

## **Rosemary Road Fill Site Christiansburg, Virginia**

### **SPECIAL USE PERMIT**

#### **ADDITIONAL PLAN INFORMATION**

- Special Use Permit Application
- Comprehensive Plan Justification
- Exhibits –Vicinity Map, Concept Development Plan, Plat

Prepared for  
Montgomery County, Virginia

**June 2023**

Prepared by  
Peed & Bortz, L.L.C.  
Civil and Environmental Engineers  
20 Midway Plaza Drive, Suite 100  
Christiansburg, VA 24060  
540-394-3214

**Rosemary Road Fill Site  
Christiansburg, Virginia**

**SPECIAL USE PERMIT  
APPLICATION &  
CHECKLIST**



## Special Use Permit Application Checklist

The applicant shall submit ten (10) copies of all required materials listed below. Applications will **NOT** be accepted without the following attachments:

- Application Form (pg 10).** The application form must be signed by all of the property owners. If ownership is in the name of any type of legal entity or organization including, but not limited to, a name of a corporation, partnership, or association, or in the name of a trust, or in a fictitious name, a document acceptable to the County must be submitted certifying that the person signing the application has the authority to do so. If the application is submitted by an agent of the owner, the agent shall sign the application as well.
- Comprehensive Plan Justification.** References should be made to the Comprehensive Plan Policy sections in the text portion of the plan. The Comprehensive Plan map provides an overview of the future land use policy areas, but does not provide a guide to the specific land use policies adopted by Montgomery County.

Land use policies are articulated in the Planning and Land Use portion of [Montgomery County, 2025](#) (chapter 2). available at the Planning & GIS Services Department or on the web. If the proposed development, rezoning, or special use permit is located in a village or village expansion area not covered by an adopted village plan, then the proposal needs to be consistent with the overall Comprehensive Plan.

**Villages and Village Expansion Areas.** If the proposed development, rezoning, or special use permit is located in a village or village expansion area covered by an adopted Village Plan, the proposal needs to be consistent with both the overall county Comprehensive Plan and with the village plan.

Information that must be addressed concerning the County Comprehensive Plan when submitting special use permit applications includes:

- a) Compliance with required lot minimums, district minimums, and availability of water and sewer
- b) Describe, in specific detail, how the request fits with the land use policies included under the appropriate land use policy area. There are seven land use policy areas: Resource Stewardship (PLU 1.2), Rural (PLU 1.3), Rural Communities (PLU 1.4), Residential Transition (PLU 1.5), Villages (PLU 1.7), Village Expansion Areas (PLU 1.6), and Urban Expansion Areas (PLU 1.8). Each area has specific policies covering land uses, community design, and community facilities and utilities.
- c) If the proposed request requires an E and S permit (land disturbance of more than 10,000 square feet) or with large areas of impervious surface (paved parking areas, etc.), the proposal will need to address groundwater, surface water, and stormwater runoff concerns included in the Environmental Resources Chapter. (ENV6.5, ENV5.6)

- Concept Development Plan.** Required for all special use permit requests. A concept plan is an initial plan, which shows the general nature of the land use change or development, which is intended. It differs from the final site plan, or, plot plan, which is required prior to the issuance of zoning approval and a building permit.

The level of needed detail may vary depending on the nature, size and complexity of the proposed project; however, the following items shall be addressed with a concept plan submittal:

### Existing Site Features:

- a) Name of all landowners, applicant (if different), developer, engineer/ party preparing the plans.

- b) Date, revision date(s), scale and north point of plan.
- c) Lot size in acres and/or square feet, property lines and dimensions and any easements.
- d) Zoning and existing use of property and all adjoining properties.
- e) All existing buildings, and streets and/or other adjacent improved or unimproved rights-of-way.
- f) All existing physical features such as tree cover, natural watercourses, recorded drainage easements, and 100-year floodplain limits.

**Proposed Site Features:**

- g) Location of proposed access areas, loading zones, SWM facilities and streets or other rights-of-way.
- h) Structures: dimensions, use and the general types of exterior materials.
- i) Outside lighting: general location, height and type, and shielding.
- j) General landscaping plan. Existing trees and shrubs are recommended to be maintained wherever possible.
- k) General location and type of screening (fences, walls, vegetation), signs and trash enclosures.

- Filing Fee.** The application fee shall be paid when the application is submitted. Fees are determined by the current fee schedule. Contact Planning & GIS staff for assistance calculating fees. Checks should be payable to “Treasurer of Montgomery County”.

Please note: In addition to the application fee, an invoice will be sent to the applicant/owner for fees associated with legal advertisements as required by the Commonwealth of Virginia.

- Digital Submission of Application and all exhibits.** Applications will not be considered complete until digital items are received. An Adobe PDF document format is preferred for compatibility.
- Ensure all applicable items identified in “Special Use Permit Requirements” (pg 11) are addressed in the application package (concept plan, justification statement, etc).** It may be necessary to attach additional documentation.

