

**FRANKLIN COUNTY**  
**SPECIAL USE PERMIT APPLICATION**

I/We SML Partners, LLC as Owner(s), Contract Purchasers, or Owner's Authorized Agent of the property described below, hereby apply to the Franklin County Board of Supervisors for a special use permit on the property described below:

Petitioner's Name: C. Holland Perdue, III

Petitioner's Address: 245 S. Main Street Rocky Mount, VA 24151

Petitioner's Phone Number: 540-483-9269

Petitioner's Email Address: Office@raineandperdue.com

Property Owner's Name: SML Partners, LLC

Property Owner's Address: 131 Plantation Ridge Drive Mooresville, NC 28117

Property Owner's Phone Number: 704-309-9880

Property Owner's Email Address: Jshott@diamondblackllc.com

**Property Information:**

A. Proposed Property Address: Lot 73A through Lot 77, Phase 3, Brightwater at SML subdivision

B. Tax Map and Parcel Number: #0020000100

C. Election District: Boones

D. Size of Property: 71.605 acres

E. Existing Zoning: RPD

F. Existing Land Use: Undeveloped Waterfront Lots

G. Is the property located within any of the following overlay zoning districts:

Corridor District  Westlake Overlay District  Smith Mountain Lake Surface District

H. Is any land submerged under water or part of Smith Mountain Lake?  YES  NO

I. If yes, please explain: 26.347 acres below the 800' contour line but will not be affected by the subdivision and creation of these lots

**Proposed Special Use Permit Information:**

J. Proposed Land Use: To Amend the Concept Plan as set forth in Resolution #08-12-2021 and Ordinance #11-09-2021 to create Lot 73A through Lot 77 incorporated into Brightwater at SML

K. Size of Proposed Use: 71.605 acres

L. Other Details of Proposed Use: \_\_\_\_\_

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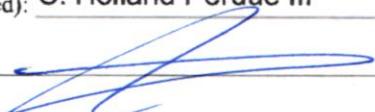
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Checklist for Completed Items:

- Application Form
- Letter of Application
- Concept Plan
- Application Fee

I certify that this application for a special use permit and the information submitted is herein complete and accurate.

Petitioner's Name (Printed): C. Holland Perdue III

Petitioner's Signature: 

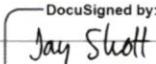
Date: 2/3/2025

Mailing Address: 245 S. Main Street  
Rocky Mount, VA 24151

Phone Number: 540-483-9269

Email Address: Office@raineandperdue.com

Owner's consent, if petitioner is not property owner:

Owner's Name:   
DocuSigned by:  
Jay Shott

Owner's Signature:   
D977F32EEDAF44B...

Date: 2/3/2025

Date Received by Planning Staff: \_\_\_\_\_

THE LAW OFFICES OF  
**RAINE & PERDUE, P.L.C.**  
PERDUE - MONTGOMERY BUILDING  
245 SOUTH MAIN STREET  
ROCKY MOUNT, VIRGINIA 24151

MICHAUX RAINES III (1936-2010)  
CLYDE H. PERDUE, JR. (1954-2021)  
C. HOLLAND PERDUE III

(540) 483-9269  
FAX (540) 483-2828  
OFFICE@RAINEANDPERDUE.COM

February 2, 2025

County of Franklin  
Planning and Community Development  
1255 Franklin Street  
Suite 103  
Rocky Mount, VA 24151

Re: Amendment to Special Use Permit  
SML Partners, LLC  
Subdivision of Tax Map/Parcel #2.-1  
Boone Magisterial District  
Zoned RPD

To Whom it May Concern:

This office represents SML Partners, LLC. This Letter of Application is being provided to submit for an Amendment to the Special Use Permit, Resolution #08-12-2021, revising the conditions that have been resolved for Tax Map/Parcel #2.-1, Tract A, having the 911 Address of 2189 Moorman Road Hardy, VA 24101.

The purpose of this Amendment is to amend and lift the restrictions placed on Tax Map/Parcel #2.-1 for private roads needing to meet VDOT standard regulations.

Due to the terrain of the land, Tract A will need a 30' access easement traversing through the newly created lots; therefore, the conditions placed on Tract A, as set forth in Resolution #08-12-2021, cannot be met.

The Concept Plan, attached hereto, shows the creation of five (5) lots, to be known and designated as Lot 73A through 77, Phase 3, Brightwater at SML. Lots 74 through 77 will contain 15.01 acres. Lot 73A will be created by a boundary line adjustment using the existing Phase 2 Lot 73 to create a new parcel containing 14.46 acres.

These lots will use a 30' private access easement with pull-offs along the intended route, while implementing a gravel road for emergency vehicle services. While the terrain cannot support roads

to VDOT standards, implementing a gravel road will be beneficial for the traction, support and drainage of Tract A's unique topographical conditions.

SML Partners, LLC plans to file the necessary documentation to incorporate the five (5) lots into the Property Owner's Association adjoining Phase 3 to the Declaration of Covenants and Restrictions of Brightwater at Smith Mountain Lake and the Road Maintenance Agreement. Further, Phase 3 will have slightly higher annual fee as these new lots will have private access that will require different maintenance, use, and upkeep as opposed to Phase 1 and Phase 2.

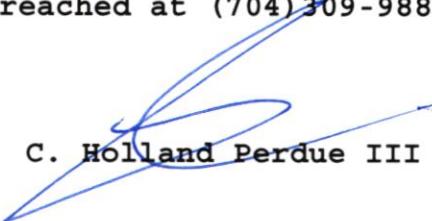
While this Special Use Amendment will eliminate Tract A having to upkeep the private road to VDOT standard requirements, my clients are willing to adhere to any more conditions that may be implemented to ensure the safety and quality of these exempted lots.

