

**CHESAPEAKE BOARD OF ZONING APPEALS
PUBLIC HEARING MARKED AGENDA
October 24, 2019 – 6:30 P.M.
LOCATION: City Hall Building - City Council Chambers
306 Cedar Road - Chesapeake, Virginia**

- I. Call to Order: Chairman DeBoer – 6:30pm**
- II. Roll Call: Secretary – Mr. Thrift, Mr. Ziegenfuss, Chairman DeBoer, Mr. Woodhouse, Ms. Allen**
- III. Approval of Minutes: August 22, 2019 Public Hearing
Motion to approve – Thrift / Allen (5 – 0)
September 26, 2019 Public Hearing – failed for no quorum
All items continued to the October 24, 2019 Public Hearing
Motion to approve – Allen / Ziegenfuss (5 – 0)**
- IV. Administration of Oath: Chair**
- V. Request for Continuance (s) and Rehearing (s): Chair**

**ZON-BZA-2019-00020 & ZON-BZA-2019-00016 continued to 01/23/2020
ZON-BZA-2019-00022 continued to 12/12/2019**

VI. Unfinished Business:

A. Application # ZON-BZA-2019-00020

James A. Leftwich, Jr. of Basnight, Kinser, Leftwich & Nuckolls, PC, POA for Anthony W & Lisa L Dickman, property owners, 1216 Sanderson Road, requesting a variance from Sections 6-302.A.2 & 3. of the Chesapeake Zoning Ordinance from the minimum lot width and frontage of 175 feet and 140 feet to 52.50 feet to obtain a building permit and construct a single-family residence on a residual agricultural parcel. The property is further identified as RES PAR 5-C RES PAR 5 SANDERSON MEADOWS 42.768 AC, Real Estate Parcel No. 098000000130, Zoning: A-1, agriculture.

Motion to continue to 01/23/2020 – Ziegenfuss / Allen (5 – 0)

B. Application # ZON-BZA-2019-00016

James A. Leftwich, Jr. of Basnight, Kinser, Leftwich & Nuckolls, PC, POA for Anthony W & Lisa L Dickman, property owners, 1216 Sanderson Road, pursuant to Section 20-500 of the Chesapeake Zoning Ordinance, appealing the Zoning Administrator’s determination dated May 15, 2019 denying a

residential building permit. The property is further identified as RES PAR 5-C RES PAR 5 SANDERSON MEADOWS 42.768 AC, Real Estate Parcel No. 098000000130, Zoning: A-1, agriculture.

Motion to continue to 01/23/2020 – Ziegenfuss / Allen (5 – 0)

C. Application # ZON-BZA-2019-00018

Gerald C & Ashley S Russo, property owners, 3916 Walkers Bend Drive, requesting a variance from Section 6-1002.A.3.b.i of the Chesapeake Zoning Ordinance from the side yard setback of 10 feet to 6 feet for a detached garage. The property is further identified as Lot 12 Walkers Bend PH 2; Real Estate Parcel No. 0164017000120, Zoning: R-12s, residential.

Motion to grant – Thrift / Ziegenfuss (4 - 1)

D. Application # ZON-BZA-2019-00021

Carlos A & Taimi S Morla, property owners, 637 Baker Loop, requesting a height variance increase of 2 feet from Section 14-201.A.1 of the Chesapeake Zoning Ordinance from the maximum fence height of 4 feet to permit a 6-foot tall fence in an established front yard. The property is further identified as 150 Elbow Estates PH1; Real Estate Parcel No. 0394001001500, Zoning: R8, residential.

Withdrawn administratively

E. Application # ZON-BZA-2019-00017

John Raymond & Pauline Dowson, property owners, 2910 Mayon Drive, requesting a variance from Section 15-105.A.5.a of the Chesapeake Zoning Ordinance from the front yard setback of 20 feet to 8 feet for a front porch addition with steps with posts and railings constructed without a building permit onto a single-family dwelling. The property is further identified as 8 BLK 12 Plymouth Park; Real Estate Parcel No. 0121002002610, Zoning: R-8s, residential.

Motion to deny – Ziegenfuss / Woodhouse (5 – 0)

F. Application # ZON-BZA-2019-00022

Michael A & Susan C Ohmsen, property owners, 2735 Meadow Drive West, requesting a variance from Section 6-802.A.3.b.i of the Chesapeake Zoning Ordinance from the side yard setback of 10 feet to 0.5 feet for a carport addition on an existing detached garage. The property is further identified as 61 SUB Bruce Farms; Real Estate Parcel No. 0101001000610, Zoning: R-15S, residential.

Motion to continue to 12/12/2019 - Thrift / Allen (5 – 0)

G. Application # ZON-BZA-2019-00023

James C & Linda W Sanford, property owners, 1700 Silverton Way, requesting a variance from Section 6-1202.A.3.b.ii of the Chesapeake Zoning Ordinance from the rear yard setback of 25 feet to 18 feet to build a deck onto the back of an existing single-family dwelling. The property is further identified as 40 Fieldstone PH 4; Real Estate Parcel No. 0394002000400, Zoning: R-10s, residential.

Motion to deny – Allen / Woodhouse (4 – 1)

VII. New Public Hearing Items:

A. Application # ZON-BZA-2019-00024

Ronald W & Beverly H Gurganus, property owners, 1935 Mill Pond Drive, pursuant to Section 20-501 of the Chesapeake Zoning Ordinance, appealing a Notice of Violation dated August 30, 2019, for violation of Section 6-2003.A requiring removal of commercial vehicles from residential districts. The property is further identified as 5 MILL POND FOREST SEC ONE; Real Estate Parcel No. 0384001000050, Zoning R-12(A)s, residential.

**Motion to reverse violation notice failed without 4 votes
Ziegenfuss / Thrift (3 – 2)**

Motion to continue to 12/12/2019 – Ziegenfuss / Thrift (5 – 0)

B. Application # ZON-BZA-2019-00025

Michael A Langley, Jr. & Cynthia Langley, property owners, 140 Sinclair Lane, requesting a variance from Section 6-802.A.3.b.i of the Chesapeake Zoning Ordinance from the side yard setback of 10 feet to 4 feet for a shed. The property is further identified as 10 COOPERS CREEK MANOR; Real Estate Parcel No. 0603015000100, Zoning: R-15s, residential.

Motion to deny – Ziegenfuss / Allen (5 – 0)

VIII. New Business:

- A. Approval of the December 2019 Public Hearing date tentatively scheduled for Thursday, December 12, 2019.**

Motion to approve - Allen / Ziegenfuss (5 – 0)

B. Approval of the proposed 2020 Public Hearing Schedule.

Motion to approve – Allen / Woodhouse (5 – 0)

C. Election of Officers for Calendar Year 2020.

Motion to approve Dale Ware for secretary – Thrift / Ziegenfuss (4 – 1)

Motion to approve Stephen DeBoer for chairman – Thrift / Allen (4 – 1)

Motion to approve Robert Samuel for vice-chairman – Ziegenfuss / Allen (4 – 1)

IX. Review of Litigation: City Attorney – the Supreme Court denied the City’s request for appeal of the Mason application.

X. Adjournment: 8:45 pm