

10-18-78

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 TWENTY-EIGHTH
DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-EIGHT.

1. ROLL CALL

Mr. George A. Marston
Mrs. Elizabeth N. Vaiden
Mr. Warfield Roby, Jr.

OTHERS:

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

2. MINUTES

Upon a motion by Mrs. Vaiden, seconded by
Mr. Roby, the minutes of May 31, 1978 were approved as
read.

3. CASE NO. ZA-3-78. AN APPLICATION OF

Mr. Howard C. Clayton, on behalf of Country-
Farm House, Inc. for a variance from
Section 20-31 of the Zoning Ordinance to
allow the width at the setback requirement
from Sand Drive to be 96 feet instead of
the required 125 feet for the A-1 Zoning
District. The property is identified as
Lot 6 in Sand Hill Subdivision, Section II.

Mr. Marston requested to know if Mr. Clayton,
the applicant, had any comments on the requested variance.

Mr. Clayton explained that he had laid off
the home in error. Mr. Clayton further explained that
in laying off the home he had picked up the wrong
reference point and that the error was not discovered
until the lot was surveyed for sale.

Mr. Marston requested to know if the home for which the variance was sought would adversely affect other homes along Sand Drive.

Mr. Clayton stated that it would not affect the other homes along Sand Drive due to the shape of the lot and its location on the edge of the Sand Drive cul-de-sac.

Mr. Marston requested to know if the staff had any comments.

Mr. Porter stated that due to the hardship which would be placed upon the owner to move the home back a minimum of 25 feet due to the contractor's error, the staff recommends approval of the variance.

Upon a motion by Mrs. Vaiden, seconded by Mr. Roby, application ZA-3-78 was approved and a variance from Section 20-31 of the Zoning Ordinance to allow the lot width at the setback to be 96 feet which is less than the required 125 feet was granted.

4. CASE NO. ZA-2-78. AN APPLICATION OF
Mr. William R. Bland, attorney for the heirs of Amanda Greenhow Ratcliff, for a variance from Section 20-52 of the Zoning Ordinance to allow the subdivision of 2.02 acres on Strawberry Plains Road into 4 lots having less than the minimum area permitted for the R-2, Limited Residential Zoning District. A variance is requested for Lots 1 through 4 from Section 20-54 to allow lots of less than the minimum required frontage.

Mr. Marston requested to know if Mr. Bland, attorney representing the applicants, had any comments on the requested variance.

Mr. Bland stated that the purpose of the requested variances was to adjust problems created by old deeds that began in 1948. Mr. Bland explained that Mrs. Amanda Greenhow Ratcliff, who is deceased, began in 1956 to deed 5,000 square foot lots to her children. As a result, each of the heirs has been given a 5,000 square foot lot on which they could build their homes. Mr. Edward Greenhow has applied for a Farmers Home Administration loan to put in a septic tank and eliminate his pit privy and the subdivision is required to obtain clear title for the loan. Mr. Bland further explained

that the proposed subdivision and the variance would permit the increase in lot sizes from 5,000 square feet to a minimum of 20,000 square feet. This would result in coming closer to meeting the zoning requirements and improve a presently unhealthy situation.

Mr. Marston requested to know if the Planning Commission had granted the exceptions to the subdivision.

Mr. Porter stated that the Planning Commission had made the approval of the subdivision exception contingent upon approval of the Board of Zoning Appeals' exceptions.

Mr. Marston requested to know if the staff had any comments.

Mr. Porter stated that the staff recommended approval of the variances and that the staff feels that the proposed variance will relieve presently unhealthy conditions. Mr. Porter explained that the staff was of the opinion that the subject request is a hardship case.

Upon a motion by Mr. Roby, seconded by Mrs. Vaiden, application ZA-2-78, variances from Sections 20-52 and 20-54 of the Zoning Ordinance to allow the subdivision of four lots having less than the minimum area permitted for the R-2, Limited Residential District and to allow lots of less than the minimum required frontage was approved.

5. CASE NO. ZA-7-77. WITHDRAWAL OF AN APPLICATION by Mrs. Maxine Henderson for a variance from Section 20-85 of the Zoning Ordinance.

The Board of Zoning Appeals received Mrs. Maxine Henderson's letter of withdrawal of Case No. ZA-7-77.

6. ADJOURNMENT

Upon a motion by Mrs. Vaiden, seconded by Mr. Roby, the June 28, 1978 meeting of the James City County Board of Zoning Appeals was adjourned.


Elizabeth N. Vaiden
Secretary

George A. Marston
Chairman