



ZON-BZA-2020-00023

APPLICATION
To
Board of Zoning Appeals
City of Chesapeake, Virginia

I (we) the undersigned do hereby apply to the Chesapeake Board of Zoning Appeals for a hearing on the following request:

Relief from §14-203 (A)(1)&(A)(2) Fences, walls and hedges on Industrial property; height limitations. Appellant seeks to install a battery powered, low voltage perimeter security system (fence) inside of existing chain link fence, separated by about 3-12 inches. The close proximity is required for the security system to function properly. The height limitation of 4' is too low to effectively keep out criminals. The setback of 15 is too large. The business cannot forfeit this much area of their property to have the protection they require.

Location of Property Involved in this Request

1026 & 1000 RURITAN BLVD

Legal Description: DISPOSITION PAR NO 2-A CAMPO RPROJECT 1.949 AC
DISPOSITION PAR NO 2 CAMPO PROJECT 2.152AC
SOUTH NORFOLK - TIP

Property Owner(s):

Tax Map ID or Real Estate Parcel Number: 1290000005690
1290000005680

Application Information

R&D PROPERTY HOLDINGS LLC BRYANT JAMES W JR & SHEILA A
4217 BAINBRIDGE BLVD 224 PINE ISLAND QUAY
CHESAPEAKE, VA 23324-1405 CHESAPEAKE, VA 23322-7191
(240) 876-6055

Applicant's Interest in the Property

- Owner (A Power of Attorney Form is required) Contract Purchaser Owner's Agent Lessee/Tenant
Other (explain)

Michael Katz
Applicant's Signature

Cindy Williams
Applicant's Signature

Reviewing Zoning Official: Cole Wares
Date and Time Received: 8-20-2020 3pm
Zoning District: A-1
Zoning Map Number: 280
Receipt Number: 510412

Board of Zoning Appeals Use Only:
BZA APPLICATION NUMBER: 20-23 HEARING DATE: 9/24/20
[] Granted [] Denied [] Withdrawn [] Upheld [] Overturned
Conditions:

ACKNOWLEDGEMENT

BZA APPLICATION NUMBER: #20-23 (to be completed by BZA Secretary)

DECLARATION OF BOARD OF ZONING APPEALS INTEREST:

State whether any member of the Board of Zoning Appeals owns or has any personal or financial interest in the land that is subject to the application, or has any personal or financial interest in the outcome of the decisions, as defined by the Virginia Conflict of Interest Act.

N/A

DECLARATION OF ACCURACY:

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents, and other submittals, and that all statements made, herein, are to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that wrongful certification or failure to provide required or requested documents that become available after the initial submittal of this application may result in a delay in, or invalidation of, any official governmental action taken. Fraudulent representations may lead to additional penalties under law.

DECLARATION OF FINANCIAL RESPONSIBILITY FOR LEGAL ADVERTISEMENT:

By signing below, I understand that the cost of advertising for public hearing notification purposes is my responsibility and do hereby agree to pay all notices of payment due and invoices associated with advertising costs for this application, including newspaper and, all re-advertisements for continuances, re-hearings and appeals, as applicable.

DECLARATION OF CONSENT:

By signing below, the applicant/agent consents to entry upon the subject property by public officers, employees, and agents of the City of Chesapeake wishing to view the site for purposes of processing, evaluating, or deciding upon this application. Check the party responsible for advertising: Applicant Agent

Owner/Applicant Signature:	<u>[Signature]</u>
Owner/Applicant Signature:	<u>Deborah L Sawyer</u>
Owner/Applicant Printed Name(s):	<u>Robert W. Hedrick, Deborah L. Sawyer</u>
Owner/Applicant Address:	<u>4217 Bainbridge Blvd, Chesapeake VA 23324</u>
Telephone Number(s):	<u>1-757-545-8435</u> Date: <u>12-10-19</u>
Email Address:	<u>dsawyer@sprinkle Masonry.com</u>

POWER OF ATTORNEY

This 10th day of December, 2019, the below-signed individuals do hereby appoint EGD, LLC (Cindy Williams &/or Michael Pate), mailing address of 550 Assembly St., 5th Floor, Columbia, SC 29201, as their Attorney-In-Fact and grant and confer to them the following powers with respect to the property located at 1026 & 1000 RURITAN BLVD, Chesapeake, Virginia:

1. Full authority to file an application with the Chesapeake Board of Zoning Appeals for a variance and/or appeal of a decision rendered by the Zoning Administrator.
2. The power to amend, in whole or in part, any of the documents relating to the above-referenced application to the Chesapeake Board of Zoning Appeals.
3. Full authority to appear before the Chesapeake Board of Zoning Appeals at such time the Board may consider the application for a variance or appeal.

The powers conferred herein shall terminate upon a final determination by the Chesapeake Board of Zoning Appeals on the application for variance or appeal.

[Signature], Property Owner
Deborah L Sawyer, Property Owner

STATE OF VIRGINIA,
CITY OF CHESAPEAKE, to wit:

Subscribed and sworn to before me this 10th day of December, 2019
by Robert W Hedrick

Elizabeth R Bachman
Notary Public

My commission expires: 5-31-21

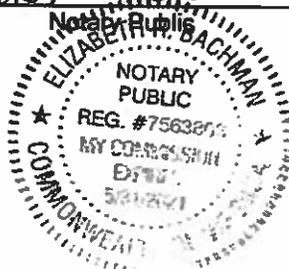


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My commission expires: 5-31-21





**APPLICATION
To
Board of Zoning Appeals
City of Chesapeake, Virginia**

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Location of Property Involved in this Request

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Legal Description: **DISPOSITION PAR NO 2-A CAMPO RPROJECT 1.949 AC
DISPOSITION PAR NO 2 CAMPO PROJECT 2.152AC**

SOUTH NORFOLK - TIP

Property Owner(s):

Tax Map ID or Real Estate Parcel Number: **1290000005690
1290000005680**

Application information

R&D PROPERTY HOLDINGS LLC	BRYANT JAMES W JR & SHEILA A
4217 BAINBRIDGE BLVD	224 PINE ISLAND QUAY
CHESAPEAKE, VA 23324-1405	CHESAPEAKE, VA 23322-7191
(240) 876-6055	

Applicant's Interest in the Property

Owner (A Power of Attorney Form is required) Contract Purchaser Owner's Agent Lessee/Tenant
 Other (specify)

Cindy Williams *Michael Pat*
Applicant's Signature

James W. Bryant Jr. *Sheila Bryant*
Applicant's Signature

Reviewing Zoning Official: *Cole Ware*
Date and Time Received: *8-20-2020 3pm*
Zoning District: *M-1*
Zoning Map Number: *280 570413*
Receipt Number:

Board of Zoning Appeals Uses Only:
BZA APPLICATION NUMBER: *1720-23* HEARING DATE: *9/24/20*
 Granted Denied Withdrawn Upheld Overturned
Conditions:

POWER OF ATTORNEY

This 14th day of August, 2020, the below-signed individuals do hereby appoint EGD, LLC (Cindy Williams &/or Michael Pate), mailing address of 550 Assembly St., 5th Floor, Columbia, SC 29201, as their Attorney-In-Fact and grant and confer to them the following powers with respect to the property located at 1026 & 1000 RURITAN BLVD, Chesapeake, Virginia:

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2. The power to amend, in whole or in part, any of the documents relating to the above-referenced application to the Chesapeake Board of Zoning Appeals.
3. Full authority to appear before the Chesapeake Board of Zoning Appeals at such time the Board may consider the application for a variance or appeal.

The powers confirmed herein shall terminate upon a final determination by the Chesapeake Board of Zoning Appeals on the application for variance or appeal.

