

At a Public Hearing of the James City County Board of Zoning Appeals, held there of in the Courthouse, Williamsburg, Virginia, on the third day of September, nineteen hundred and sixty-nine, there were present: MR. GEORGE A MARSTON, Chairman, MR. MAYO W. WALTRIP, Vice-Chairman, MR. GERALD H. MEPHAM, Secretary, MR. JOSEPH E. BROWN, and MR. WARFIELD ROBY, JR.

There was no representative from Ewell Hall Corporation. However, Mr. David J. Morrison, the proposed owner of the lot and dwelling in question stated the following:

1. He has had a contract on the dwelling since November, 1968, but due to unforeseen problems has been unable until now to begin construction.
2. His concern for the location of the dwelling in violation of the Zoning Ordinance was because of dwellings already located in the area in the same fashion.
3. He hopes to begin construction as soon as possible.

Mr. John W. Watkins, Zoning Administrator for James City County stated Ewell Hall Corporation could not be issued a permit to build without a variance for the following reason:

1. Ewell Hall Corporation's proposed rear yard is 12': Residential 3 Zoning requires 25'.

Mr. Morrison reaffirmed his position.

The Board informed Mr. Morrison, they would reach their decision within the week.

The Board adjourned the hearing and went into Executive Session.

After a general discussion, a roll call vote was taken to grant the variance to Ewell Hall Corporation. The following vote is recorded:

Mr. Marston - Yea
Mr. Waltrip - Yea
Mr. Mephram - Yea
Mr. Brown - Yea
Mr. Roby - Nay

The following reasons were given for granting the variance:

1. The proposed location does conform to the area.
2. The owners of adjacent property had no complaints.

There being no further business, the meeting was adjourned.

Gerald H. Mephram
Gerald H. Mephram, Secretary

George A. Marston
George A. Marston, Chairman