

Ordinance ORD2013-06

AN ORDINANCE to amend The Code of the Town of Ashland, Chapter 21 "Zoning," Article XXV "Supplemental Regulations," Sec. 21-251. "Location of uses and structures," to establish an exception process to the requirement that all structures and uses be established on lots fronting on an existing street or on an improved right-of-way to the town's specifications.

WHEREAS, the Town Council has held a public hearing on the 15 day of October 2013, advertised as required by Virginia Code Section 15.2 – 2204.

NOW THEREFORE BE IT ORDAINED by the Council of the Town of Ashland, Virginia that Section 21-251 "Location of uses and structures" shall be amended to read, as follows:

Article XXV. Supplemental Regulations **Section 21-251. Location of uses and structures.**

After May 4, 1978, all structures and uses shall be established on lots so that the lot fronts on an existing street or on an improved right-of-way to the town's specifications.
(12-15-98, § 1; 4-30-12)

Town Council may grant an exception to the requirement for lot frontage on an existing street or on an improved right-of-way, per Section 21-251 of Town Code, if the following requirements have been met:

- (1) The granting of the exception will not be detrimental to the public safety, health or welfare or injurious or detrimental to other property; and
- (2) Because (of) the particular physical surroundings, shape or topographical conditions of the specific property involved, a unique hardship exists that is not shared by surrounding properties; and
- (3) The property is not adjacent to a proposed roadway as shown in the Town Transportation Plan, or proposed roadway in an adjacent site development plan; and
- (4) Access to site must be located in a private deeded easement and connect to an existing public roadway; and
- (5) Access shall be limited to only one (1) residential ~~property~~ unit.

In granting this exception, the Town Council may recommend such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of this chapter.

Recommended conditions include:

- If public water is available, location of the proposed residential structure shall be within 1,000 feet of an existing fire hydrant.
- Establish easily identifiable entrances with street address numbers.
- Driveway width of 14 feet for access of fire and emergency vehicles.

- Construction of access drive will meet engineering requirements with respect to matters of land clearing, erosion and sediment control, wetlands, or other regulatory matters as determined by the Director of Public Works.
- Adequate easements shall be provided for all utilities as deemed necessary by the reviewing agency.

A petition for any exception shall be submitted in writing to the zoning administrator. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

BE IT FURTHER ORDAINED by the Town Council that the amendments herein of the Code of the Town of Ashland shall be effective immediately upon adoption.

Introduced: July 1, 2013

Advertised:

Planning Commission:

Herald Progress: August 1, 2013 & August 8, 2013

Town Council:

Herald Progress: September 26, 2013 & October 3, 2013

Public Hearing:

Planning Commission: August 14, 2013

Town Council: October 15, 2013

Adopted:

Town Council: October 15, 2013

Effective:

October 15, 2013