

## Bill Fritz

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**From:** Hays Lantz <hayslantz@gmail.com>  
**Sent:** Wednesday, December 5, 2018 12:17 PM  
**To:** Bill Fritz  
**Subject:** Amendment

Board of Supervisors wants to enact a zoning text amendment that will require that any future gas stations or convenience stores proposed in a Rural Area not served by public water be required to obtain a special use permit. I am totally in agreement with this amendment. Thank you.

Hays Lantz, Jr., PhD  
4640 Vista Cy  
Troy, Va

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Sent from Gmail Mobile

December 11, 2018

Planning Commission  
County of Albemarle  
403 McIntire Road  
Charlottesville, VA 22902

Dear Commissioners,

I am the owner of a popular local business with two locations in Albemarle County, Kohr Brothers Frozen Custard. I also own two commercial properties in Albemarle County that I bought within the past 13 years as personal investments. These properties are located along Route 250, just east of the I-64 interchange at Pantops.

Earlier this year, the County considered a zoning text amendment language (ZTA 2018-0002) that would have downzoned my properties and severely restricted the by-right uses that would be permitted on them. This proposal was put on hold after numerous property owners and citizens spoke against it and the immense negative impact it would have on property owners' rights and the value of their properties.

I now find out that once again the County is considering, with little notice to property owners affected, changes to existing zoning that down zones their properties. In my case, my properties are zoned Highway Commercial (HC). The new ordinance being considered tonight will severely impact my properties by making certain uses now allowed by right permitted only by special use permit since my properties are not served by public water or sewer. In particular, the use of eating establishments which is now permitted would in the future only be allowed by a special use permit. This would make my existing frozen custard business non-conforming. The County should not be making well-established, existing businesses that fit well into their neighborhoods non-conforming.

It is hard for me to understand why these changes are being considered without more input from property owners affected. I strongly ask that you do not recommend approval of this proposed zoning change. Instead, you should task staff to work more directly with property owners and stake holders on any proposed changes as was publicly promised by the Board back in June.

Sincerely,

Randolph Kohr II