



## **BOARD OF ZONING APPEALS REGULAR MEETING AGENDA**

### **CITY COUNCIL CHAMBERS**

**October 16, 2025**

**10:00 AM**

#### **A. CALL TO ORDER**

#### **B. ROLL CALL**

#### **C. OLD BUSINESS**

1. Special Exception Permit application PZ25-00411 filed by Alfrieta Bennett to allow a short-term rental as the primary use in accordance with Article 2, Section Y at Parcel 55555 (4 Park Avenue).

#### **D. NEW BUSINESS**

1. Variance application PZ25-00442 filed by Shalice Walker, requesting a variance from Article 3.C, Section A of Chapter 41 of the Code of the City of Danville, Virginia that states that public sewer is required and lots shall not be permitted with private septic systems at Parcel 75898 (148 Martha Street).
2. Variance Application PZ25-00443, filed by Shalice Walker, requesting a variance from Article 2.V, Item 2 of Chapter 41 of the Code of the City of Danville, Virginia that requires road frontage for each lot at Parcel 75898 (148 Martha Street).
3. Special Exception Permit application PZ25-00469 requested by Mohamed and Najoua Srioud, to allow a short-term rental as the primary use in accordance with Article 2, Section Y at Parcel 52277 (505 Wimbish Drive).
4. Special Exception Permit application PZ25-00478 requested by 2JD LLC, to allow a short-term rental as the primary use in accordance with Article 2, Section Y at Parcel 23409 (1021 Main Street).
5. Variance application PZ25-00455 filed by Westover Investments requesting a variance from Article 2.V, Item 2 of Chapter 41 of the Code of the City of Danville, Virginia that requires road frontage for each lot at Parcel 70918 (Vandola Road).
6. Special Exception Permit application PZ25-00473 requested by David Abts, to allow a

short-term rental as the primary use in accordance with Article 2, Section Y at Parcel 78177 (370 Shoreham Drive).

**MINUTES**

1. Minutes from September 18, 2025 Meeting

**F. ADJOURN**

# STAFF REPORT

DATE: October 16, 2025  
TO: Board of Zoning Appeals  
FROM: Renee Burton, Division Director of Planning  
RE: Special Exception Permit application PZ25-00411 filed by Alfrieta Bennett to allow a short-term rental as the primary use in accordance with Article 2, Section Y at Parcel 55555 (4 Park Avenue).

## **SUMMARY**

4 Park Ave is a four (4) bedroom single-family dwelling that is zoned OT-R Old Town Residential. The occupancy load has been established at eleven (11) people based on the City of Danville Real Estate Card and a property inspection. This application for a Special Exception Permit for a short-term rental is in accordance with Article 2, Section Y, Item 2. A Certificate of Occupancy inspection has been completed and passed. This case was postponed from the September 18, 2025 BZA meeting due to the applicant not being present.

## **ADDITIONAL INFORMATION**

Off-Street Parking: Yes (Paved)  
Property Management: Alfrieta Bennett  
Nearby Short-Term Rentals: No

## **RECOMMENDATION**

The Planning Division recommends that the Board of Zoning Appeals approve Special Exception Permit Application PZ25-00385 (Parcel 55555) to allow a short-term rental in accordance with Article 2, Section Y.

## **ATTACHMENTS**

1. Application
2. 4 Park Ave\_Aerials Map
3. 4 Park Ave\_Short Term Rental
4. 4 park sign photo
5. 4 Park C of O Draft
6. 4 Park Ave BZA Neighbor Letter



# CITY OF DANVILLE

## Community Development Board of Zoning Appeals

### SPECIAL EXCEPTION PERMIT APPLICATION (STR ONLY)

In considering an application for a special exception, the Board shall give due regard to the specific guidelines and standards of this ordinance, and to the nature and conditions of adjacent uses and structures as well as the probable effect upon them of the proposed special exception. The application shall be submitted to the Director of Planning/Zoning and shall be accompanied by the filing fee of \$250.00.

The Board shall take into account the special and unique characteristics, design, location, construction, method of operations, effect on traffic conditions or any other aspects of the particular use or structure, that may be proposed by the applicant.

After the Board has approved a special exception, the special exception so approved or granted shall lapse after a one year period or such longer period of time as may be approved for "good cause" by the Board, provided that no site plan or subdivision plat has been approved by the City and that no substantial construction or change of use has taken place in accordance with the plans for which such variance was granted.

### PLANNING DIVISION PROVIDED INFORMATION

Application #: P225-00411 PC Meeting Date: September 18, 2025  
Date Received: August 1, 2025 Received By: Arsenio Day  
Parcel ID: 55555 Address: 4 Park Ave  
Existing Zoning: OT-r Future Land Use: OT-r

### Applicant Provided Information

Property Location (Address/ID#): 4 Park Avenue, Danville, VA 24541

Property Owner: Alfrieta Bennett Real Estate

Owner's Address: 3 Park Ave, Danville, VA 24541

Owner's Phone Number: [REDACTED]

Owner's E-mail: [REDACTED]

Property Manager: Alfrieta Bennett

Property Manager Address: 3 Park Avenue

Property Manager Phone #: 434-770-3360

Property Manager E-mail: alfrieta@gmail.com

Is there off-street parking available? yes

Describe Proposed Request: To make an Airbnb.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Alfrieta Bennett      8-1-25  
Owner Name (Print)      Date

Alfrieta Bennett      8-1-25  
Owner Signature      Date

Alfrieta Bennett      8-1-25  
Applicant Name (Print)      Date

Alfrieta Bennett      8-1-25  
Applicant Signature      Date



## 2025 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:  
Planning Division  
8/7/2025



Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



### SUBJECT PROPERTY WITH 300 FT BUFFER

Prepared by:  
Planning Division  
8/7/2025



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Sep 2, 2025 at 1:00:05 PM  
Danville



  
**DANVILLE**  
VIRGINIA  
**Public Hearing Notice**  
This property will be the subject of a public hearing.  
Contact Planning Division  
434-799-5260

# Certificate of Use and Occupancy

CITY OF DANVILLE, VIRGINIA  
Department of Community Development

This Certificate issued pursuant to the requirements of Section 116 of the 2021 Virginia Uniform Statewide Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the City and the Virginia Uniform Statewide Building Code regulating building construction or use.

**For the following location:**

4 PARK AVE,  
DANVILLE, VA, 24541

**For occupancy by:** Short Term rental

**Use Group:**

R-5 = Single Family Dwelling Detached

**Type of Construction:**

5B = Wood framing with NO rating

**Building Owner and Address:**

ALFRIETA BENNETT REAL ESTATE INC  
3 PARK AVE  
DANVILLE VA 24541

**Occupancy Load:** 11 Persons

**FIRE SPRINKLER SYSTEM NOT INSTALLED AND NOT REQUIRED**

**NOTE:** Legal use of this structure may also require a Certificate of Zoning Compliance.



**Building Official**

**Date**



# CITY OF DANVILLE

## Community Development Board of Zoning Appeals

September 19, 2025

Dear property owner(s):

This letter notifies you, in accordance with Virginia state law, that the City of Danville received the following application:

*Special Exception Permit application PZ25-00411 filed by Alfrieta Bennett to allow a short-term rental as the primary use in accordance with Article 2, Section Y at Parcel 55555 (4 Park Ave).*

### PROPOSAL SUMMARY

*Short-term rental application at 4 Park Ave.*

### PUBLIC INPUT

The Danville City Board of Zoning Appeals scheduled this request for a public hearing October 16, 2025 AT 10:00 A.M. in the 4th Floor City Council Chambers of City Hall. Anyone may attend this public hearing to express opinions regarding the proposal. The Commission will vote on either approval or denial of this proposed request.

The BZA agenda is available on the City's website, [danvilleva.gov](http://danvilleva.gov) a week before the meeting. **Please review the agenda before the public meeting to confirm this matter is still scheduled on the above-referenced date.** Public meetings are televised on River City TV. If we may further assist you, please contact us at (434) 799-5260.

Sincerely,  
Arsenio Day  
STR Technician





# STAFF REPORT

DATE: October 16, 2025  
TO: Board of Zoning Appeals  
FROM: Renee Burton, Division Director of Planning  
RE: Variance application PZ25-00442 filed by Shalice Walker, requesting a variance from Article 3.C, Section A of Chapter 41 of the Code of the City of Danville, Virginia that states that public sewer is required and lots shall not be permitted with private septic systems at Parcel 75898 (148 Martha Street).

## SUMMARY

The applicant is requesting a variance from Article 3.C Section A at 148 Martha Street (Parcel 75898), which requires public water and sewer service for improvements. The applicant would like to construct a new home on the property, which is a vacant lot zoned S-R, Suburban Residential. Public water is available, but public sewer services are not.

## VARIANCE REVIEW STANDARDS

A variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and the request meets each of the following five (5) review standards (Article 13, Section F.2.a.-e.):

*A. 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 property was acquired in good faith in 2024 and the hardship for a variance was not created by the applicant. Neighboring properties have existing wells and septic. Public water and sewer services have not been extended to the area. This application DOES meet this standard.

