

**A G E N D A**  
**JAMES CITY COUNTY BOARD OF ZONING APPEALS**  
**REGULAR MEETING**  
**County Government Center, Building F**  
**April 6, 2017**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. OLD BUSINESS**

**D. NEW BUSINESS**

1. Case No. ZA-0001-2017. Granting a Variance on James City County Real Estate Tax Map Parcel No. 3210700035

**E. MINUTES**

1. January 5, 2017 Minutes

**F. MATTERS OF SPECIAL PRIVILEGE**

**G. ADJOURNMENT**

**ITEM SUMMARY**

DATE: 4/6/2017

TO: The Board of Zoning Appeals

FROM: John Rogerson, Senior Zoning Officer

SUBJECT: Case No. ZA-0001-2017. 106 Southeast Trace - Granting a Variance on James City County Real Estate Tax Map Parcel No. 3210700035

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**ATTACHMENTS:**

	Description	Type
▣	Staff Report	Staff Report
▣	Application	Exhibit
▣	Development Plan, Article A	Exhibit
▣	Proposed Floor Plan, Article B	Exhibit
▣	Responses for Consideration, Article C	Exhibit
▣	Narrative, Article D	Exhibit
▣	Elevations	Exhibit
▣	Plat of the Property	Exhibit
▣	Location Map	Exhibit
▣	Original Subdivision Plat With Inset	Exhibit
▣	Pictures	Exhibit
▣	Resolution	Resolution
▣	Letter from Adjacent Property Owner	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Board of Zoning Appeals	Secretary, BZA	Approved	3/30/2017 - 3:18 PM

## **M E M O R A N D U M**

DATE: April 6, 2017

TO: The Board of Zoning Appeals

FROM: John Rogerson, Senior Zoning Officer

SUBJECT: Case No. ZA-0001-2017. Granting a Variance on James City County Real Estate Tax Map Parcel No. 3210700035

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### **PROJECT DESCRIPTION**

Mr. Simon Davies of David Nice Builders, Inc., on behalf of the property owners, has applied for a variance to Section 24-258(b), Yard Requirements, to reduce the rear yard setback from 35 feet to 30 feet to allow for the expansion of the existing kitchen and dining area. This property is currently zoned R-2, General Residential and can further be identified as James City County Real Estate Tax Map Parcel No. 3210700035.

### **PARCEL HISTORY AND ORDINANCE INFORMATION**

The home located at 106 Southeast Trace in the Seasons Trace neighborhood off Longhill Road was constructed in 1986 and the current lot size is 0.252 acres. At the time the home was constructed, the property was zoned R-3, General Residential. The R-3, General Residential setbacks at that time were 35 feet from a street right-of-way 50 feet or greater, 25 feet from the rear property line, minimum side yard of 10 feet and minimum total width of the two required side yards of 25 feet. These distances are reflected on the original subdivision plat, which is attached with this memorandum. The property was rezoned to R-2, General Residential in 1992, which changed the minimum setback requirements. The current R-2, General Residential setbacks are 25 feet from a street right-of-way 50 feet or greater, 35 feet from the rear property line and 10 feet from side property lines.

Mr. and Mrs. Jenkins, property owners, purchased the home in 1987, and at the time the home met all required setbacks for the R-3, General Residential Zoning District. When the R-3, General Residential properties were rezoned to R-2, General Residential and the setbacks were changed, the home still met the new setback requirements.

### **VARIANCE CRITERIA**

In order to have a variance granted, the applicant must prove by a preponderance of the evidence that the standard for a variance as defined in Virginia Code § 15.2-2201 has been met (that the strict application of the ordinance would unreasonably restrict the utilization of the property, the need for a variance is not shared generally by other properties, the variance is not contrary to the purpose of the ordinance and the variance does not result in a change of use), and that the following criteria are satisfied:

1. The strict application of Chapter 24 of the Code of James City County would unreasonably restrict the utilization of the property; or
2. The granting of a variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance; and
  - a. The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;

- b. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
- c. The condition or situation of the property concerned 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;
- d. The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and
- e. The relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to Subdivision 6 of § 15.2-2309 or the process for modification of a Zoning Ordinance pursuant to Subdivision A4 of § 15.2-2286 at the time of the filing of the variance application.

The applicant provided a narrative and other information explaining their case for meeting the requirements for granting a variance and those documents have been included in your packet as Articles A, B, C and D.

Finally, the applicant stated that granting the variance does not appear to be a detriment to the surrounding area.

In this case, staff believes the strict application of the terms of the Zoning Ordinance would not unreasonably restrict the utilization of the property, as the property has been put to use by the existence of a single-family residence. Furthermore, the desire to expand the kitchen on the rear of the house and encroach into the rear setback is a hardship created by the applicant.

## **RECOMMENDATION**

The strict application of the terms of the Zoning Ordinance does not unreasonably restrict the utilization of the property. The property has been put to use by the existence of a single-family dwelling. Therefore, staff cannot support this application and recommends denial.

JR/gt  
ZA1-17-SE-Tr-mem

### Attachments:

1. Application
2. Development Plan, Article A
3. Proposed Floor Plan, Article B
4. Responses for Consideration, Article C
5. Narrative, Article D
6. Elevations
7. Plat of the Property
8. Location Map
9. Original Subdivision Plat With Inset
10. Pictures
11. Resolution
12. Letter from Adjacent Property Owner



## Board of Zoning Appeals Application

Date: 3/6/17

ZA: 0001-2017

Receipt No.: 6897

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.

### 1. Project Information

Project Name: 106 Southeast Trace

Address: 106 Southeast Trace, Williamsburg, VA. 23188

Zoning: R-2

35

Is site in PSA? Yes ☐ No ☐

Tax map and parcel ID: 3210700036

### 2. Applicant/Contact Information

Name: Simon R. Davies

Company: David A. Nice Builders, Inc.

Phone: 757-566-3032

Address: 4571 Ware Creek Road, Williamsburg, VA. 23188

Fax: 757-566-4686

Email: sdavies@davidnicebuilders.com

### 3. Property Owner Information

Name: William & Jeanne Jenkins

Company: \_\_\_\_\_

Phone: 757-291-5796

Address: 106 Southeast Trace, Williamsburg, VA. 23188

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

Email: \_\_\_\_\_

PLANNING DIVISION

MAR 06 2017

RECEIVED

**4. Variance**

The above applicant respectively requests that the Board of Zoning Appeals grant a variance to Section 24 - ~~644~~ 258B of the Zoning Ordinance.

