

**MONTGOMERY COUNTY PLANNING COMMISSION**  
**NOVEMBER 15, 2022 | 7:00 PM**  
**Montgomery County Government Center**  
**755 Roanoke Street, Christiansburg, VA**

**I. CALL TO ORDER**

**II. DETERMINATION OF A QUORUM**

**III. APPROVAL OF AGENDA**

**IV. PUBLIC HEARINGS**

- a. **SUP-2022-00620** - A request by Anilkumar Patel and Saurabh Shah (Agent: Spicer, Olin, and Associates) for a Special Use Permit (SUP) to allow a general store under 2,000 square feet within an existing structure on approximately 0.746 acres. The proposed use is defined as "general store or specialty shop, provided gross floor area is two thousand (2,000) square feet or less" under the Zoning Ordinance, which is permitted in the A-1 Agricultural Zoning District only by a Special Use Permit. The property is located at 5728 McCoy Road (State Route 652), at the intersection of McCoy Road and Big Vein Road. The property is further identified as Tax Map 049-4 1A (Parcel ID: 003149), 0.746 acres, zoned Agricultural (A-1) in the Prices Fork Magisterial District. The property currently lies in an area designated as Rural in the Montgomery County 2025 Comprehensive Plan

**b. Agricultural & Forestal District Renewal**

Originally established in 1990, District 14 (Fishers View) is located on the southeastern edge of Montgomery County; in the vicinity of Fishers View Road (Route 609), off of Alleghany Spring Road (Route 637). Currently, AFD 14 consists of two property owners and approximately 532 acres. The proposed new district would consist of one property owner and approximately 322.283 acres. One landowner is requesting a total of approximately 209.748 acres be removed from the district.

**V. PUBLIC ADDRESS**

**VI. OLD BUSINESS**

**VII. NEW BUSINESS**

- a. Appointment of Nominating Committee for 2023 Planning Commission Officer Elections

## **VIII. LIAISON REPORTS**

- Board of Supervisors – Sara Bohn
- Public Service Authority – Sara Bohn
- Blacksburg Planning Commission
- Christiansburg Planning Commission – Bryan Rice
- Radford Planning Commission
- Tourism Council – Bob Miller
- Parks and Recreation – Adam Workman
- Planning Director’s Report – Brea Hopkins

## **IX. ADJOURNMENT**

### **UPCOMING MEETING DATES:**

December 14, 2022	Meeting/Public Hearing	7:00 PM
December 21, 2022	Meeting/Public Hearing (canceled)	



PLANNING & GIS SERVICES  
755 Roanoke Street, Suite 2A  
Christiansburg, VA 24073

## MEMORANDUM

TO: Planning Commission

FROM: Brea Hopkins, Planning Director

DATE: November 4, 2022

RE: Staff Analysis (SUP-2022-00620) A request by Anilkumar Patel and Saurabh Shah (Agent: Spicer, Olin, and Associates) for a Special Use Permit (SUP) to allow a convenience store under 2,000 square feet within an existing structure on approximately 0.746 acres. The proposed use is defined as "general store or specialty shop, provided gross floor area is two thousand (2,000) square feet or less" under the Zoning Ordinance, which is permitted in the A-1 Agricultural Zoning District only by a Special Use Permit. The property is located at 5728 McCoy Road (State Route 652), at the intersection of McCoy Road and Big Vein Road. The property is further identified as Tax Map 049-4 1A (Parcel ID: 003149), 0.746 acres, zoned Agricultural (A-1) in the Prices Fork Magisterial District. The property currently lies in an area designated as Rural in the Montgomery County 2025 Comprehensive Plan.

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### I. NATURE OF REQUEST & PARCEL LOCATION

Anilkumar Patel and Saurabh Shah, has requested a special use permit (SUP) to allow the assembly a convenience store under 2,000 square feet within an existing structure on. The proposed use is defined as "general store or specialty shop, provided gross floor area is two thousand (2,000) square feet or less" under the Zoning Ordinance, which is permitted in the Agricultural (A-1) Zoning District only by a Special Use Permit.

The property is located at 5728 McCoy Road, at the intersection of McCoy Road (State Route 652) and Big Vein Road (private). The existing parcel is 0.746 acres with an existing masonry structure. Adjacent parcels are all zoned Agricultural (A-1) with single-family residential uses.

The property currently lies in an area designed as Rural in the 2025 Comprehensive Plan.

*Industrious | Diverse | Steadfast | Helpful | Integrity*

## **BACKGROUND AND APPLICATION DETAILS**

The structure was utilized as a convenience/general store from 1969-2002. During that time it was considered a legal non-conforming use and would be allowed to continue operations. Once a non-conforming use is discontinued for a period of two (2) years, the property can only be developed in conformance with the zoning ordinance, thus requiring a special use permit for the re-establishment of a convenience store.

In 2010 a determination was made via Dari Jenkins, Zoning Administrator that a special use permit would be required to open a store on the property. The proposed store would utilize Big Vein Road which was previously on the Rural Addition list; however, was removed in 2009 due to property owners not willing to provide a sight distance easement. She noted that staff was aware of a sight distance issue and VDOT should be consulted regarding the ability to obtain a commercial entrance. No subsequent action took place.

In 2017, new property owners agreed to provide sight distance and right of way to improve Big Vein Road so it could be taken over by VDOT. The Board of Supervisors added Big Vein Road back to the Rural Addition Priority List (Priority #12).

In February 2022, a zoning complaint was received regarding the opening of a store on this property. Staff contacted the owners, who secured attorneys to represent their business. Since that time, they have been working with VDOT to verify a commercial entrance is obtainable and prepare the SUP application.

## **II. IMPACTS**

The following sections detail any potential impacts that may result from the proposed construction.

### **Transportation**

The applicant anticipates 50-60 trips per day associated with the business. These numbers are associated with employee traffic, customer traffic, and the occasional need for a delivery vehicle.

VDOT has verified the applicant can achieve sight distance. A land use permit will be required for construction of the entrance.

The existing parking area will be utilized for employee and customer parking. A site plan indicating the site meets the minimum parking requirements for the use set forth in the Zoning Ordinance will be required.

## **Infrastructure**

The site is served by existing well and septic, and the proposed use is not anticipated to create any increase in usage or output.

## **Environment**

The property is not located in a FEMA designated flood zone.

## **Noise, Safety, and Security**

Noise is not anticipated to be an issue. The applicant proposes LED lighting which will be downcast to avoid glare. Security cameras are installed on site.

## **V. COMPREHENSIVE PLAN**

The subject property is in an area designated "Rural" in the 2025 Comprehensive Plan.

### **Rural**

The Comprehensive Plan defines Rural areas as areas not generally served by public utilities, where agricultural and rural residential uses are predominant and should be preserved and stabilized. These areas include low-density rural residential subdivisions and active agriculture on secondary agricultural soils. Agricultural uses in these areas are often fragmented and subject to encroaching rural residential development.

