City of Danville
427 Patton Street, Suite 208
Danville VA, 24541
Phone: (434) 799-5260

Board of Zoning Appeals

MAY 18, 2017
4:00 P.M.
4TH FLOOR CONFERENCE ROOM
MUNICIPAL BUILDING

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. ITEMS FOR PUBLIC HEARING

1. Variance Application Number PLVAR20170000102, filed by the Robert T. Lee, Jr and Brian Lee, requesting a variance from Article 3.B: Section I., Item 4 of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at 851 Gaither Road, otherwise known as Grid 1618, Block 003, Parcel 000004, of the City of Danville, Virginia, Zoning Map. The applicant is requesting a variance to install a private well and septic system at this location.

2. *Variance Application Number PLVAR20170000103, filed by Bonnie Nance, requesting a variance from Article 3.C: Section I, Item 4 of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at 656 Holland Road, otherwise known as Grid 0508, Block 004, Parcel 000001.00 of the City of Danville, Virginia Zoning Map and a variance from Article 3E: Section I Item 4 of Chapter 41 of the Code of the City of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at Parcel IDs 77835, 77836 and 75378 otherwise known as Grid 0508, Block 004, Parcel 000001.001; Grid 0508, Block 004, Parcel 000002.001 and Grid 0508, Block 004, Parcel 000002.000 respectively, of the City of Danville, Virginia, Zoning Map. The applicant is requesting a variance to install a private well and septic at these locations.*

IV. APPROVAL OF THE MINUTES FROM APRIL 20, 2017

V. OTHER BUSINESS

VI. ADJOURNMENT

City of Danville
427 Patton Street, Suite 208
Danville VA, 24541
Phone: (434) 799-5260

Board of Zoning Appeals

Board of Zoning Appeals
May 18, 2017

SUBJECT:

Variance Application Number PLVAR20170000102, filed by the Robert T. Lee, Jr and Brian Lee, requesting a variance from Article 3.B: Section I., Item 4 of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at 851 Gaither Road, otherwise known as Grid 1618, Block 003, Parcel 000004, of the City of Danville, Virginia, Zoning Map. The applicant is requesting a variance to install a private well and septic system at this location.

BACKGROUND:

The subject parcel, located on Gaither Road, is zoned T-R, Threshold Residential. The applicants, Brian Lee and Robert T. Lee, Jr. are requesting a variance from Article 3.B: Section I., Item 4 of the zoning code so that they may install a private well and septic system at this location.

851 Gaither Road is an 18.01 acre parcel with no improvements. The applicant intends to build a single family dwelling on the site. In June 2016 the City Council issued a Special Use Permit to the applicant for the operation of agriculture on the site.

The area was annexed into the City of Danville in 1988. The nearest City of Danville water and sewer lines are approximately 750ft north of the subject parcel on Lockett Drive. The City is not proposing to extend these lines to serve this property.

PREREQUISITE FOR GRANTING VARIANCES:

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably 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 (i) 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; (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; (iii) 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; (iv) 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 (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application.

In authorizing a variance the board may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guarantee or bond to ensure that the conditions imposed are being, and will continue to be, complied with.

CRITERIA ANALYSIS:

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably 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 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 City of Danville provides public water and sewer to properties in the City, but does not serve this area, and has no immediate plans to serve this area. Therefore, this application **does** meet this criterion.

- ***And the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area***
  This area is served exclusively by private wells and septic systems. The City of Danville provides public water and sewer to properties in the City, but does not serve this area, and has no immediate plans to serve this area. The property has been checked for well and sewage disposal system compatibility and has been found suitable. Therefore, this application **does** meet this criterion.

- ***And 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***
  The City of Danville provides public water and sewer to the majority of properties in the City but does not serve limited areas. The City has no immediate plans to serve this area. Therefore, this application **does** meet this criterion.

- ***And 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***
  This variance request would not allow a use that is not otherwise permitted on such property or a change in the zoning classification. Therefore, this application **does** meet this criterion.

- ***And the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application***
  This variance request may not be remedied by the special exception process. Therefore, this application **does** meet this criterion.

Therefore, this variance request meets five (5) of the five (5) criteria needed to grant a variance.

