

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 FOURTH DAY OF FEBRUARY, NINETEEN HUNDRED AND EIGHTY-ONE.

1. ROLL CALL

Mr. Gerald H. Mephram, Chairman  
Mr. George A. Marston  
Ms. Elizabeth N. Vaiden  
Mr. Warfield Roby, Jr.

OTHERS:

Mr. Henry H. Stephens

2. MINUTES

Mr. Stephens distributed the minutes of the November 12, 1980 meeting. At the suggestion of Mr. Mephram, consideration of the minutes was deferred until the public hearing of Case ZA-7-80. After the hearing, upon a motion by Mr. Mephram, the minutes of the November 12th meeting were approved as submitted.

3. CASE NO. ZA-7-80. CONSIDERATION OF AN APPLICATION OF Mr. Lynn D. Evans for a variance from Section 20-31 of the Zoning Ordinance, on lot 26, section 2, Burnham Woods.

Mr. Stephens presented the staff report, which is appended hereto. He said that an error with the placement of a house on lot 26 resulted in the house violating the minimum setback in the A-1 District. Mr. Stephens further stated that the applicant claimed that moving the house would be prohibitively expensive. The total violation is 3.4 feet. The staff recommended a variance of 5 feet to minimum of 30 feet. The recommendation was based upon the recognition of the problems which would be encountered in moving the house, the impact on other properties, and the fact that other districts allow 25 foot setbacks.

Mr. Stephens also pointed out to the Board that Mr. Frank Morton, the County Attorney, had stated in a note to Mr. Porter that he questioned the validity of a self-induced hardship as a

justification for a hardship. He also said that this was contrary to the staff's report, and that he felt obligated to make his opinion known to the Board.

Mr. Mephram asked how the location of this house affected the other houses on the block.

Mr. Diggs, the developer of Burnham Woods, said that all of the homes on the block had been built. He said that the difference of the setbacks of the house on lot 26 and the others on the block is not noticeable.

Upon a motion by Mr. Marston, seconded by Ms. Vaiden, a variance from Section 20-31 to allow a 30 foot setback from Route 746 on lot 26, section 2, Burnham Woods, was approved unanimously.

4. BOARD OF ZONING APPEALS MEETING DAY

Mr. Marston said that Mr. Brown had asked him to raise the issue of changing the Board's meeting day from Wednesday to Thursday. He said Mr. Brown regularly has other commitments on Wednesday night.

Mr. Stephens said that the meeting day is established in the Board's By-laws.

Upon a motion by Mr. Marston, seconded by Mr. Roby, the By-laws of the Board of Zoning Appeals were amended to establish Thursday as the regular meeting day of the Board.

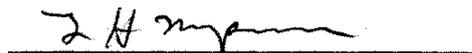
5. PENDING CASES

Mr. Stephens informed the Board that he had been notified of an application for several variances to be filed by the owners of Blue Ribbon Gardens Mobile Home Park for relief of some of the regulations of the Mobile Home Park Ordinance in Section III. Mr. Stephens said that if the application was filed, he would set the meeting for mid-March.

6. ADJOURNMENT

There being no other business, the February 4, 1981 meeting of the Board of Zoning Appeals was adjourned at 8:00 P.M.

  
Elizabeth N. Vaiden  
Secretary

  
Gerald H. Mephram  
Chairman