The following policy statements found in the Comprehensive Plan should be considered during the review of this proposal:

### **Planning and Land Use**

*PLU 1.3.1 Rural Area Land Uses: The County may permit new non-agriculturally related institutional uses by special exception provided the use is compatible in scale and intensity with agricultural and rural residential uses and poses no threat to public health, safety and welfare.*

### **Economic Resources**

*ECD 4.0 Attraction & Retention of Business and Industry: Attract new and retain existing businesses and industries that can best create viable job opportunities for all, expand the local tax base and maintain those qualities that make the County a highly desirable place to live and work.*

## VI. ANALYSIS

The proposed use would provide a viable use for an existing vacant building within the County and will generate limited impacts on surrounding properties.

The upgraded entrance will serve the property and the residents on Big Vein Road. This will benefit the future development of Big Vein Road into a public street once it rises to the top of the Rural Addition Priority List.

Several members of the community have expressed support for the location of the business.

A full site plan will be required; however, there is not any proposed grading other than that needed for intersection improvements. Additional landscaping may be required; however, given the existing site is already paved there will need to be some flexibility during that review.

## VII. STAFF RECOMMENDATION

Staff recommends approval of the Special Use Permit to allow the with the following conditions:

1. A basic site plan addressing zoning conformance with landscaping, parking, and other requirements shall be approved prior to issuance of any County permits.
2. Any exterior lighting installed on the property shall be designed to prevent glare onto adjacent properties and comply with "Dark Sky Friendly" standards.
3. A Land Use Permit shall be obtained from VDOT prior to issuance of County permits.

At the time this report was issued, the Planning and GIS Services office has received several inquiries requesting additional information about the project and noting support for the general store to be located within the community.

Additional support and/or concerns may be voiced as part of the public hearing process and will also need to be considered by the Commission prior to making a recommendation to the Board of Supervisors.

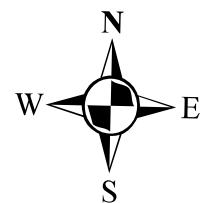
Adjoining property owners were notified in accordance with Montgomery County Code Section 10-52(3) and the Code of Virginia. Consideration should be given to adjacent

property owners and/or other interested citizens attending the public hearing to express their views regarding this request.

Enclosures: Aerial Photo Map  
Zoning Map  
Application Materials  
Citizen Correspondence



**MONTGOMERY  
COUNTY** VIRGINIA  
EST. 1776



**Special Use Permit Request**  
**SUP-2022-00620**

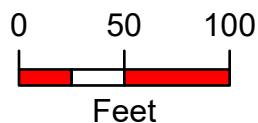
**Anilkumar P. Patel  
& Saurabh M. Shah  
Agent - Spicer, Olin &  
Associates**

**SUP  
for  
General Store**

**Parcel ID 003149  
5728 McCoy Rd**

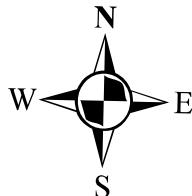
**Legend**

- Subject Parcel (003149)
- Parcels





# MONTGOMERY COUNTY VIRGINIA EST. 1776



**Special Use Permit Request  
SUP-2022-00620**

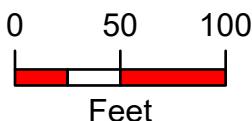
*Anilkumar P. Patel  
& Saurabh M. Shah  
Agent - Spicer, Olin &  
Associates*

**SUP  
for  
General Store**

*Parcel ID 003149  
5728 McCoy Rd*

## Legend

- A1 - Agriculture
  - Subject Parcel (003149)
  - Parcels





## Preliminary Review Meeting Request

Special Use Permit

Montgomery County, Virginia

755 Roanoke St. Suite 2A, Christiansburg, VA 24073  
540-394-2148 | [mccplan@montgomerycountyva.gov](mailto:mccplan@montgomerycountyva.gov)

**Contact Information:**  Owner  Contract Purchaser  Other \_\_\_\_\_

Name: Anilkumar P. Patel and Saurabh M. Shah	Address: 14009 Stroubles Creek Road, Blacksburg, VA 24060
Telephone: 540-353-8292, 270-507-7141	Email: mccoymart5728@gmail.com, prince.saurabh007@gmail.com

### Subject Property Description:

Location: (Describe in relation to nearest intersection)

At the corner of the intersection of McCoy Road and Big Vein Road in Montgomery County.

Address: (if applicable) 5728 McCoy Road	Existing Zoning: Agricultural A-1	Acreage: .746 acres
Parcel ID Number(s): 003149	Property Owner(s): Anilkumar P. Patel and Saurabh M. Shah	
Existing Use: Vacant. Previously used as a general store from 1969 until 2002.		

### Description of Proposed Development and Uses:

***The requested information below MUST be submitted***

A. Proposed Use(s):

General Store

B. Proposed Use Details (check all that applies):

Residential

Total Single Family # of Units: \_\_\_\_\_ Total Multi-Family # of Units: \_\_\_\_\_

Commercial

Use General Store S.F. 2,800

Use \_\_\_\_\_ S.F. \_\_\_\_\_

Use \_\_\_\_\_ S.F. \_\_\_\_\_

Applicant Signature: \_\_\_\_\_

Date:

05/02/2022

## FOR INTERNAL STAFF USE ONLY

### VDOT Requirements

In accordance with the Code of Virginia §15.2-2222.2 and 24 VAC 30-155, the project:

- Will require a Traffic Impact Analysis (TIA) submission and review by VDOT. TIA must be submitted with rezoning application.
- Applicant will be required to coordinate a Scope of Work Meeting with VDOT (Project will generate 1,000 or more vehicle trips per peak hour.)

*This determination is based upon the information provided by the applicant on the submitted Preliminary Review Request Form. Determination is subject to change based upon changes to the request.*

Information and VDOT forms regarding the VDOT's Traffic Impact Analysis Regulations Administrative Guidelines can be obtained online at [www.virginiadot.org/projects/chapter527](http://www.virginiadot.org/projects/chapter527).

