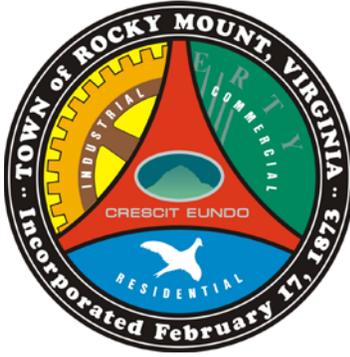


TOWN OF ROCKY MOUNT  
345 DONALD AVE.  
ROCKY MOUNT, VIRGINIA 24151

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, January 6, 2015 • 6 p.m.

Council Chambers, Rocky Mount Municipal Building  
345 Donald Avenue, Rocky Mount, VA

Call to Order and Welcome

Janet Stockton, Chair

1. Roll Call of Members Present
2. Approval of Agenda
3. Review and Consideration of Minutes
  - December 2, 2014 - Regular Meeting Minutes
4. Public Hearing
  - a. *Grove Rocky Mount LLC doing business as The Early Inn at the Grove requests 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.*
    - i. Staff Report regarding request
    - ii. Comments from applicant
    - iii. Comments from public
5. Old Business
  - a. Review and discussion regarding Comprehensive Plan update
6. New Business
  - a. Review of variance request of Ferguson Land and Lumber Company, Inc.
7. Commissioner Concerns & Staff Updates
8. Adjournment

*Thank you for attending tonight's Planning Commission meeting and/or public hearing. The Planning Commission appreciates and welcomes public participation in its meetings.*

*If you have a cell phone, please silence it during the meeting.*

*If you have need for a special accommodation during the meeting, please notify the deputy clerk. The Town has assistive listening devices available for those who are hard of hearing.*

*If you wish to speak during a public hearing, please sign in on the appropriate sheet located at the front table. There will be one sheet for each public hearing.*

**TOWN OF ROCKY MOUNT  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
12/2/2014  
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, Virginia, at 6:00 p.m. on Tuesday, December 2, 2014, for its regular monthly meeting with Madame Chair Janet Stockton presiding.

Commission Members Present: Bud Blanchard; Derwin Hall; Ina Clements; Jerry Greer; Madame Chair Janet Stockton; Vice Chairman John Speidel

Commission Members Absent: John Tiggle

Staff Members Present: Matthew C. Hankins, Assistant Town Manager; Stacey Sink, Deputy Clerk and Secretary

**APPROVAL OF AGENDA**

Additions or Corrections: None

Motion: To approve the agenda as presented

Motion By: Commission Member Clements

Second: Vice Chairman Speidel

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: **November 5, 2014 - Regular Meeting Minutes**

Additions or Corrections: None

Motion: To approve the minutes as presented

Motion By: Commission Member Clements

Second: Commission Member Blanchard

Action: Approved by a unanimous vote of members present

## **PUBLIC HEARING**

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

## **OLD BUSINESS**

### ***Old Business Item No. 1: Review and discussion regarding Comprehensive Plan update***

Staff Remarks: Evie Slone with Hill Studio came before the Commission to go over the Comprehensive Plan work since she last met with the Commission in August, 2014. Ms. Slone noted the following:

- Since meeting with Planning Commission she has had the opportunity to meet with others in the community, including citizens and employees, regarding their visions for the future of Rocky Mount. Some common themes were:
- North Main Street as a future growth corridor, need for more industry with more diverse jobs and employers, and to be able to keep residents and to attract new residents.
- Uptown and Downtown to be full of businesses, improve building occupancy, and connect the two.
- More diverse housing for senior and/or young professionals.
- Transportation needs for those without cars and students.
- Utility discussion about aging terra cotta pipes, and also discussion about a lack of recreational facilities in town and the need for youth activities.
- She met with members of the town staff including public works director, town manager, fire chief, acting police chief, and also met with others including educators, citizens, civic leaders, members of the religious community, representatives of the hospital and Economic Development Authority, and a couple of business owners.
- They all said some of the same things that Planning Commission said in August. (1) Young people are leaving the town and county, due to lack of jobs that allow them to pay off loans and make a living in the area; (2) educators noted that the county continues to struggle with the value of education and the value of educators, everyone believes that the system is good, but there is a need for more programs for students; (3) need for more downtown businesses, like the feel of downtown Salem and Floyd as models; (4) need for recreational facilities, parks are maintained but not used, big opportunities with Mary Elizabeth Park, Mary Bethune important but tucked away; (5) youth needs to have a connection to activities, consider a youth center that will give young people a place to go and get them oriented towarded being civically involved; (6) park upgrades are needed along with recreational resources on North Main; (7) people are very pleased with town administration and feel that police and fire department work well with the public; (8) need for a different

type of single family home; (9) Tank Hill, Goodview, and Needmore areas are real challenges, need to be looked at more intensively, and until this improves, North Main may not be attractive for development; (10) need to enhance gateway corridors and work on addressing some of the challenges in the neighborhoods; (11) 40 East strip malls could use some improvement (private property); (12) acting police chief interested in the SARA process model for community oriented policing (scanning, analyzing, responding, and assessing) to determine what needs to be done in the future to rebuild the community and bring in partner stakeholders to look at crime prevention.

Discussion by Planning Commission:

Stockton: When will PC see completed document?

Slone: Middle to end of January with a draft document. Has a draft vision statement which she needs to share with staff. She is shooting for January.

Blanchard: Student input is real important and he would like to have the high school students involved throughout the entire process. Thinks this is an important part.

