

COMMONWEALTH OF VIRGINIA  
PRINCE WILLIAM COUNTY  
BOARD OF ZONING APPEALS

Brief  
August 15, 2005  
Regular Meeting  
Board Chambers  
James J. McCoart Administration Building

**Roll Call (2:00 PM):**

Present: Fred McKelvey, Chairman  
Lawrence Borkowski  
Betty Eller  
Aubrey Holmes  
Patrick Salce  
Eileen Thrall

Absent: Patricia Reynolds

Chairman McKelvey welcomed new member, Larry Borkowski.

**Item 1:** Variance Request Case #PLN2005-00610, Henry G. & Heidemarie M. E. Bibber To consider a request for a variance from the provisions of section 301.06 of the Prince William County Zoning Ordinance to allow a residential addition to encroach into the required side yard setback in the A-1, Agricultural zoning district. GPIN 8094-07-7931 located at 10839 Quail Creek Lane.

Staff, represented by Seth Jessee of the Planning Office, presented a brief explanation of the case with a description of the property, a topographical map and identification of the current zoning requirements including the necessity for a 15 foot side yard setback.

Additionally, Mr. Jessee detailed the requirements that need to be met in order for the board to grant a variance. Mr. Jessee explained there was no undue hardship; the conditions are shared by other properties in the immediate area as well as elsewhere throughout the county and although the addition itself might not change the characteristics of the district if others requested and built similar additions that could change the appearance of the neighborhood.

Mr. Jessee also mentioned that it appeared the addition would meet the setback requirements if it were moved to the side or reduced in size.

Questions were asked about the change in setback requirements. Staff explained the current zoning requires a 15 foot setback as the ordinance has been changed.

The applicant, Henry Bibber, distributed copies of a prepared statement. Mr. Bibber read his statement out loud and answered questions. Mr. Bibber explained the change to the ordinance meant they could not expand the house as they had planned when it was originally constructed.

Chairman McKelvey asked about moving the addition over. Mr. Bibber responded this wouldn't work with the design, the topography and the existing architecture and roof lines of the house.

Mr. Bibber's written statement proposed certain conditions be imposed on the addition if the variance were to be granted.

Mr. Borkowski asked whether the neighbors objected. Mr. Bibber provided several letters from his neighbors in support of granting the variance.

Chairman McKelvey closed the public hearing.

Motion to grant the request for a variance in Variance Request Case #PLN2005-00610, Henry G. & Heidemarie M. E. Bibber, passed (4-2; motion Eller, second Thrall) – see RES 2005-023.

**Item 2:** Variance Request Case #PLN2005-00596, Steven H. & Cynthia D. Kearney  
To consider a request for a variance from the provisions of section 300.03(1)(a)(1) of the Prince William County Zoning Ordinance to allow an in-ground swimming pool to be located in the front yard of a lot less than 3 acres in the A-1, Agricultural zoning district. GPIN 7101-73-9000 located at 2514 Lookout Road.

Toni Brzyski, BZA Secretary, stated the applicant left a voice mail message withdrawing the request for a variance.

Motion to dismiss Variance Request Case #2005-00596, Steven H. & Cynthia D. Kearney, passed (6-0; motion McKelvey, second Eller) – see RES 2005-024.

**Item 3.** Consideration of July 18, 2005 Brief and Resolutions

July 18, 2005 brief and resolutions approved as presented, passed (6-0; motion Eller, second Thrall) – see RES 2005-025.

**Item 4.** Chairman McKelvey requested a copy of the Petition for a Writ of Certiorari for the Belotti case be distributed to all board members.

Staff restated information included in a recent mailing regarding upcoming training for board of zoning appeals members offered by the Citizens Planning Education Association of Virginia and encouraged members to attend.

**Item 5.** Adjournment at 3:45 PM

Respectfully submitted,

Antoinette Brzyski  
Secretary to the Board