



**County of King William, Virginia**

**BOARD OF ZONING APPEALS MEETING  
MARCH 23, 2022 – 6:30 P.M.  
KING WILLIAM COUNTY ADMINISTRATION BUILDING  
KING WILLIAM, VIRGINIA**

**A G E N D A**

- 1. Call to Order**
  
- 2. Roll Call**
  
- 3. Review and Adoption of Meeting Agenda**
  
- 4. Review and Approval of Minutes**
  - a. December 2, 2021**
  - b. January 26, 2022**
  
- 5. Public Comment Period**
  
- 6. Public Hearing**
  - 1. V-07-21 Owners, Todd & Kim Brueckmann (tabled from 1.26.2022)**
  - 2. V-01-22 Widespread Properties, LLC**
  
- 7. Comprehensive Plan and other updates, Sherry Graham, Director of Community Development**
  
- 8. Adjourn**

**MINUTES  
KING WILLIAM COUNTY  
BOARD OF ZONING APPEALS  
DECEMBER 2, 2021**

At a regular meeting of the Board of Zoning Appeals, held on December 2, 2021 at 6:30 P.M. in the Board Room of the King William Administration Building, the meeting was called to order with the following members:

**Agenda Item 1. CALL TO ORDER**

Chairman Shumaker called the meeting to order.

**Agenda Item 2. ROLL CALL**

**The members were polled:**

Doris White	Aye
Yvonne Broaddus	Aye
Michael Nolan	Aye
Amanda Walker	Aye
Chairman Shumaker	Aye

Also in Attendance:

Christina Grover, Zoning Administrator  
Sherry Graham, Director of Community Development

**Agenda Item 3. NEW BUSINESS**

**a. Welcome new member to the Board of Zoning Appeals**

Chairman Shumaker extended a welcome to Ms. Walker.

Chairman Shumaker also extended a welcome to Mr. Wagner from the Planning Commission who was in attendance.

**Agenda Item 4. REVIEW AND ADOPTION OF MEETING AGENDA**

Chairman Shumaker asked if there was a motion to approve the meeting agenda as written. Mr. Nolan made the motion to adopt and Ms. Broaddus seconded the motion.

**The vote was unanimous on this motion.**

## **Agenda Item 5: CONSIDERATION OF MEETING MINUTES**

### **a. September 15, 2021**

Chairman Shumaker asked if there were any changes to the meeting minutes from September 15, 2021. There were no changes and Mr. Nolan made a motion to approve the minutes as submitted. Ms. Broaddus seconded the motion.

**The vote was unanimous on this motion.**

## **Agenda Item 6. PUBLIC COMMENT PERIOD**

Chairman Shumaker opened the Public Comment Period for comments on non-public hearing matters. There was no one who wished to speak, so the Public Comment Period was closed.

## **Agenda 7. PUBLIC HEARING**

### **a. V-03-21 Berb Built Inc**

Chairman Shumaker indicated we will conduct the hearing based on current rules of procedure.

Ms. Glover presented the facts of this variance request, along with a power point presentation. Mr. Berberich applied for a zoning permit to convert a barn to a single-family dwelling. Conversion of the barn to a residence would create a nonconforming side-yard setback as it relates to a residential structure, so he is requesting a variance from the required 25' setback. The setback would become 10 feet.

Ms. Glover indicated Mr. Berberich had acquired a 10' easement on the adjacent parcel for the septic tank drain field.

Mr. Nolan asked Ms. Glover to clarify what the setback would actually be. Ms. Glover indicated that the reduction would be 15', making a 10' actual setback. Ms. Glover presented various pictures of the structure with the current additions.

Mr. Nolan asked Ms. Glover if the building as an agricultural building had been a conforming structure. Ms. Glover indicated yes.

Mr. Berberich came up to make his presentation and provided handouts to the Board. His presentation began with Mr. Berberich reading a letter from his neighbor, Ms. Powell. She supports Mr. Berberich's request for this reduction and allowing Mr. Berberich to convert the barn into a single-family residence. Mr. Berberich detailed his financial constraint preventing him from building a new home. Converting this barn into a single-family home is the most feasible use of the property and allows him to provide a home for himself and his son, all within his financial constraints.

Mr. Berberich had an engineer certify the structure and framework. In compliance with a building permit issued by the County, Mr. Berberich had begun the conversion, unaware of the required set back issue.

Chairman Shumaker asked if there were any questions for Mr. Berberich. Mr. Nolan commented on the thoroughness of the presentation, but asked if there were any other structures on the property. Mr. Berberich indicated there were no other buildings on the property.

Chairman Shumaker opened the public comment period on this variance request. There were none, and the public comment period was closed.

Chairman Shumaker asked Ms. Glover if there had been any written correspondence in either opposition or support for the variance. Ms. Glover indicated that other than the letter of support from the applicant's neighbor Mrs. Powell, there had not been any, but added that staff does support the request for variance.

Without any other questions, Chairman Shumaker asked if the Board was prepared to vote. Ms. Broaddus made a motion to approve the variance request, and Ms. White seconded the motion. The members were polled.

**The members were polled:**

Doris White	Aye
Yvonne Broaddus	Aye
Michael Nolan	Aye
Amanda Walker	Aye
Chairman Shumaker	Aye

**Variance request V-03-21 was approved.**

Chairman Shumaker asked Ms. Graham if there were any upcoming variance requests. Ms. Graham indicated that with the new ordinance not allowing accessory structures in the front yard, they have had four people recently (all but one are 100+ feet from the front property line) inquiring about putting a structure in the front yard. Making variance requests very possible going forward. Ms. Graham indicated they are planning to ask the Planning Commission to clarify the definition of front yard as it relates to accessory structures in AC zoning districts.

Ms. Graham reminded the Board that January of the new year begins with election of officers, as well as any changes to the bylaws for the Board of Zoning Appeals.

With no further business before us, Chairman Shumaker asked for a motion to adjourn. Mr. Nolan made a motion to adjourn, and all were in favor.

**The meeting was adjourned.**

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**Chairman, Benjamin Shumaker**

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**Secretary, Yvonne Broaddus**

**MINUTES  
KING WILLIAM COUNTY  
BOARD OF ZONING APPEALS  
JANUARY 26, 2022**

At a regular meeting of the Board of Zoning Appeals, held on January 26, 2022 at 6:30 P.M.in the Board Room of the King William Administration Building, the meeting was called to order with the following members:

**Agenda Item 1. CALL TO ORDER**

Chairman Shumaker called the meeting to order.

**Agenda Item 2. ROLL CALL**

**The members were polled:**

Doris White	Aye
Yvonne Broaddus	Aye
Michael Nolan	Aye
Amanda Walker	Aye
Chairman Shumaker	Aye

**Also in Attendance:**

Christina Grover, Zoning Administrator  
Sherry Graham, Director of Community Development

Chairman Shumaker welcomed Mr. Percy Ashcraft, County Administrator, who was also in attendance.

**Agenda Item 3. REVIEW AND ADOPTION OF MEETING AGENDA**

Chairman Shumaker provided an updated agenda to the board, and asked if there was a motion to approve the meeting agenda as amended. Ms. Walker made the motion to adopt and Mr. Nolan seconded the motion.

**The vote was unanimous on this motion.**

**Agenda Item 4: CONSIDERATION OF MEETING MINUTES**

**a. December 2, 2021**

Chairman Shumaker indicated there were some last minute changes to the minutes, so if there were no objections he asked to table the approval of the December 2<sup>nd</sup>, 2021, meeting minutes until our next regular meeting. Mr. Nolan made a motion to table the approval and Ms. Walker seconded the motion.

