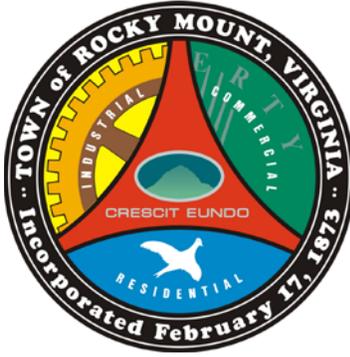


TOWN OF ROCKY MOUNT  
345 DONALD AVE.  
ROCKY MOUNT, VIRGINIA 24151

540.483.7660  
FAX : 540.483.8830

E-MAIL: MHANKINS@ROCKYMOUNTVA.ORG  
WWW.ROCKYMOUNTVA.ORG



BOARD OF ZONING APPEALS  
CHARLES HUTTO, JR. , *Chair*  
SUSAN HAPGOOD, *Vice Chair*

GEORGE GAUTSCH  
LUCAS TUNING  
JOHN SPEIDEL

C. JAMES ERVIN, *Town Manager*  
MATTHEW C. HANKINS, *Assistant Town Manager*  
& *Community Development Director*

**AGENDA**  
**BOARD OF ZONING APPEALS**  
Thursday, February 5, 2015 • 6 p.m.

To be held in the Council Chambers  
of the Rocky Mount Municipal Building  
located at 345 Donald Avenue, Rocky Mount, VA

**NOTE: Anyone wishing to speak during the public hearing  
should sign in at the front table**

Call to Order and Welcome Susan Hapgood, Vice Chairman

1. Welcome and Introduction of New Staff Members
2. Roll Call of Members Present
3. Election of Officers
  - a. According to the Board's Bylaws, elections must take place at the first meeting of the calendar year, every two years. The Board's last election was held in 2013.
    - I. Election of the Chairman Assistant Town Manager Hankins
    - II. Election of the Vice-Chairman Chairman of the Board
    - III. Appointment of the Secretary
4. Approval of Agenda
5. Review and Consideration of Minutes - *None at this time*
6. Public Hearing
  - a. The applicant, R. Fralin Development, wishes to appeal an administrative ruling of the Rocky Mount Planning & Zoning Administrator and Subdivision Agent. The developer owns and is responsible for developing the Oaks At Rakes Tavern community, a Residential Planned Unit Development within the Town of Rocky Mount. The company wants to deviate from its approved development plan by constructing a 190' subdivision connector road not in the original development plan adjacent to the property adjacent to or near 660 Old Fort Road, Tax Map & Parcel Number 21002 01600. The Planning & Zoning Administrator/Subdivision Agent determined the new connector is a substantial change from the original plan. The developer is appealing that ruling.

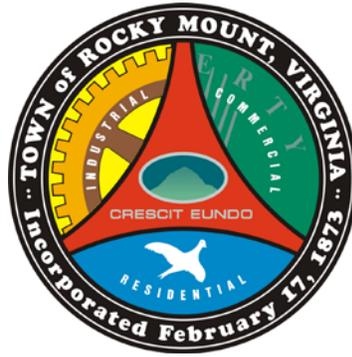
- I. Staff Report regarding request*
- II. Comments from applicant*
- III. Comments from public*

7. Old Business ~ *None at this time*
8. New Business ~ *None at this time*
9. Board Concerns & Staff Updates
10. Adjournment

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TOWN COUNCIL  
STEVEN C. ANGLE, *MAYOR*  
GREGORY B. WALKER, *VICE MAYOR*

BOBBY M. CUNDIFF      BOBBY L. MOYER  
P. ANN LOVE              JON W. SNEAD  
BILLIE W. STOCKTON

MATTHEW C. HANKINS  
*Assistant Town Manager*  
*Director, Community Development*

## MEMORANDUM

To:            Chuck Hutto, Chair, and Members  
                Rocky Mount Board of Zoning Appeals

From:         Matthew C. Hankins  
                Planning & Zoning Administrator

Date:         February 3, 2015

Re:            Appeal Staff Report, Fralin Homes, Inc.

Members of the Board:

Fralin Homes, the developer of the Oaks at Rakes Tavern, is appealing an administrative determination I made last year.

Fralin is developing 249 homes in an approved subdivision master plan under Residential Planned Unit Development zoning and regulation, as provided by the Zoning Ordinance of the Town of Rocky Mount. The first section of 30 lots has been subdivided; the company has submitted for review a second subdivision of 10 lots at the current end of Old Fort Road.

