



POWHATAN COUNTY BOARD OF ZONING APPEALS

Agenda: Regular Meeting

Thursday, July 10, 2025

9:00 A.M.

Powhatan County Library: Conference Room
2270 Mann Road

1. **Call to Order**
2. **Roll Call / Establish Quorum**
3. **Administrative Items (including Elections)**
 - a. Introduce New Member(s)
 - b. Elect Chair – annual term
 - c. Elect Vice Chair – annual term
 - d. Adopt Rules of Procedure
4. **Review and Approval of Minutes of Previous Meeting(s)**
 - a. September 12, 2024, Regular Meeting Minutes
5. **Scheduled Public Hearings**
 - a. **Case #25-01-BZA: Ryan Sanford (District #1: Sublett's/Manakin/Flat Rock)**

Variance application to allow construction of a single-family home with a reduced front yard setback at 3327 John Tree Hill Road on Tax Map No. 19-1-8. The property is zoned Rural Residential (RR) and Zoning Ordinance Section 83-176(c) (front yard requirements) requires a 100-foot front yard setback. The property owner would like to build the home approximately 67 feet from the front property line due to a decreased buildable area from a pond expansion on an adjacent property.
6. **Other Business**

Certified BZA Program Information
7. **Adjourn**

**POWHATAN COUNTY BOARD OF ZONING APPEALS
RULES OF PROCEDURE**

The Powhatan County Board of Zoning Appeals (the BZA), as set forth in Section 83-121(A) of the Powhatan County Zoning Ordinance, has been established in accordance with Virginia Code Section 15.2-2308 *et seq.*, and sets forth the following rules and procedures.

ARTICLE I: MEMBERSHIP, APPOINTMENT, AND TERMS OF OFFICE

- 1.1 The BZA shall consist of five members appointed by the Circuit Court.
- 1.2 Members shall be residents of Powhatan County, shall be appointed for five-year, staggered terms, and may serve an unlimited number of terms.
- 1.3 A member may not hold any other public office within Powhatan County except that one member may be a member of the Planning Commission.
- 1.3 Members shall continue to serve until their successors are appointed and qualified.
- 1.4 Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term only.

ARTICLE II: POWERS AND DUTIES

- 2.1 In accordance with Virginia Code § 15.2-2309, and Zoning Ordinance Section 83-121(a)(2), the BZA has the following powers and duties:
 - 1. To hear and decide appeals from any order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the Powhatan County Zoning Ordinance or of any ordinance adopted pursuant thereto.
 - (i) The decision on such appeal shall be based on the BZA’s judgment of whether the administrative officer was correct.
 - (ii) The determination of the administrative officer shall be presumed to be correct.
 - 2. To grant a Variance Permit (Zoning or Floodplain).
 - 3. To hear and decide applications for interpretation of the district map where there is any uncertainty as to the location of a district boundary;
 - 4. To hear and decide appeals of the following decisions:
 - (i) Decisions of the Zoning Administrator
 - (ii) Zoning Compliance Permits;
 - (iii) Post-Disaster Temporary Dwelling Permits; and
 - (iv) Notices of Zoning Violations.

ARTICLE III: OFFICERS

- 3.1 Chair. At its annual meeting and when otherwise necessary under these Rules, the BZA shall elect a Chair who, if present, shall preside at the meeting and at all other meetings during the year for which elected. On any application or appeal, the Chair may administer oaths and compel the attendance of witnesses.
- 3.2 Vice-Chair. At its annual meeting and when otherwise necessary under these Rules, the BZA shall elect a Vice-Chair, who, if present, shall preside at meetings in the absence of the Chair and shall discharge the duties of the Chair during the Chair's absence or disability.
- 3.3 Secretary. The Zoning Administrator or designee shall be the Secretary who shall keep and maintain custody of the BZA's records including preparing meeting notices, agenda packets, keeping the meeting minutes, drafting correspondence, and other such duties as these rules may provide and the BZA may, from time to time, assign.
- 3.4 Term of Office. The Chair and Vice-Chair shall be elected for annual terms, and until their respective successors take office. Either or both may be re-elected for one or more additional terms.
- 3.5 Vacancies in Office. Vacancies in office shall be filled as soon as practicable using the election procedures provided herein.
- 3.6 Absence of Chair and Vice-Chair. If the Chair and Vice-Chair are absent from any meeting, a present member shall be chosen to act as Chair.

ARTICLE IV: MEETINGS, QUORUM

- 4.1 Regular meetings of the BZA shall be held on the second Thursday in each month, as needed, at 9:00 a.m., unless that day falls on a legal holiday, in which case the meeting may be changed at the consensus of the BZA in coordination with county staff and any applicant.
- 4.2 Meetings shall be open to the public and held at the Powhatan County Library: Conference Room (2270 Mann Road) or in such other place deemed necessary and such changed place shall be advertised in any required public notices for the meeting.
- 4.3 Special meetings may be held at other times as determined necessary by the BZA, provided notice of such meeting is given to each member pursuant to the Virginia Freedom of Information Act (FOIA), Virginia Code § 2.2-3707 et seq.
- 4.4 A quorum of the BZA shall consist of three members of the five-member BZA. If disqualifications under the State and Local Government Conflict of Interests Act (Virginia Code § 2.2-3100 et seq.) leave less than a quorum, the remaining member or members of the BZA shall have authority to act for the BZA by a unanimous vote.
- 4.5 The order of business at all regular meetings of the BZA shall generally be as follows, subject to change at the request of the Chair and with the consensus of other members of the BZA:

1. Call to Order
2. Roll Call / Establish Quorum
3. Administrative Items (including Elections)
4. Review and Approval of Minutes of Previous Meeting(s)
5. Scheduled Public Hearings
6. Other Business
 - a. Old Business
 - b. New Business
7. Adjournment

- 4.6 The conduct of business at all meetings of the BZA shall follow Roberts Rules of Order, Simplified Procedures, where not inconsistent with these Rules of Procedure.
- 4.7 Those persons coming before the BZA shall be extended every courtesy by members of the BZA. Visitors at BZA meetings will be asked to extend the same courtesy. The Chair of the BZA shall determine when the proper courtesies are not being demonstrated.
- 4.8 BZA members have a responsibility to determine whether they have a conflict of interest and when needed act in accordance with the State and Local Government Conflict of Interest Act, Virginia Code § 2.2-3100 et seq.

ARTICLE V: PROCEDURE FOR HEARING CASES

- 5.1 Cases shall be heard in the order in which they appear on the agenda, except a case may be advanced for hearing by majority vote of the BZA upon good cause shown.
- 5.2 The order in the hearing of the application or appeal shall generally be as follows:
 1. Staff Report
 2. Applicant/Appellant Report
 3. Open the Public Hearing for statements from those other than parties to the case or their legal representatives
 4. Close the Public Hearing
 5. Applicant/Appellant rebuttal/closing remarks
 6. County rebuttal/closing remarks
 7. BZA members may pose final questions to applicants/appellants and County staff
- 5.3 Time Limits for Applicants, Appellants, and Other Speakers. The BZA shall offer an equal amount of time in a hearing to the applicant/appellant and County staff. Unless altered by the Chair, the applicant/appellant and County staff shall each be allowed a total of fifteen (15) minutes to present its respective case at the outset of the hearing, and five (5)

additional minutes to present rebuttal or closing remarks at the close of the hearing. Each person other than parties to the case or their legal representatives shall be allowed one appearance not to exceed three (3) minutes. A speaker may not reserve any initial speaking time for rebuttal or transfer any time to another speaker. The time limits set forth herein shall not include any time during which the applicant or other speaker is responding to questions asked by the BZA. The Secretary shall act as the timekeeper. The name and address of each person speaking shall be recorded in the minutes.

