AGENDA

JAMES CITY COUNTY BOARD OF ZONING APPEALS

REGULAR MEETING

COUNTY GOVERNMENT CENTER BOARD ROOM

101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

October 5, 2023

5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. OLD BUSINESS

1. Case No. BZA-23-0003. 8224 Bridlington Way

D. NEW BUSINESS

E. MINUTES

1. September 7, 2023 Meeting Minutes

F. MATTERS OF SPECIAL PRIVILEGE

G. ADJOURNMENT

M E M O R A N D U M

DATE: October 5, 2023

TO: The Board of Zoning Appeals

FROM: John Rogerson, Senior Zoning Officer

SUBJECT: Case No. BZA-23-0003. 8224 Bridlington Way

At the September 7, 2023, meeting, the applicant requested the Board of Zoning Appeals defer action until the next meeting when the full Board was present. No changes to the request have been made.

Project Description

Mr. Jordan Bond, property owner, has applied for a variance to Section 24-238(b), Yard requirements of the James City County Zoning Ordinance. The variance request is to reduce the required rear setback from 35 feet to 26 feet to allow for the construction of a deck on the rear of the dwelling at 8224 Bridlington Way. The property is currently located in the R-1, Limited Residential Zoning District and can be further identified as James City County Real Estate Tax Map Parcel No. 1331300025.

Parcel History and Ordinance Information

The property is located at 8224 Bridlington Way in the Windsor Ridge Subdivision. The parcel is 0.322 acres in size and contains an existing one-story single-family dwelling approximately 1,404 square feet in size. The dwelling was constructed in 2017 and the applicant is the original owner.

The property owner is requesting the proposed variance to construct the deck to utilize the rear yard of the property. The rear access to the house consists of a sliding glass door; steps to access this entry were constructed by the owner after purchasing the property. The proposed deck is 160 square feet in size with dimensions of 10 feet x16 feet with steps located on the rear of the dwelling as shown on Attachment No. 2.

Section 24-238(b), Yard requirements, requires the main structure have a minimum rear yard of 35 feet. This lot is not considered a corner lot since there is a strip of common area between the lot and side street. The Zoning Ordinance permits steps to encroach into the rear setback to permit access to the rear of the house.

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 (the "County Code") 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 or alleviate a

hardship by granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability; 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 has provided a narrative and other information explaining his case for meeting the requirement for granting a variance (Attachment No. 4).

Recommendation

Staff recognizes that the existing dwelling was constructed within two feet of the rear setback line. However, staff is unable to support the variance request since the property has been put to use by the construction of a single-family dwelling. Staff does not believe the strict application of the setbacks unreasonably restricts the utilization of the property.

Alternatively, the owner is permitted to have a minimum size landing with steps which comply with the Virginia Uniform Statewide Building Code to allow the owner access to the rear yard. In addition, a concrete or paver patio that is flush with the ground does not constitute a structure and would be permitted in the setback. The alternative would allow an outdoor space without the need for a variance.

Staff recommends denial of the proposed variance.

JR/md
BZA23-3_8224BridWyrev-mem

Attachments:
1. Resolution
2. Proposed Site Plan
3. Physical Survey
4. Variance Request Submitted by Applicant
5. Location Map
6. Pictures Provided by the Applicant

R E S O L U T I O N

CASE NO. BZA-23-0003. GRANTING A VARIANCE ON JAMES CITY COUNTY

REAL ESTATE TAX MAP PARCEL NO. 1331300025

WHEREAS, Mr. Jordan Bond, property owner, has appeared before the Board of Zoning Appeals of James City County (the "Board") on October 5, 2023, to request a variance on a parcel of property identified as James City County Real Estate Tax Map Parcel No. 1331300025 and further identified as 8224 Bridlington Way (the "Property") as set forth in the application BZA-23-0003; 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 24-238(b), Yard Requirements, to reduce the minimum rear yard setback from 35 feet to 26 feet to allow for the construction of 10-foot x 16-foot deck with stairs, as shown on the attached Site Plan identified as Attachment No. 2 in the memorandum which is attached hereto, made part hereof, and incorporated into this resolution. This property is currently zoned R-1, Limited Residential, and can further be identified as James City County Real Estate Tax Map Parcel No. 1331300025.

