

NORTHUMBERLAND COUNTY BOARD OF ZONING APPEALS
MARCH 1, 2022
MINUTES

Due to the Northumberland County Emergency Ordinance addressing Continuity of Government during the Coronavirus (Covid-19) Pandemic, the Northumberland County Board of Zoning Appeals held a public/telephonic hearing on March 1, 2021 in the Sheriff's Office in Heathsville, Virginia at 7:00 PM:

Present

Absent

Chairman - Dandridge Crabbe (on phone) Michael Baughan
Vice-Chairman James Packett
John Hendrickson
Daniel Wiggins

Chairman Crabbe, called the meeting to order.

On a motion by John Hendrickson, seconded by Daniel Wiggins, the minutes of the November 1, 2021 meeting were unanimously approved.

The Board then heard a request by Robert or Lisa Kraft and Kenneth or Kristina Williams, owners, for a variance to the Northumberland County Zoning Ordinance, Article XIV, Section 148-150, to allow a private pier less than the required 10 feet from the side property line at mean low water. The property is located on Tax Map Parcel #28-C(5)-405 on Swann Court in Sherwood Forest Subdivision.

Robert Kraft said that when he and Lisa along with Ken and Kristina Williams purchased the property in 2014 and there was an existing permit for the pier with drawings. He noted that Chesapeake Bay Marine constructed the pier as drawn. He stated that last year he had a site plan drawn and discovered that the pier was less than ten feet from the property line.

John Hendrickson asked if the contractor put the pier in the wrong way.

Robert Kraft said he thought the designer did not know where the property line was located. "I think Chesapeake Bay put it in relative to the pin we found and relative to the dock next door as shown on the drawing."

Using the drawing, Mr. Kraft explained how he thought the pier was incorrectly situated on the drawing. He stated that he spoke to Mr. O'Brien and explained the situation. "He said as far as he was concerned, it was no problem to him.

John Hendrickson asked if there was any feedback from the neighbors, letters or anything.

Philip Marston said he has received no correspondence on the request.

James Packett asked who did the drawings.

Philip Marston said that Nathan Moore did the drawings.

James Packett asked how far the pier is located from the pin.

Robert Kraft said less than 10 feet.

James Packett said he didn't know if the Board could make you change the pier but it would make it look ridiculous. "It serves no purpose. The neighbors are not complaining. What's done is done."

Chairman Crabbe agreed. "We should just grant the variance."

Daniel Wiggins made a motion to approve the variance.

Philip Marston said he wanted to be certain that the owner understands that the variance will not clean up any possible riparian issues or if it encroaches over the property line, it will not clean that up. "It will clean up the setback".

John Hendrickson said, "Doesn't our jurisdiction stops at low water?"

Philip Marston said, "That's correct."

James Packett asked, "If the pier is destroyed, is there a way we can say that when it is replaced it must be moved over?"

Philip Marston said that the Board could make it a condition that if the pier is completely replaced, it must conform with the Zoning Ordinance.

Daniel Wiggins again made a motion to approve the request with the condition that if the pier is replaced it must conform with the Zoning Ordinance.

James Packett seconded the motion and the Board unanimously agreed to approve the request.

Other Business

On a motion by James Packett, seconded by John Hendrickson, Dandridge Crabbe was unanimously elected Chairman.

On a motion by Daniel Wiggins, seconded by James Packett, John Hendrickson was unanimously elected Vice-Chairman.

There being no further business to come before the Board, on a motion by James Packett seconded by John Hendrickson, the meeting was adjourned.