James W. Bryant, Jr. _____, Property Owner
Shirley A Bryant _____, Property Owner

STATE OF VIRGINIA,
CITY OF CHESAPEAKE, to wit:

Subscribed and sworn to before me this 14th day of August, 2020, by Public Lane Notary

Public Lane Notary
 Notary Public

My commission expires: 3/31/2021

STATE OF VIRGINIA,
CITY OF CHESAPEAKE, to wit:

Subscribed and sworn to before me this _____ day of _____, 20____, by _____

Notary Public

My commission expires: _____

ACKNOWLEDGEMENT

BZA APPLICATION NUMBER: #20-23 (to be completed by BZA Secretary)

DECLARATION OF BOARD OF ZONING APPEALS INTEREST:

State whether any member of the Board of Zoning Appeals owns or has any personal or financial interest in the land that is subject to the application, or has any personal or financial interest in the outcome of the decisions, as defined by the Virginia Conflict of Interest Act.

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I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents, and other submittals, and that all statements made, herein, are to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that wrongful certification or failure to provide required or requested documents that become available after the initial submittal of this application may result in a delay in, or invalidation of, any official governmental action taken. Fraudulent representations may lead to additional penalties under law.

DECLARATION OF FINANCIAL RESPONSIBILITY FOR LEGAL ADVERTISEMENT:

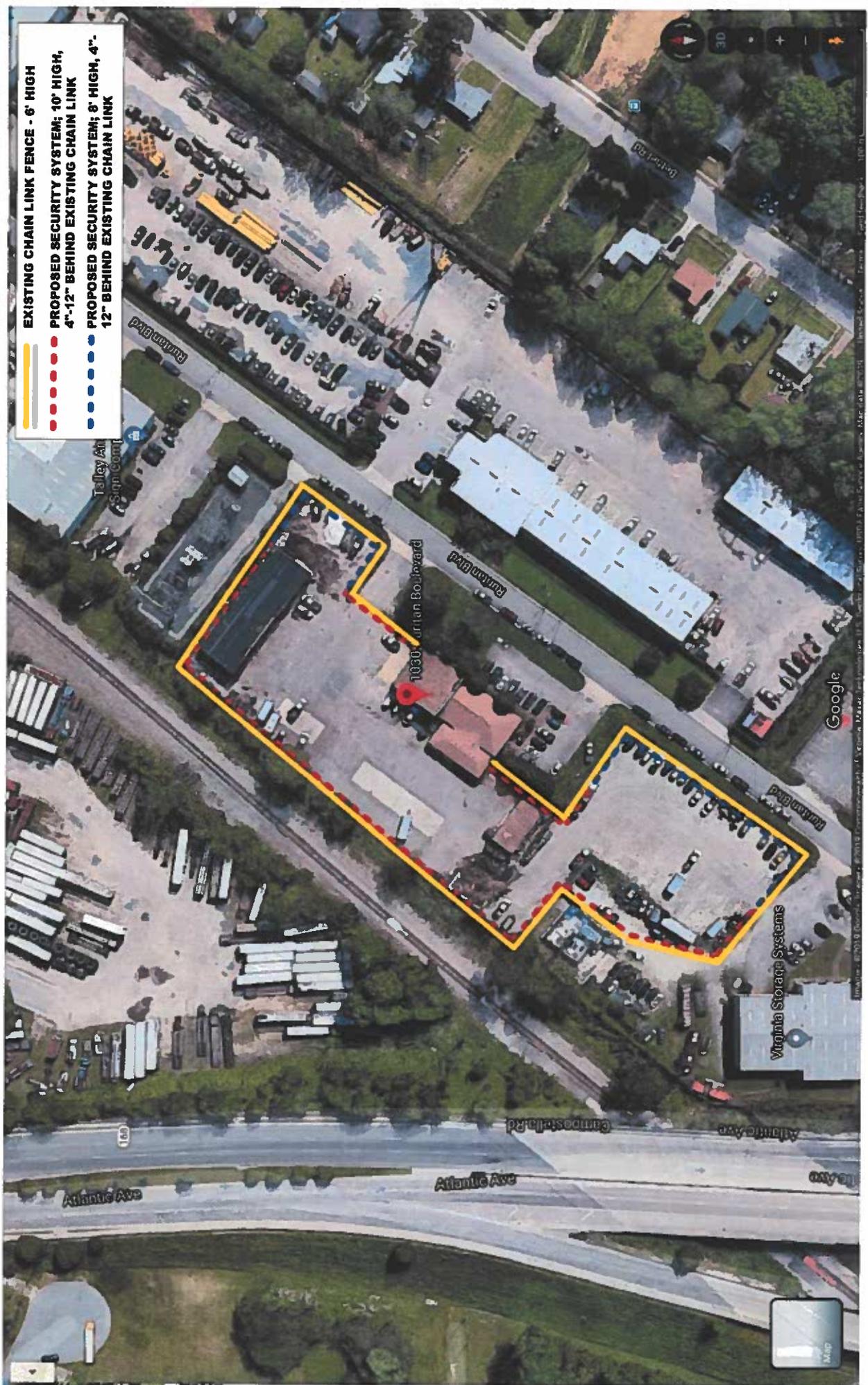
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Owner/Applicant Signature: <u>James W. Bryant, Jr.</u>	Sharla A. Bryant
Owner/Applicant Signature: _____	_____
Owner/Applicant Printed Name(s): <u>James W. Bryant, Jr.</u>	<u>Sharla A. Bryant</u>
Owner/Applicant Address: _____	_____
Telephone Number(s) <u>757-436-4507</u>	Date: <u>8-13-2020</u>
Email Address: <u>jim@virginiastorage.com</u>	_____

- EXISTING CHAIN LINK FENCE - 6' HIGH
- PROPOSED SECURITY SYSTEM; 10' HIGH, 4"-12" BEHIND EXISTING CHAIN LINK
- PROPOSED SECURITY SYSTEM; 8' HIGH, 4"-12" BEHIND EXISTING CHAIN LINK



1. The specific conditions in detail which are unique to the applicant's land and do not exist on other land in the same zone.

BrightView Landscape Services is a second-generation, family-owned dealership that has become the signature of boating excellence in Kentucky. They sell both new and pre-owned boats and marine equipment.

As such, they have highly desirable supplies, inventory and equipment. Hardships include:

- a. High value of inventory – both the equipment and marine inventories.
- b. Due to size and nature of items, they **must** be stored in outside lot and cannot be protected inside a building.
- c. As the storage area is more than 8 acres, it is not possible for security guards to effectively and constantly monitor the entire property.
- d. Much of the perimeter is not accessible via road frontage and is surrounded by mature vegetation and trees. It is very easy to obtain access without being seen by patrolling Policemen or a neighborhood watch.

Special circumstance and conditions of the location dictate the height of the electric security fence be permitted at ten feet.

- The perimeter security fence which is standard chain link (**NOT electrified**) is 6'.
- The electric fence should be considerably higher than the perimeter fence.
- The 10' height prevents the perpetrators from simply hurdling both the perimeter, non-electric fence and the Electric Fence as a single barrier in one continuous motion. They would be required to navigate 2 unequal barriers to access the property for purposes of criminal intent.
- At 10', the fence is more imposing to someone thinking about scaling it. We have experimented with different heights and have found shorter fences to be too tempting to breach.

The location of the property and the high value inventories secured in the yard are an open invitation to the criminal class. The only system that actually PREVENTS crime and break-ins is the proposed Electric Guard Dog electric fence/security system.

2. The manner in which the strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land in the manner equivalent to the use permitted other landowners in the same zone.

As written, **code 810.1 Fences, Walls, Hedges and Trees** limits height to 4' in yard frontage and 8' on other sides. In order for the proposed electric security fence to be effective it must be 10' high. This height differential from the existing chain link fence creates a significant and imposing barrier which effectively deters criminals. At a lower height, criminals are not deterred and will continue to trespass and steal from the business. The losses are unsustainable which causes the business to lose money that could otherwise allow them to grow, hire more people and add to the tax base of the city.

The proposed security fence, although 10' tall, contains very small wires (12 gauge) making it virtually invisible to vehicular traffic as it blends into the existing chain link fence. It will be located inside of the non-electrified chain link fence, further interior to the property so a safe barrier is created so casual passersbys will not have any accidental contact with it, only illegal trespassers would.

