

BOARD OF ZONING APPEALS MEETING

May 15, 2014

Members Present

Gus Dyer
John Hiltzheimer
Dolores Reynolds
Ann Sasser Evans
Philip Campbell
Michael Nicholas

Members Absent

Staff

Ken Gillie
Christy Taylor
Scott Holtry
Alan Spencer

Chairman Dyer called the meeting to order at 10:00 a.m.

I. ITEMS FOR PUBLIC HEARING

1. *Variance Application Number PLVAR20140000103, filed by Donnie Price requesting variances from Article 2. Section P., Item's 5, and 9, and Article 3.F: Section F., Item 2.B, of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at 235 Iris Lane, otherwise known as Grid 1916, Block 003, Parcel 000004 of the City of Danville, Virginia, Zoning Map. The applicant is requesting a variance to construct an accessory structure in the side yard setback and to reduce the setback to 6 feet where 12 feet is required, and to construct an accessory structure within 10 feet of another structure.*

Nineteen notices were mailed to surrounding property owners. Five responses were unopposed; three responses were opposed.

The applicant's attorney submitted a request to table the item.

Mr. Nicholas made a motion to table Variance Application PLVAR20140000103. Mrs. Evans seconded the motion. The motion was approved by a 6-0 vote.

2. *Variance Application Number PLVAR20140000104, filed by Bryant Gammon on behalf of Highmark Engineering requesting a variance from Article 3M. Section H., Item 3, of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at 1500 Westover Drive, otherwise known as Grid 0710, Block 005, Parcel's 000020 & 000021 of the City of Danville, Virginia, Zoning Map. The applicant is requesting a variance to construct an entrance approximately 30 feet from the right of way line of an interesting street where a minimum of 75 feet is required.*

Twenty-three notices were mailed to surrounding property owners. Six responses were unopposed; one response was opposed.

Open the Public Hearing.

Present on behalf of the request of City Engineer, Mr. Kent Shelton and Mr. Bryant Gammon on behalf of Highmark Engineering.

Mr. Shelton stated as the City Engineer, I am all for recommending approval of the variance. The situation at the corner of Westover Drive and Blair Loop Road is that the Department of Highway requires 440' of sight distance at the driveway. That is a 35 mph speed limit. He can put the entrance in where the existing entrance is on Blair Loop Road, which is 30' from the intersection and he can meet that 440' sight distance requirement so you can safely pull out of the Dollar General. It is a safety issue and regardless who builds on that site, it will be the same situation. There is nothing that can be done to the road. It is there the way it is. There is nothing that the applicant or anyone else can do to change that. It is not the most desirable situation to only have 30' away from the intersection; 75' is a lot better, but under the circumstances I think this is the best option. Mr. Gammon has agreed to keep any signs or shrubbery back away from Westover Drive as much as he can. He is going to give as much clear vision looking to the east as he can. Thank you.

Mr. Gammon stated we always try to follow the standards, but unfortunately if we did that here we would not meet the proper sight distance. Using the existing entrance is the best way to meet that requirement. If you have any questions, I would be happy to answer them.

Close the Public Hearing.

Mr. Nicholas made a motion to approve Variance Application PLVAR201400000104 as submitted. Mr. Campbell seconded the motion. The motion was approved by a 6-0 vote.

II. APPROVAL OF MINUTES

Mrs. Evans made a motion The April 17, 2014 minutes were approved by a unanimous vote.

III. OTHER BUSINESS

Mr. Gillie stated we have the case held over for next month and there may be an additional case.

There was discussion about electronic agenda packets.

With no further business, the meeting adjourned at 10:10 a.m.

APPROVED