

**CITY OF HAMPTON BOARD OF ZONING APPEALS
WORK SESSION SUMMARY
January 6, 2020**

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The City of Hampton Board of Zoning Appeals held a work session on Monday, January 20, 2020 at 4:30 p.m. in the Hardy Cash Conference Room, City Hall, 22 Lincoln Street, Hampton, Virginia.

In attendance were: Chairman John Pope, Vice-Chair Linda Ellis, Board Members, Richard Rudnicki, Michael Harris and alternate Tim Smith. Also present were Zoning Administrator Hannah Sabo, Zoning Official Angela Leflett, Melvion Knight and Allison Eichele, Deputy City Attorney Bonnie Brown, and Administrative Assistant/Recording Secretary Margaret Leach.

Chairman Pope called the work session to order.

Deputy City Attorney explained to new board member Michael Harris how the meeting will be conducted and who has the opportunity to talk at the public meeting.

In reference to VA19-00029, Vice Chair Linda Ellis asked about the addition and how much of the addition would be living space and how much would be used for the prayer room. Vice Chair Ellis asked Zoning Administrator, Hannah Sabo if the applicant is planning to have regular prayer and religious gatherings, and would this be considered a religious facility? Zoning Administrator, Hannah Sabo stated the applicant did not present any information that it will be a religious facility. Board member Rudnicki stated that if the addition is really needed why don't they remove the shed and garage that currently exist and then build on the other side of the home to be able to meet the required rear yard setback. Board member Rudnicki stated that the addition is as large if not larger than some houses.

In reference to VA19-00030, Board member, Rudnicki stated that if the façade of the building was about 3 feet farther from the right-of-way then they would be permitted additional sign area at 1.5 square feet per linear foot of façade rather than 1 square foot per linear foot of façade. Discussion was had regarding the potential future amendments to the Coliseum Central Sign Regulations. Zoning Official Melvion Knight stated that the applicant measured the signage as a square instead of a round sign as the City had done. Vice Chair Ellis stated that she understood that the company is required to advertise specific manufacturers.

In reference to VA19-00031, Vice Chairman Ellis asked if the builder who remodeled 7 Routten Road was same builder building this house. Board member Rudnicki stated that the way the average of the block was calculated caused the house to be located off the lot and was not in character with the majority of the neighborhood

There being no further items to discuss, the work session adjourned at 4:51 p.m.

1 **AT A REGULAR MEETING AND PUBLIC HEARING OF THE BOARD OF ZONING APPEALS OF**
2 **THE CITY OF HAMPTON, VIRGINIA, HELD IN COUNCIL CHAMBERS, 8TH FLOOR, CITY HALL,**
3 **22 LINCOLN STREET, AT 5:00 P.M. ON MONDAY, January 6, 2020.**

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5 **ITEM I. ROLL CALL**

6 Chairman Pope called the meeting to order at 5:00 p.m.

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8 A call of the roll noted those present: Chairman John Pope, Vice-Chair Linda Ellis, Board
9 Members Richard Rudnicki, Michael Harris and Alternate Board Member Tim Smith.

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11 Also present were Administrator Hannah Sabo, Zoning Official Angela Leflett, Zoning Official
12 Melvion Knight, Zoning Official and City Planner Allison Eichele, Deputy City Attorney Bonnie
13 Brown, and Administrative Assistant/Recording Secretary Margaret Leach.

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15 **ITEM II. MINUTES – NOVEMBER 6, 2017**

16 A motion was made by Vice Chairman Ellis and seconded by Alternate Board Member Smith,
17 to approve the November 4, 2019 Board of Zoning Appeals work session and public hearing
18 meeting minutes.

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20 A roll call vote on the motion resulted as follows:

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22 AYES: Ellis, Rudnicki, Smith, Pope
23 NAYS: None
24 ABSTAIN: Harris
25 ABSENT: Hasselquist

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27 **ITEM III. PUBLIC HEARING ITEMS:**

28 **A. VA19-00029: Troung and Khoung Tran, 11 Lake Ovide Ct., LRSN 8002793,** to request a
29 variance to reduce the rear yard setback from 28 ft. to 6.4 ft. to construct an
30 addition.
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32 After being sworn in by the Court Recorder, Zoning Official Melvion Knight presented the case
33 on behalf of the City.

34
35 After being sworn in by the Court Recorder, Loc Tran the son of the applicant presented the
36 case for his father. Mr. Tran explained that they are a large family and need space for the
37 family to hold prayer meetings.

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39 A motion was made by Vice-Chairman Ellis and seconded by Board Member Rudnicki to defer
40 this case until the March 2, 2020 meeting to enable the applicant to revise proposed plan.

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42 A roll call vote on the motion resulted as follows:

43 AYES: Ellis, Rudnicki, Smith, Pope, Harris
44 NAYS: None
45 ABSTAIN: None
46 ABSENT: Hasselquist
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B. VA19-00030: Todd Shopping Center, LLC C/O Tower Park Management, 2330 W Mercury Blvd Ste A, LRSN 3003903, to request a variance to increase the permitted square footage for wall signage on the front façade from 128 square feet to 149.29 square feet.

After being sworn in by the court reporter, Zoning Official Melvion Knight presented the case on behalf of the City.

After being sworn in by the court reporter, Randy Dressler with Sign Media presented the case on behalf of the client.

After discussion, a motion was made by Board member Rudnicki to approve the amended variance request for the sign to increase the permitted square footage on the front façade from 128 square feet to 135.53 square feet. The motion was seconded by Vice Chair Ellis.

A roll call vote on the motion resulted as follows:

AYES:	Rudnicki, Smith, Pope, Harris, Ellis
NAYS:	None
ABSTAIN:	None
ABSENT:	Hasselquist

C. VA19-00031: Beach Cove Builders, LLC, 9 Routten Rd, LRSN 10000260, to request a variance to reduce the front yard setback from 120.6', which is based on the average of the front yard setback on the block, to 28.9' to construct a new single family dwelling.

After being sworn in by the court reporter, Zoning Official Angela Leflett presented the case on behalf of the City.

The applicant, Beach Cove Builders, LLC, was not available to speak.

After being sworn in by the court reporter, neighbors and residents of Routten Rd., spoke in opposition of the variance. A list of speakers is attached.

Vice Chair Ellis asked Deputy City Attorney Bonnie Brown if an amendment to the Zoning Ordinance regarding the calculation for average of the block would be beneficial for this lot.

After discussion, a motion was made by Board Member Rudnicki to deny the variance request due to failure to satisfy the required criteria for a variance approval. The motion was seconded by Alternate Board member Smith.

A roll call vote on the motion resulted as follows:

AYES:	Rudnicki, Smith, Pope, Harris
NAYS:	Ellis
ABSTAIN:	None
ABSENT:	Hasselquist

Zoning Administrator Hannah Sabo advised Chairman Pope that the applicant would be notified of his right to appeal the decision of the Board of Zoning Appeals to the Circuit Court within 30 days.

1 ITEM V. ADJOURNMENT

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3 There being no further business to come before the Board, the meeting was adjourned at 6:25
4 p.m.

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8 John C. Pope, Chairman

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