

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



PLANNING COMMISSION  
JANET STOCKTON, *Chair*  
JOHN SPEIDEL, *Vice Chair*

BUD BLANCHARD      JERRY W. GREER, SR.  
INA CLEMENTS      DERWIN HALL  
JOHN TIGGLE

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

## PLANNING COMMISSION AGENDA Tuesday, April 1, 2014 • 6 p.m.

### Call to Order and Welcome

Janet Stockton, Chair

1. Roll Call of Members Present
2. Approval of Agenda
3. Review and Consideration of Minutes
  - March 4, 2014 - regular meeting minutes
4. Public Hearings
  - a. *Rocky Mount Baptist Church requests a special use permit to construct a 12-foot by 16-foot accessory building on its property located at 85 West Church Street and known as Franklin County Tax Map and Parcel Number 20700 60400. The property is zoned Central Business District - CBD, and accessory structures are not a use by right in the district.*
    - i. Staff Report regarding request
    - ii. Comments from applicant
    - iii. Comments from public
  - b. *Bryan Hochstein requests a special use permit to erect a mural sign on the storefront located at 467 Franklin Street and known as Franklin County Tax Map and Parcel Number 20700 57100. The applicant wishes to reconstruct the historical, landmark mural which formerly represented the Rocky Mount Bottling Company in the same location. Pursuant to Article 8-15(E) of the Zoning and Development Ordinance, a special use permit is required for all new signs of this type. The property is zoned Central Business District - CBD. A site visit will be held at the property at approximately 5:30 p.m. prior to the Planning Commission public hearing.*
    - i. Staff Report regarding request
    - ii. Comments from applicant
    - iii. Comments from public
5. Old Business
  - a. *Discussion regarding Planning Commission Bylaws*
  - b. *Update on Comprehensive Plan Request for Proposals*
6. Commissioner Concerns & Staff Updates
7. Adjournment

**TOWN OF ROCKY MOUNT  
PLANNING COMMISSION  
DRAFT MINUTES  
MARCH 4, 2014  
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, at 6:00 p.m. on Tuesday, March 4, 2014, for its regular monthly meeting with Madame Chairman Janet Stockton presiding.

The following members of Planning Commission were present when the meeting was called to order: Madame Chairman Janet Stockton, Vice Chairman John Speidel and Planning Commission Members Bud Blanchard, Ina Clements, Derwin Hall, and John Tiggle. Let the record show that Planning Commission Member Jerry Greer was absent.

The following staff members were present: Assistant Town Manager Matthew C. Hankins, Town Planner Patrick Rust, Town Attorney John Boitnott, and Deputy Town Clerk and Secretary to the Planning Commission Stacey B. Sink.

**APPROVAL OF AGENDA**

Madame Chairman Stockton asked if there were any additions or corrections to the presented agenda, and being none, entertained a motion.

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

**REVIEW AND CONSIDERATION OF MINUTES**

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

- February 4, 2014 – regular meeting minutes

Madame Chairman Stockton asked if there were any additions or corrections to the

presented minutes and being none entertained a motion.

- Motion was made by Commission Member Clements to approve the February 4, 2014 minutes as presented, with motion on the floor being seconded by Commission Member Blanchard. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

## **PUBLIC HEARINGS**

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

## **OLD BUSINESS**

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

## **NEW BUSINESS**

### ***(1) Review of the Variance Request for Grove Rocky Mount, LLC***

Town Planner Rust presented this new business item to the Commission making the following points:

- Variance applications are decided upon by the Board of Zoning Appeals; however, § 15.2-2310 of the Code of Virginia (1950), as amended, requires that the zoning administrator transmit a copy of any variance application to the local planning commission which may send a recommendation to the Board or appear as a party at the hearing, which will be held on Thursday, March 6, 2014 at 6:00 p.m.
- The Town has received a variance application from Brian Hochstein on behalf of Grove Rocky Mount, LLC, requesting a variance from Article 7-2-7 of the Zoning and Development Ordinance, which requires all non-residential driveways and parking spaces to be paved with asphalt, concrete, plant mix, or brick.
- The applicant wishes to construct a parking area at 50 Floyd Avenue, also known as Franklin County Tax Map and Parcel Number 20700 50600, using natural materials, such as chipped wood, instead of asphalt or concrete.
- The property is zoned Central Business District-CBD, and will be used as a commercial bed-and-breakfast establishment.

