



Town of Farmville Board of Zoning Appeals

Members
Pam Butler, CBZA, Chair
Penny Pairet, CBZA, Vice Chair
Cameron Patterson
Sam Carey
Zach Preston

Town Council Chambers of the Town Hall, 116 North Main Street, Farmville, Virginia

Agenda for Thursday, September 25, 2025 @ 3:00pm

1. **Call to Order** (Please Silence Devices)
2. **Roll Call**
3. **Determination of Quorum**
4. **Consideration of Minutes**
 - a. Minutes of the Regular Board of Zoning Appeals Meeting – July 24, 2025
5. **Hearing of Cases**

BZA25-004-VAR- Applicant requests an eight (8) foot and ten (10) foot variance to the 25 foot foot required front yard setback in the B-2 Transitional Commercial District as stated in Section 29-22.b (Table 2), to construct an addition to the existing building. The 0.422 acre site is located at 208 North South Street on Tax Map Numbers 0023A04(23)01-005, 0023A04(23)01-003, and 0023A04(23)01-002.

6. **New Business**
 - a. Staff Updates
 - b. Other Items of Interest
7. **Adjournment**

**Town of Farmville Board of Zoning Appeals
Farmville Town Hall Council Chambers
116 North Main Street, Farmville, VA
Friday, July24, 2025**

Members Present: Chairperson Pam Butler, Vice-Chair Penny Pairet, Dr. Miller, and Sam Carey

Member Absent: None

Staff Present: Director of Community Development Ashley Atkins-Austin, Administrative Assistant II Michelle Watkins, CPT, and Rober Dvorak, Town Planner.

Call to Order: Chairperson Butler called the meeting to order at 3:00 pm.

Determination of Quorum: With all four (4) members being present, a quorum was established.

APPROVAL OF MINUTES

Minutes of Board of Zoning Appeals Meeting- May 15, 2025

On motion by Dr. Miller, seconded by Ms. Pairet, with all present members voting “aye”, the minutes were approved with no corrections.

HEARING OF THE CASE

BZA25-003-VAR- The applicant, Jon Atkinson, requests a 3’ variance to the required 60’ front yard setback in the R-3 High Density Residential District as stated in Section 29-22.b (Table 2), to construct a 5’ x 10’ porch onto an existing single-family residential dwelling. The proposed porch is to replace an existing front porch that is in disrepair. The 0.266 acre site is located at 512 East Second Street on Parcel Number 0023A05(01)13-003A.

Chairperson Butler set forth case BZA25-003-VAR to the Board Members.

Mr. Robert Dvorak provided a summary of the Variance request. Staff recommended approval of BZA25-003.

On a motion by Dr. Miller, seconded by Mr. Carey, and with all present members voting “aye, the motion passed to approve BZA25-003-VAR.

NEW BUSINESS

Town of Farmville has received an application to fill the vacant position on the Board of Zoning Appeals. The application will go before Town Council in the August 2025 meeting for recommendation to the Circuit Court.

ADJOURNMENT

With no further business before the Board of Zoning Appeals, Chairperson. Butler called for a motion to adjourn.

On a motion by Ms. Pairet, seconded by Dr. Miller, with all members present voting “aye”, the meeting was adjourned at 3:06 pm.

Respectfully submitted by Michelle D. Watkins, CPT Administrative Assistant II

Pam Butler, Chairperson



Identification and Location Information

Applicant	Deb Hamby
Property Owner	Cifers Enterprises LLC
Location	208 North South Street; Parcel ID – 0023A04(23)01-005, 0023A04(23)01-003, 0023A04(23)01-002
Ward	E
Acreage	0.421 acre total
Zoning	B-2 Transitional Commercial
Existing Land Use	Commercial
Future Land Use Recommendation	Downtown Commercial
Overlays	Floodplain overlay district, Enterprise Zone
Adjacent Zoning	B-2 Transitional Commercial to the left, right, and rear of the property, B-1 Downtown Commercial across South Street
Adjacent Uses	WEST: South Street and Commercial property NORTH: Undeveloped (parking lot) SOUTH: Undeveloped (parking lot)
Staff Contact	Ashley Atkins-Austin, CZA: Director of Community Development Phone: 434-392-8465 Email: aaustin@farmvilleva.com Report by Robert W. Dvorak, Town Planner

Background

The 0.421 acre site spans the following parcels: 0023A04(23)01-005, 0023A04(23)01-003, 0023A04(23)01-002. The applicant, Deb Hamby, requests an 8’ and a 10’ variance to the required 25’ front yard setback in the B-2 Transitional Commercial zoning district, as stated in Section 29-22.b (Table 2), to construct an addition onto an existing commercial building. The façade of the existing commercial structure currently sits at the shared property line of parcel 0023A04(23)01-005 and a 35’ right of way on North South Street. The construction of the proposed addition would be along the shared property line of parcel 0023A04(23)01-003 and a right of way with varying widths. The right of way changes from 35’ to 30’ on North South Street. The proposed addition constitutes a non-conforming expansion and requires a variance prior to issuance of zoning and building permits.

