



**BOARD OF ZONING APPEALS
AGENDA**

Wednesday, November 27, 2024 at 4:00 PM
Council Chambers, City Hall, 114 North Broad Street, Salem, Virginia 24153

AGENDA

1. Call to Order

2. Pledge of Allegiance

3. New Business

A. **Variance Request**

Hold public hearing to consider the request of Jason N. and Jennifer C. Fountain, property owners, for a variance from Section 106-202.3(B)(2) of the City of Salem Zoning Ordinance pertaining to site development regulations, for the property located at 621 North Broad Street, Tax Map # 70 - 2 - 1. Section 106-202.3(B)(2) states that accessory structures must be located behind the rear building line of the principal structure. Therefore, the petitioners are requesting a variance to construct an inground pool in the side yard.

B. **Appeal Request**

Hold public hearing to consider an application from Mikel Leo Trenor, property owner, appealing the decision from the Zoning Administrator dated September 5, 2024, which cited that 1374 Texas Street (formerly 1300 block) was in violation of the City of Salem Zoning Ordinance as follows: Chapter 106 Zoning, Article IV Development Standards, Sections 106-400 Site Plan Review and 106-404 Construction Standards.

4. Adjournment

CASE NUMBER:2024-005:

APPLICANTS: Jason & Jenn Fountain, 621 North Broad Street



**STAFF
ANALYSIS**

Board of Zoning Appeals (BZA)

**Public Hearing Date:
November 27, 2024**

**Community Development
Zoning Administration
Division
21 South Bruffey Street
(540) 375-3032**

SALEM, VIRGINIA
621 North Broad Street



APPLICANTS' REQUEST

Hold public hearing to consider the request of Jason N. and Jennifer C. Fountain, property owners, for a variance from Section 106-202.3(B)(2) of the City of Salem Zoning Ordinance pertaining to site development regulations, for the property located at 621 North Broad Street, Tax Map # 70 - 2 - 1. Section 106-202.3(B)(2) states that accessory structures must be located behind the rear building line of the principal structure. Therefore, the petitioners are requesting a variance to construct an inground pool in the side yard.

BACKGROUND INFORMATION

621 North Broad Street is zoned RSF, Residential Single Family District. The property currently is comprised of 0.322 acres and contains a 1,893 square foot one story plus partial brick home, constructed in 1948 with a 1,054 square foot detached garage. This parcel is a part of the Monteiro Land & Residence Company subdivision platted in 1890 and is considered legally conforming.

The petitioners were granted a special exception permit by City Council for an accessory apartment in the garage. In order for the accessory apartment to be located in the garage, the garage must be attached to the primary structure. Thusly making the garage a part of the primary structure and therefore moving the rear building line back to the rear side of the garage.

The petitioner would like to construct a 14 foot x 29.5 foot inground pool. The location of the pool will now be considered the side yard due to the attachment of the garage. Pools are considered accessory structures and according to the current zoning ordinance, and accessory structure must be placed in the rear yard.

RELEVANT EXCERPTS FROM ZONING ORDINANCE

Sec. 106-202.3. - Site development regulations.

The following are general development standards for the RSF Residential Single-Family District. For additional, modified or more stringent standards see article III, use and design standards.

(B) *Minimum Setback Requirements.*

2. Accessory Structures:


Front Yard: Behind the rear building line of the principal structure.

Side Yard: Five feet.

Rear Yard: Five feet.

NEIGHBORHOOD VIEW OF PROPERTY



 RSF - Residential Single Family District



PETITION TO THE BOARD OF ZONING APPEALS

The Board of Zoning Appeals is a five-member board recommended by City Council and appointed by the Circuit Court. The Board has the authority to a) hear and decide appeals from any written order, requirement, decision, or determination of the Zoning Administrator, b) authorize variances from the zoning ordinance.

- A. If you disagree with a decision of the Zoning Administrator, you may file an appeal. **The appeal must be filed in writing within thirty days of the date of the Zoning Administrator's decision.**
- B. If you want relief from a provision of the zoning ordinance, you may apply for a variance. A variance may be applied for at any time.

For a variance or appeal, you must:

- 1. Fill out and sign the attached application form,
- 2. Provide a letter detailing the justification for the request, including any supporting documentation,
- 3. Provide a detailed scale drawing of the property and the proposed project, with a location map,
- 4. Email one copy of all application materials to the Department of Community Development. You may call and pay the \$500 application fee or mail a check. (Make checks payable to "Treasurer of City of Salem"):
- 5. Agree to and submit payment for all legal notice fees as required by state law.

The Board of Zoning Appeals meets on the fourth Wednesday of each month on an as needed basis. Applications must be received on or before the last Monday of the month in order to be processed and heard at the next month's meeting. (Example: Applications received by the last Monday in January will be heard at the February meeting.)

Rules Governing Justification for Variance:

In writing your justification for a variance request, you should carefully consider and select one or both of the following. Section 106-528.1(C) of the Code of the City of Salem states that the Board of Zoning Appeals shall base its required findings upon the particular evidence presented to it in each specific case where the property owner can provide proof to the satisfaction of the BZA that:

- 1. The strict application of the terms of the ordinance would **unreasonably restrict** the use of the property.

or

- 2. That the granting of the variance would alleviate a hardship due to the **physical condition** relating to the property at the time of the effective date of the ordinance or alleviate a hardship by granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability.

In either case the following criteria must be met:

- 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 granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
- The condition or situation of the property concerned 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 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; and
- The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application.

BOARD OF ZONING APPEALS PETITION APPLICATION

OWNER INFORMATION

USE CURRENT CONTACT INFORMATION FOR ALL PROPERTY OWNERS. (AN ADDITIONAL SHEET MAY BE ATTACHED FOR MULTIPLE OWNERS)

Name: Jason and Jenn Fountain

Mailing address: 621 North Broad St.

City: Salem

State: VA

ZIP Code: 24153

Phone: 540 354-6456 540 314-0029

Email: jenn.fountain@nestrealty.com

AGENT INFORMATION

Name: Dolly Dollberg

Corporation: Architectural Design Services

Mailing address: 4421 Bandy Rd

City: Roanoke

State: VA

ZIP Code: 24014

Phone: 540 793-3339

Email: dolly@architecturaldesignservices.net

Fax:

APPLICATION DETAILS

Application For:

Appeal of Zoning Decision:

Variance:

Appeal Details:

Date of Decision:

Regarding:

Variance Details:

Section of Zoning Ordinance:

To Allow:

The property is a corner lot pool therefore has two front yards. The placement of the pool behind both structures from Main St and Maccie as indicated shields view of pool for safety as an "attractive nuisance" from neighborhood kids. View from house at proposed location safely allows monitoring of elderly parents and kids See attached letter.

Variance Request basis:

- Unreasonable Restriction
- Hardship due to Physical Condition of the Property

PROPERTY INFORMATION

Address of Property: 621 North Broad St. LT 1 N 35 FT LT 2 SEC 4 MONTEIRO LAND & RES CO

Tax Map #: 70-2-1

Legal Description: two story with basement wood framed structure

Zoning District: RSF

Present Use: single family residence

APPLICATION CHECKLIST

- Letter detailing justification for request (Variance & Appeals)
- A scale drawing of the property & proposed project, with location map
- Application Fee
- Submit application & associated materials via email to mewines@salemva.gov

SIGNATURES

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. I further agree to submit payment to the newspaper for costs associated with the legal advertisement of the above request. In addition, I hereby grant permission to the agents and employees of the City of Salem to enter the above property for the purposes of processing and reviewing the above application. Also, the petitioner understands that a "Notice of Zoning Request" sign will be posted by the City on any property which is involved with a petition

Signature of Owner: Dolly-Davis Dollberg

Digitally signed by Dolly-Davis Dollberg
DN: cn=Dolly-Davis Dollberg, o=Architectural Design Services, ou=City of Salem, email=Dolly@architecturaldesignservices.net
Reason: I have reviewed this document
Date: 2024.09.30 14:24:55-0400
File: FormZoningAPP_Ver101.0

Date:

Signature of Owner: Jason Fountain

Jenn Fountain

Date: 9/30/2024

Signature of Agent:

Date:

The Board of Zoning Appeals can grant a variance only if certain legal requirements have been met. The following questions are intended to help the applicant show that a variance is appropriate.

Please answer all questions as completely as possible. Attach additional pages if necessary.

1. Does the zoning ordinance *unreasonably restrict* the use of the property? If so, how is the zoning ordinance unreasonable?

The zoning ordinance does not consider the corner lot and the two front yards that the property has. See the justification letter for more information

2. Is there a *hardship* related to the physical conditions of the property? If so, what physical conditions make the variance necessary? Were those physical conditions present when the ordinance was adopted?

The pool is located behind all the structures for Main St would have the pool be adjacent to the street and create a hardship for monitoring the pool in a remote location and create possible hazards with an "attractive nuisance" for neighborhood kids to access the pool unsupervised. See attached Justification letter

3. Is a variance necessary to make a reasonable modification to the property or improvements requested by, or on behalf of, a *person with disability*? If so, describe what modification is needed, and why.

A new accessory dwelling unit intended for aging parents of the owners and occupants of residence will reside and use the pool. supervision for the aging parents and grandkids, while doing therapy will help with physical activity and well being without endangering them in from a disability of cognitive decline.

4. If there is a hardship, was it created by the applicant?

No

5. Is the condition or situation unique to this property, or is it common among other property in the area?

This issue is unique to this property since it essentially has two front yards. The location proposed in plans is complying with spirit of existing zoning, which does not allow pools in front yards. The ability to monitor the pool from the house and covered deck is a necessary safety concern. See justification letter.

6. Would the variance have a negative effect on other property in the area?

No, the improvements and use would be consistent with adjacent property uses, it would improve the property value and consequently the neighbors property as well.

Variances in the Floodway

- (A) The Board of Zoning Appeals, in accordance with section 106-528, may consider petitions for variance(s) from the provisions of this chapter; provided, however, that all relevant factors pertaining to the danger to life and property caused by increased flood levels and velocities due to encroachments are thoroughly examined. In considering applications for variances, the Board shall consider the following factors:
1. The danger to life and property due to increased flood heights or velocities caused by encroachments.
 2. The danger that materials may be swept onto other lands or downstream to the injury of others.
 3. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
 4. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
 5. The important of the services provided by the proposed facility to the community.
 6. The requirements of the facility for a waterfront location and a location within a floodplain district.
 7. The availability of alternate locations not subject to flooding for the proposed use.
 8. The compatibility of the proposed use with existing development anticipated in the foreseeable future.
 9. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
 10. The safety access to the property by ordinary and emergency vehicles in times of flood.
 11. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters expected at the site.
 12. Such other factors which are relevant to the purposes of this division.
- (B) No variance shall be granted for any proposed use, development or activity within any floodway district, except in full compliance with all of the following requirements:
1. The variance will not cause any increase in flood levels during the 100-year flood. (Appropriate documentation from a registered engineer must be submitted which substantiates the impact on flood heights, velocities and flows through hydrologic and hydraulic analyses and calculations.) If the variance involves any alterations or relations to a floodway or its channel, such alterations or relocations shall also be approved as required by law.
- (C) The Board of Zoning Appeals shall notify the applicant for a variance(s) in writing that the issuance of a variance(s) to construct a structure below the 100-year flood elevation:
1. Increases the risks to life and property; and
 2. Will result in increased premium rates for flood insurance.
 - (A) A record of the notification, as well as all variance actions, including justification for their issuance, shall be maintained, and any variances which are issued shall be noted in the annual report submitted as required by law.
 - (B) Variances may be issued for the reconstruction, rehabilitation or restoration of structure listed on the National Register of Historic Places or the state landmarks register without regard to the procedures set forth in this section.
 - (C) Requirements for granting a variance within the floodplain shall be as follows:
 1. The failure to grant the variance would result in exceptional hardship to the applicant;
 2. The variance will be the minimum relief to any hardship; and
 3. The granting of such variance will not result in:
 - a. Unacceptable or prohibited increases in flood heights;
 - b. Additional threats to public safety;
 - c. Nuisances;
 - d. Fraud or victimization of the public; or
 - e. Conflicts with local laws or ordinances.
 4. The applicant has shown a good and sufficient cause to justify the variance.

SALEM VA



PLANNING AND ZONING DIVISION

“NO-RISE” CERTIFICATION

This is to certify that I am a duly qualified registered professional engineer licensed to practice in the State of _____.

It is further to certify that the attached technical data supports the fact that proposed (Name of Development, address, and Tax Map #) _____

_____ will not impact the 100-year flood elevations, floodway elevations, or floodway widths on (Name of Stream) _____ at published sections in the Flood Insurance Study for the City of Salem dated (Study Date) _____ and will not impact the 100-year flood elevations, floodway elevations, or floodway widths at unpublished cross-sections in the vicinity of the proposed development.

