

PUBLIC NOTICE

Board of Zoning Appeals – Public Hearing on a Special Use Permit

The Town of Wise Board of Zoning Appeals will hold a public hearing on **Monday, June 2, 2025, at 5:00 p.m.** in Council Chambers of the Wise Municipal Building, 501 W. Main Street, Wise, VA for the purpose of soliciting public comment on an application for approval of a Special Use Permit, submitted by Anthony Nixon, for the placement of a manufactured dwelling to be used as an accessory dwelling unit at 724 Polar Street (Parcel ID:013706). Said property is located in the R-B Medium Density Residence Zone where Accessory Dwelling Units are permitted under an approved Special Use Permit. The BZA will conduct a review of the application to ensure careful compatibility with neighboring conditions in accordance with the terms of the Town of Wise Zoning Ordinance and Subdivision Regulations, adopted March 23, 1987, and as amended to date. Following the public hearing, the BZA may approve, approve with conditions, or deny the application. A copy of the Special Use Permit application is on file in the office of the Town Planner where it may be examined by interested parties during normal business hours. More information regarding this Special Use Permit will be made available on the Town of Wise website (townofwise.net).

For any questions or comments prior to the meeting, please contact Reagan L. Walsh, CZA – Town Planner/Zoning Administrator, by phone at 276-328-6013 x204 or by e-mail at rwalsh@townofwise.org. The Town of Wise offers the right to free language assistance for individuals conducting business with the Town of Wise. The Town of Wise also provides reasonable accommodations for individuals who require special assistance to participate in public involvement opportunities. Individuals with disabilities requiring the use of auxiliary aids or who need language assistance to participate in the public hearing should contact the Town Manager's office at 276-328-6013. The Town of Wise is an equal opportunity employer and provider.

PRELIMINARY STAFF REPORT

1. PROJECT SUMMARY

The applicant, Anthony Nixon, is requesting a Special Use Permit to place an Accessory Dwelling Unit (ADU) on his property located at 724 Poplar Street, Wise, VA 24293 (Parcel ID: 013706). The ADU is intended to provide a residence for the applicant's in-laws. This use is permitted by special exception in the R-B Medium Density Residence Zone, as outlined in Article 4, Section 2.2.1 of the Town of Wise Zoning Ordinance. The property previously contained two residential dwellings; however, one of the structures was in poor condition and was removed by the current owners.

2. PROCEDURE OVERVIEW

In accordance with Article 7, Section 11.1 of the Town of Wise Zoning Ordinance, the Board of Zoning Appeals (BZA) reviews applications for special exceptions. A public hearing will be advertised and held in accordance with Virginia Code § 15.2-2204. Your feedback is important—local officials want to understand how the proposed use may affect nearby residents. Sharing your input helps the BZA make informed decisions that reflect both community needs and neighborhood conditions.

To grant a Special Use Permit, the BZA must find that the proposed use meets the following criteria (based on Article 7 of the Zoning Ordinance and Virginia Code §15.2-2309.6):

1. Will not harm the health, safety, or welfare of nearby residents or workers.
2. Will not block adequate light or airflow to neighboring properties.
3. Will not create traffic congestion.
4. Will not increase fire risk or otherwise compromise public safety.
5. Will not negatively impact the character of the neighborhood or nearby zoning districts.
6. Is consistent with the goals and policies of the Town of Wise Comprehensive Plan.
7. Will not reduce property values in the surrounding area and aligns with the overall purpose of the Town of Wise Zoning Ordinance.

