



**MINUTES
BOARD OF ZONING APPEALS
MARCH 1, 2023**

Chair Janice Anderson, called to order the **Board of Zoning Appeals** at the Council Chamber, on Wednesday, March 1, 2023.

The Board members' staff briefing, was held at 1:00 p.m. in the Council Chamber to provide the Board members information pertaining the agenda of March 1, 2023.

Board Members Present: Janice Anderson, Kevin Newton, Myles Pocta, Harry Purkey, Jr., Robert Thornton, James Wood, and Jan Hall sat as the alternate.

Case 2023-BZA-00002: Kellyanne Cippa Variances to a 3-foot west side yard setback, instead of 8-feet as required for a room addition and covered porch; and to a 6-foot west side yard setback, instead of 8-foot and to a 5-foot rear yard setback; instead of 10-feet as required for an existing storage shed **1612 Ohio Ave** Zoning: R5D GPIN: 2407-95-1238

Board Action: APPROVED WITH 3 CONDITIONS ON MARCH 1, 2023

Conditions:

1. The applicant will construct the proposed room addition in substantial adherence to the submitted site plan entitled "PHYSICAL SURVEY OF PART LOT 7, BLOCK 8, OCEANA GARDENS VIRGINIA BEACH, VIRGINIA FOR BENJAMIN THOMAS" dated April 1, 2005, prepared by DJG-Dennis J Gerwitz.
2. The proposed room addition shall be constructed with building materials and colors compatible with the existing dwelling.
3. The variance requests for the storage shed depicted on the submitted site plan shall be withdrawn.

Kellyanne Cippa appeared before the Board.

There was no opposition present.

A motion was made by Mr. Purkey, seconded by Mr. Pocta to approve the variance with 3 conditions as listed in the staff report. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

**ANDERSON AYE
HALL AYE
NEWTON AYE
POCTA AYE
PURKEY AYE
THORNTON AYE
WOOD AYE**

Case 2023-BZA-00003: Konstantinos Angelopoulos Variance to a 9.8-foot side yard setback, instead of 10-feet as required for existing semi-detached dwelling unit **4483 Ocean View Ave Zoning: R5R GPIN: 1570-71-3675**

Board Action: APPROVED WITH 1 CONDITION ON MARCH 1, 2023

Conditions:

1. The existing dwelling shall not be enlarged or expanded within the required (10-foot) minimum side yard setback without further considerations from the Board of Zoning Appeals.

Jared Phipps, Contractor appeared before the Board representing the applicant.

There was no opposition present.

A motion was made by Mr. Newton, seconded by Mr. Thornton to approve the variance with 1 condition as listed in the staff report. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

**ANDERSON AYE
HALL AYE
NEWTON AYE
POCTA AYE
PURKEY AYE
THORNTON AYE
WOOD AYE**

Case 2023-BZA-00004: Konstantinos Angelopoulos Variance to a 4.8-foot side yard setback, instead of 10-feet as required for existing semi-detached dwelling unit and proposed decks **4485 Ocean View Ave** Zoning: R5R GPIN: 1570-71-3783

Board Action: APPROVED WITH 2 CONDITIONS ON MARCH 1, 2023

Conditions:

1. The proposed second and third floor decks shall be constructed in substantial adherence to the submitted site plan entitled “PHYSICAL SURVEY 4483 & 4485 OCEAN VIEW AVE A CONDOMINIUM BEING LOTS 10& 11, BLOCK 13 CHESAPEAKE PARK (M.B. 219 P.46) for Konstantinos Angelopoulos dated October 18, 2021, prepared DKT Associates Land Surveyors.
2. The proposed second and third floor decks shall be constructed in substantial adherence to the submitted building plans/elevations entitled “PROJECT DESCRIPTION:4483 AND 4485 OCEAN VIEW AVE, VIRGINIA BEACH” dated September 12, 2022, and prepared by Flips by Phipps LLC.

Jared Phipps, Contractor appeared before the Board representing the applicant.

There was no opposition present.

A motion was made by Mr. Newton, seconded by Mr. Thornton to approve the variance with 2 conditions as listed in the staff report. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

ANDERSON	AYE
HALL	AYE
NEWTON	AYE
POCTA	AYE
PURKEY	AYE
THORNTON	AYE
WOOD	AYE

Case 2021-BZA-00100: WPL Ventures, LLC A variance to a 5.1-foot east side yard setback; instead of 8-feet as required for a proposed single-family dwelling **111 B 73rd St** Zoning: R5R (NE) GPIN: 2419-66-7586

Board Action: APPROVED WITH 2 CONDITIONS ON MARCH 1, 2023

Conditions:

1. The proposed single-family dwelling shall be constructed in substantial adherence to the submitted site plan entitled "BZA EXHIBIT THE EASTERN 30' OF LOT 14, BLOCK 1 CAPE HENRY SYNDICATE SECTION E MB 1 PG. 8B VIRGINIA BEACH, VIRGINIA" dated and prepared by WPL.
2. The proposed single-family dwelling shall be constructed in substantial adherence to the submitted building elevations entitled "111 73rd STREET PLANS AND DETAILS VIRGINIA BEACH, VIRGINIA" and prepared by Progressive Design.

Eddie Bourdon, Attorney with Sykes Bourdon Ahern & Levy appeared before the Board representing the applicant.

David Jester, of the North Virginia Beach Civic League appeared before the Board in opposition.

A motion was made by Mr. Newton, seconded by Mr. Purkey to approve the variance with 2 conditions as listed in the staff report. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

**ANDERSON AYE
HALL AYE
NEWTON AYE
POCTA AYE
PURKEY AYE
THORNTON AYE
WOOD AYE**

Respectfully Submitted

Myles Pocta
Secretary

lmr