Attached are the following documents that support my findings:

- _____
- _____
- _____
- _____

Date: _____

Printed Name: _____

Signature: _____

Title: _____

{SEAL}



September 30, 2024

Zoning Variance Justification Letter and explanation for Special Exception Request

Salem Zoning Department

Re: New Pool Location and Accessory Apartment
Location: 621 North Broad Street, Salem VA 24153

The property owned by Jason and Jenn Fountain at 621 North Main St is their primary residence. They are wanting to do physical improvements to this property which include the following: renovate portions of existing structure, new addition including – new living space, master bedroom suite, laundry, basement storage, covered porch overlooking pool, covered walkway to pool and new accessory apartment for their aging parents.

The existing structure contains 4,545 gross square footage and existing garage contains approximately 2,000 unfinished garage and storage space. The proposed addition will add approximately 678sf on first floor and 678sf in basement for storage as well as 380sf of covered porch overlooking pool and accessory apartment. The garage structure will be renovated into an accessory apartment (625sf), covered patio and garage. The apartment will not exceed the 40% of main structure and will be connected to the main structures electric and water service.

The intention of the renovations and addition is to create a caring environment for multi-generational living with age-in-place space for elderly parents. The pool will be shared by the owners and age in place parents for recreation and therapy. The location of the pool is best suited to be away from the street front of Main Street and Maccie Street. The proposed location keeps the pool out of site from street/front yards to deter neighborhood kids from attempting access pool they can see. The location also provides direct line of site from the house and covered porch so aging parents, grandkids and guests can be safely monitored. The pool will be adjacent to the main street neighbors backyard which has similar uses for private recreation etc.

This project would beautify the neighborhood, provide higher tax base and increased family support in a safe environment.

Sincerely,

Dolly Davis Dollberg, PA
President
Architectural Design Services, LLC

A handwritten signature in blue ink, appearing to read "Dolly Davis Dollberg", written over a faint circular stamp or watermark.

FOUNTAIN RESIDENCE GARAGE AND ENTRANCE

3155 STONERIDGE ROAD

ROANOKE, VIRGINIA

PROPOSED DESIGN DOCUMENTS

SEPTEMBER 23, 2024

INDEX TO DRAWINGS

* COVER SHEET

ARCHITECTURAL

* A100 BASIC SITE PLAN

* A101 EXISTING PLANS

* A102 FIRST FLOOR PLAN HOUSE

* A103 FIRST FLOOR PLAN APARTMENT

* A104 ROOF PLAN

* A501 ELEVATIONS

* A502 ELEVATIONS



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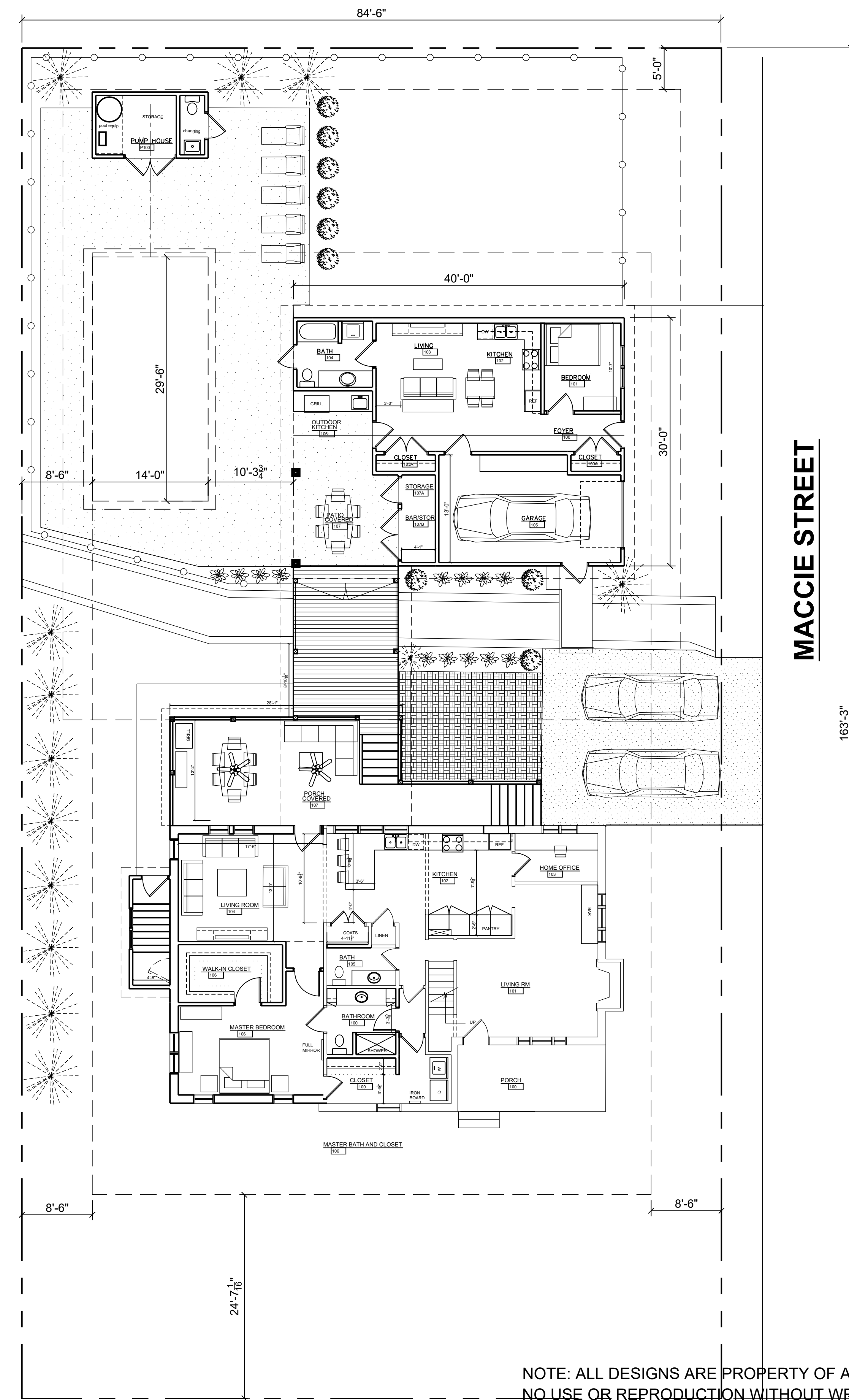
ARCHITECTURAL
DESIGN SERVICES

DOLLY-DAVIS DOLLBERG, PA

ARCHITECTURE • PLANNING • PROJECT MANAGEMENT

4421 BANDY RD, ROANOKE, VIRGINIA 24014

• 540.793.3339 DOLLY@ARCHITECTURALDESIGNSERVICES.NET •



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PLAN NORTH

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FOUNTAIN RESIDENCE
 621 NORTH BROAD ST

