



# Schaad Brown

REAL ESTATE BROKERAGE & MANAGEMENT

July 25, 2016

Franklin County Planning Department  
Attn: Development Services/Planning & Community Development  
1255 Franklin Street, Suite #103  
Rocky Mount, VA 24151  
(540) 483-3027 Ext. 2429

**RE: Dollar General Project – BZA Variance Application – Iron Ridge Road**

**To Whom It May Concern,**

Please allow this document to serve as the official Letter of Application for the proposed variances associated with the Iron Ridge Road property currently owned by members of the Maddy family.

The proposed variances will allow the development of a Dollar General Store within the County's recently adopted Designated Growth Area (DGA). The site was recently zoned B-2 and is a logical extension of the surrounding developments, and, the intentions behind the DGA & Overlay Districts.

Since this lot was divided without foresight of the current zoning requirements, several variances are needed to mitigate the hardships created by current zoning and development criteria.

**Variance #1 – Primary Building Setback**

We are requesting a variance from Sec. 25-339(a). This variance would allow the right-of-way along Iron Ridge Road to be treated as a rear property line for setback determination.

This hardship is related to the lot as it exists now (see the attached *exhibit*). The lot is a triple-frontage lot with limited depth that originally was very usable. Portions of the lot have been removed for right-of-way on Iron Ridge Road and Highway 220 and this has substantially reduced its development capacity.

Given that an entrance on Iron Ridge Road with proper sight distance would have to be located at the maximum lot depth point (north east corner), the portion of the lot where a building can be placed varies from under 50 feet to under 120 feet in depth. If a building is placed at the 120-foot end it would orphan much of the available area that could be used for parking.

Please note, this is a hardship that has to be faced by any development on this site and does not encumber possible future changes by adjoiners.

325 Erin Drive

Knoxville, TN 37919

Phone: 865-200-4770 Fax: 865-200-4771

### Variance #2 – Landscape Yards & Landscaping

We are requesting a variance from several sections of the Code as it relates to landscaping.

This hardship is related to the lot as it exists now (see the attached *exhibit*). The lot is a triple-frontage lot with limited depth and a strict application of the Code would result in over 34% of the lot not being usable for building, parking, etc. That accompanied by the limited depth greatly restricts the ability of anyone to develop this property.

Sec. 502.8 to remove the Overlay District "Required Landscape Yards" along Highway 220 and Iron Ridge Road. This would allow construction within the 25-foot landscape yards along both roadways.

Sec. 502.9 to remove the Overlay District "Required Landscaping" along Highway 220 and Iron Ridge Road. This would not remove the standard landscaping as required elsewhere in the County.

Sec. 25-102 to remove the landscaping from the interior of the parking lot. Since the irregularity of the lot has divided the parking into sections we have already incorporated breaks into the layout and feel this should be adequate to meet the intent behind the regulations even though it does not meet the code as written.

Sec 25-99 to specifically acknowledge that the plantings intended to "be along the roadway frontages" will be allowed to be grouped in greenspace areas available on the Concept. In several areas there is no room left for planting between the building, parking, walls, etc. and the right-of-way.

The Concept Plan implements these variances to create as landscaping as possible within suitable areas.

### Variance #3 – Underground Utilities

We are requesting a variance from Sec. 25-502.13. This variance would allow utilities to be installed above ground (overhead power, etc.), and, existing utilities to remain above ground.

The hardship is: in the potential on-site rock that may be encountered; conflict other underground facilities (well, underground storm system, septic system, transformer pad, etc.); interactions with retaining walls; and work within VDOT right-of-way.

We are requesting that the board grant us approval for the same type of utility installation, existing and proposed, as the other business in the area.

### Variance #4 – Accessory Structure Setbacks

We are requesting a variance from Sec. 25-74. This variance would allow a zero setback for accessory structures as shown on the Concept Plan (loading dock, dumpsters & screening, fencing, some walls, etc.).

This variance works hand-in-hand with Variance #1 to allow the work shown on the Concept to function in a consistent manner. This removes the 12-foot setback requirement from the property line.

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We ask that these variances be granted so the development of this property may proceed. These variances are all related to the property as it exists now and the impacts of the Overlay District on a triple-frontage lot. These issues would be faced by any development on this site.

