

**BOARD OF ZONING APPEALS
MINUTES
DECEMBER 6, 2007
6:00 P.M.**

The Board of Zoning Appeals of the Town of Rocky Mount, Virginia, met at the Allen O. Woody, Jr. Municipal Building on Thursday, December 6, 2007 at 6:00 p.m. with Chairman Charles L. Hutto, Jr. presiding.

The following members were present:

Chairman Charles L. Hutto, Jr.; Board of Zoning Appeals (BZA) Members Sanford "Lyn" Robertson, Lucas Tuning, and John Speidel; Assistant Town Manager & Community Development Director Matthew C. Hankins, Town Attorney John Boitnott, Planning and Zoning Administrator Paul D. Stockwell, and Deputy Clerk Stacey B. Sink.

Let the record show that Vice Chair Susan P. Hapgood was not present.

APPROVAL OF AGENDA

- Motion was made by BZA Member Robertson to approve the agenda as presented with motion on the floor being seconded by BZA Member Tuning. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

APPROVAL OF MINUTES

Prior to the meeting, the BZA Members received the following draft minutes for review and consideration of approval:

- August 2, 2007
- Motion was made by BZA Member Tuning to approve the minutes as presented with motion on the floor being seconded by BZA Member Speidel. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

PUBLIC HEARING

Let the record show there no public hearings held at this time.

OLD/NEW BUSINESSA) Old Business

Let the record show that there was no old business to discuss at this time.

B) New Business

- David Wray's Request to Make an Addition to a Building

Prior to the meeting, the Planning and Zoning Administrator provided the BZA Members with the following brief description of Mr. Wray's request:

Pursuant to Article 13-7 of the Town of Rocky Mount Zoning and Development Ordinance, the BZA will meet to discuss the use of Mr. David Wray's lot identified as Franklin County Tax Map and Parcel Number 2020103300. Mr. Wray wishes to make an addition to his accessory building. The lot has 95 feet, instead of the required 100 feet, of road frontage. According to Article 13-7, the BZA must approve the request of a nonconforming lot so long as it meets the setback requirements of the board. The accessory building may be extended using current setback requirements of the zoning ordinance, which is five feet from any property line. Thus the BZA can approve the request without any variance or required public hearing.

13.7 Nonconforming lots.

Any lot of record at the time of the adoption of this ordinance or which is less in area or width than the minimum required by this ordinance may be used when the requirements of the board of zoning appeals regarding setbacks, side and rear yards are met.

Chairman Hutto asked Mr. Wray to come forward and explain the nature of his request to the BZA.

Mr. David Wray (who resides at 500 Hilltop Drive) advised the BZA that he wants to build a room onto an existing storage and wood-working shop that he has. He has met with the Planning and Zoning Administrator and everything seems to be in order, except that he only has 95 feet of road frontage and he needs 100 feet. Mr. Wray also brought a picture of what he wishes to do and he shared this picture with the BZA Members.

Discussion ensued between the BZA Members and Mr. Wray regarding his picture and the fact that all of the setback requirements are met. There were no additional questions from the BZA Members regarding the request.

The Planning and Zoning Administrator confirmed with Chairman Hutto that Mr. Wray's request is not a variance request and that no public hearing is required.

There being no further discussion, Chairman Hutto entertained a motion:

- Motion was made by BZA Member Speidel to approve David Wray's request to make an addition onto his accessory building without any variance or public hearing, with motion on the floor being seconded by BZA Member Tuning. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.

Let the record show that Mr. Wray questioned the Planning and Zoning Administrator about what he should do next, with the Planning and Zoning Administrator advising him to come and submit the Zoning Permit request at his convenience. Mr. Wray thanked the BZA members for the opportunity to speak and for the approval of his request.

ADJOURNMENT

There being no further business to discuss, Chairman Hutto entertained a motion to adjourn at 6:15 p.m., with motion being made by BZA Member Speidel, seconded by BZA Member Robertson, and carried unanimously by those present.

Charles L. Hutto, Jr., Chairman

ATTEST:

Stacey B. Sink, Deputy Clerk

(This page left intentionally blank.)