SALEM, VIRGINIA

PROGRESS
 DRAWINGS FOR
 OWNER REVIEW

DATE	SEPTEMBER 23, 2024
PROJECT ARCHITECT	DDD
STRUCTURAL ENGINEER	
REVISIONS	NUMBER DATE

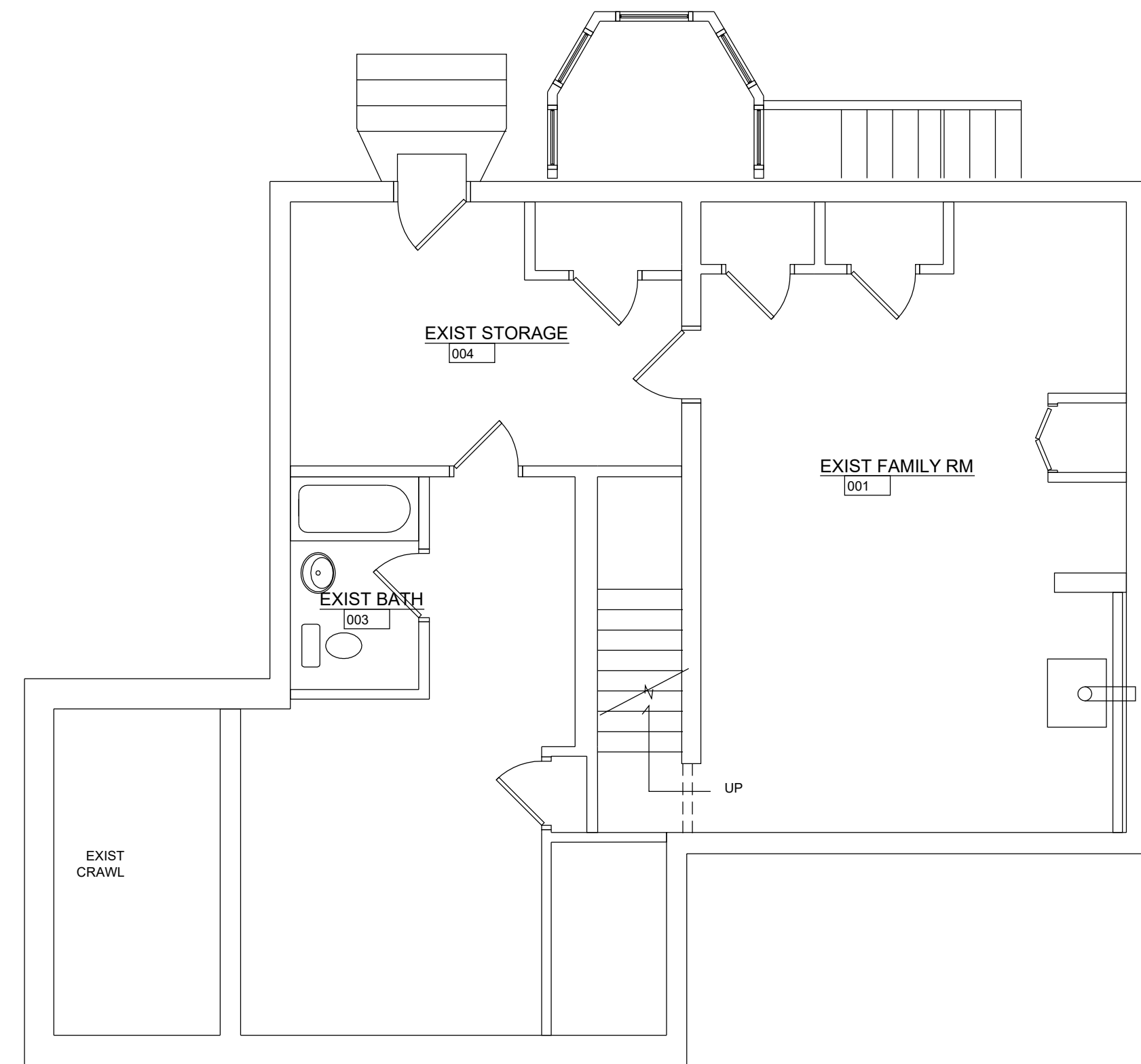
SHEET TITLE

PROPOSED SITE
 PLAN

A100

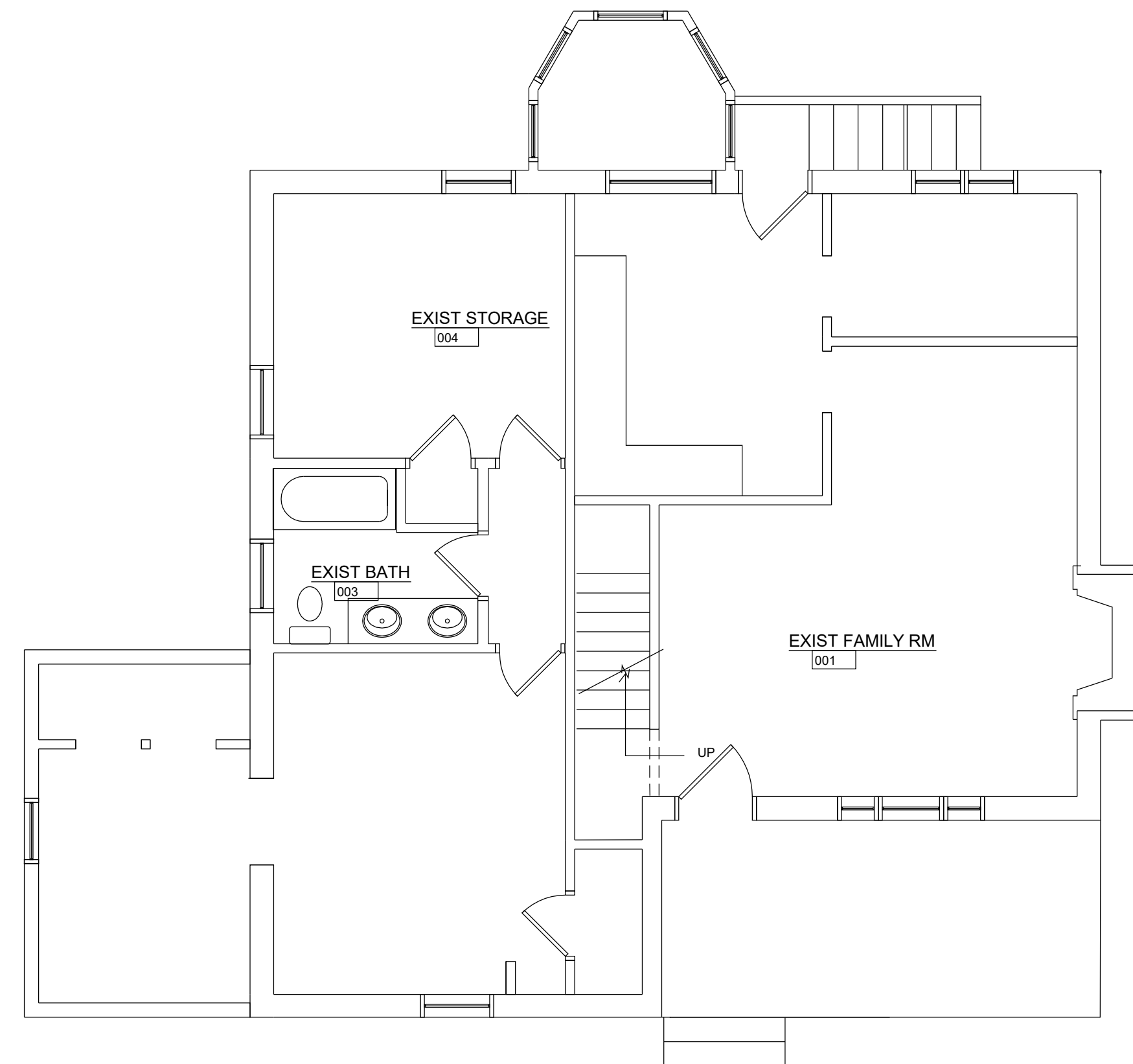
PROPOSED SITE PLAN

SCALE: 3/32" = 1'-0" 1



EXISTING BASEMENT

TAKEN FROM BALZER DOES NOT ALIGN WITH OTHER FLOOR FIELD VERIFY



EXISTING FIRST FLOOR

TAKEN FROM BALZER DOES NOT ALIGN WITH OTHER FLOOR FIELD VERIFY

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FOUNTAIN RESIDENCE
621 NORTH BROAD ST

SALEM, VIRGINIA

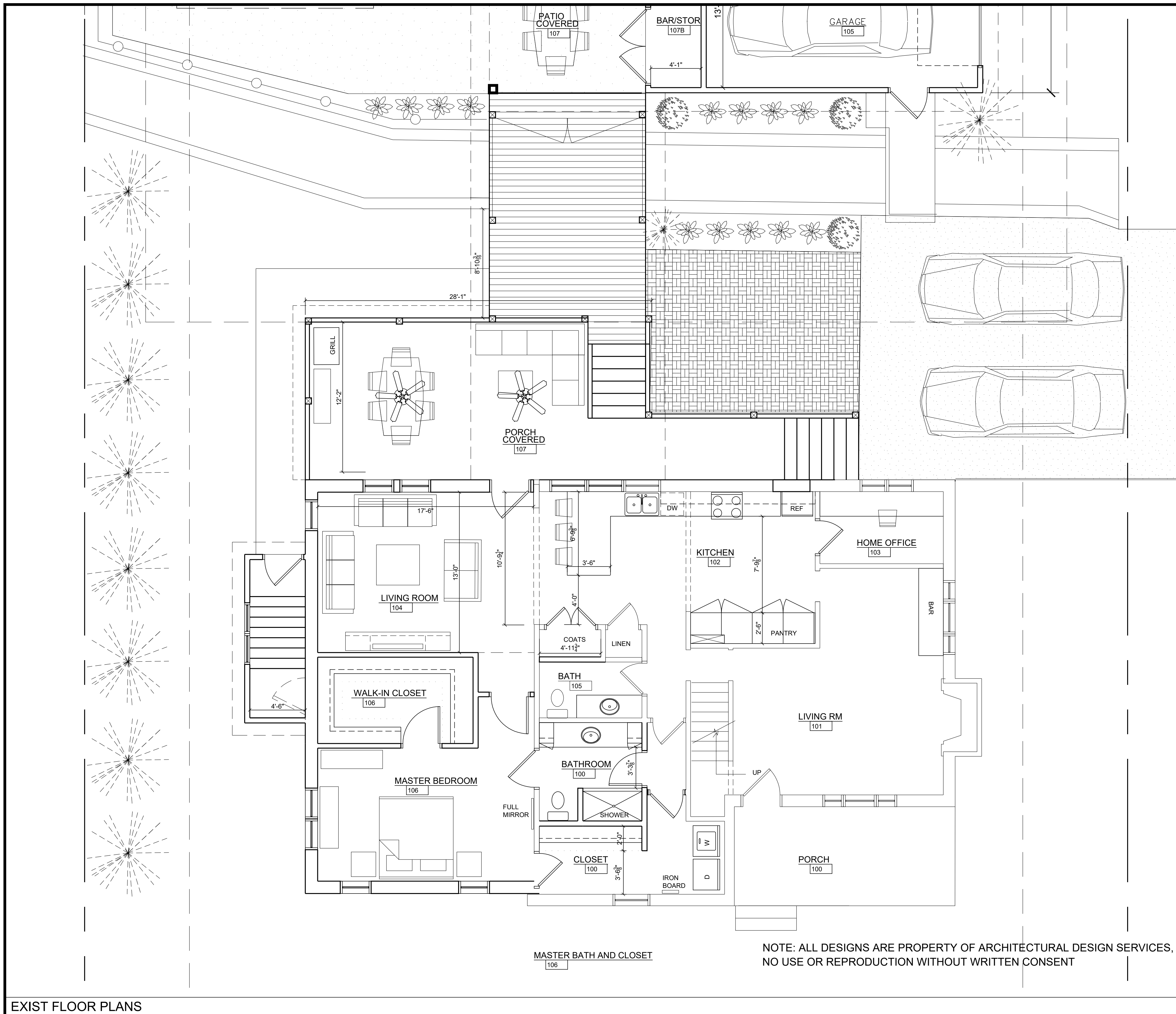
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DATE	SEPTEMBER 23, 2024
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SHEET TITLE

EXISTING FLOOR
PLANS

A101



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 621 NORTH BROAD ST
 SALEM, VIRGINIA

PROGRESS
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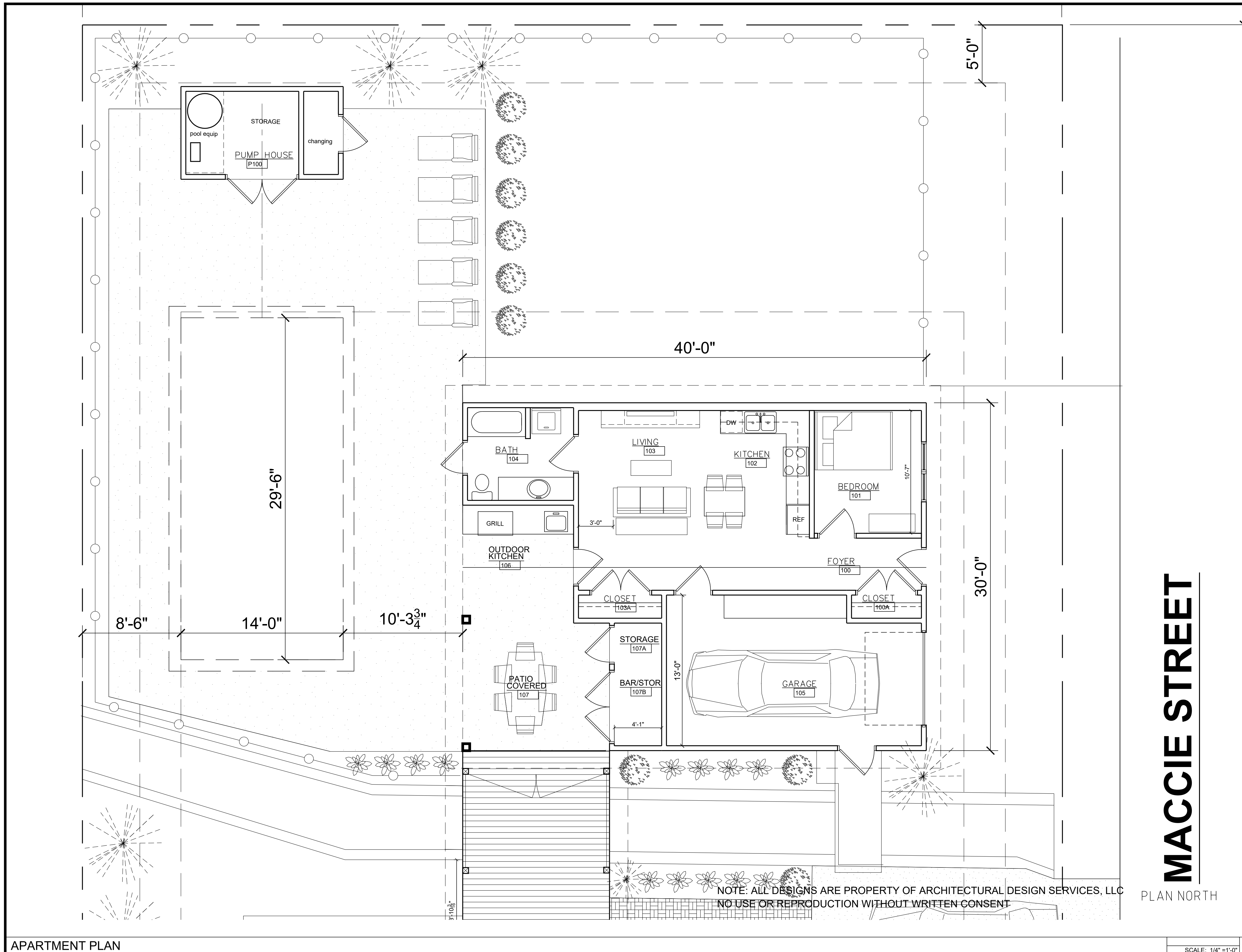
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PROJECT ARCHITECT	DDD
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REVISIONS	NUMBER DATE

SHEET TITLE
 FIRST FLOOR
 PLAN

A102

EXIST FLOOR PLANS

SCALE: 1/4" = 1'-0" 1



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FOUNTAIN RESIDENCE
 621 NORTH BROAD ST
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PROGRESS
 DRAWINGS FOR
 OWNER REVIEW

