

A-3-15, HANOVER COUNTY (DEPARTMENT OF PUBLIC UTILITIES)



Variance Report

Henry Magisterial District

BZA Meeting Date: December 8, 2015, at 7:00 p.m.

Overview

Request	13.3 foot front yard variance
Zoning	A-1, Agricultural District
Acreage	0.466 acre
Location	East side of Sugarloaf Drive (State Route 1755) approximately 365 feet north of its intersection with Georgetown Road (State Route 651)
GPIN	8717-49-3883
General Land Use Plan	Agricultural
Staff Contact	J. Keith Thompson

Executive Summary

This request is for a front yard variation for a utilities well house facility expansion on Sugarloaf Drive in the Georgetown, Section A subdivision. The required front yard setback is sixty (60) feet. The applicant is requesting a 13.3 foot front yard setback variation; so that the proposed attached expansion will align with the existing building setback which has a legally non-conforming setback of 46.7 feet. The proposed building expansion will comply with the required side yard setback of thirty (30) feet. The basis for this request is to allow the applicant to construct a new disinfection equipment and chemical storage addition attached to the existing well house facility which was constructed in 1975.

Staff Recommendation

Staff recommends **APPROVAL** of the Variance as requested. The construction of the disinfection equipment and chemical storage facility will not encroach farther into the required front yard than the existing legally non-conforming well house building. With the existing configuration of the building and the appurtenant tank to the rear of the structure this is the only location available for this expansion.

Analysis

Georgetown, Section A is a sixteen (16) lot subdivision recorded in June, 1975. The lots are zoned A-1, Agricultural. A building permit was also issued for the water facilities in 1975. The well house and storage tank was constructed on the 0.466 acre well lot during this same general time period. The Hanover County Public Utilities Department acquired the property in 1977.

The Planning Department was approached by the Public Utilities Department regarding this proposed expansion to construct the disinfection equipment and chemical storage building attached to the existing well house. The staff questioned if the unit could be built in another location; however this was not deemed workable based on the configuration of existing facilities.

The Staff does not view this request as an expansion of the nonconforming use, but rather an expansion of the structure since the facility is for storage/maintenance and will not intrude further into the front yard setback. The facility currently meets the side yard setback on a corner lot.

Powers and duties of Board of Zoning Appeals. Va. Code § 15.2-2309

The Board shall authorize no such Variance unless it finds:

- I) The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance:**

The applicant acquired the property in good faith in 1977 (DB 432, PG 532). The desire is to expand the facility to provide for additional protection of the water quality for Georgetown Subdivision.

- II) The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area.**

Authorization of this Variance will not be of substantial detriment to the adjacent properties; nor will it alter the character of this zoning district.

- III) That the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonable practical the formulation of a general regulation to be adopted as an amendment to the ordinance**

There is no general or reoccurring condition that warrants amending the zoning ordinance.

- IV) The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property.**

The granting of this variance will not amend the zoning classification of this property.

V) The relief or the remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application.

A special exception permit is not an available remedy in this situation.

