

Board of Zoning Appeals  
James City County Government Complex  
Board Room, Building F

Sept. 11, 2014 - 7 p.m.

**A. Roll Call**

**B. Old Business**

**C. New Business**

1. ZA-0003-2014. 15 Waterford Court

**D. Minutes**

1. July 10, 2014-ZA-0002-2014 Joy's Circle

**E. Matters of Special Privilege**

**F. Adjournment**

**BOARD OF ZONING APPEALS**  
**September 11, 2014**

Mr. David Otey Jr. called the meeting to order at 7:00 p.m.

**A. Roll Call**

Present:

Mr. Marvin Rhodes  
Mr. David Otey Jr.  
Mr. Stephen Rodgers  
Mr. Ron Campana Jr.  
Mr. William Geib

Others Present:

Mr. Jason Purse, Zoning Administrator  
Mr. John Rogerson, Senior Zoning Officer  
Mr. Maxwell Hlavin, Assistant County  
Attorney

Mr. Otey gave information on the purpose of the Board of Zoning Appeals.

Mr. Jason Purse introduced the new Assistant County Attorney, Maxwell Hlavin.

**B. New Business**

**ZA-0003-2014, 15 Waterford Court**

Mr. John Rogerson presented his staff report:

Mr. John Nichols has applied for a variance to Section 24-258(b), Yard requirements, of the Code of James City County to reduce the required rear yard setback adjacent to lot #17 to the East from 35 feet to 25 feet. This proposed variance request is to allow the construction of a screened in porch. Mr. Nichols property can be identified as lot #6 on the attached subdivision plat. This property is currently zoned R-2, General Residential and can further be identified as JCC RE Tax Map No. 3231700006.

Mr. Nichols has applied for a variance to construct a screened in porch on the back left of his house. The manner in which Mr. Nichols house was placed on the lot, the back left corner of his house is currently about 1.3 feet from an existing rear yard setback line of 35 feet located to the East, adjacent to lot #17. Mr. Nichols also has another rear yard setback of 35 feet to the South (behind his house).

Construction of the screened in porch on the back left of the existing house would encroach into the 35 foot rear yard setback to the East by about 10 feet. The adjacent lot # 17, to the East, currently has a 35 foot setback from the shared property line between lots #6 and #17.

Mr. Nichols has applied for the variance to construct a screened in porch because a member of his family has a medical condition called *pilomatricoma*. This medical condition can result in calcium deposit build up under the skin from bug bites which may require surgery to remove. The addition of the screened in porch would allow the resident of the dwelling to enjoy the

outside.

An unnecessary hardship exists when the strict application of the terms of the ordinance would effectively prohibit or unreasonably restrict the use of the property. The strict application of the terms of the Zoning Ordinance does not produce an undue hardship nor does it effectively prohibit or unreasonable restrict the use of the property. The property has been put to use by the existence of a single family dwelling. Therefore; staff cannot support this application, however; should the Board wish to grant the variance to reduce the rear yard setback for the construction of the screened in porch, staff feels the variance would not be a detriment to adjoining properties nor alter the character of the area.

Mr. Marvin Rhodes noted that there are several lots in the neighborhood that are shaped the same as Mr. Nichols'. Mr. Rhodes asked if the other lots in the area have been developed in the same manner, with the houses placed further back on the lot than the required 35 feet.

Mr. Rogerson stated that the lots at the end of the cul-de-sac are unique in that they are larger, and due to their shape, some of these lots do have two rear yard setbacks. Mr. Rogerson provided the definition of "lot line rear" which is: the lot line opposite and most distant from the front lot line; or in the case of a triangular or otherwise irregularly shaped lot, a line ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.

Mr. Rhodes stated that he wanted to establish that this is not the only lot in the community that has two rear yard setbacks.

Mr. William Geib pointed out that the house on the adjacent lot is placed in an unusual location on that lot, skewed further to the left of center. Mr. Geib also pointed out that the rear yard abutting Ford's Colony has a 30 foot drainage and utility easement on it.

Mr. Rodgers asked if staff knew the width of the existing deck on the rear of the house.

Mr. Rogerson responded that he did not.

Mr. Stephen Rodgers asked if staff knew the square footage of the proposed screen in porch that would encroach into the setback.

Mr. Rogerson responded that he did not.

Mr. David Otey asked if the notice of the proceeding was sent to the adjacent property owners, in particular lot number seventeen.

Mr. Rogerson stated that adjacent property owners were notified, including the owner of lot number seventeen.

Mr. Rhodes asked if staff had received any feedback from lot seventeen.

Mr. Rogerson said that he had not received any inquiries from any of the adjacent property

owners, and that the applicant had had some discussions with the owner of lot seventeen.

Mr. Geib asked if Windsor Forest has an active homeowners association or an architectural review board.

Mr. Rogerson responded that he did not know.

Mr. Otey stated that the property has been put to use by the existence of a single family dwelling.

**Mr. Otey opened the public hearing.**

Mr. Nichols stated his name and address as being 15 Waterford Court for the Board.

Mr. Nicholas provided the Board with additional information regarding his daughter's medical condition and a copy of an email in support of the variance from the owner of lot seventeen. Mr. Nichols explained that the ways that they help protect their daughter from insect bites include insect repellent, proper clothing and not going outside at certain times of the day. Mr. Nichols stated that approximately one year after his daughter was diagnosed, he and his wife began looking for other ways that his daughter could be outside, and they began considering the addition of a screened in porch. Mr. Nichols stated that all of his neighbors have screened in porches and explained the thought process he went through while considering the addition of a screened in porch. Mr. Nichols noted that he did not want to significantly alter the overall architecture of the house and that the proposed location of the new screened in porch was, in his opinion, the best location taking into consideration the overall layout of the house. Mr. Nichols further stated that he had contacted all of the neighbors to let them know about his plans to construct the screened in porch, noting that he had talked to his neighbor at 24 Somerset Court (lot seventeen), and they do not have a problem with the proposal as long as it does not reduce the green space between the two houses.

