

**MINUTES
KING WILLIAM COUNTY
BOARD OF ZONING APPEALS
AUGUST 4, 2021**

At a regular meeting of the Board of Zoning Appeals, held on August 4, 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:

Doris White	Aye
Michael Nolan	Aye
Chairman Shumaker	Aye

Also in Attendance:

Christina Grover, Zoning Administrator
Sherry Graham, 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. Mr. Nolan made the motion to adopt and Ms. White seconded the motion.

The vote was unanimous on this motion

Agenda Item 4. APPROVAL OF THE MEETING MINUTES

Chairman Shumaker asked if there were any changes to the meeting minutes of April 21, 2021. Without any motions for changes, Mr. Nolan made the motion to adopt the minutes as presented, Ms. 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-02-21 Kennington Place LLC

Chairman Shumaker stated that the public hearing will be conducted based on the rules of procedure. Chairman Shumaker asked Ms. Graham to give an introduction of the request.

Ms. Graham summarized the request for variance. Kennington Place LLC is requesting a reduction of 15 feet in the normal 30 feet rear set back. They are requesting this in order to build sunrooms on some of the units in the nine blocks shown on the power point presentation. Many of the existing blocks in the subdivision already had this reduction through site plan approval some years ago.

Mr. Todd Rogers, owner and developer of Kennington Place LLC, came up to narrate the power point presentation. He pointed out the first section that was developed thru site approval around 2007. With the common areas beyond the lots, the lots still have the appearance of a nice yard and set back.

During the site approval process for this new section, the same set backs were omitted. During building permit process, Ms. Graham flagged the rear set back discrepancy and indicated that the reduction in set back must be approved by the Board of Zoning Appeals.

Mr. Rogers pointed out the new blocks, the common area surrounding these blocks, the actual lots and homes, and the sunrooms jutting out on some of the homes. He indicated that without this variance, these sunrooms could not be built. Mr. Rogers again pointed out the common areas behind the lots, which give the appearance of adequate buffering.

Other exhibits in the power point presentation showed existing areas of the development; the lots, homes, and sunrooms already built with smaller set back. He pointed out the common areas around these existing blocks which appear to give the lots a larger set back. Mr. Rogers concluded his presentation and indicated he would answer any questions the Board Members may have.

Mr. Nolan asked for clarification that the current application does not include any of the existing completed homes, and that existing homes can already have sunrooms. Ms. Graham explained that when the existing blocks were submitted with reduced set back during site plan approval years ago, it was approved then. A variance request was not necessary because of approval during site plan approval.

Mr. Rogers indicated that his intent is to replicate this in the new section – homeowners will have the option to add the sunrooms if desired. Mr. Nolan again asked if this variance request is for the nine blocks, 54 units total. Mr. Rogers confirmed that it is nine blocks, but not all have six plots.

Mr. Nolan questioned the equity of the setbacks and the differences between these new lots as opposed to the existing lots. The existing lots with reduced setbacks under site plan approval may build sunrooms if they do not already have one. They are, however, subject to the 14-foot size of the other sunrooms. Any deviation would require zoning variances.

Mr. Nolan asked Ms. Graham if there was any issue with the differences between setbacks. Ms. Graham explained that setbacks in this subdivision vary by lot, which is consistent with the development lay out.

Ms. White spoke to Mr. Rogers regarding the provisions in the associations CCR about any additions to the homes. Mr. Rogers indicated that the CCR states any building additions must be in accordance with King William County ordinances.

Mr. Nolan inquired about the effect of these sunroom additions to the maximum lot coverage requirements. Mr. Rogers informed the Board of Zoning Appeals that drainage meets requirements and an analysis was performed for the overall building footprint. The reduced set back was taken into consideration and drainage capacity is sufficient.

Chairman Shumaker opened public comments regarding the variance request. There were no public comments.

Chairman Shumaker asked if the members are sufficiently informed to make a decision. Without any additional questions, in accordance with Virginia Code 15.2-309, Chairman Shumaker asked for a motion to approve or deny the variance request.

Ms. White made a motion to approve the request. Mr. Nolan asked if the motion should be amended to specify the units related to this specific variance request. Ms. Graham indicated that there are specific tax maps numbers to reflect the lots being granted the variance. Mr. Nolan then seconded the motion to approve the variance request.

Chairman Shumaker asked the secretary to poll the members.

The members were polled:

Doris White	Yes
Michael Nolan	Yes
Chairman Shumaker	Yes

Variance request V-02-21 Kennington Place LLC is unanimously approved.

Agenda 7. UNFINISHED BUSINESS

There was no unfinished business.

Agenda Item 8. NEW BUSINESS

a. Discussion of Variance Resolution

Chairman Shumaker asked if a resolution is needed following a Board of Zoning Appeal decision. Mr. Nolan asked what the current process is. Ms. Graham indicated that once a decision is made to approve or deny a request, a letter is issued and filed. The letter is then recorded with the deed, memorializing the decision.

Based on this process, there was no further discussion on the need for a resolution.

Chairman Shumaker asked Ms. Graham if there were any new variance requests. Ms. Graham indicated not at this time. She further reported that the draft Ordinance is coming to an end and will be submitted for approval and public hearing soon. The Comp Plan is also being finalized and submitted for approval sometime around January 2022.

Chairman Shumaker made a motion to adjourn and Ms. White seconded.

The meeting was adjourned.



Chairman, Benjamin Shumaker



Secretary, Yvonne Broaddus