- Documentation of Community Meeting.** Community meetings can be held after submitting application. County staff should be notified a least a week in advance of meeting date.
- Survey Plat.** Copies no larger than 11"x17"
- Traffic Impact Analysis (TIA) - County:** Based upon the proposed use and location, the project may substantially affect roadways and the County may require a traffic impact analysis.
- Elevations:** Copies reduced to 8 1/2" x 11" of proposed buildings must be submitted in addition to an electronic copy in ".pdf" format.
- Other:**



Applicant's Signature

saurabh shah

05/02/2022

Printed Name

Date

Staff Signature (Planning)

Date

This form is to verify completion of the required Preliminary Review Meeting and must be submitted at the time of filing of applications. Based upon the proposed development, County staff has determined the information checked on this form **must** be submitted in addition to regular submission requirements for Rezoning, Provisional Use Permit, or Amendment to Proffer Application



MONTGOMERY  
COUNTY, VIRGINIA

## Special Use Permit Application Form

Montgomery County, Virginia

755 Roanoke St. Suite 2A, Christiansburg, VA 24073

540-394-2148 | [mcplan@montgomerycountyva.gov](mailto:mcplan@montgomerycountyva.gov)

### Applicant Information: (PLEASE PRINT – if additional owners, please attach additional sheets)

Owner of Record (attach separate page for add'l owners): Anilkumar P. Patel and Saurabh M. Shah	Address: 14009 Stroubles Creek Road, Blacksburg, VA 24060
Telephone: 270-507-7141; 540-353-8292	Email: mccoymart5728@gmail.com, prince.saurabh007@gmail.com

Applicant Name: Owner Contract Purchaser/Lessee Owner: Anilkumar P. Patel and Saurabh M. Shah	Address: 14009 Stroubles Creek Road, Blacksburg, VA 24060
Telephone: 270-507-7141; 540-353-8292	Email: mccoymart5728@gmail.com, prince.saurabh007@gmail.com

Representative Name and Company: Spicer, Olin & Associates	Address: 504 S Main St, Blacksburg, VA 24060
Telephone: (540) 552-0007	Email: bsnodgrass@spicerlawfirm.com

### Property Description:

Location or Address: (Describe in relation to nearest intersection) At the corner of the intersection of McCoy Road and Big Vein Road in Montgomery County.		
Parcel ID Number(s): 003149	Acreage: .746 acres	Existing Zoning: Agricultural (A-1)
Comprehensive Plan Designation: Rural	Existing Use: General Store. Previously used as a general store from 1969 - 2002.	

### Description of Request: (Please provide additional information on attached sheet if necessary)

Proposed Use(s) including acreage: General Store, 2,800 square feet with less than 2,000 square feet of gross floor area. Total acreage of property: 0.746 acres.
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I certify that the information supplied on this application and on the attachments provided (maps or other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.

If signing on behalf of a Corporation, Partnership, or LLC, please specify your title with the entity and provide documentation clarifying your authority to sign on behalf of the entity.

Owner 1 Signature 	saurabh shah	05/02/2022
		Date
Owner 2 Signature (for add'l owners please attach separate sheet) 	Anilkumar Patel	05/02/2022
		Date
Applicant Signature 		05/02/2022
		Date
Representative/Agent Signature 		5/2/2022
		Date

## **Additional Special Use Permit Requirements**

The applicant for special use permit shall provide a statement of justification to address the following items in the application materials to demonstrate what impact the proposed request will have on the County's resources and how the request complies with Montgomery County's comprehensive plan.

### **Section 10-54(3)(g), Montgomery County Zoning Ordinance**

(g) Issues for Consideration. In considering a Special Use Permit application, the following factors shall be given reasonable consideration. The application shall address all the following in its statement of justification or Special Use Permit plat unless not applicable, in addition to any other standards imposed by this Ordinance:

1. Whether the proposed Special Use Permit is consistent with the Comprehensive Plan (Addressed under "3. Comprehensive Plan Justification"). **The proposed SUP is consistent with the Comprehensive Plan and located with the Rural Area Land Use. In accordance with PLU 1.3.1(e), the use is compatible in scale and intensity with agricultural and rural residential uses and does not pose any threat to public health, safety, and welfare.**
2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control. **The building is already constructed and operated in the same capacity from 1969 until 2002.**
3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area. **No significant noise would be generated from the use of the building. Any minor increases in noise would originate from vehicular traffic and an air conditioning unit to service the building.**
4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area. **The parking lot uses LED lights that are downcast to light the parking lot but as to not to shine into the adjacent road.**
5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance. **Estimated signage will be approximately 6x6 and will be placed in the southeastern corner of the Lot facing McCoy Road.**
6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels. **This Special Use Permit Application is consistent with uses permissible by special use permit. A fire department is also located a few lots down on McCoy Road.**
7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood. **Please see the attached site plan.**
8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood. **No additional landscaping is proposed.**
9. The timing and phasing of the proposed development and the duration of the proposed use. **N/A as the building is already constructed and no new development is being proposed.**
10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance. **N/A as the building is already constructed and no new development is being proposed.**
11. Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public. **The proposed use would significantly promote community access to convenience items provided by the general store.**
12. The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety and efficient traffic movement. **The expected traffic is approximately 50-70 vehicles per day which access the site.**
13. Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of Montgomery County. **We have spoken with Ms. Brea regarding the building. We will limit the gross floor area of the building from 2,800 square feet to 2,000 square feet and**

are currently scheduling a development review meeting to discuss the site entrance requirements with the Virginia Department of Transportation.

14. Whether the proposed Special Use Permit will be served adequately by essential public facilities and services.   
The site has water well usage and a septic system.
15. The effect of the proposed Special Use Permit on groundwater supply. The proposed estimated water use is approximately 10 to 20 gallons through making ice, employee hand washing, and daily cleaning purposes.
16. The effect of the proposed Special Use Permit on the structural capacity of the soils.   
The building is already constructed, and no new development is being proposed.
17. Whether the proposed use will facilitate orderly and safe road development and transportation.   
The proposed uses the existing building and parking lot which were previously used when the general store operated from 1969 to 2002.
18. The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.   
Not applicable as there are no environmentally sensitive lands or natural features affected by the use of the building.
19. Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.   
The SUP would provide desirable employment and enlarge the tax base. It is anticipated that the project would create additional tax revenue through general store sales and through anticipated wine and beer sales.
20. Whether the proposed Special Use Permit considers the needs of agriculture, industry, and businesses in future growth.   
SUP would allow the store to serve the needs of the community enabling access to basic services and items provided by the general store.
21. The effect of the proposed Special Use Permit use in enhancing affordable shelter opportunities for residents of the County.   
Not applicable.
22. The location, character, and size of any outdoor storage.   
N/A.
23. The proposed use of open space.   
No changes proposed.
24. The location of any major floodplain and steep slopes.   
N/A.
25. The location and use of any existing non-conforming uses and structures.   
The commercial building located on the property currently is 2,800 square feet. While it was used as a general store from 1969 to 2002, the Property was not used from 2002 until it reopened in February 2022. We will limit the gross floor area of the building from 2,800 square feet to 2,000 square feet to comply with Section 10-21, Agricultural A-1 Zoning requirements.
26. The location and type of any fuel and fuel storage.   
Proposed sale of propane tanks, of the type customarily sold at general and convenience stores, to be stored in the building and sold to customers.
27. The location and use of any anticipated accessory uses and structures.   
None requested or needed.
28. The area of each use; if appropriate.   
N/A.
29. The proposed days/hours of operation.   
Monday to Saturday: 6:30 am to 8:30 pm. Sunday: 7 am to 8 pm.
30. The location and screening of parking and loading spaces and/or areas.   
Existing parking with no changes as shown in Exhibits.
31. The location and nature of any proposed security features and provisions.   
Security cameras are located on site.
32. The number of employees.   
Approximately three employees.
33. The location of any existing and/or proposed adequate on and off-site infrastructure.   
A septic system and water well are provided on site.
34. Any anticipated odors, which may be generated by the uses on site.   
No odors will be generated.
35. Whether the proposed Special Use Permit uses have sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.   
Not applicable. Existing building with no construction or changes.

