



FLUVANNA COUNTY BOARD OF ZONING APPEALS
Morris Room, Fluvanna County Administration Building
March 19, 2019
7:00 PM (Morris Room)

| TAB | AGENDA ITEMS |
|-----------------|---|
| REGULAR MEETING | |
| 1 | CALL TO ORDER: Brad Robinson, Senior Planner |
| 2 | 2019 Organizational Meeting <ol style="list-style-type: none">Election of OfficersAdoption of the Bylaws & Meeting Schedule |
| 3 | APPROVAL OF MINUTES <p>Minutes of July 3, 2018</p> |
| 4 | PUBLIC HEARINGS <p>BZA 19:01 Todd and Casey Robinson – Holly Steele, Planner</p> |
| 5 | UNFINISHED BUSINESS <p>None</p> |
| 6 | NEW BUSINESS <p>None</p> |
| 7 | ADJOURN |


Planning/Zoning Administrator Review

Fluvanna County...The heart of central Virginia and your gateway to the future!

For the Hearing-Impaired – Listening device available in the Board of Supervisors Room upon request. TTY access number is 711 to make arrangements.
For Persons with Disabilities – If you have special needs, please contact the County Administrator's Office at 591-1910.

MOTION: I move to elect _____ as Chairman of the Fluvanna County Board of Zoning Appeals for the calendar year of 2019.

MOTION: I move to elect _____ as Vice Chairman of the Fluvanna County Board of Zoning Appeals for the calendar year of 2019.

AGENDA **Board of Zoning Appeals** **March 19, 2019**

SUBJECT: Election of Officers

TIMING: Routine

DISCUSSION: As has been your practice in the past, the Senior Planner opens the meeting and calls for the nomination and election of the Chairman.

Upon the election of the Chairman, the elected chairman will then call for the nomination and election of the Vice Chairman.

The Annual or Organizational meeting of the Board of Zoning Appeals will be conducted first and then move to the Regular meeting and conduct of business.

Staff: Jason Stewart, Director of Community Development

Planning Director's Use Only

Jason Stewart, Director of Community Development

BY - LAWS
FLUVANNA COUNTY BOARD OF ZONING APPEALS

I. OBJECTIVES; READOPTION AND AMENDMENT

This Board of Zoning Appeals, established pursuant to an ordinance adopted by the Fluvanna County Board of Supervisors and effective on the 1st day January 1974, adopted the following provisions in order to facilitate its powers and duties in accordance with (Chapter 11, Title 15, Article 8, Section 15.1-495 Code of Virginia, 1950 as amended). These Bylaws are hereby amended and readopted pursuant to Title 15.2, Subtitle II, Ch. 22, Art. 7 of the Code of Virginia (1950), as amended, and are effective on and after January 10, 2017.

II. TITLE

The official title of this board shall be the Fluvanna County Board of Zoning Appeals.

III. RULES FOR MEMBERS

Members having any interest or personal concern over a case shall so state and shall disqualify themselves from acting on that case; and shall, in all cases, comply with the Code of Virginia regarding conflicts of interests (Title 2.2, Subtitle I, Part E, Ch. 31) .

IV. SELECTION OF OFFICERS

The officers of the Board of Zoning Appeals shall consist of a chairman, vice chairman, and a secretary who shall be elected by the board in accordance with Virginia Code Sec. 15.2-2308-C.. The secretary may or may not be a member of the board.

Each officer shall be elected for a term of one year and may be reelected; except that the secretary, if not a member of the board, may be appointed for an indefinite term and continue office during the pleasure of the board.

Nominations shall be made by members from the floor at the first regular meeting of each calendar year. A candidate receiving a majority vote of the entire membership of the board shall be declared elected and take office immediately and serve for one year or until his successor shall take office.

Vacancies in office shall be filled immediately by regular election procedures.

V. DUTIES OF OFFICERS

The chairman shall be a citizen member of the Board of Zoning Appeals and shall preside at all meetings for the board; sign all actions passed by the board certifying that the same were duly adopted. After his signature is affixed to any action, the same shall be considered immediately entered as a public record.

The vice chairman shall be a citizen member of the board and shall act in the absence or inability of the chairman to act; and shall have the powers to function in the same capacity of the chairman in cases of the chairman's inability to act.

The secretary shall keep a written record of all business transacted by the board;

Notify all members and other parties as the chairman may direct on all meetings;
Keep a file of all official records and reports of the board;
Certify all maps, records and reports of the board;
Serve notice of all hearings and public meetings; attend to correspondence of the board as hereinafter prescribed;
Keep a set of minutes as hereinafter prescribed, together with a verbatim record of all proceedings of the board; and
Prepare and be responsible for the publishing of notices and advertisements relating to public hearings in section VI of these By- Laws.

VI. MEETINGS

Regular meetings of the Board of Zoning Appeals shall be held the Third Tuesday of the month beginning at 7:00 P.M except as provided by a majority vote of the board.

When a meeting date falls on a legal holiday, the meeting shall be held on the following day unless otherwise designated by the chairman.

Special meetings may be called at the request of a quorum of the membership or by the chairman when appropriate work load require same to be held. Written notice of meetings shall be given to each member at least five days prior to such meetings and shall state the purpose and time of the meeting. Such notice may be delivered by regular mail or by electronic transmission, to the extent authorized by the addressee.

All regular hearings, records, and accounts shall be open to the public as provided by law. Closed meetings may be held in accordance with the Virginia Freedom of Information Act (Title 2.2, Subtitle II, Part B, Ch. 37).

A majority of the membership of the board shall constitute a quorum. The board shall fix a reasonable time for the hearing of a application or appeal, give public notice thereof pursuant to Virginia Code Sec. 15.2-2311, shall, in addition, cause such notice to be advertised in accordance with the provisions of Virginia Code Sec. 2204, and shall decide the same within ninety(90) days. In exercising its powers, the board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from. The concurring vote of a majority of all members shall be necessary to reverse any order, requirement, and decision, or determination of an administrative officer or to decide in favor of the applicant or any matter upon which it is required to pass under the ordinance or to effect any variance from the zoning ordinance. Voting shall be by roll call, and a record of the vote shall be kept as a part of the minutes.

Except as otherwise expressly provided by these Bylaws or by law, procedures for meetings of the board shall be governed by Robert's Rules of Order, 11th Edition.

VII. ORDER OF BUSINESS

The order of business for a regular meeting shall be:

1. Call to order by the chairman;

2. Roll call;
3. Determination of quorum;
4. Approval of minutes;
5. Report of the secretary;
6. Report of special committees (if any);
7. Unfinished business;
8. Public hearings;
9. Closed meeting (if any);
10. Adjournment

The secretary shall take down motions as accurately as possible to reflect the intent of the board. Any member may require that the secretary read back each motion before a vote is taken. The names of the persons making and seconding motions shall be recorded by the secretary.