*B. Granting the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area.*

Allowing this variance would not directly affect adjacent properties. This application DOES meet this standard.

*C. The property's condition or situation is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance.*

A variance from the requirement for public water and sewer is commonly seen in areas that are not served by these public utilities. Public utilities are available for the majority of the city and development may occur in those areas without the need for a variance. Therefore, this

situation is not general in nature or recurring to warrant a Code Amendment. This application DOES meet this standard.

*D. Granting the variance will not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property.*

Granting the variance will allow the applicant to construct a single-family detached dwelling which is an allowed use in the S-R, Suburban Residential district. This application DOES meet this standard.

*E. The relief or 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.*

The applicant cannot request special use, special exception, or rezoning to satisfy the zoning requirement. Therefore, this application DOES meet this standard.

Therefore, this variance request meets five (5) of the five (5) criteria needed to grant a variance.

### **RECOMMENDATION**

The Planning Division recommends approval of PZ24-00037 for a variance from Article 3.C Section A at 148 Martha Street (Parcel 75898).

### **ATTACHMENTS**

1. Application
2. Martha St. Aerials Map
3. Martha St. Water\_Owners Zoning Map



# CITY OF DANVILLE

## Community Development Board of Zoning Appeals

### VARIANCE APPLICATION

We cannot accept Board of Zoning Appeals (BZA) applications unless the following steps are completed by the twentieth (20th) day of the prior month. BZA meeting are on the third Thursday of each month. This timeline assures the City can meet Virginia public notice laws.

1. The applicant attended a pre-application conference with the Zoning Administrator or designated staff.
2. The applicant completed this application.
3. The property owner or a duly authorized (in writing) representative signed this application.
4. The applicant submitted a plot plan drawn to scale showing the actual dimensions and shape of the property; and the exact size and location all existing and proposed buildings, signs, and required parking spaces.
5. The Zoning Administrator certified that the proposed use and construction plans comply with all Zoning Code provisions, except for the provisions necessitating a variance; and
6. The applicant paid the \$250.00 application fee.

A variance shall be granted if evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and:

- i. The property interest for where the variance is requested was acquired in good faith and any hardship was not created by the variance applicant;
- ii. Granting the variance will not be of substantial detriment to adjacent property and nearby properties in the surrounding geographic area;
- iii. The subject property's condition or situation is not of such general or recurring nature as to make reasonably practicable the formulation of a general regulation to be adopted as an ordinance amendment;
- iv. Granting the variance does not result in a use that is not otherwise permitted on such property or change the zoning classification of the property; and
- v. The variance application relief or remedy sought is not available through a special exception process that is authorized in City Code Chapter 41, Article 6 or the process for zoning ordinance amendment in City Code Chapter 41, Article 4 at the time of variance application filing.

**The BZA may impose conditions regarding the location, character, and other features of proposed buildings and use it deems necessary in the public interest and may require a performance guarantee or bond to insure compliance.**

#### PLANNING DIVISION PROVIDED INFORMATION

Application #: PZ25-06443 PC Meeting Date: Oct. 19, 2025  
 Date Received: 8-21-25 Received By: Williams  
 Parcel ID: 75898 Address: 148 Martha St.  
 Existing Zoning: SR Future Land Use: single family residential

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 148 martha street 148 martha street danville va 24541

Applicant: Shalice walker

Applicant's Address: 148 martha street danville va 24541

Applicant's Phone Number: [REDACTED]

Applicant's E-mail: [REDACTED]

Variance Request Description: \_\_\_\_\_

Dont have sewer near us and need to put a septic tank on land for new house

I (we) appeal to the Board of Zoning Appeals for a variance permitting the action described above in that:

i. Explain how you did not create the hardship you need a variance to overcome:  
Sewer line is acroos 58 and is to far and not close to our land

ii. Explain how granting the variance will not negatively impact your neighbors and properties close by:  
Everyone who lives on goodyear blvd has septic tanks so its not impact anyone

iii. Explain why the hardship on your property is unique and not something that affects similar properties in the same zoning district.  
We have two houses on our road and both have septic tanks and want effect the property

iv. Explain why granting the variance will not result in a use that is not otherwise allowed on the property or a change in the property's zoning classification.  
We still in city and have city water but sewage is not available in our area at this time so it not going to change zoning of our property but will allow us to have septic tank because no sewage available

v. The relief or remedy sought by the variance application is not available with a Special Use Permit.

Shalice walker                      08/20/2025  
Applicant Signature                      date

\_\_\_\_\_  
Property Owner Signature                      date  
(if not applicant)



### 2025 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:  
Planning Division  
9/2/2025



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PINEY RD

WRIGHT P SR

HENDERSON T SR

ANDERSON C TR

WRIGHT P SR

MARTHA ST

GATEWOODM L LEDI

WALTERS C SR

WARRINER E SR

WALKER S SR

GATEWOODM L LEDI

GATEWOODM L LEDI

### SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:  
Planning Division  
9/2/2025



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# STAFF REPORT

DATE: October 16, 2025  
TO: Board of Zoning Appeals  
FROM: Renee Burton, Division Director of Planning  
RE: Variance Application PZ25-00443, filed by Shalice Walker, requesting a variance from Article 2.V, Item 2 of Chapter 41 of the Code of the City of Danville, Virginia that requires road frontage for each lot at Parcel 75898 (148 Martha Street).

## **SUMMARY**

The applicant requests a variance from Article 2.V, Item 2 for 148 Martha Street (Parcel 75898), which requires each lot to have a minimum street frontage of twenty-five (25) feet. The subject property is a vacant lot zoned S-R, Suburban Residential. The applicant proposes to construct a new single-family dwelling on the lot. Approval of the variance will require an easement agreement with the owner of the adjacent parcel to the east, a parking lot fronting Martha Street, to provide access to and from the property.

## **VARIANCE REVIEW STANDARDS**

A variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and the request meets each of the following five (5) review standards (Article 13, Section F.2.a.-e.):

*A. 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 property was acquired in good faith through inheritance, and the hardship was not created by the applicant. The parcel's lack of required street frontage is an existing condition that predates the current ownership. This application DOES meet this standard.

*B. Granting the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area.*

The variance will allow the construction of a single-family dwelling on a low-traffic road with few neighboring homes, minimizing any impact on the surrounding area. This application DOES meet this standard.

*C. The property's condition or situation is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance.*

The property's situation is unique as few properties in the area lack frontage on a public street. This condition is not so common to justify a zoning code amendment. This application DOES meet this standard.

*D. Granting the variance will not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property.*

Granting the variance would allow a single-family dwelling on a parcel lacking the required street frontage, a use not otherwise permitted. This application DOES NOT meet this standard.

*E. The relief or 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.*

The applicant cannot request special use, special exception, or rezoning to satisfy the zoning requirement. Therefore, this application DOES meet this standard.

Therefore, this variance request meets four (4) of the five (5) criteria needed to grant a variance.

### **RECOMMENDATION**

The Planning Division recommends approval of PZ25-00443 for a variance from Article 2.V Item 2 at Parcel 75898 (148 Martha Street).

### **ATTACHMENTS**

1. Application
2. Martha St. Aerials Map
3. Martha St. Water\_Owners Zoning Map



# CITY OF DANVILLE

## Community Development Board of Zoning Appeals

### VARIANCE APPLICATION

We cannot accept Board of Zoning Appeals (BZA) applications unless the following steps are completed by the twentieth (20th) day of the prior month. BZA meeting are on the third Thursday of each month. This timeline assures the City can meet Virginia public notice laws.

1. The applicant attended a pre-application conference with the Zoning Administrator or designated staff.
2. The applicant completed this application.
3. The property owner or a duly authorized (in writing) representative signed this application.
4. The applicant submitted a plot plan drawn to scale showing the actual dimensions and shape of the property; and the exact size and location all existing and proposed buildings, signs, and required parking spaces.
5. The Zoning Administrator certified that the proposed use and construction plans comply with all Zoning Code provisions, except for the provisions necessitating a variance; and
6. The applicant paid the \$250.00 application fee.

A variance shall be granted if evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and:

- i. The property interest for where the variance is requested was acquired in good faith and any hardship was not created by the variance applicant;
- ii. Granting the variance will not be of substantial detriment to adjacent property and nearby properties in the surrounding geographic area;
- iii. The subject property's condition or situation is not of such general or recurring nature as to make reasonably practicable the formulation of a general regulation to be adopted as an ordinance amendment;
- iv. Granting the variance does not result in a use that is not otherwise permitted on such property or change the zoning classification of the property; and
- v. The variance application relief or remedy sought is not available through a special exception process that is authorized in City Code Chapter 41, Article 6 or the process for zoning ordinance amendment in City Code Chapter 41, Article 4 at the time of variance application filing.