**The members were polled:**

Doris White	Aye
Yvonne Broaddus	Aye
Michael Nolan	Aye
Amanda Walker	Aye
Chairman Shumaker	Aye

**Motion to table approval of the minutes was approved.**

**Agenda Item 5. PUBLIC COMMENT PERIOD**

Chairman Shumaker opened the Public Comment Period for comments on non-public hearing matters. There was no one who wished to speak, so the Public Comment Period was closed.

**Agenda Item 6. PUBLIC HEARING**

**a. V-04-2021 Owners, Arthur & Jennifer Dandridge**

Chairman Shumaker indicated we will conduct the hearing based on current rules of procedure. Prior to beginning the hearing, Mr. Nolan shared with the board that he had brought it to the Chairman’s attention he was acquainted with Mr. Dandridge. Mr. Nolan had a conversation with Mr. Dandridge before he made the application, primarily to guide him through the process. Mr. Nolan also spoke with staff in the planning office. Mr. Nolan indicates he has no financial ties to Mr. Dandridge and will not benefit from this appeal. Mr. Nolan indicated he believes he is able to make an unbiased decision but if any of the board members have concerns, he is willing to recuse himself. Chairman Shumaker asked the other board members if there was any concern Mr. Nolan would be biased. All other members indicated their confidence that Mr. Nolan would be unbiased.

Ms. Glover then presented the facts of this variance request, along with a power point presentation. The applicants/owners, Arthur and Jennifer Dandridge are requesting a variance from Article VI, Section 86- 110 of the Zoning Ordinance, which requires accessory buildings to be located in the side or rear yard. The applicant is requesting a variance in order to construct a 30’ x 50’ detached garage in the front yard. The property is located at 118 Kendal Drive, Tax Map Parcel 27B-3-C-29. The property is zoned R-1 (Suburban- Residential) and consists of 3.55 acres

There is buffer between this property and the neighboring property. Ms. Glover stated that due to topography challenges in the rear of the property, staff recommends approval based on lack of alternative placement for this structure.

Ms. Walker pointed out to Ms. Glover that the section cited, 86-110, does not specify that accessory buildings are restricted in the front yard, which creates the question whether this variance request is necessary to begin with.

Ms. Glover pointed out section 86-243, a table that states accessory buildings are allowed in the side and rear yards within 15 feet of property line in residential districts.

Ms. Broaddus also spoke to the fact that the ordinance does not specifically state a restriction for accessory buildings in the front yard.

Chairman Shumaker interjected that we are here to make a decision on the variance request, and not a determination of the ordinance.

Mr. Nolan pointed out that 86-110 is simply a table specifying the minimum set back requirements in different yard areas, rear, side & front. 86-243 states accessory buildings are allowed within 15 feet of property line. 86-244 defines the front yard as that area between the street and the required setback, not the specific plane in front of the house. Mr. Nolan summed up his statements by saying if we are enforcing something that says the front plane of the house, it should say that in the ordinance section 86-244, which defines the yard front.

Ms. Glover continued to assert the ordinance defines the yard front as yard lying between the front lot line and the nearest part of the building, or use not exerted in this chapter and extending across the full width of the lot.

Mr. Nolan agreed that the minimum distance between the street and the nearest point of the building is what determines the setback.

Chairman Shumaker asked if there were any other questions for Ms. Grover. Since there were none, Chairman Shumaker invited the applicant to come up to speak to the board.

Mr. Dandridge spoke about his desire to get this building done. Mr. Nolan asked Mr. Dandridge if he built this house, which Mr. Dandridge did not. Placement of the house was determined before he bought the property. Mr. Nolan also asked if there was any other areas on the property that he could build this structure. Mr. Dandridge indicated no.

Chairman Shumaker asked Mr. Dandridge if he was interested in appealing the decision by the Planning Commission, or if it was his intent to apply for a variance request. Mr. Dandridge indicated he is seeking a variance request.

Chairman Shumaker opened the floor for the public comment period for this variance request. There were none so the public comment period was closed. No written correspondence in support or opposition has been received by the Planning Department.

Chairman Shumaker asked the Board if they are sufficiently informed to make a decision. Without any additional comments, the Chairman asked for a motion to approve or deny the request. Ms. Walker made a motion to approve and Ms. Broaddus seconded the motion.

Chairman Shumaker stated that he agrees that the zoning ordinance needs some clarification in stating that accessory building are not allowed in the yard front.

**The members were polled:**

Doris White	Aye
Yvonne Broaddus	Aye
Michael Nolan	Aye
Amanda Walker	Aye
Chairman Shumaker	Aye

**Variance request V-04-2021 is approved.**

**b. V- 05-2021 Owners, Mark and Beverly Remick**

Ms. Glover then presented the facts of this variance request, along with a power point presentation. The applicants/owners, Mark and Beverly Remick are requesting a variance from Article VI, Section 86-110 of the Zoning Ordinance, which requires accessory buildings to be located in the side or rear yard. The applicant is requesting a variance in order to construct a 30' x 45' detached garage in the front yard. The property is located at 1123 Scotland Landing Road, Tax Map Parcel 38-80C. The property is zoned A-C (Agricultural-Conservation) and consists of 7.33 acres.

Ms. Glover indicated that staff recommend approval of this application since there are no alternative locations for this garage in either the side or rear yard. Ms. Glover then stated they are working with the Planning Commission to make some modification on the wording of the ordinance.

Mr. Remick came up and indicated that they purchased this home already built and pointed out on the photos of the property that the rear yard is about 90% drain field, then slopes around 100 feet to the river. To the west of the house is a ravine, to the east of the house there is little area between their property and the neighbors. This leaves between 5 and 6 acres of the 7.33 acres as their front yard. He went on to say that the wooded nature of the property will keep the garage from being visible from the road.

Mr. Nolan commented about the beauty of the location of their property on the river. Then he asked how far off the road the garage would be, which Mr. Remick indicated it would be about 600 feet from the road. Mr. Nolan also asked if the Remick's neighbor had a garage forward of their house. Mr. Remick confirmed and Mr. Nolan pointed out this is not a unique situation in this area.

Chairman Shumaker opened the floor for the comment period for this variance request. There were none so the public comment period was closed. No written correspondence in support or opposition has been received by the Planning Department.

Chairman Shumaker asked the Board if they are sufficiently informed to make a decision. Without any additional comments, the Chairman asked for a motion to approve or deny the request. Mr. Nolan made a motion to approve and Ms. Walker seconded the motion.

**The members were polled:**

Doris White	Aye
Yvonne Broaddus	Aye
Michael Nolan	Aye
Amanda Walker	Aye
Chairman Shumaker	Aye

**Variance request V-095-2021 is approved.**

**c. V-06-2021 Owner, Margaret Snead**

Ms. Glover then presented the facts of this variance request, along with a power point presentation. The applicant/owner, Margaret Snead is requesting a variance from Article VI, Section 86-110 of the Zoning Ordinance, which requires accessory buildings to be located in the side or rear yard. The applicant is requesting a variance in order to construct a 24' x 24' detached garage in the front yard. The property is located at 687 Waterville Cove, Tax Map Parcel 60-1-2A. The property is zoned A-C (Agricultural- Conservation) and consists of 5.51 acres.

Ms. Glover indicated that staff recommend approval of this application due to the location of the septic system and the RPA, making it impossible to be constructed in the side or rear yard. The proposed detached garage will be in an area that is not visible to the adjacent neighbors.