LTW/sm/s:bza

Attachments

- Maps (land use, vicinity, zoning, aerial)
- Application Materials

- Photographs

**Hanover County,
Virginia**

General Parcel Map

Legend

- Roads
- Water
- Trees
- Private Road
- Structures
- Parcels

A-3-15

HCBS Public Utilities

variance

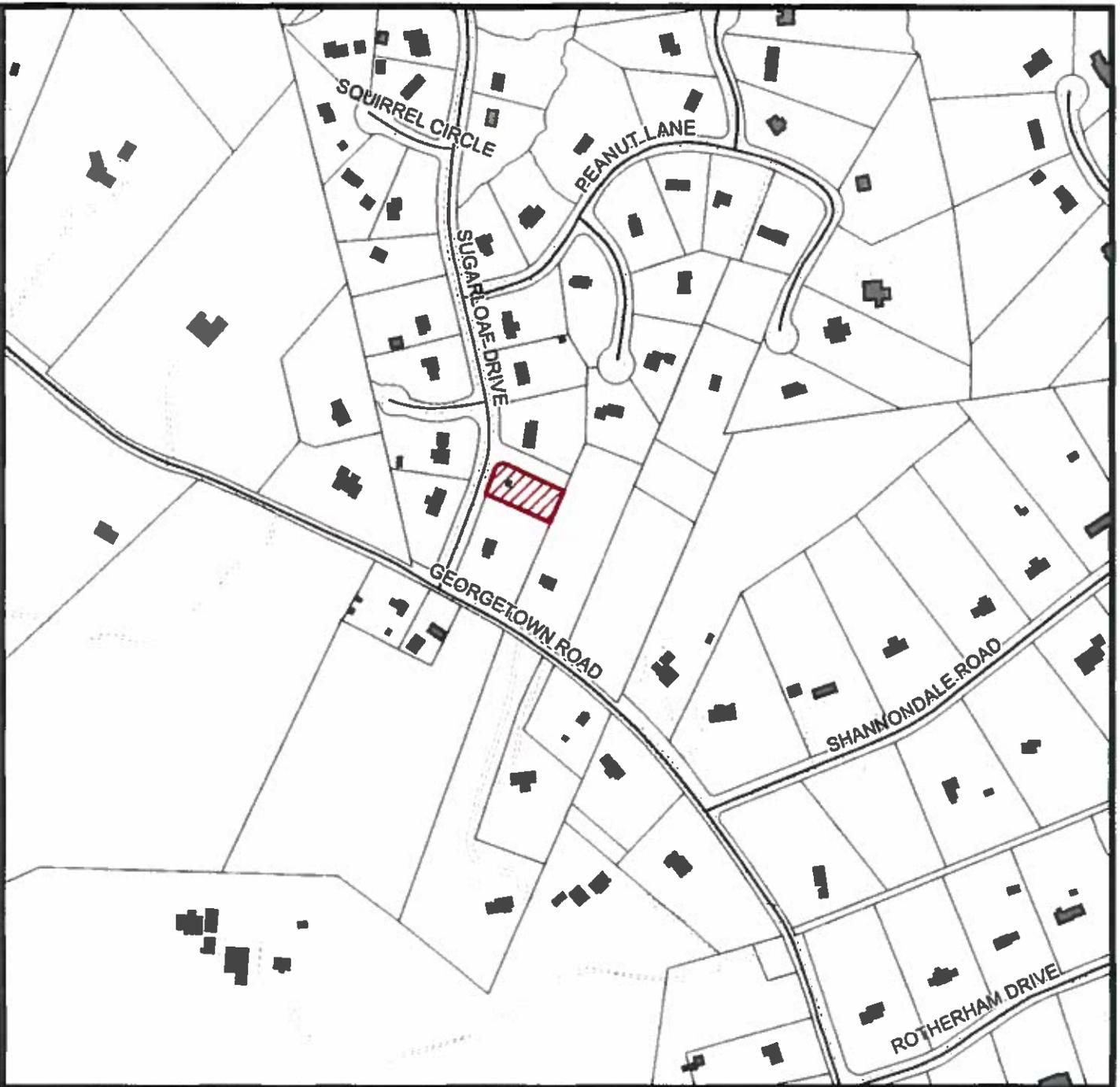
Zoned A-1

GPN: 8717-49-3883
Henry Magisterial District



1 inch = 400 feet

November 02, 2015



Hanover County, Virginia

Zoning Map

Legend

— Roads	■ R-4
— Water	■ R-5
— Private Road	■ R-6
□ Parcels	■ RM
□ CUP	■ MX
□ A-1	■ B-1
□ AR-1	■ B-2
■ AR-2	■ B-3
■ AR-6	■ O-S
■ RC	■ B-O
□ RS	■ M-1
■ R-1	■ M-2
■ R-2	■ M-3
■ R-3	