Mr. Rodgers asked about the size of the existing deck and if they considered constructing the screen in porch on the existing deck.

Mr. Nichols explained that if they built a screened in porch on the existing deck it would block the natural sunlight that comes in through the sliding glass doors in his living room and obstruct the view of the backyard.

Mr. Rodgers asked if Mr. Nichols and his family would have to go outside on the deck to get to the screened in porch if it was constructed as shown.

Mr. Nichols confirmed that they would.

Mr. Rhodes asked if the applicant has a set of plans for this project.

Mr. Nichols said he did have a set of plans, but they were not with him.

Mr. Geib asked if Mr. Nichols had been working with a contractor for this project.

Mr. Nichols confirmed that he has.

Mr. Geib asked about some of the specific dimensions and layout of the deck and the house.

Mr. Nichols explained the layout of the existing deck and the proposed screen in porch, stating that approximately 13 percent of the new screened in porch would extend into the setback.

Mr. Rhodes asked if the applicant had considered screening in the existing deck by tying in the new roofline with the existing roofline.

Mr. Nichols replied that they did not want the entrance to the screened in porch to be through the master bedroom, and if he placed the screened in porch elsewhere on the deck it would block the natural sunlight that comes in through the two sliding glass doors into his living room and the view of the backyard.

Mr. Geib asked where the existing entrance to the deck is.

Mr. Nichols said the entrance to the deck is through the two sliding glass doors off of the living room.

Mr. Rodgers asked what is off the master bedroom.

Mr. Nichols said that that was another sliding glass door.

Mr. Rhodes asked if Mr. Nichols has provided the County with proof of his daughter's medical condition.

Mr. Purse said that is not something staff took into consideration when preparing the staff report. He said our recommendation is based on the criteria of granting a variance.

Mr. Ron Campana asked if there were plans to have a separate entrance/exit to the screened in porch from the ground below.

Mr. Nichols said that is not part of the plan. Mr. Nichols noted that there is a voluntary Home Owners Association for the community, of which they are members, but there is not an architectural review board.

Mr. Rodgers asked for clarity on the measurements of the house and the layout of the existing deck.

### **Mr. Otey closed the public hearing**

Mr. Geib said the variance application appears to be one of convenience or cost savings as opposed to a true hardship and that there is a more reasonable solution available to the applicant than granting the variance.

Mr. Rodgers added that alterations to the existing deck could be made to achieve the applicant's goals without granting the variance.

Mr. Campana asked if there was a study done to place the screened in porch on the garage side of the house, and that he was not sure that the applicant had considered all other option before applying for the variance.

Mr. Rhodes agreed that he was not sure the existing proposal was the best option, and stated that the application seemed to be more of a convenience than a necessity.

Mr. Otey said that the staff report and recommendation were correct in that the property has been put to use by the existing of a single family dwelling, and that is where the Board of Zoning Appeals' analysis ends. Mr. Otey continued that the applicant is asking the Board to approve a use that the applicant wants, as opposed to pursuing other alternatives that seem to be available. Mr. Otey stated he does not think the law as written now gives the Board the discretion to approve the variance. Mr. Otey apologized to the applicant and reassured him that nobody likes to say no but in this case that is what the Board has to do. Mr. Otey asked the other members of the Board for a motion.

Mr. Geib made a motion that the Board concur with staffs' recommendation that a variance is not warranted in this case because there is no hardship and not to approve the variance.

Mr. Rodgers seconded the motion.

The motion to deny the applicant's request was approved on a 5-0 vote.

### **C. Minutes**

**July 10, 2014**

Mr. Rodger said the only error he saw was that his name was not spelled consistently throughout the minutes but that everything he said was correct.

Mr. Rhodes referenced the fourth page of the minutes where Ms. Rattley said she was a Senior Veteran of the Newport News Board of Zoning Appeals, inquiring what a Senior Veteran of the Board Zoning Appeals is.

Mr. Purse said he did not know, but that is how she worded it.

Mr. Rhodes referred to the second full paragraph on page five, noting that on the last line the word "to" is missing from a sentence and referred to the second to last paragraph where Ms. Rattley was referred to as Mr. Rattley. Mr. Rhodes also noted that in the second to last paragraph on page five, the first sentence should not have the word "letter" after the year 2002. Mr. Rhodes also noted that in the next sentence of the paragraph the word "than" should be changed to "then." Mr. Rhodes further stated that in the last full paragraph on page six, the word "they"

should be changed to “the Board,” and that in the same paragraph on page six the word “that” should be changed to “any issue” so the sentence reads in part “the Board does not have the power to address any issue other than the decision.....”

Mr. Geib noted that in the middle of the page of page six, where it says “Mr. Rhodes asked if there was an active homeowners association,” Mr. Geib thought he was the one that asked that question.

Mr. Purse stated that staff would check on that.

Mr. Rodgers moved to adopt the minutes as amended.

On a voice vote the minutes from the July 10, 2014 Board of Zoning Appeals were approved as amended 5-0.

#### **D. Adjournment**

There being no further business Mr. Otey adjourned the meeting at 7:56 p.m.

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David Otey  
Chairman

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Jason Purse  
Secretary

## **MEMORANDUM**

**TO:** Honorable Chairman and Members of the Board of Zoning Appeals  
**FROM:** John Rogerson, Senior Zoning Officer  
**DATE:** September 11, 2014  
**SUBJECT:** ZA-0003-2014 15 Waterford Court

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### **FACTS:**

Mr. John Nichols has applied for a variance to Section 24-258(b), Yard requirements, of the Code of James City County to reduce the required rear yard setback adjacent to lot #17 to the East from 35 feet to 25 feet. This proposed variance request is to allow the construction of a screened in porch. Mr. Nichols property can be identified as lot #6 on the attached subdivision plat. This property is currently zoned R-2, General Residential and can further be identified as JCC RE Tax Map No. 3231700006.