The Board of Zoning Appeals shall keep a set of all minutes for all regular, adjourned and special meetings as well as committee meetings.

The secretary shall sign all minutes and certify copies following the adoption of the minutes with any corrections.

VIII. HEARINGS

In addition to those required by law the board may at its discretion hold public hearings when it decides such hearings will be in the public's interest.

The chairman of the board may administer oaths and compel the attendance of witnesses. The secretary shall notify the parties in interest and the Zoning Administrator of its decision.

IX. CORRESPONDENCE

It shall be the duty of the secretary to draft and sign all correspondence necessary for the Board. It shall be the duty of the secretary to communicate by writing, by telephone or by electronic communication as authorized by these Bylaws or by law whenever necessary to make communications that cannot be carried out as rapidly as required through direct correspondence.

All official papers and plans involving the authority of the board shall bear the signature of the chairman or acting chairman. Copies of same shall be certified by the secretary.

X. AMENDMENTS

These rules may be changed by a majority vote of the entire membership.

The board may temporarily suspend any of the rules by a unanimous vote of members present.



2019

Board of Zoning Appeals Meeting Dates

January 15, 2019

February 19, 2019

March 19, 2019

April 16, 2019

May 21, 2019

June 18, 2019

July 16, 2019

August 20, 2019

September 17, 2019

October 15, 2019

November 19, 2019

December 17, 2019

Located In the Morris Room of the
County Administration Building.

Meetings start at 7pm

JANUARY

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FEBRUARY

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APRIL

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JULY

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OCTOBER

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NOVEMBER

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DECEMBER

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FLUVANNA COUNTY BOARD OF ZONING APPEALS
PLANNING FOR THE FUTURE

132 Main Street
P.O. Box 540
Palmyra, VA 22963
Phone: 434-591-1910
Fax: 434-591-1911
E-mail: jstewart@fluvannacounty.org

FLUVANNA COUNTY BOARD OF ZONING APPEALS **SPECIAL MEETING**

Fluvanna County Administration Building, Morris Room
July 3, 2018 at 6:00 PM

Members Present: Harold Morris (**Chairman**)
Peter Von Keyserling (**Vice-Chairman**)
Carol Walker

Staff Present: Jason Stewart, Planning and Zoning Administrator/**Secretary**
James Newman, Planner
Frederick Payne, County Attorney

Members Absent: Brad Robinson, Senior Planner
Easton Loving
Ed Zimmer
Stephanie Keuther, Senior Program Support Assistant

CALL TO ORDER:

Chairman, Harold Morris called the Board of Zoning Appeals Special Meeting of July 3, 2018 to order at 6:00 p.m.

APPROVAL OF MINUTES:

Minutes of May 15, 2018

MOTION:

Walker made a motion to approve the minutes of the May 15, 2018 as presented.

Seconded by **Von Keyserling**. The motion was approved with a vote of 3-0-0 AYES: Walker, Von Keyserling, and Morris NAYS: None ABSTAIN: None ABSENT: Loving, and Zimmer

Authorization of County Attorney to respond to pending litigation – Fred Payne, County Attorney

MOTION:

Von Keyserling made a motion to approve Authorization of the County Attorney to respond to pending litigation.

Seconded by **Walker**. The motion was approved with a vote of 3-0-0 AYES: Walker, Von Keyserling, and Morris NAYS: None ABSTAIN: None ABSENT: Loving, and Zimmer

Authorization for the filing of the official record - Fred Payne, County Attorney

MOTION:

Walker made a motion to approve Authorization for the filing of the official record.

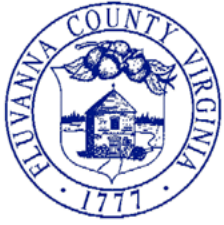
Seconded by **Von Keyserling**. The motion was approved with a vote of 3-0-0 AYES: Walker, Von Keyserling, and Morris NAYS: None ABSTAIN: None ABSENT: Loving, and Zimmer

ADJOURNMENT:

There being no further business, Chairman Morris adjourned the Board of Zoning Appeals Special Meeting of July 3, 2018 at 6:15 p.m.

Minutes recorded by Stephanie Keuther.

Chairman Harold Morris
Fluvanna County Board of
Zoning Appeals



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

STAFF REPORT

To: Board of Zoning Appeals
Case Number: BZA 19:01
Tax Map: 19, Section 13, Parcel 16

Staff: Holly Steele
District: Columbia
Date: March 19, 2019

General Info: The Board of Zoning Appeals is scheduled to hear this request at 7:00 pm on Tuesday, March 19, 2019 in the Morris Room of the Fluvanna County Administration Building.

Applicant: Todd Robinson and Darlene Beeghly

Owner: Todd Robinson and Darlene Beeghly

Requested Action: A request for a variance to Fluvanna County Code Sec.22-4-3(E) of the Zoning Ordinance to allow for the reduction of the minimum front setback required along a public road, from 125 feet to 80 feet and, for the purpose of constructing an attached garage to their existing home and bringing the existing home into compliance with the front yard setback requirements for Tax Map 19, Section 13, Parcel 16.

Code Section: Fluvanna County Code Sec.22-4-3(E) of the Zoning Ordinance

Location: The affected property is located in the Columbia Election District on Bybees Church Rd. (Route 613). This parcel is .1 miles from the intersection of James Madison Highway (Route 15) and Bybees Church Road (Route 613).
(Attachment B)

Existing Zoning: A-1, Agricultural, General (Attachment C)

Existing Land Use: Dwelling

Adjacent Land Use: Adjacent properties are zoned A-1, Agricultural, General

Comprehensive Plan: Rural Residential Planning Area

Zoning History: None

Analysis:

The applicant is requesting a variance to reduce the minimum front building setback required along a public road in order to construct an attached garage to their existing home and bring the existing home into compliance with the current county regulations. The subject property currently consists of an existing home on 3.528 acres with an 85 foot setback from Bybees Church Rd. The applicant desires to construct an attached garage to the existing home, bringing the building setback down to 80 feet from Bybees Church Rd.

The existing home was built in 2006 and purchased by the Robinsons in 2017. The home was not built in accordance with the county's building setback regulations, which require all buildings to be 125 feet from a public road. Therefore the applicant is requesting a variance to reduce the front building setback for the existing home and desired attached garage from 125 feet to 80 feet.

(Attachment A)

Sec. 22-4-3(E) of the Fluvanna County Zoning Ordinance states:

- (E) Minimum setback required (as measured from edge of right of way):
 - (1) U.S. Route 250, U.S. Route 15, VA. Primary Routes 6, 53, and VA.Secondary Route 616: 200 feet
 - (2) All other public roads: 125 feet
 - (3) Private Roads: 100 feet

As stated in Section 22-18-2(B) of the Fluvanna County Code, the Board of Zoning Appeals must consider certain statutory considerations when reviewing a variance request. The Board may grant a variance if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and:

- i. the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
- ii. the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
- iii. the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
- iv. the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and

- v. the relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application.