The BZA may impose conditions regarding the location, character, and other features of proposed buildings and use it deems necessary in the public interest and may require a performance guarantee or bond to insure compliance.

#### PLANNING DIVISION PROVIDED INFORMATION

Application #: PZ25-06443 PC Meeting Date: Oct. 19, 2025  
 Date Received: 8-21-25 Received By: Williams  
 Parcel ID: 75898 Address: 148 Martha St.  
 Existing Zoning: SR Future Land Use: single family residential





## 2025 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:  
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PINEY RD

WRIGHT P SR

HENDERSON T SR

ANDERSON C TR

WRIGHT P SR

MARTHA ST

GATEWOODM L LEDI

WALTERS C SR

WARRINER E SR

WALKER S SR

GATEWOODM L LEDI

GATEWOODM L LEDI

### SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

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# STAFF REPORT

**DATE:** October 16, 2025  
**TO:** Board of Zoning Appeals  
**FROM:** Renee Burton, Division Director of Planning  
**RE:** Special Exception Permit application PZ25-00469 requested by Mohamed and Najoua Srioud, to allow a short-term rental as the primary use in accordance with Article 2, Section Y at Parcel 52277 (505 Wimbish Drive).

## **SUMMARY**

505 Wimbish Drive is a four (4) bedroom single-family dwelling that is zoned S-R Suburban Residential. The occupancy load has been established at eleven (11) people based on the City of Danville Real Estate Card and a property inspection. This application for a Special Exception Permit for a short-term rental is in accordance with Article 2, Section Y, Item 2. A Certificate of Occupancy inspection has been completed and passed.

## **ADDITIONAL INFORMATION**

Off-Street Parking: Yes  
Property Management: Mohamed Srioud  
Nearby Short-Term Rentals: No

## **RECOMMENDATION**

The Planning Division recommends that the Board of Zoning Appeals approve Special Exception Permit Application PZ25-00469 at Parcel 52277 (505 Wimbish Drive) to allow a short-term rental in accordance with Article 2, Section Y.

## **ATTACHMENTS**

1. Application
2. 505 Wimbish\_Aerials Map
3. 505 Wimbish\_Short Term Rental
4. 505 Wimbish STR Sign Photo
5. 505 wimbish c of o draft



# CITY OF DANVILLE

## Community Development Board of Zoning Appeals

### SPECIAL EXCEPTION PERMIT APPLICATION (STR ONLY)

In considering an application for a special exception, the Board shall give due regard to the specific guidelines and standards of this ordinance, and to the nature and conditions of adjacent uses and structures as well as the probable effect upon them of the proposed special exception. The application shall be submitted to the Director of Planning/Zoning and shall be accompanied by the filing fee of \$250.00.

The Board shall take into account the special and unique characteristics, design, location, construction, method of operations, effect on traffic conditions or any other aspects of the particular use or structure, that may be proposed by the applicant.

After the Board has approved a special exception, the special exception so approved or granted shall lapse after a one year period or such longer period of time as may be approved for "good cause" by the Board, provided that no site plan or subdivision plat has been approved by the City and that no substantial construction or change of use has taken place in accordance with the plans for which such variance was granted.

### PLANNING DIVISION PROVIDED INFORMATION

Application #: P225-00469 PC Meeting Date: October 16, 2025  
Date Received: Sept. 15, 2025 Received By: Arsenio Day  
Parcel ID: 52277 Address: 505 Wimbish Dr  
Existing Zoning: Sr Future Land Use: Sr

### Applicant Provided Information

Property Location (Address/ID#): 505 Wimbish Dr. DANVILLE, VA. 24541

Property Owner: Mohamed Srioua / Najoua Srioua

Owner's Address: 505 Wimbish Dr. DANVILLE, VA. 24541

Owner's Phone Number: [REDACTED]

Owner's E-mail: [REDACTED]

Property Manager: MOHAMED SRIOUA

Property Manager Address: 505 Wimbish Dr. DANVILLE, VA. 24541

Property Manager Phone #: 434-429-2764

Property Manager E-mail: autoselect73@gmail.com

Is there off-street parking available? yes

Describe Proposed Request: I would like to apply for Special Permit Zoning to obtain a short term rental permit.

<u>Najoua Srioua</u>	<u>9/9/2025</u>	<u>[Signature]</u>	<u>9/9/2025</u>
Owner Name (Print)	Date	Owner Signature	Date
<u>MOHAMED SRIOUA</u>	<u>9/9/2025</u>	<u>[Signature]</u>	<u>9/9/2025</u>
Applicant Name (Print)	Date	Applicant Signature	Date

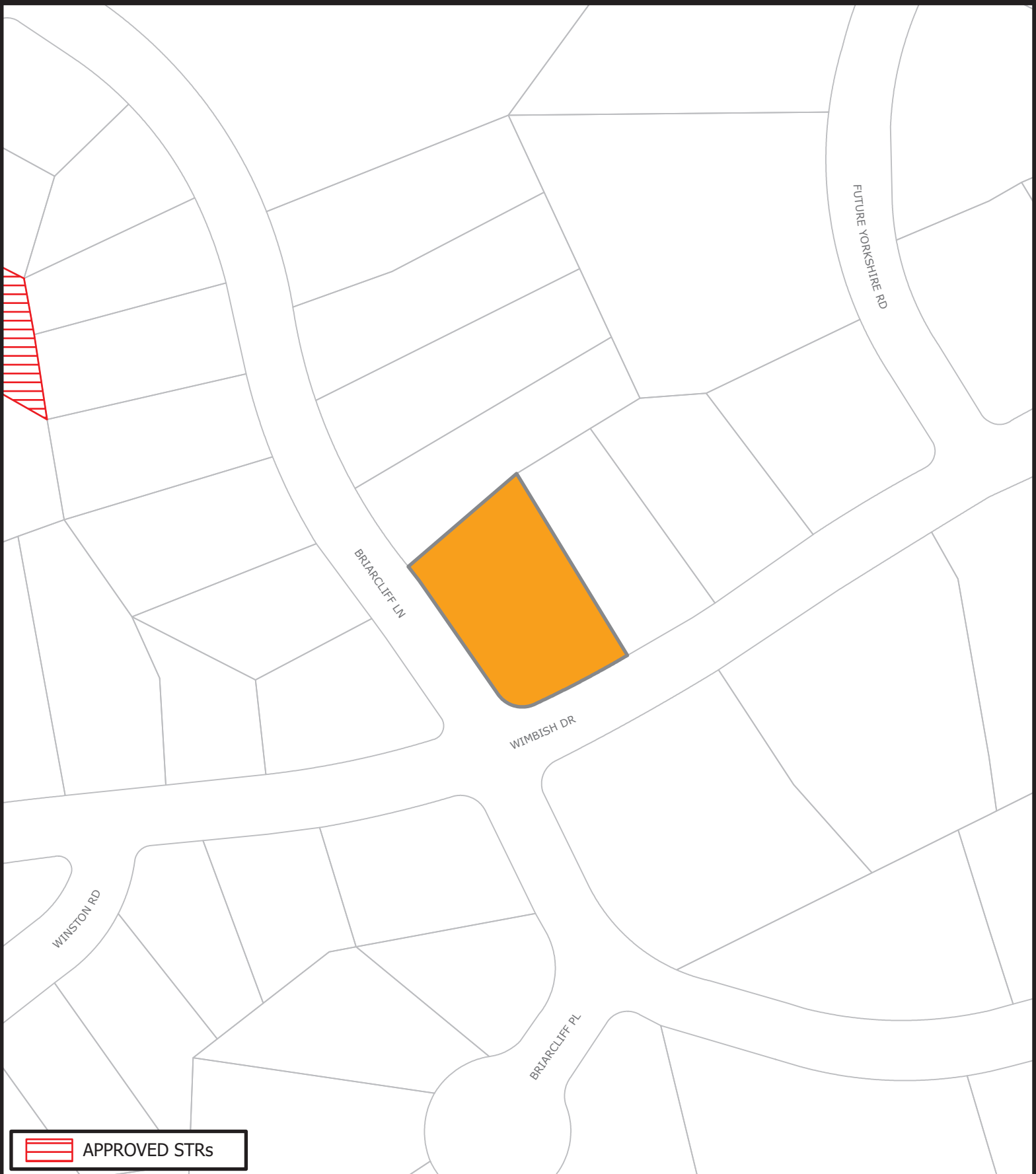


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**SUBJECT PROPERTY WITH 300 FT BUFFER**

Prepared by:  
 Planning Division  
 9/18/2025



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Sep 22, 2025 at 9:56:15 AM  
Danville



# Certificate of Use and Occupancy

CITY OF DANVILLE, VIRGINIA  
Department of Community Development

This Certificate issued pursuant to the requirements of Section 116 of the 2021 Virginia Uniform Statewide Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the City and the Virginia Uniform Statewide Building Code regulating building construction or use.