- 5.4 The applicant/appellant may appear on their own behalf at the hearing or be represented by counsel or an agent.
- 5.5 Any public comment provided to staff prior to a meeting which requires a public hearing shall be assembled and provided to the BZA in paper format prior to the meeting. This includes telephone, email, and regular mail comments that are sent to the direction of the BZA. Public comments can also be presented at the day of the BZA meeting in person. BZA members who receive public comment shall ensure that all BZA members are in receipt of the same public comment and share with county staff when received for dissemination to the entire BZA.

ARTICLE VI: VOTING PROCEDURES, REHEARING, AND FINAL DECISION

- 6.1 Approval of Motion. At least three (3) affirmative votes are required to grant a variance, reverse any appeal from an order, requirement, decision, or determination of an administrative officer, or to decide in favor of an applicant on any other matter upon which the BZA is required to act upon under the Zoning Ordinance.
- 6.2 Manner of Vote. The vote on a motion pertaining to any variance, appeal, or application for interpretation of the district map shall be by roll call vote. Any other matter may be either by roll call vote or voice vote, in the discretion of the Chair; provided that a roll call vote on such a motion shall be required if requested by a BZA member. For each roll call vote, the Secretary shall record the name of each member voting and how the member voted on the motion. For each voice vote, the Secretary shall record the result of the vote.
- 6.3 Tie Vote. A tie vote defeats the motion voted upon.
- 6.4 Effect of Defeat of a Motion to Deny. The defeat of a motion to deny a matter (for example, a variance application) shall not be deemed to be approval of the matter. In such a case, the Chair shall call for another motion.
- 6.5 Motion to Reconsider. Any decision made by the BZA may be reconsidered if a motion to reconsider is made at the same meeting or an adjourned meeting held on the same day at which the matter was decided. The motion to reconsider may be made by any member of the BZA. Upon a proper second, the motion may be discussed and voted. The effect of the motion to reconsider, if approved, shall be to place the matter for discussion in the exact position it occupied before it was voted upon.
- 6.6 Motion for Rehearing. Any decision made by the BZA may be reheard upon the granting of a motion for rehearing approved by at least three (3) affirmative votes. The motion may be made only after consideration of a written application by the person requesting rehearing, which shall be filed within thirty (30) days after the date of the BZA's original

final decision. The BZA may grant the motion if it finds that the decision has not already been appealed to the Circuit Court and:

(1) new evidence can be presented that, in the opinion of the BZA, is relevant and material to the decision but could not have been presented at the original hearing;
or

(2) in the opinion of the BZA, one or more relevant and material conditions or situations have changed so as to bear on the BZA's original decision. If the BZA grants the motion, it shall set the date for rehearing. Notice of the rehearing shall be provided as otherwise required for the matter being reheard.

6.7 Final Decision. For the purpose of calculating the time in which an aggrieved party may submit a petition for writ of certiorari in the Circuit Court requesting the court to review the decision of the BZA, the date of the BZA's final decision shall be the date on which the BZA took its final vote on the merits of the matter. The date of the BZA's final decision shall not be extended if the BZA later adopts a written decision or if the Secretary communicates the BZA's decision to the applicants in writing.

ARTICLE VII: AMENDMENT OR SUSPENSION OF RULES

7.1 These rules may be amended or suspended by the affirmative vote of three members of the BZA; provided, however, approval of a motion to amend or suspend the rule shall not permit the BZA to act in violation of a requirement mandated by the Code of Virginia, the Constitution of Virginia, or any other applicable law including the Powhatan County Zoning Ordinance.

(Adopted 4-12-2018)
(Re-adopted 4-11-2019, 11-12-2020, 8-8-2024)
(Amended 9-12-2024)

Board of Zoning Appeals Meeting Minutes

September 12, 2024

**VIRGINIA: AT A CALLED MEETING OF THE BOARD OF ZONING APPEALS HELD
IN THE POWHATAN COUNTY LIBRARY CONFERENCE ROOM, 2270
MANN ROAD IN POWHATAN COUNTY, VIRGINIA, SEPTEMBER 12, 2024
AT 9:00 AM**

Board Members Present	David Bradley Thomas Fletcher Steven Forrest Mike Latham Joey Paquette
Board Members Absent	None
Staff Members Present	Kalli Jackson, County Attorney Ligon Webb, Planning Director Charity Gold, Planner II

1. Call to Order

Mr. Paquette called the meeting to order at 9:01 AM.

2. Administrative Items

a. Roll Call and Determination of a Quorum

All members present; a quorum was met for the meeting.

b. Election of Chair

Mr. Bradley made a motion to elect Joey Paquette as Chair. Mr. Forrest seconded the motion. The motion passed on a vote of 5-0.

VOTE 5-0

MOTION PASSED

c. Election of Vice Chair

Mr. Paquette made a motion to elect Steven Forrest as Vice Chair. Mr. Bradley seconded the motion. The motion passed on a vote of 5-0.

VOTE 5-0

MOTION PASSED

September 12, 2024

a. Adoption of Rules of Procedure

Mr. Forrest made a motion to adopt the Rules of Procedure. Mr. Paquette seconded the motion. The motion passed on a vote of 5-0.

VOTE 5-0

MOTION PASSED

a. Approval of Minutes: August 8, 2024 (Regular Meeting)

Mr. Bradley made a motion to **Approve** the minutes. Mr. Forrest seconded the motion. The motion passed on a vote of 5-0.

VOTE 5-0

MOTION PASSED

- 3. Public Hearing: Case #24-02-BZA: Everett Crouch (District #3: Lee's Landing) - Variance application for a reduced side yard setback to allow for the expansion of an existing single-family dwelling. The subject 12.1-acre parcel is zoned Agricultural 10 (A-10). Section 83-160 C of the zoning ordinance requires a 25-foot side yard setback (side yard depth, minimum). The proposed expansion would result in a 10-foot side yard setback to the southern property line. The parcel's existing dwelling has a postal address of 3178 Maidens Road and is identified on Powhatan County Tax Maps as 15-45B.**

Discussion and Public Hearing

Mr. Webb introduced the case and introduced Mrs. Gold to present the item. Mrs. Gold described the reason for the variance request and described how the request meets the required standards for approval of a variance. The BZA clarified that the variance would allow encroachment into and not modification of the required setbacks, then invited the applicant to speak. Mr. Crouch described the specifics of the proposed remodel and expansion of the residence. Seeing no questions from the BZA, Chairman Paquette opened the public hearing. Seeing no requests to speak, Chairman Paquette closed the public hearing.

