

**BOARD OF ZONING APPEALS  
MINUTES  
JULY 9, 2015**

**VIRGINIA**

A public hearing of the Board of Zoning Appeals for Amherst County, Virginia was held at 7:00 PM, on Thursday, July 9, 2015 in the Board of Supervisors Room located in the Amherst Administrative Building on 153 Washington Street, Amherst, Virginia.

**MEMBERS PRESENT:** George Banton, Chariman  
Steve Thomas  
Barbara Woody

**MEMBERS ABSENT:** George Wise, Vice Chairman  
Harry Stinnett, Jr.

**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 amended by switching items four (4) and five (5) to conduct the "Public Hearing prior to the Election of Officers".

**Motion:** Woody I make a motion to approve the amended agenda.

**Second:** Thomas

**The motion was carried by a 3-0 vote.**

**IN RE: WELCOME NEW BZA MEMBER STEVE THOMAS**

Mr. Banton introduced Steve Thomas as the new BZA member.

**IN RE: PUBLIC HEARING - VARIANCE REQUEST BY JOSEPH A. COVINGTON # 2015A-03**

Request by Joseph A. Covington, for approval of multiple variances from Sections 804 and 602.02(2) of the Zoning & Subdivision Ordinance to reduce the front yard setback from the centerline of Muddy Branch Road from seventy-five (75) feet to approximately thirty-five (35) feet, to reduce the rear yard setback from fifty (50) feet to approximately twenty-three (23) feet, and to expand the existing nonconforming structure by greater than fifty (50) percent of the original nonconforming structure, to allow for an addition to an existing single-family dwelling. The request is referenced by drawings submitted by the applicant. The property is located at 266 Muddy Branch Road (Route 692), and is further identified as being tax map parcel number 65-A-10.

**STAFF REPORT:** Mr. Mitchell presented the staff report and stated that should the Board of Zoning Appeals approve this request; Staff recommends the following conditions:

1. The variance is granted for Tax Map Parcel No. 65-A-10 to reduce the front yard setback from the centerline of Muddy Branch Road from seventy-five (75) feet to approximately thirty-five (35) feet, to reduce the rear yard setback from fifty (50) feet to approximately twenty-three (23) feet, and to expand the existing nonconforming structure by greater than fifty (50) percent of the original nonconforming structure, to allow for an addition to an existing single-family dwelling.
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.

Mr. Mitchell concluded by stating that the Planning Commission unanimously recommended approval at the meeting held on Thursday, June 18, 2015.

Chairman Banton opened the public hearing.

**PROPONENTS' ARGUMENTS:**

Mr. Joseph Covington, applicant, spoke in favor of the request. Mr. Covington thanked staff for their time and effort and stated that currently his sons share a bedroom and due to his children getting older his main objective is additional space.

**OPPONENTS' AGRUMENTS:**

There were none.

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

**BOARD OF APPEALS DISCUSSION:**

There was a brief discussion regarding the drainfield.

**BOARD OF ZONING APPEALS ACTION:**

**Motion:** Woody      Motion to grant three (3) variances for Tax Map Parcel # 65-A-10 to allow for an additional addition to an existing single family dwelling. The first variance is to reduce the front yard setback from the centerline of Muddy Branch Road from seventy-five (75) feet to approximately thirty-five (35) feet. The second variance is to reduce the rear yard setback from fifty (50) feet to approximately twenty-three (23) feet. Third variance is to allow the expansion of the legal nonconforming structure by greater than fifty (50) percent of the existing structure, causing the square footage to change from 555 square feet to 722 square feet

**Second:** Thomas  
**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 MAY 14, 2015**

The minutes could not be approved.

**Motion:** Thomas      Motion to table the Election of Officers until the next Board of Zoning Appeals Meeting.

**Second:** Woody

The motion was carried by a 3-0 vote.

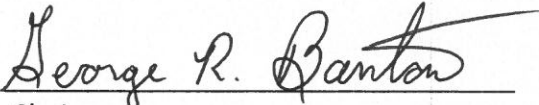
**IN RE: ADJOURNMENT**

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

**Second:**       Woody

**The motion was carried by a 3-0 vote.**

There being no further business to discuss, the meeting was adjourned at 7:16 pm.

  
Chairman

/ss/7.13.15