

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

READING FILE

April 8, 2014

FOR YOUR INFORMATION

1. Board of Zoning Appeals – Annual Report

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Board of Zoning Appeals 2013 Annual Report

Note from the Chair

Please find attached, the Board of Zoning Appeals (BZA) 2013 Annual Report.

During 2013, the number of applications for variances to the Zoning Ordinance has continued to be reduced in comparison to the number received prior to the recession. The BZA conducted 7 public hearings for variances at 6 regular meetings in 2013. All of the variance requests were granted. There were no appeals of decisions by the Zoning Administrator.

At the present time, the BZA is unaware of any recurring issues with the Zoning Ordinance that require the Board of Supervisors review for possible change.

During the year Mr. William Geib was appointed to serve on the Board by the Judge of the Circuit Court. I am pleased to report that the BZA now has a full complement of members.

I would like to thank my associates on the BZA as well as the members of the County staff for their support and dedication in behalf of the citizens of James City County. It has been a privilege to serve as the Chair during the past year.

Respectfully,

Marvin Rhodes, Chair

James City County board of Zoning Appeals

2013 Board of Zoning Appeals Members

Marvin Rhodes ** – Chairman

David Otey, Jr.**

Ron Campana, Jr.**

Stephen M. Rodgers

William J. Geib



Zoning Division Staff

Jason Purse, AICP, CZA, Zoning Administrator

Christy Parrish, CZA, Proffer Administrator

John Rogerson, CZA, Senior Zoning Officer

Terry Costello, CZA, Senior Zoning Officer

** Virginia Certified BZA Member
AICP – American Institute of Certified Planners
CZA – Certified Zoning Administrator

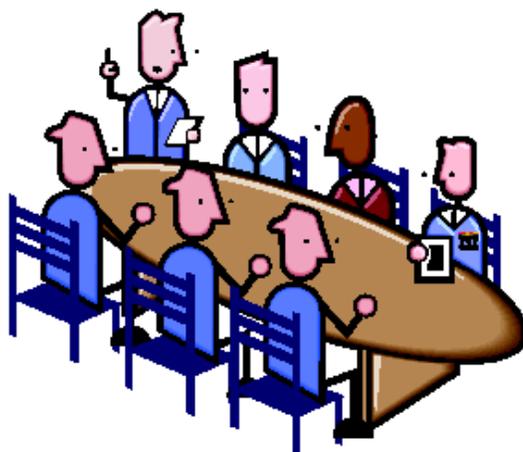
Introduction

The James City County's Board of Zoning Appeals (BZA) is a five-member, quasi-judicial body appointed by the local circuit court to serve five-year terms. Any community adopting a zoning ordinance must also establish an appeals board for review of circumstances where landowners may be unjustly burdened by the zoning ordinance.

The Board conducts public hearings to consider requests for variances to the County's Zoning Ordinance, as well as appeals of decisions made by the Zoning Administrator. The Board must find that the strict application of the Zoning Ordinance would produce undue hardship to grant a variance, and may impose conditions regarding issues such as the location, character and other features of a proposed structure when granting a variance. Any decision made by the Board may be appealed to the James City County Circuit Court within thirty days.

Meetings

The James City County BZA is scheduled the first Thursday of every month at 7 p.m. in Building F at the James City County Government Complex. The BZA met six times during 2013.



Variances

Eleven applications for variances were considered in 2013. Four were for administrative variances and seven applications went before the BZA. The synopses of the applications are as follows:

ZA-0003-2012, 3492 Frederick Drive - This was an application for a variance to Section 24-258 (b), Yard requirements, to reduce the required rear yard setback from 35 feet to 20.5 feet to allow for the continued placement of a deck. This application was approved by the BZA on February 7, 2013.

ZA-0005-2012, 328 Mill Stream Way - This was an application for a variance to Section 24-238 (b), Yard requirements, to reduce the required rear yard setback from 35 feet to 21.6 feet to allow for the continued placement of a deck and hot tub. This application was approved by the BZA on January 10, 2013.

