



Board of Zoning Appeals

December 5, 2018

Richard Garriott, *Chairman*

Randy Sutton, *Vice Chairman*

David Whitley, *Secretary*

Thomas Holland, James Oglesby, Harry Purkey, Jr., Elizabeth Kovner

Alternates: Janice Anderson, Myles Pocta

City Staff:

Kevin Kemp, *Zoning Administrator*

Chris Langaster, *Planner III*

Kay Wilson, *Deputy City Attorney*

**DECEMBER 5, 2018
BOARD OF ZONING APPEALS AGENDA**

- A.
COMMENTS BY ZONING ADMINISTRATOR AND CHAIRMAN**
- B.
REVIEW OF PUBLIC HEARING CASES**
- C.
STAFF BRIEFINGS**

The Board of Zoning Appeals will conduct a Public Hearing on Wednesday, **December 5, 2018, at 2:00 p.m.** The hearing will take place in the City Council Chambers of the City Hall Building (Building 1), Municipal Center, Virginia Beach, Virginia. The Board members' staff briefing, **which is open to the public**, will be held at 1:00 p.m. in the City Manager's conference room of Building 1, Room 234. The following applications will be considered at the hearing. **Please Note: IF NO ONE APPEARS BEFORE THE BOARD TO REPRESENT THE APPLICATION, THE VARIANCE MAY BY DENIED.**

2:00 P.M. – PUBLIC HEARING

ADMINISTRATIVE BUSINESS

- Election of Officers for 2019
- Resolution to Schedule Monthly Meetings

Case 2018-BZA-00064

Applicant: James Cizerle

Representative: Self Represented

Address: 3142 Inlet Road

Zoning District: R40

Staff: Chris Langaster

Project: Proposed Detached Garage and Existing Sheds

Requests:

- 34-foot front yard setback, instead of 50-feet as required and to a 18.5-foot west side yard setback instead of 20-feet as required. (garage)
- 3.5-foot east side yard setback, instead of 20-feet as required for an existing shed over 150 square feet and to a 0.4-foot west side yard setback, instead of 5-feet as required. (sheds)

* Deferral
** Withdrawal

<p>Case 2018-BZA-00070</p> <p><u>Applicant:</u> Leslis Olaes</p> <p><u>Representative:</u> Karen Olaes</p> <p><u>Address:</u> 1373 Dalsbury Lane <u>Zoning District:</u> PDH2</p> <p><u>Staff:</u> Chris Langaster</p>	<p><u>Project:</u> Proposed Room Addition</p> <p><u>Requests:</u></p> <ul style="list-style-type: none"> • 19-foot front yard setback, instead of 30-feet as required.
<p>Case 2018-BZA-00071</p> <p><u>Applicant:</u> Eddy & Wendy Inzana</p> <p><u>Representative:</u> Josh Donald</p> <p><u>Address:</u> 3353 Sandfiddler Road <u>Zoning District:</u> R10</p> <p><u>Staff:</u> Chris Langaster</p>	<p><u>Project:</u> Proposed Wood Deck Replacement</p> <p><u>Requests:</u></p> <ul style="list-style-type: none"> • 22-foot side corner setback from the property line adjacent to Angelfish Lane, instead of 30-feet as required.
<p>Case 2018-BZA-00072</p> <p><u>Applicant:</u> Phillip Verna Greene</p> <p><u>Representative:</u> Eddie Bourdon Sykes Bourdon Ahern & Levy</p> <p><u>Address:</u> 3600 Holly Road <u>Zoning District:</u> R20</p> <p><u>Staff:</u> Ernesto Moreno</p>	<p><u>Project:</u> Proposed Attached Garage Addition and Existing Storage Shed</p> <p><u>Requests:</u></p> <ul style="list-style-type: none"> • 30-foot front yard setback, instead of 50-feet as required. (garage) • 3.8 foot west side yard setback, instead of 15-feet as required. (shed)

* Deferral
** Withdrawal

<p>Case 2018-BZA-00073</p> <p><u>Applicant:</u> John Barrett</p> <p><u>Representative:</u> Self Represented</p> <p><u>Address:</u> 420 Beverly Place <u>Zoning District:</u> R7.5</p> <p><u>Staff:</u> Ernesto Moreno</p>	<p><u>Project:</u> Proposed Room Addition and Existing Storage Shed</p> <p><u>Requests:</u></p> <ul style="list-style-type: none"> • 15-foot rear yard setback, instead of 20-feet as required. (addition) • 2.5 foot rear yard setback, instead of 5-feet as required. (shed)
<p>Case 2018-BZA-00074</p> <p><u>Applicant:</u> Susan Martin</p> <p><u>Representative:</u> Eric Garner, Billy Garrington</p> <p><u>Address:</u> 316 51st Street <u>Zoning District:</u> R5R</p> <p><u>Staff:</u> Chris Langaster</p>	<p><u>Project:</u> Proposed Carport Addition and Existing Storage Shed</p> <p><u>Requests:</u></p> <ul style="list-style-type: none"> • 18.89-foot front yard setback, instead of 20-feet as required and to a 5.10-foot east side yard setback, instead of 8-feet. (carport) • 0 foot rear yard setback, instead of 5-feet as required. (shed)
<p>Case 2018-BZA-00075</p> <p><u>Applicant:</u> Ronald & Judy Messersmith</p> <p><u>Representative:</u> Raymond Key</p> <p><u>Address:</u> 3177 Amador Drive <u>Zoning District:</u> PDH1</p> <p><u>Staff:</u> Ernesto Moreno</p>	<p><u>Project:</u> Proposed Sunroom Addition and Proposed Storage Shed</p> <p><u>Requests:</u></p> <ul style="list-style-type: none"> • 20.37 rear yard setback from the property line adjacent to Currituck Drive, instead of 30-feet as required. (addition) • 7 foot rear yard setback from the property line adjacent to Currituck Drive, instead of 30 feet as required. (shed)

* Deferral
** Withdrawal

Case 2018-BZA-00076

Applicant: Dr. Glenn & Lynn Carwell

Representative: Billy Garrington
Governmental Permitting Consultants

Address: 3157 Adam Keeling Road

Zoning District: R40

Staff: Chris Langaster

Project: Alterations to Existing Detached Garage

Requests:

- 34 foot front yard setback, instead of 50 feet as required.
- 13 foot west side yard setback, instead of 20 feet as required.

* Deferral
** Withdrawal

Project: Proposed Detached Garage and Existing Sheds

Variations Requested:

1. 34-foot front yard setback, instead of 50-feet as required and to a 18.5-foot west side yard setback, instead of 20-feet as required (garage)
2. 3.5-foot east side yard setback, instead of 20-feet as required (existing shed over 150 square feet) and to a 0.4-foot west side yard setback, instead of 5-feet as required (existing shed under 150 square feet)

Staff Planner

Chris Langaster

Variance initiated by:

Applicant Inquiry

Location

3142 Inlet Road

GPIN

1489-97-3437

Zoning District

R-40 Residential

Site Size

54,632 square feet

Year Constructed

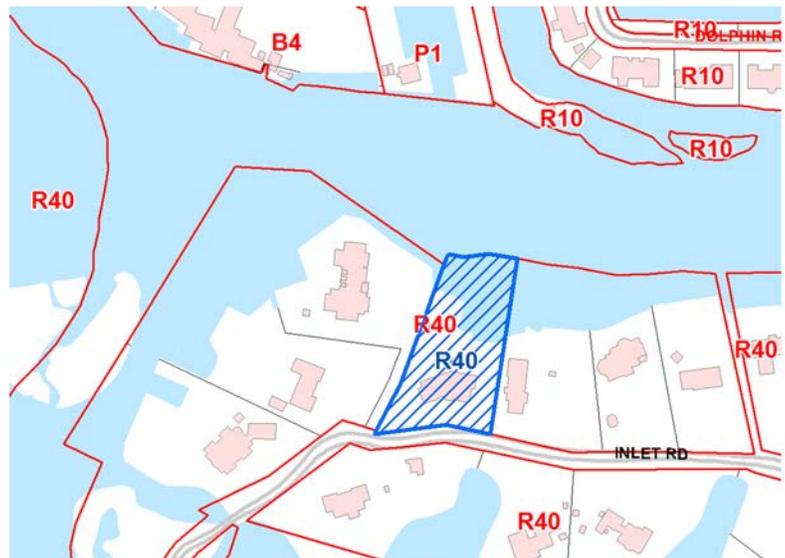
1966

Lot Recordation

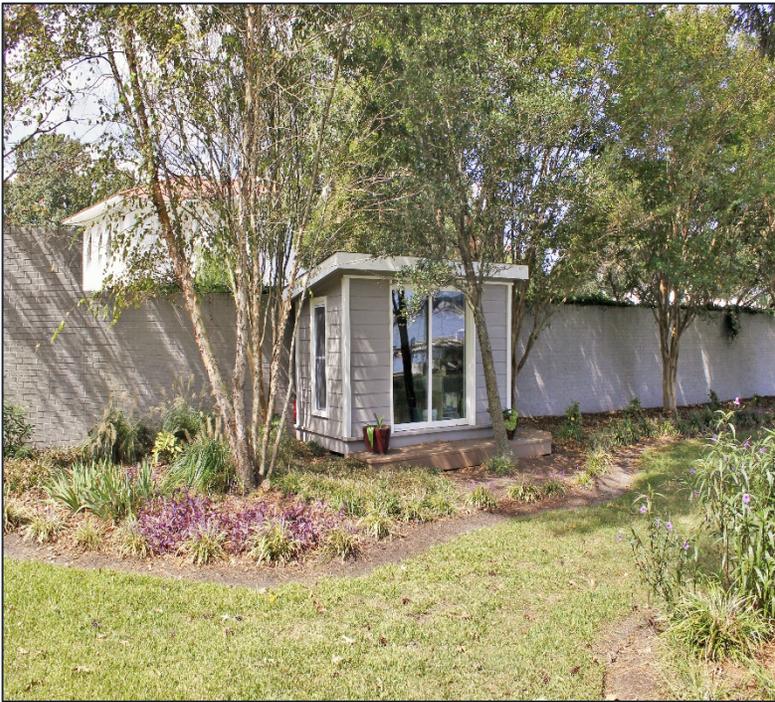
1950

Previous Board Actions

On October 24, 2017, detached garage was administratively approved by (PPR) subject to conditions being met with this proposal



Existing Site Conditions



Summary

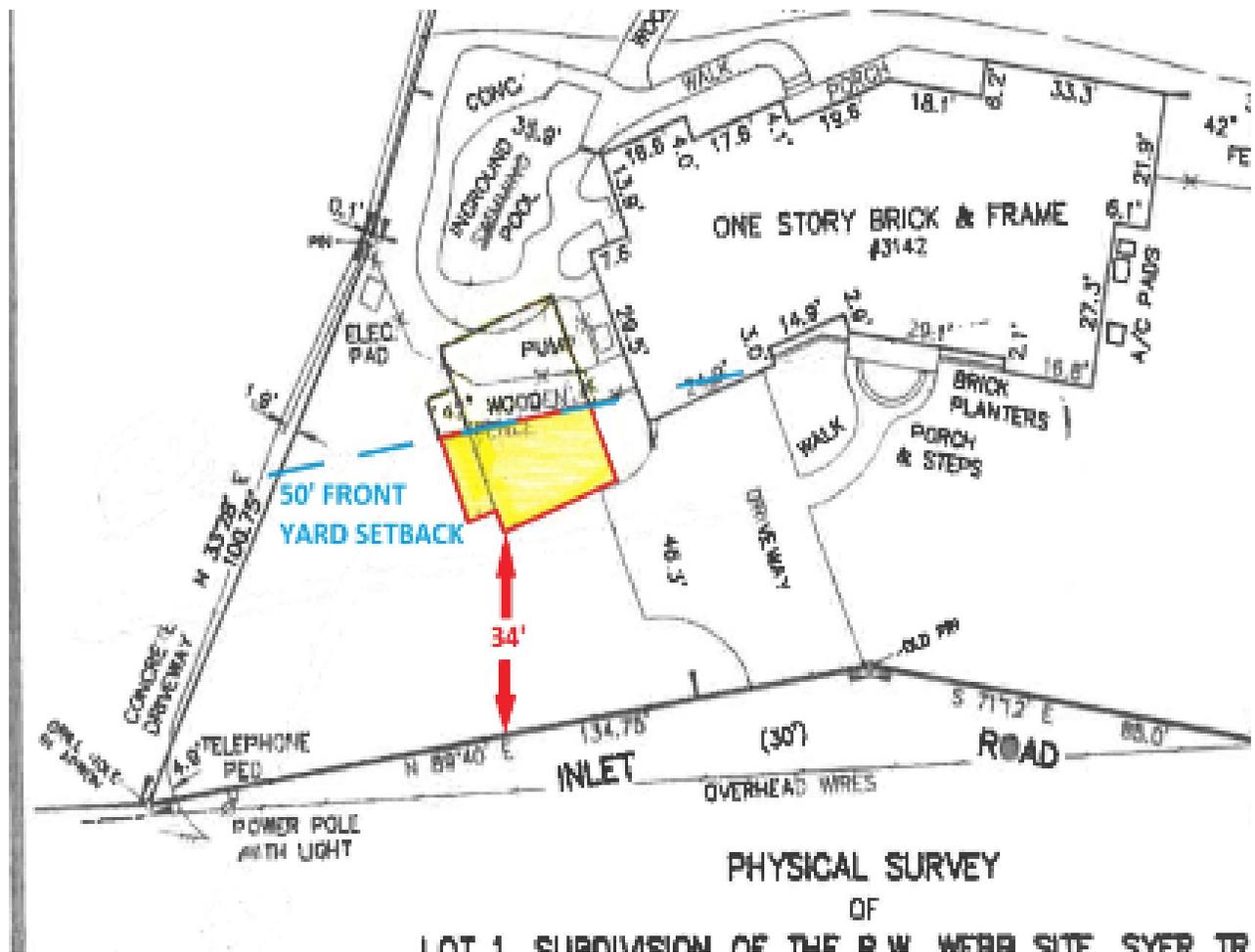
Proposal:

The applicant is proposing to construct a detached garage 34-feet from the front property line, instead of 50-feet as required and 18.5-feet from the west side property line, instead of 20-feet as required. The applicant is also seeking to retain two existing sheds presently encroaching on the east and west side yard setbacks.

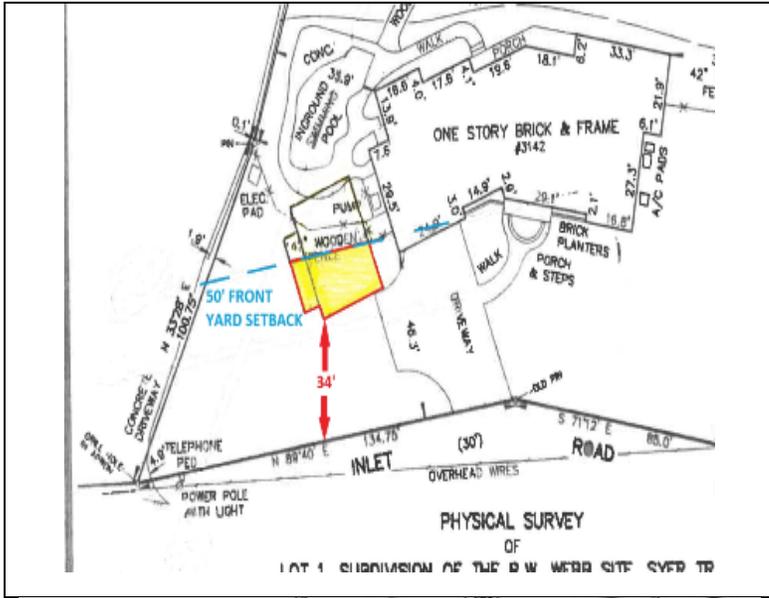
The lot is irregular in shape and is heavily impacted by the environmental restrictions placed on it by the Chesapeake Bay Preservation Area Act. This lot was recorded in 1950; however, it meets the lot dimensional requirements for this zoning district. The front property line projects inward from Inlet Road; in which, creates some difficulty complying with the front yard setback. Presently, the existing dwelling constructed in 1966 encroaches on the minimum 50-foot front yard setback. Approximately half of the proposed addition will encroach into the front yard setback; however, it will maintain the minimum 20-foot side yard setback.

Permits Required / Obtained:

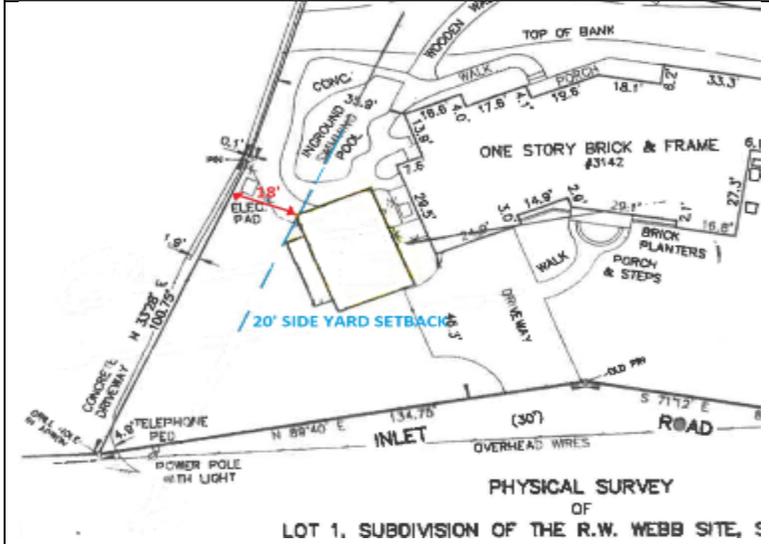
Permits will be required by the Development Services Center and the Permits and Inspections Division.



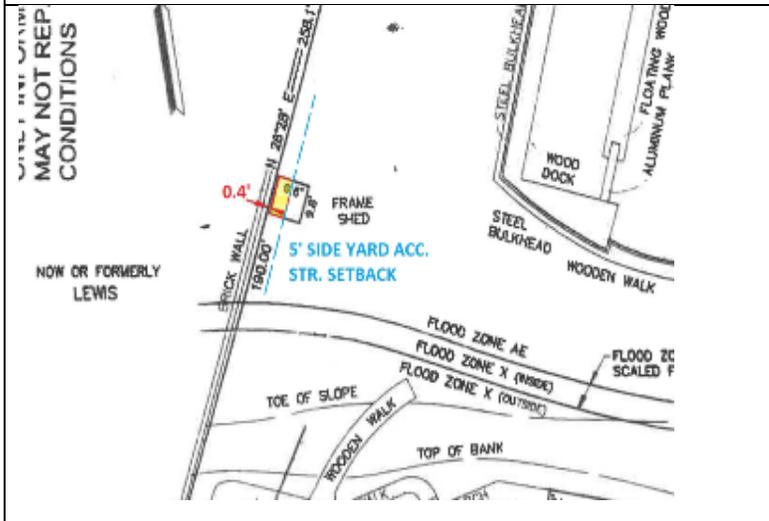
Variance Requests



	REQUIREMENT	REQUESTED
Variance 1	50'	34'



	REQUIREMENT	REQUESTED
Variance 2	20'	18'



	REQUIREMENT	REQUESTED
Variance 3	0.4'	5'

Considerations

- The lot is heavily impacted by the environmental restrictions of Chesapeake Bay Preservation Area Act; therefore, all development is encouraged on the south portion of the lot.
- The lot is irregular in shaped and the front property line angles inward towards the dwelling.
- Two sheds presently encroach on the required side yard setbacks.

Recommended Conditions

1. The proposed addition shall be constructed in substantial adherence to the submitted site plan and building elevations.
2. The proposed addition shall be constructed with building materials and colors compatible with the existing dwelling.
3. The two existing shed located adjacent to both the east and west side property line respectively shall be removed or relocated in compliance with the required setbacks.

City of Virginia Beach, Board of Zoning Appeals Application

James and Ashley Cizerle (Owners)
3142 Inlet Road
Virginia Beach, VA 23454
757-754-5475
kirk.cizerle@gmail.com

Description of Variance Request:

We are applying for a variance to construct a garage addition to the left (west) of the existing dwelling. The addition would need to be positioned in such a way that we are requesting a variance to a 18.5 foot side yard setback (instead of a 20 foot setback) and a 34.0 foot front yard setback (instead of a 50 foot setback). The lot is unique in shape and design making the position of the addition only possible in the proposed location. The existing structure was built (prior to our ownership) within the setback distance, assuming the issues of the lot's shape were considered at that time.

The position of the addition and the proximity to the side yard and front yard would fit very well and would not encroach on the neighbors, road, or the existing vegetation. The orientation would fit well with the theme of the current dwelling as well as those in the neighborhood.

Please describe the project and proposed improvements:

Our project is for a detached garage addition that will be placed on the left side (west) of the current dwelling. The structure will be used for our vehicles, storage space, a guest / pool house. The addition will fit very well in its orientation to the current dwelling and the pool. Due to the unique shape of the lot, the placement is a challenge and requires the minor setback variances.