The specific variance(s) requested are: ~~644~~

Extending 93sf beyond back set lines - See Article A & Article B for response

Continue on separate page if necessary

The variance is requested for the following reasons:

See Article C and Article D for response

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: 3/2/2017

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

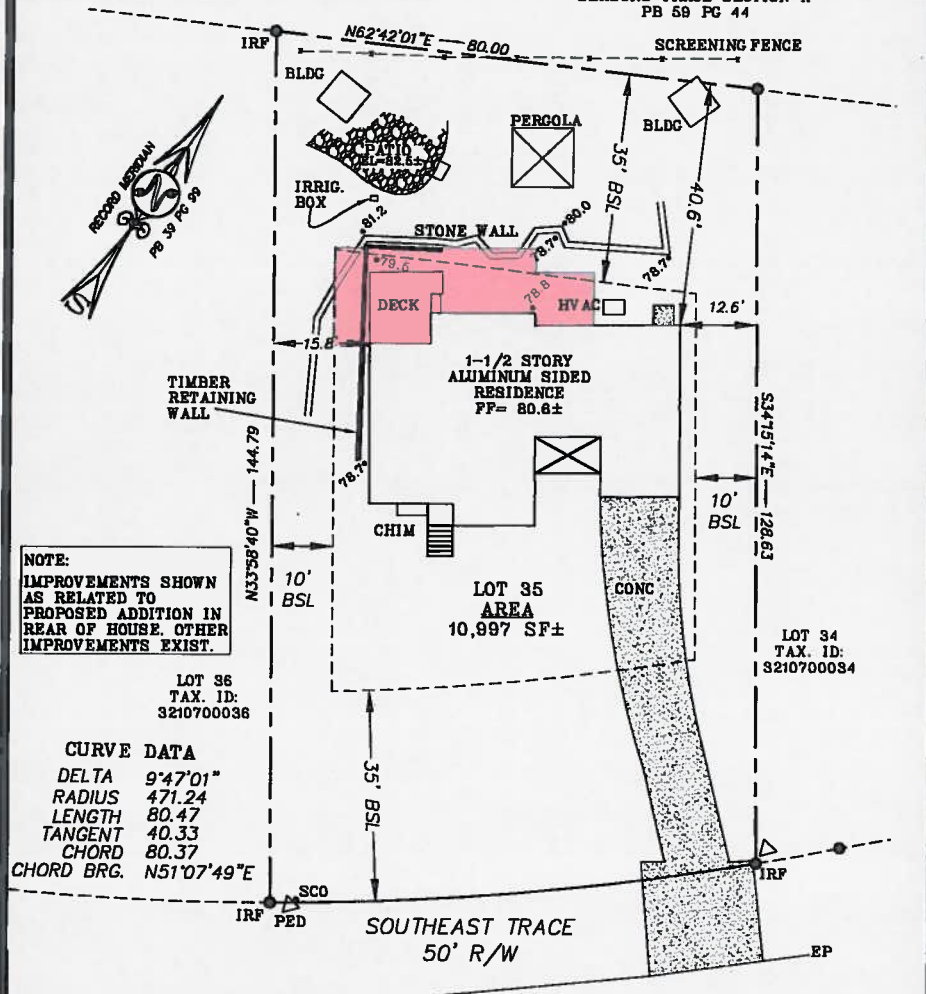
Date: 3/2/17

BZA\_APP

Rev 04\_12

THIS PROPERTY APPEARS TO LIE WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. PER F.I.R.M. #51095C0109D DATED 12/16/2015.

N/F  
SEASONS TRACE SECTION X  
PB 58 PG 44



ST. ADDRESS: 106 SOUTHEAST TRACE  
TAX ID: 3210700038 35  
ZONE: R2-GENERAL RESIDENTIAL

PLAT SHOWING IMPROVEMENTS  
LOT 35 SECTION 8B, SEASONS TRACE  
OWNED BY:  
WILLIAM L. & NINA J. JENKINS

POWHTAN DISTRICT

JAMES CITY COUNTY

VIRGINIA

SCALE: 1"= 20'

DATE: 02/15/2017

JOB NO: J323-6

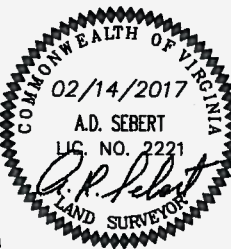
REFERENCES:

INST. NO: 04002792

PB 39 PG 99

SEBERT  
SURVEYING  
& LAYOUT, LLC

179 BARLOW ROAD  
WILLIAMSBURG, VA 23188  
PHONE/ FAX: (757) 345-0991  
CELL: (757) 784-2413

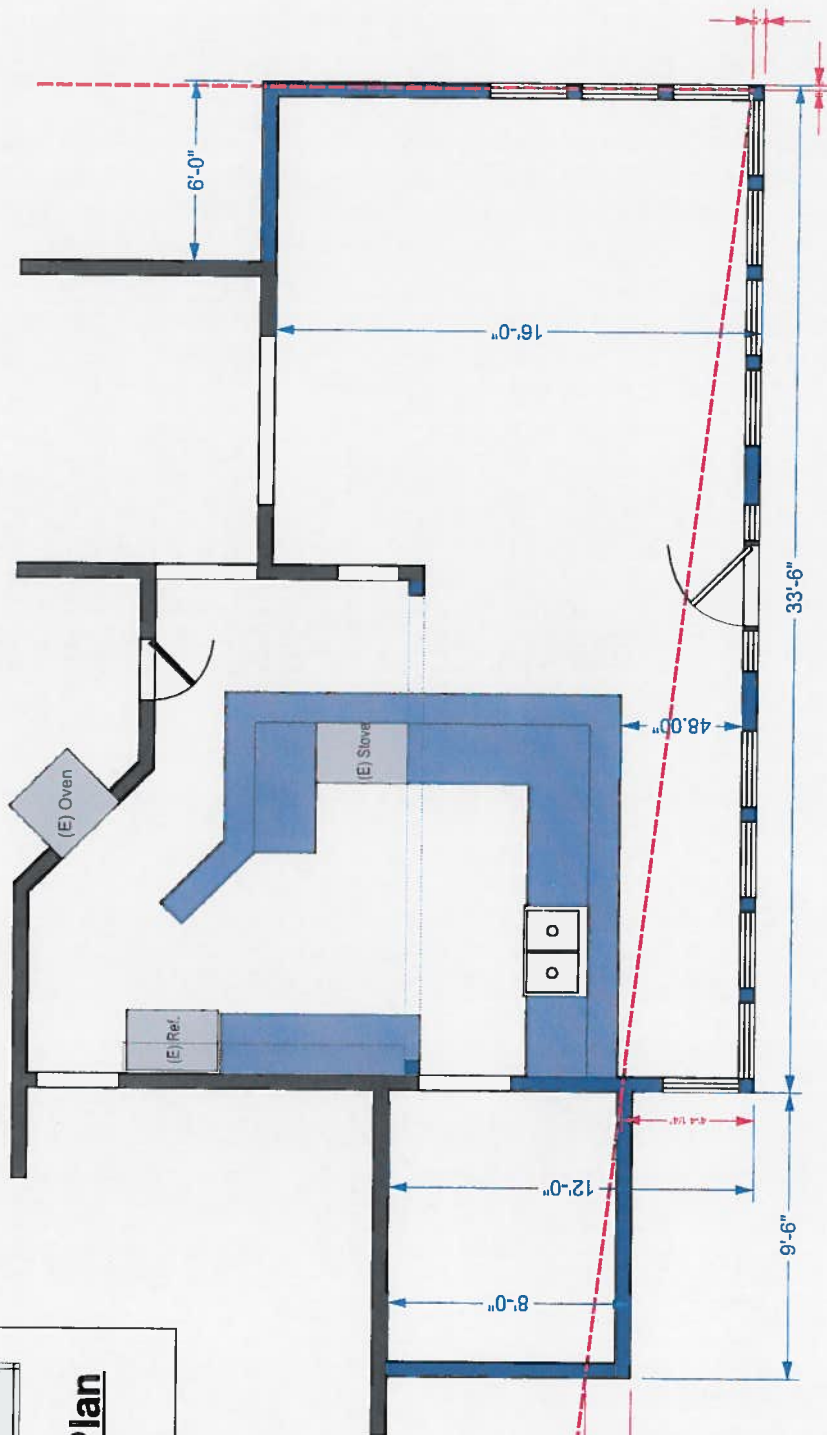
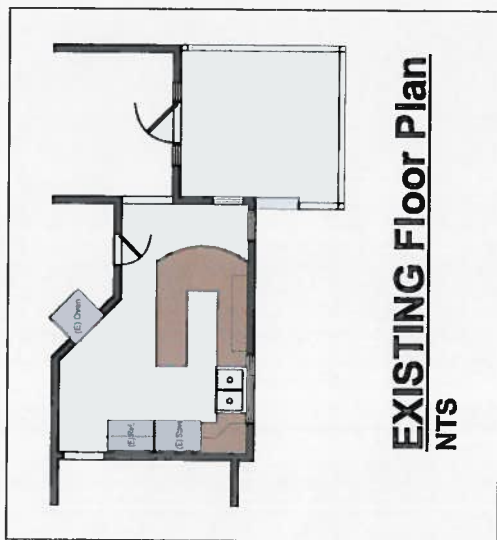


LEGEND

NS NAIL SET  
IRF IRON ROD FOUND  
IRS IRON ROD SET  
IPF IRON PIPE FOUND  
CATV CABLE TELEVISION  
PED PEDESTAL  
SCO SANITARY CLEANOUT  
EP EDGE PAVEMENT  
R/W RIGHT OF WAY  
BSL BUILDING SETBACK LINE

THIS PLAT IS BASED UPON A CURRENT FIELD SURVEY. PROPERTY LINES AS SHOWN AND LOCATION OF IMPROVEMENTS ARE BASED UPON FOUND MONUMENTS AS NOTED. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A CURRENT TITLE REPORT. EASEMENTS ARE SHOWN PER RECORD INFORMATION. OTHER EASEMENTS AND/OR ENCUMBRANCES MAY EXIST.

1321-J JENKINS.DWG 2/15/2017 12:26:25 PM EST



93 SF beyond  
Back Set Lines

**PROPOSED Floor Plan**  
1/4" = 1' - 0"

**Five standards of state code variances with responses for consideration**

- (i) The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the Variance.

This application is being submitted in good faith and should not create any hardship for the applicant or any adjacent property owners.

- (ii) The Granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area

The addition to the property should have no effect on any adjacent properties or geographical areas. There is a well-established wooded area directly behind the house and in-between any adjacent properties. The addition will be finished to match the existing exterior finish and should be unnoticeable

- (iii) The condition or situation of the property concerned 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

Due to how close the house is to the rear set back line due to the sloping nature of the property, this request should be specific to this property and not a general recurrence.

- (iv) The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property

This variance change request is not looking to change the classification of the property. It is to remain residential.

- (v) The relief or remedy sought by the variance application is not the ordinance pursuant to subdivision 6 of 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A4 of 15.2-2286 at the time of the filing of the variance application.

This does NOT apply to this Variance Application.



**DAVID A. NICE**  
**Builders, Inc.**

**ARTICLE D**

4571 Ware Creek Road  
Williamsburg  
Virginia 23188

James City County  
Zoning Enforcement Division  
101-A Mounts Bay Road  
P.O. Box 8784  
Williamsburg, VA. 23185  
757-253-6671

Telephone: (757) 566-3032  
Fax: (757) 566-4686

03/01/2017

RE: Variance request – 106 Southeast Trace

To whom it may concern,

106 Southeast Trace, when originally constructed and placed on the lot, was set significantly to the rear of the front setback line. This was probably done due to the steep slope of the site. This decision of course, limits their rear yard area.

The requested addition to the rear of the existing structure allows the owners beneficial use of their property for three new grandchildren. The rear yard has a row of established trees that act as a buffer to the homes to the rear of this property.

