



TBS Construction, LLC
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April 3, 2017

Franklin County
ATTN: Board of Zoning Appeals
1225 Franklin St., Suite 103
Rocky Mount, VA 24151

RE: Letter of Application for Zoning Variance for 79 Overlook Circle, Moneta

Dear Board Members,

Thank you for considering this Variance Request for my clients, Ms. Karen DePauw and Shelli Fowler.

I have been working with Karen and Shelli since July 2016 to budget and design a Master Suite addition and a replacement deck for their home located at 79 Overlook Circle. We have spent several months having an engineered septic system designed that will allow the home to expand to a modest 3-bedroom house. During the submission of their Septic Permit application package to the Health Department, I thought it was wise to have the Franklin County Planning Department review the proposed Site Plan before actually installing the new septic system. During this review, it was discovered that their residence at 79 Overlook Circle in Moneta is nonconforming. As evidenced by the attached Concept Plan, the house currently sits too close to Overlook Circle, which is a private cul-de-sac for about a dozen homes. The required setback is 30' and their residence is sitting at 25.6' to the edge of the front corner of the house.

The house in question was built in 1974, which was one year before Franklin County adopted its first Comprehensive Plan in 1975 and it appears after reviewing the GIS records that Karen and Shelli's home was one of the first three homes built along this right-of-way. I can only assume that the current setbacks most likely did not exist at the time the home was originally built.

The intention for the addition on the rear of the home is to provide a Master Suite suitable for full-time residency. The owners are currently anticipating retirement in the next few years and intend to occupy the home full-time. As you can see from the Concept Plan, the addition and new deck to replace the one being removed for the addition do not in any way exacerbate the current front yard setback issue. All other setbacks for the house and improvements are conforming to the current zoning rules. The house in its current state includes a rear deck that will be removed and replaced with a 2-story addition with a new 12' deep deck attached to the new addition. Constructing the abovementioned improvements only marginally increases the size of the current

original

FRANKLIN COUNTY
APPLICATION
FOR VARIANCE
(Type or Print)

I/we, TBS Construction, 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: TBS Construction, LLC
2. Property Owner's Name: Karen P. DePAW & Shelli B. Fowler
3. Address of Property: 79 Overlook Circle, Norton, VA 24121
4. Phone Number: 540-357-2186 Karen.dePAW@gmail.com
5. Exact Directions to Property from Rocky Mount: 122 N. to rt. on Scruggs to left on Lakewood Forest to rt. on Overlook Circle to house on right after driving around circle
6. Tax Map and Parcel Number: 0310104900
7. Magisterial District: Gills Creek
8. Property Information:
 - A. Size of Property: .43 ACRES
 - B. Existing Land Use: Residential - single-family
 - C. Existing Zoning: RC1
 - D. Is property located within any of the following overlay zoning districts:
 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: N/A
 - F. Describe how the strict application of the ordinance would unreasonably restrict the use of the property or how the granting of the variance would alleviate a hardship due to a physical condition of the property: the application of the front setback from the right-of-way prevents any expansion of this house or the rear of an otherwise compliant structure.

9. Proposed Development Information:

- A. Proposed Land Use: no change
- B. Proposed Zoning: no change
- C. Size of Proposed Use: NO increase in size requested
 - Section of the Zoning Ordinance for which a variance is being requested: 25-164
(Zoning Code section must be correct and all applicable code sections included in request.)

Checklist for completed items:

Application Form

Letter of Application

not required 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): TBS Construction, LLC

Signature of Applicant: [Signature] President

Date: 4/3/17

Mailing Address: 4752 Scroggs Rd,
Moreta VA 24121

Telephone: 540-986-5284

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

Owner's Name (Print): KAREN P. DEPAUW & SHELLI B. FAWCER

Signature of Owner: [Signature]