Mr. Forrest made a motion to **Approve** the Variance as presented. Mr. Bradley seconded the motion. The motion passed on a vote of 5-0.

VOTE 5-0

MOTION PASSED

- 4. Old Business: Case #24-01-BZA (Deferred from August 8, 2024 meeting):** Jeff and Dana Wilson (District #2: Powhatan Station/Graceland), Appeal of a zoning determination dated May 10, 2024, pursuant to Virginia Code Sec. 15.2-2311, finding no vested rights exist for a micro-brewery use without a conditional use permit at 1200 Schroeder Road. The subject property is zoned Agricultural-10 (A-10), containing 5-acres, and is identified on Powhatan County Tax Maps as 52-56B.

Discussion and Public Hearing

Chair Paquette began the item by inviting staff and the applicant to speak. Neither party had any information to add from the previous meeting. Hearing none, Chair Paquette requested questions and comments from BZA members.

Members asked questions about the history of the applicant's correspondence with staff related to a brewery on the subject property, the different types of breweries, state definitions vs County definitions of such, whether the county's ordinances include regulations for farm breweries, and the like.

Members requested clarification on the previous planner's interpretation of farm brewery. The applicant explained his understanding of the correspondence with the planning department and asserted that his use met the requirements of a farm brewery. The County Attorney explained that the county does not interpret the previous correspondence to indicate that the applicant's property meets the requirements of a farm brewery, nor does the county currently believe the property meets the requirements.

The applicant's attorney asserted that the state's licensing validated the use as a farm brewery. BZA members clarified the term "farm" as understood by the county and asked for clarification as to whether the subject property is part of a subdivision. Specifically, the Windy Hill Subdivision (DB 539/181). The applicant's attorney stated that any requirements of DB 539/181 would be private and not within the BZA's discretion. The County Attorney concurred and reiterated that the BZA hearing discretion was limited to whether the July 17, 2017, email from Planning permitted the applicant's use. BZA members continued to clarify the applicant's correspondence with county staff. The county attorney concurred that a farm brewery is allowed.

BZA members requested clarification on the applicant's attorney's justification for the appeal. The applicant's attorney asserted that the July 17, 2017, email was a "Written Determination/Decision" by the Planning Department and that the determination was subsequently reversed.

The county attorney described the difference between the terms by-right and vested right. And argued that the July 17, 2017, email identified a by-right use, but did not make a determination or decision that vested said right.

Applicant's attorney asserted that the county first said it was by right and then changed the determination by saying a use permit was required

With the background and positions of the applicant and staff established, members requested clarification on the scope of the applicant's brewery; farm vs. micro. The applicant's attorney asserted that it was a farm brewery because the state had issued a license to the applicant as a

September 12, 2024

farm brewery. The county attorney asserted that it did not meet the classification of farm brewery because the property does not meet the requirements of a bona fide farm.

Chair Paquette clarified that the discretion of the BZA was limited to determination as to whether the July 17, 2017, email was a determination that vested any right to the applicant. He further asserted that the email did not vest any rights, and that a formal permit or approval would be required to vest any rights.

Members asked who was acting as the Zoning Administrator at the time. The answer was not known to anyone at the meeting. Members shared their comments on the appeal, discussed the location of the brewery (residence vs. separate building), and discussed whether proper notification was made for deviations from state regulations.

As a courtesy, Chair Paquette allowed public comment.

Mr. Tom Kagels spoke in opposition to the brewery citing safety concerns on Schroeder Road.

Mr. Bradley made a motion to **Uphold the Planning Directors Determination**. Mr. Paquette seconded the motion. The motion passed on a vote of 3-2.

David Bradley	Aye
Thomas Fletcher	No
Steven Forrest	Aye
Mike Latham	No
Joey Paquette	Aye

VOTE 3-2

MOTION PASSED

5. New Business

County Attorney to send training information to members via email.

6. Adjourn

There being no further business, Chair Paquette adjourned the meeting at 10:58 AM.

Joey Paquette
Board of Zoning Appeals Chair

Ligon Webb
Planning Director



Case #25-01-BZA: Sanford Variance

Staff Report Prepared for the Board of Zoning Appeals

Prepared by Sean Clendening, Planner II

July 2, 2025

I. PUBLIC HEARING

Board of Zoning Appeals July 10, 2025

II. IDENTIFICATION AND LOCATIONAL INFORMATION

Variance Request Allow a reduction of the 100-foot front-yard setback to a 67-foot front-yard setback. The requested setback reduction will allow a new single-family house to be developed on the property.

Existing Zoning Rural Residential (RR)

Parcel Size 1.35 acres

Parcel Tax Map 19-1-8

Applicant Ryan Sanford

Owner Richmond Signature Homes LLC

Property Location 3327 John Tree Hill Road, approximately 1,600 feet north of the intersection of John Tree Hill Road and Judes Ferry Road.

Electoral District District 1 (Subletts/Manakin/Flat Rock)

2021 Future Land Use Plan Rural Areas/Natural Conservation

III. EXECUTIVE SUMMARY

Zoning Ordinance Section 83-176(c) requires a 100-foot front-yard setback for a single-family dwelling in the Rural Residential (RR) zoning district. The applicant is requesting a variance to reduce the front-yard setback to 67 feet. The buildable area of the property is limited due to a flooded area and topographic constraints associated with an existing pond located toward the rear of the lot.

The subject property has been on record since 1975 and, while it does not meet the current minimum lot size requirement for RR-zoned properties, it is considered a legal nonconforming lot with respect to lot size. Legal nonconforming lots may be developed subject to compliance with all other development standards of the RR district, including minimum yard setbacks. The only other development standard the property cannot meet is the front-yard setback, due to natural site features at the rear of the lot that restrict the buildable area.

The applicant has submitted a proposed house location plat showing that all other required setbacks (side and rear) can be met in compliance with the zoning ordinance. (See Figure 2)

Zoning Ordinance Section 83-123(m) outlines the process for requesting a variance, consistent with Code of Virginia § 15.2-2309, which allows for deviations from zoning standards—such as setbacks—when a landowner demonstrates that, due to special circumstances beyond their control (e.g., exceptional topography, shape, or other extraordinary conditions), strict application of the ordinance would effectively prohibit or unreasonably restrict use of the property, or the variance would alleviate a clearly demonstrable hardship, not merely a personal convenience.

The Code of Virginia § 15.2-2309.2 further states that a variance shall be granted if the evidence shows that it would alleviate a hardship by allowing a reasonable modification or improvement for a person with a disability.