3. That unique conditions and circumstances are not the result of actions of applicant taken subsequent to the adoption of the zoning regulations.

Appellant affirms that unique conditions and circumstances are not the result of actions of applicant taken subsequent to the adoption of the zoning regulations. This variance is not being sought to relieve illegal acts or self-imposed hardships. The business is a reputable business, located in the appropriate zoning and complies with all other ordinances. The variance authorized will be consistent with the general purpose and intent of the provision from which the variance is sought as the general safety and welfare of the public is maintained, crime is prevented, and the City can husband police resources toward crime other than property break-ins and vandalism. The variance is the minimum necessary to relieve a practical difficulty and resulting hardship, cameras record crime and do not prevent it, guards are unreliable (do not show up for work, sleep on the job, and at times are complicit in the criminal action). The electric security fence is the most reliable, most economical, and safest security application available. In actuality the installation of the electric security fence will secure the variance property and increase the security of the surrounding properties and the immediate area by deterring the criminal element.

4. Reasons that the variance will preserve, not harm the public safety and welfare, and will not alter the essential character of the neighborhood.

Appellant affirms that the proposed electric security fence will preserve, not harm the public safety and welfare, and will not alter the essential character of the neighborhood. This fence/system has been in existence for decades, installed in thousands of municipalities across the United States. It is the single, most effective perimeter security system around. In many instances businesses emerge from nearly going out of business due to horrific crime to having zero incidents of crime following installation!

Since the electric security fence is placed inside of the chain link fence there is a completely safe barrier so that children and pets that might be in the area will not have accidental contact with the security system. Since the wires of the system are so small it is virtually indistinguishable from the chain link fence making it aesthetically pleasing to the surrounding property owners. The system is a proven crime deterrence, driving crime away. Lowering the crime rate of the area increases property values for the surrounding area not just the subject property. The essential character of the neighborhood will not be negatively impacted rather, it will be improved by a lower crime rate.

Zon-BZA-2020-0023

August 18, 2020

Kim Fowler
Board of Zoning Appeals
306 Cedar Road, 2nd Floor
Chesapeake, VA 23322
757-382-6466

RE: Variance submittals for Brightview Landscape located at 1030 Ruritan Blvd., Chesapeake, VA 23322 (parcels: 1290000005680 and 1290000005690)

Kim Fowler:

Enclosed are the required documents for variance submittals for an electric security fence for Brightview Landscape located at 1030 Ruritan Blvd., Chesapeake, VA 23322 (parcels: 1290000005680 and 1290000005690). I did not find on the applications places to list our contact information as the agent/applicant. The property owners listed their respective contact information. Please contact me directly concerning these applications. We look forward to presenting our case(s). Have a good day.

Thank you,
Donald McLellan
AMAROK, LLC
550 Assembly St., 5th Floor, Columbia, SC 29201
Direct Phone: 803-404-6186 | Main Phone: 803-786-6333 | Fax: 803-404-5378

LEGAL DESCRIPTION FOR PARCEL 1290000005690

DISPOSITION PAR NO 2-A CAMPO RPROJECT 1.949 AC



LEGAL DESCRIPTION FOR PARCEL 1290000005680

DISPOSITION PAR NO 2 CAMPO PROJECT 2.152AC

ABUTTING PROPERTITES

Parcel Number: 1290000005691

Owner's Name: VIRGINIA ELECTRIC & POWER CO
Mailing Address: PO BOX 26666, RICHMOND , VA 23261-6666
Zoning: M1: Light Industrial
Property Address (Primary): 1032 RURITAN, CHESAPEAKE, VA 23324
Legal Description: VEPCO ROW .774 AC
Acreage: 0.773

Parcel Number: 1290000005650

Owner's Name: J & J REAL ESTATE LLC
Mailing Address: PO BOX 8665, VIRGINIA BEACH, VA 23450-8665
Zoning: M1: Light Industrial
Property Address (Primary): 1025 RURITAN, CHESAPEAKE, VA 23324
Legal Description: DISPOSITION PAR NO 1-A CAMPO PROJECT 2.629 AC
Acreage: 2.629

Parcel Number: 1290000005680

Owner's Name: BRYANT JAMES W JR & SHEILA A
Mailing Address: 224 PINE ISLAND QUAY, CHESAPEAKE, VA 23322-7191
Zoning: M1: Light Industrial
Property Address (Primary): 1000 RURITAN, CHESAPEAKE, VA 23324
Legal Description: DISPOSITION PAR NO 2 CAMPO PROJECT 2.152AC
Acreage: 2.152

Parcel Number: 1290000005660

Owner's Name: J A C 110 LLC
Mailing Address: 520 NAVAL BASE RD., NORFOLK, VA 23505-3618
Zoning: M1: Light Industrial
Property Address (Primary): 1013 RURITAN, CHESAPEAKE, VA 23324
Legal Description: PAR 2 RESUB PARS 1-B & 1-C CAMPO PROJECT 1.5425AC
Acreage: 1.542



AMAROK

ULTIMATE PERIMETER SECURITY

Protecting Local
Businesses from Crime



PRESENTATION OUTLINE



OUR COMPANY



OUR METHOD



OUR SYSTEM



STANDARDS &
SAFETY



AESTHETICS

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OUR COMPANY

ABOUT US: A MARKET LEADER IN PERIMETER SECURITY

#1 in the U.S. since 1991

4,000+ Installations – 1,200+ Jurisdictions – 48 States

We are a perimeter security solution for businesses located on commercial, manufacturing and industrial sites whose needs include the **protection of outdoor assets**.

We break down our response to **common criminal tactics** into four strategic segments:

- Deter (Before Trespass)
- Defend (Trespass Initiated)
- Detect (Know What's Happening)
- Deploy (Response)



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CUSTOMERS THAT NEED PERIMETER SECURITY

- Trucking & Logistics
- Collision & Automotive Repair
- Distribution
- Auto Auctions & Dismantlers
- Metal Recycling
- Equipment Rental
- Landscaping
- Truck Sales & Service



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OUR METHOD

BEFORE TRESPASS: DETER

Deterrence begins at the perimeter with **physical infrastructure and multi-lingual warning signs**, discouraging a criminal from attempting a breach at all.

Deterrence is a psychological battle, and when EGD wins, **crime is stopped before it happens.**



TRESPASS INITIATED: DEFEND

Stop unauthorized entry!

- Physical Deterrent
- Built **ONLY** inside the existing non-electrified perimeter barrier

MEDICALLY SAFE

- Pulses: every **1.3 seconds**
- Duration: less than **0.0003 seconds**



If someone touches our system, they are trespassing!

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ALARM DETERRENT: DETECT

Audible & monitored alarm system which activates when trespass is detected. System includes remote access to arm/disarm.



ALARM FOLLOW UP: DEPLOY

If an activated alarm is **confirmed to be a trespasser**, responders are then contacted and deployed to investigate





OUR SYSTEM

AMAROK RESPONSIBILITY

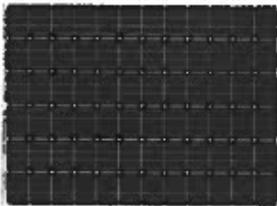
AMAROK owns and maintains
the security system



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rights reserved.



HOW IT WORKS: CORE COMPONENTS



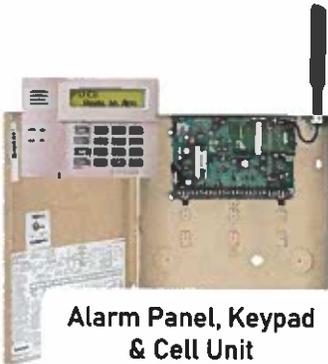
Solar Panel



Battery
(does not exceed 12V DC)



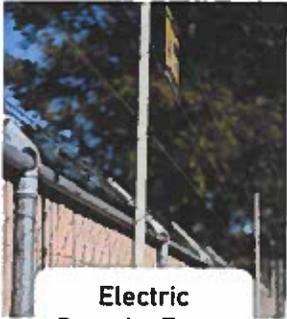
Energizer



**Alarm Panel, Keypad
& Cell Unit**



Emergency Shut-Off



**Electric
Security Fence**

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GREEN SECURITY

The system is powered by 12-volt battery that is recharged by a solar panel, which is environmentally friendly as well as effective.