The Board must make each of the above findings in order to grant a variance as required by the Code of Virginia. Approval of a variance that does not meet each finding would be unlawful. The Board may impose, as part of an approval, conditions regarding the location, character, and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.

After evaluation of the above factors, staff has the following comments:

The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance:

The subject property existed prior to purchase by the applicant in 2017 and currently complies with the A-1 District lot size and dimensional requirements, for the exception of the front building setback. The other hardships facing the property such as the topography, presence of a floodplain, and location of the septic system were not created by the Robinsons and already existed when the property was purchased. (Attachment F)

The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area:

Adjoining properties contain either single-family dwellings or vacant land. Additionally, the home is primarily screened from the road and adjoining properties, even in winter, by a line of trees. However, the variance would result in the creation of a nonconforming lot in regards to its front building setback. (Attachment D)

The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance:

The applicant's situation is shared by all A-1 properties in the county in that all properties are required to adhere to a 125 foot building setback on all public roads; with the exception of highly trafficked public roads which require a 200 foot setback. However, this property's situation is made unique by the steep topography of the property, its location in a floodplain, and the location of the septic tank. These unique factors have created a situation in which the Robinsons are severely limited in the amount of buildable land on their property.

The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property:

The proposed single-family residential use with attached garage is permitted by right in the A-1 District and would not necessitate a change in the property's zoning classification.

The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application:

A special exception process is not available to the applicant and no zoning ordinance amendment is currently in progress.

A draft resolution is attached. (Attachment E)

Suggested Motion:

I move to approve/deny/defer BZA 189:01, a request for a variance to Fluvanna County Code Sec. 22-4-3(E) of the Zoning Ordinance to allow for the reduction of the minimum front setback from a public road, from 125 feet to 80 feet, for the purpose of constructing an attached garage to their existing home and bringing the existing home into compliance with the front yard setback requirements for Tax Map 19, Section 13, Parcel 16.

Attachments:

- A – Application and APOs
- B – Aerial Vicinity Map
- C – Zoning Map
- D – Photos of Property
- E – Floodplain Location
- F-- Draft Resolution

Copy:

Applicant: Todd Robinson and Darlene Beeghly, via email – dcaseyrobinson@gmail.com
File



**COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Variance Application (BZA)**

*Received
JAN 02 2019
Fluvanna County*

Owner of Record: Todd Robinson and Darlene Beeghly **Applicant of Record:** _____

E911 Address: 268 Bybees Church Rd Palmyra, VA 22963 **E911 Address:** _____

Phone: 434-987-9100 **Fax:** _____

Phone: _____ **Fax:** _____

Email: dcaseyrobinson@gmail.com

Email: _____

Representative: _____

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

E911 Address: _____

Phone: _____ **Fax:** _____

Email: _____

Tax Map and Parcel(s): 19 13 16

Deed Book Reference: 999 Pg: 2474

Acreage: 3.528

Zoning: A-1

Deed Restrictions? ☐ No ☐ Yes (Attach copy)

E911 Address of Parcel: 268 Bybees Church Rd, Palmyra VA 22963

Description of Property: 3 bedroom Single-family detached dwelling on 3.528 acres

Request for a variance from Section 22-4-3 **of the Fluvanna County Code in respect to the requirement for**
in order to build

| Fill in only the line(s) that apply to your request(s) | Applicant has | Code requires or permits | Variance requested |
|--|-------------------|--------------------------|--------------------|
| Total Area | | | |
| Lot Width | | | |
| Front yard setback | 80 <i>180 DCR</i> | 125 <i>125 DCR</i> | 45' <i>145 DCR</i> |
| Minimum side yard setback | | | |
| Total side yard setback | | | |
| Rear yard setback | | | |
| Public road frontage | | | |
| Other (write in) | | | |

Two copies of a plan must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

By signing this application, the undersigned authorizes entry onto the property by County employees, the Planning Commission, the Board of Supervisors, and the Board of Zoning Appeals during the normal discharge of their duties in regard to this request.

All plats must be folded prior to submission to the Planning Department. Rolled plans will not be accepted.

Todd & D. Casey Robinson
Owner/Applicant Name (Please Print)

12/27/18
Date

Todd Robinson and D. Casey Robinson
Owner/Applicant Signature

OFFICE USE ONLY

| | | |
|---|--|----------------------------------|
| Date Received: 01/02/2019 | PH Sign Deposit Received: <i>✓</i> # 2171 | Application #: BZA 19 :01 |
| \$550 plus mailing cost and fee paid: <i>✓</i> # 2170 <i>KPS</i> | | |
| Mailing Costs: \$20.00 Adjacent Property Owner (APO) after 1st 15, Certified | | |
| Election District: Columbia | Planning Area: Rural Residential | |
| Approved _____ Denied _____ Date: _____ | Zoning Administrator: _____ | |

Fluvanna County Department of Planning & Community Development * Box 540 * Palmyra, VA 22963 * (434)591-1910 * Fax (434)591-1911

This form is available on the Fluvanna County website: www.fluvannacounty.org

IMPROVEMENTS PROPOSED

Describe the improvements proposed. State whether new buildings or structures are to be constructed, existing buildings or structures are to be used, or additions made to existing buildings or structures.

Addition of an attached, accessible 2 car garage to existing 3 bedroom house is proposed.

SPECIAL CONDITIONS

Relate here the special conditions or circumstances (topography, soil type, shape of property) peculiar to the above described land, building, or structure or to the intended use or development of the land, building or structure involved that do not apply generally to other property in the same district.

Owner's disability makes current accessibility of house to/from car unsafe and physically challenging.

Existence of flood plain, parcel topography and location of well/septic make other locations impossible.

UNNECESSARY HARDSHIP

22-4-3

Describe here how the literal interpretation and enforcement of Section _____ of the Zoning Ordinance would effectively prohibit or unreasonably restrict the use or intended use or development of the properties involved by the applicant.

The owner will not have safe entry/exit from house without the addition of the proposed garage. The flood plain, topography and location of well/septic eliminate other site possibilities.

ADJACENT PROPERTY

Describe the effects of this variance on adjacent property and the surrounding neighborhood. How will adjoining property owners be protected.

There are 2 adjacent properties, one to the side (lot 15) of the proposed garage the other to the rear (lot 17)
The proposed garage location exceeds both the current side and rear setback requirements. Additionally,
a significant tree line will provide screening that will protect the adjacent properties and neighborhood.