### **FINDINGS:**

Mr. Nichols has applied for a variance to construct a screened in porch on the back left of his house. The manner in which Mr. Nichols house was placed on the lot, the back left corner of his house is currently about 1.3 feet from an existing rear yard setback line of 35 feet located to the East, adjacent to lot #17. Mr. Nichols also has another rear yard setback of 35 feet to the South (behind his house).

Construction of the screened in porch on the back left of the existing house would encroach into the 35 foot rear yard setback to the East by about 10 feet. The adjacent lot # 17 to the East currently has a 35 foot setback from the shared property line between lots #6 and #17.

Mr. Nichols has applied for the variance to construct a screened in porch because a member of his family has a medical condition called *pilomatricoma*. This medical condition can result in calcium deposit build up under the skin from bug bites which may require surgery to remove. The addition of the screened in porch would allow the resident of the dwelling to enjoy the outside.

### **RECOMMENDATION:**

An unnecessary hardship exists when the strict application of the terms of the ordinance would effectively prohibit or unreasonably restrict the use of the property. The strict application of the terms of the Zoning Ordinance does not produce an undue hardship nor does it effectively prohibit or unreasonable restrict the use of the property. The property has been put to use by the existence of a single family dwelling. Therefore; staff cannot support this application, however; should the Board wish to grant the variance to reduce the rear yard setback for the construction of the screened in porch, staff feels the variance would not be a detriment to adjoining properties nor alter the character of the area.

### **Attachments**

Survey  
Subdivision plat  
Letter from the applicant  
Location map  
Resolution  
Pictures  
Application



FORD'S COLONY @ WILLIAMSBURG  
T.M.(38-1)(1-2)

RECORD MERIDIAN

PB 38/80

PLANNING DIVISION

RECEIVED

LOT 17  
12-3(17-17)

LOT 5  
T.M. (32-3)(17-5)

LOT 7  
T.M. (32-3)(17-7)

AREA OF LOT 6  
32,288 S.F.±  
0.741 ACRES±

TAX PARCEL: (32-3)(17-6)

STREET ADDRESS: #15 WATERFORD COURT

NOTE:

THIS PROPERTY LIES IN ZONE X, (AREAS DETER-



WATERFORD COURT  
50' R/W

$\Delta = 60^{\circ}17'40''$   
 $R = 60.00'$   
 $L = 63.14'$   
 $T = 34.85'$   
 $C = 60.27'$   
 $CB = N45^{\circ}10'05''E$

30' DRAINAGE  
& UTILITY  
EASEMENT

H/P

DECK

1 1/2 STORY  
WOOD & ROCK  
VENUE RES.

GRAVEL

DRENE

CA.T.V.  
PER.

CA.P.  
PER.

E/P

W.M.

IRF

IRF

IRF

ZA-0003-2014 15 Waterford Court

Tax Map #3231700006



LOUISIANA IN THE NAME OF BRUCE A. JOHNSON &  
ASSOCIATES, INCORPORATED AND LOUISIANA IN THE  
NAME OF VARIOUS INVESTORS CO.

I, Robert Thomas Adams, a NOTARY  
PUBLIC DO CERTIFY THAT THE PERSONS WHOSE  
NAMES ARE SIGNED TO THE FOREGOING WRIT-  
ING HAVE ACKNOWLEDGED THE SAME BEFORE  
ME IN MY CITY AND STATE AFORESAID

WT COMMISSION EXPIRES 06/05/2014

TESTE, \_\_\_\_\_, CLERK

PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

CERTIFICATE OF APPROVAL

THIS SUBDIVISION KNOWN AS

IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE COMMITTED TO RECORD

DATE 12-2-91 BY P. R. R. HIGHWAY ENGINEERDATE 8-1-85 San Diego HEALTH OK

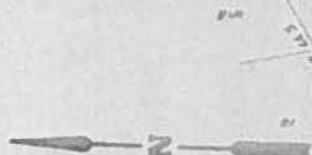
2018. 12. 24. Blueberry 2018. 12. 24.

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS IN ORDINANCES OF THE COUNTY OF JAMES CITY, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE COUNTY HAVE BEEN COMPLIED WITH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE

BY Paul C. Small  
Paul C. Small, P.C., C.S.