- The applicants express the perceived hardship that an asphalt parking area would take away from the historic, pastoral setting and charm of the property. In addition, the applicant believes that a green or natural parking area would be more suitable in proximity to the creek on the property, and that stormwater runoff would be minimal.
- The applicant also believes that this variance would enhance adjacent properties.
- After due consideration and review, staff's recommendation to the Board of Zoning Appeals is to approve the variance request based on the following considerations: (1) a green or natural parking area will be in accord with the existing wooded conditions of the property; (2) the addition of a green or natural parking area to the property will not affect either the property's stormwater runoff or the creek located on the property; and (3) minimal land disturbance is projected by the applicant, which is in keeping with the property's historical character.
- To approve this variance request, the Board of Zoning Appeals must find the following: (1) that the strict application of the ordinance would produce undue hardship relating to the property; (2) that the hardship is not shared generally by other properties in the same zoning district and the same vicinity; and (3) that the authorization of the variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.
- Additionally, the Board may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be met.
- Options for Planning Commission's recommendation are approval, conditional approval, denial, or no recommendation.
- Showed an aerial view of the general area where the Grove Bed and Breakfast will be, and referenced plans which were given to Planning Commission in the meeting documentation. The parking area will be entered and exited from Route 40 West, on the lower portion of the Grove property.
- The parking lot is expected to have over 50 parking spaces. A lot of trees were removed from the property and the plan is to chip them for use on the parking area. There will be a base with the chipped wood on top.

Assistant Town Manager Hankins noted that from a management perspective instead of a planning perspective, the Town does not want to pave the world. This variance request will provide a unique opportunity to study the outcome. It will not cost the Town anything and will provide some experience, should this question

ever arise again.

Vice Chairman Speidel expressed concern regarding the chipped wood idea, noting that it does not sound serviceable over a long period of time. Assistant Town Manager Hankins suggested that the variance applicant be allowed to speak to his request.

Bryan Hochstein came forward noting that he is one of the owners of Grove Rocky Mount, LLC. He offered the following points:

- The chipped wood, if put down over a gravel base, will have a more natural color [than asphalt].
- Over time it will get pushed down into the ground and will constantly need to be refreshed and resurfaced.
- It will help to capture the natural features of the property.
- It will not be a small layer of chipped wood, it will be packed and sustainable, atop gravel or crusher run.
- The location is a low setting near a creek, and if hard asphalt is there the water will pool and run into the creek.

Discussion by Planning Commission ensued:

- Concern was expressed about opening up a door for something that might be misconstrued or used in other settings that might not be appropriate to the Town. Assistant Town Manager Hankins noted that requests like this would still be heard on a case by case basis by the Board of Zoning Appeals. This wouldn't be setting a precedent that would have to be followed in the future. He sees it as sort of an experiment. Other localities, such as Colonial Williamsburg, have done it where they need to balance the need for modern parking and the more aesthetic appeal of natural materials. A good aspect of this will be its permeability.
- The drawings are showing a separate entrance and exit. Mr. Hochstein confirmed that it will be a one-way traffic flow. He wants to minimize the potential for traffic congestion.
- Confirmed with Mr. Hochstein the expectation of 50 to 100 parking spaces.
- Mr. Hochstein confirmed to Planning Commission that this is an experiment to him as well, and he understands that it may not work. He does not want his patrons to get stuck in the mud.

Although this was not a public hearing, a member of the public asked to come forward to speak.

Clark Arrington of 560 South Main Street, a neighboring property to the property in question, came forward to make the following comments:

- He is concerned about the base being used.
- Thinks using a gravel base with the chipped wood on top will be okay.
- Pleased with the work going on at the Grove and thinks that the property's former owner, Keister Greer, would be very pleased with the work.
- Hopes that the Grove can partner with the Harvester.

Madame Chairman Stockton opened the floor to discussion regarding Planning Commission's desire to make a recommendation.

- Vice Chairman Speidel noted that he is the Planning Commission representative on the Board of Zoning Appeals and he thinks that the Board would appreciate a recommendation from the Commission.
  - Commission Member Hall noted that he believes he has a conflict with the request and he cannot speak to the matter.
  - Commission Member Tiggle noted that he thinks the plan of work is ideal and that the asphalt would take away from the property.
- Motion was made by Commission Member Tiggle that the Planning Commission recommend to the Board of Zoning Appeals the approval of the variance request for 50 Floyd Avenue, Tax Map and Parcel Number 20700 50600, with motion on the floor being seconded by Commission Member Clements. There being no further discussion, let the record show that the motion on the floor passed with a vote of five for, zero against, and one abstention from Commission Member Hall.

## **(2) Discussion regarding Planning Commission Bylaws**

Deputy Clerk Sink noted that Planning Commission's meeting documents contained a copy of the current bylaws document with suggested changes noted in red. Some of the proposed changes are to correct references within the bylaws to either the state code or the Zoning and Development Ordinance. Some are to add missing words or to remove duplications. In Section 5-1 the proposed change is to specify that if the secretary to the Commission is not a member of the Commission, then the secretary does not have voting privileges. Some of the biggest proposed changes are in Sections 10 and 11 involving Planning Commission's order of business for regular meetings and for public hearings. Deputy Clerk Sink suggested that Planning Commission considering creating a more specific order of business for the public hearing portion of its meetings, similar to the way in which the Board of Zoning Appeals handles its order of business. She also noted that the Planning Commission must review any

proposed changes to its bylaws for 30 days before voting on the matter. It was the consensus of Planning Commission that Deputy Clerk Sink should type a new, draft bylaws document incorporating the suggested edits and then present it to Planning Commission at the next meeting. Planning Commission can then officially consider adopting the changes 30 days later or beyond.

