



**Board of Zoning Appeals
Reconvened Meeting
Town Hall
April 29, 2010
4:00 p.m.**

At 4:25 p.m. in the Town Hall, Chairman Roger Munz called to order the Board of Zoning Appeals Reconvened Meeting. In attendance were board members Pete Baumann, Julia Parr and Jay Wiegner. Board member Steve Hairfield was not in attendance. Also present were Town Planner Tom Bonadeo and Town Clerk Libby Hume. There were no other members of the public in attendance.

PUBLIC COMMENTS

There were no comments to be heard.

Tom Bonadeo explained that he had received an email from the applicant notifying him that with the affirmation of their previous, existing variance, the new variance was no longer needed and therefore withdrew the current variance application. Tom Bonadeo stated that the email was included in the agenda packet and would be discussed with the Old Business.

CONSENT AGENDA

The agenda format was approved by unanimous consent.

The Board reviewed the minutes from the March 31, 2010 meeting.

Motion made by Jay Wiegner, seconded by Pete Baumann, to approve the minutes from the March 31, 2010 meeting as presented. The motion was unanimously approved.

OLD BUSINESS

Continuation of Tabled Variance Application – 607 Pine Street – New Home Plan with Porch Encroachment into the Rear Yard Setback

Roger Munz stated that upon review of the memorandum from legal counsel, the time limitation was not a factor in that the Virginia Code § 15.2-2309 does not explicitly provide for any time limitation being attached to a variance and implies that the variance is permanent as it states that the property “shall be treated as conforming.” Tom Bonadeo added that the Planning Commission would review the Zoning Ordinance to remove the time limitation. The Board directed Tom Bonadeo to implement the original variance. Roger Munz added that based on the discussion and the applicants’ withdrawing of the new variance application, the issue has been resolved.

Hearing no objections, Roger Munz adjourned the meeting of the Board of Zoning Appeals by unanimous consent.

Chairman Roger Munz

Town Clerk