

MARKED AGENDA

Chesapeake Bay Preservation Area Board

PUBLIC HEARING – JUNE 17, 2020

City Council Chambers – 6:00 PM

Due to the current COVID-19 pandemic and in order to comply with State and Federal recommendations, occupancy in the Council Chamber will be limited.

Citizens who wish to comment in person will must register between 5:30 - 6 p.m. on the evening of the meeting. Please see staff after speaker card is filled out.

- A. Call to Order 6:00 P.M.
- B. Roll Call Nowak/Toida excused
- C. Approval of Minutes: February 19, 2020 Board Meeting
APPROVED
- D. CBPA Applications:

- 1. [PLN-CBPA-2019-043](#)
PROJECT/LOCATION: 1772 Rockwood Drive
APPLICANT: Robert Strittmatter
PROPOSAL: In accordance with Section 26-528, of the Chesapeake City Code, the applicant seeks [EXCEPTION](#) to construct a deck within the 50-foot seaward portion of the 100-foot RPA buffer. The total proposed impervious area will be 718 SF (718 SF in RPA).
SUBDIVISION/LOT #: Park View Section 2, Resubdivision of Lots 9 & 10
WATERSHED: Southern Branch of the Elizabeth River
TAX MAP SECTION/PARCEL: 0344002003760

The CBPA Board **DENIED** (7 – 0; Green/Curling, Nowak and Toida excused) the exception request due to the following finding:

The requested exception to the criteria is NOT the minimum necessary to afford relief. The Board further concurred with the CBPA Review Committee analysis as found within the staff report regarding item two of the CBPA applications heard at the afore-mentioned Board Meeting.

2. [PLN-CBPA-2019-048](#)

PROJECT/LOCATION: 1877 Millville Road

APPLICANT: Laura Sisson

PROPOSAL: In accordance with Section 26-528, of the Chesapeake City Code, the applicant seeks an **EXCEPTION** for an existing shed and pool deck and to construct an attached two (2) car two (2) story garage with living space on the second floor and associated concrete driveway and sidewalk within the 50-foot landward and 50-foot seaward portions of the 100-foot RPA buffer. The total proposed impervious area will be 2,352 SF (2,298 SF in RPA).

SUBDIVISION/LOT #: Parcel B of All-State Development Corp.

WATERSHED: Southern Branch of the Elizabeth River

TAX MAP SECTION/PARCEL: 035000000015

The CBPA Board **APPROVED** (7 – 0, Klesch/James, Nowak and Toida excused) the exception for a period of two years with the following stipulations:

1. **The existing shed located in the 50-foot seaward buffer be moved into the 50-foot landward buffer.**
2. **No trees are to be removed during construction activities.**

3. [PLN-CBPA-2020-001](#)

PROJECT/LOCATION: 4657 Leeward Drive

APPLICANT/AGENCY: Adam Rutheaford

PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** for an existing 182 square foot shed and to construct a 450 square foot addition, within the 50-foot landward and 50-foot seaward portion of the 100-foot RPA buffer, on a pre-existing lot. Based on the extent of all proposed improvements and removal of the existing deck, the overall net increase in impervious area will be 50 SF.

SUBDIVISION/LOT #: West Chadswyck Terrace, Section 8

WATERSHED: Western Branch of the Elizabeth River

TAX MAP SECTION/PARCEL: 0151012000120

The CBPA Board **APPROVED** (7 – 0, Greene/James, Nowak and Toida excused) the exception for a period of two years with the following stipulation:

Provide one (1) large canopy tree in the RPA to mitigate the impact of the proposed impervious area within the RPA. Per Sec. VII(B) of the Chesapeake Bay Preservation Area Ordinance Specifications Manual, the tree canopy coverage requirement for encroachment into the RPA buffer is fifty percent (50%). See Appendix A of the Chesapeake Landscape Specifications Manual for recommended tree species.

4. [PLN-CBPA-2020-008](#)
PROJECT/LOCATION: 3905 Wedgewood Drive and 3901 Wedgewood Drive
APPLICANT: Edward McLain
AGENT: Edward McLain
PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant seeks an [EXCEPTION](#) to the Section 26-522(a)(1) minimum RPA lot percentage requirements in order to re-subdivide two existing lots.
SUBDIVISION/LOT #: Lot 4 and Lot 5 Wildwood
WATERSHED: Western Branch of the Elizabeth River
TAX MAP SECTION/PARCEL: 0161001000050

The CBPA Board **APPROVED** (7 – 0, Greene/Klesch, Nowak and Toida excused) the exception for a period of two years with the following stipulation:

Each property will meet the minimum requirement of canopy coverage of 50% in the Resource Protection Area (RPA) per Sec. VII(B) of the Chesapeake Bay Preservation Area Ordinance Specifications Manual. See Appendix A of the Chesapeake Landscape Specifications Manual for recommended tree species.