**(3) *Prioritization of Upcoming Planning Projects indentified in the 2013 Annual Report***

Assistant Town Manager Hankins addressed the Commission, advising this discussion is centered on the last page of the annual report of Planning Commission's 2013 Annual Report, which was provided in the meeting documents. The page lists upcoming projects which are not prioritized in any way, though staff has identified a certain working order. However, he would like Planning Commission's input on its perceived order of importance. The staff's order of importance is as follows:

1. Wayfinding Signage – there are funds in the budget now and staff is trying to finalize the request for proposals now.
2. Comprehensive Plan – staff is working now to issue a request for proposals to find a qualified firm to help with this process.
3. Identifying a new project for the 6-year plan – something to take the place of the Pell-Franklin-North Main realignment project once it is funded.
4. Joint meetings with Town Council – it has been some time since a joint meeting was held. This will likely be after July 1 and following the results of the May election.
5. Protection of redeveloped areas – looking at what other communities have done to protect revitalized and redeveloped areas.
6. Downtown planning issues.
7. Light Ordinance development.
8. Town initiated rezonings.

General discussion ensued:

- Town Council has had no discussion regarding hiring a firm to look at the Comprehensive Plan. This will be discussed as part of the budget process.
- Could the new VDOT 6-Year project be something at the railroad tracks near Brookside Pool and Sheetz?
- To date, no plans have been found for the roundabout proposed several years ago at the Floyd-Franklin intersection.
- Stone Engineering has done some preliminary work-ups on the Floyd intersection and they will be reviewed soon.

- It was the consensus of Planning Commission that the current order proposed by staff is acceptable.

### **COMMISSIONER CONCERNS AND STAFF UPDATES**

Assistant Town Manager Hankins gave a brief update on the following:

*Harvester Performance Center:* Construction should be done by the first week of April. The first concert, scheduled for April 11, has been changed due to a scheduling conflict. A concert will still take place on that evening, but the previously scheduled event has been moved to May. April 24 will be the first big concert with the Indigo Girls. Tickets are selling well for all the events. The new assistant manager has been hired and an announcement will be made soon. A great grand-opening week has been planned with a host of great artists. There are about 80 shows awaiting announcement.

#### *Commission Concerns:*

- Commission Member Clements questioned if the rumors that Taco Bell is coming is true. Assistant Town Manager Hankins confirmed that it is a possibility, though all the details have not been worked out, and no official plans have been received. It is expected to go in behind Bojangles. It is not expected to have a Long John Silver's.

### **ADJOURNMENT**

At 7:08 p.m. and with no further business to discuss, Madame Chair Stockton entertained a motion to adjourn, with motion being made by Commission Member Clements, seconded by Vice Chairman Speidel, and carried unanimously by those present.

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Janet Stockton, Chair

ATTEST:

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Stacey B. Sink, Secretary

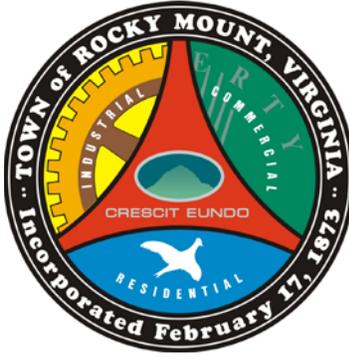
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TOWN COUNCIL  
STEVEN C. ANGLE, *MAYOR*  
GREGORY B. WALKER, *VICE MAYOR*

BOBBY M. CUNDIFF      P. ANN LOVE  
JERRY W. GREER, SR.      BOBBY L. MOYER  
BILLIE W. STOCKTON

PATRICK N. RUST  
*Town Planner*  
*Code Inspector/GIS Technician*

## MEMORANDUM

To: Janet Stockton, Chair  
Planning Commissioners

From: Patrick Rust, Town Planner

Date: 03/25/2014

Re: 85 West Church Street (Rocky Mount Baptist Church) Special Use Request

### Planning Commissioners:

The Town has received a special use request from Jack Strickler on behalf of Rocky Mount Baptist Church. The request is to place an accessory structure on the property located at 85 West Church Street, identified as Franklin County Tax Map and Parcel Number 20700 60400.

The request is to construct a 12-foot by 16-foot (192 square feet) accessory building on the property, which is zoned Central Business District-CBD. Accessory structures are not a use by right in the CBD.

All of the parcels adjacent to or adjoining the property in question are also zoned CBD; however, most of the parcels are currently used solely for residential purposes.

