

A regular meeting of the Westmoreland County Board of Zoning Appeals was held on Monday, August 25, 2025 in the George D. English, Sr. Memorial Building, 111 Polk Street, Montross, Virginia. Those members present were James McConkie, Thomas Andrews, Lonnie Thurston, Dexter Monroe, and Matthew Beard.

Assistant Planning Director Kelly DeJesus and Planning Director Beth McDowell were also present.

CALL TO ORDER

Chairman McConkie called the meeting to order at 9:01 AM. The roll was called and a quorum declared. Chairman McConkie welcomed newly appointed board member Thomas Andrews and invited him to join the other members on the dais.

PRIOR MINUTES

Mr. Beard moved to approve the June 2025 minutes as presented. Mr. Thurston seconded; the motion carried with a unanimous vote.

CASE# 2508-V-02 – Anthony Johnson 508 Mt. Holly Road Montross VA 22520 requests a variance to locate a detached garage within the street setback. This project is located at 508 Mount Holly Road, TM# 36-114A, Cople Magisterial District.

Ms. DeJesus referred to the Code of Virginia stating that there must be findings the Board of Zoning Appeals must establish before granting a variance; 1.) The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance; 2.) The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; 3.) The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance; 4.) The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and 5.) The relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application.

Ms. DeJesus detailed the proposed project, the existing improvements, and the property's setbacks. Chairman McConkie invited the landowner, Mr. Johnson, to speak in favor of the variance. Mr. Johnson explained that he would like to bring his vehicles to his home from his uncle's house and further discussed the limited buildable area outside of the setbacks from the streets on either side.

After the Board's discussion with the landowner, the meeting was opened for public comment. A letter of support signed by several adjacent landowners was presented to the Board. Darryl

Fisher also spoke in favor of the variance and explained that moving the garage's location may impede the view. There being no further discussion, the public portion was closed.

On motion, Mr. Beard moved to approve CASE# 2508-V-02 as presented due to the unusual topography of the land. The motion included the staff's recommended conditions as provided below. Mr. Monroe seconded, and CASE# 2508-V-02 was approved unanimously with the following conditions:

1. The placement of the proposed storage building shall be in substantial conformance to the plot plan submitted with the Variance Application Packet and no closer to the southern property line than 22'.
2. During the permitting phase, the applicant is responsible for submitting a site plan drafted by a licensed individual, who can verify and certify that the proposed development meets the standards established by this Variance and granted by the Board of Zoning Appeals.
3. The applicant shall record the notice of the Board of Zoning Appeals' decision as furnished by the Land Use Administration. A copy of the recorded instrument shall be submitted to the Land Use Administration prior to issuing any permits for this construction.
4. This variance shall become effective immediately after the decision of the Board of Zoning Appeals. However, no permits shall be granted until the Westmoreland County Land Use Administration receives a copy of the recordation described in item 3 above and provided all provisions of the decision have been complied with.
5. The applicant is aware that any person aggrieved by the decision of the Board of Zoning Appeals may file an appeal within 30 days of this decision in accordance with Section 15.2-2314 of the Code of Virginia. Any construction performed prior to this appeal date is at the owners' risk of potential litigation on this project.
6. No additional development will be permitted on the property except in compliance with the Zoning Ordinance.
7. All necessary local, state, and federal plan application(s), review, and approval processes shall be complied with and adhered to.
8. Failure to abide by these requirements or conditions will result in the immediate revocation of the variance.

Chairman McConkie reminded the audience that in accordance with the provisions of §15.2-2285 of the Code of Virginia 1950, as amended there was a 30-day period in which they could appeal this decision to the Circuit Court of Westmoreland County. Chairman McConkie added that failure to file an appeal within the stated time shall validate this decision and make it unappealable.

OTHER MATTERS

At 9:31 AM, the Board took a short recess to allow staff to provide copies of the Resolution in Recognition of Service for Mrs. Margaret “Peggy” Campbell, who recently retired from the Board after 15 years of service. The meeting resumed at 9:34 AM, and the Board reviewed the resolution draft. After Ms. De Jesus read the document to the Board, Mr. Monroe motioned to adopt the Resolution in Recognition of Service for Margaret “Peggy” Campbell as presented with an update to the date of adoption. Mr. Beard seconded, and the Resolution was adopted with unanimous vote.

Darryl Fisher, who is also the chairman of the Board of Supervisors, offered to have the Resolution presented to Mrs. Campbell at the next Supervisors meeting on September 8, 2025. The Board agreed unanimously and thanked Chairman Fisher for the offer, indicating that they would attend that meeting to recognize Mrs. Campbell.

ADJOURNMENT

There being no other business to come before the Board, Mr. Thurston moved that they adjourn, Mr. Beard seconded, the motion carried by unanimous vote with the meeting adjourning at 9:43 AM.