



**Board of Zoning Appeals
Minutes
December 7, 2020**

You may view and listen to the meeting in its entirety by going to the Board of Zoning Appeals page on the City's website:

<https://amsva.wistia.com/medias/c28x9z4qc8>

The Agenda, Staff Report, Applications and Supporting Documents are also available on the Board of Zoning Appeals page.

MEMBERS PRESENT (Absent)

Frank Reyes, Chairman (electronic)
Dr. Roy Gratz, Vice Chairman (electronic)
Stephen Eubank (electronic)
Jay Jarrell III (electronic)
Matthew Muggeridge (electronic)

STAFF

James Newman, Zoning Administrator (live)
Cathy Eckles, Admin Specialist (electronic)
Kathleen Dooley, City Attorney (electronic)

This meeting was held both in person in Council Chambers and electronically by "Go to Meeting" application, pursuant to City Council Ord. 20-05, An Ordinance to Address Continuity of City Government during the Pendency of a Pandemic Disaster.

Members of the public were invited to attend this meeting with masks and social distancing required or access by public access television Cox Channel 84, Verizon Channel 42, online at www.regionalwebtv.com/fredcc, or Facebook live at www.facebook.com/FXBGgov.

Chairman Reyes called the meeting to order at 4:30 p.m., explained electronic meeting procedures and did a roll call.

PUBLIC NOTICE REQUIRMENTS

Chairman Reyes determined that a quorum was present, and asked if public notice requirements had been met. Mr. Newman stated that public notice requirements had been met.

DISCLOSURE OF EX PARTE COMMUNICATIONS

Chairman Reyes asked if any Board member had engaged in *ex parte* communications on any item before the Board. No one indicated that they had participated in any *ex parte* communication.

DISCLOSURE OF CONFLICTS OF INTEREST

Chairman Reyes asked if any Board member had any conflicts of interest on any item before the Board. There were no disclosures.

APPROVAL OF AGENDA

Dr. Gratz motioned to approve the agenda as presented. Mr. Jarrell seconded. The motion carried 5-0.

APPROVAL OF MINUTES

None.

PUBLIC HEARING

Elizabeth and Raymond Dameron Jr., request a variance for 410 Canal Street and 1513 Prince Edward Street/GPINs 7779-96-6997/7779-96-6923. The applicant requests a variance from City Code section 72-31.3.B:

- A) Reducing the required minimum lot area from 7,500 sq. ft. to 4,826 sq. ft. for 1513 Pr. Edward St.
- B) Creation of a new lot at 410 Canal Street that is 2,985 sq. ft. in area, which is less than the required minimum lot size of 7,500 sq. ft.

Mr. Newman read one public comment received from John Roberson & Savannah Griffin (Att. 1), which had concerns about parking impact. Mr. Newman noted that 410 Canal Street has been used as a duplex since 1941 and is a legally non-conforming use.

Ms. Dooley said that pursuant to the discussion at the last meeting this matter will be one variance with two provisions.

Discussion ensued regarding the possible creation of a hardship, the marketability of the two lots, the creation of a driveway, vacation of the boundary line, the intention in 1948 to consolidate, and possibly adding a condition that the 18’ lot be vacated and two new lots created.

Mr. Jarrell suggested an additional condition that the property line of the 13 foot strip alongside of 410 Canal Street be vacated to the extent it exists.

Mr. Jarrell motioned to approve VAR 2020-03 with the following conditions:

- A) Reducing the required minimum lot area from 7,500 sq. ft. to 4,826 sq. ft. for 1513 Pr. Edward St.
- B) Creation of a new lot at 410 Canal St. that is 2,985 sq. ft. in area, which is less than the required minimum lot size of 7,500 sq. ft.; and
- C) The 13 foot strip boundary line alongside 410 Canal St. be vacated.

Dr. Gratz seconded. Motion passed 5-0.

GENERAL PUBLIC COMMENTS

No public present.

STAFF / BOARD COMMENTS

None.

ADJOURNMENT

Chairman Reyes adjourned the meeting at 4:55 p.m.

Efrain Reyes, Chairman

APPROVED: _____, 2022

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