3. STAFF ANALYSIS

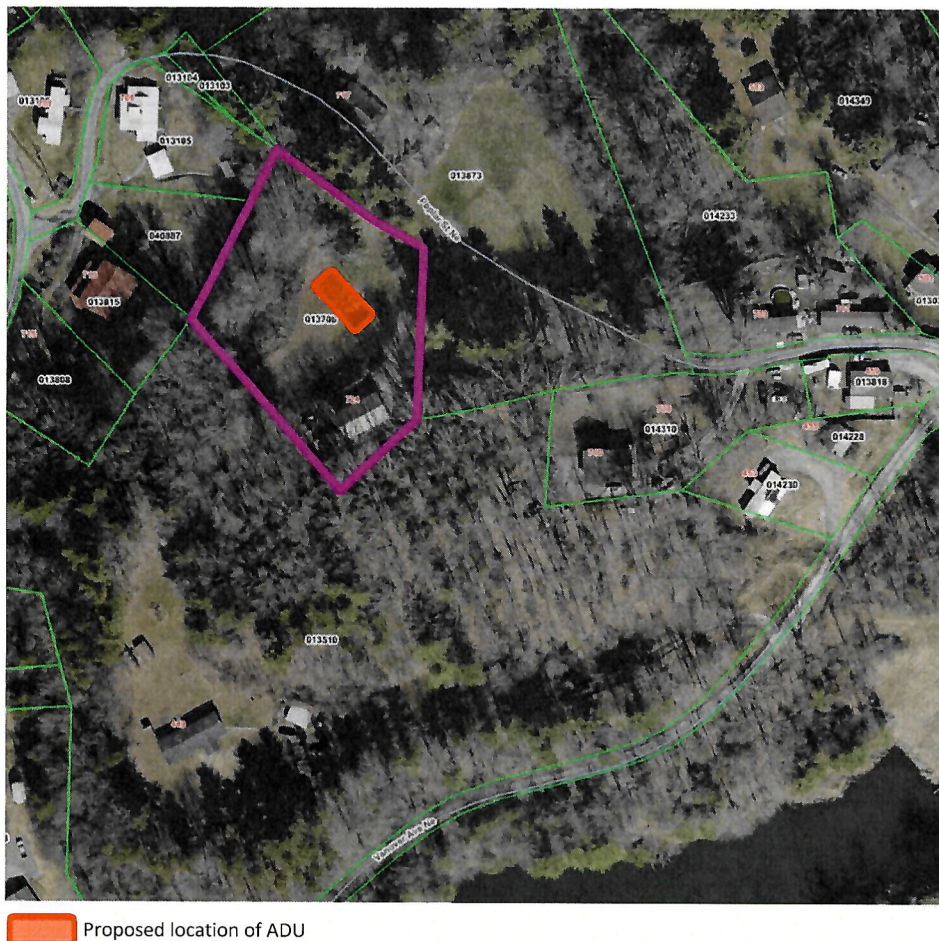
The Town of Wise Zoning Ordinance generally requires each residential structure to be located on its own lot of record. However, an Accessory Dwelling Unit (ADU) may be allowed on the same lot as a primary residence if approved through a Special Use Permit. In this case, the applicant is requesting approval to place a manufactured home on his property to provide housing for his in-laws, allowing them to be cared for on-site.

The Zoning Ordinance does not restrict the type or size of an ADU when it is in a separate, stand-alone structure.

The proposed placement of the ADU is thoughtful and strategic—it is situated in a way that would allow the property to be subdivided in the future, resulting in two conforming lots that meet all current zoning standards. From a land use and service impact perspective, the outcome of this Special Use Permit would be functionally equivalent to what could be done by-right through subdivision and zoning permit approval. By going through the Special Use Permit process now, the applicant preserves flexibility while minimizing disruption and ensuring that any future changes remain consistent with the character of the neighborhood.

Staff intend to recommend approval of the Special Use Permit to the Board of Zoning Appeals, pending any feedback received from other Town department heads. All departmental and citizen comments submitted prior to May 23, 2025, will be discussed with the applicant and incorporated into the final staff report provided to the Board. Any comments made during the public hearing will also be taken into consideration.

4. LOCATION MAP



5. ADJACENT PROPERTY OWNERS

The following is a list of adjacent property owners potentially affected by the proposed development, submitted by the applicant as listed in the office of the Wise County Commissioner of Revenue:

Tax Parcel ID#: 013105, 013103

Daneela Baker
P.O. Box 1152
Wise, VA 24293

Tax Parcel ID#: 040887

Marvin Baker
Geraldine Baker
9266 Forest Road
Coeburn, VA 24230

Tax Parcel ID#: 013815

Jeremy Miller
2013 Oak Grove Road
Atlanta, GA 30345

Tax Parcel ID#: 013510

Amanda Greear
522 Hamilton Street SE
Coeburn, VA 24230

Tax Parcel ID#: 013873

Dustin Lambert
P.O. Box 425
Duffield, VA 24244