

TOWN OF ABINGDON  
BOARD OF ZONING APPEALS  
REGULAR MEETING  
AUGUST 14, 2007 - 6:00 P.M.

The regular meeting of the Town of Abingdon Board of Zoning Appeals was held Tuesday, August 14, 2007, at 6:00 P.M. The meeting was held in the Municipal Building, downstairs meeting room.

Mr. Gerald Henninger, Chairman, called the meeting to order and welcomed Ms. Marva Jo Wheeler and Mr. Kenneth Shuman as two new members to the Board of Zoning Appeals.

Roll Call:

Members Present:                   Mr. Gerald Henninger, Chairman  
  Mrs. Deborah C. Icenhour  
  Mr. Sam Hurt  
  Ms. Marva Jo Wheeler  
  Mr. Kenneth Shuman

Comprising a quorum of the Board

Members Absent:                   None

Administrative Staff:           Mr. W. Garrett Jackson, Director of Planning/Zoning

Visitors:                            Mr. Mark L. Bassham  
  Mrs. Deborah Bassham  
  Mr. Jesse Willis  
  Mrs. Jesse Willis  
  Mr. Charles R. Day  
  Rev. Donald H. Smith  
  Others

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- (2)     **Case No. 387 - Mark L. and Deborah A. Bassham**, 410 Stone Mill Road, Abingdon, VA 24211; application for a variance from the requirements of Article 3, Yard Regulations, Section 3-6-1, Side, in the AFOS Agricultural, Forestal, and Open Space District as contained in the Zoning Ordinance. **Property location is 410 Stone Mill Road. Tax Map No. 104 (A) 72.**

This request is for a variance from Article 3, Yard Regulations, Section 3-6-1, Side for property located at 410 Stone Mill Road.

The date of application is July 25, 2007, and the application was scheduled to be heard on this date, August 14, 2007.

The application was duly advertised in accordance with the requirements of the Code of Virginia (1950, as amended, Section 15.2-2204) and all adjoining owners were notified of the meeting.

This structure was built in 1827 and as a part of the proposed renovation it is necessary to upgrade the wiring and plumbing. It is also the desire of the applicant to construct a garage as a part of the renovation, with the new construction to be used as a three-car garage. The three-

car garage will have a bedroom and bath on the upper level with kitchen and pantry located behind the garage. The approximate cost of the proposed structure is \$200,000.00. This addition will expand 42 ft toward Stone Mill Road.

Mr. and Mrs. Bassham agreed there were other options for the proposed construction but both felt the option presented was their preference.

The requirements of Article 3, Yard Regulations, Section 3-6-1, Side, in the AFOS Agricultural, Forestal, and Open Space District allows a setback of 25 ft.; applicant has 20 ft. available and requests a variance of 5 ft. or 20 percent.

After a lengthy discussion, Mrs. Icenhour made a motion that the variance request for Case No. 387 be denied based upon the fact there was no clearly demonstrable or undue hardship shown by property owner. Mr. Shuman seconded the motion, with unanimous approval.

VOTE:

Mrs. Icenhour	Aye
Mr. Shuman	Aye
Mr. Hurt	Aye
Ms. Wheeler	Aye
Mr. Henninger	Aye

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- (3) **Case No. 388 - Shady Grove United Methodist Church, Donald H. Smith and Charles R. Day, Representatives, 329 Whites Mill Road, Abingdon, VA 24210; application for a variance from the requirements of Article 6, Yard Regulations, Section 6-6-2 Rear, in the R-3 Residential District in the Zoning Ordinance. **Property location is 329 Whites Mill Road. Tax Map No. 5 (4) 1.****

This request is for a variance from Article 6, Yard Regulations, Section 6-6-2, Rear for property located at 329 Whites Mill Road.

The date of application is July 25, 2007, and the application was scheduled to be heard on this date, August 14, 2007.

The application was duly advertised in accordance with the requirements of the Code of Virginia (1950, as amended, Section 15.2-2204) and all adjoining owners were notified of the meeting.

The requirements of Article 6, Yard Regulations, Section 6-6-2 Rear, in the R-3 Residential District allows a setback of 35 ft.; applicant is requesting a variance of 10 ft.; a variance of 25 ft. or 28 percent.

The purpose of the requested variance is to enable the church to construct a Fellowship Hall to accommodate 200 people.

Mr. Charles Day, Architect and representative for the Church stated that a hardship does exist without the requested variance. He explained that if the location of the Fellowship Hall was moved to the area between the Church Building and the Church Manse it would eliminate the site for a future Church Sanctuary Building.

He further explained that a second consideration is to move the building in a southeast direction and front it on Gillespie Drive. This location would not make the classrooms, etc. readily available for Church use. Also, there would be a ten foot side yard setback from the same property line and would permit its construction alongside the existing residence.

A third consideration was to move the proposed building against the rear wall of the existing building. This would create serious flashing problems and will eliminate natural light and ventilation to all rooms on that side. The inside dimensions of the Fellowship Hall would then become 105 ft. 0 in. x 28 ft. 7 in. which would essentially be unusable.

A fourth consideration is to move the building to within five feet of the rear wall of the existing building. This would eliminate the flashing problems and the loss of natural light and ventilation mentioned above but will result in a Fellowship Hall with dimensions of 127 ft. 4 in. x 23 ft. 7 in., completely unusable.


After a lengthy discussion, Mrs. Icenhour made a motion that the variance request for Case No. 388 be denied based upon the fact there was no or undue hardship shown by property owner. Ms. Wheeler seconded the motion.

VOTE:

Mrs. Icenhour	Aye
Mr. Shuman	Aye
Mr. Hurt	Aye
Ms. Wheeler	Aye
Mr. Henninger	Aye

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There being no further business, the meeting was adjourned.

  
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 W. Garrett Jackson, Secretary

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 Gerald Henninger, Chairman