Attachments:

Application
Data Sheet
Property Ownership & Existing Zoning Map
Existing Land Use Map (Aerial 2015)
Soil Assessment

Property Address: 851 GAITHER ROAD, DANVILLE, VA 24541

I (we) have applied for a variance to allow the following:
SEPTIC AND WELL FOR FUTURE RESIDENCE

§ 15.2-2309 [excerpt]
Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably 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 (i) 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; (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; (iii) 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; (iv) 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 (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application.

I (we) now appeal to the Board of Zoning Appeals for a variance permitting the action described above in that:

i. 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 (Describe):
CITY WATER AND SEWER DOES NOT RUN TO PROPERTY.

ii. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area (Describe):
NO, WILL NOT CAUSE DETRIMENT TO ADJACENT PROPERTY OWNERS.

iii. 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 (Describe):
NO, THE CONDITION IS NOT RECURRING OR GENERAL.

iv. 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
Yes or (No)

v. The relief or remedy sought by the variance application is not available through a special exception process
Yes or (No)

IN AUTHORIZING A VARIANCE THE BOARD OF ZONING APPEALS MAY IMPOSE SUCH CONDITIONS REGARDING THE LOCATION, CHARACTER AND OTHER FEATURES OF THE PROPOSED STRUCTURE OR USE AS IT MAY DEEM NECESSARY IN THE PUBLIC INTEREST AND MAY REQUIRE A GUARANTEE OR BOND TO INSURE THAT THE CONDITIONS IMPOSED ARE BEING, AND WILL CONTINUE TO BE COMPLIED WITH.

PRESENT OWNER (S) OF ALL PROPERTIES INCLUDED IN APPLICATION

(PLEASE TYPE OR PRINT):

1. NAME: ROBERT T. LEE JR / BRIAN T. LEE TELEPHONE: 434-525-4290 ROBERT HOME / 434-221-2442 BRIAN CELL

MAILING ADDRESS: 111 BERKLEY PLACE, FOREST, VA 24551

EMAIL ADDRESS: BRIAN122271@GMAIL.COM / RTLH_LEE@MSN.COM (ROBERT)

SIGNATURE: Robert T. Lee, Jr. DATE: APRIL 19, 2017 / APRIL 19, 2017

APPLICANT (PLEASE TYPE OR PRINT):

If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: N/A TELEPHONE: _____

MAILING ADDRESS: _____

EMAIL ADDRESS: _____

SIGNATURE: _____ DATE: _____

The decision of the Board of Zoning Appeals is final, unless appealed to the Danville Circuit Court within thirty (30) days of the date of the Board's decision in accordance with Article 13 Section I Item 2 of the Zoning Code, 1986 as amended.

VARIANCE REQUEST
DATA SHEET

DATE:	May 18, 2017
LOCATION OF PROPERTY:	851 Gaither Rd
PRESENT ZONE:	T-R, Threshold Residential
ACTION REQUESTED:	The applicant is requesting a variance to install well and septic where it is prohibited by code.
PRESENT USE OF PROPERTY:	Vacant
PROPOSED USE OF PROPERTY:	Single family residential site
PROPERTY OWNER (S):	Brian Lee and Robert T Jr. Lee
NAME OF APPLICANT (S):	Same
PROPERTY BORDERED BY:	Residential to the north, south, east, and west.
ACREAGE/SQUARE FOOTAGE:	18.01 acres
CHARACTER OF VICINITY:	Residential
INGRESS AND EGRESS:	Gaither Rd
TRAFFIC VOLUME:	Low
NEIGHBORHOOD REACTION:	To be reported at the Board of Zoning Appeals hearing of May 18, 2017.

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
5/1/2017

Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
5/1/2017

Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

ANDERSON & PARKER, INC.

P.O. Box 307
Gretna, Va. 24557
Office: (434) 656-1320
Cell: (540) 537-2392

May 5 , 2017

Brian Lee
111 Berkley Place
Forest , Va. 24551

Subject: 18.1 acre parcel located at 851 Gaither Road City of Danville , Va.
Danville City Parcel ID # 75506 (Tax Map # 1618-003-000004.000)

Mr. Lee,

This letter serves as confirmation that I was able to locate suitable soils to accommodate a sewage disposal system on the above referenced property.

