



**TOWN OF ABIGNDON
Abingdon, Virginia 24210**

TO: Board of Zoning Appeals Members

FROM: Jason Boswell - Interim Directors of Planning

**RE: Regular Meeting
Tuesday, May 8, 2018
Abingdon Municipal Building, Colonel Arthur Campbell Room at 6:00 P.M.**

Items on the agenda:

A. Welcome

B. Roll Call

C. Approval of Minutes

January 9, 2018

D. Agenda Items

E. APPLICATION FOR VARIANCE

Case No. 18-002 - Application for Variance – Hg. Washington LLC., owners. This application is for the purpose of requesting a currently unpermitted use for this parcel located in the B-2 District for a variance for property located on Wyndale Road known as “Tract 5 Inc. Miller and Bradley” consisting of 2 acres±, currently zoned B-2 General Business; Tax Map No. 104-A-34 (Tract 5)

Staff recommends to deny the appeal due to the use not being allowed by right or by special use in the B2 District as well as being in the Historic entrance corridor overlay district.

F. Public Comment

G. Old Business/Matters not on the Agenda

H. Announcements from Staff and BZA Committee Members

I. Adjourn

The next scheduled BZA meeting is Tuesday, June 12, 2018 at 6:00 P.M. on the 1st floor in the Colonel Arthur Campbell Room

**TOWN OF ABINGDON
REGULAR BOARD OF ZONING APPEALS MEETING
TUESDAY, JANUARY 9, 2018 - 6:00 PM
ARTHUR CAMPBELL MEETING ROOM – MUNICIPAL BUILDING**

A Regular Board of Zoning Appeals meeting was held on Tuesday, January 9, 2018 at 6:00 pm in the Arthur Campbell Meeting Room of the Municipal Building.

A. WELCOME by *Richard Macbeth, Chair*

B. ROLL CALL – *Jason Boswell, Interim Director of Planning*

Members Present:	Richard Macbeth, Vice Chair John Kelly Matthew T. Bundy
Members Absent:	Heather Howard Dr. H. Ramsey White, Jr.
Administrative/Town Staff:	Jason Boswell, Interim Director of Planning

C. APPROVAL OF MINUTES

On motion by Mr. Kelly, seconded by Mr. Bundy, the Board approved the minutes of the September 12, 2017 Regular meeting as presented.

The roll call vote was as follows:

Mr. Macbeth	Aye
Mr. Kelly	Aye
Mr. Bundy	Aye

D. AGENDA ITEMS:

Application to appeal for a variance of property, Tonya Page, owner and Jim Fern, 186 Park Street consisting of 0.15 acres, more or less and currently zoned B-1; Tax Map No. 013-6-11. Request for variance from Town of Abingdon, VA Zoning Ordinance, Section 6-6-1 Side yard regulations.

Jason Boswell, Interim Director of Planning, stated that the Planning Department recommends that the variance be allowed as submitted, given that other properties along Park Street do not meet the required side yard regulations pursuant to Article 6, Section 6-6-1.

Michael Haslam with Peyton Boyd Architect PC, representative for the property owner, addressed the Board explaining in detail the requested changes as set forth in the appeal for a variance.

On motion by Mr. Kelly, seconded by Mr. Bundy, the Board approved the variance from Town of Abingdon, VA Zoning Ordinance, Section 6-6-1 Side yard regulations as requested by Tonya Page, owner and Jim Fern, 186 Park Street consisting of 0.15 acres, more or less and currently zoned B-1; Tax Map No. 013-6-11.

The roll call vote was as follows:

Mr. Macbeth	Aye
Mr. Kelly	Aye
Mr. Bundy	Aye

E. Public Comment - NONE

F. Updates from Staff and BZA Committee Members

Mr. Macbeth stated that he has successfully completed training to become a Certified BZA member. Mr. Macbeth stated that the organizational meeting needed to take place at the February meeting for consideration of reworking the application and consider changes to the existing By-laws.

On motion by Mr. Kelly, seconded by Mr. Bundy, the Board to discuss these matters during the February 2018 meeting.

G. Adjourn:

On motion by Mr. Bundy, seconded by Mr. Kelly, the Board agreed to adjourn the meeting.

Vice Chair Richard Macbeth declared the meeting adjourned.