**For the following location:**

505 WIMBISH DR,  
DANVILLE, VA, 24541

**For occupancy by:** Short Term Rental

**Use Group:**

R-5 = Single Family Dwelling Detached

**Type of Construction:**

5B = Wood framing with NO rating

**Building Owner and Address:**

SRIOUA MOHAMED B & NAJOUA SEGHAIER  
505 WIMBISH DR  
DANVILLE VA 24541

**Occupancy Load:** 11 Persons

**FIRE SPRINKLER SYSTEM NOT INSTALLED AND NOT REQUIRED**

**NOTE:** Legal use of this structure may also require a Certificate of Zoning Compliance.



**Building Official**

**Date**



# STAFF REPORT

DATE: October 16, 2025  
TO: Board of Zoning Appeals  
FROM: Renee Burton, Division Director of Planning  
RE: Special Exception Permit application PZ25-00478 requested by 2JD LLC, to allow a short-term rental as the primary use in accordance with Article 2, Section Y at Parcel 23409 (1021 Main Street).

## SUMMARY

1021 Main Street Apt. four (4) is a two (2) bedroom apartment dwelling that is zoned TO-C Transitional Office. The occupancy load has been established at four (4) people based on the City of Danville Real Estate Card and property inspection. This application for a Special Exception Permit for a short-term rental is in accordance with Article 2, Section Y, Item 2. A Certificate of Occupancy inspection has been completed, and the owner needs to install interconnected smoke alarms and emergency exit plans. Although there are 4 other STR's in this building, the City Council has approved the special use permit requesting that another apartment be eligible for short-term rental usage on June 3, 2025, with the condition that no more than 5 STR's are allowed on this property.

## ADDITIONAL INFORMATION

Off-Street Parking: Yes

Property Management: Preferred Management / Katie Newcomb

Nearby Short-Term Rentals: Yes (1033 Main St, 1021 Main St. Apt.1, Apt.2, Apt.3, Apt. 5)

## RECOMMENDATION

The Planning Division recommends that the Board of Zoning Appeals carefully consider Special Exception Permit Application PZ25-00478 (Parcel 23409) to allow a short-term rental in accordance with Article 2, Section Y. There are 4 other apartments in this building approved to operate as a short-term rental.

## ATTACHMENTS

1. Application
2. 1021 Main\_Aerials Map
3. 1021 main Short Term Rental
4. 1021 main STR Sign Photo
5. 1021 Main STR BZA Neighbor Letter
6. 1021 main c of o draft



# CITY OF DANVILLE

## Community Development Board of Zoning Appeals

### SPECIAL EXCEPTION PERMIT APPLICATION (STR ONLY)

In considering an application for a special exception, the Board shall give due regard to the specific guidelines and standards of this ordinance, and to the nature and conditions of adjacent uses and structures as well as the probable effect upon them of the proposed special exception. The application shall be submitted to the Director of Planning/Zoning and shall be accompanied by the filing fee of \$250.00.

The Board shall take into account the special and unique characteristics, design, location, construction, method of operations, effect on traffic conditions or any other aspects of the particular use or structure, that may be proposed by the applicant.

After the Board has approved a special exception, the special exception so approved or granted shall lapse after a one year period or such longer period of time as may be approved for "good cause" by the Board, provided that no site plan or subdivision plat has been approved by the City and that no substantial construction or change of use has taken place in accordance with the plans for which such variance was granted.

### PLANNING DIVISION PROVIDED INFORMATION

Application #: **P225-00478**

Date Received: **Sept. 18 2025**

Parcel ID: **23409**

Existing Zoning: **T0-C**

PC Meeting Date: **Oct. 16 2025**

Received By: DocuSigned by:  
~~Dawn Baker~~ **Arsenio Day**  
932D5065F25747A...

Address: **1021 main st**

Future Land Use: **T0-C**

DANVILLE, VA

### Applicant Provided Information

Property Location (Address/ID#): 1021 Main Street Apt 4 Danville, VA 24541

Property Owner: 2JD LLC

Owner's Address: 16213 Riverpointe Drive Charlotte, NC 28278

Owner's Phone Number: [REDACTED]

Owner's E-mail: [REDACTED]

Property Manager: Preferred Management Group

Property Manager Address: 321 Lynn Street Ste A Danville, VA 24541

Property Manager Phone #: 434-770-0187

Property Manager E-mail: katie@rentwithpmg.com

Is there off-street parking available? Yes

Describe Proposed Request: Request to operate a short term rental

Dawn Baker  
Owner Name (Print) 4/9/25  
Date

  
Owner Signature 4/9/2025  
Date

Applicant Name (Print) Date

Applicant Signature Date

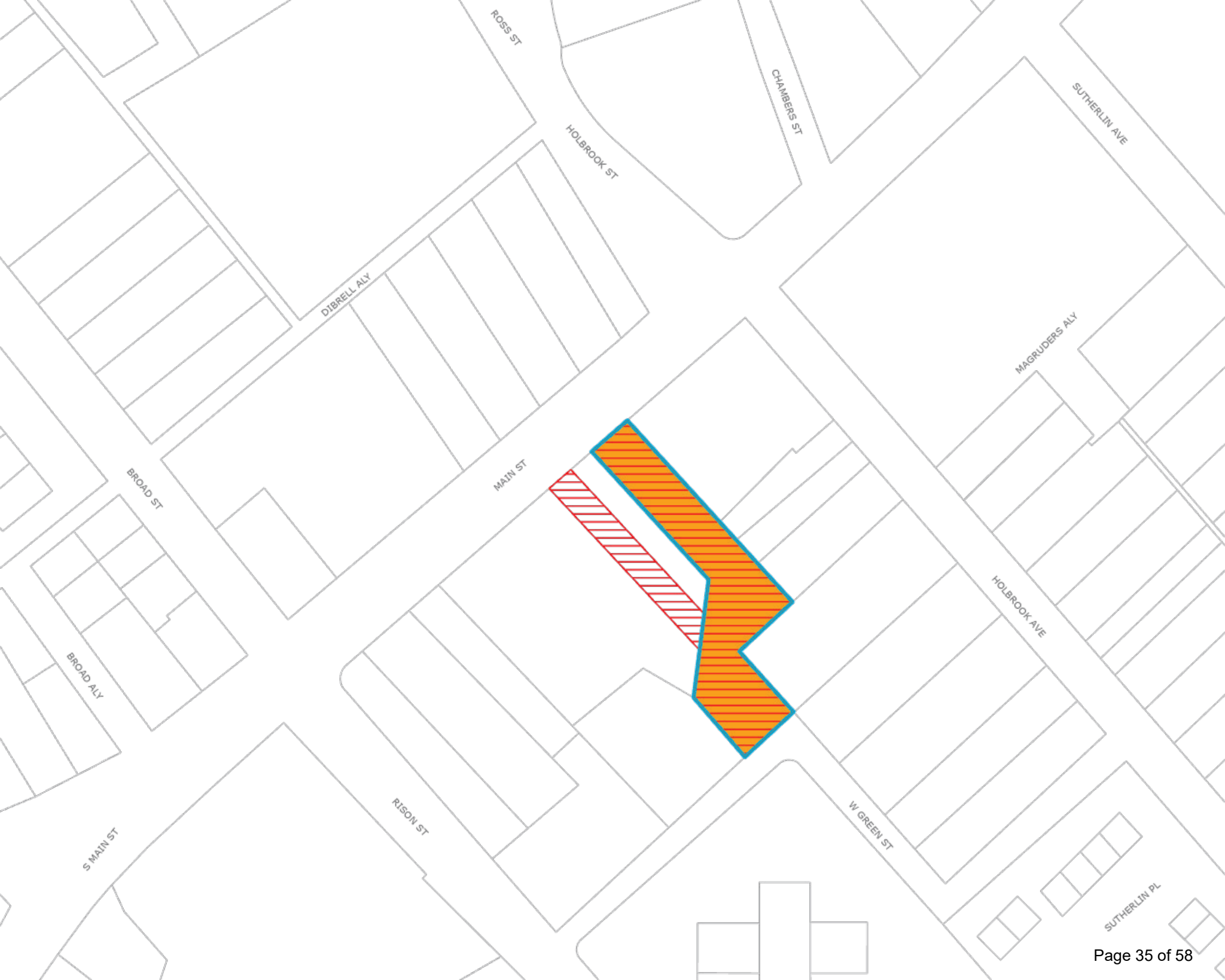


### 2025 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:  
Planning Division  
9/19/2025



Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



Sep 22, 2025 at 10:27:44 AM  
Danville





# CITY OF DANVILLE

## Community Development Board of Zoning Appeals

September 19, 2025

Dear property owner(s):

This letter notifies you, in accordance with Virginia state law, that the City of Danville received the following application:

*Special Exception Permit application PZ25-00478 filed by Dawn Baker to allow a short-term rental as the primary use in accordance with Article 2, Section Y at Parcel 23409 (1021 Main St).*

### PROPOSAL SUMMARY

*Short-term rental application at 1021 Main St.*

### PUBLIC INPUT

The Danville City Board of Zoning Appeals scheduled this request for a public hearing October 16, 2025 AT 10:00 A.M. in the 4th Floor City Council Chambers of City Hall. Anyone may attend this public hearing to express opinions regarding the proposal. The Commission will vote on either approval or denial of this proposed request.