DATE	SEPTEMBER 23, 2024
PROJECT ARCHITECT	DDD
STRUCTURAL ENGINEER	
REVISIONS	NUMBER DATE

SHEET TITLE
 APARTMENT PLAN

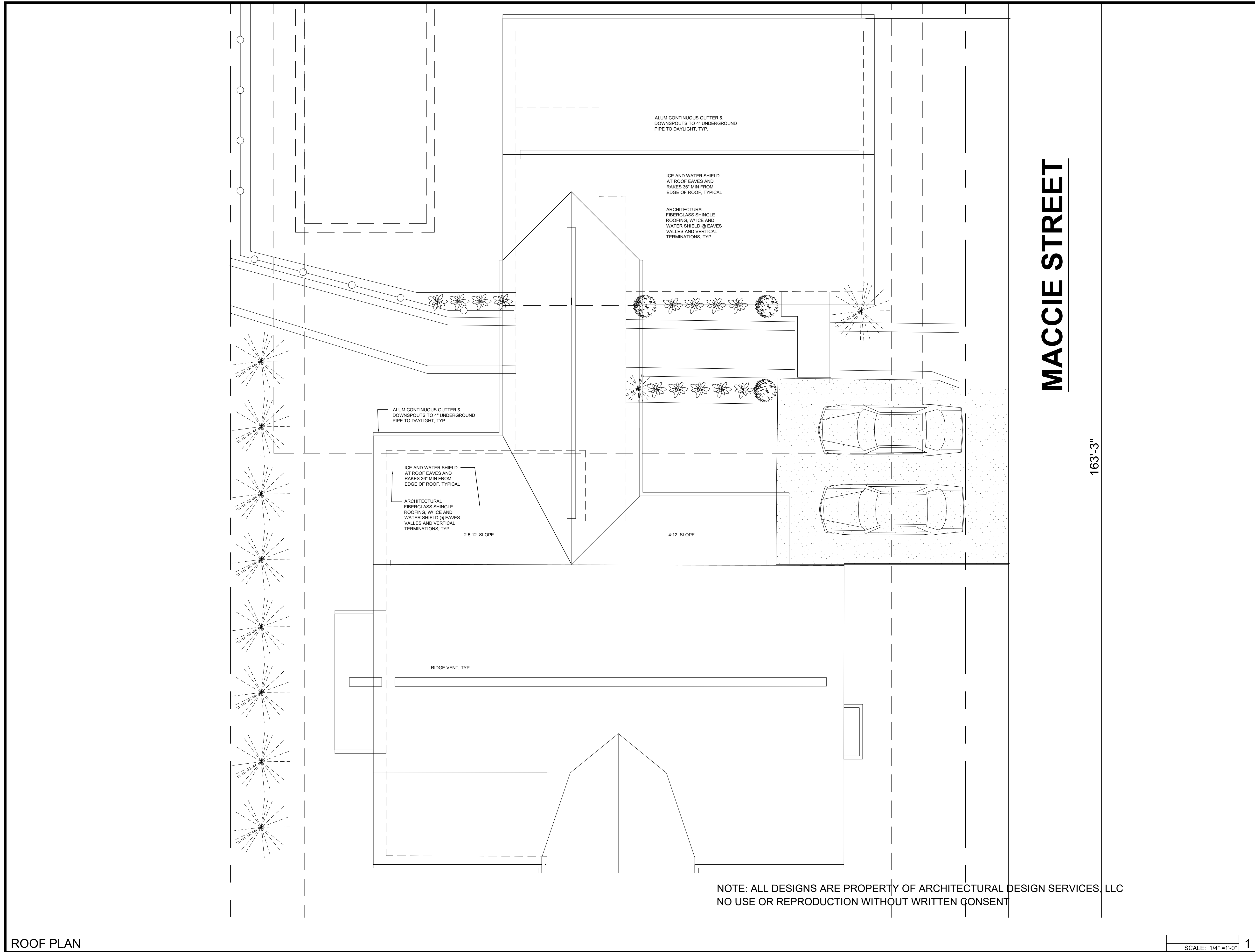
A103

MACCIE STREET
 PLAN NORTH

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APARTMENT PLAN

SCALE: 1/4" = 1'-0" 1



MACCIE STREET

163'-3"

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FOUNTAIN RESIDENCE
621 NORTH BROAD ST

SALEM, VIRGINIA

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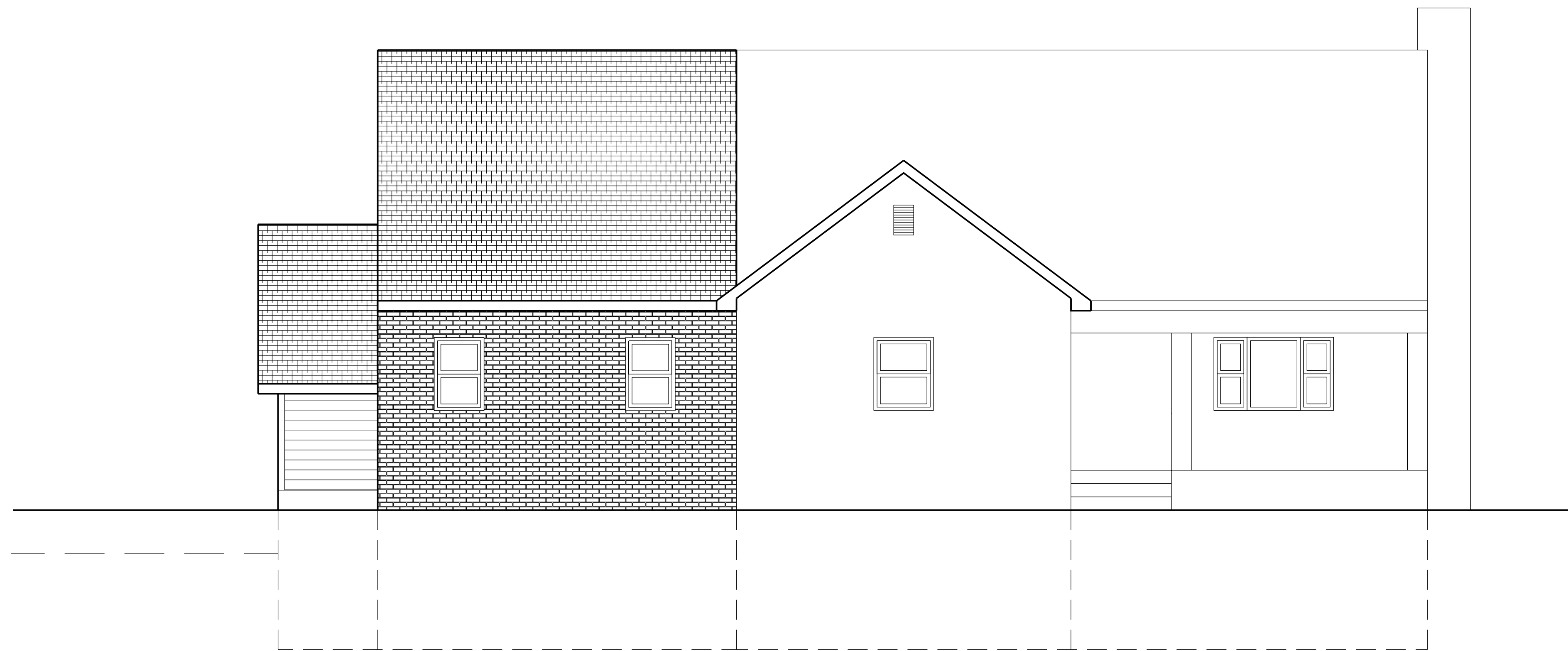
SHEET TITLE

ROOF PLAN

A104

ROOF PLAN

SCALE: 1/4" = 1'-0" 1



EXTERIOR ELEVATION - FRONT

SCALE: 1/4" = 1'-0"

1

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FOUNTAIN RESIDENCE
 621 NORTH BROAD ST

SALEM, VIRGINIA

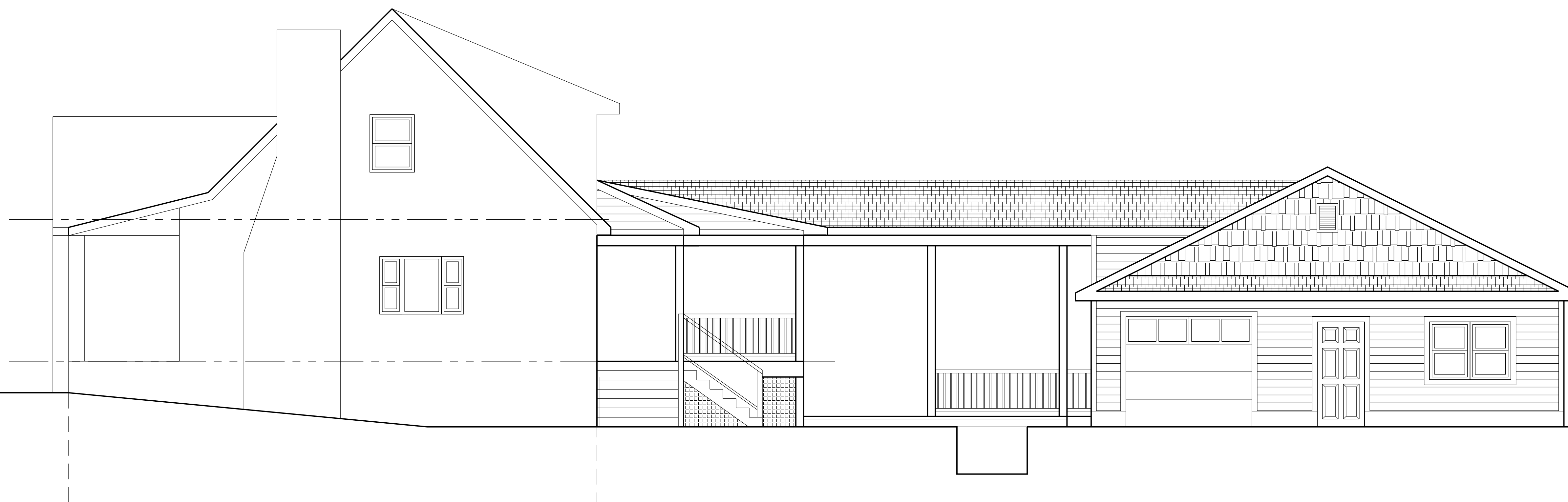
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DATE	SEPTEMBER 23, 2024
PROJECT ARCHITECT	DDD
STRUCTURAL ENGINEER	
REVISIONS	NUMBER DATE

SHEET TITLE

ELEVATIONS

A501



EXTERIOR ELEVATION - LEFT

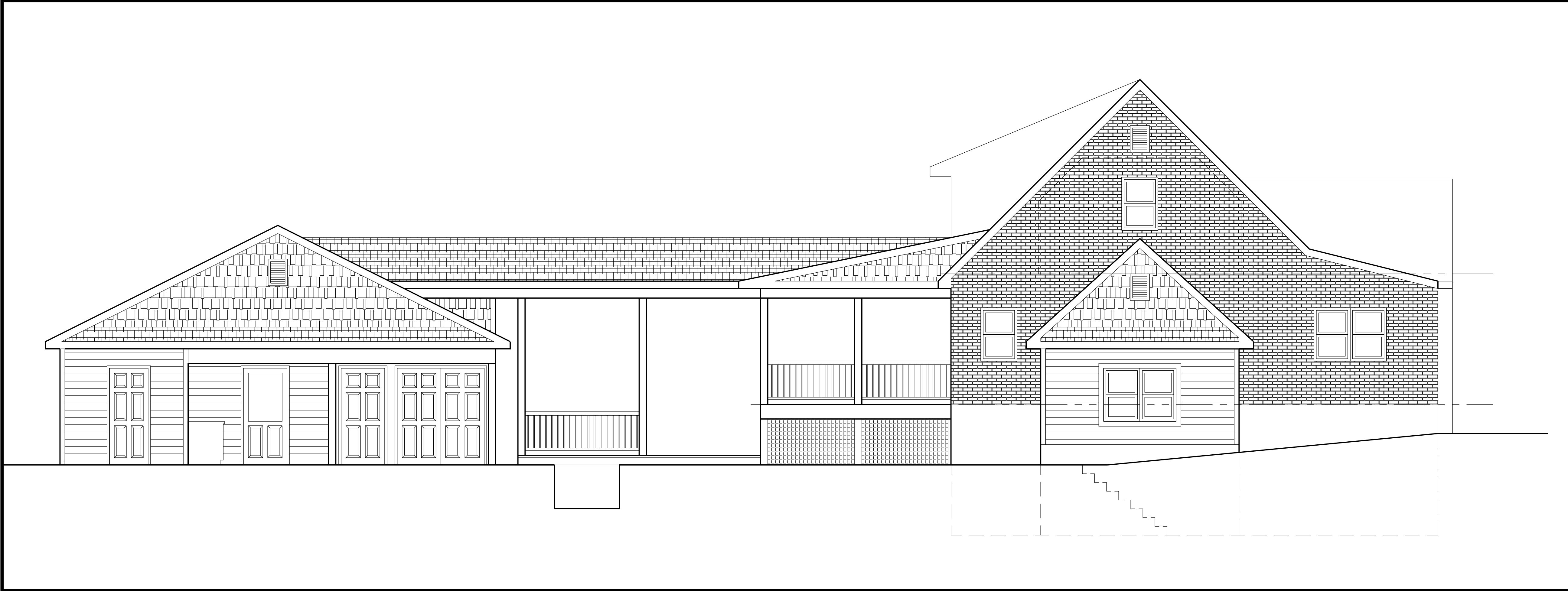
SCALE: 1/4" = 1'-0"

2

EXTERIOR ELEVATION - RIGHT

SCALE: 1/4" = 1'-0"

3



EXTERIOR ELEVATION - LEFT

SCALE: 1/4" = 1'-0" 1



EXTERIOR ELEVATION - REAR

SCALE: 1/4" = 1'-0" 2

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FOUNTAIN RESIDENCE
 621 NORTH BROAD ST

SALEM, VIRGINIA

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DATE	SEPTEMBER 23, 2024
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STRUCTURAL ENGINEER	
REVISIONS	NUMBER DATE

SHEET TITLE

ELEVATIONS

A502

PAYMENT DATE
10/01/2024
COLLECTION STATION
Engineering/Inspections
RECEIVED FROM
Mr. and Mrs. Jason
Fountain
DESCRIPTION

City of Salem
P.O. Box 869
Salem, VA 24153

BATCH NO.
2025-00001641
RECEIPT NO.
2025-00034066
CASHIER
Tammy Dunn

PAYMENT CODE	RECEIPT DESCRIPTION	TRANSACTION AMOUNT																
CD LAND USE	Land Use Application Fees BZA fee for 621 N Broad Street	\$500.00																
<table border="0"> <tr> <td>Total Cash</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>Total Check</td> <td style="text-align: right;">\$500.00</td> </tr> <tr> <td>Total Charge</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>Total Wire</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>Total Other</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>Total Remitted</td> <td style="text-align: right; border-top: 1px solid black;">\$500.00</td> </tr> <tr> <td>Change</td> <td style="text-align: right; border-top: 1px solid black;">\$0.00</td> </tr> <tr> <td>Total Received</td> <td style="text-align: right; border-top: 1px solid black;">\$500.00</td> </tr> </table>		Total Cash	\$0.00	Total Check	\$500.00	Total Charge	\$0.00	Total Wire	\$0.00	Total Other	\$0.00	Total Remitted	\$500.00	Change	\$0.00	Total Received	\$500.00	
Total Cash	\$0.00																	
Total Check	\$500.00																	
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Total Other	\$0.00																	
Total Remitted	\$500.00																	
Change	\$0.00																	
Total Received	\$500.00																	
Total Amount:		\$500.00																

Customer Copy

CASE NUMBER: 2024-006:

APPLICANTS: Mikel L. Trenor, 1374 Texas Street



STAFF ANALYSIS

SALEM, VIRGINIA
1374 Texas Street



Board of Zoning Appeals (BZA)

Public Hearing Date:
November 27, 2024

**Community Development
Zoning Administration
Division
21 South Bruffey Street
(540) 375-3032**

APPLICANTS' REQUEST

Hold public hearing to consider an application from Mikel Leo Trenor, property owner, appealing the decision from the Zoning Administrator dated September 5, 2024, which cited that 1374 Texas Street (formerly 1300 block, Tax Map # 150-1-3) was in violation of the City of Salem Zoning Ordinance as follows: Chapter 106 Zoning, Article IV Development Standards, Sections 106-400 Site Plan Review and 106-404 Construction Standards.

