P.O. Box	City/[illegible]	
423-340-6211	423-340-6211	
Home/Work Phone Number	Mobile Number	Email

Applicant and Owner Certification and Signature

NOTE: *If Applicant and Owner are different individuals, both must sign. If Applicant and Owner are the same, please sign as Owner.*

Applicant Signature: _____ Date: _____

I THE UNDERSIGNED AM AN OWNER OF THE ABOVE-DESCRIBED PARCEL(S) AND CERTIFY I AM LEGALLY AUTHORIZED TO MAKE THIS APPLICATION FOR SPECIAL EXCEPTION PERMIT, HAVING THE PERMISSION OF ALL OTHER OWNERS (IF ANY).

Owner Signature: [signature] Date: 3/28/2016

Washington County Department of Zoning Administration
1 Government Center Place, Suite A
Abingdon, VA 24210
(276)525-1391 OR (276)669-0877

Permit Information

Need help finding a parcel number? Check the following sources: tax statements, deeds, or the county's online GIS map (http://washcova.interactivegis.com/). If you need help, please call county staff at (276)525-1390.

Applicant Requests Special Exception Permit for Use(s) and/or Activity(ies) on the Following Parcel(s):

Parcel #1: 167-7-17 (County Tax Map ID) Parcel Size: 18.80 (Acres/Square Feet) 23176 Moonshine Dr Abingdon, VA 24211 (Street Address of Existing Building located on Parcel (if any))

Current Parcel Zoning: RES

Current Parcel Use: ☐ Agricultural ☐ Commercial ☐ Industrial ☐ Residential ☐ Vacant/Unused

A Special Exception Permit for Parcel #1 is requested pursuant to County Code Section _____ for the following use(s) and/or activity(ies): CONSTRUCT A SHELTER FOR CHILDREN TO USE WHILE PLAYING ON A MULTI-USE ACTIVITY FIELD. THE CHILDREN ARE UNDER-PRIVILEGED AND ATTEND CAMP AT THE FACILITY

Will the above take more than 24 months to complete? ☐ Yes ■ No If 'Yes', how many months? 6 (SIX)

Applicant Requests Special Exception Permit for Use(s) and/or Activity(ies) on the Following Parcel(s):

Parcel #2: _____ (County Tax Map ID) Parcel Size: _____ (Acres/Square Feet) _____ (Street Address of Existing Building located on Parcel (if any))

Current Parcel Zoning: _____

Current Parcel Use: ☐ Agricultural ☐ Commercial ☐ Industrial ☐ Residential ☐ Vacant/Unused

A Special Exception Permit for Parcel #2 is requested pursuant to County Code Section _____ for the following use(s) and/or activity(ies):

Will the above take more than 24 months to complete? ☐ Yes ☐ No If 'Yes', how many months? _____

Applicant Requests Special Exception Permit for Use(s) and/or Activity(ies) on the Following Parcel(s):

Parcel #3: _____ (County Tax Map ID) Parcel Size: _____ (Acres/Square Feet) _____ (Street Address of Existing Building located on Parcel (if any))

Current Parcel Zoning: _____

Current Parcel Use: ☐ Agricultural ☐ Commercial ☐ Industrial ☐ Residential ☐ Vacant/Unused

A Special Exception Permit for Parcel #3 is requested pursuant to County Code Section _____ for the following use(s) and/or activity(ies):

Will the above take more than 24 months to complete? ☐ Yes ☐ No If 'Yes', how many months? _____

Owner Information

Owner Name: Camp Friendship / Mitch Walters

Adjoining Property Owner(s)		For County Use Only
Please list ALL property owner(s) and street address(es) of parcel(s) immediately adjoining AND directly across street(s), road(s), and highway(s) from parcel(s) requested for rezoning and/or special exception permit (this information is needed for comparison purpose and will be verified by county records):		County Tax Map ID Numbers
Chamicha Wright	Lake Pointe Dr	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Frances Wall	Lake Pointe Dr	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
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Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Name of Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	

For County Use Only

Date Application Received: _____ Received By: _____

Project Questionnaire

Requests for special exception permits involve analysis by county staff, Planning Commission members and the Board of Supervisors members. The information provided below will help staff members to review the application for compliance with county regulations. The questionnaire will also serve as an introduction to Planning Commissioners and Supervisors as a copy of the application will be included in information delivered to each member prior to the meeting date.

Please use additional paper and attach photographs if necessary.

Please provide a description of the site before and after development:

THE PROPERTY IS CURRENTLY VACANT LAND
THE PROJECT WILL HAVE A WELL MADE SHELTER TO ALLOW CHILDREN
TO HAVE A PLACE TO REST WHILE PLAYING IN THE FIELD DURING THE SUMMER

NOTE: MOST OF THE CHILDREN ARE UNDER-PRIVILEGED AND ARE ENJOYING
THE OUTDOORS AT THE PROPERTY DURING THE SUMMER MONTHS

Please describe the operation proposed including number of employees and hours of operation.

NO EMPLOYEES
THE SHELTER WILL BE USED DURING THE SUMMER MONTHS

Please describe how the properties around your site are used (residential, churches, business, schools) and how the proposed project may impact the surrounding area (e.g. noise, traffic, light, impact on environmental or other unique features).

THERE WILL BE ZERO IMPACT ON ANY NEIGHBORING PROPERTIES
BOTH NEIGHBORS APPROVE OF THE SHELTER

Please describe potential impacts on public facilities and infrastructure such as the water/wastewater system, public schools, and roads.

THERE WILL BE ZERO IMPACT ON ANY PUBLIC FACILITIES & INFRASTRUCTURE

Will your project require a permit from other licensing agencies (e.g. Department of Environmental Quality, Department of Mines, Minerals and Energy, Virginia Department of Social Services, Virginia Department of Motor Vehicles, Virginia Department of Motor Vehicles).

☐ Yes ☑ No **If yes, please explain.**

From: Mitch Walters <mwalters@friendshipauto.com>
Sent: Thursday, April 2, 2026 7:17:51 PM
To: Stephen Richardson <stephenr@washcova.com>
Cc: kytescabinets@aol.com <kytescabinets@aol.com>
Subject: Re: Application for Special Exemption Permit

Stephen.

Thank you for your assistance in hopefully allowing us to construct a shelter for the property at 23176 Moonshine Drive , Abingdon VA.

You asked me to explain the use of the property , which I will do as best as possible via this email.

The property is owned by me personally and it is titled Camp Friendship LLC. The reason was that at some point in the near future, I have plans to donate the property to The YMCA of Bristol or deed it to The Friendship Foundation.

The property is used by me personally through out the year (not very often) , and during the months of June, July and the first few days in August, The YMCA of Bristol controls the schedule for the week (Monday through Friday) from 10am until 4pm.

The YMCA has children from the entire region attend the camp through the YMCA , the Boys and Girls Club, Rivers Way, Mountain Mission School , and any other non-profit organization with children who would benefit from enjoying a

day outdoors. We also may offer the facility to Disabled Veterans, and a few other organizations that would benefit from allowing people to enjoy the outdoors .

There are no employees employed by me. There are YMCA counselors in attendance every day. There is typically 15 to 20 each day depending on the number of children in attendance. The number of children range from 80 to 110 per day.

When I purchased the property there was a small A Frame house, a small garage that was converted into a guest bedroom, and a four stall garage that housed the equipment.

I added on to the house and modernized it.
I keep the small garage to use as a bedroom.
I kept the four car garage to use to store our equipment.
I built a barn area that we call "Tucker Hall" that has bathrooms and a kitchen area as well as several games for the children to play during bad weather and after they have lunch.

The YMCA has been so successful with this camp, that the United Company Foundation and Food City provide grants to cover the lunches for the children.

We have graded an area in the field to provide an activity field for the children to use during the summer months. They will play soccer, softball, football, volleyball, horseshoes, frisbee golf and many other sprots on the activity field.

We are very appreciative to gain approval to build a shelter near this activity field so the children can have a place out of the sun to rest, eat, cool down and use the restroom between the games at the activity field.

We do not need a parking area for this property because the children arrive by bus each day.

The septic system will accommodate the shelter as the restroom usage will not increase, it will just be divided between Tucker Hall and the shelter.

We will construct a first -class shelter. Everything we have done at this property has been 100% first-class.

I am available to discuss this project further most any time. I can be reached at 423 340 6211

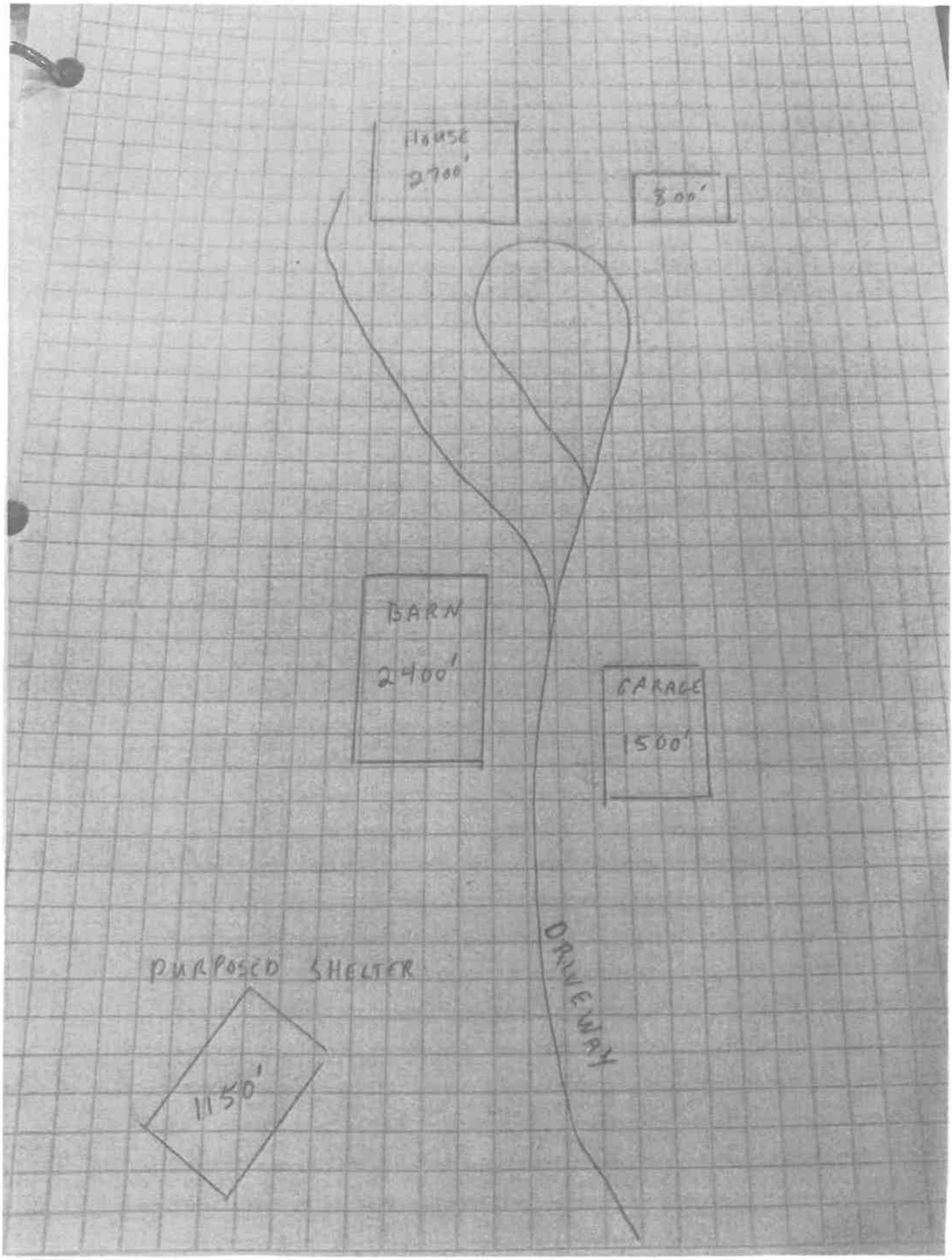
Thanks so much.