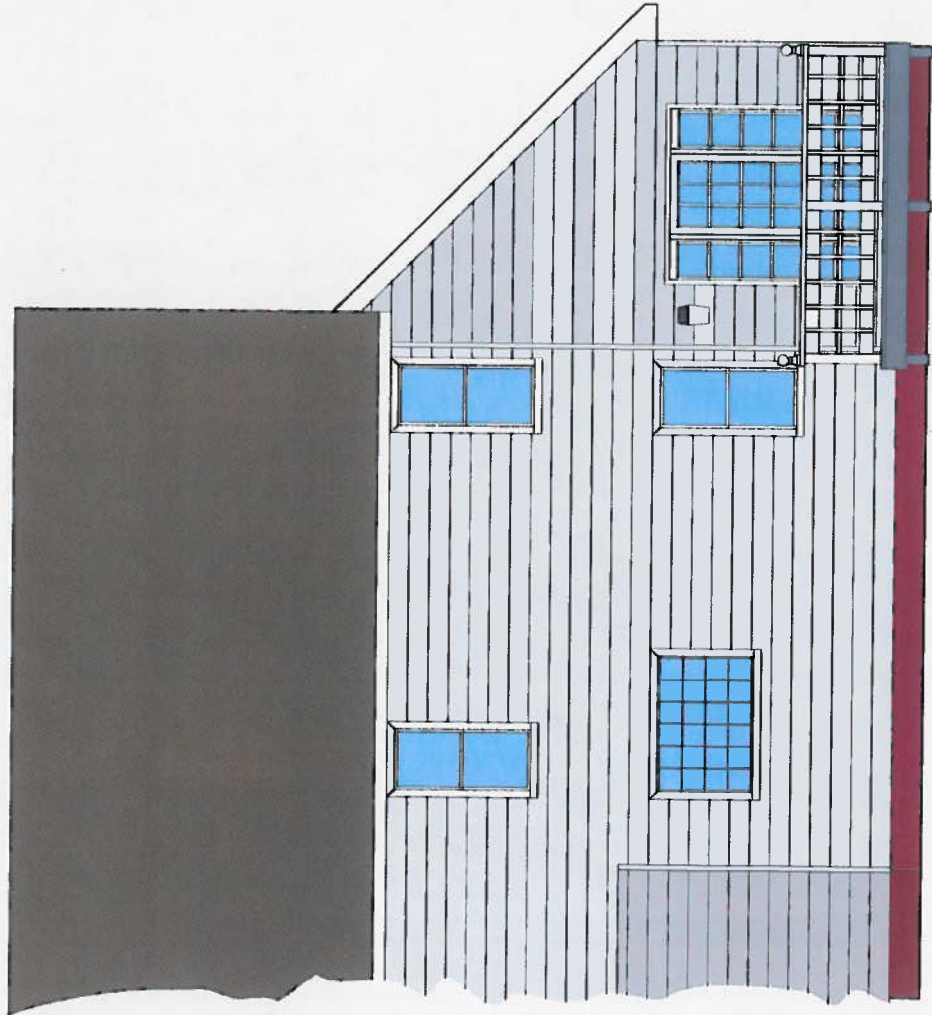
Setting the Addition back 52" to the existing back set line would not allow the kitchen to be expanded, and as you can see by the original floor plan, the space is very small and tight to work in.

The owners are longtime residents of Seasons Trace who love their home. They keep their yard in excellent condition and respect the property and community in which they live. As mentioned above, this addition will allow greater space to enjoy and entertain their young grandchildren as well as regularly cooking and entertaining for family. They have out grown the current space and the addition will allow the owners to revive this property and not leave the neighborhood.

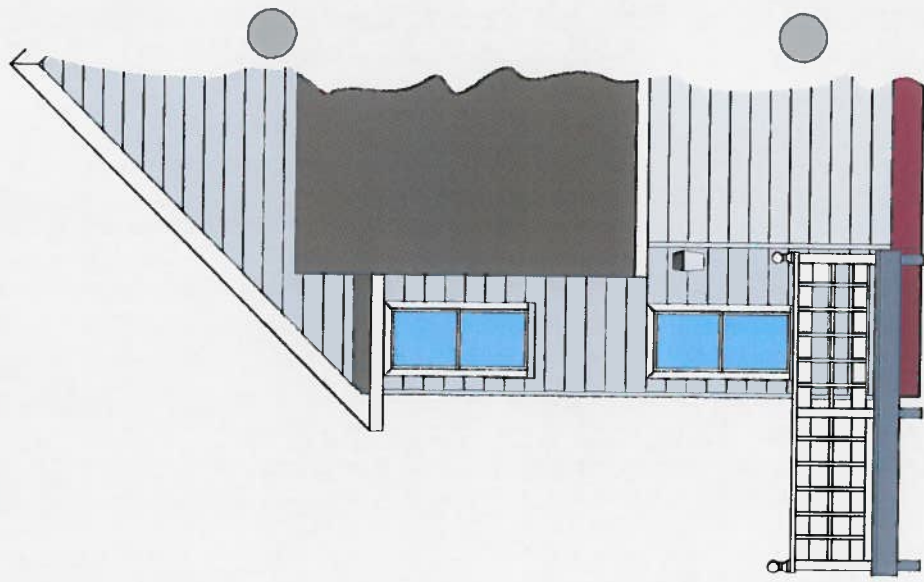
We certainly would appreciate your consideration of granting a variance in this case to allow the owners a much better enjoyment of their property.

Sincerely

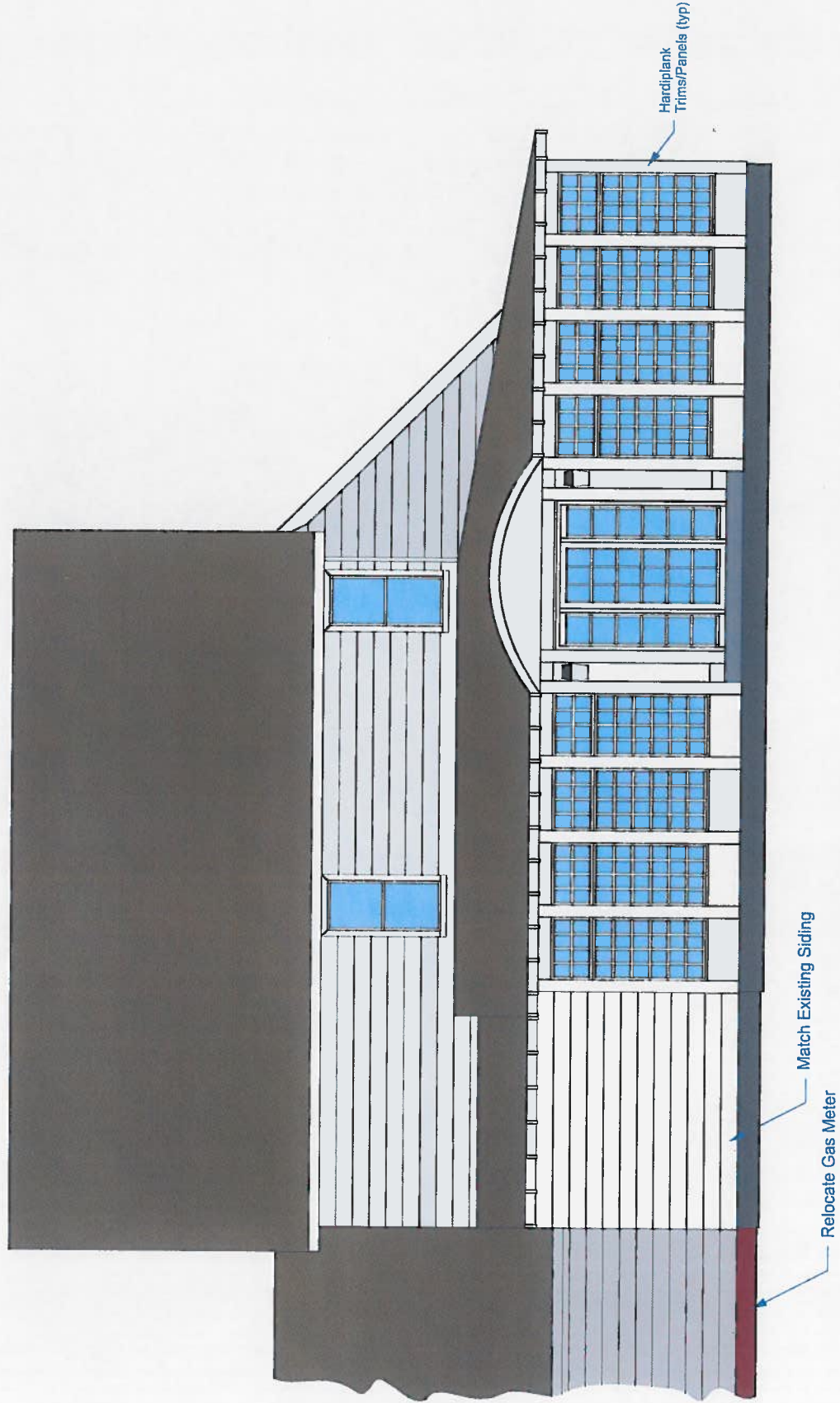
David A. Nice  
President  
David A. Nice Builders, Inc.



