

BOARD OF ZONING APPEALS
July 10, 2008

A. Roll Call

Present:

Mr. Rhodes
Mr. Pennock
Mr. Fraley
Ms. Moody

Absent:

Mr. Wenger

Others Present:

Jennifer VanDyke, Administrative Services Coordinator
John Rogerson, Senior Zoning Officer
Adam Kinsman, Deputy County Attorney
Brian Elmore, Development Management Assistant

B. Minutes

Mr. Fraley called the meeting to order at 7:00PM.

Mr. Pennock moved to approve the minutes from March 6, 2008 with amendments.

Mr. Fraley seconded the motion for approval.

The March 6th minutes with amendments were approved by voice vote (4-0).

C. Old Business

There was no old business to discuss.

D. New Business

ZA-0005-2008 5501 Centerville Road

Mr. Rogerson presented the staff report and recommended approval of the variance. The existing setbacks on the lot overlap leaving no viable building envelope. Mr. Rogerson stated there was a right of way take from VDOT. Mr. Rogerson stated he would answer any questions for staff.

Mr. Fraley asked if the applicant had been advised he needed three votes for the variance to be approved..

Mr. Rogerson stated he had. Mr. Rogerson stated he had a copy of the house plans provided by the applicant.

Mr. Fraley stated the house would not fit the definition of affordable housing, although it could be referenced as workforce housing. Mr. Fraley asked about the right of way take.

Mr. Rogerson stated the original lot was 100 feet, but now 77 feet on the left and 81 feet on the right. Mr. Rogerson showed a GIS copy showing the right of way take extended across the entire property. Mr. Rogerson stated the right of way may have been widened to accommodate Freedom Park or a stoplight. Mr. Rogerson stated he had not heard from any adjacent property owners regarding the case.

Mr. Fraley opened the public hearing.

Mr. Paul White, 8906 Croaker Road, stated Mr. Rogerson had covered the case well.

Mr. Daniel Canaday, 3907 Grove Gate Lane, stated he was a potential buyer and that the site would be good for his family.

Mr. Fraley closed the public hearing and opened the Board to discussion or motion.

Mr. Pennock moved to grant the variance and requested motion language from staff.

Mr. Rogerson stated the staff report recommended reducing the front setback to 27 feet from the right of way and reduce the rear setback to 20 feet for a single family dwelling.

Ms. Moody seconded the motion.

The Board of Zoning Appeals approved the variance with a unanimous voice.

Mr. Fraley asked if all members of the Board had received their copies of the Code of Ethics. Mr. Fraley asked Mr. Kinsman if variance violations are reported to the Board Chair.

Mr. Kinsman stated affirmatively.


E. Matters of Special Privilege

F. Adjournment

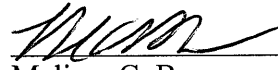
At 7:25 pm Mr. Rhodes motioned to adjourn the meeting.

Mr. Pennock seconded the motion to adjourn.

Mr. Fraley adjourned the meeting.



Mark Wenger
Chairman



Melissa C. Brown
Secretary