NA **Completed Preliminary Review Meeting Application & Preliminary Review Meeting-Application Checklist Forms (pg 8-9 if required).**

- Items determined necessary in Preliminary Review Meeting (pg 9)**



# Development Plan Review

*Request a meeting with the reviewteam.*

**Name \*** Jonathan McClure

**Phone Number \*** 5403943214

**Email** jonathan@peed-bortz.com

**Address of Site to be Discussed \***

Street Address  
Unaddressed Parcel South of  
Address Line 2  
2457 Rosemary Road  
City Christiansburg  
State / Province / Region VA  
Postal / Zip Code 24073  
Country USA

Development Plan Review attended 4/25 in place of Preliminary Review Meeting

**Parcel ID \*** 110882

**Brief Description of Project \*** The purpose of this plan is to install clean earth fill material from various construction projects operated by EC Pace. The project location is an undeveloped agricultural field at the end of Rosemary Road. The fill area and associated erosion control measures, including a temporary sediment basin, will disturb approximately 5 acres. After the project is finished the sediment basin will be demolished and the fill area will be allowed to revert to managed turf conditions. Construction will be performed by EC Pace. The project will be constructed under a Nationwide 18 Permit.

**Number of Project Representatives to Attend Meeting \*** 3

**Attach Concept Plan (9MB, max file size)** Rosemary Road Tannahill Site 041023.pdf 2.09MB



## 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): James K Tannahill	Address: 2397 Tyler Road, Christiansburg VA 24073
Telephone: 540-998-8800	Email: tannahilltruckandbus@yahoo.com

Applicant Name: <input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser/Lessee James K Tannahill	Address: 2397 Tyler Road, Christiansburg VA 24073
Telephone: 540-998-8800	Email: tannahilltruckandbus@yahoo.com

Representative Name and Company: Scott Bortz, PE (Peed and Bortz, LLC)	Address: 20 Midway Plaza Drive Suite 100, Christiansburg VA 24073
Telephone: 540-394-3214	Email: scott@peed-bortz.com

**Property Description:**

Location or Address: (Describe in relation to nearest intersection) South of 2457 Rosemary Road (Turn right at the fork after intersection of Peachtree Hill and Rosemary Road)		
Parcel ID Number(s): 110882	Acreage: 20.013	Existing Zoning: A1 - Agriculture
Comprehensive Plan Designation: Rural	Existing Use: Agricultural (Undeveloped)	

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

Proposed Use(s) including acreage: 115,000 CY Rubble Landfill site on ~4.5 acres of the 20 acre site. Three adjacent properties share an owner.	TYPED CORRECTED FROM "115,000" TO "115,000" CY ON 5/31
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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.

\_\_\_\_\_ Date 5-26-23  
 Owner 1 Signature

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

\_\_\_\_\_ Date  
 Applicant Signature

\_\_\_\_\_ Date 5/31/23  
 Representative/Agent Signature

**Rosemary Road Fill Site  
Christiansburg, Virginia**

COMPREHENSIVE  
PLAN  
JUSTIFICATION &  
ADDITIONAL SUP  
REQUIREMENTS

## COMPREHENSIVE PLAN JUSTIFICATION

### INTRODUCTION

This purpose of this Special Use Permit application is to allow construction of a “rubble landfill” as defined in Montgomery County Code 10-61 on a parcel Zoned A1 and designated as rural land use in 2025 Comprehensive Plan. Rubble Landfills are defined as “The use of land for the legal disposal more than fifteen thousand (15,000) cubic yards of only inert waste” with Inert Waste defined as “Brick, concrete block, broken concrete, and uncontaminated minerals or soil”. The inert waste and fill will come from utility excavation construction projects performed by EC Pace. With this plan the site will not be developed aside from grading and filling.

County Code 10-41(23)(1) on agricultural zoning allows “clean earth fill areas” of up to 15,000 CY to be installed in an agricultural zone by right. The only difference between a “clean earth fill area” and “rubble landfill” is the volume of inert waste installed. The project does not conflict with the Comprehensive Plan or the current zoning.

### OVERVIEW

The project proposes to allow the filling of construction material on Parcel 110882. The fill site and associated stormwater controls will disturb approximately 5 acres of the 20-acre parcel. The parcels immediately to the North, South, and Northeast are owned by the same property owner and will not be disturbed.

- During construction, stormwater management will be achieved through an onsite detention facility. Stormwater management requirements for the completed, stabilized site will comply with VA and Montgomery County quality and quantity discharge requirements.
- The potential number of vehicle trips per day may be as little as 0 on most days and at most ~40 when fill operations are ongoing. As discussed with VDOT in the presubmittal meeting, the access entrance will be equivalent to a VDOT Low Volume Commercial entrance.
- Agricultural zoned properties are permitted 15,000 CY of inert fill by right through County Code Section 10-41(23). This site proposes to 115,000 CY of fill due to its topography. The fill will be installed on an area between two ridges, essentially turning a natural valley into a flat area.
- The fill site area may be in operation for as little as 3 years or up to a decade, depending on economic factors and the need for the placement of fill. These factors are largely external and depend on the speed of development of Montgomery County and surrounding areas.
- Noise impacts will be minimum due to the site only operating during daylight hours and due to the remoteness of the sight. The only home not separated by a wooded buffer is owned by the same property owner as the fill site.
- The site area should help contribute to the local economy by providing a location to place material. This project will support numerous construction projects within Montgomery County.