NOW, THEREFORE, BE IT RESOLVED that 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 or alleviate a hardship by granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability; 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; and

    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; and

    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; and

    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 24-238(b), Yard Requirements, to reduce the minimum rear yard setback from 35 feet to 26 feet to allow for the construction of a 10-foot x 16-foot deck with stairs, as shown on the attached Site Plan and identified as Attachment No. 2 in the memorandum which is attached hereto, made part hereof, and incorporated into this resolution. This property is currently zoned R-1, Limited Residential, and can further be identified as James City County Real Estate Tax Map Parcel No.1331300025.

_____
Mark Jakobowski
Chairman, Board of Zoning Appeals

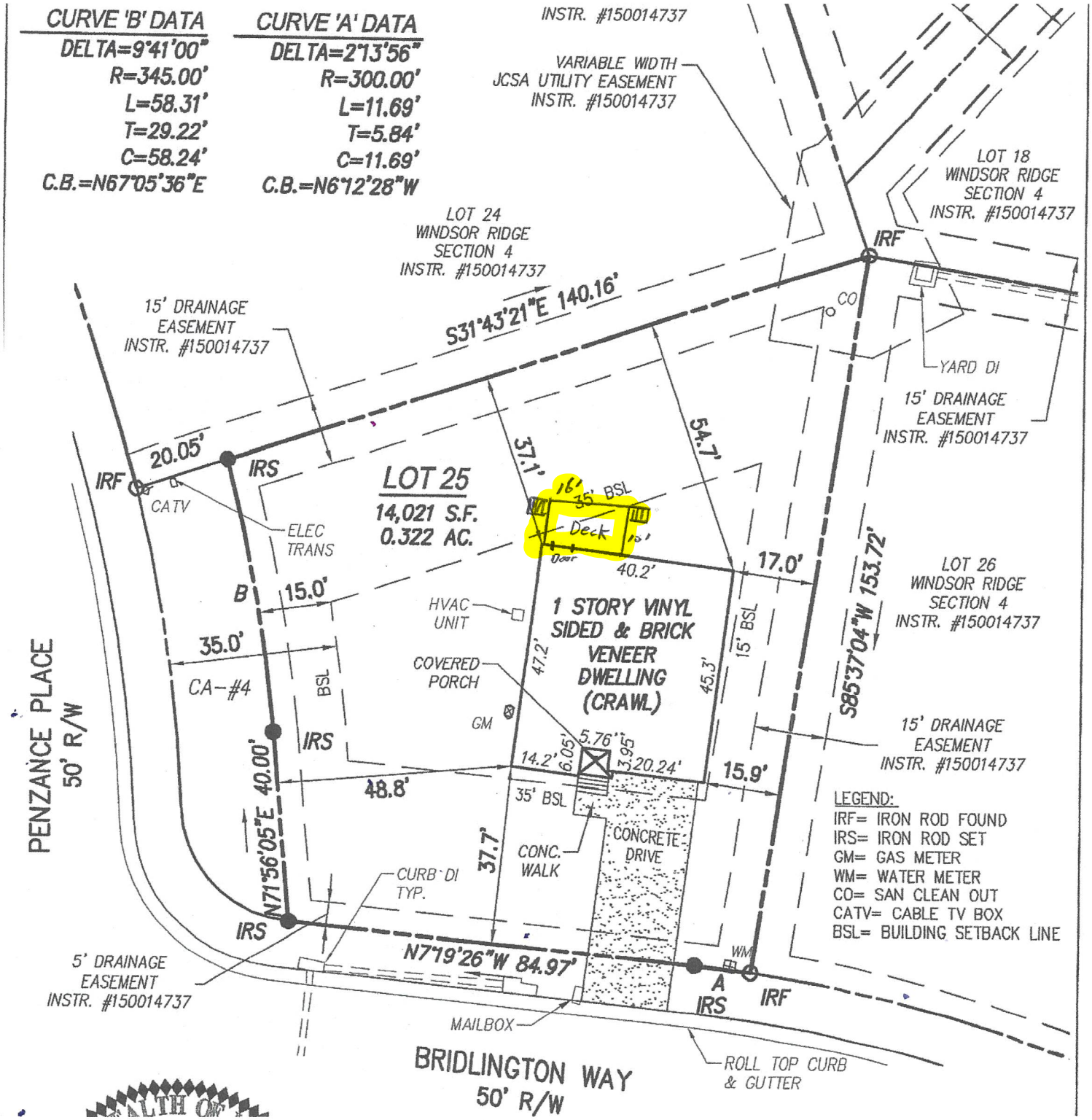
ATTEST:

_____
Christy Parrish
Secretary to the Board

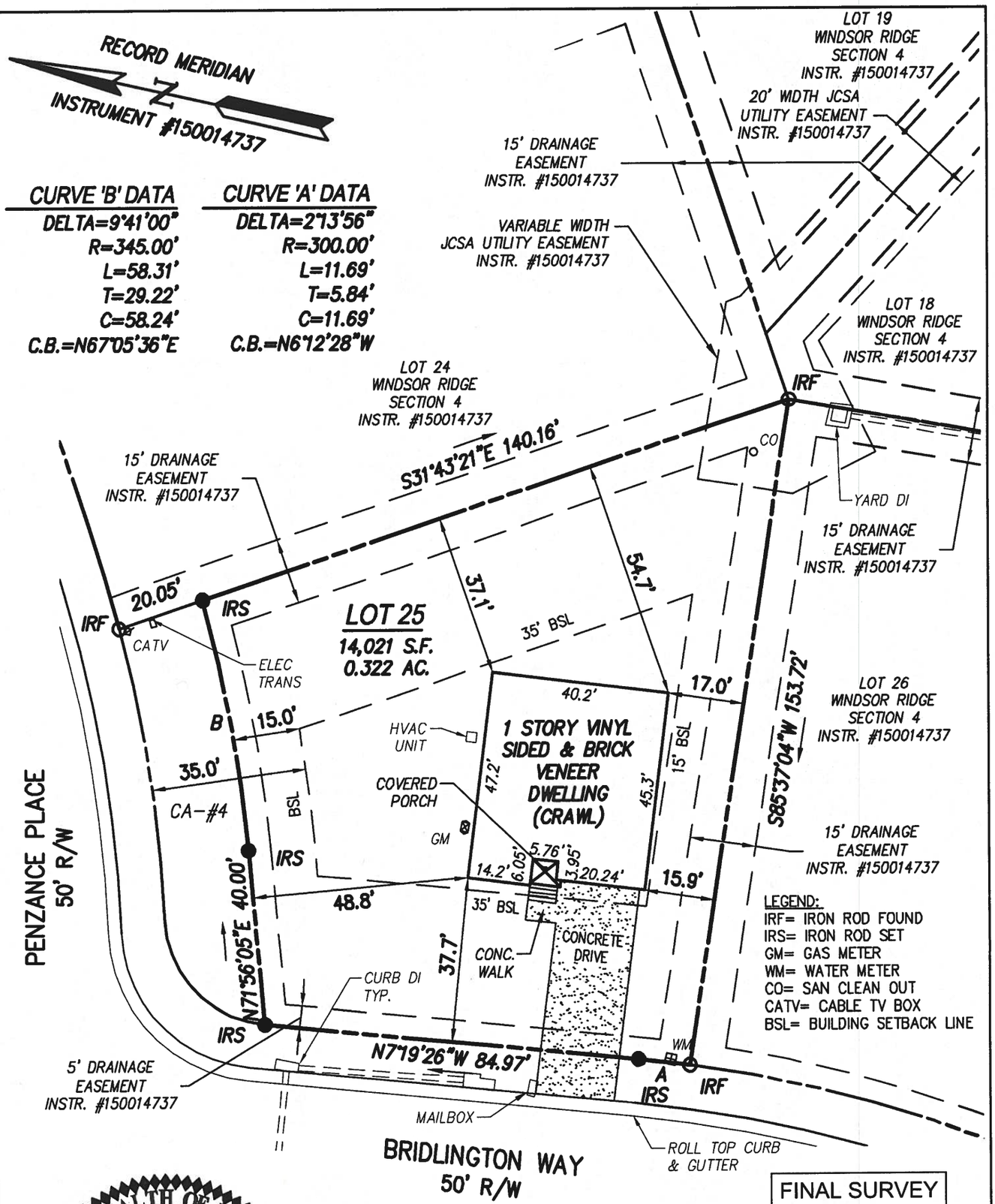
	VOTES		
	AYE	NAY	ABSTAIN
DEAN	____	____	____
OTEY	____	____	____
JAKOBOWSKI	____	____	____
GEIB	____	____	____
CAMPANA	____	____	____

Adopted by the Board of Zoning Appeals of James City County, Virginia, this 5th day of October 2023.

