

**BOARD OF ZONING APPEALS
MINUTES
APRIL 13, 2017**

VIRGINIA

A public hearing of the Board of Zoning Appeals for Amherst County, Virginia was held at 7:00 PM, on Thursday, April 13, 2017 in the County Administration Meeting Room located in the Amherst Administrative Building on 153 Washington Street, Amherst, Virginia.

MEMBERS PRESENT: George Banton, Chariman
George Wise, Vice Chairman
Barbara Woody

MEMBERS ABSENT: Harry Stinnett, Jr.
Steve Thomas

STAFF PRESENT: Austin Mitchell, Assistant Zoning Administrator/Planner
Stacey Stinnett, Planning/Zoning Administrative Assistant

STAFF ABSENT: Jeremy Bryant, Director of Planning /Zoning Administrator

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 approved as submitted.

Motion: Woody I make a motion to approve the agenda as submitted.

Second: Wise

The motion was carried by a 3-0 vote.

IN RE: PUBLIC HEARING - VARIANCE REQUEST BY #2017A-01 JERRY & SHARON WALKER

Request by Jerry P & Sharon L Walker 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 ten (10) feet to six (6) feet. The purpose of the request is to allow for the addition of an attached carport. The request is referenced by a drawing submitted by the applicant. The property is located at 132 Lynn Street and is further identified as being tax map parcel number 148B-A-22.

STAFF REPORT: Mr. Mitchell presented the staff report and stated that the Planning Commission unanimously recommended approval at the meeting held on Thursday, March 16, 2017. Should the Board of Zoning Appeals approve this request; Staff recommends the following conditions:

1. The variance is granted for Tax Map Parcel No. 148B-A-22 to reduce the ten (10) foot side yard setback to six (6) feet to allow for an addition of an attached carport.
2. The granting of this variance shall not be construed to vest in the applicant a right to the variance until all necessary local, State and Federal plan application, review and approval processes have been completed.
3. 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 provision of Federal, State or local regulations.

Chairman Banton opened the public hearing.

PROPONENTS' ARGUMENTS:

Mr. Jerry Walker, applicant, spoke in favor of the request. Mr. Walker stated that his wife had health issues that are progressively getting worse and currently is using walkers and scooters. Mr. Walker presented the Board of Zoning Appeals with a letter from his wife's doctor

OPPONENTS' ARGUMENTS:

There were none.

There being no further speakers Chairman Banton closed the public hearing.

BOARD OF APPEALS DISCUSSION:

There was a brief discussion regarding removing the shrubbery along the side of the house to make the carport closer and the carport would be twelve (12) feet wide, therefore a variance would not be needed.

BOARD OF ZONING APPEALS ACTION:

Motion: Wise I move to deny approval for variance request 2017A-01 for Jerry & Sharon Walker based on failure to meet criteria for an undue hardship.

Second: Woody

The motion was carried 3-0.

IN RE: OLD/NEW BUSINESS

There was no old or new business to discuss.

IN RE: APPROVAL OF MINUTES FOR OCTOBER 13, 2016

Motion: Wise Motion to approve the October 13, 2016 minutes with one change.

Second: Woody

The motion was carried 3-0. (Stinnett and Thomas absent)

IN RE: ADJOURNMENT

Motion: Woody Motion to adjourn the meeting.

Second: Wise

The motion was carried by a 3-0 vote.

There being no further business to discuss, the meeting was adjourned at 7:31 pm.


Chairman

/ss/5.8.17