The BZA agenda is available on the City's website, [danvilleva.gov](http://danvilleva.gov) a week before the meeting. **Please review the agenda before the public meeting to confirm this matter is still scheduled on the above-referenced date.** Public meetings are televised on River City TV. If we may further assist you, please contact us at (434) 799-5260.

Sincerely,  
Arsenio Day  
STR Technician



# Certificate of Use and Occupancy

CITY OF DANVILLE, VIRGINIA  
Department of Community Development

This Certificate issued pursuant to the requirements of Section 116 of the 2021 Virginia Uniform Statewide Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the City and the Virginia Uniform Statewide Building Code regulating building construction or use.

**For the following location:**

1021 MAIN ST.  
DANVILLE, VA, 24541

**For occupancy by:** Short Term Rental

**Use Group:**

R-5 = Single Family Dwelling Detached

**Type of Construction:**

5B = Wood framing with NO rating

**Building Owner and Address:**

2JD LLC  
10955 WINDS CROSSING DR #100  
CHARLOTTE NC 28273

**Occupancy Load:** 4 Persons

**FIRE SPRINKLER SYSTEM NOT INSTALLED AND NOT REQUIRED**

**NOTE:** Legal use of this structure may also require a Certificate of Zoning Compliance.



**Building Official**

**Date**

# STAFF REPORT

DATE: October 16, 2025  
TO: Board of Zoning Appeals  
FROM: Renee Burton, Division Director of Planning  
RE: Variance application PZ25-00455 filed by Westover Investments requesting a variance from Article 2.V, Item 2 of Chapter 41 of the Code of the City of Danville, Virginia that requires road frontage for each lot at Parcel 70918 (Vandola Road).

## **SUMMARY**

The applicant requests a variance from Article 2.V, Item 2 for Parcel 70918 on Vandola Road, which requires each lot to have a minimum street frontage of twenty-five (25) feet. The subject property is a vacant lot zoned S-R, Suburban Residential. It is a flag lot, with approximately thirty (30) feet of frontage on Vandola Road that opens into a larger area of land in the rear. The rear area is adjacent to a mobile home park to the west and single-family homes to the east. The applicant proposes to subdivide the property into three parcels for single-family dwellings, one parcel to the west that will remain wooded, and one parcel to accommodate a private drive along the “pole” portion of the existing parcel. Because this subdivision will create four parcels without street frontage, a variance is required.

## **VARIANCE REVIEW STANDARDS**

A variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and the request meets each of the following five (5) review standards (Article 13, Section F.2.a.-e.):

*A. 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 property was acquired in good faith; however, the hardship was created by the applicant. The existing parcel has road frontage, and one single-family dwelling could be constructed by right without the need for a variance. This application DOES NOT meet this standard.

*B. Granting the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area.*

The addition of three new single-family dwellings sharing a private drive could raise privacy concerns, affect drainage patterns, and create potential disputes or safety issues related to maintenance of the private drive. This application DOES NOT meet this standard.

*C. The property's condition or situation is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance.*

The property's situation is unique as few properties in the area lack frontage on a public street. This condition is not so common as to justify a zoning code amendment. This application DOES meet this standard.

*D. Granting the variance will not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property.*

Granting the variance would allow a single-family dwelling on a parcel lacking the required street frontage, a use not otherwise permitted. This application DOES NOT meet this standard.

*E. The relief or 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.*

The applicant cannot request special use, special exception, or rezoning to satisfy the zoning requirement. Therefore, this application DOES meet this standard.

Therefore, this variance request meets two (2) of the five (5) criteria needed to grant a variance.

### **RECOMMENDATION**

The Planning Division recommends denial of PZ25-00455 for a variance from Article 2.V Item 2 at Parcel 70918 (Vandola Road).

### **ATTACHMENTS**

1. Application
2. Vandola Rd\_Aerials Map
3. Owners Zoning Map

# CITY OF DANVILLE

Community Development — Board of Zoning Appeals

## VARIANCE APPLICATION

BZA applications must be completed by the twentieth (20th) day of the prior month to be eligible for the third-Thursday meeting agenda.

### APPLICANT PROVIDED INFORMATION

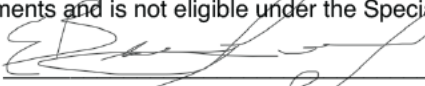
Property Location (address/ID#):	Vandola Dr — Parcel ID 70918
Applicant:	Westover Investments
Applicant's Address:	PO Box 474, Colfax, NC 27235
Applicant's Phone Number:	██████████
Applicant's E-mail:	████████████████████


### Variance Request Description

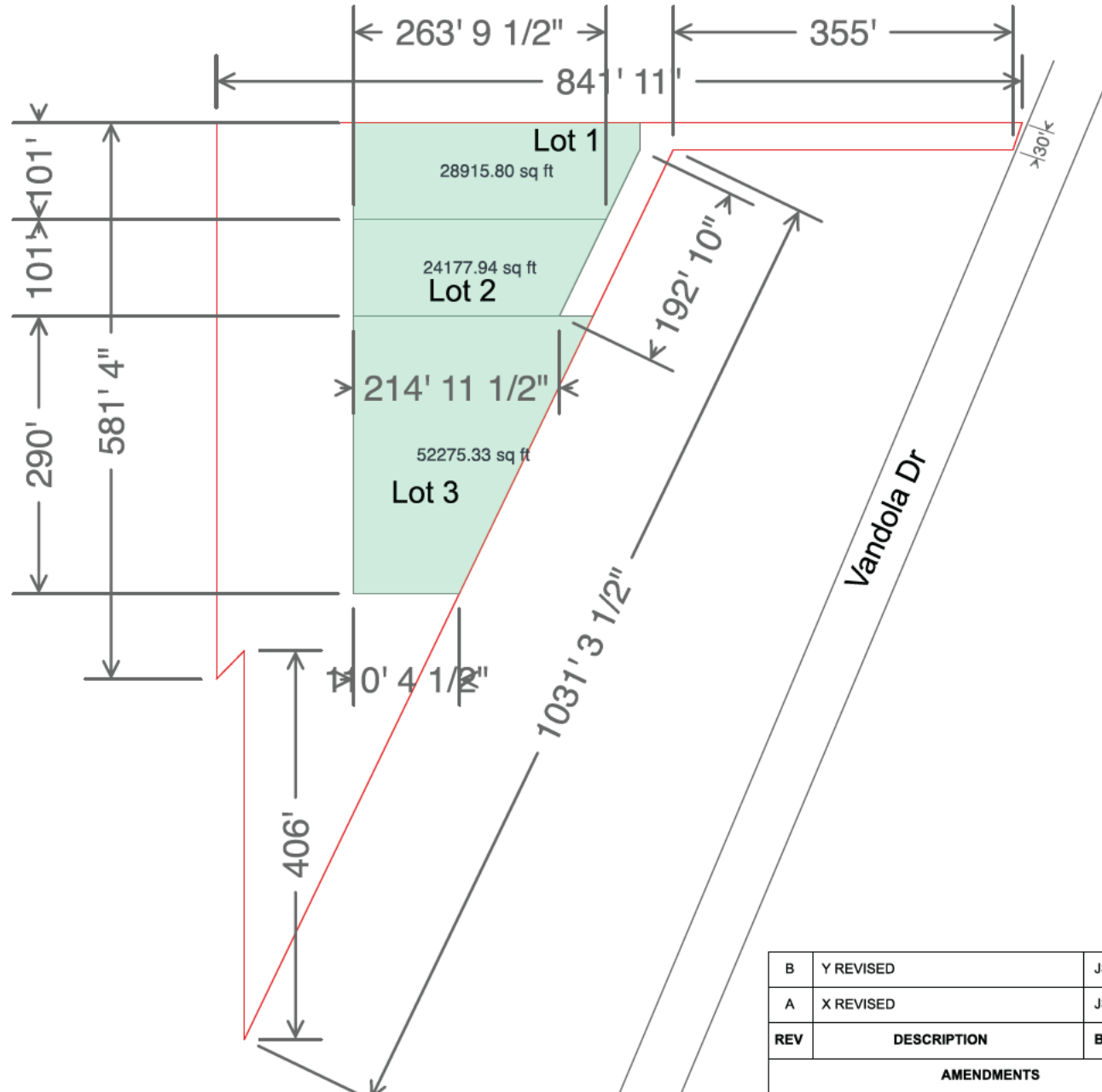
Requesting a zoning variance to allow subdivision of Parcel ID 70918 into three lots (Lot 1: 28,915.80 sq ft; Lot 2: 24,177.94 sq ft; Lot 3: 52,275.33 sq ft), where strict application of frontage, lot width, or setback standards cannot be achieved due to the parcel's irregular shape and depth. The right-of-way will be extended to provide access to all three lots. The remaining land not used in the subdivision, approximately 3.58 acres, will remain designated as greenways and will not be buildable or splittable.

