

**BOARD OF ZONING APPEALS
MINUTES
AUGUST 14, 2014**

VIRGINIA

A public hearing for the Board of Zoning Appeals for Amherst County, Virginia was held at 7:00 PM, on Thursday, August 14, 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
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: Coleman Motion to approve the agenda as submitted.

Second: Stinnett

The motion was withdrawn from the floor.

Motion: Wise Motion to move Election of Officers as item number five (5) before Old and New Business on the agenda and approve agenda as amended.

Second: Woody

The motion was carried by a 5-0 vote.

IN RE: PUBLIC HEARING - VARIANCE REQUEST BY TIM FULLER # 2014A-02

#2014A-02 Request by Tim Fuller for approval of a variance from Section 804 of the Amherst County Zoning Ordinance. The requested variance will reduce the setback from the front yard requirements of fifty (50) feet to approximately thirty (30) feet. The purpose for the request is to allow for the construction of a single-family dwelling. The request is referenced by a drawing submitted by the applicant. The property is located on Aberdeen Lane and is further identified as tax map parcel number 82-A-78.

STAFF REPORT: Mr. Bryant presented the staff report and stated that the Planning Commission recommended approval unanimously at the Planning Commission Meeting held on Thursday, August 7, 2014.

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

1. The variance is granted for Tax Map Parcel No. 82-A-78 to reduce the fifty (50) foot setback to approximately thirty (30) feet to allow for the construction of a single-family dwelling.
2. The proposed dwelling shall be in general compliance with the submitted plot plan.
3. 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.
4. This approval may be revoked by the County of Amherst or its designated agent for failure or its assigns to comply with any of the listed conditions or any provision of Federal, State or local regulations.

Mr. Wise advised staff to strike the word “approximately” in condition number one.

Mr. Banton agreed with Mr. Wise, however, Mr. Banton stated that he requested staff to advertise with the term “approximately” with the understanding that the exact distance would be determined at the meeting.

Chairman Banton opened the public hearing.

PROPONENTS’ ARGUMENTS:

Mr. Tim Fuller, applicant, spoke in favor of the request.

OPPONENTS’ AGRUMENTS:

There were none.

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

BOARD OF APPEALS DISCUSSION:

The Board of Zoning Appeals was concerned that this would be a very challenging task due to the steep terrain.

Mr. Fuller assured the Board of Zoning Appeals that as a qualified contractor he could successfully complete the job.

Motion: Wise Recommend a variance be granted to reduce the front yard setback from fifty (50) feet to thirty (30) feet due to undue hardship exists due to floodplain and steep terrain. This hardship is not generally shared by other properties. This variance will not change the character of the neighborhood. The property was acquired in good faith.

Second: Coleman
The motion was carried 5-0.

IN RE: ELECTION OF OFFICERS

BOARD OF ZONING APPEALS ACTION:

CHAIRMAN:

Motion: Wise Motion to nominate George Banton as Chairman.

Second: Cole
The motion carried by a 4-0 vote. (Banton abstained)

VICE CHAIRMAN:

Motion: Coleman Motion to nominate George Wise as Vice Chairman.

Second: Woody
The motion carried by a 4-0 vote. (Wise abstained)

SECRETARY:

Motion: Woody Motion to nominate Jeremy Bryant as secretary.

Second: Coleman

The motion carried by a 5-0 vote.

IN RE: OLD/NEW BUSINESS

There was discussion regarding Board of Zoning Appeals members being assigned county email addresses and given instructions from the Information Technology Department at the next meeting.

IN RE: APPROVAL OF MINUTES FOR APRIL 10, 2013

Motion: Coleman Motion to approve the April 10, 2013 minutes as submitted.

Second: Woody

The motion was carried 5-0.

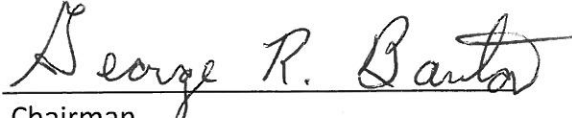
IN RE: ADJOURNMENT

Motion: Stinnett 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 7:29 pm.


Chairman

/ss/8.27.14