

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

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BOARD OF ZONING APPEALS
CHARLES HUTTO, JR., CHAIR
SUSAN HAPGOOD, VICE CHAIR

LUCAS TUNING JOHN SPEIDEL

CHERIE COMPTON
Secretary, Board of Zoning Appeals

AGENDA
BOARD OF ZONING APPEALS
THURSDAY, NOVEMBER 2, 2017
6:00 P.M.

COUNCIL CHAMBERS, ROCKY MOUNT MUNICIPAL BUILDING
345 DONALD AVENUE, ROCKY MOUNT, VIRGINIA

Call to Order and Welcome

- I. Introduction of new member, C. Holland Perdue III
- II. Roll Call of Members Present
- III. Approval of Agenda
- IV. Review and Consideration of Minutes
 - October 5, 2017
- V. Public Hearing
 - a. The applicant, Franklin Heights Baptist Church, has applied for a variance for Franklin County Tax Map Parcel Number 2020005100, commonly known as 110 Hilltop Drive, Rocky Mount, Va. The applicant seeks a variance of Article 8-14-A-4 and 8-14-A-8 of the Town of Rocky Mount Zoning Ordinance to allow signage that exceeds the maximum of 45 square feet allowed in the Residential (R1) zoning district and the maximum of 20 square feet of signage per freestanding sign. The proposed monument sign also exceeds the maximum height of five feet allowed in the district.
 - i. Staff report regarding request
 - ii. Applicant Comments
 - iii. Public Comments
- VI. New Business - None at this time
- VII. Board Concerns
- VIII. Staff Updates
- IX. Adjournment

**TOWN OF ROCKY MOUNT
BOARD OF ZONING APPEALS
MEETING MINUTES
October 5, 2017
6:00 P.M.**

The Board of Zoning Appeals (BZA) of the Town of Rocky Mount, Virginia met at the Rocky Mount Municipal Building on Thursday, October 5, 2017 at 6:00 p.m., with Chairman Charles L. Hutto, presiding.

ROLL CALL OF MEMBERS PRESENT

Board Members Present: Chairman, Charles L. Hutto, Jr.; Vice Chair, Susan Hapgood; Board of Zoning Appeals Members Lucas Tuning, and John Speidel.

Board Members Absent: None

Staff Members Present: Matthew C. Hankins, Assistant Town Manager; Jessica Heckman, Town Planner; John Boitnott, Town Attorney and Cherie Compton, Board of Zoning Appeals Clerk.

APPROVAL OF AGENDA

Additions or Corrections: None

Motion: To approve the agenda as presented.

Motion By: Member Lucas Tuning

Second: Member John Speidel

Action: Approved by a unanimous vote of members present

APPOINTMENT OF CLERK

Motion: To appoint Cherie Compton as Board of Zoning Appeals Clerk

Motion By: Member John Speidel

Second: Vice Chair Susan Hapgood

Action: Approved by unanimous vote to appoint Cherie Compton as Board of Zoning Appeals Clerk.

REVIEW AND CONSIDERATION OF MINUTES

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

- August 3, 2017 Regular Meeting Minutes

Motion: To approve the minutes as presented

Motion By: Member John Speidel

Second: Member Lucas Tuning

Action: Approved by unanimous vote of members present

PUBLIC HEARING

Town Planner Jessica Heckman described the request and why the Town has brought the request before the Board.

The applicant, Jon W. Snead, owner, has applied for a variance for Franklin County Tax Map Parcel Number 2020100600, commonly known as 25 Mountain View Drive, Rocky Mount, Va. The applicant seeks a variance of Article 20-8-1 of the Town of Rocky Mount Zoning Ordinance to reduce the minimum side yard setback requirement for the R1 Zoning District in order to construct a carport attached to the primary dwelling.

Jon W. Snead answered question from the board and Jeremy Spence provided details of the construction.

Member John Speidel asked about water drain changes. Jeremy Spence said that the new structure would use preexisting drainage and will still be used for runoff.

Vonda Bratton, 45 Mountain View Drive Rocky Mount, Va, spoke against the structure.