### Justifications

- i. Explain how you did not create the hardship you need a variance to overcome:** The hardship arises from the irregular triangular shape and depth of the parcel, which predates the current zoning ordinance.
- ii. Explain how granting the variance will not negatively impact your neighbors and properties close by:** All proposed lots meet or exceed minimum area requirements, and proposed development will be consistent with the residential character of Vandola Dr.
- iii. Explain why the hardship on your property is unique and not something that affects similar properties in the same zoning district:** The parcel's unusual dimensions (narrow frontage on Vandola Dr. and irregular depth) make compliance with current frontage/setback standards impracticable compared to standard rectangular lots in the district.
- iv. Explain why granting the variance will not result in a use that is not otherwise allowed on the property or a change in the property's zoning classification:** The variance does not alter the zoning classification; all uses remain consistent with the existing zoning district.
- v. The relief or remedy sought by the variance application is not available with a Special Use Permit:** The relief relates solely to dimensional requirements and is not eligible under the Special Use Permit process.

Applicant Signature:  Date: \_\_\_\_\_

Property Owner Signature (if not applicant):  Date: \_\_\_\_\_



B	Y REVISED	JS	05/02/24
A	X REVISED	JS	05/01/24
REV	DESCRIPTION	BY	DATE
AMENDMENTS			

SITE Vandola Dr Parcel ID 70918	SCALE 1:50, 1:100	DATE 05/02/2024	DRAWN BY Edward Berry Leonard
TITLE Vandola	PROJECT NO. 000000	DRAWING NO. 000000	SHEET NO. A01

**Westover Investments**  
 PO Box 474  
 Colfax NC 27235  
 321-297-4992

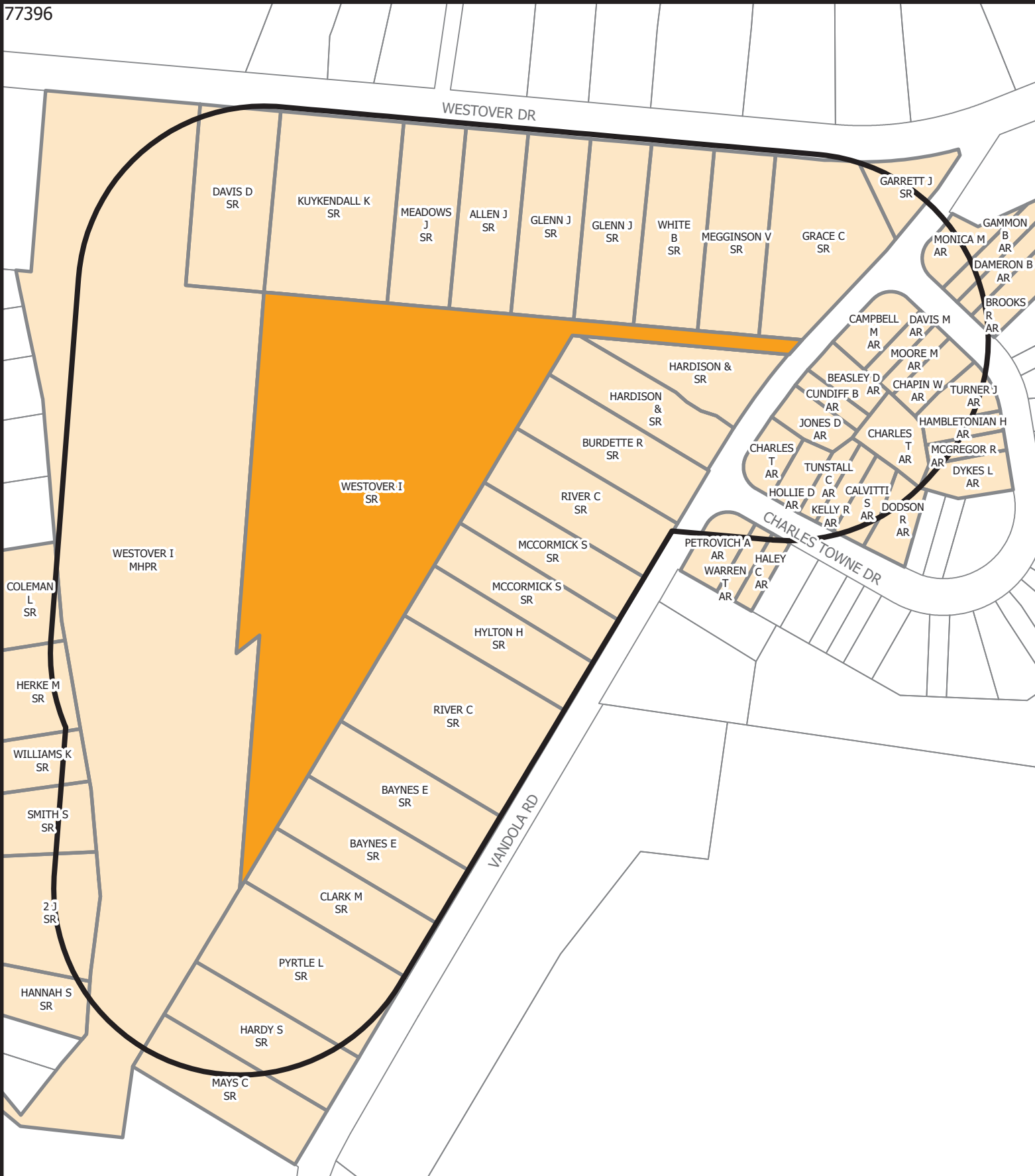


### 2025 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:  
Planning Division  
10/6/2025



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### SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:  
Planning Division  
9/11/2025



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# STAFF REPORT

**DATE:** October 16, 2025  
**TO:** Board of Zoning Appeals  
**FROM:** Renee Burton, Division Director of Planning  
**RE:** Special Exception Permit application PZ25-00473 requested by David Abts, to allow a short-term rental as the primary use in accordance with Article 2, Section Y at Parcel 78177 (370 Shoreham Drive).

## **SUMMARY**

370 Shoreham Drive is a five (5) bedroom single-family dwelling that is zoned S-R Suburban Residential. The occupancy load has been established at twelve (12) people based on the City of Danville Real Estate Card and a property inspection. This application for a Special Exception Permit for a short-term rental is in accordance with Article 2, Section Y, Item 2. A Certificate of Occupancy inspection has been completed and passed.

## **ADDITIONAL INFORMATION**

Off-Street Parking: Yes (Paved)  
Property Management: Megan Dalton  
Nearby Short-Term Rentals: No

## **RECOMMENDATION**

The Planning Division recommends that the Board of Zoning Appeals approve Special Exception Permit Application PZ25-00473 (Parcel 78177) to allow a short-term rental in accordance with Article 2, Section Y.

## **ATTACHMENTS**

1. Application
2. 370 Shoreham\_Aerials Map
3. 370 Shoreham\_Short Term Rental
4. 370 Shoreham STR Sign Photo
5. 370 SHOREHAM C OF O DRAFT
6. 370Shoreham Dr STR BZA Neighbor Letter



# CITY OF DANVILLE

## Community Development Board of Zoning Appeals

### SPECIAL EXCEPTION PERMIT APPLICATION (STR ONLY)

In considering an application for a special exception, the Board shall give due regard to the specific guidelines and standards of this ordinance, and to the nature and conditions of adjacent uses and structures as well as the probable effect upon them of the proposed special exception. The application shall be submitted to the Director of Planning/Zoning and shall be accompanied by the filing fee of \$250.00.

The Board shall take into account the special and unique characteristics, design, location, construction, method of operations, effect on traffic conditions or any other aspects of the particular use or structure, that may be proposed by the applicant.

After the Board has approved a special exception, the special exception so approved or granted shall lapse after a one year period or such longer period of time as may be approved for "good cause" by the Board, provided that no site plan or subdivision plat has been approved by the City and that no substantial construction or change of use has taken place in accordance with the plans for which such variance was granted.

### PLANNING DIVISION PROVIDED INFORMATION

Application #: P225-00473 PC Meeting Date: October 16, 2025  
Date Received: Sept 16 2025 Received By: Arsenio Day  
Parcel ID: 78177 Address: 370 Shoreham dr  
Existing Zoning: S-r Future Land Use: S-r

## Applicant Provided Information

Property Location (Address/ID#): 370 Shoreham Dr Danville VA 24540

Property Owner: David Abts

Owner's Address: 4030 Dry Creek RD Medford OR 97504

Owner's Phone Number: [REDACTED]

Owner's E-mail: [REDACTED]

Property Manager: Mia Abts

Property Manager Address: 234 Allendale Dr Forest City NC

Property Manager Phone #: 828-748-4598

Property Manager E-mail: miaabts97@gmail.com

Is there off-street parking available? Yes, up to 10 cars if needed.

