



# Montgomery County, Virginia

## BOARD OF ZONING APPEALS APPLICATION

### OWNER INFORMATION

USE CURRENT CONTACT INFORMATION FOR ALL PROPERTY OWNERS.  
(AN ADDITIONAL SHEET MAY BE ATTACHED FOR MULTIPLE OWNERS)

Name: <u>DANIEL G. THOMPSON</u>		
Mailing address: <u>4945 RIVER Rd.</u>		
City: <u>RIVER</u>	State: <u>VA</u>	ZIP Code: <u>24149</u>
Phone: <u>382-7002</u>	Email:	Fax:

### AGENT INFORMATION

Name: <u>n/a</u>		
Corporation:		
Mailing address:		
City:	State:	ZIP Code:
Phone:	Email:	Fax:

### APPLICATION DETAILS

Application For: <input type="checkbox"/> Appeal of Zoning Decision <input type="checkbox"/> Variance <input type="checkbox"/> Special Use Permit: <input checked="" type="checkbox"/>		
Appeal Details: Date of Decision:	Regarding:	
Variance Details: Section of Zoning Ordinance:	To Allow:	
* Special Use Permit (SUP) Details: Zoning District: <u>A-1</u>	To Allow: <u>Pole barn to be used for storage, 32x40, exceeding 1200 sq-ft.</u>	

### PROPERTY INFORMATION

911 Address of Property: <u>4945 RIVER Rd RIVER VA 24149</u>		
Parcel ID #: <u>031318</u>	Zoning District: <u>A-1</u>	Tax Map #: <u>129-A 10H</u>

### APPLICATION CHECKLIST

<input type="checkbox"/> Letter detailing justification for request (Variance & Appeals) or SUP Additional Requirements
<input checked="" type="checkbox"/> A scale drawing of the property & proposed project, with location map
<input type="checkbox"/> Application Fee
<input type="checkbox"/> Ten (10) copies of application & associated materials

### SIGNATURES

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. I further agree to submit payment to the newspaper for costs associated with the legal advertisement of the above request. In addition, I hereby grant permission to the agents and employees of Montgomery County and the State of Virginia to enter the above property for the purposes of processing and reviewing the above application.

Signature of Owner: <u>Daniel G. Thompson</u>	Date: <u>6-30-15</u>
Signature of Owner:	Date:
Signature of Agent:	Date:

### OFFICE USE ONLY

Date Received: <u>7/1/15</u>	Application Number: <u>SU-2015-13128</u>
------------------------------	--

# Montgomery County, Virginia

## BOARD OF ZONING APPEALS APPLICATION

The Board of Zoning Appeals is a five-member board recommended by the Board of Supervisors and appointed by the Circuit Court. The Board has the authority to a) hear and decide appeals from any order, requirement, or decision of the Zoning Administrator, b) authorize variances from the zoning ordinance when a literal enforcement of the ordinance would result in unnecessary hardship, and c) grant special use permits as authorized by the Board of Supervisors.

If you disagree with a decision of the Zoning Administrator, you may file an appeal. **The appeal must be filed in writing within thirty days of the date of the Zoning Administrator's decision.**

If you want relief from a provision of the zoning ordinance, you may apply for a variance. A variance may be applied for at any time.

For a variance, appeal, or special use permit, you must:

1. Fill out and sign the attached application form,
2. Provide a letter detailing the justification for the request, including any supporting documentation,
3. Provide a detailed scale drawing of the property and the proposed project, with a location map,
4. File ten (10) copies of all application materials at the Planning and GIS Services Office with the appropriate application fee (Make checks payable to "Treasurer of Montgomery County"):
  - Variance: \$500.00 plus \$10 technology fee
  - Appeal: \$250.00 plus \$10 technology fee
  - SUP: \$500.00 plus \$10 technology fee
5. Agree to and submit payment for all legal notice fees as required by state law. (To be invoiced by the local newspaper)

The Board of Zoning Appeals meets on the first Tuesday of every month. Applications must be received on or before the first business day of the month in order to be processed and heard at the next month's meeting. (Example: Applications received by the first business day in January will be heard at the February meeting.)

### Rules Governing Justification for Variance:

In writing your justification for a variance request, you should carefully consider the following. Section 10-55(1)(g) of the Montgomery County Code states that the Board of Zoning Appeals shall base its required findings upon the particular evidence presented to it in each specific case where the property owner can show that:

- A. The strict application of the terms of this Ordinance would effectively prohibit or unreasonably restrict the utilization of the property because of:
  1. The exceptional narrowness, shallowness, size, or shape of the property at the time of the effective date of the Zoning Ordinance, as amended; or
  2. The exceptional topographic conditions or other extraordinary situations or condition of the property; or
  3. The condition, situation, or development of the property immediately adjacent thereto.
- B. The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.
- C. The property was acquired in good faith.
- D. Satisfactory evidence exists to support all of the following findings from Section 10-55(1)(e)
  1. The strict application of this Ordinance would produce undue hardship to the property owner;
  2. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity;
  3. Such variance is not contrary to the public interest nor to the intended spirit and purpose of this Ordinance;
  4. The granting of such variance will not be a substantial detriment to adjacent properties nor change the character of the zoning district in which the property is located;
  5. Such variance would result in substantial justice being done; and
  6. The condition or situation of the property which gives rise to the need for such variance 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 this Ordinance.