BZA23-3_8224BridWyrev-res



Propose Deck Addition



FINAL SURVEY
B16-2770

COMMONWEALTH OF VIRGINIA
PRESTON C. JUDSON
Lic. No. 003130
02-13-2017
LAND SURVEYOR

TAX MAP #1331300025
STREET ADDRESS: #8224 BRIDLINGTON WAY

NOTE:
- THIS PROPERTY LIES IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER F.I.R.M. #51095C0044D EFFECTIVE DATE 12/16/15.
- THIS PLAT IS BASED ON A CURRENT FIELD SURVEY. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THIS PROPERTY IS SUBJECT TO EASEMENTS, SERVITUDES, COVENANTS, AND ENCUMBRANCES OF RECORD.

PLAT SHOWING IMPROVEMENTS

LOT 25, SECTION 4
WINDSOR RIDGE

PREPARED FOR: RYAN HOME
CUSTOMER: BOND

STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	PCJ / RCH	Scale:	1" = 30'
Project Number:	W10214-04-25A	Date:	02-13-2017

AES CONSULTING ENGINEERS
5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone: (757) 253-0040
Fax: (757) 220-8994
www.aesva.com
Hampton Roads | Central Virginia | Middle Peninsula

S:\JOBS\W10214\04-Windsor Ridge Sec 4\Survey\Plans\Plats\Final\W10214-04-25A FINAL.dwg, 2/16/2017 11:14:49 AM, bob.hegeman

These documents were printed from the official JCC Records Management imaging site

Variance Request for 8224 Bridlington Way

Variance Request: Requesting variance to Zoning Ordinance Sec. 24-238. - Yard Requirements. Requesting reduction in rear yard setback line for the construction of code compliant 160sq.ft. deck and stairs.

Reason for Variance: The strict enforcement of the rear yard setback line unreasonably interferes with the owner's utilization of the property. Due to the location of the rear sliding door and foundation height, any code compliant exit will cross the rear setback line and be in violation of Sec. 24-238. The problems are compounded by the application of Sec. 24-239 - Special Provisions for Corner Lot. This hardship is uniquely shared by the property owners because of the corner lot and the location of the rear exit of the home. The building is not placed parallel to the rear property line causing the rear door to be less than 3 feet from the setback line.

The inability to build a reasonably sized deck on the rear of the structure (that are common to the Wellington neighborhood) also interferes with the property value of the home, on which James City County is a lien holder through the County's Affordable Dwelling Unit (ADU) program. Stipulations of the lien holder include not doing any 'things which would cause the Property to become less valuable' and 'the right to inspect the Property at any reasonable time' (Deed of Trust Note - Section 8 Borrower(s) Covenants - Subsections A. and C.). The current exit to the home is a set of floating stairs that would fail inspections because of the quality, anchoring method, and the fact that they are crossing the setback line. They need to be replaced to be in compliance with the lien.

The owner believes it is a reasonable request to build a deck that is 16' long (along the house) and extends 10' from the back door. Two sets of stairs will be used to exit to the side and rear yards of the property. In preparation for the deck build (prior to knowing about the setback limits), the owners have planted 8 thuja green giant privacy trees along the rear fence line that is shared with 4053 Penzance Pl. Those trees are well established and growing rapidly. The owners of 4053 Penzance Pl. have been provided with the details of the proposed 16'x10' deck. They have no objections to the proposed deck and stairs. The owners of 8224 Bridlington Way submitting the application would also consent to a requirement from the board of appeals to add additional privacy screening to the deck plans to further mitigate any privacy concerns.

Photos of the location of the deck are provided below. The yellow spray-painted lines are the dimensions of the proposed deck and stairs.

We are requesting that our variance be heard at the September meeting of the Board of Zoning Appeals.

Applicant Justification Provided with Application

Variance Request

Requesting variance to Zoning Ordinance Sec. 24-238. - Yard Requirements. Requesting reduction in rear yard setback line for the construction of code compliant 160sq.ft. deck and stairs.

The deck will extend 10ft from the rear of the home with 2 sets of stairs on either side to discharge into the rear and side yards.

We are requesting that our variance be heard at the September meeting of the Board of Zoning Appeals.

