

CHESAPEAKE BOARD OF ZONING APPEALS

MARKED AGENDA

May 28, 2009 – 6:30 P.M.

LOCATION: City Council Chambers, City Hall Building

306 Cedar Road, Chesapeake, Virginia

**I. CALL TO ORDER & ROLL CALL
7 Members Present**

**II. APPROVAL OF MINUTES - April 23, 2009 Public Hearing Approved 4-0-3
(Laine/Woodhouse) (Peoples/Floyd/Matthews Abstained)**

III. OLD BUSINESS - None

IV. NEW PUBLIC HEARING ITEMS

A. Application #09-11

George W Midgette, Jr, LS, agent for Hanbury Family Ltd Partnership, 968 Beaver Dam Road, requesting a variance from Section 6-302.A.2 of the Chesapeake Zoning Ordinance from the minimum lot width and frontage for new lots created in the A-1 zoning district from 175 feet and 140 feet to zero (0) feet to divide from the larger parcel a one 3-acre parcel surrounding the existing dwelling. The property is further identified as Nr Hickory 127.956 Ac; Real Estate Parcel No. 087000000700, Zoning Classification A-1 (agricultural,) Butts Road Borough, Rural Overlay District.
Approved 7-0-0 (Peoples/Woodhouse)

B. Application #09-12

Christopher J Waters agent for James Waters, property owner, 4243 Battlefield Blvd S, pursuant to Section 20-501 of the Chesapeake Zoning Ordinance, appealing a zoning violation notice issued to the property on April 3, 2009 for violation of Section 10-602 of the Chesapeake Zoning Ordinance for operating a campground without a conditional use permit. The property is further identified as Sur Site of North Side of Northwest River 1.571 Ac; Real Estate Parcel No. 119000000220, Zoning Classification: C-1 (conservation,) Butts Road Borough, Rural Overlay District.
A continuance was requested by the applicant's attorney. Approved continuance to the June 25, 2009 BZA Public Hearing. 7-0-0 (Peoples/Laine)

V. NEW BUSINESS None

VI. REVIEW OF LITIGATION

- A. Assistant City Attorney, Catherine Lindley alerted the Board that Ms. Debora J. Alekna is appealing the Board's determination on BZA Application #08-22. She filed a petition with the court on November 20, 2008 and a Writ was signed on December 1, 2008. BZA has not been served, as yet, due to her attorney failing to follow proper procedures. The BZA will be served if the court makes the determination to proceed with case #CI08-2722. At such time, Ms. Lindley will request City Council's approval to intervene on behalf of the BZA Board.**

- B. Madame Chairperson Rowland advised the Board that she has been served on behalf of the BZA regarding an appeal of the Board's determination on application #09-10 by the property owner, Mr. Larry T. Whitt, of 4307 Oneford Place.**

VII. ADJOURNMENT – The meeting adjourned at 6:50 p.m.