June 30, 2015

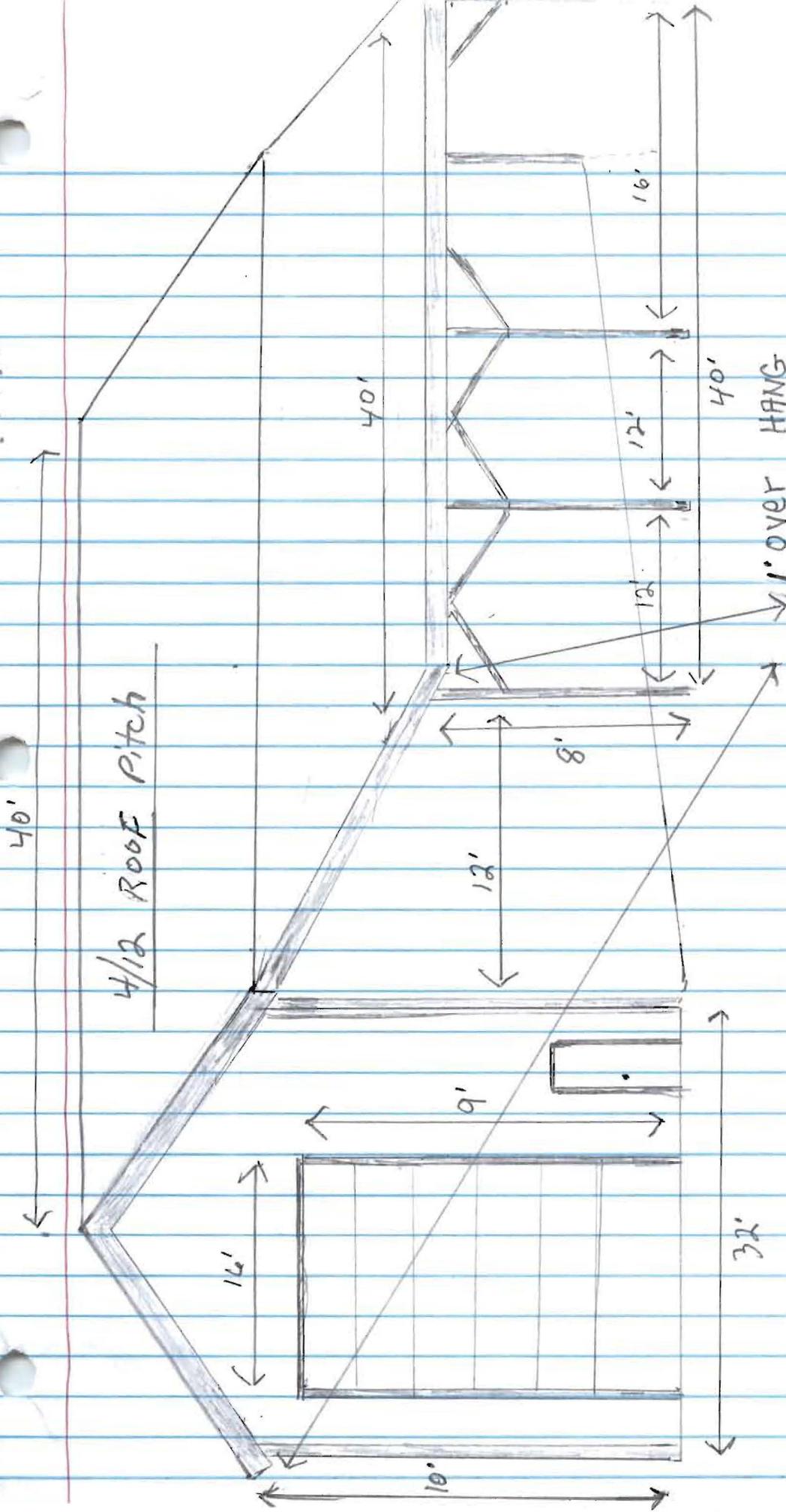
I am requesting a special use permit to build a pole barn on my farm just south of my home at 4945 Riner Road, Riner, VA 24149. The building will be built on a separate parcel of land. It will be used primarily to store miscellaneous farm equipment, farm tools, ATV and utility trailer for farm use only, an antique car and a three-quarter ton truck.

