

A G E N D A
JAMES CITY COUNTY BOARD OF SUPERVISORS
READING FILE
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
May 26, 2015
6:30 PM

A. FOR YOUR INFORMATION

1. Board of Zoning Appeals Annual Report

ITEM SUMMARY

DATE: 5/26/2015
TO: Board of Supervisors
FROM: Jason Purse, Zoning Administrator
SUBJECT: Board of Zoning Appeals Annual Report

Attached you will find the 2014 Board of Zoning Appeals Annual Report.

ATTACHMENTS:

	Description	Type
📎	BZA Annual Report	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Zoning Enforcement	Purse, Jason	Approved	5/11/2015 - 4:40 PM
Development Management	Murphy, Allen	Approved	5/14/2015 - 1:31 PM
Publication Management	Burcham, Nan	Approved	5/14/2015 - 1:48 PM
Board Secretary	Fellows, Teresa	Approved	5/18/2015 - 10:38 AM
Board Secretary	Kinsman, Adam	Approved	5/19/2015 - 10:33 AM
Board Secretary	Fellows, Teresa	Approved	5/19/2015 - 1:30 PM



Board of Zoning Appeals

2014 Annual Report

Note from the Chair

Applications for variances to the Zoning Ordinance were down from 2013. The Board of Zoning Appeals processed three requests for variances from the Zoning Ordinance, two of which were approved. In addition, there was one appeal of the Zoning Administrator's interpretation of the Zoning Ordinance. The appeal was denied and the Zoning Administrator's interpretation was upheld. We understood that the decision has been appealed to the Circuit Court.

There does not appear to be any recurring issues with the Zoning Ordinance that would require action by the Board of Supervisors.

Board of Zoning Appeal members and the public with whom we deal routinely compliment staff for their courteous and professionalism in their matters.

Respectfully,

David Otey, Jr. , Chair

James City County board of Zoning Appeals

2014 Board of Zoning Appeals Members

David Otey, Jr. ** – Chairman

Marvin Rhodes**

Ron Campana, Jr.**

Stephen M. Rodgers

William J. Geib



Zoning Division Staff

Jason Purse, AICP, CZA, Zoning Administrator

Christy Parrish, CZA, Proffer Administrator

John Rogerson, CZA, Senior Zoning Officer

Terry Costello, CZA, Senior Zoning Officer

** Virginia Certified BZA Member

AICP – American Institute of Certified Planners

CZA – Certified Zoning Administrator

Introduction

The James City County's Board of Zoning Appeals (BZA) is a five-member, quasi-judicial body appointed by the local circuit court to serve five-year terms. Any community adopting a zoning ordinance must also establish an appeals board for review of circumstances where landowners may be unjustly burdened by the zoning ordinance.

The Board conducts public hearings to consider requests for variances to the County's Zoning Ordinance, as well as appeals of decisions made by the Zoning Administrator. The Board must find that the strict application of the Zoning Ordinance would produce undue hardship to grant a variance, and may impose conditions regarding issues such as the location, character and other features of a proposed structure when granting a variance. Any decision made by the Board may be appealed to the James City County Circuit Court within thirty days.

Meetings

The James City County BZA is scheduled the first Thursday of every month at 7 p.m. in Building F at the James City County Government Complex. The BZA met six times during 2014.



Variances

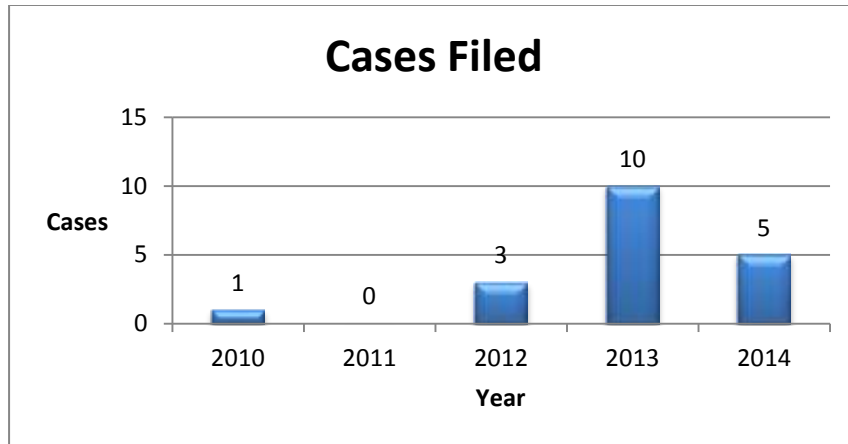
Four applications for variances were considered in 2014. The synopses of the applications are as follows:

ZA-0011-2013, 7610 Beechwood Drive - This was an application for a variance to Section 24-215 (a) Setback Requirements, to reduce the required (50') front yard setback to (33') for the continued placement of the existing dwelling. This application was approved by the BZA on January 9, 2014.

ZA-0002-2014, 2 Joy's Circle - This was an application for an appeal to the Zoning Administrator's interpretation and decision regarding Section 24-233 (a) Overall Density within subdivisions, in terms of redesignating an existing recreation lot to a single-family residential lot for the construction of a single-family home in the Hunter's Creek Subdivision. The BZA voted to support the Zoning Administrator's interpretation on July 10, 2014.

ZA-0003-2014 – 15 Waterford Court – This was an application for a variance to Section 24-258 (b), Yard Requirements, to reduce the required rear yard setback adjacent to Lot #17 to the East from 35 feet to 25 feet. This proposed variance would allow for the construction of a screened-in porch. This application was denied by the BZA on September 11, 2014.

ZA-0004-2014 – 9441 Richmond Road – This application was for a variance to reduce the front setback from 50 feet from the front property line to 35 feet and to reduce the right side setback from 15 feet to 10 feet to allow the continued placement of the manufactured home. Case was deferred from the October 2, 2014 meeting until December 4, 2014 meeting. The BZA approved this variance on a 4-1 vote on December 4, 2014 to establish front setback at 38.7' with no further encroachment with the exception of steps and landing necessary for egress and establish right side setback at 11.1' from closest of the 2 disputed property lines. This application was approved on December 4, 2014.



James City County Board of Zoning Appeals



(From left to right: Stephen Rodgers, Ron Campana, Jr., Marvin Rhodes, William Geib, and David Otey, Jr.)

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