

**MARKED AGENDA**

*Chesapeake Bay Preservation Area Board*

**PUBLIC HEARING – SEPTEMBER 16, 2020**

City Council Chambers – 6:00 PM

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

1. [PLN-CBPA-2020-033](#)

**PROJECT/LOCATION:** 1718 Rockwood Drive

**APPLICANT:** Jesse Walker

**PROPOSAL:** In accordance with Section 26-528, of the Chesapeake City Code, the applicant seeks an **EXCEPTION** to construct a single family home within the 50-foot seaward portion of the 100-foot RPA buffer. The total proposed impervious area will be 1,424 SF (1,424 SF in RPA).

**SUBDIVISION/LOT #:** Parkview Section 2 Resub of Lots 9 and 10

**WATERSHED:** Southern Branch of the Elizabeth River

**TAX MAP SECTION/PARCEL:** 0344002004060

*(This application is a rehearing from the August 19, 2020 public hearing.)*

The CBPA Board **APPROVED** (5 – 2; Toida/Curling, Greene and Spaur opposed, Nowak excused) the exception for a period of two years with the following stipulations:

- 1. **Provide at a minimum five (5) large canopy trees and two (2) small canopy trees (SCT) 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. **All vegetation currently existing out of the construction footprint, which is defined for purposes of this project as the wetlands delineation boundary, will not be removed/disturbed.**

3. The deck depicted on the submitted site plan entitled, “CBPA Exception Application” prepared by Clark Design Group, LLC, dated July 1, 2020, will not be permitted and shall be removed from the submitted site plan.
  4. A bioretention BMP, as depicted on the submitted site plan entitled “CBPA Exception Application” prepared by Clark Design Group, LLC, dated July 1, 2020 shall be installed and maintained.
  5. All pavement must be installed utilizing a permeable surface unless otherwise required by the Chesapeake Zoning Ordinance, as determined by the Director of Development and Permits or designee.
  6. All gutter downspouts shall be routed into a stormwater treatment facility/device prior to being allowed to runoff of the property.
2. [PLN-CBPA-2020-009](#)  
**PROJECT/LOCATION:** 5428 Royal Tern Court  
**APPLICANT:** Tony Cropper  
**PROPOSAL:** In accordance with Section 26-528, of the Chesapeake City Code, the applicant seeks an after-the-fact **EXCEPTION** for a shed and the construction of a sunroom within the 50-foot seaward and 50-foot landward portions of the 100-foot RPA buffer. The total proposed additional impervious area will be 256 SF (256 SF in RPA).  
**SUBDIVISION/LOT #:** Lakes of Jolliff Lot 20  
**WATERSHED:** Western Branch of the Elizabeth River  
**TAX MAP SECTION/PARCEL:** 0221004000200

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

**Move the existing shed out of the seaward buffer and into the landward buffer.**

3. [PLN-CBPA-2020-032](#)  
**PROJECT/LOCATION:** 100 Commonwealth Avenue  
**APPLICANT:** Donnie Corsner  
**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 portion of the 100-foot RPA buffer. The total proposed additional impervious area will be 160 SF (160 SF in RPA).  
**SUBDIVISION/LOT #:** Tanglewood Section 2 Lot 64  
**WATERSHED:** Eastern Branch of the Elizabeth River  
**TAX MAP SECTION/PARCEL:** 013200300640

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

**Provide one (1) small 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-2020-036](#)

**PROJECT/LOCATION:** 1108 Inland Road

**APPLICANT:** Barend Von Schlichting

**PROPOSAL:** In accordance with Section 26-528, of the Chesapeake City Code, the applicant seeks an **EXCEPTION** to construct a deck addition within the 50-foot seaward portion of the 100-foot RPA buffer. The total proposed additional impervious area will be 300 SF (300 SF in RPA).

**SUBDIVISION/LOT #:** B SUB LT 1 & 2 JJ Halstead Prop 0.604 AC

**WATERSHED:** Southern Branch of the Elizabeth River

**TAX MAP SECTION/PARCEL:** 0461001000020

The CBPA Board **DENIED** (7 – 0; Greene/Spaur, Greene abstained, Nowak excused) the exception request due to the following findings:

1. **Granting of the exception WOULD confer upon the applicant special privileges that are denied by this article to other property owners who are subject to its provisions and who are similarly situated.**
2. **The proposed development is NOT in harmony with the purpose and intent of this article and would be a substantial detriment to water quality.**

E. CBPA Violation:

5. [V-20-02\(v\)](#)

**LOCATION:** 712 Greenwing Drive

**SHOWCAUSE VIOLATION:** Unpermitted addition to an existing deck and tree clearing within the Resource Protection Area (RPA).

**SUBDIVISION/LOT #:** Wingfield Pointe Lot 60

**WATERSHED:** Southern Branch of the Elizabeth River

**TAX MAP SECTION/PARCEL:** 0346010000600

The CBPA Board **CONTINUED** (7 – 0; Greene/James. Nowak excused) the application 30 days to the October 21, 2020 CBPA Board Meeting.

F. Other Business: **None**

G. Adjournment: **7:51 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.