



**MINUTES  
BOARD OF ZONING APPEALS  
FEBRUARY 3, 2021**

Chairman David Whitley, called to order the **Virtual Board of Zoning Appeals** at the Convention Center, on Wednesday, February 3, 2021.

The Board members' virtual staff briefing, was held at 1:00 p.m. at the Convention Center to provide the Board members information pertaining the agenda of February 3, 2021.

Board Members Present: Janice Anderson, Kevin Newton, Myles Pocta, Harry Purkey Jr., Robert Thornton, David Whitley, and Jan Hall and Elizabeth Kovner sat as the alternates.

**Case 2020-BZA-00079: Patrick Brent** Variances to allow a total of (5) building mounted signs instead of (1) sign as allowed; and to allow a total of 478.31square feet in sign allowance instead of 75 square feet as allowed for signs for a religion (church) use located in a residential zoning district **5473 VIRGINIA BEACH BLVD** Zoning: R 7.5 GPIN: 1467-46-3886

**Board Action:** APPROVED WITH 1 CONDITION ON FEBRUARY 3, 2021

**Conditions:**

1. The proposed signs will be installed in substantial adherence to the submitted aerial map depicting proposed sign locations and renderings provided in the file.

Johnny Cassells with Sign Media Inc. appeared before the Board representing the applicant.

There was no opposition present.

**A motion was made by Mr. Pocta, seconded by Mrs. Anderson to approve the variance with 1 condition. All voted for the motion.**

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

ANDERSON AYE  
HALL AYE  
KOVNER No Vote Needed  
NEWTON AYE  
POCTA AYE  
PURKEY AYE  
THORNTON AYE  
WHITLEY AYE

**Case 2020-BZA-00083: Robert Freund** Variance to a 42-foot front yard setback; instead of 50-feet as required for proposed covered front porch **2417 SADLER CT** Zoning: R-20 GPIN: 1498-81-4258

**Board Action:** APPROVED WITH 3 CONDITIONS ON FEBRUARY 3, 2021

**Conditions:**

1. The proposed unenclosed covered front porch shall be constructed in substantial adherence to the submitted site plan.
2. The proposed unenclosed covered front porch shall be constructed in substantial adherence to the submitted building plans entitled "Covered Front Porch Roof 2417 Sadler Court Virginia Beach, Virginia October 26, 2020" prepared by Brain Meekins & Associates.
3. The proposed unenclosed covered front porch shall not be enclosed without further considerations from the Board of Zoning Appeals.

Robert Freund appeared before the Board representing the applicant.

There was no opposition present.

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

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

ANDERSON AYE  
HALL AYE  
KOVNER No Vote Needed  
NEWTON AYE  
POCTA AYE  
PURKEY AYE  
THORNTON AYE  
WHITLEY AYE

**Case 2020-BZA-00084: Jamie Dale** Variances to a 29-foot front yard setback; instead of 30-feet as required; and to 9.5-foot north and south side yard setbacks instead of 10-feet each as required for a proposed third floor addition, roof top deck, exterior siding and other renovations to an existing two-story single-family dwelling **509 S ATLANTIC AVE** Zoning: R-10 GPIN: 2427-30-2699

**Board Action:** APPROVED WITH 2 CONDITIONS ON FEBRUARY 3, 2021

**Conditions:**

1. If approved, the proposed improvements and renovations shall be made in substantial adherence to the submitted ‘untitled’ hand-drawn site plan prepared by Richard G Poole of Richard G Poole, Architecture.
2. If approved, the proposed improvements and renovations shall be made in substantial adherence to the submitted ‘untitled’ hand- drawn building elevations prepared by Richard G Poole of Richard G Poole, Architecture.

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

There was no opposition present.

