



COUNTY OF BATH, VIRGINIA
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Bath County Board of Zoning Appeals

Bath County Courthouse – Room 115

July 15, 2013

MEMBERS PRESENT: Rick Armstrong, Becky Armstrong, Richard Bird, Janice O'Farrell, Scott Miller

MEMBERS ABSENT:

PUBLIC IN ATTENDANCE:

STAFF PRESENT: Sherry Ryder.

Chairman Armstrong called the meeting to order at 7:00 p.m.

PUBLIC COMMENT—MATTERS UNRELATED TO THE AGENDA: None

ELECTION of OFFICERS: Scott Miller made a motion for Janice O'Farrell to be Chairman and Richard Byrd to be Vice Chairman. It was seconded by Rick Armstrong.

VOTE: 5-0

ADDITIONS AND CORRECTIONS TO AGENDA: None.

PUBLIC HEARING: Stanley F. Douglas (TM #88-9)- Application for Variance to set a singlewide mobile home at 1516 TC Walker Road, Millboro, Virginia. The property comprises approximately of 1.29 acres situate in the Millboro Magisterial District and is zoned R-2 Residential Single Family Residential.

Mrs. Ryder gave an overview of Mr. Douglas and his application. During the past years there have been several CUP permits and they have been denied. In the past I found one application for a variance for a singlewide to be permitted in 1986. Mr. Douglas property is in a bad state of repair. He has found a means of affordable housing for himself. Mr. Seabolt gave an overview of his inspection also. Pretty much all of the exterior wood save the wood is rotting. The interior is a mix of plaster and sheetrock. There is bunch of holes. Not a lot of doors inside the house to control heating and cooling. There is also a concern about exposed wiring. It will be cost prohibitive to fix this structure.

Mrs. Armstrong: Have you looked at the trailer?

Mr. Seabolt: I have not looked at the trailer.

Chairman O'Farrell opened the public hearing.

Mr. Byrd: The outer condition of trailer how is it?

Mrs. Ryder: It looks very well maintained. It is missing one of the shutters on the outside.

Mrs. Ryder: There is also a letter of support from Mr. Gilcrest I have supplied you with.

Mrs. Pam Webb: I have been working with Mr. Douglas on this project since he started several months ago. I have prepared a little presentation for you. I would like to express my full support for the variance to be granted. In 1973 was zoned R-2 with the vision that there was growth for additional housing there. Today the same houses remain except for the addition of mobile storage units at the old school property. Mr. Douglas at the age of 83 is seeking this to provide more adequate home arrangements and this fits his budget. Mr. Douglas and I have both petitioned the residents on TC Walker and in the area. He also has a letter from Mr. McAllister stating he is in favor. I have spoken with Mr. Halterman and Mr. Williams who are also in favor. Mr. Douglas wants to live out the remainder of his life on his property. He is an upstanding member of the community and served his country. I ask that the BZA grant this variance based on the condition of the property.

Mr. Douglas: I feel that my house is not in good condition but the year of 2006 I purchased the property behind the house from my family. The termites got a little ahead of me there and demolished my house. Last winter, I did suffer because my furnace went out. I had to go back to wood heat. I'm asking you to recognize my age and realize that I am too old to be getting up and doing a fire. Mr. McAllister asked if I wished to purchase his trailer and I told him yes. It has a lifetime roof on the trailer. I appreciate you all tonight and that I can't afford to buy a doublewide. My son is in Hampton, VA and is on disability and when he comes to visit me- I want it to be a warm place for him to come home to.

Mr. Armstrong: What is heat in the trailer?

Mr. Douglas: It's electric.

Mr. Seabolt: I know Mr. Douglas has been working on this awhile and the Firefighter side of me is concerned. When I walked in Mr. Douglas house and I saw the smoke on the walls and the stove pipe out of the walls, it concerned me. I feel like if there is anything you can do and still stay in the law, please do so.

Mrs. Armstrong: What about your house? Do you plan to tear it down?

Mr. Douglas: Yes, I do.

Mr. Miller: Will the mobile home go in its place?

Mrs. Ryder: It will go in the back, because the lot is bigger back there.

Chairman O'Farrell closed the public hearing.

Mr. Armstrong: I make a motion to allow the variance with conditions including limit of Mr. Douglas lifetime and 2 years after his death trailer will be removed and removal of old structure within 90 days from issuance of Certificate of Occupancy then house is to be torn down, suitable and appropriate underpinning on the

trailer according to the building code and also setbacks referencing section 15.2-2309 based on condition of property.

Mr. Miller: When I first got this packet from Sherry, there wasn't any precedence in place and then saw the letter, I had reservations but seeing the overwhelming support for the ability to have a mobile home there and considering the fact that the precedence from 1986 was similar, I think the conditions are in place.

Mrs. Armstrong: Mr. Douglas although your house it's not in great shape it is clean and property is in good condition. I have no doubt you will keep the trailer up.

Mr. Byrd: I agree with the motion.

Mr. Miller: I will second the motion.

VOTE: 5-0 to approve

CHAIRMAN'S REPORT:

STAFF REPORT: Things have been busy, steady and we have been working on the comp plan. I have two upcoming conferences.

OLD BUSINESS:

NEW BUSINESS:

MINUTES: Becky Armstrong made a motion to approve the minutes. Rick Armstrong seconded the motion.

VOTE: 5-0

Chairman O'Farrell adjourned the meeting at 7:54 p.m.

Janice O'Farrell, Chairman

Date