## **Concept Plan & Comprehensive Plan Justification**

Dear Montgomery County Board Members,

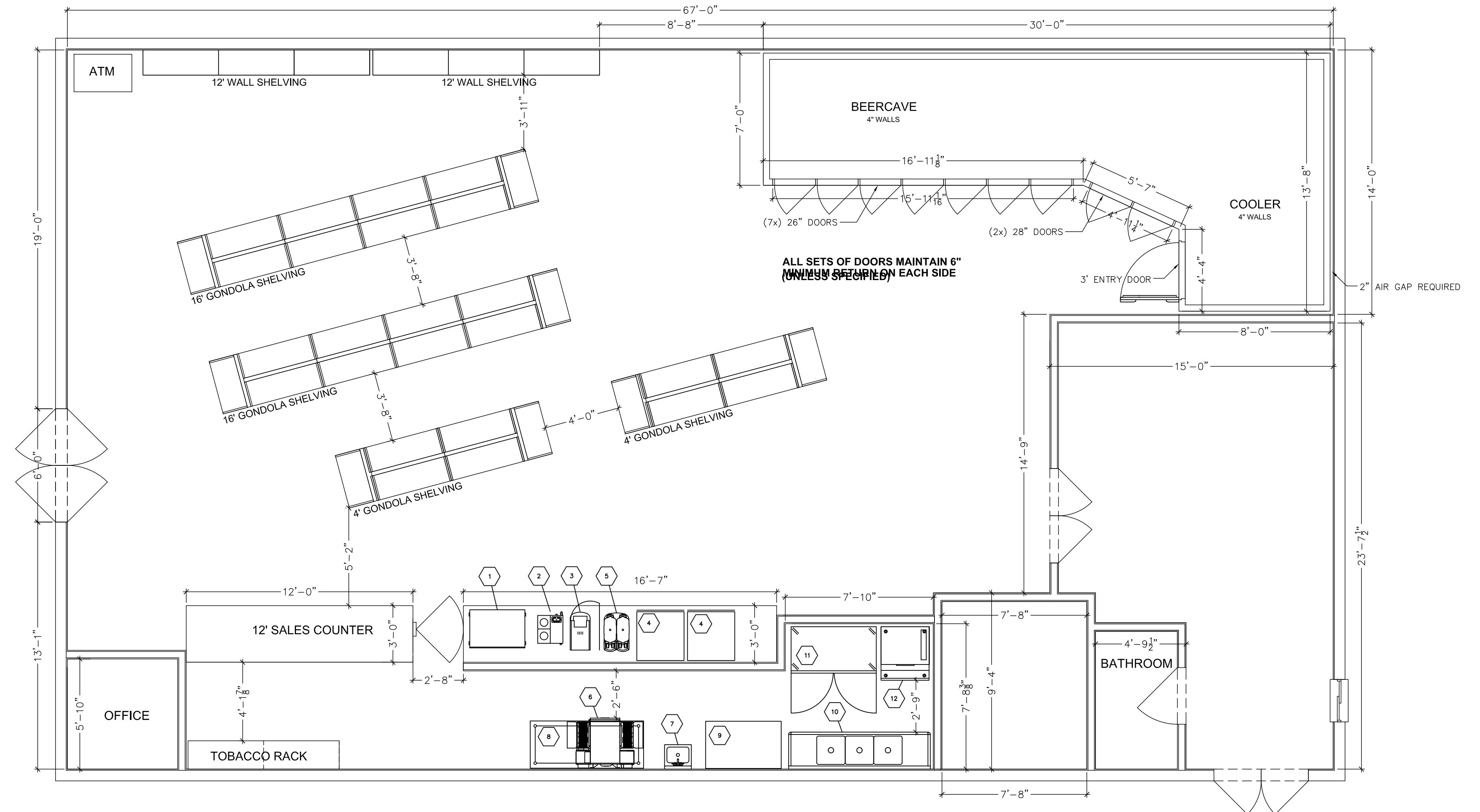
Anilkumar P. Patel and Saurabh M. Shah (the “Owners”), purchased 5728 McCoy Road (the “Property”), Parcel ID 003149, in 2021 with the intent of using a commercial building located on the property as a general store. The commercial building was originally built on the Property in 1969 and had operated as a general store in that capacity for thirty-three years. The general store then remained unused until our clients purchased the Property in 2021 and intend to make use of the store as a general store.

The lot is 0.746 acres and measures six hundred and twenty feet (620') in length and seventy feet (70') in width. The general store itself occupies 2,800 square feet, though the Owners will reduce the limit the gross floor area to 2,000 square feet. The property is currently zoned Agricultural A-1. The property also has 5700 square feet of asphalt pavement for parking and a small shed behind the general store which occupies 432 square feet. The Property is located at the corner of the intersection of McCoy Road and Big Vein Road in Montgomery County.

The Owners propose to make use of the current building as a General Store and do not intend to build any additional facilities. The Owners reopened the building in early February, 2022, and were shortly thereafter informed of the zoning violation. The Owners have invested into making the property usable and a benefit to the community. The parking, lighting, and existing physical features of the site would remain unchanged. However, our client proposes to add a sign approximately six feet by six feet advertising the location.

The proposed SUP is consistent with the Comprehensive Plan and located with the Rural Area Land Use and the Proposed Special Use site is located in Agricultural A-1 zoning. The proposed use complies with lot minimums. The building makes use of well water and a septic system located on site. In accordance with PLU 1.3.1(e), the use is compatible in scale and intensity with agricultural and rural residential uses and does not pose any threat to public health, safety, and welfare. While the area is designated a Rural Area by the Comprehensive Plan, as the site was previously used as a general store for thirty-three years, we merely propose to return the site to the use it has occupied since it was constructed in 1969.