ZA-0007-2012, 140 Point O' Woods – This was an application for a variance to Section 24-238 (b), Yard requirements, to reduce the required rear yard setback from 35 feet to 20 feet to allow for the continued placement of a portion of the existing house and construction of a sunroom. This application was approved by the BZA on January 10, 2013.

ZA-0001-2013, Goodyear Tire Center – This was an application for a variance to Section 24-57 (a), Parking lot Design, to extend the maximum length of the parking bay between landscape islands from 90 feet to 99 feet to allow continued placement of an open island. This application was approved by the BZA on February 7, 2013.

ZA-0002-2013, 126 Lake Drive – This was an application for a variance to Section 24-238 (b), Yard requirements, to reduce the required rear yard setback from 35 feet to 29 feet to allow for the continued placement of two decks. This application was approved by the BZA on March 7, 2013.

ZA-0003-2013, 125 Braddock Road – This was an application for an administrative variance to Section 24-238 (b), Yard requirements, to reduce the required rear yard setback from five feet to four feet six

inches, and to reduce the required side yard setback from five feet to four feet one inch. This application was to allow for the continued placement of an existing shed. This application was approved by the Zoning Administrator on May 23, 2013.

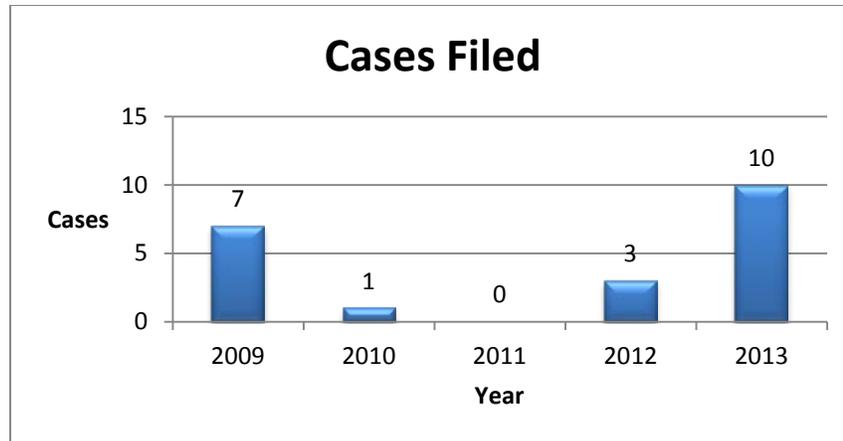
ZA-0005-2013, 105 Old Meadows Road –This was an application for an administrative variance to Section 24-258 (b), Yard requirements, to reduce to required rear yard setback from 35 feet to 34.8 to allow for the continued placement of a deck and screened in porch. This application was approved by the Zoning Administrator on June 14, 2013.

ZA-0007-2013, 8251 Croaker Road – This application was for a variance to (1) Section 24-215 (a), Setback requirements, to reduce the required front setback from 50 feet to 30 feet in order to allow for an addition; and (2) Section 24-217 (a) to reduce the left yard setback from 15 feet to 10 feet to allow for the continued placement of the existing house. This application was approved by the BZA on September 5, 2013.

ZA-0008-2013, 3506 Fieldcrest Court – This application was for a variance to Section 24-238 (b), Yard requirements, to reduce the required rear yard setback from 35 feet to 23 feet to allow for the continued placement of the deck and porch, and to allow for the conversion of the porch into a bedroom addition. This application was approved by the BZA on October 3, 2013.

ZA-0009-2013, 8251 Croaker Road – This application was for a variance to Section 24-217 (a), Yard regulations, to reduce the required side yard setback from 5 feet to 4.8 feet to allow for the continued placement of the existing shed. This application was approved by the Zoning Administrator on October 7, 2013.

ZA-0010-2013, 29 Magruder Lane -This application was for an administrative variance to reduce the yard separation distance between the screened porch addition and the existing garage to nine feet, allowing the garage to still qualify as an accessory structure. This application was approved by the Zoning Administrator on November 14, 2013.



James City County Board of Zoning Appeals



(From left to right: Stephen Rodgers, Ron Campana, Jr., Marvin Rhodes, William Geib, and David Otey, Jr.)

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