Mitch Walters.

FriendshipCars

S. Mitchell Walters
Chairman / Founder
Friendship Automotive Enterprises
1954 West State Street • PO Box 1967
Bristol, Tennessee 37620
423-340-6211
mwalters@friendshipauto.com
FriendshipCars.com




HOUSE
2700'
800'
BARN
2400'
GARAGE
1500'
DRIVEWAY
PURPOSED SHELTER
1150'

To: Zoning Commission
Re: Application Concerns

Dear Members of the Zoning Commission,

I am writing as a concerned resident regarding the current application for an eco-tourism permit for a children's camp on property accessed by Copperfield Road, Moonshine Drive, and Whitaker Hollow Road.

There are several reasons I believe this application requires closer review. Information available to the public, including a website advertising "Posh Wedding Events," suggests the property may also be intended for use as a wedding or event venue. If so, this represents a significantly different level of use than what is described in the application.

Recent activity on the property, including the development of a sports field on an adjoining neighbors lot, but for use of Camp Friendship, further indicates an increase in use and traffic. It has been stated that this field would be used not only by campers but also by guests, which raises additional concerns about the frequency and volume of visitors.

The surrounding road system is not designed to support this type of expanded use. These roads are narrow, winding, and in poor condition. Even under current seasonal use, which includes a full-size school bus and multiple vans traveling the roads daily, there are already safety concerns and limited space for vehicles to pass.

An increase in traffic from events or expanded operations would create additional risks for residents and could impact emergency access to the area.

I respectfully request that the Commission:

- Confirm that all intended uses of the property have been fully and accurately disclosed
- Consider whether the current application reflects the true scope of activity
- Require traffic, road safety, and emergency access evaluations
- Establish clear limitations and enforcement measures for any non-camp uses, including events

At a minimum, road conditions and safety should be addressed before any increase in use is permitted.

Thank you for your attention to this matter.

Sincerely,

Alicia Woodard

Dear Chair and Members of the Board of Supervisors,

My name is Kathy Harr, I am a homeowner in Lake Pointe Estates, the private neighborhood accessed via Copperfield Road and Moonshine Drive. I am writing regarding the permit request and zoning hearing for the property marketed as "POSH Events" and "Camp Friendship," proposed for
luxury weddings, corporate events, short term rentals, and YMCA youth camp programs. POSH's own website describes the property as a luxury lakefront destination for weddings and group events, with onsite lodging and extensive amenities, and Camp Friendship's information shows organized, full day youth programs with significant numbers of children and staff on site.

For the past two summers, this property has already been used as a camp. During the months of May through August, full size school buses and multiple 12-passenger vans travel Copperfield Road and Moonshine Drive twice a
day once in the morning and once at the end of the day to transport campers. Even at that limited frequency, it is very inconvenient and often unsafe for residents who regularly drive this road. In several stretches, when you meet a bus headon, one vehicle must back up sometimes down a hill or around a curve to allow it to pass. That is with the current level of camp use. The permit now under consideration would formalize and expand this into a full destination venue plus camp, likely increasing the overall intensity and complexity of traffic, especially when events and camp operations overlap.

Copperfield Road (approximately 2 miles) and Moonshine Drive (approximately 0.5 miles) are gravel, narrow, and already deteriorating under existing traffic. Passing areas are limited, shoulders are soft in places, and the surface frequently degrades to potholes and dirt. Over the last several years, there have been multiple wrecks on this road, to include vehicle rollovers. Adding more event traffic,vendor trips, short term rental turnover, and additional camp activity without significant
upgrades will increase collision risk and make it more likely that fire, EMS, and law enforcement will be delayed or blocked when responding to emergencies involving residents, campers, or guests.

Inside Lake Pointe Estates, the roads are private and were never designed or funded to function as access roads for a commercial event venue and intensive camp operation. Homeowners are already seeing increased wear and risk, with no clear commitment from the County or the operator to share costs or provide long term maintenance. Meanwhile, the POSH Events business model, as advertised, is to attract frequent large gatherings and overnight groups, which inherently generates more trips on roads that do not meet operating standards for that level of use.

We recognize that Copperfield Road and Moonshine Drive already provide access to TVA land and lake access. Our concern is the significant intensification of commercial and camp activity at the end of this corridor without corresponding improvements to road standards, public safety, and maintenance responsibilities.

For these reasons, I respectfully request that the Board either deny the permit at this time or, at a minimum, condition any approval on:

1. A professional traffic and safety study that specifically accounts for full size school buses, peak event days, and camp sessions, including the interaction of buses with resident traffic.
2. Written confirmation from Fire/EMS that emergency vehicles can safely and reliably access the site under realistic conditions, including during the summer bus schedule and event operations.

3. A funded plan, coordinated with VDOT, to widen, improve, and, if necessary, pave the Copperfield Road/Moonshine Drive corridor to a standard consistent with the proposed level of use.
4. A clear, enforceable arrangement for maintenance and repair of the private roads in Lake Pointe Estates so that homeowners are not forced to subsidize a commercial venue and camp.
5. Specific limits on event size, number of events, camp capacity, operating months, operating hours, parking, and noise, backed by meaningful enforcement and penalties for violations.

Youth programs and ecotourism can be positive for Washington County, but it would be irresponsible to expand and formalize this multiuse destination without first ensuring safe access and fair treatment for existing residents. I urge the Board to put public safety, emergency access, and infrastructure adequacy at the center of its decision.
Thank you for your consideration.

Sincerely,
Kathy Harr
22130 Lake Bend CT Abingdon VA 24211
910-884-8652

Outlook

Permit Application Concerns for Lake Point Estates

From Tina Help <helptina8@gmail.com>
Date Thu 2026-04-16 4:24 PM
To Stephen Richardson <stephenr@washcova.com>

Dear Mr. Richardson and Members of the Zoning Commission of Washington County,

I am writing to express my opposition to the proposed rezoning request. While I understand that development can bring benefits, I have serious concerns about the impact this change could have on our community—particularly related to increased traffic, road safety, and noise.

I purchased Lot 33 in the spring of 2025 with the hope of building a home that would serve as a peaceful place for my family. It is important to me that my children and grandchildren have a safe and quiet place to enjoy the lake and the surrounding countryside.

Even under current conditions during Camp Friendship events, the roads already present challenges. The narrow gravel road and limited space for vehicles to pass create difficult and, at times, unsafe situations. Expanding use of this property to include an Airbnb or event venue would likely increase traffic significantly and place additional strain on roads that are already limited.

When I purchased my property, I did so with the understanding that this area would remain a quiet, low-density residential community. My understanding is that existing covenants and agreements limit commercial activity, and I am concerned that the proposed use does not align with those expectations or with the character of the neighborhood.

I am also concerned that the full scope of the intended use may not be entirely clear. Information available publicly suggests the possibility of events such as weddings, and recent development activity—including what appears to be a sports or activity field—indicates the potential for more frequent and varied use of the property. If multiple uses are planned, I believe it is important that they be fully disclosed and carefully considered.

I respectfully ask that careful consideration be given to whether the existing infrastructure is sufficient to support this type of development. The access roads—including Copperfield Road, Moonshine Drive, and Whitaker Hollow Road—are narrow and, in some areas, difficult to navigate. Increased traffic could create additional safety concerns and may impact emergency access.

Given these concerns, I respectfully request that the Commission take a close and careful look at this application, ensure that all intended uses are fully disclosed, and consider the long-term impact on the residents who live here year-round.

Thank you for your time and consideration.

Sincerely,
Tina Parks
Lot 33, Lake Point Estates

Dear Members of the Zoning Commission,

My name is Meredith L. Miller and my husband and I own two lots in the Lake Pointe Estates neighborhood. I am writing to express concerns regarding the upcoming discussion on a permit request and rezoning hearing for a section in our neighborhood associated with Camp Friendship and POSH Wedding and Events venue.

I fully support responsible land/lake usage and laud Camp Friendship and it's promotion of youth programs and outdoor experiences. However, I am concerned that the proposed current application does not fully reflect the effect this type of usage would incur on our road conditions, emergency access and residential character of our neighborhood.

POSH already has a website set up (https://poshdestination.com) touting the venue as a place for weddings, "lively" family reunions and corporate gatherings among other suggestions. This suggests to me a level of commercial activity beyond limited eco-tourism or camp use.

My primary concerns are the conditions of Copperfield Road and Moonshine Drive and the expected increase of traffic with the proposed rezoning. Copperfield Rd and Moonshine Drive are narrow gravel roads. After heavy rainfalls, sections of these roads have gravel washed away, deep ruts, uneven surfaces and narrowing of safe driving lanes. There are no safety barriers alongside the hilly sections of Copperfield Road and the rain washouts make this even more dangerous. Increased usage may accelerate the deterioration and exacerbate driving safety concerns.

Emergency access to our neighborhood is also a critical issue to examine. The addition of more frequent and higher volume traffic could increase the chance that emergency vehicles could be delayed or obstructed trying to reach our neighborhood with the current road conditions.

Finally, the introduction of weddings, large gatherings, and short term lodging raises concerns about noise, privacy and an overall change in our neighborhood's character. As property owners, we chose Lake Pointe Estates for its rural and peaceful setting on beautiful South Holston Lake and not to be near a busy, "lively" event venue.

Given these thoughts, I respectfully request the Commission ensure full transparency regarding the intended future use of the property and carefully evaluate the current application with the concerns noted above especially in terms of it's traffic and safety implications.
Thank you for your consideration and attention to this matter.