In October of last year, the developer's engineer asked if the Town would consider allowing the installation of a temporary road to allow for the development of the lots directly uphill from Section 1. The affected area is at the current end of Old Fort Road; the "temporary" road would make a right turn at the current cul-de-sac and extend uphill to allow development of other sections of the Oaks at Rakes Tavern RPUD.

After consideration, I determined that adding another street, even if temporarily, would be counter to the approved master plan and would require review by the Planning Commission and Town Council.

Fralin Homes wishes to dispute that determination, countering that the addition of a road is not a significant deviation from the master plan and should be approved administratively.

I used the following considerations in determining my ruling.

1. Article 23-13 of the Zoning Ordinance governs revisions to the final development plan. Article 23-13-1 (2) requires that any "substantial change in circulation or access" is subject to the requirement of Article 5, the General

Provisions section of the ordinance, which governs the zoning, rezoning and conditional rezoning of this type of development.

2. The proposed temporary road runs through the easement designated for the Pigg River Heritage Trail, which the developer is responsible for building in this section. Article 23-13-1 (5) requires an Article 5 review when the developer proposes "reduction in the approved open space, landscaping or buffering." The trail is a part of the approved, required open space for the project.
3. Temporary roads have a tendency to become permanent. No timetable is set for the completion of this section, the next road segments or the overall development of the RPUD. No expiration or removal date has been offered for this "temporary" segment by the developer. Contrary to Article 23-11-2 (10) of the zoning ordinance, the developer has not submitted a "development schedule and/or precedence order indicating when construction of the RPUD or stages of the RPUD can be expected to begin and be completed."
4. Should the temporary road become permanent, it would reduce the amount of land previously dedicated as green space; however, the requirement to complete the trail under the green space rules of RPUD zoning would still exist. Relocating the trail to meet those requirements would result in the loss of buildable lots in this segment, which would damage the town by preventing it from recouping its full infrastructure investment. Loss of those lots would represent a loss of the developer's \$2,805 per lot connection fee, customer usage fees from those lots and the taxation of the lots and homes.
5. The Town Planning Office had a reasonable expectation that lots in this RPUD would develop largely in the order of the numbering of the lots. Again, contrary to Article 23-11-2 (10) of the zoning ordinance, the developer has not submitted a "development schedule and/or precedence order indicating when construction of the RPUD or stages of the RPUD can be expected to begin and be completed."
6. The developer appears to be working to develop its "easier" lots first, which may create conflict with the adjoining property owners. I believe that owners in the first phase had a reasonable expectation that the lots uphill from the first section would develop in later years.
7. A favorable decision for Fralin Homes would remove a significant oversight responsibility and public hearing opportunities for this development. Planning Commission and Town Council are tasked with making determinations regarding large developments in order to assure the orderly development contemplated by your zoning ordinance; those bodies should be given the opportunity for review when significant changes arise.
8. The Subdivision Ordinance Section 8-3C requires the dedication of streets. If this street is temporary, it cannot be dedicated. Therefore, the Town cannot and would not take it over for maintenance purposes, cannot provide services using this street and cannot receive maintenance reimbursement from the Commonwealth. The Town last month agreed to take maintenance of Old Fort Road to the end of the cul-de-sac; it could not extend past the current cul-de-sac if it were an undedicated street.
9. The Subdivision Ordinance Section 9f1 requires: "The arrangement of streets in new subdivisions shall make provision for the continuation of existing streets in adjoining areas where streets already exist. Major, collector and local streets shall be respectively extended as such. The street arrangement must be such

as to cause no unnecessary hardship to owners of adjoining property when the subdividers plat their land and seek to provide for convenient vehicle access to it." I do not consider this request to meet that orderly street development in harmony with the approved development plan.

In light of these considerations, staff strongly recommends that the Board of Zoning Appeals deny the appeal of Fralin Homes, Inc., in this matter and uphold the determination of the Planning & Zoning Administrator as exercised under Article 5-8-1 of the Zoning ordinance of the Town of Rocky Mount.

# R. Fralin Development

PO Box 20886 Roanoke VA 24018

---

1/15/2015

Attn: C. James Ervin  
Town of Rocky Mount – Town Manager  
345 Donald Avenue  
Rocky Mount, VA 24151

***Re: The Oaks at Rakes Tavern Master Plan – request for amendment dated 10-15-2014***

***Hand delivered with \$350.00 check by Paul Hassell on 1-16-2015***

Dear Mr. Ervin,

We are in receipt of your letter responding to our request dated 10-15-2014. As you know, we would like to establish 190 linear feet of road to connect the Old Fort Road Extension (within the subdivision) to a future proffered road (within our subdivision). We believe this is a minor amendment to the previously approved Master Plan at The Oaks at Rakes Tavern; and therefore it is within substantial conformance.