# REVISIONS:



EQUIPMENT SCHEDULE					
ItemNo	Quantity	Category	Mfr	Model	Equipment Remarks
1	1	Display Merchandiser, Heated, For Multi-Product	Hatco	GRSDS-36T	
2	1	Coffee Brewer	BUNN	12950.0212	
3	1	Beverage Dispenser, Electric (Hot)	BUNN	36900.0000	
4	2	Soda Ice & Beverage Dispenser	Lancer	85-21808-0-0-31E	
5	1	Frozen Drink Machine, Non-Carbonated, Bowl Type	BUNN	34000.0013	
6	1	Conveyor Oven, Electric	TurboChef	HHC1618 STD-36	
7	1	Hand Sink	John Boos	PBHS-W-1410-P-SSLR	
8	1	Work Table, 72", Stainless Steel Top	John Boos	ST6-3072SSK-X	
9	1	Work Table, 48", Stainless Steel Top	John Boos	FBLS4830-X	
10	1	Three (3) Compartment Sink	John Boos	E3S8-18-14T18-X	
11	1	Reach-In Freezer	True Mfg. - General Foodservice	T-49F-HC	
12	1	Ice Maker, Cube-Style	Scotsman	C0330SA-1	
	1	Ice Bin	Scotsman	R330P	

# A PROPOSED EQUIPMENT PLAN

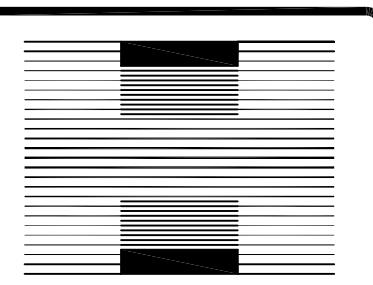
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Scale: 1/4"=1'-0"

# NOT FOR CONSTRUCTION

# Hooten Equipment Company

61 VIRGINIA STREET WEST, CHARLESTON, WV 25302  
PHONE: (304) 346-0521



DATE: 10-29-2021  
DRAWN BY: LMB  
SCALE: AS NOTED

1

Prepared By:  
Title Insurance:  
Consideration:  
Tax Assessed Value:  
Tax Map Number:  
Parcel ID:  
Grantees Address:

John N. Spicer, VSB No. 68845  
Fidelity National Title Insurance Company  
\$ 105,000.00  
\$ 91,400.00  
049-4 1A  
003149  
14009 Stroubles Creek, Blacksburg, VA 24060

**GENERAL WARRANTY DEED**

This Deed is made and entered into on this the 14<sup>th</sup> day of September, 2021, by and between, **CHARLES ROBERT CARNER, JR. and ROBIN B. CARNER**, husband and wife, Grantors, and **ANILKUMAR P. PATEL and SAURABH M. SHAH**, as Tenants in Common, Grantees.

**WITNESSETH:**

THAT FOR AND IN CONSIDERATION of the sum of Ten and 00/100 Dollars (\$10.00) cash in hand paid by the Grantees unto the Grantors, and other good and valuable consideration, the receipt and sufficiency all of which is hereby expressly acknowledged, the Grantors do hereby BARGAIN, SELL, GRANT AND CONVEY, with **GENERAL WARRANTY AND MODERN ENGLISH COVENANTS OF TITLE**, in fee simple unto the said Grantees, ANILKUMAR P. PATEL and SAURABH M. SHAH, as Tenants in Common, All that certain lot, tract or parcel of land with all improvements thereon and appurtenances thereunto belonging, situate, lying and being in the Price's Fork Magisterial District, Montgomery County, Virginia, and described as:

**Lot Number One (1)** as shown on a map entitled, "W.R. SCOTT LOTS NEAR MCCOY MONTGOMERY COUNTY, VA.", prepared by Childress Hall, Surveyor dated Oct. 25, 1941, which map is of record in the Clerk's Office of the Circuit Court of Montgomery County, Virginia in Deed Book 123, Page 65;

**LESS AND EXCEPT** that 0.11 acre conveyed to the Commonwealth of Virginia as shown in a Certificate of record in the aforesaid Clerk's Office in Deed Book 316, Page 133, and an Order of record in Deed Book 517, Page 837.

**LESS AND EXCEPT** all mineral rights underlying the said real estate hereby conveyed, as said rights were reserved in a deed dated the 8<sup>th</sup> day of January, 1948, which deed is of record in the aforesaid Clerk's Office in Deed Book 153, Page 245.

  
SPICER, OLIN &  
ASSOCIATES, PC  
504 S. MAIN ST.  
BLACKSBURG, VA  
24060

TAX MAP #049 4 1A; PARCEL ID #003149;

Commonly known as: 5728 McCoy Road,  
Blacksburg, VA 24060

BEING part of the same property conveyed unto the Grantors herein by deed dated the 28<sup>th</sup> day of November, 2017, from Charles Robert Carner, Jr., Trustee of the Charles R. Carner Revocable Trust Agreement dated July 29, 1997, which deed is of record in the Office of the Circuit Court Clerk of Montgomery County, Virginia, as Instrument #2017009375.

This conveyance is made subject to all easements, restrictions and conditions of record affecting the hereinabove described property.

WITNESS the following signatures and seals:

Charles Robert Carner (SEAL)  
Charles Robert Carner, Jr.

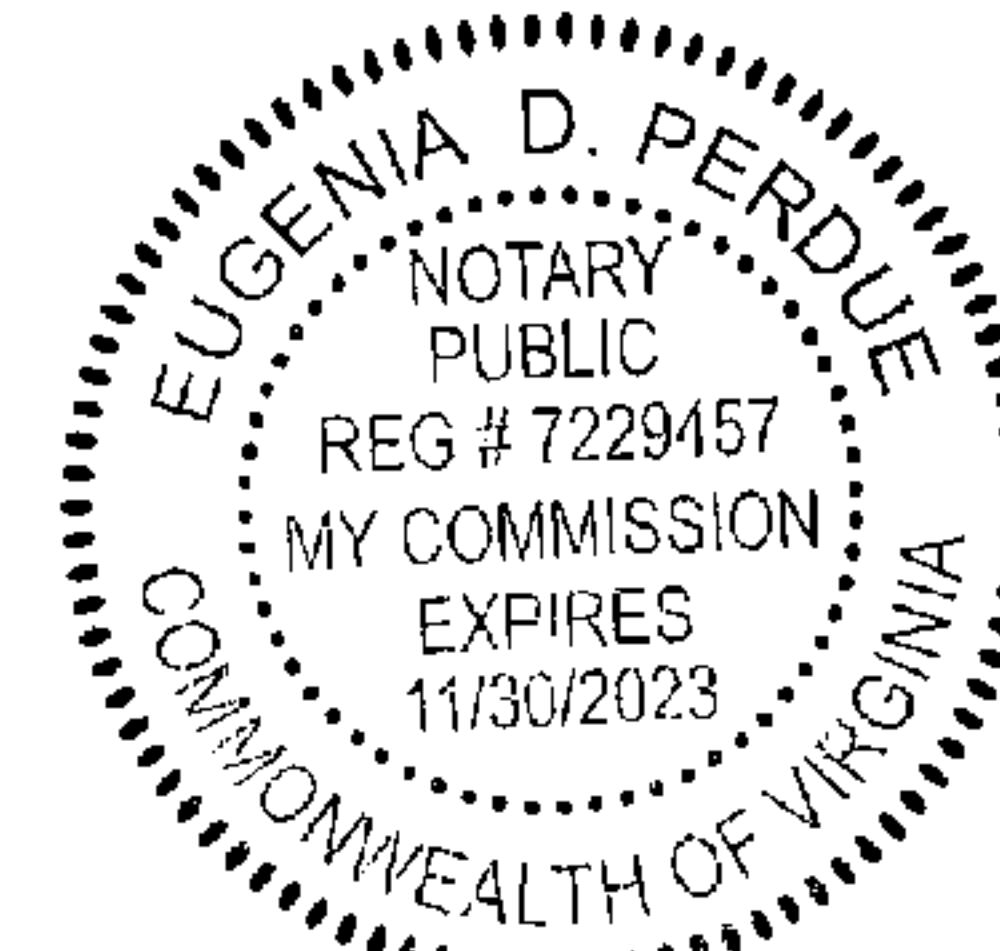
Robin B. Carner (SEAL)  
Robin B. Carner