Mr. Nolan pointed out the photos of the neighbors in the area that also have garages in the front yard. This make the variance request understandable for this area.

Ms. Snead spoke to the fact that the interpretation of the ordinance was frustrating, as well as costly.

Chairman Shumaker opened the floor for the comment period for this variance request. Mr. Bryan Wade, Ms. Snead's neighbor, came up and spoke about being supportive of the request. He went on to say that it is this type of bureaucracy that gets in front of us. He hopes that we can correct this issue with the ordinance so that others aren't subject to the same issues that Ms. Snead incurred. Chairman Shumaker then closed the public comment period.

Chairman Shumaker asked the Board if they are sufficiently informed to make a decision. Without any additional comments, the Chairman asked for a motion to approve or deny the request. Ms. Walker made a motion to approve and Mr. Nolan seconded the motion.

**The members were polled:**

Doris White	Aye
Yvonne Broaddus	Aye
Michael Nolan	Aye
Amanda Walker	Aye
Chairman Shumaker	Aye

**Variance request V-06-2021 is approved.**

**d. V-07-2021 Owners, Todd & Kim Brueckmann**

Ms. Glover then presented the facts of this variance request, along with a power point presentation. The applicant is requesting a variance from Article VI, Section 86-110 of the Zoning Ordinance, which requires accessory buildings to be located in the side or rear yard. The applicant is requesting a variance in order to construct a 24' x 24' detached garage in the front yard. The property is located at 687 Waterville Cove.

Ms. Glover indicated that staff does not recommend approval of this application because they do not believe there is a hardship.

Ms. Broaddus asked for clarification on where staff proposes he build this second garage. Mr. Nolan made mention that this removed location from the existing garage doesn't allow the owner to utilize the infrastructure of the existing garage. Mr. Nolan asked if the applicant was present, but he was not. The applicant had not stated in the application what he was seeking relief from specifically, but Ms. Glover indicated it was the same relief that the other applicants were seeking relief from.

Mr. Nolan stated he is uncomfortable making a motion to deny based on our conversations earlier about the ordinance and uncomfortable about making a motion to approve without the applicant there to answer questions.

Chairman Shumaker opened the floor for the comment period for this variance request. There were none so the public comment period was closed. No written correspondence in support or opposition has been received by the Planning Department.

Following some discussion about tabling the variance request, Chairman Shumaker asked for a motion to table. Ms. Broaddus made a motion to table the request, and Mr. Nolan seconded the motion.

**The members were polled:**

Doris White	Aye
Yvonne Broaddus	Aye
Michael Nolan	Aye
Amanda Walker	Aye
Chairman Shumaker	Aye

**Variance Request V-07-2021 is tabled.**

**Agenda Item 7. NEW BUSINESS**

**a. Organization of the Board of Zoning Appeals for Calendar Year 2022**

1. Chairman Shumaker indicated per code of the Rules of Procedure, the first meeting of every year is considered the annual meeting where we will elect the Chairman, Vice

Meeting Minutes of King William County Board of Zoning Appeals  
Regular Meeting of January 26, 2022

Chairman and Secretary. Mr. Nolan nominated Benjamin Shumaker for Chairman. Ms. Walker made the motion to close the nominations, and Ms. Broaddus seconded the motion. Mr. Shumaker was elected Chairman by acclamation. Mr. Shumaker thanked the Board for their confidence.

**The vote was unanimous on this motion.**

2. Ms. Broaddus nominated Ms. White for Vice Chairman. Ms. Walker made the motion to close the nominations, and Ms. Walker seconded the motion. Ms. White was elected Vice Chairman by acclamation.

**The vote was unanimous on this motion.**

3. Mr. Nolan nominated Ms. Broaddus for Secretary. Ms. Walker made the motion to close the nominations, and Mr. Nolan seconded the motion. Ms. Broaddus was elected Secretary by acclamation.

**The vote was unanimous on this motion.**

**4. Adoption of Board of Zoning Appeals By-Laws**

Chairman Shumaker indicated if there were no proposed changes to the By-Laws, he would entertain a motion to adopt. Ms. Broaddus made a motion to adopt, Ms. White seconded the motion.

**The members were polled:**

Doris White	Aye
Yvonne Broaddus	Aye
Michael Nolan	Aye
Amanda Walker	Aye
Chairman Shumaker	Aye

**Motion to adopt the Board of Zoning Appeals By-Laws is approved.**

**5. Adoption of Board of Zoning Appeals 2022 Meeting Schedule**

Chairman Shumaker specified the meetings are the 3<sup>rd</sup> Wednesday of every other month at 6:30 with the dates being:

March 16, 2022  
May 18, 2022  
July 20, 2022  
September 21, 2022  
November 16, 2022

Chairman Shumaker indicated if there were no proposed changes to the schedule, he would entertain a motion to adopt. Mr. Nolan made a motion to adopt, Ms. Walker seconded the motion.

**The members were polled:**

Doris White	Aye
Yvonne Broaddus	Aye
Michael Nolan	Aye
Amanda Walker	Aye
Chairman Shumaker	Aye

**Motion to adopt the Board of Zoning Appeals 2022 Meeting Schedule is approved.**  
Chairman Shumaker asked Ms. Glover to reserve those dates for the meetings.

**b. Approval and Adoption of 2021 Board of Zoning Appeals Annual Report**

Chairman Shumaker indicated if there were no proposed changes to the 2021 Board of Zoning Appeals Annual Report, he would entertain a motion to adopt. Ms. Walker made a motion to adopt, Ms. Broaddus seconded the motion.

**The members were polled:**

Doris White	Aye
Yvonne Broaddus	Aye
Michael Nolan	Aye
Amanda Walker	Aye
Chairman Shumaker	Aye

**c. Update on Comprehensive Plan and Ordinance Revisions**

Chairman Shumaker asked Ms. Graham for an update on the Comprehensive Plan. Ms. Graham shared that we are in the final draft stage of the Comprehensive Plan. Ms. Graham also indicated that they are working to make revisions to the ordinance to make it clear. The Planning Commission is coming up with the revisions and they will be shared for review.

Ms. Walker spoke about understanding that there were revisions needed to the ordinance that another firm had prepared for King William.

Chairman Shumaker entertained a motion to adjourn. Ms. Walker made a motion and Chairman Shumaker asked all in favor say aye. All responded in favor.

**The meeting was adjourned.**

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**Chairman, Benjamin Shumaker**

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**Secretary, Yvonne Broaddus**



King William  
County  
Est. 1702

Board of Supervisors

Department of Community Development

William L. Hodges, First District  
Travis J. Moskalski, Second District  
Stephen K. Greenwood, Third District  
C. Stewart Garber, Jr., Fourth District  
Edwin H. Moren, Fifth District

**TO:** Board of Zoning Appeals  
**FROM:** Sherry Graham, Director of Planning  
**SUBJECT:** Variance-01-2022  
**DATE:** March 23, 2022

### **Summary of Request For V-01-2022**

The applicant/owner, Widespread Properties, LLC is requesting a variance from Article VI, Section 86-110 of the Zoning Ordinance, which requires the frontage of the lot on the primary road to be a minimum of 100 feet in the B-1 (Local Business District) The property is located at 1041 Sharon Road, tax map parcel 28-55C, and consists of approximately 4.82 acres. The property is zoned B-1, (Local Business District).

The property fronts Sharon Road, King William Road and Richmond-Tappahannock Highway. The applicant would like to divide the property for the construction of a restaurant on the Richmond-Tappahannock Highway side of the property. The sides that front Sharon Road and King William Road currently have shopping centers.