Our house is light grey vinyl with a grey roof. The building will have metal siding in light grey with a dark grey metal roof. It will be visible from Rte. 8 and in site of our closest neighbor (my nephew and his wife live in this house and it is owned by my sister, Barbara Griffith). This house is across Rte. 8 on Valley View Church Road. The building will be in view of our house.

The pole barn will be 32' x 40' with a 12' attached shed on the left side. There will be one roll up door on the front (16'x9') and one walk in door.

A handwritten signature in cursive script that reads "Daniel G. Thompson". The signature is written in black ink and is positioned above the printed name.

Daniel G. Thompson



40'

4/12 ROOF PITCH

- 32' X 40' X 10'
- 46' X 9 OVER HEAD DOOR
- 6X10 POST ON 8' CENTERS
- 12' X 40' SHED
- 1 - PASS DOOR

METAL ROOF AND SIDES

POLE BUILDING

SHED WILL BE ON LEFT SIDE OF BUILDING

# THOMPSON - PROPOSED LOCATION OF ACCESSORY STRUCTURE



## 2014 PICTOMETRY AERIAL PHOTO

Legend	
Corporate Boundary	[Symbol]
State Roads	[Symbol]
Interstate	[Symbol]
Planned Highway	[Symbol]
Private	[Symbol]
Byway Roads	[Symbol]
County Roads	[Symbol]
Roads	[Symbol]
Unnamed Roads Paths Trails	[Symbol]
Major Rivers Streams	[Symbol]
Streams Creeks	[Symbol]
Tax Parcels	[Symbol]
MontVa Addresses	[Symbol]
Gas Pipeline	[Symbol]
A1 - Agriculture	[Symbol]
C1 - Conservation	[Symbol]
CB - Community Business	[Symbol]
FL - Federal Lands	[Symbol]
GB - General Business	[Symbol]
M1 - Manufacturing	[Symbol]
ML - Manufacturing Light	[Symbol]
PIN - Planned Industrial	[Symbol]
PMR - Planned Mobile Home Residential	[Symbol]
PUDCOM - Planned Unit Development Commercial	[Symbol]
PUDRES - Planned Unit Development Residential	[Symbol]
R1 - Residential	[Symbol]
R2 - Residential	[Symbol]
R3 - Residential	[Symbol]
(R3 - Residential (Compact)	[Symbol]
RM1 - Multi-Family Residential	[Symbol]
RR - Rural Residential	[Symbol]
(RR - Rural Residential (Compact)	[Symbol]

Montgomery County, Virginia  
DISCLAIMER

INFORMATION SHOWN ARE TO BE USED FOR REFERENCE PURPOSES ONLY. THE MONTGOMERY COUNTY BOARD OF SUPERVISORS NOR PLANNING AND GIS SERVICES ARE NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN. NO RESPONSIBILITY IS ASSUMED FOR DAMAGES OR OTHER LIABILITIES.

