ROANOKE

PLANNING, BUILDING AND DEVELOPMENT
Noel C. Taylor Municipal Building
215 Church Avenue, SW, Room 166
Roanoke, Virginia 24011
540.853.1730 fax 540.853.1230
planning@roanokeva.gov

May 6, 2013

The Honorable David A. Bowers, Mayor
Members of City Council
Roanoke, Virginia

Dear Mayor and Members of Council:

As Chairman of the Roanoke City Board of Zoning Appeals for 2012, it is my honor to present to you the annual report for July 1, 2011 through June 30, 2012. The Board of Zoning Appeals held seven (7) regular public hearings, during which there were no variance requests, twelve (12) special exception (use) requests, and one (1) appeal of Zoning Administrator decision.

In the current year, the Board of Zoning Appeals' goals are: first, continue to serve the citizens and developers of the community in furthering the use, development and redevelopment of property through variances and special exceptions; second, to continue to act as a discretionary administrative body and make decisions in matters where a person or party within the community is aggrieved by a decision made in the administration or enforcement of the zoning ordinance; and lastly, to recommend to the Planning Commission and City Council necessary revisions to the zoning ordinance in order for the Board to continue to provide fair and equitable service to the community and its citizens. The Board continues to work with the City Attorney's Office to assure that our procedures promote a concise and fair process.

On behalf of the Board, I would like to express our appreciation for Council's ongoing efforts to improve the effectiveness of the Board of Zoning Appeals through funding for the training and certification of the Board members.

Sincerely,

Drew Kepley

Drew Kepley, Chair
Board of Zoning Appeals

CITY OF ROANOKE
BOARD OF ZONING APPEALS

Appointment of the Board

The Council of the City of Roanoke appoints a Board of Zoning Appeals in accordance with enabling legislation as set forth by the Commonwealth of Virginia, which provides that the said Board of Zoning Appeals may, in appropriate cases and subject to appropriate conditions and safeguards, vary the application of the terms of the zoning ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained.

Membership of the Board

The Board of Zoning Appeals shall consist of seven members, appointed for a term of three years and removable for just cause by City Council, upon written charges and after a public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. Members may be reappointed and may serve up to three consecutive, three-year terms.

Powers of the Board

The Board is appointed by City Council to act as a discretionary administrative body to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by administrative officials in the enforcement of the zoning ordinance adopted pursuant thereto.

The Board is charged with the responsibility to hear, decide and authorize special exceptions to the terms of the zoning ordinance based upon certain criteria and findings as specified in the ordinance; and to hear, decide, and authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance that would not be contrary to the public interest where a literal enforcement of the provisions of such ordinance would result in unnecessary hardship, provided in all cases, the spirit of the ordinance shall be observed and substantial justice done.

SUMMARY OF BOARD ACTION July 1, 2011, through June 30, 2012

During the fiscal year of July 1, 2011, through June 30, 2012, the Board of Zoning Appeals heard 13 requests. These applications consisted of no Variance requests, 12 Special Exception requests, and 1 Appeal.

SUMMARY

VARIANCES	0	SPECIAL EXCEPTIONS APPROVED	10
APPEAL WITHDRAWN	1	SPECIAL EXCEPTIONS WITHDRAWN	1
		SPECIAL EXCEPTIONS ON HOLD	1

ATTENDANCE

There were 10 regular hearings held in this fiscal year.

BOARD MEMBER	ATTENDANCE
Terry Wayne Cundiff	6 of 6
Joe Miller	3 of 3
Diana Sheppard	2 of 3 (term ended 12/31/11)
Bryan Musselwhite	2 of 3 (term began 1/1/12)
William Poe	2 of 3 (term ended 12/31/11)
Phillip Lemon	4 of 7 (term ended 12/31/12)
Drew Kepley	6 of 6
Mike Woolwine	6 of 6
Roger Malouf	3 of 3 (term began 1/1/12)
Rob Logan	3 of 3 (term began 1/1/12)

BOARD OF ZONING APPEALS CASES - JULY 1, 2011 TO JUNE 30, 2012

9-11S-A	Virginia PCS Alliance, L.C., d/b/a N'telos	1225 Centre Ave., NW, #2212331	Special exception	36.2-340 36.2-432		Granted 6/14/11
10-11A-A	Dou Mar, LLC	4341 Delray St., NW, # 2280308	Appeal	36.2-522, 652 and 654		Withdrawn
11-11S-A	Arturo & Laura Gomez	1609 Williamson Road, NE, #3110105	Special exception, eating and drinking establishment	36.2-315	Subject to conditions set forth in Order of Board	Granted 7/12/11
12-11S-A	Plantation Road Real Estate	4211 Plantation Road, NE, #3190328	Special exception for contractor or tradesman's shop, (UPHOLSTERY SHOP)	36.2-315		Granted 6/12/11
ZA110012S	Spanky Macher	320 Huntington Blvd. NE, #3170320	Special exception bed and breakfast			Closed
ZA110013S	Daniel Dart o/b/o Roanoke City Parks & Recreation Dept.	1502 Brownlee Ave., SE, #4330301	Special exception	36.2-333		On Hold
ZA110014S	H. Thomas Seddon o/b/o Greene Memorial United Methodist Church	502 2nd Street, SW, # 1012601 and 1012602	Special exception for parking lot facility	36.2-315	Subject to conditions set forth in Order of Board	Granted 9/13/11
ZA110015	Roanoke Valley Steel Recyclers, LLC	2825 Roanoke Ave., SW, #1510103, Railroad Ave., #1510101-2, 1510105, Duval St. 1410201-2	Special exception intensify use	36.2-414(b)(3)	Subject to conditions set forth in Order of Board	Granted 12/13/11
ZA110016	Barry St. John for BJS, Inc.	924 Georgia Ave., NE, #3061120	Special exception construction of a two-family dwelling	36.2-311	Subject to conditions set forth in Order of Board	Granted 12/13/11
ZA120001	James Keller Bell	2916 Brambleton Ave., SW, #1650701	Special Exception –Change nonconforming use	36.2-707	Subject to conditions set forth in Order of Board	Granted 3/1312

BOARD OF ZONING APPEALS CASES – JULY 1, 2011 TO JUNE 30, 2012

ZA120002	Timothy David Kelly	2825 Brambleton Ave., SW, #1650601	Special exception- Drive Through	36.2-315	Subject to conditions set forth in Order of Board	Granted 3/13/12
ZA120003	Dennis W. Shields, Bonnie S. Pruitt	4828 and 4802 Oak Road, NW, #6040101 and 6040607	Special exception agricultural operation	36.2-311	Subject to conditions set forth in Order of Board	Granted 10/9/12
ZA120004	Marilyn B. Hooker Trust	3804 Shady Lawn Avenue, NW, #2161213	Special exception for two-family dwelling	36.2-311	Subject to conditions set forth in Order of Board	Granted 6/12/12