

**Virginia: At a meeting of the Accomack County Board of Zoning Appeals, held  
in the Chambers of the Board of Supervisors on the 16<sup>th</sup> day of  
February, 2011, A.D.**

**Members present:**

Mr. Robert L. Nock, Chairman  
Mrs. Elizabeth Kerns, Vice Chairwoman  
Mr. Willie L. Holland, Jr.

**Members absent:**

Mr. J. William Mapp  
Mr. Harvey A. Drewer, II

**Others present:**

Mr. David A. Fluhart, Zoning Administrator  
Ms. Gracie A. Milbourne, Recording Secretary

The meeting was called to order by Mr. Robert L. Nock, Chairman, at 10:01 a.m.  
and opened to a public hearing on the following zoning matters:

**1). A request from Shirley Summerville for a Special Use Permit pursuant to  
Article III, Section 106-53.22 for the location of an accessory dwelling at 16111 Deer  
Drive, County Tax Map# 70-7-11, near Nelsonia, Virginia.**

Mrs. Shirley Summerville and her daughter, Ms. Chastity Summerville appeared  
before the Board to represent this application and presented the signatures and certified  
mailing receipts of the adjoining property owners. Mrs. Shirley Summerville asked for  
permission to locate a doublewide residence on this site for the occupancy of her  
daughter to provide assistance to her sister, Ms. Renee Hunt with medical problems.

Ms. Chastity Summerville offered detailed information about the appearance  
and age of the proposed doublewide and the existing manufactured home.

After a brief discussion, Mrs. Kerns made a motion to approve this Special Use Permit with the stipulation that neither the existing manufactured home nor the proposed doublewide shall be used for rental purposes. Mr. Holland seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, and Mr. Holland.

**OTHER BUSINESS:**

Mr. Mark Taylor appeared before the Board and asked for a motion to be in closed session to discuss the matter pending litigation pursuant to 2.2-3711(A)(7) Code of Virginia 1950 as amended to discuss with legal counsel pending lawsuit. Mr. Holland made a motion to go into closed session. Mrs. Kerns seconded the motion. Ayes: All.

After closed session, Mr. Taylor asked for a motion to reconvene in open session and certify by a roll call vote the only public business matters lawfully exempted from the open meeting requirements from the Freedom of Information Act occurred, considered or discussed in the closed session. Mrs. Kerns so moved. Mr. Holland seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, and Mr. Holland.

Based on the discussion in closed session, Mr. Taylor asked for the board members' consideration to entertain a motion regarding the *Joseph Kelly* variance matter that is now the subject of a petition for a Writ of Appeal to the Circuit Court the motion being that that matter should be held open and continued for reconsideration by this Board of Zoning Appeals, that direction be specifically given for certified notice for such rehearing to be sent by the applicant to all parties entitled to such notice under the ordinance and law and that the matter be suspended, that the effect of the variance previously granted be held and suspended, pending rehearing and reconsideration by the Board of Zoning Appeals. Mrs. Kerns so moved. Mr. Holland seconded the motion.

Ayes: Mr. Nock, Mrs. Kerns, and Mr. Holland.

**IN RE MINUTES:**

Mr. Holland made a motion to approve the minutes of the February 2, 2011 meeting as circulated. Mrs. Kerns seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, and Mr. Holland.

**ADJOURNMENT:**

Mrs. Kerns made a motion to adjourn at 11:30 a.m. Mr. Holland seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, and Mr. Holland.

---

Robert L. Nock, Chairman