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HCBS Public Utilities

variance

Zoned A-1

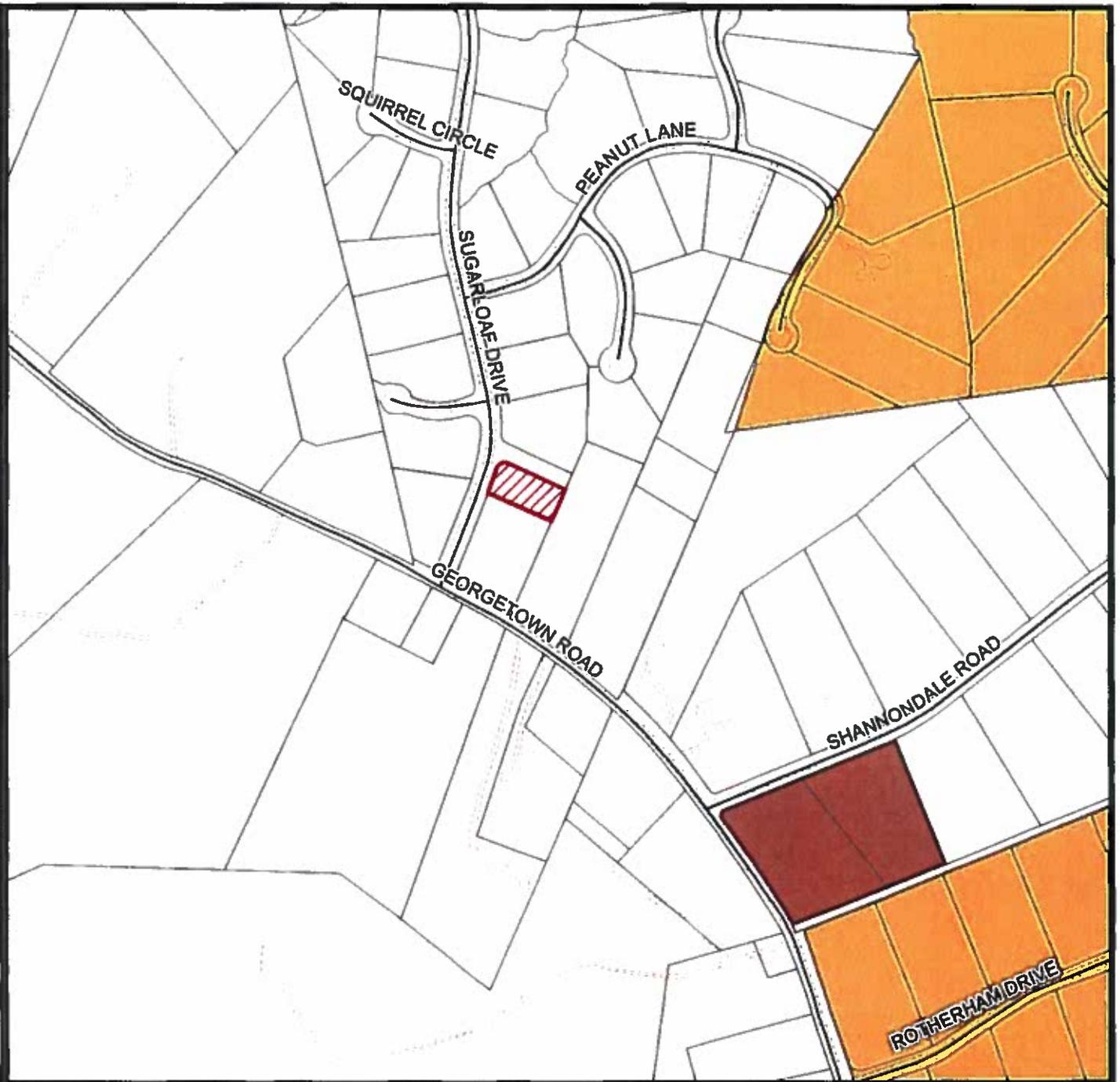
