

**MINUTES
BOARD OF ZONING APPEALS
TOWN OF SHENANDOAH**

APRIL 19, 2022

The Shenandoah Board of Zoning Appeals held a meeting and public hearing on Tuesday, April 19, 2022. The meeting was called to order at 7:00 p.m.

ATTENDANCE: Members present were: Chair Brenda Haggett; Vice Chair Jonathan Comer; Members Jennifer Bowling, Matt Queen, and Ian Rudolph.

Others attending were: Town Manager/Zoning Administrator Juanita Roudabush; and Town Clerk Lora Jenkins.

Citizens: Gary Bauserman, and James Shifflett

Media: None.

ELECTION OF OFFICERS:

A *Motion* was made by Member Jonathan Comer, *seconded* by Member Matt Queen, to nominate Brenda Haggett, to serve as the Chair of the Board of Zoning Appeals.

Members vote was as follows:

YEA: Member Bowling
Member Comer
Member Queen
Member Rudolph

NAY: None.

Abstain: Chair Haggett (Abstain because it's her position)

Absent: None.

VOTE: Unanimous in favor of motion.

A *Motion* was made by Member Ian Rudolph, *seconded* by Member Matt Queen, to nominate Jonathan Comer, to serve as the Vice Chair of the Board of Zoning Appeals.

Members roll call vote was as follows:

YEA: Chair Haggett
Member Bowling
Member Queen

NAY: None.

Member Rudolph

Abstain: Vice Chair Comer (Abstain because it's his position)

Absent: None.

VOTE: Unanimous in favor of motion.

A **Motion** was made by Vice Chair Jonathan Comer, **seconded** by Member Jennifer Bowling, to nominate Town Clerk Lora Jenkins to serve as the Secretary of the Board of Zoning Appeals.

Members vote was as follows:

YEA: Chair Haggett
Vice Chair Comer
Member Bowling
Member Queen
Member Rudolph

NAY: None.

Abstain: None.

Absent: None.

VOTE: Unanimous in favor of motion.

Chair Haggett opened the public hearing at 7:03 p.m. She stated the purpose of the public hearing was regarding a variance request from Superior Siding & Home Improvements, Inc. for the construction of a 24' x 48' dwelling on 102 Grandos Street, Shenandoah, VA 22849-tax map number 102A2-(1)-21 lots 10, 11, 12 (and now approved to be combined as one lot), requesting a variance from the 30 foot required front yard setbacks to 14' and 24.8' front to undeveloped Wahnona Avenue and 15.9' front to Grandos Street.

Town Manager/Zoning Administrator Roudabush stated the property is zoned R-2 and according to Town Code Section 50-67 (e) setbacks require structures to be 30 feet or more from any street right-of-way; therefore, she rejected the zoning permit application. Also, the Town does not currently have a way to provide public sewer to this property. It is serviced by a private septic system, and one of the reasons the new home will not meet setbacks.

Chair Haggett asked if the right-of-way was 65 feet on Grandos Street?

Town Manager/Zoning Administrator Roudabush stated the right-of-way is 60 feet for Grandos and 70 feet for Wahnona Avenue.

Chair Haggett inquired if there was anyone present to speak **for** the variance request?

James Shifflett, owner of Superior Siding & Home Improvements, Inc., stated he has improved the property by clearing it off. He also stated he was not going to change the grade. He said the

County told him he can only build 10 feet from the onsite existing septic system, so he needed the variance to build the dwelling. This new home will replace an old home, which was destroyed by fire years ago.

Chair Haggett asked how far would the house be from the paved road?

Mr. Shifflett stated about 14 feet, but no closer than the old house was.

Chair Haggett inquired if there was anyone present to speak *against* the variance request?

There was no one present to speak against the variance request; however, a letter from Joyce Shifflett, an adjacent property owner, was read by Chair Haggett. The letter addressed Ms. Shifflett's concerns over the grade which she felt could increase runoff toward her property, and she was also concerned over the dwelling affecting or blocking views from her dwelling.

Mr. Shifflett stated he will not change the grade. He also said there is a natural drainage which comes through the property and goes under the street. He does not see standing water or runoff being any problem. Furthermore, he feels he improved the view because prior to him clearing off the property, it was extremely overgrown and used as a trash dumping ground. He had other adjacent property owners thanking him for clearing off the property. He stated there are also other properties in the area which do not meet setbacks.

Town Manager/Zoning Administrator Roudabush stated the other properties which do not meet setbacks were once part of the County and most of the structures were built when the County did not have zoning ordinances and these properties were brought into the Town under a friendly boundary line adjustment and were grandfathered in. Mr. Shifflett is building a new structure which is now required to meet setbacks or have a variance approved.

Chair Haggett closed the public hearing at 7:18 p.m. She inquired if any Board Members had any questions?

Vice Chair Comer asked if porches and decks counted towards setback requirements?

Mr. Shifflett stated the porch would not encroach on Grandos Street.

Town Manager/Zoning Administrator Roudabush stated the Town Code allows for porches and decks to be installed over setbacks.

Member Queen asked if the Town had plans in the future to provide Town Sewer to this area?

Town Manager/Zoning Administrator Roudabush stated the Town is working on ideas to have sewer in the area in the future, but it is likely to be years down the road due to the expense.

There being no more questions, a **Motion** was made by Vice Chair Jonathan Comer, **seconded** by Member Ian Rudolph, to recommend approval of the variance request as submitted of Superior Siding & Home Improvements, Inc on property identified by tax map number 102A2-(1)-21 lots 10, 11, 12 (and now approved to be combined as one lot), located at 102 Grandos Street, Shenandoah, VA.

Members vote was as follows:

YEA: Chair Haggett
Vice Chair Comer
Member Bowling
Member Queen
Member Rudolph

NAY: None.

Abstain: None.

Absent: None.

VOTE: Unanimous in favor of motion.

ADJOURNMENT: There being no further business, a **Motion** was made by Member Matt Queen, **seconded** by Member Jennifer Bowling, to adjourn the meeting at 7:23 p.m.

Members vote was as follows:

YEA: Chair Haggett
Vice Chair Comer
Member Bowling
Member Queen
Member Rudolph

NAY: None.

Abstain: None

Absent: None.

VOTE: Unanimous in favor of motion.

Approved: _____
Brenda Haggett, Chair

Attested: _____
Lora Jenkins, Town Clerk