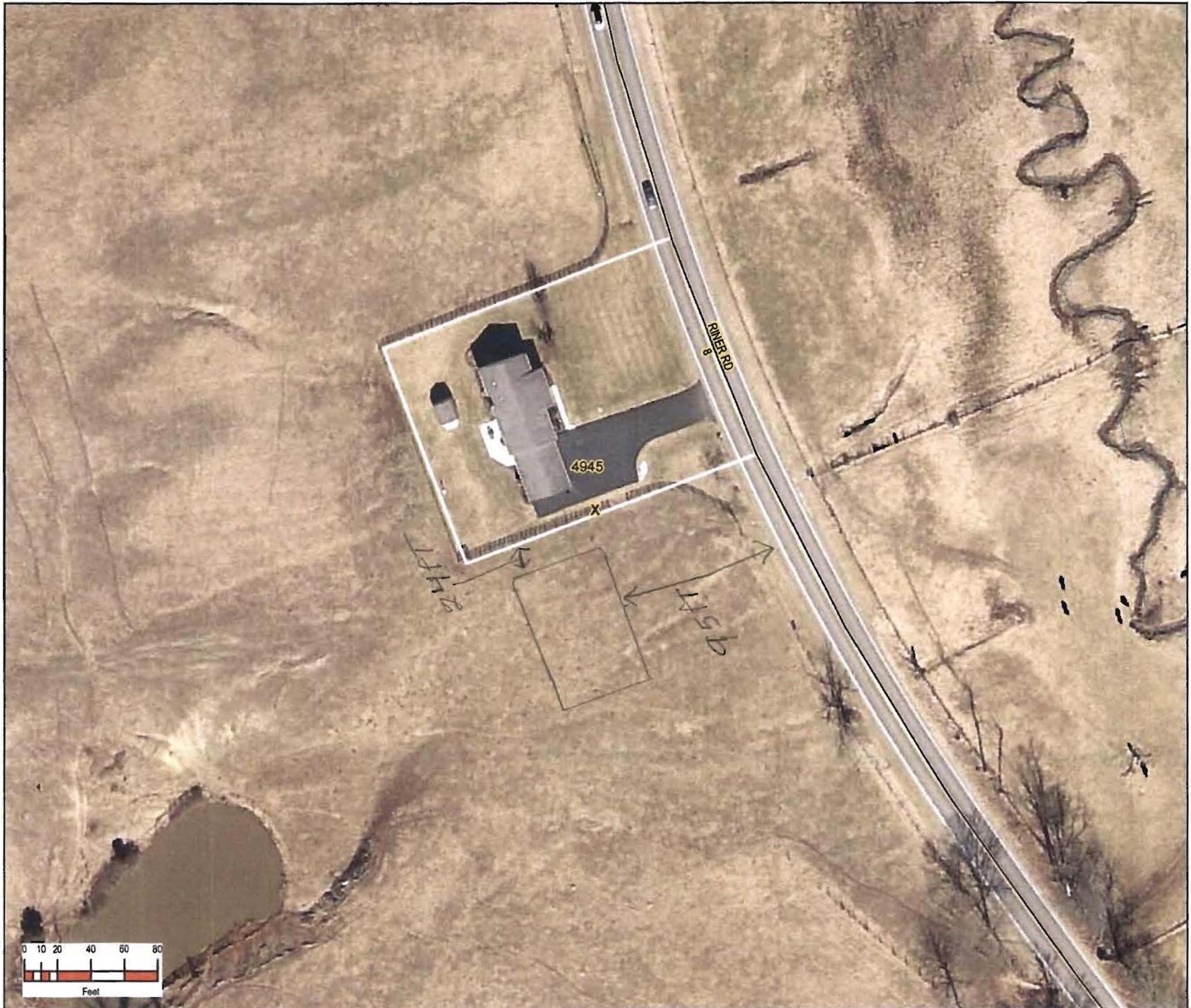
THE INFORMATION SHOWN HEREON IS TO BE USED FOR REFERENCE PURPOSES ONLY AND IS NOT TO BE CONSTRUED OR USED AS A LEGAL OR OFFICIAL DETERMINATION OF OFFICIAL COUNTY, STATE, AND FEDERAL RECORDS. DATA IS BELIEVED TO BE ACCURATE, BUT IS NOT GUARANTEED.

IN NO EVENT SHALL MONTGOMERY CO. BE LIABLE FOR ANY DAMAGES THAT MIGHT ARISE FROM THE USE OR ANY INFORMATION SHOWN.

EXACT LOCATION OF ANY FLOOD ZONE TO BE CERTIFIED BY LICENSED LAND SURVEYOR, ENGINEER, OR ARCHITECT.

Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination of § 54.1-402

Prepared by Montgomery County, Va  
Planning & GIS Services, 06.08.2015





Thompson house at 4945 Riner Road, Riner, VA 24149



Thompson Lot south of house – location of proposed building



Thompson – nearest neighbor



Thompson – lot view (2)

Parcel  
031318  
Daniel G.  
Thompson

2014  
Aerial Imagery



Montgomery County, Virginia  
DISCLAIMER

INFORMATION SHOWN ARE TO BE USED FOR REFERENCE PURPOSES ONLY. THE MONTGOMERY COUNTY BOARD OF SUPERVISORS NOR PLANNING AND GIS SERVICES ARE NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN. NO RESPONSIBILITY IS ASSUMED FOR DAMAGES OR OTHER LIABILITIES.

THE INFORMATION SHOWN HEREON IS TO BE USED FOR REFERENCE PURPOSES ONLY AND IS NOT TO BE CONSTRUED OR USED AS A LEGAL OR OFFICIAL DETERMINATION OF OFFICIAL COUNTY, STATE AND FEDERAL RECORDS. DATA IS BELIEVED TO BE ACCURATE, BUT IS NOT GUARANTEED.

IN NO EVENT SHALL MONTGOMERY CO BE LIABLE FOR ANY DAMAGES THAT MIGHT ARISE FROM THE USE OR ANY INFORMATION SHOWN.

EXACT LOCATION OF ANY FLOOD ZONE TO BE CERTIFIED BY LICENSED LAND SURVEYOR, ENGINEER, OR ARCHITECT.

CONTOURS SHOWN ARE FOR VISUAL REFERENCE. TO AVOID THE RISK OF MISINTERPRETATION, INVALID RESULTS AND ERRONEOUS CONCLUSIONS, ORIGINAL LIDAR GENERATED CONTOUR DATA SHOULD BE USED FOR LAND DEVELOPMENT, SURVEY AND ENGINEERING PURPOSES.

Prepared by Montgomery County, Va  
Planning & GIS Services, 10/08/2014