BACKGROUND INFORMATION

1374 Texas Street is zoned LM, Light Manufacturing District. The property currently is comprised of 0.503 acres and is currently vacant. This parcel was a VDOT property. Mr. Trenor leased the property for years and eventually purchased the property from VDOT in September 2021. The lot is considered a legal conforming lot.

On or around September 5, 2024, it was observed that the parcel in question had been developed without the benefit of a site plan and in violation of the construction standards as detailed in the zoning ordinance.

The petitioner states that this parcel has historically been used for parking of inventory associated with his business located at 1392 Texas Street, Anchor Sales and Service. In addition, it is stated that the parcel had a gravel parking area. Both of these statements are true. However, the gravel lot in question has not been maintained for at least the last three years. (please see the attached photos.) Also, by the contractor's own admission that the lot had been invaded by grass and weeds. The petitioner's pictures also show an abundance of grass.

According to Section 106-526.3 – Nonconforming uses, if the use is discontinued for more than two years it must be brought into compliance. As you can see from the photos the gravel was not maintained therefore cannot be replaced. Section 106-404 requires parking areas to be asphalt or concrete. Gravel is currently not allowed.

A violation notice was mailed to the property owner and staff met on site to discuss the requirements. A site plan must be submitted in accordance with 106-400. Landscaping must be provided in accordance with 106-402. The parking area must be constructed in accordance with 106-404.

Section 15.2-2309 of the Code of Virginia relating to the powers and duties of boards of zoning appeals state that the determination of the administrative officer shall be presumed to be correct and the petitioner shall have the burden of proof to rebut the decision by a preponderance of the evidence.

Therefore, it is requested that the decision of the zoning administrator, by citing violations of 106-400 and 106-404 of the zoning ordinance, be affirmed.

RELEVANT EXCERPTS FROM ZONING ORDINANCE

Section 106-400(1), Site plan review, of the City of Salem Zoning Ordinance states that "All new development in every zoning district except for single- and two-family dwellings must submit a site plan.

Section 106-600 defines development as "any man-made change to improved or unimproved real estate including but not limited to buildings or other structures, the placement of manufactured homes, streets and other paving, utilities, filling, grading, excavation, mining, dredging, or drilling operations.

Section 106-404 states that "all off-street parking areas shall be constructed of a hard surface consisting of bituminous concrete or concrete. Gravel parking areas shall not be permitted, unless the administrator determines that the use is of a temporary nature.

Sec. 106-526.3. - Nonconforming uses of buildings, structures or land.

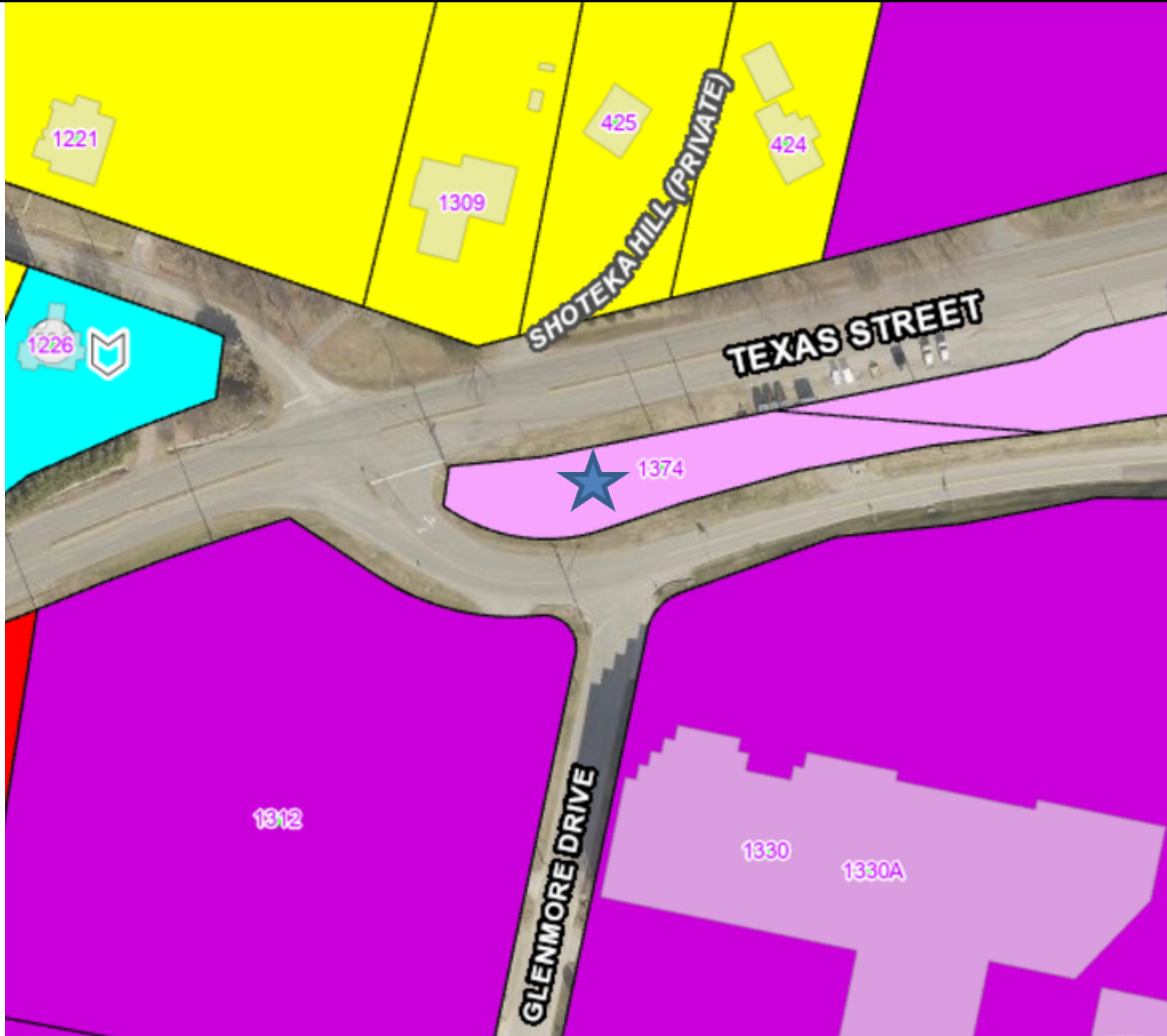
Where at the effective date of this chapter or amendments thereto, lawful use exists of buildings, structures, or land, individually or in combination, which use is no longer permissible under the terms of this chapter as enacted or amended, such use may be continued provided: 1. The use is not discontinued for more than two years.

Code of Virginia: § 15.2-2309. Powers and duties of boards of zoning appeals.

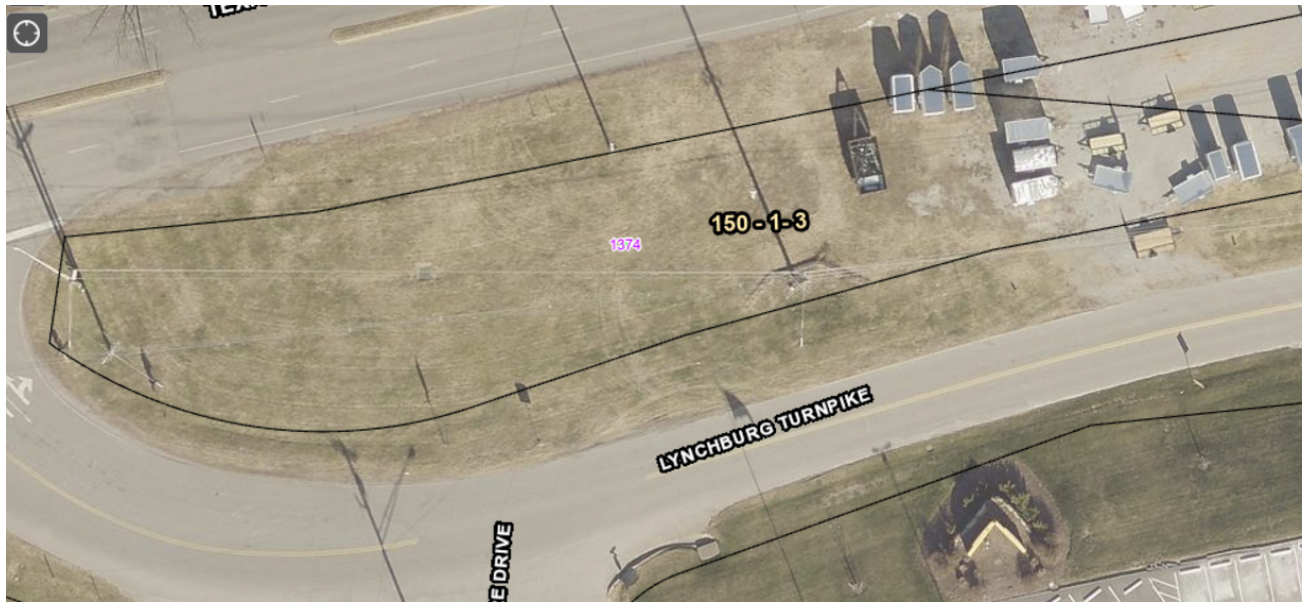
Boards of zoning appeals shall have the following powers and duties:

1. To hear and decide appeals from any order, requirement, decision, or determination made by an administrative officer in the administration or enforcement of this article or of any ordinance adopted pursuant thereto. The decision on such appeal shall be based on the board's judgment of whether the administrative officer was correct. The determination of the administrative officer shall be presumed to be correct. At a hearing on an appeal, the administrative officer shall explain the basis for his determination after which the appellant has the burden of proof to rebut such presumption of correctness by a preponderance of the evidence. The board shall consider any applicable ordinances, laws, and regulations in making its decision. For purposes of this section, determination means any order, requirement, decision or determination made by an administrative officer. Any appeal of a determination to the board shall be in compliance with this section, notwithstanding any other provision of law, general or special.

