

ACCOMACK COUNTY BOARD OF ZONING APPEALS MINUTES OF JULY 6, 2022

At a meeting of the Accomack County Board of Zoning Appeals held on the 6th day of July, 2022 in the Accomack County Administration Building Board Chambers, Room #104 in Accomac, Virginia

1. CALL TO ORDER

A. MEMBERS PRESENT AND ABSENT

Board of Zoning Appeals Members Present:

Mrs. Elizabeth Kerns, Chairwoman

Mr. Lynn P. Gayle

Mr. Harvey A. Drewer II, Vice Chairman

Mr. W. Richard Bull, Jr.

Ms. Gracie Milbourne

Board of Zoning Appeals Members Absent:

Others Present:

Mr. Chris Daley, Zoning Code Enforcement Officer

Mr. Paul Seltzer, Deputy Director

Mrs. Jenifer Wootten, Planner

B. DETERMINATION OF A QUORUM

There being a quorum, Chairwoman Kerns called the meeting to order at 10:00 a.m.

2. ADOPTION OF AGENDA

On a motion made by Mr. Gayle and seconded by Mr. Drewer, the Board of Zoning and Appeals voted to approve the amended to the agenda.

3. MINUTES

A. July 6, 2022

On a motion made by Mr. Drewer and seconded by Mr. Gayle, the Board of Zoning and Appeals voted to approve the June 2022 minutes.

4. OLD BUSINESS

There was no old business discussed at this meeting.

5. NEW BUSINESS (PUBLIC HEARINGS)

A. VAR-000364-2022: George E. Young P.C. – Tax Map #5B-A-4

A hearing initiated by George E. Young P.C. to request a Variance pursuant to Accomack County Code Section 106-83 which states that the minimum side yard for each main structure shall be 15 feet. George E. Young P.C. is requesting a variance of 2.65 feet, so that a new 28'x 40' dwelling can be placed on the parcel to replace an existing dwelling. The property is located at Tax Map #5B-A-44 and is located at 1447 Ellis St, Greenbackville and is zoned Residential.

Mr. Daley gave an overview of the request presenting the case to the board. Mr. Watkinson, the homeowner, would like to replace the existing dwelling with a new 28'x 40' pre-manufactured dwelling. Mr. Daley presented an aerial view of the property to display the lot shape, location and setbacks of the current structure, as well as the site plan and setbacks for the new structure. The new proposed dwelling will meet the current setback requirement of 50' from the front lot line. He stated that staff researched the lot history and the parcel was created before the adoption of the County Zoning Ordinance and is a legal, non-conforming parcel. The existing dwelling was built in 1920 and is non-conforming as well due to its position on the property. Mr. Daley stated that the new dwelling location will be closer to conformance with the current ordinance requirements. Mr. Daley explained that the applicant, if given the variance, has agreed to meet all requirements for removal of the existing dwelling and for the construction of the new dwelling.

Mr. Tyler Watkinson and Mr. Sean Taylor, representing George Young Engineers and Surveyors, were invited up to speak and sworn in. Mr. Taylor explained that he was tasked with doing a survey/site plan for the lot so the homeowner could put a new dwelling on the property. Due to the lots shape and the location of the current well and septic, they are limited as to where the new dwelling can be placed. There are two possibilities and either option would require a variance approval. The addition of a front porch would encroach 2.65' beyond the side yard requirement of 15'.

Chairwoman Kerns asked for clarification on the lot size and the reason the house must be placed according to the site plan. Mr. Taylor explained the distance to the well and septic as well as the irregular lot shape leave them with limited options on placement of the new dwelling.

On a motion made by Ms. Milbourne and seconded by Mr. Gayle, the Board of Zoning Appeals voted unanimously to grant a Variance for application VAR-000364-2022 for the building of a new dwelling, pursuant to Section 106-83 of the Zoning Ordinance for Tax Map #5B-A-44.

6. **OTHER MATTERS**

SUP #11001, an SUP awarded to Glenn Salmon, on January 5, 2011, for a private airstrip, located in Painter, VA, is due for its 5 year review in September.

The Board determined they would like Mr. Salmon to appear and verify that he is still in compliance with the requirements of the Special Use Permit.


7. **NEXT MEETING**

The next regular Board of Zoning Appeals meeting is scheduled for Wednesday, August 3, 2022 at 10:00 a.m. in the Accomack County Board Chambers, Room 104, in Accomac, Virginia.

8. **ADJOURNMENT**

On a motion made by Mr. Bull and seconded by Mr. Gayle, the Board of Zoning and appeals voted to adjourn the meeting.

The meeting was adjourned at 10:15 a.m.



Mrs. Elizabeth Kerns, Chairwoman



Prepared by Jenifer Wootten

Planning & Zoning County of Accomack