



**MINUTES  
BOARD OF ZONING APPEALS  
JULY 7, 2021**

Chairman David Whitley, called to order the **Board of Zoning Appeals** at the Council Chamber, on Wednesday, July 7, 2021.

The Board members' staff briefing, was held at 1:00 p.m. at the Council Chamber to provide the Board members information pertaining the agenda of July 7, 2021.

Board Members Present: Janice Anderson, Thomas Holland, Kevin Newton, Myles Pocta, Harry Purkey Jr., Robert Thornton, David Whitley.

**Case 2021-BZA-00032: Ianita Iankova** Variance to a 21.5-foot front yard setback, instead of 30-feet as required for proposed covered deck/front porch **2908 Finch Avenue** Zoning: A-12 GPIN: 1495-38-3396

**Board Action:** DEFERRED ON JULY 7, 2021

Ianita Iankova and another lady (in audible) appeared before the Board.

Amanda Russell appeared before the Board in opposition.

**A motion was made by Mr. Purkey to defer the application, seconded by Mr. Newton. 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>NEWTOWN</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 2021-BZA-00034: Arthur Hubbard Revocable Trust** Variances to a 20-foot front yard setback instead of 30-feet as required for existing dwelling, garage addition and covered front porch; and to a 9.1-foot north side yard setback and to a 9-foot south side yard setback, instead of 10-feet each as required for proposed room additions and raised concrete patio **2229 Starfish Rd** Zoning: R-10 GPIN: 1499-19-1154

**Board Action:** APPROVED WITH 4 CONDITIONS ON JULY 7, 2021

**Conditions:**

1. The proposed raised concrete patio, room and garage addition will be constructed in substantial adherence to the submitted site plan entitled "BZA EXHIBIT ON LOT 190 SECTION NO. 4 LYNNHAVEN COLONY 2229 STARFISH ROAD VIRGINIA BEACH, VIRGINIA FOR ARTHUR G. HUBBARD" dated August 18, 2020 prepared by RICKS P. JONES.
2. The proposed raised concrete patio, room and garage addition will be constructed in substantial adherence to the submitted building plans entitled "ADDITION AND ALTERATION TO THE RESIDENCE FOR HUBBARD 2229 STARFISH RD VIRGINIA BEACH, VIRGINIA FOR ARTHUR G. HUBBARD" dated March 29, 2021 prepared by GMF+ Associates.
3. The front yard variance setback shall be modified to a 29.8-foot front yard setback, instead of 30-feet as required for the existing dwelling only.
4. The proposed raised concrete patio shall not be covered without further consideration from the Board of Zoning Appeals.

Michael Turley appeared before the Board representing the applicant.

There was no opposition present.

**A motion was made by Mr. Purkey, seconded by Mrs. Anderson to approve the variance with 4 conditions. All voted for the motion.**

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

**ANDERSON AYE  
HALL AYE  
NEWTOWN AYE  
POCTA AYE  
PURKEY AYE  
THORNTON AYE  
WHITLEY AYE**

**Case 2021-BZA-00036: John Grubiak** Variances to a 45-foot front yard setback, instead of 50-feet as required; and to a 9.2-foot rear yard setback instead of 20-feet as required for existing dwelling and proposed room & screened porch additions **106 Bay Dr** Zoning: R-40 GPIN: 2418-65-0783

**Board Action:** WITHDRAWN ON JULY 7, 2021

The applicant requested that the application be withdrawn.

There was no opposition present.

**A motion was made by Mr. Holland, seconded by Mr. Newton to withdraw the application. All voted for the motion.**

<b>AYE</b>	<b>7</b>	<b>NO</b>	<b>0</b>	<b>ABSTAIN</b>	<b>0</b>	<b>ABSENT</b>	<b>0</b>
<b>ANDERSON</b>			<b>AYE</b>				
<b>HALL</b>			<b>AYE</b>				
<b>NEWTOWN</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 2021-BZA-00037: Moyer Revocable Trust** Variance to a 10.6-foot rear yard setback; instead of 20-feet as required for proposed covered porch/entrance **117 76<sup>th</sup> Street** Zoning: R5R GPIN: 2419-67-4330

**Board Action:** APPROVED WITH 2 CONDITIONS ON JULY 7, 2021

**Conditions:**

1. The proposed rear covered open porch shall be constructed in substantial adherence to the submitted site plan entitled "LOT DESIGNATED AS THE SOUTH ½ OF LOT 18 & LOT 20 BLOCK 23, SECTION D CAPE HENRY SYNDICATE" dated March 31, 2021 prepared WARREN AND ASSOCIATES, PC LAND SURVEYORS.
2. The rear covered porch shall not be unenclosed.

Edward Moyer appeared before the Board.

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

ANDERSON AYE  
HALL AYE  
NEWTOWN AYE  
POCTA AYE  
PURKEY AYE  
THORNTON AYE  
WHITLEY AYE

**Case 2021-BZA-00038: Raja Bakhshi** Variance to an 8.8-foot front yard setback from the property line adjacent to 58th Street, instead of 50-feet as required for proposed uncovered deck **413 Goodspeed Road** Zoning: R20 GPIN: 2419-60-6730

**Board Action:** APPROVED WITH 2 CONDITIONS ON JULY 7, 2021

**Conditions:**

1. The proposed deck shall remain uncovered.
2. The proposed deck shall adhere to the submitted site plan.

Elizabeth Bakhshi appeared before the Board.

There was no opposition present.

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

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

ANDERSON AYE  
HALL AYE  
NEWTOWN AYE  
POCTA AYE  
PURKEY AYE  
THORNTON AYE  
WHITLEY AYE

Respectfully Submitted

Thomas Holland  
Secretary

lmr