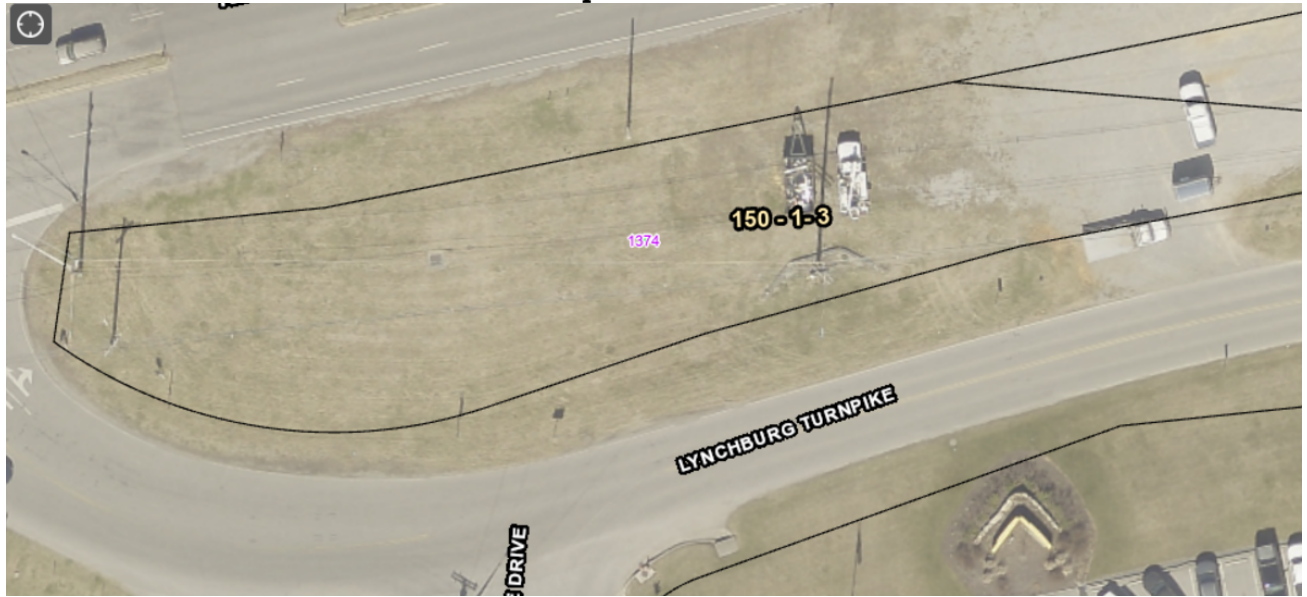
NEIGHBORHOOD VIEW OF PROPERTY



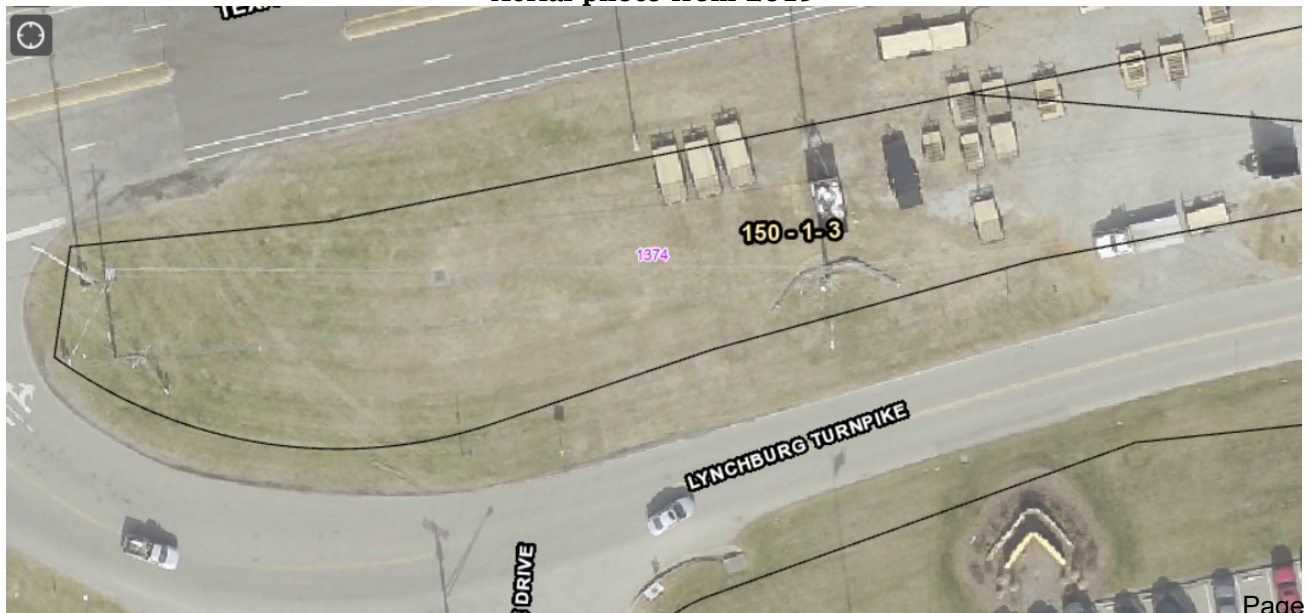
Aerial photo from 2022



Aerial photo from 2021



Aerial photo from 2019



Street View from September 2024



Street View from June 2024



Street View from July 2023



Received 10-1-2024

BOARD OF ZONING APPEALS PETITION APPLICATION

OWNER INFORMATION

USE CURRENT CONTACT INFORMATION FOR ALL PROPERTY OWNERS. (AN ADDITIONAL SHEET MAY BE ATTACHED FOR MULTIPLE OWNERS)

Name: MIKEL L. TRENOR
Mailing address: 1392 TEXAS ST.
City: SALEM State: VA ZIP Code: 24153
Phone: 540-309-8027 Email: MTRENOR@ANCHORTRUCK.COM

AGENT INFORMATION

Name: MIKEL L. TRENOR
Corporation: ANCHOR SALES & SERVICE INC.
Mailing address: 1392 TEXAS ST.
City: SALEM State: VA ZIP Code: 24153
Phone: 540-309-8007 Email: MTRENOR@ANCHORTRUCK.COM Fax: 540-389-1763

APPLICATION DETAILS

Application For: Appeal of Zoning Decision: [] Variance: []

Appeal Details: Regarding: GRAVEL OVERFLOW LOT

Variance Details: Section of Zoning Ordinance: To Allow: MAINTAIN GRAVEL OVERFLOW LOT

Variance Request basis:
[] Unreasonable Restriction
[] Hardship due to Physical Condition of the Property

PROPERTY INFORMATION

Address of Property: 1400 LYNCHBURG TRK. & CONNECTING
Tax Map #: 150-1-3 Legal Description:
Zoning District: HM Present Use: OVERFLOW

APPLICATION CHECKLIST

- [] Letter detailing justification for request (Variance & Appeals)
[] A scale drawing of the property & proposed project, with location map
[] Application Fee
[] Submit application & associated materials via email to mewines@salemva.gov

SIGNATURES

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. I further agree to submit payment to the newspaper for costs associated with the legal advertisement of the above request. In addition, I hereby grant permission to the agents and employees of the City of Salem to enter the above property for the purposes of processing and reviewing the above application. Also, the petitioner understands that a "Notice of Zoning Request" sign will be posted by the City on any property which is involved with a petition

Signature of Owner: [Signature] Date: 8-26-2024
Signature of Owner: Date:
Signature of Agent: Date:



PETITION TO THE BOARD OF ZONING APPEALS

The Board of Zoning Appeals is a five-member board recommended by City Council and appointed by the Circuit Court. The Board has the authority to a) hear and decide appeals from any written order, requirement, decision, or determination of the Zoning Administrator, b) authorize variances from the zoning ordinance.

- A. If you disagree with a decision of the Zoning Administrator, you may file an appeal. **The appeal must be filed in writing within thirty days of the date of the Zoning Administrator's decision.**
- B. If you want relief from a provision of the zoning ordinance, you may apply for a variance. A variance may be applied for at any time.

For a variance or appeal, you must:

1. Fill out and sign the attached application form,
2. Provide a letter detailing the justification for the request, including any supporting documentation,
3. Provide a detailed scale drawing of the property and the proposed project, with a location map,
4. Email one copy of all application materials to the Department of Community Development. You may call and pay the \$500 application fee or mail a check. (Make checks payable to "Treasurer of City of Salem"):
5. Agree to and submit payment for all legal notice fees as required by state law.

The Board of Zoning Appeals meets on the fourth Wednesday of each month on an as needed basis. Applications must be received on or before the last Monday of the month in order to be processed and heard at the next month's meeting. (Example: Applications received by the last Monday in January will be heard at the February meeting.)

Rules Governing Justification for Variance:

In writing your justification for a variance request, you should carefully consider and select one or both of the following. Section 106-528.1(C) of the Code of the City of Salem states that the Board of Zoning Appeals shall base its required findings upon the particular evidence presented to it in each specific case where the property owner can provide proof to the satisfaction of the BZA that:

1. The strict application of the terms of the ordinance would **unreasonably restrict** the use of the property.
- or
2. That the granting of the variance would alleviate a hardship due to the **physical condition** relating to the property at the time of the effective date of the ordinance or alleviate a hardship by granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability.

In either case the following criteria must be met:

- 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 granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
- The condition or situation of the property concerned 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 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; and
- The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application.

The Board of Zoning Appeals can grant a variance only if certain legal requirements have been met. The following questions are intended to help the applicant show that a variance is appropriate.

Please answer all questions as completely as possible. Attach additional pages if necessary.

1. Does the zoning ordinance **unreasonably restrict** the use of the property? If so, how is the zoning ordinance unreasonable?

I Don't Think That IS The Issue I AM NOT ASKING FOR A VARIANCE. JUST TO CHANGE THE OPINION OF THE ZONING ADMINISTRATORS DECISION

2. Is there a **hardship** related to the physical conditions of the property? If so, what physical conditions make the variance necessary? Were those physical conditions present when the ordinance was adopted?

YES. WE HAVE BEEN USING PROPERTY FOR OVERFLOW OF TRAILERS & TRUCKS THAT ARE WAITING TO BE UPFITTED BY US.

3. Is a variance necessary to make a reasonable modification to the property or improvements requested by, or on behalf of, a **person with disability**? If so, describe what modification is needed, and why.

NO

4. If there is a hardship, was it created by the applicant?

Yes | NO

5. Is the condition or situation unique to this property, or is it common among other property in the area?

DON'T KNOW ABOUT OTHER PROPERTIES

6. Would the variance have a negative effect on other property in the area?

I AM NOT ASKING FOR A VARIANCE. WOULD JUST LIKE TO MAINTAIN MY PROPERTY FOR THE USE I HAVE BEEN DOING FOR OVER 20 YEARS.

Variances in the Floodway

- (A) The Board of Zoning Appeals, in accordance with section 106-528, may consider petitions for variance(s) from the provisions of this chapter; provided, however, that all relevant factors pertaining to the danger to life and property caused by increased flood levels and velocities due to encroachments are thoroughly examined. In considering applications for variances, the Board shall consider the following factors:
1. The danger to life and property due to increased flood heights or velocities caused by encroachments.
 2. The danger that materials may be swept onto other lands or downstream to the injury of others.
 3. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
 4. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
 5. The important of the services provided by the proposed facility to the community.
 6. The requirements of the facility for a waterfront location and a location within a floodplain district.
 7. The availability of alternate locations not subject to flooding for the proposed use.
 8. The compatibility of the proposed use with existing development anticipated in the foreseeable future.
 9. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
 10. The safety access to the property by ordinary and emergency vehicles in times of flood.
 11. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters expected at the site.
 12. Such other factors which are relevant to the purposes of this division.
- (B) No variance shall be granted for any proposed use, development or activity within any floodway district, except in full compliance with all of the following requirements:
1. The variance will not cause any increase in flood levels during the 100-year flood. (Appropriate documentation from a registered engineer must be submitted which substantiates the impact on flood heights, velocities and flows through hydrologic and hydraulic analyses and calculations.) If the variance involves any alterations or relations to a floodway or its channel, such alterations or relocations shall also be approved as required by law.
- (C) The Board of Zoning Appeals shall notify the applicant for a variance(s) in writing that the issuance of a variance(s) to construct a structure below the 100-year flood elevation:
1. Increases the risks to life and property; and
 2. Will result in increased premium rates for flood insurance.
- (A) A record of the notification, as well as all variance actions, including justification for their issuance, shall be maintained, and any variances which are issued shall be noted in the annual report submitted as required by law.
- (B) Variances may be issued for the reconstruction, rehabilitation or restoration of structure listed on the National Register of Historic Places or the state landmarks register without regard to the procedures set forth in this section.
- (C) Requirements for granting a variance within the floodplain shall be as follows:
1. The failure to grant the variance would result in exceptional hardship to the applicant;
 2. The variance will be the minimum relief to any hardship; and
 3. The granting of such variance will not result in:
 - a. Unacceptable or prohibited increases in flood heights;
 - b. Additional threats to public safety;
 - c. Nuisances;
 - d. Fraud or victimization of the public; or
 - e. Conflicts with local laws or ordinances.
 4. The applicant has shown a good and sufficient cause to justify the variance.

SALEM VA
PLANNING AND ZONING DIVISION

"NO-RISE" CERTIFICATION

This is to certify that I am a duly qualified registered professional engineer licensed to practice in the State of _____.

It is further to certify that the attached technical data supports the fact that proposed (Name of Development, address, and Tax Map #) _____

will not impact the 100-year flood elevations, floodway elevations, or floodway widths on (Name of Stream) _____ at published sections in the Flood Insurance Study for the City of Salem dated (Study Date) _____ and will not impact the 100-year flood elevations, floodway elevations, or floodway widths at unpublished cross-sections in the vicinity of the proposed development.