Richard Macbeth, Vice-Chair

Jason Boswell, Interim Director of Planning



Town of Abingdon, Virginia
Department of Planning

☐ Appeal to the Board of Zoning Appeals

☒ Application for Variance

Non-refundable Application Fee - \$100

Case No. <u>18-002</u>	Tax Map No. <u>104-A-34-5</u>	Zoning District: <u>B 2</u>	Building Permit No.
Applicant Information:			
Applicant Name: <u>Hg. Washington LLC - c/o Sarah Guza</u>			
<u>3611 Sunset Drive, Lychburg, Va. 24503</u>			
Street Address or P.O. Box		City/State/Zip Code	
<u>434-384-3719</u>		<u>434-316-2551</u>	
Home/Work Phone Number	Mobile Number	Email	
The applicant's interest in this property is: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Lessee <input type="checkbox"/> Other, please specify: _____			
Owner Information if Different from Applicant:			
Owner Name: _____			
Street Address or P.O. Box		City/State/Zip Code	
Home/Work Phone Number		Mobile Number	Email
Type of Appeal:			
<input type="checkbox"/> Appeal of Administrative decision relating to: _____			
<input checked="" type="checkbox"/> Appeal for a variance relating to: <u>MINI STORAGE UNITS AS A PERMITTED USE</u> <u>IN THE B-2 GENERAL BUSINESS DISTRICT</u>			
Property Information:			
The specific premises affected by this request is: <input type="checkbox"/> Same as applicant address <input type="checkbox"/> Same as owner address			
<input checked="" type="checkbox"/> Other location (please specify): <u>Tract #5 Wyndale Road, Abingdon, Va. (see plat)</u>			
Total Acreage: <u>2</u> Current Use: <u>B2</u>			
Explanation of Request (attach separate sheet if necessary):			
The proposed use of this property is: <u>To construct mini storage warehouses.</u>			
Please describe how the properties around your site are used (residential, churches, business, schools) and how this appeal may impact the surrounding area (e.g. noise, traffic, light, impact on environmental or other unique features). <u>The property to the west of subject property is vacant land and residential, east of property is vacant land & business, south of subject site is residential, offices & retail business, and railroad, and to the north of subject is retail business.</u>			
Have any previous applications or appeals been filed in connection with these premises? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If yes, please provide details: _____			
The approximate cost of such proposed development is \$ _____.			