Date: 3.31.17

Date Received by Planning Staff: _____

Time: _____

Clerk's Initials: _____

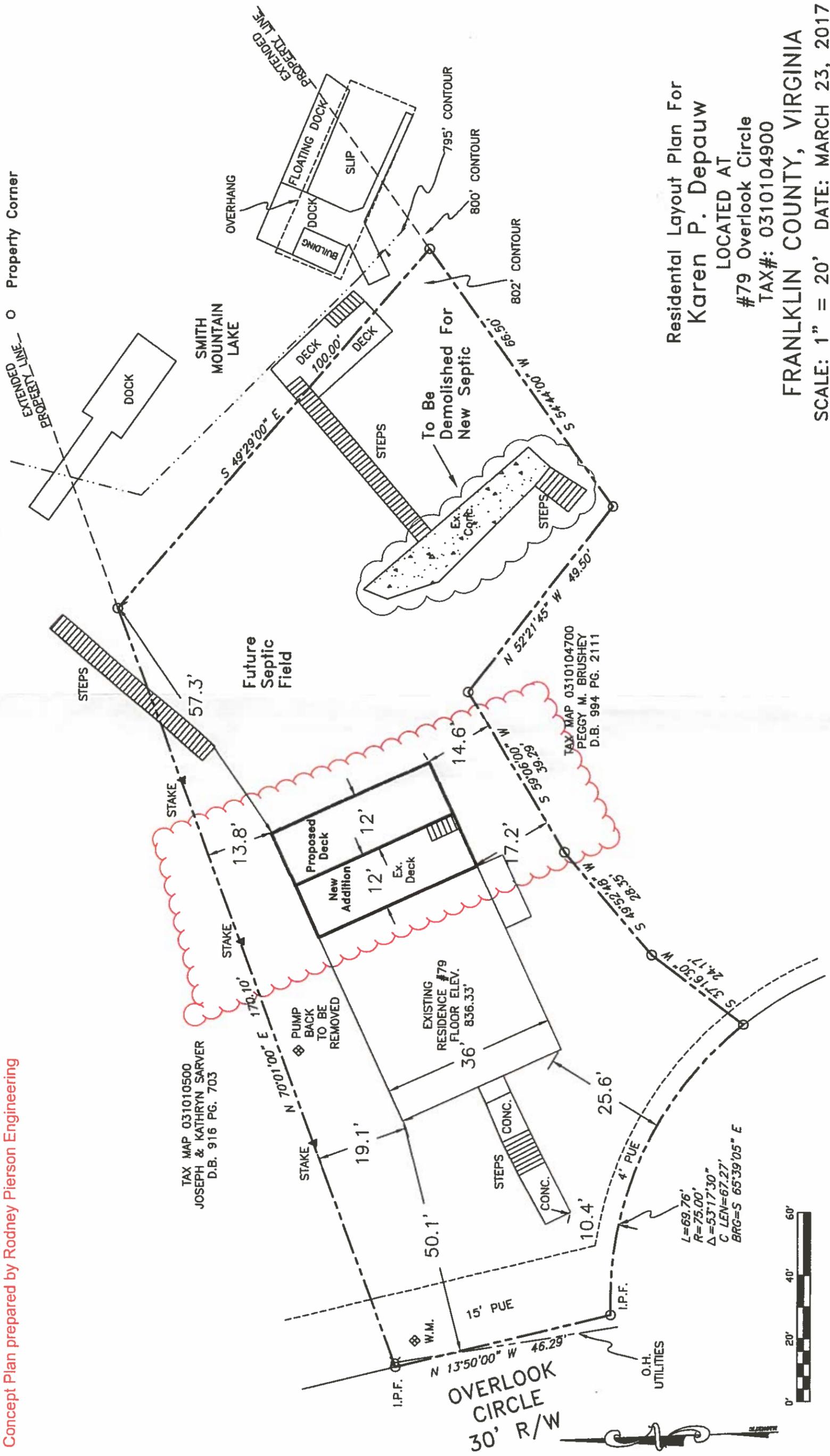
CHECK#: _____

RECEIPT #: _____

AMOUNT: _____

Concept Plan prepared by Rodney Pierson Engineering

LEGEND:
 ——— Property Line
 ○ Property Corner



Residential Layout Plan For
 Karen P. Depauw
 LOCATED AT
 #79 Overlook Circle
 TAX#: 0310104900

FRANKLIN COUNTY, VIRGINIA
 SCALE: 1" = 20' DATE: MARCH 23, 2017
 Comm.# dripfields/r2016119JayGauldinLakeForest