Attached are the following documents that support my findings:

Date: _____

Printed Name: _____

Signature: _____

Title: _____

{SEAL}

To: The City of Salem

Below is the reason for the appeal:

We are being told this lot is being considered as unmaintained and new development after we put fresh gravel over top of already existing gravel, and have been informed that we are in violation of city code. We feel this is untrue as we have been using this property for over 20 years for display, overstock, and storage of customer vehicles waiting to get work done. It has always had something on it and we always have maintained the gravel portion for weed control as well as the grass portion by mowing and weed-eating. We have been using it and maintaining it the same way for over 20 years and have never had an issue. It's not like we just now turned a grass lot into a parking lot, we have always been using it for overflow parking, for storage buildings, and overstock for years, as show in the enclosed pictures. We would have had more pictures proving that we have been using this property all these years but we never thought this would have been a concern.

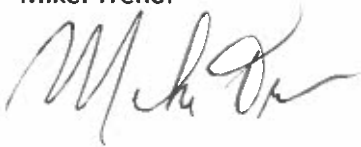
We maintain the gravel areas by spraying with various weed killing sprays, usually twice a year. The area in question was more difficult to maintain this year because the lot was being used the entire year. The lot in question was filled with vehicles (as shown in the pictures) from this winter of 2024 to late summer of 2024, making spraying weed killing products difficult because the lot was so full.

As soon as we got caught up with working on all the vehicles, we had room to transfer what was on this area to another area we had just maintained. I have a friend who has a power-rake, and he raked the wire grass and weeds from the lot that was already gravel and has been gravel for over 20 years, and then he put fresh gravel over top of the existing gravel. No grading was done to achieve this, but as you know, we are now being told we are in violation of city code from doing this because the City is considering the lot to have been unmaintained and new development, which as I have explained is not true.

Enclosed with this letter is an affidavit from Mr. Davey Fowler explaining the scope of the job he completed, and as a side note, the area in question that the job was performed on was under 5,000 square feet. In closing, I do not feel we have committed any violations. Pictures showing the lot being in use are also included with this letter.

Sincerely,

Mikel Trenor

A handwritten signature in black ink, appearing to read 'Mikel Trenor', written in a cursive style.

W JA Fowler LLC
24 Dorsey's Knoll Ln
Buchanan, VA 24066

SEPTEMBER 29, 2024

Dear Sir or Madam

I am David Fowler, sole proprietor of W JA Fowler llc, a small hauling and excavating business near Buchanan. I recently refurbished an area of parking at Anchor Truck Accessories. I was asked to draft a letter explaining the scope of the work and the process as it was performed.

I met with Mike Trenor the beginning of the last week of August to look at a small project on Anchor property. He explained there was a portion of the gravel lot, along Texas St., that needed to be refurbished. The lot was being used to store vehicles and trailers. Upon inspection of the area we determined that what we had to work with was a gravel base that had been invaded by crab grass and other invasive weeds. I explained to Mr. Trenor my thoughts on the scope of work. I informed Mr. Trenor that I could work on the portion of the lot the end of that week and into the weekend if needed. That schedule worked for Anchor's schedule and he informed me he would have the vehicles on the area moved and I could start as soon as they did.

Scope

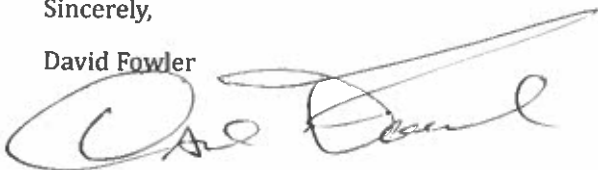
To use a power rake attached to a skid steer to rake the weeds out of the gravel and top dress with fresh stone. The measured area was 60' x 70' and would tie in with the utilized area north east along Texas St. After the weeds are raked off approximately 3" of stone would be applied and smoothed with a power rake. Approximately 90 tons of stone would be needed to dress the area.

The process

August 30 I stockpiled 94 tons (6 loads) of 21A stone from Rockydale Quarry. August 31 I used a power rake to remove the weeds from the determined area and windrowed that to the side. I then reloaded the stone to spread with a dump truck to achieve a uniform surface. I loaded the weedy material that had been raked out of the existing gravel and attempted to finish spreading the stone with a skid steer but was caught by a rainstorm and had to quit. I hauled the load of weedy material to our farm in Buchanan and added it to a compost pile. I returned August 31 and finished spreading and smoothing the stone to complete the project.

Sincerely,

David Fowler

A handwritten signature in black ink, appearing to read 'David Fowler', written over a printed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.



Google Earth Sky View of the lot in question from this year, 2024, showing that it was being used for storage of vehicles and trailers. As you can see in the picture from the darker/greyer areas, there is gravel there and there has always been gravel there. It was just difficult to maintain this year as we were so busy and had all of those vehicles parked there from this winter until late summer.



Google Earth Street View from this year, 2024 showing the lot in question is full as it is being used for vehicle storage and trailer storage.



Google Earth Street View from this year, 2024 showing the lot in question is full as it is being used for vehicle storage and trailer storage.

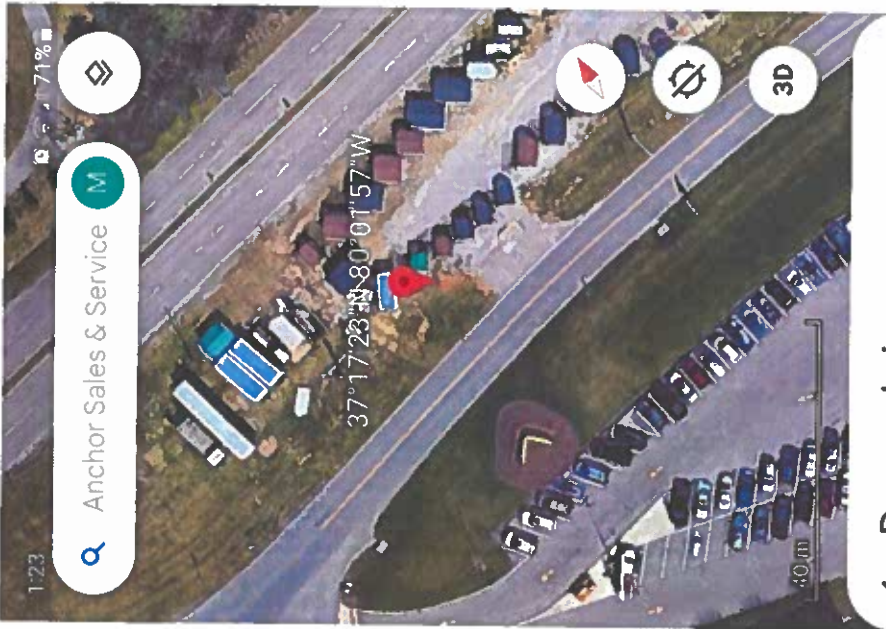


Google Earth Street View from this year, 2024 showing the lot in question is full as it is being used for vehicle storage and trailer storage.



Google Earth Street View from this year, 2024 showing the lot in question is full as it is being used for vehicle storage and trailer storage.

Google Earth Sky View of the lot in question from years ago showing that it was being used for storage of trailers and buildings.



Location
37°17'23"N 80°01'57"W

Elevation
319.17 m

[Save to project](#) [Measure](#)





Picture from Mr. Davey Fowler showing that he never did any grating, only raked up the wire grass and weeds from the gravel lot using a power-rake

PAYMENT DATE
10/01/2024
COLLECTION STATION
Engineering/Inspections
RECEIVED FROM
Mike Trenor
DESCRIPTION

City of Salem
P.O. Box 869
Salem, VA 24153

BATCH NO.
2025-00001641
RECEIPT NO.
2025-00033831
CASHIER
Tammy Dunn

PAYMENT CODE	RECEIPT DESCRIPTION	TRANSACTION AMOUNT																
CD LAND USE	Land Use Application Fees BZA fee for address 1400 Lynchburg Tpk	\$500.00																
<table border="0"> <tr><td>Total Cash</td><td style="text-align: right;">\$0.00</td></tr> <tr><td>Total Check</td><td style="text-align: right;">\$500.00</td></tr> <tr><td>Total Charge</td><td style="text-align: right;">\$0.00</td></tr> <tr><td>Total Wire</td><td style="text-align: right;">\$0.00</td></tr> <tr><td>Total Other</td><td style="text-align: right;">\$0.00</td></tr> <tr><td>Total Remitted</td><td style="text-align: right; border-top: 1px solid black;">\$500.00</td></tr> <tr><td>Change</td><td style="text-align: right; border-top: 1px solid black;">\$0.00</td></tr> <tr><td>Total Received</td><td style="text-align: right; border-top: 1px solid black;">\$500.00</td></tr> </table>		Total Cash	\$0.00	Total Check	\$500.00	Total Charge	\$0.00	Total Wire	\$0.00	Total Other	\$0.00	Total Remitted	\$500.00	Change	\$0.00	Total Received	\$500.00	
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Total Amount:		\$500.00																

Customer Copy

OFFICIAL NOTICE OF ZONING VIOLATION AND CORRECTIVE ORDER

Notice Date: September 5, 2024
Property: 1300 blk Texas Street
 Tax Map # 150-VDOT-1
Zoning: LM – Light Manufacturing District
Property Owner: Mike Leo Trenor
 1392 Texas Street
 Salem, Virginia 24153

DESCRIPTION OF VIOLATION

You are hereby notified that it has come to the attention of this office that you have developed the above referenced property by grading and laying gravel. Attached are pictures of before and after the development. City staff have researched the property and found violations of the below provisions of the City of Salem Zoning Ordinance.

Code Section	Description of Violation
106-400 Site plan review	A site plan is required due to the modification of the site that increases the requirements of development standards including but not limited to landscaping.
106-404.11 Construction standards	Gravel parking is not allowed. It must be asphalt or concrete.


CORRECTIVE ACTION REQUIRED

Please submit a site plan detailing the required landscaping, parking calculations, and the total disturbed area. Section 106-402 of the Salem Zoning Ordinance describes the requirements that must be implemented to reach compliance. You have thirty days from the date of this letter to submit the site plan or return the site to the predevelopment status..

Please note this violation could be considered a misdemeanor punishable by a fine of up to \$1,000.00 per violation authorized pursuant to Section 106-516 or a civil fine of \$200 for the first offense and \$500 for each subsequent offense authorized pursuant to Section 106-518 of the City of Salem Zoning Ordinance.

The determination by the Zoning Administrator that you are in violation of the Zoning Ordinance is a final decision. If you wish to contest this final decision, you must file an appeal with the Board of Zoning Appeals by submitting an application, a filing fee of \$500.00 plus the legal ad fees, and the basis for your appeal within thirty (30) days of the date on this notice to the Department of Community Development. Failure to appeal within thirty (30) days will result in your loss of the right to appeal in this matter.

Thank you for your prompt attention to this matter.


 Mary Ellen H. Wines, CZA/CFM
 Planning & Zoning Administrator





Sec. 106-400. - Site plan review.

(A) A site plan shall be required and shall be submitted to the city for each of the following:

1. All new development in every zoning district except for single family and two family dwellings.
2. The conversion of any single family or two family dwelling to any other use or to a higher intensity residential use.
3. Additions or modifications to buildings or sites, except single family and two-family dwellings, if said addition or modification results in a 5,000 square foot or greater increase in impervious surface area of the site. An agreement in lieu of plan may be approved by the city engineer for sites resulting in a 5,000—9,999 square foot increase.
4. The conversion of any property from fee simple ownership to a condominium form of ownership.
5. The conversion of any building or property to a different use category, e.g., commercial to industrial.
6. Additions or modifications that may increase the requirements of any development standard including but not limited to parking, landscaping, and stormwater management.

(B) All required site plans shall be prepared by a professional engineer, or land surveyor B, who is registered by the Commonwealth of Virginia. The city may waive this requirement if the type, scale or location of the proposed development does not necessitate such plans.

(C) A plot plan, that meets the standards contained in section 106-406.3 shall be required for all uses or development not requiring a site plan.

(Ord. of 3-14-05(2); Ord. of 1-23-2017(2); Ord. of 3-28-2022(2))

Mary Ellen H Wines

From: Mary Ellen H Wines
Sent: Tuesday, September 24, 2024 9:17 AM
To: ntrenor@anchortruck.com
Subject: FW: [Ext.] New Development Rules and Code

Good morning Mr. Trenor. The site plan indicators and the definition of development from our zoning ordinance is below.

Sec. 106-400. - Site plan review.