- Great addition to green strategy
- Not affected by power failures
- Not connected to mains power





**STANDARDS &
SAFETY**

SAFE & EFFECTIVE

"The pulses emitted from AMAROK's electric fences, while unpleasant, are not dangerous."



Mark Kroll, PhD

- Internationally recognized authority on electrical injury
- Author of over 100 published peer-reviewed articles
- Editor of 4 books dealing with electric shocks
- Served on committees for ANSI standards, IEC standards, and ASTM standards
- Member of the International Electrotechnical Commission Committee that sets the fundamental electrical safety limits for the world
- Adjunct Professor of Biomedical Engineering at the U of Minnesota and Cal Poly, San Luis Obispo

SAFE & EFFECTIVE

We are certified compliant by a Nationally Recognized Testing Laboratory...

“Nationally Recognized Testing Laboratories (NRTL) are third-party organizations recognized by OSHA as having the capability to provide product safety testing and certification services...”

NRTL certified means “...the product met the requirements of an appropriate consensus-based product safety standard either by successfully testing the product itself, or by verifying that a contract laboratory has done so...”



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NATIONALLY & INTERNATIONALLY APPROVED

We meet standards set by the International Electrotechnical Commission (IEC 60335-2-76) and ASTM (F3296-19)



International
Electrotechnical
Commission

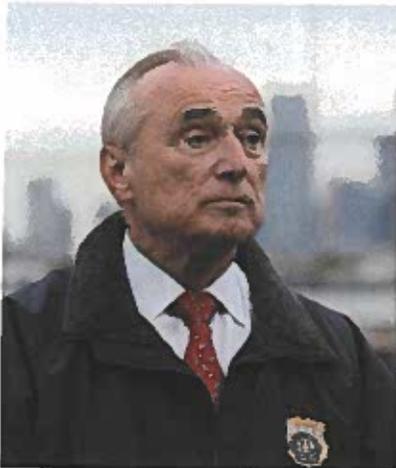


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SAFE & EFFECTIVE

“Quote”



William Bratton

One of the world's most respected and trusted experts on risk and security issues

- **Executive Chairman of Teneo Risk, where he advises clients on risk identification, prevention, and response**
- **Member of AMAROK, LLC's Board of Directors**
- **Vice Chair of the Homeland Security Advisory Council since 2011**
- **New York City Police Commissioner (1994–1996 & 2014–2016)**
- **Boston Police Department Commissioner (1993–1994)**
- **Chief of the Los Angeles Police Department (2002–2009)**

HOMELAND SECURITY



Cargo theft is a multi-billion-dollar criminal enterprise in the U.S., and the FBI has seven task forces located around the country to combat the problem.

Cargo theft is also a "gateway" crime... "Groups that do these crimes are often funding other illegal activities, like buying drugs or weapons. And compared to many crimes... cargo theft is highly profitable and not particularly dangerous."

<https://www.fbi.gov/news/stories/cargo-theft>



Our customers must proactively assess and respond to security threats to prevent terrorism.

"Companies sign an agreement to work with CBP to protect the supply chain, identify security gaps, and implement specific security measures and best practices. Additionally, partners provide CBP with a security profile outlining the specific security measures the company has in place."

<http://www.cbp.gov/border-security/ports-entry/cargo-security/c-tpat-customs-trade-partnership-against-terrorism>

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EMERGENCY SHUT-OFF

EMERGENCY SHUT-OFF?

Knox switch provides fire department with emergency shut-off to deenergize the fence



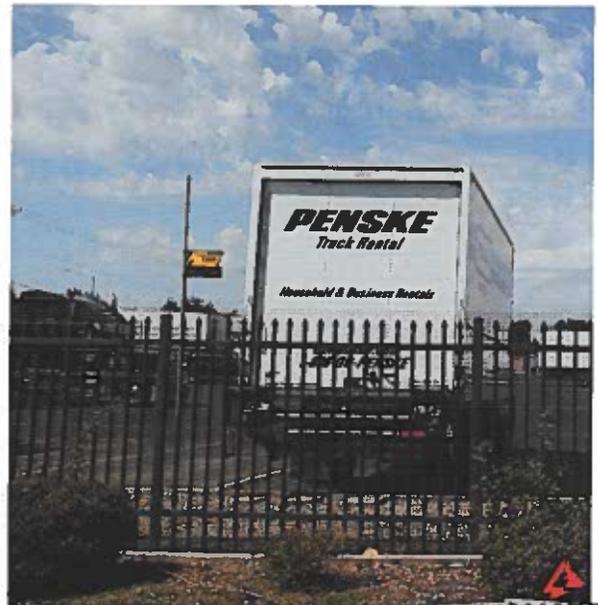
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AESTHETICS

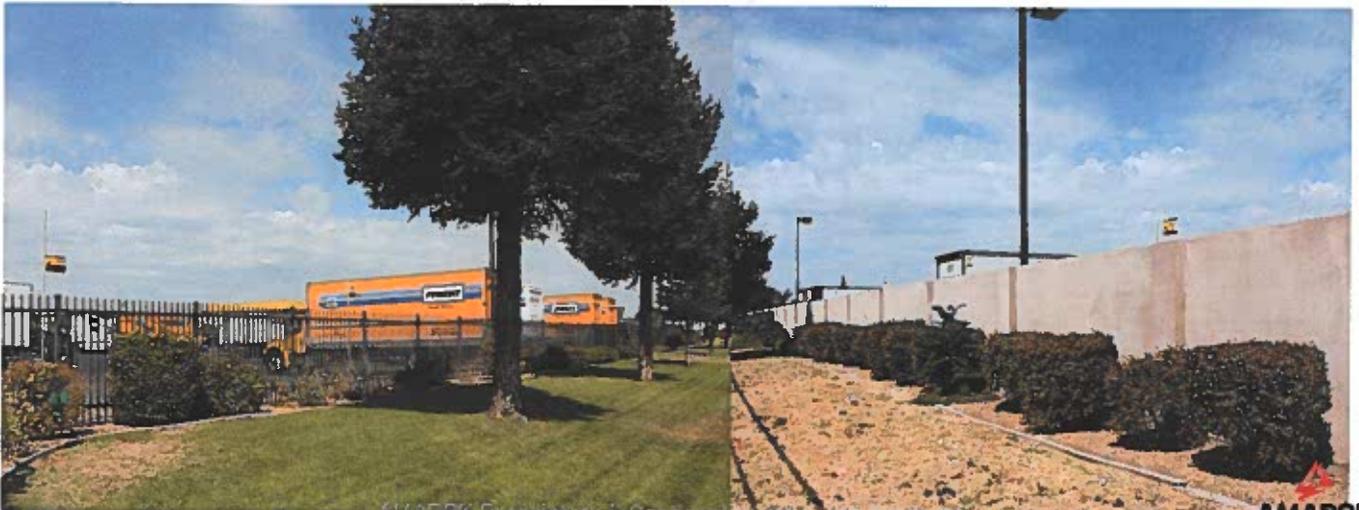
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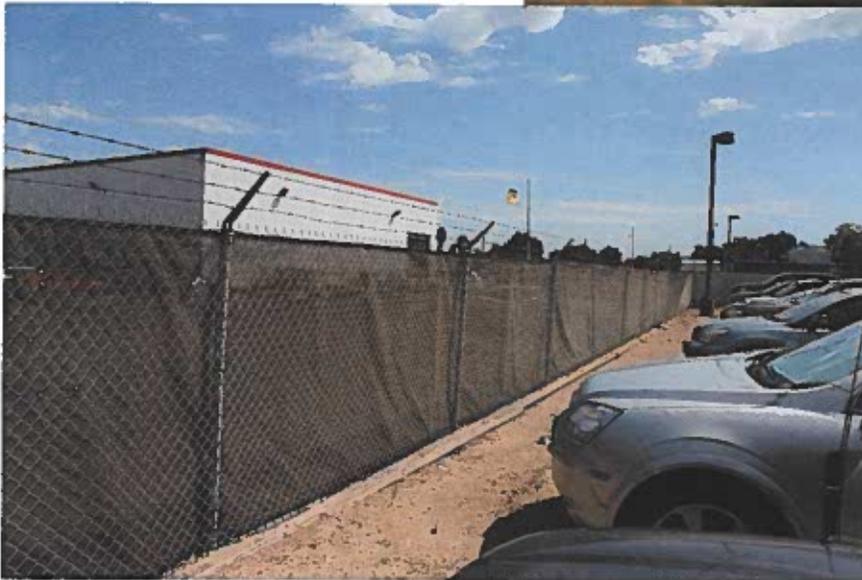
AESTHETICS



