

**BOARD OF ZONING APPEALS
MINUTES**

The Board of Architectural Review held its regularly scheduled meeting on Wednesday, June 10, 2015, at 4:00p.m. in Council Chambers, Rouss City Hall, 15 North Cameron Street, Winchester, Virginia.

POINTS OF ORDER:

PRESENT: Chairman Pifer, Mr. Crawford, Ms. Marchant, Ms. Anderson, Mr. Lewis

ABSENT: None

STAFF: Aaron Grisdale, Erick Moore, Carolyn Barrett

VISITORS: David Durbin

CONSENT AGENDA:

Approval of Minutes for April 8, 2015:

Chairman Pifer called for corrections or additions to the minutes. Ms. Marchant made a motion for a correction to the minutes. She was not present at the April 8, 2015 meeting. Mr. Crawford seconded the motion. Chairman Pifer called for a vote. Voice vote was taken and the motion passed 5-0.

READING OF CORRESPONDENCE:

None.

PUBLIC HEARINGS:

BZA-15-297 Request of David Durbin for a variance of the Winchester Zoning Ordinance Section 10-8 pertaining to corner side yard and Section 10-6-2 pertaining to rear yard at 563 North Cameron Street (*Map Number 153-01-G-9*) zoned Commercial Industrial, CM-1 District. The request is to grant variances of deficient setback requirements and allow for re-use of an existing structure with a permitted by-right use and remove existing variance approval conditions.

Mr. Grisdale reviewed the request and staff report. The southernmost building is the subject of the request. It is a 14,000 square foot building and the corner side yard and rear yard setbacks are less than the CM-1 district requires. In 2006, the BZA granted a variance for the Habitat For Humanity Re-Store when they proposed an adaptive reuse of the property to allow for the store. The variance was approved solely for that purpose. Since 2006, Habitat For Humanity relocated and the property has been vacant for several years. Since the proposed use is separate and distinct from the Habitat Re-Store use, it has to come back before the Board to revisit the zoning variances. Staff believes the applicant is making a bare minimum request to have reasonable use of the property. The property has been improved according to the zoning ordinance requirements in terms of off street parking and landscaping.

Chairman Pifer opened the public hearing

Mr. Durbin spoke about his request. His business, Long Valley Traders, deals in antiques, architectural salvage and estate items. The property fits into his vision for his business and he looks forward to moving into that area. He would like to open his business early in July 2015. His lease is one year to start with the possibility of a four year lease.

Chairman Pifer closed the public hearing

The Board talked about the property becoming unusable if they did not grant the variance.

Mr. Lewis made a motion to approve variances of the Winchester Zoning Ordinance Section 10-8 pertaining to corner side yard and Section 10-6-2 pertaining to rear yard at 563 North Cameron Street (Map Number 153-01-G-9) zoned Commercial Industrial, CM-1 District, with the following conditions:

- a. The variances are limited to retail and warehouse uses.*
- b. Any future changes to the site layout shall be approved in the form of a site plan by the Planning Director, when deemed necessary by the Director.*

The variances are approved because:

- a. The strict application of this Ordinance would produce a clearly demonstrable hardship.*
- b. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.*
- c. That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.*

Chairman Pifer asked for a roll call vote.

*Mr. Crawford - yes
Ms. Marchant - yes
Ms. Anderson - yes
Mr. Lewis - yes
Chairman Pifer - yes*

Chairman Pifer stated that the motion passed.

NEW BUSINESS:

Mr. Grisdale introduced Dan Whitacre as the newest Board member.

OLD BUSINESS:

None.

ADJOURN:

With no further business before the Board, the meeting was adjourned at 4:09pm.