

**BOARD OF ZONING APPEALS  
MINUTES**

The Board of Zoning Appeals held its regularly scheduled meeting on Wednesday, March 8, 2017, at 4:00p.m. in Council Chambers, Roush City Hall, 15 North Cameron Street, Winchester, Virginia.

**POINTS OF ORDER:**

**PRESENT:** Chairman Pifer, Ms. Marchant, Mr. Whitacre,  
**ABSENT:** Vice Chairman Crawford, Mr. Lewis, Ms. Anderson,  
Mr. Pahl  
**STAFF:** Aaron Grisdale, Erick Moore and Carolyn Barrett  
**VISITORS:** Tim Stowe

**CONSENT AGENDA:**

Approval of minutes of February 8, 2017

Chairman Pifer called for corrections or additions to the minutes. Ms. Marchant made a motion to approve the minutes as submitted. Mr. Whitacre seconded the motion. Voice vote was taken and the motion passed 3-0.

**READING OF CORRESPONDENCE:**

None.

**PUBLIC HEARINGS:**

**BZA-17-103** Request of Featherbed Lane Plaza LLC for a variance of the Winchester Zoning Ordinance, Sections 10-6-2 and 10-3-1, pertaining to rear setback and minimum lot size at 95 Featherbed Lane (*Map Number 252-01- -18B - > <01*) zoned Commercial Industrial District (CM-1). The applicant is requesting the variances in order to be able to subdivide the building at 95 Featherbed Lane into a separate parcel.

Mr. Grisdale presented the staff report, criteria for the variance and possible motions with conditions.

**Chairman Pifer opened the public hearing**

Mr. Stowe reviewed background information about the property. Pieces of the property have been removed over the years. They are proposing to dedicate about 4,500 feet into the public right-of-way.

**Chairman Pifer closed the public hearing**

Mr. Whitacre said he agreed with the staff that it was a straightforward request.

*Ms. Marchant made a motion to approve variances of the Winchester Zoning Ordinance, Sections 10-6-2 and 10-3-1, pertaining to rear setback and minimum lot size at 95 Featherbed Lane (Map Number 252-01- -18B - > <01) zoned Commercial Industrial District (CM-1), with the following conditions:*

- a. The proposed subdivision shall generally conform to the drawing "Variance Request Items, Featherbed Lane Plaza LLC" dated February 2017 by Lellock Consulting, PC.*
- b. The subdivision to be completed within 2 years of the date of approval.*
- c. In lieu of the installation of the sidewalks along Featherbed lane as required in the Subdivision Ordinance, the property owner shall dedicate a 6-foot easement along the Featherbed Lane frontage for the future alignment of the Green Circle Trail.*

*The variance is approved because the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property:*

- 1) The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;*
- 2) The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;*
- 3) The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;*
- 4) The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and,*
- 5) The relief or remedy sought by the variance application is not available through a special exception process or the process of an administrative modification at the time of the filing of the variance application.*

*Mr. Whitacre seconded the motion. Roll call vote was taken and the motion passed 3-0.*

**NEW BUSINESS:**

None.

**OLD BUSINESS:**

None.

**ADJOURN:**

With no further business before the Board, the meeting was adjourned at 4:12pm.