Member Lucas Tuning asked about future enclosure plans. Jon Snead said that his plan is to not close the structure in.

Hearing no further comments, Chair Hutto asked for a motion.

Motion: To approve the variance built to application and not closed in

Motion By: Member Lucas Tuning

Second: Member John Speidel

Action: Approved by unanimous vote of members present

BOARD CONCERNS AND STAFF UPDATES

Matthew Hankins updated the board on the following:

- Verizon Store under construction between Walmart and Lowes
- B-Sides 33 is now open
- Still seeking hotel operators to locate in Rocky Mount

John Boitnott wanted to make sure on recorded that the order that would follow the meeting would be that the language would include that the carport would be built to application and not closed in as approved.

Mr. Hutto asked to make application for another member to be appointed.

John Speidel asked about the Harvester and how small shows and larger shows differ in revenue.

Hearing no further comments, Chair Hutto asked for a motion to adjourn.

ADJOURNMENT

Motion By: Vice Chair Susan Hapgood

Second: Member John Speidel

Action: Adjourned by a unanimous vote of members present

Time of Adjournment: 6:32 p.m.

Charles Hutto, Jr., Chairman

ATTEST:

Cherie Compton, Secretary



Town of Rocky Mount SPECIAL ZONING APPLICATION

REZONING REQUEST SPECIAL EXCEPTION/USE VARIANCE

Date Received:
Received by:
PC/BZA Date:

PRE-FILING CONSULTATION WITH THE TOWN PLANNING STAFF TO REVIEW THE PROPOSED REQUEST AND TO OBTAIN RECOMMENDED PROCEDURES AND TECHNICAL ASSISTANCE IS REQUIRED. TO SCHEDULE A PRE-FILING CONSULTATION, PLEASE CONTACT THE TOWN OF ROCKY MOUNT COMMUNITY DEVELOPMENT DEPARTMENT AT 540-483-0907.

APPLICANT NAME: FRANKLIN HEIGHTS BAPTIST CHURCH
 ADDRESS: 110 Hilltop DRIVE, Rocky Mount, VA 24151
 PHONE: 540-483-9507 / 540-2261 EMAIL: dwhite@franklinheights.org

PROPERTY OWNERS NAME & ADDRESS: SAME
(IF DIFFERENT FROM APPLICANT)

TAX MAP & PARCEL NUMBER: 20200 05100 BUILDINGS 115,166 sq ft.
 LOT SIZE (ACRES/SQ.FT.) 80 ACRES

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

CURRENT LAND USE: VACANT AGRICULTURAL RESIDENTIAL COMMERCIAL INDUSTRIAL

- REZONING REQUEST: PROPOSED ZONING: _____ PROPOSED LAND USE: _____
- SPECIAL EXCEPTION/USE REQUEST OF SECTION(S) 8-14-A-(4) & (8) OF THE TOWN ZONING ORDINANCE.
- VARIANCE REQUEST OF SECTION(S) _____ OF THE TOWN ZONING ORDINANCE.

NATURE OF REQUEST - BRIEFLY DESCRIBE THE PROPOSED PROJECT AND SPECIFIC DEVIATION REQUEST FROM THE ZONING ORDINANCE.

NEW SIGN AT ENTRANCE OF School BOARD ROAD TO OUR CHURCH. THE ACTUAL LETTERS WOULD BE LESS THAN 80 SQ. FT. IT WOULD JUST BE THE LOGO AND THE WORDS "FRANKLIN HEIGHTS CHURCH" ON THE SIGN.