Borings done on the property revealed soils suitable for a conventional sewage disposal system. The soils were of the Appling Soil Series and were characterized by residual soils with depths to rock or Cr greater than 72". Utilization of the soils for a sewage disposal system would require a design rate of approximately 45 mpi and will require the use of TL-1 or greater treated effluent. An actual drainfield was not designed on the property, however, an area large enough to satisfy the requirements for a system of up to 450 gallons per day (three bedrooms) was evaluated. Further, more detailed reports will be necessary to obtain an actual permit from officials in Danville City / Pittsylvania County.

My findings are based on current soil standards established by the Virginia Department of Health's On-Site Sewage Regulations. Should you have any questions, please feel free to contact me.

Sincerely,

Timothy D. Parker
A.O.S.E. # 1098

City of Danville
427 Patton Street, Suite 208
Danville VA, 24541
Phone: (434) 799-5260

Board of Zoning Appeals

Board of Zoning Appeals
May 18, 2017

SUBJECT:

Variance Application Number PLVAR20170000103, filed by Bonnie Nance, requesting a variance from Article 3.C: Section I, Item 4 of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at 656 Holland Road, otherwise known as Grid 0508, Block 004, Parcel 000001.00 of the City of Danville, Virginia Zoning Map and a variance from Article 3E: Section I Item 4 of Chapter 41 of the Code of the City of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at Parcel IDs 77835, 77836 and 75378 otherwise known as Grid 0508, Block 004, Parcel 000001.001; Grid 0508, Block 004, Parcel 000002.001 and Grid 0508, Block 004, Parcel 000002.000 respectively, of the City of Danville, Virginia, Zoning Map. The applicant is requesting a variance to install a private well and septic at these locations.

BACKGROUND:

The subject parcels are located on Holland Rd near the North Carolina line and were annexed into the City of Danville in 1988. The applicant, Bonnie Nance is requesting a variance from Article 3.C: Section I, Item 4 and Article 3E: Section I Item 4 of the zoning code so that private wells and septic systems may be located on each parcel.

Parcel IDs 77835, 77836 and 75378 are zoned OT-R and 656 Holland Road is currently zoned S-R, Suburban Residential. 656 Holland Road is also the subject of Rezoning application PLRZ20170000096. The applicant is requesting to rezone the 656 Holland Road from S-R, Suburban Residential to OT-R, Old Town Residential so that it may be consolidated with adjacent parcels. Consolidation may not occur unless all properties share the same zoning designation. The City Planning Commission recommended approval of the rezoning on May 8, 2017. The City Council will hear the case on June 6, 2017.

The nearest City of Danville water is north of the 29 bypass. The City is not proposing to extend this water line to serve this property. However, the parcels are served by public sewer. Any parcel located within 300 ft. of a public sewer line is required to tie onto the line. Each of the subject parcels are within that 300 ft. radius from a City sewer line. Therefore this application is for a private well alone not a private well and septic system.

PREREQUISITE FOR GRANTING VARIANCES:

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably 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 (i) 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; (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; (iii) 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; (iv) 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 (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application.

In authorizing a variance the board may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guarantee or bond to ensure that the conditions imposed are being, and will continue to be, complied with.

CRITERIA ANALYSIS:

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably 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 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 has been in the family of the applicant for 65+ years and was annexed into the City in 1988. The City of Danville provides public water to properties in the City, but does not serve this area, and has no immediate plans to serve this area. Therefore, this application **does** meet this criterion.

- ***And the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area***
  This area is served exclusively by private wells and septic systems. The City of Danville provides public water to properties in the City, but does not serve this area,

and has no immediate plans to serve this area. The property has been checked for well compatibility by the Health Department and has been found suitable. Therefore, this application **does** meet this criterion.

- ***And 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***
  The City of Danville provides public water to the majority of properties in the City but does not serve limited areas. The City has no immediate plans to serve this area. Therefore, this application **does** meet this criterion.

- ***And 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***
  This variance request would not allow a use that is not otherwise permitted on such property or a change in the zoning classification. Therefore, this application **does** meet this criterion.

- ***And the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application***
  This variance request may not be remedied by the special exception process. Therefore, this application **does** meet this criterion.

Therefore, this variance request meets five (5) of the five (5) criteria needed to grant a variance for the installation of private wells.

