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5-21-75

AT A REGULAR MEETING OF THE BOARD OF ZONING APPEALS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE SIXTEEN DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. George A. Marston, Chairman
Mr. Joseph E. Brown
Mr. Gerald H. Mephram
Mrs. Elizabeth N. Vaiden

OTHERS

Craig G. Covey, Assistant to the County Administrator

2. MINUTES

Upon motion by Mr. Mephram, seconded by Mr. Brown and passed unanimously the minutes of the meeting on February 5, 1975, were approved with the correction noting Mrs. Elizabeth N. Vaiden.

3. APPEAL CASE NO. ZA-2-75. CONSIDERATION OF AN APPEAL of Philip O. Richardson for a variance from Article 20, Section 20-85 of the James City County Zoning Ordinance. Property is located on Route 60-W in a Business, General, District B-1 zone.

There was no one present to represent Mr. Richardson. Mr. Covey was asked to present the application and recommendation. Mr. Covey indicated that to accomplish an improved circulation pattern for the movement of vehicles along the perimeter of the parking lot the landscape architect, Donald H. Parker, suggested the tapering of the front perimeter landscape strip. Given the final location of the building, the suggestion by Mr. Parker does provide for better flow and is more adequate from a safety standpoint. Since the objective of the perimeter landscape area can and will be achieved by the large grassed area along this tapered perimeter drive the general intent of the ordinance is upheld although the specific dimension would be reduced.

Upon motion by Mrs. Vaiden, seconded by Mr. Mepham Case No. ZA-2-75 is hereby approved unanimously for a reduction in the perimeter landscaping requirement as shown on the detailed site plan for the Sheraton Patriot Inn, SP-36-73.

4. APPEAL CASE NO. ZA-3-75. CONSIDERATION OF AN APPEAL of Phillip M. Davidson on behalf of R. B. Keene for a variance from Section 20-55, Para. (a) of the James City County Zoning Ordinance. Property is located in Chickahominy Haven, Lot 45.

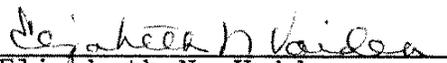
Mr. Davidson was requested to speak in his own behalf and indicated that his application concisely stated the particulars of his request. He also stated he had received letters from Mr. George Koontz, Jr., owner of lot 44, and Elizabeth Campbell, owner of lot 46, giving him permission to locate his dwelling as proposed. Mr. Davidson revealed that he entered into an agreement to purchase the lot one year ago and was aware of the narrowness of the lots in Chickahominy Haven. He also stated, however, his request was similar to others who had narrow lots and it would be a hardship to him if he could not construct the house to the length desired from plans which he has already prepared.

Mr. Covey was asked to comment on the case and stated that while the request is similar to those previously voiced by others of Chickahominy Haven he would have to agree with Mrs. Vaiden that the other requests had been made primarily from persons who had already constructed a residence or summer cottage and were wishing to expand it. Mr. Covey indicated, however, that Mr. Davidson's request was not unreasonable and recommended approval of Mr. Davidson's request stating that the Board should be extremely cautious of permitting any new construction or expansion to older homes to reduce the distance between any two adjacent structures to less than 20 feet. It was noted by Mr. Covey that the basis for the 20 feet could be found in the basic intent of the Zoning Ordinance which is established for the purpose of preserving light, air and ensuring public health, safety and general welfare.

Upon motion by Mr. Mepham, seconded by Mr. Brown and passed unanimously Case No. ZA-3-75 is hereby approved allowing Mr. Davidson side yards of 5.5 feet.

5. ADJOURNMENT

There being no further business to come before the Board the meeting was adjourned at 8:30 P.M.


Elizabeth N. Vaiden
Secretary


George A. Marston
Chairman