Reason for Variance

The strict enforcement of the rear yard setback line unreasonably interferes with the owner's utilization of the property. Due to the location of the rear sliding door and foundation height, any code compliant exit will cross the rear setback line and be in violation of Sec. 24-238. The problems are compounded by the application of Sec. 24-239 - Special Provisions for Corner Lot. This hardship is uniquely shared by the property owners because of the corner lot and the location of the rear exit of the home. The building is not placed parallel to the rear property line causing the rear door to be less than 3 feet from the setback line.

The inability to build a reasonably sized deck on the rear of the structure (that are common to the Wellington neighborhood) also interferes with the property value of the home, on which James City County is a lien holder through the County's Affordable Dwelling Unit (ADU) program. Stipulations of the lien holder include not doing any 'things which would cause the Property to become less valuable' and 'the right to inspect the Property at any reasonable time' (Deed of Trust Note - Section 8 Borrower(s) Covenants - Subsections A. and C.). The current exit to the home is a set of floating stairs that would fail inspections because of the quality, anchoring method, and the fact that they are crossing the setback line. They need to be replaced to be in compliance with the lien.

Evidence of No Substantial Detriment

The owner believes it is a reasonable request to build a deck that is 16' long (along the house) and extends 10' from the back door. Two sets of stairs will be used to exit to the side and rear yards of the home. In preparation for the deck build (prior to knowing about the setback limits), the owners have planted 8 Thuja green giant privacy trees along the rear fence line that is shared with 4053 Penzance Pl. Those trees are well established and growing rapidly. The owners of 4053 Penzance Pl. have been provided with the details of the proposed 16'x10' deck. They have no objections to the proposed deck and stairs. The owners of 8224 Bridlington Way submitting the application would also consent to a requirement from the board of appeals to add additional privacy screening to the deck plans to further mitigate any privacy concerns.

Evidence of No Zoning Classification Change

Building a code compliant deck on the rear of the structure in no way changes the zoning classification or results in a use that is not permitted on a residential property.

Evidence Not Through Special Exception

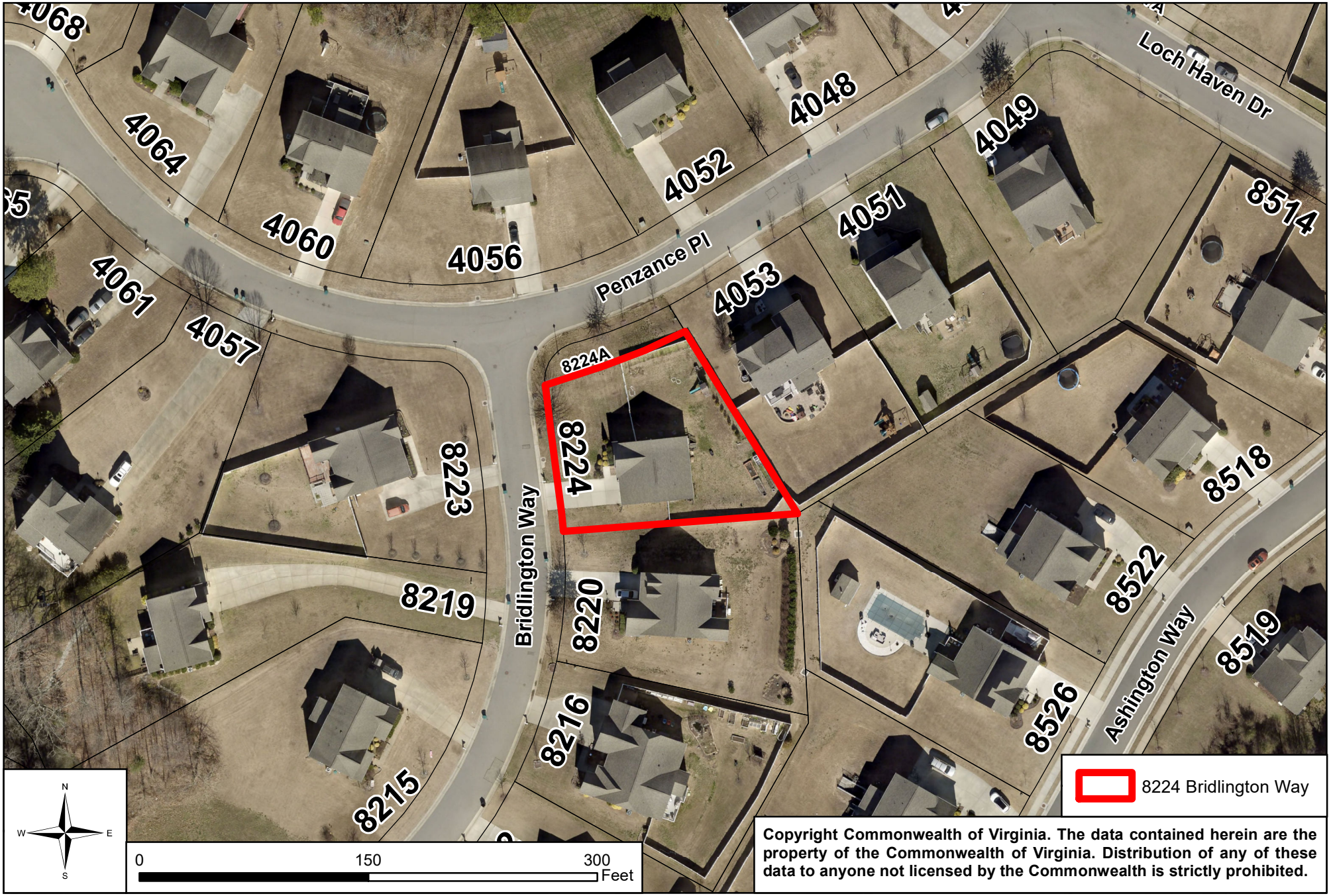
The variance request for a single residential corner lot with rear exit unreasonably close to the building setback limit is not so general or recurring in nature as to require an amendment to the JCC Zoning Ordinances.