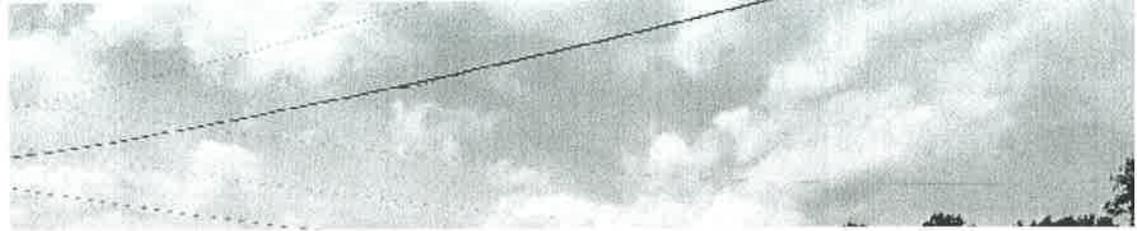
I HEARBY CERTIFY THAT I AM ACTING WITH THE KNOWLEDGE AND CONSENT OF THE PROPERTY OWNER TO THE REQUEST DESCRIBED ON THE APPLICATION. BY SIGNING BELOW, I AGREE THE INFORMATION PROVIDED ON THE APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE.

Melvin W. Hunt, Chairman 10-11-17
 APPLICANT SIGNATURE DATE

BY SIGNING BELOW, I CERTIFY I AM AWARE OF THE REQUEST SUBMITTED AND THE INFORMATION PROVIDED IS TRUE TO THE BEST OF MY KNOWLEDGE.

Franklin Heights Baptist Church
Melvin W. Hunt, Chairman 10-11-17
 OWNER SIGNATURE DATE

MONUMENT SIGN WITH FORMED PLASTIC LETTERS



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

540.483.7660
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TOWN COUNCIL
STEVEN C. ANGLE, MAYOR
GREGORY B. WALKER, VICE MAYOR

BOBBY M. CUNDIFF BOBBY L. MOYER
MARK NEWBILL JON W. SNEAD
BILLIE W. STOCKTON

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

JESSICA HECKMAN
TOWN PLANNER

To: Chuck Hutto, Chair, and Members of Rocky Mount Board of Zoning Appeals

From: Jessica Heckman, Town Planner
Matthew C. Hankins, Planning & Zoning Administrator

Date: October 19, 2017

Re: Variance Request pending before Board of Zoning Appeals

BOARD OF ZONING APPEALS STAFF REPORT

PETITIONER: Franklin Heights Church
HEARING DATE: November 2, 2017
PROPERTY ZONING: R1 - Residential District
TAX PARCEL: 20200 05100 – 110 Hilltop Drive

APPLICABLE REGULATIONS:

Zoning Ordinance Article 8-14-A-4: Business Signs – Each permitted business in the R1 Zoning District shall be allowed a maximum of 45 square feet of signage... One freestanding sign not to exceed 20 square feet is permitted.

Zoning Ordinance Article 8-14-A-8: Freestanding Signs, Height. No freestanding sign shall exceed five feet in height.

APPLICABLE DEFINITIONS:

Freestanding Sign: A sign which is supported by structures or supports in or upon the ground and is independent of any support from any building. This does not include portable or trailer type signs.

Monument Sign: A freestanding sign directly affixed to a structure built on-grade in which the sign and the structure are an integral part of one another.

Sign Area – The area of monument-type freestanding signs shall be determined by:

- (a) The size of the copy area
- (b) Visual breaks in the structural components of the sign; and/or
- (c) Variation in the monument's color scheme.

REQUEST: A variance of Article 8-14-A-4 and Article 8-14-A-8 of the Town of Rocky Mount Zoning Ordinance to install an additional freestanding monument sign. The new sign will be ten feet tall and 25 feet wide with a sign area of approximately 75 square feet.

I. BACKGROUND:

In accordance with Article 11 of the Zoning & Development Ordinance of the Town of Rocky Mount and §15.2-2201 of the Code of Virginia, Franklin Heights Baptist Church desires a variance from the Town of Rocky Mount Zoning & Development Ordinance for the purpose of installing additional signage that exceeds the maximum of 45 square feet allowed in the Residential (R1) zoning district and the maximum of 20 square feet of signage per freestanding sign. The proposed monument sign also exceeds the maximum height of five feet allowed in the district. The applicant intends to install a monument sign at its secondary entrance on School Board Road to help eliminate some of the traffic on Hilltop Drive and Bernard Road. (See Figures 1 and 2)

