

AT A REGULAR MEETING OF THE BOARD OF ZONING APPEALS OF THE COUNTY OF JAMES CITY, VIRGINIA, IN THE COUNTY GOVERNMENT CENTER BOARDROOM, 101C MOUNTS BAY ROAD, AT 7:30 P. M. ON THE TWENTY-NINTH DAY OF MARCH, NINETEEN HUNDRED AND EIGHTY-FOUR.

1. ROLL CALL

Mr. Gerald Mepham, Chairman
Mr. David Hertzler
Ms. Nancy James
Ms. Elizabeth Vaiden

Also present:
Mr. Orlando A. Riutort

2. MINUTES

The minutes of the January 26, 1984 meeting were approved as presented.

3. CASE NO. ZA-1-84. AN APPLICATION BY MR. GILBERT BARTLETT
on behalf of Mr. & Mrs. William A. Peterson for a variance in order to allow a portion of a single family dwelling to remain within the required rear yard setback.

This case was deferred in January to allow Mr. Bartlett to pursue a negotiated adjustment of the property line.

Mr. Mepham opened the public hearing. Mr. Bartlett informed the board that he was not successful in negotiations with the adjacent property owner to purchase a portion of his property. Because it would create a hardship situation to bring the violation in compliance with the code, Mr. Bartlett asked the board to grant a variance.

Mr. Riutort informed the board that Mr. Morton, County Attorney, said the circumstances of the case were close to a hardship situation.

Mr. Mepham closed the public hearing.

By roll call vote, the board voted unanimously to grant the requested variance.

4. CASE NO. ZA-12-83. MR. LONNIE L. LOGUE

Mr. Riutort informed the board that staff had received a letter from Mr. Logue's attorney requesting this case be withdrawn as the matter had been resolved by boundary line adjustment.

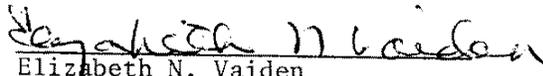
The board granted withdrawal of this application.

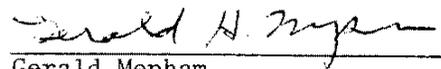
5. MEMORANDUM FROM FRANK MORTON, COUNTY ATTORNEY

Mr. Morton stated in his memorandum to the board that based on case law and wording of the zoning ordinance, the Board of Zoning Appeals does not have the authority to issue special exceptions.

6. ADJOURNMENT

There being no further business, the meeting was adjourned.


Elizabeth N. Vaiden
Secretary


Gerald Mepham
Chairman