

**Town of Smithfield  
Board of Zoning Appeals  
Agenda**

**May 17, 2016  
7:30 pm**

1. **Election of Officers**
  
2. **Application for a Special Yard Exception under Article 12 Section D of the Town of Smithfield Zoning Ordinance: 134 Lumar Road, Kristin N. Munford, Herbert M. Munford, III, applicants, property owners (Staff Report, Application, Plats, Public notice)**
  
3. **Approve minutes from the July 21, 2015 Board of Zoning Appeals Meeting.** (Enclosed)

**NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.** Reasonable efforts will be made to provide assistance or special arrangements to qualified individuals with disabilities in order to participate in or attend Board of Zoning Appeals meetings. ADA compliant hearing devices are available for use upon request. Please call (757) 365-4200 at least 24 hours prior to the meeting date so that proper arrangements may be made.

INFORMATION FOR THE MEETING OF:

BOARD OF ZONING APPEALS

May 17, 2016

STAFF MEMBERS PRESENT	BOARD MEMBERS PRESENT	MEDIA PRESENT (NAME & PAPER)	NUMBER OF CITIZENS PRESENT	CLOSED SESSION TIME IN:	CLOSED SESSION TIME OUT:	TIME MEETING ADJOURNED
<p>Bill Riddick ✓</p> <p>Joseph Reish ✓</p>	<p>Seeley ✓</p> <p>Batten ✓</p> <p>Bowden - <del>Absent</del> <i>Resorb</i></p> <p>Briggs ✓</p> <p>Gwaltney ✓</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>2</p>	<p>_____</p>	<p>_____</p>	<p>_____</p>

May 17, 2016

Board of Zoning Appeals

	Motion Made By:	Motion 2 <sup>nd</sup> By:	Faye Seeley Chair	Clem Batten Vice Chair	Catherine Bowden	Chris Gwaltney	Robert Briggs	Passed	Denied	Tabled
1) Elect Officers	<del>A</del>									
2) Special Yard Exception - 134 Lunnar Road	Gwaltney	Batten	✓	✓	✓	✓	✓	✓		
3) Approve July 21, 2015 Minutes	Batten	Bowden	✓	✓	✓	✓	✓	✓		

~~A~~ Batten motioned to elect Seeley as Chair, Seeley motioned to elect Batten as Chair

Seeley - Chair

Batten - Vice Chair

} All voted aye

✓ = AYE

X = NAY

ABS = Abstained

**BOARD OF ZONING APPEALS**

**PUBLIC COMMENTS**  
**(For items not listed on the agenda)**

**May 17, 2016**

	<b>PRINTED NAME</b>	<b>ADDRESS</b>	<b>PHONE NUMBER (OPTIONAL)</b>
<b>1</b>			
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<b>3</b>			
<b>4</b>			
<b>5</b>			
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**BOARD OF ZONING APPEALS**

**PUBLIC COMMENTS  
FOR SPECIAL YARD EXCEPTION**

**(134 Lumar Road)**

**May 17, 2016**

	<b>PRINTED NAME</b>	<b>ADDRESS</b>	<b>PHONE NUMBER (OPTIONAL)</b>
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<b>2</b>			
<b>3</b>			
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<b>25</b>			

**STAFF REPORT FOR THE  
BOARD OF ZONING APPEALS**

**SPECIAL YARD EXCEPTION**

May 17, 2016

<b>Application Number</b>	BZA 16-01
<b>Applicant Name and Address</b>	Kristin N. Munford, Herbert M. Munford, III 134 Lumar Road Smithfield, Virginia 23430
<b>Property Owner Name and Address</b>	Kristin N. Munford, Herbert M. Munford, III 134 Lumar Road Smithfield, Virginia 23430
<b>Property Location and Description</b>	134 Lumar Road Single family dwelling on the South side of Lumar Road
<b>Statistical Data (See Plat)</b>	
<b>Current Zoning</b>	N-R, Neighborhood - Residential
<b>Setbacks</b>	
<b>Front</b>	35 feet
<b>Rear</b>	35 feet
<b>Side</b>	15 feet
<b>Existing Setbacks</b>	
<b>Front</b>	48 feet +
<b>Rear</b>	90 feet +
<b>Side (West)</b>	12.1 feet
<b>Side (East)</b>	13 feet + -
<b>Access</b>	Lumar Road
<b>Surrounding Land Uses/Zoning</b>	N-R, Neighborhood - Residential MF-R, Multi Family - Residential