Hankins: Spoke to Brenda Muse about going into one of her classrooms and talking to a class. Would also like to do it with high school students through Ms. Decker.

Stockton: Two students that represent the high school on the School Board. January would be a good time to meet with the students because it will be a new semester.

Slone: Would like to get the youth involved in January.

Greer: is there anything that can be done for the strip malls to entice upgrades to their looks? Grants, or incentives?

Hankins: There are some things that can be looked out. Rocky Mount Plaza just did a parking lot upgrade at Roses, and Ms. Brooks upgraded the sound system at the cinema.

Greer: Like the Westlake model where if a customer spends \$50 at any store, he can go to Willard Offices and get two tickets to the theater.

Hankins: Thought about using Harvester tickets as an incentive, similar to the former "\$5 on Us" program.

Slone: Sometimes it is a matter of meeting with the businesses and talking with them one on one.

Greer: Should be the effort of a lot of people working toward a common goal.

Slone: Is the youth center idea a good question for the students?

Greer: Thinks the school should be involved in that decision.

Stockton: Have been talking about a youth center for 20 years, but something is needed other than the YMCA or the Roses parking lot. The Town's youth needs a place just to hang out.

Speidel: Sometime adults make decisions about what kids want and it ends up not being what the kids really want.

Greer: Thinks the school system should be used for after school entertainment because there is already available space.

Slone: Has the town ever identified model youth centers in other localities for study?

Clements: Floyd Country Store on Friday night, 3 bands playing, thinks we could use empty stores in Rocky Mount where things like this could be done.

Hankins: Working on some festivals.

Slone: Thinks the town is on the brink of expanding on the success of the Harvester.

Slone: Will present an update to Planning Commission on January 6, with a draft report on February 3.

## **NEW BUSINESS**

### ***New Business Item No. 1: Review of 2015 meeting calendar***

Staff Remarks: Staff noted that in reviewing the regular meeting dates on the 2015 calendar, it appears that the only date which will conflict with a holiday or other event is the November meeting, due to the first Tuesday being Election Day. Therefore, staff recommends that the meeting date for November 2015 be moved to Wednesday, November 4, 2015.

Discussion by Planning Commission: None

Motion: To approve the proposed meeting calendar as presented

Motion By: Commission Member Greer

Second: Vice Chairman Speidel

Motion Discussion: None

Action: Approved by a unanimous vote of members present

### ***New Business Item No. 2: 2014 Annual Report***

Staff Remarks: As the end of 2014 draws near, and as required by the Code of Virginia, it is once again time to prepare Planning Commission's Annual Report. In the past, Planning Commission has relied upon staff to prepare a draft report for final editing and

approval by the Commission. Is Planning Commission happy with this process, and does the Commission wish for it to continue? If so, are there any particular discussions or ideas on which Planning Commission would like the report to focus? Any new elements which Planning Commission would like the report to address? Any changes in formatting or appearance?

Discussion by Planning Commission: It was the consensus of Planning Commission members present that staff continue to prepare the report. Stockton: Noted that she would like the Commission's Comprehensive Plan work to be included.

### ***New Business Item No. 3: Brian Olinger Variance Request for 285 Franklin Street***

#### **Staff Remarks:**

- The Town has received a request from Brian Olinger, owner and proprietor of Old's Cool at 285 Franklin Street, Franklin County Tax Map & Parcel Number 20701 02500, for a variance from Article 8-14D-4 of the Zoning and Development Ordinance. The Code allows each permitted business in Central Business District Zoning (CBD) no more than 60 square feet of signage. Mr. Olinger wishes to install additional signage on the side of his commercial structure in excess of the maximum allowance.
- Variance applications are decided upon by the Town's Board of Zoning Appeals. However, Article 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. The Board will hear this variance request on Thursday, December 4, 2014 at 6:00 p.m. in the Council Chambers of the Rocky Mount Municipal Building.
- 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.
- In reviewing this variance request, staff considered the following: (1) Mr. Olinger has submitted sign permits and received approval for two signs located on the front of his establishment totaling 59 square feet. An additional sign application, for a third

sign totaling 32 square feet to be located on the side of his establishment, was denied by staff; (2) In Central Business District – CBD zoning, a maximum of three signs plus three directional signs is permitted per lot containing single establishments. Additionally, each permitted business in CBD is allowed a maximum of 60 square feet of signage; (3) Mr. Olinger’s request for a third sign was denied due to the request being in excess of the 60-square-foot requirement; (4) One question the Board of Zoning Appeals must consider is whether the hardship is shared generally by other properties in the same district or vicinity. All businesses in CBD zoning are restricted to 60 square feet of signage; however, not all businesses have both front and side facades.

- Staff makes no recommendation regarding this request. Planning Commission may choose to make no recommendation or to make a recommendation for or against the request.

Discussion by Planning Commission: Hall: This will be on the blank wall that is to the side. Is there a way this can tie in to the art center, and the restaurant? His belief is that it would be better than a blank wall. Also thinks that it would be a great place for a mural.

Greer: Is in favor of a small business owner doing what he can to make his business known.

Hankins: Spoke about murals in downtown Abingdon and how nice they look, noting that he can look for grant money to do something similar.

Motion: To recommend to the Board of Zoning Appeals the approval of the variance request

Motion By: Commission Member Greer

Second: Commission Member Hall

Motion Discussion: Blanchard agrees with the previous comments.

Action: Motion to recommend approval of the variance request approved by a unanimous vote of members present.