Best Regards,
Meredith L. Miller
Lot 25 and Lot 26
Lake Bend Ct.
Abingdon, VA 24211
(423) 741-4342

Kimberly Chafin
38 Lake Pointe Drive
Abingdon, VA 24210
04/15/2026

Washington County Zoning Committee
Washington County Government Center
Abingdon, VA

Subject: Opposition to Proposed Short-Term Rental and Event Venue Use on Adjacent Lakefront Property

Dear Members of the Zoning Committee,

I am writing as a property owner in Washington County to express my opposition to the proposed use of a neighboring lakefront property as a short-term rental (Airbnb) and wedding/event venue.

Our lakefront community is valued for its quiet, residential character. The introduction of a commercial operation such as a short-term rental combined with a wedding venue would significantly alter the nature of the area. Increased traffic, noise, parking congestion, and the frequency of large gatherings are not consistent with the expectations of those of us who have invested in this area as a peaceful residential environment.

In particular, a wedding and event venue would bring regular large-scale events, often extending into evenings and weekends. This raises concerns about noise levels, disruption to the enjoyment of our properties, safety issues related to increased traffic on roads not designed for high volume, and potential strain on local resources. Additionally, transient occupancy from short-term rentals reduces neighborhood stability and accountability compared to long-term residents.

Multiple neighboring property owners share these concerns and strongly oppose this proposed use. We believe it would negatively impact property values, privacy, and the overall quality of life in our community.

I respectfully ask the Zoning Committee to carefully consider the impact this type of commercial activity would have on the surrounding residential area and to deny any request for rezoning, special use permits, or variances that would allow for an Airbnb operation or event venue at this location.

Thank you for your time and consideration of this matter.

Sincerely,
Kimberly Chafin

To: Zoning Commission

Re: Permit Application Concerns – Copperfield Road / Moonshine Drive / Whitaker

Hollow Road Access

Dear Members of the Zoning Commission,

I, Chamicha H Wright and my husband, Russell Wright, own Lot 19 and 20, next to the Friendship Camp. We bought these lots in 2020 with the intention of building our dream retirement cabin. Since we had been working on clearing and filling the area of home site and etc. When we purchased this property, this was a very secluded neighborhood where we encountered flocks of wild turkeys, hordes of dear and resident mommy bear and cubs. The changes that took place to this quiet neighborhood since Friendship camp started is significant. As the neighbors who share boundary with the camp, we felt it up close. Camp acquired all adjacent properties and trails were built throughout, and without clearly marked boundaries or fences we have no means to keep the unintended by wonders from our property, and I honestly worried that now when this becomes a venue for events this situation will get worse. Instead of innocent wonders we will have intoxicated adults wondering into our property. Place where we planned to be our quiet peaceful retirement place will be neither quiet nor peaceful anymore. I feel like "Friendship Camp" is in the business of taking over the whole community.

I am also very concerned about the road to get to this property. In fact, I wondered many times why Washington County approve this place for a children's camp when I saw school buses trying to make it through the ragged roads. Some parts of the road already washed away from the rain and any fall to the depths of hundreds of meters would be catastrophic. With Friendship camp becoming a Posh venue for weddings, will increase the traffic and put more lives in danger. I highly recommend the Zoning Commission personnel drive on these treacherous roads leading to the camp so they can see it themselves before putting any lives at risk.

Finally, Friendship Camp has already created website (https://poshdestination.com/) and anyone can visit this site and request for a tour. To me this appears to be a functioning venue. Does this mean the owner is convinced that he is getting the Zoning Commission approval? Such thought is very disheartening to me. I really hope and pray that you, Zoning Commission, will be impartial and unbiased when you make a decision regarding this proposed change.

Thank you and God Bless you!!

Chamicha H Wright

Chamicha H. Wright

To: Zoning Commission
Re: Permit Application Concerns

Dear Members of the Zoning Commission,

I am writing to formally express concerns regarding the pending application described as an eco-tourism permit, including the installation of a pavilion near a spots field for a children's camp.

While supporting efforts that benefit children is important, there is credible evidence suggesting that the proposed use of this property may not be accurately or fully represented in the application.

A website titled "Posh Wedding Events" has already been created to promote this property as a wedding and event venue. This raises serious questions about whether the application is being presented in a limited manner to secure approval for a much larger and more impactful commercial use.

It is also important to note that many of us are full-time residents of this area and live on and around these roads year-round, while the property owner does not reside locally. This difference in day-to-day presence means that residents directly experience the road conditions, traffic patterns, and safety concerns on a regular basis, whereas the applicant does not share the same ongoing exposure to these impacts.

In addition, it has recently been observed that a soccer or sports field is being constructed on the property across from my residence. A sports field suggests regular organized activity, increased traffic, and a higher volume of visitors, which would further strain the already limited and unsafe road infrastructure. This reinforces concerns that the full scope and intensity of the intended use of the property may not be fully disclosed.

If this property is intended, in whole or in part, for weddings or event hosting, then the scope, impact, and required review would be significantly different than what has been disclosed.

It has been stated that the sports field is intended for use by children attending the camp as well as guests of the venue. This further supports concerns that the property is being developed for multiple and potentially overlapping uses, including both camp-related activities and event hosting. The combination of these uses would significantly increase the frequency and volume of traffic, placing additional strain on roads that are already limited in capacity and condition. This raises important questions as to whether the full intensity of use has been disclosed and appropriately evaluated.

Equally concerning are the conditions of the roads providing access to the property—Copperfield Road, Moonshine Drive, and Whitaker Hollow Road. These roads are narrow, steep in areas, and in poor repair. They are not suitable for increased traffic volume, particularly from event attendees unfamiliar with the terrain, nor for larger service or emergency vehicles.

Current seasonal use already demonstrates the limitations of this infrastructure. From the end of May through the end of July, a large school-size yellow bus and large passenger vans travel these roads twice daily, along withvendor vehicles. These conditions already create hazardous situations. I have personally had to back up the mountain along Copperfield Road to allow the bus to pass due to the lack of safe passing space, which clearly illustrates how limited and dangerous portions of this roadway are under current use.

Introducing additional traffic from events such as weddings or organized sports activities would significantly worsen these conditions and increase the likelihood of accidents and delayed emergency response.

This situation presents clear risks, including:

- Unsafe driving conditions and increased likelihood of accidents
- Delayed or limited access for emergency responders
- Heightened risk to residents, including children living along these routes
- Loss of safety and security associated with increased traffic from non-residents entering a rural residential area

These are not minor inconveniences—they are legitimate public safety concerns.

Given these factors, I respectfully urge the Commission to:

- Require full disclosure of the intended use of the property
- Determine whether the current application accurately reflects that use
- Require appropriate studies, including traffic, infrastructure, and emergency access evaluations
- Clarify whether event use such as weddings or organized sports activities would be permitted under this application, and if not, what enforcement mechanisms would be in place

At a minimum, if this application is approved in any form, the roads should be fully evaluated and brought to a safe standard before any increased or event-level use is permitted.

Approving an application based on incomplete or misleading information could have lasting negative consequences for both residents and public safety.

Thank you for your careful consideration of this matter.

Sincerely,
Dawn Robinson

22071 Lake Bend Court

Abingdon, VA 24211

20004817

18

RESTRICTIONS, DECLARATIONS AND COVENANTS

FOR

LAKE POINTE ESTATES ON SOUTH HOLSTON LAKE

MAY 15, 2012

Prepared By
Michael A. Bragg, Attorney At Law
Bristol, Tennessee

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pc

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WHEREAS, ALLAN R. POOLE, II, and EUNICE J. POOLE are the owners of a certain parcel of land located in the Madison Magisterial District of Washington County, Virginia, by deed from BILLY O. PROFFITT, et. ux, and QUALITY PROPERTIES, L. P., dated November 10, 2006, of record in the Office of the Clerk of the Circuit Court of Washington County as Instrument No. 060009161; and

WHEREAS, ALLAN R. POOLE, II, and EUNICE J. POOLE have caused the subdivision of said property in compliance with the laws of the Commonwealth of Virginia and the ordinances of Washington County and have caused to be recorded in the aforesaid Clerk's Office in Plat Book __, page __ a duly approved plat of subdivision dated July 13, 2001, by Kenneth L. Addison, C.L.S., and captioned Lake Pointe Estates on South Holston Lake; and

WHEREAS, ALLAN R. POOLE, II, and EUNICE J. POOLE desire and intend by this instrument to establish restrictions, covenants and declarations for the orderly and consistent development of all of the lots of said subdivision, subject to the reservations and exclusions stated herein for the mutual benefit of each and all of said lots, their respective owners, their successors and assigns,

Now, therefore, in furtherance of such purposes, the following restrictions, covenants and declarations for all the lots, subject to the reservations and exclusions stated herein, of Lake Pointe Estates on South Holston Lake.

Article I

GENERAL PROVISIONS AND DEFINITIONS

1. **Development Defined.** "The Development" shall mean Lake Pointe Estates on South Holston Lake and all lots and common areas thereof, subject to the reservations and exclusions stated herein, as shown on the above referenced plat of record. Provided, however, that the provisions of Article III, Construction Standards, Paragraphs 28, 29, 30, 31, 32 and 33, (and the provision of Article II, paragraph 10, incorporating Article II) shall not apply to Lot 2 and Lot 17, which respectively contain an preexisting constructed residence. Those provisions fully shall apply to and bind the respective lots upon the construction of any new buildings, including outbuildings or garages, and/or the material alteration of, or addition to, the existing residence.

2. **Developer Defined.** "Developer" shall mean Allan R. Poole, II, and Eunice J. Poole, their successors or assigns. The Developer may appoint and designate from time to time an individual or individuals to act on his behalf in carrying out or exercising rights or discretionary acts reserved to him herein, including but not limited to an Architectural Review Committee. The recording of an instrument making such appointment in the land records of the Office of the Clerk of the Circuit Court of Washington County shall be conclusive of the authority so appointed unless and until a termination of such powers be recorded in such records. "Developer" shall also include "The Lake Pointe Estates on South Holston Lake Property Owners' Association" upon the conveyance by Developer to others of a total of 90% of the building lots within the Development. As used herein, "others" does not include conveyance to any corporation

or other entity in which Developer owns at least a 40% interest or the conveyance of any lot or lots in trust to secure debt.

3. **Restrictions Defined.** "Restrictions" and/or "Declarations" shall mean the Restrictions, Covenants and Declarations contained in this instrument and any amendments or modifications later adopted pursuant to the terms hereof and admitted to record.

4. **Running With The Land.** Each purchaser of any lot within the Development by accepting a deed thereto acknowledges the application of these Restrictions to said lot and assents thereto and to the validity and enforcement of these Restrictions. The restrictions run with and touch all lots contained within the Development and shall be binding on all parties claiming ownership interests in any such lots or land, now and forever, their successors and assigns, and however such claim of ownership be derived.