The Department of Planning and Communicate Development reviewed our Preliminary Project Request (PPR) and subject to various conditions they have communicated will grant administratively the required CBPA variances. Mr. PJ Scully provided the letter confirming this in October 2017. Due to work travel, kids, and various other activities, we have just now been able to renew the project and start the zoning variance application. Email communication and the PPR letter are below.

Please help demonstrate that your request meets the State Code criteria for variance approval by addressing any of the following that are applicable:

Applicant's Hardship Statement

The property (lot) is shaped uniquely, much like a trapezoid, making it a challenge to construct the garage addition without requesting a zoning variance and the before mentioned setbacks.

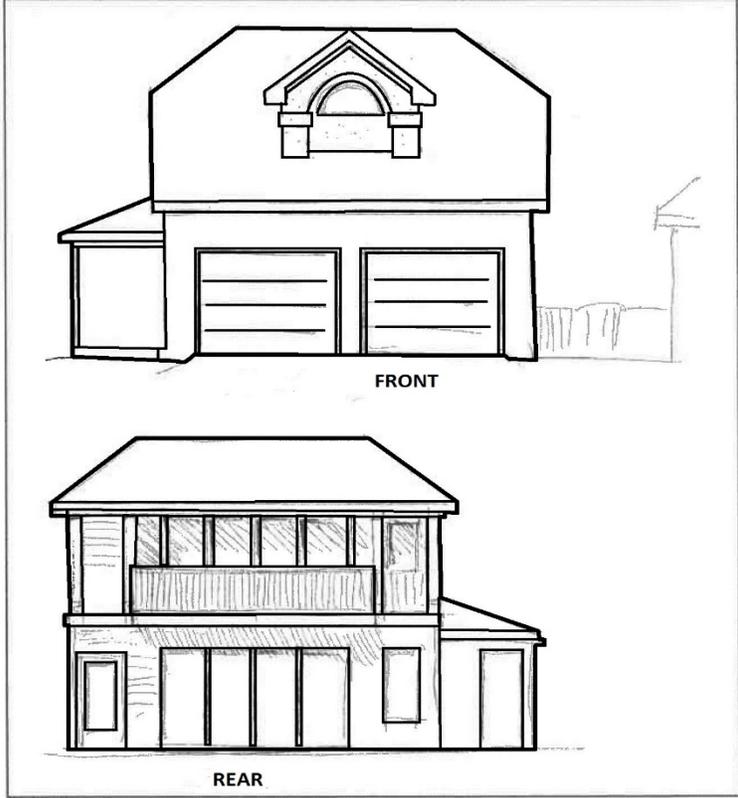
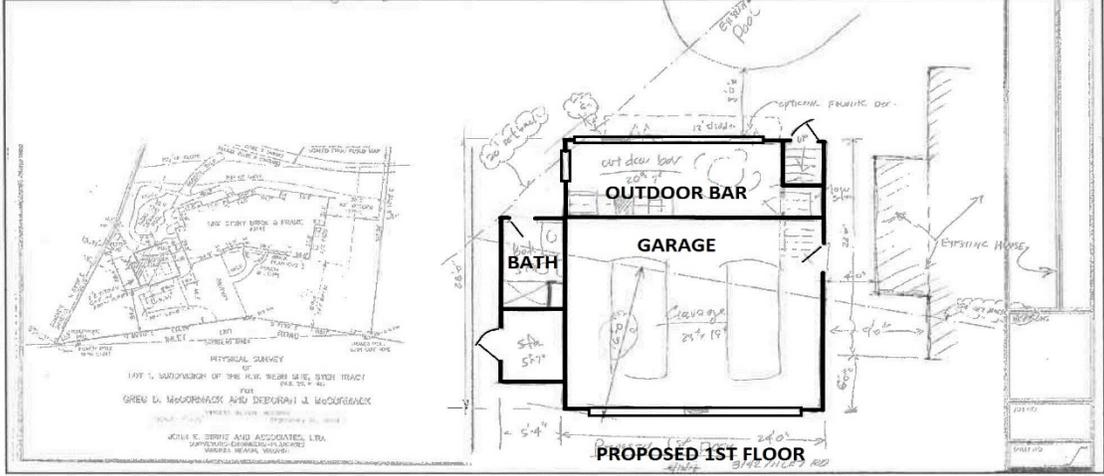
Previous improvements on the property make the selected location the only option for the garage addition however, they orientation would fit very well with the style and 'feel' of the property.

The placement of the house on the lot requires an orientation of the garage addition that will mean a minor variance. The variance will keep the addition on the same plane as the house and maintain the best aesthetics. The current landscaping which will be retained, provide a nice buffer on all sides of the addition.

The garage addition will not be a detriment to adjacent properties as they are positioned very far from the proposed structure. The immediately adjacent property (side yard) has a very long driveway that would be the closest running the length of our side yard that separates the two properties. The neighbor's brick wall that runs the entire length of the property would act as an additional buffer. The dwelling across the street, Inlet Rd, (front yard) is very far away and there is a large amount of landscaping on our property and theirs eliminating the possibility of the structure being a detriment to any adjacent properties.

The neighborhood has many large houses with additional structures. This proposed project would be in line with the size, quality, color scheme, and caliber of all properties in the neighborhood. Photos of the yard and current dwelling as well as a drawings of the structure and its placement on the property are below.

Proposed Building Elevations





APPLICANT'S NAME _____

DISCLOSURE STATEMENT FORM

The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a board, commission, or other body appointed by the City Council. Such applications and matters include, but are not limited to, the following:

Acquisition of Property by City	Disposition of City Property	Modification of Conditions or Proffers
Alternative Compliance, Special Exception for	Economic Development Investment Program (EDIP)	Nonconforming Use Changes
Board of Zoning Appeals	Encroachment Request	Rezoning
Certificate of Appropriateness (Historic Review Board)	Floodplain Variance	Street Closure
Chesapeake Bay Preservation Area Board	Franchise Agreement	Subdivision Variance
Conditional Use Permit	Lease of City Property	Wetlands Board
	License Agreement	

The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law.

SECTION 1 / APPLICANT DISCLOSURE

FOR CITY USE ONLY / All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the application(s).

<input type="checkbox"/>	APPLICANT NOTIFIED OF HEARING	DATE:	
<input type="checkbox"/>	NO CHANGES AS OF	DATE:	
<input type="checkbox"/>	REVISIONS SUBMITTED	DATE:	



Check here if the **APPLICANT IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.

Check here if the **APPLICANT IS** a corporation, partnership, firm, business, or other unincorporated organization.

(A) List the Applicant's name: JAMES KIRK CIZERLE
If an LLC, list all member's names:

If a CORPORATION, list the the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsidary ¹ or affiliated business entity ² relationship with the Applicant: *(Attach list if necessary)*

See next page for information pertaining to footnotes ¹ and ²

SECTION 2 / PROPERTY OWNER DISCLOSURE

Complete Section 2 only if property owner is different from Applicant.

Check here if the **PROPERTY OWNER IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.

Check here if the **PROPERTY OWNER IS** a corporation, partnership, firm, business, or other unincorporated organization, **AND THEN**, complete the following.

(A) List the Property Owner's name: _____
If an LLC, list the member's names: _____



If a Corporation, list the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsiary ¹ or affiliated business entity ² relationship with the Property Owner: *(Attach list if necessary)*

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

SECTION 3. SERVICES DISCLOSURE

Are any of the following services being provided in connection with the subject of the application or any business operating or to be operated on the Property. If the answer to any item is YES, please identify the firm or individual providing the service: IF THE OWNER AND APPLICANT ARE DIFFERENT, EACH MUST COMPLETE THE SECTION SEPERATELY



APPLICANT

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Architect / Landscape Architect / Land Planner	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (if other than the Applicant) - identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (Identify purchaser(s) and purchaser's service providers)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Construction Contractors	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Engineers / Surveyors/ Agents	John E. Sirine & Associates
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Financing (include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legal Services	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

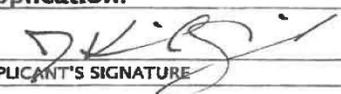
YES NO Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?

If yes, what is the name of the official or employee and what is the nature of the interest?



CERTIFICATION:
 I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

	JAMES KIRK CIZERLE	8/20/18
APPLICANT'S SIGNATURE	PRINT NAME	DATE



Case # 2018-BZA-00070

Property Owner **Lelis Olaes**
Representative **Karina Olaes**
Public Hearing **December 5, 2018**

Project: Proposed Room Addition

Variations Requested:

- 1. 19-foot front yard setback, instead of 30-feet as required.

Staff Planner

Chris Langaster

Variance initiated by:

Applicant Inquiry

Location

1373 Dalsbury Lane

GPIN

1474-39-3802

Zoning District

PD-H2 Planned Unit Development

Site Size

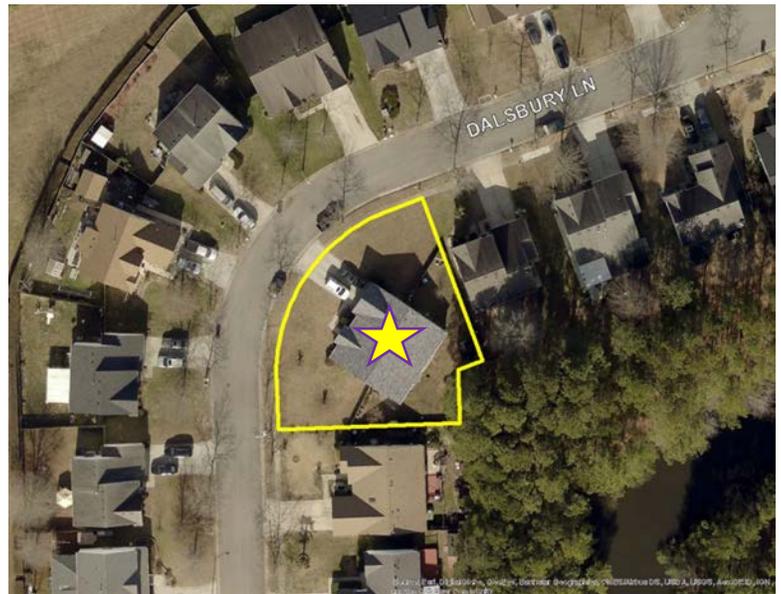
11,331 square feet

Year Constructed

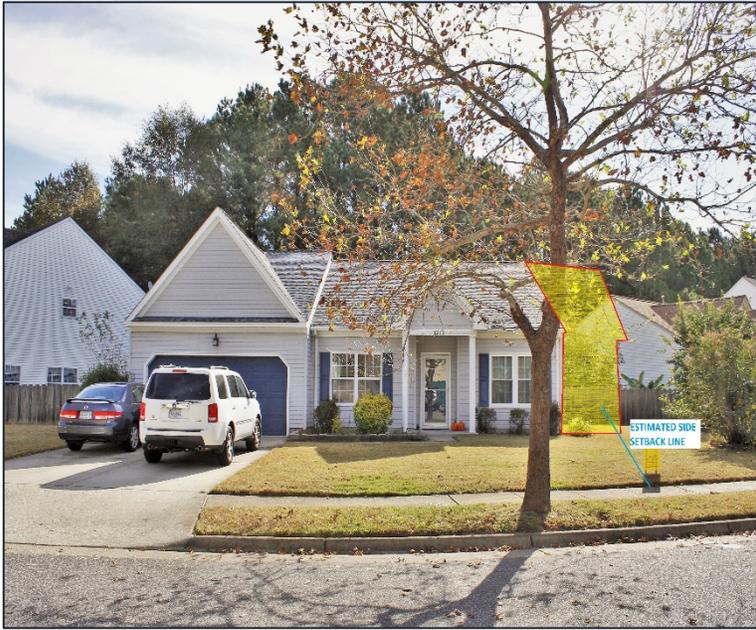
1998

Subdivision Plat Recordation

1997



Existing Site Conditions



Summary

Proposal:

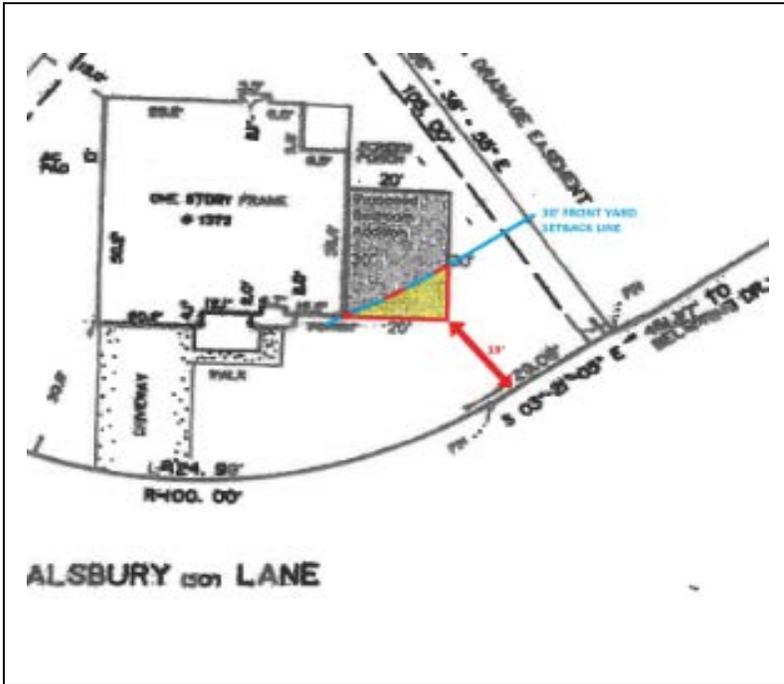
The applicant is proposing to construct a 20-foot by 30-foot, one-story room addition at a 19-foot front yard setback, instead of 30-feet as required. The proposed addition will be used for an additional bedroom and it will align with the existing dwelling where it is parallel with Dalsbury Lane. This lot is pie shaped and the front property line curves significantly which makes it difficult to comply with the required front yard setback. Only a minor portion of the northwest corner of the addition will encroach into the front yard setback. The addition will comply with minimum 10-foot side yard setback.

Permits Required / Obtained:

Permits will be required by the Development Services Center and the Permits and Inspections Division.



Variance Requests



	REQUIREMENT	REQUESETED
Variance 1	30'	19'

Considerations

- Due to the irregular pie-shape of the lot as well as the curvature of the front property line, constructing a room addition in compliance with the required setbacks is challenging;
- It appears the proposed addition could be reduced and shifted towards the rear to increase the front yard setback;
- Only the north west portion corner of the proposed room addition will encroach into the required front yard setback .

Recommended Conditions

1. The proposed one-story addition shall be constructed in substantial adherence to the submitted site plan.
2. The proposed addition shall be constructed with colors and building materials compatible with the existing dwelling.

Board of Zoning Appeals Application



Criteria for Variance Approval

Section 15.2-2309 of the Code of Virginia states that the Board of Zoning Appeals shall not approve a variance unless it finds:

- a. That the strict application of the ordinance would produce an undue hardship.
- b. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
- c. That the authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of this variance.
- d. That the granting of the variance is in harmony with the intended spirit and purpose of the ordinance.

Description of Hardship (attach additional sheets if necessary)

Please describe the hardship, how the ordinance prohibits or restricts use of the property, any unique topographic, size or shape features of the lot, why the proposal is in the character of the neighborhood, and how the request meets the spirit of the code section you wish to vary.

Due to the reverse pie shape lot and prominent curve at the front of the lot, we are unable to adhere to the 30' set-back in the front and 10' set-back for the side of the yard.

Description of Variance Request (attach additional sheets if necessary)

We are requesting a 19' set-back in the front yard instead of the current 30' set-back. We are requesting a 9' set-back instead of the current 10' for the side yard.

Description of the Project and Proposed Improvements (attach additional sheets if necessary)

We are looking to build a bedroom with bath + walk-in closet, measuring 20' x 30', which will match the existing house. The addition will be on the East side of the lot.

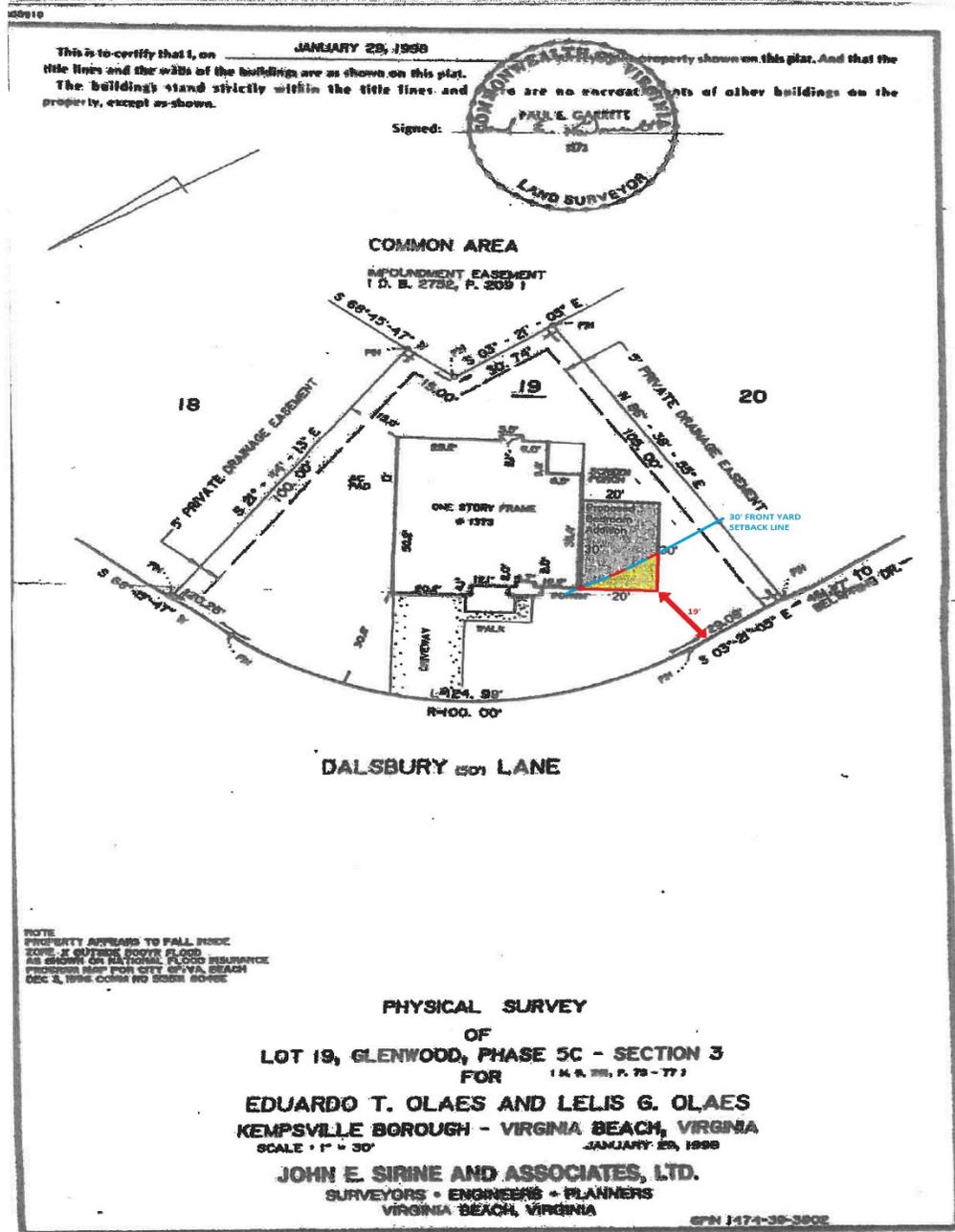
I/WE CERTIFY THAT THE INFORMATION ABOVE IS TRUE AND CORRECT.

Signature of Property Owner or Representative

Signature of Condo/co-owner

ALB 200

Site Layout





APPLICANT'S NAME _____

DISCLOSURE STATEMENT FORM

The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a board, commission, or other body appointed by the City Council. Such applications and matters include, but are not limited to, the following:

Acquisition of Property by City	Disposition of City Property	Modification of Conditions or Proffers
Alternative Compliance, Special Exception for	Economic Development Investment Program (EDIP)	Nonconforming Use Changes
Board of Zoning Appeals	Encroachment Request	Rezoning
Certificate of Appropriateness (Historic Review Board)	Floodplain Variance	Street Closure
Chesapeake Bay Preservation Area Board	Franchise Agreement	Subdivision Variance
Conditional Use Permit	Lease of City Property	Wetlands Board
	License Agreement	

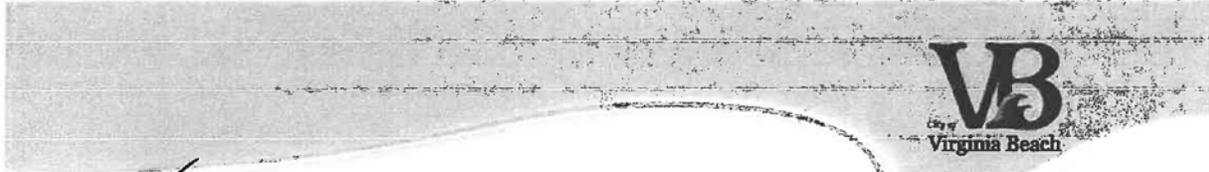
The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law.

