

AT A REGULAR MEETING OF THE BOARD OF ZONING APPEALS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE BOARD ROOM, GOVERNMENT CENTER, 101 MOUNTS BAY ROAD, THE TWENTY-SEVENTH DAY OF MAY, NINETEEN HUNDRED AND EIGHTY-TWO.

1. ROLL CALL

Mr. Gerald H. Mepham, Chairman  
Mr. Joseph E. Brown  
Mr. Warfield Roby, Jr.  
Ms. Elizabeth N. Vaiden  
Mr. Joseph Abdelnour

OTHERS

Mr. Henry H. Stephens

2. MINUTES, APRIL 29, 1982

Ms. Vaiden indicated that on page 2 of the minutes Mr. Mageras' name was misspelled. Upon a motion by Mr. Mepham, the minutes of April 29, 1982 were approved as corrected.

Mr. Mepham welcomed Mr. Abdelnour who had replaced Mr. Marston on the Board.

3. CASE NO. ZA-4-82

Application by Mr. Howard D. Sipler on behalf of the Exxon Corporation for variances from Section 20-84, Setback Requirements, and Section 20-107, Expansion or Enlargement, and Section 20-12.A.1.(b), Minimum Offstreet Parking, General Provisions of the Zoning Ordinance.

Mr. Stephens presented the staff report. He explained that Mr. Sipler, on behalf of the Exxon Corporation, was requesting variances to allow the renovation and expansion of the Jamestown Road Exxon Service Station. He stated that the property was located on the north side of State Route 31 at the intersection of Winston Drive. This parcel was identified as parcel (9-65) on James City County Real Estate Tax Map (48-1). The variances were necessary, according to Mr. Stephens, because the station was constructed prior to County zoning ordinances and was set back less than fifty feet from the right-of-way of Jamestown Road. There was also an existing canopy which would be replaced by a new, more modern canopy which was currently only seven feet from the property line. Exxon also proposed to expand the parking area by more than fifteen percent; however, because of the existing development on the property, Exxon contended it was not possible to upgrade the parking to current ordinance standards. Mr. Stephens explained that the staff had reviewed the plans and found no reason to object to the variances from a planning standpoint; however, he felt adequate evidence of an undue hardship had not been presented; therefore, he recommended denial of the variance request.

Mr. Sipler made a presentation on behalf of Exxon Corporation. He explained that the upgrading of the Jamestown Road service station was a company wide movement to modernize older stations. He showed plans of the proposed upgrading to the Board. He said that the upgrading should significantly improve the appearance of the area. Without the variances, Mr. Sipler contended that the modernization could not take place. He said he understood the concern of the staff for the nonconforming sections of the Code. He said that Exxon had amended its plan so that all new work would be no closer to Jamestown Road than the existing canopy or building. The expansion of the building would be on the back side and more than meet the 50 foot setback requirement. The expansion of the parking was to provide a storage area for vehicles which were being repaired at the station. This area would be at the back of the parking lot; however, because of the alignment of the pumps and entrances, it would be impossible to provide the minimum 10 foot strip at the front of the parking lot between the road right-of-way and the beginning of the parking lot pavement. He requested that the variances be approved so that the station may be upgraded.

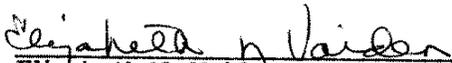
Mr. Abdelnour asked if Exxon planned additional landscaping at the station. Mr. Sipler indicated on the plans where landscaping was proposed. Mr. Abdelnour requested that additional landscaping be placed along the Winston Drive side of the expanded parking area to buffer the vehicle storage from the street. Mr. Sipler stated he felt that would be appropriate. He also indicated that Exxon would investigate improving the landscaping along Jamestown Road with low planting that would not interfere with the vision of drivers moving in and out of the site.

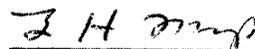
Mr. Brown indicated that none of the improvements Exxon was proposing for the property would create any more violations or nonconformity with the Code. He said that he felt the County would have a better situation if the station was improved.

Upon a motion by Mr. Brown, seconded by Mrs. Vaiden, Case ZA-4-82 was approved as requested by the applicant with the condition that Exxon Corporation landscape the area on the Winston Drive side of the vehicle storage area and improve the landscaping along the Jamestown Road/Winston Drive intersection.

#### 4. ADJOURNMENT

There being no further business, the May 27, 1982 meeting of the James City County Board of Zoning Appeals was adjourned at 8:40 P.M.

  
Elizabeth N. Vaiden  
Secretary

  
Gerald H. Mephram  
Chairman

WP1/A1  
HHS/dch