#### ***New Business Item No. 4: Sign Regulations - Article 8, General Discussion***

Staff Remarks: Assistant Manager Hankins noted that staff wished to have a general discussion with Planning Commission regarding the Sign Ordinance and some general enforcement difficulties, particularly in relation to temporary signage.

Discussion by Planning Commission: It was the general consensus of Planning Commission that the current sign ordinance is sufficient and no changes need to be entertained.

## **COMMISSIONER CONCERNS AND STAFF UPDATES**

Blanchard: No comments

Clements: No comments

Greer: Sidewalks really look good. Hankins: noted that at Holiday Inn Express staff is working to acquire additional right of way to be able to complete the work, then the project will be finished except for pedestrian signals.

Hall: Thinks the annual Christmas parade is nice but would like for people to police their own areas, clean up the trash, etc. Hankins: noted that the sidewalks are the most important because the street sweeper will get the street trash in the street.

Speidel: No comments

Stockton: No comments

Tiggle: No comments

## **ADJOURNMENT**

Motion to Adjourn By: Vice Chairman Speidel

Second: Commission Member Clements

Action: Adjourned by a unanimous vote of members present

Time of Adjournment: 7:05 p.m.

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Janet Stockton, Chairman

ATTEST:

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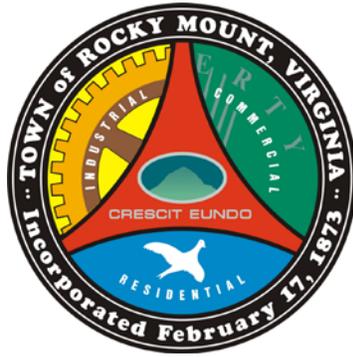
Stacey B. Sink, Clerk/Secretary

SBS/

TOWN OF ROCKY MOUNT  
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TOWN COUNCIL  
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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:            Chairperson Stockton & Planning Commissioners

From:        Matthew C. Hankins, Planning & Zoning Administrator

Date:         December 31, 2014

Re:            Special Exception Request from The Early Inn At The Grove

### Members of the Commission:

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.

# SPECIAL EXCEPTION/USE APPLICATION

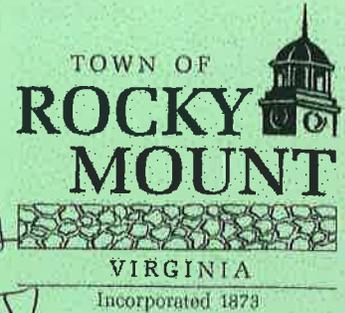
## APPLICANT INFORMATION

NAME: Grove Rocky Mount LLC

ADDRESS: 50 Floyd Avenue

P.O. Box 2153, Rocky Mount VA

PHONE: (540) 420-5300 24151



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

Seeking special exception to expand a non-conforming use by making an addition to the old law office building currently existing on the property. The addition will be for a bathroom. Accessory structures are not a permitted use in CBD

## PROPERTY OWNER & PROPERTY INFORMATION

PROPERTY OWNER NAME: Grove Rocky Mount LLC  
(IF DIFFERENT FROM APPLICANT)

MAILING ADDRESS: P.O. Box 2153, Rocky Mount, VA

EXACT LOCATION OF THE PROPERTY: 20700 50600 - 50 Floyd

TAX MAP & PARCEL NUMBER: 2070050600

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.): 9.98 ACRES

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.

\_\_\_\_\_  
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.

*Bryan Hochstetler*  
\_\_\_\_\_  
OWNER SIGNATURE

*12/22/14*  
\_\_\_\_\_  
DATE

**FOR COMMUNITY DEVELOPMENT OFFICE USE ONLY**

FEE AMOUNT: waived ACD DATE RECEIVED: \_\_\_\_\_

CASH     CHECK (CHECK No. \_\_\_\_\_)

DATE TO BE HEARD BY PLANNING COMMISSION: January 6, 2014 *5:15 site 6:00 mtg*

DATE TO BE HEARD BY TOWN COUNCIL: January 12, 2014 *7:00 mtg*

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.

