

**FLUVANNA COUNTY
BOARD OF ZONING APPEALS**

MINUTES

June 2, 2009

Members Present: Ms. Mary Leland
Mr. Harold Morris
Mr. Michael Lawson
Mr. William Anderson

Members Absent: Mr. Wendell Pollard

Staff Present: Mrs. Kate Cooper, Senior Planner

CALL TO ORDER:

Mr. Harold Morris, Vice-Chairman called the Board of Zoning Appeals meeting of June 2, 2009 to order at 7:00 p.m.

APPROVAL OF MINUTES:

Mr. Anderson made a motion seconded by Mr. Morris to approve the minutes of the May 20, 2009 meeting as presented. The motion to approve was carried with a vote of two (2) to zero (0) to two (2). Mr. Lawson and Ms. Leland abstained, absent from May meeting.

Ms. Leland made a motion seconded by Mr. Lawson to approve the minutes of the January 6, 2009 meeting as presented. The motion to approve was carried with a vote of three (3) to zero (0) to one (1). Mr. Anderson abstained, absent from January meeting.

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.

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

Board of Zoning Appeals Discussion: Mr. Anderson stated for the record that he does consider this a hardship that approaches confiscation of the property.

After some discussion the following motion was offered:

MOTION:

Ms. Leland made a motion to **approve** BZA 09:01 as a variance of 20' to allow for 5' rear setback, seconded by Mr. Anderson.

The motion to **approve** carried with a vote of four (4) to zero (0).

NEW BUSINESS:

Ms. Cooper reviewed results of the request for the Board of Supervisors in reference to the R-4 Zoning District Setback for accessory structures.

- a. Board requested Planning Commission to work with staff and LMOA Board to review current setbacks.
- b. Planning Commission will initiate a zoning text amendment (ZTA) if deemed appropriate and necessary.
- c. ZTA or other action will be reported back to the Board of Supervisors.
- d. BZA will be kept apprised of process and progress.

Mr. Anderson will be unable to attend meetings for the months of July and August.

ADJOURNMENT:

There being no further business, Ms. Leland offered a motion, seconded by Mr. Lawson, that the Board of Zoning Appeals meeting of June 2, 2009 be adjourned at 7:20 p.m. The motion was carried by a unanimous vote.

Minutes recorded by Kate Cooper and transcribed by Mary Weaver.

Chairman Mary Leland
Fluvanna County Zoning Board of Appeals

APPROVED