

FRANKLIN COUNTY
APPLICATION
FOR VARIANCE
(Type or Print)

I/We, James + Polly Lyons, 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: James + Polly Lyons
2. Property Owner's Name: _____
3. Address of Property: 120 Crown Point Drive Wirtz, Va. 24184
4. Phone Number: 540-537-4932 or 540-537-4934
5. Exact Directions to Property from Rocky Mount: NO West to Left on Rt 122 to Right on Burnt Chimney Rd - Approximately 8 miles to Right on Royal Estates Blvd - Left on Crown Point Drive, home on right.
6. Tax Map and Parcel Number: 0471103300
7. Magisterial District: Union Hall
8. Property Information:
 - A. Size of Property: 1.089
 - B. Existing Land Use: R-1 Residential
 - C. Existing Zoning: R-1 Residential, Single Family
 - 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: .0280 Acres underwater at dock
 - 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: We have owned property since 2002, as we are aging we wish to have a garage on the main level as access to main level. Due to the topography & location of septic system this is the only place we can add the garage.

1.

Checklist for completed items:

- Application Form
- Letter of Application
- 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): James E. Lyons Jr. Polly L. Lyons

Signature of Applicant: *[Handwritten Signatures]*

Date: 8-4-2017

Mailing Address: ~~120 Crown Point Dr.~~ 1123 Celebration Ave SE
Moneta, Va. 24121

Telephone: 540-537-4932 / 540-537-4934

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

Owner's Name (Print): _____

Signature of Owner: _____

Date: _____

Date Received by Planning Staff: _____

Time: _____

Clerk's Initials: _____

CHECK#: _____

RECEIPT #: _____

AMOUNT: _____

James E & Polly L Lyons

120 Crown Point Drive
Wirtz, Virginia 24184

August 1, 2017

Tina Franklin
Franklin County Development Services
Planning & Community Development
1255 Franklin Street, Suite 103
Rocky Mount, Virginia 24151

Dear Ms. Franklin;

This letter of application to the Board of Zoning Appeals is to formally ask for a variance in regards the current setback of fifty-five (55') feet required from the centerline of the 50 foot private right of way (Crown Point Drive). This variance would allow us to make an addition to our home for more living space and a garage on the main level of our home.

We have lived in our home since 2002 and have studied several plans to add a garage to the main level. However, due to the topography of the land and the location of the current septic system, the only place the garage could be added on the main level would be south eastern side of the home. While we currently have no health issues that necessitate this addition, we know that as we grow older that may not be the case.

In regards to changes in the surrounding area the addition would not change the overall aesthetics of the community but could potentially improve the overall value of the properties since there would be a minimal increase of square footage to the home while maintaining the current character of the home and neighborhood.

With this application, you will find a concept plan with detailed measurements, a concept image of the proposed addition, and letters from our adjacent neighbors expressing their support of the variance request.

We respectfully ask the Board their consideration in this matter.


James E Lyons & Polly L Lyons

Parcel ID: 041103300

Charles A. Wright

200 Royal Estates Blvd.
Wirtz, Virginia 24184

August 4, 2017

Tina Franklin
Franklin County Development Services
Planning & Community Development
1255 Franklin Street, Suite 103
Rocky Mount, Virginia 24151

Dear Ms. Franklin;

I have been notified by our neighbors, James E and Polly L Lyons at 120 Crown Point Drive Wirtz, Virginia 24184, that they are applying for a zoning variance to affect the setback of their home in regards to the center line of the private right of way road servicing our neighborhood.

They have discussed their plans with me and I don't believe it will have a negative impact on the neighborhood and believe it would be consistent with the current homes in the area.

Therefore, I do not have any objection to approval of the requested variance.

Sincerely,



Charles A. Wright

Parcel ID: 041103400





Proposed Addition

PLAT SHOWING PROPERTY LINE ADJUSTMENT SURVEY OF

**LOT 8 SECTION 2
ROYAL ESTATES
BEING OWNED BY:
JAMES E. LYONS, JR. &
POLLY L. LYONS
SOURCE: D.B. 740 PG. 725
TOTAL AREA 1.090 ACRES**

AND

**LOT 9 SECTION 2
ROYAL ESTATES
BEING OWNED BY:
NOEL E. & MARCIA A. SAUNDERS
SOURCE: D.B. 911 PG. 1389
TOTAL AREA 0.504 ACRES**

**UNION HALL DISTRICT
FRANKLIN COUNTY
VIRGINIA**

**CURRENT OWNERS ADDRESS:
LYONS
120 CROWN POINT DR.
WIRTZ, VA 24184**

**CURRENT OWNERS ADDRESS:
SAUNDERS
140 CROWN POINT DR.
WIRTZ, VA 24184**

KNOW ALL MEN BY THESE PRESENTS, TO WIT:

That James E. Lyons, Jr. & Polly L. Lyons, is the fee simple owner of the land shown hereon and being all the property conveyed to said owner by deed dated April 25, 2002, recorded in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in D.B. 740, Pg. 725.

