

**BOARD OF ZONING APPEALS MEETING
APRIL 16, 2015**

Members Present

Gus Dyer
John Hiltzheimer
Dolores Reynolds
Ann Sasser Evans
Philip Campbell

Members Absent

Michael Nicholas
Dawn Witter

Staff

Ken Gillie
Renee Burton
Scott Holtry
Alan Spencer

Assistant City Attorney Alan Spencer called the meeting to order at 10:00 a.m.

ELECTION OF OFFICERS

Mr. Spencer called for nominations for Chairman.

Mrs. Evans nominated Mr. Dyer for Chairman. The motion was approved by a 4-0-1 vote. Mr. Dyer abstained from voting.

Mr. Spencer called for nominations for Vice Chairman.

Mrs. Evans nominated Mr. Nicholas for Vice Chairman. The motion was approved by a 5-0 vote.

Mr. Spencer called for nominations for Secretary.

Mrs. Evans nominated Mrs. Witter for Secretary. The motion was approved by a 5-0 vote.

I. ITEMS FOR PUBLIC HEARING

- 1. Variance Application Number PLVAR20150000081, filed by Michael Mayo requesting variances from Article 2. Section P Items 4& 5, of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at 109 Beavers Mill Road, otherwise known as Grid 1811, Block 005, Parcel 000032, of the City of Danville, Virginia, Zoning Map. The applicant is requesting variances to allow a detached accessory building to remain in the front yard, approximately 120' from the front property line.*

Twenty-six notices were mailed to surrounding property owners. Fifteen responses were unopposed; zero responses were opposed.

Mr. Dyer opened the Public Hearing.

Present on behalf of the request were the applicants, Mr. Michael Mayo and Mrs. Pamela Mayo.

Mr. Mayo stated I was going to add a laundry room to the house to make more room in the kitchen and of course I had to get it surveyed because my property fell on two deeds

– 109 Easley Road and 14 Inge Street. In order for me to get the building permit, it all had to be tied under one address. When the contractor came down to get the builders permit, it was denied because of two separate addresses. I had the land surveyed to be put under one property address. In the process after the survey was done, I asked how far the property was from the main road and it is 33 feet and a half inches from the front. Both of these are the same right here. Originally before it looked like this, we didn't have any curbing or anything like that. They widened the roads, put in curbing, and made everything so beautiful. I consider my house the little house on the prairie because it's set off from everything else. When we put this carport on it, I didn't build it there. We got it from a trailer and dropped it where it's at now. The reason I wanted to build a laundry room is because this is our kitchen with the washer and dryer. It's small. The kitchen is fifteen foot seven by eight foot six. I wanted to get the washer and dryer and hot water heater out so we have a little room in the kitchen. Construction was going to do that on the back of the house. That area right there is where we were going to add the laundry room with measurements of eight feet by eleven feet.

Mr. Dyer stated I'm going to stop you right there for one second Mr. Mayo because this variance application is just to allow the carport to remain. Are there going to be issues with the laundry room because it's so far in the back of the lot?

Mr. Mayo stated yes.

Mr. Dyer asked so you realize that in order for us to grant you this variance the four criteria that you have to meet? The City reviews that and they have a judge that you actually already meet three of the four criteria. One thing that they have a problem with is that the strict application of the ordinance would provide hardship on you. If you could elaborate a little more on how them enforcing that creates a hardship on you.

Mr. Mayo stated well it impacts me because I cannot do any work on my house at all. I cannot do any additions. We're trying to expand to make it more livable. Without this I cannot do anything to my house.

Mrs. Mayo stated I would love to have something done to my house. I didn't think it looked that bad; it's not 133 feet and it's not blocking any view or anything. It's over to the side. It's not in anyone's way and I think it's a great addition to the house because it makes it look a little better.

Mr. Mayo stated to add to what she just said, all the neighbors were saying it gives the house a different look.

Mr. Dyer closed the Public Hearing.

Mr. Dyer stated I've got one question. So the front yard is what's in front of the house. It's not the first 30 foot setback. So if the house sits 500 feet off the road then the front yard is 500 feet deep. They aren't allowed any type of accessory structures in that – no gazebos or no playhouses - according to the rules and regulations.

Mr. Gillie stated it's very rare that we have a house that sits this far back especially in a neighborhood.

Mr. Dyer stated one thing I was sort of curious about since you made the ruling that this does not meet the first criteria, it appears that the house has virtually no backyard. So

they really don't have any other place to put any type of carport or anything besides the front yard. I know in the past we have granted variances that have taken this into consideration. I can think of the townhouse on Iris Lane as the most recent.

Mr. Campbell made a motion to approve Variance Application PLVAR2015000081 as submitted. Mrs. Evans seconded the motion. The motion was approved by a 5-0 vote.

II. APPROVAL OF MINUTES

Mrs. Evans recommended approval of the December 18, 2014 minutes with the addition of Mrs. Witter to members who attended the meeting. Mr. Campbell seconded the motion. The minutes were approved by a 5-0 voice vote.

III. OTHER BUSINESS

With no further business, the meeting adjourned at 10:13 a.m.

APPROVED