**Applicant Overview**

Under the provisions of Article 12, Section D of the Zoning Ordinance of the Town of Smithfield, the applicants are seeking a Special Yard Exception in order to approve construction of an approximately 22 foot by 22 foot room addition to the existing residential structure that will meet the current ordinance setback requirements. The existing residential structure has side yard setbacks of approximately 13 feet on the East side and 12.1 feet on the West side

**Staff Comments**

Special Yard Exception would clear the non-conforming status and allow for the proposed addition. The current setback violation is of no fault of the current owner, as research shows that the primary structure was built in 1953.



# TOWN OF SMITHFIELD

310 Institute Street, P. O. Box 246 λ Smithfield, VA 23431  
(757) 365-4200 λ Fax (757) 357-9933

### APPLICATION FOR:

- Special Use Permit  Variance  Special Yard Exception  
 Special Sign Exception  Other

Applicant(s) Name: Kristin N. Munford, Herbert M. Munford, III  
 Address: 134 Lumar Rd.  
 City, State, Zip: Smithfield, VA 23430  
 Phone Number(s): 342-6565

Property Owner(s) Name: Same  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Phone Number(s): \_\_\_\_\_

Property Address: 134 Lumar Road  
 Tax Map Number(s): 21A-25-007  
 Property Description: Single family dwelling on approx. 0.27 acres

Zoning: N-R      Acreage: 0.27      Application Fee: 150.00  
 Legal Reference: N/A      Deed Book#: N/A      Page#: N/A

Proposed Use/Exception: The owners/applicants are seeking a Special Yard Exception in order to approve construction of a 22' foot by 22' foot addition to the rear of an existing structure with 12.1' foot and ±13' foot side yard setbacks.

[Signature]  
 Applicant(s) Signature

4/18/16  
 Date

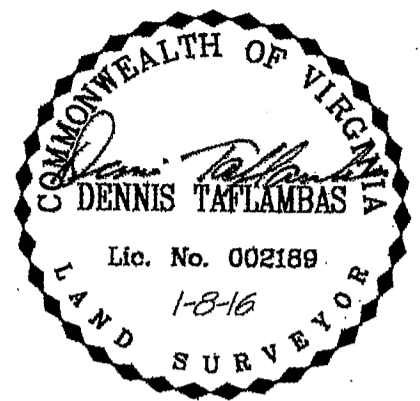
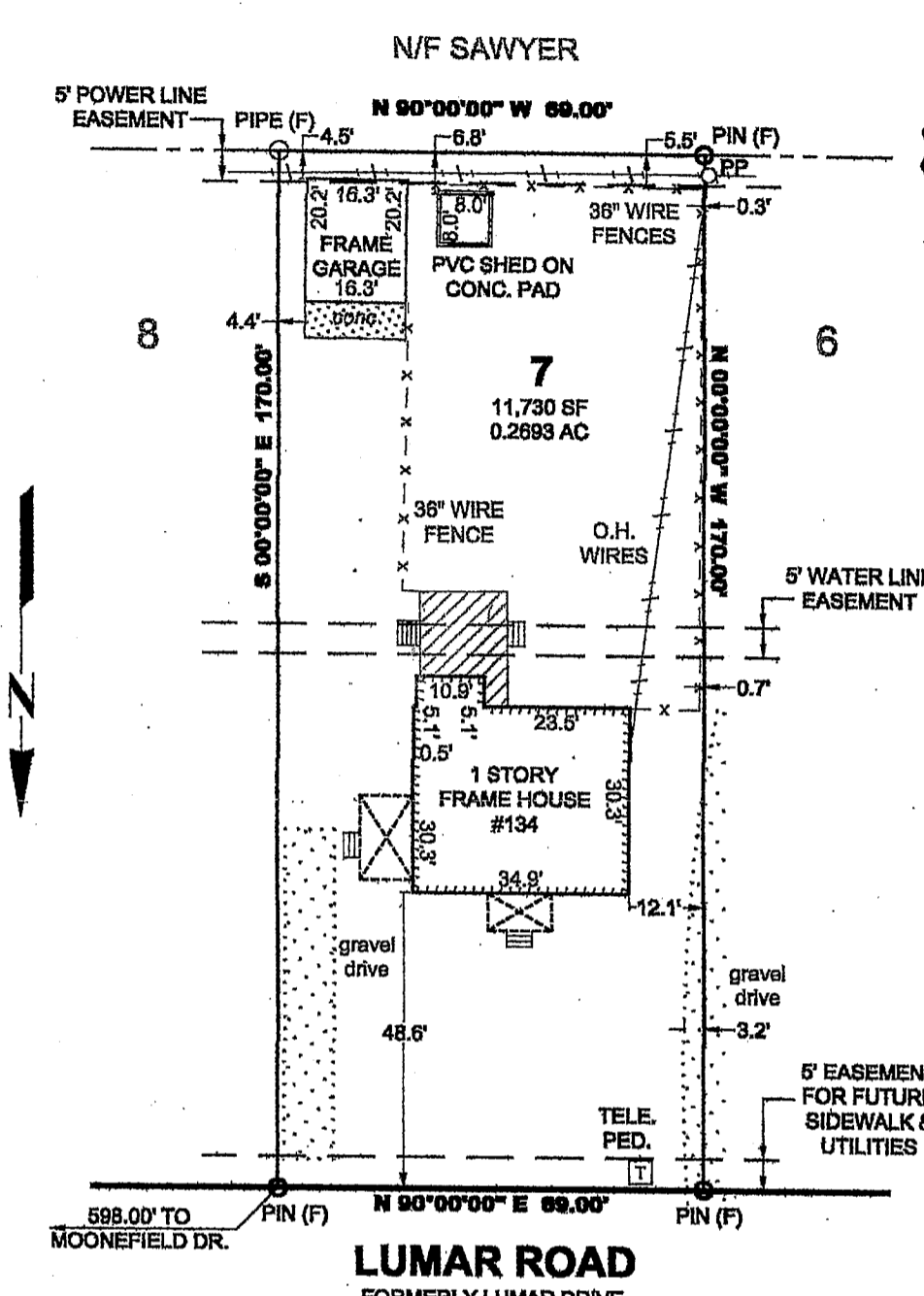
[Signature]  
 Applicant(s) Signature