This amendment will not affect the surrounding areas as Tract A lies on a peninsula of Smith Mountain Lake, so this will not cause a disturbance to any surrounding subdivisions and/or residential homes.

I am excited for Phase 3 to be as successful as Phase 1 and Phase 2 in the growth and expansion of Smith Mountain Lake.

We appreciate your consideration of this application and request to be placed on the earliest hearing date with the Planning Commission.

Should you have any further questions concerning the enclosed application or Concept Plan, please feel free to call me or Jay Shott. Mr. Shott can be reached at (704) 309-9880.



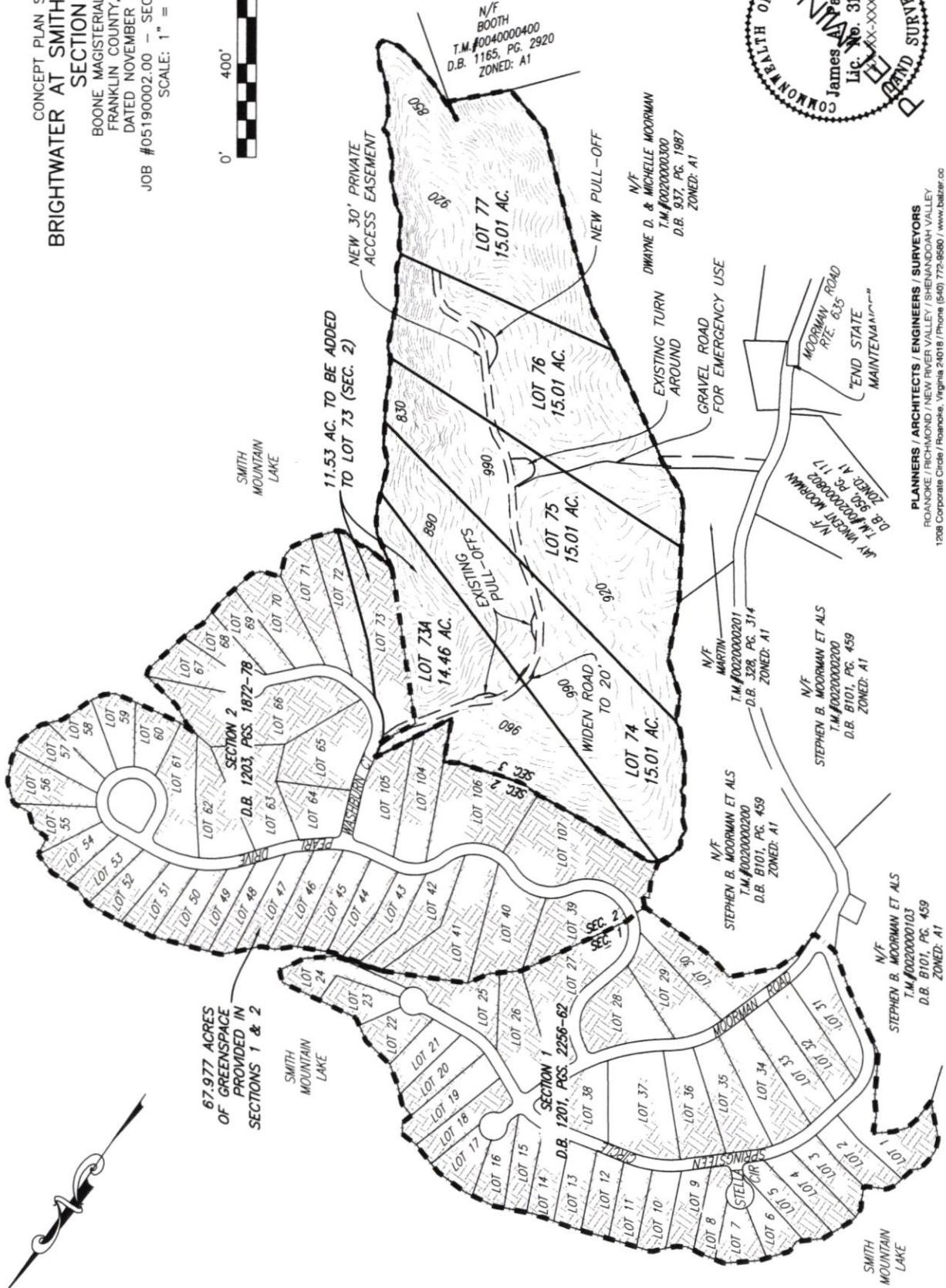
C. Holland Perdue III

CHPIII/mgp  
Enclosures  
cc: SML Partners, LLC

CONCEPT PLAN SHOWING  
BRIGHTWATER AT SMITH MOUNTAIN LAKE  
SECTION 3

BOONE MAGISTERIAL DISTRICT  
FRANKLIN COUNTY, VIRGINIA  
DATED NOVEMBER 25, 2024  
JOB #0519000200 - SEC3 CONCEPT PLAN  
SCALE: 1" = 400'

0' 400' 800' 1200'



**INVOICE (00058360)  
FOR FRANKLIN COUNTY**

**BILLING CONTACT**

SML PARTNERS LLC  
131 PLANTATION RIDGE DR  
MOORESVILLE, NC 28117



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
00058360	02/04/2025	03/06/2025	Paid In Full	NONE

REFERENCE NUMBER	FEES NAME	TOTAL
SPEC-02-2025-18212	Planned Development and Conf. Review - Special Use	\$660.00
2239 Moorman Rd Hardy, VA 24101	<b>SUB TOTAL</b>	<b>\$660.00</b>

REMITTANCE INFORMATION	TOTAL	\$660.00
Report Text Library: Municipality_Invoice_Remit_To Address Line 2 Address Line 3 Address Line 4		