5. **Term.** These Restrictions, as may be amended or modified from time to time, shall continue and be binding for a period of fifty (50) years from the date on which this instrument is recorded unless sooner terminated by written instrument executed by the then owners of at least ninety per cent (90%) of the lots within the Development.

6. **Amendment and Modification.** These restrictions may be amended from time to time by written instrument executed by owners of at least two-thirds (2/3) of the lots of the Development. The Developer may amend or modify any provision hereof in his sole discretion and without regard to number of lots then owned by Developer and without the concurrence of other lot owners; provided, however, that this right to amend or modify unilaterally shall cease upon the conveyance by Developer to others of a total of 90% of the lots in the Development. As used herein, "other" does not include

conveyance by Developer to any corporation or entity in which Developer owns at least a 40% interest or the conveyance in trust to secure debt.

7. **Variance.** A lot owner may be granted a variance permitting a use or activity not in conformity with a provision or provisions of these Restrictions by the Developer, his designees appointed pursuant to paragraph 2 above, or by the then owners of a majority of the lots of the Development. No variance shall be enforceable or effective to release the owner from compliance with the restrictions unless it be in writing, specifying the nature of the variance and the specific provision hereof which is involved, and be executed by the proper parties and admitted to record in the Office of the Clerk of the Circuit Court of Washington County. A variance may be temporary and personal to the owner to which it is granted or may be permanent and run with the land. The variance shall be temporary and personal unless otherwise specified in the written instrument. The granting of any variance shall not be a waiver of strict compliance with the restrictions set out herein on any lot or by any party to which the variance has not been granted.

8. **Developer's Discretion.** The Developer or his designees in carrying out any of the rights, provisions or duties reserved, given or afforded herein, shall have absolute discretion in doing so, free of any claims of any other persons or entities, and may exercise those rights, powers or duties with regard to any lot or property within the Development, including lots or property in which the Developer owns, holds or claims an interest. The Developer shall owe no liability to any person or entity for his acts or omissions in exercising such rights, powers or duties. Any judgment, discretion, decision, interpretation or other matter made, undertaken, or rendered by the Developer herein pursuant to his rights, powers or duties given herein shall be binding on all lot

owners. No lot owner shall have any remedy, legal or equitable, against Developer and in no case shall damages be claimed, shown or obtained against Developer.

9. **Multiple Lot Owners.** In the event that a lot is owned by more than one person or entity, whether as tenants in common, tenants by the entirety, joint tenants or otherwise, any one of the owners of an interest in such lot may consent to modification of, amendment to, variance from, or termination of these Restrictions and such consent shall be binding upon the owners of the other interests therein.

ARTICLE II

USE OF LOTS

10. **Residential Purposes Only.** All lots in the Development may be used only for single family residential purposes utilizing houses conforming to the standards set out in Article III of these Restrictions. No more than one single family unit may be constructed, erected, placed, created, established or maintained on any lot. Provided, however, that Developer may reserve or withhold any number of lots to be dedicated to the purpose of serving all property owners as common area, which lots shall not be limited to the use or uses defined in this Paragraph. No mobile home, trailer, prefabricated home, modular home or double wide home may be placed, erected or maintained on any lot at any time.

No business may be operated or conducted on any lot. This restriction, however, shall not be interpreted to prohibit the use of a home office in any residence constructed on any lot provided that no business can be conducted in or through a home office in which the public is explicitly or impliedly invited to make entry into the Development to conduct or engage in the business.

The limitation contained in this paragraph 10 shall not prohibit erection, placement or establishment of a sales office, model home, or other structure by Developer for the promotion of the sale of lots or homes within the Development or the placement and use of construction trailers as provided for and subject to the limitations contained and set out below.

11. **Further Subdivision Prohibited.** No lot may be subdivided without the prior written consent of the Developer and appropriate government bodies or agencies.

12. **Preservation of Trees.** No living tree larger than three and one-half inch diameter may be cut or removed without prior written consent of the Developer, which consent shall not be unreasonably withheld..

13. **Prohibition of Hunting.** There shall be no hunting on any lot or other area within the Development at any time.

14. **Lawn Ornaments.** No lawn ornaments of any kind are permitted in any yard facing a street or in any side yard except with the prior approval of Developer.

15. **Maintenance of Grounds.** All yards facing streets shall be fully planted and covered in grass excepting only reasonable and ordinary driveways, walkways, flower and shrub borders. Lot owners shall maintain their lawns, hedges, shrubs, and other plantings in a neat and trimmed condition at all times. In the event of an owner's default of this obligation, upon three days written notice from Developer to the lot owner or occupant Developer or his employees or contractors may enter onto such lot and perform such tasks as are appropriate without liability therefore and the lot owner and occupant shall be liable to Developer for the actual costs of such work plus fifty per cent (50%) of the cost. No burning of debris, brush, rubbish, or trash may be conducted within the

Development. All debris, brush, trimmings, cuttings, trash or rubbish shall be removed from the Development and disposed of in accordance with the laws of Washington County, Virginia, at the owner's expense. Any damage caused by burning in violation of this provision shall be the sole responsibility and/or liability of the violator.

16. **Vehicles.** No trailer, golf cart, atv, truck having in excess of six wheels, camper, camper vehicle or boat shall be kept or parked on any lot at any time unless housed in a garage or otherwise shielded by view from any street or neighbor. No inoperable vehicle may be parked or kept on any lot unless housed in a garage. No vehicle may be parked on any street in the Development for an aggregate period in excess of 24 hours during any calendar year. No major vehicle repair may be conducted on any lot. All routine vehicle repairs or maintenance shall be conducted in close proximity to the garage entrance and is not permitted either on or in close proximity to streets.

17. **Nuisance.** No lot owner may engage in any activity, allow any condition to exist or continue, or allow any family member, guest, lessee, tenant or licensee to engage in any activity which constitutes a nuisance or which causes any foul or obnoxious odors, or that disturbs the peace, quiet, comfort, serenity or enjoyment of the occupants of any of the other property within the Development or that might diminish the value of such property or the general attractiveness of the Development.

18. **Delivery Boxes.** All mailboxes, newspaper boxes or other boxes for receipt of deliveries of any kind shall be of design as determined by the Developer. Mailboxes shall be located in a common area located at the gated entrance to the Development.

19. **Satellite Dishes and Antennae.** No satellite dish, television tower, receiving tower or radio antennae or tower may be placed, erected, or maintained on any lot.

Satellite dishes less than four meters in diameter may be placed upon the lot if not visible from any street or with prior written approval of the size and location by Developer.

20. **Clotheslines.** No outside clotheslines may be erected, placed, or maintained on any lot.

21. **Signs.** No signs of any kind whatsoever shall be placed on any lot, excepting signs exhibiting house numbers and residents' names approved by the Developer and "for sale" signs no greater than four (4) square feet in dimension.

22. **Trash.** No lot may be used as a dumping ground for rubbish, trash or garbage, and any and all such waste shall be kept in suitable sanitary containers. No owner shall allow trash, rubbish or debris to accumulate on any lot at any time. Grass and or shrubbery clippings, tree limbs, leaves, and dead shrubs shall be collected in appropriate waste receptacles to be removed from the Development and disposed of within a reasonable time. Dumping or disposal of any materials on any other lot is prohibited. Developer may enter onto any lot to remove any rubbish, trash, garbage or other debris and may collect its costs of labor and material plus 50% of such costs from the lot owner, occupant, and/or the individuals who violate this section.

23. **Animals.** No pets or animals, other than dogs, cats and small traditional household pets shall be housed or kept on any lot. Horses are allowed on lots, or combinations of contingent lots, with a total area of at least ten acres. No pets or animals shall be housed or kept for any commercial or breeding purpose. Pets shall be at all times under the control of the owner. All pet owners shall comply with the animal control ordinances of Washington County and statutes of the Commonwealth of Virginia.

24. **Firewood.** Any and all firewood stockpiles shall be placed so as to not detract from the aesthetic appearance of the lot when viewed from any vantage point. If a firewood stockpile is covered, the covering shall be of heavy non-plastic material and shall be black in color and securely tied down to prevent disturbance by wind.

25. **Temporary Structures.** No temporary building or structure is permitted on any lot except for temporary tool sheds and/or field offices used by a builder and/or Developer during construction. All such sheds or offices shall be removed when the construction or development is completed, a certificate of occupancy is issued, or upon cessation of work for a continuous period of 21 days, which first occurs.

26. **Exterior Lighting.** Street lights placed within the utility easement shall be part of the common amenities and the property of the Property Owners' Association. Each lot owner grants and conveys to the Property Owners' Association and the Developer an easement to enter onto each respective lot for the purposes of maintaining, repairing or replacing the street lights within the utility easement shown on the recorded plat of the subdivision. No other exterior lighting, including recreational and/or security lighting, shall be installed, maintained or utilized on any lot if such lighting unreasonably affects the use or enjoyment of any other lot, street, or common area.

27. **Fences.** Fences on individual lots (with the exception of fences enclosing tennis courts which are provided for below) shall be a maximum height of six (6) feet. No fence shall extend toward the front or street side property lines beyond the rear wall of the residence except as provide by Developer in writing. Fences must be closed picket, wood, solid stone or brick privacy fences. Other designs or materials may be permitted only with approval of the Developer. No chain link fencing will be permitted.

The exterior side of all fences must be finished. All finishes must be approved by the Developer in writing prior to construction.

28. **Limitations On Access To The Development.** Access into the development, in the sole discretion of Developer, may be controlled by a locked entrance Gate of a design selected at the Developer's sole discretion and to be installed by the Developer prior to the occupancy of the initial residence receiving a permanent certificate of occupancy. Control of the gate shall be made using technology which may change from time to time. Lot Owners shall not disseminate, nor allow family members or guests to disseminate, locks, access codes or other modes or access to individuals who are residents of the Development, family members of residents excepted, except when necessary and only with strict precautions and oversight so as to protect the privacy and safety of Lot Owners.

ARTICLE III

CONSTRUCTION STANDARDS

29. **Construction Plans Required.** No building, fence, wall, structure or other improvement shall be erected, placed, altered, modified or constructed on any lot until detailed construction plans, specifications and a plan showing the grade elevation (including rear, front and side elevations) and the locations of the structure, fence, wall or improvement, the type and color of exterior materials and the driveway have been submitted to and approved in writing by Developer. No construction activity of any kind, including excavation or lot clearing, shall begin until Developer has given written approval of the construction plans. No fence, hedge, barrier or wall of any kind may extend toward the front or street side property line beyond the rear wall of the residence.

Fences, barriers and walls shall be of substantial construction materials, of first class design, and comply with all governmental regulations. Developers may vary the setback requirements contained herein in his sole discretion where not in conflict with applicable zoning regulations and may grant a variance from the setback requirements contained herein conditioned upon the lot owner obtaining a variance from the zoning requirements.

