

**CITY OF HAMPTON BOARD OF ZONING APPEALS  
WORK SESSION SUMMARY  
March 2, 2020**

The City of Hampton Board of Zoning Appeals held a work session on Monday, March 2, 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, Michael Harris, Dr. Arne Hasselquist, Dr. Tamika Lett. 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.

Zoning Administrator Hannah Sabo apologized for the minutes from the February meeting not being in the package for them to read and vote on.

Zoning Administrator, Hannah Sabo reminded the board that elections will need to take place at this meeting for Chair and Vice Chair. Board member Hasslequist asked if there is a term limit for the Chair and Vice Chair positions. Deputy City attorney Bonnie Brown stated that the by-laws state that it shall not be for more than 4 (four) consecutive terms.

In reference to VA19-00029 which was deferred from the January 6, 2020 meeting, Vice Chair Linda Ellis asked if staff had been in contact with the applicant to work with them to reduce the size of the room. Staff stated that they had been in contact with the applicant. Vice Chair Ellis asked about the addition being a prayer room and if it is allowed. Vice Chair Ellis also asked if there were to be any walls constructed or a bathroom in this room. Staff stated that by all indications on the drawings this is to be one big room.

In reference to VA19-00035 and VA19-00036 Zoning Administrator Hannah Sabo stated that the applicant has requested by email that these applications be withdrawn.

In reference to VA20-00001, Chairman Pope stated that with the existing signage everything lines up nicely. The applicant stated that what they are asking for is what corporate uses and that is what the company would like to go with.

In reference to VA20-00002 Dr. Hasselquist asked if this addition was for a handicapped person and Vice Chair Ellis stated that was the understanding per the application.

In reference to AZ19-00006, which was deferred from February 18, 2020, Vice Chairman Ellis stated this case has been in front of the board before. Vice Chairman Ellis stated that she remembers the first time it came to the board but we did not have a full board so it was deferred. Vice Chair Ellis stated that then the City changed and it was then denied. Vice Chairman Ellis asked how the city could take this man's land that in the water. Deputy City Attorney explained how waterfront property works and Zoning Administrator Hannah Sabo stated that with waterfront lots the setback is measured from the bulkhead not out into the water.

There being no further items to discuss, the work session adjourned at 4:55 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, 8<sup>TH</sup> FLOOR, CITY HALL,**  
3 **22 LINCOLN STREET, AT 5:00 P.M. ON MONDAY, March 2, 2020.**

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5 **ITEM I. ROLL CALL**

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7 Chairman Savage called the meeting to order at 5:00 p.m.

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9 A call of the roll noted those present: Chairman John Pope, Vice-Chair Linda Ellis, Board  
10 Members Richard Rudnicki, Michael Harris and Dr. Tamika Lett.  
11 Also present were Zoning Administrator Hannah Sabo, Zoning Official Angela Leflett, Zoning  
12 Official Allison Eichele, Deputy City Attorney Bonnie Brown, and Administrative  
13 Assistant/Recording Secretary Margaret Leach.

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15 **ITEM II. Election of Officers:**

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17 Zoning Administrator Hannah Sabo asked for nominations from the floor for Chairman of the  
18 Board of Zoning Appeals.

19  
20 The motion was made by Board member Dr. Hasselquist and seconded by Board member Dr.  
21 Lett nominating John C. "Jack" Pope for the position of Chairman of the Board of Zoning  
22 Appeals.

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

24  
25 Ayes: Hasselquist, Harris, Lett, Ellis  
26 Nays: None  
27 Abstain: Pope  
28 Absent: None

29  
30 Chairman Pope asked for nominations from the floor for Vice-Chair of the board of Zoning  
31 Appeals.

32  
33 A motion was made by Dr. Hasselquist and seconded by Dr. Lett nominating Linda Ellis for the  
34 position of Vice-Chair of the Board of Zoning Appeals.

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

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37 Ayes: Hasselquist, Harris, Lett, Pope  
38 Nays: None  
39 Abstain: Ellis  
40 Absent: None

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44 **ITEM III. Public Hearing Items:**  
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1           **A. (Deferred from January 6, 2020) VA19-00029: Troung and Khoung Tran, 11 Lake**  
2           **Ovoided Ct., LRSN 80027937,** to request a variance to reduce the rear yard setback  
3           from 28 ft. to 11.4 ft. to construct an addition.  
4

5           After being sworn in by the Court Recorder, Zoning Official Allison Eichele presented the case  
6           on behalf of the City.  
7

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

11          After being sworn in by the Court Recorder, Tom Bolling, a neighbor, stated that he didn't have  
12          a problem with the addition and the family were good neighbors and they did have a big  
13          family.  
14

15          A motion was made by Board member Dr. Hasselquist to deny the request, this motion died as  
16          there was a lack of second. Board member Harris then made a motion to approve the request  
17          and seconded by Vice-Chair Ellis.  
18

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

20                 AYES:           Ellis, Lett, Pope, Harris  
21                 NAYS:            Hasselquist  
22                 ABSTAIN:       None  
23                 ABSENT:          None  
24