### POLICY CHAPTERS:

The Planning and Land Use section (PLU 1.3) states “Rural Areas are generally defined as areas of the County, 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.” Section PLU1.3.1 f adds “**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.**”

This site will not be developed beyond grading and filling, and is comparable in scale to agricultural operations. The site will pose no threats to public health, safety, or welfare.



CONCLUSION

With the limited areas available for rubble landfill sites, this isolated location makes an ideal site. Consolidating the impacts on one fill site instead of several smaller ones is beneficial. The intention of SUP requirements for rubble landfill sites in Agricultural districts was put in place as to permit operations with conditions, not to prohibit the use entirely.

## 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"). [See Comprehensive Plan Justification](#)
2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control. [NA](#)
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. [See Additional Information](#)
4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area. [NA](#)
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. [NA](#)
6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels. [See Additional Information](#)
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. [NA](#)
8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood. [See Comprehensive Plan Justification](#) [See Comprehensive Plan](#)
9. The timing and phasing of the proposed development and the duration of the proposed use. [See Comprehensive Plan Justification](#)
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. [See Additional Information](#)
11. Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public. [See Comprehensive Plan Justification](#)
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. [See Additional Information](#)
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. [NA](#)
14. Whether the proposed Special Use Permit will be served adequately by essential public facilities and services. [NA](#)
15. The effect of the proposed Special Use Permit on groundwater supply. [NA](#)
16. The effect of the proposed Special Use Permit on the structural capacity of the soils. [NA](#)
17. Whether the proposed use will facilitate orderly and safe road development and transportation. [NA](#)
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. [See Additional Information](#)

- See Comprehensive Plan Justification**
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.
  20. Whether the proposed Special Use Permit considers the needs of agriculture, industry, and businesses in future growth. **NA**
  21. The effect of the proposed Special Use Permit use in enhancing affordable shelter opportunities for residents of the County. **NA**
  22. The location, character, and size of any outdoor storage. **NA**
  23. The proposed use of open space. **NA**
  24. The location of any major floodplain and steep slopes. **See Additional Information**
  25. The location and use of any existing non-conforming uses and structures. **NA**
  26. The location and type of any fuel and fuel storage. **NA**
  27. The location and use of any anticipated accessory uses and structures. **NA**
  28. The area of each use; if appropriate. **See Concept Plan Sketch**
  29. The proposed days/hours of operation. **Daylight Hours, Week Days**
  30. The location and screening of parking and loading spaces and/or areas. **NA**
  31. The location and nature of any proposed security features and provisions. **NA**
  32. The number of employees. **1-2 On Site**
  33. The location of any existing and/or proposed adequate on and off-site infrastructure. **NA**
  34. Any anticipated odors, which may be generated by the uses on site. **NA**
  35. Whether the proposed Special Use Permit uses have sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas. **See Additional Information**

### ADDITIONAL SUP REQUIREMENTS

Please consider the items below as additional information for consideration in the submittal of the SUP. The SUP proposes to construct a rubble landfill of 115,000 CY inert fill in an agricultural zone where clean earth fill areas of up to 15,000 CY are allowed by right. Consolidating these impacts on one site is beneficial compared to have a half dozen smaller fill sites.

Noise – The site is isolated from all other residences. Generally, activity on the site will be limited to normal working days and hours ie, daylight Monday-Friday.

Adjacent Parcel Compatibility – Half of the parcels immediately adjacent to the site are owned by the same individual that owns the site. The others are either undeveloped wooded areas or have large wooded buffers between them and the fill site.

Damage To Significant Features– The onsite detention pond is proposed to be constructed downstream of a springhead and will disturb ~250' of stream. The stream was delineated by Blue Ridge Ecological Services and disturbance is permitted under a Corp of Engineers Nationwide 18 for Minor Discharges.

Traffic – In a pre-submission meeting with VDOT, they noted that this entrance would have to be rated as a low volume commercial entrance. The current entrance would either be shown to meet these requirements or upgraded to meet them. Additionally, this area has no pedestrian traffic.

Steep Slopes & Floodplain – Existing slopes are greater than 3:1. Per Montgomery site plan requirements a geotechnical report will be obtained if final design requires proposed slopes greater than 3:1.

Dust – The site will be governed by an Erosion and Sediment Control plan. At a minimum a construction entrance will be installed.

