

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 FIFTH DAY OF MAY, NINETEEN
HUNDRED AND SEVENTY-SIX.

1. QUORUM CHECK

Mr. George A. Marston, Chairman
Mr. Gerald H. Mepham
Mr. Warfield Roby, Jr.
Mrs. Elizabeth Vaiden

OTHERS

Craig G. Covey, Zoning Administrator

2. APPEAL CASE NO. ZA-3-76. APPLICATION OF L. V. Woodson agent for Roland Walker for a variance from the Zoning Ordinance, Chapter 20, Article IV, Section 20-85. Property is located at the corner of Route 60-E and Fifth Avenue and is further identified as Lots 1, 2, 3, 4, and 5, Colonial Terrace Subdivision.

The Chairman asked that the record show that the applicant nor a representative was present.

Mr. Covey, when recognized to present the background on the case, stated that the Site Plan Review Committee had reviewed the proposed site plan and recommended its approval subject to the Board's consideration of the requested variances. It was pointed out by Mr. Covey that the Board of Zoning Appeals had approved a similar case presented by the owners of Woodlake Village Shopping Complex, Case No. ZA-7-74. Mr. Covey indicated that the plan as submitted is a superior proposal contrasted with the development of the two parcels individually, one with a Seven-Eleven Store the other with a general business use.

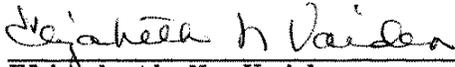
The Chairman recognized Mr. Lee Williams, an adjacent property owner. Mr. Williams indicated that he owned the house and the property west of the proposed development. He expressed concern about the loss of access to all rear property including his by the approval of the development of the front thus locking out the anticipated and long discussed consolidation of all properties in that vicinity.

The Chairman and other members of the Board, upon review of the application and the law under which the variances were requested, found no special conditions wherein the literal enforcement of the provisions of the Zoning Ordinance would result in unnecessary hardship. Although the development plan is superior in design as recommended by the Site Plan Review Committee, it was not found to be proper justification for a variance.

Upon motion by Mr. Mepham, seconded by Mr. Roby and passed unanimously the variances requested in Case No. Z-3-76 were denied.

3. 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