We believe there to be a reasonable margin for minor modification since our request is consistent with and does not materially alter the character of the approved development including the uses, layout and relationship to adjacent properties depicted on the approved Master Plan.

We plan to ask the Board of Zoning Appeals for the Town of Rocky Mount to consider the following:

- We are not adding any additional lots or density.
- The addition of this connection does not directly contradict any of the approved proffered conditions.
- The addition of this connection would actually be beneficial from an Emergency Services standpoint and overall interconnectivity within the subdivision.
- The greenspace that would be lost with this connection could be easily made up elsewhere in the subdivision by adding it to some other greenspace areas.
- This is a minor change that is being driven by overall site topography and site conditions that are typically not fully designed to during the rezoning process.
- There is no overall detriment to the neighborhood, community or town by allowing this.

Given the above, we therefore respectfully request to be placed on the February 5<sup>th</sup>, 2015 agenda of the Board of Zoning Appeals.

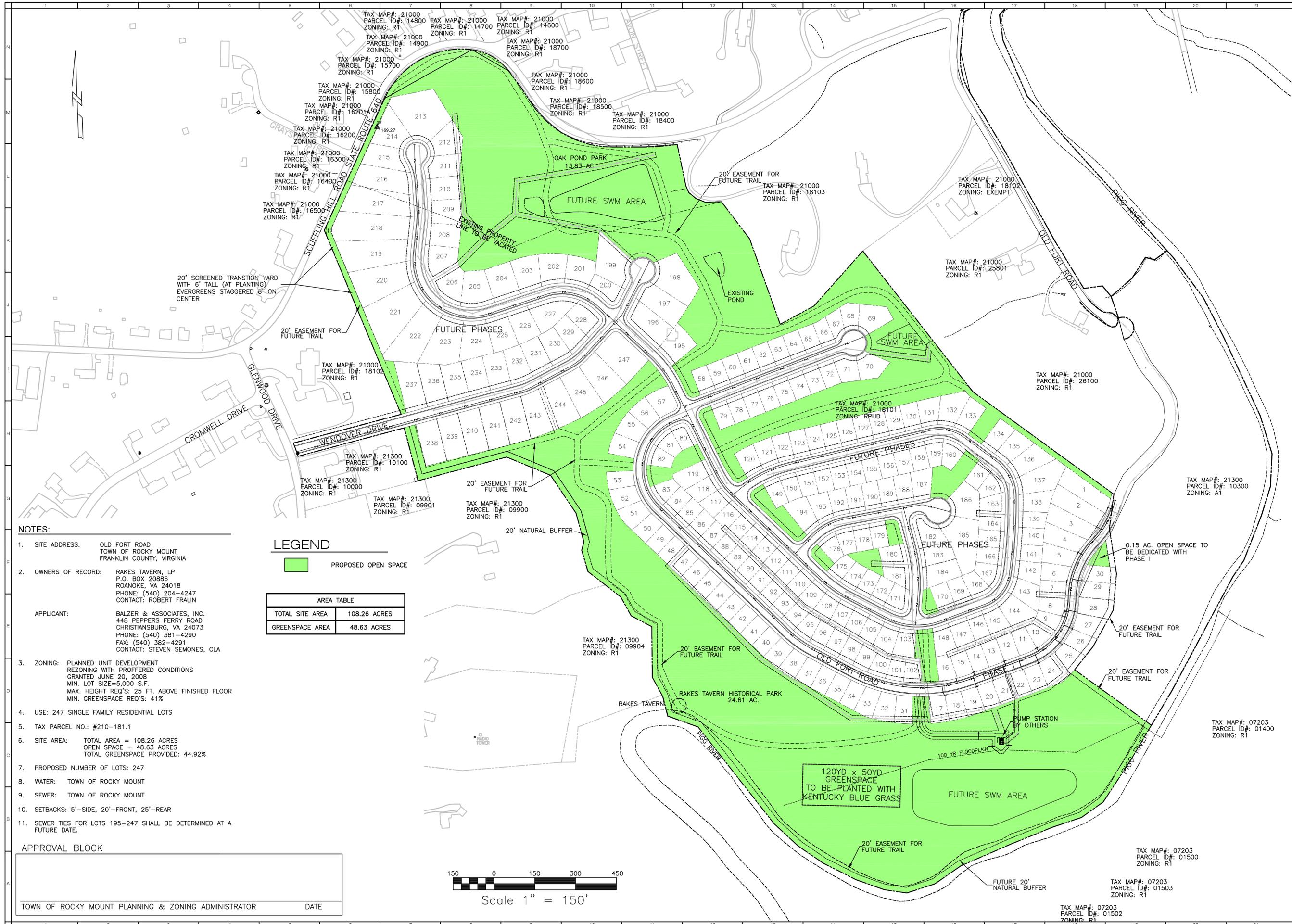
Please find enclosed a check in the amount of \$350.00. If there are any questions or concerns with our request, please do not hesitate to let me know. As, always, we appreciate your attention to this matter and look forward to a continued positive relationship with the Town.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paul Hassell".

