

MARKED AGENDA

Chesapeake Bay Preservation Area Board

PUBLIC HEARING – May 15, 2019

Human Resources Training Room – 6:00 PM

- A. Call to Order 6:00 P.M. by Chairman, Stephen Nowak
- B. Roll Call James/Wilson excused
- C. Approval of Minutes: April 17, 2019 Board Meeting
- D. CBPA Applications:
1. [PLN-CBPA-2018-026](#)
PROJECT/LOCATION: 1924 Lancing Crest Lane
APPLICANT/AGENT: Mountain Creek Custom Homes, LLC
PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** for authorization to construct a new detached garage within the 50-foot landward portion of the 100-foot RPA buffer. A total of 1,420 SF of new impervious area is proposed (1,420 SF within the 100-foot RPA buffer).
SUBDIVISION/LOT #: 53 NEW MILL LANDING SEC 3
WATERSHED: Southern Branch of the Elizabeth River
TAX MAP SECTION/PARCEL: 0462001000530
(Continued from March 20, 2019 CBPA Board Meeting)

The CBPA Board **CONTINUED** (6–0, Greene/Spaur, James, Klesch and Wilson excused) the application for sixty (60) days to the July 17, 2019 CBPA Board meeting.
 2. [PLN-CBPA-2019-011](#)
PROJECT/LOCATION: Three Storage Sheds/2137 Arbutus Circle
APPLICANT/AGENT: Bonnie Self
PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an after-the-fact **EXCEPTION** for the authorization to retain three storage sheds within the 50-foot landward and 50-foot seaward portions of the 100-foot Resource Protection Area (RPA) buffer. A total of 438 SF of impervious area is associated with the storage sheds (438 SF within the RPA buffer).
SUBDIVISION/LOT #: 22 Brentwood Sec 1
WATERSHED: Southern Branch of the Elizabeth River
TAX MAP SECTION/PARCEL: 0253007000220

The CBPA Board **DENIED** (6–1; Greene/Toida, James and Wilson 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.

3. [PLN-CBPA-2019-015](#)

PROJECT/LOCATION: 25'x55' in-ground pool & concrete/3920 Walkers Bend Dr.

APPLICANT/AGENT: Bill Fearn

PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** for the authorization to construct a 25' by 55' in-ground pool and associated concrete located within the 50-foot landward portion of the 100-foot Resource Protection Area (RPA) buffer. A total of 1,375 SF of new impervious area is proposed (425 SF within the RPA buffer).

SUBDIVISION/LOT #: Walkers Bend Ph 2/Lot 11

WATERSHED: Western Branch of the Elizabeth River

TAX MAP SECTION/PARCEL: 0164017000110

The CBPA Board **DENIED** (7–0; Greene/Spaur, James and Wilson excused) the exception request due to the following finding:

No special situation has been identified that prevents the applicant from abiding by the Ordinance. The Board further concurred with the CBPA Review Committee analysis as found within the staff report regarding item three of the CBPA applications heard at the afore-mentioned Board Meeting.

F. Other Business:

- Discussion of CBPA Board meeting rules and procedures
- Discussion of letter to send to City Council suggesting ordinance modification to allow Riparian Buffers without Code Violation

G. Adjournment: 7:12 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. They are also available for viewing online at http://www.cityofchesapeake.net/Assets/actions/Wetlands+and+Chesapeake+Bay+Preservation+Area+Board/2019/2019-05-15_agenda.pdf.

For information on CBPA applications, please contact Leslie Bonilla, 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.