Zoning Ordinance Considerations

Dimension Standards- Section 29-22.b (table 2) of the Town Code lists the various bulk (dimensional) requirements for development in Town. The applicable dimension is highlighted below:

- (b) *Dimensional standards for base zoning districts. Dimensional standards within each zoning district shall apply as provided in table 2.*

(Table follows on next page)



Table 2: Dimension Standards for Base Zoning Districts *

Zoning District	Minimum Lot Size			Minimum Yard Size		Maximum Building Height
	Area	Setback	Frontage	Side	Rear	
B-2 Transitional Commercial	None	25 ft. or more from the center of any street right-of-way	None	25' if adjacent to residential	25' if adjacent to residential	45'

* Dimensions for other districts were removed for brevity and formatting.

The BZA’s Standards for Review- **Section 29-13.d.2.d** of the Town Code establishes the Board’s standards and procedures for the review of and action on variance requests. In doing so, the Board may also set conditions of approval should it deem granting a variance appropriate.

(d) *Variance.*

(2) *Standards and procedures.*

- d. *Standards for review.* Pursuant to the Code of Virginia, § 15.2-2309(2), 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:
1. 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;
 2. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
 3. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practical the formulation of a general regulation to be adopted as an amendment to the ordinance;
 4. 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;
 5. The relief or remedy sought by the variance application is not available through a special exception process that is authorized in this chapter pursuant to Code of Virginia, § 15.2-2309(6) or the process for modification of a zoning ordinance pursuant to Code of Virginia, § 15.2-2286(A)(4) at the time of the filing of the variance application.

Utilities, Transportation/ Streets, Environmental

Not impacted.



Findings and Recommendations

Staff's Findings

The application generally meets the standards set forth in Section 29-13.d.2.d of the Town Code for granting a variance. Staff further finds the following:

1. The strict application of the 25' front yard setback in the B-2 District would not unreasonably restrict the use of the property. The property is currently a commercial use, and the use can continue without a variance;
2. The property was acquired in good faith and any hardship was not created by the applicant;
3. The granting of the variance would only affect this site and would have no negative effects on adjacent properties;
4. The property was developed under previous regulations several decades ago, and the existing building's facade is within the 25' set back requirement
5. The granting of the variance in fact would not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property;
6. Relief or remedy is not available through a special exception process. Special exceptions are not authorized for any reason by the Town Code, Chapter 29, Zoning and Subdivision Ordinance. Modification or amendment of the zoning ordinance was not in process at the time of the application.

Staff's Recommendations

1. The Staff recommends **approval** of the variance request.
2. The Staff recommends the following motion:

I move to **APPROVE/ DENY** the request in BZA25-003-VAR for an 8' and a 10' variance to the 25 foot required front yard setback in the B-2 Commercial District as stated in Section 29-22.b (Table 2), to construct a partially enclosed stairway and entrance structure on an existing commercial building.

Additional Information

Appeals

Section 29-13.e.3 states the recourse for appeal.

Appeals. Any person jointly or severally aggrieved by any decision of the board of zoning appeals, or any aggrieved taxpayer or any officer, department, commission, or the town, within thirty (30) days of the date of the decision, may appeal the decision of the board of zoning appeals on a variance to the circuit court of Prince Edward County in accordance with Code of Virginia, § 15.2-2314.



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Department of Community Development