Attachments:

Application
Data Sheet
Property Ownership & Existing Zoning Map
Existing Land Use Map (Aerial 2015)
Soil Assessment

INFORMATION TO BE PROVIDED BY THE APPLICANT

IMPORTANT – PLEASE READ

No application for a variance will be accepted for a Board of Zoning Appeals agenda unless the following conditions are met by the twentieth (20th) of the month prior to a Board meeting. The Board meeting is held on the third Thursday of each month.

a) All questions on this application have been fully answered.
b) The property owner(s) or his agent with the written authorization of the owner has signed the application.
c) A Plot plan drawn to scale, showing the actual dimensions and shape of the lot, the exact size and location on the lot of all buildings and signs existing and proposed, and the location of all required parking spaces has been submitted.
d) The Zoning Administrator has certified that the proposed use and construction plans comply with all provisions of the Zoning Code, except those for which a variance has been requested.

1. Property location: Holland Rd. Gross Area/Net area: 21.206 AC.

2. I (we) have applied for a variance to allow the following: To allow for the subdivision of lands' located in an area that does not have access to public water and sanitary sewer pursuant to the last will and testament of the applicants' parent.

3. I (we) now appeal to the Board of Zoning Appeals for a variance permitting the action denied by the administrative official in that:

   A. Special conditions and circumstances exist which are peculiar to the land, structure, or building (Describe): Said parcels exist along City of Danville maintained right of way, and the City has not intentions (now or in the future) of installing said utilities to allow for a subdivision under existing regulations.

   B. These conditions are not generally shared by other property owners in the vicinity (Describe): Other owners have existing drain fields and wells on their existing parcels of land.

   C. Application of the variance would not be of substantial detriment to surrounding property owners (Describe): Surrounding property owners also have existing drainfields and wells currently serving their properties.

   D. The variance requested is the minimum variance that will make possible the reasonable use of the land, structure, or building. (Indicate why a lesser variance would not provide for a reasonable use of the property.) To our knowledge, there is no lesser variance that would apply to this situation.

Use Additional Sheets if necessary

EXPLANATION OF REQUEST

1. New Construction:

   Free standing structure ( ) Addition to existing building ( )

   Use of building:_____ Total square footage: _____

   Location of building on property (Include setbacks from property lines): _____

   _____

2. Additional Signage:

   Type of Sign: Ground ( ) or Wall ( )

   Total square footage: _____ Dimensions: _____

   Sign location (exact legal description): _____

3. Other request:

   Please explain: Subdivision and re-division of existing parcels of land pursuant to the last will and testament of the applicants' parents.

PRESENT OWNER (S) OF ALL PROPERTIES INCLUDED IN APPLICATION (PLEASE TYPE OR PRINT):

1. NAME: Bonnie Nance- Rita, Barry and Terry Hamlett TELEPHONE: 434-792-3680

   MAILING ADDRESS: 341 Starmount Dr., Danville, Va.

   SIGNATURE: Bonnie Nance, Exe DATE: _____

   EMAIL ADDRESS: None

APPLICANT (PLEASE TYPE OR PRINT):
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: Bonnie Nance TELEPHONE: 434-792-3680

MAILING ADDRESS: 341 Starmount Dr., Danville Va.

EMAIL ADDRESS: dmilam@landeng.com

SIGNATURE: Bonnie Nance, Exe DATE: _____

OWNER'S CERTIFICATE

KNOWN ALL MEN BY THESE PRESENTS, THAT THE SUBDIVISION AND R/W DEDICATION OF LAND AS SHOWN ON THIS PLAT, CONTAINING 21.206 +/- ACRES, MORE OR LESS AND DESIGNATED AS PARCELS' 4A, 4B, 4C, 4D & 4E SUBDIVISION SITUATED IN DANVILLE, VIRGINIA IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS THEREOF; THE SAID 21.206 +/- ACRES OF LAND HEREBY SUBDIVIDED HAVING BEEN CONVEYED TO RITA D HAMLETT & BONNIE MCINTYRE NANCE BY DEED DATED N/A, AND RECORDED IN THE CLERK'S OFFICE CIRCUIT OF THE COURT OF THE CITY OF DANVILLE, VIRGINIA IN INST. #16-01 GIVEN UNDER OUR HANDS THIS DAY OF , 2017

RITA D. HAMLETT

TERRY D. HAMLETT

BONNIE MCINTYRE NANCE

BARRY H. HAMLETT

STATE OF VIRGINIA
AT LARGE, TO WIT:

I _____, A NOTARY PUBLIC IN AND FOR THE STATE OF VIRGINIA AT LARGE HEREBY CERTIFY THAT

WHOSE NAME(S) ARE SIGNED TO THIS PLAT BEARING DATE OF HAVE ACKNOWLEDGED THE SAME BEFORE ME IN THE STATE AFORESAID.