Paul Hassell  
Chief Operating Officer  
Fralin Real Estate Corporation  
2404 Electric Road, Suite B  
Roanoke, VA 24018

Cc: Stacey Sink, Town Clerk, Rocky Mount, Virginia



- NOTES:**
1. SITE ADDRESS: OLD FORT ROAD  
TOWN OF ROCKY MOUNT  
FRANKLIN COUNTY, VIRGINIA
  2. OWNERS OF RECORD: RAKES TAVERN, LP  
P.O. BOX 20886  
ROANOKE, VA 24018  
PHONE: (540) 204-4247  
CONTACT: ROBERT FRALIN
  3. ZONING: PLANNED UNIT DEVELOPMENT  
REZONING WITH PROFFERED CONDITIONS  
GRANTED JUNE 20, 2008  
MIN. LOT SIZE=5,000 S.F.  
MAX. HEIGHT REQ'S: 25 FT. ABOVE FINISHED FLOOR  
MIN. GREENSPACE REQ'S: 41%
  4. USE: 247 SINGLE FAMILY RESIDENTIAL LOTS
  5. TAX PARCEL NO.: #210-181.1
  6. SITE AREA: TOTAL AREA = 108.26 ACRES  
OPEN SPACE = 48.63 ACRES  
TOTAL GREENSPACE PROVIDED: 44.92%
  7. PROPOSED NUMBER OF LOTS: 247
  8. WATER: TOWN OF ROCKY MOUNT
  9. SEWER: TOWN OF ROCKY MOUNT
  10. SETBACKS: 5'-SIDE, 20'-FRONT, 25'-REAR
  11. SEWER TIES FOR LOTS 195-247 SHALL BE DETERMINED AT A FUTURE DATE.