In reviewing this proposed special use request staff considered the following aspects:

- Article 29-7-1 of the Zoning Ordinance specifies that no yards are required for business uses in the CBD.
- Other zoning districts which allow for accessory structures as uses by right, set forth specific requirements for size and location, specifically: (1) that accessory buildings must be located at least 10 feet behind the main structure; (2) that they must be located at least five feet from the side and rear property lines; (3) that the accessory building shall not be greater in height than the main structure; (4) that accessory structures closer than 20 feet to any property line may not be more than one story in height; and, (5) that the building footprint of an accessory building cannot exceed 50-percent of the footprint of the main structure. In relation to this request, however, these code requirements do not necessarily apply, but may be used as a point of reference in considering the request.
- In this case, the proposed accessory structure would be located behind the main structure and should not be visible except from Scott Street.

- The distance from the main structure to the rear property line is approximately 20 feet. The proposed building will take up 12 feet of the rear yard, leaving approximately 8 feet to be collectively dispersed between the buffer from the main structure to the accessory building and the buffer from the accessory building to the neighboring property line. However, as stated previously, Article 29-7-1 specifies that no yards are required for business uses in the CBD.
- The neighboring property (which the proposed accessory building will abut against and which is currently used for residential purposes) is of a higher elevation and is separated from the church property by a retaining wall. An allowance for the proposed accessory structure to be placed closer to the neighboring property line than the standard five feet allowed in other zoning districts would not encroach upon the neighboring property, nor would it be contrary to the property's current zoning. However, Article 29-13-1 also specifies that businesses located next to existing residential units within the CBD must observe a minimum buffer of 25 feet. Planning Commission should consider if this code section is applicable to this situation.
- Article 29-12-1(a) specifies that landscaping or fencing is required for screening of outbuildings not connected to a primary building.
- The most recent, similar request to this occurred in January 2011, when Dr. Clements of Franklin Dental Associates requested a special use to add an accessory storage structure to his property located at 490 South Main Street. This request was approved with conditions by Town Council in February 2011. Another similar request was made by and approved for Verdella Holland in 2010 for her property located at 50 Warren Street, which is a mixed-use property with the residential use located above the commercial use.

After due review and based on these considerations, staff suggests that Planning Commission recommends to Town Council the approval of this special use application to allow an accessory structure at 85 West Church Street, Tax Map and Parcel Number 20700 60400, with the condition that the building be screened by a fence from view on the residential sides.

**Possible motions:**

**Approval**

I move that the Planning Commission recommends to Town Council the approval of this special use request, as presented, to allow an accessory structure at 85 West Church Street, Tax Map and Parcel Number 20700 60400.

**Conditional Approval**

I move that the Planning Commission recommends to Town Council the approval of this special use request to allow an accessory structure at 85 West Church Street, Tax Map and Parcel Number 20700 60400, with the following condition(s):

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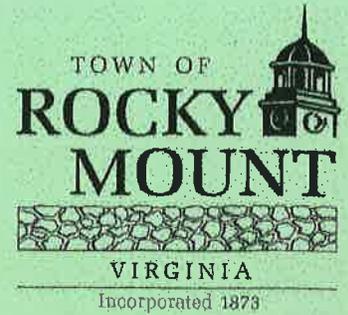
**Denial**

I move that Planning Commission recommends to Town Council the denial of the special use request for an accessory structure at 85 West Church Street, Tax Map and Parcel Number 20700 60400.

# SPECIAL EXCEPTION/USE APPLICATION

## APPLICANT INFORMATION

NAME: Jack Stricter  
ADDRESS: 3380 Pleasant Hill Rd  
Rocky Mount, VA  
PHONE: (540) 483-5398



## NATURE OF SPECIAL EXCEPTION/USE REQUEST (BRIEF DESCRIPTION)

Allowing a 12' x 16' Accessory structure  
@ 85 West Church St - Rocky Mount  
Baptist Church

## PROPERTY OWNER & PROPERTY INFORMATION

PROPERTY OWNER NAME: Rocky Mount Baptist Church  
(IF DIFFERENT FROM APPLICANT)  
MAILING ADDRESS: 85 West Church St  
EXACT LOCATION OF THE PROPERTY: \_\_\_\_\_  
TAX MAP & PARCEL NUMBER: 2070060400  
CURRENT ZONING: R-1 R-2 R-3 RA RB POS C-1 C-2 CBD GB  
RPUD M-1 M-2  
CURRENT LAND USE: VACANT AGRICULTURAL RESIDENTIAL COMMERCIAL INDUSTRIAL  
SIZE OF PROPERTY (ACRES/SQ.FT.): 40,000 sq ft  
SIZE OF PROPOSED SPECIAL EXCEPTION (ACRES/SQ.FT.): 192  
IS ANY PORTION OF LOT IN FLOOD PLAIN OR FLOODWAY? Yes No

## ADDITIONAL INFORMATION/ATTACHMENTS

- SIZE AND SHAPE OF LAND
- SIZE AND SHAPE OF BUILDING/STRUCTURE IN RESPECT TO PROPERTY LINES
- PARKING SPACE(S) SHOWN IN RESPECT TO PROPERTY LINES/BUILDINGS/STRUCTURES
- RIGHT-OF-WAY OF STREETS OR HIGHWAYS ADJOINING LAND
- ADJACENT AND ADJOINING PROPERTY OWNERS

**APPLICANT CERTIFICATION**

BY SIGNING BELOW, I/WE HEREBY APPLY FOR A REZONING REQUEST FOR THE PURPOSES OF THE SPECIAL EXCEPTION/USE AS DESCRIBED ON THIS APPLICATION AND I/WE CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE TO THE BEST OF MY/OUR KNOWLEDGE.