Describe Proposed Request: Short term renting this property. Offering a spaces, luxury experience. Sleeping up to 15 people. The property will be rented to own from the property owner to the property manager. We will also have an emergency contact living in Danville to check on the property in between turn overs. Emergency contact: Megan Dalton Phone: 434-429-4756 Address: 670 Clearview Dr Danville VA 24540

<u>David Abts</u>	<u>9/16/25</u>		<u>9/16/25</u>
Owner Name (Print)	Date	Owner Signature	Date

<u>Mia Abts</u>	<u>9/16/25</u>		<u>9/16/25</u>
Applicant Name (Print)	Date	Applicant Signature	Date

## Reference Checklist

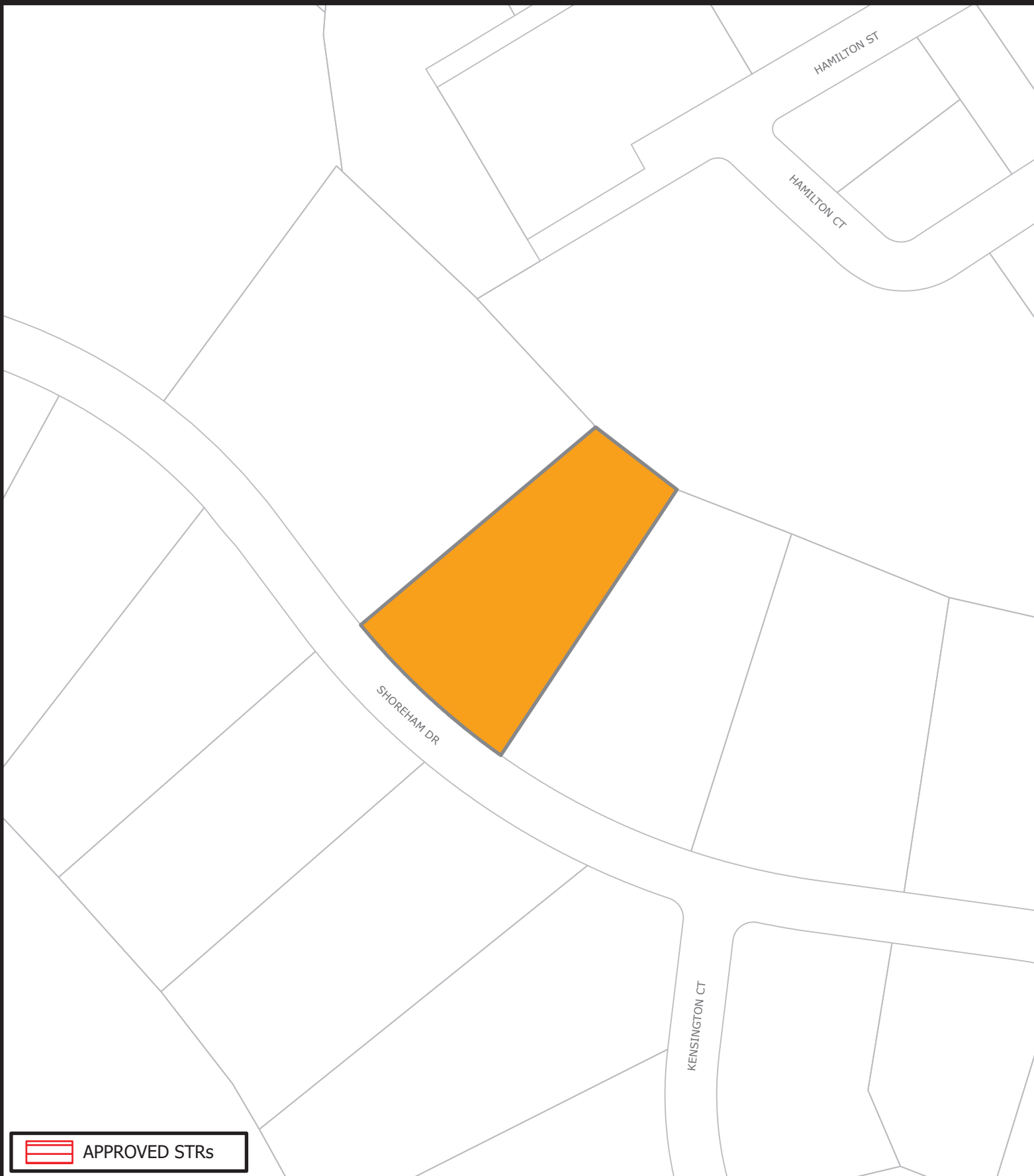


### 2025 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:  
Planning Division  
9/19/2025



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### SUBJECT PROPERTY WITH 300 FT BUFFER

Prepared by:  
Planning Division  
9/19/2025



Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

Sep 22, 2025 at 9:56:15 AM  
Danville



# Certificate of Use and Occupancy

CITY OF DANVILLE, VIRGINIA  
Department of Community Development

This Certificate issued pursuant to the requirements of Section 116 of the 2021 Virginia Uniform Statewide Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the City and the Virginia Uniform Statewide Building Code regulating building construction or use.

**For the following location:**

370 SHOREHAM DR.  
DANVILLE, VA, 24541

**For occupancy by:** Short Term Rental

**Use Group:**

R-5 = Single Family Dwelling Detached

**Type of Construction:**

5B = Wood framing with NO rating

**Building Owner and Address:**

ABTS DAVID A  
370 SHOREHAM DR  
DANVILLE VA 24541

**Occupancy Load:** 12 Persons

**FIRE SPRINKLER SYSTEM NOT INSTALLED AND NOT REQUIRED**

**NOTE:** Legal use of this structure may also require a Certificate of Zoning Compliance.



**Building Official**

**Date**



# CITY OF DANVILLE

## Community Development Board of Zoning Appeals

September 19, 2025

Dear property owner(s):

This letter notifies you, in accordance with Virginia state law, that the City of Danville received the following application:

*Special Exception Permit application PZ25-00473 filed by Mia Abts to allow a short-term rental as the primary use in accordance with Article 2, Section Y at Parcel 78177 (370 Shoreham Dr).*

### PROPOSAL SUMMARY

*Short-term rental application at 370 Shoreham*

### PUBLIC INPUT

The Danville City Board of Zoning Appeals scheduled this request for a public hearing October 16, 2025 AT 10:00 A.M. in the 4th Floor City Council Chambers of City Hall. Anyone may attend this public hearing to express opinions regarding the proposal. The Commission will vote on either approval or denial of this proposed request.

The BZA agenda is available on the City's website, [danvilleva.gov](http://danvilleva.gov) a week before the meeting. Please review the agenda before the public meeting to confirm this matter is still scheduled on the above-referenced date. Public meetings are televised on River City TV. If we may further assist you, please contact us at (434) 799-5260.

Sincerely,  
Arsenio Day  
STR Technician

# BOARD OF ZONING APPEALS MEETING

SEPTEMBER 18, 2025

**Members Present**

**Ann Sasser Evans  
Newton Ray  
Nicole Garrison  
Nicholas Piccolo  
Gus Dyer  
Lonnie Jones**

**Members Absent**

**Lawrence Meder**

**Staff**

**Shanika Williams  
Stefanie Jackson  
Ryan Dodson  
Arsenio Day  
Cynthia Lester  
Renee Burton**

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

**I. ITEMS FOR PUBLIC HEARING**

1. *Variance application PZ25-00407 filed by Gerald Kelly requesting a variance from Article 3.G. Section F Item 2 of Chapter 41 of the Code of the City of Danville, Virginia, that regulate side yard setbacks at Parcels (73163 and 73171) 252 & 460 Parker Road.*

**Mr. Dyer opened the Public Hearing**

Mr. Kelly stated. I'm rezoning my mobile home park to get it off of the 252 Parker Road and I have two buildings and properties that's been there forever. I think it's four or five foot off in order to get the line through to divide it. Asking for a variance so we can leave the buildings that's there.

**Mr. Dyer closed the Public Hearing**

Ms. Garrison stated. Question for staff. If this property is divided, the mobile homes that are there right up against the line almost. Are they still within the two-year period if one of them is removed so that he can put one back in within the two years or is that going to affect the setbacks for new mobile homes going in that area?

Ms. Burton stated. Setback will go for the existing there to create a conformance.

Ms. Garrison stated. So, they could be replaced as long as they are in the exact same place and within the two-year period?

Ms. Burton stated. No, this would be perpetuity.

Mr. Dyer stated. What we are doing is granting them a variance at this point right now, where in the past we had granted people variance to reduce the setback. We are in essence, at this point, reducing the setback for both the mobile home and apartment?