*Stacey B. Smith*  
\_\_\_\_\_  
ZONING ADMINISTRATOR SIGNATURE

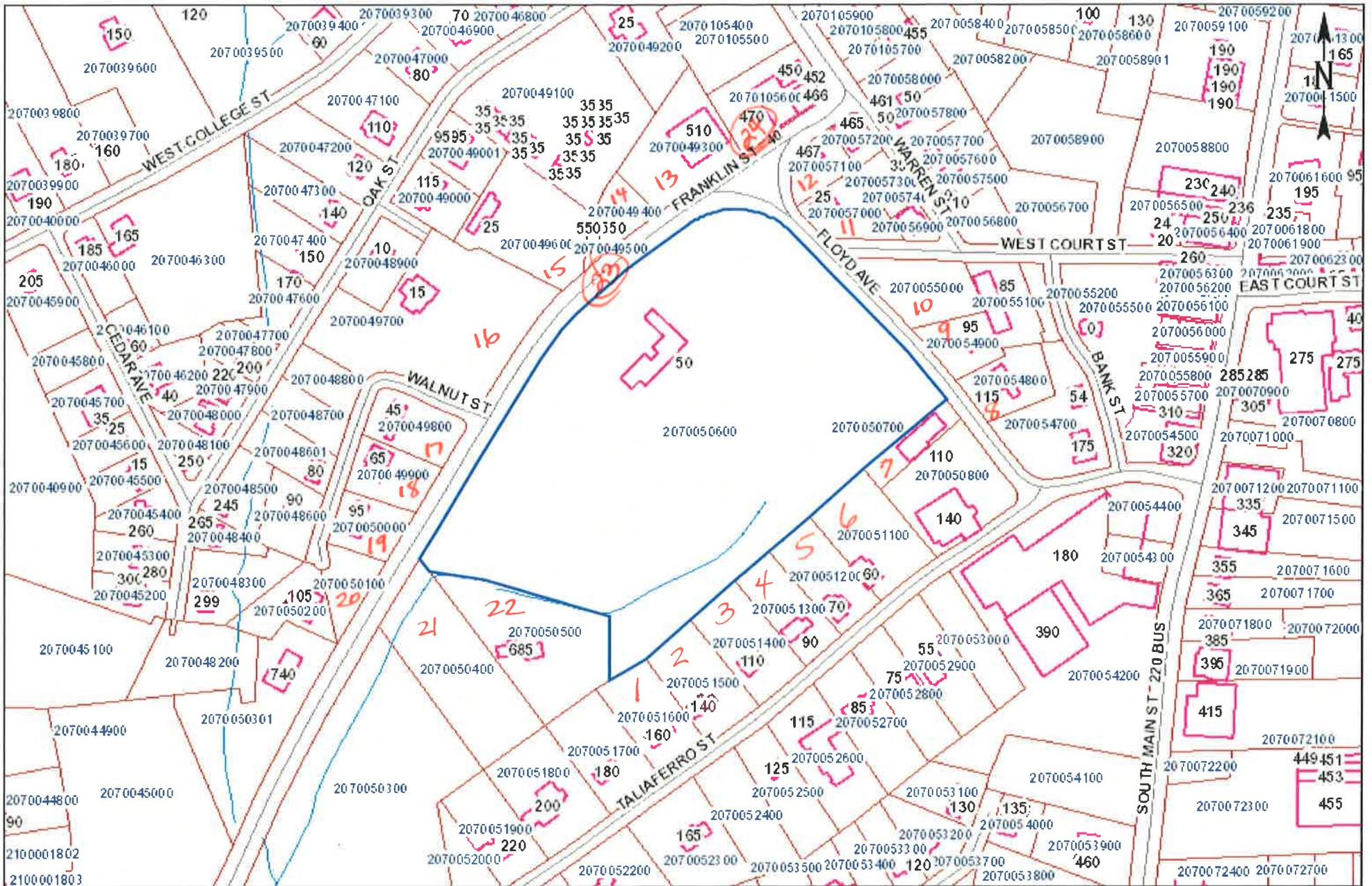
*12/22/2014*  
\_\_\_\_\_  
DATE

**Grove Rocky Mount, LLC -Special Exception Request  
January 6, 2015 Adjacent and Adjoining Property Owners**

MAP #	ADDY LN 1	ADDY LN 2	ADDY LN 3	ADDY LN 4	SALUTATION	TMPN
1	James Lee Spitzer	Sarah Paige Arrington	160 Taliaferro Street	Rocky Mount, VA 24151	Dear Mr. Spitzer and Ms. Arrington:	2070051600
2	J. Clark Arrington	Jerene R. Arrington	560 South Main Street	Rocky Mount, VA 24151	Dear Mr. and Mrs. Arrington:	2070051500
3	Valeria C. Powell		110 Taliaferro Street	Rocky Mount, VA 24151	Dear Ms. Powell:	2070051400
4	John Wesley Hall	Madeline C. Hall	90 Taliaferro Street	Rocky Mount, VA 24151	Dear Mr. and Mrs. Hall:	2070051300
5	Reva Hutcherson		70 Taliaferro Street	Rocky Mount, VA 24151	Dear Ms. Hutcherson:	2070051200
6	Dixie Hurt Shearer		60 Taliaferro Street	Rocky Mount, VA 24151	Dear Ms. Shearer:	2070051100
7	Allen Richard Jones	Mary L. Jones	777 McNeil Mill Road	Rocky Mount, VA 24151	Dear Mr. and Mrs. Jones:	2070050700
8	Brenda B. Turner		P.O. Box 86	Rocky Mount, VA 24151	Dear Ms. Turner: To Whom It May	2070054800
9	Mount Vesuvius LLC		P.O. Box 889	Moneta, VA 24121	Concern: Dear Dr. and Mrs.	2070054900
10	John L. Clements	Diana L. Clements (CO-TRUSTEES)	110 Windward Drive	Moneta, VA 24121	Clements:	2070055000 2070057000, 2070050400, 2070105600
11,21, 24	Town of Rocky Mount					
12	BLHRM LLC		467 Franklin Street	Rocky Mount, VA 24151	Dear BLHRM LLC:	2070057100
13	Robert L. Jones	Arlene A. Jones	4449 Waidsboro Road	Ferrum, VA 24088	Dear Mr. and Mrs. Jones: Dear Mr. and Mrs.	2070049300
14	Jerry Thompson	Tillie Thompson & Others	2140 Rakes Road	Rocky Mount, VA 24151	Thompson & Others:	2070049400 2070049600, 2070049500
15,23	Cleive L. Adams		25 Willow Avenue	Rocky Mount, VA 24151	Dear Mr. Adams:	
16	Benjamin L. Angle III	Christine S. Angle	P.O. Box 1191	Rocky Mount, VA 24151	Dear Mr. and Mrs. Angle: Dear Mr. and Mrs.	2070049700
17	Clyde C. Hardy	Nancy M. Hardy	P.O. Box 401	Boones Mill, VA 24065	Hardy:	2070049800