*Jack Serfaty*  
APPLICANT SIGNATURE

\_\_\_\_\_  
DATE

**OWNER CERTIFICATION**

BY SIGNING BELOW, I CERTIFY THAT I AM AWARE OF THIS SPECIAL EXCEPTION/USE APPLICATION AND I CONSENT TO THE REZONING REQUEST AS DESCRIBED ON THIS APPLICATION.

\_\_\_\_\_  
OWNER SIGNATURE

\_\_\_\_\_  
DATE

**FOR COMMUNITY DEVELOPMENT OFFICE USE ONLY**

FEE AMOUNT: \$421.28 DATE RECEIVED: 03/13/2014

CASH  CHECK (CHECK NO. 10050)

DATE TO BE HEARD BY PLANNING COMMISSION: 04/01/2014

DATE TO BE HEARD BY TOWN COUNCIL: 04/14/2014

APPLICATION No.: \_\_\_\_\_

I HEREBY APPROVE THIS APPLICATION AS PRESENTED, NOTING THAT ALL REQUIRED INFORMATION IS ATTACHED ACCORDING TO THE SPECIFICATIONS OF THIS APPLICATION FOR REZONING.

*Patrick N Rust*  
ZONING ADMINISTRATOR SIGNATURE

03/14/14  
DATE

*Mark C...*

ADDY LN1	ADDY LN2	ADDY LN3	ADDY LN4	SALUTATION	TMPN	CERT MAIL NO
Planters Bank & Trust Company of Virginia	c/o Stellar One Accounts Payable	590 Peterson Jefferson Hwy., Suite 250	Charlottesville, VA 22911	To Whom It May Concern:	2070059800	7008 1830 0002 2413 0980
Chapter 10 Mental Retardation Group Homes, Inc.	24 Clay Street	Martinsville, VA 24112 -		To Whom It May Concern:	2070058300	7008 1830 0002 2413 0997
Gary L. Swicegood	Charles W. Robertson	P.O. Box 826	Rocky Mount, VA 24151	Dear Mr. Swicegood and Mr. Robertson:	2070058400	7008 1830 0002 2413 1000
Claude C. Perdue	Nancy R. Perdue	2259 Golden View Road	Glade Hill, VA 24092	Dear Mr. and Mrs. Perdue:	2070058600	7008 1830 0002 2413 1117
John W. Goodhart, Sr.	Diana H. Goodhart	111 West Church Street	Rocky Mount, VA 24151	Dear Mr. and Mrs. Goodhart:	2070059600	7008 1830 0002 2413 1124
Robert S. Strong	Susan M.B. Strong	P.O. Box 358	Ferrum, VA 24088	Dear Mr. and Mrs. Strong:	2070060500	7008 1830 0002 2413 1031
John B. Faircloth, Jr.	1508 Honor Drive	Richmon, VA 23228		Dear Mr. Faircloth:	2070060600	7008 1830 0002 2413 1048
Sarah Peyton Moody	Joseph Mathew Arnold	45 Scott Street	Rocky Mount, VA 24151	Dear Ms. Moody and Mr. Arnold:	2070060300	7008 1830 0002 2413 1055
Martha F. Seidel	55 Scott Street	Rocky Mount, VA 24151		Dear Ms. Seidel:	2070060200	7008 1830 0002 2413 1062
Franz M. Wertz	Gail A. Wertz	1498 Six Mile Post Road	Callaway, VA 24067	Dear Mr. and Mrs. Wertz:	2070060100	7008 1830 0002 2413 1079

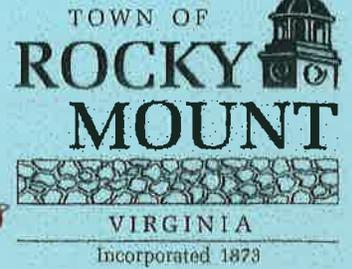
ADDY LN1	ADDY LN2	ADDY LN3	ADDY LN4	SALUTATION	TMPN	CERT MAIL NO
Mr. Rick Huff, Administrator	County of Franklin	1255 Franklin Street, Suite 112	Rocky Mount, VA 24151	Dear Mr. Huff:	2070060000, 2070103201	7008 1830 0002 2413 1086

