

**TOWN OF ROCKY MOUNT  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
January 6, 2015  
6:00 p.m.**

The Planning Commission of the Town of Rocky Mount, Virginia met in the Council Chambers of the Rocky Mount Municipal Building, located at 345 Donald Avenue, Rocky Mount, Virginia, at 6:00 p.m. on January 6, 2015, for its regular monthly meeting with Madame Chair Janet Stockton presiding.

Commission Members Present:

- Janet Stockton, Chair
- John Speidel, Vice Chair
- Bud Blanchard
- Ina Clements
- Jerry Greer
- Derwin Hall

Commission Members Absent:

- John Tiggle

Staff Members Present:

- Assistant Town Manager Matthew C. Hankins
- Town Attorney John Boitnott
- Deputy Clerk and Secretary to Planning Commission Stacey B. Sink

**APPROVAL OF AGENDA**

Additions or Corrections: None

Motion: To approve the agenda as presented

Motion By: Commission Member Clements

Second: Commission Member Blanchard

Action: Approved by a unanimous vote of members present

**REVIEW AND CONSIDERATION OF MINUTES**

Let the record show that prior to the meeting, Planning Commission received the following draft minutes for review and consideration of approval: **December 2, 2014 -**

**regular meeting minutes.**

Additions or Corrections: None

Motion: To approve the minutes as presented

Motion By: Commission Member Greer

Second: Vice Chairman John Speidel

Action: Approved by a unanimous vote of members present

**PUBLIC HEARING**

Madame Chair Stockton recessed the meeting to hold the following public hearing:

***Public Hearing No. 1: After being duly advertised, Grove Rocky Mount, LLC doing business as The Early Inn at the Grove, requested a special exception permit to make an addition to an existing accessory building located at 50 Floyd Avenue and known as Franklin County Tax Map and Parcel Number 2070050600. The property is zoned Central Business District - CBD, and accessory buildings are not a permitted use in the district. A special exception permit is required to expand the nonconforming structure.***

Staff Remarks: The Early Inn At The Grove has submitted a special exception request for the property at 50 Floyd Avenue, Tax Map and Parcel Number 20700 50600. The company operates the antebellum house as a bed and breakfast and wishes to expand the gate house/law office at the front of the property to create an additional suite by adding a bathroom. This is a small construction project and a small request. Out of an abundance of caution, staff has classified this building as an accessory building not permitted in CBD, making this a nonconforming structure. Expansion of the nonconformity requires a special exception, and that is the matter before you.

Should the Town Council grant a special exception to allow the expansion of the building in question? If so, should it impose conditions on that exception?

Additionally, staff would request guidance from the Planning Commission regarding future inquiries regarding this site. The property has a number of smaller subordinate structures which might be regarded as accessory buildings and which Mr. Hochstein and his partners may wish to change in order to restore, upgrade, demolish or refit to meet their business model.

Although it is now zoned as central business district, the property does not generally fit within the confines of CBD zoning, which contemplates a large main structure on a smaller lot, typically with zero lot line setbacks. This property is 10 acres and has a

number of structures which could be classified as either main structures or accessory structures.

Staff would prefer to use its discretion to classify all buildings on the lot as part of the main use, although not a part of a single unified structure. Staff would still bring any uses not contemplated or anything outside the norm of the bed & breakfast/event center back to the appropriate bodies for action.

Questions for Staff: None

Comments from applicant: **Bryan Hochstein of 2403 Goldfield Court, Greensboro, NC:** Wants to add an additional room for rental at the Inn, and will need to bump out a wall by six feet. Will keep the same look and feel of the current building, white clapboard with a tin roof.

Questions for applicant: None

Public Comment: Let the record show that no one else came forward to speak

Discussion by Planning Commission:

Hall: Has a conflict with the property and wishes to abstain from voting.

Speidel: When will the work be completed? Hochstein: Will be this summer, will be a short term project.

Speidel: Has parking worked out at the Grove? Hochstein: So far parking has not been an issue. Has an event coming up with about 60 cars expected. Currently, only has about 5 or 6 cars as a time.

Speidel: Historical site? Hochstein: the Inn is not listed on the National Registry of Historic Sites, but the restaurant may qualify for historic property tax credits.

Motion: Motion to recommend approval of the special exception request to Town Council

Motion By: Commission Member Greer

Second: Commission Member Clements

Motion Discussion: None

Action: Motion to recommend approval to Town Council approved by a vote of five for, zero against, with one abstention

## **OLD BUSINESS**

***Old Business Item No. 1: Review and dicussion regarding comprehensive plan update***

Staff Remarks: Assistant Manager Hankins noted that Ms. Slone, of Hill Studio, is currently working on the plan. She plans to present a draft plan to Planning Commission next month.