SECTION 1 / APPLICANT DISCLOSURE

FOR CITY USE ONLY / All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the application(s).

Page 1 of 7

<input type="checkbox"/>	APPLICANT NOTIFIED OF HEARING	DATE:	
<input type="checkbox"/>	NO CHANGES AS OF	DATE:	
<input type="checkbox"/>	REVISIONS SUBMITTED	DATE:	



- Check here if the **APPLICANT IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.
- Check here if the **APPLICANT IS** a corporation, partnership, firm, business, or other unincorporated organization.
- (A) List the Applicant's name: _____
If an LLC, list all member's names:

If a CORPORATION, list the the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

- (B) List the businesses that have a parent-subsidiary¹ or affiliated business entity² relationship with the Applicant: *(Attach list if necessary)*

See next page for information pertaining to footnotes¹ and ²

SECTION 2 / PROPERTY OWNER DISCLOSURE

Complete Section 2 only if property owner is different from Applicant.

- Check here if the **PROPERTY OWNER IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.
- Check here if the **PROPERTY OWNER IS** a corporation, partnership, firm, business, or other unincorporated organization, **AND THEN**, complete the following.
- (A) List the Property Owner's name: _____
If an LLC, list the member's names:



If a Corporation, list the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsidary ¹ or affiliated business entity ² relationship with the Property Owner: *(Attach list if necessary)*

¹ "Parent-subsidary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsidary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

SECTION 3. SERVICES DISCLOSURE

Are any of the following services being provided in connection with the subject of the application or any business operating or to be operated on the Property. If the answer to any item is YES, please identify the firm or individual providing the service: IF THE OWNER AND APPLICANT ARE DIFFERENT, EACH MUST COMPLETE THE SECTION SEPERATELY



APPLICANT

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Architect / Landscape Architect / Land Planner	Adrian Builders Group
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (if other than the Applicant) - identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (identify purchaser(s) and purchaser's service providers)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Construction Contractors	Adrian Builders Group
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Engineers / Surveyors/ Agents	John E. Sirine & Associates
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Financing (include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legal Services	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

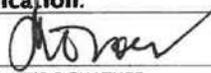
YES NO Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?

If yes, what is the name of the official or employee and what is the nature of the interest?



CERTIFICATION:
I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

	Lelis Olaes	9/27/2018
APPLICANT'S SIGNATURE	PRINT NAME	DATE



OWNER

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Architect / Landscape Architect / Land Planner	Adrian Builders Group
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (If other than the Applicant) - identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (identify purchaser(s) and purchaser's service providers)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Construction Contractors	Adrian Builders Group
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Engineers / Surveyors/ Agents	John E. Sirine & Associates
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Financing (include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legal Services	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

YES NO Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?

If yes, what is the name of the official or employee and what is the nature of the interest?



CERTIFICATION:
I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

	Lelis Olaes	9/27/2018
PROPERTY OWNER'S SIGNATURE	PRINT NAME	DATE



Case # 2018-BZA-00071

Property Owner **Eddy and Wendy Inzana**
Representative **Josh Donald, Contractor**
Public Hearing **December 5, 2018**

Project: Proposed (Replacement) Wood Deck

Variations Requested:

1. 22 foot side corner setback from the property line adjacent to (Angelfish Lane) a street, instead of 30-feet as required

Staff Planner

Chris Langaster

Variance initiated by:

Applicant Inquiry

Location

3353 Sandfiddler Road

GPIN

2432-58-9134

Zoning District

R-10 Residential

Site Size

14,033 square feet

Year Constructed

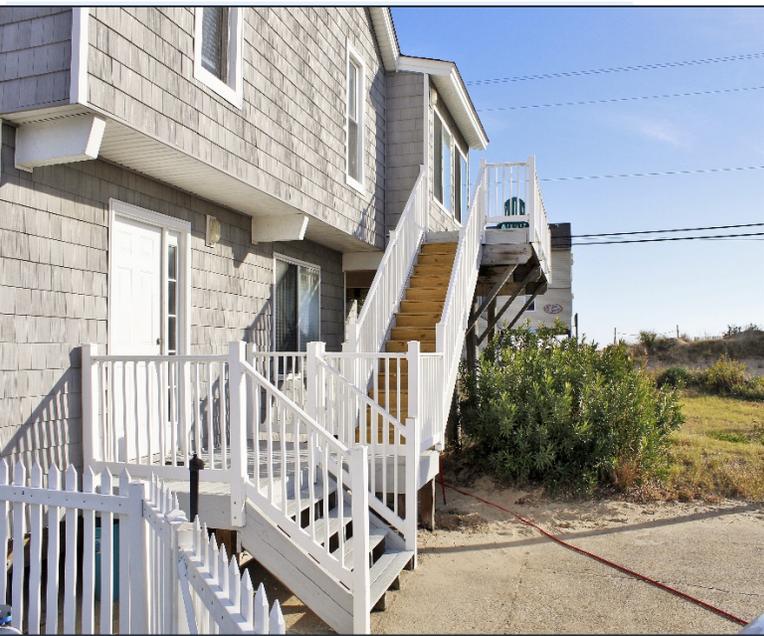
1978

Subdivision Plat Recordation

1964



Existing Site Conditions



Summary

Proposal:

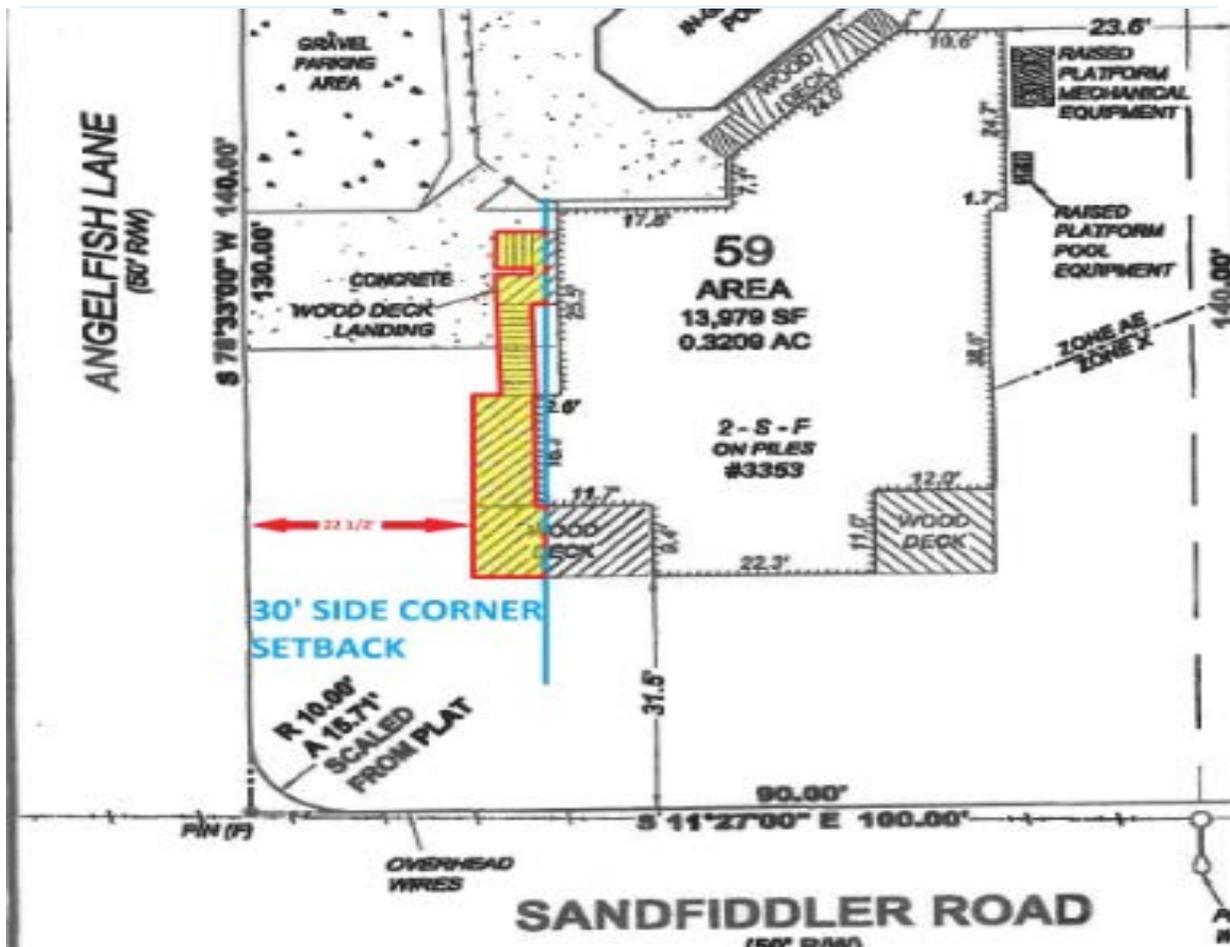
The applicants are proposing to rebuild an existing deck and steps presently located 22.5-feet from the property line adjacent Angelfish Lane, instead of 30-feet as required. The deck and steps are located on the south east corner of the dwelling and are being replaced within the same footprint. Therefore, the present setback from the property line adjacent to Angelfish Lane will not decrease with this request.

This lot meets all of the dimensional requirements for this zoning district. Staff was unable to determine when the deck and steps were constructed; therefore, staff was unable to substantiate if the deck and steps are nonconforming. Based on city records the deck and steps was installed as far back as 2005.

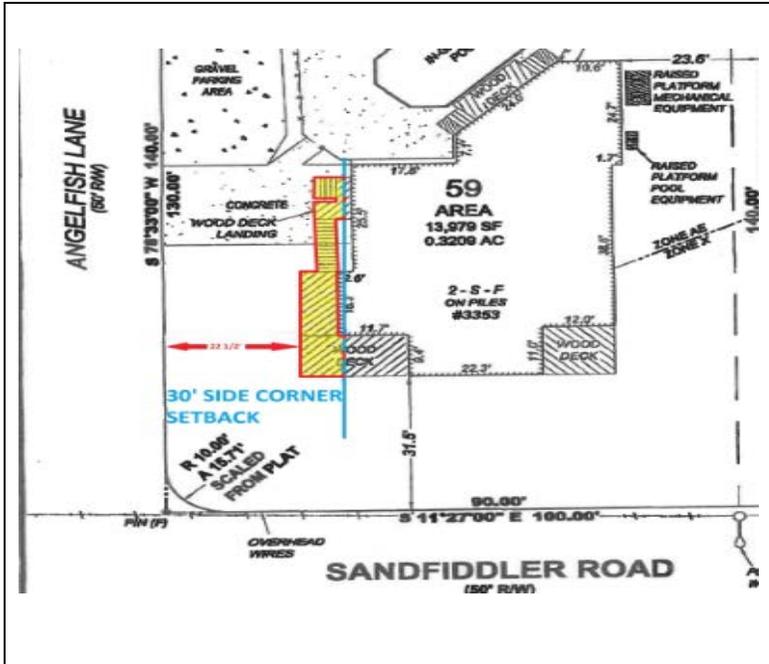
Because the deck and steps are being replaced in the same footprint; this request is not expected to create a detriment to the adjoining property owners or surrounding community.

Permits Required / Obtained:

Permits will be required by the Development Services Center and the Permits and Inspections Division.



Variance Request



	REQUIREMENT	REQUESETED
Variance 1	30'	22.5'

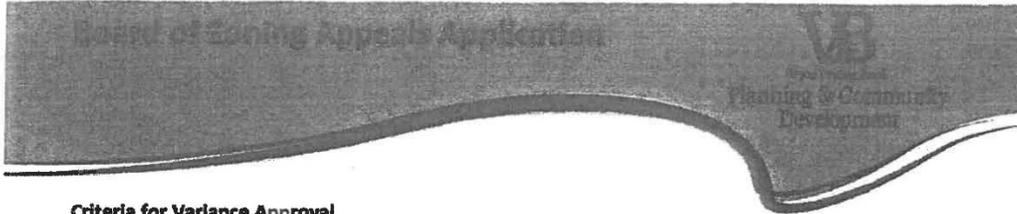
Considerations

- The deck and steps will be replaced in the same footprint, therefore, the present setback will not decrease with this proposal;
- The existing lot meets all of the dimensional requirements for this zoning district;
- Staff could not determine when the decking and steps was installed; therefore staff was unable to substantiate if the deck and steps are nonconforming;
- Construction on the deck and steps began without obtaining a building permit.

Recommended Conditions

1. The deck and steps shall be constructed in substantial adherence to the submitted site plan and cross section entitled Joist & Deck Replacement dated September 24, 2018.
2. The deck will remain uncovered and unenclosed beneath it.

Applicant's Hardship Statement



Criteria for Variance Approval

Section 15.2-2309 of the Code of Virginia states that the Board of Zoning Appeals shall not approve a variance unless it finds:

- a. That the strict application of the ordinance would produce an undue hardship.
- b. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
- c. That the authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of this variance.
- d. That the granting of the variance is in harmony with the intended spirit and purpose of the ordinance.

Description of Hardship (attach additional sheets if necessary)

Please describe the hardship, how the ordinance prohibits or restricts use of the property, any unique topographic, size or shape features of the lot, why the proposal is in the character of the neighborhood, and how the request meets the spirit of the code section you wish to vary.

Description of Variance Request (attach additional sheets if necessary)

Current setback exceeded at south side of property
A VARIANCE TO A 22.5 SIDE CORNER INSTEAD OF 30 FT

Description of the Project and Proposed Improvements (attach additional sheets if necessary)

Replacement of surface lumber railings, and joists only, at East and South decks.
Existing footprint not to change

I/WE CERTIFY THAT THE INFORMATION ABOVE IS TRUE AND CORRECT.

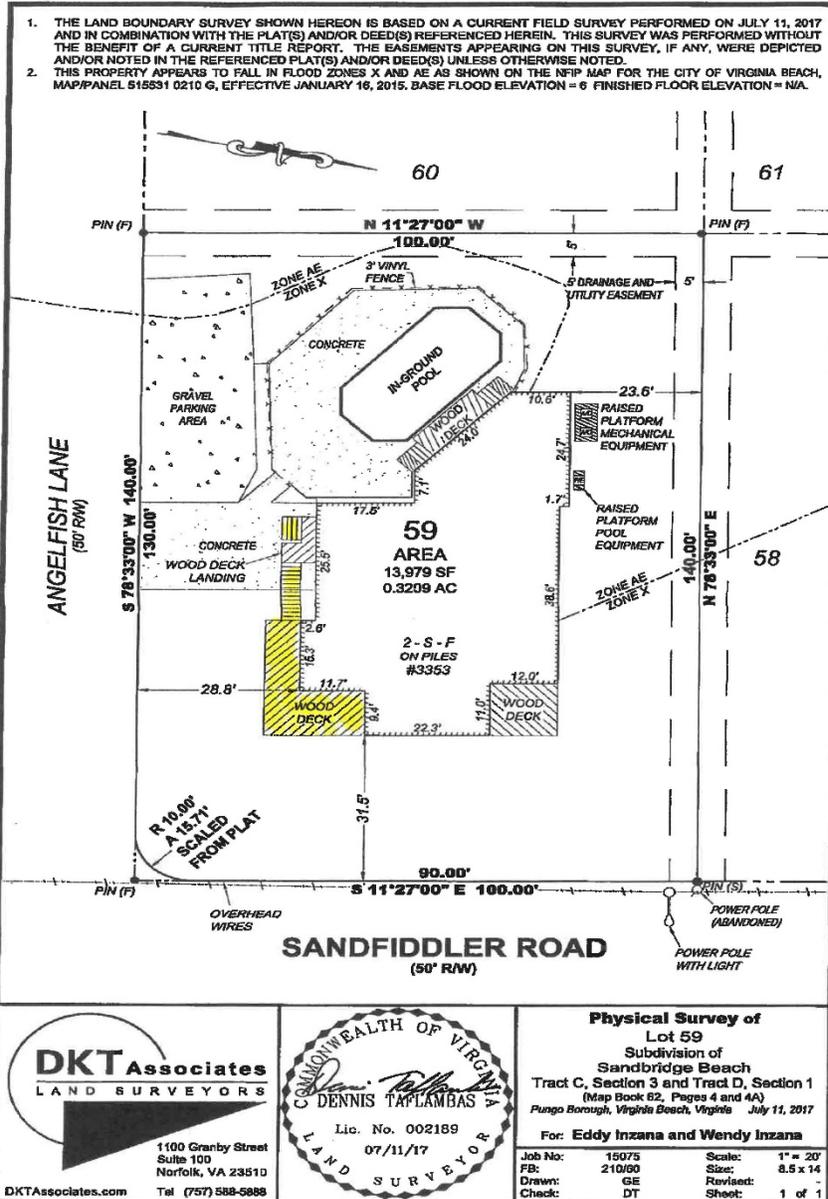
Wendy Inzana Eddy Inzana

Signature of Property Owner or Representative

Wendy Inzana Eddy Inzana

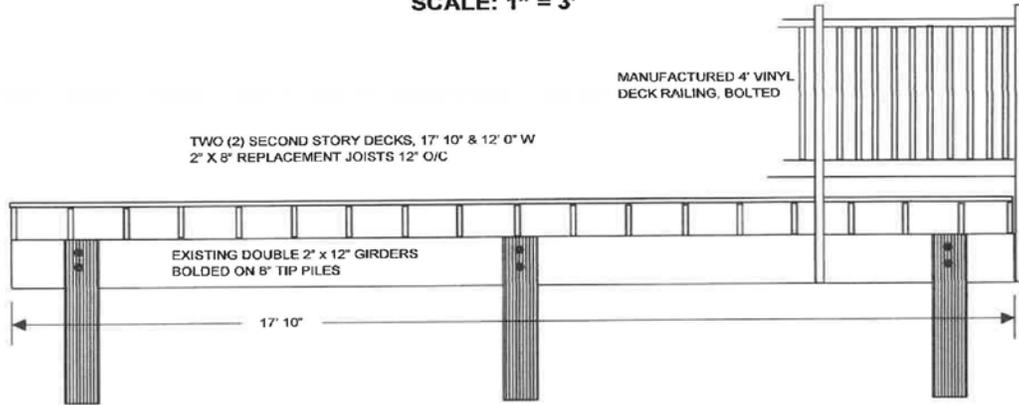
Signature of Condo/co-owner

Site Layout

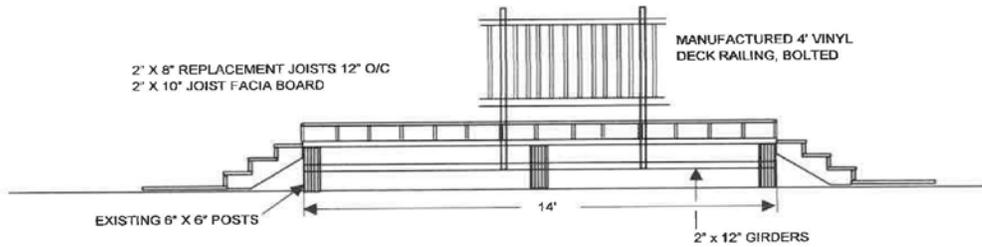


Building Elevation -Cross Section

CROSS SECTION SECOND STORY DECKS SCALE: 1" = 3'



CROSS SECTION POOL DECK 1" = 5'



MATERIAL SCHEDULE:
 JOISTS: 2" x 8" x 16'
 DECKING: 2" x 6" x 16' COMPOSITE
 POOL DECK FACIA: 2" X 10"
 (2) 8d NAILS OR (2) #8 DECKING
 SCREWS @ EACH JOIST
 JOIST TO GIRDER CONNECTORS

MATERIAL SPECIFICATIONS:
 FRAMING: 0.4# PCF (LP-22)
 HARDWARE: HOT DIPPED
 GALVANIZED (ASTM-A153) OR
 STAINLESS STEEL
 COMPOSITE DECKING

LOCATION: 3353 SANDFIDDLER RD.
 FOR: EDDY J. INZANA

PROJECT: JOIST & DECK REPLACEMENT
 - THREE DECKS

DATE: SEPT. 24, 2018



APPLICANT'S NAME Wendy Inzana

DISCLOSURE STATEMENT FORM

The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a board, commission, or other body appointed by the City Council. Such applications and matters include, but are not limited to, the following:

Acquisition of Property by City	Disposition of City Property	Modification of Conditions or Proffers
Alternative Compliance, Special Exception for	Economic Development Investment Program (EDIP)	Nonconforming Use Changes
Board of Zoning Appeals	Encroachment Request	Rezoning
Certificate of Appropriateness (Historic Review Board)	Floodplain Variance	Street Closure
Chesapeake Bay Preservation Area Board	Franchise Agreement	Subdivision Variance
Conditional Use Permit	Lease of City Property	Wetlands Board
	License Agreement	

The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law.

SECTION 1 / APPLICANT DISCLOSURE

FOR CITY USE ONLY / All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the application(s).		
<input type="checkbox"/>	APPLICANT NOTIFIED OF HEARING	DATE: _____
<input type="checkbox"/>	NO CHANGES AS OF	DATE: _____
<input type="checkbox"/>	REVISIONS SUBMITTED	DATE: _____





Check here if the **APPLICANT IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.