# ZONING PERMIT APPLICATION

## APPLICANT INFORMATION

NAME: Jack Strickler  
ADDRESS: 3370 Pleasant Hill Rd  
Rocky Mount VA  
PHONE: (540) 483-~~5398~~ 483-8388

PERMIT FILE NO.: \_\_\_\_\_



## NATURE OF PROJECT (PLEASE PROVIDE A BRIEF DESCRIPTION OF THE PROJECT)

Accessory structure @ 85 West Church  
st - Rocky Mount Baptist Church

## PROPERTY OWNER & PROPERTY INFORMATION

PROPERTY OWNER NAME: Rocky Mount Baptist Church  
(IF DIFFERENT FROM APPLICANT)  
MAILING ADDRESS: 85 West Church St  
BUILDING LOT ADDRESS: \_\_\_\_\_  
TAX MAP & PARCEL NUMBER: 2070060400

CURRENT ZONING: R-1 R-2 R-3 RA RB POS C-1 C-2 CBD GB  
RPUD M-1 M-2 ENTERPRISE ZONE

CURRENT LAND USE: VACANT AGRICULTURAL RESIDENTIAL COMMERCIAL INDUSTRIAL

LOT DIMENSIONS (FT.) \_\_\_\_\_ LOT AREA (SQ.FT.) \_\_\_\_\_

GRADING REQUIRED? YES NO IF YES, AMOUNT OF LAND DISTURBED (SQ.FT.)? \_\_\_\_\_

IS ANY PORTION OF LOT IN FLOOD PLAIN OR FLOODWAY? YES NO

HOW MANY FEET DOES THE LOT ABUT OR FRONT ALONG A PUBLIC STREET? \_\_\_\_\_

## SETBACK INFORMATION (FOR NEW BUILDINGS OR ADDITIONS TO BUILDINGS ONLY)

DISTANCE OF THE BUILDING (FT.):

IN THE FRONT, FROM THE STREET RIGHT-OF-WAY? \_\_\_\_\_

IN THE FRONT, FROM THE FRONT PROPERTY LINE? \_\_\_\_\_

ON THE RIGHT SIDE, FROM THE RIGHT PROPERTY LINE? \_\_\_\_\_

ON THE LEFT SIDE, FROM THE LEFT PROPERTY LINE? \_\_\_\_\_

IN THE REAR, FROM THE REAR PROPERTY LINE? \_\_\_\_\_

IS THE PROPERTY ON A CORNER LOT? YES NO IF YES, WHICH SIDE? \_\_\_\_\_

**BUILDING AND PARKING INFORMATION**

NEW BUILDING  ADDITION  ALTERATION  PARKING LOT  NEW OCCUPANT  OTHER

PROPOSED USE OF THE BUILDING? Storage Building

DIMENSIONS OF THE STRUCTURE: 12 FT. X 16 FT. TOTAL AREA (SQ.FT.): 192

NUMBER OF STORIES: 1 BUILDING HEIGHT (FT.): 10

NUMBER OF PARKING SPACES: (ENCLOSED) \_\_\_\_\_ (OUTDOORS) \_\_\_\_\_

CURB CUT REQUIRED FOR DRIVEWAY OR PARKING AREA?  YES  NO

PARKING AREA PAVEMENT:  ASPHALT  CONCRETE  PLANT MIX  GRAVEL  BRICK  OTHER

EXPECTED PROJECT COMPLETION DATE: \_\_\_\_\_

ESTIMATED COST OF THE PROJECT: \$ 2,595

**TOWN FINANCE DEPARTMENT CERTIFICATION**

THE APPLICANT HAS PAID THE FOLLOWING FEES:

WATER CONNECTION  SEWER TAP  
 CONTRACTOR BUSINESS LICENSE

FINANCE STAFF SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**CONTRACTOR INFORMATION**

NAME/COMPANY: Cannady's / self STATE LICENSE NO.: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PLEASE NOTE THAT ALL CONTRACTORS MUST OBTAIN A BUSINESS LICENSE FROM THE TOWN FINANCE OFFICE BEFORE ANY CONSTRUCTION TAKES PLACE. ALL LICENSES ARE VALID FOR ONE YEAR.

**APPLICANT CERTIFICATION**

I CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE.

Jack Sericby  
APPLICANT SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**OWNER CERTIFICATION**

I CERTIFY THAT I AM AWARE OF THIS ZONING PERMIT APPLICATION AND I CONSENT TO THE IMPROVEMENT AND/OR PROPOSED USE AS STATED ON THE APPLICATION.