### **Materials/Background**

The Variance packet includes the following:

Application  
Receipt  
Plat  
Public Hearing Notice  
Public Notice – Adjacent Property Owners List  
Adjacent Property Owner Letters  
Notice – Property Owners  
Zoning Map  
GIS View  
Future Land Use Map  
Ordinance  
Pictures

## **Code of Virginia**

§ 15.2-2201 – “Variance” means, in the application of a zoning ordinance, a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height area, bulk, or location of a building or structure when the strict application of the ordinance would unreasonably restrict the utilization of the property, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the purpose of the ordinance. It shall not include a change in use, which change shall be accomplished by a rezoning or by a conditional zoning.

## **Ordinance Requirements**

Article VI, Section 86-110 of the Zoning Ordinance of King William County requires the minimum lot frontage that fronts a primary road in the B-1 Zoning District to be a minimum of 100 feet.

## **Additional findings:**

Section 86-24 of the Zoning and Subdivision Ordinance states the following:

A variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property and that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, or alleviate a hardship by granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability, and;

ii. When a property owner can show that his property was acquired in good faith and any hardship was not created by the applicant for the variance;

iii. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;

iv. The condition or situation of the property concerned is not of so general or recurring in nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;

v. 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

vi. 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 Code of Virginia §15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of Code of Virginia §15.2-2286 at the time of filing of the variance application.

**Staff Comments:**

Failure to grant the variance would prohibit the applicant from gaining access from Richmond-Tappahannock Highway to prime commercial property.

The applicant purchased the property in 2020 and has not created any changes on the lot since the purchase. The property also had an existing entrance onto the property from Richmond-Tappahannock

Most of the adjacent property owners do not share the same issues as the applicant.

The applicant is proposing to construct a restaurant. Restaurants with and without a drive-thru are permitted in the B-1 Zoning District.

**Recommendations:**

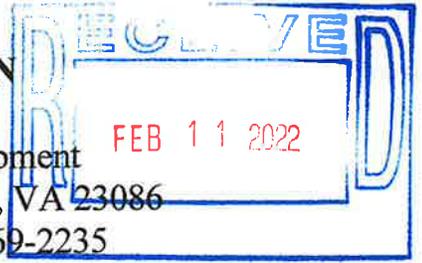
Staff recommends approval of this application.

Howard Buckley

3415



**VARIANCE APPLICATION**  
 King William County  
 Department of Community Development  
 180 Horse Landing Rd. #4 King William, VA 23086  
 Phone (804) 769-4980 Fax (804) 769-2235



1. Owner(s): Widespread Properties LLC

Address: P.O. Box 217 Mechanicsville, Va. 23111

Phone Number: 804-559-9466

Email Address: fb69266@gmail.com

2. Applicant (if different from owner): \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

3. Property Identification

Tax Map: 28-55 C

Physical Address of Property: 1041 Sharon Rd King William, Va. 22560

Deed Book or Instrument Number for title of property: -

Zoning District: B-1

Present Use of Property:  
Retail uses : 9,000 sf building fronting King William Rd  
Office uses : 11,400 sf building fronting Sharon Rd

4. A variance is requested from the requirements of Article 6, Section 86-101, of the Zoning Ordinance for King William County, Virginia.

Describe requested variance request in detail and provide information to each of the items the Board of Zoning Appeals will be considering in granting or denying the request:

*I would like to create a separate tax parcel (as shown on the attached conceptual plan). This parcel has approximately 66' of frontage on Rt 360. King William County requires 100' of frontage to create a stand alone parcel. I have made 3 attempts to buy a little frontage from Sharon Baptist Church and have been told no. In my attempts to get a user on this parcel there has been no one interested in leasing, the only interest is to buy the parcel. Please note that a commercial entrance from Rt 360 is already built to serve this parcel.*

(a) Strict application of the ordinance will produce undue hardship relating to the property;

*The parcel has been vacant for years with no one interested in leasing. Only potential for development (tax revenue for King William) is to create a parcel I can sell.*

(b) The hardship is not shared generally by other properties in the same zoning district and in the same vicinity;

*This parcel shape, size and development restraints is not generally shared by other properties in this vicinity.*

(c) Authorization of the variance will not be detrimental to adjacent properties and the character of the district will not be changed; and

*This variance (if granted) will not be detrimental to our neighbors (Sharon Baptist Church and Fas Mart). We still have a 30' buffer adjoining Sharon Baptist Church. The district is commercial so I see no change in the character of the district.*

(d) The condition or situation giving rise to the variance is not of such general or recurring nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the Zoning Ordinance.

*This variance (if granted) should not have a recurring nature for more similar requests. I think this is a unique situation.*

(e) The hardship seeking relief from is not self-inflicted by the owner.

Residual parcel after developing 2 buildings (one retail)  
and (one office) on the larger parcel. King William approved  
our site plan and this parcel was denoted as future restaurant.

I do certify that the information presented in this application is complete and accurate to the best of my knowledge. Members of the Board of Zoning Appeals and County employees are hereby authorized to enter upon the property described herein during normal working hours for the purpose of performing assigned duties in connection with this application.

Note: A power of attorney must be granted by the owner to the applicant if signed by someone other than the owner.

Widespread Properties LLC  
Applicant

By: Frank B. Bradley III  
Owner Manager

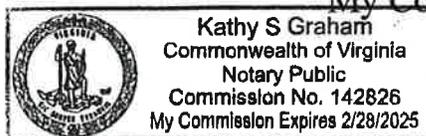
CERTIFICATE OF NOTARY PUBLIC

STATE OF: Virginia COUNTY OF Hanover : to wit:

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of February, 20 22.

Kathy S Graham  
Notary Public

February 28, 2025  
My Commission Expires



King William County  
Building & Zoning Department  
180 horse Landing Road #4  
King William, VA 23086

<b>INVOICE #</b>
22-03981

ACCOUNT ID: O-000348 PIN: 681372  
INVOICE DATE: 02/11/22  
DUE DATE: 03/13/22

WIDESPREAD PROPERTIES P. O. BOX 217 MECHANICSVILLE, VA 23116
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PERMIT INFORMATION  
PERMIT NO: 22-00070  
LOCATION: 1041 SHARON ROAD (STE. 204-207)  
OWNER: WIDESPREAD PROPERTIES

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
		Permit No: 22-00070		
1.0000	ZON-VARI	ZONING VARIANCE Permit No: 22-00070	1,000.000000	1,000.00
			TOTAL DUE:	<u>\$ 1,000.00</u>
		Prn Payment: 02/11/22 CK 2508		-1,000.00
			BALANCE:	<u>\$ 0.00</u>

