

9-28-77

AT A REGULAR MEETING OF THE BOARD OF ZONING APPEALS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD AT 8:00 P.M. IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TENTH DAY OF AUGUST, NINETEEN HUNDRED AND SEVENTY-SEVEN.

1. ROLL CALL

Mr. George A. Marston, Chairman
Mr. Warfield Roby, Jr.
Mr. Joseph Brown
Mrs. Elizabeth Vaiden

OTHERS:

Mr. Henry H. Stephens
Mr. William C. Porter, Jr.

2. MINUTES

Upon a motion by Mr. Brown, seconded by Mr. Roby, the reading of the minutes of June 8, 1977, were dispensed, and they were approved as presented.

3. APPEAL CASE NO. ZA-5-77. APPLICATION OF Cecil B. and Marie E. Patterson for a variance from Section 20-60 of the Zoning Ordinance, to allow the subdivision of a parcel into two lots which would not have the minimum area requirement.

Mr. Marston opened the public hearing of Appeal Case No. ZA-5-77.

Mr. Joseph Phillips, attorney for the Pattersons, spoke in favor of the application. He explained that the subdivision was part of the settlement of an estate. He stated the Pattersons lived on the property and wished to clear up the estate so that they could borrow money to make needed repairs to their home. Mr. Phillips stated that the lot size variance which they requested would not be necessary if the planned County sewer extension had reached the property. He said he understood the sewer would reach this property sometime during the next two years. The repairs on the house could not wait for two years.

Mr. Stephens explained the staff memorandum which recommended approval of the variance. He stated the Subdivision Review Committee had reviewed the subdivision and would have approved the subdivision except for the requirement for the lot size. He showed the Board a plat of the proposed subdivision.

Upon a motion by Mrs. Vaiden, seconded by Mr. Brown, the Board unanimously approved a variance from Section 20-60 of the Zoning Ordinance to allow the subdivision of the property of Cecil B. and Marie E. Patterson as requested on application ZA-5-77. Minimum lot size of the two lots created should be 20,000 square feet each.

4. APPEAL CASE NO. ZA-1-77. APPLICATION OF
Greyhound Enterprises, Ltd. for a variance from Section 20-86.4(1) of the Zoning Ordinance, to allow the installation of self-service gasoline pumps at the Short-Stop Grocery on Route 143, which does not have the required 20,000 square feet of lot area. This case was tabled at the March 9th meeting and again at the June 8th meeting.

Mr. Marston opened consideration of Case No. ZA-1-77 and asked if anyone was present to speak for or against the application. No one responded.

Mr. Stephens explained that no further submissions had been received from the applicant since the original meeting of March 9, 1977. He stated that the applicant had been informed of the meeting tonight in writing and by telephone. He recommended denial of the application.

Mr. Marston stated that the applicant had been given every opportunity to present his application, but had chosen not to. Mr. Marston said he would entertain a motion to deny the application.

Upon a motion by Mrs. Vaiden, seconded by Mr. Brown, the Board unanimously voted to deny application ZA-1-77.

5. CONSIDERATION OF A DATE FOR BOARD OF ZONING
Appeals review of an application of Rose Christensen and Doris Via, Appeal Case No. ZA-6-77.

Mr. Stephens explained that because of an error by the Building Official an accessory structure was built which violates the side yard requirements for a corner lot.

Mr. Marston expressed concern that the County not charge the applicant for the zoning appeal.

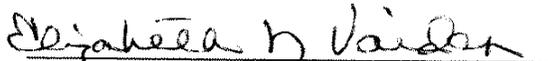
Mr. Stephens said he would look into the matter and if they had been charged he would attempt to have their fee refunded.

Mr. Brown requested that whenever the next meeting was scheduled that it not be on the second Wednesday of a month, because he had another regular club meeting each second Wednesday.

Mr. Marston stated that he would prefer that the meeting be as far off in the future as possible. However, he said that the applicants should be contacted so that the meeting can be scheduled at their convenience. It was left to the staff to schedule the next meeting.

6. ADJOURNMENT

Upon a motion by Mr. Brown, seconded by Mrs. Vaiden, the Board of Zoning Appeals meeting of August 10, 1977, was adjourned.


Elizabeth N. Vaiden
Secretary


George A. Marston
Chairman