



Minutes
Board of Zoning Appeals
November 16, 2015
Council Chambers, City Hall
Fredericksburg, Virginia

MEMBERS PRESENT

Helen P. Ross, Chair
Jay Jarrell III, Vice-Chair
Beatrice Paolucci

MEMBERS ABSENT

Brian Raska
Matthew Muggeridge
Richard Conway, Alternate

STAFF

Mike Craig, Zoning
Administrator
Rob Eckstrom, Assistant City
Attorney
Phaun Moore, Secretary

Ms. Ross called the meeting to order at 4:01 p.m.

OPENING REMARKS

Ms. Ross determined that a quorum was present and public notice requirements had been met.

DISCLOSURE OF EX PARTE COMMUNICATIONS

Ms. Ross asked if any Board member had engaged in *ex parte* communications on any item before the Board.

Ms. Paolucci said that after the September 21, 2015 meeting, she had run into Nancy Collins at the grocery store. Ms. Paolucci said that she thanked Ms. Collins for attending the meeting, but they did not discuss the case.

DISCLOSURE OF CONFLICTS OF INTEREST

Ms. Ross asked if any Board member had any conflicts of interest on any item before the Board. No one indicated that they had any conflicts of interest.

APPROVAL OF AGENDA

There were no additions or changes to the agenda.

Ms. Paolucci made a motion to accept the agenda as presented. Mr. Jarrell seconded. The motion carried unanimously.

PUBLIC HEARING ITEMS

1. **V15-01:** Mr. and Mrs. Strentz-McLaughlin – (owner) requests a Variance to allow a six foot high fence (including two feet of lattice work at the top) within the front yard along Littlepage Street at 814 Cornell Street (GPIN 7779-84-5870) in the R-4 Residential Zoning District. The Unified Development Ordinance limits fence height to a maximum of four feet in a front yard. 814 Cornell Street is a corner lot with front yards along both Cornell and Littlepage Streets.

Mr. Craig pointed out that there were only three members of the Board present and said that any decision made would require a unanimous vote.

Mr. Jarrell raised a point of order. He said that the BZA had previously stated that when there were only three members present, the Board could offer the applicant the opportunity to postpone to a later date when more members could be present.

The applicants' attorney, Jeannie P. Dahnk, commented that they had not been notified that the Board was not in compliance.

Mr. Jarrell clarified that the Board only needs three members present for a quorum. He explained that as a courtesy to Mr. and Mrs. Strentz-McLaughlin, the Board was offering them the opportunity to postpone, but the Board was not required to offer that option.

Ms. Dahnk had a brief discussion with Mr. and Mrs. Strentz-McLaughlin and said that they would like to postpone the hearing.

It was decided that both the City and the applicant would present their case so that anyone that wished to make public comment would be able to fully understand both sides. The Board would then continue the meeting and public hearing on Tuesday, January 5, 2016.

Mr. Craig presented his case.

Mr. Jarrell questioned the increased number of fences not in compliance.

Ms. Paolucci asked that a breakdown of permitted/not permitted fences be provided at the January 5, 2016 meeting. Mr. Craig agreed.

Ms. Dahnk presented her case.

Ms. Ross asked if there was any public comment.

Richard Hagenlocker – 810 Cornell Street spoke in favor.

Elsie Hagenlocker – 810 Cornell Street spoke in favor.

Leslie Leahy – 1106 Littlepage Street – spoke in favor.

Nancy Collins – 1109 Littlepage Street – spoke in favor.

Georgia Strentz – 922 Grove Avenue – spoke in favor.

Ms. Ross reminded everyone that the public hearing would continue on January 5, 2016.

REVIEW OF MINUTES

The following corrections were made to the meeting minutes from September 21, 2015:

Mr. Jarrell said that the description for the public hearing item was incorrect. It was an appeal, not a variance.

Ms. Ross commented that on page 3, Ms. Paolucci's name was misspelled.

STAFF / BOARD COMMENTS

Ms. Paolucci made a motion to adjourn. Mr. Jarrell seconded. The motion carried unanimously.

Meeting adjourned at 5:01 p.m.

Helen P. Ross, Chair