



**MINUTES
BOARD OF ZONING APPEALS
VIRGINIA BEACH, VIRGINIA
MAY 3, 2017**

Chairman Richard Garriott , called to order the **Board of Zoning Appeals Board** meeting in the City Council Chambers, City Hall Building, Virginia Beach Municipal Center, on Wednesday, May 3, 2017.

The Board members' staff briefing, was held at 1:00 p.m. in the City Managers Conference Room as to information pertaining to the agenda of May 3, 2017.

Board Members Present: Richard Garriott, Thomas Holland, Elizabeth Kovner, James Oglesby, Randy Sutton, David Whitley, and Myles Pocta sat in as the alternate.

Case 2017-BZA-00010: Regent University A variance to permit 2 freestanding signs instead of 1 as allowed; and to permit 1 freestanding sign to have 82.75 square feet of face area (on one side) instead of 75 square feet of area as allowed per face **5641 INDIAN RIVER RD** Zoning: H-1 GPIN: 1456-90-4019

Representative: Angeline Crowder of Burns & McDonnell Engineering

Board Action: APPROVED WITH 3 CONDITIONS ON MAY 3, 2017

Conditions:

1. The proposed brick monument free-standing sign shall be constructed in substantial adherence to the submitted rendering and building elevation entitled, "Regent University Monument Sign," dated October 24, 2016.
2. All illegal free-standing signs, as identified by staff, shall be removed prior to receiving final approval for the proposed freestanding sign. Only the legally permitted free-standing sign "The Founders Inn and Spa" shall remain at the north entrance to the facility, along Indian River Rd.
3. All appropriate sign permits shall be obtained from the Zoning Office prior to installation of the sign.

Angeline Crowder of Burns & McDonnell Engineering appeared before the Board.

There was no opposition.

A motion was made by Mr. Holland, seconded by Mrs. Kovner to approve the variance with 3 conditions. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 1

GARRIOTT	AYE
HOLLAND	AYE
KOVNER	AYE
OGLESBY	AYE
PURKEY	ABSENT
SUTTON	AYE
WHITLEY	AYE
POCTA	AYE

Case 2017-BZA-00011: KATHRYN LUCAS 2012 CHILDRENS TRUST A variance to permit a building height of 41-feet instead of 37-feet as allowed for a proposed single family dwelling **1500 QUAIL POINT RD** Zoning: R40 GPIN: 2408-94-9255

Representative: Billy Garrington, Governmental Permitting Consultants

Board Action: APPROVED WITH 1 CONDITION ON MAY 3, 2017

Conditions:

1. The proposed two-story single-family dwelling shall be constructed in substantial adherence to the submitted site plan and building elevation entitled, "Proposed Residence Re-build for: Lot 1 Linkhorn Point (Quail Pt) Virginia Beach, Va." Dated September 29, 2016 and prepared by Gallup Surveyors and Engineers, Ltd.

Billy Garrington of Governmental Permitting Consultants appeared before the Board representing the applicant.

There was no opposition.

A motion was made by Mr. Holland, seconded by Mr. Oglesby to approve the variance with 1 condition. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 1

GARRIOTT AYE
HOLLAND AYE
KOVNER AYE
OGLESBY AYE
PURKEY ABSENT
SUTTON AYE
WHITLEY AYE
POCTA AYE

Case 2017-BZA-00012: Jon & Liesel Chase A variance to an 11.9 foot front yard setback (north) and a 19-foot rear yard setback (south) instead of 20-feet each as required and to a 7.9 foot side yard setback (east) instead of 10 feet as required and to a 4.7-foot side yard setback (west) instead of 5-feet as required and to 44.03% in lot coverage instead of 35% as allowed for proposed building additions, renovations, deck reconstructions, and new roof structures **102 49TH ST** Zoning: R7.5 GPIN: 2418-88-9452

Board Action: DEFERRED TO JUNE7, 2017

Due to an error with the application, the case was deferred with no fees.

There was no opposition.

A motion was made by Mr. Holland, seconded by Mr. Sutton to defer the application to the June 7, 2017 with no fees. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 1

GARRIOTT AYE
HOLLAND AYE
KOVNER AYE
OGLESBY AYE
PURKEY ABSENT
SUTTON AYE
WHITLEY AYE
POCTA AYE

Case 2017-BZA-00013: Beach Building Group & Guy Gugliotta A variance to a 27.33 foot side yard adjacent to unimproved Shark Lane (south) instead of 30 feet as required for a proposed single-family dwelling **2240 WIDGEON LN** Zoning: R10 GPIN: 2424-95-3778

Board Action: DEFERRED WITH NEW FEES

Jonathan Speight of Beach Building Group requested that the application be deferred.

There was no opposition.

A motion was made by Mr. Oglesby, seconded by Mr. Pocta to defer the application with new advertisement fees. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 1

GARRIOTT	AYE
HOLLAND	AYE
KOVNER	AYE
OGLESBY	AYE
PURKEY	ABSENT
SUTTON	AYE
WHITLEY	AYE
POCTA	AYE

Case 2017-BZA-00014: Stephanie Bard A variance to a 24.7 foot front yard setback (Northwest) instead of 30 feet as required for a proposed building addition **484 SHARP ST** Zoning: R10 GPIN: 1497-37-5319

Representative: Billy Garrington, Governmental Permitting Consultants

Board Action: APPROVED WITH 1 CONDITION ON MAY 3, 2017

Conditions:

1. The proposed 3.21-foot by 24.3-foot addition shall be constructed in substantial adherence to the submitted site plan entitled, "BZA SITE PLAN EXHIBIT FOR LOT-5 EASTERN PARK, VIRGINIA BEACH, VIRGINIA FOR BARD RESIDENCE," prepared by WPL.

Billy Garrington of Governmental Permitting Consultants appeared before the Board representing the applicant.

There was no opposition.

A motion was made by Mr. Holland, seconded by Mr. Oglesby to approve the variance with 1 condition. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 1

**GARRIOTT AYE
HOLLAND AYE
KOVNER AYE
OGLESBY AYE
PURKEY ABSENT
SUTTON AYE
WHITLEY AYE
POCTA AYE**

Respectfully Submitted

David Whitley
Secretary

lmr