Check here if the **APPLICANT IS** a corporation, partnership, firm, business, or other unincorporated organization.

(A) List the Applicant's name: Eddy and Wendy Inzana
If an LLC, list all member's names:

If a CORPORATION, list the the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsiary ¹ or affiliated business entity ² relationship with the Applicant: *(Attach list if necessary)*

See next page for information pertaining to footnotes ¹ and ²

SECTION 2 / PROPERTY OWNER DISCLOSURE

Complete Section 2 only if property owner is different from Applicant.

Check here if the **PROPERTY OWNER IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.

Check here if the **PROPERTY OWNER IS** a corporation, partnership, firm, business, or other unincorporated organization, **AND THEN**, complete the following.

(A) List the Property Owner's name: Eddy and Wendy Inzana
If an LLC, list the member's names:



If a Corporation, list the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsidary ¹ or affiliated business entity ² relationship with the Property Owner: *(Attach list if necessary)*

¹ "Parent-subsidary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsidary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

SECTION 3. SERVICES DISCLOSURE

Are any of the following services being provided in connection with the subject of the application or any business operating or to be operated on the Property. If the answer to any item is YES, please identify the firm or individual providing the service: IF THE OWNER AND APPLICANT ARE DIFFERENT, EACH MUST COMPLETE THE SECTION SEPERATELY



APPLICANT

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Architect / Landscape Architect / Land Planner	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (if other than the Applicant) - Identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (identify purchaser(s) and purchaser's service providers)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Construction Contractors	TKJD CONTRACTING
<input type="checkbox"/>	<input type="checkbox"/>	Engineers / Surveyors/ Agents	DKT Associates
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Financing (include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legal Services	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

YES	NO	Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	

If yes, what is the name of the official or employee and what is the nature of the interest?



CERTIFICATION:
 I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

<i>Wendy Inzana Eddy Inzana</i>	Eddy and Wendy Inzana	10/3
APPLICANT'S SIGNATURE	PRINT NAME	DATE



OWNER

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Architect / Landscape Architect / Land Planner	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (If other than the Applicant) - identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (Identify purchaser(s) and purchaser's service providers)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Construction Contractors	TKD CONTRACTING
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Engineers / Surveyors/ Agents	DKT Associates
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Financing (Include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legal Services	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

YES NO

Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?

If yes, what is the name of the official or employee and what is the nature of the interest?



CERTIFICATION:

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

<i>Wendy Inzana Eddy Inzana</i>	Eddy and Wendy Inzana	10-3-18
PROPERTY OWNER'S SIGNATURE	PRINT NAME	DATE



Case # 2018-BZA-00072

Property Owner **Phillip and Verna Greene**

Representative **Eddy Bourdon, Sykes Bourdon Ahern & Levy**

Public Hearing **December 5, 2018**

Project: Proposed Attached Garage Addition, Existing Storage Shed

Variations Requested:

- 1. 30-foot front yard setback, instead of 50-feet as required.
- 2. 3.8-foot side yard setback, instead of 5-feet as required.

Staff Planner

Ernesto Moreno

Variance initiated by:

Applicant Inquiry

Location

3600 Holly Road

GPIN

2418-93-0749

Zoning District

R-20 Residential

Site Size

44,159 square feet

Year Constructed

1945

Previous Board Actions

None



Existing Site Conditions



Summary

Request:

The applicant submitted this request to allow for an attached garage to be located 30-feet from the front property line, instead of 50-feet as required; and to allow for a 96 square foot storage shed to be located 3.8-feet from the side property line, instead of five feet as required.

Background:

The parcel was created by plat in 1916 and city records show the existing single family home was constructed in 1945, prior to the adoption of the Zoning Ordinance. Even though the lot was created legally and house was constructed prior to the adoption of any zoning ordinance, it currently exceeds the lot size requirement by 24,154 square feet, and exceeds the lot width requirement by 36.08 feet. The existing single family home meets all the setback requirements.

A portion of the parcel also falls within the Resource Protection Area (RPA) of the Chesapeake Bay Preservation Act (CPBA). Consulting with City staff, only about 3,000 square feet of the southwest portion of the parcel falls within the RPA, which has development restrictions. The remaining 41,159 square feet of the parcel falls within the Resource Management Area (RMA) which does not restrict development. Due to the fact that a large portion of the parcel is not located within the RPA and that there is more than 50-feet between the house and the west side property line, staff feels the construction of an attached structure could be placed in a portion of the lot to meet the required setbacks.

Staff cannot determine when the shed was constructed since it did not require a building permit. Staff feels the shed can be brought into compliance with the setback requirements for the zoning district.



Variance Requests



	REQUIREMENT	REQUESETED
FRONT (NORTH)	50'	30'



	REQUIREMENT	REQUESETED
SIDE (WEST) ACC. STRUCTURE	5'	3.8'

Considerations

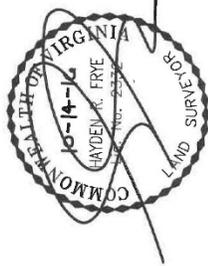
- Lot exceeds all dimensional requirements for this zoning district (lot size by more than double and lot width by almost 40-feet);
- Though a portion of the lot falls within the RPA, almost 95% of the lot falls within the RMA and does not have any development restrictions;
- Staff feels there is sufficient room on the lot to construct an attached garage without the need for a BZA variance;
- Staff feels the 96 square foot storage shed can be brought into the compliance with the required setbacks.

Recommended Conditions

1. All construction shall meet the setback for the zoning district.

THIS IS TO CERTIFY THAT ON SEPTEMBER 8, 2016 I SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THE TITLE LINES AND THE WALLS OF THE BUILDINGS AS SHOWN ON THIS PLAT. THE BUILDINGS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OR OTHER BUILDINGS EXCEPT AS SHOWN.

THE PROPERTY SHOWN HEREON APPEARS TO FALL INSIDE THE ZONE AND ON THE MAP PAGE SHOWN BELOW. REFERENCE: NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) FOR THE CITY OF VIRGINIA BEACH, VIRGINIA. (COMMUNITY #515331) MAP REVISED, JANUARY 16, 2015. ZONE: X AND ZONE: X (SHADDED), MAP PANEL 12A, SUFFIX G OF 300.



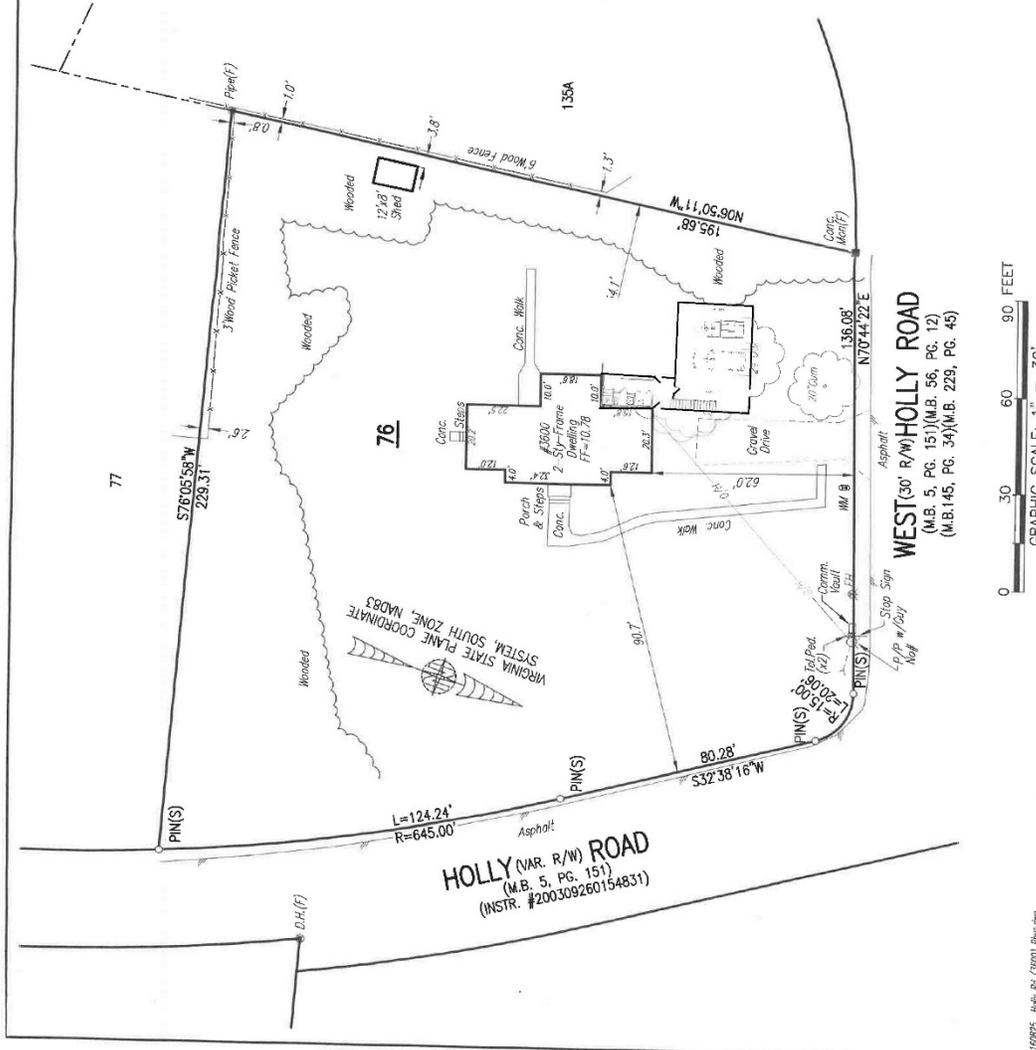
ZONING: R20 per GIS
GPIN: 2418-93-0749

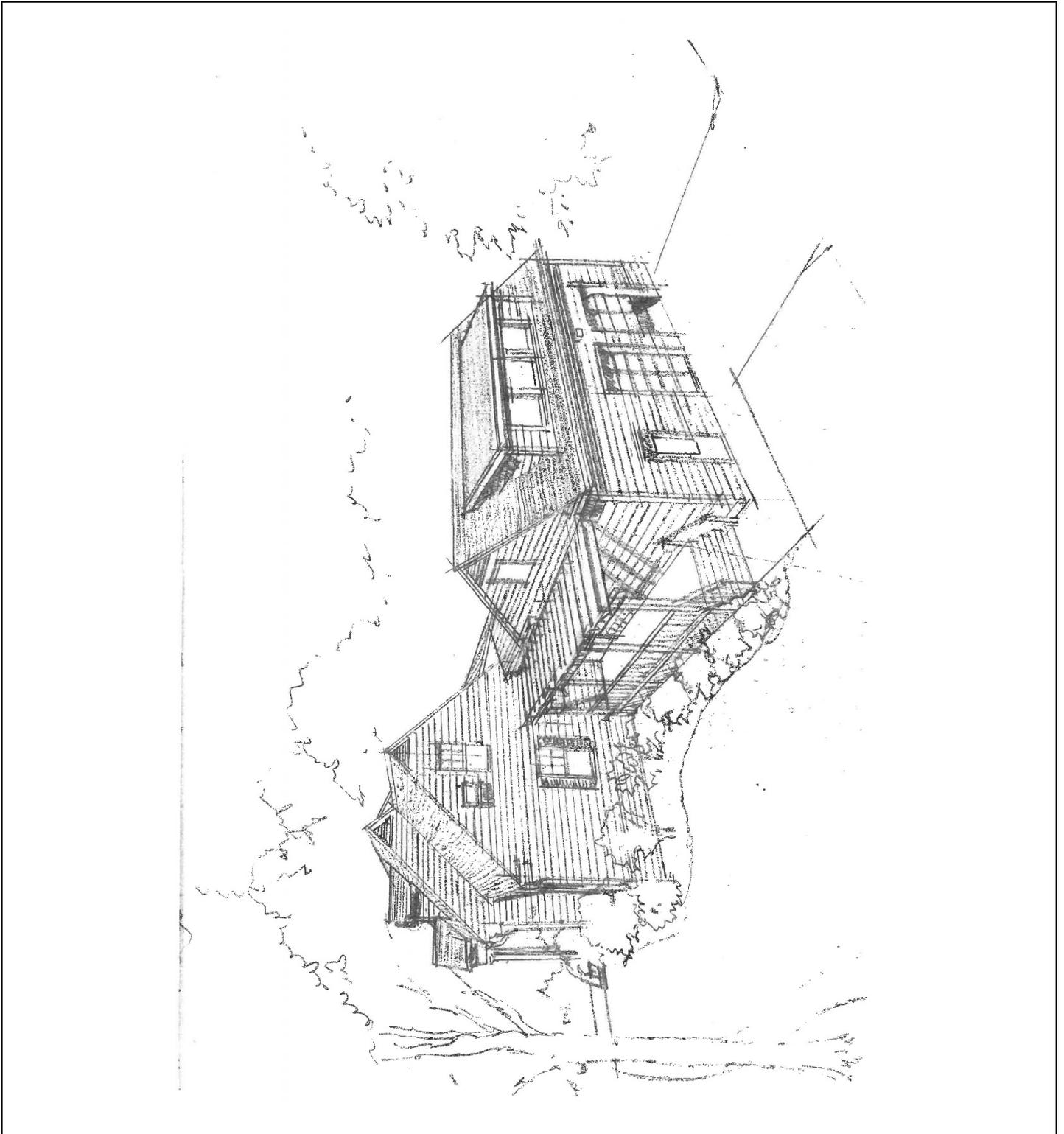


DATE: October 14, 2016
SCALE: 1" = 30'

PHYSICAL SURVEY

OF
#3600 HOLLY ROAD
LOT 76
MAP OF LINKHORN PARK
(M.B. 5, P. 151)
VIRGINIA BEACH, VIRGINIA
FOR
Verna Greene





Applicant Description

Description of Hardship

Please describe the hardship, how the ordinance prohibits or restricts use of the property, any unique topographic, size or shape features of the lot, why the proposal is in the character of the neighborhood, and how the request meets the spirit of the code section you wish to vary.

The existing home at 3600 Holly Road was built on this corner lot in 1948 and it was built facing Holly Road, from which it is setback 90 feet. There was no Zoning Ordinance when the home was constructed. Today the City considers the lot to front on West Holly Road which is the shorter of the two (2) street frontages. Vehicular access is more appropriate from West Holly which should be considered the side corner, for which the setback is 30 feet, which is the proposed setback. Holly Road by comparison is an extremely heavily traveled street from which a 50 foot or greater setback is far more appropriate than the 30 foot setback that is now applied. Switching the 50 foot and 30 foot setbacks to reflect the orientation of the existing home and the character of the two (2) streets is far more harmonious to the intent and purpose of the setbacks imposed on this lot many years after it was developed. Approval will not be detrimental to the character of the area.

H:\AM\BZA\Greene\3600 Holly Road\Hardship Statement.docx



APPLICANT'S NAME Phillip & Verna Greene

DISCLOSURE STATEMENT FORM

The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a board, commission, or other body appointed by the City Council. Such applications and matters include, but are not limited to, the following:

Acquisition of Property by City	Disposition of City Property	Modification of Conditions or Proffers
Alternative Compliance, Special Exception for	Economic Development Investment Program (EDIP)	Nonconforming Use Changes
Board of Zoning Appeals	Encroachment Request	Rezoning
Certificate of Appropriateness (Historic Review Board)	Floodplain Variance	Street Closure
Chesapeake Bay Preservation Area Board	Franchise Agreement	Subdivision Variance
Conditional Use Permit	Lease of City Property	Wetlands Board
	License Agreement	

The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law.

SECTION 1 / APPLICANT DISCLOSURE

FOR CITY USE ONLY / All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the application(s)

<input type="checkbox"/>	APPLICANT NOTIFIED OF HEARING	DATE:	
<input type="checkbox"/>	NO CHANGES AS OF	DATE:	
<input type="checkbox"/>	REVISIONS SUBMITTED	DATE:	



- Check here if the **APPLICANT IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.
- Check here if the **APPLICANT IS** a corporation, partnership, firm, business, or other unincorporated organization.

(A) List the Applicant's name: Phillip & Verna Greene
 If an LLC, list all member's names:

If a CORPORATION, list the the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsiary ¹ or affiliated business entity ² relationship with the Applicant: *(Attach list if necessary)*

See next page for information pertaining to footnotes ¹ and ²

SECTION 2 / PROPERTY OWNER DISCLOSURE

Complete Section 2 only if property owner is different from Applicant.

- Check here if the **PROPERTY OWNER IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.
- Check here if the **PROPERTY OWNER IS** a corporation, partnership, firm, business, or other unincorporated organization, **AND THEN**, complete the following.

(A) List the Property Owner's name: _____
 If an LLC, list the member's names:



If a Corporation, list the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsidary ¹ or affiliated business entity ² relationship with the Property Owner: *(Attach list if necessary)*

¹ "Parent-subsidary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsidary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101

SECTION 3. SERVICES DISCLOSURE

Are any of the following services being provided in connection with the subject of the application or any business operating or to be operated on the Property. If the answer to any item is YES, please identify the firm or individual providing the service: IF THE OWNER AND APPLICANT ARE DIFFERENT, EACH MUST COMPLETE THE SECTION SEPERATELY



APPLICANT

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Architect / Landscape Architect / Land Planner	William Greaves, AIA
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (if other than the Applicant) - Identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (Identify purchaser(s) and purchaser's service providers)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Construction Contractors	Dennis Florence
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Engineers / Surveyors/ Agents	Hayden Frye & Associates
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Financing (include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	Wells Fargo
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Legal Services	Sykes, Bourdon, Ahern & Levy, P.C.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

YES NO Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?

If yes, what is the name of the official or employee and what is the nature of the interest?



CERTIFICATION:
 I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

	Phillip Greene	9-21-18
APPLICANT'S SIGNATURE	PRINT NAME	DATE
	Verna Greene	9-21-18



Case # 2018-BZA-00073

Property Owner **John Barrett**
Representative **Self Represented**
Public Hearing **December 5, 2018**

Project: Proposed Room Addition, Existing Storage Shed

Variations Requested:

- 1. 15-foot rear yard setback, instead of 20-feet as required
- 2. 2.5 foot rear yard setback, instead of 5-feet as required

Staff Planner

Ernesto Moreno

Variance initiated by:

Applicant Inquiry

Location

420 Beverly Place

GPIN

1487-86-9580

Zoning District

R-7.5 Residential

Site Size

7,592 square feet

Year Constructed

1976



Existing Site Conditions



Summary

Proposal:

The applicant submitted this request to allow for an addition (sunroom) to be located 15-feet from the rear property line, instead of 20-feet as required; and to allow for an existing storage shed to be located 2.5-feet from the rear property line, instead of 5-feet as required.

Background:

The parcel was created by plat in 1972 and city records indicate the existing single family home was constructed in 1976. Today the parcel is zoned Residential R-7.5 and the lot meets all of the dimensional requirements (lot size is 7,592 square feet and lot width is 75-feet). The house currently encroaches into the rear yard setback by two feet, all other setbacks are met.

When the house was constructed, the parcel was zoned Residential R-6 and had a rear yard setback of 10-feet. Through the adoption of the new city zoning ordinance (CZO) in 1988, the rear yard setback changed from 10-feet to 20-feet, making the existing structure non-conforming on the rear yard setback. The proposed addition will extend past the current encroachment by three feet.

The city does not have records as to when the current storage shed was constructed as it does not meet the requirements for permitting within the City of Virginia Beach. Since the shed is less than 150 square feet and less than eight feet in height from the ground to the eave, the rear yard setback is five feet. The shed is currently 2.5-feet from the rear yard setback.



Variance Requests



	REQUIREMENT	REQUESETED
Variance 1	20'	15'



	REQUIREMENT	REQUESETED
Variance 2	5'	2.5'

Considerations

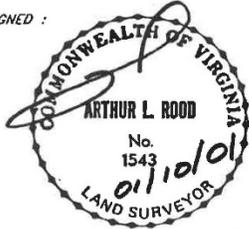
- The lot meets all dimensional requirements for the zoning district;
- The structure encroaches into the rear yard by two feet because, at the time of construction, the rear yard setback was 10-feet;
- Through the adoption of the CZO in 1988, the rear yard setback increased from 10-feet to 20-feet, making the current structure non-conforming on the rear yard setback;
- The proposed addition will encroach into the rear yard setback by an additional three feet.

Recommended Conditions

1. The improvements shall be constructed in substantial conformity to the location and dimensions identified on the submitted site plan entitled "PHYSICAL SURVEY OF LOT 133, GROVELAND PARK, SECTION TWO VIRGINIA BEACH, VIRGINIA FOR JOHN MICHAEL BARRETT & ROSANN BARRETT;"
2. The improvements shall be constructed in substantial conformity to the elevation and construction plans entitled "BARRETT ADDITION 420 BEVERLY PLACE;"
3. The proposed addition shall match the principal structure in both building material and color;
4. The existing 83 square foot storage shed shall be brought into compliance with the setback requirements of the zoning district.