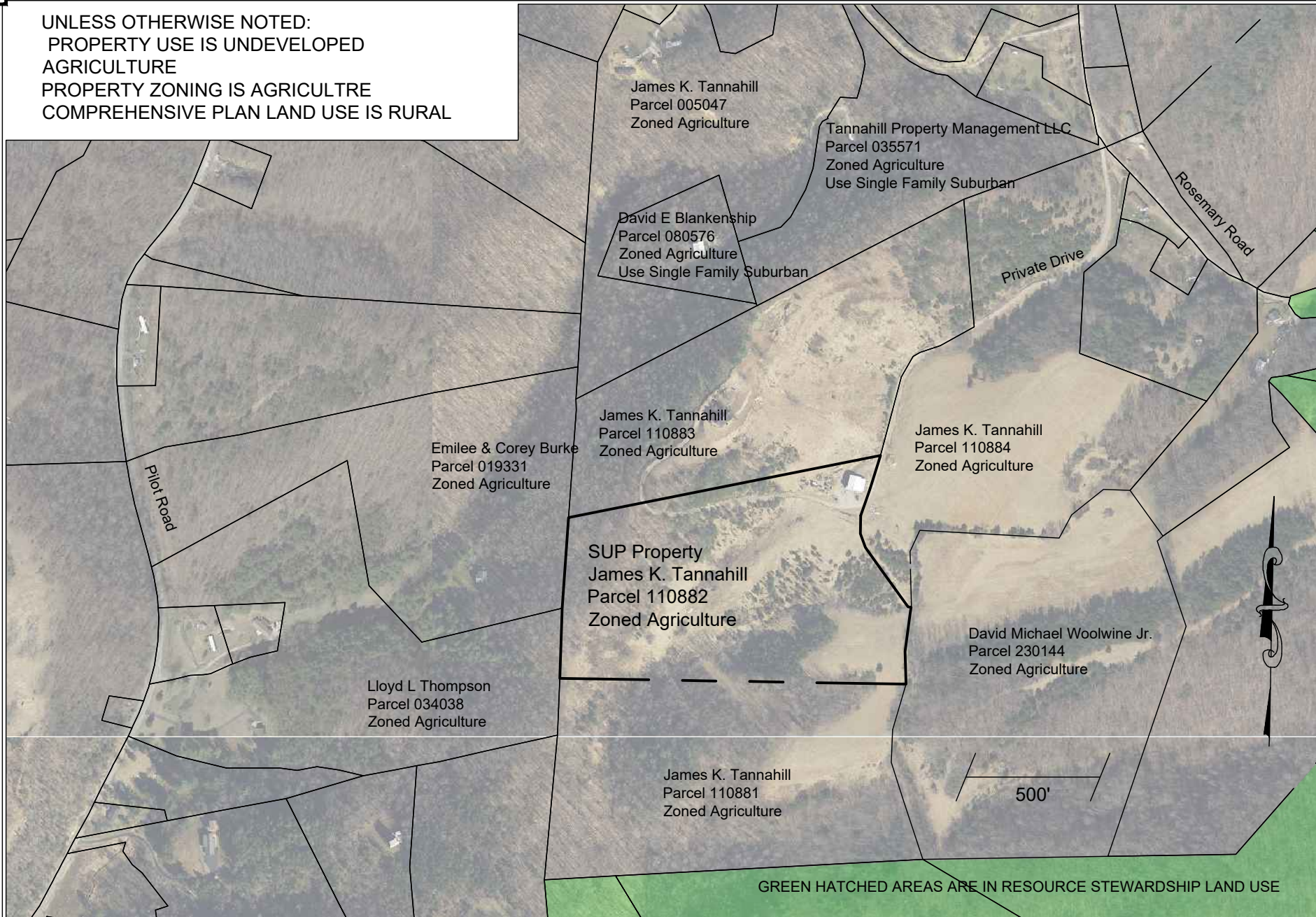
Lighting – No lighting is proposed on this site.

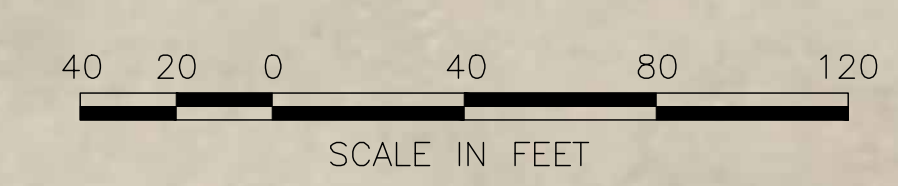
Control of Runoff – During construction stormwater management will be achieved through an onsite detention facility. Stormwater management requirements for the completed, stabilized site will comply with VA and Montgomery County quality and quantity discharge requirements.

