

**BOARD OF ZONING APPEALS  
MINUTES**

The Winchester Board of Zoning Appeals held its regular monthly meeting on March 14, 2007, at 4:00 p.m. in the Council Chambers, Rouss City Hall 15 North Cameron Street, Winchester, Virginia.

**PRESENT:** Uthman, Hurt, Koneczny

**ABSENT:** Wiley

**VISITORS:** Mike Miller, Daniel McKee

**STAFF:** Diem, Taylor, Jackson

On motion by Mr. Koneczny, seconded by Mr. Phillips, the minutes of the December 13, 2007 meeting were unanimously approved.

**CORRESPONDENCE**

None

**PUBLIC HEARINGS**

**BZA-07-01** – Request of Daniel McKee of Kee Construction for a variance of the Winchester Zoning Ordinance Section 5.1-3-1 pertaining to area regulations; Section 5.1-4-2 pertaining to lot width regulations; and Section 5.1-8-1 pertaining to corner side yard regulations at 501-503 & 507 South Kent Street (*Section 213, Double Circle 1, Block F, Lot 16*) zoned Limited High Density Residential (HR-1) District.

Mr. Diem reviewed the request for relief of various sections of the zoning ordinance pertaining to area regulations, lot width regulations and corner side yard regulations. This property is located within the Limited High Density Residential District.

Chairman Hurt opened the Public Hearing.

Chairman Hurt asked if there was anyone wishing to speak in reference to the request.

Chairman Hurt closed the Public Hearing.

Board of Zoning Appeals

Minutes - August 14, 1991

Page 2

Mr. Phillips questioned the age of the structure at 507 South Kent Street. Mr. Diem stated the building was older than seventy five years and therefore required a public hearing and permission by the Board of Architectural Review prior to demolition.

Mr. Koneczny, seconded by Mr. Uthman moved to conditionally approve **BZA-07-01** to permit the subdivision of an existing nonconforming residential property into two separate nonconforming parcels at 501-503 and 507 South Kent Street, by granting variances to the requirements of the lot area, lot width, corner side yard setback, and front building setback with the assurance that there be a clear span on the south side of the new structure and the existing structure at 511 S Kent Street and if there is not that the surface on the Southside of 507 S Kent Street be fire retardant; because, the variances are in harmony with the intended spirit of the ordinance; that the strict application of the Ordinance would produce a clearly demonstrable hardship to the property; and, that the authorization of the variances will not be of substantial detriment to the adjacent properties and that the character of the district will not be changed by granting of the variances. On a vote of 3-1-0, the motion passed with Mr. Phillips voting in opposition.

### **OLD BUSINESS**

None

### **OTHER**

With no further business to discuss, the meeting was adjourned at 4:30 pm.

Board of Zoning Appeals

Minutes - August 14, 1991

Page 3