

MINUTES
KING WILLIAM COUNTY
BOARD OF ZONING APPEALS
APRIL 21, 2021

At a regular meeting of the Board of Zoning Appeals, held on April 21, 2021 at 6:30 P.M. in the Board Room of the King William Administration Building, the meeting was called to order with the following members:

Agenda Item 1. CALL TO ORDER

Chairman Shumaker called the meeting to order.

Agenda Item 2. ROLL CALL

The members were polled:

Michael Nolan	Aye
Benjamin Shumaker	Aye
Doris White	Aye
Laura Nunnally	

Absen

tAlso in Attendance:

Sherry Graham, Acting Director of Community Development

Agenda Item 3. REVIEW AND ADOPTION OF MEETING AGENDA

Chairman, Shumaker asked if there was a motion to approve the meeting agenda as written. Michael Nolan made the motion to adopt and Doris White seconded the motion.

The vote was unanimous on this motion

Agenda Item 4. APPROVAL OF THE MEETING MINUTES

a. January 20, 2021 Meeting Minute

Chairman, Shumaker indicated the first minutes for approval are the January 20, 2021, meeting minutes. Chairman Shumaker asked if there were changes to the minutes, and Michael Nolan indicated that a typo on Ms. White's name should be corrected. Chairman Shumaker entertained a motion to approve the January 20, 2021, meeting minutes with the typo correction. Michael Nolan seconded the motion.

The vote was unanimous on this motion.

b. February 11, 2021 Meeting Minutes

Chairman Shumaker indicated that the next minutes for approval are the February 11, 2021, meeting minutes. Chairman Shumaker asked if there were changes to the minutes, and then asked that the Revised 2021 Board of Zoning Appeals Bylaws be attached to the meeting minutes. Chairman Shumaker asked if there was a motion to approve the minutes of February 11, 2021, with the addition of the revised and approved 2021 Board of Zoning Appeal Bylaws. Michael Nolan made the motion to approve with the addition of the 2021 Bylaws, and Ms. Doris White seconded the motion.

The vote was unanimous on this motion

Agenda Item 5. PUBLIC COMMENT PERIOD

Chairman Shumaker opened the Public Comment Period, for comments on non-public hearing matters. There was no one to speak, so the Public Comment Period was closed.

Agenda Item 6. PUBLIC HEARING

a. V-01-21 Mollie & Henry Gregory

The Secretary of the Board of Zoning Appeals gave Ms. Sherry Graham, Director of Community Planning, the floor. Ms. Graham spoke first about the details of the variance request. The subject property has been in the family for many years and was originally multiple lots. The lots were combined for a reduced value and taxation liability. This request is for a variance from the minimum 5-acre lot size in A-C zoned district, allowing the re-creation of a 2.4 acre lot adjacent to their home. This lot was combined with the other lots in 1984. Ms. Graham indicates this lot size is not out of character for this area. Ms. Graham had pictures of the property, indicating they have plenty of setback. Mr. Nolan had several questions needed for clarity concerning the property.

Chairman Shumaker made note of the five letters of support included in the packet from adjacent landowners. Ms. Graham indicated no additional letters in support or opposition had been received.

Chairman Shumaker asked the Gregory's if they wanted to speak, make a statement, or have someone on their behalf make a statement. Mr. Gregory made a statement about their age and the need for someone to assist in their daily needs because they do not have children. This 2.4-acre lot would allow them to build a home for their companion

Darlene Woodward.

Mr. Nolen asked about the lot on the 5.9 acres. Gregory's responded that this would create one conforming lot to be kept as an asset. Other parts of land are part of a Trust and stays with the lot.

PUBLIC COMMENT PERIOD

Chairman Shumaker opened the Public Comment Period regarding the variance request. Ms. Darlene Woodward spoke in support of the request. She will be selling her 25-acre property in King William and living on the 2.4-acre lot, which will continue to provide King William with revenue from now two separate properties. More importantly, she also is alone, and the Gregory's are likeparents to her. The relationship is close, with Ms. Woodward giving the Gregory's assistance in their daily lives.

Without anyone else to speak, Chairman Shumaker closed the Public Comment Period.

Chairman Shumaker then asked the Gregory's if they had any last, closing remarks. Mrs. Gregory stated that they are anxious to have Darlene next door to them. That would mean she would be available to them without the distance that currently exists between their home and hers. Mrs. Gregory indicated that having Darlene move in next to them to help in their care, is the difference in them being able to live out their life in their home.

Chairman Shumaker asked if there were any other questions from the board members. No one had questions so Chairman Shumaker asked if there was a motion on the variance request.

Mr. Nolan made a motion to approve the variance request based on his understanding of their needs, support by adjacent owners and consistent with adjacent properties. Ms. Doris White seconded the motion.

The members were polled:

Laura Nunnally	Absent
Doris White	Aye
Michael Nolan	Aye
Chairman Shumaker	Aye

The vote was unanimous to approve the variance request.

Agenda 7. UNFINISHED BUSINESS

a. Board of Zoning Appeals Vacancy

Chairman Shumaker indicated that the Board of Supervisors had tabled filling the vacancy on the Board of Zoning Appeals until there was further discussion regarding district representation. Chairman Shumaker indicated he received a call from a concerned citizen who stated that he had applied for the Board of Zoning Appeals, which Chairman Shumaker stated had not been provided to him. The citizen expressed concern over the application review process. Chairman Shumaker stated he then sent a letter to all members of the Board of Supervisors, expressing concern that there might be some applications that were not being reviewed, and that the process for processing Community Service Applications may need to be reviewed. Chairman Shumaker also stated that district representation, is not currently defined within the County Ordinance, but Code of Virginia 15.2.2308b, does allow the Board of Supervisors the ability to create a Joint BZA. Benjamin also shared in the letter that it may be a hindrance to obtaining sufficient community members who are willing to serve. Chairman Shumaker asked Ms. Graham if she had anything to share with the Board of Zoning Appeals. Ms. Graham indicated that there had been surveys drafted for the Comp Plan. There were two joint work sessions being held for Ordinance Review, and an upcoming public meeting. Chairman Shumaker asked if there were any upcoming applications to the Board of Zoning Appeals, and Ms. Graham indicated not at this time.

Michael Nolan asked Ms. Graham what was the next step regarding the approval of the variance request. Ms. Graham indicated she will send them an approval letter, indicating they may proceed and apply for a building permit.

Agenda Item 10. ADJOURNMENT

Chairman, Shumaker asked if there was a motion to adjourn. Doris White made a motion to adjourn and Michael Nolan seconded the motion.

The meeting was adjourned.

Chairman, Benjamin Shumaker

Secretary, Yvonne Broaddus