**Grove Rocky Mount, LLC -Special Exception Request  
January 6, 2015 Adjacent and Adjoining Property Owners**

18	Robert K. Mills, Trustee	Alicek K. Mills Living Trust	P.O. Box 368 10805 Booker T.	Rocky Mount, VA 24151	Dear Mr. Mills: Dear Mr. and Mrs.	2070049900
19	Joseph W. Newbill	Carolyn J. Newbill	Washington Hwy.	Wirtz, VA 24184	Newbill: Dear Mr. and Mrs.	2070050000
20	Alan J. Broholm	Leah R. Broholm	105 Walnut Street	Rocky Mount, VA 24151	Broholm:	2070050100
22	Taliaferro Greer Alexander		P.O. Box 313	Rocky Mount, VA 24151	Dear Ms. Alexander:	2070050500



## Franklin County, VA

**Disclaimer:** The information contained on this page is NOT to be construed or used as a survey or 'legal description'. Map information is believed to be accurate but accuracy is not guaranteed.

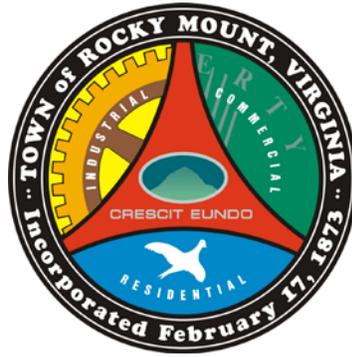
### 50 Floyd Avenue Special Exception Request - Adjacent & Adjoining Properties

<http://www.webgis.net> Anderson & Associates, Inc. <http://www.andassoc.com>

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

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P. ANN LOVE              JON W. SNEAD  
BILLIE W. STOCKTON

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

## MEMORANDUM

To:                    Chairperson Stockton & Planning Commissioners

From:                Matthew C. Hankins, Planning & Zoning Administrator

Date:                 December 31, 2014

Re:                    Variance Request pending before Board of Zoning Appeals

### Members of the Commission:

The Board of Zoning Appeals will hear a variance request on Thursday, Jan. 8, and under state code, you have the option of weighing in your 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.

The matter has been duly advertised and the

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; I understand from neighbors 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 similar sawmill, kilns and drying racks already in place.

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

Variations require the Board of Zoning Appeals to find positively on three questions. Is there an undue hardship? Is this a unique situation? Will the variance create a "substantial" detriment to adjoining properties?

The Planning Commission has four options:

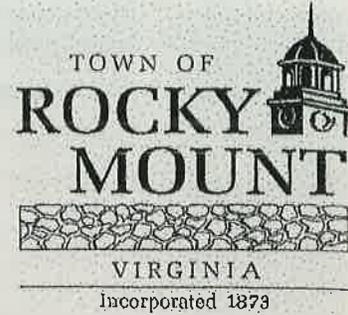
1. Recommend the Board of Zoning Appeals find positively on these three questions and approve the variance request.
2. Recommend the Board of Zoning Appeals find positively on these three questions and approve the variance request with conditions.
3. Recommend the Board of Zoning Appeals find negatively and deny the variance request.
4. Issue no recommendation to the Board of Zoning Appeals.

What is the pleasure of the Commission?

# VARIANCE APPLICATION

## APPLICANT INFORMATION

NAME: FERGUSON LAND & LUMBER COMPANY, INC.  
ADDRESS: P.O. Box 828  
Rocky Mount, VA 24151  
PHONE: (540) 483-5090



## PROPERTY OWNER & PROPERTY INFORMATION

PROPERTY OWNER NAME: FERGUSON LAND & LUMBER  
(IF DIFFERENT FROM APPLICANT)  
MAILING ADDRESS: SAMG  
EXACT LOCATION OF THE PROPERTY: NORTH MAIN NEAR TRAIL DRIVE  
TAX MAP & PARCEL NUMBER: 20400-34801, 20400-39002, 20403-34900  
PKT OF FORMS  
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.): N. 8 ACRES / 36,000 SF  
SIZE OF PROPOSED VARIANCE REQUEST (ACRES/SQ.FT.): N. 1 ACRES / 3,350 SF  
IS ANY PORTION OF LOT IN FLOOD PLAIN OR FLOODWAY? YES NO

## NATURE OF VARIANCE REQUEST

PLEASE PROVIDE A BRIEF DESCRIPTION OF THE REQUESTED VARIANCE:  
FERGUSON LAND & LUMBER REQUESTS A VARIANCE FROM TOWN CODE 56-4-4, SPECIFICALLY THE 60' TRANSITIONAL YARD REQUIRED BETWEEN INDUSTRIAL (M2) ZONING AND R-1 RESIDENTIAL ZONING. THE COMPANY DESIRES TO BUILD A 24' TALL DRYING SHED FOR ADDITIONAL DRYING CAPACITY. ENCROACHMENT WOULD BE APPROXIMATELY 31' INTO THE 60' TRANSITIONAL YARD.  
THERE ARE SPECIFIC CONDITIONS WHICH **MUST** BE MET IN ORDER TO HAVE A VARIANCE GRANTED. IN THE SPACES FOLLOWING EACH OF THE CONDITIONS LISTED BELOW, PLEASE BRIEFLY DESCRIBE HOW THIS CONDITION APPLIES TO THE PROPERTY IN QUESTION.

