

3940 PRICES FORK ROAD

REZONING APPLICATION

Located in:

Montgomery County, Virginia

Project Number: 2196.2

Date: December 21, 2022

Revised: January 23, 2023



ENGINEERING • LAND PLANNING • SURVEYING
1260 Radford Street • Christiansburg, Virginia 24073
540.381.6011 office • 540.381.2773 fax
www.foresightdesignservices.com

3940 Prices Fork Road

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REZONING APPLICATION



Rezoning Application Form
Rezoning, Conditional Zoning, Proffer Amendment
Montgomery County, Virginia
 755 Roanoke St. Suite 2A, Christiansburg, VA 24073;
 540-394-2148; mcplan@montgomerycountyva.gov

Application Request: (Please check one) Conditional Rezoning Rezoning Amend Proffers

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

Owner of Record (attach separate page for add'l owners): Eagle Construction, Josh Goldschmidt, President	Address: 10618 Patterson Avenue, Henrico, VA 23238
Telephone: 804-980-0278	Email: kconner@shahllc.com; jgoldschmidt@eagleofva.com

Applicant Name: Owner Contract Purchaser/Lessee Same as above	Address:
Telephone:	Email:

Representative Name and Company: Foresight Design Services	Address: 1260 Radford Street, Christiansburg, VA 24073
Telephone: (540) 381-6011	Email: info@foresightdesignservices.com

Property Description:

Location or Address: (Describe in relation to nearest intersection) 3940 Prices Fork Road, Blacksburg, VA 24060		
Parcel ID Number(s): 017484	Acreage: 1.35	Existing Zoning: A-1
Comprehensive Plan Designation: Village Expansion	Existing Use: Residential	

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

Proposed Zoning (Include Acreage): R-3 - 1.35 (with substantial conformance to proffered plan)
Proposed Use: Residential

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.

Owner 1 Signature  Date 1/24/2023

Owner 2 Signature (for add'l owners please attach separate sheet) _____ Date _____

Applicant Signature _____ Date _____

Representative/Agent Signature  Date 1/24/23

3940 Prices Fork Road

PROFFER STATEMENT

**3940 Prices Ford Road – Rezoning to R3
PROFFER STATEMENT**

January 23, 2023

Proffer Statement for the Rezoning Application for Tax Parcels 052-A-31 (the "Property") from A-1 Agricultural District to R-3 Residential District.


Pursuant to Section 10-54(1) of the Montgomery County Zoning Ordinance, the Owner hereby voluntarily proffers that the Property which is the subject of this Rezoning Application will be developed in accordance with the following conditions, if and only if, approval is granted, and the property is rezoned as requested. This Proffer Statement shall replace in its entirety any Proffer Statement previously approved for the Property. The Applicant, the Owners, their Successors and Assigns, voluntary proffer the following conditions for the Property as follows:

1. Conceptual Layout

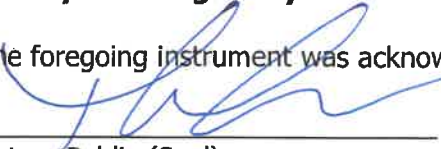
The Property shall be developed in general conformance with the Concept Plan prepared by Foresight Design Services entitled "3940 Prices Fork Road Tax Parcel 52-A-31 Rezoning" dated December 15, 2022.

I (we) hereby proffer that the development of the subject property of this application shall be in strict accordance with the conditions set forth in this submission.

Eagle Construction

By: 
Name: Josh Goldschmidt
Its: President

**Commonwealth of Virginia
County of Montgomery**

The foregoing instrument was acknowledged before me this 24th day of January, 2023


Notary Public (Seal)

My commission expires 11/30/23



3940 Prices Fork Road

INDIVIDUALS AUTHORITY TO ACT AS SIGNATORY

**UNANIMOUS CONSENT OF THE MANAGERS
OF EAGLE CONSTRUCTION OF VA, LLC
Effective Date: January 1, 2018**

The undersigned, being all of the Managers of Eagle Construction Company of Va., LLC, a Virginia limited liability company (the "Company"), hereby adopt the Recitals below and take the following actions by consent in lieu of a meeting, in accordance with the Operating Agreement of the Company and the Virginia Limited Liability Company Act:

RECITALS

R1. Steven Settlage has resigned as President of the Company.

R2. Josh Goldschmidt is being promoted to President of the Company and will no longer serve in his prior positions with the Company as Executive Vice President and Vice President of Sales, Marketing & Design.

R3. Richard Core is being appointed as the Vice Chairman and Chief Financial Officer of the Company.

R4. Jeffrey Kornblau has is being appointed to the newly created position of Vice President, Administration, will no longer serve in his prior positions as Chief Operating Officer and Vice President of Land Acquisition & Strategy of the Company, and will remain as the Corporate Secretary.

R5. Mark Kukoski, Vice President of Entitlement & Development, and Matt Collins, Vice President of Homebuilding, are no longer employed by the Company, and the Company now desires to formally remove them from their former positions.

