

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF ZONING APPEALS HELD ON DAY, February 16th, 2021 IN THE BOARDROOM OF THE HISTORIC COURTHOUSE, SALUDA, VIRGINIA

Present: Joan Curtis  
R.D. Johnson  
Henry Easton  
Emily Davies  
Robin Wells

Marc Longest - Environmental Planner and Codes Compliance Officer  
Jody Collier – Office Manager, Community Development/Building

**CALL TO ORDER**

Marc Longest called the meeting to order at 6:32 p.m.

**ORGANIZATIONAL MEETING**

**A. Nomination and Election of Chairman**

On a motion by Ms. Curtis, seconded by Mr. Wells, Henry Easton was nominated and unanimously elected Chairman for calendar year 2021.

**B. Nomination and Election of Vice-Chairman**

On a motion by Mr. Wells, seconded by Mr. Johnson, Emily Davies was nominated and unanimously elected Vice Chairman for calendar year 2021.

**C. Establishment of Meeting Time & Date**

On a motion by Mr. Wells, seconded by Ms. Davies, the Board of Zoning Appeals unanimously voted to have the monthly meeting date on the third Monday of every month at 6:00 p.m., in the Boardroom of the Historic Courthouse, Saluda, Virginia.

**APPROVAL OF MINUTES**

On a motion by Mr. Wells, seconded by Ms. Curtis, and carried by unanimous vote, the minutes of the December 21, 2020 meeting were accepted.

**PUBLIC HEARING**

A. Variance Application No. 2021-001 submitted by Noel Root. The application request is for a *Thirty-one (31') Foot* variance from the minimum *Thirty-five (35') Foot* setback requirement of Zoning Ordinance Article 9, Section 9-5.1 and an *Eight (8') Foot* variance from the minimum *Ten (10') Foot* setback requirement of Zoning Ordinance Article 9, Section 9-6 Residential (R) District. The purpose of the variance request is for the After-The-Fact placement of a shed that is *Four (4') Foot* to Right-of-Way or Front Property Line and *Two (2') Foot* to Side Property Line. The property for which the variance is requested is located at 1674 North End Road, Deltaville, VA 23043; it is further identified as Tax Map Parcel # 40-4-C-4 in the Pinetop Magisterial District.

Chairman Easton introduced Variance Application #2021-001

Mr. Longest presented the staff report for Application #2021-001

Erin Root addressed the Board on behalf of her father Noel Root. She said to move the shed would be damaging to the trees and could damage the roots. They are a buffer for the river and we would have to remove two established trees.

Chairman Easton opened the hearing for comments from the public.

There being no comments, the public portion of the hearing was closed.

Chairman Easton began a brief period of questions and comments between the Board.

Ms. Davies asked if the Board had ever considered trees as a decision before.

Mr. Johnson said no but if a shed has been there for sixty years, why would we not let them replace it.

Ms. Davies asked what the APO complaint was.

Mr. Longest said no permits and the size.

Ms. Davies said, are we setting a precedent here if we approve this that it is ok to replace a shed without permits just because you had one. Mr. Wells agreed and asked, are we here for setbacks or trees?

There being no further questions or comments from the Board, Chairman Easton asked for disposition of the application.

On a motion by Ms. Davies, seconded by Mr. Johnson, and carried by unanimous vote, Variance Application #2021-001 was approved as submitted by staff along with all penalties and after the fact fees for not obtaining permits first.

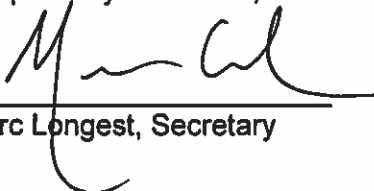
### OLD BUSINESS

### NEW BUSINESS

### ADJOURNMENT

With there being no further business, a motion to adjourn was made by Ms. Davies, seconded by Mr. Wells, and carried by unanimous vote. The meeting adjourned at 7:54 p.m.

Respectfully submitted,

  
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Marc Longest, Secretary

3/15/2021  
Date