CITY OF HAMPTON BOARD OF ZONING APPEALS
WORK SESSION SUMMARY

April 4, 2022

The City of Hampton Board of Zoning Appeals held a work session on Monday, April 4, 2022 at 4:30 p.m. in the Hardy Cash Conference Room, City Hall, 22 Lincoln Street, Hampton, Virginia.

In attendance were: Chair John C. [Jack] Pope, Vice-Chair Michael Harris, Board Members Dr. Tamika Lett, Dr. Arne Hasselquist and alternate Board Member Phillip Siff. Also present were Community Development Department Director and acting Zoning Administrator Terry O’Neill, Deputy City Attorney Bonnie Brown, Planning and Zoning Administration Manager Mike Hayes, Zoning Official Ely Zarka, City Planner Garek Hannigan, City Planner Davis Pemberlon, Recording Secretary and Senior Administrative Assistant, Serita Anderson and Projects Coordinator and Acting Recording Secretary Aqiyah McGill.

Chair Pope called the work session to order at 4:35 p.m.

Following introductions, Chair Pope opened the floor for questions. Dr. Hasselquist had a question regarding the setback variances for 178 Woodland Road. He wanted to verify that the only real setback we were concerned with was the side yard. If the other setbacks were in reference to the property line vacation that happened. Zoning Official Ely Zarka explained that the way the front yard setbacks were measured as a cord by going up 26.5’ on both sides of the property line and obtained the chord between the two setbacks. Dr. Hasselquist asked where the previous property line was prior to the property line vacation. Mr. Zarka pointed out where the previous property line was to the Board. Mr. Hayes further explained that what the applicant requested will not bring the entire property into compliance, it is just to allow the addition onto the home.

Dr. Hasselquist requested that future staff packages include a redline drawing showing the requested variance setback to easily see where the new setbacks would be.

Chair Pope inquired about a possible new board member. Bonnie Brown explained that new Board members are appointed by Circuit Court, and we have yet to receive formal notification that a new member has been appointed.

Board member Siff asked if after a meeting is over and a Board member wanted to change their vote, is there recourse to do so. Ms. Brown explained a motion to reconsider would have to happen in the same meeting or immediately succeeding meeting by making a motion to reconsider. The motion to reconsider has to be made by a person who voted on the prevailing side. Ms. Brown will review the BZA requirements for making a motion to reconsider. She stated that land use approvals create vested rights.

There being no further items to discuss, the work session adjourned at 4:45 p.m.
AT A REGULAR MEETING AND PUBLIC HEARING OF THE BOARD OF ZONING APPEALS OF THE CITY OF HAMPTON, VIRGINIA, HELD IN COUNCIL CHAMBERS, 8TH FLOOR, CITY HALL, 22 LINCOLN STREET, AT 5:00 P.M. ON MONDAY, April 4, 2022.

ITEM I. ROLL CALL

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

A call of the roll noted those present: Chair Jack Pope, Vice-Chair Michael Harris, Board Members Dr. Tamika Lett, Dr. Arne Hasselquist and Alternate Member Phillip Siff.

Also present were Deputy City Attorney Bonnie Brown, Zoning Official Ely Zarka, City Planner Garek Hannigan, City Planner Davis Pemberton, Community Development Department Planning and Zoning Administration Manager Mike Hayes, Senior Administrative Assistant/Recording Secretary Serita Anderson and Administrative Projects Coordinator / Acting Recording Secretary Aqiyah McGill.

ITEM II. MINUTES – March 7, 2022 Hearing

A motion was made by Vice-Chair Harris and seconded by Dr. Hasselquist, to approve the March 7, 2022 Board of Zoning Appeals work session and public hearing meeting minutes as presented.

A roll call vote on the motion resulted as follows:

AYES:         Harris, Siff, Pope, Dr. Hasselquist
NAYS:         None
ABSTAIN:      Lett
ABSENT:       None

ITEM IV. PUBLIC HEARING ITEMS:

A. (Deferred from March 7, 2022) VA21-00020: William & Ann Hampton, 178 Woodland Rd, LRSN 12003363, request for a variance to reduce the required rear yard setback from 35 feet to 21 feet to construct an addition to the existing single-family dwelling.

B. (Deferred from March 7, 2022) VA22-00002: William & Ann Hampton, 178 Woodland Rd, LRSN 12003363, request for a variance to reduce the required front yard setback from 30 feet to 26.5 feet to construct an addition to the existing single-family dwelling.

C. (Deferred from March 7, 2022) VA22-00003: William & Ann Hampton, 178 Woodland Rd, LRSN 12003363; request for a variance to reduce the required side yard setback from 13.5 feet to 12.1 feet to construct an addition to the existing single-family dwelling.

After being sworn in by the Court Reporter, Zoning Official Ely Zarka presented the case on behalf of the City.

Following Mr. Zarka’s presentation, Chair Pope opened the floor for questions to staff from the Board.
Confirming no further questions for staff, Chair Pope opened the floor for public speakers.

Property Owner William Hampton approached the Board, to speak on behalf of himself and his wife.

Ms. Brown informed the board that the second person signed up to speak is the contractor for the Hampton’s, who was declining to speak as there was nothing else to be said as stated by the contractor.

Chair Pope asked if there was a motion on the floor.

Regarding VA21-00020 after discussion, a motion was made by Dr. Hasselquist, and seconded by Dr. Lett, to approve the variance with staff recommended conditions.

A roll call vote on the motion resulted as follows:

AYES: Hasselquist, Lett, Siff, Harris, Pope
NAYS: None
ABSTAIN: None
ABSENT: None

Regarding VA22-00002 after discussion, a motion was made by Dr. Hasselquist, and seconded by Alternate Board Member Siff, to approve the variance with staff recommended conditions.

A roll call vote on the motion resulted as follows:

AYES: Hasselquist, Harris, Lett, Siff, Pope
NAYS: None
ABSTAIN: None
ABSENT: None

Regarding VA22-00003 after discussion, a motion was made by Dr. Hasselquist, and seconded by Alternate Board Member Siff, to approve the variance with staff recommended conditions.

A roll call vote on the motion resulted as follows:

AYES: Hasselquist, Harris, Lett, Siff, Pope
NAYS: None
ABSTAIN: None
ABSENT: None

ITEM V. OTHER ITEMS

No items to discuss

ITEM VI. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 5:41 p.m.

John C. Pope, Chair