

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 TWENTY-FOURTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND EIGHTY.

1. ROLL CALL

Mr. Gerald H. Mepham, Chairman
Mr. Joseph E. Brown
Mr. Warfield Roby, Jr.

OTHERS:

Mr. William C. Porter, Jr.

2. MINUTES

Upon a motion by Mr. Roby, seconded by Mr. Brown, the minutes of the March 5, 1980 meeting were approved as presented.

3. CASE NO. ZA-3-80. CONSIDERATION OF AN APPLICATION of Mr. Howard Clayton on behalf of Country Farm House, Inc., for a variance from Section 20-33, Paragraph (b) of the Zoning Ordinance.

Mr. Porter presented the staff report, which is appended hereto, recommending approval of the requested 1.1 foot variance. Mr. Porter explained that the requested variance would relieve the violation of a newly constructed house in Section 1 of Racefield Subdivision. The home encroaches into the minimum rear yard requirements of 35 feet by 1.1 foot.

Mr. Mepham opened the public hearing for Case No. ZA-3-80.

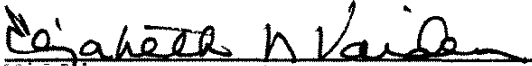
Mr. Howard Clayton, representing Country Farm House, Inc., explained that in laying out the house, he had picked up the wrong surveyor's pin. Mr. Clayton explained that the error was not caught until the as built survey was made.

There being no one else to speak on the subject case, Mr. Mepham closed the public hearing.

Upon a motion by Mr. Roby, seconded by Mr. Brown, the Board of Zoning Appeals voted to approve Case No. ZA-3-80 for a variance of 1.1 feet from the required 35 foot rear yard for lot 10, Section 1 of Racefield Subdivision.

5. ADJOURNMENT

There being no further business, the September 24, 1980 meeting of the James City County Board of Zoning Appeals was adjourned at 8:05 P.M.


Elizabeth N. Vaiden
Secretary to the
Board of Zoning Appeals


Gerald H. Mephram, Chairman

M E M O R A N D U M

DATE: September 17, 1980 .
TO: The Honorable Chairman and Members of the Board
of Zoning Appeals
FROM: William C. Porter, Jr., Director of Planning
SUBJECT: Case No. ZA-3-80. Country-Farm House, Inc.

Mr. Howard Clayton has applied for a variance from the minimum rear yard requirement of the A-1, General Agricultural District for lot 10, Section 1 on Route 622 in Racefield Subdivision. A single family dwelling has been constructed on this lot, at a location 33.9 feet from the rear property line. The dwelling was erroneously constructed at this location, which is not within the recorded setbacks of the subdivision, and does not have the required 35 foot rear yard. The variance will permit the dwelling, which is completely built, to legally remain at its present location.

Recommendation:

Due to the hardship which would be placed upon the owner to move the house 1.1 feet as a result of the contractor's error, the staff recommends approval of the variance.

William C. Porter, Jr.

William C. Porter, Jr.

WCP/emb