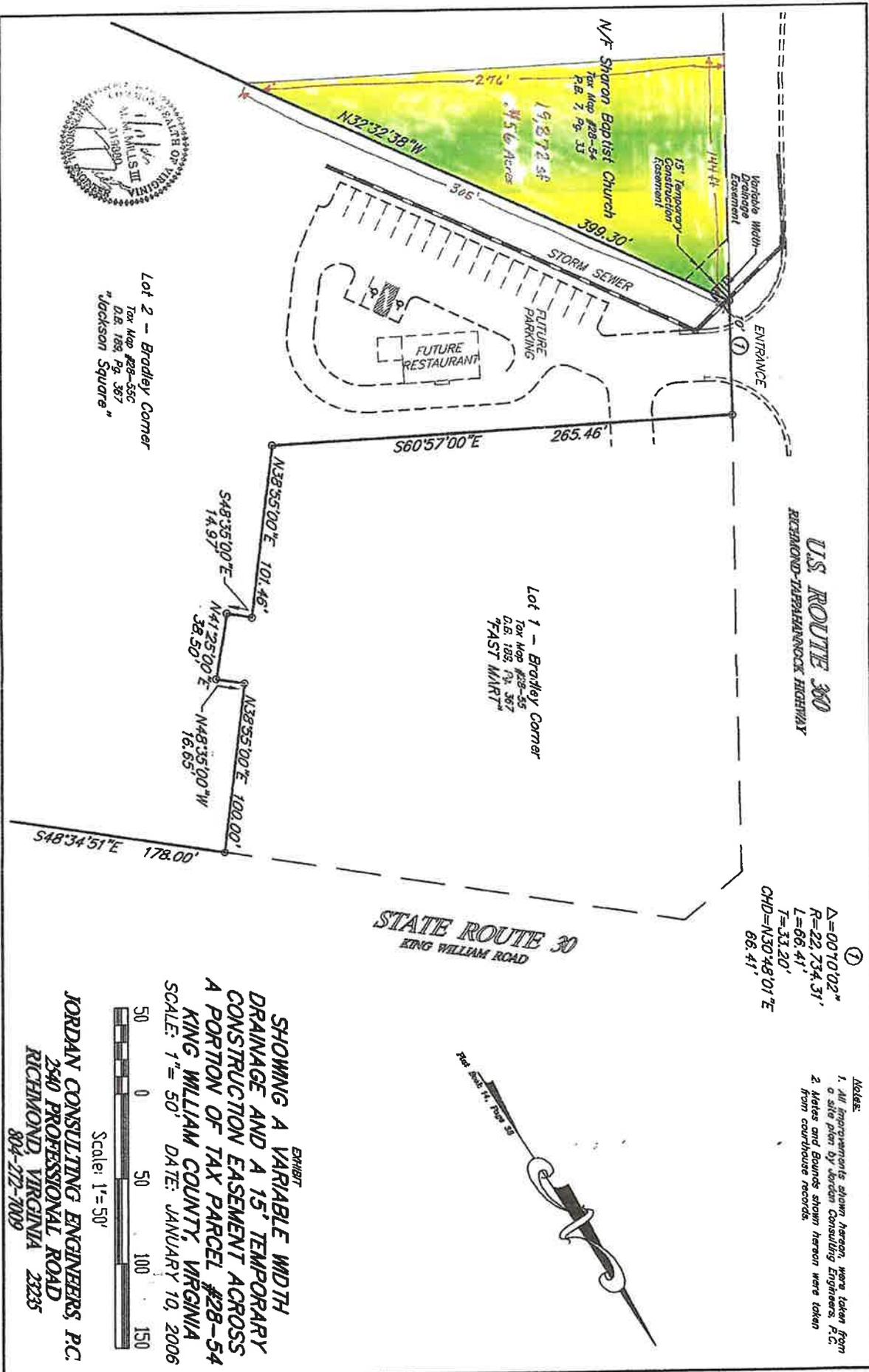
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**PAYMENT COUPON - PLEASE DETACH AND RETURN THIS PORTION ALONG WITH YOUR PAYMENT**

King William County  
Building & Zoning Department  
180 horse Landing Road #4  
King William, VA 23086

INVOICE #: 22-03981  
DESCRIPTION: Permit No: 22-00070  
ACCOUNT ID: O-000348 PIN: 681372  
DUE DATE: 03/13/22  
TOTAL DUE: \$ 0.00

WIDESPREAD PROPERTIES  
P. O. BOX 217  
MECHANICSVILLE, VA 23116





**EXHIBIT**  
SHOWING A VARIABLE WIDTH DRAINAGE AND A 15' TEMPORARY CONSTRUCTION EASEMENT ACROSS A PORTION OF TAX PARCEL #28-54 KING WILLIAM COUNTY, VIRGINIA  
SCALE: 1" = 50'  
DATE: JANUARY 10, 2006

**JORDAN CONSULTING ENGINEERS, P.C.**  
2540 PROFESSIONAL ROAD  
RICHMOND, VIRGINIA 23235  
804-272-7009

Scale: 1" = 50'

50 0 50 100 150



**SITE STATISTICS**  
 OWNER / DEVELOPER: JORDAN CONSULTING ENGINEERS, LLC  
 P.O. BOX 21 PROVERBES, VA 23111  
 MECHANICSVILLE, VA 23111  
 ATTORNEY: RYAN BOULEY  
 RYAN BOULEY & ASSOCIATES  
 P.O. BOX 589-6186  
 RAYMOND, VA 22983-5500  
 DEED REF: DB 159, PG. 387  
 ZONING: BUSINESS (B-1) ZONING (TCO)  
 USE: COMMERCIAL BUSINESS  
 BLDG. USE/FLOOR:  
 1st FLOOR: 11,400 S.F. WAREHOUSE USE  
 2nd FLOOR: 11,400 S.F. WAREHOUSE USE  
 3rd FLOOR: 11,400 S.F. WAREHOUSE USE  
 4th FLOOR: 11,400 S.F. WAREHOUSE USE  
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 97th FLOOR: 11,400 S.F. WAREHOUSE USE  
 98th FLOOR: 11,400 S.F. WAREHOUSE USE  
 99th FLOOR: 11,400 S.F. WAREHOUSE USE  
 100th FLOOR: 11,400 S.F. WAREHOUSE USE



**Jordan Consulting Engineers, P.C.**  
 2340 Professional Blvd  
 Richmond, Virginia 23255  
 Telephone: 804-272-7000  
 Fax: 804-272-7000  
 E-Mail: JORDAN@JCE.COM

**JACKSON SQUARE**  
 KING WILLIAM COUNTY, VIRGINIA  
 LAYOUT PLAN

DATE: AUG. 31, 2005  
 SCALE: 1" = 40'  
 DRAWN BY: JMM  
 ENR'D BY: PM  
 CHECKED: MUM/JR

REVISION: 1) 12/29/05 PER COUNTY COMMENTS DATED 12/22/05 & 11/14/05  
 2) 2/14/06 PER CO. COMMENTS DATED 1/25/06  
 3) 2/1/06 PER 1507 COMMENTS DATED 03/12/06  
 4) 4/24/06 ADDED SLOPE / DRAINAGE / SIDEWALK EASEMENT

NET 5 IN 10



**KING WILLIAM COUNTY  
PUBLIC HEARING NOTICE**

The Board of Zoning Appeals of King William County, Virginia will hold a Public Hearing on Wednesday, March 23, 2022, at 6:30 p.m., or as soon thereafter as may be heard and via Zoom to receive public comment and consider approval on the following matter:

Variance V-01-2022 – Widespread Properties, LLC

A request for a variance from Article VI, Section 86-110 of the Zoning Ordinance which requires the frontage of a lot on a primary road to be a minimum of 100 ft. in the B-1 (Local-Business) District. The property is located at 1041 Sharon Road and also fronts Richmond-Tappahannock Highway; tax map parcel 28-55C, and consists of approximately 4.82 acres.

All interested persons may present their views during the meeting or via ZOOM. Those attending via Zoom must preregister at [kingwilliamcounty.us](http://kingwilliamcounty.us) by noon on the day of the meeting. If a member of the public cannot attend, comments may be submitted by mail to 180 Horse Landing Road, #4, King William, Virginia 23086; or by fax to (804)769-2235, or by email to [sgraham@kingwilliamcounty.us](mailto:sgraham@kingwilliamcounty.us). Comments received by 12:00 noon on the day of the hearing will be distributed to the Board Members and made a part of the public record. All records pertaining to this matter may be viewed in the Planning and Zoning Office at 180 Horse Landing Road, King William, Virginia during regular business hours. Anyone needing assistance or accommodations under the provisions of the American with Disabilities Act should contact the Planning and Zoning Office at (804) 769-4978 or email to [sgraham@kingwilliamcountv.us](mailto:sgraham@kingwilliamcountv.us).