30. **Developer's Approval of Plans.** Each lot owner shall be responsible for conforming any construction or improvements to the standards required in these Restrictions. Approval by Developer of any proposed plans shall not be an acknowledgment, warranty, guarantee or other undertaking by Developer that such plans or specifications conform to the requirements or limitations of these Restrictions, shall not establish a variance from strict compliance with the requirements of the Restrictions unless so expressly stated, shall not estop Developer or any other party from enforcing all or any part of these Restrictions, and shall not expose or suffer Developer to any liability to the lot owner or any other person or entity.

31. **Plans Generally.** Plans submitted to Developer shall be to one-fourth (1/4) inch equals one (1) foot scale. Plans shall include and lot plan showing location of all improvements, detailed construction plans, front, rear and side elevations, and landscaping plans.

32. **Minimum Square Footage.** Any single story house constructed on a lot in the Development shall contain a minimum of Two Thousand (2,000) square feet of finished area. Any multiple story house shall contain a minimum of Two Thousand Four Hundred (2,400) square feet of finished area, and the area of the main level shall be at least One Thousand (1,000) square feet of finished area. The Developer may grant a

reduction in minimum finished area of no more than ten per cent (10%). Underground basements, garages and open porches shall not be included in computing total square footage; however, finished area in daylight basements with at least one exterior door and two full-sized windows may be included in such computation.

33. **Roof Pitch.** All roof pitches must be approved by Developer.

34. **Set-Back.** No portion of any residence, including porches, decks or patios, may be located within thirty-five (35) feet of the lot boundary line along any street or within fifteen (15) feet of any interior lot line.

35. **Exterior Building Materials.** The exterior finish of any building must extend to finished grade and shall be brick or stone veneer. Wood, vinyl siding, stucco, synthetic stucco products or similar materials, or synthetic plastic will be acceptable in limited applications but only with prior written approval or the Developer. Any and all retaining walls extending beyond the exterior walls of the residential structure shall be of the same material as the exterior walls of the residential structure. Fireplaces and chimneys shall be masonry unless otherwise approved in writing by Developer. The design, materials, location and construction of porches and exterior decks shall be submitted to the Developer for approval prior to commencement of construction.

36. **Appurtenances, Improvements and Other Permanent Structures.** No appurtenance, improvement or other permanent structure shall be constructed, placed or maintained on any lot unless such meet the minimum requirements set out herein and the design and specifications thereof have first been approved in writing by Developer. Such permanent structures, improvements and appurtenances include, but are not limited to, exterior sculpture and other artwork, pools, fences, gazebos, storage facilities, tennis

courts and basketball goals. No exterior alterations of any existing buildings, structures or other improvement is permitted without prior written approval by Developer.

37. **General Standards.** The following standards and requirements are applicable to the residential structure and all other appurtenances, improvements and other permanent structure

(a) **Garages.** Each house shall have an attached or basement garage capable of housing at least two vehicles. All garages on lots over 100 feet wide shall be rear entry or side entry unless otherwise approved in writing in advance by Developer. Garages on lots 100 feet or less wide, at property line, may be front entry. There may be in addition to the foregoing, but not in substitution therefore, a detached garage. Garages are to be of the same architectural design and constructed of the same materials as the main structure.

(b) **Driveways.** All driveway areas must be asphalt, concrete, or brick. Use of any other materials is prohibited without prior written approval of Developer who may impose conditions upon the granting of the exception. A drainage plan shall be submitted to the Developer for approval prior to commencement of construction.

(c) **Flashing, Vents, Louvers, Etc.** The roof pipes, vents, louvers, flashing, and utility equipment shall be painted to match the surface from which they project or pursuant to a color scheme approved in advance by the Developer.

(d) **Swimming Pools.** All Swimming pools must be in-ground pools. Above ground pools are prohibited. No construction of swimming pools may be commenced until the design and plan has been approved by Developer. Drainage, fencing, location and lighting plans shall be included in the construction design plan submitted to Developer. Surface water drainage on other properties within the Development may not be increased

as a result of the construction or location of the pool and/or patios. Any swimming pool must be located in the rear of the residence and no swimming pool may extend beyond line of the rear wall of the primary permanent residential structure. The Developer may grant an exception for the location of a pool based upon unique characteristics or problems of the individual lot. No lighting of a pool or other residential structure may be installed without the prior written approval of Developer. Such lighting must be designed to buffer the surrounding residences from the lighting.

(e) **Tennis Courts.** No tennis court may be constructed without the prior written approval of Developer. No tennis court may extend beyond the front of the primary residential structure. Drainage, fencing, location and lighting plans shall be included in the construction plains submitted to the Developer. Surface water drainage onto other properties may not be increased as a result of the construction or during the construction of the tennis court. The fencing for the tennis court (if any), including posts, caps, and gates, must be coated with black or green vinyl. Lights for tennis courts are not permitted.

(f) **Basketball Goals.** Basketball goals are permitted provided that the type and location is approved by the Developer.

(g) **Fences.** Fences must be constructed in conformity with paragraph 27. No construction may commence until the plans have been approved by the Developer. The submitted plans must include a lot plan depicting the location of the proposed fence and a diagram and/or picture describing the fence and fencing materials.

(h) **Heat Pumps, Air Conditioning, Other HVAC Equipment and Utility Areas.** All exterior HVAC equipment, including heat pumps and air conditioning units, utility

equipment and utility meters must be completely screened from public view in a manner and at a location approved in writing by the Developer. Such screening shall utilize landscaping and/or permanent fences of solid materials and must be located as far from property lines as reasonably possible.

38. **Damages to Common Improvements.** Anyone cutting into, damaging in any manner, or otherwise affecting the streets or sidewalks, water lines, storm or sanitary sewer, surface water drainage facilities or any other common improvements shall repair and restore the sewer, sidewalk, street, or road to its original condition at such person's sole risk and expense; provided, however, that this provision is not intended to be and shall not be construed as a grant of permission by Developer or others to carry out such activity and shall not in any circumstance subject, suffer, or constitute a basis to impose upon, the Developer liability of any form or nature. Developer or any lot owner may repair any such damage and the lot owner causing or allowing the damage shall reimburse whomever made the repair for the actual cost thereof.

39. **Landscaping and Site Preparation During Construction.** During any construction, the lot owner and the builder shall be bound by the following restrictions:

(a) No site preparation may be commenced until site preparation plans have been submitted to and approved in writing by the Developer. Site preparation plans shall include, but are not limited to identification of all trees which will be removed from the lot and the elevations of the lot both before and after sit preparation.

(b) Building materials may not be stockpiled within the drip lines of trees.

(c) All debris including, but not limited to, trees, branches, trimmings, clippings, rocks and roots, resulting from the clearing of any lot except a lot owned by Developer or

any corporation or entity in which Developer owns at lease a 40% interest shall be promptly removed from the Development. If such debris is not removed promptly, Developer may enter the property and remove such debris at the expense of the lot owner.

(d) No construction material, equipment or debris shall be placed on any lot other than the lot on which the structure is being built, without regard to whether the lot is vacant, in any stage of construction, or adjoins the construction site.

(e) Runoff and erosion shall be controlled on site while the site is disturbed.

(f) The construction site shall be cleaned up daily and maintained in a clean and orderly condition.

(g) No living tree within outside the building area of the residence's foundation and larger than three and one-half (3 1/2) inches in diameter may be cut or removed without prior written approval of the Developer.

40. **Permanent Landscaping Plans.** Lot owners must submit permanent landscaping plans in writing to Developer for approval prior to planting. The landscaping plan shall contain the following:

(a) Landscaping shall be completed within thirty (30) days of occupancy unless otherwise approved.

(b) All yards must be completely graded and seeded upon completion of construction.

(c) The plan shall include the planting and maintaining of a minimum of five (5) trees with at least three and one-half inch caliper in the front yard.

(d) Landscape plans and designs for each lot shall reinforce the natural character and woodland quality of the surroundings. Cleared areas should be landscaped with trees, shrubs and lawn designed to compliment the architectural character of the residence in

form, location and scale. Plant material of advanced maturity and of the highest quality should be used to give the property a finished and established feeling.

41. **Utilities.** Any and all utility lines or wires for communications, cable television, or for transmission of electrical current and all other utility services of any kind or nature whatsoever located outside of any residence or other building or structure must be constructed, placed, installed and maintained underground.

42. **Drainage.** Drainage of, for, onto or from each lot shall be in conformity with the general drainage plan of the Development. No storm or water drains, roof downspouts or ground water disposal systems may be integrated into the sanitary sewer system. All lot connections shall be made with water-tight joints and shall conform in all respects with applicable building or plumbing codes.

43. **Easements.** Easements for installation and maintenance of utilities and drainage easements may be reserved over each or any lot in the Development as shown on the recorded plat or by deed. The inclusion of such as easement on the recorded plat shall establish the easement for the benefit of each and all lots in the Development. No structure, planting of other material shall be placed, maintained, or permitted to remain which might damage or interfere with the installation or maintenance of utilities, or continuation of utility service, or which might change, alter, interfere with or obstruct the direction of or rate of flow of water within the drainage easements.

44. **Upkeep Prior to Completion of Residence.** Each owner of a lot upon which construction of a residence has not been completed must maintain the lot in accordance with all the applicable provisions of these Restrictions.

45. **Completion of Construction.** Construction, once commenced upon a lot, must be completed within a period of one (1) year after the date that work was commenced. Once commenced, construction shall be diligently undertaken. A construction project shall be deemed abandoned if no significant work is done during a three month period. Abandoned construction, or construction remaining unfinished beyond one year from commencement shall be a violation of these Restrictions and the lot owner shall be subject to all remedies, legal and equitable, afforded to the Developer, other lot owners, or the property owner's association herein or by virtue of law. In addition to those general remedies, the Developer or Property Owner's Association may also, at the offending lot owner's expense, undertake such action to remediate the violation, including demolition and removal or any partially completed construction.

ARTICLE IV

STREETS AND COMMON AREAS

46. **Streets; Easement.** The streets of the Development may be withdrawn from dedication to the public to be maintained and operated as private streets. Lot Owners shall own an easement of travel on, over and across all streets of the Development.

47. **Property Owners' Association.** In the event that the streets shall be withdrawn from dedication to the public and/or until such time as any dedication is accepted, the Property Owner's Association shall maintain and repair the streets, including snow and debris removal, to continue the streets at the standard and condition to which they were constructed, meeting the standards for acceptance by the Virginia Department of Transportation for acceptance into the state road system. The Property Owner's Association shall maintain a street fund derived from regular assessments to provide

regular maintenance and minor repairs and may supplement that road fund, from time to time, by special assessments. In the event that the Property Owner's Association fail, refuse, or be unable to undertake reasonably necessary repairs or maintenance, any Lot Owner or group of Lot Owners may give written notice to the Property Owner's Association and other Lot Owners of the intent to undertake such maintenance and repairs and recover contributions of pro rata cost from other Lot Owners and reimbursement of paid assessments from the Property Owner's Association pursuant to Paragraph 47.

