

Date Application Received: 05-12-15

### Application for Ordinance Amendment City of Harrisonburg, Virginia

Fee: \$375.00

Total Paid: \$ 187.50 AF

*↳ difference from prev. app.*

Applicant's Name: Jamison Black Marble Wildlife Preserve, LLC

Street Address: 566 E. Market St. Email: \_\_\_\_\_

City: Harrisonburg State: VA Zip: 22801

Telephone: Work 540-432-9555 Fax 540-434-7604 Mobile \_\_\_\_\_

Applicant's Representative: Richard Blackwell

Street Address: 566 E. Market St. Email: \_\_\_\_\_

City: Harrisonburg State: VA Zip: 22801

Telephone: Work 432-9555 Fax 540-434-7604 Mobile 820-2964

#### Description of Amendment

Zoning Ordinance Section: 10-3-97 (10)

Proposed Text: Recreational and leisure time activities which may include nontransient, detached dwelling units.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Certification: I certify that the information contained herein is true and accurate

Signature: *[Handwritten Signature]*  
*Applicant Signature*

#### ITEMS REQUIRED FOR SUBMISSION

- Completed Application
- Ordinance Text
- Letter of description

- Fees Paid
- \_\_\_\_\_

RECEIPT			
DATE	<u>05-05-15</u>		
FROM	<u>Rick Blackwell</u>		
ACCT.	<u>FOR RENT ZO Amend / SUP</u>		
PAID	<u>617.50</u>	CASH	<input type="checkbox"/>
DUE		CHECK	<input checked="" type="checkbox"/>
		MONEY ORDER	<input type="checkbox"/>
		BY	<u>CL# 1028</u>
		FROM	<u>#1028</u>
		TO	
		FOR RENT	<u>1028</u>
		FOR	<u>187.50 / Z</u>
		ORDER	<u>1436.00 / SUP</u>
		NO	<u>100 DOLLARS</u>
		BY	<u>104 Kinect</u>
		DATE	<u>8/26/2015</u>
		AMOUNT	<u>\$617.50</u>

May 12, 2015

Harrisonburg City Council  
345 South Main Street  
Harrisonburg VA 22801

Ref: Proposed change of text in M-1 General Industrial District

Dear Council Members:

It is hereby requested that additional text be added to Chapter 3. Zoning, Article R. M-1 General Industrial District, Section 10-3-97. Uses permitted by special use permit., (10) "Recreational and Leisure time activities" of the City of Harrisonburg, VA Code of Ordinances to say "Recreational and Leisure time activities which **may** include non transient dwelling units."

The requested changes to the Code of Ordinances, are based on a parcel of property owned by Jamison Black Marble Wildlife Preserve, LLC, identified by tax map number: 46 C 8, zoned: M1, consisting of 16.5485 acres, located at 1430 Red Oak Street, Harrisonburg, VA 22801. The property was previously a rock quarry owned by the Jamison Black Marble Company out of Roanoke, VA and operated by The Frazier Quarry, Inc. Quarry operations began in 1949 and in the early 1970's rock removal from the pit was halted due to groundwater intrusion. Rock was hauled from the property until 1982, when Wampler Foods, Inc. purchased the property to construct a Feed Mill. The property was obtained by the current owner in November of 1998.

The old quarry pit now 65 foot deep with clean spring fed groundwater is approximately 5.5 acres and central on the property. The primary reason for the 1998 sale of the property was to environmentally preserve the property and protect the groundwater source. A six foot chain link fence with three strands of barbed wire surrounds the quarry; however this has provided little deterrence in keeping trespassers from cutting the fence, entering the property, having drunken parties and stealing or destroying private property. The only deterrent that has worked is a physical presence.

Typical industrial uses with paved parking and larger buildings are not considered the best use of this **unusual property** and may increase chances of the pollution of the groundwater.

By allowing the text change, we will be able to construct single family detached dwellings by special use within the M-1 District and by living at the quarry, be better able to manage people using the property and restrict those who are not to be there.

The names and addresses of the owners are as follows:

**Richard L. Blackwell III**  
104 Kline Court  
Bridgewater, VA 22812

**Edmond H. Blackwell**  
764 Woodland Drive  
Harrisonburg VA 22801

**Dr. Gregory S. Johnson**  
3199 Lawyer Rd  
McGaheysville, VA 22840

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-3-97

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of  
Harrisonburg, Virginia:**

**That Section 10-3-97 Uses Permitted by Special Use Permit shall be amended by modifying subsection (10) as shown:**

- (10) Recreational and leisure time activities, which may include nontransient dwelling units.

The remainder of Section 10-3-97 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the \_\_\_\_ day of \_\_\_\_\_, 2015.  
Adopted and approved this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
**MAYOR**

ATTESTE:

\_\_\_\_\_  
CLERK PRO TEMPORE