By the authority of

Sherry L. Graham  
Director of Planning

Please publish in the Tidewater Review on March 9<sup>th</sup> and March 16<sup>th</sup>, 2022

**Widespread Properties LLC  
V-01-22  
1041 Sharon Road  
Tax Map Parcel 28-55C**

Getty VA Leasing Inc  
2 Jericho PLZ STE 110  
Jericho, NY 11753  
Tax Map Parcel 28-55  
Zoned B-1

Sharon Baptist Church  
901 Sharon Road  
King William, VA 23086  
Tax Map Parcel 28-55B  
Zoned B-1

Campbell Virginia Properties LLC  
PO Box 95  
King William, VA 23086  
Tax Map Parcel 28-57  
Zoned B-1

Bank of Essex  
PO Box 965  
Tappahannock, VA 22560  
Tax Map Parcel 28-3-1  
Zoned B-1

King William High School  
80 Cavalier Drive  
King William, VA 23086  
Tax Map Parcel 28-62  
Zoned R-1

Howard Townsend  
2121 Dabney's Mill Rd  
Manquin, VA 23106  
Tax Map Parcel 28-56D  
Zoned B-2

Central Garage LLC  
3800 Stillman Parkway  
Richmond, VA 23233  
Tax Map Parcel 28-3-2  
Zoned B-1

Kelmont LLC  
1513 Chauncy Lane  
Richmond, VA 23233  
Tax Map Parcel 28-56  
Zoned B-1

Frank Volo  
PO Box 711  
Dallas, TX 75221  
Tax Map Parcel 28-56D1  
Zoned B-1



King William  
County  
Est. 1702

Board of Supervisors

Department of Community Development

William L. Hodges, First District  
Travis J. Moskalski, Second District  
Stephen K. Greenwood, Third District  
C. Stewart Garber, Jr., Fourth District  
Edwin H. Moren, Fifth District

March 1, 2022

**RE: Notice to adjacent property owners**  
**Request for Variance: V-01-2022**  
**Tax Map Parcel: 28-55C**  
**Owner/Applicant: Widespread Properties, LLC**

Dear Property Owner:

The King William County Board of Zoning Appeals will hold a Public Hearing on Wednesday, March 23, 2022, at 6:30 p.m., or as soon thereafter, in person and via ZOOM to receive public comment on the following matter:

The applicant is requesting a variance from Article VI, Section 86-110 of the Zoning Ordinance, which requires the frontage of the lot on a primary road to be a minimum of 100 feet in the B-1 (Local Business) District. The property is located at 1041 Sharon Road and also fronts on Richmond-Tappahannock Highway. The tax map number is 28-55C, and the property consists of approximately 4.82 acres.

You are being notified of this hearing because your property is adjacent, or in close proximity to the above-stated request. All interested persons may appear and present their views in person or via ZOOM at the above time and place. Those attending via Zoom must preregister at [kingwilliamcounty.us](http://kingwilliamcounty.us) by noon on the day of the meeting. If a member of the public cannot attend, comments may be submitted by mail to 180 Horse Landing Road, #4, King William, VA 23086; by fax to (804)769-2235, or by email to [sgraham@kingwilliamcounty.us](mailto:sgraham@kingwilliamcounty.us). Comments received by 12:00 noon on the day of the hearing will be distributed to the Board members and made a part of the public record.

All records pertaining to this matter may be viewed in the Office of Community Development at 180 Horse Landing Road, King William, VA during regular business hours. Anyone needing assistance or accommodations under the provisions of the American with Disabilities Act should contact the Office of Community Development at (804) 769-4978 or [sgraham@kingwilliamcounty.us](mailto:sgraham@kingwilliamcounty.us).

Sincerely,

Sherry L. Graham  
Director of Planning

180 Horse Landing Road, No.4 • King William, Virginia 23086  
804-769-4969 • Fax: 804-769-4964



King William  
County  
Est. 1702

Board of Supervisors

Department of Community Development

William L. Hodges, First District  
Travis J. Moskalski, Second District  
Stephen K. Greenwood, Third District  
C. Stewart Garber, Jr., Fourth District  
Edwin H. Moren, Fifth District

March 1, 2022

Mr. Harold Bradley  
Widespread Properties, LLC  
P.O. Box 217  
Mechanicsville, VA 23111

**RE: Request for Variance, V-01-2022, Tax Map Parcel 28-55C**

Dear Mr. Bradley:

The Board of Zoning Appeals will hold a Public Hearing on Wednesday, March 23, 2022, at 6:30 p.m. to consider your request for a variance for a reduction in the frontage on your property located at 1041 Sharon Road.

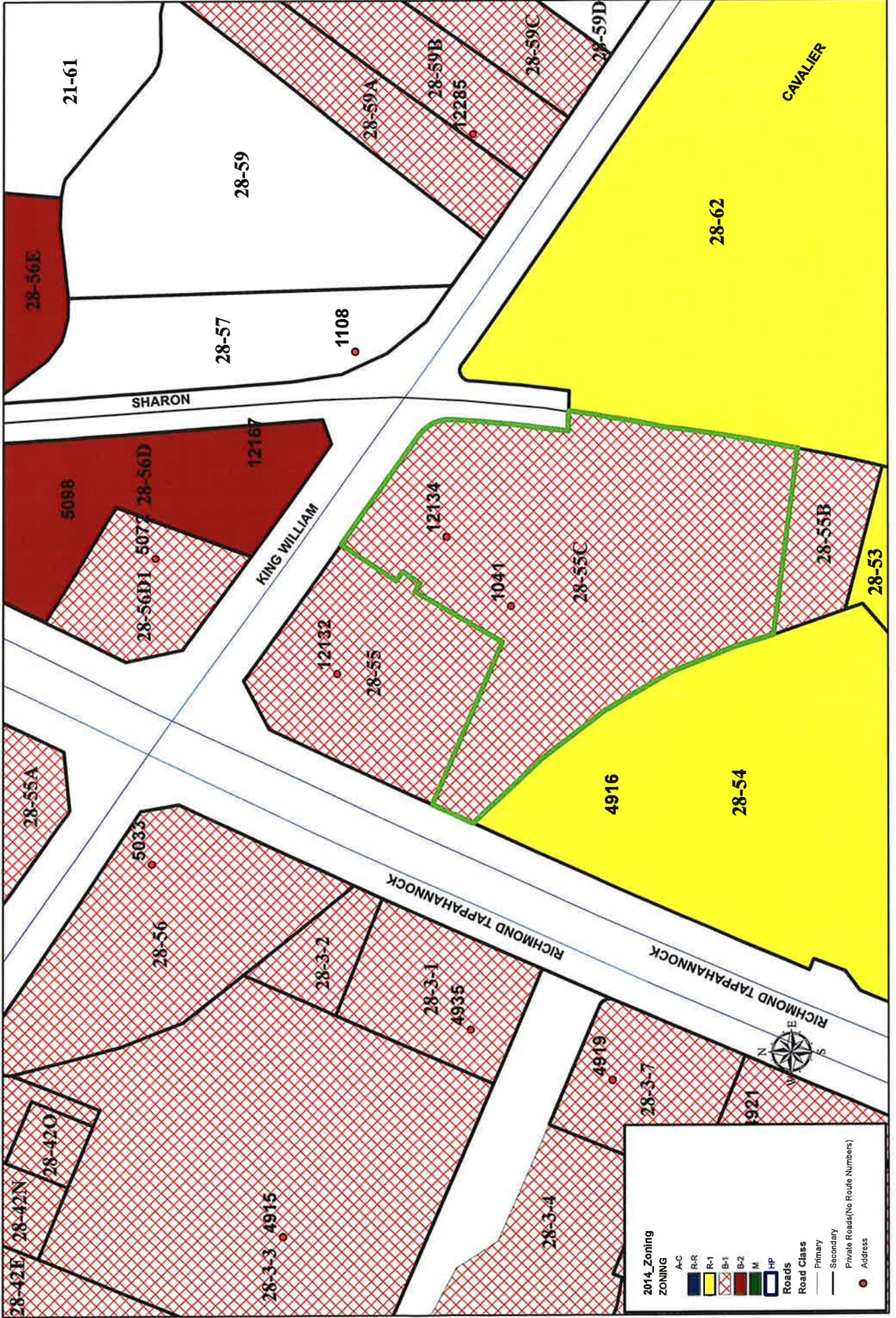
Although your attendance is not mandatory, it is strongly encouraged. If you have any questions, please do not hesitate to call.