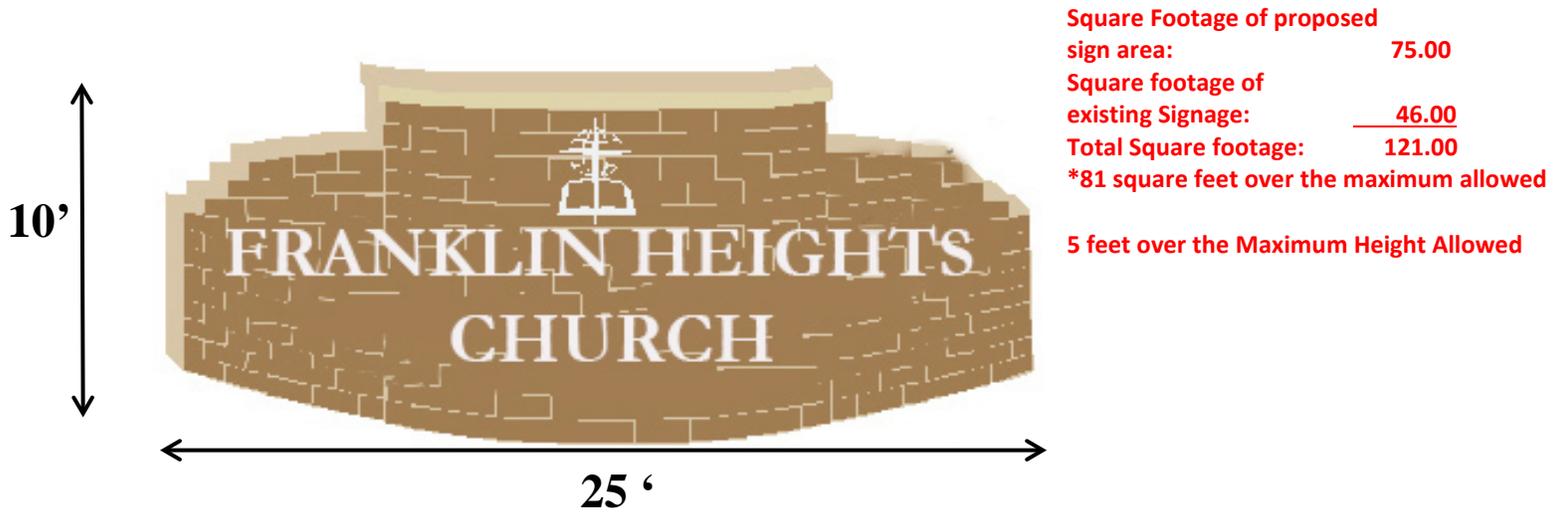


Figure 1. Sketch of proposed sign



Figure 2. Proposed Location

II. VARIANCE CRITERIA:

FINDINGS TO GRANT A VARIANCE (must meet all)

The strict application of the ordinance would unreasonably restrict use of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and

- (1) **The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance; (The property does appear to have been acquired in good faith, and the request is not intended to correct an existing variance.)**
- (2) **The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; (Staff can determine no substantial detriments to adjoining property owners.)**
- (3) **The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance; (This is the largest church parcel in the Town of Rocky Mount, and is situated adjoining an existing neighborhood. This is part of the church’s continuing effort to minimize traffic impacts on its neighbors, and is not suitable for general regulation.)**
- (4) **The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and (It does not.)**

- (5) **The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application.**

III. SUMMARY

Staff recognizes the benefit of clearly identifying the entrance to eliminate some traffic on Bernard Road and Hilltop Drive. Due to the distance from public right of way, and the height of the bank where the sign will be installed, there appears to be minimal, if any impact on neighboring properties. Staff is in favor of allowing the signage to identify the entrance to the church.

POSSIBLE MOTIONS:

Approval

I move that the Board approves the variance request for 110 Hilltop Drive (on the following grounds, if needed): _____

Conditional Approval

I move that the Board approves the variance request for 110 Hilltop Drive, with the following conditions: _____

Denial

I move that the Board denies the variance request for 110 Hilltop Drive (on the following grounds, if needed): _____

PREPARED BY: Jessica H. Heckman
HEARING DATES: Board of Zoning Appeals: 11/02/2017