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AESTHETICS



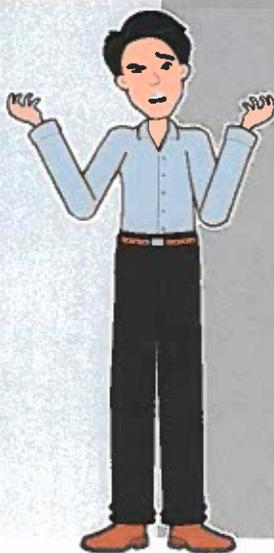
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AESTHETICS



SO WHY MUST
OUR
FENCE BE
TALLER?





INDIAN RIVER RD

MACTAGGERT AVE

WILSON RD

GRACIE RD

22ND ST

BERKLEY AVE

WINGFIELD AVE

LAFAYETTE AVE

WADE ST

LANDSWORTH ST

SPADINA AVE

PARTRIDGE AVE

PORTLAND ST

WESTGATE ST

CASCADE BLVD

KEEL ST

COMMON LN

OLDWOOD ST

CAMPSTELLA RD

VELLINES AVE

KEMET RD

SHIRE LN

HARLING DR

PRINGLE DR

CAYCE DR

MOUNTAIN BLVD

BETHEL RD

DRAYTON RD

YEADON RD

CLEONA DR

ALGONA RD

BORDER RD

MOONEY RD

KILBRIDE DR

MATTOX DR

MAYON DR

SCOTIA DR

ELBYRNE DR

VELVA DR

KEITH CT

STALHAM RD

PLOW LN

SHADY LN

POND LN

FARMER LN

BERKLEY AVE

WINDY RD

PARKSIDE DR

FIRESIDE RD

SHELTER RD

WELCOME RD

CANDLEWOOD DR

HILTON AVE

DORIS AVE

SUNRISE AVE

WINGFIELD AVE

GIFFON CRES

KING CT

EVERS CT

MALCOLM CT

SILVER LEAF DR

ARBOR GLEN DR

GOLDEN LEAF DR

PETUNIA PATH

MUNDEN ST

VICKER AVE

MYERS RD

RHODES ST

BURFOOT ST

STRAWBERRY LN

LIBERTY ST

OHIO ST

JEFFERSON ST

STONEHURST ST

MELTON ST

GREER ST

ROSE ST

PARK AVE

ATLANTIC AVE

OLIVER AVE

MARTIN AVE

HOOVER AVE

BUCKLAND ST

CULLEN AVE

HINES AVE

CHESAPEAKE AVE

HOLLY AVE

JACKSON AVE

ARDMORE AVE

NARROW ST

RODGERS ST

ABLE ST

HOLLY POINT BLVD

ROCK CREEK CT

ROCK CREEK DR

IVY CRES

LONGDALE CRES

CROWN CRES



Parcel Number: 1290000005690
Property Address (Primary): 1026 RURITAN BLVD
 CHESAPEAKE , 23324
Parcel Class: 4344
Parcel Class Description: COMMERCIAL - OFFICE

Summary

Property Owner	R&D PROPERTY HOLDINGS L L C
Owner Address Address	4217 BAINBRIDGE BLVD CHESAPEAKE , VA 23324-1405
Zoning	M1: Light Industrial
Acreage	1.949
Legal Description	DISPOSITION PAR NO 2-A CAMPO RPROJECT 1.949 AC

Site Information

Neighborhood Number	0001
Neighborhood Description	COMMERCIAL
Borough:	SOUTH NORFOLK - TIF
Building Name	BRIGHTVIEW LANDSCAPE SERVICE
Frontage Length	370.39
Other Dimensions	X236.77X374.80X219.21
Land Use Participant	No

Assessment Information

Date	Fiscal Year	Land Value	Land Use Value	Improvement Value	Total Value
7/1/2020	2021	\$243,600		\$784,800	\$1,028,400
7/1/2019	2020	\$243,600		\$530,800	\$774,400
7/1/2018	2019	\$243,600		\$488,100	\$731,700
7/1/2017	2018	\$243,600		\$488,100	\$731,700
7/1/2016	2017	\$243,600		\$488,100	\$731,700
7/1/2015	2016	\$243,600		\$478,700	\$722,300
7/1/2014	2015	\$243,600		\$553,900	\$797,500
7/1/2013	2014	\$214,400		\$560,100	\$774,500
7/1/2012	2013	\$214,400		\$560,100	\$774,500
7/1/2011	2012	\$214,400		\$560,100	\$774,500
7/1/2010	2011	\$214,400		\$579,200	\$793,600
7/1/2009	2010	\$214,400		\$579,200	\$793,600
7/1/2008	2009	\$194,900		\$372,300	\$567,200
7/1/2007	2008	\$185,200		\$350,000	\$535,200
7/1/2006	2007	\$155,900		\$350,000	\$505,900
7/1/2005	2006	\$107,200		\$350,000	\$457,200

Ownership Information

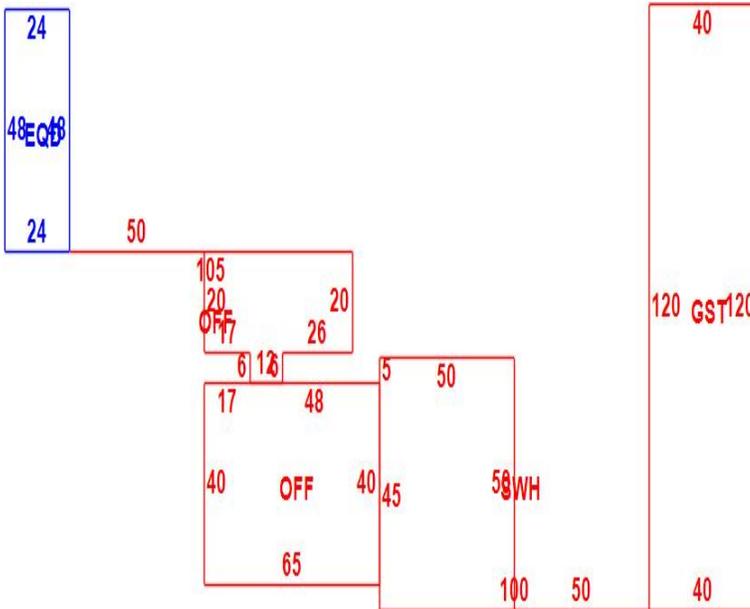
Buyer Name	Seller Name	Sale Date	Sale Amount	Deed Book	Deed Page	Map Book/Page
R&D PROPERTY HOLDINGS L L C	JTH HOLDINGS L L C	10/17/2008	\$1,000,000	7645	526	00840079
JTH HOLDINGS L L C	SPRINKLE MASONRY INC	6/22/2000	\$665,000	4096	626	00840079
SPRINKLE MASONRY INC	SPRINKLE DONALD A	1/25/1995	\$600,000	3186	157	00840079
SPRINKLE DONALD A	SPRINKLE MASONRY CO	12/29/1987	\$300,000	2358	380	00000000
SPRINKLE MASONRY CO	CHESAPEAKE REDEV & HOUSING AUTH	2/4/1987	\$31,200	2261	526	00000000
CHESAPEAKE REDEV & HOUSING AUTH		12/16/1983	\$	2019	155	00840079

