

## Amendment Number 1

### ORDINANCE NO. 1999 – 4 FAIRVIEW AGRICULTURAL AND FORESTAL DISTRICT ORDINANCE OF WYTHE COUNTY, VIRGINIA

**Delete** Article VI – Requirements and Procedures in its entirety

**Add** Article VI – Requirements and Procedures

- 6.1 The Fairview Agricultural and Forestal District is hereby established for a period of ten (10) years beginning on the first day of September, 2009, and ending on the 31<sup>st</sup> day of August, 2019. The District shall automatically continue with the same conditions specified as originally constituted in accordance with 15.2-4311 unless the Board of Supervisors determines that a review is necessary.
- 6.2 The Fairview Agricultural and Forestal District shall consist of approximately 2,059 acres. The district shall be located in the East and West Wytheville Magisterial Districts and shall include the following parcels:

MAP #	NAME
24-6, 24-48A	AUSTIN, JAMES A.
24-63B	CASELL JEAN WALTERS
25-56A	CASELL JOSEPH MICHAEL &
12-31	CASELL SAMUEL H & MARY N
12-10	CASELL SAMUEL H
25-56	CASELL SAMUEL H (FOR LIFE)
25-14	CROWGEY ERIC WAYNE & CROWGEY LEONARD JOSEPH JR
25-10A	CROWGEY LEONARD JOSEPH JR
25-10B	CROWGEY LEONARD JOSEPH JR
25-15	CROWGEY LEONARD JOSEPH JR
24-55	CROWGEY LEONARD JOSEPH JR
25-13	CROWGEY LEONARD JOSEPH JR

MAP #	NAME
24-46	DEAL WILLIAM READ
24-43B	DEAL WILLIAM READ
11-6	HARDIN TERESA B & STEVEN D &
11-6A	HARDIN TERESA B & STEVEN D &
12-4	HARDIN TERESA B & STEVEN D &
12-5	HARDIN TERESA B & STEVEN D &
12-6	HARDIN TERESA B & STEVEN D &
24-48	HARDIN TERESA B & STEVEN D &
24-41	KATE HILL FARM INC
24-43A	LACY CHARLES C & JANE E
24-47	SCOTT DANNY LYLE &
24-49	SCOTT WILLIAM H EST ETALS

24-52	CROWGEY LEONARD JOSEPH JR	11-4A, 11-3G	SHUMATE THOMAS J & ELIZABETH J
25-10	CROWGEY LEONARD JOSEPH JR	25-63	STEPHENS ALFRED W & SHARON D
25-12	CROWGEY LEONARD JOSEPH JR	25-62A	STEPHENS ALFRED W & SHARON D
25-11	CROWGEY LEONARD JOSEPH JR	25-64	STEPHENS ALFRED W & SHARON D
24-54	DAVIS SHIRLEY J (FOR LIFE)	25-63D	STEPHENS ALFRED W & SHARON D
24-54A	DAVIS SHIRLEY J (FOR LIFE)	24-39	UMBERGER T OWEN
24-54B	DAVIS SHIRLEY J (FOR LIFE)	24-63	WALTERS GENEVIEVE K

- 6.3 A map representing the Fairview Agricultural and Forestal District is attached and made a part hereof.
- 6.4 The owners of the land within the Fairview District shall not terminate the district except in accordance with Section 15.2, Chapter 43 of the Code of Virginia of 1950, and amendments.
- 6.5 The withdrawal of any property owner from a district shall not serve to terminate the existence of such district.
- 6.6 All County ordinances and regulations shall remain applicable within said district;  
provided, such ordinances and regulations are not in conflict with the Agricultural and Forestal Act. Further, it is the intention of the Board of Supervisors that land use planning decisions or ordinances enacted to implement the same shall take into account the special status of land within the district.
- 6.7 An exception of secondary roads, either within or along the boundary of said district is hereby created, and consequently there is hereby excepted from said district a strip of land extending twenty- five (25) feet from both sides of the center line of all existing secondary roads within or along said district from the terms of this ordinance.
- 6.8 Ninety (90) days prior to the renewal of the District each property owner shall submit a renewal application to the Administrator which can be obtained at the Administrators office. A fee shall be charged upon each renewal and the fee shall be set annually by the Board of Supervisors.
- 6.9 In order to qualify for land use incentives, each property owner within the district shall comply with the current Wythe County Ordinance Number 76-3

entitled, "An Ordinance for Special Assessments for Agricultural, Horticultural, Forest or Open Space Real Estate".

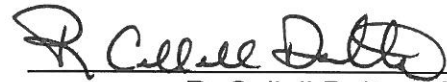
6.10 The property owner shall notify the Administrator and the Commissioner of Revenue prior to selling or transferring any of the property which is a part of this district. Furthermore, the property owner of land within this district shall notify the purchaser that property is included within the Fairview Agricultural and Forestal District.

6.11 Landowners shall not develop land to a more intensive use other than more intensive agricultural production and forestal production per Section 15.2-4309 of the Code of Virginia of 1950.

Amendment Number 1 to this ordinance was duly considered following a required public hearing held on August 31, 2009 and was adopted by the Board of Supervisors of Wythe County, Virginia, at a meeting held on August 31, 2009 the members voting as follows:

<u>NAME</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>
Wythe B. Sharitz	X		
Charles S. Dix	X		
Danny C. McDaniel	X		
Martha P. Umberger	X		
Margaret O. Poole	X		
B.G. Horney, Jr.			X
James E. Hagee			X

This ordinance shall become effective at 12:01 am on September 1, 2009 after the adoption of this Amendment.

  
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R. Cellel Dalton, Clerk