

AT A MEETING OF THE ROCKBRIDGE COUNTY BOARD OF ZONING APPEALS HELD IN THE COUNTY ADMINISTRATIVE OFFICE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA, ON AUGUST 21, 2019 AT 7:00 P.M.

PRESENT: VICE-CHAIRMAN LYNN WELLS, JOSEPH CLEMMER, SAMUEL L. VEST, GRIGG MULLEN, III
ABSENT: CHAIRMAN JEFF PUFAHL
SECRETARY: CHRIS SLAYDON
STAFF: BRANDY FLINT
OTHERS: NONE

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Vice-Chairman Mr. Wells called the meeting to order at 7:01 p.m.

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The second agenda item was the review of the minutes from the July 17, 2019 meeting.

Upon a motion by Mr. Vest, seconded by Mr. Clemmer, the Board of Zoning Appeals voted unanimously to adopt the minutes as presented with the following roll call vote:

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| Vest | Aye |
| Mullen | Aye |
| Clemmer | Aye |
| Wells | Aye |
| Pufahl | Absent |

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The third agenda item was variance requests.

The first variance request was for Thomas and Nancy Guralchuk Mr. Slaydon read the public hearing notice as follows:

Notice is hereby given per Section 15.2.2204 of the Code of Virginia and Section 807 of the County of Rockbridge Land Development Regulations that a Public Hearing will be held by the Rockbridge County Board of Zoning Appeals (BZA) on Wednesday, August 21, 2019 at or after 7:00 p.m. at the Board of Supervisors meeting room in the County Administrative Offices, 150 South Main Street, Lexington, Virginia 24450. To consider the application: Thomas and Nancy Guralchuk, 64 Pinnacle Lane, Lexington Virginia 24450 applying for a variance from Section 701 and Table 1 of the County of Rockbridge Land Development Regulations to encroach in to the front setback in the Agricultural and General Use District (A-2). Current setbacks for dwellings in the A-2 Zoning District are sixty-five feet (65') front, fifty-foot (50') sides, and fifty-foot (50') rear. The proposed

front setback encroachment is six (6') feet in order to construct a porch structure to the west of the dwelling. The property in the Longview Meadows Subdivision (Lot 23) and is located on the east side of Longview Meadows Drive (Route 1060) approximately .40 miles south of the intersection of Longview Meadows Drive (Route 1060) and Riders Ridge Trail (Route 1061). The property is in the South River Magisterial District and further identified as Tax Map # 76-18-23.

Mr. Slaydon read the notice of public hearing and then reviewed the application as submitted. He provided details on the location, the structure and the reasoning for the request.

Mr. Guralchuck stated that they are originally from New Jersey and lived in Florida for 17 years. They traveled through this area to visit their kids up north and started staying in Lexington. They decided to purchase a property and build here. He advised that they had house plans done before they had picked out a piece of land. Once they found the Long View Meadow property, they proceeded with the plans to build with was based on the setbacks that were best determined at that time. They are going to encroach on the setbacks by six feet with the screened in porch. He indicated that they realized later that the preliminary measurements were not correct. He advised that the back of the property is steep and they would not have been able to move the house any further back anyway, so they would have had to get a variance either way.

Mr. Wells opened the public hearing at 7:08 p.m.

Brian Connelly, him and his wife live at 370 Long View Meadow, stated that they fully support the variance request and it would be a nice addition to the neighborhood.

Mr. Bill Braddy indicated that he will be across the street and one house down and they will have a bird's eye view the elevation they have is beautiful. He indicated he is a builder and he does not see how you can position the house on the property in any other way. He advised he is the next variance request as well. They fully support it.

Mr. Wells closed the public hearing 7:10 p.m.

Mr. Slaydon advised on the criteria to approve a variance which is from the Code of Virginia.

Mr. Mullen stated that personally he thinks that it is a valid request, but concerned about number one because the applicant could have had a more careful survey done.