Town of Abingdon

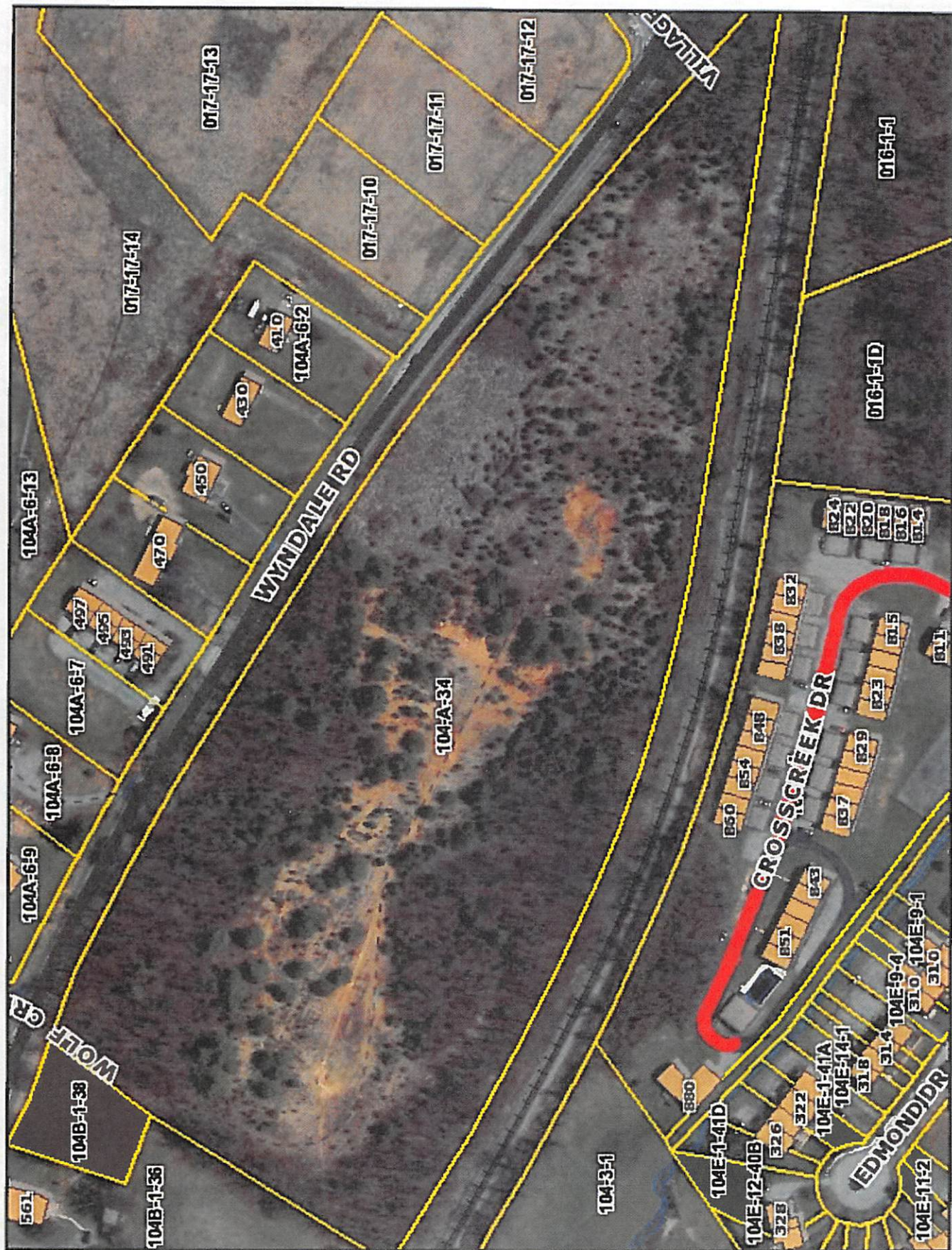
04/10/18 10:28 MISCELLANEOUS PERMIT

Owner: SARAG GUZA
Property Location: TRACT 5 WYNDALE ROAD
HG.WASHINGTON LLC
APPEAL TO BZA

Batch Id: COUNTERA
Ref Num: 26846 Seq: 19 to 19

Cash Amount:	100.00
Check Amount:	0.00
Credit Amount:	0.00

Total:	100.00
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NOTICE OF PUBLIC HEARING

For the
Town of Abingdon Board of Zoning Appeals

Per Virginia Code Section § 15.2-2204, The Town of Abingdon Board of Zoning Appeals will conduct a public hearing at its next regular meeting to be held on Tuesday, May 8, 2018 at 6:00 p.m., in the Abingdon Municipal Building, Colonel Arthur Campbell room, 133 West Main Street, to consider the following applications:

Application for Variance – Hg. Washington LLC., owners. This application is for the purpose of requesting a currently unpermitted use for this parcel located in the B-2 District for a variance for property located on Wyndale Road known as “Tract 5 Inc. Miller and Bradley” consisting of 2 acres±, currently zoned B-2 General Business; Tax Map No. 104-A-34 (Tract 5)

You are receiving this notice because public records indicate that you own property near or adjacent to the property listed in this request, which has been scheduled for a hearing before the Board of Zoning Appeals. Recipients of this notice may wish to share it with their neighbors whose property is nearby the above noted location.

The purpose of the meeting is to allow citizens to comment regarding potential impacts the proposed changes would have on their properties or on the area in general, and to identify issues or concerns related to the appropriateness of the request. The meeting is not the appropriate setting to learn about a proposal for the first time. It is difficult to gain understanding of a proposal and offer well thought out comments during the relatively short time of the meeting.

If you would like more information about this request, you could contact the Town of Abingdon Planning Department at (276) 628-3167 prior to the meeting.

Board of Zoning Appeals Meeting

MEETING DATE: May 8, 2018 TIME: 6:00 PM

LOCATION: Town of Abingdon Town Hall, 133 W. Main St., Arthur Campbell Room – 1st Floor

The meeting facilities of the Town of Abingdon are accessible to people with disabilities. Anyone needing special accommodations should call 276-628-3167.