Evidence of Good Faith

The owners of the property did not create the hardship. The design, placement, and building of the home was out of the control of the current owners who purchased the property as built.

The owners are seeking a variance request in good faith to remain compliant with all County ordinances. We ask that our variance application be heard at the September meeting.

JCC BZA-23-0003
8224 Bridlington Way



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MINUTES

JAMES CITY COUNTY BOARD OF ZONING APPEALS

REGULAR MEETING

COUNTY GOVERNMENT CENTER BOARD ROOM

101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

September 7, 2023

5:00 PM

A. CALL TO ORDER

Mr. Mark Jakobowski called the meeting to order at 5:00 p.m.

B. ROLL CALL

Ms. Paxton Condon called the roll:

Present:
Mr. Mark Jakobowski
Mr. William Geib
Mr. David Otey, Jr.
Mr. Andrew Dean

Absent:
Mr. Ron Campana, Jr.

Staff Present:
Mr. John Rogerson, Senior Zoning Officer
Ms. Paxton Condon, Deputy Zoning Administrator
Ms. Liz Parman, Deputy County Attorney

C. OLD BUSINESS

None.

D. NEW BUSINESS

Mr. Jakobowski presented the mission statement of the Board of Zoning Appeals (BZA) for those present in the audience. He stated that the BZA was a five-member Board consisting of James City County (JCC) residents. It has the power to hear and decide appeals to decisions of the Zoning Administrator and applications for special exceptions, such as yard and setback variances. A favorable vote of three members of the Board was always required to pass a motion. Variances are not granted unless the strict application of the Ordinance would unreasonably restrict the utilization of the property, the need for a variance was not shared generally by other properties, and the variance was not contrary to the purpose of the Ordinance. Variances are not granted as a special privilege or convenience. If the variance was requested because the physical condition of the property or improvements thereon restrict the utilization of the property, the following additional requirements must be met: (i) the property must have been acquired in good faith and any hardship cannot be created by the applicant; (ii) the granting of the variance cannot be substantially detrimental to nearby properties; and (iii) the condition or situation cannot be so general or recurring as to make the formulation of an amendment to the Ordinance reasonably practicable to address the condition or situation. If the Board does authorize a variance, it may impose conditions regarding the location, character, or any other features it may deem necessary in the public interest.

1. Case No. BZA-23-0003. 8224 Bridlington Way

Mr. John Rogerson, Senior Zoning Officer, stated Mr. Jordan Bond, property owner, had applied for a variance to Section 24-238(b), Yard requirements of the JCC Zoning Ordinance. Mr. Rogerson stated the variance request was to reduce the required rear setback from 35 feet to 26 feet to allow for the construction of a deck on the rear of the dwelling at 8224 Bridlington Way. He stated the property was currently located in the R-1, Limited Residential Zoning District, and could be further identified as JCC Real Estate Tax Map Parcel No. 1331300025.

