

TOWN OF ABINGDON  
BOARD OF ZONING APPEALS  
REGULAR MEETING  
November 14, 2006 - 7:30 P.M.

The Regular Meeting of the Town of Abingdon Board of Zoning Appeals was held Tuesday, November 14, 2006, at 7:30 P.M. The meeting was held in the Municipal Building, downstairs meeting room.

Mr. Gerald Henninger, Chairman, called the meeting to order.

Roll Call:

Members Present: Mr. Gerald Henninger, Chairman  
Mr. Fred H. St. John  
Ms. Pauline B. Gotham  
Mr. Sam Hurt  
Mrs. Deborah C. Icenhour

Comprising a quorum of the Board

Members Absent: None

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

Visitors: Mr. Lester Lee Saul  
Mr. Freddie Nunley

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(2) Approval of Minutes: Regular Meeting, February 14, 2006

Mrs. Gotham made a motion that the minutes of the regular meeting held February 14, 2006 be approved. Mr. St. John seconded the motion, with unanimous approval, with Mrs. Icenhour abstaining.

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(3) **Case No. 383 - Lester Lee and Virginia Saul, P. O. Box 674, Abingdon, Virginia 24212;** application for a variance from the requirements of Article 6, R-3 Residential District, Section 6-6-2, Rear Yard Regulations and Section 6-4-1, Setback Regulations as contained in the Zoning Ordinance. Property located at 369 Wake Place. **Tax Map No. 19 (1) 95.**

This request is for a variance from the requirements of Article 6, R-3 Residential District, Section 6-6-2, Rear Yard Regulations, Section 6-4-1, Setback Regulations.

The date of this application is September 20, 2006 and the application was scheduled to be heard on this date, November 14, 2006.

The application was duly ~~advertise~~ <sup>advertised</sup> 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, R-3 Residential District, Section 6-6-2, Rear Yard Regulations, allow a setback of 35 ft.; a variance of 5 ft. rear setback is requested by the applicant. The requirements of Section 6-4-1, Setback Regulations, allow a setback of 30 ft. from right of way; a variance of 12 ft. front setback is requested by the applicant.

The explanation for this request is that a variance from the setback requirements is required in order to build a duplex on said property. This property was acquired by inheritance and the present value is directly related to and affected by the restrictions for setback regulations in Section 6-4 for the R-3 Residential District.

Mr. Nunley stated he had no problems with the variance request, that he was attending the meeting for information purposes only.

Mrs. Icenhour stated that since there were no neighbors present at the meeting in opposition of this variance request, and the fact there are so many other uses that, if they were applied today, would be seen as nonconforming and would be in need of a variance; she felt approval of the variance request would affect property values in a very positive manner.

After discussion, Mr. Hurt made a motion that that the two variances requested in Case No. 383 be granted, because without the variances would pose a hardship for the property owner. Mrs. Gotham seconded the motion, with unanimous approval.

VOTE:

Mr. Sam Hurt	Aye
Mrs. Gotham	Aye
Mrs. Icenhour	Aye
Mr. Fred St. John	Aye
Mr. Gerald Henninger, Chairman	Aye

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Other discussion included the change in meeting time for the Board of Zoning Appeals from 7:30 P.M. to 6:00 P.M., beginning the next regular meeting date.

There being no further business, the meeting was adjourned.




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W. Garrett Jackson, Secretary

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Fred H. St. John, Chairperson