

**Town of Amherst
Board of Zoning Appeals
April 16, 2012**

A meeting of the Town of Amherst Board of Zoning Appeals was called to order by Chairman Mays at 7:30 PM on April 16, 2012 in the Council Chambers of the Town Hall. Members Willie Diggs, William Iseman, William Hopkins, Gary Mays and Teresa Tatlock were present. Town Manager Jack Hobbs was present in his capacity as Secretary to the Board.

The Chair noted that a quorum was present and welcomed everyone to the meeting. Mr. Diggs gave an invocation.

Mr. Hopkins made a motion that was seconded by Mr. Diggs to dispense with the reading and approve the minutes from the August 4, 2010 meeting. The motion carried 5-0 with Messrs. Diggs, Hopkins, Iseman, Mays and Mrs. Tatlock voting in favor.

Election of Officers

Chairman Mays turned the floor over to the Secretary for the election of a Chairman. Mr. Hopkins nominated Mr. Mays and the nomination was seconded by Mr. Diggs. There being no other proposals, the floor was declared closed to nominations. On a 5-0 vote, Mr. Mays was elected Chairman by acclamation. Messrs. Diggs, Hopkins, Iseman, Mays and Mrs. Tatlock voting in favor.

Chairman Mays opened the floor for nominations for a one-year term for the office of Vice Chairman. Mr. Diggs nominated Mrs. Tatlock and the nomination was seconded by Mr. Hopkins. There being no other proposals, the floor was declared closed to nominations. On a 5-0 vote, Mrs. Tatlock was elected Vice Chairman.

Mr. Hobbs was appointed Secretary without a motion or vote.

It was understood that the terms for all offices would end during the first meeting after August 31, 2012 at which officer elections are conducted.

Variance Application: M & M Properties - 192 S. Main Street

Paul Kilgore came forward to report that he would be representing owner Delores Booth and applicant M & M Properties in a request for setback and parking variances. With reference to Section 18.1-804c of the Zoning and Subdivision Ordinance, if approved, the building at 192 S. Main Street could be built on the property line instead of having to meet the 25' yard required by the ordinance. This property (TM# 96A4-3-F) is zoned Central Business District CBD which requires a minimum side and rear yard of 25' from a residentially zoned lot or a lot on which a residence exists. Supplementary material filed earlier in the day amended the

application to request relief from the parking space requirements at Section 18.1-602.06i of the Ordinance.

The Board discussed various features of the application with Mr. Kilgore.

By consensus, the Board agreed to hold a public hearing on the application per this advertisement:

PUBLIC HEARING NOTICE

The Town of Amherst Board of Zoning Appeals will hold a public hearing at 7:30 PM on May 3, 2012 in the Council Chambers of the Town Hall at 186 South Main Street.

The subject of the hearing is an application by M&M Properties for property located at 192 S. Main Street (TM#96A4-3-F), zoned Central Business District CBC for:

1. a variance to Section 18.1-804 of the Zoning and Subdivision Ordinance. If approved, an addition to an existing building could be built up to the side property lines instead of maintaining a 25' separation between the proposed construction and a lot on which a residence exists and
2. a variance to Section 18.1-602.06i of the Zoning and Subdivision Ordinance. If approved, no parking spaces will be required for the existing building or the proposed expansion.

Documents relating to the request are available for public inspection in the Town Hall during normal working hours.

The Secretary reported that, per §18.1-1006.02 of the Town Code, this application will be transmitted to the Planning Commission for review at its meeting on May 2.

There being no further business to discuss, Mrs. Tatlock made a motion that was seconded by Mr. Hopkins to adjourn the meeting at 8:10 PM. The motion carried 5-0 with Messrs. Diggs, Hopkins, Iseman, Mays and Mrs. Tatlock voting in favor.

Gary Mays
Chairman

ATTEST:

Secretary