Sincerely,

Sherry L. Graham  
Director of Planning

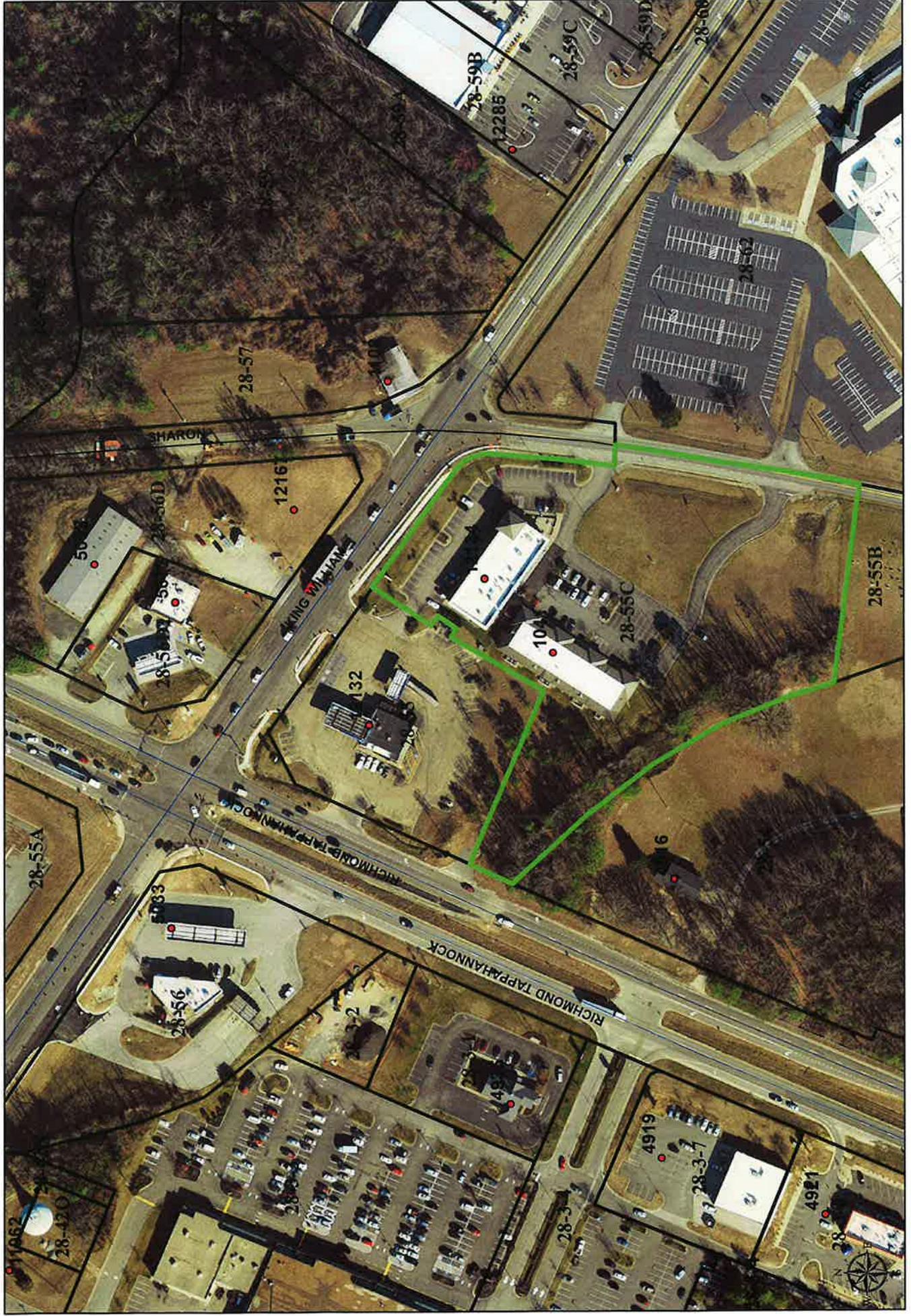
V-01-22

APPLICANT/OWNER: WIDESPREAD PROPERTIES, LLC.  
TAX PARCEL #28-55C



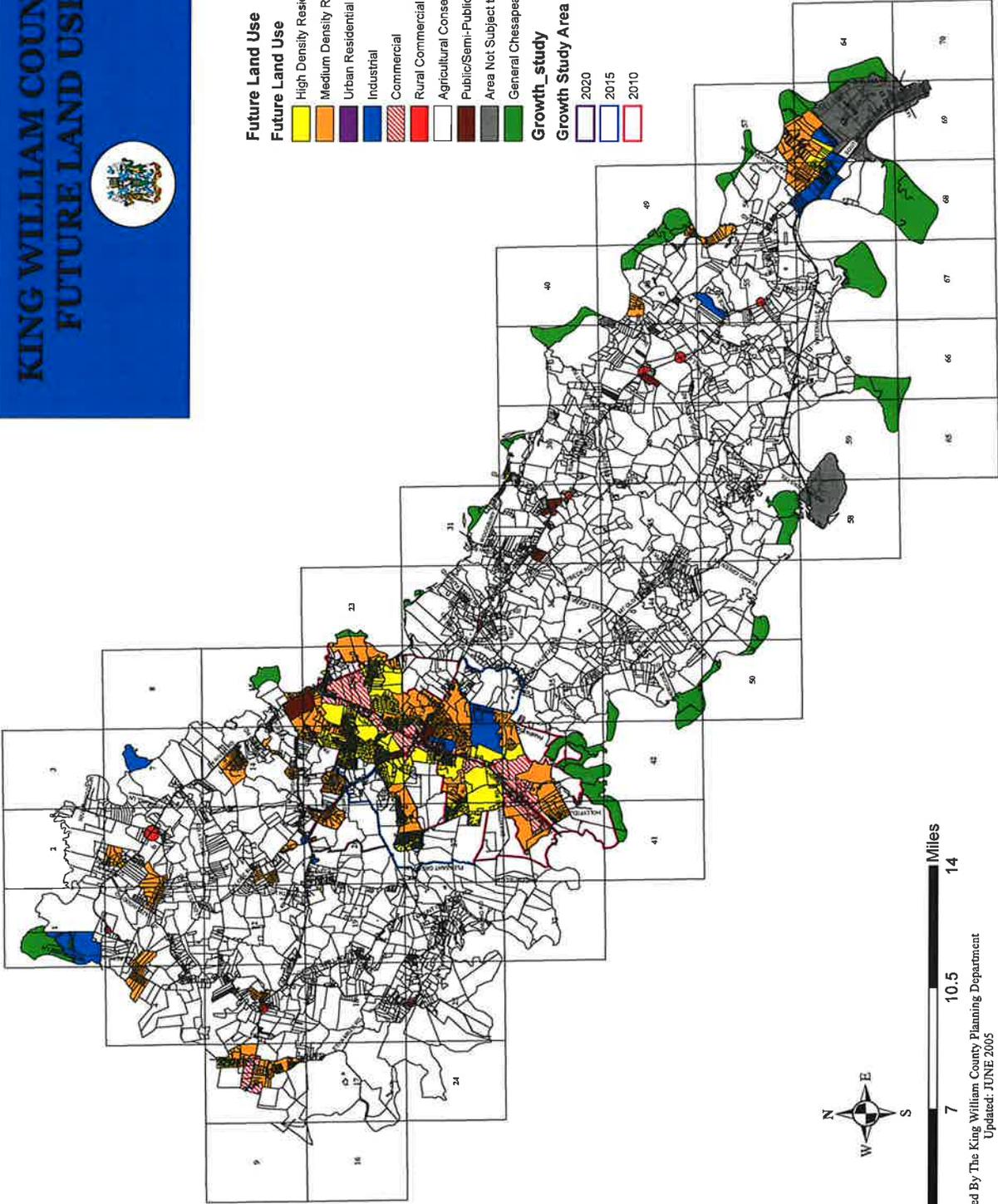
This map was created for planning purposes only. February 17, 2022 B. Brooks