25          **B. VA19-00035: New Home Builders, LLC, 2 Moss Ave., LRSN 13004272,** to request a  
26          variance to reduce the required square footage for a lot located in the R-11 Zoning  
27          District from 9,000 square feet to 6,759 square feet to allow for a subdivision of 1 lot to  
28          create 2 lots for single family dwellings. This item is in conjunction with VA19-00036.  
29

30          Zoning Administrator, Hannah Sabo informed the board that the applicant would like to  
31          withdraw this request per an email the applicant sent in to the Zoning staff. After being sworn in  
32          by the court reporter, Ron Johnson a neighbor where a new home is build stated that he  
33          understood that the variance was being withdrawn. Mr. Johnson went on to state that he lives  
34          on the street and it is not an easy street to get up and down so he was glad to see that the  
35          variance was withdrawn.

36          After discussion, a motion was made by Vice-Chair Ellis accept the request to withdraw this  
37          application and seconded by Board member Dr. Lett.  
38

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

40                 AYES:           Hasselquist, Lett, Pope, Harris, Ellis  
41                 NAYS:           None  
42                 ABSTAIN:       None  
43                 ABSENT:          None  
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45          **C. VA19-00036: New Home Builders, 2 Moss Ave., LRSN 13004272,** to request a variance  
46          to reduce the front footage for a lot located in the R-11 Zoning District from 70 ft. to  
47          48 ft. to allow for a subdivision of 1 lot to create 2 lots for single family dwellings. This  
48          item is in conjunction with VA19-00035.

1 After discussion, a motion was made by Vice-Chair Ellis to accept the request to withdraw this  
2 application and seconded by Board Member Dr. Hasselquist.

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

5           AYES:           Hasselquist, Lett, Pope, Harris  
6           NAYS:           Ellis  
7           ABSTAIN:       None  
8           ABSENT:       None  
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10           **D. VA20-0001: Direct Auto, 2400 Cunningham Dr. Suite 400, LRSN 7003026**, to request a  
11 variance to increase the permitted square footage for a wall sign from 20 square  
12 feet to 44.367 square feet.

13 After being sworn in by the Court Recorder Zoning Official Angela Leflett presented the case  
14 on behalf of the City. After some questions from the Board of Zoning Appeals, Community  
15 Development Director, Terry O'Neill was sworn in by the Court Recorder and gave some  
16 information on the work being done to revisit the Sign Ordinance and the new ordinance that  
17 will be going to City Council for approval.

18 After being sworn in by the Court Recorder the Applicant for Direct Auto spoke.

19 After discussion, a motion was made by Vice-Chair Ellis to approve this request and seconded  
20 by Board member Dr. Hasselquist.

21  
22 A roll call vote on the motion resulted as follows:

23           AYES:           Hasselquist, Pope, Ellis  
24           NAYS:           Harris, Dr. Lett  
25           ABSTAIN:       None  
26           ABSENT:       None  
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29           **E. VA20—00002: David Sleighter Custom Homes, 1421 Seward Dr., LRSN 12005214**, to  
30 request a variance to reduce the rear yard setback from 28.33 ft. to 24 ft. to  
31 construct an addition.

32 After being sworn in by the Court Reporter Zoning Official Angela Leflett presented the case on  
33 behalf of the City.

34 After being sworn in by the Court Reporter David Sleighter the applicant presented his case.

35 After discussion, a motion was made by Vice-Chair Ellis to approve this request and seconded  
36 by Board Member Dr. Lett.

37  
38 A roll call vote on the motion resulted as follows:

39           AYES:           Hasselquist, Harris, Dr. Lett, Pope, Ellis  
40           NAYS:           None  
41           ABSTAIN:       None  
42           ABSENT:       None  
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1 F. (Deferred from February 18, 2020 requested by applicant) AZ19-00006: Mercury  
2 Rental LLC, 20 Great Lakes Dr., LRSN 8002772, an appeal of the Zoning Administrators  
3 determination that Sec, 1-27 of the Zoning Ordinance requires measuring the rear  
4 yard setback from the edge of the water on waterfront properties.

5 After being sworn in by the Court Recorder Zoning Administrator Hannah Sabo presented the  
6 case on behalf of the City.  
7

8 After being sworn in by the Court Recorder Richard Goodman lawyer for the applicant  
9 presented the case for the applicant.

10 After being sworn in by the Court Recorder Yom Tran contractor for the applicant also  
11 presented the case for the applicant.  
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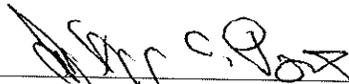
13 After discussion a motion was made by Board Member Dr. Hasselquist to uphold the Zoning  
14 Administrators decision and seconded by Board Member Harris.

15 A roll call vote on the motion resulted as follows:  
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17 AYES: Hasselquist, Harris, Dr. Lett, Pope  
18 NAYS: Ellis  
19 ABSTAIN: None  
20 ABSENT: None  
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29 **ITEM IV. ADJOURNMENT**  
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31 There being no further business to come before the Board, the meeting was adjourned at 6:12  
32 p.m.  
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36 John C. Pope, Chairman  
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