PLAN

Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings and structures on the site, roadways, walks, off-street parking and loading space, landscaping and the like. (Architect's sketches showing elevations of proposed buildings and structures and complete plans are desirable and may be required with the application if available.)
Please see attached.

Variance Application
268 Bybees Church Rd
Todd and Casey Robinson

December 28, 2018

Dear Board Members:

One year ago today, we closed on our beautiful home located at 268 Bybees Church Road. We were moving from our home in Albemarle County to find a handicap accessible home suitable for my declining mobility and increasing reliance on a wheel chair. In 1980 I was diagnosed with an aggressive form of bone cancer that required an extreme transpelvic amputation making the use of a prosthetic impossible. I currently ambulate with forearm crutches as much as possible to maintain muscle strength, tone, and cardiovascular health. The crutches however can be very dangerous on wet surfaces and uneven terrain. Injuries to my wrists, both of my rotator cuffs and the diagnosis of osteopenia, are requiring me to be very cautious when walking and are increasing my use of a wheelchair.

When our realtor showed us the home at 268 Bybees Church Road we were ecstatic; it was perfect for one leveling living, offered a beautiful park like setting and was in Fluvanna county where we both work. The only thing it lacked was a garage, which we assumed would be a relatively easy addition. Just 6 weeks after moving into the house, the importance of constructing the garage as soon as possible became more apparent, when, on a wet rainy day, I fell going to my car breaking my right wrist. I've now had 3 surgeries on the wrist and it's held together with 17 screws and a titanium rod.

As we began consulting with contractors, reviewing surveys and building codes, we were also becoming more keenly aware of how much the portion of our property in flood zone A would limit our options for our garage construction. Ironically, the rain that precipitated my fall, was the first time the property had flooded since we purchased the home.



February 11, 2018
Flood waters cross driveway

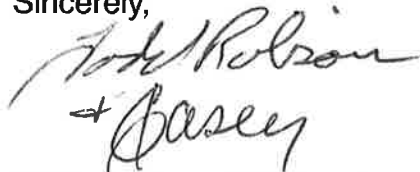
After meeting with multiple contractors, obtaining drawings of our septic field from the health department, and exploring many possibilities, it was widely agreed by all contractors consulted, that our only option for the location of the garage was on the right side of our home that fronted state route 613. We were stunned when our builder then informed us that they had contacted the Fluvanna County Planning Department and that we didn't meet the setback requirements. Following this news, we once again reviewed all options and even considered moving our septic field so that we could comply with the building code. During this process, we met with Absolute Plumbing and Drain of Troy Va to determine if moving the septic field was feasible; and, unfortunately, we were informed that given the flood zone, the location of our well and reserve area, that this was not an option. And, they also concluded that our only possible construction site was the one we are proposing with this application.

We are enjoying our home, it's close proximity to our jobs, and beautiful Fluvanna County. We hope that you'll agree that a safe, accessible, means of egress to our home is a reasonable request. We also believe the following factors create a unique scenario, and make the deviation to the current setback regulation a justifiable remedy:

- 1) My disability and use of crutches make exposure to wet, icy, and uneven terrain dangerous and unsafe.
- 2) We purchased the property in good faith and have not created the factors (flood zone, septic field guidelines/code) that limit full use of our parcel.
- 3) The construction of the garage will not have any adverse or detrimental impact on adjacent properties or the surrounding community.
- 4) The combined factors of improved handicap accessibility needs with the presence of a significant flood zone, create a unique set of circumstances that are unlikely to reoccur.

We thank you for your time and sincere consideration of our request.

Sincerely,

Handwritten signatures of Todd Robinson and Casey Robinson. The signature of Todd Robinson is written in cursive and is larger than the signature of Casey Robinson, which is written in a similar cursive style.

Todd and Casey Robinson.



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Public Hearing Sign Deposit

Name: Todd and Casey Robinson

Address: 268 Bybees Church Rd

City: Palmyra

State: VA Zip Code: 22963

I hereby certify that the sign issued to me is my responsibility while in my possession.
Incidents which cause damage, theft, or destruction of these signs will cause a partial or full
forfeiture of this deposit.

Todd Robinson, Casey Robinson 12-27-18
Applicant Signature Date

*Number of signs depends on number of roadways property adjoins.

| OFFICE USE ONLY | |
|--|---|
| Application #: BZA <u>19</u> : <u>01</u> CPA : SUP : ZMP : ZTA : | |
| \$90 deposit paid per sign*: <u>✓ # 2171</u> <u>(HS)</u> | Approximate date to be returned: <u>2/20/2019</u> |

Fluvanna County Department of Planning & Community Development * Box 540 * Palmyra, VA 22963 * (434)591-1910 * Fax (434)591-1911

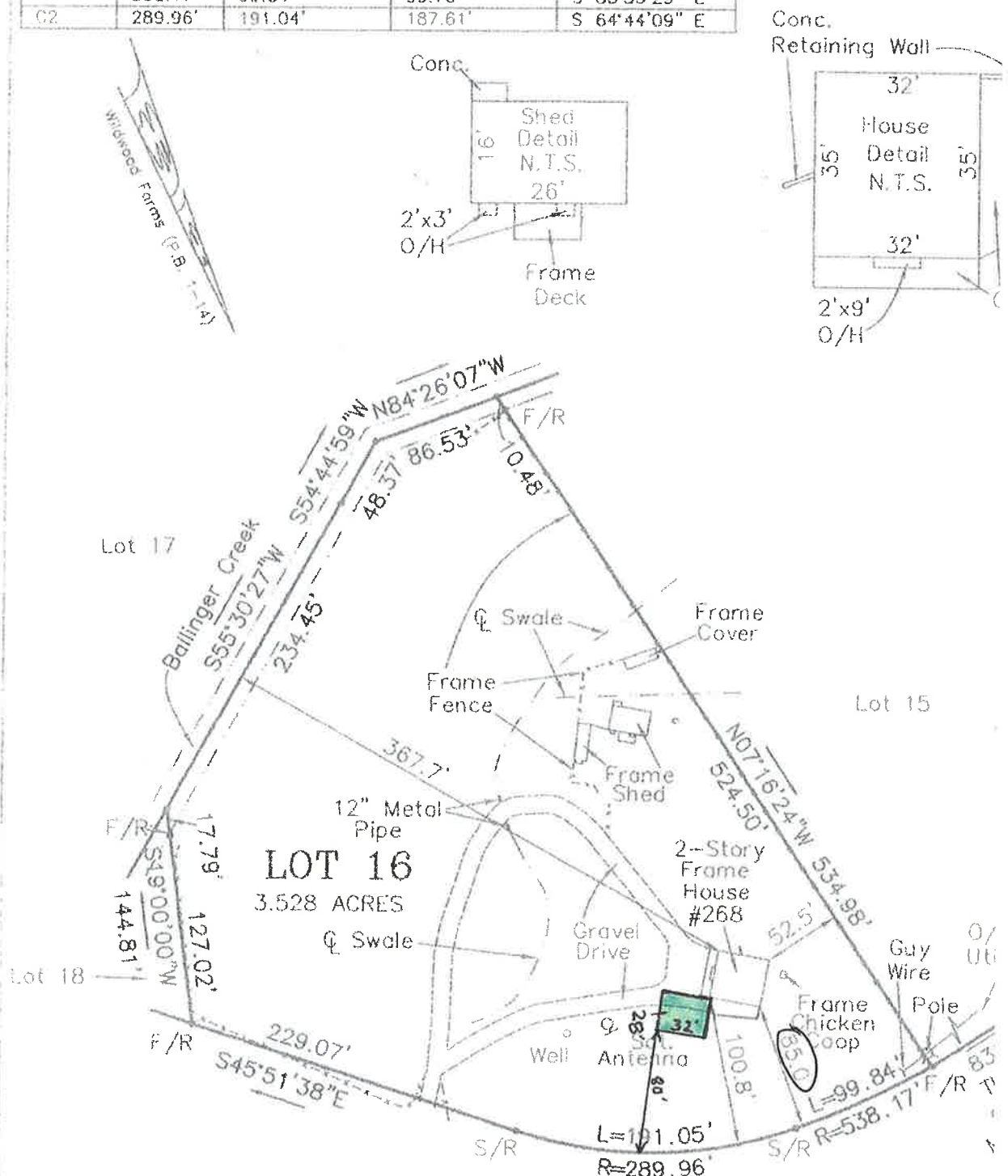
This form is available on the Fluvanna County website: www.co.fluvanna.va.us