**Rosemary Road Inert Fill Site  
Christiansburg, Virginia**

EXHIBITS  
VICINITY MAP  
PLAT  
CONCEPT DEVELOPMENT  
PLAN

UNLESS OTHERWISE NOTED:  
PROPERTY USE IS UNDEVELOPED  
AGRICULTURE  
PROPERTY ZONING IS AGRICULTRE  
COMPREHENSIVE PLAN LAND USE IS RURAL





Parcel ID 110884  
Tax Map 108-A 45E  
Tannahill James K  
2397 Tyler Road, Christiansburg VA 24073

Parcel ID 230144  
Tax Map 108-A 45F  
Woolwine David Michael Jr, Woolwine Melis Sartin  
2318 Rosemary Road, Christiansburg VA 24073

Parcel ID 110883  
Tax Map 108-A 45D  
Tannahill James K  
2397 Tyler Road, Christiansburg VA 24073

Parcel ID 110882  
Tax Map 108-A 45C  
Tannahill James K  
2397 Tyler Road, Christiansburg VA 24073

Parcel ID 110881  
Tax Map 108-A 45A  
Tannahill James K  
2397 Tyler Road, Christiansburg VA 24073

**SEEDING MIXTURES AND SCHEDULE FOR APPALACHIAN/MOUNTAIN AREA**

SITE SEEDING MIXTURES FOR MINIMUM CARE AREAS

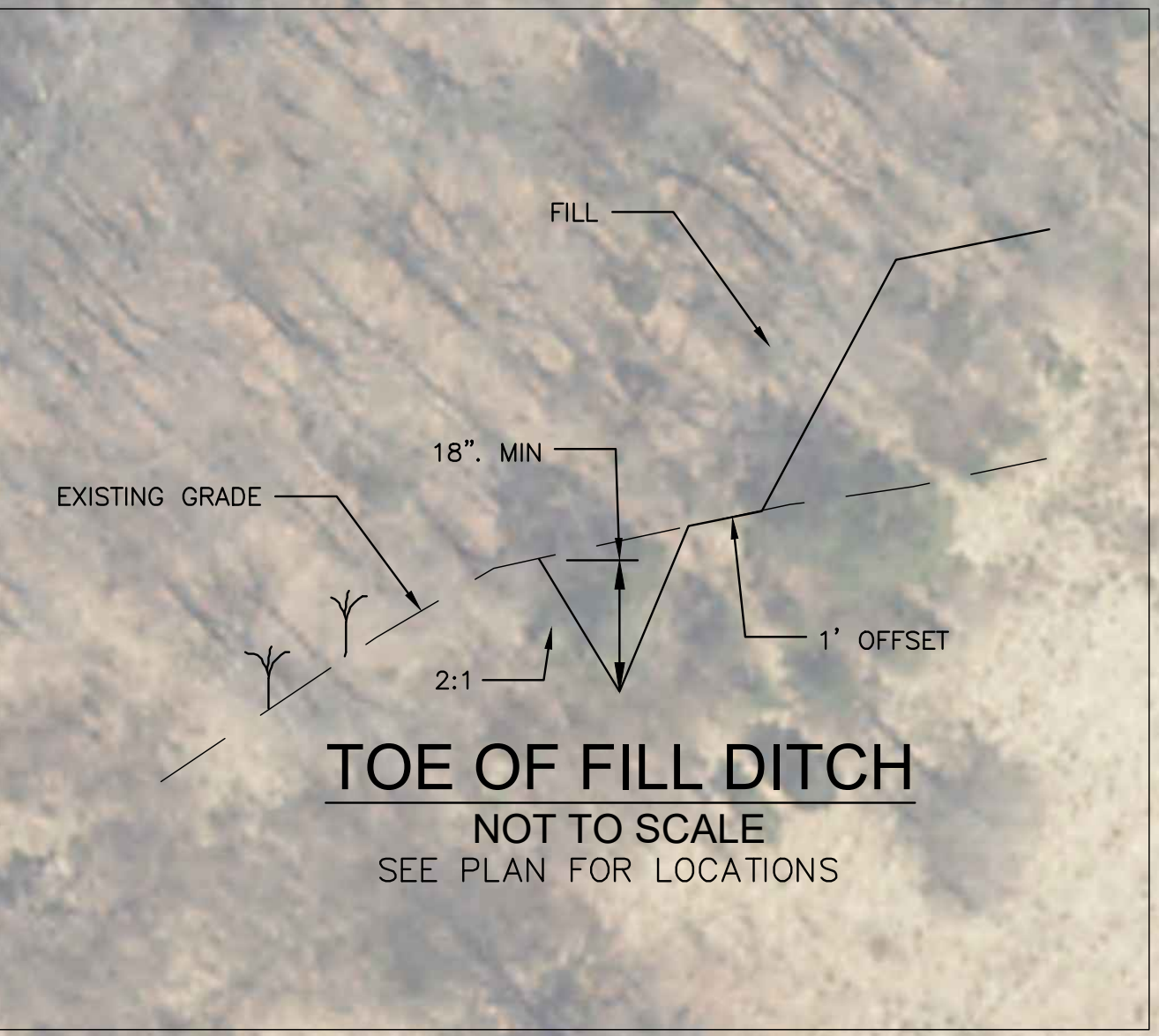
SEED TYPE	(POUND PER ACRE)	PLANTING SOIL AMENDMENTS
KENTUCKY 31 FESCUE	180-250	
IMPROVED PERENNIAL RYEGRASS	0-25	2000 lbs. STRAW MULCH/ACRE
KENTUCKY BLUEGRASS	0-25	1000 lbs. 5-10-10 FERTILIZER/ACRE 2 TONS AGRICULTURAL LIMESTONE/ACRE