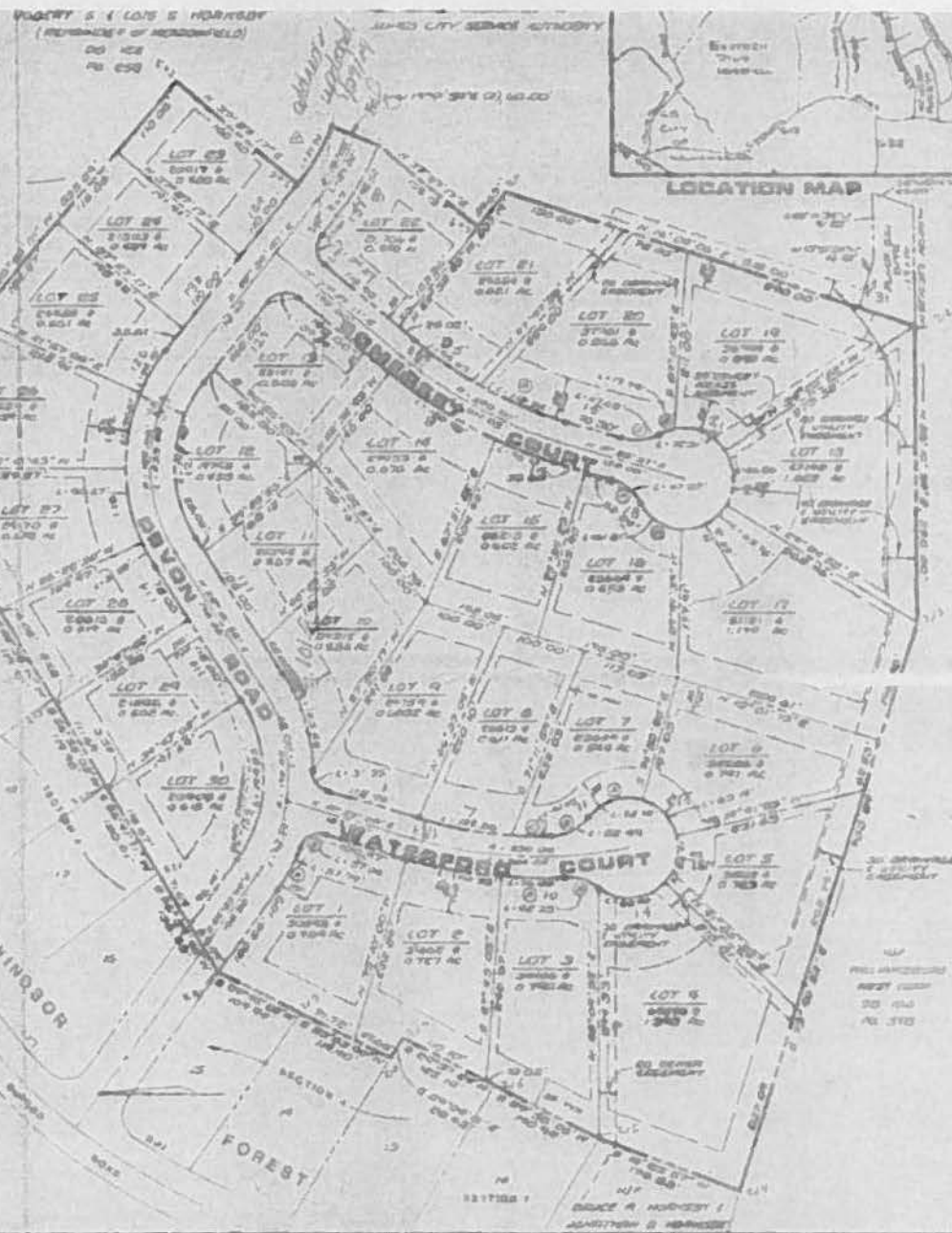
TOTAL AREA	1000.00	0	234.70	AC
TOTAL AREA (B.W.)	1000.00	0	4.45	AC
LOT AREA	1000.00	0	484.73	AC
CHECK			715.27	AC
			0.001	
SMALLEST LOT	LOT 4		60579	0
SMALLEST LOT	LOT 11		19748	0
APPLICANT			00001	



100 0 100 200  
SCALE IN FEET

2000-2001						
1	2	3	4	5	6	7
1	11/15/00	21/01	75 W	100	75 W	2000-2001
2	11/15/00	21/01	75 W	100	75 W	2000-2001

品名	规格	单位	数量	单价	金额	备注
1. 水泥	42.5	吨	100	180.00	18000.00	
2. 砂	中砂	立方米	500	30.00	15000.00	
3. 石子	20mm	立方米	300	40.00	12000.00	
4. 钢筋	Φ12	吨	20	2500.00	50000.00	
5. 木材	杉木	立方米	100	120.00	12000.00	
6. 砖	标准砖	千块	1000	1.50	1500.00	
7. 石灰	熟石灰	吨	50	30.00	1500.00	
8. 卵石	20mm	立方米	200	40.00	8000.00	
9. 碎石	40mm	立方米	150	50.00	7500.00	
10. 水泥砂浆	1:3	立方米	100	100.00	10000.00	
11. 混凝土	C20	立方米	200	200.00	40000.00	
12. 钢筋网片	Φ12@200	平方米	100	100.00	10000.00	
13. 模板	木模板	平方米	500	20.00	10000.00	
14. 脚手架	钢管	吨	10	1000.00	10000.00	
15. 安全网	密目网	平方米	1000	1.00	1000.00	
16. 安全带	五点式	条	100	10.00	1000.00	
17. 安全帽	塑料	顶	1000	1.00	1000.00	
18. 工作服	棉质	套	1000	10.00	10000.00	
19. 劳保鞋	防砸	双	1000	10.00	10000.00	
20. 手电筒	强光	个	100	10.00	1000.00	
21. 对讲机	手持	部	10	100.00	1000.00	
22. 望远镜	7x35	架	10	100.00	1000.00	
23. 水准仪	自动安平	台	1	1000.00	1000.00	
24. 经纬仪	电子	台	1	2000.00	2000.00	
25. 全站仪	高精度	台	1	5000.00	5000.00	
26. 测距仪	手持	台	1	1000.00	1000.00	
27. 水准尺	铝合金	根	10	10.00	100.00	
28. 钢卷尺	50m	把	10	10.00	100.00	
29. 皮卷尺	10m	把	10	10.00	100.00	
30. 计算器	科学	个	10	10.00	100.00	
31. 笔记本	A4	本	10	10.00	100.00	
32. 圆珠笔	中性	支	100	1.00	100.00	
33. 橡皮擦	普通	块	100	1.00	100.00	
34. 美工刀	普通	把	10	10.00	100.00	
35. 剪刀	普通	把	10	10.00	100.00	
36. 指甲刀	普通	把	10	10.00	100.00	
37. 牙刷	普通	支	100	1.00	100.00	
38. 牙膏	普通	支	100	1.00	100.00	
39. 肥皂	普通	块	100	1.00	100.00	
40. 毛巾	普通	条	100	1.00	100.00	
41. 浴巾	普通	条	10	10.00	100.00	
42. 床单	普通	张	10	10.00	100.00	
43. 被套	普通	套	10	10.00	100.00	
44. 枕头	普通	个	10	10.00	100.00	
45. 被子	普通	条	10	10.00	100.00	
46. 褥子	普通	条	10	10.00	100.00	
47. 垫子	普通	条	10	10.00	100.00	
48. 毯子	普通	条	10	10.00	100.00	
49. 睡袋	普通	条	10	10.00	100.00	
50. 帐篷	普通	顶	10	10.00	100.00	