OWNER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**FOR COMMUNITY DEVELOPMENT OFFICE USE ONLY**

IS A SITE PLAN REQUIRED?  YES  NO IS AN E & S PERMIT REQUIRED?  YES  NO  
IS A TOWN OCCUPANCY PERMIT OR SITE INSPECTION PERMIT REQUIRED FOR THIS PROJECT?  YES  NO

DOES THIS APPLICATION MEET ALL THE REQUIREMENTS AND REGULATIONS OF THE TOWN OF ROCKY MOUNT ZONING & DEVELOPMENT ORDINANCE?  YES  NO IF NO, WHICH SECTION(S) IS IN VIOLATION? \_\_\_\_\_

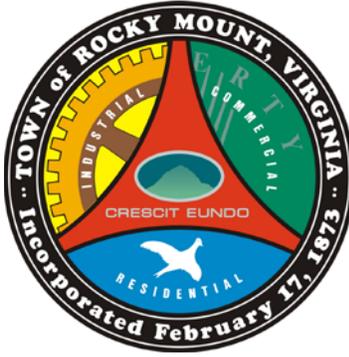
APPLICATION IS:  APPROVED  DENIED  
PERMIT FILE NO: \_\_\_\_\_  
FEE AMOUNT: \_\_\_\_\_  CASH  CHECK  WAIVED - EZ  
PERMIT EXPIRATION DATE: \_\_\_\_\_

ZONING ADMINISTRATOR SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

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

540.483.7660  
FAX : 540.483.8830

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



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

BOBBY M. CUNDIFF      P. ANN LOVE  
JERRY W. GREER, SR.      BOBBY L. MOYER  
BILLIE W. STOCKTON

PATRICK N. RUST  
*Town Planner*  
*Code Inspector/GIS Technician*

## MEMORANDUM

To: Janet Stockton, Chair  
Planning Commissioners

From: Patrick Rust, Town Planner

Date: 03/25/2014

Re: 467 Franklin Street (Bootleggers Cafe) Special Use Request

### Planning Commissioners:

The Town has received a special use request from Bryan Hochstein, owner of the still-under-development Bootleggers Cafe. The request is for a special use permit to erect a mural sign on the storefront located at 467 Franklin Street and known as Tax Map and Parcel Number 20700 57100. The applicant wishes to reconstruct the historical, landmark mural which formerly represented the Rocky Mount Bottling Company in the same location. Historical pictures of the 1940s era mural are attached for reference.

Article 8-15(E) of the Zoning and Development Ordinance specifies that a special use permit is required for all new mural signs. Additionally, the same code section exempts landmark signs (that may be preserved and maintained even if they no longer pertain to the present use of the premises) from the code's dimensional requirements for wall signs.

The significance of this exemption is that it would allow the applicant to erect up to an additional 60 square feet of signage for the promotion of the business, which is the district maximum per business in the Central Business District - CBD.

In reviewing this special use request staff rconsidered the following aspects:

- The landmark mural sign would replicate the original Rocky Mount Bottling Company Coca-Cola sign at a higher location on the building which would allow for the display of the current business's signage.
- The reproduction of the landmark sign would add nostalgic character to and enhance the historical significance of the building and surrounding area.
- Planning Commission's most recent experience with mural requirements occurred in 2012 with two separate requests from Mary Wray and the Rocky Mount Center for the Arts, Inc. for arts related murals. Both requests were recommended for approval by the Commission and later approved by Town Council with conditions as determined based on the merits of each request.

The historical, landmark nature of this request sets it apart from the previous requests.

- The significance of this request might most closely be compared to the mural sign which currently exists on the northern wall of the Angle Hardware building, located at 330 Franklin Street. The Angle Hardware mural differs slightly because it represents a current business. However, the mural does add a bit of nostalgic flair to the Downtown District.

After due review and based on these considerations, staff suggests that Planning Commission recommends to Town Council the approval of this special use application as presented allowing for the historic, landmark mural depicting the Rocky Mount Bottling Company to be erected at 467 Franklin Street, Tax Map and Parcel Number 20700 57100.

**Possible motions:**

**Approval**

I move that Planning Commission recommends to Town Council the approval of this special use application as presented allowing for the historic, landmark mural depicting the Rocky Mount Bottling Company to be erected at 467 Franklin Street, Tax Map and Parcel Number 20700 57100.

**Conditional Approval**

I move that Planning Commission recommends to Town Council the approval of this special use application allowing for the historic, landmark mural depicting the Rocky Mount Bottling Company to be erected at 467 Franklin Street, Tax Map and Parcel Number 20700 57100, with the following condition(s):

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**Denial**

I move that Planning Commission recommends to Town Council the denial of this special use application for a historic, landmark mural depicting the Rocky Mount Bottling Company to be erected at 467 Franklin Street, Tax Map and Parcel Number 20700 57100.

*Coca-Cola*

ROCKY  
MOUNT

*Coca-Cola*

BOTTLING  
CO.



*Coca-Cola*

ROCKY  
MOUNT

*Coca-Cola*

BOTTLING  
CO.