1. DESCRIPTION OF "UNDUE HARDSHIP" (RELATING TO THE PHYSICAL CHARACTERISTICS OF THE PROPERTY):  
FERGUSON LAND & LUMBER IS A LARGE, IRREGULARLY SHAPED INDUSTRIAL PARCEL WITH A VARIETY OF INDUSTRIAL USE BUILDINGS (OFFICES, SAWMILLS, STORAGE & DRYING). THE ARRANGEMENT OF THE BUILDINGS & PROXIMITY TO THE ADJOINING R1 LOTS CREATES THE HARDSHIP. VERY FEW TOWN M2 & R1 PARCELS ARE IN SUCH PROXIMITY. LOCATION AT ANOTHER SITE WOULD DISRUPT PROCESSES & INCREASE COSTS.

NATURE OF VARIANCE REQUEST (CONTINUED)

2. HARDSHIP IS NOT SHARED GENERALLY BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT OR NEIGHBORING PROPERTIES (UNIQUE SITUATION):

VERY FEW TOWN PARCELS ZONED M2 & R1 ARE LOCATED IN SUCH PROXIMITY.

3. VARIANCE WILL NOT BE A SUBSTANTIAL DETRIMENT TO ADJACENT PROPERTIES AND THE CHARACTER OF THE DISTRICT WILL NOT BE CHANGED:

FERGUSON ALREADY USES THE AREA FOR DRYING LUMBER, SO THE USE WOULD NOT CREATE ADDITIONAL CONFLICTS.

APPLICANT CERTIFICATION

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

[Signature] DATE 12/16/14

OWNER CERTIFICATION

BY SIGNING BELOW, I CERTIFY THAT I AM AWARE OF THIS VARIANCE REQUEST AND I CONSENT TO THE REQUEST AS DESCRIBED ON THIS APPLICATION.

[Signature] DATE 12/16/14

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.

FOR COMMUNITY DEVELOPMENT OFFICE USE ONLY

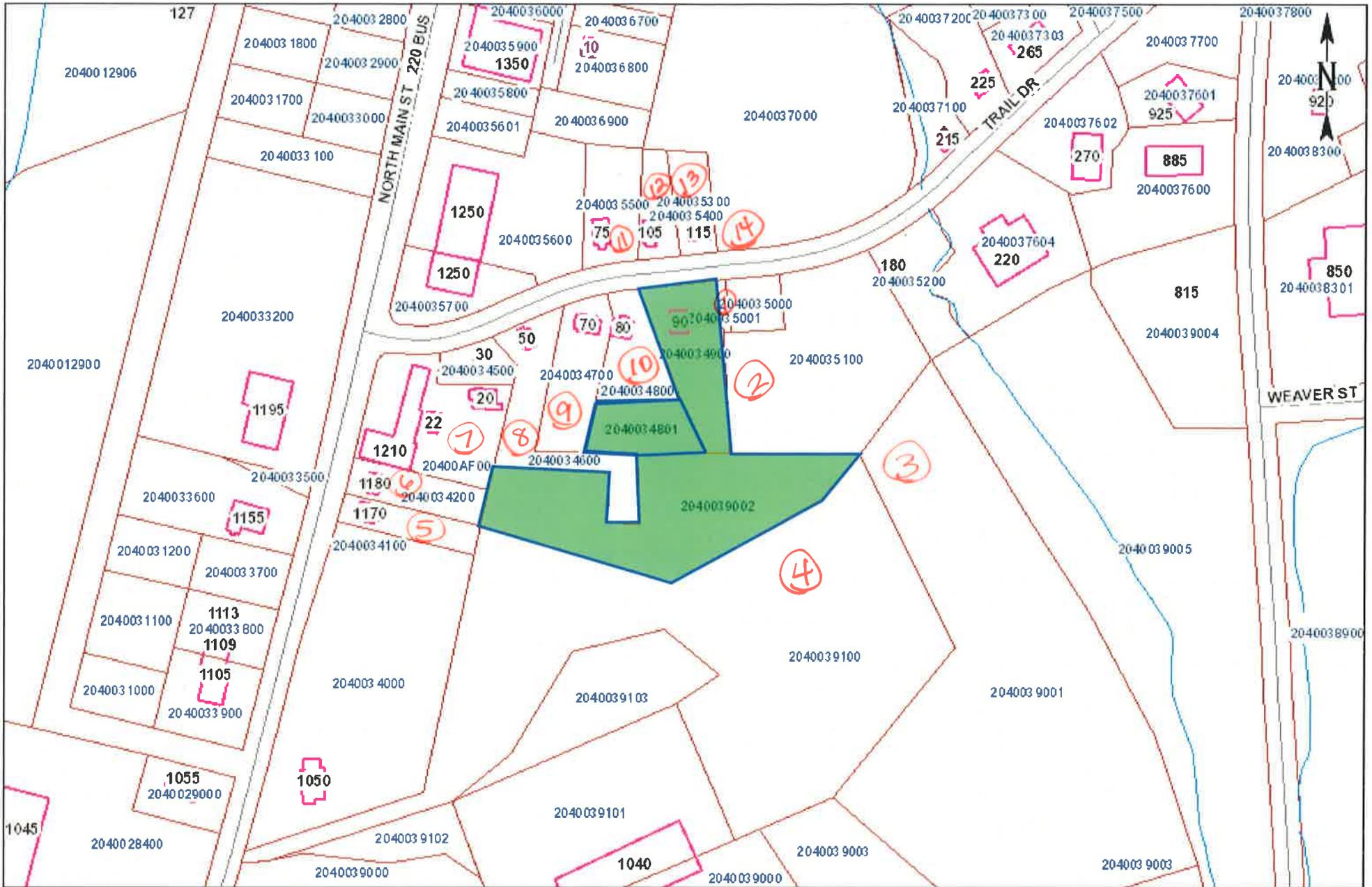
FEE AMOUNT: DATE RECEIVED:

CASH CHECK (CHECK NO. )

DATE TO BE HEARD BY BOARD OF ZONING APPEALS:

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.