5. [PLN-CBPA-2020-010](#)
PROJECT/LOCATION: 1104 Inland Road
APPLICANT: Bennett Thomas
PROPOSAL: In accordance with Section 26-528, of the Chesapeake City Code, the applicant seeks an [EXCEPTION](#) to construct a single family residence in the 50-foot seaward and 50-foot landward portions of the 100-foot RPA buffer. The total proposed impervious area will be 4,982 SF, (4,982 SF in RPA).
SUBDIVISION/LOT #: SUBDIVISION OF LOT 1 & 2, SUBDIVISION OF PART OF PROPERTY OF J.J. HALSTEAD
WATERSHED: Southern Branch of the Elizabeth River
TAX MAP SECTION/PARCEL: 0461001000010

The CBPA Board **APPROVED** (7 – 0, Greene/Connito, Nowak and Toida excused) the exception for a period of two years with the following stipulations:

1. **Provide twenty-five (25) large canopy trees within the RPA to mitigate the impact of the proposed development within the RPA. Per City of Chesapeake Code Sec. 26-521(a)(2), the RPA landscaping requirement is a minimum fifty (50) percent tree canopy coverage, calculated in accordance with the CBPA Specifications Manual. See Appendix A of the Chesapeake Landscape Specifications Manual for recommended tree species.**

2. **Provide an approximately 500 square foot mulched planting bed with low-growing plant materials in the 50-foot seaward portion of the RPA buffer between the house and the bulkhead.**
3. **The driveway shall be constructed with the required apron and with two (2) runners to provide access to the required parking spaces.**

6. **PLN-CBPA-2020-011**

PROJECT/LOCATION: 100 Westonia Road

APPLICANT: Jonathan Wetherington

PROPOSAL: In accordance with Section 26-528, of the Chesapeake City Code, the applicant seeks an **EXCEPTION** to construct a single family residence in the 50-foot seaward and 50-foot landward portions of the 100-foot RPA buffer. The total proposed impervious area will be 2,101 SF (1,384 SF in RPA).

SUBDIVISION/LOT #: Lot 28 Block J of Westonia

WATERSHED: Southern Branch of the Elizabeth River

TAX MAP SECTION/PARCEL: 034100100650

The CBPA Board **APPROVED** (7 – 0, Klesch/James, Nowak and Toida excused) the exception for a period of two years with the following stipulations:

1. **Provide at a minimum one (1) large canopy tree in the RPA to mitigate the impact of the proposed impervious area within the RPA. Per Sec. VII(B) of the Chesapeake Bay Preservation Area Ordinance Specifications Manual, the tree canopy coverage requirement for encroachment into the RPA buffer is fifty percent (50%). See Appendix A of the Chesapeake Landscape Specifications Manual for recommended tree species.**
2. **Approval of this application is subject to further review by the various City of Chesapeake Departments that are included in the building permit application process.**

7. **PLN-CBPA-2020-014**

PROJECT/LOCATION: 716 Seagrass Reach

APPLICANT: David Seaton

PROPOSAL: In accordance with Section 26-528, of the Chesapeake City Code, the applicant seeks an **EXCEPTION** to construct a shed within the 50-foot landward portions of the 100-foot RPA buffer. The total proposed impervious area will be 56 SF (56 SF in RPA).

SUBDIVISION/LOT #: 37B RESUB LTS 32-39 RIVER WALK SEC L-4

WATERSHED: Southern Branch of the Elizabeth River

TAX MAP SECTION/PARCEL: 0369006000372

The CBPA Board **APPROVED** (7 – 0, Klesch/Greene, Nowak and Toida excused) the exception for a period of two years.

E. CBPA Violation:

8. [V-19-01\(v\)](#)

[LOCATION](#): 4223 Goldcrest Drive

SHOWCAUSE VIOLATION: Addition of approximately 6,900 square feet of gravel fill within the Resource Protection Area (RPA), and an approximately 330 square foot shed within the RPA.

SUBDIVISION/LOT #: INDIAN RIVER TERRACE / WASH LOT 12

WATERSHED: Eastern Branch of the Elizabeth River

[TAX MAP SECTION/PARCEL](#): 0132007000120

The CBPA Board **CONTINUED** (6 – 0 – 1, Greene/Spaur, Connito abstained, Nowak and Toida excused) the application for 120 days to the October 21, 2020 CBPA Board meeting to allow Mr. Cochran the opportunity to properly rehabilitate the 100-foot RPA buffer. .

F. Other Business: **None**

G. Adjournment: **7:48 P.M.**

These applications and related documents are available for public review in the Planning Department on the second floor in the City Hall building at the Chesapeake Civic Center between 8am and 5pm. For information on CBPA applications, please contact Ethan Hoar, CBPA Planner, at 382-6645. All interested parties will be afforded the opportunity to be heard or to present written statements at the public hearing. Those members of the public interested in attending the public hearing should be advised that, for reasons the Chesapeake CBPA Board deems appropriate, certain items on the agenda may be heard out of order and that it should not be assumed that the order listed above will be exactly followed during the public hearing. Also, due to advertising deadlines, items that have been continued from a previous Chesapeake CBPA Board meeting may not appear on this agenda.