

**Stafford County
BOARD OF ZONING APPEALS**

MINUTES May 22, 2007

The regular meeting of the Stafford County Board of Zoning Appeals (BZA) on Tuesday, May 22, 2007 was called to order with the determination of a quorum at 7:00 p.m. by Chairman Cecelia Kirkman in the Board Chambers of the Stafford County Government Center. Ms. Kirkman introduced the Board members and staff and explained to the public present, the purpose, function and process of the Board of Zoning Appeals. She asked the members of the public who planned to speak at this meeting to please stand and raise their right hand, swearing or affirming to tell the truth.

Ms. Kirkman said the By-Laws of this Board state that the applicant is allowed up to ten minutes to state their case, the other speakers are allowed up to three minutes to testify, and the applicant is allowed up to three minutes for rebuttal.

Members Present: Cecelia Kirkman, Julie Rutledge, Ernest Ackermann, and Steven Beauch

Members Absent: Larry Ingalls, Angelo Amador, and John Overbey

Staff Present: Rachel Hudson, Acting Zoning Administrator
Melody Friberg, Senior Zoning Technician
Wanda Doherty, Recording Secretary

Declarations of Disqualification's: None

Ms. Kirkman reminded the applicants that it would take a positive vote for all attending members to approve a case. She stated the applicants could request a postponement until all seven members of the Board are present.

Mr. Keith Newport with Sunshine Homes case number V06-5/2600339 requested to have his case postponed.

Ms. Kirkman asked staff if there were any changes to the agenda.

Ms. Friberg stated the following cases were postponed; Mount Ararat Baptist Church case number SE06-13/2600643, Bennie Earl Gaines case number SE07-7/2700215 and Sunshine Homes case number VO6-05/260039.

PUBLIC HEARINGS:

Ms. Friberg reviewed the following case for the Board.

SE07-7/2700216 - CHRISTY PURSELL - Requests a Special Exception per Stafford County Code, Section 28-273, "Nonconforming Structures or Residential Buildings", to allow an addition to an existing nonconforming single family dwelling on Assessor's Parcel 55-139A. The property is zoned A-2, Rural Residential, located at 652 White Oak Road, McCarty Subdivision.

Ms. Rutledge asked how it was determined that the lot was a corner lot.

Ms. Friberg said according to the definition of front yard, you take measurement from the front property line or innermost part of private access easement. This private access easement has been named and serves three homes.

Mrs. Christy Pursell the applicant said she is requesting a Special Exception to put an addition on the back of her non-conforming house. She said the addition plans should be included in the Board member packets and she has some additional pictures.

Ms. Kirkman informed Mrs. Pursell that her pictures would be held for thirty days before being returned to her.

Ms. Rutledge asked if the addition would be seen from the front of the home when you drive by on White Oak Road.

Mrs. Pursell said no, the addition would not be seen if driving by on White Oak Road.

Mr. Ackermann asked if the addition would replace the deck.

Mrs. Pursell said that it would.

Ms. Rutledge asked if the applicant had talked to her neighbors about the addition.

Mrs. Pursell said that she had and they all supported her.

Proponents:

Christopher Pursell said they are requesting a Special Exception for an addition to the back of their home.

Opponents: None

Ms. Kirkman gave the applicant a final opportunity to speak.

Ms. Kirkman closed the public hearing.

Motion:

Mr. Ackermann made the motion to approve.

Mr. Beauch seconded.

Mr. Ackermann said he made the motion because the case meets the qualifications for a Special Exception and it will not change the appearance of the neighborhood.

Mr. Beauch said he made the motion for the same reasons.

Ms. Rutledge said she would support the request because it meets criteria, it is a long narrow lot and it would not change the appearance of the neighborhood.

Ms. Kirkman said she would support because this is the kind of case the Board of Supervisors had in mind when they changed the Ordinance.

Vote:

Motion to approve 4-0

Ms. Rutledge – yes

Ms. Kirkman – yes

Mr. Ackermann – yes

Mr. Beauch -yes

UNFINISHED BUSINESS

None

REPORT BY DEPUTY ZONING ADMINISTRATOR

None

ADOPTION OF MINUTES

April 24, 2007

Motion:

Ms. Rutledge made the motion to approve.

Mr. Ackermann seconded.

Vote:

Motion to approve 4-0

Ms. Rutledge – yes

Ms. Kirkman – yes

Mr. Ackermann – yes

Mr. Beauch – yes

OTHER BUSINESS

Ms. Hudson said Mr. Hubble had asked her to present some questions to the Board regarding their request for a presentation by Department of Conservation and Recreation (CBLAD) and County staff. She said Mr. Hubble wanted to know if the Board wanted CBLAD, staff or both to give a presentation to the Board and would they like the workshop in June or July.

The Board agreed they would like to have both CBLAD and staff. They requested subjects such as variances to the Bay, vesting, structures being built on a stream, and pools.

Ms. Hudson said she would try to work on having both CBLAD and staff for a workshop at 5:00p.m or 5:30p.m before the June 26, 2007 Board of Zoning Appeals meeting. She said she would notify the Board and advertise the workshop.

ADJOURNMENT

7:25 p.m.

Motion:

Ms. Rutledge made the motion to adjourn.

Mr. Beauch seconded.

Vote:

Motion to approve 4-0

Ms. Rutledge – yes
Ms. Kirkman – yes
Mr. Ackermann – yes
Mr. Beauch – yes

WLD

Approved: _____ Date: _____
Rachel T. Hudson, Zoning Administrator