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

**AYE 7 NO 0 ABSTAIN 0 ABSENT 0**

<b>ANDERSON</b>	<b>AYE</b>
<b>HALL</b>	<b>AYE</b>
<b>KOVENER</b>	<b>No Vote Needed</b>
<b>NEWTON</b>	<b>AYE</b>
<b>POCTA</b>	<b>AYE</b>
<b>PURKEY</b>	<b>AYE</b>
<b>THORNTON</b>	<b>AYE</b>
<b>WHITLEY</b>	<b>AYE</b>

**Case 2020-BZA-00085: Nicholas & Jennifer Jacovides** Variance to a 10-foot side corner setback from the property line adjacent to 81<sup>st</sup> Street; instead of 18-feet as required for a proposed single-family dwelling and 1 story porch **200 81ST ST** Zoning: R5R(NE) GPIN: 2419-58-7955

**Board Action:** APPROVED WITH 3 CONDITIONS ON FEBRUARY 3, 2021

**Conditions:**

1. The proposed two and half story single-family dwelling shall be constructed in substantial adherence to the submitted site plan entitled “BZA Exhibit Eastern 92’ of lot 1 (D.B.230 PG.104) & Western 58’ of lot 1 (D.B 431 PG 420); BLOCK 16 JACOVIDES RESIDENCE” dated 11-18-2020 and prepared by Eric Garner with WPL.
2. The proposed two-and-a-half story single-family dwelling shall be constructed in substantial adherence to the submitted untitled colored renderings provided in the file.
3. In accordance with the State Building Code, the interior property line shall be vacated prior to receiving a final building inspection for the proposed single-family dwelling.

Eddie Bourdon, Attorney with Sykes Bourdon Ahern and Levy appeared before the Board representing the applicants.

There was no opposition present.

**A motion was made by Mr. Pocta, seconded by Mrs. Hall to approve the variance with 3 conditions. All voted for the motion except Mr. Purkey who works at 303 34<sup>th</sup> Street, Suite 5, Virginia Beach VA 23451 was abstained because he represents the applicant.**

**AYE 7 NO 0 ABSTAIN 1 ABSENT 0**

<b>ANDERSON</b>	<b>AYE</b>
<b>HALL</b>	<b>AYE</b>
<b>KOVNER</b>	<b>AYE</b>
<b>NEWTON</b>	<b>AYE</b>
<b>POCTA</b>	<b>AYE</b>
<b>PURKEY</b>	<b>ABSTAINED</b>
<b>THORNTON</b>	<b>AYE</b>
<b>WHITLEY</b>	<b>AYE</b>

**Case 2019-BZA-00085: Dr. Elaine & Dr. John Becher** Variances to a 18.11-foot front yard setback; instead of 20-feet as required for an existing second and third story additions; and a to a 15.8-foot front yard setback instead 20-feet as required for existing entry steps; and to allow 38.4-feet in building height instead of 35-feet in building height for an existing roof top deck with railings **214 87TH ST** Zoning: R-5R GPIN: 2510-41-8081

**Board Action:** APPROVED WITH 3 CONDITIONS ON FEBRUARY 3, 2021

**Conditions:**

1. The existing improvements noted in this request shall not be enlarged, expanded or altered without further considerations from the Board of Zoning Appeals.
2. All required permits (i.e. building, electrical, plumbing, mechanical) shall be obtained for all improvements noted in this approval.
3. The interior property line shall be vacated in accordance with the building code requirements; prior to receiving a final inspection.

Eddie Bourdon, Attorney with Sykes Bourdon Ahern and Levy appeared before the Board representing the applicants.

There was no opposition present.

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

**AYE 7 NO 0 ABSTAIN 0 ABSENT 0**

<b>ANDERSON</b>	<b>AYE</b>
<b>HALL</b>	<b>AYE</b>
<b>KOVNER</b>	<b>No Vote Needed</b>
<b>NEWTON</b>	<b>AYE</b>
<b>POCTA</b>	<b>AYE</b>
<b>PURKEY</b>	<b>AYE</b>
<b>THORNTON</b>	<b>AYE</b>
<b>WHITLEY</b>	<b>AYE</b>

Respectfully Submitted

David Whitley  
Chairman

lmr