

CHESAPEAKE BOARD OF ZONING APPEALS

MARKED AGENDA

August 28, 2008 – 6:30 P.M.

LOCATION: City Council Chambers, City Hall Building

306 Cedar Road, Chesapeake, Virginia

- I. Call to Order & Roll Call
4 MEMBERS, 1 ALTERNATE PRESENT**
- II. Approval Of Minutes: July 24, 2008 Public Hearing
APPROVED 4-0-1 (PEOPLES/WOODHOUSE/MATHEWS ABSTAINED)**

III. Old Business

A. Application #08-14 (Continued from July 24, 2008.)

J. Randall Royal, agent for West Davis, LLC, property owner, 359 Battlefield Blvd So., requesting a variance from Section 7-302.A.3.a and 19-202.C.2 of the Chesapeake Zoning Ordinance to reduce the front yard setback from 30 feet to approximately 0 and from 15 feet to approximately 7 feet for a proposed commercial building and dumpster. The property is further identified as Pt Triangular Lt Gr Brg 0.492Ac & Pt Old Mt Pls Rd; Real Estate Parcel No. 0481009000110, Zoning Classification B-1 (Business,) Butts Road Borough, Suburban Overlay District.

CONTINUED TO SEPTEMBER 25, 2008 VOTE 5-0 (WOODHOUSE/ PEOPLES)

IV. New Public Hearing Items

B. Application #08-15

Shepelle Watkins-White, Kaufman & Canoles, PC, agent for Miller's Landscaping Sprinkler Systems and Lawn Care Incorporated, 4212 Woodland Drive, pursuant to Section 20-501 of the Chesapeake Zoning Ordinance appealing a zoning violation notice issued to the property owner dated June 9, 2008 for violation of Section 14-300 of the Chesapeake Zoning Ordinance and determination that the business use of the Property has changed in character and intensity, that the current business is not a lawful nonconforming use and is considered an expansion of the legal nonconforming use known as "Miller's Landscaping, Inc." The property is

further identified as Pt Dorothy Parden Prop. 5.5 Ac, Real Estate Parcel No. 0150000001263, Zoning Classification R-15S (Residential,) Western Branch Borough, Suburban Overlay District.

CONTINUED TO THE SEPTEMBER 25, 2008 PUBLIC HEARING VOTE 5-0 (PEOPLES/LAINE)

C. Application #08-16

Zachary Lee Combs, tenant, 704 Johnstown Road, pursuant to Sections 20-501 & 20-701 of the Chesapeake Zoning Ordinance, appealing the determination dated July 28, 2008 made by the Interim Zoning Administrator denying an Alcohol Beverage Commission & Business License to distill water and spirits on residential property. The property is further identified as 704 Johnstown Road, Real Estate Parcel No. 0600000000640, Zoning Classification: R-12(A)S (Residential,) Pleasant Grove Borough, Suburban Overlay District.

**AFFIRMED ZONING ADMINISTRATOR'S DETERMINATION 5-0
(WOODHOUSE/PEOPLES)**

- V. New Business - NONE**
- VI. Review of Litigation - NONE**
- VII. Adjournment – 7: 30 PM**