

**Virginia: At a meeting of the Accomack County Board of Zoning Appeals, held  
in the Chambers of the Board of Supervisors on the 20<sup>th</sup> day of  
May, 2009, A.D.**

**Members present:**

Mr. Robert L. Nock, Chairman  
Mrs. Elizabeth Kerns, Vice Chairwoman  
Mr. J. William Mapp

**Members absent:**

Mr. Willie L. Holland, Jr.  
Mr. Harvey A. Drewer II

**Others present:**

Mr. David A. Fluhart, Zoning Administrator  
Ms. Gracie A. Milbourne, Recording Secretary

The meeting was called to order by Mr. Robert L. Nock, Chairman, at 10:05 a.m.  
and opened to a public hearing on the following zoning matters:

**1). A request from W. Revell Lewis, III for a Special Use Permit pursuant to Article  
III, Section 106-53.22 for the conversion of the second floor of an accessory building  
to an accessory dwelling at 18300 Hermitage RD, County Tax Map# 84-A-72,  
Onancock, Virginia.**

Mr. W. Revell Lewis III, appeared before the Board and presented the signatures  
of the adjoining property owners. Mr. Lewis asked for permission to use the 2<sup>nd</sup> floor of  
an existing garage as an accessory dwelling for guest or short-term rentals.

No one appeared nor signed in opposition to this request.

After a brief discussion, Mr. Mapp made a motion to approve this Special Use  
Permit. Mrs. Kerns seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, and Mr. Mapp.

**2). A request from Linda & George Phillips for a Special Use Permit pursuant to Article XVII, Section 106-403.9 for the location of a residential cottage community at 33185 Chincoteague RD, County Tax Map# 28B-1-1 thru 28B-1-27, Wallops Island, Virginia.**

Mr. & Mrs. George (Linda) Phillips appeared before the board to represent this application and presented the signatures and certified receipts of the adjoining property owners. Mr. Phillips asked for permission to convert property that was previously approved for a 27-lot mobile home park into an attractive residential cottage community and outlined the following about the proposed development: 1) There will be a total of 36 bedrooms in the entire development; 2) All Virginia Department of Transportation (VDOT), Erosion and Sediment Control, and Health Department regulations will be met; 3) There will be a central treatment facility; 4) As much space as possible will be preserved on the pond; 5) Tenants will have the option to rent or buy the cottages; 6) There will be a homeowners association and on-site manager; 7) The only entrance will be off Chincoteague RD; 8) A 6' privacy fence or screening will be installed; 9) Landscaping will be installed; 10) All cottages will be of high quality with a rough dollar amount ranging from \$150k to \$250K; 11) Most cottages will be one or two bedroom units; 12) This development will provide housing for a more mature community and/or professionals on assignment; etc.

The following adjoining or neighboring property owners appeared before the board with questions or concerns: Mr. Thomas Clark, Mr. David Burgess, Mr. Gary Burgess, Mr. Maury Enright, Mr. William Wessells, Mr. Walter Castello, Ms. Carey Watson, and Mrs. Pat Hephner. Those who spoke in opposition stated a fear of the

unknown, i.e., noise, traffic, affect on water wells, endangering the pond, runoff, neighbors, etc.

Mr. Phillips expressed thanks to everyone that voiced their opinions, addressed their concerns, and assured them that this \$2M development will be an asset to the surrounding neighborhood.

After a lengthy discussion, Mr. Mapp made a motion to approve this Special Use Permit with the following stipulations:

- 1) All cottages in this development shall be stick-built or modular;
- 2) There shall be a limit of 36 bedrooms total in this development;
- 3) There shall be no storage buildings;
- 4) There shall be no boat storage;
- 5) There shall be no travel trailers or park models;
- 6) There shall be no on-street parking;
- 7) There shall be a community association established with covenants;
- 8) There shall be an appropriate landscaping plan and privacy screening established –preferably a natural buffer- to obstruct the view from the adjoining property owners.

Mrs. Kerns seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, and Mr. Mapp.

Mr. Fluhart read the Right-of-Appeal.

**3). A request from Tall Pines Campground for a variance from Article XV, Section 106-357, Flood Hazard Ordinance, to allow the finished floor elevation to remain at 8.1 foot instead of the 9 foot requirement for an office, store, and 2<sup>nd</sup> story residence at 8193 Tall Pines Lane, County Tax Map# 24-A-129, Sanford, Virginia.**

Mr. Raymond Barker appeared before the Board to represent this application and presented the signatures and certified receipts of the adjoining property owners. He asked for the approval of a 10” variance from the Flood Hazard Ordinance and gave details about how the building was constructed to FEMA requirements as stated on the flood elevation certificate but did not include the additional one-foot required by

Accomack County.

Mr. Fluhart discussed the circumstances around this application and explained that the additional foot adopted by the County in January 2000 was not included in the elevation and therefore may increase the flood insurance premiums for this building.

During a brief discussion, Mr. Mapp commented on the attractiveness of the building and the hardship surrounding this application and motioned to approve this variance. Mrs. Kerns seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, and Mr. Mapp.

**IN RE MINUTES:**

Mr. Mapp made a motion to approve the minutes of the April 1, 2009 meeting as circulated. Mrs. Kerns seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, and Mr. Mapp.

Mrs. Kerns made a motion to approve the minutes of the May 7, 2009 meeting as circulated. Mr. Mapp seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, and Mr. Mapp.

**ADJOURNMENT:**

Mrs. Kerns made a motion to adjourn at 12:12 p.m. Mr. Mapp seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, and Mr. Mapp.