GIVEN UNDER HAND THIS _____ DAY OF _____, 2017
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

CITY ENGINEER'S CERTIFICATE

I CERTIFY THAT THIS PLATTING AND SUBDIVISION ARE IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE AND HEREBY APPROVED IN ACCORDANCE WITH THE CODE OF THE CITY OF DANVILLE 1986, AS AMENDED.

CITY ENGINEER — DATE

ZONING ADMINISTRATOR — DATE

ZONED: S-R

MINIMUM YARD REQUIREMENTS:

A. FRONT YARD: 30 FEET
B. SIDE YARD: 15 FEET
C. REAR YARD: 30 FEET

ZONED: OT-R

MINIMUM YARD REQUIREMENTS:

A. FRONT YARD: 20 FEET
B. SIDE YARD: 10 FEET
C. REAR YARD: 25 FEET

REFERENCES

1. D.B. 147 PG. 233 (CO.)
2. INST. #10-435
3. D.B. 628 PG. 647 (CO.)
4. D.B. 915 PG. 703 (CO.)
5. VDHT PROJECT #6265-071-101, RW-202 (SHT 7)
6. WILL INST. #16-101
7. INST. #96-1024

FLOOD NOTE

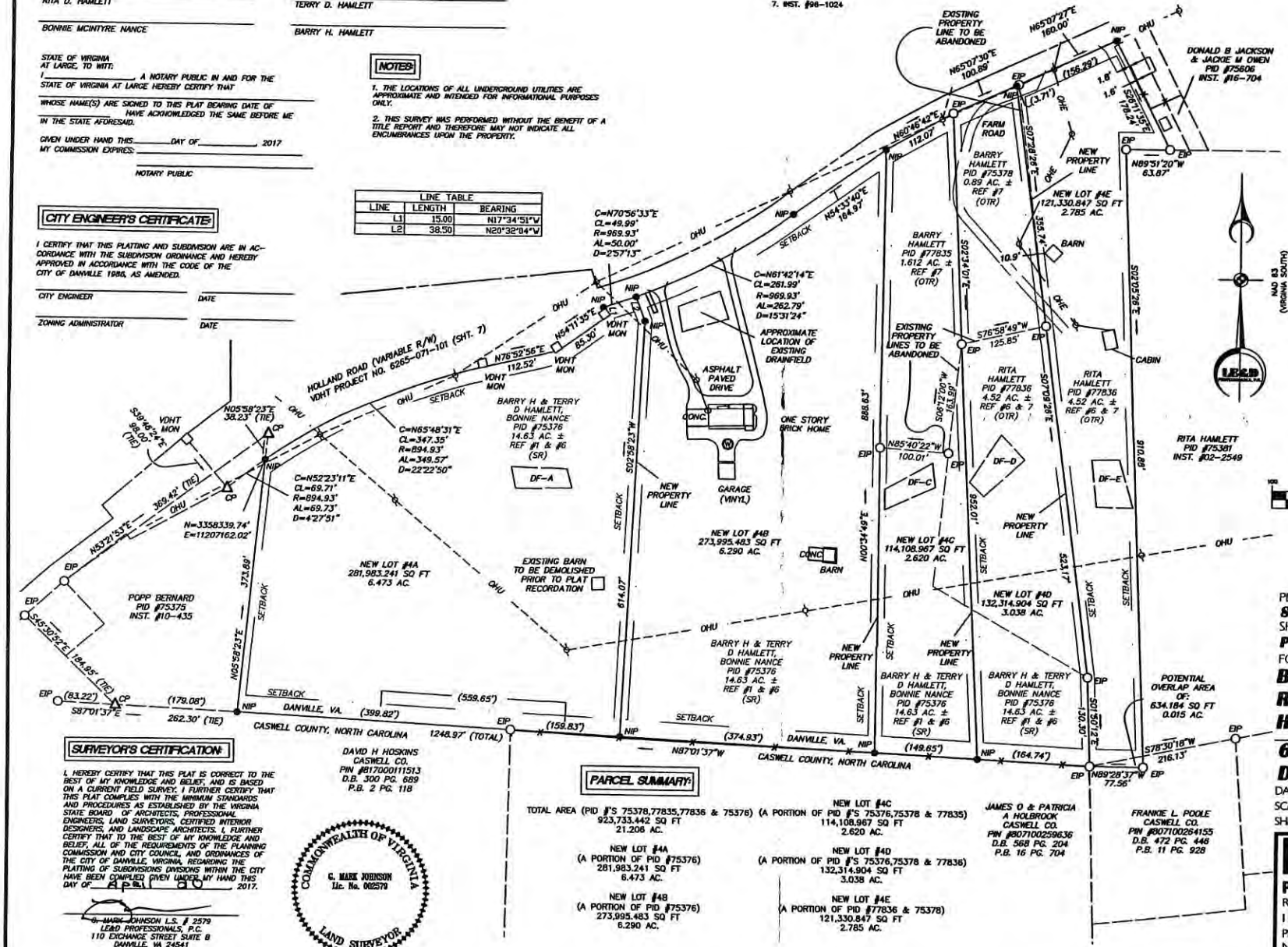
THIS PROPERTY LIES WITHIN FLOOD ZONE "X" AS SHOWN OF FEMA MAP #51143C0641E
EFFECTIVE DATE: 09/29/2010