1761 Jamestown Road, Williamsburg, Va. 23185

08X29/02VCL07EN KSH/TLS OFFICE-CHIEF CO

[illegible]

Supplies	Phone
Jan	Oct
Books	Notes
Travel	Insurance
Project no 6331	



**15 Waterford Ct.**

**Variance Setback Request: Rationale**

The property owner wishes to reduce the setback of 35 feet to 25 feet in order to build a screened porch in accord with the architectural design of the house and the topography of the property, because:

1) the current setback unreasonably restricts the use of the property. The property has been determined with two, rather than one, rear yard setbacks to the property, even though the back of the house is toward only one of these.

2.) a reduced variance will alleviate a clearly demonstrable hardship. A resident in the house has an extreme medical condition in response to insect bites (requiring surgery) and the screened porch would alleviate conditions such that the resident could use the outside property.

3.) the topographic placement of the house with regard to the two setbacks -- that places the house above a seasonal, swampy, unbuildable conservation and private drainage easement between Fords Colony and Windsor Forest -- restricts the use of the property (even with seasonal pest control) by resident.

RESOLUTION ZA-0003-2014

GRANTING A VARIANCE ON JCC RE TAX PARCEL NO. (3231700006)

**WHEREAS**, John Nichols the property owner has appeared before the Board of Zoning Appeals of James City County (the "Board") on September 11, 2014 to request a variance on a parcel of property identified as JCC RE Tax Parcel No. (3231700006) and further identified as 15 Waterford Court (the "Property") as set forth in the application ZA-0003-2014; and

**WHEREAS**, the Board has listened to the arguments presented and has carefully considered all evidence entered into the record and discussed a motion to grant a variance to Section 24-258(b), Yard Requirements, of the Code of James City County to reduce the required rear yard setback from 35 feet to 25 feet from the rear property line to the East adjacent to lot #17. This proposed variance request is to allow the construction of a screened in porch on the back left of the existing dwelling as shown on the attached survey dated by the Planning Division stamp July 29, which is attached hereto, made part hereof and incorporated into this resolution. This property is currently zoned R-2, General Residential and can further be identified as JCC RE Tax Map No. 3231700006.

**NOW THEREFORE**, the Board of Zoning Appeals of James City County by a majority vote of its members **FINDS** that:

1. The strict application of Chapter 24 of the Code of James City County (the "County Code") would produce undue hardship.
2. The hardship is not shared generally by other properties in the same zoning district and the same vicinity.
3. Authorization of the variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.
4. By reason of the exceptional narrowness, shallowness, size or shape of the Property, or where by reason of exceptional topographic conditions or other extraordinary situation or condition of the Property, or of the condition, situation, or development of property immediately adjacent thereto, the strict application of the terms of Chapter 24 of the Code of James City County (the "County Code") would effectively prohibit or unreasonably restrict the utilization of the property.
5. Granting the variance will alleviate a clearly demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant.
6. The variance will be in harmony with the intended spirit and purpose of Chapter 24 of the County Code.
7. The condition or situation of the Property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance.

**WHEREUPON, THE BOARD OF ZONING APPEALS OF JAMES CITY COUNTY ADOPTS THE FOLLOWING RESOLUTION:**

To grant a variance to Section 24-258(b), Yard Requirements, of the Code of James City County to reduce the required rear yard setback from 35 feet to 25 feet from the rear property line to the East adjacent to lot #17. This proposed variance request is to allow the construction of a screened in porch on the back left of the existing dwelling as shown on the attached survey dated by the Planning Division stamp July 29, which is attached hereto, made part hereof and incorporated into this resolution, provided that no further encroachments within the

thirty-five 35 foot rear yard setback shall be permitted. This property is currently zoned R-2, General Residential and can further be identified as JCC RE Tax Map No. 3231700006.