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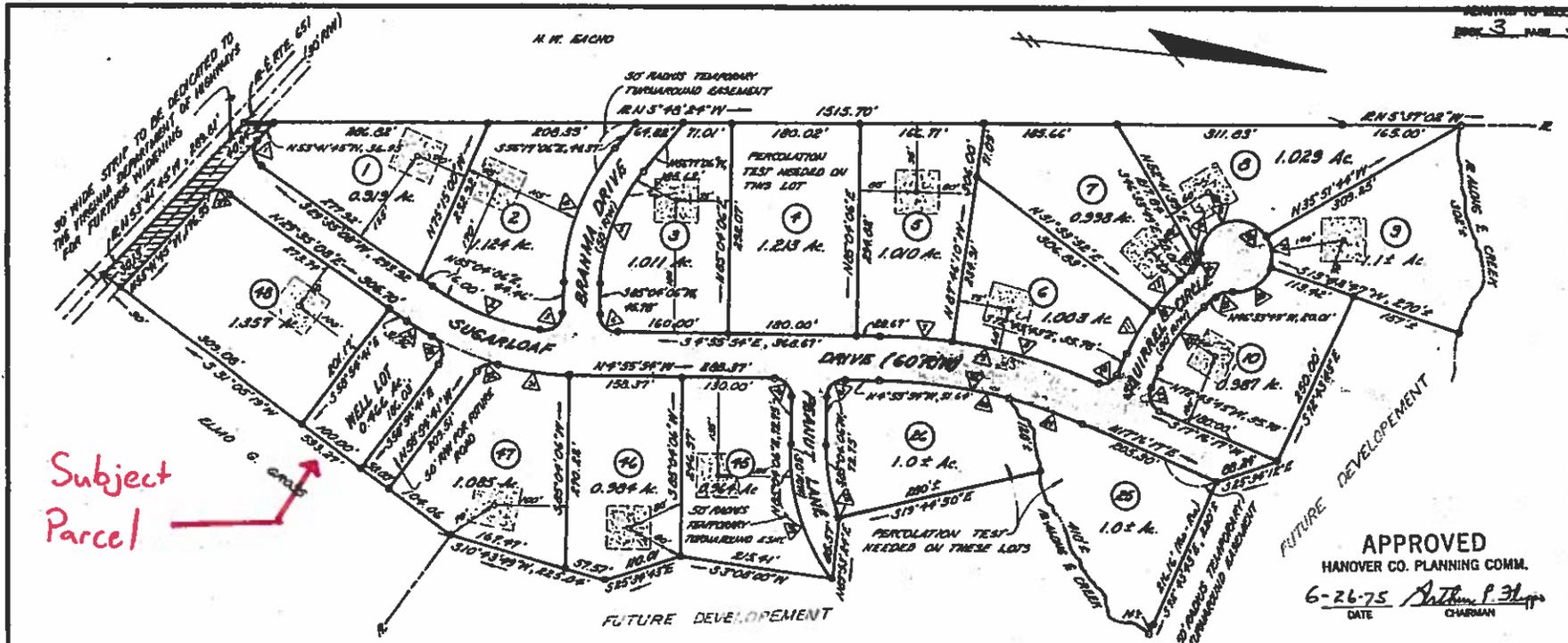
Henry Magisterial District



