

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the 20th day of April, 2021:

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<u>Present</u>	<u>Vote</u>
W. Chad Green, Chairman	Yea
Sheila S. Noll, Vice Chairman	Yea
Walter C. Zaremba	Yea
G. Stephen Roane, Jr.	Yea
Thomas G. Shepperd, Jr.	Yea

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On motion of Mrs. Noll, which carried 5:0, the following resolution was adopted:

A RESOLUTION TO APPROVE AN APPLICATION TO AUTHORIZE  
FIREARMS SALES AND GUNSMITHING AS A HOME  
OCCUPATION WITH ON-PREMISES CUSTOMER/CLIENT  
CONTACT ON PROPERTY LOCATED AT 211 HENRY LEE LANE  
(ROUTE 1570)

WHEREAS, Andrew Piske has submitted Application No. UP-962-21 requesting a Special Use Permit, pursuant to Section 24.1-283(b)(1) of the York County Zoning Ordinance, to authorize firearms sales and gunsmithing as a home occupation with on-site customer/client contact on a 0.4-acre parcel of land located at 211 Henry Lee Lane (Route 1570) and further identified as Assessor's Parcel No. 30-28-8 (GPIN T06a-1372-3760); and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

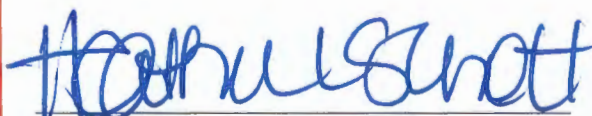
NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 20th day of April, 2021, that Application No. UP-962-21 be, and it is hereby, approved to authorize a Special Use Permit, pursuant to Section 24.1-283(b)(1) of the York County Zoning Ordinance, for the establishment of firearms sales and gunsmithing as a home occupation with on-site customer/client contact on a 0.4-acre parcel of land located at 211 Henry Lee Lane (Route 1570) and further identified as Assessor's Parcel No. 30-28-8 (GPIN T06a-1372-3760), subject to the following conditions:

1. The home occupation shall be conducted in accordance with the provisions of the York County Zoning Ordinance, Sections 24.1-281 and 24.1-283(b), except as modified herein.
2. The floor area of the home occupation shall not exceed approximately 300 square feet of area within the detached garage area and the interior home floor area as depicted on the floor plan submitted by the applicant and received by the Planning Division on December 18, 2020, a copy of which shall remain on file in the office of the Planning Division.
3. The term of this Special Use Permit shall expire upon the termination of ownership of the property by the applicant.
4. No person other than individuals residing on the premises shall be engaged in the home occupation.
5. The days and hours of operation shall be limited to Monday through Friday, 9:00 AM to 4:00 PM. Customer/client contact on the premises shall be by appointment only and shall be limited to no more than one customer appointment at any one time. The applicant shall keep a log book indicating appointments scheduled by date and time with such log book to be made available for review by Zoning and Code Enforcement staff upon request. The log need not contain customer names or details concerning the type of firearm(s) or the amount of the business transaction.
6. A minimum of four (4) off-street parking spaces shall be provided on the premises and no on-street parking shall be allowed for the residence or business uses.
7. There shall be no live firing of firearms on the premises.
8. No ammunition or gun powder shall be stored or manufactured on-site for the purposes of sale to customers.
9. All firearms not owned by the property owner shall be locked in the gun safe when not being worked on.
10. No signage shall be allowed for the home occupation.

11. No more than twenty-five (25) customers are permitted by appointment per month.
12. Prior to commencement of operation of the home occupation, the portion of the home used for the home occupation, including the customer/client entrance and parking area shall conform to minimum standards of the Virginia Uniform Statewide Building Code, subject to the approval of the Building Code Official.
13. The home occupation shall be operated in conformance with all applicable codes and requirements of the York County Fire Prevention Code, the 2009 Virginia Statewide Fire Prevention Code, and the National Fire Protection Association and the following:
  - a) Installation of one 2A10BC fire extinguisher in the detached garage;
  - b) Submission of a Hazardous Materials Management Plan (to include ammunition, gunsmithing materials such as oils, and gun powder) to be reviewed and approved by the Department of Fire and Life Safety/Prevention and Community Safety Division;
  - c) An initial fire inspection prior to the commencement of the use, with annual fire inspection thereafter, to be conducted by the Department of Fire and Life Safety in accordance with the Virginia Statewide Fire Prevention Code and any local amendments to be conducted.
14. Proof of licensure from the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives for a Federal Firearms license shall be submitted to the Department of Fire and Life Safety prior to issuance of a Certificate of Occupancy for the home occupation use.
15. In accordance with Section 24.1-115(b)(6) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to issuance of a Certificate of Use and Occupancy for the home occupation.

BE IT FURTHER RESOLVED that this Special Use Permit is not severable, and invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

A Copy Teste:



Heather L. Schott  
Deputy Clerk