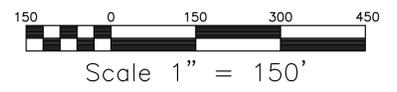
**LEGEND**

PROPOSED OPEN SPACE

AREA TABLE	
TOTAL SITE AREA	108.26 ACRES
GREENSPACE AREA	48.63 ACRES

**APPROVAL BLOCK**

TOWN OF ROCKY MOUNT PLANNING & ZONING ADMINISTRATOR	DATE
---	------



**BALZER**  
AND ASSOCIATES, INC.  
**BALZER**  
PLANNERS • ARCHITECTS  
ENGINEERS • SURVEYORS

1208 Corporate Circle  
Roanoke, Virginia 24018  
Phone: 540/772-9580  
FAX: 540/772-8050

15871 City View Drive  
Suite 200  
Midlothian, Virginia 23113  
Phone: 804/794-0071  
FAX: 804/794-2635

850 Technology Park Drive  
Suite 200  
Glen Allen, Virginia 23059  
Phone: 804/553-0132  
FAX: 804/553-0133

448 Peppers Ferry Road, NW  
Christiansburg, Virginia 24073  
Phone: 540/381-4290  
FAX: 540/381-4291

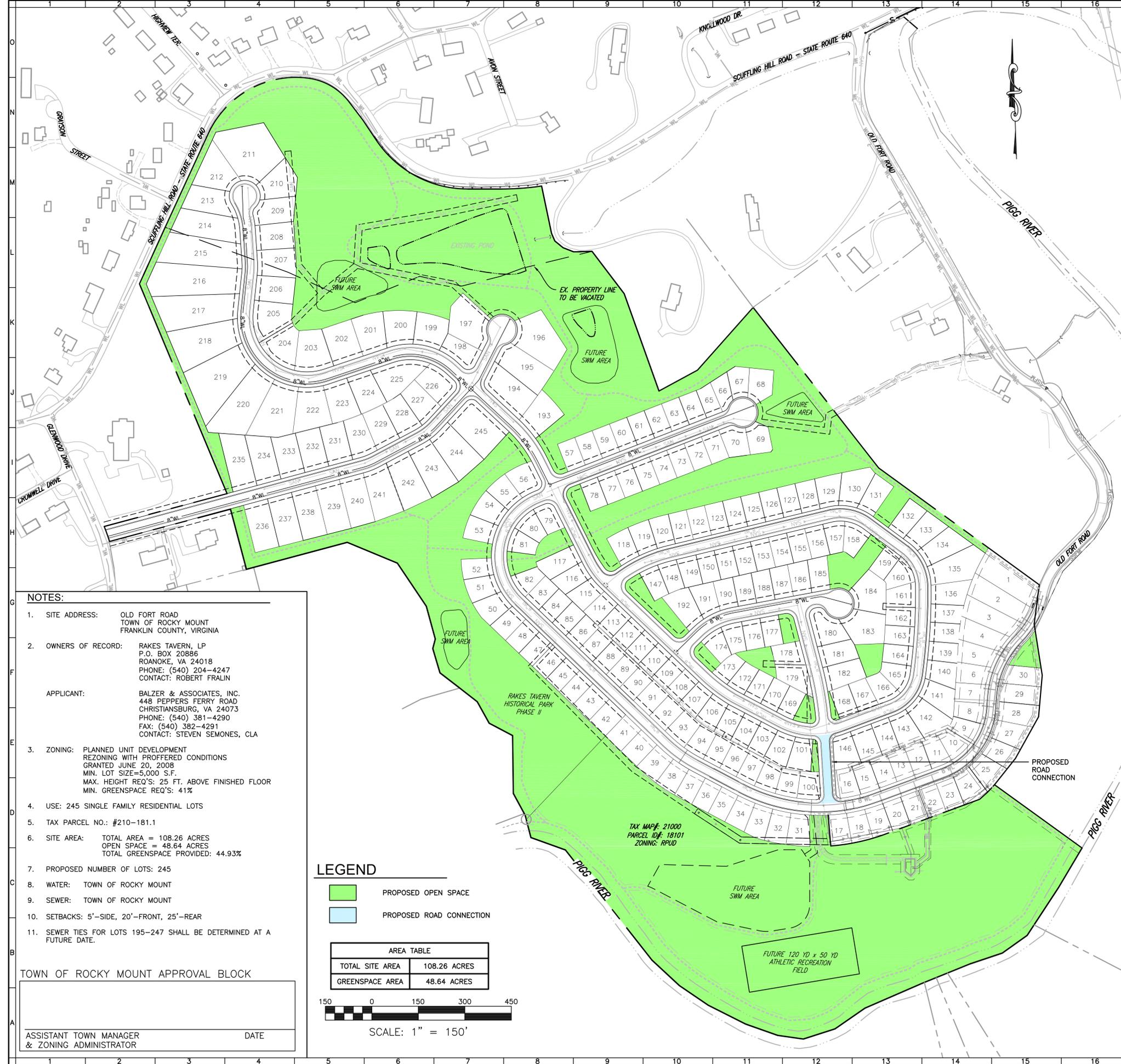
1561 Commerce Road  
Suite 401  
Verona, Virginia 24482  
Phone: 540/248-3220  
FAX: 540/248-3221

**THE OAKS AT RAKES TAVERN**  
MASTER PLAN  
TOWN OF ROCKY MOUNT  
FRANKLIN COUNTY, VIRGINIA

DRAWN BY: ADK  
DESIGNED BY: ADK  
CHECKED BY: SMS  
DATE: 6-1-07

REVISIONS:  
9-13-07  
7-8-09  
2-10-10  
4-1-10  
1-30-15

SCALE: 1"=150'  
SHEET NO.  
**C1**  
JOB NO.  
B0600001.00



- NOTES:**
- SITE ADDRESS: OLD FORT ROAD  
TOWN OF ROCKY MOUNT  
FRANKLIN COUNTY, VIRGINIA
  - OWNERS OF RECORD: RAKES TAVERN, LP  
P.O. BOX 20886  
ROANOKE, VA 24018  
PHONE: (540) 204-4247  
CONTACT: ROBERT FRALIN
  - APPLICANT: BALZER & ASSOCIATES, INC.  
448 PEPPERS FERRY ROAD  
CHRISTIANSBURG, VA 24073  
PHONE: (540) 381-4290  
FAX: (540) 382-4291  
CONTACT: STEVEN SEMONES, CLA
  - ZONING: PLANNED UNIT DEVELOPMENT  
REZONING WITH PROFFERED CONDITIONS  
GRANTED JUNE 20, 2008  
MIN. LOT SIZE=5,000 S.F.  
MAX. HEIGHT REQ'S: 25 FT. ABOVE FINISHED FLOOR  
MIN. GREENSPACE REQ'S: 41%
  - USE: 245 SINGLE FAMILY RESIDENTIAL LOTS
  - TAX PARCEL NO.: #210-181.1
  - SITE AREA: TOTAL AREA = 108.26 ACRES  
OPEN SPACE = 48.64 ACRES  
TOTAL GREENSPACE PROVIDED: 44.93%
  - PROPOSED NUMBER OF LOTS: 245
  - WATER: TOWN OF ROCKY MOUNT
  - SEWER: TOWN OF ROCKY MOUNT
  - SETBACKS: 5'-SIDE, 20'-FRONT, 25'-REAR
  - SEWER TIES FOR LOTS 195-247 SHALL BE DETERMINED AT A FUTURE DATE.

