

**BOARD OF ZONING APPEALS  
MINUTES  
JULY 3, 2008  
6:00 P.M.**

The Board of Zoning Appeals of the Town of Rocky Mount, Virginia met at the Rocky Mount Municipal Building on Thursday, July 3, 2008, at 6:00 p.m., with Vice Chair Susan Hapgood presiding.

The following members were present:

Vice Chair Susan Hapgood; Board of Zoning Appeals (BZA) Members Sanford "Lyn" Robertson, Lucas Tuning, John Speidel, and Alternate Member Maceo Toney; Planning & Zoning Administrator Paul D. Stockwell, Town Attorney John Boitnott, and Deputy Clerk Stacey B. Sink.

Let the record show that BZA Chairman Charles Hutto, Jr. 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:

- Draft June 5, 2008
- 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**

Vice Chair Hapgood recessed the meeting to hold the following public hearing:

- ◆ William S. Chase Variance Request

After being duly advertised, the Board of Zoning Appeals held a public hearing to consider William S. Chase's request for two variances for Franklin County Tax Map and Parcel Number 2070023700, located at 120 High Street, Rocky Mount. Specifically, the request is for:

1. A nine feet variance from property line to 16 feet from the right-of-way requirement of 25 feet in Article 4-6 of the Town of Rocky Mount Zoning and Development Ordinance; and
2. A four feet variance from east side of setback requirement of 11.8 feet in Article 4-8 of the Town of Rocky Mount Zoning and Development Ordinance.

Vice Chair Hapgood opened the floor to anyone wishing to speak in regards to the variance request.

William S. "Bill" Chase, a resident of Glade Hill, came forward to speak, stating that he has been on the County of Franklin's BZA for 20 years, and he knows the process. He purchased the property (located at 120 High Street) on April 4<sup>th</sup> of this year. Previous to his purchase, there was an accident where the basement filled with propane gas and something ignited it. The blast lifted the house off of the foundation; however, there are no cracks in the foundation. He has determined that he needs to remove all of the wiring, plumbing, heating, sewer, chimney, windows and doors, all the plaster board and plaster, and insulation. Not much will be left, just the studs, ceiling joists, roof rafters, and floor. Because he is putting more than 50 percent of the value back into the house, and in order to utilize the existing foundation, he needs a nine feet variance in the front. In addition, the existing foundation is 16 feet from the right-of-way and needs to be 25, and he needs a four feet variance on the east side in order to utilize the same foundation.

Let the record show that no one else from the public came forward to speak in regards to Mr. Chase's request.

Vice Chair Hapgood opened the floor to discussion and comments by the BZA members.

BZA Member Robertson questioned Mr. Chase about what happened to the insulation that was removed from the house, with Mr. Chase confirming that it was taken to the landfill.

Vice Chair Hapgood stated that since Mr. Chase is putting the house back on the same foundation, it will have the same footprint, with Mr. Chase confirming that the house he intends to build will basically look the same, except the new house will not have a chimney.

Vice Chair Hapgood read for the record an e-mail received by the Deputy Clerk on June 21, 2008, from Wayne and Jeanette Adkins of 65 Oxford Circle, Rocky Mount, which stated "we have no objection to the two variances requested by Mr. William S. Chase."

There being no further discussion, Vice Chair Hapgood reconvened the meeting back into regular session and entertained a motion.

- Motion was made by BZA Member Speidel to approve the variance request for Tax Map and Parcel Number 2070023700 from Article 4-6 and Article 4-8-1 of the Town of Rocky Mount Zoning and Development Ordinance according to the property owner's application: the strict application of the ordinance would produce undue hardship; such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and, the authorization of such variance will not be a substantial detriment to adjacent property, and the character of the district will not be changed by the granting of the variance. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.

### **OLD/NEW BUSINESS**

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

### **ADJOURNMENT**

There being no further business to discuss, Vice Chair Hapgood entertained a motion to adjourn at 6:09 p.m., with motion being made by BZA Member Speidel, seconded by BZA Member Tuning, and carried unanimously by those present.

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Susan Hapgood, Vice Chair

ATTEST:

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Stacey B. Sink, Deputy Clerk

/sbs