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Commercial Improvement

Year Built :	1987
Effecie Size:	6272
Number of Stories :	1.0
Elevator :	
Number of Elevators :	
HVAC/AC :	
HVAC/AC 2 :	
HVAC/AC 3 :	

Front Wall :	
Front Wall 2:	
Side Wall :	
Side Wall 2 :	
Rear Wall :	
Rear Wall 2 :	
Sprinklers :	



Segments Information

Building # 1

Segment Code	Segment Description	Square Feet
EQD	389-EQUIPMENT SHED	1,152
GST	326-GARAGE, STORAGE	4,800
OFF	344-OFFICE	3,772
SWH	406-WAREHOUSE, STORAGE	2,500

Outbuilding Information

Building Description	Year Built	Square Feet
LEAN-TO	1987	400
FENCING CHAIN LINK	1987	680
PAVING	1987	38412
UG FUEL TANK	2015	1000
UG FUEL TANK	2015	1000
UG FUEL TANK	2015	200

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Real Estate Tax

Current Year	Bill Number	Year	Installment	Date Due	Tax Billed	Tax Paid	Balance Due
2020	65605	2020	INSTALLMENT #1	9/30/2019	\$2,032.80	-\$2,032.80	\$6,098.40
2020	65605	2020	INSTALLMENT #2	12/31/2019	\$2,032.80	-\$2,032.80	\$4,065.60
2020	65605	2020	INSTALLMENT #3	3/31/2020	\$2,032.80	-\$2,032.80	\$2,032.80
2020	65605	2020	INSTALLMENT #4	6/30/2020	\$2,032.80	-\$2,032.80	\$0.00

Please contact the Treasurer's Office at (757) 382-6281 if you have questions regarding Tax Paid or Balance Due. Storm Water Fees and prior balances do not show on this tab.

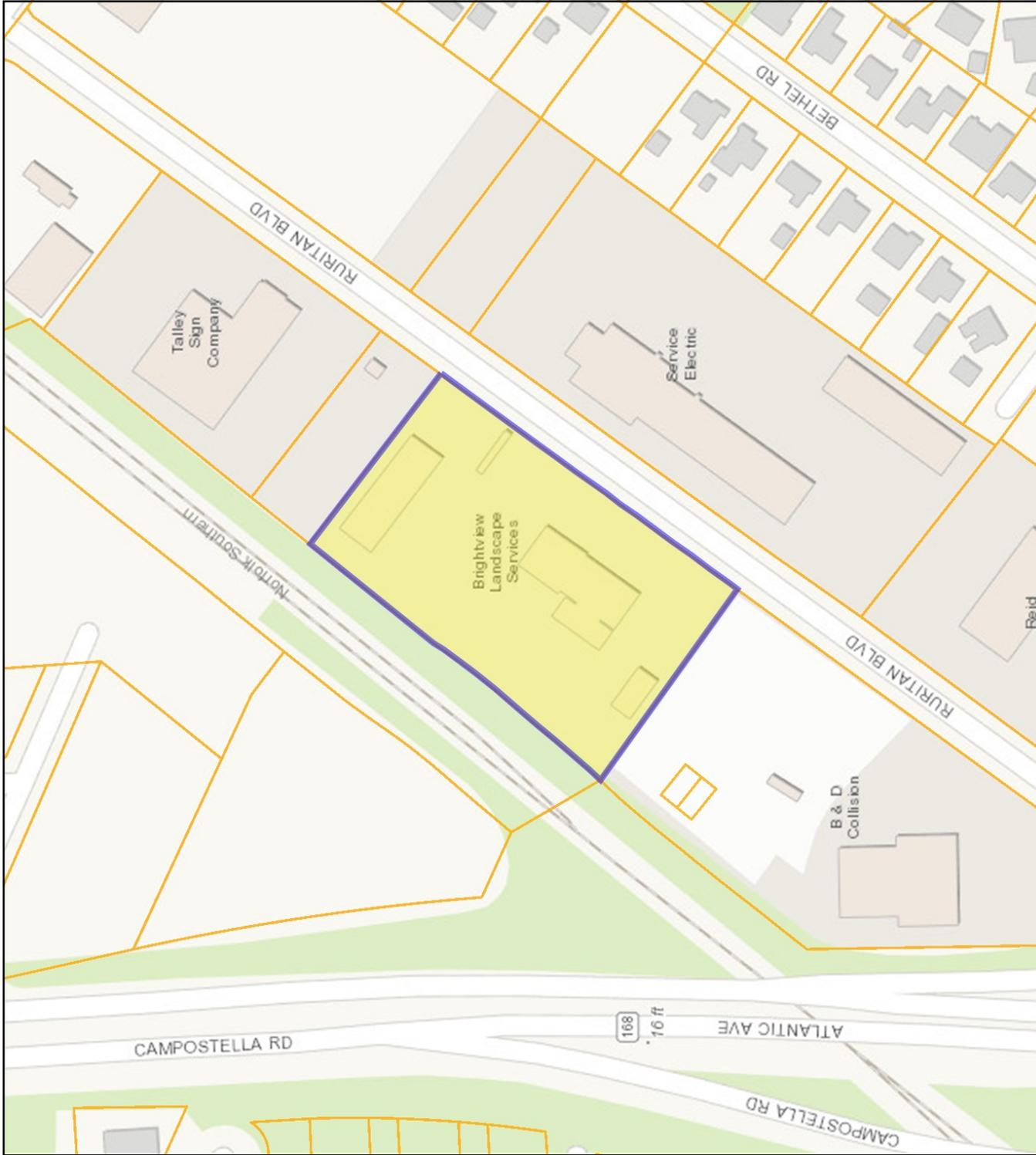
Real Estate Notes

Note
1-SUPPL 54585 86-87
2-DB7645 PG530 CREDIT LINE D/T \$700,000 RECORDED 11/14/08.DAJ
3-EXONERATION ADJUSTMENT TAX YEAR 2014-2015 - A PORTION OF 3RD & 4TH QUARTER TAX BILLS ADJUSTED DUE TO DEMOLITION ON BUILDING. 12/24/14 PP/BB
888-CHESAPEAKE REDEV & HOUSING AUTH 000000 000000000 0000 000 0084 0079

City of Chesapeake, Virginia

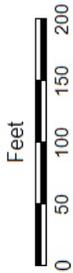
Legend

- Parcels
- City Boundary



Parcel Number: 129000005690

Date: 8/21/2020



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Parcel Number: 1290000005680
Property Address (Primary): 1000 RURITAN BLVD
 CHESAPEAKE , 23324
Parcel Class: 4406
Parcel Class Description: COMMERCIAL - STORAGE WAREHOUSE

Summary

Property Owner	BRYANT JAMES W JR & SHEILA A
Owner Address Address	224 PINE ISLAND QUAY CHESAPEAKE , VA 23322-7191
Zoning	M1: Light Industrial
Acreage	2.152
Legal Description	DISPOSITION PAR NO 2 CAMPO PROJECT 2.152AC

Site Information

Neighborhood Number	0001
Neighborhood Description	COMMERCIAL
Borough:	SOUTH NORFOLK - TIF
Building Name	A & B STEEL SOLUTIONS LLC
Frontage Length	579.74
Other Dimensions	X359.30X284.18X236.77
Land Use Participant	No

