

**BOARD OF ZONING APPEALS  
MINUTES  
NOVEMBER 13, 2014**

**VIRGINIA**

A public hearing for the Board of Zoning Appeals for Amherst County, Virginia was held at 7:00 PM, on Thursday, November 13, 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  
Harry Stinnett, Jr.  
Barbara Woody

**MEMBERS ABSENT:**

Joyce Coleman

**STAFF PRESENT:**

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

**STAFF ABSENT:**

Austin Mitchell, Assistant Zoning Administrator/Planner

**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:** Wise          Motion to approve the agenda.

**Second:** Woody

**The motion was carried by a 4-0 vote.**

**IN RE: PUBLIC HEARING - VARIANCE REQUEST BY ROLAND BUSSARD #2014A-04**

#2014A-04      Request by Roland N. Bussard for approval of multiple variance(s) from Section 804 of the Amherst County Zoning Ordinance. The requested

variance(s) will reduce the 200 foot setback from public land owned by the United States Government and managed by the U.S. Forest Service. The proposed dwelling will be 84 feet from the northern property boundary; 109 feet from the eastern property boundary; 111 feet from the southern property boundary; and 104 feet from the western property boundary. The request is referenced by a drawing submitted by the applicant. The property is zoned A-1 Agricultural Residential District and is located on a forest service road that has access to Slapp Creek Road (SR 636) and is further identified as tax map number 33-A-2.

**STAFF REPORT:** Mr. Bryant presented the staff report and staff recommendations. Mr. Bryant stated that at the Planning Commission Meeting held on Thursday, November 6, 2014, the Planning Commission made a 3-1 motion to not take action.

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

1. The variance is granted for Tax Map Parcel No. 33-A-2 to reduce the 200 foot setback from public land owned by the United States Government and managed by the U.S. Forest Service. The proposed dwelling will be 84 feet from the northern property boundary; 109 feet from the eastern property boundary; 111 feet from the southern property boundary; and 104 feet from the western property boundary.
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:**

The applicant, Mr. Bussard, spoke in favor of the request. Mr. Bussard stated that he purchased the property with the intentions of building a one (1) room "get away" cabin.

Mr. Gilliam Coogle, Jr., adjoining property owner, resides at 1390 Slapp Creek Road, spoke in favor of the request.

**OPPONENTS' AGRUMENTS:**

No one spoke in opposition.

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

**BOARD OF APPEALS DISCUSSION:**

Mr. Banton asked the applicant if there was an existing well and septic. Mr. Bussard replied that currently there were none and stated that in the future he may add a drainfield.

Mr. Banton asked Mr. Bryant if he foresaw any obstacles in the future pertaining to well/septic or utility access issues. Mr. Bryant replied that currently he did not see any issues for the near future as long as the applicant met the regulations of the Virginia Department of Health.

**Motion:** Wise                      Motion to approve variance request  
#2014A-04 for Roland Bussard (tax map #  
33-A-2) with staff recommendations.

**Second:** Stinnett

**The motion was carried by a 4-0 vote.**

**IN RE: GEOGRAPHIC INFORMATION SYSTEM (GIS) PRESENTATION**

Mr. Bryant briefly explained that the new GIS had been launched which now included information that was converted from the Commissioner of Revenue records.

**IN RE: OLD/NEW BUSINESS**

There was none.

**IN RE: APPROVAL OF MINUTES FOR SEPTEMBER 11, 2014**

**Motion:** Woody                      Motion to approve the September 11, 2014  
minutes as submitted.

**Second:** Wise

**The motion was carried by a 4-0 vote.**

**IN RE: ADJOURNMENT**

**Motion:** Wise Motion to adjourn the meeting.

**Second:** Woody

**The motion was carried by a 4-0 vote.**

There being no further business to discuss, the meeting was adjourned at 7:29 pm.

  
Chairman

/ss/11.18.14