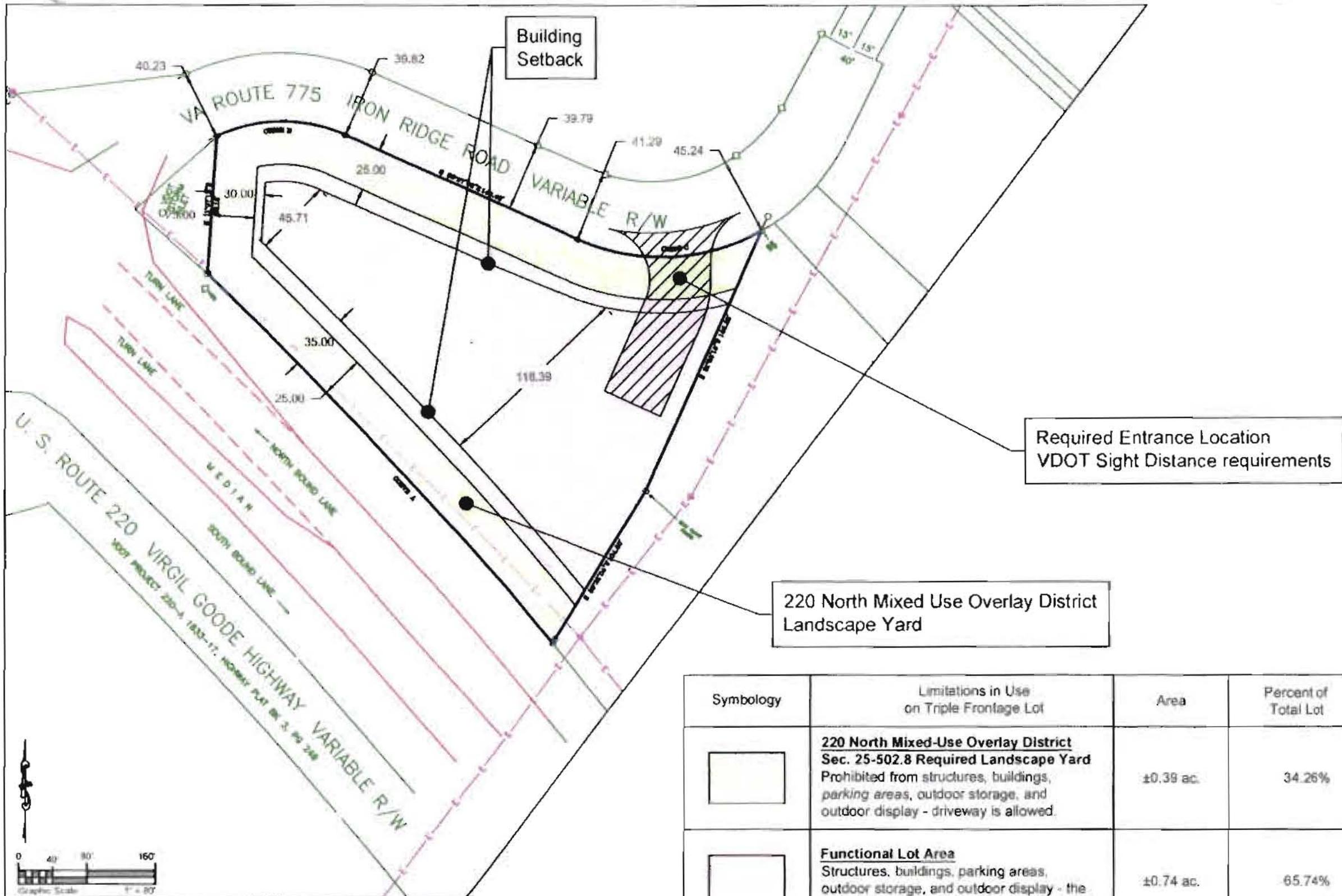
Please feel free to contact me with any questions or if additional information is needed.

Sincerely,



Aaron Dickenson  
Schaad Brown Real Estate  
[Aaron@schadbrown.com](mailto:Aaron@schadbrown.com)  
(865) 200-4770 Office  
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325 Erin Drive  
Knoxville, TN 37919  
Phone: 865-200-4770 Fax: 865-200-4771



# Conceptual Buildable Space

Symbology	Limitations in Use on Triple Frontage Lot	Area	Percent of Total Lot
	<b>220 North Mixed-Use Overlay District Sec. 25-502.8 Required Landscape Yard</b> Prohibited from structures, buildings, parking areas, outdoor storage, and outdoor display - driveway is allowed.	±0.39 ac.	34.26%
	<b>Functional Lot Area</b> Structures, buildings, parking areas, outdoor storage, and outdoor display - the non-landscape material areas.	±0.74 ac.	65.74%
	<b>Total Lot Area</b> As determined by Survey.	±1.13 ac	100.00%

FRANKLIN COUNTY  
APPLICATION FOR VARIANCE  
(Type or Print)