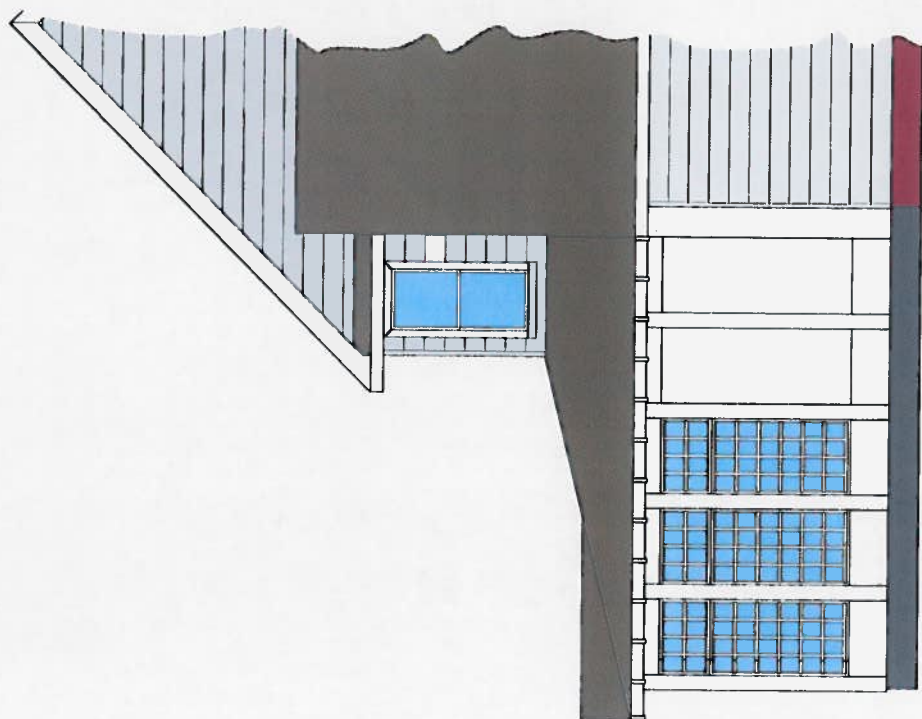
**EXISTING Rear Elevation**



**EXISTING Side Elevation**



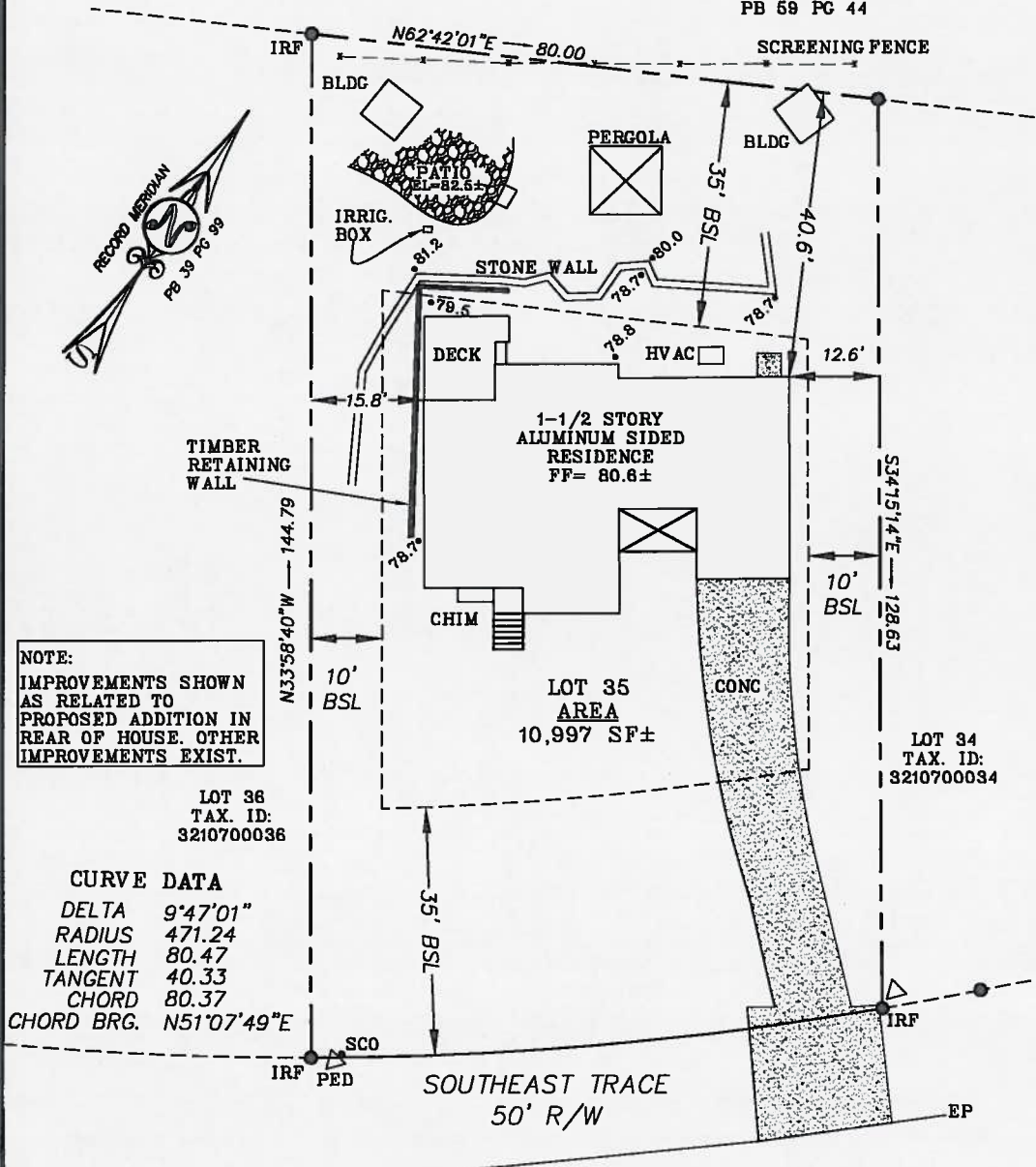
## PROPOSED Rear Elevation



**PROPOSED Side Elevation**

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N/F  
SEASONS TRACE SECTION X  
PB 59 PG 44



ST. ADDRESS: 106 SOUTHEAST TRACE  
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ZONE: R2-GENERAL RESIDENTIAL

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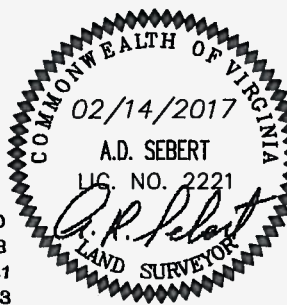
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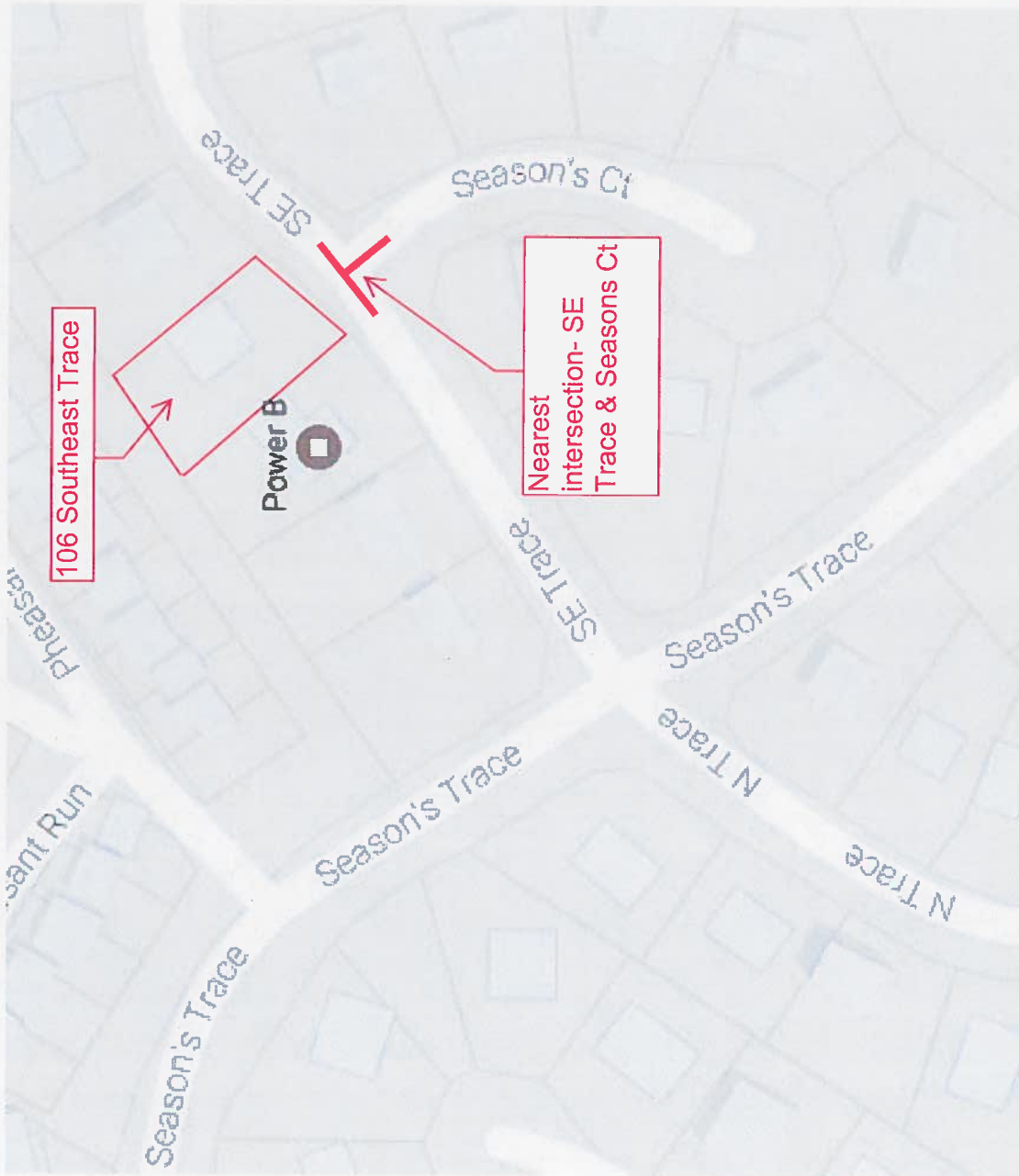
LEGEND

NS NAIL SET  
IRF IRON ROD FOUND  
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IPF IRON PIPE FOUND  
CATV CABLE TELEVISION  
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J321-3 JENKINS.DWG 2/15/2017 12:26:25 PM EST

Location sketch of property showing all adjacent roads and nearest intersection

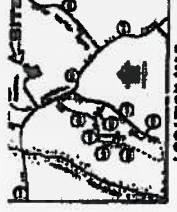


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**CHIEF'S CORNER A DEDICATION**  
THIS DEDICATION IS WITH FREE CONSENT AND IN  
WITNESS WHEREOF, THE SIGNATURES OF THE  
INTERESTED PARTIES AND NOTARIES OF THE  
COUNTY OF JAMES CITY, VIRGINIA, HAVE BEEN  
SIGNED AND SEALS HEREON AFFIXED IN THE CITY AND STATE  
OF VIRGINIA, THIS 23rd DAY OF SEPTEMBER, 1984.