Let the record show this was an informational item for discussion only. No action was taken.

## **NEW BUSINESS**

### ***New Business Item No. 1: Review of variance request of Ferguson Land and Lumber Company, Inc.***

Staff Remarks: The Board of Zoning Appeals will hear a variance request on Thursday, Jan. 8, and under state code, Planning Commission has the option of weighing in its opinion on the matter.

Ferguson Land & Lumber, represented by Hatcher Ferguson, desires to build a new drying shed (location shown on the attached survey map). However, in order to build in the location they desire, the building would encroach on the required 60' buffer between R1 and M2 zoning required in Zoning Ordinance 6-4-4.

Why is the buffer contemplated? The Zoning Ordinance rightly recognizes that high-intensity uses of Heavy Industrial zoning (M2) are incompatible with the peaceful maintenance of Low-Density Residential (R1) properties, and institutes a minimum buffer to try to minimize the disturbance to the nearby residents.

Ferguson Land & Lumber is in a growth mode. The lumber market has increasing demand with a housing market on the rebound and international buyers securing contracts to purchase American lumber. In order to increase its drying efficiency and increase its output, Ferguson needs additional covered space on its property off North Main Street.

Price Buildings and its surveyor, Ron Yount, have surveyed space currently used for outdoor lumber drying and determined that the best location for the building would encroach on the required buffer by nearly 31 feet at the point closest to the adjoining properties.

The M2 is currently separated from the adjoining two R1 lots by a solid wooden fence. The fence does provide some visual protection, but the uphill neighbor still overlooks the M2 zoning; additionally, neighbors indicate that they still encounter issues with sawdust. The fence, installed by Ferguson Land & Lumber after the rezoning of that property to M2 in the early 1990s, is also in need of repair, maintenance and regular upkeep.

The proposed drying shed would be 24 feet tall, similar to the other sawmill, kilns and drying racks already in place.

In order to encroach into the required buffer, a variance is required.

Variances require the Board of Zoning Appeals to find positively on three questions: (1) Is there an undue hardship? (2) Is this a unique situation? (3) Will the variance create a "substantial" detriment to adjoining properties?

The Planning Commission has four options: (1) Recommend the Board of Zoning Appeals find positively on these three questions and approve the variance request; (2) Recommend the Board of Zoning Appeals find positively on these three questions and approve the variance request with conditions; (3) Recommend the Board of Zoning Appeals find negatively and deny the variance request; or (4) Issue no recommendation to the Board of Zoning Appeals.

Discussion by Planning Commission: Blanchard: Will there be noise? Hankins: This will just be a storage shed, not a drying shed. Any noise will be associated with the moving in and out of the shed.

Speidel: Shouldn't be any additional sawdust either? Hankins: If this allows them to increase production then it will naturally create more sawdust.

Blanchard: Existing owners have been there for the last 20 years, not taking care of the fence? Hankins: The Hartman's live in Virginia part time. The fence is owned by Ferguson. It is a required screen and it needs to be kept in better condition.

Greer: North Main Street is a manufacturing area, and a lot of the land is unbuildable.

Stockton: Clarified that Planning Commission does not have to make a recommendation.

Motion: That Planning Commission make no recommendation to the Board of Zoning Appeals, noting that this request is not in conflict with the comprehensive plan.

Motion By: Commission Member Hall

Second: Commission Member Blanchard

Motion Discussion: None

Action: Motion to make no recommendation approved by a vote of 5 for (Blanchard, Clements, Hall, Speidel, Stockton) and 1 against (Greer).

## **COMMISSIONER CONCERNS AND STAFF UPDATES**

Let the record show that Commissioners expressed no concerns at this time.

Staff gave the following updates: (1) Famous Anthony's is leaving one of its Roanoke locations and needs a new home. Staff is working with the restaurant to find a suitable Rocky Mount location. (2) A new planner has been hired and should be ready for introductions at the February Planning Commission meeting.

**ADJOURNMENT**

Motion to Adjourn By: Commission Member Clements

Second: Vice Chairman Speidel

Action: Approved by a unanimous vote of members present

Time of Adjournment: 6:35 P.M.

---

Janet Stockton, Chairman

ATTEST:

---

Stacey B. Sink, Clerk/Secretary

SBS/