



**County of Albemarle**  
**Department of Community Development**

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**Memorandum**

**TO:** Members, Albemarle County Board of Zoning Appeals

**FROM:** Amelia G. McCulley, Zoning Administrator *ACM*

**DATE:** February 22, 2018

**RE:** 2017 Annual Report of the Board of Zoning Appeals

State Code Section 15.2-2308 requires the Board of Zoning Appeals (BZA) to keep a full public record of its proceedings and to submit a report of its activities to the governing body. The 2017 BZA annual report is attached for your information and approval at the March 6<sup>th</sup> meeting.

In 2017, two appeals were heard and decided. No variances and no special use permits were heard.

If you have any questions, please let me know.

## **ALBEMARLE COUNTY BOARD OF ZONING APPEALS** **2017 ANNUAL REPORT**

### **I. INTRODUCTION**

Virginia Code § 15.2-2308 requires that the Board of Zoning Appeals submit a report of its activities to the governing body at least once each year. The following report outlines the BZA's activities during 2017.

### **II. PERSONNEL**

The Board of Zoning Appeals consists of five members appointed by the Circuit Court for a term not to exceed five years. The Board members during the year 2017 were:

<b><u>Member</u></b>	<b><u>Term Expiration</u></b>
<i>Lloyd (L.F.) Wood, Chairman</i>	Reappointed May 22, 2015 for a five year term – to expire May 23, 2020
<i>David Bowerman, Vice Chairman</i>	Reappointed May 23, 2013 for a five year term – to expire May 23, 2018.
<i>Randy Rinehart, Secretary</i>	Reappointed May 19, 2016 for a five year term – to expire May 23, 2021
<i>Edgar S. Robb</i>	Reappointed March 23, 2014 for a five year term – to expire May 23, 2019.
<i>John Shepherd</i>	Appointed May 23, 2017 for a five year term – to expire May 23, 2022 (David Bass replacement)

### **III. OPERATING PROCEDURES**

Regular meetings of the Board are held the first Tuesday of each month starting at 2:00 p.m. Special meetings may be called when the regular schedule does not provide sufficient hearing time. These special meetings may begin at 1:00 p.m. The Board operates with Rules of Procedure which were adopted November 15, 2002 and last revised January 6, 2016.

### **IV. EXPENSES**

The Board of Zoning Appeals does not have a separate budget. Compensation and mileage are included within the budget of the Department of Community Development. Funding for Board salaries in the fiscal year 2017-2018 was consistent with prior years. Expenses during that period totaled \$540.00. Board members are paid \$45 per meeting.

County staff working with the Board includes the Director of Zoning (Zoning Administrator), Chief of Zoning (Deputy Zoning Administrator), Senior Assistant County Attorney, Planners and Code Compliance Officers. Support staff includes the Recording Secretary (Community Development Assistant II).

## **V. ACTION SUMMARY**

The Board of Zoning Appeals held three meetings in 2017. The number of submittals and actions considered by the Board in 2017 are shown in the following tables:

### **Variances**

Three variance applications were submitted in 2017. Of these, none were heard in 2017.

<b><u>Application #</u></b>	<b><u>Appellant or Project Name</u></b>	<b><u>Action</u></b>	<b><u>Issue</u></b>
VA17-01	Hesselton Carport – 113 Deerwood Road	Moot	Based on letter of determination, was deemed unnecessary.
VA17-02	David Gaines-Clayton Homes	Withdrawn	
VA17-04	Burchfiel Renovation	Scheduled for 2/6/2018	

### **Appeals**

Three appeal applications were submitted and two were heard in 2017.

<b><u>Application #</u></b>	<b><u>Appellant or Project Name</u></b>	<b><u>Action</u></b>	<b><u>Issue</u></b>
AP09-02	Re-Store'n Station	Upheld Zoning Administrator (3-0) 7/11/2017	Reactivation of previously deferred appeal.
AP17-01	Abington Place	Withdrawn	
AP17-02	Shentel Wireless Replacement Tower	Upheld Zoning Administrator (4-0) 11/14/2017	
AP17-03	SDP2017-9 Boyd Tavern Market	Heard in 2018	

### **Special Use Permits**

No special use applications were submitted in 2017.

## **VI. COURT ACTIONS**

There were no court actions involving the Board of Zoning Appeals in 2017.