COMMONWEALTH OF VIRGINIA,  
COUNTY OF MONTGOMERY, to-wit:

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of September, 2021, by Charles Robert Carner, Jr. and Robin B. Carner.

Eugenia D. Perdue  
Notary Public

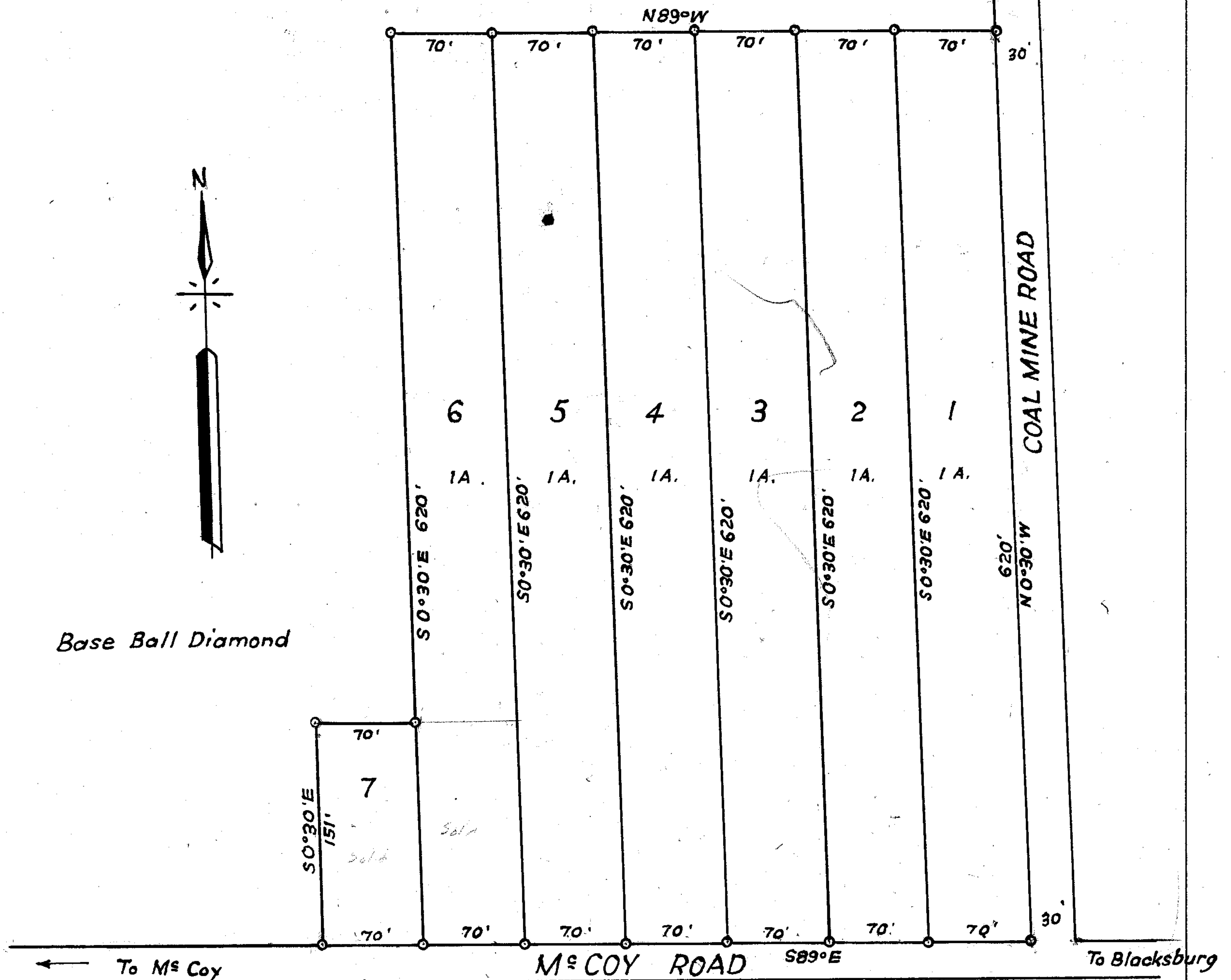
My commission expires: 11/30/2023  
My registration number: 7229457



2021010014.003

INSTRUMENT # 2021010014  
E-RECORDED IN THE CLERK'S OFFICE OF  
MONTGOMERY ON  
SEPTEMBER 20, 2021 AT 10:27AM  
\$105.00 GRANTOR TAX WAS PAID AS  
REQUIRED BY SEC 58.1-802 OF THE VA. CODE  
STATE: \$52.50 LOCAL: \$52.50  
ERICA W. CONNER, CLERK  
RECORDED BY: JLB

# *Spiers and Goodman*



*W. R. Scott Lots*

*near Ms Coy*

# Montgomery County, Va.

Scale 1" = 60' Oct. 25, 1941

Childress Hall,  
State Cert. Sur.