4/18/16  
 Date



PROPERTY ADDRESS: 134 LUMAR ROAD SMITHFIELD, VIRGINIA 23430 SURVEY NUMBER: 48667

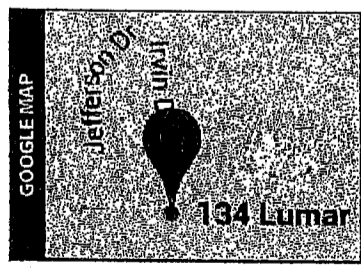
FIELD WORK DATE: 1/12/2016 REVISION DATE(S): (REV.1 1/12/2016)



<p>1. THE ONLY EASEMENTS APPEARING ON THIS SURVEY ARE THOSE WHICH WERE SHOWN ON THE RECORDED SUBDIVISION PLAT UNLESS OTHERWISE NOTED.</p> <p>2. THIS PROPERTY APPEARS TO FALL IN FLOOD ZONE(S) X AS SHOWN ON THE N.F.I.P. MAP FOR THE TOWN OF SMITHFIELD, MAP/PANEL 51093C-0151E, DATED DECEMBER 2, 2015.</p>	<p>SCALE 1" = 30'</p> <p>REVISED -</p> <p>JOB NO 11449</p> <p>FB 164/09</p> <p>DRAWN MTW</p> <p>CHECK DT</p> <p>DATE 1-8-16</p>	<p>PHYSICAL SURVEY OF LOT 7 "LU-MAR HOMES" PROPERTY OF J.W. LUTER, JR, EST., AND JOHN S. MARTIN SMITHFIELD, VIRGINIA P.B.4 P.185 (ISLE OF WIGHT)</p>
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NOTES

CLIENT NUMBER 15-06-12418C	DATE 1/12/2016
BUYER: KRISTIN N. MUNFORD AND HERBERT M. MUNFORD, III	
SELLER: THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, TRUSTEE FOR THE BENEFIT OF THE CERTIFICATE HOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES SERIES 2005-17	
CERTIFIED TO: KRISTIN N. MUNFORD AND HERBERT M. MUNFORD, III; BARRISTERS OF VIRGINIA; PRIMELENDING, A PLAINSCAPITAL COMPANY	



