

Minutes
Northampton County
Board of Zoning Appeals
July 1, 2014

This was a regular meeting of the Northampton County Board of Zoning Appeals (BZA) held on Tuesday, July 1, 2014, in the Board Chambers located at 16404 Courthouse Road in Eastville, Va.

Members present were Chair Susan Henderson, Kevin Kellam, Bonnie Nottingham, Eugene Bannister and Douglas Coburn.

Also in attendance were Melissa Kellam, Zoning Administrator, Kelley Lewis, Development Inspector and Nyoka Hall, Recording Secretary

The Chair called the meeting to order at 10:30 a.m., established a quorum, and then introduced Board members and staff to the public.

Public Hearings

Ms. Kellam read the notice and staff recommendation into the record:

- A. Buffer Exception B-EX 2014-02: Charles B. and Annetta W. Barton III have applied for an exception of 165 square feet and 55 linear feet of encroachment into the required resource protection area buffer to construct a deck with steps to an existing single-family dwelling. The property has frontage on Barlow Creek and is located at 3472 Barlow Creek Lane. The parcel is zoned ESD-A-1 Existing Subdivision District – Agricultural – 1 and described as Tax Map 47, double circle A, parcel 23.

Recommendation:

It is the opinion of staff that the applicant's request for an exception to construct a 165 square foot deck with steps meets the criteria for an exception to be considered by the Board of Zoning Appeals. The subject parcel was recorded in deed book 173 page 459 on December 29, 1972 and, as noted on the NHCO tax cards, the home was constructed in 1973, both taking place prior to adoption of the Bay Act regulations in 1989. The applicant will be required to mitigate all work performed in the buffer with one mitigation unit equating to 1 canopy tree, 2 understory trees and 3 small shrubs. Staff considers this request to construct a deck addition onto an existing single-family dwelling to be reasonable and recommends approval of this exception.

Mr. David Kabler, agent for the applicants, stated the application meets the criteria for a variance as the hardship was not self-imposed and existed well before the enactment of the Chesapeake Bay Act.

The Chair called for public comments, none were received and the public portion of the hearing was closed.

Action:

Motion was made by Mr. Bannister that the Board approve the application as submitted with a second from Mr. Coburn and the motion carried unanimously 5 to 0.

Statements from the Public: none.

Old Business:

- A. Formally ratify approval of extension request from David's Nursery VAR 2013-07
The Board voted unanimously to formally ratify and enter into the minutes the approval of David's Nursery extension request that was granted via electronic communication.

- B. Barbara Thomas update
Ms. Kellam informed the Board that Ms. Thomas was still working on the project. She was informed that the project must be completed by August 16, 2014 and if she was not able to complete it within the given time frame an extension would need to be requested. The Board requested Ms. Kellam request Ms. Thomas to submit a report to the Board detailing the work she has done.

New Business: none.

Zoning Administrator's Report

Ms. Kellam reported that no new applications have been filed to date; therefore, there would be no meeting of the Board in August.

Consideration of Minutes

The minutes of the November 12, 2013 were unanimously accepted as written upon motion by Mr. Bannister and second by Mr. Kellam.

Adjourn

There being no other business the meeting was adjourned at 11:00 a.m.

Chair

Secretary