NOTES

1. THE LOCATIONS OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE AND INTENDED FOR INFORMATIONAL PURPOSES ONLY.

2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE MAY NOT INDICATE ALL ENCUMBRANCES UPON THE PROPERTY.

LINE TABLE		
LINE	LENGTH	BEARING
L1	15.00	N17°34'51"W
L2	38.50	N20°32'04"W



VICINITY MAP

NOT TO SCALE

LEGEND

- EIP–EXISTING IRON
- NIP–NEW IRON PIN/PK NAIL
- VDHT MON– HIGHWAY R/W MONUMENT
- CP– COMPUTED POINT
- PID: TAX PARCEL ID. No.
- ELECTRIC METER
- WELL
- LIGHT POLE
- UTILITY POLE
- DF– PROPOSED DRAINFIELD
- WOVEN WIRE FENCE LINE
- OVERHEAD UTILITY LINES
- CHAIN LINK FENCE
- OVERHEAD TELEPHONE LINES
- OVERHEAD ELECTRIC LINES

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

SURVEYOR'S CERTIFICATION

I, HEREBY CERTIFY THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND IS BASED ON A CURRENT FIELD SURVEY. I FURTHER CERTIFY THAT THIS PLAT COMPLIES WITH THE MINIMUM STANDARDS AND PROCEDURES AS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS, AND LANDSCAPE ARCHITECTS. I, FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF THE PLANNING COMMISSION AND CITY COUNCIL, AND ORDINANCES OF THE CITY OF DANVILLE, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS DIVISIONS WITHIN THE CITY HAVE BEEN COMPLIED GIVEN UNDER MY HAND THIS DAY OF APRIL 20, 2017.

G. MARK JOHNSON L.S. # 2579
LE&D PROFESSIONALS, P.C.
110 EXCHANGE STREET SUITE B
DANVILLE, VA 24541
(434) 792-3680

COMMONWEALTH OF VIRGINIA
G. MARK JOHNSON
Lic. No. 002579
LAND SURVEYOR

PARCEL SUMMARY

TOTAL AREA (PID #'S 75378,77835,77836 & 75376)
923,733.442 SQ FT
21.206 AC.

NEW LOT #4A
(A PORTION OF PID #75376)
281,983.241 SQ FT
6.473 AC.

NEW LOT #4B
(A PORTION OF PID #75376)
273,995.483 SQ FT
6.290 AC.

NEW LOT #4C
(A PORTION OF PID #'S 75376,75378 & 77835)
114,108.967 SQ FT
2.620 AC.

NEW LOT #4D
(A PORTION OF PID #'S 75376,75378 & 77836)
132,314.904 SQ FT
3.038 AC.

NEW LOT #4E
(A PORTION OF PID #77836 & 75378)
121,330.847 SQ FT
2.785 AC.