In accordance with Zoning Ordinance Section 83-123(m), the Board of Zoning Appeals (BZA) shall decide a variance request following a duly advertised public hearing. A variance may only be granted upon finding that all the following standards are met:

1. The property for which the variance is requested was acquired in good faith;
2. Strict application of the ordinance would produce an undue hardship relating to the property and would effectively prohibit or unreasonably restrict its use due to:
 - The exceptional narrowness, shallowness, size, or shape of the property as it existed at the time of ordinance adoption or amendment;

- Exceptional topographic conditions or other extraordinary conditions of the property; or
 - The condition, situation, or development of adjacent property;
3. The hardship is not self-created;
 4. The hardship is not shared generally by other properties in the same zoning district and vicinity;
 5. The variance will alleviate a clearly demonstrated hardship, not merely a special privilege or convenience;
 6. The variance is in harmony with the spirit and intent of the ordinance;
 7. The variance will not be of substantial detriment to adjacent properties;
 8. The character of the zoning district will not be altered by granting the variance;
 9. The condition or situation is not so general or recurring that a regulatory amendment would be more appropriate; and
 10. The variance requested is the **least possible deviation** from the applicable standard necessary to afford relief.

IV. PROPERTY DESCRIPTION AND SITE VISUALS

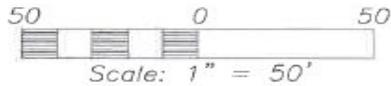
The applicant is proposing to build a home on a 1.35-acre parcel, known as 3327 John Tree Hill Road. (See Figure 1). Figure 2 is a compiled plat depicting the proposed location for the single family dwelling in relation to the flooded area.



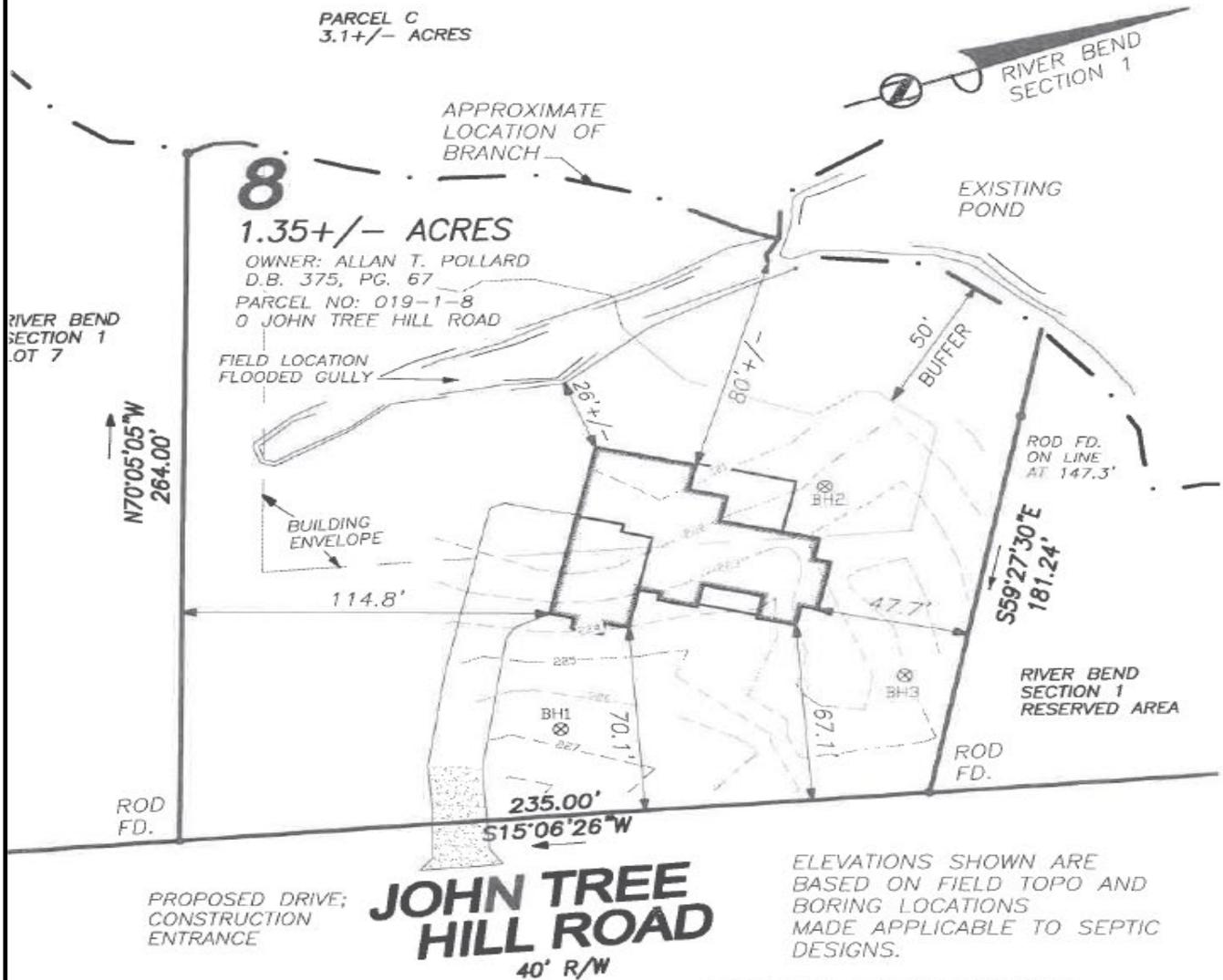
THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.

NOTE: THIS PROPERTY APPEARS TO BE LOCATED IN ZONE 'X' AS SCALED FROM FLOOD INSURANCE RATE MAP 51145C0135C. EFFECTIVE DATE: 9-26-24

NOTE: ALL SHOWN HEREON CONTINGENT UPON CURRENT HEALTH PERMITS, COUNTY REVIEW AND APPROVAL.



PARCEL C
3.1+/- ACRES



THIS PLAT IS FOR PERMIT PURPOSES ONLY. ALL IMPROVEMENTS NOT SHOWN AT THIS TIME. NOT FOR TRANSFERS.

PROPOSED HOUSE LOCATION CONTINGENT UPON COUNTY VARIANCE APPLICATIONS, REZONING APPROVALS.

COMPILED PLAT, LOT 8, PLAN OF RIVER BEND, SECTION 1, HUGUENOT DISTRICT POWHATAN COUNTY, VIRGINIA.

Figure 2: Proposed House Location Plat



V. Environmental Analysis

The existing pond at the rear of the property was reportedly constructed in 1968, and according to the property owner, no alterations have been made to the pond or its dam since that time. The pond serves as the headwaters of an intermittent stream, which is subject to a 50-foot stream buffer setback from the top of each stream bank, in accordance with County environmental regulations. The applicant's proposed house location has been sited to fully avoid any encroachment into this required stream buffer. Additionally, the area surrounding the pond is identified in the National Wetlands Inventory (NWI) as a PUBHh

wetland—a permanently flooded, diked or impounded waterbody with unconsolidated bottom. While this mapping reflects the presence of a water feature, it does not show federal or state regulatory jurisdiction. The proposed construction area is located well outside of both the stream buffer and the mapped wetland, and no disturbance to sensitive environmental features is anticipated.



VI. VARIANCE ANALYSIS

The applicant intends to construct a single-family dwelling on the subject parcel; however, the buildable area is significantly constrained by a flooded portion of the property associated with an existing pond, which limits the available building envelope. This physical limitation was not created by the property owner and represents a site-specific hardship unique to this parcel.

