

TOWN OF ABINGDON
BOARD OF ZONING APPEALS
REGULAR MEETING
JUNE 10, 2008 - 6:00 P.M.

The regular meeting of the Town of Abingdon Board of Zoning Appeals was held Tuesday, June 10, 2008, 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. Mr. Jackson called the roll.

Roll Call:

Members Present: Mr. Gerald Henninger, Chairman
Mr. Andrew Stockner
Mr. Kenneth Shuman

Comprising a quorum of the Board

Members Absent: Mr. Cameron Bell
Mr. Andrew Stockner

Administrative Staff: Mr. W. Garrett Jackson, Director of Planning/Zoning
Mr. Sean Taylor, Asst. Director of Planning/Zoning
Mrs. Deborah Icenhour, Town Attorney

Visitors: Mr. James McCall

- (2) Approval of Minutes Regular Meeting, February 12, 2008

Mr. Shuman made a motion that the minutes of the regular meeting, February 12, 2008, be approved. Ms. Wheeler seconded the motion, with unanimous approval.

- (3) **Case No. 393 - James and Lucy McCall**, 240 Pippin Street, Abingdon, VA 24210; application for a variance from the requirements of Article 5, Section 5-3, Area Regulations, in the R-2 Residential District as contained in the Zoning Ordinance. Property location is 334 Poplar Street. **Tax Map No. 10 (1) 24.**

This is a request from Article 5, Area Regulations, for property located at 334 Poplar Street.

The date of application is May 8, 2008, and the application was scheduled to be heard on this date, June 10, 2008.

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 purpose for the requested variance is that the property owner desires to create two (2) lots and construct a single family home on one of the lots. Without a variance the lot is too small for the structure, with no curb and gutter.

The requirements of Article 5, Section 5-3, Area Regulations, in the R-2 Residential District allows 10,500 sq. ft.; applicant has 9,305 sq. ft. for one(1) proposed lot and 9,297 sq. ft. available

for one (1) lot; therefore the applicant is requesting a variance of 88.6 percent for one lot and 88.5 percent for one lot.

After discussion, Mr. Shuman made a motion that the variance requested in Case No. 393 be granted, based upon the following facts:

- the subject property was acquired in good faith
- that such hardship is not shared generally by other properties in the same zoning district and the same vicinity
- authorization of such variance will not be of substantial detriment to adjacent property
- the character of the district will not be changed by the granting of the variance.
- the variance is not of such a scope as to amount to a rezoning of the property
- the variance will be in harmony with the intended spirit and purpose of this Ordinance and will not be contrary to public interest...

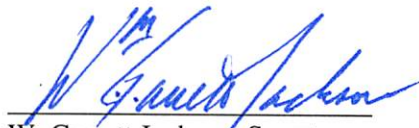
Ms. Wheeler seconded the motion.

VOTE:

Mr. Shuman	Aye
Ms. Wheeler	Aye
Mr. Henninger	Aye

The motion was approved.

There being no further business, the meeting was adjourned.



W. Garrett Jackson, Secretary

Gerald Henninger, Chairman