

COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**



R. Joseph Emerson, Jr., AICP  
Director of Planning  
(804) 501-4602

February 22, 2023

Kaneik and Trevor Ferguson  
1488 Burning Tree Road  
Richmond, VA 23231

Blue Ridge Custom Homes, LLC.  
2958 River Road West  
Goochland, VA 23063

RE:     POD2022-00513  
          Ferguson Farm Winery

Sir/Madame:

The Director of Planning granted your request for approval of a **Site Plan** and lighting plan, as required by Chapter 24, Section 24-2315 of the Henrico County Code, to construct a one-story, 3200 square foot farm winery building with associated parking and infrastructure. The 6.34-acre site is located on the northern line of Burning Tree Road, approximately 400 feet west of its intersection with Settlers Ridge Boulevard, on parcels 805-693-1070, 805-693-7692, and 805-693-1179. The Director of Planning granted this request, subject to the following conditions:

1. The Site Plan must be revised as annotated on the staff plan dated February 15, 2023, which will be as much a part of this approval as if details were fully described herein. Revised plans, including the detailed drainage, erosion control and utility plans, must be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, plans for signature must be submitted to the Department of Planning for approval signatures. The approved plan must be attached to the building permit application.
2. The owner must enter into the necessary contracts with the Department of Public Utilities for connections to public water. The septic tank location must be approved by the County Health Department before a Construction Plan is approved. Connection must be made to the public sewer when available within 300 feet of the site/building.
3. The Director of the Department of Public Utilities must approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities must be notified at least 48 hours prior to the start of any County water or sewer construction.
4. Two copies of an Erosion and Sediment Control Agreement with required escrow must be submitted to the Department of Public Works. Approval is required prior to construction plan

approval and beginning construction. The Department of Public Works must be notified at least 24 hours prior to the start of any construction.

5. Traffic control signs must be provided as required by the Department of Public Works and must be maintained in good condition.
6. The easements for drainage and utilities as shown on approved plans must be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information must be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
7. The owner must have a set of plans approved by the Director of Public Works, Public Utilities and Director of Planning available at the site at all times when work is being performed. A designated responsible employee must be available for contact by County Inspectors.
8. The property must be developed and maintained as shown on the plan filed with the case and no changes or additions to the layout will be made without the approval of the Director of Planning.
9. A detailed landscaping plan must be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
10. The name of this development, as designated in this approval, must be the name used for approval of future documents associated with this plan. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details must be revised as annotated on the staff plan and included with the construction plans for final signature.
12. The assigned property number(s) must be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 804-501-4602. The Planning Department must assign all property addresses.
13. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner must furnish a statement by the engineer, surveyor, or landscape architect who supervised construction, that all improvements have been installed in substantial conformance with the approved plans, specifications, and County requirements.
14. Site Plan approval is granted to the owner/applicant to whom it is issued. Upon written notification to the Planning Director, the approval may be transferred to subsequent owners in accordance with Chapter 24, Section 24-2314.C.3.(c).(3).C of the county code.
15. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) must be identified on the landscape plan. All building mounted equipment must be painted to match the building, and all equipment must be screened by such measures as determined appropriate by the Director of Planning and in accordance with Section 24-5311 at the time of plan approval.
16. The applicant must furnish proof to the Department of Planning that the conditions, satisfactory to the Health Department, have been met that ensure the proposed onsite sewage disposal drainfield system is suitable for this project prior to the issuance of a building permit.
17. The applicant must provide evidence of state licensure required for a farm winery before issuance of a final certificate of occupancy.

There may be a requirement for a Wetlands Permit from the U.S. Army Corps of Engineers. Further information on such a requirement should be obtained by contacting the Corps at (804) 323-3781.

Also, you should be aware that a permit or permits may be required from the Virginia Department of Environmental Quality (DEQ). Please contact DEQ at (804) 527-5020 to determine the permit requirements of your proposed project.

Pursuant to Section 24-2314.C.5(c) of the Code of Henrico, this approval shall expire on **February 21, 2028**, unless building permits have been obtained for construction in accordance therewith; or a single one-year extension of approval has been granted by the Director of Planning as provided therein; or further extension of approval is otherwise provided by Section 15.2-2261 of the Code of Virginia.

The approval of this Site Plan satisfies only the requirements of Chapter 24, Section 24-2315 of the Henrico County Code. The applicant shall be responsible for securing all necessary permits as required by law. A copy of the plan approved by the Director of Planning is available upon request.

