

AT A MEETING OF THE MONTGOMERY COUNTY BOARD OF ZONING APPEALS HELD ON **FEBRUARY 2, 2016**, AT 5:00 P.M. IN THE MULTI-PURPOSE ROOM, SECOND FLOOR, MONTGOMERY COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

**CALL TO ORDER:**

Mr. DiSalvo called the meeting to order at 5:00 p.m.

Present: Richard DiSalvo, Chair  
Michael Reilly, Vice Chair  
Zach Milton, Member  
David Moore, Member  
Charles (Chuck) Shorter, Member  
Dari Jenkins, Planning & Zoning Administrator  
Candace Ross, Senior Program Assistant

Absent: None

Mr. Reilly established the presence of a quorum.

**Approval of Minutes**

On a motion by Mr. Short, seconded by Mr. Reilly and unanimously carried, the minutes of the September 1, 2015 meeting were approved.

**New Business**

A request by **Christopher R. and Kelly H. Eagan** for a Special Use Permit (SUP) on approximately 1.115 acres in a Residential (R-2) zoning district, with possible conditions, to allow an accessory structure in excess of 1,200 square feet and/or 18 feet in height. The property is located at **3544 Happy Hollow Road** and is identified as Tax Parcel No. 028- 19 1 (Account #140837), in the Mount Tabor Magisterial District (District A).

Chair DiSalvo introduced the request.

Ms. Jenkins presented a staff report, also reviewing maps and photos of the property. The applicant has an existing residence on the 2.464 acre lot. She stated the proposed structure is 36'x46' one-story building and will have an overall height of 24'. Ms. Jenkins explained there will be no commercial use of the structure and that the proposed use will be for personal vehicles and storage. She also described the color and materials that will be used for the construction of the building.

Mr. DiSalvo opened the public hearing.

There being no comments the public address was closed.

Mr. Milton asked if the proposed structure would block access to the lot behind the Eagan residence.

Ms. Jenkins handed out a copy of the plat and stated to the board that the property owners had the property surveyed and have identified and staked the easement location. From a slide showing the back yard of his property, Mr. Eagan pointed out where the 60 ft. set back is located; adding that the structure will not interfere with the driveway. Ms. Jenkins commented that the survey plat will be approved by staff.

Mr. DiSalvo asked if it is known what the maximum height that has been approved for accessory structures?

Ms. Jenkins said she did not know, but could do some research to find out.

Debbie Bodemer, contractor for the Eagans, stated the house will be a little taller than garage, and that trusses were needed to allow a clear span inside the garage. The applicants do not want any columns inside the garage to prevent damage to their car collection.

On a motion by Mr. Shorter, seconded by Mr. Reilly and carried by a 5-0 vote, the Board of Zoning Appeals granted a Special Use Permit to allow an accessory structure in excess of 1,200 square feet and/or 18 feet in height with the following conditions:

1. The proposed accessory structure shall not exceed 1,660 sq. ft. in total area and the overall height of the structure shall not exceed 25 feet.
2. The proposed accessory structure shall substantially comply with the architectural plans and site plan submitted by the applicant and received December 30, 2015.
3. No commercial work shall be permitted within the structure.
4. Site lighting shall be directed downward and comply with Section 10-46(9) of County Code.
5. The structure shall not be used as a dwelling, accessory or otherwise, without proper permits and approvals from the Zoning Administrator, Health Department, and Building Official.

Ayes: Moore, Milton, DiSalvo

Nayes: None

Abstain: None

### **Old Business**

Ms. Jenkins recalled from the previous meeting questions that were made by the board regarding requirements for Special Use Permits on accessory structures. She stated that Mrs. Gibson suggested pulling information from previous permits that would give staff different options to present to the Board during next month's meeting. Ms. Jenkins also said that while considering making changes, we will need to be mindful that large structures are more prone to becoming places of business or accessory dwellings.

### **Adjournment**

On a motion by Mr. Reilly, seconded by Mr. Milton and unanimously carried, the meeting was adjourned at 5:31 PM.