

BOARD OF ZONING APPEALS MEETING

March 17, 2016

Members Present

John Hiltzheimer
Michael Nicholas
Dolores Reynolds
Ann Sasser Evans
Philip Campbell

Members Absent

Dawn Witter
Gus Dyer

Staff

Ken Gillie
Tracie Milam
Anna Levi

Vice-Chairman Nicholas called the meeting to order at 4:00 p.m.

I. ITEMS FOR PUBLIC HEARING

1. Variance Application Number PLVAR20160000058, filed by Rita Hamlett, requesting a variance from Article 3.C.: Section A., Paragraph 3, & Section B. Item 1. of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at 845 Luna Lake Road, otherwise known as Grid 0620, Block 005, Parcel 00001, of the City of Danville, Virginia, Zoning Map. The applicant is requesting a variance to allow for the installation of a well where an existing well has failed when private wells are prohibited by Code.

Mr. Nicholas opened the Public Hearing.

Present on behalf of the request was Ms. Rita Hamlett.

Ms. Hamlett stated my well has gone dry. Even though we were annexed in 1988 the City still hasn't provided well or sewage. I have gone through this with you guys to get sewage now I am here asking permission for the well.

Mr. Nicholas stated is this your permit that you have received from the Department of Health?

Mr. Gillie stated yes.

Ms. Hamlett stated yes.

Mr. Nicholas stated you have gotten your permits in order?

Ms. Hamlett stated yes.

Mrs. Evans stated what are you doing now for water?

Ms. Hamlett stated nothing I live up the street. If someone was there I don't know what we would do, because we have had to go through this process. I was going to ask if you all would consider some sort of stream lining or emergency if this happened to someone else in the future.

Mrs. Evans stated so you don't live at the property?

Ms. Hamlett stated no. I may move back into it but no.

Mr. Nicholas closed the Public Hearing.

Mrs. Evans made a motion to approve Variance Application PLVAR20160000058. Mr. Campbell seconded the motion. The motion was approved by a 5-0 vote.

2. Variance Application Number, filed by Shawn R. Harden PE, requesting a variance from Article 3.C.: Section A, Paragraph 3, of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at 2020 Memorial Drive, otherwise known as Grid 0720, Block 005, Parcel 000015, of the City of Danville, Virginia, Zoning Map. The applicant is requesting a variance to allow a 2000 gallon wastewater holding tank where it is prohibited by Code.

Mr. Nicholas opened the Public Hearing.

Present on behalf of this request was Scott Ehrhardt.

Mr. Ehrhardt stated I am here on behalf of Shawn Harden. I work with Dewberry, the same company. I am prepared If you have any questions. There are basically two different alternatives that were investigated by the service of sewer at this location. With that it was inference with utilities identified from the City of Danville and the locality nearby. Basically the raw water intake along one route that is the City's primary intake with the operation of water system. We also then looked across from Memorial Drive and that location there is utilities are on both sides of the road, as well as a major transmission line. That was an obvious a risk and concern of the project we went and basically between those two different alternatives we concluded the risk was too great to go with the conventional pump station enforcement service in this bathroom facility. Regarding the hardship in the other properties this is unique in the fact that what the utilities are and what we are trying to do there. This is really not believed to have any effect on other related properties. Most everybody in the area is already served by sewer and when they do request it, it will be a much easier capability to tie into the system. There were concerns regarding substantial detriment to adjacent property which really comes in terms of risk overflow of the release of any raw sewage from these facilities. So basically it's either a pump station or a holding tank to deal with. It is just two simple bathroom facilities that are also common to other facilities that the City has around town. Whether we use a pump station or not we still have the possibility of an overflow. You always get an alarm condition before you get to the maximum fill. The same as with this. It's a tank but it doesn't rely on a pump it just basically holding raw sewage. Also has an alarm feature and if it starts getting full the alarm will sound. Then the City has the ability to come and respond to it just as they would a pump station. The actual advantage of this is there is a greater storage capacity. So it does have even the

extended period of which time it can hold raw sewage. In this regard it deserves a high reliability. It is also regulating an approved means by which to deal with septic through the Health Department. So it is still regulated instabtion which requires these features that will be provided as part of the installation. The City does have three other of these tanks that have no history of overflows. They have been very reliable. This is nothing unusual that isn't currently being practiced. They are pumped out and cleaned out on a regular basis. No overflow has been reported from any of the other facilities. So we basically believe this to be the real optimum low risk option for the City to serve these bathroom facilities.

Mr. Nicholas closed the Public Hearing.

Mr. Nicholas stated please note that both the previous application and this application received the recommendation of staff and of course all the motions site to they're reasoning as well.

Mr. Hiltzheimer made a motion to approve Variance Application PLVAR2016000044. Mr. Campbell seconded the motion. The motion was approved by a 5-0 vote.

II. APPROVAL OF MINUTES

The January 21, 2016 minutes were approved by a unanimous vote.

III. OTHER BUSINESS

Mr. Gillie stated at the moment we don't have anything filed for next month. Assuming that no one files anything by Friday at 5 o'clock we should not have a case for the April meeting.

With no further business, the meeting adjourned at 4:09 p.m.

APPROVED