SITE SEEDING MIXTURES FOR LOW MAINTENANCE AREA, 3:1 SLOPES OR STEEPER (lbs/ac)

DATE	3/1-5/15	5/16-8/15	8/16-10/31	11/1-2/28
SEED TYPE				
KENTUCKY 31 FESCUE	108	108	108	108
RED TOP GRASS	2	2	2	2
ANNUAL RYE	20		20	
FOXTAIL MILLET		20		
WINTER RYE				20

TEMPORARY SEEDING MIXTURES (lbs/ac)

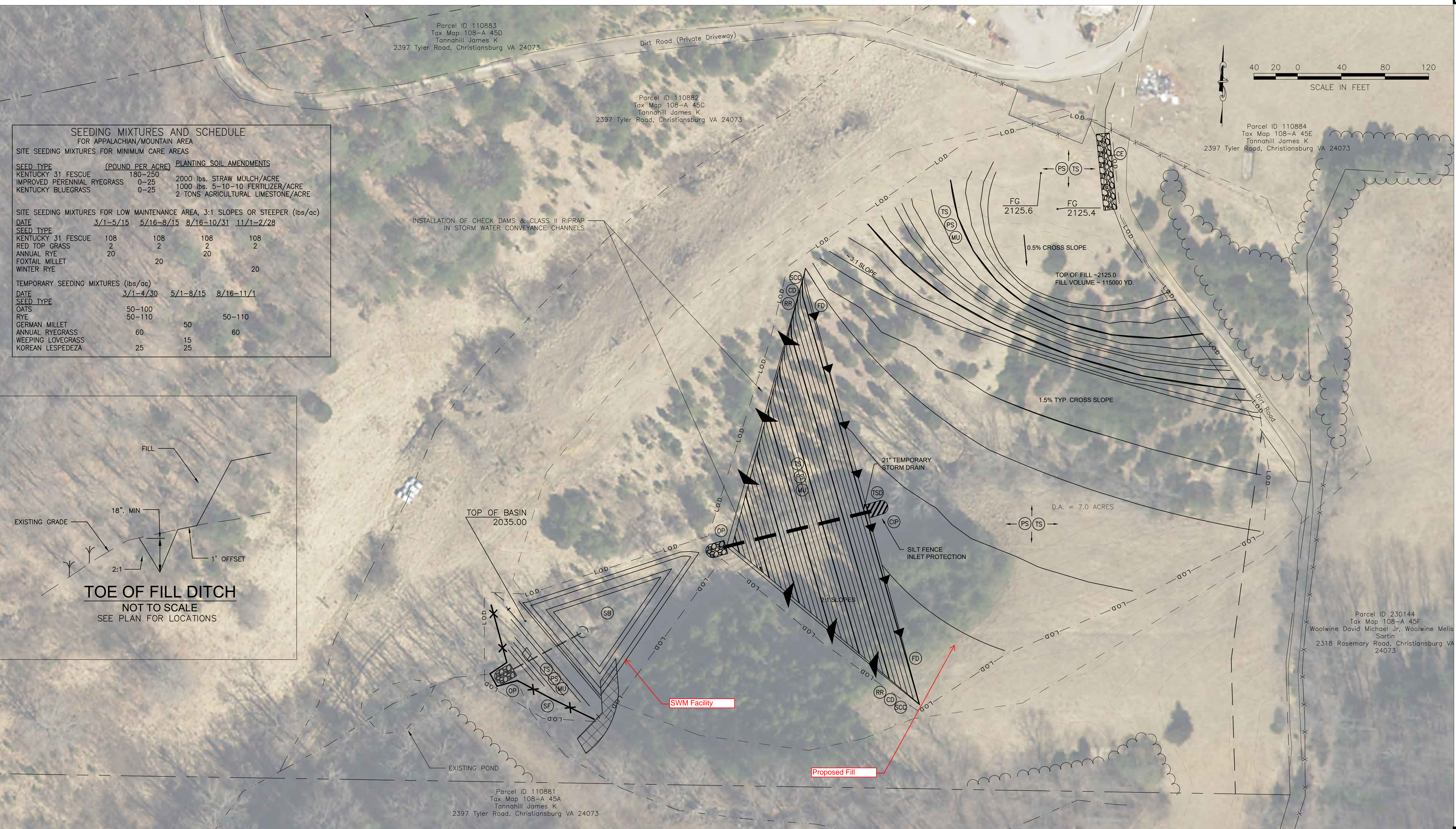
DATE	3/1-4/30	5/1-8/15	8/16-11/1
SEED TYPE			
OATS	50-100		
RYE	50-110		50-110
GERMAN MILLET		50	
ANNUAL RYEGRASS	60		60
WEeping LOVEGRASS		15	
KOREAN LESPEDEZA	25	25	