1 inch = 400 feet

November 02, 2015





Subject Parcel

APPROVED
HANOVER CO. PLANNING COMM.
6-26-75 *Arthur P. Blaylock*
DATE CHAIRMAN

'GEORGETOWN'
SECTION A
HENRY DISTRICT HANOVER COUNTY
VIRGINIA
APRIL 24, 1793 SCALE 1"=100'

DENOTES PROPOSED DRAINFIELD LOCATION
 DENOTES LOCATION OF SOIL BORINGS
 DENOTES I.P. SET



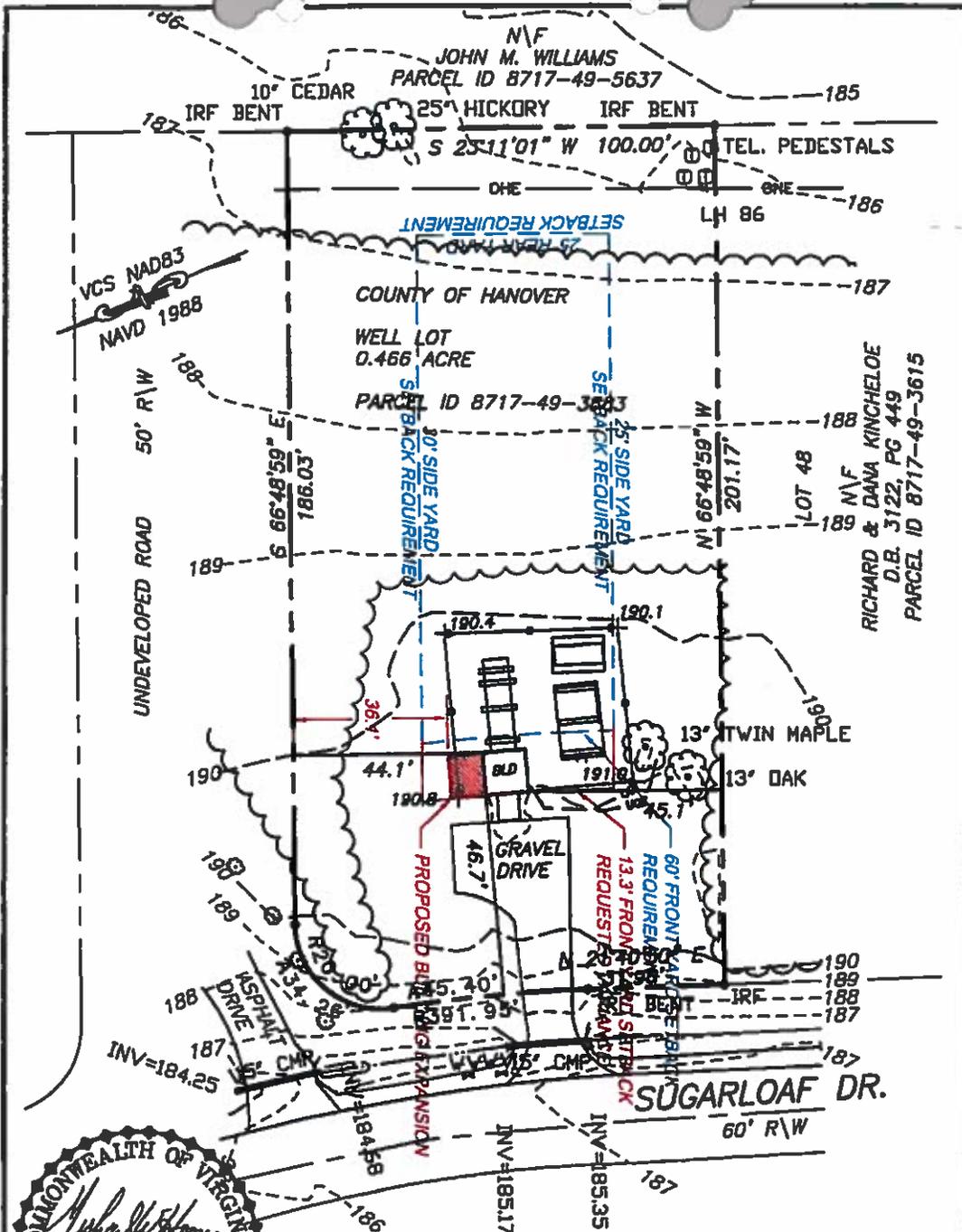
ROBERT L. DOWNING SURVEYOR, INC.
PO. BOX 22 ASHLAND, VIRGINIA

NO.	DELTA	RAD.	L	T	CH. BRG.	CH. L.
1	36°43'07"	82.00	33.76	22.41	S77°36'42"W	23.05
2	29°14'48"	33.95	163.74	62.67	S45°31'44"W	67.61
3	55°16'16"	80.00	33.26	21.38	S47°17'46"E	23.55
4	38°35'48"	302.54	204.74	126.74	S75°46'30"E	200.00
5	38°35'48"	253.59	171.02	68.30	N75°36'50"W	162.73

