

COMMONWEALTH OF VIRGINIA
PRINCE WILLIAM COUNTY
BOARD OF ZONING APPEALS

Brief
August 20, 2007
Regular Meeting
Board Chambers
James J. McCoart Administration Building

Roll Call (2:02 PM):

Present: Patrick Salce, Chairman
Eileen Thrall, Vice Chairman
Larry Borkowski
John Brenkus
Billy Isbell
Patricia Reynolds
Richard Smith

Absent: None

Item 1. Variance Case #PLN2007-00734, Jameston H. Kim To consider a variance from the requirements of Section 32-305.10.1 (a) (2) of the Zoning Ordinance to allow an addition to the existing dwelling at 14632 Delano Drive within 24 feet of another dwelling. RPC, Residential Planned Community Zoning District; GPIN: 8191-86-2055; Neabsco Magisterial District

Staff, represented by Bruce Woodhams of the Planning Office, reviewed the case and provided background regarding the property. Mr. Woodhams explained that a garage addition had been constructed without permits and that this addition to the dwelling encroaches into the required setback. The structure is now less than 24 feet from the building next door.

Mr. Woodhams further explained the requirements for granting a variance and outlined why those requirements have not been met.

Harry Ervin, representing the applicant, Mr. Kim, agreed that the structure is only 22 feet from the neighboring dwelling and explained that the neighbor has provided a letter indicating he doesn't object to the encroachment. Mr. Ervin further explained that the 24 foot requirement is arbitrary; other single family homes are not required to abide by this requirement; and many houses in the neighborhood are in the same situation, less than 24 feet apart, and unable to construct additions.

Mr. Kim talked about living in the house for the last 30 years; showed a picture of the property; and said he had people help construct the addition but did not get a permit.

Suggestions were made on how the addition could be altered to meet the requirements of the Zoning Ordinance. Staff expressed willingness to work with Mr. Kim to resolve the issues.

Chairman Salce closed the public hearing.

Motion to deny the request for a variance in Variance Request Case #PLN2007-00734, Jameston H. Kim, passed (7-0; motion Borkowski, second Brenkus) – see RES 2007-012.

Chairman Salce advised the 30 days in which to appeal the decision of the Board of Zoning Appeals to the Circuit Court begins today.

Item 2. Variance Case #PLN2007-00804, Jeffrey S. Traczyk To consider a variance from the requirements of Section 32-303.16 of the Zoning Ordinance to allow a residential addition (sunroom) to encroach approximately 3 feet into the 10 foot side yard setback at 15165 Undercliff Court. R-4, Suburban Residential Zoning District; GPIN: 8191-32-8747; Neabsco Magisterial District.

Mr. Borkowski recused himself from this case as the Traczyk property is located about four doors away from Mr. Borkowski's property.

Staff, represented by Juan Bernal of the Planning Office, provided a brief overview of the case and explained that the request doesn't meet the requirements for granting a variance.

Jeffrey Traczyk, the applicant, explained that he is only requesting a very small variance which is a sensible solution to the problem and would enable him to construct the desired sunroom without additional costs.

Suggestions were made for alternative designs.

Chairman Salce closed the public hearing.

Motion to deny the request for a variance in Variance Request Case #PLN2007-00804, Jeffrey S. Traczyk, passed (6-0; motion Thrall, second Brenkus) – see RES 2007-013.

Item 3. Approval of July 16, 2007 Brief and Resolutions

July 16, 2007 brief and resolutions approved as presented, passed (6-0; motion Thrall, second Isbell) – see RES 2007-014.

Item 4. Appeal Case #APP2008-00001, Alfred E. Stephens – Withdrawn by appellant on July 26, 2007.

Motion to dismiss Appeal Case #APP2008-00001, Alfred E. Stephens, passed (motion Borkowski, second Reynolds) – see RES 2007-015.

Item 5. Toni Brzyski, Secretary, advised there will be no meeting in September as no cases have been received; however two appeals have been received for review at the October 15, 2007 meeting.

Eileen Thrall complimented staff on the quality of the staff reports.

Permits - Mrs. Thrall suggested there might be additional ways to make residents aware of the need to request permits before working on their property.

Nick Evers, Zoning Administrator, reported there are plans to create a video/DVD, as done for other projects, explaining permitting requirements.

Mrs. Reynolds suggested including information with the tax assessment notices.

BZA Certification – Mr. Evers reported the City of Manassas has several new Board of Zoning Appeals members and is investigating holding a local BZA certification class; and he wanted to know if members would be interested in attending this class. Members responded in the affirmative.

Item 6. Adjournment at 3:32 PM

Respectfully submitted,

Antoinette Brzyski
Secretary to the Board