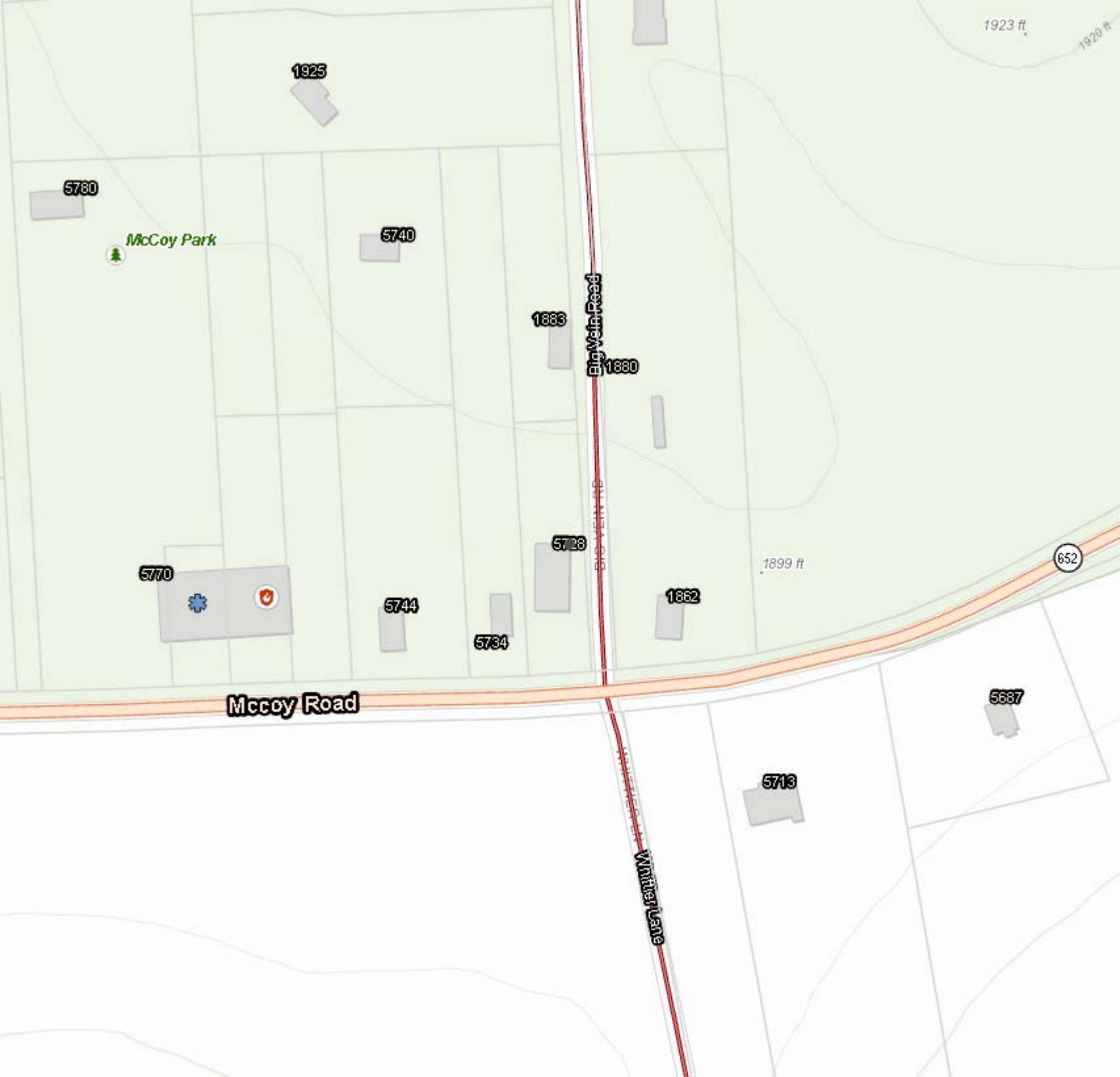
VIRGINIA: In the Clerk's Office of the Circuit Court of Montgomery County  
3rd day of November, 1941.

The foregoing deed was this day presented in said Office and with certificate annexed admitted to record at 1:55 o'clock P. M.

### Teste:

A. B. CORRELL, / Clerk.

By *R. H. Millard*, D. C.





**From:** [Patsy](#)  
**To:** [Justin D. Sanders](#)  
**Subject:** [EXTERNAL] McCoy Mart  
**Date:** Wednesday, October 26, 2022 11:55:28 AM

---

Justin,

You and I spoke during your meeting at McCoy.

I can't express how important it is for our community to have a store. Both of my parents were born and raised in McCoy and having a store again means so much to us. We need this store.

Thank you for taking the time to talk to me.

Sincerely, Pam

Sent from [Mail](#) for Windows

## **Leann S. Nester**

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**From:** Kring, Timothy <timkring@vt.edu>  
**Sent:** Sunday, November 6, 2022 2:23 PM  
**To:** mcplan  
**Subject:** [EXTERNAL] Support for SUP-2022-00620

**Categories:** Leann

Greetings,

I reside in the community near the site of the general store which is requesting a Special Use Permit (#2022-00620) which is on your 11/15/2022 agenda.

The proposed use is consistent with the area and will serve as an important role for the community and neighbors, and provide a tonal tax base and possibly future employment as stated in the proposal.

I fully support this Special Use Permit by Anilkumar Patel & Saurabh Shah, and wish them luck with this business.

Respectfully,  
Tim Kring  
6062 Centennial Rd.  
Blacksburg VA 24060  
(in McCoy, ~1 mile from store)

## **Leann S. Nester**

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**From:** John Copeland <jcnewriver@gmail.com>  
**Sent:** Wednesday, November 9, 2022 2:17 PM  
**To:** mcplan  
**Cc:** Copeland John; Darrell Sheppard; John Copeland  
**Subject:** [EXTERNAL] SUP - 2022 - 00620

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** PC Correspondence

I'm writing in support of the special use permit by Anilkumar P. Patel and Saurabh M. Shah at 5728 McCoy Road. I would attend the public hearing to voice my support in person but I'll be meeting a new grandson in Memphis when that hearing is held!

My reasons for supporting this special use permit are simple. The Long Shop/McCoy area is rural in nature, joining a few limited areas of Montgomery County in a sea of development around us. I chose to move here over 4 years ago after residing in the Belmont Farms subdivision in Christiansburg for 19 years.

My wife and I love the rural nature of this area, but access to a community store is non-existent. The few older local residents I've met locally regale me with tales of the good ol' days when Long Shop was a vibrant community with a country store. The Long Shop/McCoy area is no longer in the good ol' days, but we need both a local store and a community spot where neighbors can get provisions, meet and greet, and feel like they live in a vibrant community without having to enter the fray of the Prices Fork/Blacksburg strand to get a few groceries and a soft drink and have conversation.

Please support the special use permit and help bring back a vibrant community spot for those of us who chose a rural lifestyle in Montgomery County!

Sincerely,

John R. Copeland  
5000 Long Shop Road  
Blacksburg, VA. 24060

Cell: (540) 230-3038

Sent from my iPad



PLANNING & GIS SERVICES  
755 Roanoke Street, Suite 2A  
Christiansburg, VA 24073

## MEMORANDUM

TO: Planning Commission

FROM: Planning Staff

DATE: November 15, 2022

RE: **Agricultural & Forestal District # 14– Renewal**

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### I. General Purpose

Agricultural & Forestal Districts (AFD's) are rural areas reserved for the production of agricultural products and timber as important economic and environmental resources. They are established according to state guidelines at the initiative of individual landowners and the approval of the Board of Supervisors. Participating landowners relinquish some development rights, for a period of eight years, in return for increased protection from development and possible real estate tax benefits. All residents benefit from good stewardship of the land and from the reduced demand to extend urban public services into rural areas on the County.