NAME	ADDRESS 1	CITY	ST	ZIP
BISHOP RENTALS LLC	P O BOX 1053	CHILHOWIE	VA	24319
CLIFTON HERBERT D & ROSE MARIE	567 WYNDALD RD	ABINGDON	VA	24210
COLONIAL SQUARE AVA LLC	207 SAN JUAN DR	PONTE VEDRA BEACH	FL	32082
CROSSCREEK L C	19255 PLEASANT VIEW DR	ABINGDON	VA	24211
DEW JOHN B	561 WYNDALD RD	ABINGDON	VA	24210
DOUBLE J PROPERTIES LLC	P O BOX 2104	ABINGDON	VA	24212
DOUBLE J PROPERTIES LLC	P O BOX 2104	ABINGDON	VA	24212
FORAN MARY F	470 WYNDALD RD	ABINGDON	VA	24210
HG WASHINGTON LLC	3611 SUNSET DR	LYNCHBURG	VA	24503
JAMES H R JR	136 OLD REEDY CREEK RD	ABINGDON	VA	24210
JOHNSON HAROLD P & THE JOHNSON	615 NORTH HAMILTON ST	HIGH POINT	NC	27262
JOHNSON MICHAEL K ET AL	170 PAR PL	ABINGDON	VA	24211
JOHNSON PEGGY J & MEADE IRENE J &	144 HILLSIDE DR	ABINGDON	VA	24210
JONES ROBERT S & CAROL F	17380 LEE HWY	ABINGDON	VA	24210
LEBANON PHYSICAL THERAPY &	PO BOX 1387	LEBANON	VA	24266
MAIDEN CARL R & FRANCES R	520 WYNDALD RD	ABINGDON	VA	24210
MCAP ABINGDON LLC	P O BOX 2064	CHARLOTTESVILLE	VA	22902
MCCLANAHAN DAVID R & KATE F	P O BOX 342	MAVISDALE	VA	24627
MILLER STEVEN W & WENDY L	509 CHERRY HILL DR	ABINGDON	VA	24210
PERKINS DANIEL W & STACI	540 WYNDALD RD	ABINGDON	VA	24210
PRICE DANIEL J & KATHY C	410 WYNDALD RD	ABINGDON	VA	24210
SALYER AMY B	506 CHERRY HILL DR	ABINGDON	VA	24210
SCOTT JEFFERY L & PHYLLIS K	871 WOLF CREEK TRL	ABINGDON	VA	24210
SHORTT PATRICIA CAROL	430 WYNDALD RD	ABINGDON	VA	24210
STILTNER JOHN H & RACHEL D	15222 PORTERFIELD HWY	ABINGDON	VA	24210
STOUT MYRA N	P O BOX 611	ABINGDON	VA	24212



TOWN OF ABINGDON

133 WEST MAIN STREET • P. O. BOX 789 • ABINGDON, VIRGINIA • 24212

jboswell@abingdon-va.gov

276-492-2137

Office of Director of Planning

April 4, 2018

Hg. Washington LLC
C/O Sarah Guza
3611 Sunset Drive
Lynchburg, VA 24503

Re: Tax Map # 104-A-34, Tract #5, Wyndale Road, Abingdon, VA

Dear Ms. Guza:

This letter is being provided to you, per requirements under the Town of Abingdon Code of Ordinances §22-4, to serve as notice regarding the decision(s) rendered by the Town of Abingdon Planning Department in regard to the above referenced property..

The Planning Department has made the administrative decision to deny your request for the proposed development of mini storage units located at Tax Map # 104-A-34 Tract #5 Wyndale Road, Abingdon, VA, due to the proposed development not being a permitted use by right or a permitted special use in the B-2 General Business District as set forth in Article 11 B-2 General Business District, Section 11-1 Permitted uses and Section 11-2 Special uses.

Any person aggrieved by the zoning administrator's decision may appeal to the Board of Zoning Appeals pursuant to §22-4:

Section 22-4. - Appeal to the board of zoning appeals.

An appeal to the board may be taken by any person aggrieved or by any officer, department, board or bureau of the county or municipality affected by any decision of the zoning administrator or from any order, requirement, decision or determination made by any other administrative officer in the administration or enforcement of this article or any ordinance adopted pursuant thereto. Notwithstanding any charter provision to the contrary, any written notice of a zoning violation or a written order of the zoning administrator dated on or after July 1, 1993, shall include a statement informing the recipient that he may have a right to appeal the notice of a zoning violation or a written order within 30 days in accordance with this section, and that the decision shall be final and un-appealable if not appealed within 30 days. The appeal period shall not commence until such statement is given. Such appeal shall be taken within 30 days after the decision appealed from by filing with the zoning administrator, and with the board, a notice of appeal specifying the grounds thereof. The zoning administrator shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken. An appeal shall stay all proceedings in furtherance of the action appealed from unless the zoning administrator certifies to the board that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order granted by the board or by a court of record, on application and on notice to the zoning administrator and for good cause shown.

Please do not hesitate to contact our offices should you have any questions or concerns regarding this matter.

Sincerely,

Jason C. Boswell, CZO, CPMO, CPMI
Interim Director of Planning
Town of Abingdon
133 W. Main St.
Abingdon, VA 24210
(276) 492-2137

Cc: Greg Kelly, Town Manager
Deb Icenhour, Town Attorney
Marion Watts, Building Official
Matt Bolick, Director of Public Works
Board of Zoning Appeals Members