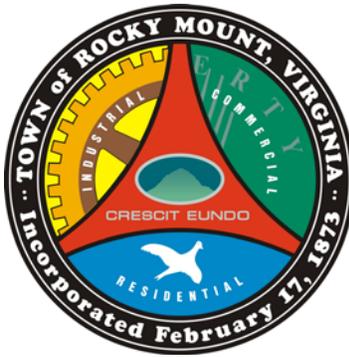


TOWN OF ROCKY MOUNT
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BOARD OF ZONING APPEALS
CHARLES HUTTO, JR., CHAIR
SUSAN HAPGOOD, VICE CHAIR

LUCAS TUNING JOHN SPEIDEL
C. HOLLAND PERDUE III

CHERIE COMPTON
Secretary, Board of Zoning Appeals

AGENDA
BOARD OF ZONING APPEALS
THURSDAY, AUGUST 2, 2018
6:00 P.M.

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

Call to Order and Welcome

- I. Roll Call of Members Present
- II. Approval of Agenda
- III. Review and Consideration of Minutes
 - January 4, 2018
- IV. Public Hearing
 - a. The applicant, Matt Thurman, owner, has applied for a variance for Franklin County Tax Map Parcel Number 2040055300, commonly known as 595 Tanyard Road, Rocky Mount, Va. The applicant seeks a variance of Article 8-14-A-4,8 of the Town of Rocky Mount Zoning Ordinance to allow a 21 square foot freestanding sign on a lot with less than 200 feet of frontage on a public street at a height of ten feet in a Residential Business District.
 - i. Staff report regarding request
 - ii. Applicant Comments
 - iii. Public Comments
- V. New Business - None at this time
- VI. Board Concerns
- VII. Staff Updates
- VIII. Adjournment

**TOWN OF ROCKY MOUNT
BOARD OF ZONING APPEALS
MEETING MINUTES
January 4, 2018
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, January 4, 2018 at 6:00 p.m., with Chairman Charles L. Hutto, presiding.

ROLL CALL OF MEMBERS PRESENT

Board Members Present: Chairman, Charles L. Hutto, Jr., Board of Zoning Appeals Members John Speidel, Lucas Tuning and C. Holland Perdue III.

Board Members Absent: Vice Chair, Susan Hapgood

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

APPROVAL OF AGENDA

Additions or Corrections: None

Motion: To approve the agenda as presented.

Motion by: Board Member John Speidel

Second: Board Member Lucas Tuning

Action: Approved by a unanimous vote of members present

REVIEW AND CONSIDERATION OF MINUTES

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

- December 7, 2017- Regular Meeting Minutes

Motion: To approve the minutes as presented

Motion By: Board Member Lucas Tuning
Second: Board Member John Speidel
Action: Approved by unanimous vote

PUBLIC HEARING

The applicants, Billie W. & Janet Stockton, owners, have applied for a variance for Franklin County Tax Map Parcel Number 2030006501, commonly known as 205 Muse Field Road, Rocky Mount, Va. The applicant seeks a variance of Article 20-1-5 of the Town of Rocky Mount Zoning Ordinance to allow an accessory building in the front side yard. Town Attorney John Boitnott addressed questions and answers that had been presented prior to the public hearing in regards to Lot 9 & 18 and the transfer of a small triangle of land between the two lots.

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

Applicant Billie W. Stockton addressed the board in why he applied for the variance.

Board Members questioned the layout and angle of the accessory building.

An open discussion ensued between Board Members present in regards to the variance request.

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

Motion: To grant the variance request for an accessory building in the front side yard.

Motion By: Board Member John Speidel

Second: Board Member Lucas Tuning

BOARD CONCERNS AND STAFF UPDATES

None

STAFF UPDATES

Matthew Hankins gave an update on the new Verizon store; the recommendation from Planning Commission for the no left turn off Powder Creek Lane is going to Town Council, and the traffic study done on four intersections around town verses the VDOT study.

Chairman Hutto hearing no other comments entertained a motion to adjourn.

ADJOURNMENT

Motion: Board Member Lucas Tuning

Second: Board Member John Speidel

Action: Adjourned by a unanimous vote of members present

Time of Adjournment: 6:24 p.m.

Charles Hutto, Jr., Chairman

ATTEST:

Cherie Compton, Secretary

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TOWN COUNCIL
STEVEN C. ANGLE, MAYOR
BILLIE W. STOCKTON, VICE MAYOR

BOBBY M. CUNDIFF BOBBY L. MOYER
MARK NEWBILL JON W. SNEAD
GREGORY B. WALKER

E-MAIL: JHECKMAN@ROCKYMOUNTVA.ORG
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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: July 9, 2018

Re: Variance Request pending before Board of Zoning Appeals

BOARD OF ZONING APPEALS STAFF REPORT

PETITIONER: Matt Thurman

HEARING DATE: August 2, 3018

PROPERTY ZONING: RB - Residential Business

TAX PARCEL: 204 005 5300 – 595 Tanyard Road, Rocky Mount, Virginia

APPLICABLE REGULATIONS: *Zoning Ordinance Article 8-14-A*

(4) Business Signs. Each permitted business in a residential district shall be allowed a maximum of 45 square feet of sign area. Of the maximum number of signs permitted in subparagraph (1) above, one freestanding sign not to exceed 20 square feet is permitted, provided the lot contains a minimum of 200 feet of frontage on a public street.

(8) Freestanding Signs, Height. No freestanding sign shall exceed five feet in height.

REQUEST: A variance of Article 20-14-A (4, 8) of the Town of Rocky Mount Zoning Ordinance to allow a 21 square foot freestanding sign on a lot with less than 200 feet of frontage on a public street at a height of ten 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, Matt Thurman desires a variance from the Town of Rocky Mount Zoning & Development Ordinance for the purpose of installing a freestanding sign on his property in the Residential Business district. The applicant is relocating his insurance office and is requesting to use his existing signage **which is approximately 21 square feet.**

The variance request before the Board of Zoning Appeals pertains to removing the requirements that the lot have 200 feet of public road frontage, be no more than five feet in height and be less than 20 square feet in area. **The property has road frontage of approximately 70 feet.**



Existing sign applicant is requesting to relocate to 595 Tanyard Road

II. VARIANCE CRITERIA:

FINDINGS TO GRANT A VARIANCE (must meet all)

The strict application of the ordinance would unreasonable restrict the utilization 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;** The BZA must determine whether the change is a detriment to adjacent parcels and the district.
- (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 request is neither common nor recurring in Town limits, and prudent planning practice dictates that a variance application process such as the one before you is the best method for handling similar requests.
- (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

Although we understand the importance of a sign for businesses or offices, staff has not identified evidence of a hardship or undue restriction of the use of the property and therefore does not recommend granting the variance allowing a ten foot sign in the residential business district.

POSSIBLE MOTIONS:

Approval

I move that the Board approves the variance request for 595 Tanyard Road (on the following grounds, if needed): _____

Conditional Approval

I move that the Board approves the variance request for 595 Tanyard Road, with the following conditions: _____

Denial

I move that the Board denies the variance request for 595 Tanyard Road (on the following grounds, if needed): _____

PREPARED BY: Jessica H. Heckman
HEARING DATES: Board of Zoning Appeals: 08/02/2018