Assessment Information

Date	Fiscal Year	Land Value	Land Use Value	Improvement Value	Total Value
7/1/2020	2021	\$269,000		\$553,900	\$822,900
7/1/2019	2020	\$269,000		\$538,800	\$807,800
7/1/2018	2019	\$269,000		\$487,100	\$756,100
7/1/2017	2018	\$273,600		\$421,800	\$695,400
7/1/2016	2017	\$273,600		\$421,800	\$695,400
7/1/2015	2016	\$273,600		\$421,800	\$695,400
7/1/2014	2015	\$273,600		\$421,800	\$695,400
7/1/2013	2014	\$229,800		\$454,000	\$683,800
7/1/2012	2013	\$229,800		\$454,000	\$683,800
7/1/2011	2012	\$229,800		\$454,000	\$683,800
7/1/2010	2011	\$229,800		\$469,600	\$699,400
7/1/2009	2010	\$229,800		\$469,600	\$699,400
7/1/2008	2009	\$208,000		\$458,700	\$666,700
7/1/2007	2008	\$197,000		\$458,700	\$655,700
7/1/2006	2007	\$164,200		\$458,700	\$622,900
7/1/2005	2006	\$120,400		\$458,700	\$579,100

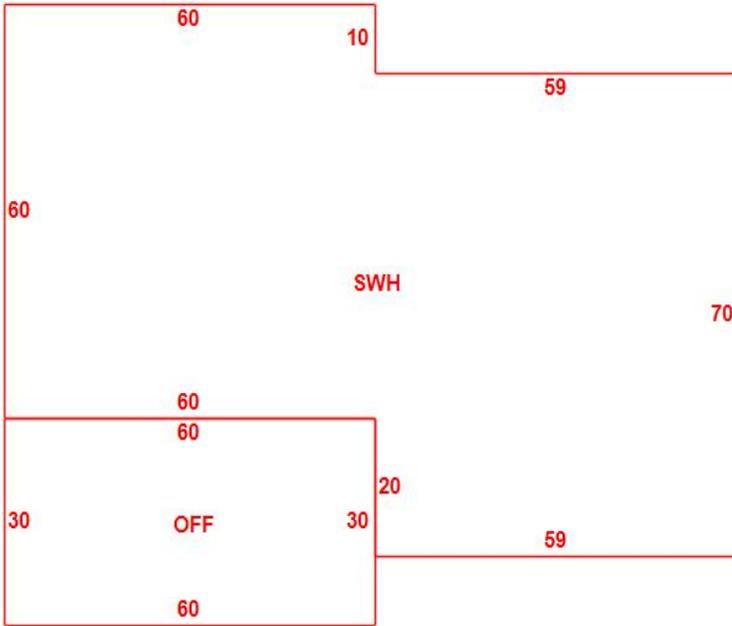
Ownership Information

Buyer Name	Seller Name	Sale Date	Sale Amount	Deed Book	Deed Page	Map Book/Page
BRYANT JAMES W JR & SHEILA A	WHITTEN VENTURES L L C	1/10/2005	\$625,000	5792	590	00840044
WHITTEN VENTURES L L C	ELLIS LEONARD C JR	10/3/2001	\$450,000	4393	400	00840044
ELLIS LEONARD C JR	CHESAPEAKE REDEV & HOUSING AUTH	11/4/1987	\$40,000	2345	339	00840044
CHESAPEAKE REDEV & HOUSING AUTH		1/2/1987	\$	0000	0	00840044

Commercial Improvement

Year Built :	1987
Effecie Size:	9530
Number of Stories :	1.0
Elevator :	
Number of Elevators :	
HVAC/AC :	
HVAC/AC 2 :	
HVAC/AC 3 :	

Front Wall :	
Front Wall 2:	
Side Wall :	
Side Wall 2 :	
Rear Wall :	
Rear Wall 2 :	
Sprinklers :	



Segments Information

Building # 1

Segment Code	Segment Description	Square Feet
OFF	344-OFFICE	1,800
SWH	406-WAREHOUSE, STORAGE	7,730

Outbuilding Information

Building Description	Year Built	Square Feet
FENCING CHAIN LINK	1987	11190

Real Estate Tax

Current Year	Bill Number	Year	Installment	Date Due	Tax Billed	Tax Paid	Balance Due
2020	9785	2020	INSTALLMENT #1	9/30/2019	\$2,120.48	-\$2,120.48	\$6,361.44
2020	9785	2020	INSTALLMENT #2	12/31/2019	\$2,120.48	-\$2,120.48	\$4,240.96
2020	9785	2020	INSTALLMENT #3	3/31/2020	\$2,120.48	-\$2,120.48	\$2,120.48

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2020	9785	2020	INSTALLMENT #4	6/30/2020	\$2,120.48	-\$2,120.48	\$0.00
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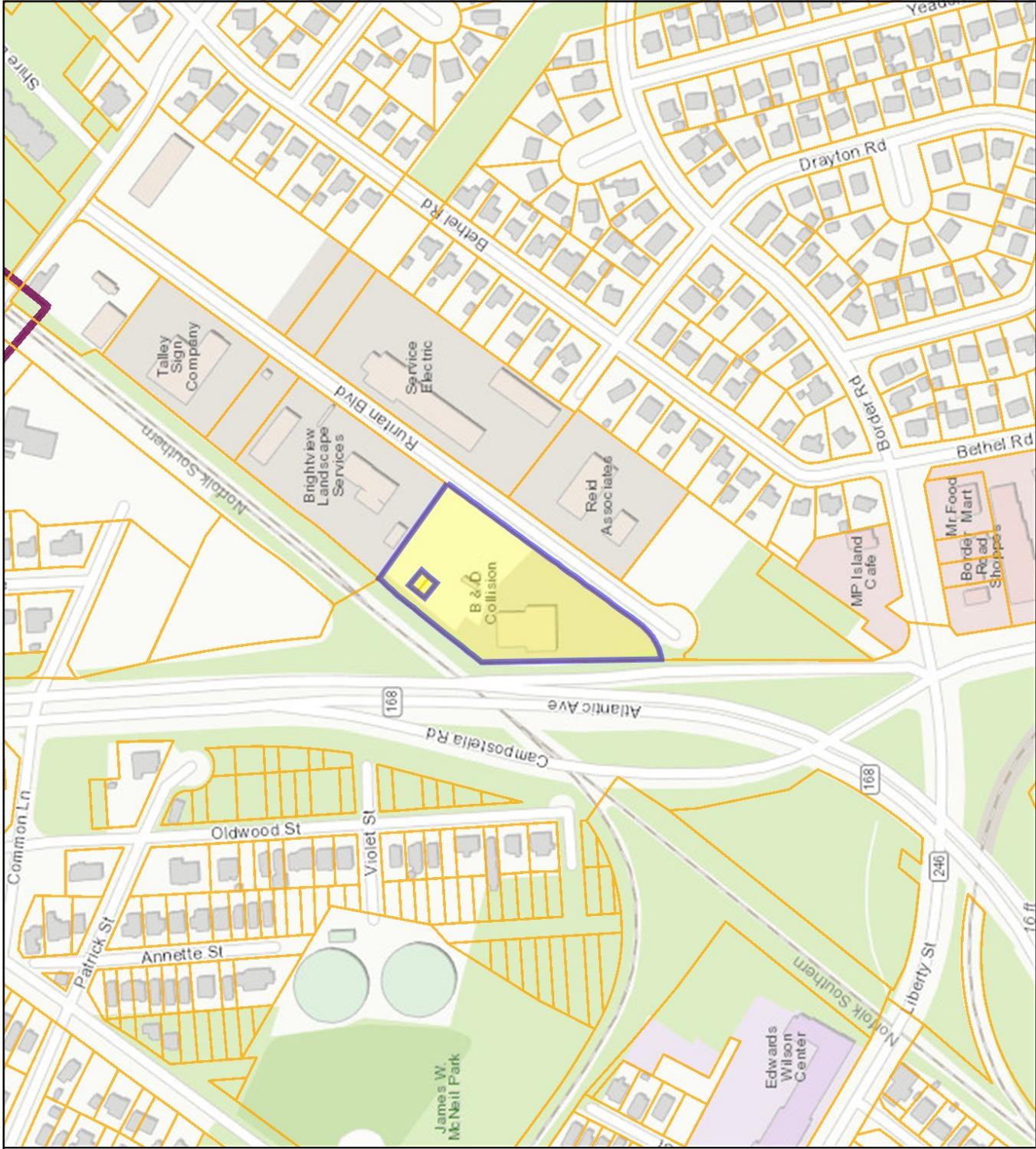
Real Estate Notes