PLAT OF
SUBDIVISION
SHOWING:
PID #S 75378,77835,77836 & 75376
FOR:
BONNIE MCINTYRE NANCE, RITA D. HAMLETT, TERRY D. HAMLETT & BARRY H. HAMLETT

656 HOLLAND RD.
DANVILLE, VA.

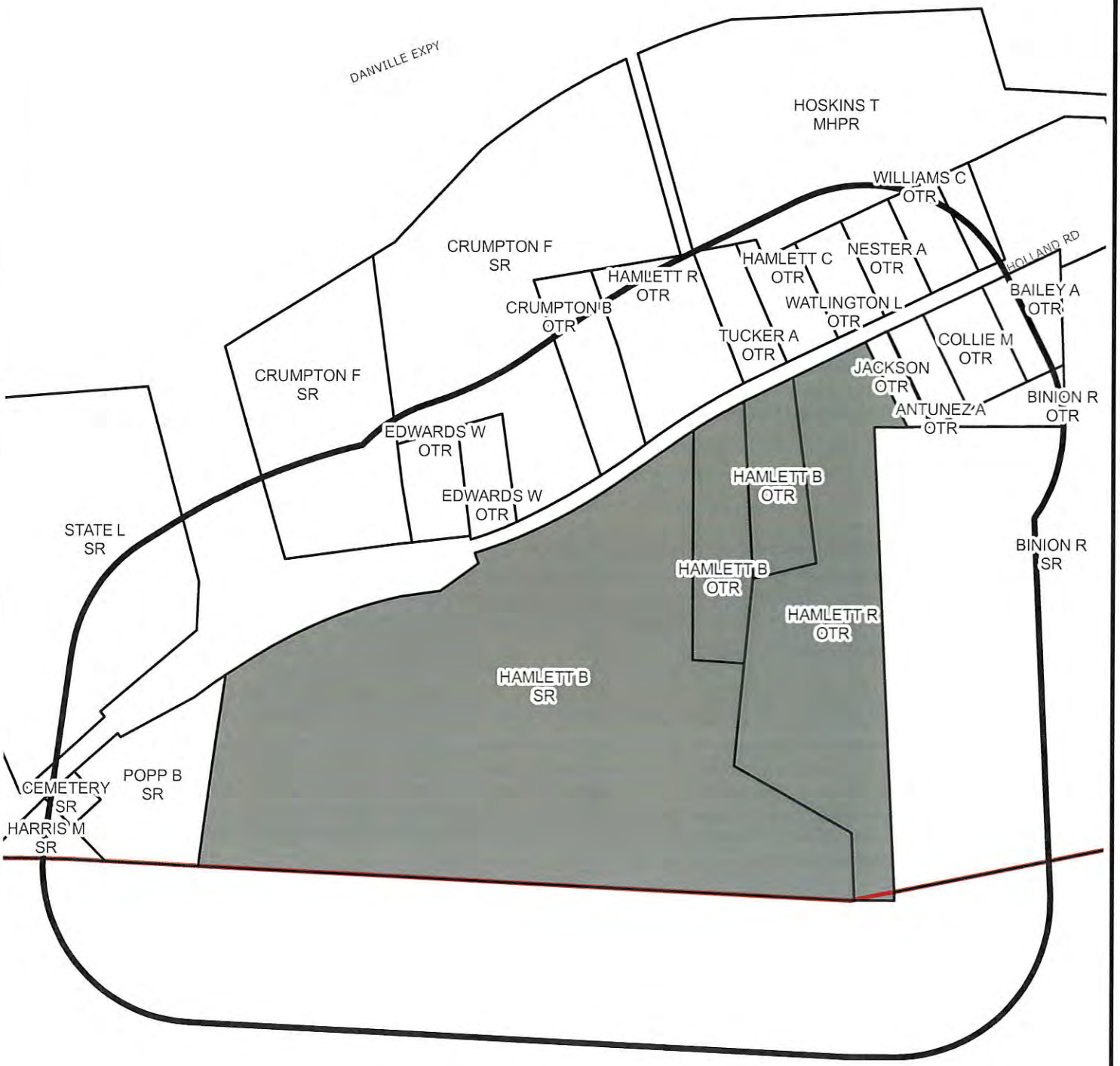
DATE: 3-14-17
SCALE: 1" = 100'
SHEET: 1 OF 1

LE&D PROFESSIONALS, P.C.
RIVER RUN EXECUTIVE OFFICES SUITE-B
110 EXCHANGE STREET - DANVILLE, VIRGINIA 24541
PHONE NO. (434) 792-3680 - FAX NO. (434) 792-3685
N.C. LICENSE: # C-2577
V.A. LICENSE: # 0404-001401

