

**Virginia: At a meeting of the Accomack County Board of Zoning Appeals, held
in the Chambers of the Board of Supervisors on the 15th day of
June, 2011, A.D.**

Members present:

Mr. Robert L. Nock, Chairman
Mrs. Elizabeth Kerns, Vice Chairwoman
Mr. Willie L. Holland, Jr.
Mr. J. William Mapp
Mr. Harvey A. Drewer II

Others present:

Ms. Gracie A. Milbourne, Recording Secretary

Others absent:

Mr. David A. Fluhart, Zoning Administrator

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

1). A request from Shore Flea Market for a Special Use Permit pursuant to Article VIII, Section 106-182.(2), (6) & (7) for the location of an on-premise sign at 12085 Lankford Highway, County Tax Map# 55-1-A4, near Temperanceville, Virginia.

Mr. Robert James White appeared before the Board to represent this application. The signatures and certified mail receipts of the adjoining property owners were presented prior to this hearing. Mr. White asked for permission to locate a portable LED message sign on this property to advertise flea market specials, in addition to, the two existing 12 X 8 on-premise signs.

No one appeared in opposition to this request.

After a brief discussion, Mr. Holland made a motion to deny this Special Use Permit as the additional signage would exceed the signage permitted by-right according to the zoning ordinance. Mr. Mapp seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Holland, Mr. Mapp, and Mr. Drewer.

2). A request from Davis Disposal Co. Inc. for a Special Use Permit pursuant to Article XVII, Section 106-403.11 for the location of a recycling, composting and storage facility at 16483 Wayside DR, County Tax Map# 111-A-21D, Painter, Virginia.

Mr. Michael Davis appeared before the Board to represent this application and

presented the signatures and certified mail receipts of the adjoining property owners. He asked for permission to operate a business that will be open to the public where product and trash will be dumped, sorted and shipped from the existing building and where businesses can purchase large quantities of mulch. He advised that this operation would be a great benefit to the County as less trash will be going in the landfill.

Mr. Davis stated that the character of the neighborhood would not change as the proposed site is in front of one of the County's convenience centers.

Discussion ensued about planting a vegetative buffer and complying with other agencies for this type of operation. Mr. Davis was amenable to both.

No one appeared in opposition to this request.

After a brief discussion, Mr. Mapp made a motion to approve this Special Use Permit with the stipulation that a vegetative buffer be planted along the property lines. Mrs. Kerns seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Mapp, Mr. Holland, and Mr. Drewer.

IN RE MINUTES:

Mr. Holland made a motion to approve the minutes of the May 5, 2011 and May 18, 2011 meetings as circulated. Mr. Drewer seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Holland, Mr. Drewer, and Mr. Mapp.

FIRST ADJOURNMENT:

Mrs. Kerns made a motion to adjourn at 10:40 a.m. Mr. Mapp seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Mapp, Mr. Holland, and Mr. Drewer.

MOTION TO RECONVENE:

Mr. Nock reconvened the meeting at 10:57 a.m. for an update from Mr. Mark Taylor, County Attorney, regarding an appeal of a variance granted by this board to Mr. Joseph Kelly.

Mr. Taylor introduced himself and stated that action taken by the Accomack County Circuit Court on May 24, 2011 by presiding Judge H. Thomas Padrick, Jr. was to vacate both matters together and send the entire matter back to the BZA for rehearing. He further stated that he is waiting for the order to be signed by the judge and is not sure if Mr. Kelly will reapply.

The Board members thanked Mr. Taylor for the update and Mr. Nock called for a

motion to adjourn at 11:08 a.m. Mr. Mapp made a motion to adjourn. Mr. Holland seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Mapp, Mr. Holland, and Mr. Drewer.

Mr. Robert L. Nock, Chairman