Note
1-SUPPL 57637 87-88
2-3255-873 .030 ST-HWY-ESMT 94/95 10/95. PP
3-3301-12 .311 ST-HWY-TAKE & LEGAL CHANGE 95/96 2/96. PP
4-SO 95-96. HWY TAKE 12/95. 2/21/96 B.J.F.
5-3293-250 UTILITY ESMT TO CITY OF CHESAPEAKE 3/96. PP
6-DB4438 PG772 CORRECTION RECORDED 11/28/01 CORRECTING DB4393 PG400.DAG
7-CORRECTED TOTAL ACREAGE ON LAND SCREEN 7/26/05.DAJ
555-960207DISPOSITION PAR NO 2 CAMPO PROJECT 2.5 AC
8-DB9823 PG588 - MEMO OF GROUND LEASE AGMT RECORDED 8/17/17; SFA.
9-COUNCIL ACTION - APPROVED 7/18/17 - PLN-USE-2017-018 - CONDITIONAL USE PERMIT TO ALLOW 150 FOOT MONOPOLE COMMUNICATION TOWER ON A 1600 SQ FT LEASED AREA ON A 2.189AC; SFA.
10-LEGAL CHG 18-19; .037AC TO 129-568A,568B; PER DB 9823 PG 588 RECD 8/17/17.

City of Chesapeake, Virginia

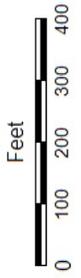
Legend

- Parcels
- City Boundary



Parcel Number: 129000005680

Date: 8/21/2020



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Staff Report

TO: Chesapeake Board of Zoning Appeals

FROM: Dale Ware, AICP, CZA

RE: Application # ZON-BZA-2020-00023
1026 & 1000 Ruritan Boulevard

Hearing Date: September 24, 2020

Application # ZON-BZA-2020-00023

EGD, LLC (Cindy Williams &/or Michael Pate) POA for R&D Property Holdings LLC, property owner, 1026 Ruritan Boulevard and James W JR & Sheila A Bryant, property owners, 1000 Ruritan Boulevard, requesting a variance from Sections 14-203(A)(1) & (A)(2) of the Chesapeake Zoning Ordinance to install a 10 feet tall electric security fence in the established front yard. The property is further identified as DISPOSITION PAR NO 2-A CAMPO RPROJECT 1.949 AC & DISPOSITION PAR NO 2 CAMPO PROJECT 2.152 AC, Real Estate Parcel Nos. 1290000005690 & 1290000005680 - Zoning: M-1, light industrial.

Background Information:

The appellant is requesting permission to place a 10-foot tall security fence in the established front yard instead of the required 4-foot tall maximum height fence in order to allow as much use of their property for the storage of supplies, inventory and equipment.

The applicant was advised of financial responsibility for advertising costs. This application was advertised in the Chesapeake Clipper section of the Virginian Pilot Newspaper and adjacent property owners were mailed notice of this request in accordance with Section 15.2-2204 of the Code of Virginia. A public notice sign was provided to the applicant to post on the property pursuant to the requirements of Section 20-702.E of the Chesapeake Zoning Ordinance.

Staff Analysis and Recommendation:

Sections 20-402.A & B of the Chesapeake Zoning Ordinance and Section 15.2 – 2309 of the Code of Virginia require certain standards be met for the Board of Zoning Appeals to grant a variance. These standards are listed at the end of this report as an excerpt from Section 20-402.A & B of the Zoning Ordinance.

To approve the variance the Board must find, conditioned upon the applicant having acquired the property in good faith, that the applicant's situation is unique due to the particular physical surroundings, size, shape, topographical condition or other extraordinary situation and not shared by other properties in the same zoning district and vicinity, that the denial of the variance would result in undue hardship rather than an inconvenience, that the character of the district

would not be changed as a result of the granting of the variance, and that the situation is not such of a general nature that would require a text amendment to the Zoning Ordinance to achieve compliance.

Notwithstanding this situation, the variance application and background information provided by the applicant does not meet all of the criteria needed for the granting of a variance as the applicant has not shown that the denial of the variance would effectively prohibit or otherwise restrict the proposed use of the property. There appears to be no evidence to show that the variance application, if granted by the Board, would not amount to alleviating a hardship rather than an inconvenience.

Staff believes the hardship is self-imposed and is not related to any condition that permits staff to recommend approval of the variance. The applicant's lot and structures, do not pass the test of uniqueness so as to permit the granting of a variance by the Board. Location of the fence in front of the required setback amounts to an inconvenience, rather than a hardship. In addition, the applicant could seek a text amendment to the zoning ordinance or seek a conditional use permit as it may be approved by city council to exceed the height limitations set out in the zoning ordinance (Section 19-205); therefore, staff recommends denial of this variance request to the Board.

EXCERPTS FROM CHESAPEAKE ZONING ORDINANCE

§ 14-203. - Fences, walls and hedges on industrial property; height limitations.

A. *In general.* For properties zoned and used for industrial purposes, a fence, wall or hedge may be constructed along or behind the interior edge of the required front yard of such properties to a maximum height of ten (10) feet, including all caps or other extensions. The height of fences, walls and hedges in the established front yard shall be the same as for business properties except that fences and walls erected in the established front yard of properties located within industrial parks may reach a maximum height of eight (8) feet, including all caps and extensions, provided that fences and walls in excess of four (4) feet in height are constructed in accordance with the following requirements:

1. The fence or wall is constructed at least fifteen (15) feet from the public right-of-way.
2. Fences and walls are designed and constructed in a decorative manner approved by the director of planning, or, in the alternative, landscaping is installed between the fence or wall and the public right-of-way. Where landscaping is selected in lieu of approved decorative design and materials, the landscaping may not be waived and shall comply with the requirements set out in section 19-600 of this ordinance for a buffer yard "A."

§ 19-600. - Landscaping and buffering

A. In General. This section of the zoning ordinance of the city of Chesapeake shall be known and may be cited and referred to as the Chesapeake Landscape Ordinance. The Chesapeake Landscape Specifications Manual, including definitions, is hereby incorporated into and made a part of this ordinance.

B. Intent. The intent of this ordinance is to provide minimum standards for the preservation, protection and enhancement of the ecologic and aesthetic environments of the City of Chesapeake. The urban forest which includes all landscaped areas within the city, serves to prevent soil erosion; reduce the hazards of flooding; absorb carbon dioxide and supply oxygen; reduce the effects of noise, glare, dust, and other objectionable activities generated by some land uses; provide shade and reduce adverse effects of winds; safeguard and enhance property values; buffer and screen adjacent properties; and promote the pleasant appearance and character of neighborhoods. (Ord. No. 97-O-141, 11-18-97)

§20-402. Standards for variances

General standards; the Board of zoning appeals shall authorize a variance from the terms of this ordinance only when such authorization will not be contrary to the public interests and when, owing to special conditions, a literal enforcement of the provisions of this ordinance would unreasonably restrict the utilization of the property, provided that the spirit of the ordinance shall be observed and substantial justice done.

Action and specific findings required; the board shall either: approve, deny or approve with conditions the request for a variance.

A "Variance" means, in the application of a zoning ordinance, a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure when the strict application of the ordinance would unreasonably restrict the utilization of the property, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the purpose of the ordinance. It shall not include a change in use, which change shall be accomplished by a rezoning or by a conditional zoning.

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and

1. the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
2. the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
3. the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;

4. the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and
5. The relief or remedy sought by the variance application is not available through a special exception process at the time of the filing of the variance application.

END OF REPORT