

Virginia: At a meeting of the Accomack County Board of Zoning Appeals, held in the Chambers of the Board of Supervisors on the 6th day of May, 2015, A.D.

Members present:

Mr. Robert Nock, Chairman
Mrs. Elizabeth Kerns, Chairwoman
Mr. Harvey Drewes II
Mr. W. Richard Bull Jr.
Mr. Lynn Gayle

Others present:

Ms. Gracie A. Milbourne, Interim Zoning Administrator
Ms. Laurie K Perry, Recording Secretary

The meeting was called to order by Mr. Robert Nock, Chairman, at 9:58 a.m. and opened to a public hearing on the following zoning matters:

CONTINUED FROM THE APRIL 15, 2015 MEETING

A request form Venture Properties VII, LLC, Agent for a Variance from Article X, Section 106.230(1)(d) Parking regulations, for Retail business on the corner of Lankford Highway and Davis Drive, County Tax Maps# 55A-A-72, 55A-A-72A, 55A-A-73, Mappsville, Virginia.

Derrick Goddard, agent withdrew this application via email prior to the meeting.

1). A request from Andre Elliott for a Special Use Permit pursuant to Article III, Section 106-53.22 and a Variance from Article X, Section 106-238 for the location of an accessory dwelling at 31544 Nandua Drive, County Tax Map# 109E-2-3, near Painter, Virginia

Mr. Andre Elliott appeared before the Board to represent this application and presented the certified mail receipts of the adjoining property owners. He asked for permission to build a garage with an apartment on the 2nd floor for his mother-in-law and stated that the hardships would be: 1) that the homeowner's association says that a detached building cannot be more

than 40 feet away from main dwelling; 2) he is hoping to be able to use the existing well and septic; and 3) It cannot be attached to existing dwelling because the heating and air conditioner and driveway are on one side and on the other side is an underground gas tank.

Only one of the adjoining property owner forms was received back.

After a lengthy discussion, Mrs. Kerns made a motion to continue this application until the next meeting so the homeowner's association could meet and make a decision and the Board would like a detailed floor plan. Mr. Gayle seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Gayle, Mr. Drewer, and Mr. Bull.

2). A request from Roger Wheeler for a Variance from Article IX, Section 106-204 to transfer 5100 square feet (plus or minus) from Lot# 31 to Lot# 32, Southwind Subdivision, Southwind Lane, Tax Map# 42-6-31, Atlantic, Virginia.

Mr. Roger Wheeler appeared before the Board to represent this application and presented the certified mail receipts of the adjoining property owners. He asked for permission to adjust his property lines of his two lots to give the lot with his house on it more land as, it is pie-shaped and very narrow in the front. He stated that there is no homeowner's association in this subdivision and the lot he will be taking the square footage from is vacant. He indicated that he may sell the vacant lot later, but this change will not affect the lot from being able to be built on.

After some discussion, Mr. Drewer made a motion to approve this Variance as presented. Mr. Bull seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Gayle, Mr. Drewer, and Mr. Bull.

3). A request from John Dale Parkes for a Special Use Permit pursuant to Article X, Section 106-231(j) to relocate two approved mobile home lots to another area on the same property, Parkes Drive, County Tax Map# 79-A-46, near Parksley, Virginia.

Mr. John Dale Parkes appeared before the Board to represent this application and presented the certified receipts and the adjoining property owners forms. He stated that many years ago this mobile home park was approved in stages for 29 lots by this Board and is now asking for permission to switch two lots that will not perk in the back of the park for two lots up in the front section that will perk.

Mr. Gayle made a motion to approve this Special Use Permit as presented. Mr. Drewer seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Gayle, Mr. Drewer, and Mr. Bull.

4). A request from William S. McCarter, Agent, for Special Use Permit pursuant to Article III, Section 106-53.1 for the location of an airstrip for private use on property beside 16590 Coal Kiln Road, County Tax Map# 119-A-101, near Painter, Virginia.

Mr. William S. McCarter appeared before the Board to represent this application and presented the certified receipts and two approvals from the adjoining property owners. Mr. McCarter explained that this is a small hang gliding business that he owns and he has run from the County Airport for two years. He did 400-500 flights last year and also tries to coordinate with local businesses, B&Bs, and restaurants to help other local businesses out with revenue. He stated that he has done an average of 100,000 flights in a 15-year period with no problems or accidents.

Mrs. Kerns asked Mr. McCarter if he had to have flight plans submitted and if he would notify the Accomack County Airport. She also wanted to know his hours of operations and if he is required to get approval from the FAA.

Mr. McCarter stated that he always notifies the Melfa Airport of his flight plans. His Hours of operations are normally from 10:00 a.m. to 4:00 p.m. mainly Friday, Saturday, and Sunday but could have some flights during the week. He stated he was aware that he has to get FAA approval and will get the Commonwealth of Virginia Aviation approval as well.

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

MINUTES:

Mrs. Kerns made a motion to approve the minutes of the April 15, 2015 meeting as circulated. Mr. Drewer seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Gayle, Mr. Drewer, and Mr. Bull.

ADJOURNMENT:

Mrs. Kerns made a motion to adjourn at 11:05 a.m. Mr. Gayle seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Gayle, Mr. Drewer, and Mr. Bull.

Mr. Robert L. Nock, Chairman