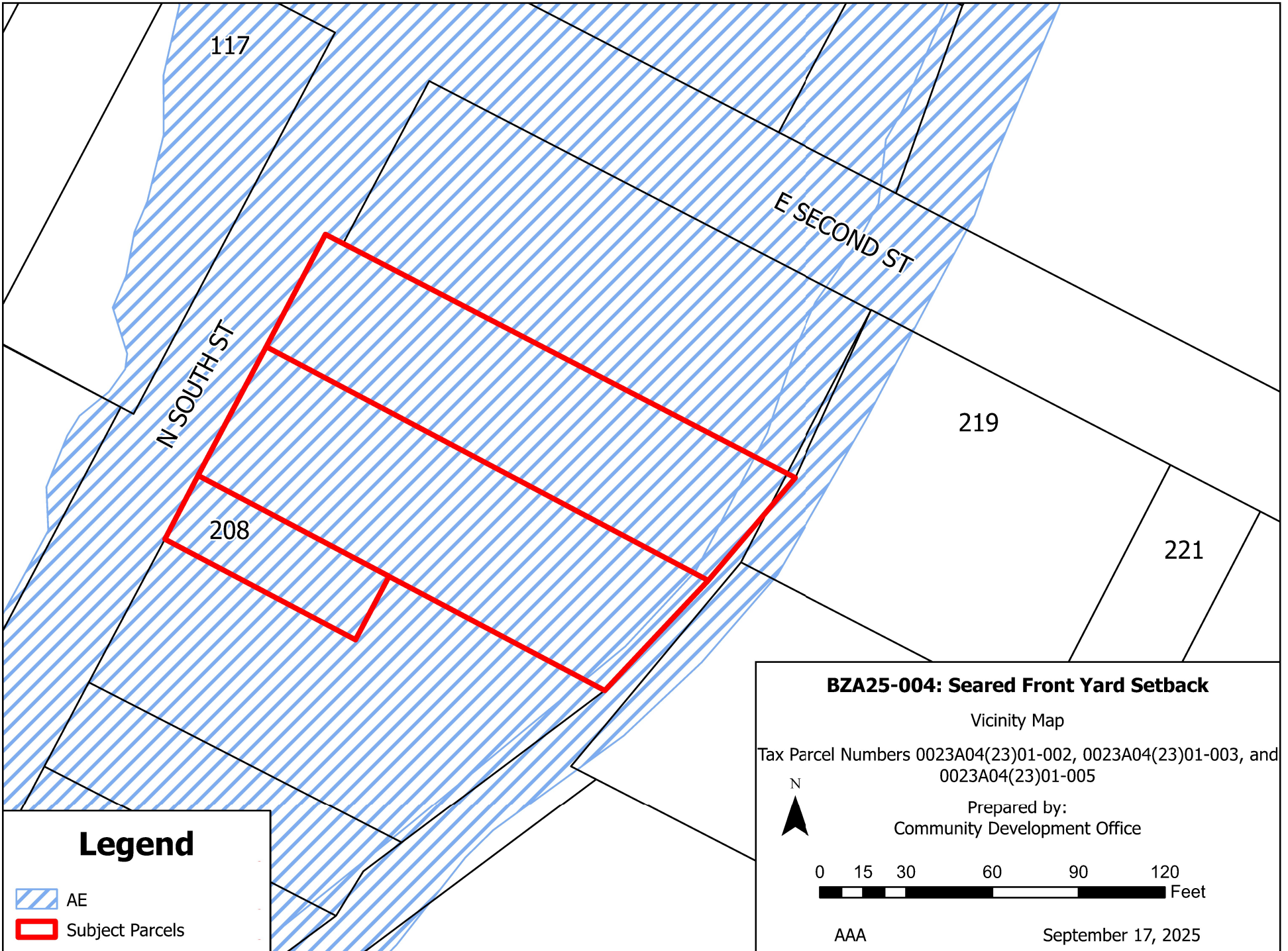
Staff Report: BZA25-004-VAR

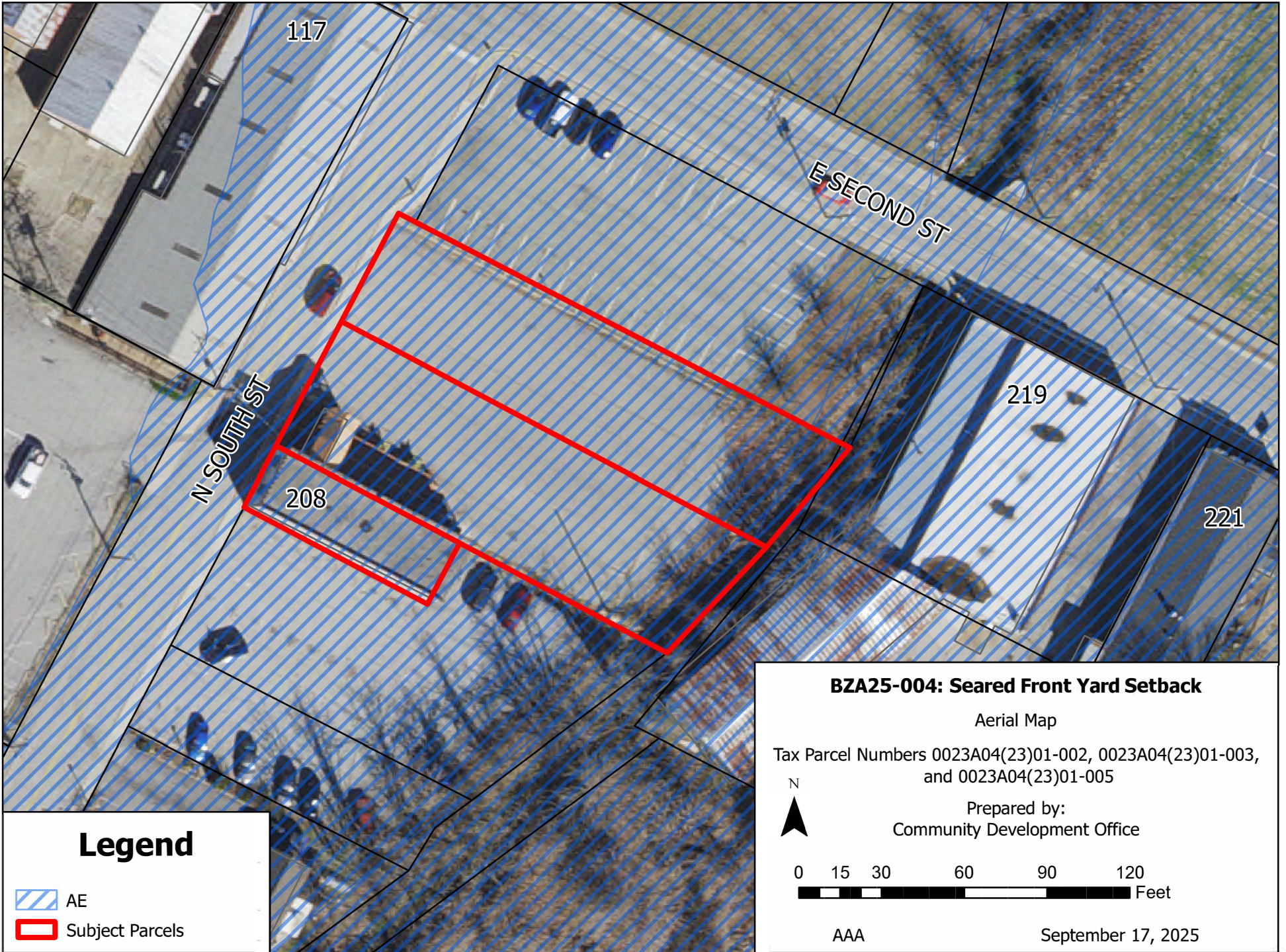
"Seared" Front Yard Setback Variance

Meeting Date: Thursday, September 25, 2025 at 3pm

Attachments

1. Vicinity and aerial maps
2. Staff's exhibit showing setbacks
3. Staff's pictures
4. Applicant's application, narrative, and exhibits





117

E SECOND ST

N SOUTH ST

219

208

221

Legend

 AE

 Subject Parcels

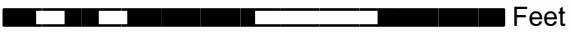
BZA25-004: Seared Front Yard Setback

Aerial Map

Tax Parcel Numbers 0023A04(23)01-002, 0023A04(23)01-003,
and 0023A04(23)01-005





Prepared by:
Community Development Office

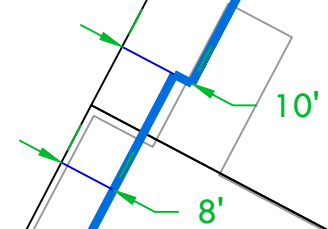
0 15 30 60 90 120
 Feet

AAA

September 17, 2025

SOUTH STREET

-  Street Centerline
-  25' offset (setback line)



208



MEETING DATE: Thursday, September 25, 2025 (Board of Zoning Appeals)

ITEM NO.: 5

REQUEST: BZA25-004-VAR

BACKGROUND: Written staff report and other supporting materials and verbal report by Ashley Atkins-Austin, Director of Community Development.

RECOMMENDATION: **Staff recommends approval of variance request BZA25-004-VAR**

RECOMMENDED MOTION: I move to **APPROVE/ DENY** Applicant requests an eight (8) foot and ten (10) foot variance to the 25 foot foot required front yard setback in the B-2 Transitional Commercial District as stated in Section 29-22.b (Table 2), to construct an addition to the existing building. The 0.422 acre site is located at 208 North South Street on Tax Map Numbers 0023A04(23)01-005, 0023A04(23)01-003, and 0023A04(23)01-002.

MOTION: _____

SECONDED: _____

Members	Yes	No	Absent
Mr. Carey			
Ms. Pairet			
Ms. Butler			
Dr. Miller			
Ms. McKinney			