I/We, JMB Investment Co LLC, as Owner(s), Contract Purchasers, or Owner's Authorized Agent of the property described below, hereby apply to the Franklin County Board of Zoning Appeals for a variance from requirements of the Zoning Ordinance as hereinafter described:

1. Applicant's Name: JMB INVESTMENT CO. LLC  
2. Property Owner's Name: DONALD G. MADDY, DAVID L. MADDY, DAN E. MADDY, DENNIS W. MADDY, DOUGLAS B. MADDY

Phone Number: \_\_\_\_\_

Address: DONALD G. MADDY 950 SCUFFLING HILL RD.  
ROCKY MT., VA Zip: 24151

3. Exact Directions to Property from Rocky Mount: NORTH on VIRGIL H. LODGE UNTIL INTERSECTION W/ IRON RIDGE RD. - PROPERTY IS ON THE SOUTHSIDE OF INTERSECTION

4. Tax Map and Parcel Number: 0440017400

5. Magisterial District: BOONE

6. Property Information:

A. Size of Property: 1.19 ACRES

B. Existing Land Use: SINGLE FAMILY RESIDENTIAL

C. Existing Zoning: B-2 (REZONING RECENTLY APPROVED BY BOS)

D. Is property located within any of the following overlay zoning districts: 220 NORTH MIXED OVERLAY  
 Corridor District  Westlake Overlay District  Smith Mountain Lake Surface District

E. Is any land submerged under water or part of a lake? Yes  No  If yes, explain.  
\_\_\_\_\_  
\_\_\_\_\_

F. Describe any unusual or extraordinary conditions of the property that affect development: SEE ATTACHED.  
\_\_\_\_\_  
\_\_\_\_\_

7. Proposed Development Information:

A. Proposed Land Use: RETAIL / COMMERCIAL

B. Proposed Zoning: N/A - ALREADY REZONED TO B-2

C. Size of Proposed Use: 1.19 ACRES

1. Section of the Zoning Ordinance for which a variance is being requested: SEE LETTER OF APPLICATIONS  
(Zoning Code section must be correct and all applicable code sections included in request.)

Franklin County Application for Variance, Item#6(F):

Unusual or Extraordinary Conditions:

The lot is unusually shaped giving the property 3 road frontages and limited usable depth, the shape and road frontages are effectively what create the 30' Setback off of Iron Ridge and when taken into consideration further decrease the developable area of the lot. In addition, the topography of the lot will require a series of retaining walls throughout the property, further limiting the area which can be developed. These unusual and extraordinary characteristics are not shared with the other properties zoned B-2 in the immediate area and regardless of the type of development on this lot these variances will have to be granted in order to not unreasonable restrict the development of the property. Failure to acquire these variances would severely limit the use of this lot as a viable piece of commercial property and present an undue hardship. Again, the characteristics described above are not shared by the surrounding properties with a B-2 zoning.

**ADJACENT PROPERTY OWNERS**

Adjacent property owners are mailed a notice of the request. Please provide each owner's name and mailing address plus zip code for every property adjacent to the site and directly across from any public right-of-way adjoining the site. Names and addresses are available in the County Real Estate office in the Courthouse.

NAME: <u>Buddy W. Brooks and Martha Cooper, Trustees</u>	ADDRESS: <u>3115 Iron Ridge Rd.</u>
TAX MAP NUMBER: <u>0440010500</u>	<u>Rocky Mount, VA 24151</u>
NAME: <u>Allen B. &amp; Mary F. McBride</u>	ADDRESS: <u>3246 Iron Ridge Rd.</u>
TAX MAP NUMBER: <u>0440010600</u>	<u>Rocky Mount, VA 24151</u>
NAME: <u>Edward B. Dillon</u>	ADDRESS: <u>19658 Virgil Gordon Hwy</u>
TAX MAP NUMBER: <u>0440017300</u>	<u>Rocky Mount, VA 24151</u>
NAME: <u>Edward B. Dillon</u>	ADDRESS: <u>19658 Virgil Gordon Hwy</u>
TAX MAP NUMBER: <u>0440017500</u>	<u>Rocky Mount, VA 24151</u>
NAME: <u>Walter T. Dillon</u>	ADDRESS: <u>3514 Iron Ridge Rd.</u>
TAX MAP NUMBER: <u>0440017700</u>	<u>Rocky Mount, VA 24151</u>
NAME: <u>Amos K. &amp; Barbie M. Stolte<sup>hus</sup></u>	ADDRESS: <u>34 Quaker Dr.</u>
TAX MAP NUMBER: <u>0440102301A</u>	<u>Hegins, PA 17938</u>
NAME: <u>Farrell Properties-220, LLC</u>	ADDRESS: <u>1824 Williamson Rd.</u>
TAX MAP NUMBER: <u>0440102307</u>	<u>Roanoke, VA 24012</u>
NAME: <u>Cundiff Tract One, LLC</u>	ADDRESS: <u>6141 Buckland Mill Rd.</u>
TAX MAP NUMBER: <u>0360022313</u>	<u>Roanoke, VA 24019</u>
NAME: <u>Daniel G. Houston and Russell W. Pugh</u>	ADDRESS: <u>430 Wirtz Rd.</u>
TAX MAP NUMBER: <u>0360022313A</u>	<u>Wirtz, VA 24184</u>
NAME: _____	ADDRESS: _____
TAX MAP NUMBER: _____	_____
NAME: _____	ADDRESS: _____
TAX MAP NUMBER: _____	_____