**LEGEND**

- PROPOSED OPEN SPACE
- PROPOSED ROAD CONNECTION

AREA TABLE	
TOTAL SITE AREA	108.26 ACRES
GREENSPACE AREA	48.64 ACRES

SCALE: 1" = 150'

TOWN OF ROCKY MOUNT APPROVAL BLOCK

ASSISTANT TOWN MANAGER & ZONING ADMINISTRATOR \_\_\_\_\_ DATE \_\_\_\_\_

**PROFFER STATEMENT AND ZONING REGULATIONS FOR:**  
**"THE OAKS AT RAKES TAVERN"**

**I. PLANNED UNIT DEVELOPMENT FOR THE LYNCH PROPERTY**

(1) Permitted Uses  
Structures to be erected or land to be used shall be one or more of the following:  
A. Single-Family Detached Dwellings  
B. Open Space, including park, playgrounds, trails, and similar recreational uses.  
C. Home Occupational as defined by the Town of Rocky Mount Zoning Ordinance.  
D. Off-street Parking and Loading as required by The Town of Rocky Mount Zoning Ordinance.  
E. Public Utilities such as poles, lines, transformers, pipes, meters, and other facilities necessary for the provision and maintenance of Public utilities including water and sewage facilities.  
F. Accessory buildings such as separate garages or carports, toolsheds and greenhouses; provided, that garages or other accessory buildings such as carports, attached to the main building shall be considered part of the main building; provided further, that no accessory building shall be more than 50 percent of the area of the main structure. An accessory building shall not be greater in height than the main structure. An accessory building shall be located behind and not closer than ten feet to the main structure. An accessory building within 20 feet of a property line may not be more than one story in height. A one story accessory building may be no closer than five feet to any property line of an adjoining property owner.  
G. Construction trailers on active construction sites.  
H. Signs in accordance with the Sign Ordinance - One free standing identification sign is permitted at each principal entrance to a residential development within a residential zoning district, up to a maximum total of two (2) free standing identification signs. No individual sign shall exceed sixteen (16) square feet in area and shall give only the name of the residential development. No freestanding sign shall exceed five (5) feet in height. No sign shall be illuminated.