Received
JAN 02 2019
Fluvanna County

Robinson $1'' = 100'$

LEGEND: C=COVERED, C/P=CARPORT, C/G=CITY GAS, F/D=FRAME DECK, F/P=FIREPLACE, F/R=FOUND ROD, O/H=OVERHANG, PT=POWER TRANSFORMER, S/P=SCREEN PORCH, S/R=SEWER, UV=UTILITY VAULT, PB=POWER BOX, UP=UTILITY PEDESTAL, U=UNCOVERED, U/G=UNDERGROUND, W/M=WATER METER, N.V.A.=NO VISIBLE ADDRESS, U/C=UNDER CONSTRUCTION

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING |
|-------|---------|------------|--------------|---------------|
| C1 | 538.17' | 99.84' | 99.70' | S 88°55'29" E |
| C2 | 289.96' | 191.04' | 187.61' | S 64°44'09" E |



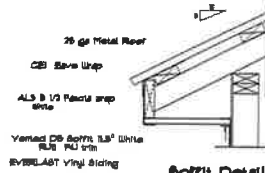
BYBEES CHURCH ROAD

State Route 613

Physical Survey & Map Showing Lot 16, Wildwood Farm
Palmira District Fluvanna County Virginia

| DESIGN CRITERIA | |
|-----------------|----------|
| ACI, BEARING | 3000 PSI |
| WIND | 30 MPH |
| DOOR | 200 VMC |
| ROOF LOAD | 30/10 |

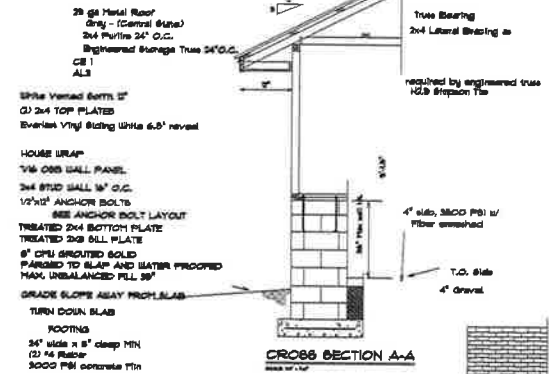
| DOOR SCHEDULE | |
|---------------|--------------|
| Model | Size |
| A | 12'0" x 7'0" |
| B | 10'0" x 6'0" |
| C | 8'0" x 6'0" |
| D | 6'0" x 6'0" |



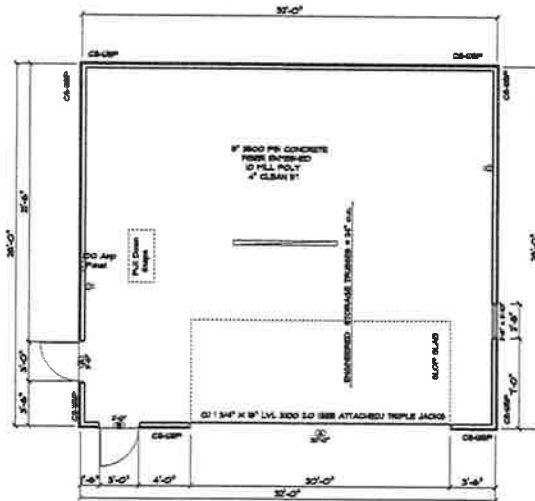
Roof Detail 5/12



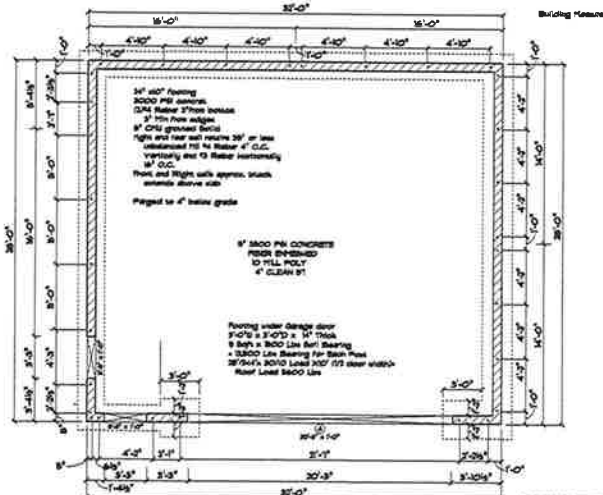
Gable End Detail



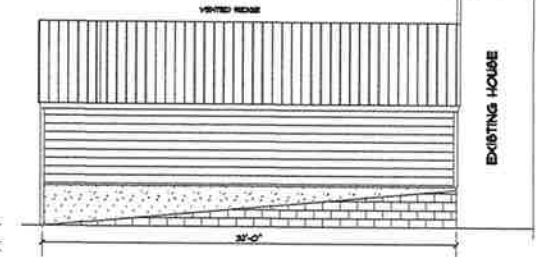
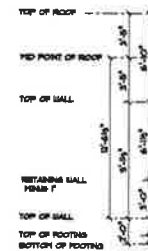
CROSS SECTION A-A