(A) A site plan shall be required and shall be submitted to the city for each of the following:

1. All ***new development*** in every zoning district except for single family and two family dwellings.
2. The conversion of any single family or two family dwelling to any other use or to a higher intensity residential use.
3. Additions or modifications to buildings or sites, except single family and two-family dwellings, if said addition or modification results in a 5,000 square foot or greater increase in impervious surface area of the site. An agreement in lieu of plan may be approved by the city engineer for sites resulting in a 5,000—9,999 square foot increase.
4. The conversion of any property from fee simple ownership to a condominium form of ownership.
5. The conversion of any building or property to a different use category, e.g., commercial to industrial.

Sec. 106-600. - Definitions

Development. Any man-made change to improved or unimproved real estate (in this particular case, the placement of gravel on unimproved, grassy land) including but not limited to buildings or other structures, the placement of manufactured homes, streets and other paving, utilities, filling, grading, excavation, mining, dredging, or drilling operations. Within the Floodplain Overlay District this definition shall also include the storage of equipment or materials.

The red line in the picture below is a good delineation of where the “new development” starts. As you can see in the following pictures, the portion of the lot in question reverted to grass (for several years) prior to the placement of new gravel which constitutes new development.

Please note that any improvements made outside of the property lines will have to be removed and grass replanted as this is the city right of way, not private property. The required 8-foot landscape strips must be on the private property, not in the right of way. An engineer or surveyor will be able to help you locate your property lines and work through these requirements.

While this is an unfortunate situation, we are tasked with applying these standards uniformly throughout the city, and we have several recent and active cases where these same regulations are being applied in a consistent fashion.

Respectfully,

Mary Ellen

Mary Ellen H. Wines, CZA CFM
Planning & Zoning Administrator
Community Development
City of Salem
(540) 375-3032





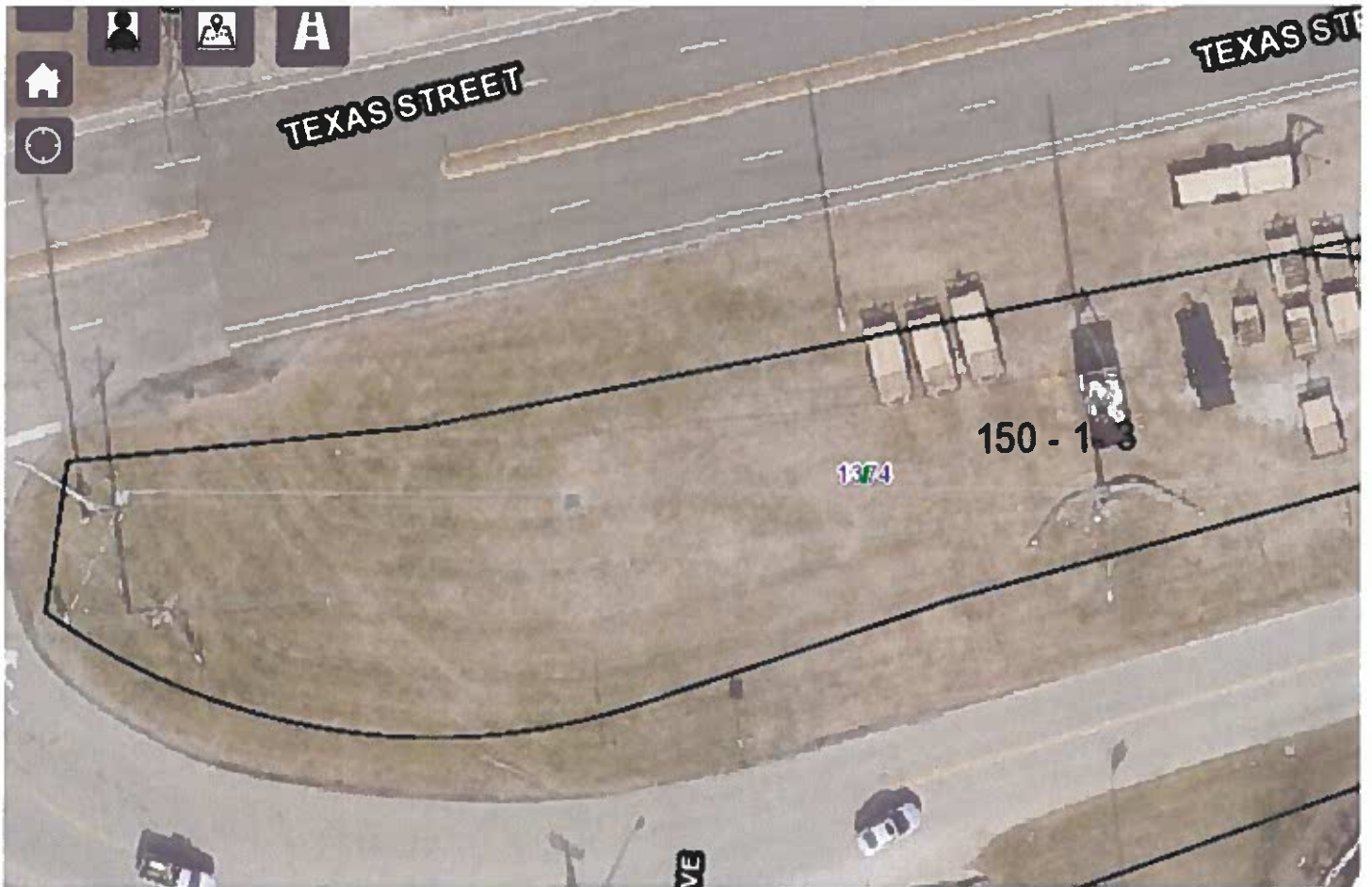
Before



After



2021



2019

From: ntrenor anchortruck.com <ntrenor@anchortruck.com>

Sent: Monday, September 23, 2024 10:10 AM

To: Mary Ellen H Wines <mewines@salemva.gov>

Subject: [Ext.] New Development Rules and Code

CAUTION: This message has originated from an external source. Please use proper judgment and caution when opening attachments, clicking links or responding to this email.

Hey,

This is Nathan Trenor with Anchor. I am Mike's son. Thank you for meeting with us today. I attended the meeting this morning to observe and I just wanted a point of clarification about something that confused me.

You were saying that once the grass came in, that part of the lot was considered new development and you cannot put gravel back over it. What are the rules in the city code about that? Is it a certain percentage of the square footage of the lot that has to be grass or weeds for the grass/weeds to be considered "taking over", or is it just a judgement call on your part? I would just like some clarification on at what point and stage of weeds growing in the gravel it is considered new development, and exactly how that is determined. It would be nice to know in the future so we can stay on top of weed control.

And as a side note from an outside observer, as someone in your position in the city, I don't think rolling your eyes and laughing behind someone's back multiple times after they just ask a question, shows much professionalism on you or the city's part. I understand there is some tension in the situation, but in my opinion, as someone in your position in government, it is your duty to stay level headed, calm, and keep it professional. I say this just from an outside observer with the upmost respect. I look forward to hearing from you about this clarification, and I'm confident in the end everything will work out and be okay.

Regards,

Nathan Trenor

ntrenor@anchortruck.com / 540-389-4366

Anchor Sales and Service



Sales & Service Inc.
Truck Accessories & Trailers

1392 Texas Street
Salem, Virginia 24153
(540) 389-4366

Mary Ellen H Wines

From: Mary Ellen H Wines
Sent: Friday, September 13, 2024 5:06 PM
To: mike trenor
Subject: RE: RE: RE: [Ext.] Display lot

Good evening. We are happy to meet on site. The options are listed in Article IV of our zoning ordinance. They can be found here:
https://library.municode.com/va/salem/codes/code_of_ordinances?nodeId=PTIICO_CH106_ZO_ARTIVDEST

Section 106-400 explains the site plan process and requirements.
Section 106-402 explains the landscaping requirements and Section 106-404 explains the construction requirements for parking.

Please let me know some available days and times. Monday, September 23rd is wide open and Tuesday September 24th after 2pm would be good as well.

I hope you have a great weekend.

Mary Ellen

-----Original Message-----

From: mike trenor <mtr25@usa.net>
Sent: Friday, September 13, 2024 9:18 AM
To: Mary Ellen H Wines <mewines@salemva.gov>
Subject: Re: RE: RE: [Ext.] Display lot

Can we meet at the lot in question and again at 504 roanoke st to discuss options for solutions?

----- Original Message -----

Received: 03:23 PM EDT, 09/12/2024
From: Mary Ellen H Wines <mewines@salemva.gov>
To: mike trenor <mtr25@usa.net> Cc:
Maxwell S Dillon <msdillon@salemva.gov>, Scott G Martin <sgmartin@salemva.gov>
Subject: RE: RE: [Ext.] Display lot

Good afternoon Mr. Trenor and thank you for the quick reply. When we met at your Roanoke Street property, we spoke then about not being able to just put gravel down without going through the proper process. If you do not want to adhere to the development regulations then you certainly may reseed the entire disturbed area, but you will not be able to use it as a parking area. It will just have to be a grassy field with no trailers or storage. I am happy to work with you regarding either option.

Respectfully,

Mary Ellen

Mary Ellen H. Wines, CZA CFM
Planning & Zoning Administrator
Community Development
City of Salem
(540) 375-3032

-----Original Message-----

From: mike trenor
Sent: Thursday, September 12, 2024 3:03 PM
To: Mary Ellen H Wines
Subject: Re: RE: [Ext.] Display lot

Do you want me to reseed it in grass as I am not willing to do all the other stuff. A meeting over this is how we should handle stuff like this. It's a very small area . It looks a lot better. I have tried to make all my properties look nice. Don't need all the nit picking. If you want a meeting at the property I am good with that. Business owners and the city should work together. It's negotiating not litigation. But you choose how you want to proceed. I'll work with you or fight you. Up to you.

Regards. Mike Trenor
52 year Business in city of salem

----- Original Message -----

Received: 01:11 PM EDT, 09/12/2024
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To: mike trenor Cc:
Maxwell S Dillon , Scott G Martin
Subject: RE: [Ext.] Display lot

Good afternoon Mr. Trenor. I appreciate your email. As you can see from the pictures that were included in your violation notice the area in question was grass. There may have been gravel years ago perhaps, but it was not maintained, and grass was allowed to grow. That is now considered new development and will have to adhere to the current ordinance. Our office is not picking on you. We have enforced this code section historically and are currently as we have multiple ongoing cases.

Respectfully,

Mary Ellen

Mary Ellen H. Wines, CZA CFM
Planning & Zoning Administrator
Community Development

City of Salem
(540) 375-3032

-----Original Message-----

From: mike trenor
Sent: Thursday, September 12, 2024 11:36 AM
To: Mary Ellen H Wines
Subject: [Ext.] Display lot

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Mary Ellen.

The area you are referring to was already gravel. The wire grass had taken it over. All we did was maintain it. Please quit picking on me. Thanks

Mike Trenor
Anchor truck accessories

----- Original Message -----

Received: 07:13 AM EDT, 08/23/2024
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Subject: Re: [Ext.] Re: signs

They probably meet the regulations but they still require permits

Sent from my iPhone

> On Aug 23, 2024, at 6:59 AM, mike trenor wrote:

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>

> I will do away with the banner.

> Scott Martin told me the window stickers were fine

>

> ----- Original Message -----

> Received: 04:33 PM EDT, 08/22/2024

> From: Mary Ellen H Wines

> To: "mtr25@usa.net"

> Subject: signs

>

> Good afternoon. In reviewing your sign application the following is true:
>
> The window signs (including anything advertising the business within 3
> feet inside the window) were not included on the application. Please
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the
> size of each window and the size of each sign within the window.
> Also, the banner that sits out front is considered a temporary sign.
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know.
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> Thank you,
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> Planning & Zoning Administrator
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> City of Salem
> (540) 375-3032
> [cid:image001.jpg@01DAF4B0.D26A1540]
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Mary Ellen H Wines

From: Mary Ellen H Wines
Sent: Monday, September 16, 2024 9:20 AM
To: mike trenor
Subject: RE: RE: RE: [Ext.] Display lot

Yes sir. Monday the 23rd at 9am.

Respectfully,

Mary Ellen

Mary Ellen H. Wines, CZA CFM
Planning & Zoning Administrator
Community Development
City of Salem
(540) 375-3032

-----Original Message-----

From: mike trenor <mtr25@usa.net>
Sent: Saturday, September 14, 2024 11:37 AM
To: Mary Ellen H Wines <mewines@salemva.gov>
Subject: RE: RE: RE: [Ext.] Display lot

How about Monday the 23rd. Is 9 ok?
Meet at the property in question?

Have a great weekend as well.

----- Original Message -----

Received: Fri, 13 Sep 2024 05:06:30 PM EDT
From: Mary Ellen H Wines <mewines@salemva.gov>
To: mike trenor <mtr25@usa.net>
Subject: RE: RE: RE: [Ext.] Display lot

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> [cid:image001.jpg@01DAF4B0.D26A1540]

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