The said owner certifies that it has resubdivided this land as shown hereon, entirely with its own free will and consent and pursuant to and in compliance with Section 15.2-2240 thru 2276 of the Code of Virginia, 1950 (as amended) and in compliance with the Franklin County Land Subdivision Ordinances.

In witness thereof are hereby placed the following signatures and seals on this ___ day of ___, 2017.

James E. Lyons, Jr.

Polly L. Lyons

_____, a Notary Public in and for the State of Virginia at large aforesaid, hereby certify that the owners name as signed hereon has acknowledged to the same before me this ___ day of ___, 2017.

My commission expires _____

Notary Public

KNOW ALL MEN BY THESE PRESENTS, TO WIT:

That Noel E. & Marcia A. Saunders, is the fee simple owner of the land shown hereon and being all the property conveyed to said owner by deed dated May 7, 2007 recorded in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in D.B. 911, Pg. 1389.

The said owner certifies that it has resubdivided this land as shown hereon, entirely with its own free will and consent and pursuant to and in compliance with Section 15.2-2240 thru 2276 of the Code of Virginia, 1950 (as amended) and in compliance with the Franklin County Land Subdivision Ordinances.

In witness thereof are hereby placed the following signatures and seals on this ___ day of ___, 2017.

Noel E. Saunders

Marcia A. Saunders

_____, a Notary Public in and for the State of Virginia at large aforesaid, hereby certify that the owners name as signed hereon has acknowledged to the same before me this ___ day of ___, 2017.

My commission expires _____

Notary Public

LINE	BEARING	DISTANCE
L1	N 65°39'54" E	63.82'
L2	N 32°15'01" W	30.84'
L3	N 63°46'14" W	19.48'
L4	N 20°07'39" E	5.56'
L5	N 76°07'56" E	150.95'
L6	N 74°25'11" E	3.46'
L7	S 79°53'47" E	27.99'
L8	N 53°42'41" E	34.30'