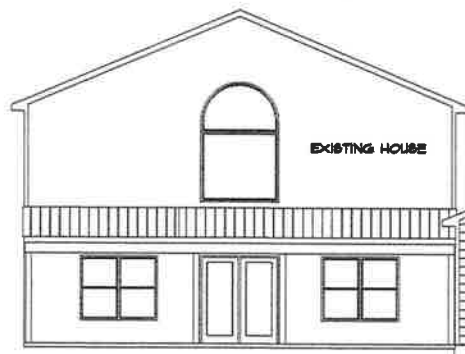
1ST FLOOR PLAN



FOUNDATION PLAN



RIGHT ELEVATION



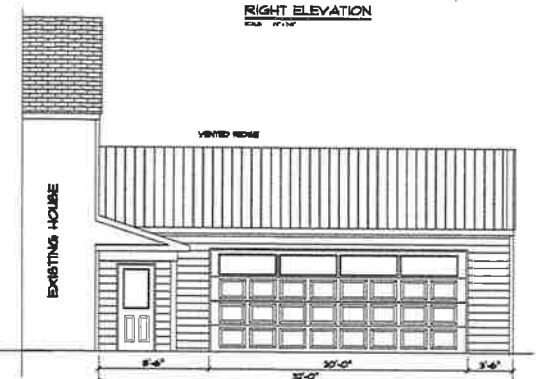
FRONT ELEVATION



REAR ELEVATION

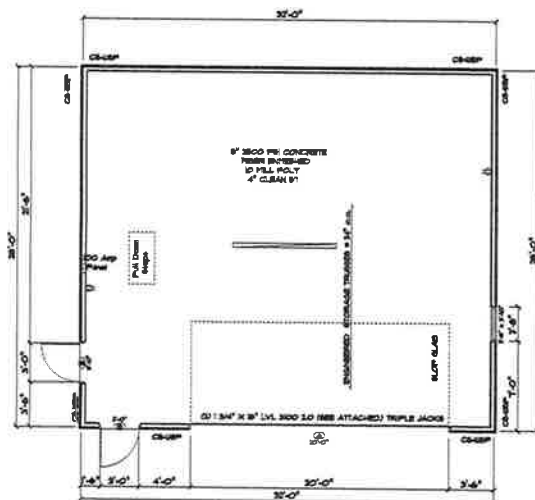
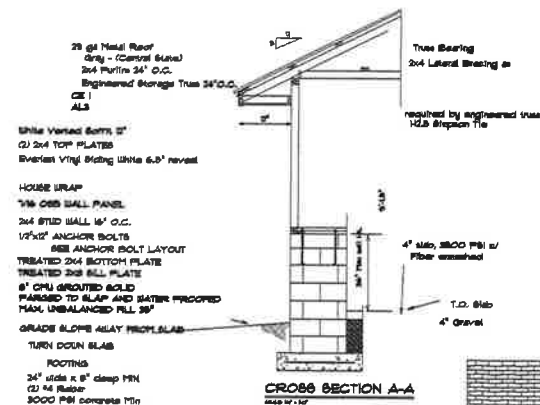
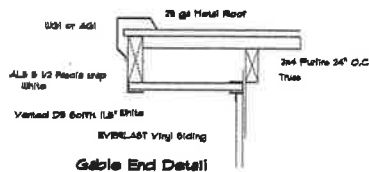
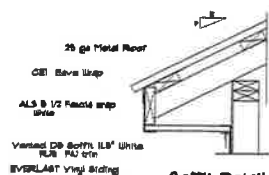


LEFT ELEVATION

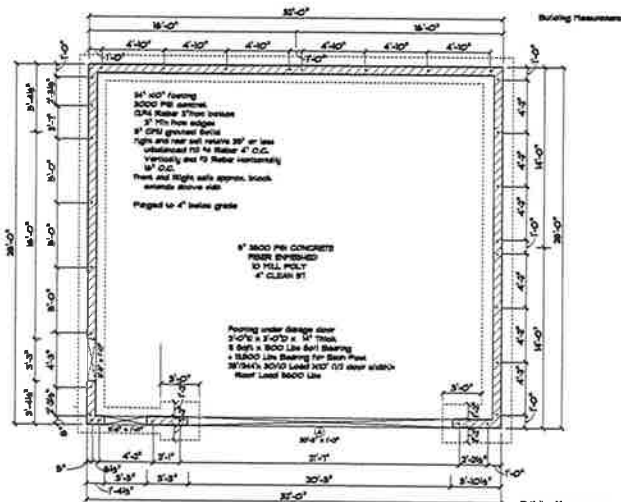


Pg. 1 of 1
 Date: NOV 29th, 2018
 Drawn By: David G. Ogbum
 Thomas Lord
 Cell: (423) 504-0678
 CONTRACTOR: Ogbum Construction Inc.
 32 Cobblestone Circle Goodland, VA 23103
 Phone: 804-908-4778
 Email: ogbum.david@gmail.com
 Class A Lic#105 043107A
 OWNER: Todd & Casey Robinson
 268 Bybess Church Road
 Palmyra, VA 22963
 434-361-9100

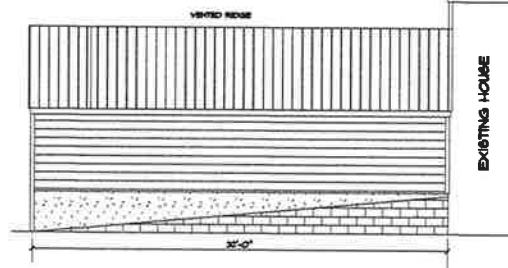
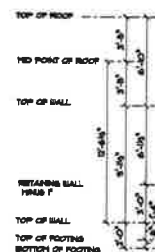
| DOOR SCHEDULE | | | |
|---------------|-----|--------------------|--|
| Symbol | Qty | Size | Remarks |
| A | 1 | 30" x 78" x 2 1/2" | Door Heritage 2000 |
| B | 1 | 30" x 78" x 2 1/2" | 1. Use Hinges, 2. Add 1 long door hinge and hardware |
| C | 1 | 30" x 78" x 2 1/2" | 1. Use Hinges, 2. Add 1 long door hinge and hardware |



