

BOARD OF ZONING APPEALS MEETING

April 20, 2017

Members Present

Ann Sasser Evans
John Hiltzheimer
Dolores Reynolds
Gus Dyer

Members Absent

Philip Campbell
Michael Nicholas

Staff

Renee Burton
Tracie Lancaster
Clarke Whitfield
Anna Levi

Chairman Dyer called the meeting to order at 4:00 p.m.

The meeting was turned over to Mr. Whitfield for the election of officers.

I. ELECTION OF OFFICERS

Mr. Whitfield called for nominations for Chairman.

Mrs. Reynolds nominated Mr. Dyer as Chairman. The nomination was approved by a 4-0 vote.

Mr. Whitfield called for nominations for Vice Chairman.

Mrs. Evans nominated Mr. Nicholas as Vice Chairman. The nomination was approved by a 4-0 vote.

Mr. Whitfield called for nominations for Secretary.

Mrs. Evans nominated Mr. Campbell for Secretary. The nomination was approved by a 4-0 vote.

Mr. Whitfield stated it needs to be noted that is why you don't miss meetings.

II. ITEMS FOR PUBLIC HEARING

Variance Application Number PLVAR20170000076, filed by the Danville-Pittsylvania Regional Industrial Facility Authority, requesting a variance from Article 3.P: Section H., Item 6 of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at Parcel ID 76441, otherwise known as Grid 3717, Block 001, Parcel 000001, of the City of Danville, Virginia, Zoning Map. The applicant is requesting a variance to allow for a curb cut that is six (6) feet from the side property line and fronting on Slayton Ave.

Mr. Dyer opened the Public Hearing.

Present to speak on behalf of this request was Bobby Atkinson. Mr. Atkinson stated I am the project manager for Blairs Construction. I don't have anything to present the IDA asked me to come in case there were any questions.

Mr. Dyer stated I have a couple of questions and you're not the person I need to ask maybe I can ask staff. It states here that is believed to have a cross section where both driveways line up directly across from each other is better than having them staggered. What is that based on?

Mrs. Burton stated that is based on our Engineering Division of Public Works.

Mr. Dyer stated I have been told by other authorities that it is better to have them staggered; that there is less conflict when they are staggered. That is not to you knowledge?

Mrs. Burton stated that's correct.

Mr. Dyer stated the second question I had is this is a ten acre parcel that was subdivided basically out of the middle of the 68 acre parcel. Correct?

Mr. Whitfield stated that is correct.

Mr. Dyer stated when they subdivided the property why didn't they just move the property down 15 feet?

Mrs. Burton stated it is not exactly in the middle.

Mr. Dyer stated what I am looking for is are there extenuation circumstances as to why this land was subdivided like it was subdivided?

Mr. Atkinson stated part of the intent behind that was visibility from 29. To be able to see the building when you are driving down the hill you lose some of the visibility.

Mr. Dyer stated possibly maybe some topographical issues?

Mr. Atkinson stated it is. There is a gully that is toward the west.

Mr. Dyer stated the concern that I have is it seems like they subdivided this piece of property and a mistake was made. Then we would rather have the Board fix our mistake then going back subdivide the property. But you are convinced that the way the property was subdivided that is the best option correct?

Mr. Whitfield stated I might be able to provide a better answer. This is where Kyocera said they want to locate their plant.

Mr. Dyer stated okay but does a company get to come in Danville and supersede our code?

Mr. Whitfield stated no.

Mr. Dyer stated so my concern would be if we have another individual come in next month and say I subdivided a piece of property and I made a mistake. I would rather come before and you all allow me to make this mistake than correct it. Don't you see that as being very similar to this? I'm wondering if you would have the same response to a private individual.

Mrs. Burton stated this application was actually submitted prior to the subdivision so that could have been altered if need be.

Mr. Dyer stated so they were aware that they driveway entrance was not going to be twenty feet from the property line before they subdivided the property?

Mrs. Burton stated that is correct.

Mr. Dyer stated they didn't find it suitable to subdivide the property twenty feet from this drive entrance opposed to six feet?

Mrs. Burton stated they could do that but you would still have the same concern about traffic and safety.

Mr. Dyer stated the map of these properties. On the drawing it would be the upper property line which is actually the west property line correct?

Mrs. Burton stated yes.

Mr. Dyer stated why could that property line just be shifted further west fourteen feet?

Mrs. Burton stated that property line is Arcata it is already developed.

Mr. Dyer stated no if you look at the map I think it shows this piece of property is pretty much cut right out of the middle.

Mrs. Burton stated no there is an existing property line to the left that is Arcata.

Mr. Dyer stated so this property line here is Arcata? On the city's tax map it looks like this is cut out of the middle.

Mrs. Burton stated no.

Mr. Whitfield stated sometimes the city's map system picks up the GIS module which is not exact.

Mr. Dyer closed the Public Hearing.

Mrs. Evans made a motion to approve Variance Application *PLVAR20170000076*. Mrs. Reynolds seconded the motion. The motion was approved by a 4-0 vote.

II. APPROVAL OF MINUTES

The November 17, 2016 minutes were approved by a unanimous vote.

III. OTHER BUSINESS

Mr. Dyer stated do we know if we have a meeting for next month?

Ms. Levi stated we do. We have one formally submitted and I expect to get another one tomorrow.

With no further business, the meeting adjourned at 4:10 p.m.

APPROVED