

**BOARD OF ZONING APPEALS
MINUTES
SEPTEMBER 11, 2014**

VIRGINIA

A public hearing for the Board of Zoning Appeals for Amherst County, Virginia was held at 7:00 PM, on Thursday, September 11, 2014 in the Board of Supervisors Room located in the Amherst Administrative Building on 153 Washington Street, Amherst, Virginia.

MEMBERS PRESENT:

George Banton, Chariman
George Wise, Vice Chairman
Joyce Coleman
Harry Stinnett, Jr.
Barbara Woody

STAFF PRESENT:

Jeremy Bryant, Director of Planning /Zoning Administrator
Austin Mitchell, Assistant Zoning Administrator/Planner
Stacey Stinnett, Planning/Zoning Administrative Assistant

IN RE: CALL TO ORDER

Chairman Banton called the meeting to order at 7:00 PM with a quorum present to conduct business.

IN RE: APPROVAL OF AGENDA

The agenda was amended by moving item number three (3) "Introduction from Information Technology on County Email Access" to item number four (4) after the "Public Hearing."

Motion: Woody Motion to approve the amended agenda.

Second: Wise

The motion was carried by a 5-0 vote.

IN RE: PUBLIC HEARING - VARIANCE REQUEST BY PHYLLIS HARTLESS #2014A-03

#2014A-03 Request by Phyllis Hartless for approval of a variance from Section 804 of the Amherst County Zoning Ordinance. The requested variance will reduce the setback from the side yard requirement of fifteen (15) feet to approximately nine (9)

feet. The purpose of the request is to allow for the expansion of an attached carport. The request is referenced by a drawing submitted by the applicant. The property is located at 150 Pine Acres Drive and is further identified as tax map parcel number 148D-1-121-124.

STAFF REPORT: Mr. Mitchell presented the staff report and staff recommendations. Mr. Mitchell stated that at the Planning Commission Meeting held on Thursday, September 4, 2014, the Planning Commission unanimously recommended approval and recommended the Board of Zoning Appeals to strike the word "approximately" from condition number two (2).

Should the Board of Zoning Appeals approve this request; Staff recommends the following conditions:

1. The property owner shall vacate all interior lot lines.
2. The variance is granted for Tax Map Parcel No. 148D-1-121-124 to reduce the fifteen (15) foot side yard setback to approximately nine (9) feet to allow for an expansion of the existing carport.
3. The granting of this variance shall not be construed to vest in the application a right to the variance until all necessary local, State and Federal plan application, review and approval processes have been completed.
4. This approval may be revoked by the County of Amherst or its designated agent for failure by the applicant or its assigns to comply with any of the listed conditions or any provisions of Federal, State or local regulations.

Chairman Banton opened the public hearing.

PROPONENTS' ARGUMENTS:

Ms. Phyliss Hartless, applicant, spoke in favor of the request. Mrs. Hartless stated that her husband, who is now deceased, bought a car as a gift for her shortly before his death. Mrs. Hartless stated that this covered garage would protect the car as well as make her feel safe when getting in and out of her vehicle at night.

OPPONENTS' ARGUMENTS:

Mr. Mitchell stated that an email had been submitted to staff by the adjoining property owner, Sheila Wills, who resides at 160 Pine Acres Drive, Madison Heights. The email stated that Ms. Wills was in opposition to the request. Mr. Mitchell provided the Planning Commission with the email.

IN RE: APPROVAL OF MINUTES FOR AUGUST 14, 2014

Motion: Wise Motion to approve the August 14, 2014 minutes as submitted.

Second: Coleman
The motion was carried by a 5-0 vote.

IN RE: ADJOURNMENT

Motion: Wise Motion to adjourn the meeting.

Second: Coleman
The motion was carried by a 5-0 vote.

There being no further business to discuss, the meeting was adjourned at 7:35 pm.


Chairman

/ss/9.15.14