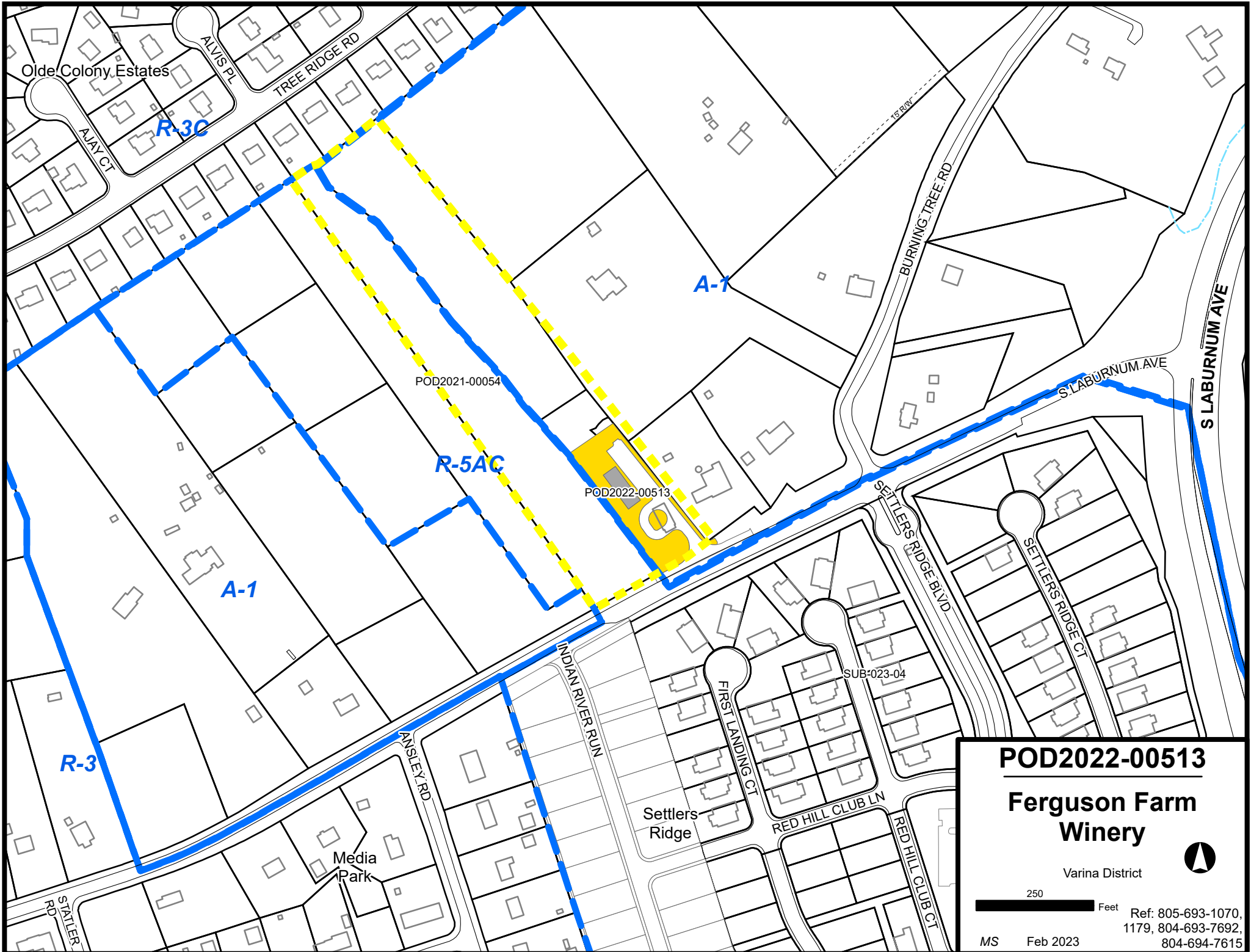
When applying for your building permit, please attach a complete electronic set of the approved, signed construction plans and refer to case **POD2022-00513**.

Sincerely,



R. Joseph Emerson, Jr., AICP  
Director of Planning

pc: Deputy Zoning Conformance Officer  
Building Official  
Real Estate Assessment  
Department of Public Utilities, Chief of Design  
Department of Public Works  
Division of Fire-Chief Fire Marshall  
Balzer and Associates, Inc. -Attn: Chris Shust



**POD2022-00513**

**Ferguson Farm  
Winery**

Varina District



250 Feet

MS Feb 2023

Ref: 805-693-1070,  
1179, 804-693-7692,  
804-694-7615