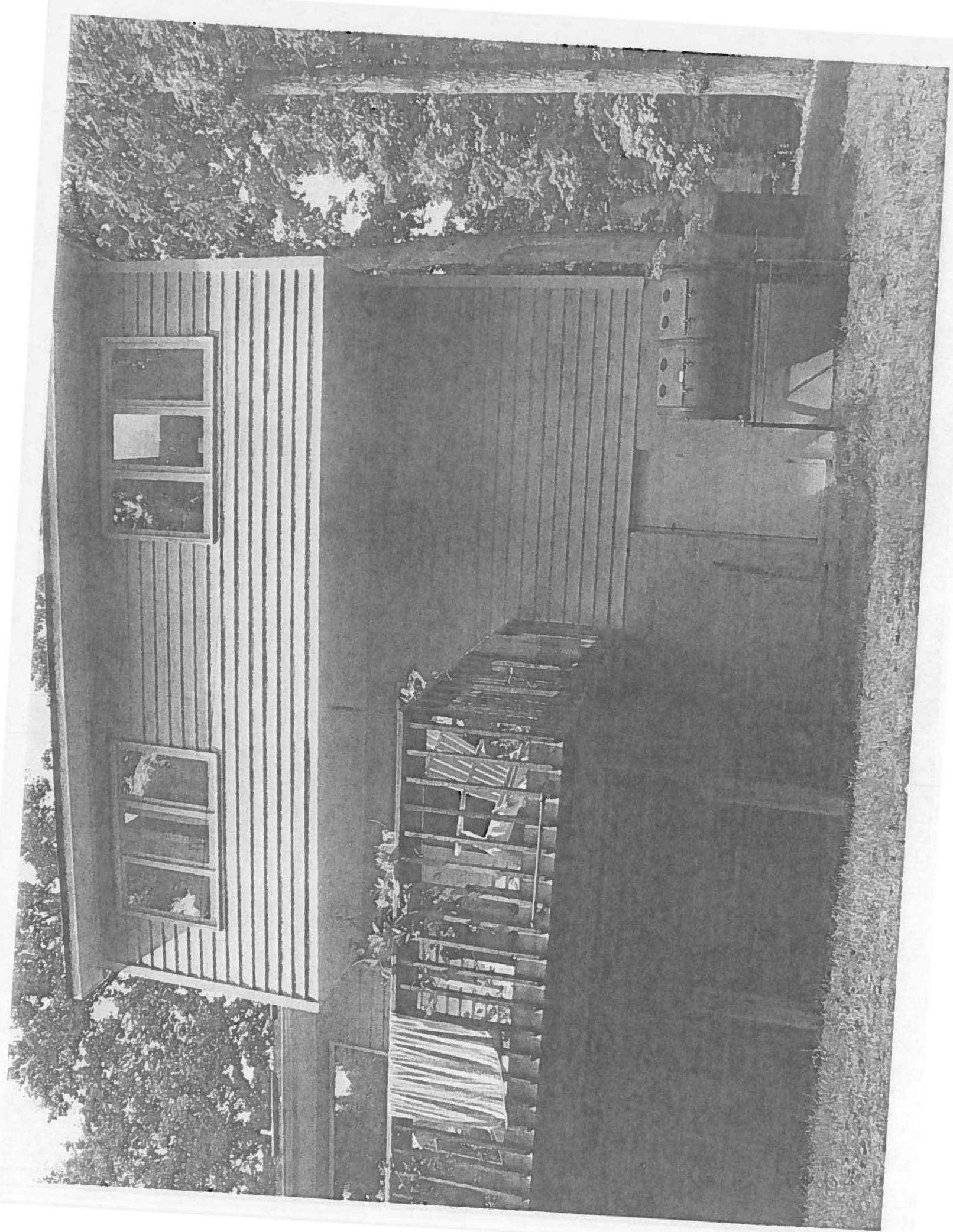
\_\_\_\_\_  
David Otey, Chair, Board of Zoning  
Appeals  
September 11, 2014

ATTEST:

\_\_\_\_\_  
Secretary

File:  
ZA-0003-2014  
3231700006

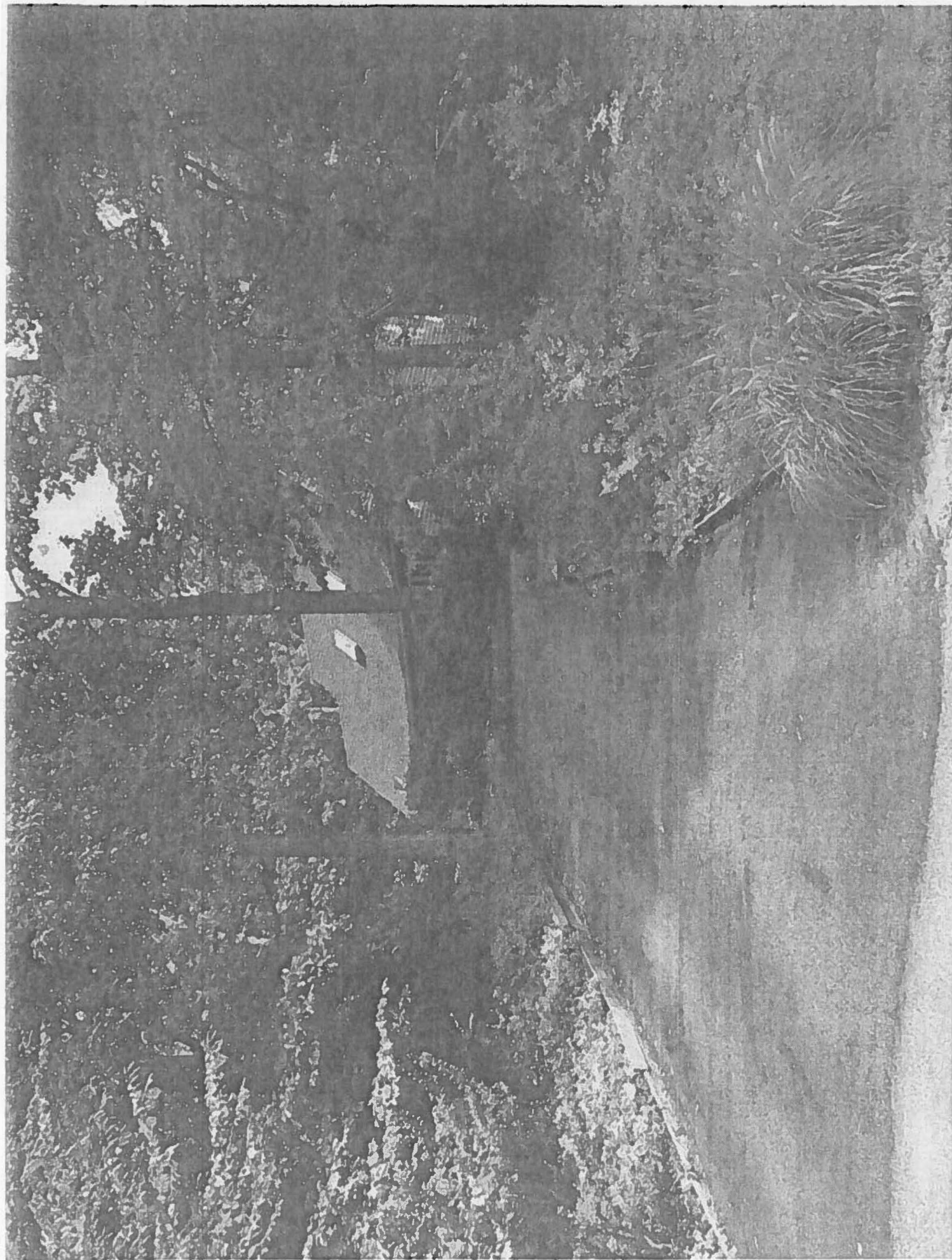
	Votes		
	Aye	Nay	Abstain
Rhodes	—	—	—
Otey	—	—	—
Rodgers	—	—	—
Campana	—	—	—
Geib	—	—	—