Mr. Slaydon advised that in this case even if it was done prior to then we would still be here for the variance request because the road is off center and the rear of the property is steep. He advised that the physical conditions do make it tough to site a house there.

Mr. McLaughlin indicated that they really tried the best they could with the information that they had at that time. He also noted that the cut dirt from the house constriction has already been placed at rear of the property and that house make the house less stable if they shift it there.

Upon a motion by Mr. Mullen, II, seconded by Mr. Vest, the BZA voted unanimously to approve the variance request as presented.

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| Vest | Aye |
| Mullen | Aye |
| Clemmer | Aye |

Wells Aye
Pufahl Absent

The second variance request was for William and Elizabeth Braddy. Mr. Slaydon read the notice of public hearing as follows:

Notice is hereby given per Section 15.2.2204 of the Code of Virginia and Section 807 of the County of Rockbridge Land Development Regulations that a Public Hearing will be held by the Rockbridge County Board of Zoning Appeals (BZA) on Wednesday, August 21, 2019 at or after 7:00 p.m. at the Board of Supervisors meeting room in the County Administrative Offices, 150 South Main Street, Lexington, Virginia 24450. To consider the application: William D and Elizabeth W. Braddy, 2748 Walnut Ave, Buena Vista Virginia 24416 applying for a variance from Section 701 and Table 1 of the County of Rockbridge Land Development Regulations to encroach in to the front setback in the Agricultural and General Use District (A-2). Current setbacks for dwellings in the A-2 Zoning District are sixty-five feet (65') front, fifty-foot (50') sides, and fifty-foot (50') rear. The proposed front setback encroachment is fifteen (15') feet in order to construct the proposed dwelling. The property in the Longview Meadows Subdivision (Lot 25) and is located on the west side of Longview Meadows Drive (Route 1060) approximately .39 miles south of the intersection of Longview Meadows Drive (Route 1060) and Riders Ridge Trail (Route 1061). The property is in the South River Magisterial District and further identified as Tax Map # 76-18-25.

Mr. Slaydon read the public hearing notice and reviewed the application as submitted. He noted that the applicant is requesting to encroach 15 feet on the front setback. This house is not under construction.

Mr. Braddy advised they purchased the lot five years ago and noticed the rock outcropping and looked at it as an opportunity for additional landscaping. He noted that at that time they were measuring off the edge of the road pavement. He was not able to set the house where they initial thought it would go. He advised that his grading contractor was the contractor that put the road in and they advised that they found rock and set the road higher because of it and that the road shifted. He advised that they love the lot and have figured out a way to make it work, but need to move forward. The house will sit on the edge of a rock ledge and will not be able to go back any further and be able to get the septic in as well as the house. Geotech has advised not to build on the rock ledge because it will not be stable.

Mr. Wells opened the public hearing at 7:25 p.m.

Mr. made the same statement that he and his wife fully support the variance

Ms. April Harris at 307 Long View Meadow advised that she is aware of their plans and she is in full agreement of what they paln to do and she asked that the request be approved and stated that their home will add to the beauty of the neighborhood.

Mr. Guralchuk advised they fully support it as well. He stated it does not infringe on the view and it will be nice to have neighbors next door to talk to.

Mr. Wells closed the public hearing at 7:27 p.m.

Mr. Mullen advised that the first three reasons for legally approving a variance are present with this request.

Upon a motion by Mr. Clemmer, seconded by Mr. Vest, the BZA voted unanimously to approve the application as presented.

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| Vest | Aye |
| Mullen | Aye |
| Clemmer | Aye |
| Wells | Aye |
| Pufahl | Absent |

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The fourth agenda item was other business.

Mr. Slaydon advised to plan for a meeting in September.

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With no further business to discuss, Mr. Wells adjourned the meeting at 7:30 p.m.

Respectfully submitted

Sam Crickenberger
Secretary