According to §15.2-4305 of the Code of Virginia, each district shall have a core of no less than 200 acres in one parcel or in contiguous parcels. A parcel not part of the core may be included in a district if:

- (i) the nearest boundary of the parcel is within one mile of the boundary of the core, **or**
- (ii) it is contiguous to a parcel in the district the nearest boundary of which is within one mile of the boundary of the core, **or**
- (iii) the local governing body finds, in consultation with the advisory committee or planning commission, that the parcel not part of the core or within one mile of the boundary of the core contains agriculturally and forestally significant land.

### II. District for Renewal

#### **AFD 14 (Fishers View)**

##### **Background:**

Originally established in 1990, **District 14 (Fishers View)** is located on the southeastern edge of Montgomery County; in the vicinity of Fishers View Road (Route 609), off of Alleghany Spring Road (Route 637). Currently, AFD 14 consists of two property owners and approximately 532 acres.

*Industrious | Diverse | Steadfast | Helpful | Integrity*

---

mcplan@montgomerycountyva.gov | [www.montva.com](http://www.montva.com)  
OFFICE 540.394-2148

The proposed new district would consist of one property owner and approximately 322.283 acres. One landowner is requesting a total of approximately 209.748 acres be removed from the district.

Staff received responses from both AFD-14 property owners.

There are no requested additions.

Property owner information is shown in the tables below. Please see the attached maps for the location of the properties.

### **Requested Withdrawals:**

PARCEL_ID	OWNER1	OWNER2	ACRES
017549, 011726, 000969, 000970, 020650	WICKHAM, PHILLIP KING	WICKHAM, KIM THI	209.748
		<b>Total Acreage</b>	<b>209.748</b>

### **Renewal:**

PARCEL_ID	OWNER1	OWNER2	ACRES
008720, 008721, 019245, 019242, 019244, 019243, 019246, 019241	ST CLAIR STEVEN J JR		322.283
		<b>Total Acreage</b>	<b>322.283</b>

### **Staff Analysis:**

The attached map of AFD-14 shows in red, the parcels that are being withdrawn from the district. While the withdrawal leaves only one property owner in AFD-14, that leaves 322.283 acres in the district, leaving the core intact. There are no outlying parcels within AFD-14.

### **Agricultural and Forestal District Committee Review:**

The Agricultural and Forestal District Committee met on October 20, and recommends renewing AFD-14 with the proposed changes as shown



## AFD-14 Renewal Fishers View

### Legend

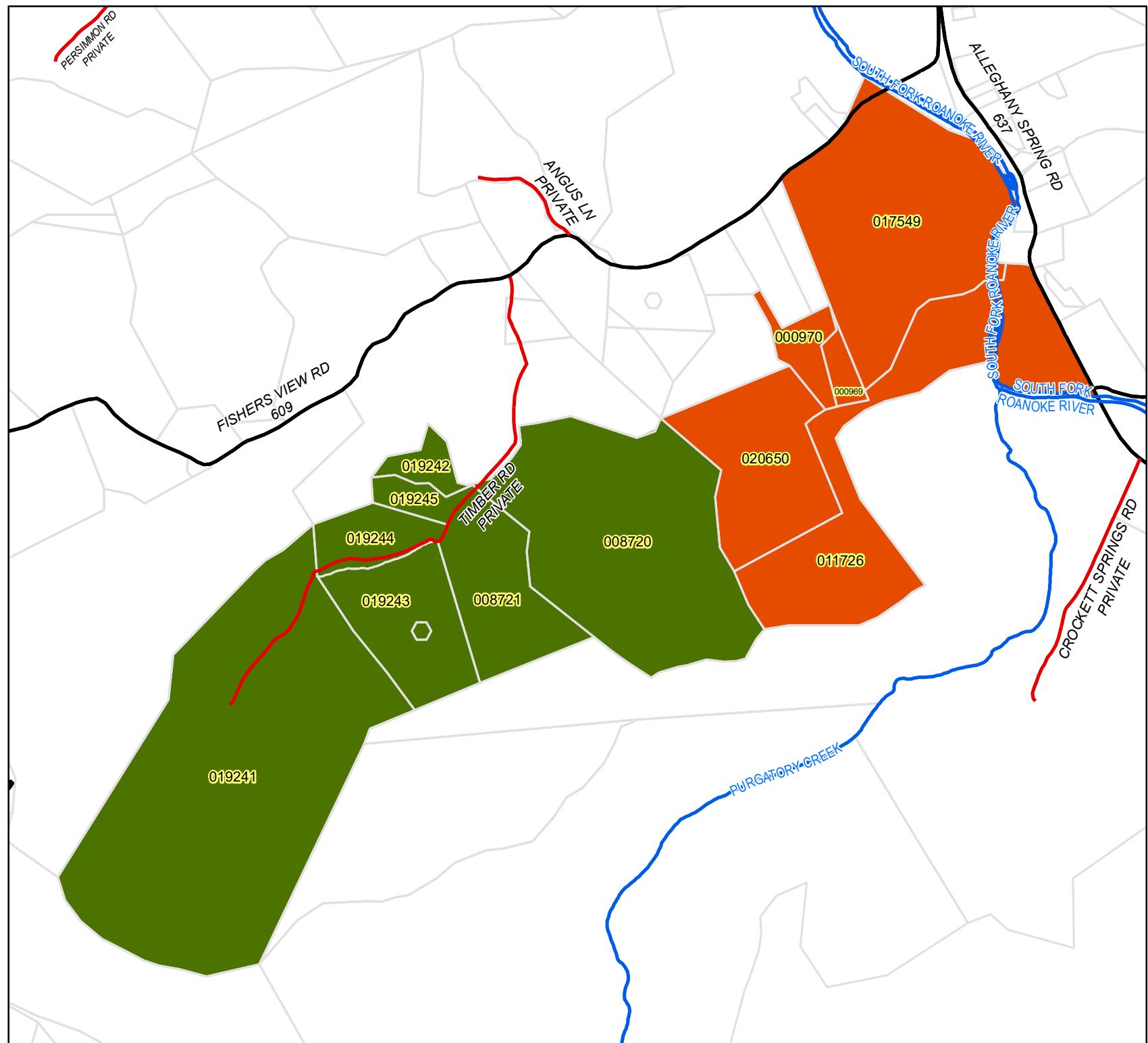
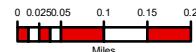
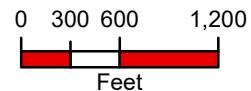
Tax Parcels

### AFD-14 Renewal

#### Renewal

Yes

No





## AFD-14 Renewal Fishers View

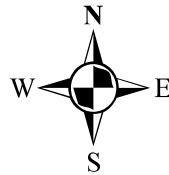
### Legend

- Tax Parcels
- AFD-14 Renewals

0 225 450 900  
Feet

0 0.02 0.04 0.08 0.12 0.16  
Miles





Craig County

Giles County

Roanoke  
County

Roanoke City  
Salem City

Roanoke City

AFD  
Renewal

Pulaski  
County

Radford City

Floyd County