BY James E. Smith  
NOTARY PUBLIC  
STATE OF VIRGINIA

STATE OF VIRGINIA  
COUNTY OF JAMES CITY  
I, James E. Smith, a Notary Public in and for the State of Virginia, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in my records and files.

WITNESSED BY ME AND TWO OTHER  
NOTARIES PUBLIC IN AND FOR THE STATE OF VIRGINIA,  
THIS 23rd DAY OF SEPTEMBER, 1984.

MY COMMISSION EXPIRES January 1, 1985  
STATE OF VIRGINIA, COUNTY OF JAMES CITY  
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT FOR  
THE COUNTY OF JAMES CITY, VIRGINIA, THIS 23rd DAY  
OF SEPTEMBER, 1984, I HAVE FILED FOR RECORD THE  
FOLLOWING INSTRUMENT.

CLERK William S. Ward - CLERK  
PLAT BOOK 34 PAGE 39

REQUIREMENT OF MATERIAL  
THE SUBDIVISION KNOWN AS  
SEASON'S TRACE DEVELOPMENT, INC. IS IN ACCORDANCE  
WITH EXISTING SUBDIVISION REGULATIONS AND MAY  
BE COMMITTED TO RECORD.

DATE: 23rd day of September, 1984  
WITNESSED BY ME AND TWO OTHER  
NOTARIES PUBLIC IN AND FOR THE STATE OF VIRGINIA,  
THIS 23rd DAY OF SEPTEMBER, 1984.

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE  
AND BELIEF, ALL OF THE REQUIREMENTS OF THE SEASON'S  
TRACE DEVELOPMENT, INC. HAVE BEEN COMPLIED WITH.  
GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 23rd DAY OF SEPTEMBER, 1984.

BY James E. Smith  
NOTARY PUBLIC

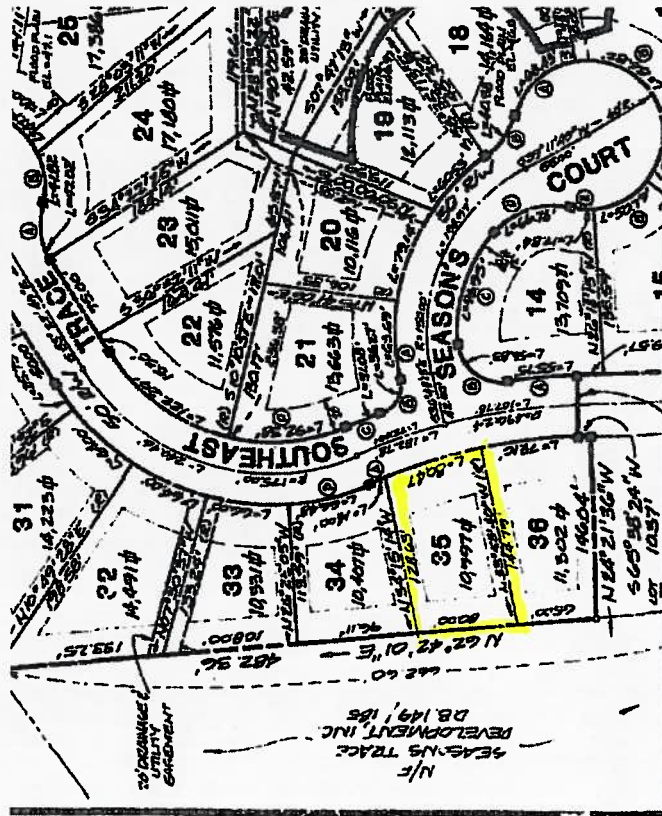
**SEASON'S TRACE**  
SECTION VII-B  
OWNER / DEVELOPER:  
SEASON'S TRACE DEVELOPMENT, INC.

**AES**, a professional corporation  
1781 Jamestown Road, Williamsburg, Va. 23186  
804-283-0040



PLAT	BOOK	PAGE
34	39	

Inset from subdivision plat



# **BUILDING RESTRICTIONS**

PROPERTY IS ZONED RESIDENTIAL, GENERAL DISTRICT 2-3.

LOTS ARE SERVED BY PUBLIC WATER AND SEWER.

MINIMUM LOT SIZE ALLOWABLE = 10,000 SF  
0.25% AC.

## **SETRBACK REQUIREMENTS:**

FRONT: 35' MINIMUM, EXCEPT AS NOTED

REAR: 25' MINIMUM

EACH SIDE: 10' MINIMUM, 35' TOTAL

NOTE: 10' SIDE SETBACKS SHOWN  
FRONTAGE: MINIMUM WIDTH AT SETBACK =  
= 75' FOR LOT SIZES LESS THAN  
20,000 SF





## **RESOLUTION**

### **CASE NO. ZA-0001-2017. GRANTING A VARIANCE ON JAMES CITY COUNTY**

#### **REAL ESTATE TAX MAP PARCEL NO. 3210700035.**

WHEREAS, Simon Davies of David Nice Builders, Inc., on behalf of the property owners, has appeared before the Board of Zoning Appeals of James City County (the "Board") on April 6, 2017 to request a variance on a parcel of property identified as James City County Real Estate Tax Map Parcel No. 3210700035 and further identified as 106 Southeast Trace (the "Property") as set forth in the application ZA-0001-2017; 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 30 feet from the rear property line. This proposed variance request is to allow for the expansion of the existing kitchen and dining area as shown on the attached development plan identified as Article A in the memorandum, which plan 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 James City County Real Estate Tax Map Parcel No. 3210700035.

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

1. The strict application of Chapter 24 of the Code of James City County would unreasonably restrict the utilization of the Property; or
2. The granting of a variance would alleviate a hardship due to a physical condition relating to the Property or improvements thereon at the time of the effective date of the ordinance; and
  - a. The Property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
  - b. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
  - c. The condition or situation of the Property concerned 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;
  - d. The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the Property; and

- e. The relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to Subdivision 6 of § 15.2-2309 or the process for modification of a Zoning Ordinance pursuant to Subdivision A4 of § 15.2-2286 at the time of the filing of the variance application.