INSTALLATION OF CHECK DAMS & CLASS II RIPRAP IN STORM WATER CONVEYANCE CHANNELS

TOP OF BASIN  
2035.00

D.A. = 7.0 ACRES



**Peed & Bortz, L.L.C.**  
CIVIL & ENVIRONMENTAL ENGINEERS  
20 MIDWAY PLAZA DRIVE - SUITE 100  
CHRISTIANSBURG, VIRGINIA 24073  
PHONE: (540) 394 - 3214 FAX: (540) 394 - 3215

**ROSEMARY ROAD  
FILL SITE**

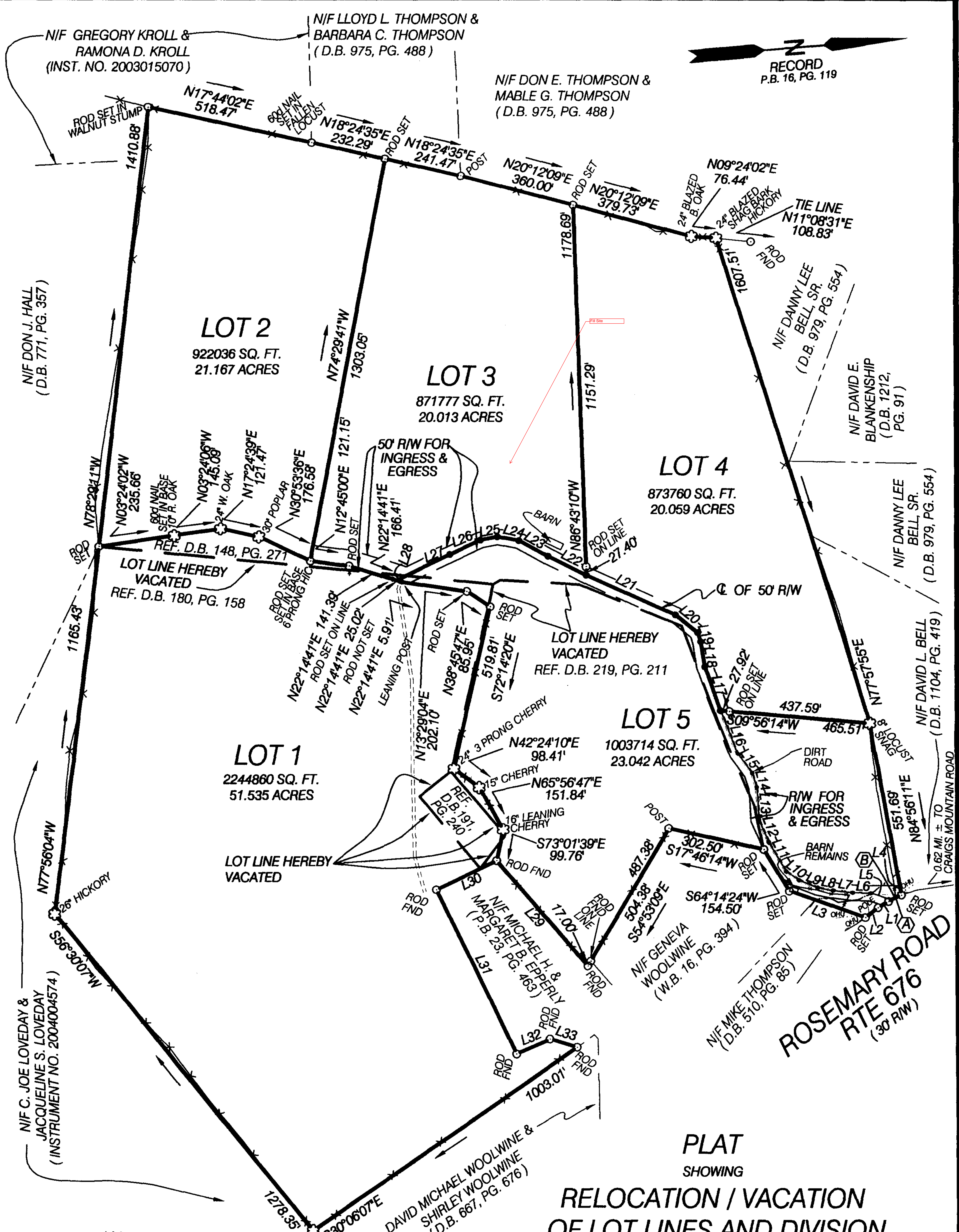
MONTGOMERY COUNTY VIRGINIA

SEAL  
**DRAFT**

DRAWN BY:  
JWH  
REVIEW BY:  
SMB  
DATE:  
10 APRIL 2023  
REVISION:

SHEET DESCRIPTION:  
PHASE II

**C02**

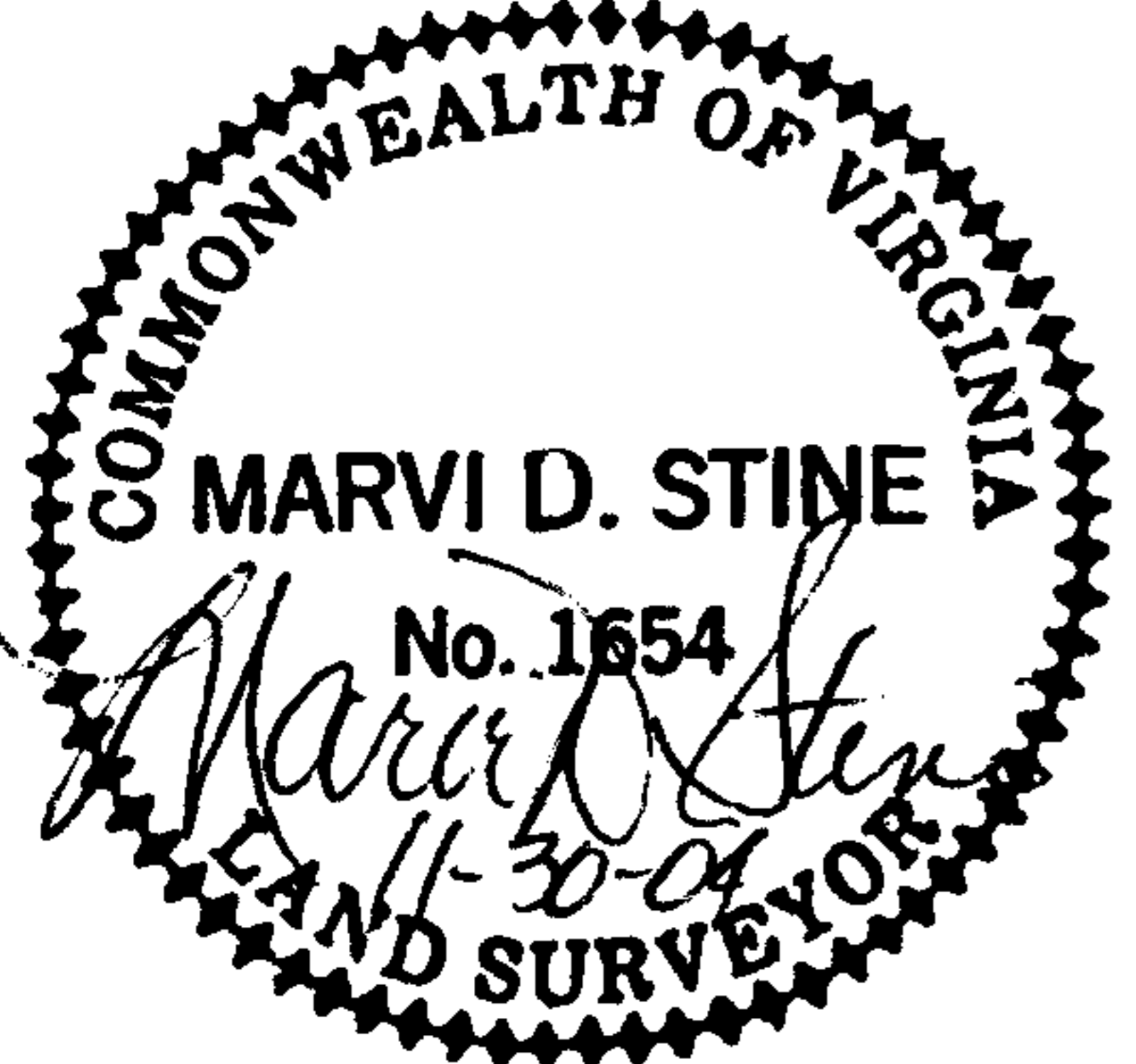


PLAT  
SHOWING  
**RELOCATION / VACATION  
OF LOT LINES AND DIVISION**  
FOR  
**ESTATE OF  
VIRGINIA KATHLEEN VEST WOOLWINE**

LOCATED IN  
SHAWSVILLE MAGISTERIAL DISTRICT,  
MONTGOMERY COUNTY, VIRGINIA

22 NOVEMBER, 2004 SCALE 1" = 300'

SHEET 1 OF 3



**HIGHLAND SURVEYS P.C.**  
404 ROANOKE STREET  
P.O. BOX 6364  
CHRISTIANSBURG, VIRGINIA 24073

(A)  
R=315.00'  
Δ=08°14'44"  
L=45.33'  
T=22.71'  
C=45.29'  
BRG=S21°56'54"E

(B)  
R=315.00'  
Δ=06°26'48"  
L=35.44'  
T=17.74'  
C=35.42'  
BRG=S21°02'56"E