

**MINUTES
KING WILLIAM COUNTY BOARD OF ZONING APPEALS
SPECIAL MEETING OF FEBRUARY 19, 2020**

At a regular meeting of the Board of Zoning Appeals, held on February 19, 2020 at 6:30 P.M. in the King William Administration Building, the meeting was called to order with the following members:

Agenda Item 1. Call to Order

Agenda Item 2. Roll Call

Present:

Laura Nunnally

Doris White

Michael Nolan

Benjamin Shumaker, Chair

Absent:

Sergio Tassinari

Staff Present:

Ron Etter, Director of Community Development

Sherry Graham, Zoning Administrator

Krista Cole, Planning Secretary

Agenda Item 3. Review and Adoption of Meeting Agenda

Chairman, Benjamin Shumaker requested a motion to approve the February 19, 2020 Meeting Agenda. Mr. Michael Nolan made a motion to approve the agenda and the motion was seconded by Ms. Doris White.

The vote was unanimous on this motion.

Agenda Item 4. Review and Approval of Minutes

Chairman, Benjamin Shumaker requested a motion to approve the January 15, 2020 Minutes.

Mr. Michael Nolan stated that he did not second the October 16, 2019 Minute approval because he was absent at that meeting. Ms. Doris White made a motion to approve the minutes with amendment and Ms. Laura Nunnally seconded the motion.

The vote was unanimous on this motion.

Agenda Item 5. Public Comment Period

Being that there was no one to speak, there was no public comment period.

Agenda Item 6a. V-01-20 Byrd-Garnett

Ms. Sherry Graham gave the Board a brief presentation on the Variance.

There being no one to speak, there was no Public Hearing for V-01-20.

Chairman, Benjamin Shumaker requested a motion to approve or deny the request.

Being that there were no neighbor objections, Mr. Michael Nolan motioned to approve the variance subject to building permits that will be required. Ms. Doris White seconded the motion.

Chairman, Benjamin Shumaker questioned the hardship of the case.

Mr. Michael Nolan stated that he recognized the hardship with the septic and well.

Members were polled:

Laura Nunnally	Nay
Michael Nolan	Aye
Doris White	Aye
Benjamin Shumaker	Nay

The vote was tied 2 – 2.

Chairman, Benjamin Shumaker asked the owners if they would like to continue the case to March.

V-01-20 Byrd-Garnett was tabled to the March 18, 2020 regular meeting.

Agenda Item 6b. A-01-20 The Fix Ministry

Mr. Ron Etter explained the appeal and what The Fix Ministry is trying to accomplish. The Fix Ministry would like to expand from 8 beds to 20 beds. Mr. Etter also stated that the use of a facility on that property was not permitted.

Mr. Christopher McKenzie gave members a little information on the principle use of the property versus the owner of the property.

Chairman, Benjamin Shumaker was curious as to what determines the use. He also noted that there seemed to be some background information missing from the Summer 2018, to the letter in October of 2019.

Mr. Michael Nolan expressed concern of the land owner and whether they would need consent to change the use.

Mr. Ron Etter assured members that we do not allow anything without an owner signature.

Ms. Laura Nunnally wanted reassurance on what exactly they were needing to determine.

Mr. Christopher McKenzie stated that they were determining whether the zoning determination made by King William Zoning, was correct.

Chairman, Benjamin Shumaker was curious if there was anything that could prevent them from becoming a group home or church.

Ms. Jaime Wisegarver, Attorney for the Fix, stated that this was not a request to do a group home.

Pastor Swezey stated that they originally approached the County to ask for advice on opening a church. He said their mission was to bring as many people to Christ. There are not just students attending our church, the heart and purpose are that of a church.

Mr. Michael Nolan expressed his concern on the housing component, as it was a little confusing.

Chairman, Benjamin Shumaker was curious if they had church memberships.

Chairman, Benjamin Shumaker opened the Public Hearing for A-01-20 The Fix Ministry.

D. Haney spoke in favor of The Fix Ministry as a church, said he has been hunting their land for years.

Carter Franck, a student of The Fix Ministry stated that The Fix changed his life and it hurts him to hear the words, rehab and or group home because it is much more. Since being a part of The Fix, Carter has found peace in Jesus and in his family of believers.

Laura Franck (Carters Mom) stated that Carter was baptized and saved within less than a week of being at The Fix. She is very grateful for this ministry and attends their church services every Saturday.

Rocky Jones spoke in favor of The Fix Ministry. He heard a sermon one day on the “not so prodigal son” and it changed his life. This ministry is a blessing to him and his wife, as well as so many others because of all the outreach that they do.

Dee Burruss with the United for Christ Motorcylce Ministry spoke of the loss of his son to addiction and when he heard about The Fix and all the outreach they were doing, he wanted to be a part of that and has been helping feed the homeless for three years now.

Jeff Snodgrass stated that Jesus Christ is the fix. He suffered from alcoholism and has been clean for 20 years. The people are the church and I love our guys, they are all a part of me and I want to help be able to change their lives. There are NO patients at The Fix Ministry, just lost souls and hurt hearts that need healing.