Granting the requested variance does not appear to pose a substantial detriment to adjacent landowners and is generally in harmony with the character of the surrounding area. The proposed house location otherwise complies with all other applicable zoning requirements, including side and rear setbacks, and avoids disturbance to sensitive environmental features.

To ensure compliance with the approved variance, staff recommend the condition that a survey, signed and sealed by a licensed surveyor, be submitted confirming the final house location prior to issuance of the Certificate of Occupancy.

VII. PUBLIC SERVICE ANALYSIS

No public services will be affected by this variance.

VIII. STAFF RECOMMENDATION

Staff recommend approval for the variance for the following reasons:

1. The property for which the variance is requested was acquired in good faith;
2. Strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict the utilization of the property due to exceptional topographic conditions.
3. The situation or condition producing the hardship is not self-created;
4. The hardship is not shared generally by other properties in the same zoning district and the same vicinity;
5. The authorization of the variance permit (zoning) alleviates this clearly demonstrated hardship (as distinguished from a special privilege or convenience sought by the applicant);
6. The authorization of the variance permit (zoning) is in harmony with the intended spirit and purpose of the ordinance;
7. The authorization of the variance permit (zoning) will not be of substantial detriment to adjacent properties;
8. The character of the zoning district in which the land is located will not be changed by the granting of the variance permit (zoning);
9. The condition or situation of the land is not so general or recurring in nature as to make reasonably practicable the formulation of a regulation or standard to address the condition or situation; and
10. The variance permit (zoning) authorized by the BZA is the least possible deviation from the standards necessary to afford relief.

IX. RECOMMENDED CONDITIONS

Prior to issuance of Certificate of Occupancy, the applicant shall submit a survey signed by a licensed surveyor certifying setbacks as approved in this variance.

X. Recommended Motions

Motion to Approve:

“I move that the Board of Zoning Appeals approve the variance request to reduce the front-yard setback from 100 feet to 67 feet for Tax Map Parcel 19-1-8, as shown on the applicant-submitted house location survey, based on the finding that the request meets the standards set forth in Section 83-123(m) of the Powhatan County Zoning Ordinance and Code of Virginia Section 15.2-2309. The variance is necessary to address a site-specific hardship not created by the applicant, and approval will not result in substantial detriment to adjacent properties. Approval is subject to the condition that a survey, signed and sealed by a licensed surveyor, be submitted confirming the final house location prior to issuance of the Certificate of Occupancy.”

Motion to Deny:

“I move that the Board of Zoning Appeals deny the variance request to reduce the front-yard setback from 100 feet to 67 feet for Tax Map Parcel 19-1-8, based on the finding that the request does not meet the following standards for variance approval set forth in Section 83-123(m) of the Powhatan County Zoning Ordinance, specifically: _____”

Motion to Defer:

“I move that the Board of Zoning Appeals defer action on the variance request for Tax Map Parcel 19-1-8 to a future meeting date [insert date specific], to allow the applicant additional time to [state reason—e.g., provide additional information, revise the plan, obtain agency comments, etc.]”

Attachment:

A. Sanford BZA Application with House Location Plat

Attachment A: Application and House Location Plat



County of Powhatan, Virginia
Application for a Hearing
Before the BZA

For Office Use Only	
Case Number	297-2025

Powhatan County, Virginia
Department of Community Development
3834 Old Buckingham Road: Suite F
Powhatan, VA 23139

Applicant Information	
Name of Applicant	RYAN SANFORD
Mailing Address	1208 SANTA ROSA RD. HENRICO, VA. 23229
Phone Number	804-218-3409
Email Address	RYAN@RYANSANFORDTEAM.COM

Owner Information (Complete this section if the applicant is not the current property owner)	
Name of Owner	RICHMOND SIGNATURE HOMES, LLC.
Mailing Address	1208 SANTA ROSA RD HENRICO VA. 23229
Phone Number	804-218-3409
Email Address	RYAN@RYANSANFORDTEAM.COM

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the application (see form entitled *Consent of Owner(s) to Permit Request*).

If there are multiple owners, all owners must sign the application or provide other documentation consenting to the

Applicant Representative (Complete this section if correspondence should be directed to someone other than the applicant)	
Name of Representative	
Mailing Address	
Phone Number	
Email Address	

Parcel Information	
Tax Map Number	019-1-8
Physical Address	3327 JOHN TREE HILL POWhatan VA, 23139
General Description of Property Location	OFF JUDES FERRY RD NEAR THE JAMES RIVER
Existing Use of Property (include a description of any existing structures)	VACANT LAND
Magisterial District	HULGUENOT
Total Acreage	1.35 ACRES
Current Zoning	R-R
Countywide Future Land Use: Land Use Designation	Rural Areas

Variance Request Form

Requested Variance
TO BE ABLE TO BUILD A SFR WITHIN THE 100' REQ'D SETBACK

Zoning Ordinance Standard to be Modified (include section of code and current standard)
83-176

The strict application of the zoning ordinance would effectively prohibit or unreasonably restrict the utilization of the property because:
BUILD ENVELOPE WILL BE TOO SMALL TO BUILD ON.

Approval of the requested variance will alleviate a clearly demonstrated hardship because:
A LANDOWNER BEHIND HAS MADE A DAMN TO MAKE A MAN MADE POND, WHICH WATER HAS SIGNIFICANTLY DECREASED THE BUILD ENVELOPE ON MY PROPERTY

The requested variance is in harmony with the intended spirit and purpose of the ordinance because:
OTHERWISE THIS LOT IS NOT LIKELY BUILDABLE

Approval of the requested variance will not be of substantial detriment to adjacent properties because:
THE PROPERTY TO THE RIGHT IS NOT BUILDABLE, THE PROPERTY OWNER TO THE LEFT HAS ZERO ISSUE WITH THIS REQUEST.

A plat showing all proposed changes to occur on the property, including all dimension of the lot, setbacks, and existing or proposed structures should be submitted with this application.

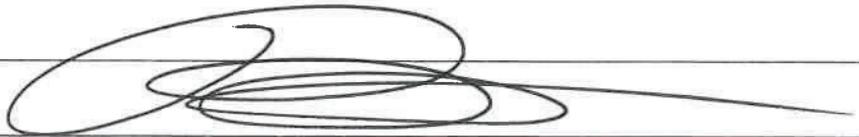
Statement of Validity of Information

Every applicant shall sign the following document to substantiate the validity of submitted information.

I, being duly sworn, depose and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will provide written certification from the owner granting me the right to submit this application.

I declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.

Signature of Applicant



Name of Applicant (Printed)

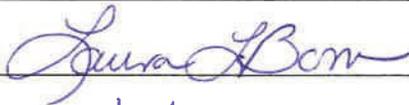
RYAN C. SANFORD

Commonwealth of Virginia

County of Chesterfield, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Ryan C Sanford, whose name is signed to the above, on this 31st day of March 2025.

