

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF MATHEWS

THE COUNTY OF MATHEWS,)	
VIRGINIA,)	
)	
<i>Petitioner,</i>)	
)	
v.)	CIVIL ACTION NO. CL17000152-00
)	
MARK EUBANK, ET AL.)	
)	
<i>Respondents.</i>)	

FINAL ORDER

THIS MATTER came before the Court and was heard *ore tenus* on the 3rd day of April, 2019, upon the Complaint for Declaratory Judgment and Injunctive Relief filed by the Petitioner, the County of Mathews, Virginia (the "County"), by counsel, seeking a declaration that the property of the Respondents, Mark and Candy Eubank (the "Eubanks") is in violation of the County's Zoning Ordinance (the "Zoning Ordinance") and entry of an injunction enjoining further violation and requiring the property to be brought into compliance.

UPON CONSIDERATION of the evidence and arguments of counsel presented to the Court at trial, and for the reasons stated by the Court on the record:

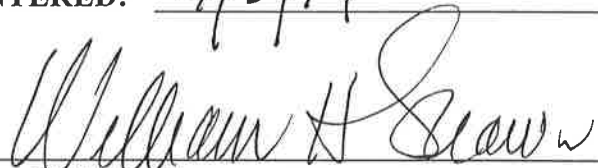
It is hereby ORDERED, ADJUDGED, and DECREED that the Eubanks are directed to remove, correct, and abate the alterations to their property located at 4 Sweet Gum Road, Gwynn, Virginia 23066 (the "Property") that were affirmed as violations of the Zoning Ordinance by the Mathews County Board of Zoning Appeals in its order dated June 26, 2017 and for which variances have been denied by the Court's rulings Case No. CL1800201 and Case No. CL1800203, such alterations being more specifically described as follows: (1) the 8 foot by 26 foot addition to enlarge the previously existing water-side porch on the dwelling; (2) the 8 foot

by 18 foot open-air side deck connected to the water-side porch on the dwelling; and (3) the 8 foot by 14 foot triangle-shaped open deck on the road-side of the dwelling (collectively, the "Alterations"); and

It is hereby further ADJUDGED, ORDERED, and DECREED that the Alterations to the Eubanks' the Property violate the Zoning Ordinance and the Court hereby permanently **ENJOINS** the Eubanks from such use or occupancy of the Property in violation of the Zoning Ordinance, and the Eubanks are here **ORDERED** to remove, correct, and abate the Alterations to bring their Property into full compliance with the Zoning Ordinance within ninety (90) days of the entry of this Order.

ENTERED: _____

4/3/19



Hon. William H. Shaw, III, *Presiding Judge*

WE ASK FOR THIS:



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SEEN AND OBJECTED TO:



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**A COPY TESTE:
ANGELA C. INGRAM, CLERK**

BY:


DEPUTY CLERK