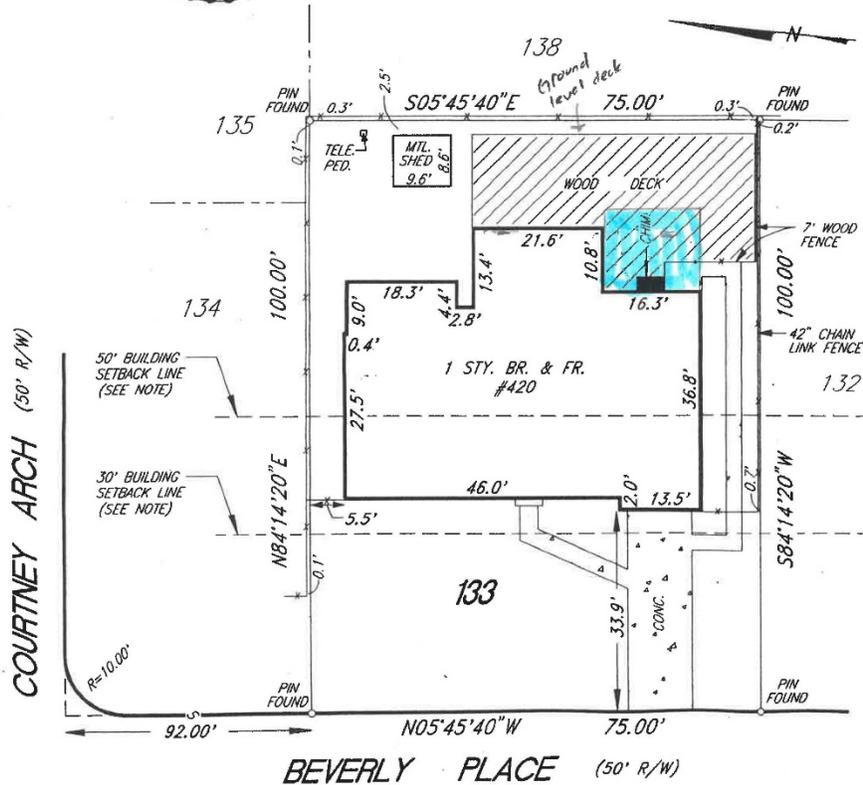
THIS IS TO CERTIFY THAT I ON JANUARY 10, 2001 SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDINGS ARE SHOWN ON THIS PLAT. THE BUILDINGS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OF OTHER BUILDINGS ON THE PROPERTY EXCEPT AS SHOWN.

SIGNED :



NOTES:

1. A FIVE-FOOT EASEMENT (UNLESS GREATER WIDTH IS NOTED) ALONG AND ADJACENT TO ALL SIDE AND REAR LINES OF ALL LOTS WITHIN THIS SUBDIVISION HAS BEEN DEDICATED TO THE CITY OF VIRGINIA BEACH, VA FOR THE INSTALLATION AND/OR MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES.
2. THE RECORDED PLAT SHOWS A 50' BUILDING LINE FOR THIS LOT, HOWEVER THE BUILDING LINE SCALES 30' ON THE RECORDED PLAT.



NOTE:
ALL FENCES SHOWN ARE
6" WOOD UNLESS NOTED.

PHYSICAL SURVEY
OF
LOT 133, GROVELAND PARK, SECTION TWO
VIRGINIA BEACH, VIRGINIA
FOR
JOHN MICHAEL BARRETT & ROSANN BARRETT

NOTES :

- 1) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ANY / ALL EASEMENTS OR RESTRICTIONS THAT MAY AFFECT SAID PROPERTY AS SHOWN.
- 2) LEE S. ROOD, P.C. IS NOT A PARTY IN DETERMINING THE REQUIREMENTS FOR FLOOD INSURANCE ON THE PROPERTY SHOWN HEREON. THIS SURVEY DOES NOT IMPLY THAT THIS PROPERTY WILL OR WILL NOT BE SUBJECT TO FLOODING. FOR FURTHER INFORMATION, CONTACT THE LOCAL COMMUNITY FLOOD OFFICIAL.
- 3) ELEVATIONS SHOWN HEREON REFER TO N.G.V.D. OF 1929.

LEE S. ROOD, P.C.
Land Surveyors

5737 BARTEE STREET
NORFOLK, VIRGINIA 23502
Ph. (757) 466-1111

NOTE:

AS SHOWN ON THE FLOOD INSURANCE RATE MAP, THIS PROPERTY APPEARS TO FALL IN :

FLOOD ZONE (S) "X"
COMMUNITY NO. 515531
PANEL NO. 21E DATED: 12/5/96
BASE FLOOD ELEVATION = N/A

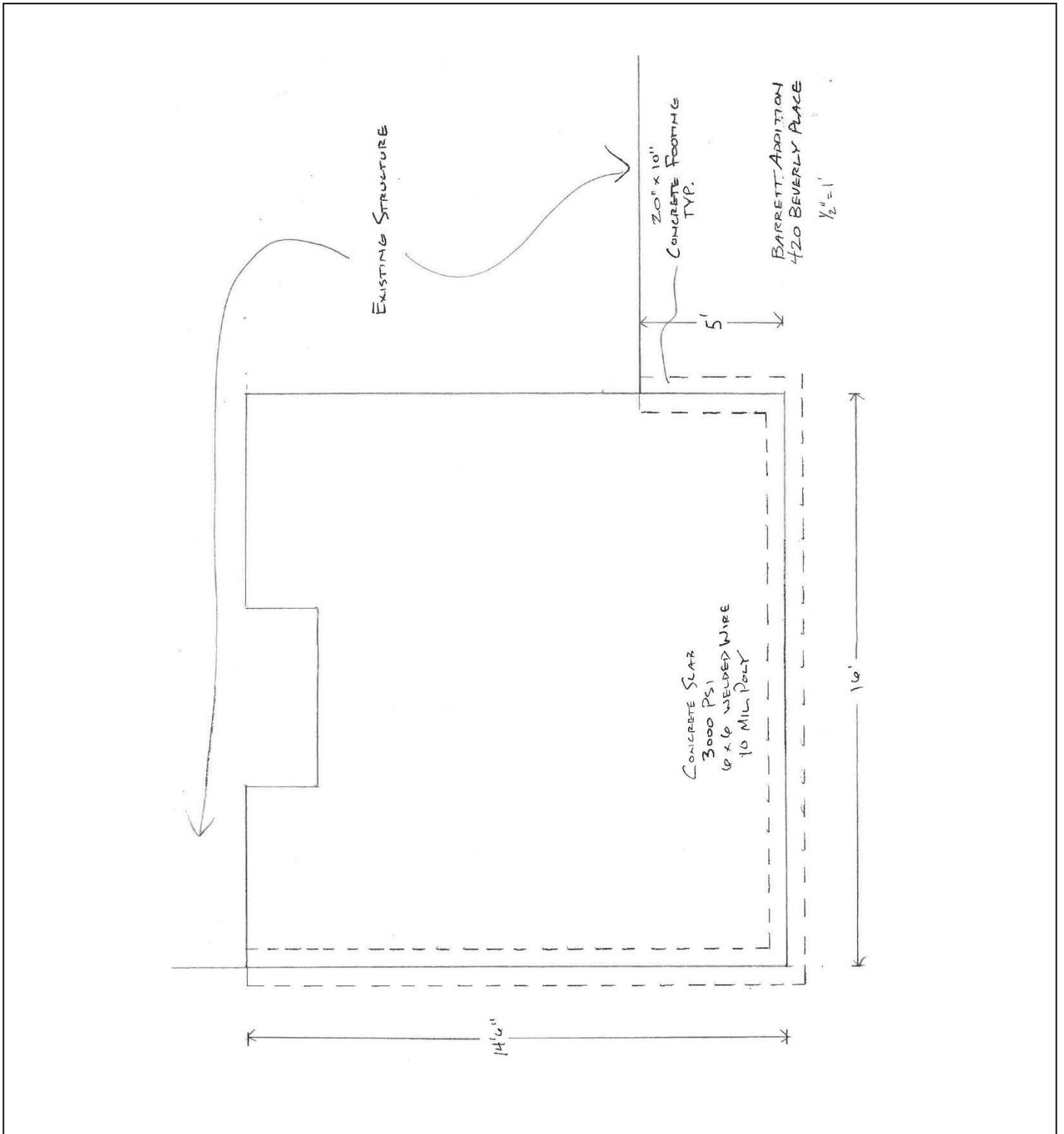
SCALE: 1"=20'

DATE: 01/10/01

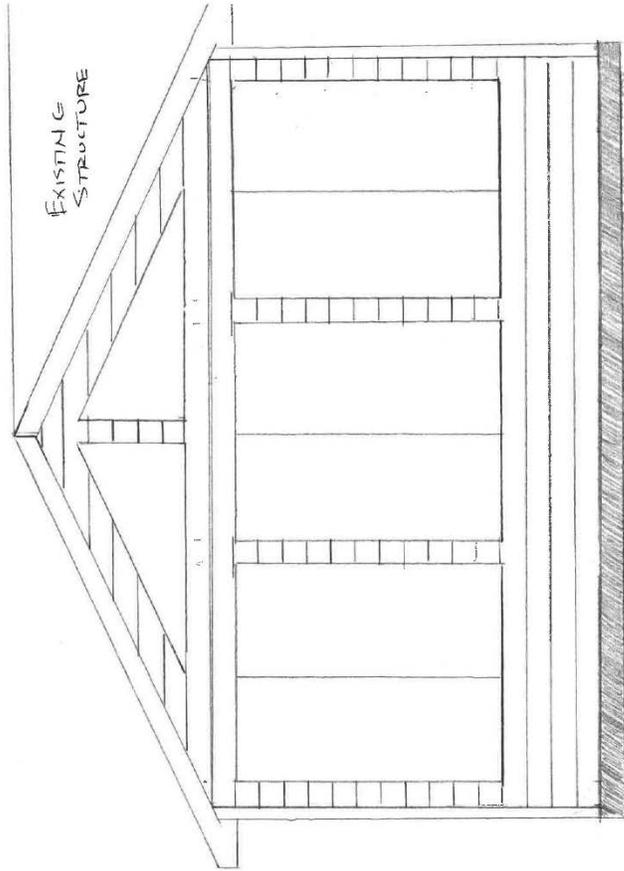
REFERENCE: VA. BEACH M.B.92, PG.41

F.B. 469 Pg. 17

Concrete Plan



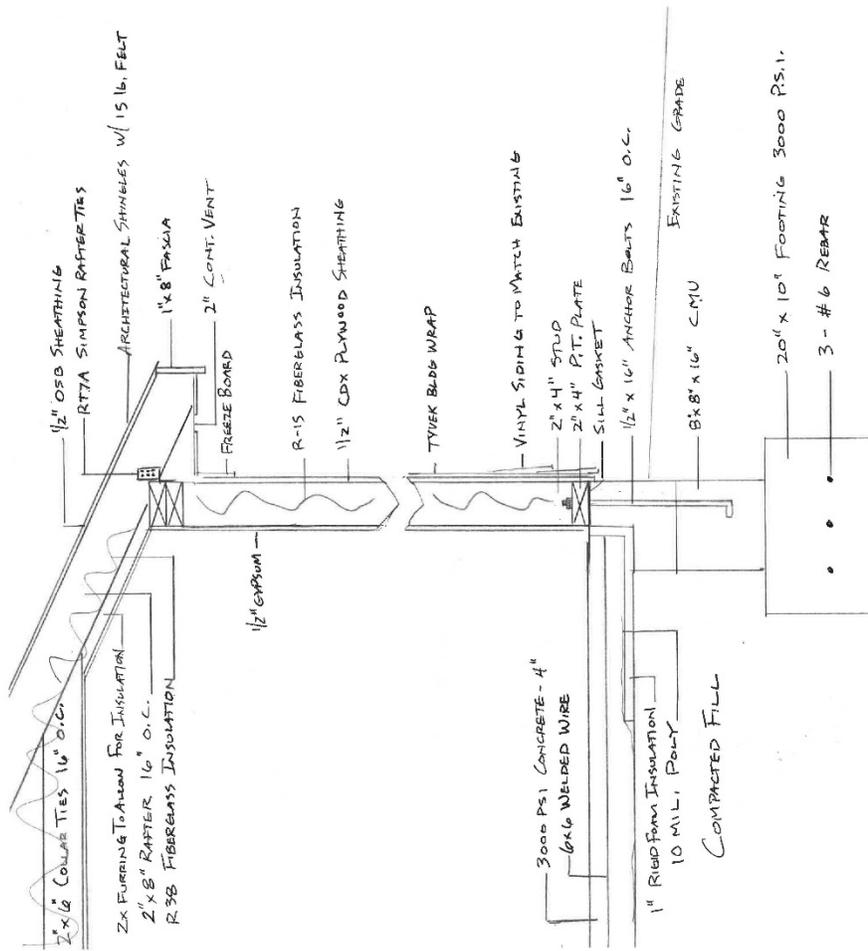
Elevation



BARRETT ADDITION
420 BEDFORD PLACE

$\frac{1}{2}'' = 1'$

Construction Plan



BARRETT ADDITION
420 SEVERLY PLACE

Applicant Description



Criteria for Variance Approval

Section 15.2-2309 of the Code of Virginia states that the Board of Zoning Appeals shall not approve a variance unless it finds:

- a. That the strict application of the ordinance would produce an undue hardship.
- b. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
- c. That the authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of this variance.
- d. That the granting of the variance is in harmony with the intended spirit and purpose of the ordinance.

Description of Hardship (attach additional sheets if necessary)

Please describe the hardship, how the ordinance prohibits or restricts use of the property, any unique topographic, size or shape features of the lot, why the proposal is in the character of the neighborhood, and how the request meets the spirit of the code section you wish to vary.

Description of Variance Request (attach additional sheets if necessary)

TO 15 FOOT REAR SETBACK IN LIEU OF EXISTING
20 FOOT REAR SETBACK

VARIANCE TO 2.5 FT TO REAR YARD SETBACK
FOR ACCESSORY STRUCTURE LESS THAN 150 SF.

Description of the Project and Proposed Improvements (attach additional sheets if necessary)

ATTACHED ENCLOSED WOOD FRAME SUN ROOM.

I/WE CERTIFY THAT THE INFORMATION ABOVE IS TRUE AND CORRECT.

John M. Barrett *Rosanna Barrett*
 Signature of Property Owner or Representative Signature of Condo/co-owner



APPLICANT'S NAME _____

DISCLOSURE STATEMENT FORM

The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a board, commission, or other body appointed by the City Council. Such applications and matters include, but are not limited to, the following:

Acquisition of Property by City	Disposition of City Property	Modification of Conditions or Proffers
Alternative Compliance, Special Exception for	Economic Development Investment Program (EDIP)	Nonconforming Use Changes
Board of Zoning Appeals	Encroachment Request	Rezoning
Certificate of Appropriateness (Historic Review Board)	Floodplain Variance	Street Closure
Chesapeake Bay Preservation Area Board	Franchise Agreement	Subdivision Variance
Conditional Use Permit	Lease of City Property	Wetlands Board
	License Agreement	

The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law.

SECTION 1 / APPLICANT DISCLOSURE

FOR CITY USE ONLY / All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the application(s).

<input type="checkbox"/>	APPLICANT NOTIFIED OF HEARING	DATE:	
<input type="checkbox"/>	NO CHANGES AS OF	DATE:	
<input type="checkbox"/>	REVISIONS SUBMITTED	DATE:	



Check here if the **APPLICANT IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.

Check here if the **APPLICANT IS** a corporation, partnership, firm, business, or other unincorporated organization.

(A) List the Applicant's name: _____
If an LLC, list all member's names:

If a CORPORATION, list the the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsidary ¹ or affiliated business entity ² relationship with the Applicant: *(Attach list if necessary)*

See next page for Information pertaining to footnotes¹ and ²

SECTION 2 / PROPERTY OWNER DISCLOSURE

Complete Section 2 only if property owner is different from Applicant.

Check here if the **PROPERTY OWNER IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.

Check here if the **PROPERTY OWNER IS** a corporation, partnership, firm, business, or other unincorporated organization, **AND THEN**, complete the following.

(A) List the Property Owner's name: _____
If an LLC, list the member's names:



If a Corporation, list the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsiary ¹ or affillated business entity ² relationship with the Property Owner: *(Attach list if necessary)*

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

² "Affillated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affillated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

SECTION 3. SERVICES DISCLOSURE

Are any of the following services being provided in connection with the subject of the application or any business operating or to be operated on the Property. If the answer to any item is YES, please identify the firm or individual providing the service: IF THE OWNER AND APPLICANT ARE DIFFERENT, EACH MUST COMPLETE THE SECTION SEPERATELY



APPLICANT

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Architect / Landscape Architect / Land Planner	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (if other than the Applicant) - Identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (identify purchaser(s) and purchaser's service providers)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Construction Contractors	MILLENNIUM PROPERTIES AND CONSTRUCTION, LLC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Engineers / Surveyors/ Agents	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Financing (Include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	WELLS FARGO HELOC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legal Services	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

YES	NO	Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	

If yes, what is the name of the official or employee and what is the nature of the interest?



CERTIFICATION:
 I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

<i>John M. Barrett</i>	JOHN M. BARRETT	9/26/18
APPLICANT'S SIGNATURE	PRINT NAME	DATE
<i>Rosann Barrett</i>	ROSANN BARRETT	9/26/18

Project: Proposed Carport Addition, Existing Storage Shed

Variations Requested:

1. 18.89-foot front yard setback, instead of 20-feet as required; and to a 5.10-foot east side yard setback, instead of 8-feet as required (carport)
2. 0-foot rear yard setback, instead of 5-feet as required (shed)

Staff Planner

Chris Langaster

Variance initiated by:

Applicant Inquiry

Location

316 51st Street

GPIN

2418-78-4559

Zoning District

R-5R Residential

Site Size

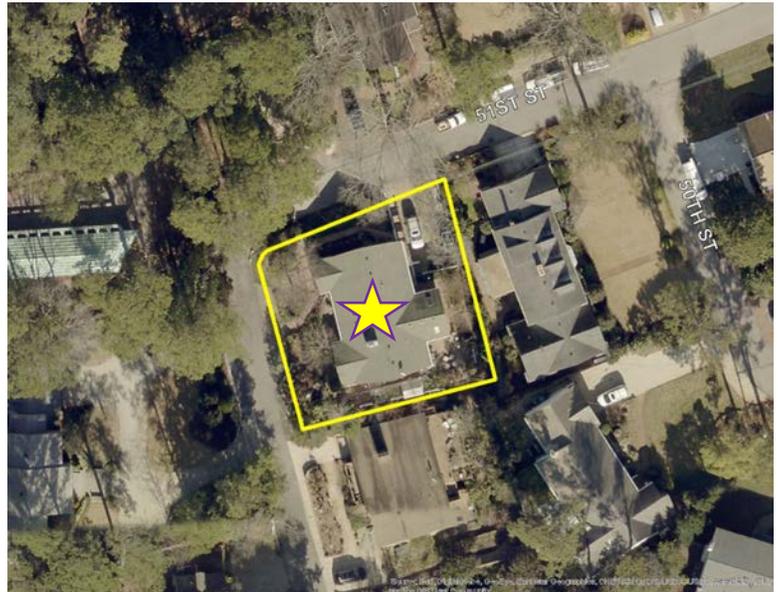
9,463.42 square feet

Year Constructed

1957

Board of Zoning Appeals Actions

On December 12, 1988 a variance to a 16-foot front yard setback instead of 20-feet and to a 5-foot east side instead of 8-foot for a residential addition was approved



Existing Site Conditions



Summary

Proposal:

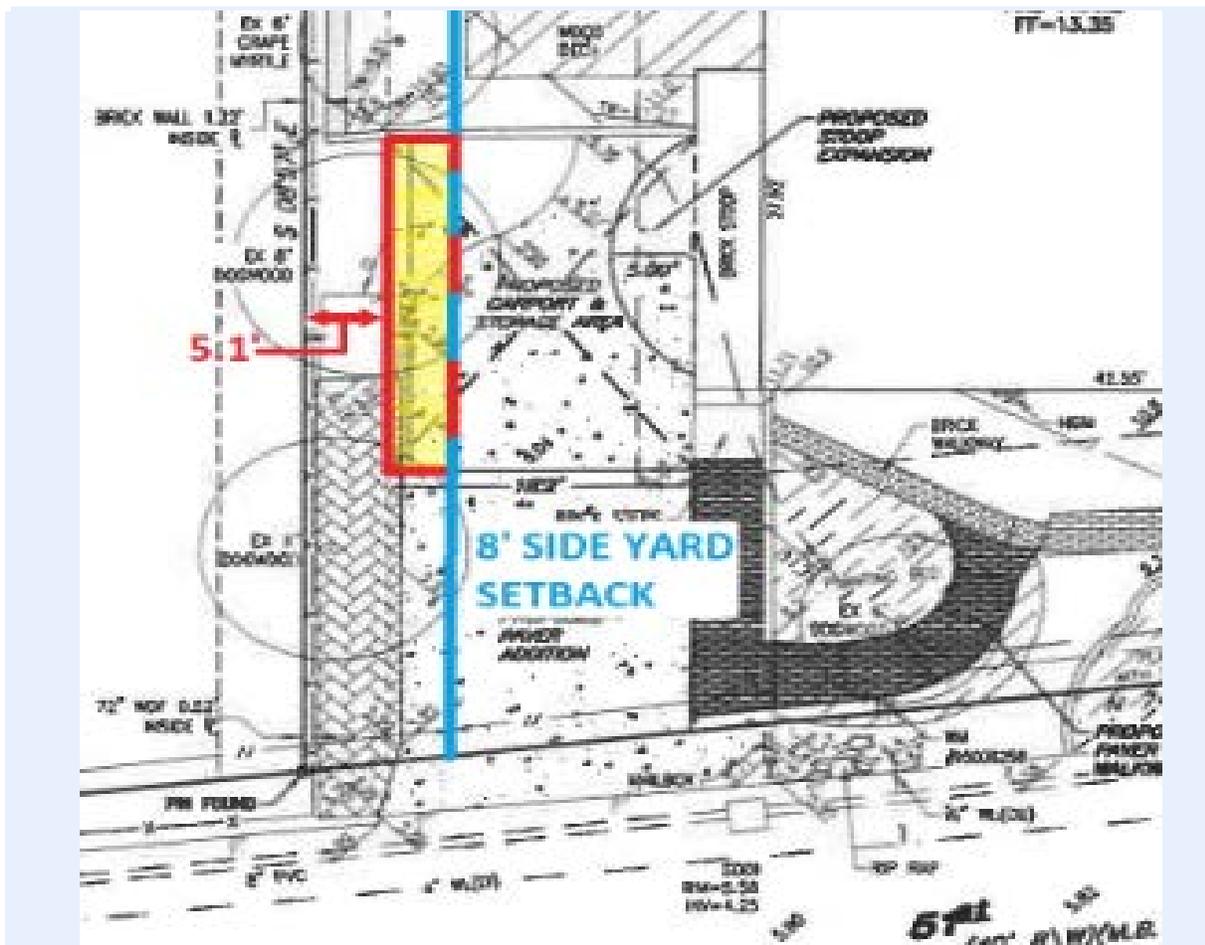
The applicant is proposing to construct a 18.2' by 24' carport addition 18.89-foot from the front property line (51th Street), instead of 20-feet as required and to a 5.10-foot east side setback instead of 8-feet as required. In addition, the applicant is seeking a variance to zero rear yard setback; instead of 5-feet as required for an existing shed. The proposed carport will be constructed above an existing driveway directly adjacent to the northeast corner of the dwelling.