Notary Public



Commission Expires

2/28/2026

Notary Number

114025

Seal



Ownership Disclosure

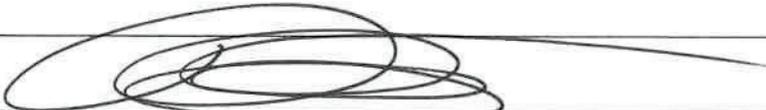
List below the names and addresses of all owners or parties in interest of the land subject to this request.

If this request is in the name of a corporation, artificial person, joint venture, trust, or other form of ownership, all officers, directors, and any stock holders owning ten percent or more of such stock must be listed.

Name	Address
RYAN SANFORD/ RICHMOND SIG. HOMES, LLC.	1208 SANTA ROSA RD HENRICO, VA. 23229

I, RYAN SANFORD, do hereby swear and affirm to the best of my knowledge and belief, the above information is true and that I am the applicant requesting a variance or appeal hearing before the Board of Zoning Appeals for Tax Map 019-1-8.

If the information listed above changes at any time while this request is being considered, I will provide Powhatan

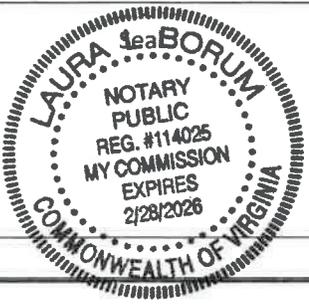
Signature of Applicant 

Name of Applicant (Printed) RYAN C. SANFORD

Commonwealth of Virginia
County of Chesterfield, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Ryan C. Sanford, whose name is signed to the above, on this 31st day of March 2025.

Notary Public 
Commission Expires 2/28/2026
Notary Number 114025

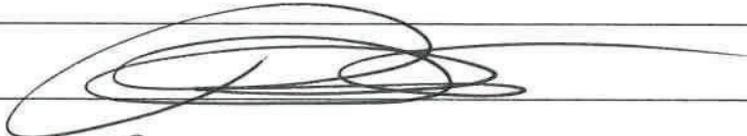


N/A

Consent of Owner(s) to Permit Request

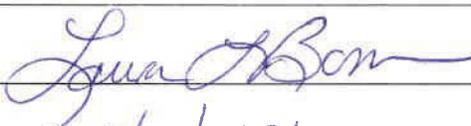
If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to this application requesting a variance or appeal hearing before the Board of Zoning Appeals application.

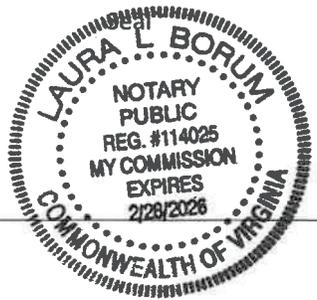
I, Ryan Sanford, am the owner of the property subject to this request and consent to the request submitted by _____ (Applicant) for a variance or appeal regarding _____ (Variance or Appeal Request) on Tax Map _____.

Signature of Owner	
Name of Owner (Printed)	<u>RYAN C. SANFORD</u>

Commonwealth of Virginia
County of Chesterfield, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Ryan C. Sanford, whose name is signed to the above, on this 31st day of March 2025.

Notary Public	
Commission Expires	<u>2/28/2026</u>
Notary Number	<u>114025</u>



Applicant's Permission for Inspection of Property

I, RYAN SANFORD, hereby grant access to the Director of Community Development, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application.

Signature of Applicant

RYAN C. SANFORD

Name of Applicant (Printed)

[Handwritten Signature]

Commonwealth of Virginia

County of Powhatan, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Ryan C Sanford, whose name is signed to the above, on this 31st day of March 20 25.

Notary Public

Stacey Eggleston

Seal

Commission Expires

8/31/26

Notary Number

8024756



3327 John Tree Hill, Powhatan, VA 23139, Powhatan County

APN: 019-1-8 CLIP: 2677028774

Beds	Full Baths	Half Baths	Sale Price	Sale Date
N/A	N/A	N/A	\$220,000	10/04/2024
Bldg Sq Ft	Lot Sq Ft	Yr Built	Type	
N/A	58,806	N/A	N/A	

OWNER INFORMATION

Owner Name	Roper Glover Hldgs LLC	Mailing Zip	23226
Mailing Address	5200 W Grace St	Mailing Zip + 4 Code	1102
Mailing City & State	Richmond, VA	Owner Occupied	No

COMMUNITY INSIGHTS

Median Home Value	\$583,610	School District	POWHATAN COUNTY PUBLIC SC HOOLS
Median Home Value Rating	7 / 10	Family Friendly Score	87 / 100
Total Crime Risk Score (for the neighborhood, relative to the nation)	69 / 100	Walkable Score	6 / 100
Total Incidents (1 yr)	62	Q1 Home Price Forecast	\$592,243
Standardized Test Rank	61 / 100	Last 2 Yr Home Appreciation	16%

LOCATION INFORMATION

MLS Area	66	Topography	Rolling/Hilly
Magisterial	Huguenot	Parcel Comments	POND
Zip Code	23139	Most Hazardous Flood Zone	X
Zoning	R-R	Flood Zone Panel	51145C0135C

TAX INFORMATION

PID	019-1-8	Parcel ID	019-1-8
Old Map #	1856	Lot	8
Legal Description	RIVER BEND LOT 8 SEC 1		

ASSESSMENT & TAX

Assessment Year	2025	2024	2023
Assessed Value - Total	\$97,200	\$90,000	\$90,000
Assessed Value - Land	\$97,200	\$90,000	\$90,000
Market Value - Total	\$97,200	\$90,000	\$90,000
Market Value - Land	\$97,200	\$90,000	\$90,000
YOY Assessed Change (%)	8%	0%	
YOY Assessed Change (\$)	\$7,200	\$0	
Tax Year	Total Tax	Change (\$)	Change (%)
2022	\$655		
2023	\$621	-\$34	-5.12%
2024	\$621	\$0	0%

CHARACTERISTICS

Lot Acres	1.35	Land Use - County	Single Family Suburban
Lot Sq Ft	58,806		

SELL SCORE

Rating	High	Value As Of	2025-03-30 04:46:51
Sell Score	769		

ESTIMATED VALUE

RealAVM™	\$265,500	Confidence Score	14
RealAVM™ Range	\$185,900 - \$345,200	Forecast Standard Deviation	30
Value As Of	03/17/2025		

(1) RealAVM™ is a CoreLogic® derived value and should not be used in lieu of an appraisal.

(2) The Confidence Score is a measure of the extent to which sales data, property information, and comparable sales support the property valuation analysis process. The confidence score range is 50 - 100. Clear and consistent quality and quantity of data drive higher confidence scores while lower confidence scores indicate diversity in data, lower quality and quantity of data, and/or limited similarity of the subject property to comparable sales.

(3) The FSD denotes confidence in an AVM estimate and uses a consistent scale and meaning to generate a standardized confidence metric. The FSD is a statistic that measures the likely range or dispersion an AVM estimate will fall within, based on the consistency of the information available to the AVM at the time of estimation. The FSD can be used to create confidence that the true value has a statistical degree of certainty.