Mr. Rogerson stated the property was located at 8224 Bridlington Way in the Windsor Ridge Subdivision. He stated the parcel was 0.322 acres in size and contained an existing one-story single-family dwelling approximately 1,404 square feet in size. He stated the dwelling was constructed in 2017 and the applicant was the original owner.

Mr. Rogerson stated that the property owner was requesting the proposed variance to construct a deck to utilize the rear yard of the property. He stated the rear access to the house consisted of a sliding glass door and the steps to access this entry were constructed by the owner after purchasing the property. He stated the proposed deck was 160 square feet in size with dimensions of 10 feet x16 feet with steps located on the rear of the dwelling as shown on Attachment No 2.

Mr. Rogerson stated that Section 24-238(b), Yard requirements, required the main structure to have a minimum rear yard of 35 feet. He stated this lot was not considered a corner lot since there was a strip of common area between the lot and the side street. He stated the Zoning Ordinance permitted steps to encroach into the rear setback to permit access to the rear of the house.

Mr. Rogerson stated that Virginia Code § 15.22309 states, “if a request for a reasonable modification is made to a locality and is appropriate under the provisions of state and federal fair housing laws, or the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.), as applicable, such request shall be granted by the locality unless a variance from the board of zoning appeals under this section is required in order for such request to be granted.”

Mr. Rogerson stated that staff recognized that the existing dwelling was constructed within two feet of the rear setback line; however, staff was unable to support the variance request since the property had been put to use by the construction of a single-family dwelling. He stated that staff did not believe the strict application of the setbacks unreasonably restricted the utilization of the property.

Mr. Rogerson stated that alternatively, the owner was permitted to have a minimal sized landing with steps which comply with the Virginia Uniform Statewide Building Code (USBC) to allow the owner access to the rear yard. He stated that in addition, a concrete or paver patio that is flush with the ground would not constitute a structure and would be permitted in the setback. He stated this alternative would allow for an outdoor space without the need for a variance.

Mr. Rogerson stated that staff recommended denial of the proposed variance.

Mr. Geib asked how many feet staff would be allowed to permit administratively.

Mr. Rogerson stated 18 inches. He stated that an administrative variance would typically be granted when a structure has been built slightly over the setbacks.

Mr. Geib asked if Zoning staff would have reviewed a barricade over the sliding door.

Mr. Rogerson stated it was not part of their review.

Mr. Dean asked if the lot was a corner lot, would that make a difference.

Mr. Rogerson stated that the setbacks would vary for a corner lot and, in this case, would not be in favor of the applicant.

Mr. Otey asked if the house was a Ryan Homes house and if an additional egress at the rear of the house was permitted.

Mr. Rogerson stated that it was and that the Building Code only required another means of egress.

Mr. Otey asked if the current steps at the rear of the house were built by the applicant and if they would be in violation.

Mr. Rogerson stated that the current steps would be permitted as it is a matter of policy to allow the minimum for an exit.

Mr. Geib asked if the applicant would be required to remove the existing steps.

Mr. Rogerson stated that they would not.

Mr. Geib asked if what was built was consistent with the Building Code.

Mr. Rogerson stated that he did not have that information.

Mr. Jakobowski opened the Public Hearing.

Mr. Jordan Bond, property owner, stated that he appreciated Mr. Rogerson's professionalism and thanked the BZA for being there. Mr. Bond stated that his request was for a reasonably sized deck to be consistent with others in the neighborhood. He stated the desired deck would be 10 feet by 16 feet. He stated that the deck would allow them to make use of the property and prevent them from having stairs facing toward the property line.

Mr. Bond stated that they purchased the home from Ryan Homes and asked if he could pass out a couple of printouts.

Mr. Jakobowski confirmed with Ms. Parman that this was permissible.

Ms. Parman stated it was allowed as long as staff kept a copy as well.

Mr. Bond stated he was passing out a copy of the elevations and that it was always his assumption they would eventually be able to build a deck to match that of the surrounding homes. He stated that he also passed out a photo of the steps currently outside of his home and that the existing steps did not meet the USBC. He stated that as a Fire Department employee his priority was safety and having multiple egresses out of the home when moving in. He stated that the steps would be replaced soon.

