

**CHESAPEAKE BOARD OF ZONING APPEALS**

**MARKED AGENDA**

**September 25, 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: August 28, 2008 Public Hearing  
APPROVED 3-0-1 WITH CORRECTION (LAINE / WOODHOUSE / WITH  
CHAIRPERSON ROWLAND ABSTAINING)**
- III. Old Business**

**A. Application #08-14 (Continued from August 28, 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.

**WITHDRAWN 4-0 (WOODHOUSE/LAINE)**

**B. Application #08-15 (Continued from August 28, 2008.)**

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.

WITHDRAWN 4-0 (WOODHOUSE/MATHEWS)

#### IV. New Public Hearing Items

##### C. Application #08-17

Daniel Bow, owner, 1309 Kay Avenue, requesting variances from Sections 6-1402.A.3.b (1) & (2) and 6-1402.A.4 of the Chesapeake Zoning Ordinance to reduce the total side yards setback of 12 feet to approximately 2 feet and side yard setback of 6 feet to approximately 1 feet on each side yard, to reduce the rear yard of 25 feet to 0, and a lot coverage increase of 16% from an allowed coverage of 35% to approximately 51% for a non-conforming structure on a legal non-conforming lot. The property is further identified as 12 Blk D Edgewood Manor; Real Estate Parcel No. 1530000001730, Zoning Classification: R-8S (Residential,) South Norfolk Borough, Urban Overlay District.

APPROVED WITH ONE CONDITION 4-0 (WOODHOUSE/MATHEWS)

**CONDITION:**

1. **THE APPLICANT MUST COMPLY WITH ALL APPLICABLE BUILDING CODES**

##### D. Application #08-18

David and Tania Bandy, owners, 909 Freers Court, requesting a variance from Section 6-1202.A.3.a of the Chesapeake Zoning Ordinance to reduce the secondary front yard setback from the 25 foot right of way reservation line of 25 feet to approximately 10 feet for a proposed patio cover on an existing single-family dwelling. The property is further identified as Lot 42 Porter Ridge Sec 2; Real Estate Parcel No. 0602025000420, Zoning Classification R-10S, (Residential,) Pleasant Grove Borough, Suburban Overlay District.

APPROVED 4-0 (WOODHOUSE/MATHEWS)

##### E. Application #08-19

James and Celestine Gilchrist, owners, 431 Freeman Avenue, requesting a variance from Sections 8-302.A.3.b. (1) and 8-302.A.3.b.(2) of the Chesapeake Zoning Ordinance to reduce the side yard setback of 10 feet to approximately 2 feet and rear yard setback of 25 feet to approximately 17 feet for a proposed garage addition on an existing legal non-conforming

dwelling. The property is further identified as 110 Reidville; Real Estate Parcel No. 1570000001490, Zoning Classification: M-2 (General Industrial,) South Norfolk Borough, Urban Overlay District.

**DENIED 4-0 (MATHEWS/LAINE)**

**F. Application #08-20**

C. Ryan Jones, owner's agent for Gary and Deborah Barnes, 1441 Perry Street, requesting a variance from Section 6-1202.A.3.b.(1) of the Chesapeake Zoning Ordinance to reduce the total side yards setback of 12 feet to approximately 6 feet and each side yard setback of 6 feet to approximately 3 feet for a proposed new two story single-family dwelling. The property is further identified as 1 Blk 9 Pt Creek; Real Estate Parcel No. 1330000002000, Zoning Classification: RMF1 (Residential,) South Norfolk Borough, Urban Overlay District.

**APPROVED WITH TWO CONDITIONS 3-1 (WOODHOUSE/LAINE)**

***CONDITIONS:***

- 1. The dwelling shall not exceed 27 feet in height and 2 stories of habitable space.***
- 2. The applicant shall submit a house plan, drawn to scale and showing all elevations, to the Zoning Administrator to determine compliance with condition # 1 prior to building permit issuance.***

**V. New Business - NONE**

**VI. Review of Litigation - NONE**

**VII. Adjournment – 7:50 P.M.**