LAST MARKET SALE & SALES HISTORY

Recording Date **10/17/2024**
 Settle Date **10/04/2024**
 Sale Price **\$220,000**
 Seller **Pollard T A**

Owner Name **Roper Glover Hldgs LLC**
 Multi/Split Sale **Multiple**
 Document Number **3297**
 Deed Type **Deed (Reg)**

Recording Date 10/17/2024
 Sale/Settlement Date 10/04/2024
 Sale Price \$220,000
 Buyer Name Roper Glover Hldgs LLC
 Seller Name Pollard T A
 Document Number 3297
 Document Type Deed (Reg)

12/30/1998
 \$109,100
 Pollard T Allan
 Owner Record
 375-67
 Deed (Reg)

MORTGAGE HISTORY

Mortgage Date 10/17/2024
 Mortgage Amount \$211,500
 Mortgage Lender First Bk & Tr Co
 Mortgage Purpose Resale
 Mortgage Type Conventional
 Mortgage Doc # 3298

PROPERTY MAP

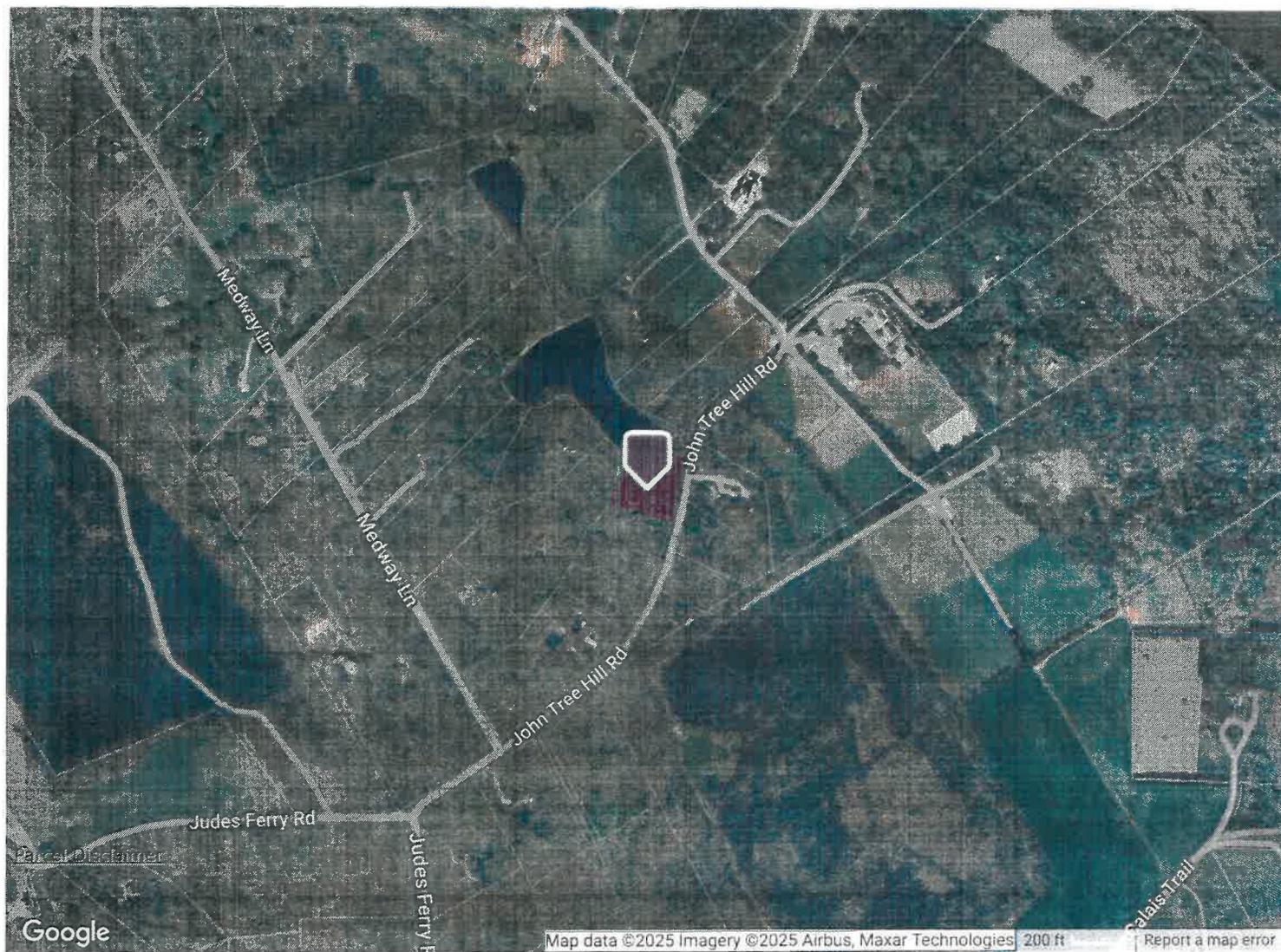
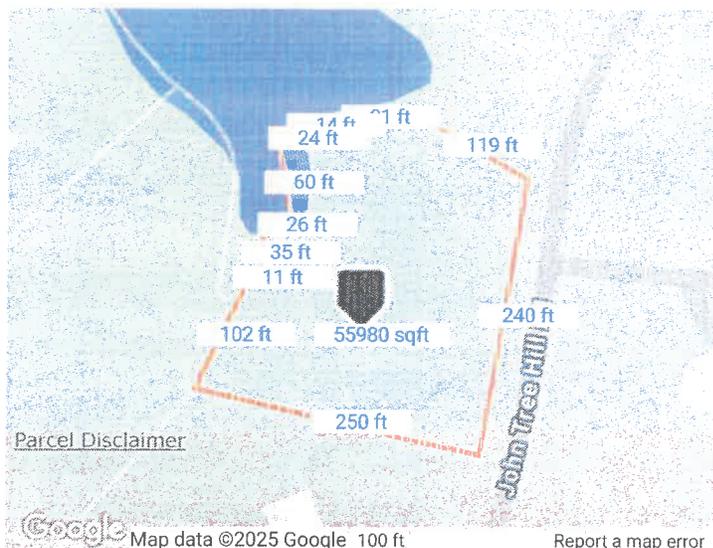
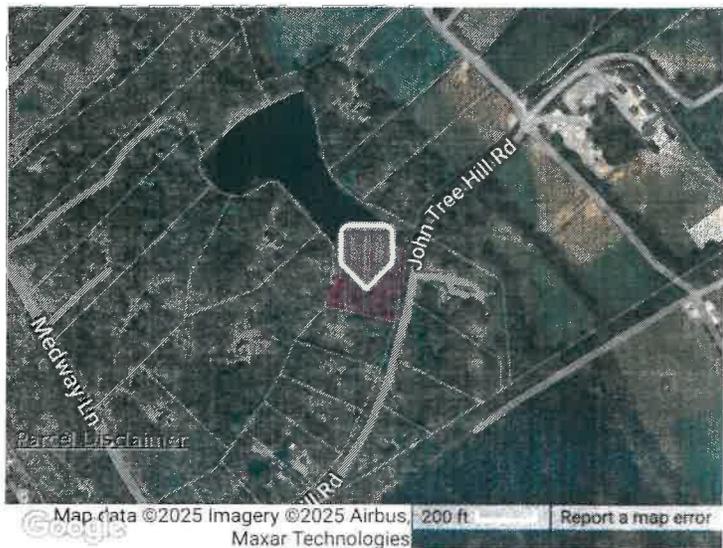