**II. REQUIREMENTS LOT TYPE B.**

(1) Setbacks and Yards  
(A) Front Setback  
a. Minimum front setback shall be 20 feet from any street right-of-way, maximum front setback shall be 30 feet, except in cul-de-sacs lots where structures shall be located where the lot width equals fifty 60 feet or greater  
(B) Side Yards  
The minimum side yard shall be five-feet with a minimum total of the side yards being 10 feet. There shall be a minimum of 10 feet separating all dwelling units, except:  
a. No building, or part of a building, shall be constructed within an easement.  
(C) Rear Yard  
Each dwelling unit shall have a minimum rear yard of 25 feet.  
(D) Front Porches and Stoops  
Front porches and stoops (excluding steps) may extend a maximum of 10 feet from the primary front building facade, and a maximum of eight feet into the minimum front setback. The primary front building facade is that portion of the exterior walls, located on the front street side, which encloses spaces interior to a dwelling.  
a. "Front Porch" shall be defined as a constructed exterior surface, covered or uncovered, attached to a front street side of a dwelling, at the front door, that is not enclosed by walls on at least two sides.  
(2) Frontage and Lot Depth  
(A) The minimum lot width measured at the right-of-way shall be 60 feet and be maintained, at a minimum, for the entire depth of the lot. Lots that front a cul-de-sac shall be a minimum of 60 feet wide at the 20 foot minimum setback line, and may be less than 60 feet wide at the street line, but no less than 25 feet.  
(B) Minimum lot depth shall be 85 feet.  
(3) Height  
(A) Buildings may be erected up to 40 feet in height above the finished floor elevation except that no accessory building within 20 feet of any lot line shall be more than one story high. All accessory buildings shall be less than the main building in height.  
(4) Corner Lots  
The following provisions shall apply to corner lots:  
(A) Of the two sides of a corner lot the front shall be deemed the shorter of the two sides fronting on the streets.  
(B) The side yard on the side facing the side street shall be 20 feet or more for both main and accessory buildings, with a total side yard of 25 feet for the main building.  
(C) Each corner lot shall have a minimum width at the setback line and the street line measured to the PI of a radius, where a radius exists of 65 feet, except that:  
a. "R-I Type" corner lots shall have a minimum width of 90 feet at the setback line, and the building line measured to the PI of a radius, where a radius exists.  
(5) Accessory Buildings  
(A) The minimum setback for accessory buildings, regardless of height, is five feet from any adjoining property line and a minimum of 10 feet from any side street right-of-way line, except:  
a. Accessory buildings shall not be constructed inside of, or on any portion of, any easement.  
(B) The front facade of any accessory structure shall be set back a minimum of ten feet from the rear of the principle structure.  
(6) Miscellaneous Provisions  
(A) Driveways  
a. Driveways terminating at a two-car garage shall have a maximum width of 24 feet. Extra parking can be installed in the side yard only.  
b. Driveways terminating at a one-car garage shall have a maximum width of 12 feet. Extra parking can be installed in the side yard only.  
c. Lots with no garage shall provide a driveway a maximum of 12 feet wide located in the side yard, or in the case of a corner lot, a maximum of 12 feet wide located in the side yard or rear yard.  
d. All driveways will be either paved or concrete.  
(B) Walkways  
All principle structures shall be provided with a minimum three feet wide connected to the street right-of-way, or alternatively, to the driveway.  
(C) Landscaping  
a. Street Trees  
Each lot shall be provided with a minimum of one shade tree from the "Approved List of Street Trees" (Chart A). Minimum size at installation shall be 1.5" - 3" caliper and shall be installed in the front yard, five to eight feet from the front lot line. In addition, corner lots shall provide a second street tree from said list and of said size, located in the side yard, five to eight feet from the side street lot line. All lots will provide and ADDITIONAL shade tree at the street on the Left Front corner of the lot for neighborhood aesthetics. All these trees shall be White Oak.  
(b) Backyard Trees  
Each lot shall be provided with a minimum of one shade tree from the "Approved List of Street Trees" (Chart A). Minimum size at installation shall be 1.5" - 3" caliper and shall be installed in the front yard, five to eight feet from the front lot line. In addition, corner lots shall provide a second street tree from said list and of said size, located in the side yard, five to eight feet from the side street lot line. All lots will provide and ADDITIONAL shade tree at the street on the Left Front corner of the lot for neighborhood aesthetics. All these trees shall be White Oak.

**III. REQUIREMENTS LOT TYPE A.**

(1) Setbacks and Yards  
(A) Front Setback  
a. Minimum front setback shall be 35 feet from any street right-of-way, except in cul-de-sacs lots where structures shall be located where the lot width equals fifty 60 feet or greater  
(B) Side Yards  
The minimum side yard shall be ten-feet with a minimum total of the side yards being 20 feet. There shall be a minimum of 20 feet separating all dwelling units, except:  
a. No building, or part of a building, shall be constructed within an easement.  
(C) Rear Yard  
Each dwelling unit shall have a minimum rear yard of 35 feet.  
(D) Front Porches and Stoops  
Front porches and stoops (excluding steps) may extend a maximum of 10 feet from the primary front building facade.  
a. "Front Porch" shall be defined as a constructed exterior surface, covered or uncovered, attached to a front street side of a dwelling, at the front door, that is not enclosed by walls on at least two sides.  
(2) Frontage and Lot Depth  
(A) The minimum lot width measured at the right-of-way shall be 70 feet and be maintained, at a minimum, for the entire depth of the lot. Lots that front a cul-de-sac shall be a minimum of 70 feet wide at the 20 foot minimum setback line, and may be less than 70 feet wide at the street line, but no less than 25 feet.  
(B) Minimum lot depth shall be 115 feet.  
(3) Height  
(A) Buildings may be erected up to 40 feet in height above the finished floor elevation except that no accessory building within 20 feet of any lot line shall be more than one story high. All accessory buildings shall be less than the main building in height.  
(4) Corner Lots  
The following provisions shall apply to corner lots:  
(A) Of the two sides of a corner lot the front shall be deemed the shorter of the two sides fronting on the streets.  
(B) The side yard on the side facing the side street shall be 20 feet or more for both main and accessory buildings, with a total side yard of 25 feet for the main building.  
(C) Each corner lot shall have a minimum width at the setback line and the street line measured to the PI of a radius, where a radius exists of 65 feet, except that:  
a. "R-I Type" corner lots shall have a minimum width of 90 feet at the setback line, and the building line measured to the PI of a radius, where a radius exists.  
(5) Accessory Buildings  
(A) The minimum setback for accessory buildings, regardless of height, is ten feet from any adjoining property line and a minimum of 10 feet from any side street right-of-way line, except:  
a. Accessory buildings shall not be constructed inside of, or on any portion of, any easement.  
(B) The front facade of any accessory structure shall be set back a minimum of ten feet from the rear of the principle structure.  
(6) Miscellaneous Provisions  
(A) Driveways  
a. Driveways terminating at a two-car garage shall have a maximum width of 24 feet. Extra parking can be installed in the side yard only.  
b. Driveways terminating at a one-car garage shall have a maximum width of 12 feet. Extra parking can be installed in the side yard only.  
c. Lots with no garage shall provide a driveway a maximum of 12 feet wide located in the side yard, or in the case of a corner lot, a maximum of 12 feet wide located in the side yard or rear yard.  
d. All driveways will be either paved or concrete.  
(B) Walkways  
All principle structures shall be provided with a minimum three feet wide connected to the street right-of-way, or alternatively, to the driveway.  
(C) Landscaping  
Street Trees. Each lot shall be provided with a minimum of one shade tree from the "Approved List of Street Trees" (Chart A). Minimum size at installation shall be 1.5" - 3" caliper and shall be installed in the front yard, five to eight feet from the front lot line. In addition, corner lots shall provide a second street tree from said list and of said size, located in the side yard, five to eight feet from the side street lot line. All lots will provide and ADDITIONAL shade tree at the street on the Left Front corner of the lot for neighborhood aesthetics. All these trees shall be White Oak.