This corner lot fronts 51th Street and a 20-foot private lane. Staff has determined 51st Street as the front of the lot; therefore, where the lot abuts the 20-foot private lane is considered the side corner. As mentioned above, variances are sought from both the front and east side yard setbacks.

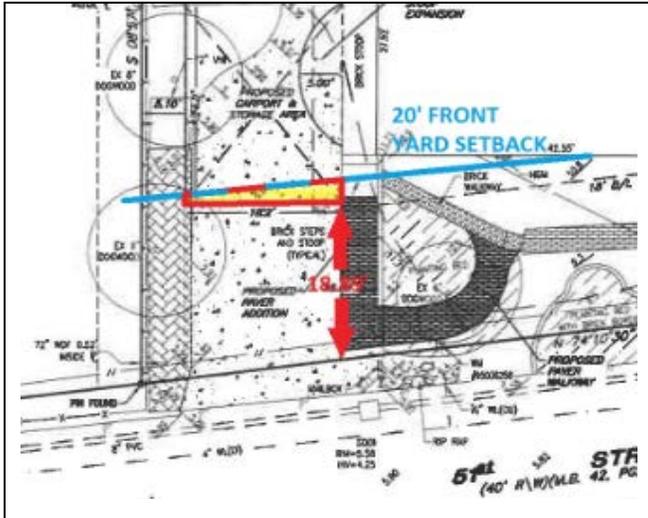
It appears with some minor alterations to the proposed carport could accommodate the front yard setback as well as increase the side yard setback. Considering this option; staff was unable to identify a hardship on this lot to support this request. If approved, this request is expected to encourage others to seek setback variance requests similar in nature without demonstrating a legitimate hardship.

Permits Required / Obtained:

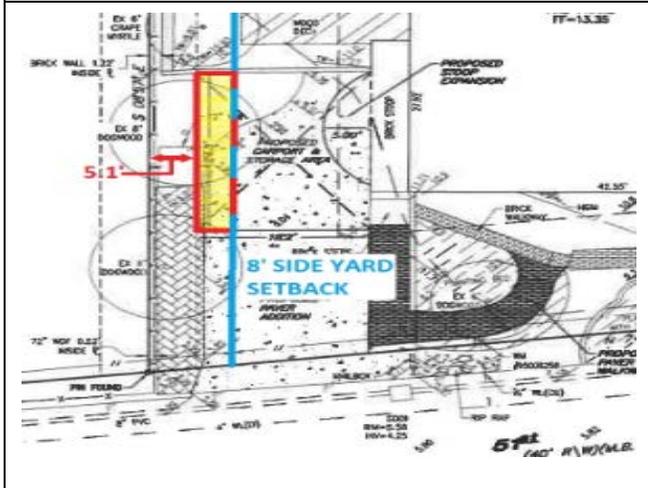
Permits will be required by the Development Services Center and the Permits and Inspections Division.



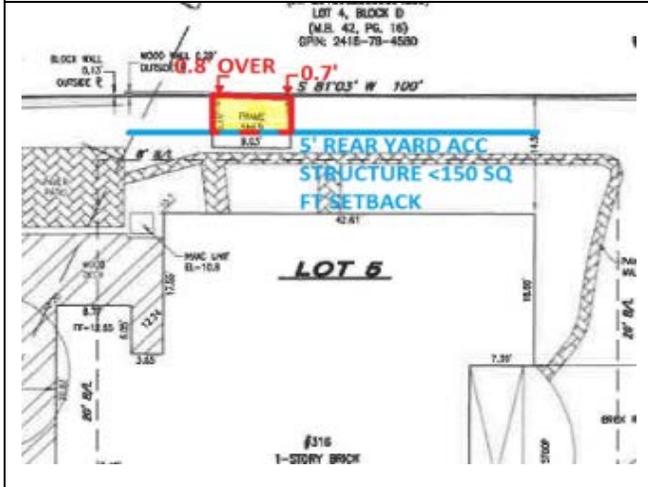
Variance Requests



	REQUIREMENT	REQUESTED
Variance 1	20'	18.89'



	REQUIREMENT	REQUESTED
Variance 2	8'	5.10'



	REQUIREMENT	REQUESTED
Variance 3	5'	0'

Considerations

- This lot meets the minimum lot dimensional for this zoning district for single-family development;
- Staff was unable to identify a hardship on this lot to support this request;
- The existing storage shed is encroaching on the rear yard setback;
- It appears with a slight adjustment the proposed carport could meet the front yard setback.

Recommended Conditions

If approved, the following conditions are recommend:

1. The proposed carport shall be constructed in substantial adherence to the submitted site plan and building elevations.
2. The carport shall remain unenclosed.
3. The existing shed located along the south side property line shall be removed or relocated in compliance with the required setbacks.

Applicant's Hardship Statement



Criteria for Variance Approval

Section 15.2-2309 of the Code of Virginia states that the Board of Zoning Appeals shall not approve a variance unless it finds:

- a. That the strict application of the ordinance would produce an undue hardship.
- b. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
- c. That the authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of this variance.
- d. That the granting of the variance is in harmony with the intended spirit and purpose of the ordinance.

Description of Hardship *(attach additional sheets if necessary)*

Please describe the hardship, how the ordinance prohibits or restricts use of the property, any unique topographic, size or shape features of the lot, why the proposal is in the character of the neighborhood, and how the request meets the spirit of the code section you wish to vary.

The existing site is a corner lot situated with 51st Street to the north and a 20' private lane to the west. The public street frontage is on 51st Street which would allow for a 5' setback on the east side, however since there is a 20' Lane on the west, the city ordinance requires that the 20' Lane be the front and 51st Street is a side yard adjacent to a street so the eastern (rear) setback is 20'. This burden the property with additional setbacks not typically required for a lot not located on a corner. There was a 1988 variance (which allowed a 5' east side variance) however it appears that the file has been destroyed and cannot find any record of the request

Description of Variance Request *(attach additional sheets if necessary)*

We would like to seek a variance of 14.9' to 5.1' in lieu of the required 20' setback.

Description of the Project and Proposed Improvements *(attach additional sheets if necessary)*

The property is occupied by a 1-story single family dwelling with associated improvements. The existing storage shed, stoop steps and portions of the existing planting beds and retaining wall will be demolished and replaced with a paver walkway, carport and stoop expansion.

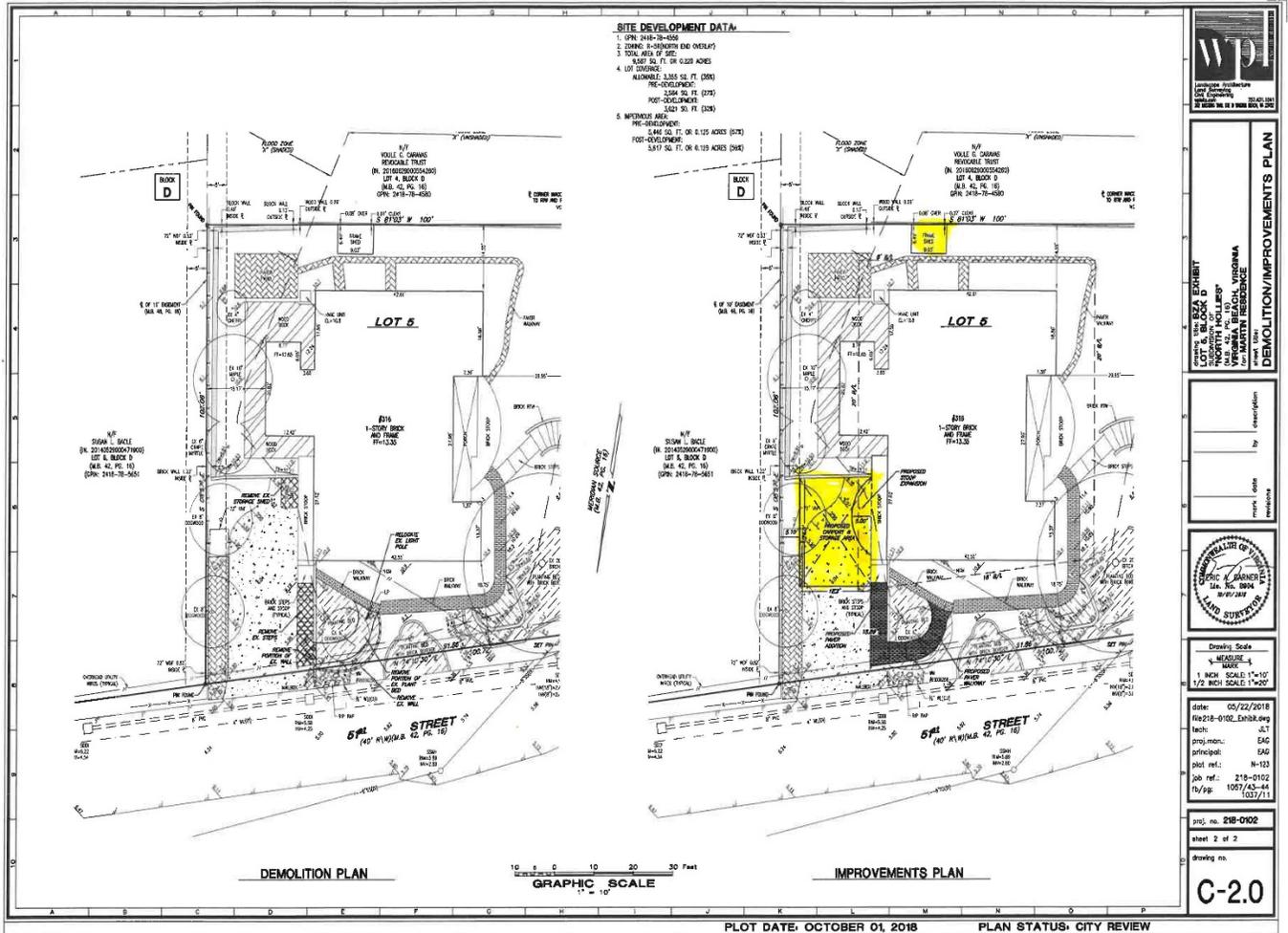
I/WE CERTIFY THAT THE INFORMATION ABOVE IS TRUE AND CORRECT.


Signature of Property Owner or Representative

Signature of Condo/co-owner

4/18/2020

Proposed Site Plan



WDP
 Landscape Architecture
 10700 W. 11th Street, Suite 100
 Overland Park, KS 66211

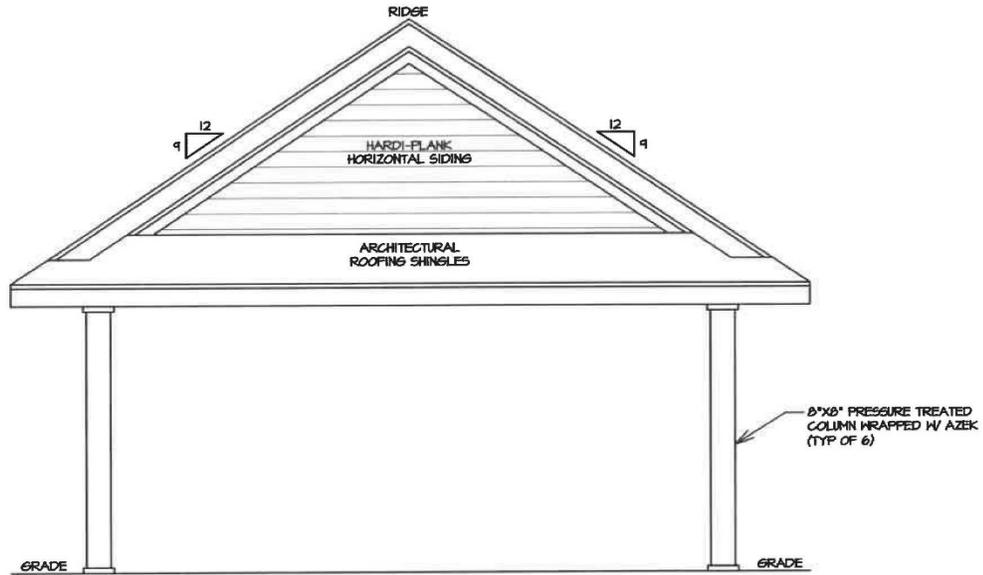
DEMOLITION/IMPROVEMENTS PLAN

LOT 6, BLOCK D, SUBDIVISION 1, NORTH 47th STREET, WALKER, VIRGINIA, FOR MARTIN RESIDENCE

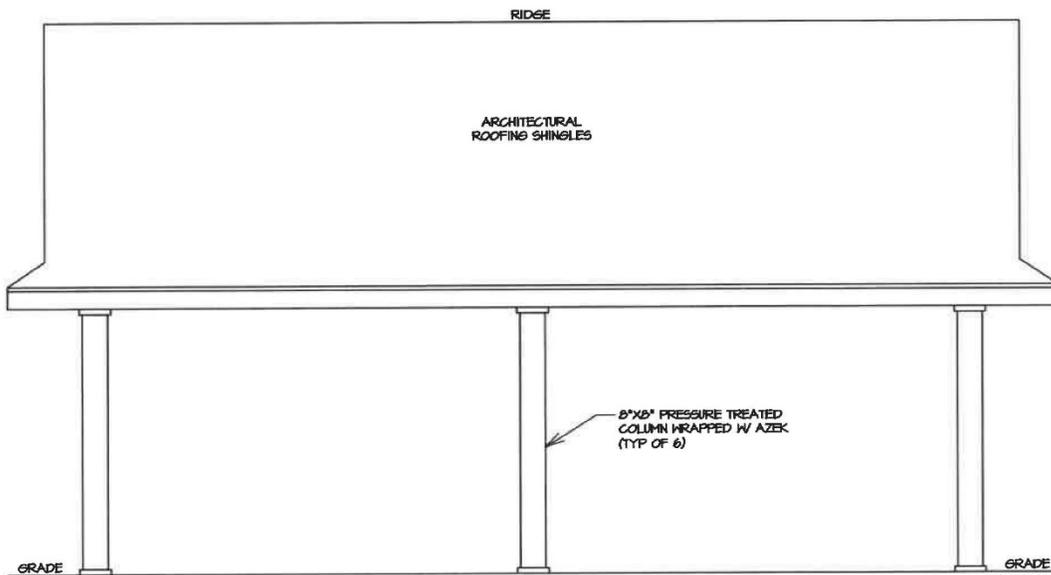
DATE: 05/22/2018
 FILE: 218-0102_Enbld-01.dwg
 TECH: JLT
 PROJ. MGR.: EAG
 PRINCIPAL: SAG
 DIST. NO.: 88-123
 JOB REF.: 218-0102
 TB/SF: 1057/43-44
 1027/711

proj. no. 218-0102
 sheet 2 of 2
 drawing no. **C-2.0**

Proposed Building Elevation



FRONT/REAR ELEVATION
SCALE: 3/8" = 1'-0"



SIDE ELEVATION
SCALE: 3/8" = 1'-0"



APPLICANT'S NAME _____

DISCLOSURE STATEMENT FORM

The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a board, commission, or other body appointed by the City Council. Such applications and matters include, but are not limited to, the following:

Acquisition of Property by City	Disposition of City Property	Modification of Conditions or Proffers
Alternative Compliance, Special Exception for	Economic Development Investment Program (EDIP)	Nonconforming Use Changes
Board of Zoning Appeals	Encroachment Request	Rezoning
Certificate of Appropriateness (Historic Review Board)	Floodplain Variance	Street Closure
Chesapeake Bay Preservation Area Board	Franchise Agreement	Subdivision Variance
Conditional Use Permit	Lease of City Property	Wetlands Board
	License Agreement	

The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law.

SECTION 1 / APPLICANT DISCLOSURE

<small>FOR CITY USE ONLY / All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the application(s).</small>		
<input type="checkbox"/>	APPLICANT NOTIFIED OF HEARING	DATE: _____
<input type="checkbox"/>	NO CHANGES AS OF	DATE: _____
<input type="checkbox"/>	REVISIONS SUBMITTED	DATE: _____



- Check here if the **APPLICANT IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.
- Check here if the **APPLICANT IS** a corporation, partnership, firm, business, or other unincorporated organization.

(A) List the Applicant's name: Susan & William Martin
 If an LLC, list all member's names:

If a CORPORATION, list the the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsiary ¹ or affiliated business entity ² relationship with the Applicant: *(Attach list if necessary)*

See next page for information pertaining to footnotes¹ and ²

SECTION 2 / PROPERTY OWNER DISCLOSURE

Complete Section 2 only if property owner is different from Applicant.

- Check here if the **PROPERTY OWNER IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.
- Check here if the **PROPERTY OWNER IS** a corporation, partnership, firm, business, or other unincorporated organization, **AND THEN** complete the following.

(A) List the Property Owner's name: Susan & William Martin
 If an LLC, list the member's names:



If a Corporation, list the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsiary ¹ or affiliated business entity ² relationship with the Property Owner: *(Attach list if necessary)*

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

SECTION 3. SERVICES DISCLOSURE

Are any of the following services being provided in connection with the subject of the application or any business operating or to be operated on the Property. If the answer to any item is YES, please identify the firm or individual providing the service: IF THE OWNER AND APPLICANT ARE DIFFERENT, EACH MUST COMPLETE THE SECTION SEPERATELY



APPLICANT

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Architect / Landscape Architect / Land Planner	TWD Homes
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (if other than the Applicant) - Identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (identify purchaser(s) and purchaser's service providers)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Construction Contractors	TWD Homes
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Engineers / Surveyors/ Agents	WPL
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Financing (Include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Legal Services	GPC, Inc. Billy Garrington
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

YES	NO	Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?
<input type="checkbox"/>	<input type="checkbox"/>	

If yes, what is the name of the official or employee and what is the nature of the interest?



CERTIFICATION:
 I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

<i>Susan E Martin</i>	Susan Martin	09/28/2018
APPLICANT'S SIGNATURE	PRINT NAME	DATE



OWNER

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Architect / Landscape Architect / Land Planner	TWD Homes
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (if other than the Applicant) - identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (identify purchaser(s) and purchaser's service providers)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Construction Contractors	TWD Homes
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Engineers / Surveyors/ Agents	WPL
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Financing (include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Legal Services	GPC, Inc Billy Garrington
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

YES	NO	Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?
<input type="checkbox"/>	<input type="checkbox"/>	

If yes, what is the name of the official or employee and what is the nature of the interest?