RESOLUTIONS

RESOLVED, that the following individuals have the titles and authority for their positions as indicated beside their names below, to serve until their successors are elected, their resignation or removal:

Josh Goldschmidt – President

Richard Core – Vice Chairman and Chief Financial Officer

Jeffrey Kornblau – Vice President, Administration

FURTHER RESOLVED, that Mark Kukoski is removed from the position of Vice President of Entitlement & Development; and,

FURTHER RESOLVED, that Matt Collins is removed from the position of Vice President of Homebuilding; and,

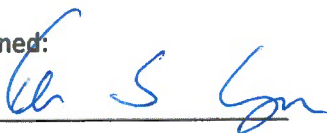
FURTHER RESOLVED, that the offices of Executive Vice President, Vice President of Sales, Marketing & Design, Chief Operating Officer, Vice-President of Land Acquisition & Strategy, Vice President of Homebuilding and Vice President of Entitlement & Development shall be left vacant until such time as successors are appointed to such positions; and,

FURTHER RESOLVED, that all officers of the Company shall have such authority and shall perform such duties as are typically exercised or performed by similarly titled officers in a corporation, and as shall be determined from time to time by the Board of Managers with respect to the President and Chief Financial Officer, and the President or Board of Managers with respect to all officers other than the President and Chief Financial Officer, and all officers shall have, without limitation, the authority to sign on behalf of the Company checks, documents, agreements, certificates, deeds, mortgages, bonds, contracts or other such instruments; and,

FURTHER RESOLVED, that third parties dealing with the Company may rely conclusively on the power and authority of the President, Chief Financial Officer, any Vice President, and any other duly appointed officer of the Company.

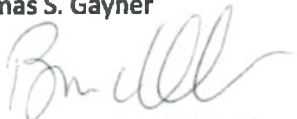
IN WITNESS WHEREOF, the undersigned members of the Board of Managers have executed this written consent effective as of the date stated above.

Signed:



Thomas S. Gayner

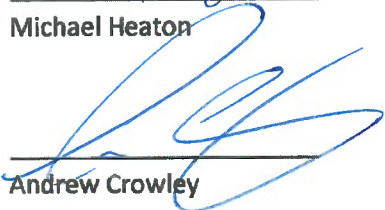
Date Signed:



Bryan Kornblau



Michael Heaton



Andrew Crowley



3940 Prices Fork Road

COMPREHENSIVE PLAN JUSTIFICATION

Comprehensive Plan Justification

Introduction:

The subject property is a 1.35 acre residential parcel currently zoned A1. A single-family house is currently under construction on the property. The parcel is adjacent to the development known as The Preserve at Walnut Springs.

Overview:

This rezoning request to R3 would allow the creation of a second parcel with both lots exceeding a half acre in size. The setbacks would match that development. However, the attached plan is being proffered for this request, and the house locations far exceed the setback requirements. The actual location of the houses and driveways would be in substantial conformance to the plan. Both lots will be serviced by public water and public sanitary sewer. The driveway for each house will be constructed with a turn-around area so that cars leaving the houses will drive forward onto Prices Fork Road to provide safe access.

