

**FLUVANNA COUNTY BOARD OF ZONING APPEALS**  
**The Morris Room**  
**MINUTES OF JANUARY 10, 2017**  
**7:30 P.M.**

**Members Present:** Harold Morris (**Chairman**)  
Peter Von Keyserling (**Vice-Chairman**)  
Easton Loving  
Carol Walker  
Ed Zimmer

**Staff Present:** Brad Robinson, Senior Planner  
James Newman, Planner  
Frederick Payne, County Attorney (Arrived at 7:39)  
Stephanie Keuther, Senior Program Support Assistant

**Members Absent:** Jason Stewart, Planning and Zoning Administrator/**Secretary**

**CALL TO ORDER:**

Planner James Newman called the Board of Zoning Appeals meeting of January 10, 2017 to order at 7:30 p.m.

**ELECTION OF OFFICERS:**

Planner James Newman informed the Board of Zoning Appeal members that an election of officers was required before the start of the meeting.

Mr. Loving made a motion to keep Harold Morris as Chairman of the Board of Zoning Appeals, seconded by Peter Von Keyserling. The election of chairman was carried with a vote of 4-0-1 AYES: Loving, Von Keyserling, Walker, and Zimmer NAYS: None ABSTAIN: Morris ABSENT: None

Mr. Loving made a motion to keep Peter Von Keyserling as vice chairman of the Board of Zoning Appeals, seconded by Mrs. Walker. The election of Vice Chairman was carried with a vote of 4-0-1 AYES: Loving, Walker, Morris and Zimmer. NAYS: None ABSTAIN: Von Keyserling ABSENT: None

Mr. Loving made a motion to keep Jason Stewart as the Planning and Zoning Administrator Secretary of the Board of Zoning Appeals, seconded by Mrs. Walker. The election of Secretary was carried with a vote of 5-0-0 AYES: Loving, Walker, Morris, Zimmer and Von Keyserling. NAYS: None ABSTAIN: None ABSENT: None

**Adoption of the By Laws/Meeting Schedule:**

Peter Von Keyserling made a motion to approve the Adoption of the By-Laws/Meetings schedule change of every third Tuesday of the month at 7:00 p.m. with the exception of the November meeting which would be held the second Tuesday of the month seconded by Mr. Loving. The motion to approve was carried with a vote of 5-0-0 AYES: Von Keyserling, Loving, Morris, Zimmer and Walker. NAYS: None ABSTAIN: None ABSENT: None

**APPROVAL OF MINUTES:**

Mrs. Walker made a motion to approve the minutes of the October 11, 2016 seconded by Peter Von Keyserling. The motion to approve was carried with a vote of 4-0-1 AYES: Walker, Von Keyserling, Morris and Loving NAYS: None ABSTAIN: Zimmer ABSENT: None

**PUBLIC HEARING:** James Newman, Planner

BZA 16:03 A request for a variance to Fluvanna County Code Sec. 22-4-3 (E) of the Zoning Ordinance to allow for the reduction of the minimum setback required from the public right-of-way, from 125 feet to 50 feet in regards to an existing nonconforming single family dwelling, for the purposes of subdividing approximately 2.13 acres from an existing approximately 21.2 acres parcel Tax Map 23, Section A, Parcel 40. The existing nonconforming structure cannot currently meet the setback requirements for the proposed new parcel. The affected property is located in the Columbia Election District at 6147 Venable Road (State Route 601). This is located at the intersection of Venable Road and Covered Bridge Road (State Route 604).

**Mr. Zimmer:** Is the set back to the side property line currently correct?

**Applicant Paul Sheridan:** Yes

**Mr. Zimmer:** Make sure when subdividing that you still have at least 50 ft. for your side setbacks.

**Von Keyserling:** Just keep that in mind so not to have to come back for another variance later for a shorter distance.

**Applicant:** I'm keeping everything together here; I'm not selling any land. The only reason I'm here is to refinance and in order to do so the bank would prefer that two homes not be on the same parcel.

#### **Public Hearing Comments**

Chairman Morris opened the floor for the public hearing section of public comments and gave the applicant a chance to speak.

**Mike Clark:** I'm the property owner to the west. There were other homes that were built prior to the setbacks being adopted. I support him wanting to split this property.

**Mell Sheridan:** I live across the street; (Mr. Sheridan gave a brief description of the history of the home that was built in 1962). Paul is in a catch twenty-two, He can't move the road or the house so what is he to do? He cannot refinance without this approval. Paul is my son and my wife and I do support this and hope for an approval.

**Von Keyserling:** Has the house always been occupied?

**Mel Sheridan:** Yes

**Jerry Custer:** I live across the street; someone has always lived in this home except when being renovated. This home has never been an eye sore and it's always been kept up in good condition. Paul is just looking to make more improvements. We are for approval of this variance.

**Mr. Loving:** When looking at the staff report there's really nothing out of the ordinary for us. If anything, this is bringing him in compliance with the code sections that states there should only be one home on each parcel (Code Section 22-4-4.A).

**Von Keyserling:** If this was separated before the ordinance it would have been grandfathered. I don't have any objections with this.

**Mr. Loving:** I would like to recommend we approve with no conditions.

#### **MOTION:**

Mr. Loving made a motion to Approve with resolution that there are no conditions on BZA 16:03 Peter Von Keyserling seconded. The motion carried with a vote of 5-0-0 AYES: Loving, Von Keyserling, Walker, Zimmer and Morris NAYS: None ABSTAIN: None ABSENT: None

**Unfinished Business:** None

**New Business:** None

#### **ADJOURNMENT:**

There being no further business, Chairman Morris adjourned the Board of Zoning Appeals meeting of January 10, 2017 at 7:48 p.m.

Minutes recorded by Stephanie Keuther.

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**Chairman Harold Morris**  
**Fluvanna County Zoning Board of Appeals**

\*Audio recordings of the minutes are available upon request\*