

**FLUVANNA COUNTY
BOARD OF ZONING APPEALS**

MINUTES

May 5, 2009

Members Present: Mr. Harold Morris
Mr. Wendell Pollard
Mr. William Anderson

Members Absent: Ms. Mary Leland
Mr. Michael Lawson

Staff Present: Mr. Darren K. Coffey, Planning Director
Mrs. Kate Cooper, Senior Planner

CALL TO ORDER:

Mrs. Kate Cooper called the Board of Zoning Appeals meeting of May 5, 2009 to order at 7:00 p.m. and then turned the meeting over to Mr. Morris, Vice-Chairman.

APPROVAL OF MINUTES:

Only three members were present and one of those members was not present at the January 6, 2009 meeting, therefore the approval of the January 6, 2009 minutes was deferred to the next meeting for a majority vote of the board.

PUBLIC HEARINGS:

BZA 09:01 – Hannifan, Gary : A request for a variance to Fluvanna County Code Section 22-8-4 to allow for a reduction of 20 feet from Route 618 (Lake Monticello Road) to be able to place a storage shed on 1 acre of Tax Map 18A, Section 1, Parcel 292. The affected property is located in the Rivanna Election District and is located in Lake Monticello at 953 Jefferson Drive. The property is zoned R-4, Residential, Limited and is within the Rivanna Community Planning Area.

Mr. Gary Hannifan, spoke as applicant on this request and addressed his concerns.

Vice-Chairman Morris opened the public hearing.

- John Danna – Rivanna District – Adjacent neighbor; in approval of the request

With no one else wishing to speak, Vice-Chairman Morris closed the public hearing.

Board of Zoning Appeals Discussion: Mr. Pollard questioned if there was a recurring issue with sheds at Lake Monticello. Mr. Coffey suggested to the Board of Zoning Appeals that if they felt this was a concern the first step would be to draft a letter to the Board of Supervisors requesting that they look into changing the R-4 District setback regulations for accessory structures.

After some discussion the following motion was offered:

MOTION:

Mr. Anderson made a motion to approve BZA 09:01. Since no one seconded, the motion died.

MOTION:

Mr. Anderson made a motion to defer BZA 09:01 to the June 2, 2009 Board of Zoning Appeals meeting, seconded by Mr. Morris.

The motion to defer carried with a vote of two (2) to one (1) with Mr. Pollard opposed. To defer a case a majority vote of those present is required.

MOTION:

Mr. Anderson made a motion to request staff to write a letter to the Board of Supervisors advising them of the problem with setbacks in Lake Monticello and asking them to consider revising the ordinance, seconded by Mr. Pollard.

The motion carried with a vote of three (3) to zero (0).

At the time of the meeting, the board was unaware that the motion to defer carried, therefore Mr. Pollard made a motion to deny BZA 09:01. Since no one seconded, the motion died.

Mr. Coffey was going to draft the letter to the Board of Supervisors to be presented to them at the May 20, 2009 meeting.

NEW BUSINESS:

ADJOURNMENT:

There being no further business, Mr. Anderson offered a motion, seconded by Mr. Pollard, that the Board of Zoning Appeals meeting of May 5, 2009 be adjourned at 7:45 p.m. The motion was carried by a unanimous vote.

Minutes recorded by Kate Cooper and transcribed by Mary Weaver.

Vice-Chairman Harold Morris
Fluvanna County Zoning Board of Appeals

APPROVED