



**County of Albemarle
Department of Community Development**

Memorandum

TO: Members, Albemarle County Board of Supervisors

FROM: Amelia G. McCulley, Zoning Administrator

DATE: January 25, 2016

RE: 2015 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 2015 annual report is attached for your information.

The Board of Zoning Appeals hears variances from the Zoning Ordinance, special use permits for certain sign types, and appeals from decisions of the Zoning Administrator or her designee. These appeals can include determinations of zoning violation.

In 2015, one appeal was heard and no variances or special use permits were heard.

If you have any questions, please let me know.

ALBEMARLE COUNTY BOARD OF ZONING APPEALS

2015 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 2015.

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 2015 were:

<u>Member</u>	<u>Term Expiration</u>
<i>David Bass, Chairman</i>	Reappointed June 4, 2012 for a five year term – to expire May 23, 2017
<i>Lloyd (L.F.) Wood, Vice Chairman</i>	Reappointed May 22, 2015 for a five year term – to expire May 23, 2020
<i>Randy Rinehart, Secretary</i>	Reappointed May 19, 2011 for a five year term – to expire May 23, 2016
<i>David Bowerman</i>	Reappointed May 23, 2013 for a five year term – to expire May 23, 2018.
<i>Edgar S. Robb</i>	Reappointed March 23, 2014 for a five year term – to expire May 23, 2019.

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.

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 2015-2016 was consistent with prior years. Expenses during that period totaled \$630.00. 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 2015. The number of submittals and actions considered by the Board in 2015 are shown in the following tables:

Variances

No variance applications were submitted or heard in 2015.

Appeals

Three appeal applications were received. Of these, one was heard and two were withdrawn in 2015. The Board affirmed the Zoning Administrator's determination for the appeal that was heard.

<u>Application #</u>	<u>Appellant or Project Name</u>	<u>Action</u>	<u>Issue</u>
AP15-01	Khan Building Height	<u>Affirmed (4-0)</u>	This determination finds that the building height for the accessory structure under construction on Tax Map 61Z Section 1 Parcel 4 is measured from the post-construction or finished grade.
AP15-02	Wireless Facility CV-318	<u>Withdrawn</u>	
AP15-03	Fontana Land Trust	<u>Withdrawn</u>	

Special Use Permits

No special use permits were submitted or heard by the BZA in 2015.

VI. COURT ACTIONS

There were no court actions involving the Board of Zoning Appeals in 2015.