Melanie Gary stated that her son was new to the program and they had been everywhere including Washington D.C., California, and Florida, to fight her sons addiction and with The Fix, they were able to get her son off of the streets.

Yvonne Broaddus stated that she has lived in King William for 23 years. In March of 2019 she began helping someone look for an addiction program and she came across The Fix Ministry, she has been attending The Fix as her own church since then. The Fix Ministry is where Ms. Broaddus serves her community and the people in it.

Barbara Brown stated that The Fix is her church. She asked the Board to consider the value of what this church does and that it has nothing that mimics an institution.

Jacqueline Jones told the Board that this is her church and she loves what they do. She stated that they are so welcoming and even her eight year old granddaughter attends with her.

Sonia Snodgrass stated that The Fix is her church and that her and her husband drive from Charles City to King William to attend this church. She stated that her and her husband have been given the opportunity to love the guys in the program, as well as opportunities to feed the homeless and bring the church to them through the Lighthouse.

Jeff Poythress stated that he has a close relationship with The Fix. Thanked the Board for consideration and told them that he celebrates with them once a month to join in worship and scripture.

John Adams told the Board that he graduated from The Fix and was baptized there, read the entire bible and served on the worship team. Now serves at three different churches. Stated that the Discipleship program is leading others and being lead and the bible is the program. They are all held to the standards of the bible and leading others to Christ.

Stuart Evans with Evans Construction stated that he was in support of The Fix and that he financially supports The Fix as one of the businesses that pours into the church.

Bruce Cobb is a retired Navy counselor who teaches on Thursday nights. He would like to cut through the red tape and do what we need to do to get this done. He read a scripture.

Matt Johnston has been a resident of King William for 15 years. Stated that The Fix is a church and they preach the word of God every day. He is a recovering addict of 17 years and feels that The Fix is amazing and taking the right steps to do the right thing.

Krystal Johnston is an active business owner in King William and has been for 15 years. The Fix is a needed ministry. It may seem like a risk BUT it is not as much of the risk of not having it. Some of these people need spiritual healing and the community needs more of this, they deserve it.

John Adams told the Board that his son had minor hand surgery in 2011, he was given OxyContin which began a 9 year addiction. They tried everything for him but when they got to The Fix, he dropped his son off and left. When he and his wife returned six weeks later, their son was a completely different person. Please help The Fix continue what they are doing.

Faye Fortune representing the Rappahanock Tribe stated that they request approval for this facility, as they are in full support and favor of The Fix.

Ben Caldwell stated that it is very important for these people to be able to live at the facility and devote their time to getting better versus being in a place where they have access.

Kristy Davis has a son in the program. It the only place that has given her son hope, as he was baptized and saved there. Addiction is EVERYWHERE and those people NEED help. They need to know that they have hope and that someone can help lead them to Jesus Christ. This establishment can help so many people.

John Swezey wanted to thank the Board for having The Fix Ministry. His mother owns the property and for many years, he was not allowed on the property because of his lifestyle. He tried treatment facilities and nothing worked. He ended up at a local church down in Bottoms Bridge and was surrounded by people that began to pour the word of God into him. They took him in and helped him get on the right track and THAT is when he decided that he wanted to help others. He wanted to give others the same experience.

The public hearing was closed.

Ms. Jaime Wisegarver stated that the zoning determination should be reversed or modified.

Mr. Michael Nolan was curious from a zoning aspect, if adding beds was considered part of church.

Ms. Jaime Wisegarver stated that once they are classified as a church, there are no bed limits.

Chairman, Benjamin Shumaker requested a motion to approve the zoning determination.

Mr. Michael Nolan made a motion to modify that it is used as a church. Ms. Laura Nunnally seconded the motion.

Members were polled:

Michael Nolan	Aye
Laura Nunnally	Aye
Doris White	Aye
Benjamin Shumaker	Aye

The vote was unanimous on this motion.

There was no new or unfinished business.

Agenda Item 9a. Zoning Ordinance

Mr. Ron Etter told members the HPARB had started and completed their part of the ordinance. Mr. Etter also told members that the last Planning Commission work session would be held on February 26, 2020 and then going forward a community work group will be formed to add recommendations.

Mr. Michael Nolan was curious what would happen from there?

Chairman, Benjamin Shumaker was curious as to where the Board of Zoning Appeals will fall in to the ordinance rewrite.

Ms. Krista Cole, Secretary, stated that she would get the Board their part of the ordinance to begin reviewing.

Mr. Christopher Mackenzie told the Board that the BZA classes held at VCU are very useful and that the Board will want to hear any concerns or issues that they have or see.

Members and staff agreed to have attorney come up with a modified resolution.

Agenda Item 9b. Annual Report

Staff provided the board with 2019 Annual Board of Zoning Appeals Report.

Agenda Item 10. Adjournment

Chairman, Benjamin Shumaker requested a motion to adjourn. Mr. Michael Nolan made the motion to adjourn and Ms. Laura Nunnally seconded the motion.

The vote was unanimous on this motion.

Chairman, Benjamin Shumaker

Secretary, Krista Cole