Project No. VAVERH-HR17/F-SUBDIVISION

VARIANCE REQUEST
DATA SHEET

DATE:	May 18, 2017
LOCATION OF PROPERTY:	656 Holland Rd and Parcel IDs #77835, #77836, and #75378
PRESENT ZONE:	656 Holland is presently zoned S-R, Suburban Residential. Parcel IDs #77835, #77836, and #75378 are presently zoned OT-R, Old Town Residential.
ACTION REQUESTED:	The applicant is requesting a variance to allow for well and septic where it is prohibited by code.
PRESENT USE OF PROPERTY:	656 Holland Rd is the site of a single family dwelling. The other parcels are vacant.
PROPOSED USE OF PROPERTY:	The applicant is requesting the variance so that the property lines of the lots can be altered.
PROPERTY OWNER (S):	Barry, Rita, and Terry Hamlett, Bonnie Nance
NAME OF APPLICANT (S):	Bonnie Nance
PROPERTY BORDERED BY:	Residential to the north, south, east, and west.
ACREAGE/SQUARE FOOTAGE:	21.65 acres total
CHARACTER OF VICINITY:	Residetial
INGRESS AND EGRESS:	Holland Road
TRAFFIC VOLUME:	Low
NEIGHBORHOOD REACTION:	To be reported at the Board of Zoning Appeals hearing of May 18, 2017.



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
5/1/2017

Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
5/1/2017

Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

VDH VIRGINIA DEPARTMENT OF HEALTH
Protecting You and Your Environment

Pittsylvania County Health Department
200 H.G. McGhee Drive, Post Office Drawer 369
Chatham, VA 24531
(434) 433-3544 Voice
(434) 432-7764 Fax

April 27, 2017

City of Danville Planning and Zoning Office

Re: Review of Proposed Subdivision Plat for Individual Onsite Sewage Systems Subdivision, City ID: 75378, 77835, 77836, 77376

Dear City of Danville Planning and Zoning Office:

On April 21, 2017 the City of Danville Planning and Zoning Office requested that the Virginia Department of Health, via the Pittsylvania County Health Department, review the proposed subdivision plat identified above.

This letter is to inform you that the above referenced subdivision plat is **approved** for individual onsite systems in accordance with the provisions of the *Code of Virginia,* the *Sewage Handling and Disposal Regulations* (12 VAC 5-610-10 et seq.*),* and the *Alternative Onsite Sewage System Regulations (* 12 VAC 5-613 et seq., *).*

This request for subdivision review was submitted pursuant to the provisions of Section 32.1-163.5 of the *Code of Virginia,* which authorizes the health Department to accept private soil evaluations and designs from an Onsite Soil Evaluator (OSE) or a Professional Engineer working in consultation with an OSE for residential development. This subdivision was certified as being in compliance with the Board of Health's regulations by . This subdivision approval is issued in reliance upon that certification.

Pursuant to Section 360 of the *Regulations* this approval is not an assurance that Sewage Disposal System Construction Permits will be issued for any lot in the subdivision identified above *unless* that lot is specifically identified on the above referenced plat as having an approved site for an onsite sewage disposal system, and unless all conditions and circumstances are present at the time of application for a permit as are present at the time of this approval. This subdivision may contain lots that do not have approved sites for onsite sewage systems.

This subdivision approval is issued in reliance upon the certification that approved lots are suitable for "traditional systems," however actual system design may be different at the time construction permits are issued.

This subdivision approval has been issued in accordance with applicable regulations based on the information and materials provided at the time of application. There may be other local, state, or federal laws or regulations that apply to the proposed construction of this onsite sewage system. The owner is responsible at all times for complying with all applicable local, state, and federal laws and regulations. If you have any questions, please contact me at (434) 433-3544.

Sincerely,

Kenneth Vipperman, Environmental Health Specialist, Sr.

cc:

BOARD OF ZONING APPEALS MEETING

April 20, 2017

Members Present	Members Absent	Staff
Ann Sasser Evans	Philip Campbell	Renee Burton
John Hiltzheimer	Michael Nicholas	Tracie Lancaster
Dolores Reynolds		Clarke Whitfield
Gus Dyer		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 it 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 your 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 extenuating 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 than going back to 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 the Commission 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 RCATT 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 RCATT.

Mr. Dyer stated so this property line here is RCATT? 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