



**CHARLES CITY COUNTY
BOARD OF ZONING APPEALS
MINUTES
February 07, 2022
6:00 P.M.**

The meeting of the Board of Zoning Appeals was held February 07, 2022 at the Charles City County Government Administration Building at 6:00 p.m.

PRESENT: Charles H. Carter, III Chairman
Linda Pearce, Vice-Chairman
Dr. Yvonne Smith-Jones

OTHERS: Rhonda Russell, Asst. County Admin/Director of Community Development
Gary Mitchell, Planner/Asst. Zoning Administrator
Peggy J. Sullivan, Community Development Specialist

After a quorum was determined, Mr. Carter called the meeting of the Charles City County Board of Zoning Appeals to order at 6:05 p.m.

NEW BUSINESS:

Election of Officers for Chairman, and Vice-Chairman. Nominations were asked for Chairman, Mrs. Pearce nominated Mr. Carter and Dr. Smith-Jones second.

On a motion made by Mrs. Pearce, second by Dr. Smith-Jones, by a vote of 3/0 with Mr. Carter abstaining Mr. Carter was elected Chairman for the year of 2022.

Nominations were asked for Vice-Chairman, Dr. Smith-Jones nominated Mrs. Pearce and Mr. Carter second the motion.

On a motion made by Dr. Smith-Jones, second by Mr. Carter, by a vote of 3/0 Mrs. Pearce was elected Vice-Chairman for the year of 2022.

PUBLIC HEARING:

BZA-01-2022 - Application by M Rye for a setback variance to permit the construction of a single-family dwelling. The applicant seeks to vary requirements of Division II, District Regulations, Section 5, Agricultural District (A-1), Setback Requirements (5-5), of the Charles City County Zoning Ordinance which stipulates a front yard setback for buildings which are located on private streets shall be located 100 ft. from the front property line. The front yard setback variance would result in 70±' front yard – a variance of 30 ft. The subject property consists of ±1.35 acres, zoned Agricultural District (A-1), and is located 3,000 ft. off of John Tyler Memorial Highway on an unnamed private road. The property lies on the East side of Queens Creek and is further identified as Tax Parcel Number 53-38.

STAFF PRESENTATION:

This is for Mr. Rye, Tax Map Number 53-38, RPA encompasses $\frac{3}{4}$ of the property. He is requesting to move the house forward 30' to avoid impacting the RPA. Resulting in a 70' front setback as opposed to a 100' setback. The home is located on a private road. The Planning Commission reviewed the request and had no comment. Most of the property is RPA. Staff recommends approval with the following conditions:

- The proposed setback variance shall not be any larger than those indicated on the plat plan.
- The approval letter shall be recorded as an addendum to the Deed in the Charles City County Clerk's Office and a copy of the recordation shall be provided to the Planning Department. within 30-days of the BZA's decision and prior to any site work on the property.

The Board wanted to know if the paperwork required to be recorded will be provided to us? Staff said a letter would be sent to the BZA members.

PUBLIC HEARING:

Jane Copeland asked if all the surrounding properties were notified? Staff answered all surrounding properties were notified. Commission member asked is there going to be two septic systems and two wells one for each property? Applicant answered yes each home will have their own septic and well. Jane Copeland asked how does this effect the adjoining property owners, if it does at all? Staff answered it doesn't. It is on a private road. Mr. Carter asked, if there are any other questions, comments from staff or public? There was none. Public Hearing closed.

On a motion made by Mrs. Pearce, second by Dr. Smith-Jones, by a vote of 3/0 that BZA-01-2022 passes with conditions as presented.

MINUTES:

The Minutes from August 4, 2021 were presented.

On a motion made by Mr. Carter, second by Mrs. Pearce, by a vote of 3/0 that the Minutes from August 04, 2021 was excepted as presented.

ADJOURNMENT:

The meeting adjourned at 6:18pm