*Lot Dimensions are Estimated



3327 John Tree Hill, Powhatan, VA23139, Powhatan County

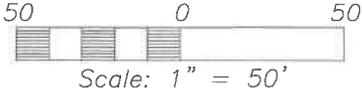
Parcel Map



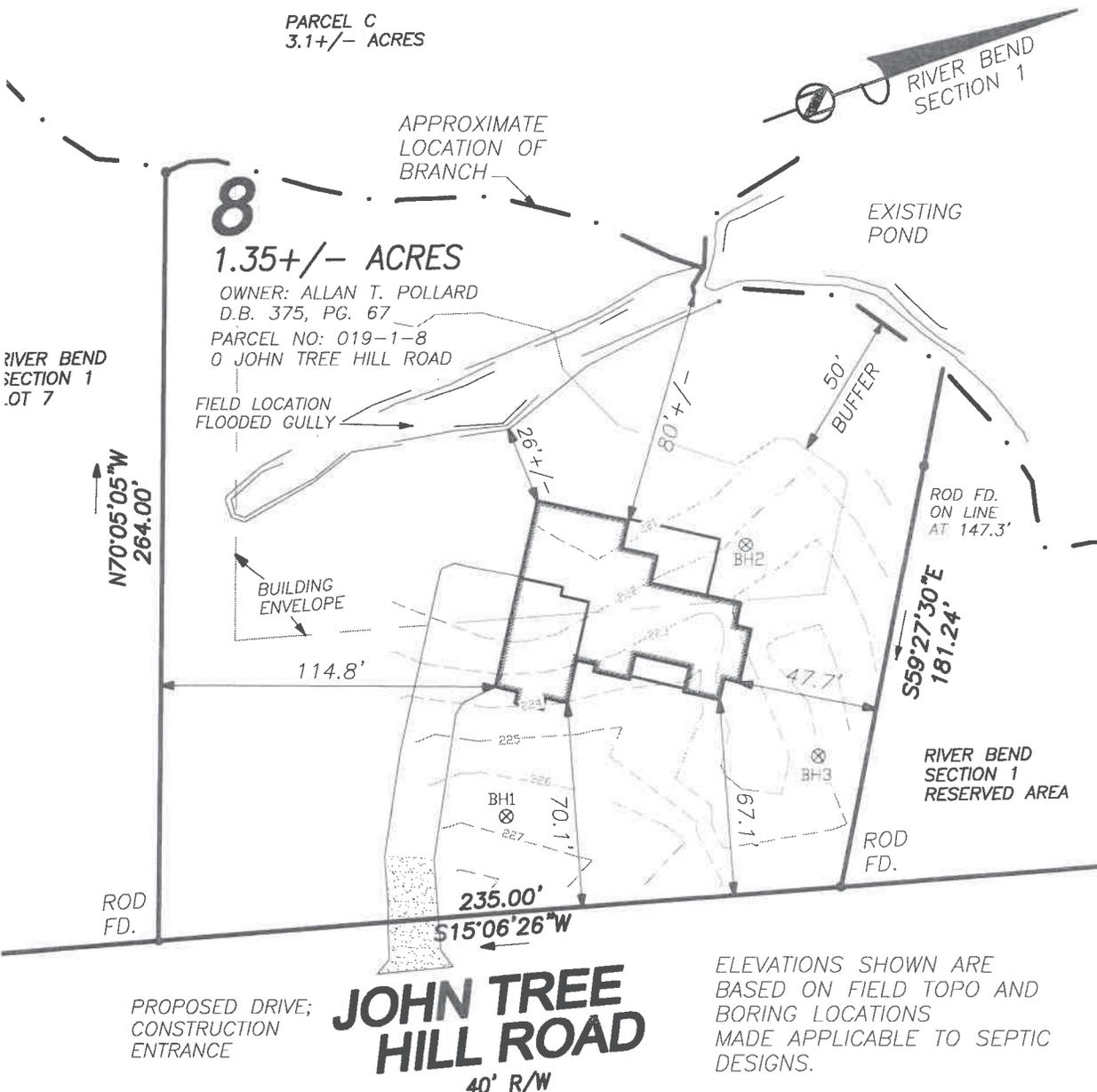
THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.

NOTE: THIS PROPERTY APPEARS TO BE LOCATED IN ZONE 'X' AS SCALED FROM FLOOD INSURANCE RATE MAP 51145C0135C. EFFECTIVE DATE: 9-26-24

NOTE: ALL SHOWN HEREON CONTINGENT UPON CURRENT HEALTH PERMITS, COUNTY REVIEW AND APPROVAL.



PARCEL C
3.1+/- ACRES



PROPOSED DRIVE;
CONSTRUCTION
ENTRANCE

JOHN TREE HILL ROAD
40' R/W

ELEVATIONS SHOWN ARE BASED ON FIELD TOPO AND BORING LOCATIONS MADE APPLICABLE TO SEPTIC DESIGNS.

THIS PLAT IS FOR PERMIT PURPOSES ONLY. ALL IMPROVEMENTS NOT SHOWN AT THIS TIME. NOT FOR TRANSFERS.

PROPOSED HOUSE LOCATION CONTINGENT UPON COUNTY VARIANCE APPLICATIONS, REZONING APPROVALS.

COMPILED PLAT, LOT 8, PLAN OF RIVER BEND, SECTION 1, HUGUENOT DISTRICT POWHATAN COUNTY, VIRGINIA.

49th Board of Zoning Appeals Program (VIRTUAL): August 11 - October 6, 2025

August 11, 2025 –
October 6, 2025
8:30 AM-5:00 PM

The Certified BZA Program is designed to provide each registrant with a comprehensive overview of zoning in Virginia and the critical role the BZA plays in deciding issues involving zoning and zoning decisions. The course covers the legal foundations of zoning as well as the duties, powers and responsibilities of the BZA. The program also reviews the role of procedural and substantive due process in BZA deliberations as well as principles of meeting management and decision making.

The class consists of three parts:

Opening Session:

- August 11, 8:30 AM to 4:00 PM and

- August 12, 8:30 AM to 4:00 PM

At-home Study:

- August 13 - October 5

Closing Session:

- October 6, 8:30 AM to 4:00 PM

Students at the Opening and Closing sessions will hear from experts, practitioners, and educators about the fundamentals of land use, zoning, and planning. **These sessions will not be recorded and participation is required.** Participants will obtain/purchase textbooks for the at-home study portion, which includes a series of simple assignments to guide students through the texts. We anticipate the course will require a time commitment of two to three hours each week.

PLEASE NOTE: This course will be conducted **VIRTUALLY.**