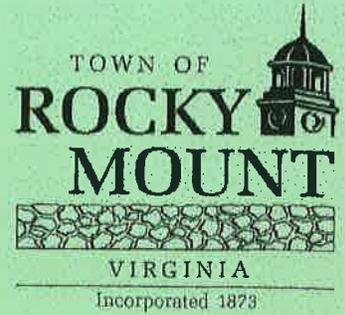
# SPECIAL EXCEPTION/USE APPLICATION

## APPLICANT INFORMATION

NAME: Bryan Hochstein

ADDRESS: \_\_\_\_\_

PHONE: (540) 420-5300



## NATURE OF SPECIAL EXCEPTION/USE REQUEST (BRIEF DESCRIPTION)

Painting original signage (Landmark - Historical mural)  
at 467 Franklin St

## PROPERTY OWNER & PROPERTY INFORMATION

PROPERTY OWNER NAME: \_\_\_\_\_  
(IF DIFFERENT FROM APPLICANT)

MAILING ADDRESS: \_\_\_\_\_

EXACT LOCATION OF THE PROPERTY: 467 Franklin (Franklin + Floyd)

TAX MAP & PARCEL NUMBER: 2070057100

CURRENT ZONING: R-1 R-2 R-3 RA RB POS C-1 C-2 CBD GB  
RPUD M-1 M-2

CURRENT LAND USE: VACANT AGRICULTURAL RESIDENTIAL COMMERCIAL INDUSTRIAL

SIZE OF PROPERTY (ACRES/SQ.FT.): .16

SIZE OF PROPOSED SPECIAL EXCEPTION (ACRES/SQ.FT.): \_\_\_\_\_

IS ANY PORTION OF LOT IN FLOOD PLAIN OR FLOODWAY? YES NO

## ADDITIONAL INFORMATION/ATTACHMENTS

- SIZE AND SHAPE OF LAND
- SIZE AND SHAPE OF BUILDING/STRUCTURE IN RESPECT TO PROPERTY LINES
- PARKING SPACE(S) SHOWN IN RESPECT TO PROPERTY LINES/BUILDINGS/STRUCTURES
- RIGHT-OF-WAY OF STREETS OR HIGHWAYS ADJOINING LAND
- ADJACENT AND ADJOINING PROPERTY OWNERS

**APPLICANT CERTIFICATION**

By signing below, I/We hereby apply for a rezoning request for the purposes of the Special Exception/Use as described on this application and I/we certify that the information on this application is true to the best of my/our knowledge.

*Byron Hochstetler*

3/17/14

APPLICANT SIGNATURE

DATE

**OWNER CERTIFICATION**

By signing below, I certify that I am aware of this Special Exception/Use application and I consent to the rezoning request as described on this application.

OWNER SIGNATURE

DATE

**FOR COMMUNITY DEVELOPMENT OFFICE USE ONLY**

FEE AMOUNT: waived - EE Zone DATE RECEIVED: \_\_\_\_\_

CASH     CHECK (CHECK NO. \_\_\_\_\_)

DATE TO BE HEARD BY PLANNING COMMISSION: \_\_\_\_\_

DATE TO BE HEARD BY TOWN COUNCIL: \_\_\_\_\_

APPLICATION No.: \_\_\_\_\_

I HEREBY APPROVE THIS APPLICATION AS PRESENTED, NOTING THAT ALL REQUIRED INFORMATION IS ATTACHED ACCORDING TO THE SPECIFICATIONS OF THIS APPLICATION FOR REZONING.

*[Signature]*

3/20/2014

ZONING ADMINISTRATOR SIGNATURE

DATE

ADDY LN1	ADDY LN2	ADDY LN3	ADDY LN4	SALUTATION	TMPN	CERT MAIL NO
John Stanfield	Fannie E. Stanfield	2491 South Main Street	Rocky Mount, VA 24151	Dear Mr. and Mrs. Stanfield:	2070057300, 2070057700	7008 1830 0002 2413 0911
Carlton Lee Saul	Kay Yee Saul	1788 Madcap Road	Rocky Mount, VA 24151	Dear Mr. and Mrs. Saul:	2070057200	7008 1830 0002 2413 0928
Robert L. Jones	Arlene A. Jones	4449 Waidsboro	Ferrum, VA 24088	Dear Mr. and Mrs. Jones:	2070049300	7008 1830 0002 2413 0935
Grove Rocky Mount, LLC	P.O. Box 2153	Rocky Mount, VA 24151		Dear Grove Rocky Mount,	2070050600	7008 1830 0002 2413 0942
Roberson 455 Franklin, LLC	250 Greenview	Rocky Mount, VA 24151		Dear Mr. and Mrs. Roberson:	2070105700	7008 1830 0002 2413 0959
P.L. Lynch	Nancy H. Lynch & Others	1810 Old Franklin	Rocky Mount, VA 24151	Dear Mr. and Mrs. Lynch:	2070058000	7008 1830 0002 2413 0966
Verdella Law Holland	50 Warren Street, Suite A	Rocky Mount, VA 24151		Dear Ms. Holland:	2070057800	7008 1830 0002 2413 0973