

**Town of Amherst
Board of Zoning Appeals**

A meeting of the Town of Amherst Board of Zoning Appeals was called to order by Vice Chairman Teresa Tatlock Stinson at 6:30 PM on September 26, 2022, in the Council Chambers of the Town Hall at 174 S. Main Street.

It was noted that one seat on the Town Council is vacant and that a quorum was present as follows:

P	Teresa Tatlock Stinson		Vacant
P	June Driskill		Vacant
P	R. A. "Tony" Robertson		

Town Manager Sara McGuffin, and Clerk of Council Vicki Hunt, were also present.

Ms. Driskill made a motion that was seconded by Mr. Robertson to dispense with the reading and approve the minutes from the May 16, 2022, meeting.

There being no discussion, the motion to approve the May 16, 2022, minutes carried 3-0 as follows:

Aye	Teresa Tatlock Stinson		Vacant
Aye	June Driskill		Vacant
Aye	R.A. "Tony" Robertson		

Variance Application: T&T Investments, Inc. – Property Located on Address TBD Sunset Drive, between 184 and 204 Sunset Drive

A duly advertised public hearing was held May 16, 2022, on an application of T&T Investments, Inc., owner Troy Cash, and agent Trevor Gillespie, for a variance to allow construction of a single-family home for property located between 184 and 204 Sunset Drive (TM# 95-3-B-11), zoned Limited Residential District R-1. Upon applicant’s request the matter was deferred to the next meeting of the Board of Zoning Appeals.

The application pertains to use of existing vacant lot for the construction of a new single-family home on an existing non-conforming lot. The property owner desires to remedy issues regarding the existence of a corner of a neighbor’s existing septic drain field on a small portion of the lot between 184 and 204 Sunset Drive which would require a lot reconfiguration. If approved:

1. The reconfiguration of the non-conforming lot would be allowed.
2. The size provision found in §18.1-802, minimum lot area, from 20,000 square feet to 17,424 square feet would be allowed.

Town Code §18.1-601.01 was amended in 2018 upon a recommendation of the Planning Commission, by the Town Council, to encourage the development of non-conforming infill lots located within the Town.

The Board should pay close attention to the state law and the Town's Zoning and Subdivision Ordinance in addition to the testimony during the required public hearing. Two affirmative votes by Board members will be required to approve this request. Town Code §18.1-1006.05 indicates that “substantially the same petition affecting the same land shall not be considered within any twelve (12) month period.”

Trevor Gillespie, Realtor and Agent for Applicant/Property Owner Troy Cash, and Applicant Thomas Hill, President of T & T Investments were present.

Discussions held by the Board related to the proposed use of the property and whether the variance would meet the legal standards contained in §15.2-2309 of the Code of Virginia.

Mr. Robertson made a motion that was seconded by Ms. Driskill to approve the application for variance finding that the application meets the standard for a variance as defined in Virginia Code §15.2-220, and meets all appropriate provisions set out in Virginia Code §15.2-2309.

After discussion, the motion carried 3-0 as follows:

Aye	Teresa Tatlock Stinson		Vacant
Aye	June Driskill		Vacant
Aye	R.A. “Tony” Robertson		

There being no further business, the meeting was adjourned at 6:55 P.M.

Teresa Tatlock Stinson, Vice Chairman

ATTEST: _____
Secretary