

BOARD OF ZONING APPEALS MEETING

JULY 20, 2023

Members Present

Lawrence Meder
Nicole Garrison
Gus Dyer
John Hiltzheimer

Members Absent

Michael Nicholas
Gus Dolianitis
Ann Sasser Evans

Staff

Shanika Williams
Cynthia Lester
Ryan Dodson

Chairman Dyer called the meeting to order at 10:00 a.m.

I. ITEMS FOR PUBLIC HEARING

1. *Variance Request PZ23-00209, filed by Fortiline, Inc. on behalf of RCCM Properties, LLC, requests a variance from Article 2. Q of Chapter 41 of the Code of the City of Danville Virginia, 1986 as amended at 4780 Riverside Drive (Parcel #72287). The applicant requests a variance to erect a six (6) foot tall fence in the front yard where four (4) feet is the maximum allowable height.*

Mr. Dyer opened the Public Hearing.

Mr. Woodall stated. Thank you for allowing the RCC and properties today. This is something that should be an easy sale for you all today. I have picture I will pass around I don't think due diligence was done by the city, just defining art even though it's on the side of the building, they say it's facing the Ingram roadside, but you see what it is facing you can put fencing around. I think this is wrong. This company is a national company for 300 locations in 18 states. They are trying to get here to generate some business without economic development alongside it and will provide a much-needed service to the city for some vendors to follow the contracts that I know. I think last month they sold several million dollars' worth of product in Danville, building in Greensboro locations because again Danville location couldn't develop at the time. We have a Toyota property I brought in 2019, it's actually 5 parcels we have 3 commercial renters there. This will be the fourth that we will be renting this is big most more than a half million dollar to renovate this property. I am looking at all the codes, putting slabs and fences, going through all the vendors work with them as well. They are saying this is in the front yard that's really not in the front it on the side of the building they say it's facing the road, need to set up quest to improve the property to make it really something to be proud of here.

Mr. Meder stated. Via an officially discussed around there were a series of lights that look like they're on a ditch

Mr. Woodall stated. That's a light pole they took the other poles down. Their way to build new ones and this is one pole that we started with.

Mr. Meder stated. So, in other word they are spending money to improve the area.

Mr. Woodall stated. Yes, \$100,000 I'll getting ready for them to come in to spend \$600,000 I'm waiting on them. That's what we trying to get everything done come in and get a permit.

Mr. Dyer stated. What type of fence will this be?

Mr. Woodall stated. It will be a chain link fence with slats.

Mr. Dyers stated. Is there any plan for any type of landscaping between the fence and the road.

Mr. Woodall stated. It's already landscaping there.

Mr. Dyer stated. Well, there's grass.

Mr. Woodall stated. You look at the hills that what you call that, there is vegetation, and we plan to keep it up.

Mr. Dyer stated. And this is commercial property that's on the other side.

Mr. Woodall stated. Yeah, there's a store on the corner, hair shop, auto shop.

Mr. Dyer stated. It does really impact any type of residential area.

Mr. Keith stated. I been working for the company over 12 years and over 20 branches of the company called Greece and is very much concerned about that. As much as Daniel is concerned about Danville, I can assure you, if you drive down the street this building has been vacant for about 13 years. As Mr. Woodall said, we plan on spending several \$100.000 paintings the building making it look nice from the outside because we have to protect our name as well. As you can see the fences is not in the front. So, it's a feeling from the side when you're driving down the road you look over just want to be consistent. Across where it was natural. At the end of the day, it's landscaping on the side is not kept up. That's a problem for us as well. Would like to have a nice complex representation of us. Just want to make sure you guys understand that we're very much concerned about how things look when you are driving down the road. I think in a couple months, once everything is approved, John will be very pleased. Representing yourself and Danville.

Ms. Garrison stated. I suppose this is the same fence that you're also intend to carry across the back at the same time, so that everything is uniform.

MR. Keith stated. Yes, it can be slapped all the way around the entire house.

Mr. Dyer stated. There's like no razor wire anything attached to the top or it just basic.

Mr. Keith stated. I think we submitted that we use our company standard for uses slat fence with three strands barbed wire at the top. If that's a problem we don't have to have the three-strands barbed wire at the top.

Ms. Garrison stated. Is that included in the six feet or is that in addition to.

Mr. Keith stated. Finished

Mr. Meder stated. What's the city position on that.

Ms. Williams stated. On the barbed wire?

Mr. Dyer stated. Its actually seeing the six foot it's just the type of thing we're having. I asked either back or go straight up.

Mr. Keith stated. It slaps back and straight up.

Mr. Dyer stated. I don't have a problem with that for security reasons. From the back. But since this is road frontage and easily observable from the street. I believe that would be more interpretive this variance application if we eliminated the use of razor wire on the street side, which I guess it really what you are applying for because they are allowed for six feet in the rear of the building.

Ms. Williams stated. Yes, six to eight.

Mr. Dyer stated. Board members how to feel about that?

Ms. Garrison stated. They're asking for just six feet on the side.

Mr. Keith stated. We asked for that, I will say we've tried to keep it around that. If anybody drives around, we are not difficult, to not have three strands. That's not a big deal, we just trying to make form all around.

Ms. Williams stated. Barbed wire is allowed in two of the residential districts, but not here at HLC.

Mr. Dyers stated. Also, if it exceeds the six feet where we are granting the variance, that would also not be allowed.

Ms. Williams stated. Correct.

Mr. Dyer stated. So, they could do a four-foot fence with two feet of razor wire at the top. If we approve this application unamended

Ms. Williams stated. On the sides Yes.

Mr. Dyer stated. Razor wire is not allowed. So that would be another application that I had to make if they wanted to razor wire on this particular parcel.

Ms. Williams stated. Correct

Mr. Dyer stated. We willing to grant this application that is present as written, what I'm say is we're considering the application as it is written, which could prohibit the use of razor wire, but allow a six-foot fence, but because it is prohibited by the zoning code in this zoning district, that would be another application you would have to have.

Mr. Keith stated. Alright.

Mr. Dyer closed the Public Hearing

Mr. Meder stated. It sounds like the way it's written is they want a six-foot-high fence around three sides, two sides and the back, they did not request razor wire so they cannot do that.

Mr. Dyers stated. Yeah

Mr. Meder stated. Razor wire is prohibited in this category. So that would have to be another application.

**Ms. Meder made a motion to approve the Variance application PZ23-00209
Ms. Garrison seconded the motion. The motion was approved by a 4-0 vote.**

III. APPROVAL OF MINUTES FROM APRIL 20, 2023

The April 20, 2023, minutes were approved by a unanimous vote.

IV. OTHER BUSINESS

With no further business, the meeting was adjourned at 10:18 a.m.

APPROVED