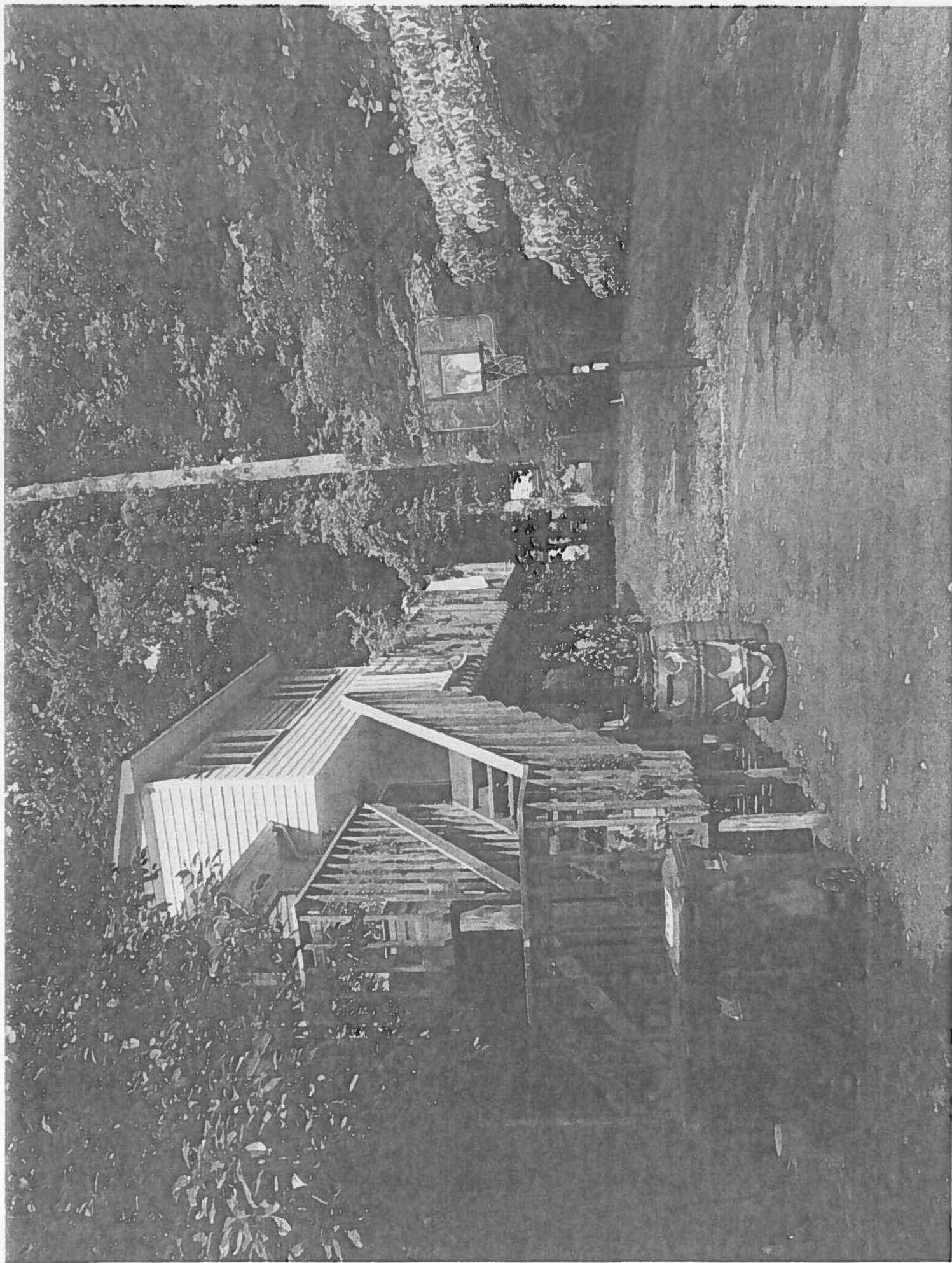




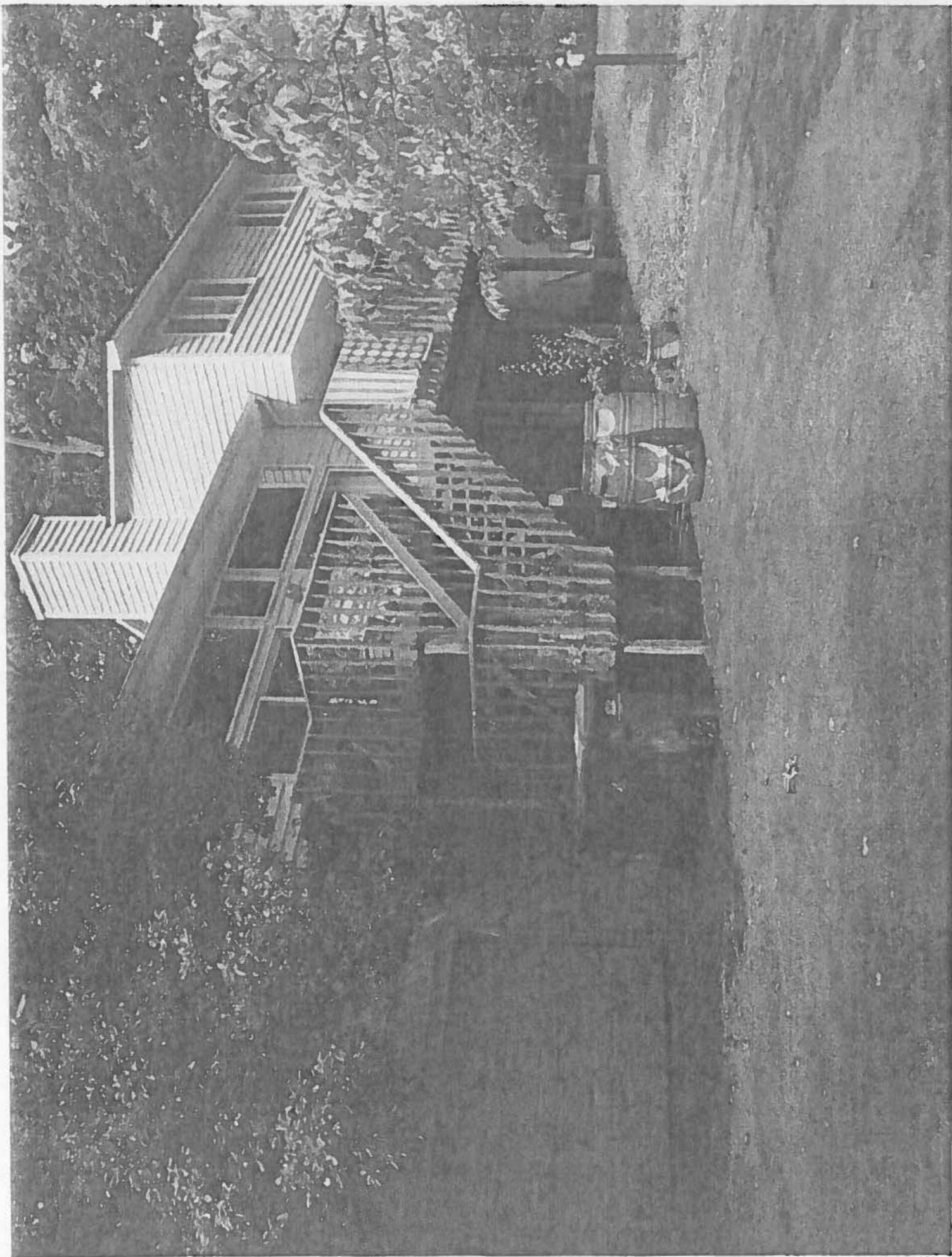














## Board of Zoning Appeals Application

Date: 7/29/14 ZA: 0003-2014 Receipt No.: 6636

Please complete all sections of the application. Call 757-253-6671 if you have any questions, or go online to [jamescitycountyva.gov/zoning/board-zoning-appeals-procedures](http://jamescitycountyva.gov/zoning/board-zoning-appeals-procedures)

Please note that before accepting this application, County staff will verify that all real estate taxes owed for the subject properties have been paid in full in accordance with Section 24-24. If you are unsure if your payments are up-to-date, please contact the County Treasurer at 757-253-6705.

The applicant must provide the following information to support this application:

1. A plat of the property drawn to scale showing dimensions and locations of all structures, wells, septic systems and easements associated with the property.
2. A location sketch of the property showing all adjacent roads or right-of-ways and showing the nearest road intersection.
3. Building elevation drawings and/or topographical map if appropriate to request.

PLANNING DIVISION

JUL 29 2014

RECEIVED

### 1. Project Information

Project Name: Waterford Setback Variance

Address: 15 Waterford Ct. Zoning: R-2

Is site in PSA? Yes ☒ No ☐

Tax map and parcel ID: (32-3)(17-7) lot 6

### 2. Applicant/Contact Information

Name: John Nichols

Company: \_\_\_\_\_ Phone: (757) 259-2032

Address: \_\_\_\_\_ Fax: \_\_\_\_\_

15 Waterford Ct. Williamsburg VA 23188