Checklist for completed items:

- Application Form
- Letter of Application
- List of Adjoining Property Owners and Addresses
- Concept Plan
- Application Fee

I certify that this application for a variance and the information submitted herein is correct and accurate.

Applicant's Name (Print): JMB INVESTMENT Co. LLC

Signature of Applicant: *Jason Brown* JASON BROWN

Date: 7-21-16

Mailing Address: 325 ERIN DRIVE  
KNOXVILLE, TN 37919

Telephone: 865-200-4770

Owner's consent, if applicant is not property owner:

Owner's Name (Print): David L. Maddy

Signature of Owner: *David L. Maddy*

Date: 7-27-16

Date Received by Planning Staff: \_\_\_\_\_

Time: \_\_\_\_\_

Clerk's Initials: \_\_\_\_\_

CHECK #: \_\_\_\_\_

RECPT. #: \_\_\_\_\_

AMOUNT: \_\_\_\_\_

Checklist for completed items:

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- Letter of Application
- List of Adjoining Property Owners and Addresses
- Concept Plan
- Application Fee

I certify that this application for a variance and the information submitted herein is correct and accurate.

Applicant's Name (Print): JMB INVESTMENT Co. LLC

Signature of Applicant: *Jason Brown* Jason BROWN

Date: 7-21-16

Mailing Address: 325 ERIN DRIVE  
KNOXVILLE, TN 37919

Telephone: 865-200-4770

Owner's consent, if applicant is not property owner:

Owner's Name (Print): DAN MADDY

Signature of Owner: *Dan Maddy*

Date: 7/21/16

Date Received by Planning Staff: \_\_\_\_\_

Time: \_\_\_\_\_

Clerk's Initials: \_\_\_\_\_

CHECK #: \_\_\_\_\_

RECPT. #: \_\_\_\_\_

AMOUNT: \_\_\_\_\_

Checklist for completed items:

- Application Form
- Letter of Application
- List of Adjoining Property Owners and Addresses
- Concept Plan
- Application Fee

I certify that this application for a variance and the information submitted herein is correct and accurate.

Applicant's Name (Print): JMB INVESTMENT CO. LLC

Signature of Applicant: *Jason Brown* Jason BROWN

Date: 7-21-16

Mailing Address: 325 ERIN DRIVE  
KNOXVILLE, TN 37919

Telephone: 865-200-4770

Owner's consent, if applicant is not property owner:

Owner's Name (Print): DENNIS W MADDY

Signature of Owner: *Dennis W. Maddy*

Date: 7-29-16

Date Received by Planning Staff: \_\_\_\_\_

Time: \_\_\_\_\_

Clerk's Initials: \_\_\_\_\_

CHECK #: \_\_\_\_\_

RECPT. #: \_\_\_\_\_

AMOUNT: \_\_\_\_\_

Checklist for completed items:

- Application Form
- Letter of Application
- List of Adjoining Property Owners and Addresses
- Concept Plan
- Application Fee

I certify that this application for a variance and the information submitted herein is correct and accurate.

Applicant's Name (Print): JMS INVESTMENT CO. LLC

Signature of Applicant: *Jason Brown* Jason BROWN

Date: 7-21-16

Mailing Address: 325 EDIN DRIVE  
KNOXVILLE, TN 37919

Telephone: 865-200-4770

Owner's consent, if applicant is not property owner:

Owner's Name (Print): Douglas MASON

Signature of Owner: *Douglas Mason*

Date: 7/29/16

Date Received by Planning Staff: \_\_\_\_\_

Time: \_\_\_\_\_

Clerk's Initials: \_\_\_\_\_

CHECK #: \_\_\_\_\_

RECPT. #: \_\_\_\_\_

AMOUNT: \_\_\_\_\_