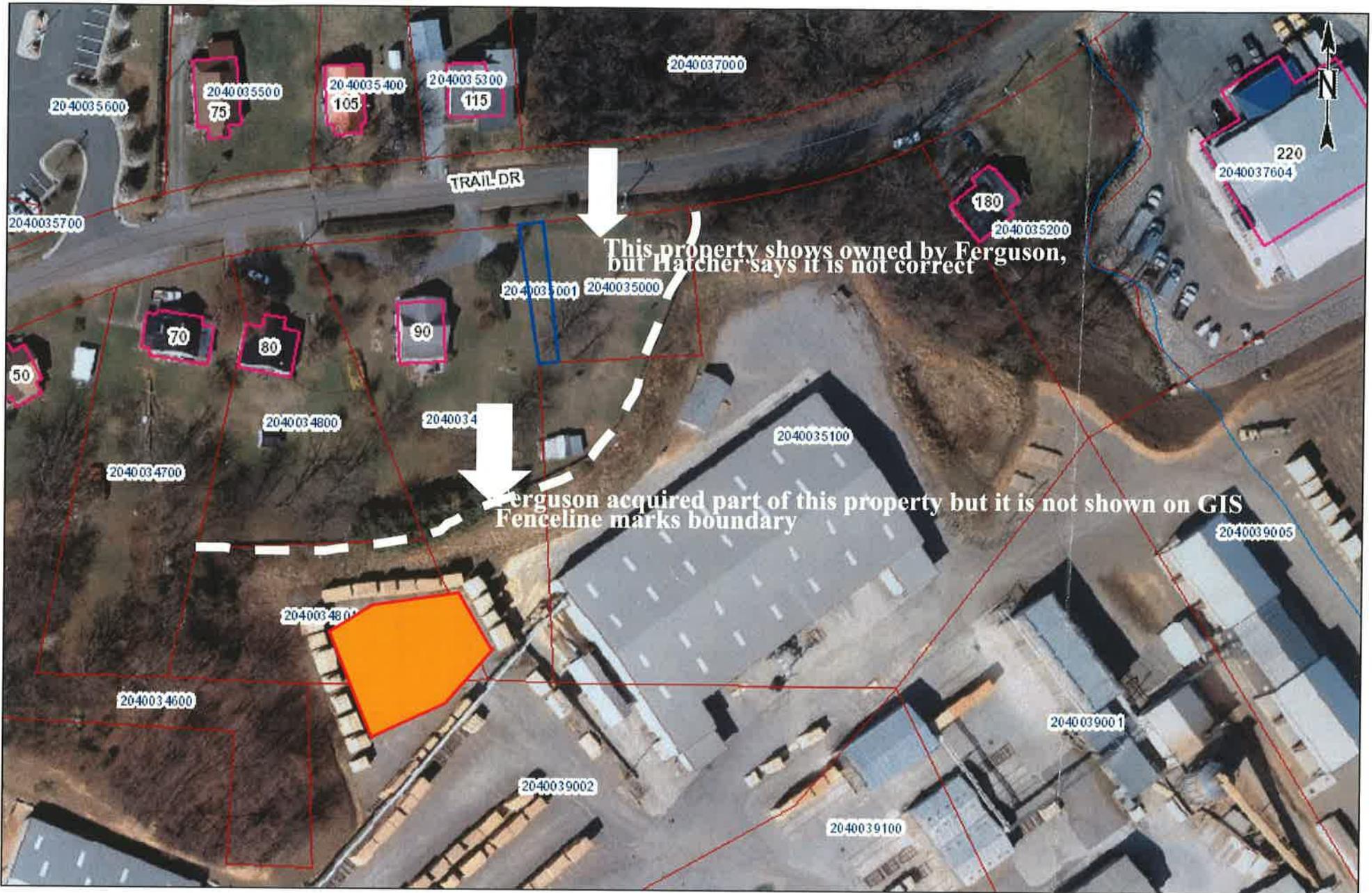


## Franklin County, VA

**Disclaimer:** The information contained on this page is NOT to be construed or used as a survey or 'legal description'. Map information is believed to be accurate but accuracy is not guaranteed.

### Ferguson Land & Lumber Company, Inc. - Variance Request

<http://www.webgis.net> Anderson & Associates, Inc. <http://www.andassoc.com>



## Franklin County, VA

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### Proposed Storage Building for Ferguson Land and Lumber Inc.