Email: jnichols@cnu.edu

### 3. Property Owner Information

Name: John Nichols

Company: \_\_\_\_\_ Phone: (757) 259-2032

Address: \_\_\_\_\_ Fax: \_\_\_\_\_

15 Waterford Ct. Williamsburg VA 23188

Email: jnichols@cnu.edu

**4. Variance**

The above applicant respectively requests that the Board of Zoning Appeals grant a variance to Section 24 - 2.58(6) of the Zoning Ordinance.

The specific variance(s) requested are: \_\_\_\_\_

The property owner requests a variance of ten feet to reestablish one of two "rear" setbacks at 25 feet.

Continue on separate page if necessary

The variance is requested for the following reasons: \_\_\_\_\_

Please see attached rationale.

Continue on separate page if necessary

**5. Appeal**

The above applicant respectively requests that the Board of Zoning Appeals review the decision made on \_\_\_\_\_ date.

The following action is requested:

- ☐ an interpretation of Section 24- \_\_\_\_\_ of the Zoning Ordinance  
☐ an interpretation of the Zoning Ordinance map  
☐ an appeal of an administrative decision

Explanation of appeal: \_\_\_\_\_

Has the applicant previously filed an appeal in connection with the property? (If yes, give the date of appeal.) \_\_\_\_\_

Explanation of purpose to which property will be put: \_\_\_\_\_

*The undersigned declares that the above statements and those contained in any exhibits transmitted to the Board of Zoning Appeals are true.*

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Property Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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