

**MINUTES
KING WILLIAM COUNTY
BOARD OF ZONING APPEALS
SEPTEMBER 16, 2020**

At a regular meeting of the Board of Zoning Appeals, held on September 16, 2020 at 6:30 P.M. in the Board Room of 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:

Doris White

Michael Nolan

Sergio Tassinari

Benjamin Shumaker, Chairman

Laura Nunnally

Staff Present:

Sherry Graham, Director of Community Development

Krista Cole, Planning Secretary

Agenda Item 3. Review and Adoption of Meeting Agenda

Chairman, Shumaker requested a motion to adopt the September 16, 2020 meeting agenda. Ms. Nunnally gave a motion and the motion was seconded by Ms. White.

The vote was unanimous on this motion.

Agenda Item 4. Review and Approval of Minutes

Chairman, Shumaker requested a motion to approve the July 15, 2020 meeting minutes with the following amendment to 7a. New Business – Remove Public Comment Period:

Chairman, Shumaker wanted to seek input from other members concerning the removal from further agendas the Public Comment Period not associated with an appeal or Variance request. He commented that other counties like King & Queen, Essex County, New Kent do not have a separate public comment period on items other than the Appeal or Variance request as part of their proceedings. Shumaker also commented that it is not included in our Rules of Procedure

nor does the State Code include it. He also pointed out that we already offer Public Comment period for the specific appeals and variance requests that are at hand.

Mr. Nolan made a motion to approve the July 15th minutes as amended and Ms. Nunnally seconded the motion.

The vote was unanimous on this motion.

Chairman, Shumaker requested a motion to approve the August 18, 2020 meeting minutes as presented. Mr. Nolan made a motion and the motion was seconded by Mr. Tassinari.

The vote was unanimous on this motion.

Agenda Item 5. Public Comment Period

NONE

Agenda Item 6. Public Hearing

a. V-02-20 Carter & Jones

County Administrator, Bobbie Tassinari, District Three, spoke in advocacy for the Carter & Jones family. She also stated that she would be waiving the \$1,000.00 Variance Application Fee.

Mr. Nolan was curious if the County Administrator had the authority to waive fees.

Chairman of the Board of Supervisors, Mr. Stephen Greenwood, District Three, also spoke to advocate for the Carter & Jones family. He stated that meeting the minimum five acre lot requirement is a hardship and that he has lots that are two acres or less in his neighborhood.

Ms. Bonnie Hite, Second District told the Board that she is in full understanding of the importance of living close to family.

Mr. Ed Moren of Board of Supervisors stated that he did not want to set a precedence for the future but that he believes this should be approved.

Mr. Nolan asked the applicant to express the hardship.

Applicant, Antonio Jones, stated that he has been living in Newport News for his job at the Shipyard and would like to be back in his community where he grew up so that he can help take care of his family and be closer to them.

Mr. Nolan was curious if the parcel was land-locked. He also stated that dividing a piece of this parcel would still leave an excessive 10 acres and that there should be a condition to not be able to subdivide to get any more than two extra lots out of the parent tract, unless the ordinance minimum lot size changes in the future.

Chairman, Benjamin Shumaker requested a motion to approve V-02-20 contingent on the following condition:

- The remainder of the parent lot designated as Tax Parcel 38-104 shall be restricted from further subdivision which would result in a lot density greater than permitted under the zoning ordinance in effect at the time of any such application.

Ms. White made a motion to approve V-02-20 and Mr. Tassinari seconded the motion.

Members were polled:

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

Agenda Item 7. Unfinished Business

a. 39th Certified BZA Program

Secretary, Krista Cole discussed the upcoming October BZA program that VCU would be holding and that anyone who was interested in taking that program would need to get with her to take care of enrollment.

Agenda Item 8. New Business

NONE

Agenda Item 9. Staff Reports

Sherry Graham, Zoning Administrator updated the Board on any current projects in Planning Department. No new projects.

Agenda Item 10. Adjourn

Mr. Nolan wanted to express his gratitude to all who came out in support of the Jones and Carter family.

A motion to adjourn was made by Benjamin Shumaker and the motion was seconded by Ms. White.

Chairman, Benjamin Shumaker

Secretary, Krista Cole