

AT A REGULAR MEETING OF THE BOARD OF ZONING APPEALS OF JAMES CITY COUNTY, VIRGINIA, IN THE BOARDROOM, 101-C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA, ON THE SIXTEENTH DAY OF DECEMBER, NINETEEN HUNDRED AND EIGHTY-SEVEN.

1. ROLL CALL

Mr. Robert Ripley
Mr. Ronald Rosenberg
Ms. Elizabeth Vaiden
Mr. Claude Feigley

Others Present

Mr. Bernard Farmer, Code Compliance
Mr. Larry Davis, Assistant County Attorney
Ms. Tami Jo Vest, Code Compliance

2. MINUTES

The minutes of the November 18, 1987 meeting were approved as presented.

3. OLD BUSINESS - None

4. NEW BUSINESS

ZA-18-87 C.W. NASH

Mr. Farmer presented the staff report stating that Mr. C.W. Nash, the owner, has requested a variance from section 20-194 of the James City County Zoning Ordinance which requires structures to be at least 35 feet from any street right-of-way. A variance of six feet from the front setback was requested for a single family dwelling located at 5700 Centerville Road. Mr. Farmer further stated that staff recommended denial of this variance since no legal hardship has been demonstrated, and due to the need to maintain a setback from Centerville Road.

Mr. Rosenberg opened the public hearing.

Mr. C.W. Nash, the owner, stated that the stakes to the structure were placed in line with houses on both sides of the property and that until the final survey was done the encroachment was not noticed.

Mr. Rosenberg asked Mr. Nash if the house was presently occupied. Mr. Nash stated that no one has been allowed to occupy the house.

There was a discussion concerning the location right-of-way in that area since the road is listed on the VDOT secondary road improvement plan. Mr. Rosenberg questioned if the right-of-way was extended, how far and which way would improvements be made. Since the actual plans and design have not been done Mr. Farmer stated it is impossible to judge which way the improvements will go.

Mr. Rosenberg closed the public hearing.

Mr. Ripley made a motion to grant the variance as requested. Mr. Feigley, seconded the motion, stating it appeared to have been an honest mistake on the builder's part.

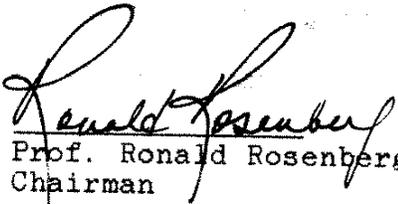
Roll call was as follows:

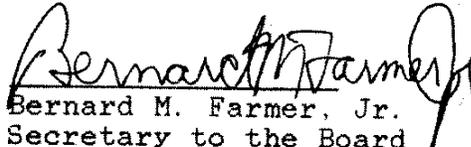
Mr. Rosenberg - Yes
Ms. Vaiden - Yes
Mr. Feigley - Yes
Mr. Ripley - Yes

5. MATTERS OF SPECIAL PRIVILEGE - None

6. ADJOURNMENT

The meeting was adjourned at 8:10 p.m.


Prof. Ronald Rosenberg
Chairman


Bernard M. Farmer, Jr.
Secretary to the Board