<http://www.webgis.net> Anderson & Associates, Inc. <http://www.andassoc.com>

init: start  
init: done

*Drawing not to scale. For orientation purposes only.  
SSink 1/2/2015*

DORIS BOWMAN  
D.B. 466 PG. 1617  
TAX: 204-36  
ZONED: M2

JOSEPH AMOS  
D.B. 397 PG. 1024  
TAX: 204-348  
ZONED: R1

BENJAMIN HARTMAN  
D.B.592 PPG. 209  
D.B. 591 PG. 1544  
TAX: 204-349  
ZONED: RR1

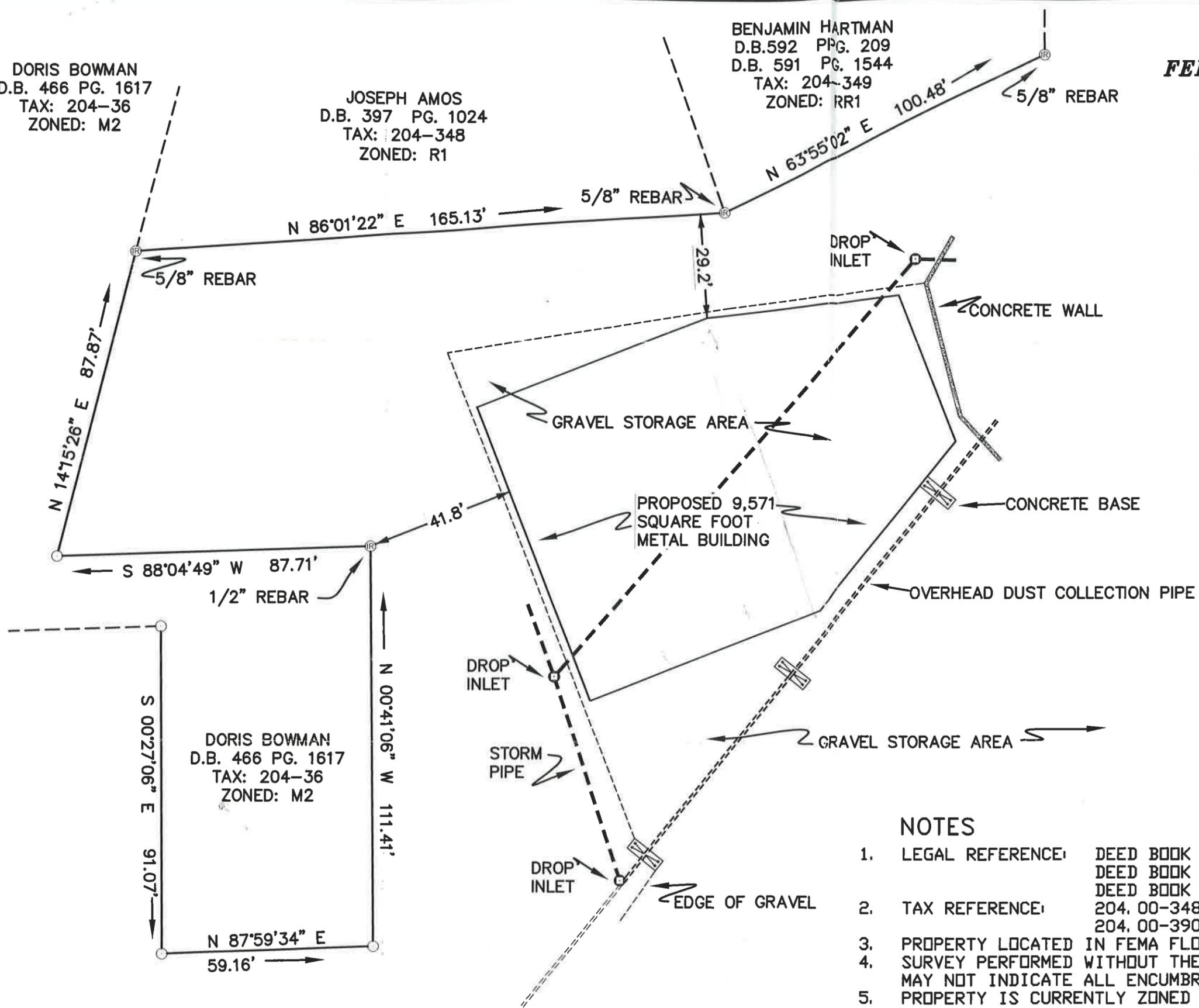
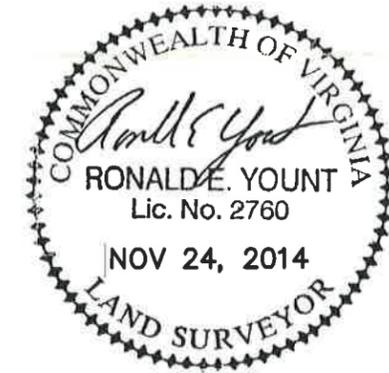
DORIS BOWMAN  
D.B. 466 PG. 1617  
TAX: 204-36  
ZONED: M2

SURVEY FOR  
**FERGUSON LAND & LUMBER, INC.**

TOWN OF ROCKY MOUNT  
FRANKLIN COUNTY, VIRGINIA  
SURVEYED NOVEMBER 24, 2014



SCALE: 1" = 30'



- NOTES**
- LEGAL REFERENCE: DEED BOOK 591, PAGE 1541  
DEED BOOK 1009, PAGE 669  
DEED BOOK 591, PAGE 1544 (PLAT)
  - TAX REFERENCE: 204.00-348.01  
204.00-390.02
  - PROPERTY LOCATED IN FEMA FLOOD HAZARD ZONE X.
  - SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
  - PROPERTY IS CURRENTLY ZONED M2.
  - THIS PLAT REPRESENTS A CURRENT FIELD SURVEY OF THE ILLUSTRATED AREA ONLY.

Price Buildings, Inc.  
1111 Callaway Road  
Rocky Mount, VA 24151  
Virginia Contractors License: 2701 03383A  
Phone: 540-483-7226  
Fax: 540-483-5061

PROJECT: FERGUSON LAND & LUMBER, INC.

SCALE: 1"=30'  
DRAWN BY: REY  
DATE: 11-24-14