

FLUVANNA COUNTY BOARD OF ZONING APPEALS

Fluvanna County Administration Building

Morris Room

October 15, 2024

7:00 PM

Members Present: Harold Morris
Peter Von Keyserling
Ed Zimmer
James Winsett
Easton Loving

Members Absent: None

Staff Present: Jason Overstreet, Senior Planner
Dan Whitten, County Attorney
Todd Fortune, Planning Director

1. CALL TO ORDER:

Chair Harold Morris called the Board of Zoning Appeals meeting of October 15, 2024 to order at 7:00 pm.

2. Pledge of Allegiance, Moment of Silence

3. Adoption of Agenda:

MOTION:	To Adopt the Agenda for October, 15 2024				
MEMBER:	Morris	Keyserling	Loving	Zimmer	Winsett
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0 Approved				

4. Election of Secretary:

The Board was informed that the position of Secretary needed to be updated as the current Secretary no longer works for the Planning Department. The Board elected the Senior Planner, Jason Overstreet to the position.

MOTION:	To Elect Senior Planner as Secretary October 15, 2024				
MEMBER:	Morris	Keyserling	Loving	Zimmer	Winsett
ACTION:	Second		Morris		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0 Approved				

5. Approval of Minutes

MOTION:	Board of Zoning Appeals Minutes of February 4, 2024				
MEMBER:	Morris	Keyserling	Loving	Zimmer	Winsett
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0 Approved				

6. PUBLIC HEARING:

BZA 24:02 – Clyde Nuckols: A request for a seventy-five (75) foot Variance to Section 22-4-3 (E) (2) of the Fluvanna County Code to allow for the reduction of the minimum front setback from one hundred (125) feet to fifty (50) feet, and a request for a thirty (30) foot Variance to Section 22-4-3 (F) of the Fluvanna County Code to allow for the reduction of the minimum side yard from fifty (50) feet to twenty (20) feet with respect to 3.4 acres of Tax Map 3, Section 30, Parcel 6. The subject property is zoned A-1, Agricultural, General, and is located in the Zion Crossroads Community Planning Area and in the Palmyra Election District.

The Senior Planner presented the request to the Board and informed them that the requested variances could be altered if necessary. The Board asked if the variance would have any

detrimental effect on public use. The Senior Planner explain that it would not, there was a large slope on the property and the only effect it would it have would be is that it would make is closer to another house on an adjoining property. Th Board had questions about the 2001 setbacks and the Senior Planner was able to show the information on the submitted plat. The Senior Planner advised the board that the variance met all 5 requirements as listed on the conditions and will not cause any problems to adjacent properties. The board had questions about the topography effecting the buildable space. The board questioned the senior planning if the Planning Department thought this was necessary and the Senior Planner did advised the Planning Department did.

Chair Morris opened the Public Hearing at 7:10 pm by giving each public speaker a limit of five minutes to speak in person, and asked that they state their name and address for the record.

- Clyde Nuckols, 28 Ridgeway Farm Court, conveyed to the Board that due to his wife’s recent passing that he wishes to downsizing his property interests and that due to the current setback requirements he has been unable to sell the property.

With no one else wishing to speak in person, Chair Morris closed the Public Hearing at 7:12 pm.

MOTION:	I move to (approve/deny/defer) BZA 24:02 – A request for a seventy-five (75) foot Variance to Section 22-4-3 (E) (2) to allow for the reduction of the minimum front setback from one hundred twenty-five (125) feet to fifty (50) feet, and a request for a thirty (30) foot Variance to Section 22-4-3 (F) to allow for the reduction of the minimum side yard from fifty (50) feet to twenty (20) feet with respect to 3.4 acres of Tax Map 3, Section 30, Parcel 6.				
MEMBER:	Morris	Keyserling	Loving	Zimmer	Winsett
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0 Approved				

7. Unfinished Business:

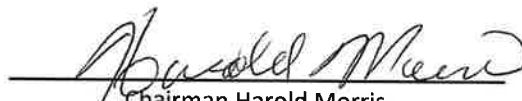
None

8. New Business:

None

9. ADJOURNMENT:

MOTION:	Adjourn at 7:16 pm by consent.				
MEMBER:	Morris	Keyserling	Loving	Zimmer	Winsett
ACTION:			Motion	Second	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0 Approved				



 Chairman Harold Morris
 Fluvanna County Board of
 Zoning Appeals