



**BOARD OF ZONING APPEALS OF THE TOWN OF WARRENTON
TOWN HALL
21 MAIN STREET
WARRENTON, VIRGINIA 20186**

MINUTES

A REGULAR MEETING OF THE BOARD OF ZONING APPEALS WAS HELD ON JULY 5, 2022 AT 5:00 P.M. IN WARRENTON, VIRGINIA

PRESENT Mr. Larry Kovalik; Ms. Melea Maybach; Ms. Betsy Sullivan; Mr. Rob Walton, Director of Community Development; Ms. Kelly Machen, Zoning Administrator

ABSENT Mr. Amos Crosgrove

CALL TO ORDER AND DETERMINATION OF A QUORUM

The meeting was called to order at 5:00pm. There was a quorum of members present.

ELECTION OF OFFICERS

Mr. Walton briefly discussed Mr. Kovalik stepping down as chair of BZA which will necessitate electing a new board chair. He suggested discussion at the next board meeting with all board members present. The board was in agreement.

APPROVAL OF MINUTES

Draft Minutes- May 2021 & July 2021

Mr. Kovalik asked if both sets of minutes could be approved with a single vote.

Mr. Walton confirmed that if the board was in consensus a single vote could be used for approval.

Ms. Maybach motioned to approve minutes for May and July 2021 as presented. Ms. Sullivan Seconded. All in favor.

Ayes: *Mr. Larry Kovalik, Chair; Ms. Melea Maybach, Ms. Betsy Sullivan*

Nays:
Absent During Vote: *Mr. Amos Crossgrove*

PUBLIC HEARING

BZA 2022-1- Zoning Variance for 379 Willow Court

Ms. Machen gave a brief presentation on the requested variance of setback requirement to enclose a portion of an existing uncovered deck in the rear yard. Uncovered decks are permitted to encroach by not more than half of the required setback and the request is to allow an approximate 7 ft variance of the rear setback. This would allow the setback to be 28' from the property line versus the 35' required by the Zoning Ordinance.

Mr. Kovalik asked for clarification of measurements presented in presentation and setbacks for lot and specific R-15 zoning ordinances.

Ms. Maybach asked for clarification of criteria for covered versus. uncovered decks.

Ms. Machen discussed setback requirements listed in Article 3 of the Zoning Ordinance and Article 2, which allows for uncovered decks to encroach within the setback.

There were no further questions from the board.

Mr. Kovalik opened the public hearing at 5:16pm.

Ms. Maria Hyson of 357 Willow Court- Spoke in favor of the screened in deck stating that it would enhance the ability to utilize the property.

Mr. Steve Kim with Blackwood Construction- Spoke in favor of the screened in deck stating that the homeowner wished to screen in their deck so they can utilize it despite insects or weather events.

Mr. Kovalik asked if alternative options had been discussed with the homeowners.

Mr. Kim stated other options had not been discussed with the homeowners.

There were no further questions from the board or the applicant.

Mr. Kovalik closed the public hearing at 5:20pm.

Mr. Kovalik motioned to deny the Variance, after due notice and hearing as required by Code of Virginia §15.2-2204 and Article 11-3.11 of the Town of Warrenton Zoning Ordinance, based on upon the following Board findings:

1. The strict application of the Ordinance inconveniences the Applicant but does not unreasonably restrict utilization of the property.
2. The strict application of the Ordinance does not alleviate a hardship due to physical condition relating to the property or improvements thereon at the time of the effective date of the Ordinance.
3. The strict application of the Ordinance does not alleviate a hardship granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability.
4. The variance would be contrary to the intent and purpose of the Zoning Ordinance.

Ms. Maybach seconded.

The vote was as follows:

Ayes:	Mr. Larry Kovalik, Chair; Ms. Melea Maybach, Vice Chair
Nays:	Ms. Betsy Sullivan
Abstention:	
Absent During Vote:	Mr. Amos Crosgrove

UPDATES

Ms. Machen advised applications may be coming forward with new properties being built in Town.

ADJOURNMENT

Mr. Kovalik motioned to adjourn. Ms. Maybach seconded, all in favor.

Meeting Adjourned at 5:24pm.