CERTIFICATION:

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

<i>Susan E. Martin</i>	Susan Martin	09/28/2018
PROPERTY OWNER'S SIGNATURE	PRINT NAME	DATE

Project: Proposed Sunroom Addition, Proposed Storage Shed

Variations Requested:

1. 20.37 rear yard setback from the property line adjacent to Currituck Drive. (Addition)
2. 7 foot rear yard setback from the property line adjacent to Currituck Drive. (Shed)

Staff Planner

Ernesto Moreno

Variance initiated by:

Applicant Inquiry

Location

3177 Amador Drive

GPIN

1493-16-8863

Zoning District

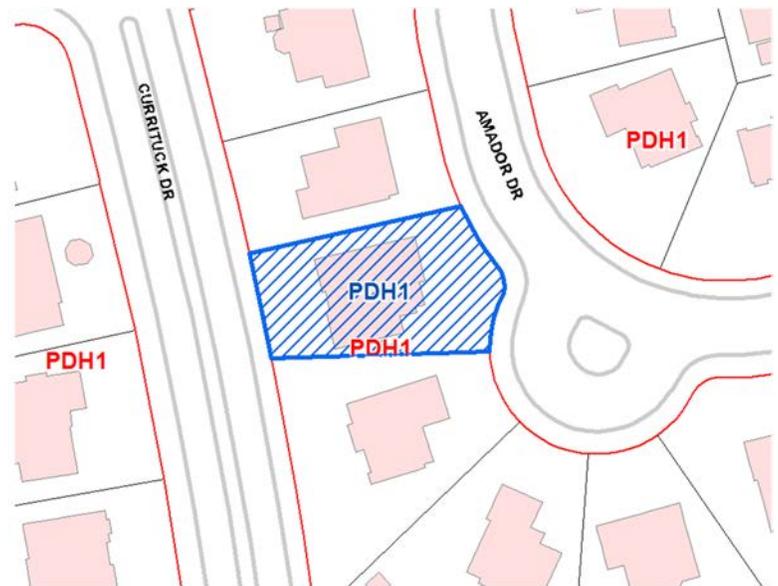
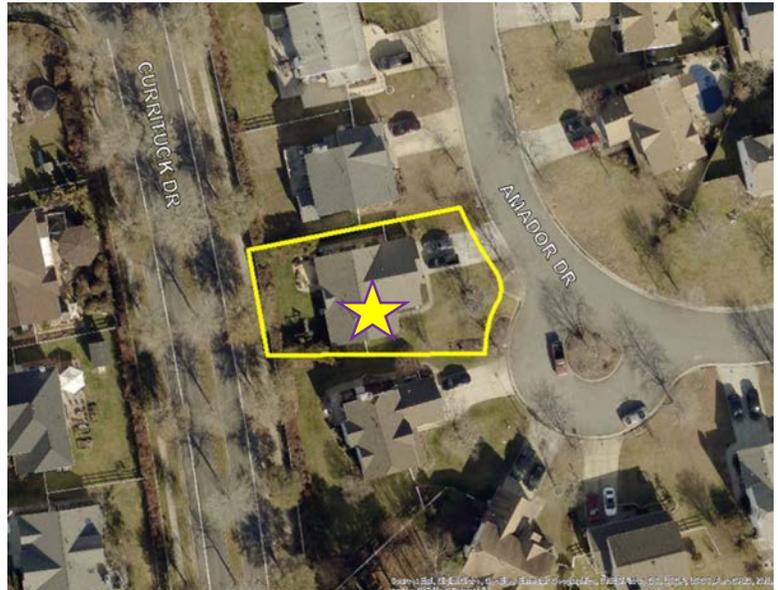
PD-H1 Planned Unit Development

Site Size

7,824 square feet

Year Constructed

1996



Existing Site Conditions



Summary

Request:

The applicant submitted this request to allow for an addition (sunroom) to be located 20.37-feet from rear (through lot) property line, instead of 30-feet as required; and to allow for an existing storage shed to be located seven feet from the rear (through lot) property line, instead of 30-feet as required.

Background:

The parcel was created by plat in 1995 and city records indicate the existing single family home was constructed in 1996. The parcel falls within the Courthouse Estates Planned Unit Development (PDH-1) that was approved by city council in 1993. Within a PDH-1, there are no lot size requirements, nor is there an underlying zoning district to reference back to for lot size requirements; the lots are simply what is approved by city council. Because of these facts, there is no non-conforming within PDH-1's.

The existing structure meets all setback requirements. There are no city records showing when the shed was constructed as the shed does not meet the permitting requirements within the City of Virginia Beach.

This lot is not unique in the physical layout as it was approved as a part of a PDH and all lots along Currituck Drive experience the same situation. Staff feels this could set an unwanted precedent for future applications if this application is approved.



Variance Requests



	REQUIREMENT	REQUESETED
Variance 1	30'	20'



	REQUIREMENT	REQUESETED
Variance 2	30'	7'

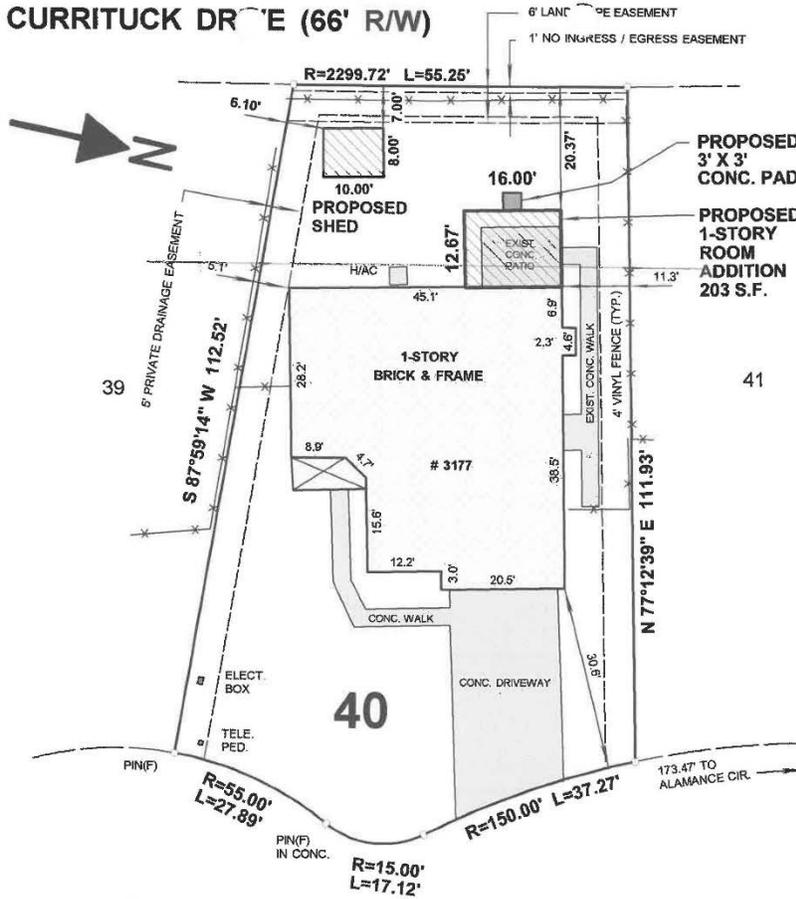
Considerations

- The parcel is zoned PDH-1 which has no lot size requirements;
- Situation is not unique due to lots being approved through the adoption of the PDH;
- The existing shed did not require a permit to be built due to the size;
- Staff feels approval could create an undesired precedent.

Recommended Conditions

1. All additions shall meet zoning requirements for the zoning district.
2. The shed shall be moved to meet the setbacks for the zoning district.

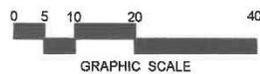
CURRITUCK DR 'E (66' R/W)



AMADOR DRIVE (50' R/W)

EXHIBIT
FOR ROOM ADDITION
LOT 41
COURTHOUSE ESTATES
PHASE 2, SECTION H-2
3177 AMADOR DRIVE
VIRGINIA BEACH, VIRGINIA

In Association With:
J.M. Daughtry
Construction Layout
(757) 406-7744



REVISED 8-28-18: ADDED CONC. PAD

DATE OF SURVEY: 8-23-2018 DATE DRAWN: 8-27-2018

THE PROPERTY APPEARS TO FALL WITHIN ZONE(S) "X" AS SHOWN ON NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP. COMMUNITY NUMBER 515531, PANEL NO. 0180 G, VIRGINIA BEACH, VIRGINIA, DATED 1-16-2015. SURVEYOR IS NOT A PARTY IN DETERMINING FLOOD INSURANCE REQUIREMENTS.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.



RICKS PALMER JONES
PROFESSIONAL LAND SURVEYOR
314 SHERWOOD DRIVE
SUFFOLK, VIRGINIA 23434-6633
TELEPHONE: 757-809-0487
surveyor.jones@outlook.com

SCALE: 1" = 20'
M. B. 244 PG. 21 - 26
JOB: 18-96
SHEET 1 OF 1



PG: 1
OF: 3

08/16/18 PERMIT PLANS

S & K CONSTRUCTION SERVICES LLC
 4014 Tanglewood Trail Chesapeake VA 23325
 747.438.2277

MESSERSMITH ADDITION
 3117 MAJOR DRIVE
 8A BEACH VA 23025

PROGRESSIVE R & D
 CONSULTING SERVICES

KEN L. KIRBY
 757.513.5100
 k5135100@gmail.com

ELECTRICAL NOTES

1. SEE PROJECT ELECTRICAL WORK FOR ALL ELECTRICAL WORK.
2. ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE VIRGINIA ELECTRICAL CODE (VEC).
3. ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CONTRACT SPECIFICATIONS.
4. ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE VIRGINIA ELECTRICAL CODE (VEC).
5. ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC).

PROJECT SCOPE

1. 1 STORY REAR ADDITION.
2. 1 STORY REAR ADDITION.
3. 1 STORY REAR ADDITION.
4. 1 STORY REAR ADDITION.
5. 1 STORY REAR ADDITION.

ENERGY EFFICIENCY

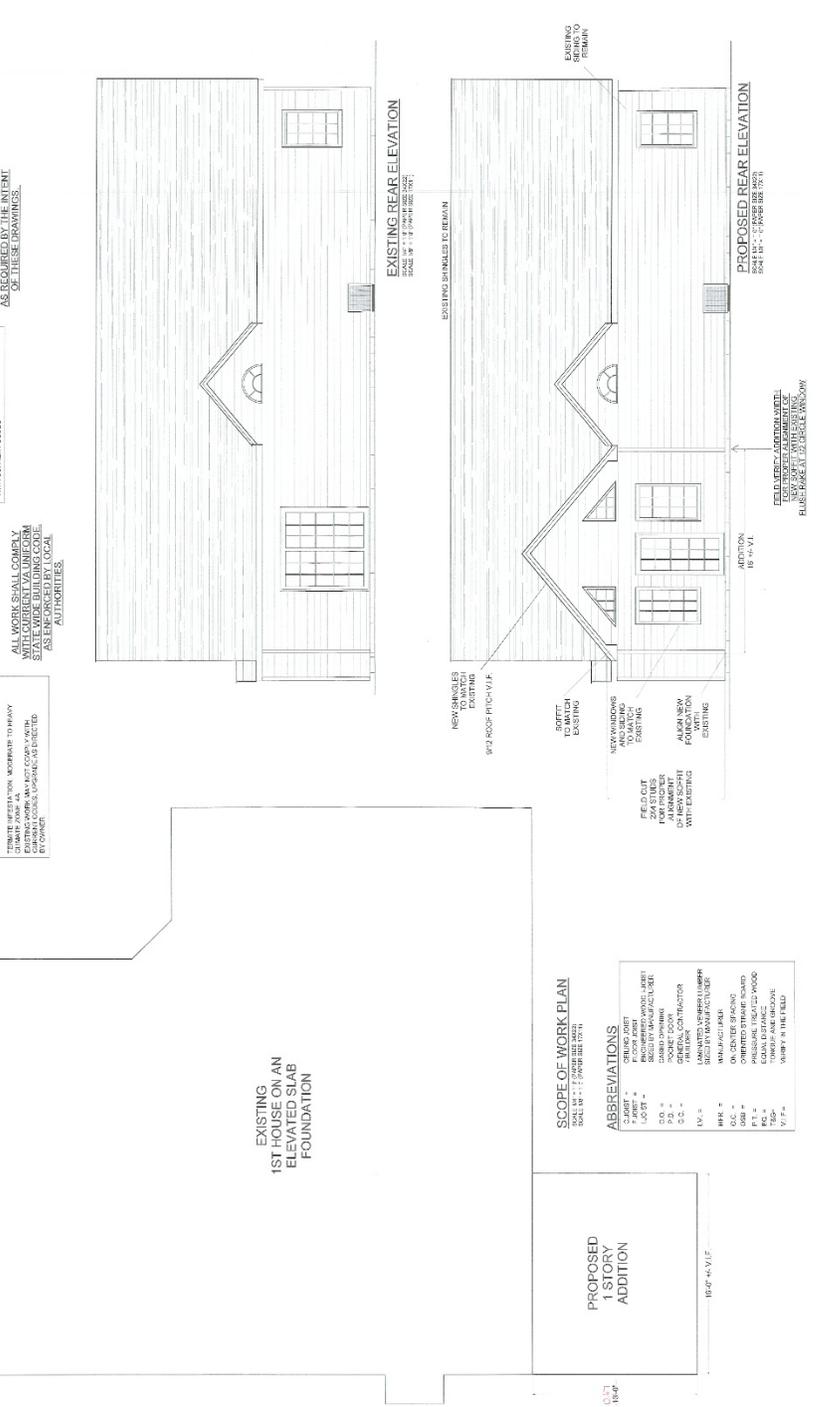
ALL WORK SHALL COMPLY WITH THE ENERGY EFFICIENCY REQUIREMENTS OF THE 2012 INTERNATIONAL RESIDENTIAL ENERGY CODE (IRC) AND THE VIRGINIA ENERGY CODE (VEC).

UNIFORM LIVE LOADS

ALL WORK SHALL COMPLY WITH THE UNIFORM LIVE LOAD REQUIREMENTS OF THE 2012 INTERNATIONAL RESIDENTIAL ENERGY CODE (IRC) AND THE VIRGINIA ENERGY CODE (VEC).

BUILDING PLANNING

ALL WORK SHALL COMPLY WITH THE BUILDING PLANNING REQUIREMENTS OF THE 2012 INTERNATIONAL RESIDENTIAL ENERGY CODE (IRC) AND THE VIRGINIA ENERGY CODE (VEC).



Applicant Description

Board of Zoning Appeals Application



Criteria for Variance Approval

Section 15.2-2309 of the Code of Virginia states that the Board of Zoning Appeals shall not approve a variance unless it finds:

- That the strict application of the ordinance would produce an undue hardship.
- That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
- That the authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of this variance.
- That the granting of the variance is in harmony with the intended spirit and purpose of the ordinance.

Description of Hardship (attach additional sheets if necessary)

Please describe the hardship, how the ordinance prohibits or restricts use of the property, any unique topographic, size or shape features of the lot, why the proposal is in the character of the neighborhood, and how the request meets the spirit of the code section you wish to vary.

Irregular lot size - variances have been approved for inground pools
Co-owner is disabled
Condo Association has no known issues

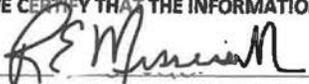
Description of Variance Request (attach additional sheets if necessary)

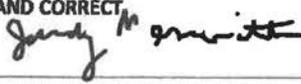
Request a variance to a 20.37 foot rear yard setback instead of 30' feet (proposed Sunroom 406)

Description of the Project and Proposed Improvements (attach additional sheets if necessary)

Construct one story room addition 12.67' x 16' over exist concrete patio. Room add. here to be constructed with 6" posts and exterior and roof to match existing dwelling as close as possible

I/WE CERTIFY THAT THE INFORMATION ABOVE IS TRUE AND CORRECT.


Signature of Property Owner or Representative


Signature of Condo/co-owner



APPLICANT'S NAME *Ronald + Judy Messersmith*

DISCLOSURE STATEMENT FORM

The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a board, commission, or other body appointed by the City Council. Such applications and matters include, but are not limited to, the following:

Acquisition of Property by City	Disposition of City Property	Modification of Conditions or Proffers
Alternative Compliance, Special Exception for	Economic Development Investment Program (EDIP)	Nonconforming Use Changes
Board of Zoning Appeals	Encroachment Request	Rezoning
Certificate of Appropriateness (Historic Review Board)	Floodplain Variance	Street Closure
Chesapeake Bay Preservation Area Board	Franchise Agreement	Subdivision Variance
Conditional Use Permit	Lease of City Property	Wetlands Board
	License Agreement	

The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law.

SECTION 1 / APPLICANT DISCLOSURE

FOR CITY USE ONLY / All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the application(s).

<input type="checkbox"/>	APPLICANT NOTIFIED OF HEARING	DATE:	
<input type="checkbox"/>	NO CHANGES AS OF	DATE:	
<input type="checkbox"/>	REVISIONS SUBMITTED	DATE:	



Check here if the **APPLICANT IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.

Check here if the **APPLICANT IS** a corporation, partnership, firm, business, or other unincorporated organization.

(A) List the Applicant's name: _____
If an LLC, list all member's names:

N/A

If a CORPORATION, list the the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

N/A

(B) List the businesses that have a parent-subsiary ¹ or affiliated business entity ² relationship with the Applicant: *(Attach list if necessary)*

N/A

See next page for information pertaining to footnotes ¹ and ²

SECTION 2 / PROPERTY OWNER DISCLOSURE

Complete Section 2 only if property owner is different from Applicant.

Check here if the **PROPERTY OWNER IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.

Check here if the **PROPERTY OWNER IS** a corporation, partnership, firm, business, or other unincorporated organization, **AND THEN**, complete the following.

(A) List the Property Owner's name: Ronald + Judy Messersmith
If an LLC, list the member's names:



If a Corporation, list the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

n/a

(B) List the businesses that have a parent-subsiary ¹ or affiliated business entity ² relationship with the Property Owner: *(Attach list if necessary)*

n/a

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

SECTION 3. SERVICES DISCLOSURE

Are any of the following services being provided in connection with the subject of the application or any business operating or to be operated on the Property. If the answer to any item is YES, please identify the firm or individual providing the service: IF THE OWNER AND APPLICANT ARE DIFFERENT, EACH MUST COMPLETE THE SECTION SEPERATELY



APPLICANT

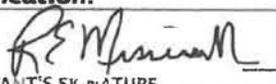
YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Architect / Landscape Architect / Land Planner	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (if other than the Applicant) - identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (identify purchaser(s) and purchaser's service providers)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Construction Contractors	S+K Construction services LLC
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Engineers / Surveyors/ Agents	Rick Jones, Land Surveyor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Financing (include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legal Services	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

YES NO
 Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?

If yes, what is the name of the official or employee and what is the nature of the interest?



CERTIFICATION: I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.		
	Ronald E Messersmith	10/10/18
APPLICANT'S SIGNATURE	PRINT NAME	DATE

Project: Alterations to Existing Detached Garage

Variations Requested:

1. 34 foot front yard setback instead of 50 feet as required.
2. 13 foot west side yard setback instead of 20 feet.

Staff Planner

Chris Langaster

Variance initiated by:

Applicant Inquiry

Location

3157 Adam Keeling Road

GPIN

1499-06-7456

Zoning District

R-40 Residential

Site Size

50,055.49 square feet

Year Constructed

1680

Previous Board Actions

On October 17, 2018, the Historical Review Board approved a Certificate of Appropriateness for the proposed renovations to the existing detached garage



Existing Site Conditions



Variance Requests



	REQUIREMENT	REQUESETED
Variance 1	50'	34'



	REQUIREMENT	REQUESETED
Variance 2	20'	13'

Considerations

- This structure has been in place since the early 1900's and the proposed renovations will significantly improve the overall aesthetics;
- The proposed renovations will be contained within the existing footprint of the garage;
- The present setbacks will not decrease with this proposal;
- This request is not expected to create a detriment to the adjoining property owner or surrounding.

Recommended Conditions

1. The proposed renovations shall be made in substantial adherence to the submitted site plan and building elevations provided in the file.
2. All renovations shall meet the conditions of the Certificate of Appropriateness.

CERTIFICATE OF APPROPRIATENESS

INTRODUCTION:

Dr. Glenn & Mrs. Lynn Carwell, owners of the historic Adam Keeling property, would like to renovate an existing accessory outbuilding consisting of a 2 car garage with a small room above into a 2 car garage with adjacent storage and a fully habitable guest suite above.

ZONING VARIANCE:

The existing accessory building was constructed around 1930, prior to the adoption of the 1954 zoning ordinance, and does not conform to current R-40 zoning front and side yard setbacks. A zoning variance will be required to obtain a building permit. The intended use as a guest house over garage will be in accordance with allowable uses under R-40 zoning.

BUILDING CODE COMPLIANCE:

The existing room above the garage currently does not meet the building code due to a requirement of a 3'-0" wide egress door and the headroom/volume does not meet the current code criteria.

The proposed changes will include a 3'-0" egress door and the center portion of the room's ceiling/roof will be raised to meet the headroom/volume requirements. The resulting East and West building elevations will change from individual roof dormers to a shed dormer - 5 windows wide.