Mr. Bond stated that with Ryan Homes it was always assumed they would be able to build a deck. He stated they have done their due diligence over the last couple of years and have planted trees. He stated that he had notified his nearby neighbors and no issues were raised. He stated that he had also checked with his homeowners association, who would be ok with everything if it was approved by the BZA. He stated that he believed that the zoning restrictions are in place to protect neighbors from neighbors, but that his neighbors had raised no issues. He stated that he would be willing to add privacy screening as well if the BZA required it.

Mr. Bond stated that putting a paver patio would be an increased cost to him and his wife. He stated that the swale of the yard would require significant groundwork to accommodate the patio and correct drainage. He stated that he was requesting the BZA allow them to improve their home, the home's usefulness, and the value of the home by allowing them to build a small deck. He stated that he felt they were meeting all the required criteria. He stated that this issue is not shared by others in the neighborhood.

Mr. Bond thanked the BZA for their time and offered to answer any questions.

Mr. Jakobowski asked what the distance from the rear left corner of the residence to the property line was.

Mr. Bond stated that it was approximately 37.1 feet.

Mr. Jakobowski asked the size of what was currently constructed.

Mr. Bond stated that it was approximately 30 to 36 inches of a sloping deck. He stated that it was constructed while they were moving and attempting to sell their previous home and about five steps down.

Mr. Jakobowski asked if the applicant applied for a building permit at that time.

Mr. Bond stated that he had not and was trying to correct that. He stated that at the time he did not know what was permitted.

Mr. Jakobowski asked if Mr. Bond had consulted with any kind of expert, Ryan Homes or a Class A contractor.

Mr. Bond stated they had not and that he was hoping the remedy was to come before the BZA. He stated that they had purchased the home under the Affordable Dwelling Unit (ADU) program, and that no additional extras could be included.

Mr. Jakobowski asked if Mr. Bond would be open to an idea.

Mr. Bonded agreed.

Mr. Jakobowski and Mr. Bond discussed the possibility of a cantilever.

Mr. Bond stated that they did not wish to build a larger deck than what was proposed and that he would work with Mr. Rogerson for what was possible outside of what they applied for.

Mr. Jakobowski stated that a contractor would be able to assist.

Mr. Bond stated that his plan was to build the deck himself.

Mr. Jakobowski asked if there were any more questions for the applicant.

Mr. Geib stated that the BZA could not decide based on the cost. He asked if the surrounding properties had decks. He stated that other properties appeared to have patios based on the aerials.

Mr. Bond stated that most of his neighbors have decks, sunroof additions, or barricades across the sliding door on the rear of the property.

Seeing no further comments, Mr. Jakobowski closed the Public Hearing.

Mr. Jakobowski stated that the BZA always tries to find a way for things to work within the law. He stated that his personal opinion was that a deck could be built on the rear of the house within the setbacks. He discussed other possibilities for the applicant to possibly build a deck or utilize the rear egress.

Mr. Geib discussed examples of the other possibilities to build a deck. He stated that he felt Ryan Homes put the applicant in this position. However, there are other ways for the applicant to meet the setback requirements. He stated that the other homes in the neighborhood with decks appear to be within setbacks.

Mr. Dean stated that if the surrounding homeowners changed, that they may not feel positively about a deck protruding into the setbacks. He stated that he was certainly empathetic regarding the cost to the homeowner.

Mr. Rogerson asked that the Chair reopen the Public Hearing at the request of the applicant until a full Board would be able to hear the case.

Mr. Jakobowski reopened the Public Hearing.

Mr. Geib made a motion to Defer the variance request until a full Board was present to hear the application.

Mr. Dean seconded the motion.

On a roll call vote, the BZA voted to Defer the variance request. (4-0)

E. MINUTES

1. August 3, 2023 Meeting Minutes

Mr. Otey made a motion to Approve the August 3, 2023, Meeting Minutes as presented.

Mr. Geib seconded the motion.

On a roll call vote, the BZA voted to unanimously Approve the August 3, 2023, Meeting Minutes.

F. MATTERS OF SPECIAL PRIVILEGE

None.

G. ADJOURNMENT

There being no further business, Mr. Geib motioned to Adjourn the meeting.

Mr. Dean seconded the motion.

On a voice vote, the BZA unanimously voted to Adjourn the meeting.

The meeting was adjourned at approximately 5:45 p.m.

_____ _____

Mark Jakobowski, Chairman Christy Parrish, Secretary