2043 Random Road, Suite 4 | Cleveland, OH 44106  
866.933.3381 www.glsurv.com

**Great Lakes Services**  
A Vendor Management Company

**BARRISTERS**  
VIRGINIA  
A Howard Hanna Company

PLEASE NOTE: Great Lakes Field Services, LLC (Great Lakes) is a vendor management company specializing in electronic survey coordination for the title insurance and mortgage lending industries. The following product has been prepared by a state licensed land surveying firm as indicated on the 'plat' page of the survey product. Great Lakes provides service coordination services and the digitally encrypted transmission and archiving of these products and is not involved in any aspect of the surveying process. All transmissions of this product are via a secure SHA-1 secure hash message digest authentication code within its signature file. A manually signed and sealed log of this survey's signature file is kept on file at the performing surveyor's office.

PERFORMED BY

**DKT Associates**  
LAND SURVEYORS

**DKT Associates**  
1100 Granby Street, Suite 100  
Norfolk, Virginia 23510  
P: (757) 588-5888 • F: (757) 588-5880  
DKTassociates.com





PROPERTY ADDRESS

134 LUMAR ROAD SMITHFIELD, VIRGINIA 23430

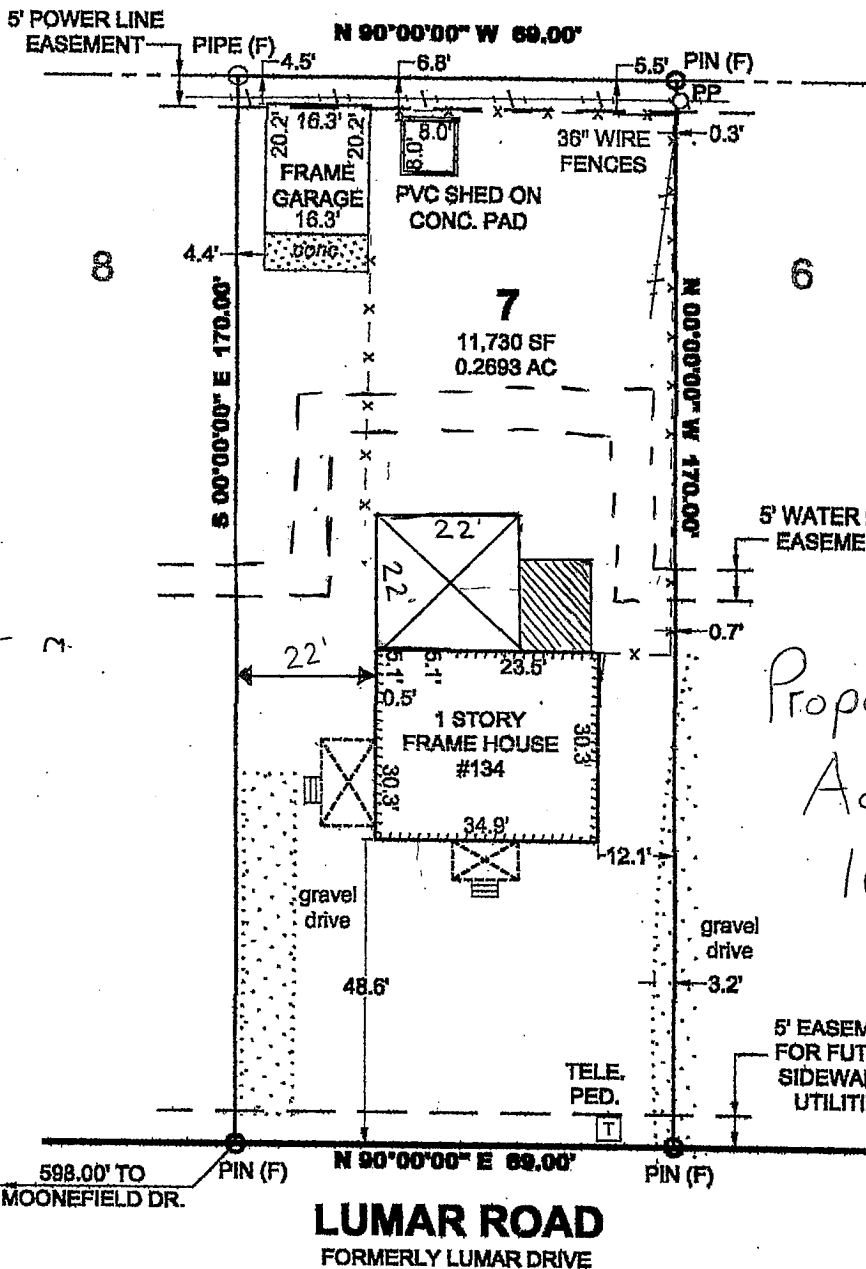
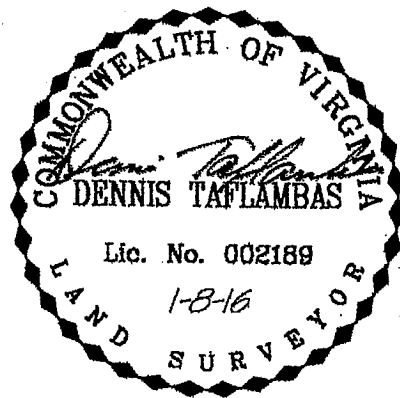
SURVEY NUMBER

