

**Virginia: At a meeting of the Accomack County Board of Zoning Appeals, held
in the Chambers of the Board of Supervisors on the 16th day of
January, 2013, A.D.**

Members present:

Mr. Robert L. Nock, Chairman
Mrs. Elizabeth Kerns, Vice Chairwoman
Mr. Willie L. Holland, Jr.
Mr. Harvey A. Drewer II
Mr. Lynn P. Gayle

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 10:03 a.m. and turned over to Mr. David Fluhart, Chairman pro-tem. Mr. Fluhart called for nominations for Chairman for Year 2013. Mrs. Kerns made a motion to nominate Mr. Nock as Chairman. Mr. Holland seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Holland, Mr. Drewer and Mr. Gayle.

Mr. Fluhart called for nominations for Vice Chairman. Mr. Holland made a motion to nominate Mrs. Kerns as Vice Chairwoman for Year 2013. Mr. Drewer seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Holland, Mr. Drewer, and Mr. Gayle.

Mr. Fluhart turned the meeting over to Chairman, Mr. Robert L. Nock, who opened the public hearing on the following zoning matters:

1). A request from John W. Wescott, Agent for Earl F. Jordan & Fred F. Dorner, for a Zoning District Determination pursuant to Article XI, Section 106-252(4) and Article XIV, Section 106-328 Interpretation of the district map where there is an uncertainty as to the

location of a district boundary at 20494 Market Street, County Tax Map# 93-A-95 & 93-A-96A, Onancock, Virginia.

Mr. John W. Wescott, Attorney, appeared before the board to represent this application. The signatures and certified mail receipts of the adjoining property owners were submitted prior to this meeting. Mr. Wescott asked the board for the zoning interpretation of a 7,500-square foot area situated between the property line of land owned by the hospital that was rezoned to business and the existing business zoning district line on the neighboring property.

Mr. Holland questioned why zoning interpretations are being considered by the BZA rather than the Planning Commission.

Mr. Fluhart stated that he consulted with the County Attorney about this situation and he agreed that provisions in the Zoning Ordinance allows the BZA to make such determinations.

No one appeared nor signed in opposition to this request.

After a brief discussion, Mr. Holland agreed that the area of uncertainty is an error in the district zoning map and is zoned General Business. Mr. Gayle seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Holland, Mr. Gayle, and Mr. Drewer.

2). A request from Eastern Shore of Virginia Housing Alliance, Agent, for a Special Use Permit pursuant to Article III, Section 106-53.15 and 106-53.1 for the location of 12 duplexes and a community building on Bailey Road, County Tax Map# 78-A-53 part, Parksley, Virginia.

Mr. David Annis, Director of Housing Development, appeared before the board to represent this application and presented the signatures and certified mail receipts of the adjoining property owners. Mr. Annis expressed a need for affordable year-round housing in the County for working families who earn 51% of their income from agricultural sources. He distributed a

handout from the Housing Alliance (the owner/operator of the proposed duplexes) and indicated that this site was chosen as it has been approved by USDA, is isolated from neighbors with a setback of approximately 400 feet, near shopping, schools, work, etc.

Mr. Dale Cook, a representative from Tyson Foods, Inc., appeared before the board and stated a need for affordable housing as mentioned in the letter of support from his employer.

No one appeared in opposition to this request; however some comments and disapprovals were received via mail.

After a brief discussion, Mr. Drewer made a motion to approve this Special Use Permit. Mrs. Kerns seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Drewer, Mr. Holland, and Mr. Gayle.

MINUTES:

Mrs. Kerns made a motion to approve the minutes of the December 5, 2012 meeting as circulated. Mr. Drewer seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Drewer, Mr. Holland, and Mr. Gayle.

ADJOURNMENT:

Mrs. Kerns made a motion to adjourn at 10:35 a.m. Mr. Drewer seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Drewer, Mr. Holland, Mr. Gayle.

Mr. Robert L. Nock, Chairman