48. **Street Maintenance Fund.** The Developer shall establish and the Property Owner's Association shall maintain a street fund to be used exclusively for the maintenance or repair of the streets. Each purchaser of a lot in the Development shall pay to the Property Owners Association upon closing of the purchase a Special Assessment in the amount of $1,000.00 to be deposited into the street fund. Additional moneys shall be derived from regular assessments to provide regular maintenance and minor repairs and the Property Owners Association may supplement that road fund, from time to time, by special assessments. In the event that the Property Owner's Association fail, refuse, or be unable to undertake reasonably necessary repairs or maintenance, any Lot Owner or group of Lot Owners may give written notice to the Property Owner's Association and other Lot Owners of the intent to undertake such maintenance and repairs and recover contributions of pro rata cost from other Lot Owners and reimbursement of paid assessments from the Property Owner's Association pursuant to Paragraph 47.

49. **Lot Owner Obligations.** Lot Owners, their heirs, personal representatives, successors and assigns, shall have a continuing obligation to maintain, and repair, the road in good and safe condition in accordance with standards set forth in Paragraph 46. The Lot Owners shall share in the cost of such maintenance and repair pro rata based upon the number of lots owned, regardless of the size of any particular lot or distance traveled over the road; provided, however, that in the event a party of such party's agent or business or professional invitee causes damages to the road other than ordinary wear and tear, such party shall be required to repair such damage and bear the cost thereof exclusively. The obligation assumed under this Paragraph shall survive the termination or expiration of the Covenants and restrictions and shall run with the land. The obligation assumed hereunder shall be satisfied by the payment of all then current general and special assessments made by the Property Owner's Association; provided, however, that in the event that the Property Owner's Association fail, refuse, or be unable to undertake reasonably necessary repairs or maintenance, the prior payments of general or special assessments shall not relieve a Lot Owner of liability hereunder and any Lot Owner having made such payments shall be entitled to reimbursement from the Property Owner's Association of any special assessments made for the purposes of road maintenance and repair and for indemnity for the amount by which the payments made by the Lot Owner exceeds the Lot Owner's pro rata share of the costs expended..

50. **Maintenance and Repair Defined.** The terms "maintenance" and "repair" shall include, but not be limited to, repairing the road surface, adding stone, clearing obstructions, grading or scraping the road as necessary, cleaning or recutting ditches as necessary, trimming brush along the roadside, removing snow, unplugging or opening

culverts or drainpipes, and performing any and all other necessary work required to maintain the road in a condition that will allow for reasonable and safe access of standard passenger vehicles.

51. **Lien.** There shall be a continuing lien upon each lot having a right of use of the road to secure the payment of charges herein provided for road maintenance and repairs, but such liens shall at all times be subject to any first or second deeds of trust placed on the lot until notice of such lien shall have been recorded. If the pro rata share of the cost of maintenance or repairs due hereunder is not paid by the owner of a lot when due, a notice of such nonpayment may be recorded by the parties or by the person or corporation providing such maintenance or repairs in the Clerk's Office, and from the time of such recordation, the amount stated in such notice, together with interest, costs, and reasonable attorney's fees, shall become a lien prior to any deeds of trust recorded subsequently to the recording of such notice.

ARTICLE V.

GENERAL ENFORCEMENT PROVISIONS

52. **Enforcement.** These restrictions may be enforced by any owner of a lot within the Development, the Developer, or the Property Owner's Association. All lot owners agree that any violation should be restrained and, in addition to but not in exclusion of all remedies, consent to injunctive relief to be granted by any court of proper jurisdiction without regard to whether there might be adequate remedies at law.

53. **Severability.** Invalidation of any one of the provisions of these Restrictions by judgment, court order, statute, regulation or other governmental rule or decision shall in

no way affect any of the other provisions, which shall remain in full force and effect as if the invalid provision were never a part hereof.

54. **Waiver.** The failure to enforce any of the restrictions at the time of its violation or thereafter shall in no event be a waiver of the right to do so subsequently nor shall any party be estopped to require the strict compliance with each and all of these restrictions or to enforce the same in a court of law or equity.

ARTICLE VI

PROPERTY OWNERS' ASSOCIATION

55. **Establishment.** There is established the Lake Pointe Estates on South Holston Lake Property Owners' Association (hereafter referred to as The Association). The Association shall be a non-stock corporation organized under the laws of the Commonwealth of Virginia.

56. **Purposes.** The Association shall own all common areas and common improvements established by the Developer in the recorded plat or thereafter acquired by The Association and shall not include the streets shown on the plat. The Association shall have the power to construct any improvements deemed appropriate for the common good of the Development, including a boat landing. The Association shall maintain all common areas, pay all taxes thereon, and maintain such insurance coverage's as it deems appropriate. Any common lighting shall be owned and maintained by, and costs thereof paid by, The Association. In the event that the Commonwealth of Virginia shall in the future offer to accept the streets into the state highway system, the Association shall execute any and all instruments necessary for the completion of that acceptance.

57. **Membership.** Each owner of a lot in the Development automatically becomes a member of the Association and shall be entitled to vote on all matters subject to vote of the members. Each lot shall have one vote. In the event that a lot is owned by more than one owner, the owners shall determine how the vote is to be cast. Proportionate or fractional votes shall not be allowed. Directors and officers shall be elected and by-laws adopted at the initial organizational meeting and thereafter at the annual meetings as provided in the by-laws.

58. **Assessments.** There shall be an Initial Assessment of $250.00 per lot due upon purchase from the developer and upon all subsequent sales and an Annual Assessment of no less than $200.00 per lot. The Annual Assessments may be changed, from time to time, by the Association in accordance with its by-laws. The Initial Assessment shall be paid to the Association by the purchaser or purchasers, jointly, of any lot from Developer or any corporation or entity in which Developer owns at least a 40% interest and shall be due upon transfer of title. The Initial Assessment shall not be payable by any corporation or entity in which Developer owns at least a 40% interest. The Initial Assessment provided for by this paragraph and Paragraph 48 shall also be paid upon any and all subsequent transfer of title; provided, however, that transfer of title arising from on account of the death of an owner, the transfer of an interest by one co-owner to another co-owner, the transfer of a title to the owner and spouse as tenants by the entirety, the transfer of title to trustess of a family trust established by an owner for the benefit of the owner's family, or the transfer of title from an owner to an artificial legal entity in which the owner controls at least 75% of the shares or interests shall not require the payment of the Initial Assessment. The Annual Assessment shall be paid on April 1 of each year on

each lot for which an Initial Assessment has been paid or due to be paid. Upon the transfer which triggers the obligation to pay the Initial Assessment, The Purchaser or Purchasers shall also pay an Annual Assessment, pro-rated for the period between transfer of title and the next following April1.

59. **Special Assessments.** In addition to the assessments described in paragraph 50, the Board of Directors of the Association shall have the power to levy special assessments against the members as provided in Code of Virginia Section 55-514 (1998) or amendments thereto.

60. **Rules.** The Board of Directors of the Association may establish, adopt, promulgate and enforce rules and regulations with respect to the use of common areas. Such rules and regulations may be repealed or amended by majority vote of the members at a meeting held pursuant to the Association By-laws and called for that purpose. The Board of Directors of The Association shall have the power to suspend a member's rights to use facilities or services for non-payment of assessments which are more than sixty days past due and shall have the power to assess charges against any member for any violation or the Restrictions, Rules or regulation for which the member or his family members, tenants, guests, or other entities are responsible. The powers described in this paragraph shall be governed by Code of Virginia, Section 55-513, as may be amended from time to time.

61. **Liens.** The Association shall have a lien on lot for unpaid assessments levied against the lot pursuant to this instrument and for unpaid charges assessed pursuant to paragraph 53. The perfection, priority, and enforcement of the lien shall be governed by Code of Virginia Section 55-516, as may be amended from time to time.

62. **Other Remedies.** The lien afforded herein for unpaid assessments and charges shall not limit in any manner other remedies available at law or equity. Such assessments or charges shall be the personal liability of the property owner or owners, jointly, against whom such might be assessed, with interest of 8% per annum accruing from the due date. The property owner or owners, jointly, shall also be liable for costs, litigation expenses, and reasonable attorney's fees without regard to whether litigation is commenced.

63. **Successor To Developer.** All powers and rights reserved by or granted to the Developer in this instrument including, but not limited to, the power to grant variances, maintenance, and approval of building plans, shall pass from the Developer to the Association upon the conveyance by Developer to others of ownership of a total of 90% of the lots in the Development. As used herein, "others" does not include a corporation of other entity which Developer owns at least a 40% interest.

The Association will carry out its rights and powers as successor to the developer through its Board of Directors which may appoint committees for said purposes.

Prior to the conveyance by Developer of a sufficient number of lots to trigger the transfer of rights and powers to the Association, Developer, with the cooperation and consent of the Board of Directors of the Association, may designate individuals nominated by the Board of Directors to act on his behalf in carrying out or exercising rights or discretionary acts reserved or granted to him herein. Such individuals shall serve at the will of Developer and any designation shall not be exclusive of the rights and powers of the Developer to act on his own behalf.