HISTORIC APPROPRIATENESS:

The current accessory building is not in itself an historic structure but is located on the historic Adam Keeling property.

The intent of the proposed renovations will continue to maintain the architectural ancillary position of this structure to the main house.

The existing building materials include painted wood beaded bevel lap siding (6"exp), single pane-double hung windows (6 over 6), wood shutters, overhead garage doors and an asphalt shingle roofing.

The proposed renovations will include the enclosure of the first floor open bay and replacement of the 3 second floor roof dormers with 2 shed dormers (historic reference - Joseph Jordan house). The new siding will match the existing siding in material, profile and color. The window size / type will match the existing double hung windows with the addition of double pane glass with simulated divided lights with spacer bars. Garage doors to be side opening carriage house style. The existing asphalt single roof material will be replaced with a visually more appropriate standing seam metal roof in a medium bronze color to blend with the existing roof color of the main house.



City of Virginia Beach

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
HISTORICAL REVIEW BOARD

VB.gov.com
MUNICIPAL CENTER
BUILDING 2
2405 COURTHOUSE DRIVE
VIRGINIA BEACH, VA 23466-8000

October 24, 2018

Mr. Richard Poole, Architect
3205 Sunnybrook Lane
Virginia Beach, VA 23452

**RE: Certificate of Appropriateness Application #18-13 - Adam Keeling House
Garage/Guest House - 3157 Adam Keeling Road - GPIN 1499067456 - Adam Keeling
House Historic and Cultural Overlay District**

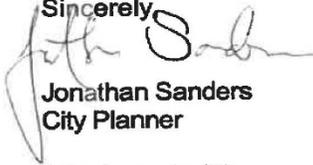
Dear Mr. Poole:

On October 17, 2018, the Historical Review Board issued a Certificate of Appropriateness for the improvements to the garage/ancillary dwelling on the site subject to the attached materials.

Issuance of the Certificate of Appropriateness by the Historical Review Board does not imply approval of any applicable City ordinances or discretionary approvals. Please attach this letter and the accompanying attachments to any permit or Development Services Center submissions.

If you need further assistance, please contact me at 385-1829 or by email at idsander@vb.gov.com.

Sincerely,

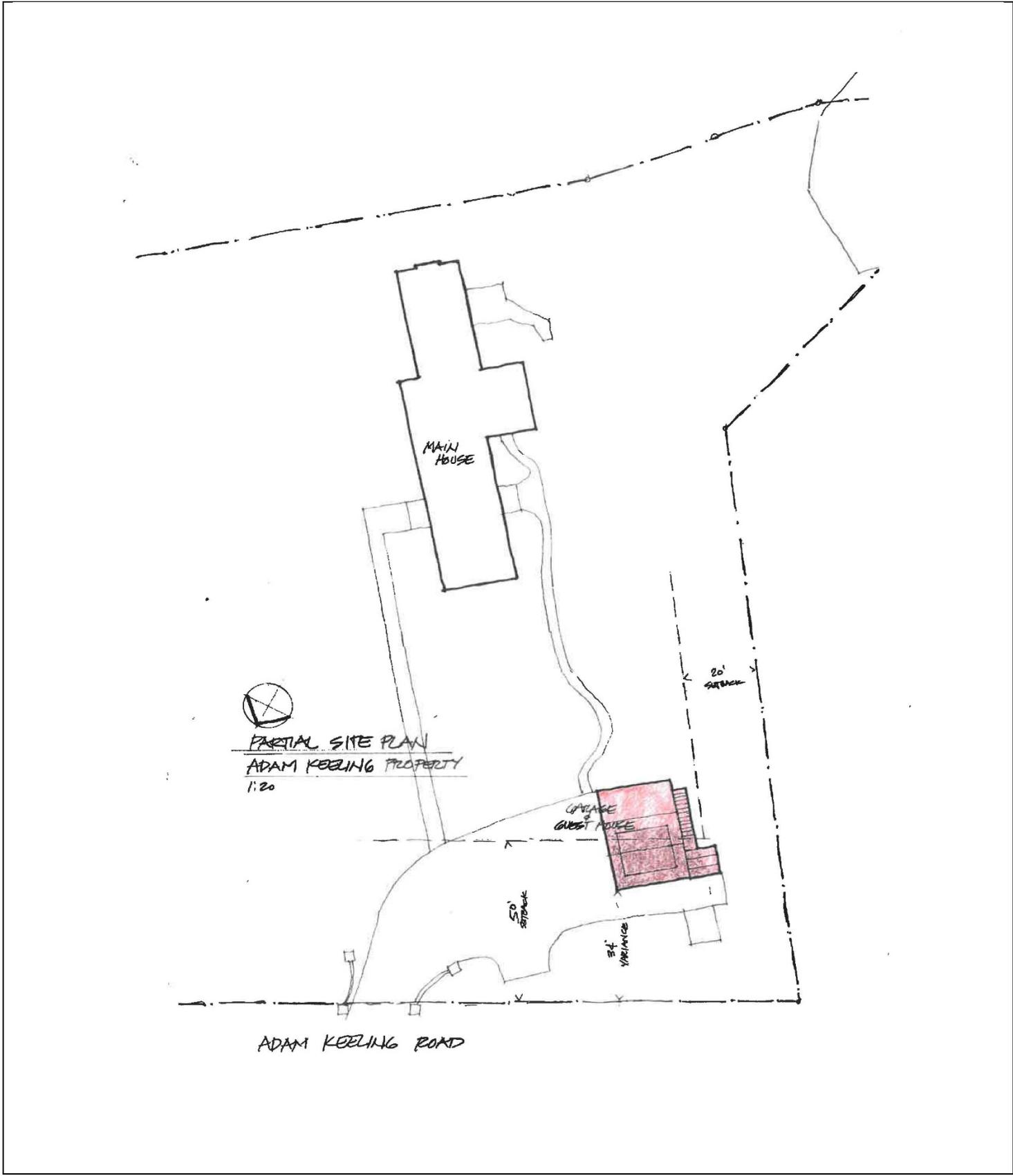


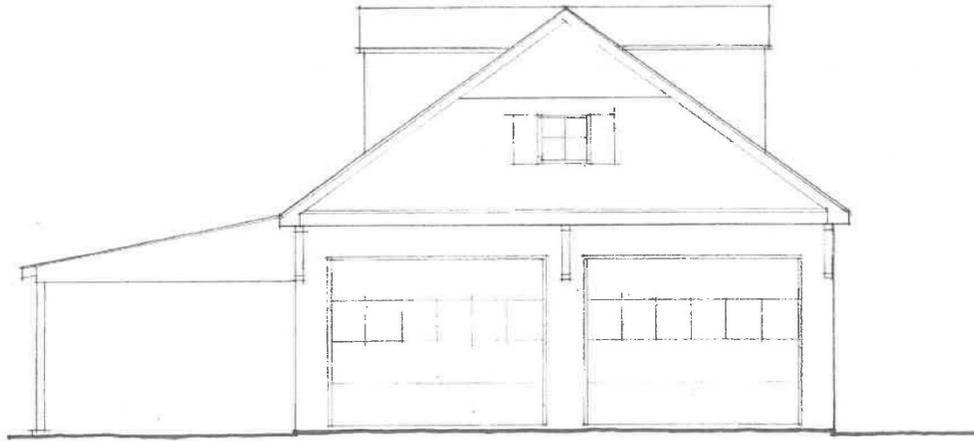
Jonathan Sanders
City Planner

Attachments (7)

- Concept Plan
- First Floor Plan
- Second Floor Plan
- North Elevation
- East Elevation
- South Elevation
- West Elevation

Proposed Site Plan



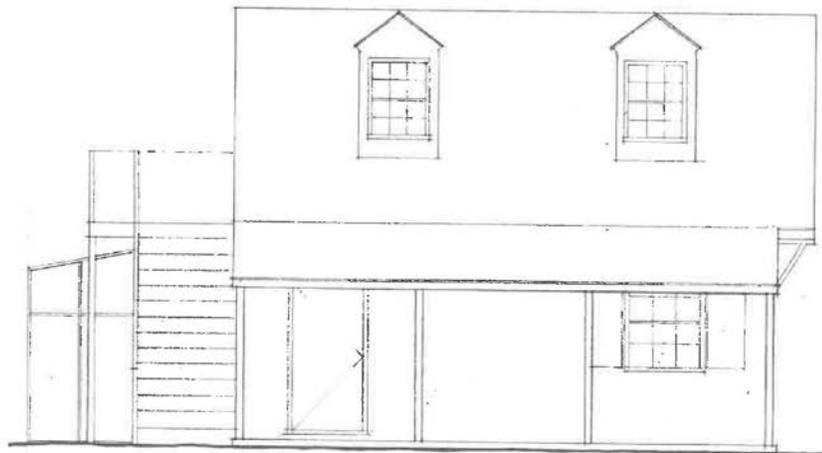


NORTH - EXISTING
1/4

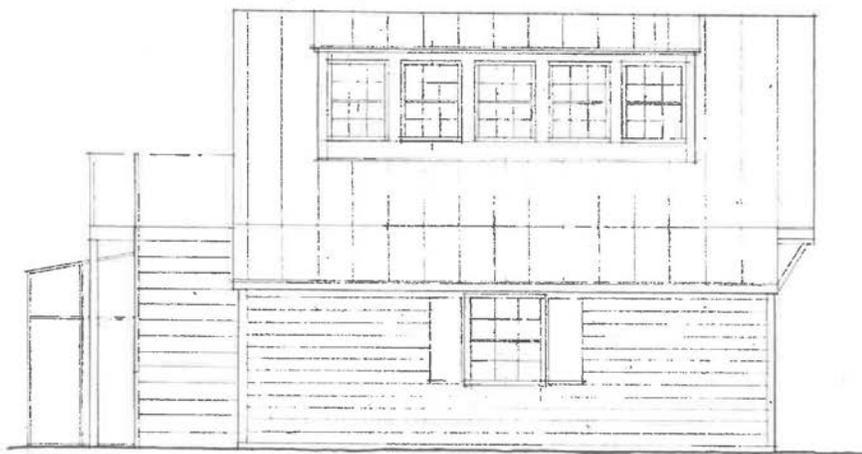


NORTH - PROPOSED
1/4

Building (East) Elevations

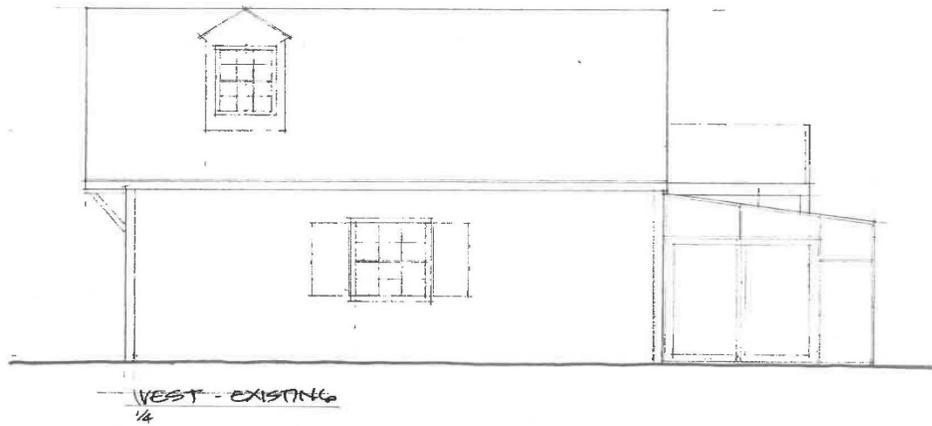


EAST - EXISTING
1/4

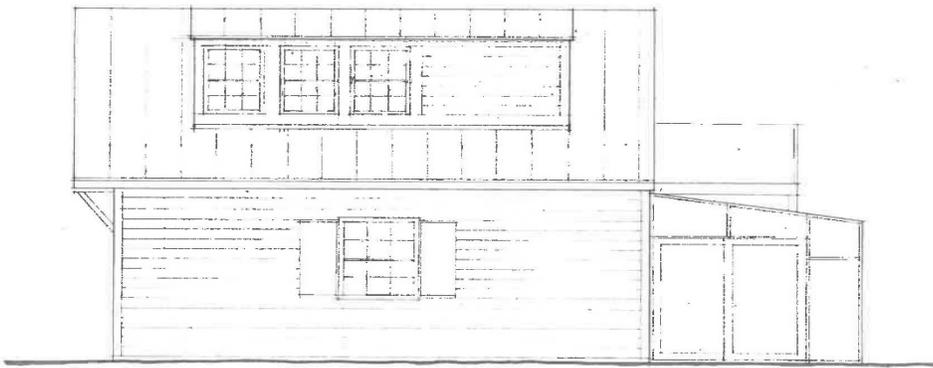


EAST - PROPOSED
1/4

Building (West) Elevations

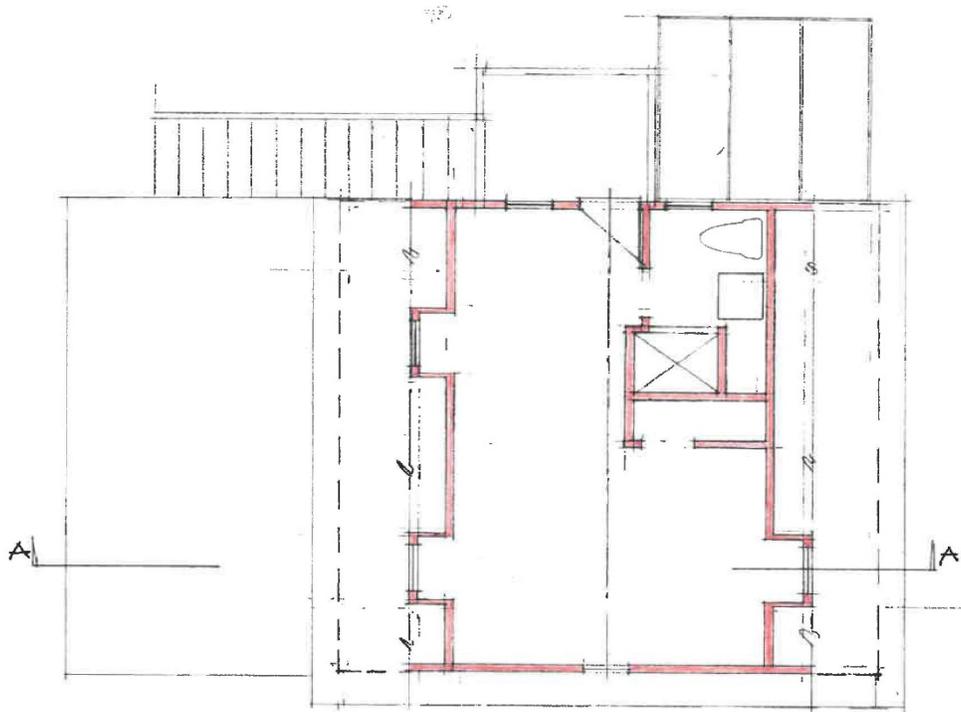


WEST - EXISTING
1/4

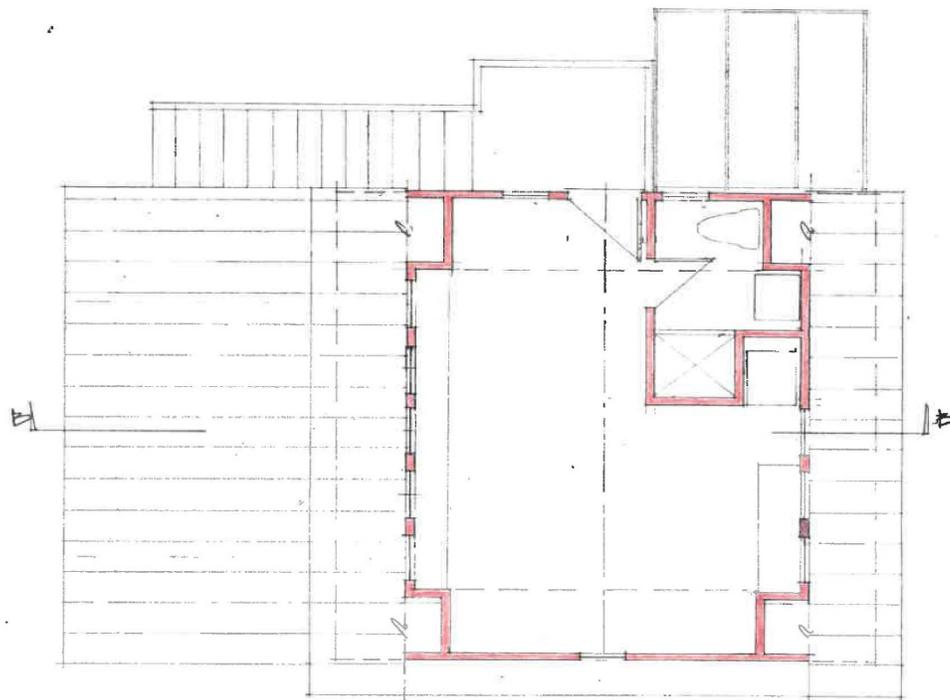


WEST - PROPOSED
1/4

Proposed Floor Plan



SECOND FLOOR - EXISTING
1/4



SECOND FLOOR - PROPOSED
1/4



APPLICANT'S NAME DR & MRS. CARDWELL

DISCLOSURE STATEMENT FORM

The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a board, commission, or other body appointed by the City Council. Such applications and matters include, but are not limited to, the following:

Acquisition of Property by City Alternative Compliance, Special Exception for Board of Zoning Appeals Certificate of Appropriateness (Historic Review Board) Chesapeake Bay Preservation Area Board Conditional Use Permit	Disposition of City Property Economic Development Investment Program (EDIP) Encroachment Request Floodplain Variance Franchise Agreement Lease of City Property License Agreement	Modification of Conditions or Proffers Nonconforming Use Changes Rezoning Street Closure Subdivision Variance Wetlands Board
---	--	--



The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law.

SECTION 1 / APPLICANT DISCLOSURE

FOR CITY USE ONLY / All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the application(s).

<input type="checkbox"/>	APPLICANT NOTIFIED OF HEARING	DATE:	
<input type="checkbox"/>	NO CHANGES AS OF	DATE:	
<input type="checkbox"/>	REVISIONS SUBMITTED	DATE:	



Check here if the **APPLICANT IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.

Check here if the **APPLICANT IS** a corporation, partnership, firm, business, or other unincorporated organization.

(A) List the Applicant's name Glenn & Lynn Cardwell
If an LLC, list all member's names:

If a CORPORATION, list the the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsiary ¹ or affiliated business entity ² relationship with the Applicant: *(Attach list if necessary)*

See next page for information pertaining to footnotes ¹ and ²

SECTION 2 / PROPERTY OWNER DISCLOSURE

Complete Section 2 only if property owner is different from Applicant.

Check here if the **PROPERTY OWNER IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.

Check here if the **PROPERTY OWNER IS** a corporation, partnership, firm, business, or other unincorporated organization, **AND THEN**, complete the following.

(A) List the Property Owner's name Glenn & Lynn Cardwell
If an LLC, list the member's names:



If a Corporation, list the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsiary ¹ or affiliated business entity ² relationship with the Property Owner: *(Attach list if necessary)*

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

SECTION 3. SERVICES DISCLOSURE

Are any of the following services being provided in connection with the subject of the application or any business operating or to be operated on the Property. If the answer to any item is YES, please identify the firm or individual providing the service: IF THE OWNER AND APPLICANT ARE DIFFERENT, EACH MUST COMPLETE THE SECTION SEPERATELY



APPLICANT / OWNER

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Architect / Landscape Architect / Land Planner	RG. PODE, AIA
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (if other than the Applicant) - identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (identify purchaser(s) and purchaser's service providers)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Construction Contractors	Jim Sykes
<input type="checkbox"/>	<input type="checkbox"/>	Engineers / Surveyors/ Agents	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Financing (include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	Wells Fargo
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Legal Services	Billy Greenington
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

YES NO

Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?

If yes, what is the name of the official or employee and what is the nature of the interest?



CERTIFICATION:
I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

<input checked="" type="checkbox"/> <i>Lynn W. Cardwell</i> APPLICANT'S SIGNATURE	<input checked="" type="checkbox"/> Lynn W. Cardwell PRINT NAME	<input checked="" type="checkbox"/> 6/15/18 DATE
--	--	---



OWNER

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Architect / Landscape Architect / Land Planner	RB Padz AIF
<input type="checkbox"/>	<input type="checkbox"/>	Contract Purchaser (if other than the Applicant) - identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (Identify purchaser(s) and purchaser's service providers)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Construction Contractors	J.M. Sykes
<input type="checkbox"/>	<input type="checkbox"/>	Engineers / Surveyors/ Agents	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Financing (Include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	Wells Fargo
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Legal Services	Billy G... ..
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

YES NO Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?

If yes, what is the name of the official or employee and what is the nature of the interest?



CERTIFICATION:

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

<i>Lynn Cardwell</i>	Lynn Cardwell	10/15/18
PROPERTY OWNER'S SIGNATURE	PRINT NAME	DATE