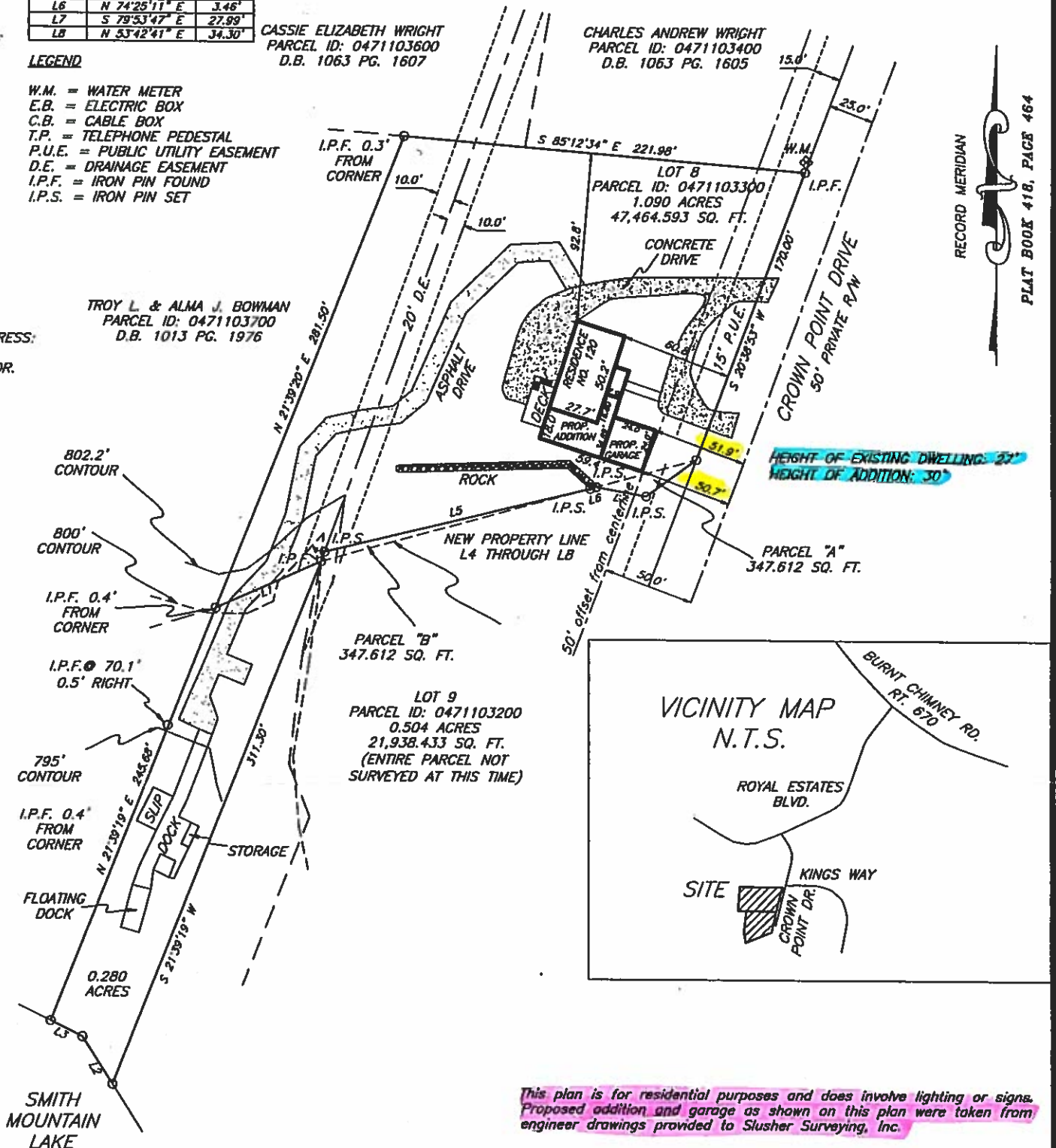
LEGEND

W.M. = WATER METER
E.B. = ELECTRIC BOX
C.B. = CABLE BOX
T.P. = TELEPHONE PEDESTAL
P.U.E. = PUBLIC UTILITY EASEMENT
D.E. = DRAINAGE EASEMENT
I.P.F. = IRON PIN FOUND
I.P.S. = IRON PIN SET

CASSIE ELIZABETH WRIGHT
PARCEL ID: 0471103600
D.B. 1063 PG. 1607

CHARLES ANDREW WRIGHT
PARCEL ID: 0471103400
D.B. 1063 PG. 1605

TROY L. & ALMA J. BOWMAN
PARCEL ID: 0471103700
D.B. 1013 PG. 1976



Subdivision Agent Franklin County _____ Date _____

Virginia Department of Health _____ Date _____

NOTES:

1. This plat has been prepared without the benefit of a title report and therefore does not necessarily indicate all encumbrances upon the property.
2. Exact location of underground utilities and improvements unknown.
3. This property does not address the existence, detection, or delineation of any environmentally sensitive areas or any environmental problems located within the perimeter of the property shown.
4. That portion of this property as platted which lies below the 802.2' contour falls within Flood Zone "AE" and all that portion that lies above the 802.2' contour falls within Flood Zone "Unshaded X" of the Federal Insurance Rate Map One Hundred Year Flood Plain. FIRM Panel 51067C0240D Dated: January 6, 2010.

I hereby certify, to the best of my knowledge and belief, that all of the requirements of the Board of Supervisors and the ordinances of Franklin County, Virginia regarding the platting of subdivisions within the County have been met.

Monumentation at each lot corner as called for on this plat has been set or will be set upon approval of this plat by the Franklin County Planning Department.

This property was conveyed to James E. Lyons, Jr. & Polly L. Lyons by Deed Book 740 Page 725 and recorded in the Clerk's Office of the Circuit Court of Franklin County, Virginia.

This property was conveyed to Noel E. & Marcia A. Saunders by Deed Book 911 Page 1389 and recorded in the Clerk's Office of the Circuit Court of Franklin County, Virginia.

This is to certify on April 21, 2017 I made an accurate survey of the premises shown hereon and that there are no easements or encroachments visible on the ground other than as shown hereon.



COMM. NO. 14239
DATE: 04-21-17
REVISED: 07/31/17
SCALE: 1" = 50'
TAX MAP: 0471103300
ZONING: R1
PRECISION: 1:20,000+
DRAWN BY: R.J.B.
CHEK'D BY: R.F.P.