IN FURTHERANCE THEREOF, WITNESS the following signatures and seals,

Allan R. Poole II

Eunice J. Poole

State of Tennessee
~~***Commonwealth of Virginia***~~
County of ~~Washington~~ Sullivan, to-wit:

The foregoing instrument was acknowledged before me this 31st day of August, 2012, by **ALLAN R. POOLE, II.**

Notary Public

TIMOTHY E. SCOTT NOTARY PUBLIC AT LARGE SULLIVAN CO., TENNESSEE

My Commission Expires 12/21/2012

Registration Number N/A

State of Tennessee
~~***Commonwealth of Virginia***~~
County of ~~Washington~~ Sullivan, to-wit:

The foregoing instrument was acknowledged before me this 27th day of August, 2012, by **EUNICE J. POOLE.**

Notary Public

My Commission Expires 7/26/2015

Registration Number

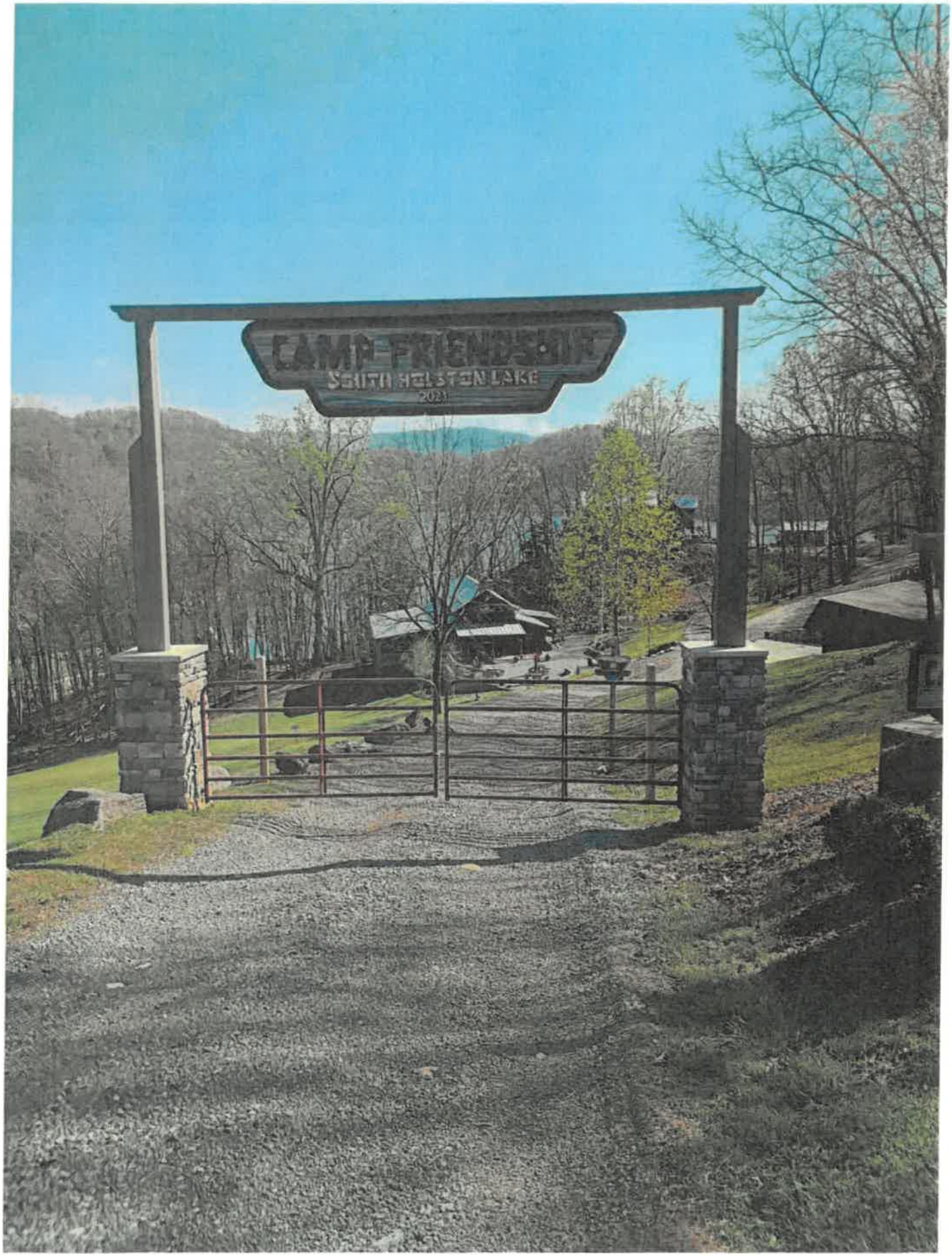
DAVID W. BLANKENSHIP STATE OF TENNESSEE NOTARY PUBLIC SULLIVAN COUNTY

INSTRUMENT #129034817
RECORDED IN THE CLERK'S OFFICE OF
WASHINGTON COUNTY ON
AUG 31 2012 AT 01:50PM

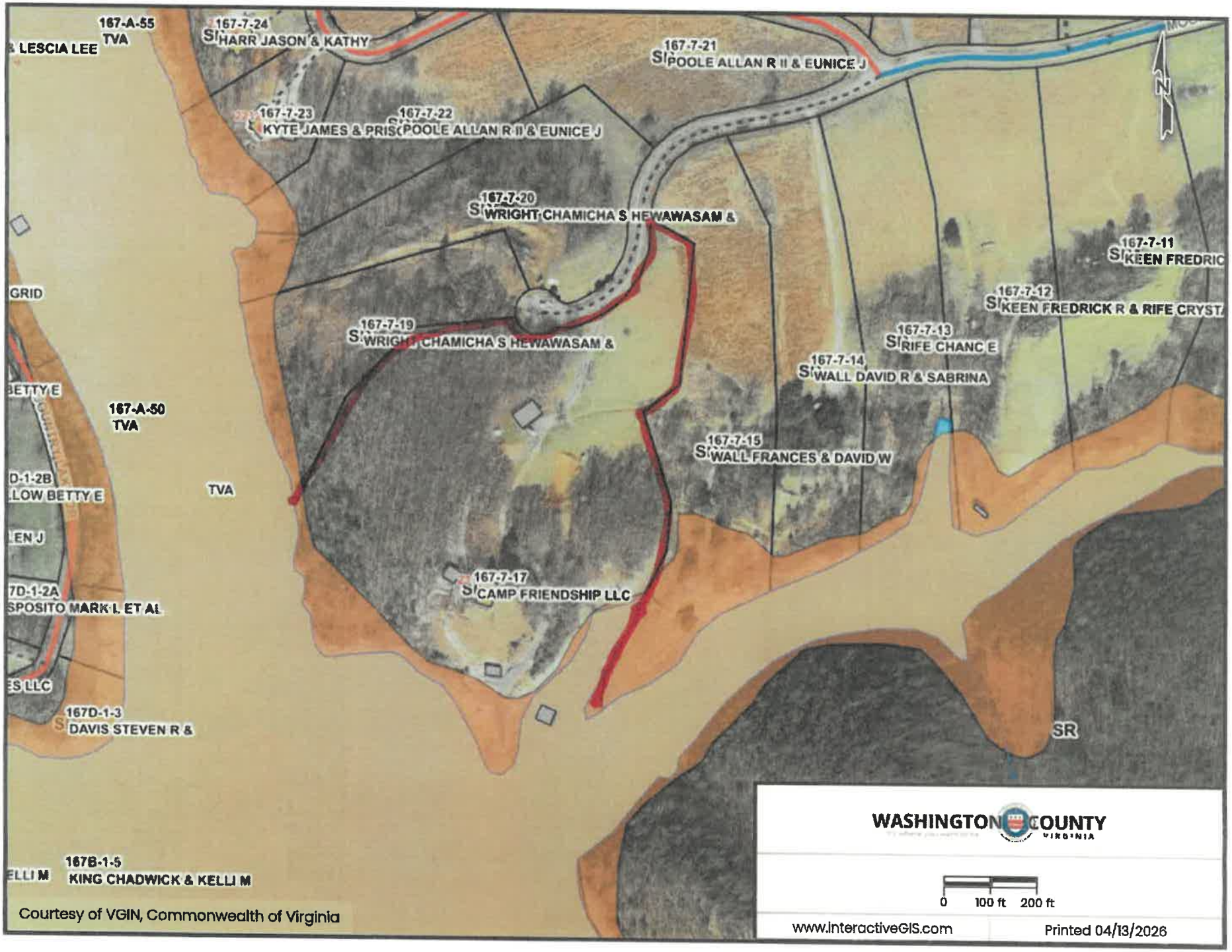
PATRICIA S. MOORE, CLERK
RECORDED BY: KM

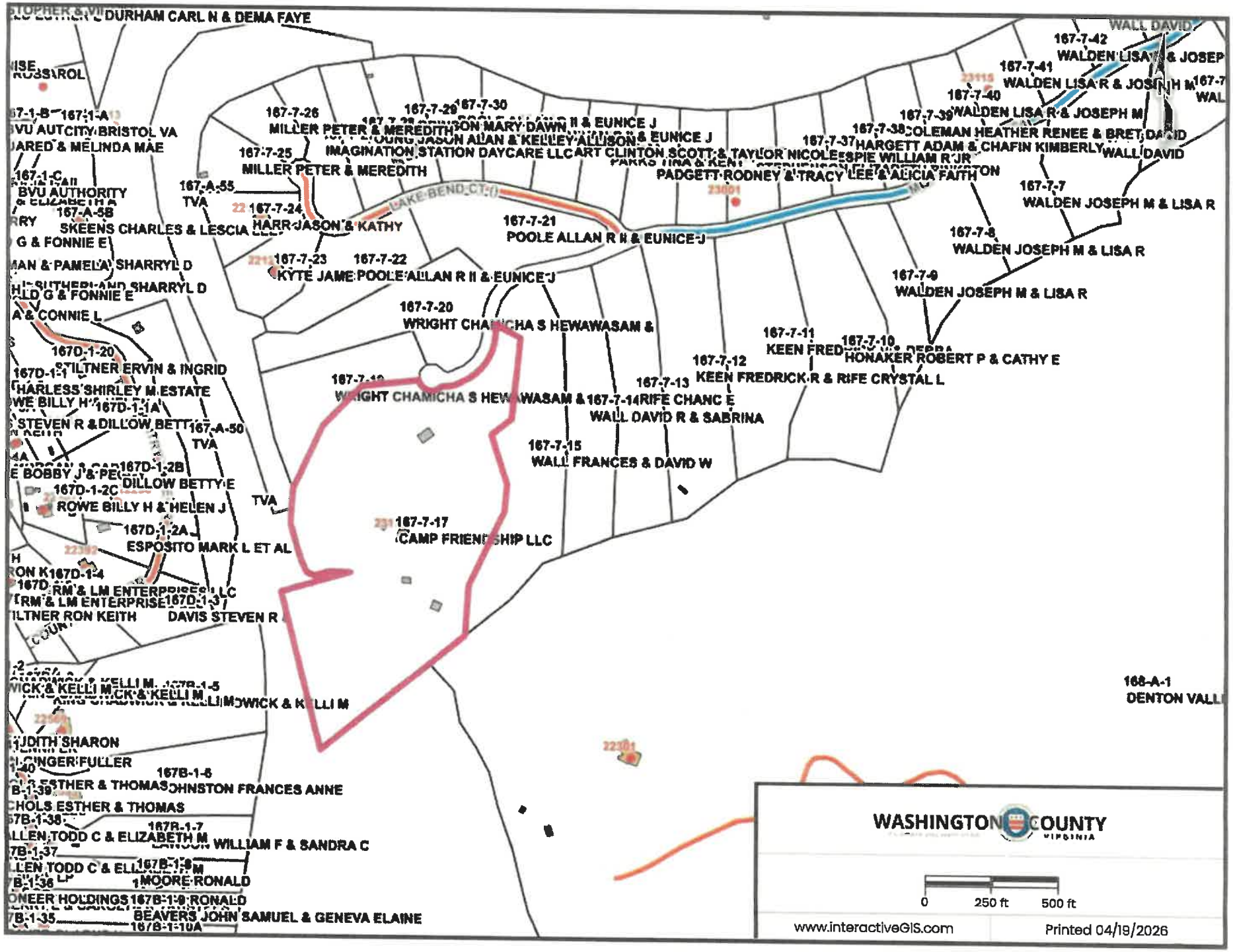

COUNTY OF WASHINGTON
DEPARTMENT OF ZONING ADMINISTRATION
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276-525-1391 276-669-8877