**IV. PROVISIONS BY DEVELOPER**

A. No Modular housing will be built on the property  
B. Developer will establish easements for a walking trail  
C. Developer agrees to tie in the waterline in two places to before ending the project (looping)  
D. Developer agrees to have at least two entrances/exits before ending the project for safety purposes.  
E. Developer will not develop section two (closest to Scuffling Hills) for at least two years after this rezoning.  
F. The road connector between sections 1 and 2 will not be installed until at least 25% of the lots in section 1 have been permitted.  
G. No more than 264 units (2.44 units per acre on average) can be built in the Development  
H. Developer will preserve at least 25% of the property for green space and will donate all of the green space to the Home Owners Association.  
I. Developer/HOA will be responsible for maintaining the Common Areas  
J. Developer/HOA agree to keep any grass in common areas mowed to a "usable" height  
K. Decorative AEP Lights will be used for Lighting in the Subdivision

**V. OTHER PROVISIONS**

A. Unless otherwise indicated or modified by this document and/or related materials associated with this ordinance, reference shall be made to zoning of standard residential planned unit development per the code of the Town of Rocky Mount.  
B. Gravity sewer is not available to this property, and therefore, the Town of Rocky Mount will bring gravity sewer to this site at its low point within one year of this rezoning. Developer agrees to give the Town, at no charge, an easement to build this pump station.  
C. Developer agrees to pay an additional \$600 per lot to contribute to extra expenses generated by this development. The \$600 will be due with the application for each building permit.  
D. The Town of Rocky Mount will bring a water line to this site at its low point within one year of this rezoning.  
E. The Town of Rocky Mount will extend Old Fort Road to the Property Line  
F. No sidewalks will be required in this development

**BALZER AND ASSOCIATES, INC.**  
REFLECTING TOMORROW

www.balzer.cc

New River Valley  
Richmond  
Roanoke  
Staunton  
Harrisonburg

RESIDENTIAL LAND DEVELOPMENT ENGINEERING  
SITE DEVELOPMENT ENGINEERING  
LAND USE PLANNING & ZONING  
LANDSCAPE ARCHITECTURE  
LAND SURVEYING  
ARCHITECTURE  
STRUCTURAL ENGINEERING  
TRANSPORTATION ENGINEERING  
ENVIRONMENTAL & SOIL SCIENCE  
WETLAND DELINEATIONS & STREAM EVALUATIONS

**Balzer and Associates, Inc.**  
448 Peppers Ferry Road, NW  
Christiansburg, VA 24073  
540-381-4290  
FAX 540-381-4291

**THE OAKS AT RAKES TAVERN**  
MASTER PLAN  
TOWN OF ROCKY MOUNT  
FRANKLIN COUNTY, VIRGINIA

DRAWN BY CLP  
DESIGNED BY CLP  
CHECKED BY SMS  
DATE 1/20/15  
SCALE 1" = 150'  
REVISIONS:  
1/30/15

SHEET NO. **C1**  
JOB NO. B1400040.00