

**AT A MEETING OF THE MONTGOMERY COUNTY BOARD OF ZONING APPEALS HELD ON DECEMBER 4, 2018, AT 5:00 PM IN THE MULTIPURPOSE ROOM, SECOND FLOOR, MONTGOMERY COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:**

**CALL TO ORDER**

Mr. DiSalvo called the meeting to order at 4:59 p.m.

Present: Richard DiSalvo, Chair  
Michael Reilly, Vice-Chair  
Charles (Chuck) Shorter, Member  
David Moore, Member  
Bob Miller, Alternate Member  
Zach Milton, Member  
Dari Jenkins, Planning & Zoning Administrator  
Leann Nester, Program Assistant

Mr. Reilly established the presence of a quorum.

**APPROVAL OF MINUTES**

On a motion made by Mr. Shorter and seconded by Mr. Milton and unanimously carried, the minutes of the November 13, 2018 meeting were approved.

**PUBLIC HEARING**

Mr. DiSalvo introduced the request by **Cory L. Roberts** and **Laura A. Roberts** for a Special Use Permit (SUP) on approximately 1.4 acres in a Residential (R-2) zoning district, with possible conditions, to allow an accessory structure exceeding the square footage and/or height of the principal structure per Code Section 10-41(1)(a). The proposed 30 ft. x 40 ft. detached garage (for personal use) will have an overall height of 19' – 3" which exceeds the height of the principal structure to accommodate storage of daily use and classic vehicles, hobby space and a future vehicle lift. The property is located at **363 Rolling Hills Drive**, and identified as Tax Parcel No. 077-B 4 14 (Parcel ID #007874), in the Riner Magisterial District (Election District B).

Ms. Jenkins shared a brief staff report on the details of the applicant's SUP request to allow a garage (an accessory structure) to exceed the height of the residence (principal structure). She confirmed the building size was 1,200 square feet and the overall height was 19 feet - 3 inches. The accessory structure will be located at 363 Rolling Hills Drive in Christiansburg, Virginia in the Rolling Hills Subdivision, Section 5, Lot 14. The parcel is zoned Residential (R-2). The surrounding parcels vary in size between 0.39 and 1.4 acres. The applicants' lot is the largest in Section 5. To the west of the parcel is a 66 acre agricultural parcel.

She presented various maps and photos to indicate the parcel's location in the county as well as within the subdivision. The lot size is 1.40 acres and the owner's residence is located on the parcel. The proposed size of the one-story detached garage will be 30 feet by 40 feet with an overall height of 19 feet - 3 inches, making the actual height of the structure 4 feet - 5 ½ inches higher than the residence. The garage will provide desired storage for personal vehicles, both classic and daily use vehicles, space for vehicle

restoration, wood work, etc. No commercial use of the structure is proposed. The projected material needed to build the garage consist of a concrete slab, tan vinyl siding to complement the existing residence and dark brown metal roof.

Ms. Jenkins stated that the staff recommends approval of the SUP request for an accessory structure with the following conditions:

1. The proposed accessory structure shall not exceed 1,200 sq. ft. in total area and the overall height of the structure shall not exceed 20 feet measured at the ridge of the structure.
2. The proposed accessory structure shall generally comply with the architectural plans and site plan submitted by the applicant.
3. No commercial work shall be permitted at the site and/or within the structure.
4. The structure shall not be used as a dwelling, accessory or otherwise, without obtaining the proper permits and approvals from the Zoning Administrator, Health Department, and Building Official.

She confirmed that the adjoining property owner notices were mailed, legal advertisements were processed and staff received no phone inquiries regarding this application; however, some adjacent property owners or other interested parties may be present to share their view of this request.

Ms. Jenkins inquired if the Board had any questions regarding the SUP request.

Mr. DiSalvo asked Ms. Jenkins to verify the garage height verses the home again. She stated that the accessory structure will be 4 ft. – 5 ½ inches taller than residence; however, due to the topography of the property and the proposed location of the structure, staff believes that the proposed garage height will blend nicely with the height of the existing dwellings.

With no other comments or questions from the Board for Staff, Mr. DiSalvo opened the public hearing. Mr. Kurt Roberts of 2291 Lupine Loop, adjacent property owner and brother to applicant Cory Roberts, shared his support of his brother's request.

Mr. DiSalvo asked the Board members if they had any questions for the applicant. Mr. Reilly responded that he had looked at the property and has no problem with the request.

With no one else coming forward to comment, Mr. DiSalvo closed the public hearing.

On a motion made by Mr. Shorter, seconded by Mr. Reilly and carried by vote of (5-0), the Board of Zoning Appeals approved the request for a Special Use Permit (SUP) to allow an accessory structure exceeding the square footage and/or height of the principal structure with the following conditions as recommended:

1. The proposed accessory structure shall not exceed 1,200 sq. ft. in total area and the overall height of the structure shall not exceed 20 feet measured at the ridge of the structure.

2. The proposed accessory structure shall generally comply with the architectural plans and site plan submitted by the applicant.
3. No commercial work shall be permitted at the site and/or within the structure.
4. The structure shall not be used as a dwelling, accessory or otherwise, without obtaining the proper permits and approvals from the Zoning Administrator, Health Department, and Building Official.

Ayes: DiSalvo, Reilly, Shorter, Moore, Milton

Nays: None

Abstain: None

### **OLD BUSINESS**

Mr. DiSalvo asked Ms. Jenkins for an update on the Sportsman. She revealed that a letter documenting the BZA's decision on his appeal was sent to Mr. Mosser, but he had not responded. She stated that she would be following up with Mr. Mosser regarding the corrections of the violations.

### **NEW BUSINESS**

Ms. Jenkins confirmed that Mr. Shorter, Mr. Miller and Mr. Reilly have completed the necessary documentation for reappointment to the Board of Zoning Appeals.

### **NEXT MEETING**

Ms. Jenkins shared that no new applications had been submitted this month for the BZA's review; therefore, there would be no meeting in January 2019.

With no additional business, Mr. DiSalvo adjourned the meeting at 5:15 PM.