Ms. Burton stated. Yes, that is correct, because there's a request to shift that line to separate the two uses. Subsequent applications that are before Planning Commission previously this month and City Council next month. Apartments to stay multi-family and the mobile park to actually receive a mobile home park designation.

**Ms. Evans made a motion to approve application PZ25-00407. Mr. Piccolo seconded the motion. The motion was approved by a 6-0 vote.**

2. *Special Exception Permit application PZ25-00385 filed by Alfrieta Bennett to allow a short-term rental as the primary use in accordance with Article 2, Section Y at Parcel 55555 (4 Park Avenue).*

**Mr. Dyer opened the Public Hearing**

**Mr. Dyer closed the Public Hearing**

**Ms. Evans made a motion to postpone application PZ25-00385 to give time for the applicant to come to next meeting. Mr. Ray seconded the motion. The motion was approved by a 6-0 vote.**

3. *Variance Application PZ25-00389 filed by Yeon Hee Kim, requesting a variance from Article 2. P. Item 1 of Chapter 41 of the Code of the City of Danville, Virginia to allow a second accessory structure without a principal structure at (Parcel 25094) Dudley Street).*

**Mr. Dyer opened the Public Hearing**

Ms. Garcia stated. I'm here on behalf of Hee Kim we are here to present our variance request. We are in need of this building because we already have storage beside our restaurant. The owner of that land came and told us we had to move it; we were renting. Now we have no storage for our restaurant. When Covid came, we had to move the whole structure of the dining area since we had to be 6 feet apart, then we built a patio outside to benefit the customers. And in the winter, we have to store the patio furniture, and we have nowhere to store it. Maybe we can build something for storage of items in the winter. We asked the person to do our permit for the patio, and maybe we misunderstood him, he said it had to be under 250 square feet. We tried to build it under 240 square feet. We didn't know that we had to get a special permit for this one since there is no house on the parcel.

Mr. Dyer stated. Question for staff, so there is already a deck on this property, and that was permitted, and granted. They had to get a special use permit for that, because that's a accessory structure. So, if the storage building was attached to the deck, wouldn't that constitute only one structure?

Ms. Burton stated. That is correct.

Mr. Dyer stated. How long has it been since that was approved?

Ms. Burton stated. May of 2022.

Ms. Evans stated. If I remember correctly. They were in violation of that as well and had to come to us after the fact it was built. Correct?

Mr. Dyer stated. I don't recall this being before this board. I think it was before Planning Commission.

**Mr. Dyer closed the Public Hearing**

Mr. Dyer stated. Have they been given the option, we have been very lenient in what we consider attached. It has to be something on the roof line, but the deck doesn't have a roof line. If they were to extend the deck to this building.

Ms. Burton stated. It would have to be a roof line attachment so they would have to put a roof line over the top of the existing deck. And then either relocate this existing structure that they've begun or otherwise you've had a really long connection that I don't know how you make it structurally sound or aesthetically.

Ms. Garrison stated. They combine these two properties and ask for the HRC zoning. This would negate all of this.

Mr. Dyer stated. I don't think they own the property.

Ms. Garcia stated. They own the property beside the restaurant and the one where the patio and storage is as well. They went through the auction.

Mr. Jones stated. When was the structure built, and when did you actually buy the land?

Ms. Garcia stated. He just brought the land 3 weeks ago and the structure was built probably 4 or 5 months ago.

Ms. Burton stated. A consolidation could negate this violation and the need for a variance.

Mr. Dyer stated. The zoning on this property that we're considering today is OTR, right?

Ms. Burton stated. Right, it would be a rezoning.

Mr. Dyer stated. So, if they were to combine them, they would have to get it rezoned first to combine them?

Ms. Garrison stated. I just feel like this is the second time this has come before a board and looking at the GIS, it appears that the two buildings in the back of the parking lot are already over that line. So, you got those two over the line. I am assuming the small shed that was there when there was a house on the lot. It is in the back. You have the deck. Now you've got this. It just seems to be growing.

Mr. Dyer stated. The long term it would be best if these lots were all consolidated. I know that in the past, we've granted temporary allowing structures to remain up temporarily for a year or so. I'm thinking of the storage shed on Piney Forest Road. Perhaps the solution to this would be to grant them a temporary variance till they can consolidate these lots.

Ms. Evans stated. That or should we postpone until they can come before Planning Commission with an application?

Ms. Burton stated. Leanest would be if the property were rezoned and consolidated. That would create a conformance and perpetuity. Otherwise, the temporary variance is just a short-term solution.

Ms. Garrison stated. Should they rezone this lot before combining the properties because they just have rezoned and then combine these properties?

Mr. Piccolo stated. If they were to buy a smaller pre-manufactured shed from Home Depot or Lowes would this process still be the same?

Mr. Dyer stated. Yes, because anything that's not a residential structure on a residential lot is considered an accessory use and code prohibits accessory use on a lot without a principal structure.

Ms. Garrison stated. I looked at the city website on real-estate transfers, it appears that they've owned this lot since 2021. So that's a lot longer than 3 weeks.

Mr. Dyer stated. She is referring to the lot that goes further up South Main Street, I am assuming that lot is zoned HRC and that's where the storage structure was and they have moved it to the back lot that is not zoned residential.

Ms. Burton stated. The corner lot is zoned HRC, the two lots going down Dudley are both OTR, Old Town residential. They can apply for a rezoning to the lot where the storage buildings are is and I feel confident that staff would look at that with a condition that the consolidation must occur.

Ms. Evans stated. Is it the cleanest way we postpone it until it can come to Planning Commission?

Ms. Burton stated. If you postpone it, you anticipate that it will return. If you don't anticipate it will return because you want it to take a different path, then that would be a motion of denial.

Mr. Dyer stated. I think if we were to grant the twelve months this would give them incentive to go ahead and get this done.

Mr. Piccolo stated. If we deny it now will that affect them being able to rezone it afterward. Will that affect them being able to come to us later after they have gotten rezoned?

Mr. Jones stated. I think we did 12 months on the building on Piney Forest

Ms. Burton stated. It is granted until December of this year on Piney Forest.

Ms. Evans stated. Will it be too late to get application in for the October Planning Commission for this?

Ms. Burton stated. Yes, they will be heard in November and then City Council in December.

Ms. Garrison stated. I agree with this also, but it seems that the structure that is there now seems to be built to be permanent. Not something that they can take down in a year without a lot of difficulty if all of this doesn't work.

Ms. Evans stated. It could remain until it comes to Planning Commission in November.

Ms. Burton stated. Yes, it could be an understanding that they were to apply for a rezoning to Planning Commission in November, then halt our enforcement of the violations up till the point. If any application was not received for that November meeting, then we would proceed with the violation procedures.

Ms. Evans stated. That would have to be part of the motion.

Ms. Burton stated. Could be, but at the point looking at the variance itself, if you're planning on the thought to deny, it could just be a straight denial and then that would be their next step regardless, in order to bring it into compliance. It would either be removal or move forward with an application before Planning Commission.

Mr. Dyer stated. I want to make sure that if we deny it, and they do decide to move forward with the rezoning and the consolidation that they will not be forced to tear this structure down in the interim.

Ms. Burton stated. No, if there's a valid application that's completely been submitted that will halt the enforcement process until that can be reviewed by Planning Commission and City Council.

Mr. Dyer stated. Alright, so there we are.

**Ms. Garison made a motion to deny application PZ25-00389. Mr. Ray seconded the motion. The motion was approved by a 6-0 vote.**

4. *Special Exception Permit Application PZ25-00428 filed by Whitworks & Holding LLC to allow a short-term rental as the primary use in accordance with Article 2, Section Y at Parcel 52626 (260 Turpin Street).*

#### **Mr. Dyer opened the Public Hearing**

Mr. Whitlock stated. I am the property manager for Turpin Street. The property was purchased in June, and a lot of details and improvements have gone into this home.

Ms. Garrison stated. You live in South Boston is that correct?

Mr. Whitlock stated. Yes, that would be right at 30 minutes.

Mr. Jones stated. You get a call at 3am, are you coming?

Mr. Whitlock stated. Absolutely.

Mr. Dyer stated. Do you have any local contacts?

Mr. Whitlock stated. Yes, I do my dad stays in the area.

Mr. Dyer stated. You have a list of local plumbers and electricians, HVAC guys?

Mr. Whitlock stated. Yes.

Mr. Dyer stated. Is this your only house?

Mr. Whitlock stated. Yes.

**Mr. Dyer closed the Public Hearing**

Mr. Ray stated. I went by there yesterday it is a nice looking home and the speed limit on that street is very fast.

**Ms. Garison made a motion to approve application PZ25-00428. Mr. Piccolo seconded the motion. The motion was approved by a 6-0 vote.**

**III. APPROVAL OF MINUTES FROM AUGUST 21, 2025**

**August 21, 2025, minutes were approved by a unanimous vote.**

**IV. OTHER BUSINESS.**

**With no further business, the meeting was adjourned at 10:25 AM.**

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APPROVED