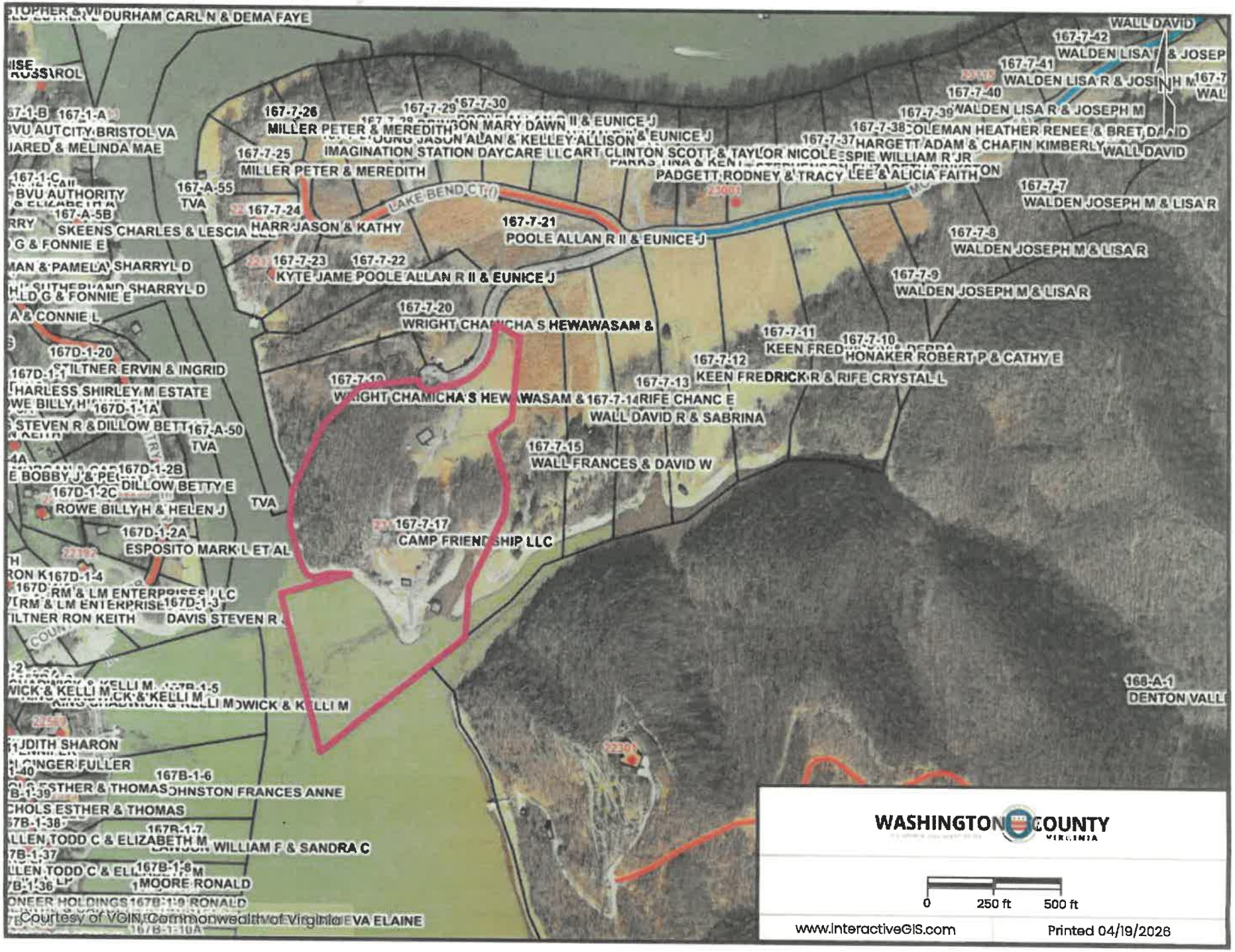

CAMP FRIENDSHIP
SOUTH HOLSTEIN LAKE
CAMP FRIENDSHIP

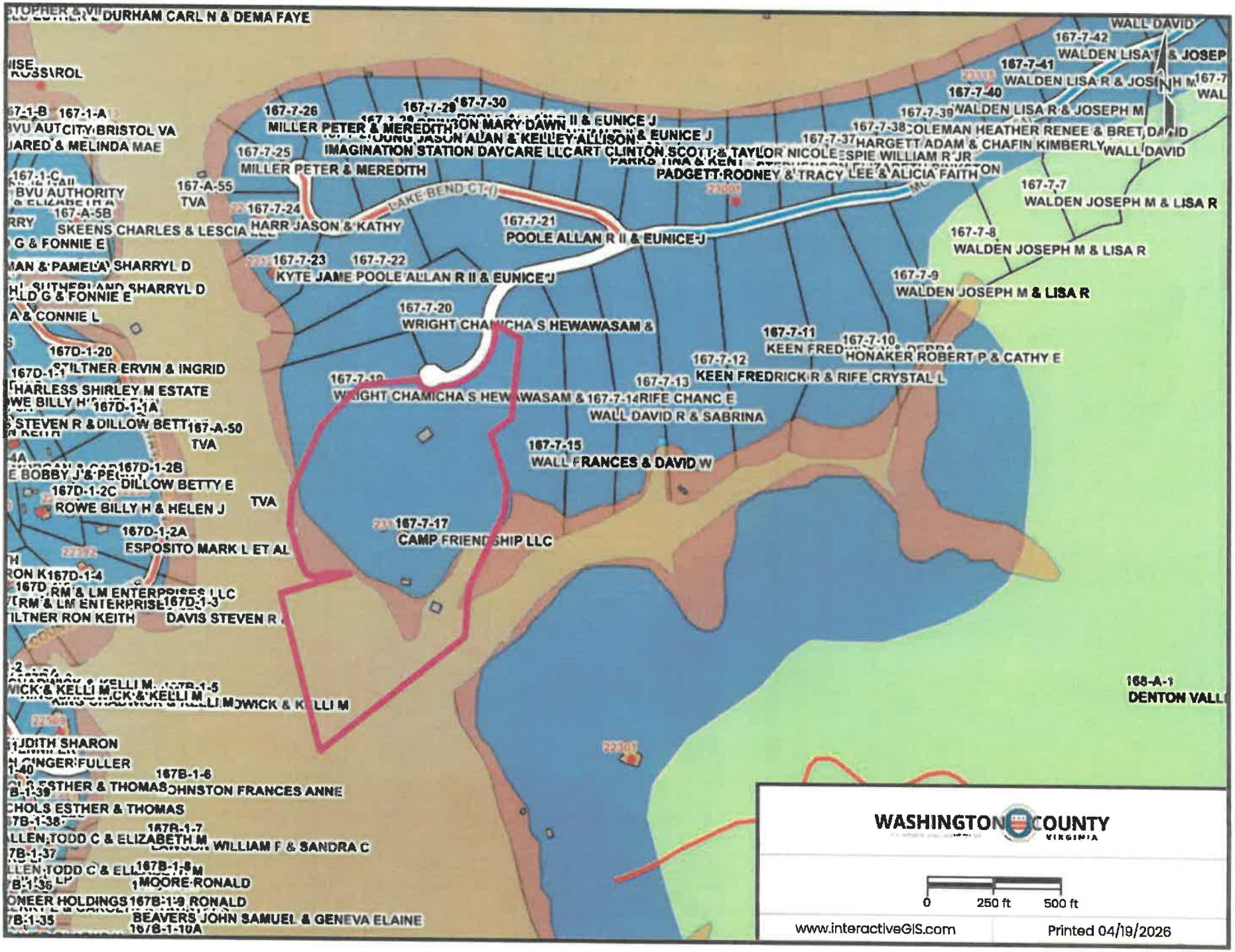

CAMP FRIENDSHIP
SOUTH HOLSTON LAKE
2021




167-A-55
TVA
LESCIA LEE
167-7-24
HARR JASON & KATHY
167-7-21
POOLE ALLAN R II & EUNICE J
167-7-23
KYTE JAMES & PRIS
167-7-22
POOLE ALLAN R II & EUNICE J
167-7-20
WRIGHT CHAMICHA S HEWAWASAM &
167-7-11
KEEN FREDRIC
GRID
167-7-12
KEEN FREDRICK R & RIFE CRYST
167-7-19
WRIGHT CHAMICHA S HEWAWASAM &
167-7-13
RIFE CHANC E
167-7-14
WALL DAVID R & SABRINA
BETTY E
167-A-50
TVA
167-7-15
WALL FRANCES & DAVID W
D-1-2B
LOW BETTY E
TVA
EN J
167-7-17
CAMP FRIENDSHIP LLC
7D-1-2A
SPOSITO MARK L ET AL
ES LLC
167D-1-3
DAVIS STEVEN R &
SR
167B-1-5
KING CHADWICK & KELLI M
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DURHAM CARL N & DEMA FAYE
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WALDEN LISA R & JOSEPH M
167-7-39
COLEMAN HEATHER RENEE & BRET DAVID
167-7-38
HARGETT ADAM & CHAFIN KIMBERLY
167-7-37
WALL DAVID
167-7-30
167-7-29
167-7-28
167-7-26
MILLER PETER & MEREDITH
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MILLER PETER & MEREDITH
IMAGINATION STATION DAYCARE LLC
ART CLINTON SCOTT & TAYLOR NICOLE
SPIE WILLIAM R JR
PADGETT RODNEY & TRACY LEE & ALICIA FAITH
167-A-55
TVA
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HARR JASON & KATHY
LAKE BEND CT
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POOLE ALLAN R II & EUNICE J
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WRIGHT CHAMICHA S HEWAWASAM &
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WALL DAVID R & SABRINA
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WALL FRANCES & DAVID W
167D-1-20
STILTNER ERVIN & INGRID
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HARLESS SHIRLEY M ESTATE
167D-1-1A
STEVEN R & DILLOW BETT
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TVA
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DILLOW BETTY E
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ROWE BILLY H & HELEN J
TVA
167D-1-2A
ESPOSITO MARK L ET AL
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CAMP FRIENDSHIP LLC
167D-1-4
167D-1-3
DAVIS STEVEN R
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DENTON VALL
JUDITH SHARON
167B-1-5
JOHNSTON FRANCES ANNE
ESTHER & THOMAS
167R-1-7
WILLIAM F & SANDRA C
MOORE RONALD
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POOLE ALLAN R II & EUNICE J
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ROWE BILLY H & HELEN J
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ESPOSITO MARK L ET AL
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