48667

FIELD WORK DATE: 1/12/2016

REVISION DATE(S): (REV.1 1/12/2016)

N/F SAWYER



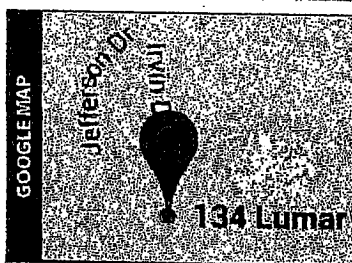
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SCALE 1" = 30'  
REVISED  
JOB NO 11449  
FB 164/09  
DRAWN MTW  
CHECK DT  
DATE 1-8-16

PHYSICAL SURVEY OF  
LOT 7  
"LU-MAR HOMES"  
PROPERTY OF J.W. LUTER, JR, EST.,  
AND JOHN S. MARTIN  
SMITHFIELD, VIRGINIA P.B.4 P.185 (ISLE OF WIGHT)

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CERTIFIED TO:	KRISTIN N. MUNFORD AND HERBERT M. MUNFORD, III; BARRISTERS OF VIRGINIA; PRIMELENDING, A PLAINSCAPITAL COMPANY		

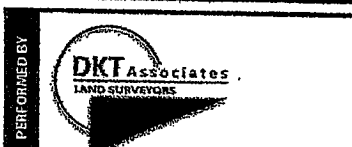


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NOTICE OF PUBLIC HEARING  
THE TOWN OF SMITHFIELD BOARD OF ZONING APPEALS  
SPECIAL YARD EXCEPTION

Notice is hereby given that the Board of Zoning Appeals of the Town of Smithfield, Virginia, will hold a public hearing at the regular meeting of the Board of Zoning Appeals in the council chambers in The Smithfield Center, 220 N. Church Street, Smithfield, Virginia, in meeting room A, on Tuesday, May 17, 2016, at 7:30 p.m. to consider the application of Kristin N. Munford and Herbert M. Munford, III, owners, for a special yard exception under the provisions of Article 12, Section D of the Zoning Ordinance of the Town of Smithfield, Virginia, adopted September 1, 1998, and as amended thereafter, in order to approve an existing residential structure with a side yard setback of 12.1 feet on the West and a side yard set back of 13 feet, more or less, on the East. The applicant proposes to construct a room addition to the rear of the dwelling house which will meet the current ordinance requirements. The Special Yard Exception will cure the violations. The property is located at 134 Lumar Road. The minimum side yard setback is 15 feet, as provided by the Zoning Ordinance. The subject property is zoned N-R Neighborhood Residential District.

Any person affected by or interested in the aforesaid application may appear at the hearing and be heard. Copies of the Zoning Ordinance of the Town of Smithfield and application for this special yard exception are available for inspection in the office of the Department of Planning, Engineering, & Public Works, 310 Institute Street, Smithfield, Virginia 23430.

BOARD OF ZONING APPEALS  
TOWN OF SMITHFIELD, VIRGINIA

By: William G. Saunders, IV  
Zoning Administrator

Publish: May 4 and 11, 2016