3940 Prices Fork Road

EXHIBITS

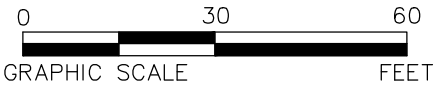
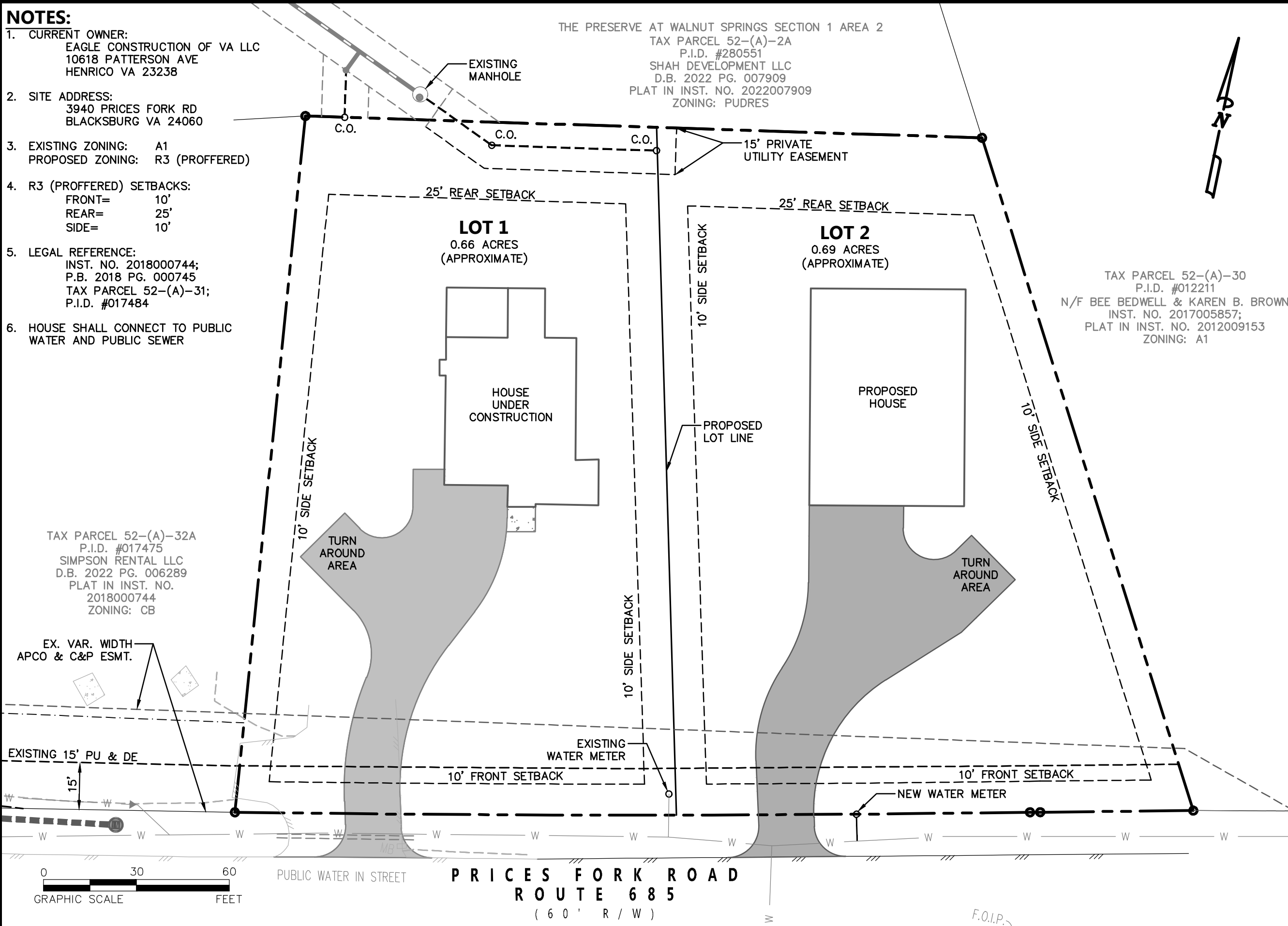
NOTES:

1. CURRENT OWNER:
EAGLE CONSTRUCTION OF VA LLC
10618 PATTERSON AVE
HENRICO VA 23238
2. SITE ADDRESS:
3940 PRICES FORK RD
BLACKSBURG VA 24060
3. EXISTING ZONING: A1
PROPOSED ZONING: R3 (PROFFERED)
4. R3 (PROFFERED) SETBACKS:
FRONT= 10'
REAR= 25'
SIDE= 10'
5. LEGAL REFERENCE:
INST. NO. 2018000744;
P.B. 2018 PG. 000745
TAX PARCEL 52-(A)-31;
P.I.D. #017484
6. HOUSE SHALL CONNECT TO PUBLIC WATER AND PUBLIC SEWER

THE PRESERVE AT WALNUT SPRINGS SECTION 1 AREA 2
TAX PARCEL 52-(A)-2A
P.I.D. #280551
SHAH DEVELOPMENT LLC
D.B. 2022 PG. 007909
PLAT IN INST. NO. 2022007909
ZONING: PUDRES

TAX PARCEL 52-(A)-30
P.I.D. #012211
N/F BEE BEDWELL & KAREN B. BROWN
INST. NO. 2017005857;
PLAT IN INST. NO. 2012009153
ZONING: A1

TAX PARCEL 52-(A)-32A
P.I.D. #017475
SIMPSON RENTAL LLC
D.B. 2022 PG. 006289
PLAT IN INST. NO.
2018000744
ZONING: CB



PRICES FORK ROAD
ROUTE 685
(60' R/W)



DESIGN SERVICES
ENGINEERING • LAND PLANNING • SURVEYING
1260 Radford Street
Christiansburg, Virginia 24073
Phone: (540) 381-6011
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Web: www.foresightdesignservices.com

3940 PRICES FORK ROAD
TAX PARCEL 52-A-31
REZONING
MONTGOMERY COUNTY, VIRGINIA

REVISIONS		
NO.	COMMENTS	DATE

PROJECT TEAM	
PIC	JOHN T. NEEL, P.E.
PM	BRYANT H. ALTIZER, PE, LS
DESIGN	ZJM
FDS JOB NO.	ISSUE DATE
2196-2	01/23/2023
SHEET NUMBER	
1 OF 1	

X:\Drawings\2196-2\ENGINEERING\Design\Plans\Sheets\2196-2_Sht_C2_Site_Layout_Plan - Parcel B Lot 2.dwg
PARCEL B - LOT 2, 01/24/2023 11:22:11 AM, Zmoore, AutoCAD PDF (General Documentation).pc3, 1:1

F.O.I.P.