

Virginia: At a meeting of the Accomack County Board of Zoning Appeals, held in the Chambers of the Board of Supervisors on the 3rd day of June, 2015, A.D.

Members present:

Mr. Robert Nock, Chairman
Mrs. Elizabeth Kerns, Chairwoman
Mr. Harvey Drewer 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 9:59 a.m. and opened to a public hearing on the following zoning matters:

CONTINUED FROM THE MAY 6TH, 2015 MEETING

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 a letter from the Homeowner's Association that approved the building plans, site plan and floor plan with it being constructed 40 feet away from the existing home but would not approve the detached structure to be 140 feet away from the existing home.

After some discussion Mr. Gayle made a motion to approve this Special Use and Variance with a stipulation that the accessory dwelling cannot be used as a rental at any time. Mr. Drewer seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Gayle, Mr. Drewer, and Mr. Bull.

1). A request from Gary G & Patricia F. Lofland for a Special Use Permit pursuant to Article IV, Section 106-78.12 for the location of a pasture for mini farm animals at 36101 Upshur Neck Road, County Tax Map# 121-6-A1, Quinby, Virginia.

Mr. Gary Lofland and Patricia Lofland appeared before the Board to represent this application and presented the certified mail receipts of the adjoining property owners. There were several property owner forms that were returned with disapproved marked. They asked for permission for a pasture to keep their mini farm animals which included a mini horse, mini donkey, mini pig, and a potbelly pig. They stated these animals are more like family members than pets and they would like to relocate them here from Rehobeth Beach where they currently reside. They are looking at a 50x75 area to be used for the pasture as well as a small barn for the animals. The pasture and manure would be away from most of the neighbors to keep the smell away and the waste from the compost pile will be used for gardening purposes.

Mr. Nock stated that none of the neighbors have signed that they approve and the board has to consider the existing community and their feelings as they have lived there for years and they do not want to disrupt the community.

After a lengthy discussion, Mrs. Kerns made a motion to deny this application. Mr. Bull seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Gayle, Mr. Drewer, and Mr. Bull.

2). A request from Paul & Helen Howard for a Special Use Permit pursuant to Article III, Section 106-53.14 for the location of a travel trailer for habitation while constructing a house on Mt. Nebo Road, County Tax Map# 91-A-104B, near Onancock, Virginia.

Mr. Paul Howard & Mrs. Helen Howard appeared before the Board to represent this application and presented the signatures and certified mail receipts of the adjoining property owners. They asked for an extension of their Special Use Permit as it has been three years since

the last approval. Mr. Howard stated that he is an oil pipeline welder from New Jersey and was busy with work after Hurricane Sandy; then got hurt and has not been able to work on the property like he wanted to. They showed pictures of the progress of clearing up the lot, but no construction has been started yet.

Mr. Drewer wanted to know how often they have been down to work on the project in the last twelve months.

Mr. Howard stated that since March they have been coming down every other weekend. He stated that he would like to build the garage first with living space above to live in and to store supplies for the new house.

Mr. Nock stated he would like to see more activity and progress on the property. He would like for the Howards to provide evidence of the progress with pictures submitted every quarter if this is approved.

After some discussion, Mr. Gayle made a motion to approve this Special Use for an additional eighteen months with the stipulation that quarterly updates and pictures starting in June be sent to the Building and Zoning Office and if the project is not complete in eighteen months, Mr. and Mrs. Howard must appear before the Board with a progress report. Mrs. Kerns seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Gayle, Mr. Drewer, and Mr. Bull.

3). A request from Jennifer McShane & Denise Ordway for a Special Use Permit pursuant to Article III, Section 106-53.14 for the location of two travel trailers for habitation at 31151 Nocks Landing Road, County Tax Map# 27-A-43, near Atlantic, Virginia.

Gracie Milbourne stated that Jennifer McShane and Denise Ordway had a family emergency and requested that this be continued until the next meeting.

MINUTES:

Mr. Bull made a motion to approve the minutes of the May 6, 2015 meeting as circulated. Mr. Gayle seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Gayle, Mr. Drewer, and Mr. Bull.

ADJOURNMENT:

Mrs. Kerns made a motion to adjourn at 10:51 a.m. Mr. Drewer seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Gayle, Mr. Drewer, and Mr. Bull.

Mr. Robert L. Nock, Chairman