

AT A REGULAR MEETING OF THE BOARD OF ZONING APPEALS OF THE COUNTY OF JAMES CITY, VIRGINIA, IN THE COUNTY GOVERNMENT CENTER BOARDROOM, 101 MOUNTS BAY ROAD, AT 8:00 P.M. ON THE TWENTY-EIGHTH DAY OF OCTOBER, NINETEEN HUNDRED AND EIGHTY-TWO.

1. ROLL CALL

Mr. Gerald H. Mephram, Chairman
Mr. Joseph A. Abdelnour
Mr. David L. Hertzler
Ms. Elizabeth N. Vaiden

OTHERS

Orlando A. Riutort
Allen J. Murphy, Jr.
Frank M. Morton III

2. MINUTES

The minutes of the September 30, 1982 meeting were approved as written.

3. CASE NO. ZA-10-82. HERBERT AND BEVERLY LAPETINA

Mr. Allen J. Murphy, Jr. presented the staff report which is appended hereto.

There were no questions regarding the staff report; so the Chairman opened the public hearing.

Mr. Troy Lapetina, son of Herbert and Beverly Lapetina, stated that construction of a home on the property would improve the area and that the neighbors were in agreement that the house rather than the trailers previously on the site would be an improvement. He also pointed out that Public Works had informed him that public water would be available in eighteen months. The septic system and well now on the property had been used by three trailers and a duplex and so should be adequate for two single family residences until public water is extended to that area.

Mr. Lapetina stated that the lane on the property will have to be kept in good condition which would be easier to do now that there would be only one family using it rather than three. He further stated that the house would be constructed according to BOCA code specifications; if a subdivision were constructed in the area, trailers would have a negative effect, and that when the trailers were on the site, there had been complaints about the occupants. If there were to be a trailer on the site again, there would probably be more than one because the income would be needed to help with the rent. The house would not be built for resale purposes but only as a residence for himself.

Mr. Herbert Lapetina, the applicant, advised the Board that the amount of the variance had not been mentioned. He stated that he was only lacking 10 ft. of the required lot size.

There were no other speakers; so the public hearing was closed.

Mr. Murphy informed the Board that adjacent property owners had been advised of Mr. Lapetina's application for a variance. He stated further that the lots are approximately 20,000 sq. ft. and the minimum lot size is 30,000 sq. ft.

Mr. Abdelnour made a motion to grant the variance.

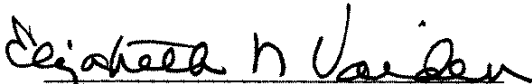
Mr. Riutort stated that conditions could be added to the approval of the variance such as requiring the applicant to tie into public water and not restoring the three trailers.


Mr. Abdelnour stated that this was his intent and amended his motion to grant the variance with the requirements that when sewer and water became available, the applicant hook into them and that the property not be used for mobile homes in the future.

Ms. Vaiden seconded the motion. The Board voted unanimously to approve the motion as amended.

4. ADJOURNMENT

There being no further business, the meeting adjourned at approximately 8:15 P.M.


Elizabeth N. Vaiden
Secretary


Gerald H. Mephram
Chairman