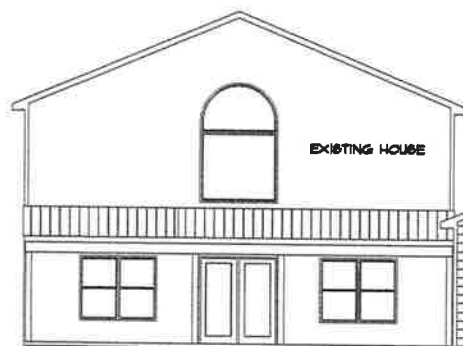
1ST FLOOR PLAN



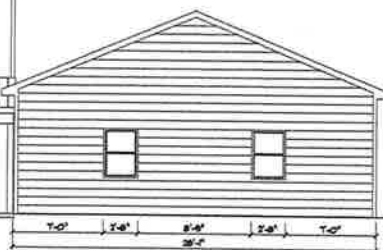
FOUNDATION PLAN



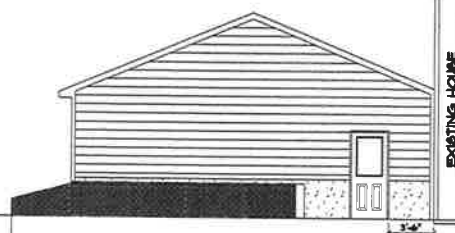
RIGHT ELEVATION



FRONT ELEVATION



REAR ELEVATION



EXISTING HOME



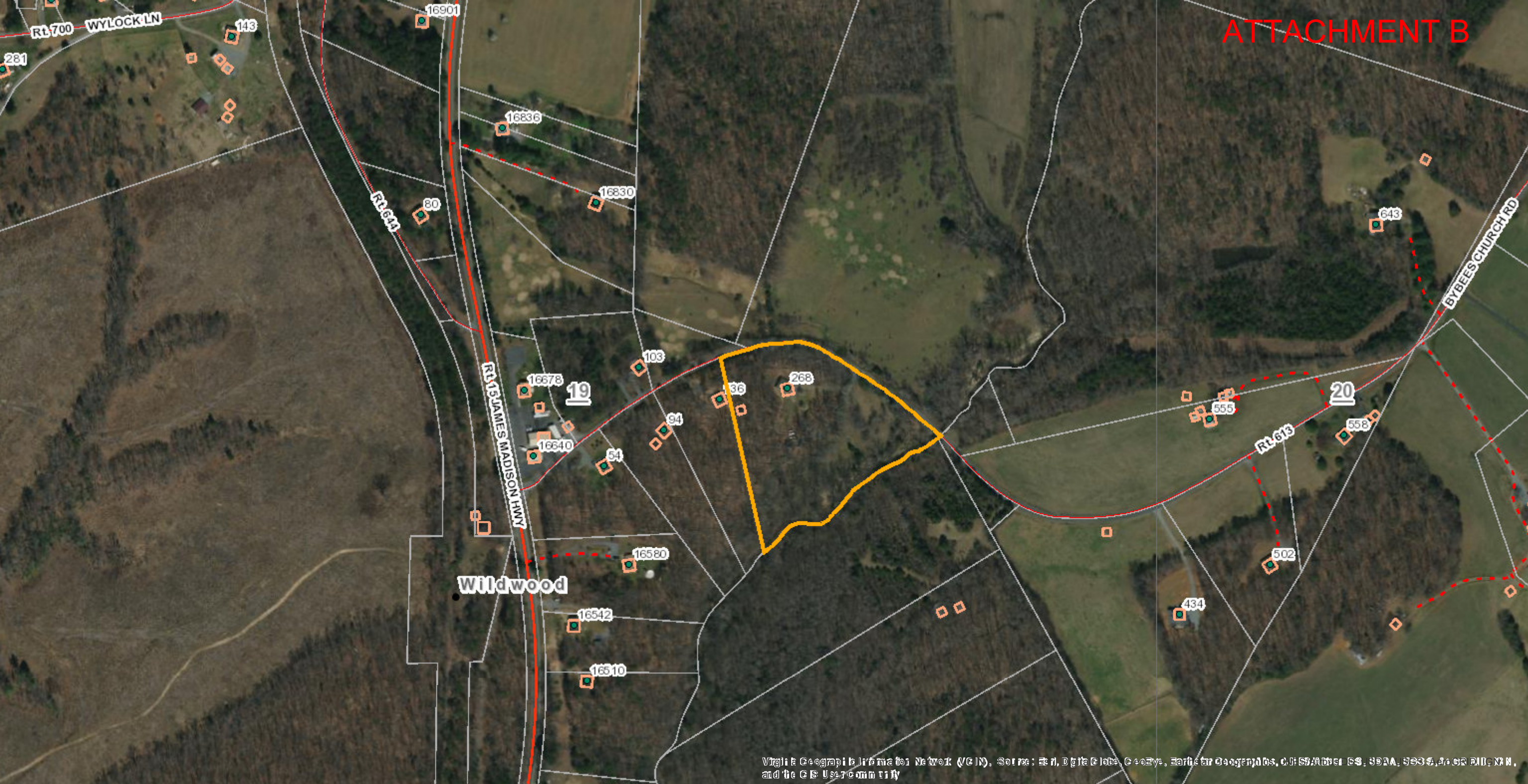
LEFT ELEVATION



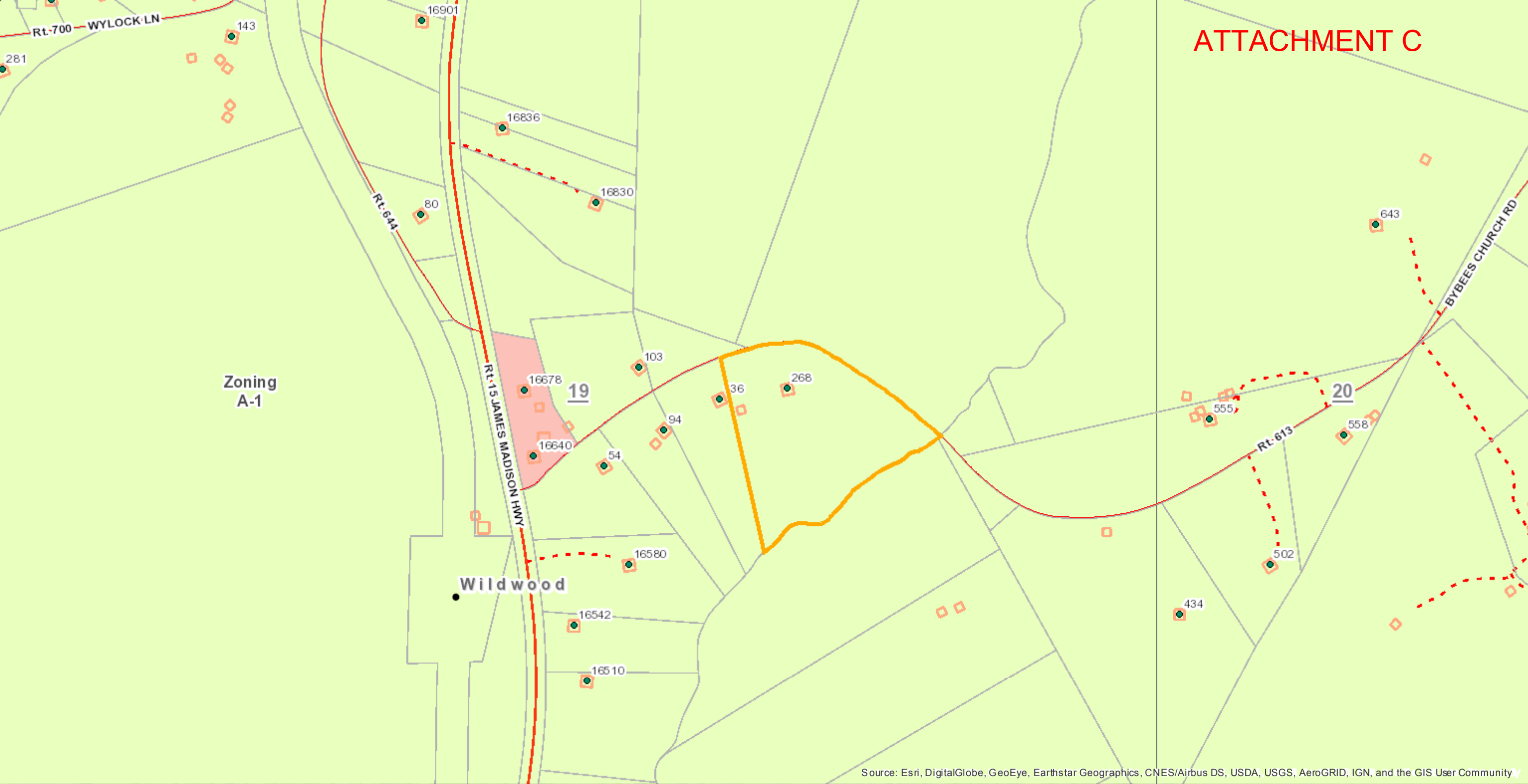
ADJACENT PROPERTY OWNERS BZA 19:01

[illegible]

ATTACHMENT B



ATTACHMENT C



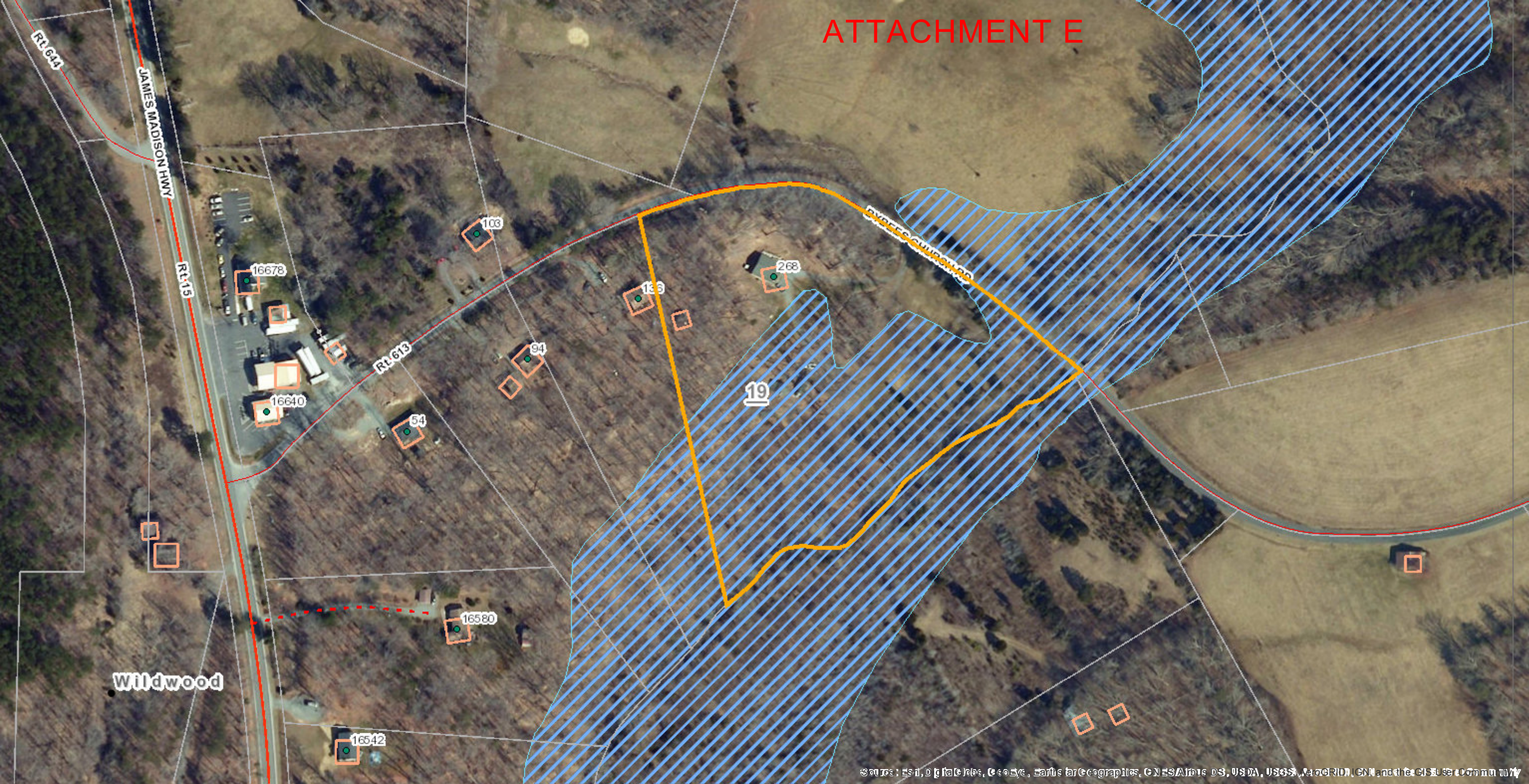








ATTACHMENT E



RESOLUTION APPROVING VARIANCE CASE NUMBER BZA 19:01

BE IT RESOLVED BY THE BOARD OF ZONING APPEALS OF FLUVANNA COUNTY, VIRGINIA, that the strict terms of the Fluvanna County Zoning Ordinance be varied with respect to the property described as set forth in the application for case number BZA 19:01 in the following respects:

A request for a variance to Fluvanna County Code Sec.22-4-3(E) of the Zoning Ordinance to allow for the reduction of the minimum front setback required along a public road, from 125 feet to 80 feet and, for the purpose of constructing an attached garage to their existing home and bringing the existing home into compliance with the front yard setback requirements for Tax Map 19, Section 13, Parcel 16.

The Board, having considered the evidence presented to it as reflected in the record of this case, finding as facts that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and:

- i. the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
- ii. the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
- iii. the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
- iv. the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and
- v. the relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application.

PROVIDED, HOWEVER, that the said variance be subject to the following conditions:
