



**MINUTES
BOARD OF ZONING APPEALS
VIRGINIA BEACH, VIRGINIA
OCTOBER 7, 2020**

Vice Chairman Thomas Holland, called to order the **Board of Zoning Appeals** meeting in the City Council Chambers, City Hall Building, Virginia Beach Municipal Center, on Wednesday, October 7, 2020.

The Board members' staff briefing, was held at 1:00 p.m. in the City Council Chambers to provide the Board members information pertaining the agenda of October 7, 2020.

Board Members Present: Janice Anderson, Thomas Holland, Kevin Newton, Myles Pocta, Harry Purkey Jr., Robert Thornton, and Elizabeth Kovner sat as the alternate.

Case 2020-BZA-00043: Keith Kemper Variances to a 5-foot north side yard setback; instead 20-feet as required; and to allow 800 square feet in accessory floor area instead of 745 square feet in accessory structure floor area as allowed for a proposed detached garage **3008 BRAY RD** Zoning: R40 GPIN: 1497-29-9676

Board Action: APPROVED AS MODIFIED WITH 5 CONDITIONS ON OCTOBER 7, 2020

Conditions:

1. If approved, the proposed detached one-story garage will be constructed in substantial adherence to the submitted site plan and untitled building elevations.
2. The proposed detached garage will be constructed with colors and building materials consistent with the existing dwelling.
3. The existing storage shed located on the north side of the lot will be removed prior to receiving a final building inspection for detached garage.
4. Modified to a 12 foot 10 inch north side yard setback instead of 20 feet as required.
5. Modified to withdraw the request to allow 800 square feet in accessory floor area instead of 745 square feet.

John Richardson, Attorney with Wolcott Rivers Gates appeared before the Board representing the applicant.

There was no opposition present.

A motion was made by Mrs. Anderson, seconded by Mr. Purkey to approve the variance with 5 conditions. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

ANDERSON AYE
HOLLAND AYE
KOVNER AYE
NEWTON AYE
POCTA AYE
PURKEY AYE
THORNTON AYE

Case 2020-BZA-00047: Trevor Dunlap A variance to an 11.6-foot east side yard setback; instead of 20-feet as required to attach detached garage to the existing dwelling with enclosed building addition **1304 WREN PL** Zoning: GPIN: 2418-23-1334

Board Action: APPROVED WITH 2 CONDITIONS ON OCTOBER 7, 2020

Conditions:

1. The proposed renovations and improvements shall be constructed in substantial adherence to the submitted site plan entitled "BZA Exhibit of Lot 207 Map of Birdneck Point" and dated July 14, 2020.
2. The proposed building additions shall be constructed in substantial adherence to the submitted building elevations entitled "The Dunlap Residence Phase 2" July 2020 DD Renovations 1304 Wren Place Virginia Beach, VA.

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

There was no opposition present.

A motion was made by Mrs. Kovner, seconded by Mr. Pocta to approve the variance with 2 conditions. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

ANDERSON AYE
HOLLAND AYE
KOVNER AYE
NEWTON AYE
POCTA AYE
PURKEY AYE
THORNTON AYE

Case 2020-BZA-00048: Cole Winchester Variances to an 22-foot side corner setback from the property line adjacent to South Schooner La; instead of 30-feet as required for a proposed inground swimming pool; and to an 15-foot side corner setback from the property line adjacent to South Schooner La; instead of 30-feet as required for a proposed detached garage **2432 LAUREL COVE DR** Zoning: R-10 GPIN: 1498-87-9009

Board Action: DEFERRED ON OCTOBER 7, 2020

Cole Winchester appeared before the Board.

There was no opposition present.

A motion was made by Mr. Purkey, seconded by Mr. Thornton to defer the application. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

**ANDERSON AYE
HOLLAND AYE
KOVNER AYE
NEWTON AYE
POCTA AYE
PURKEY AYE
THORNTON AYE**

Case 2020-BZA-00049: Virginia Domnissey A variance to an 8-foot rear yard setback; instead of 20-feet as required for proposed building addition **1732 LAKE CHRISTOPHER DR** Zoning: R7.5 GPIN: 1465-55-3693

Board Action: APPROVED AS MODIFIED WITH 2 CONDITIONS ON OCTOBER 7, 2020

Conditions:

1. The proposed one-story addition shall be constructed in substantial adherence to the submitted site plan and building plans entitled "Proposed New Dining & Kitchen Addition for the Domnissey Residence 1732 Lake Christopher Drive Virginia Beach, VA 23464" and dated June 25, 2020.
2. Modified to at 12 foot rear yard setback instead of 20 feet as required.

John and Virginia Domnissey, and Leham Sturdevant, contractor appeared before the Board.

There was no opposition present.

A motion was made by Mr. Pocta, seconded by Mr. Thornton to approve the variance with 2 conditions. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

**ANDERSON AYE
HOLLAND AYE
KOVNER AYE
NEWTON AYE
POCTA AYE
PURKEY AYE
THORNTON AYE**

Case 2020-BZA-00052: Richard Bojo A variances to a 5-foot south side yard setback; instead of 10-feet as required for a proposed detached garage **2529 BODNAR LN** Zoning: R-10 GPIN: 2404-62-8766

Board Action: DENIED ON OCTOBER 7, 2020

Richard Bojo appeared before the Board.

There was no opposition present.

A motion was made by Mrs. Kovner, seconded by Mr. Newton to deny the variance. All voted for the motion except Mr. Holland and Mr. Thornton who voted no.

AYE	5	NO	2	ABSTAIN	0	ABSENT	0
ANDERSON		AYE					
HOLLAND		NO					
KOVNER		AYE					
NEWTON		AYE					
POCTA		AYE					
PURKEY		AYE					
THORNTON		NO					

Case 2020-BZA-00053: Alexander Cecil Variances to a 16.08-foot front yard setback instead of 20-feet as required and to a 4.3-foot west side yard setback; instead of 8-feet as required for a proposed second-floor addition **215 54TH ST A** Zoning: R5R(NE) GPIN: 2418-79-7898

Board Action: DEFERRED ON OCTOBER 7, 2020

John Richardson, Attorney with Wolcott Rivers Gates appeared before the Board representing the applicant.

There was no opposition present.

A motion was made by Mr. Pocta, seconded by Mrs. Anderson to defer the application. All voted for the motion.

AYE	7	NO	0	ABSTAIN	0	ABSENT	0
ANDERSON		AYE					
HOLLAND		AYE					
KOVNER		AYE					
NEWTON		AYE					
POCTA		AYE					
PURKEY		AYE					
THORNTON		AYE					

Case 2020-BZA-00038: Charles Blakeley Variances to an 5.5-foot side corner setback and to an 13.2-foot side corner setback from the property line adjacent to Mediterranean Ave; instead of 30-feet each as required; and to a 9.7-foot rear yard setback instead of 20-feet as required for proposed gable and shed dormers (front & rear) and covered porch **2421 MEDITERRANEAN AVE** Zoning: A-12 GPIN: 2417-99-3413-2421

Board Action: APPROVED WITH 3 CONDITIONS ON OCTOBER 7, 2020

Conditions:

1. The proposed dormers and front porch will be constructed in substantial adherence to the submitted site plan.
2. The proposed improvements (dormers and front porch) shall be constructed in substantial adherence with the submitted untitled building elevations provided in the file.
3. The proposed covered front porch shall not be enclosed.

Charles Blakely appeared before the Board.

There was no opposition present.

A motion was made by Mr. Newton, seconded by Mr. Pocta to approve the variance with 3 conditions. All voted for the motion.

AYE	7	NO	0	ABSTAIN	0	ABSENT	0
ANDERSON			AYE				
HOLLAND			AYE				
KOVNER			AYE				
NEWTON			AYE				
POCTA			AYE				
PURKEY			AYE				
THORNTON			AYE				

Respectfully Submitted

Janice Anderson
Secretary

lmr