WHEREUPON, the Board of Zoning Appeals of James City County, Virginia 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 30 feet from the rear property line. This proposed variance request is to allow for the expansion of the existing kitchen and dining area as shown on the attached Development Plan identified as Article A in the memorandum, which plan is attached hereto, made part hereof and incorporated into this resolution, provided that no further encroachments within the 35-foot rear yard setback shall be permitted. This Property is currently zoned R-2, General Residential and can further be identified as James City County Real Estate Tax Map Parcel No. 3210700035.

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Ronald Campana, Jr.  
Chair

ATTEST:

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Christy Parrish  
Secretary to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
RODGERS	_____	_____	_____
OTEY	_____	_____	_____
RHODES	_____	_____	_____
GEIB	_____	_____	_____
CAMPANA	_____	_____	_____

Adopted by the Board of Zoning Appeals of James City County, Virginia, this 6th day of April, 2017.

ZA-1-17SE-Tr-res

## John Rogerson

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**From:** Beth Klapper  
**Sent:** Monday, March 20, 2017 1:57 PM  
**To:** 'Terry Faber'  
**Cc:** John Rogerson  
**Subject:** RE: Case ZA-0001-2017, 106 Southeast Trace

Mr. Faber,  
I received the message and am forwarding it to John Rogerson by copy of this email.

Best regards,

Beth Klapper  
Community Development Assistant



101-A Mounts Bay Road  
Williamsburg, VA 23185  
P: 757-253-6671  
[jamescitycountyva.gov](http://jamescitycountyva.gov)

-----Original Message-----

**From:** Terry Faber [mailto:fourcatz@hotmail.com]  
**Sent:** Monday, March 20, 2017 12:56 PM  
**To:** Planning  
**Subject:** Case ZA-0001-2017, 106 Southeast Trace

Historically, whenever our neighbors at 106 Southeast Trace have had guests, including contractors, their vehicles were parked on the soft shoulder (i.e., "verge") of Southeast Trace, adjoining my property, 2 Seasons Court. The deep ruts created in the verge when this happens, constitute an intolerable, ugly nuisance, which I could repair when I was younger, but now, being partially disabled, cannot, and must pay others to mitigate the damage.

The first time this nuisance occurred, many years ago, when their contractors parked vehicles on "my" verge, I advised Mrs. Jenkins of the harm this would cause, and suggested a remedy. Instead of accommodation, I received an indignant lecture on why her guests and workers were entitled to park on the verge, essentially because it was public property. Nevertheless, in this subdivision, each property owner is responsible for maintaining adjacent verges.

The work described in the zoning variance would require many workers, and their several vehicles. The purpose of the variance is to expand their dining area so that they can have bigger parties with more guests. This would effectively exacerbate the existing nuisance and damage created by their guests' vehicles.

Not once have the Jenkins repaired the damage to the verge caused by their guests. In fact, they don't even use the verge in front of their property for their guest parking. It is for this reason that I request JCC deny this zoning variance.

Terry D. Faber ☺☺☺  
2 Seasons Ct.

Terry D. Faber ☺☺☺

**ITEM SUMMARY**

DATE: 4/6/2017

TO: Board of Zoning Appeals

FROM: Christy H. Parrish, Zoning Administrator

SUBJECT: January 5, 2017 Minutes

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**ATTACHMENTS:**

	Description	Type
▣	January 5, 2017 Minutes	Cover Memo

**REVIEWERS:**

Department	Reviewer	Action	Date
Board of Zoning Appeals	Secretary, BZA	Approved	3/14/2017 - 5:02 PM

**MINUTES**  
**JAMES CITY COUNTY BOARD OF ZONING APPEALS**  
**REGULAR MEETING**  
**County Government Center, Building A**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**January 5, 2017**  
**7:00 PM**

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**A. CALL TO ORDER**

Mr. Ron Campana, Jr. called the meeting to order at 7:00 p.m.

**B. ROLL CALL**

Ms. Christy Parrish called the roll:

Present:

Mr. Ron Campana, Jr.

Mr. William Geib

Mr. David Otey, Jr.

Absent:

Mr. Stephen Rodgers

Mr. Marvin Rhodes

Staff Present:

Ms. Christy Parrish, Zoning Administrator

**C. OLD BUSINESS**

No old business.

**D. NEW BUSINESS**

1. Board of Zoning Appeals 2017 Meeting Schedule

Mr. Campana asked if anyone had any comments or concerns with the proposed meeting schedule.

Ms. Parrish noted that the Board of Supervisors recently amended its regular meeting start time from 7:00 p.m. to 5:00 p.m.

After discussion, Mr. Otey motioned to adopt the meeting schedule and amend the meetings start time to 5:00 p.m. Mr. Geib seconded the motion. A voice vote was taken.

A motion to Approve was made by David Otey Jr., the motion result was Passed.

AYES: 3 NAYS: 0 ABSTAIN: 0 ABSENT: 2

Ayes: Campana Jr., Geib, Otey Jr.

Absent: Rhodes, Rodgers

## **E. MINUTES**

### **1. January 7, 2016 Minutes**

Ms. Parrish asked if anyone had any comments or corrections to the January 7, 2016 minutes.

After hearing none, Mr. Campana motioned to approve the minutes as presented. A voice vote was taken.

A motion to Approve was made by Ronald Campana Jr., the motion result was Passed.  
AYES: 3 NAYS: 0 ABSTAIN: 0 ABSENT: 2  
Ayes: Campana Jr., Geib, Otey Jr.

Absent: Rhodes, Rodgers

## **F. MATTERS OF SPECIAL PRIVILEGE**

### **1. Election of Officers for 2017**

Mr. Otey nominated Mr. Campana for Chairman and Mr. Geib for Vice-Chairman for 2017 with a second by Mr. Geib. A voice vote was taken.

A motion to Approve was made by David Otey Jr., the motion result was Passed.  
AYES: 3 NAYS: 0 ABSTAIN: 0 ABSENT: 2  
Ayes: Campana Jr., Geib, Otey Jr.

Absent: Rhodes, Rodgers

## **G. ADJOURNMENT**

Prior to adjournment, Mr. Geib question if staff knew why there were no variance requests or appeals in 2016. He stated he was concerned that the process and fee may be viewed as too onerous or expensive.

Ms. Parrish commented that it is really unknown why there have been no cases in 2016. She further stated that she would like to think it was a reflection of the flexibility in the current zoning ordinance. She also complimented staff who work diligently with citizens to find solutions within the parameters of the ordinance.

There being no further business Mr. Campana adjourned the meeting at 7:20 p.m.

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Ron Campana, Jr.  
Chairman

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Christy H. Parrish  
Secretary