NO.	DELTA	RAD.	L	T	CH. BRG.	CH. L.
6	50°00'00"	82.00	31.42	22.00	S70°00'00"W	22.82
7	7°03'44"	802.37	222.13	30.13	S1°21'11"E	102.06
8	15°08'27"	802.37	202.24	126.74	S7°45'08"W	209.66
9	22°12'11"	802.37	310.25	152.77	S6°10'11"W	308.95
10	50°00'00"	22.00	31.42	22.00	S77°45'48"E	22.22
11	14°17'35"	222.00	68.60	34.48	S65°34'56"E	62.42
12	17°52'19"	275.00	56.28	22.59	S52°29'58"E	56.08
13	25°09'54"	275.00	125.58	63.24	N59°08'46"W	124.49
14	25°57'18"	10.00	20.21	10.39	S67°02'28"E	22.00
15	14°45'25"	11.00	10.34	5.23	S62°55'19"E	10.31
16	49°45'42"	42.00	30.38	16.06	S68°25'30"E	23.81
17	44°27'47"	50.00	126.07	156.89	S18°05'38"E	95.23
18	26°31'24"	50.00	233.46			
19	49°34'09"	50.00	43.24	22.07	S70°53'31"W	41.93
20	73°29'06"	50.00	64.73	37.33	N43°32'40"W	32.02

NO.	DELTA	RAD.	L	T	CH. BRG.	CH. L.
21	49°45'42"	42.00	30.38	16.06	N49°45'50"W	22.81
22	26°03'36"	222.00	102.75	52.29	N59°38'46"W	101.06
23	30°00'00"	22.00	31.42	22.00	S62°16'17"W	22.22
24		702.37	108.1			
25		702.37	179.1			
26	22°12'11"	702.37	227.14	142.59	N6°10'11"E	225.94
27	50°00'00"	22.00	31.42	22.00	N49°35'34"W	22.22
28	25°19'46"	222.00	101.37	51.70	S78°24'15"W	101.27
29	37°32'24"	302.54	198.60	122.02	N66°07'34"E	195.00
30	30°00'00"	22.00	31.42	22.00	N40°04'06"E	22.22
31	14°54'37"	33.33	102.04	37.31	N2°31'35"E	101.75
32	68°53'44"	22.00	34.05	12.76	N84°37'33"W	22.63
33	38°08'58"	22.00	34.26	22.00	N75°01'07"E	30.22
34	6°38'15"	34.25	13.70	22.18	N82°16'01"E	44.38
35	25°15'53"	22.00	23.06	11.78	N18°05'16"W	26.57

J.R. FOSTER/J.A. 'GEORGETOWN'



COMMONWEALTH OF VIRGINIA
Michael W. Hoover
 MICHAEL W. HOOVER
 Lic. No. 1755
 10/29/2015
 LAND SURVEYOR

TOPOGRAPHIC SURVEY
 WELL LOT
 GEORGETOWN SECTION A
 HENRY DISTRICT
 HANOVER COUNTY, VIRGINIA

NOTES:

1. NO TITLE REPORT WAS FURNISHED. THIS SURVEY DOES NOT PURPORT TO REFLECT ALL EASEMENTS, ENCUMBRANCES OR OTHER CONDITIONS THAT AFFECT THE TITLE TO THE SUBJECT PROPERTY.
2. PARCEL KNOWN AS 10996 SUGARLOAF DRIVE.
3. FINISHED FLOOR OF BUILDING = 191.1'
4. THIS SURVEY WAS COMPLETED UNDER THE DIRECT SUPERVISION AND RESPONSIBLE CHARGE OF MICHAEL W. HOOVER AND IS BASED ON AN ACTUAL GROUND SURVEY THAT THIS PLAT MEETS THE MINIMUM ACCURACY STANDARDS OF THE COMMONWEALTH OF VIRGINIA.

SCALE: 1" = 30'	DATE: 10/29/2015
Dewberry®	
Dewberry Consultants, LLC	
4805 Lake Brook Drive Glen Allen, VA 23080 PHONE: 804.290.7957 FAX: 804.290.7928 www.dewberry.com	