V-01-22  
APPLICANT/OWNER: WIDESPREAD PROPERTIES, LLC.  
TAX PARCEL #28-55C



This map was created for planning purposes only. February 17, 2022 B. Brooks

# KING WILLIAM COUNTY FUTURE LAND USE



- Future Land Use**
- High Density Residential
  - Medium Density Residential
  - Urban Residential
  - Industrial
  - Commercial
  - Rural Commercial
  - Agricultural Conservation
  - Public/Semi-Public
  - Area Not Subject to County Land Use Regulations
  - General Chesapeake Bay Preservation Area
- Growth Study Area**
- 2020
  - 2015
  - 2010



Prepared By The King William County Planning Department  
Updated: JUNE 2005

King William County Zoning and Subdivision Ordinance

envisioned as the major development style of this R-R district, although slightly higher densities are acceptable where public water is provided for larger subdivisions.

3. *Intent of the R-1 suburban residential district.* The R-1 district is to provide for higher residential development together with recreational facilities, public uses, and accessory uses as may be necessary or are normally compatible with residential surroundings. Since substantial tracts of vacant land are or may be included in the R-1 district, agricultural and open uses are permitted, but in general, urbanization is planned, and utilities and public services exist or are planned which will be adequate for the types of development contemplated. While a major purpose of the R-1 district is to protect and conserve areas of predominantly single-family detached residences, other types of residences may be permitted in order to provide for a wide spectrum of housing needs, provided that these new units are of generally compatible architectural character and are located on tracts of sufficient size so that necessary amenities can be provided and harmonious relationships between residences of different types ensured by means of careful planning and the process of subdivision plat review and approval.
4. *Intent of the B-1 local business district.* The B-1 district is to provide primarily for retail shopping and personal service uses, to be developed either as a unit or in individual parcels, and to serve the needs of families living in the County or the needs of the traveling public on the highways. To enhance the general character of the B-1 district, its function of local service, and its compatibility with its surroundings, the size of certain uses is limited.
5. *Intent of the B-2 general business district.* The B-2 district is to provide sufficient space in appropriate locations for a wide variety of commercial and light industrial activities, serving a wide area of the County and generally located in or near development centers where a mixture of commercial and service activity now exists or is planned, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, or the nuisance factors of dust, odor, and noise, associated with medium or heavy industrial activity.
6. *Intent of the I industrial district.* The I district is to provide for a wide variety of manufacturing, fabricating, processing, wholesale distributing and warehousing uses appropriately located for access by highways and providing a controlled environment within which signage is limited, uses are to be conducted generally within completely enclosed buildings, and a moderate amount of landscaping is required. In order to preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between industry and other uses, business and service uses are limited primarily to those which will be useful to employees in the I district and residential uses are restricted.

**Sec. 86-101—86-109. Reserved.**

**Division 2 – Primary Zoning District Yard, Height and Bulk Requirements**

**Sec. 86-110. Minimum site area and dimensional regulations for primary zoning districts**

TABLE OF MINIMUM SITE AREA AND DIMENSIONAL REGULATIONS FOR PRIMARY ZONING DISTRICTS						
	A-C	R-R	R-1	B-1	B-2	I
Minimum Lot Area						
	5-acres <sup>1</sup>	3-acres	Dependent upon public utilities <sup>2</sup>	N/A	N/A	N/A
Minimum Lot Depth (in feet)						

King William County Zoning and Subdivision Ordinance

TABLE OF MINIMUM SITE AREA AND DIMENSIONAL REGULATIONS FOR PRIMARY ZONING DISTRICTS						
	A-C	R-R	R-1	B-1	B-2	I
	500	300	150	100	100	100
Minimum Lot Frontage (in feet)						
Fronting Primary Road	400	200	200	100	100	100
Fronting Secondary Road	300	200	150	100	100	100
Fronting Subdivision Street	150	150	100	100	100	100
Minimum Setback (in feet)						
From Primary Road	100	75	75	75	75	75
From Secondary Road	75	50	40	50	50	50
From Subdivision Street	50	50	40	50	50	50
Minimum Yard (main building – in feet)						
Side	25	25	15	0 <sup>3</sup>	0 <sup>3</sup>	0 <sup>4</sup>
Rear	50	50	40	0 <sup>3</sup>	0 <sup>3</sup>	0 <sup>4</sup>
Minimum Yard (accessory buildings – in feet)						
Side	15 <sup>5</sup>	15	15	0 <sup>6</sup>	0 <sup>6</sup>	0 <sup>6</sup>
Rear	15 <sup>5</sup>	15	15	0 <sup>6</sup>	0 <sup>6</sup>	0 <sup>6</sup>
Maximum Height (in feet)						
	45 <sup>7</sup>	45	45	45	100 <sup>8</sup>	100 <sup>8</sup>

<sup>1</sup> The minimum lot area for a family subdivision shall be 3 acres.

<sup>2</sup>15,000 square feet (sf) for properties served by both public water and sewer;  
20,000 sf served by public water only or public sewer only;  
30,000 sf not served by public water or public sewer

<sup>3</sup>50 foot main building setback required from any residentially zoned parcel

<sup>4</sup>100 foot main building setback required from any residentially zoned parcel

<sup>5</sup>For non-agricultural accessory buildings only

<sup>6</sup>25 foot accessory building setback required from any residentially zoned parcel

<sup>7</sup>Agricultural structures may exceed 45 feet in height as long as they are exempt under the building code.

<sup>8</sup>No part of a building that is located within 200 horizontal feet of any R-R or R-1 residential zoning district may exceed 45 feet in height.

**Sec. 86-111. Adjustments and special provisions to lot area and dimensional regulations in the A-C zoning district.**

Adjustments and special provisions to lot area and dimensional regulations in the A-C zoning districts are as follows:

Minimum Lot Size and Dimensions







