

Board of Zoning Appeals Minutes

Chair Kevin Newton, called to order the Board of Zoning Appeals in the Council Chamber of Building 1, on Wednesday, September 3, 2025.

The Board members' staff briefing, was held at 1:30 p.m. in Room 2034 of Building 1, to provide the Board members information pertaining the agenda of September 3, 2025.

Board Members Present: Jan Anderson, Jan Hall, Kevin Newton, Myles Pocta, Harry Purkey, Jr., Robert Thornton, George Wall, Jr.

The Board of Zoning Appeals members reviewed the revised Rules and Procedures provided by the City Attorney's Office.

Motion made by Mr. Pocta, seconded by Mr. Purkey to approve the revised Rules and Procedures. All voted for the motion.

AYE	7	NO	0	ABSTAIN	0
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ANDERSON	AYE
HALL	AYE
NEWTON	AYE
POCTA	AYE
PURKEY	AYE
THORNTON	AYE
WALL	AYE

Case 2025-BZA-00048 Lindsay Shephard

A variance to the minimum required yard for a proposed addition, 3417 S Crestline Dr, Zoning: R10 (HCD) GPIN: 1456-28-1008

Board Action: APPROVED WITH 2 CONDITIONS ON SEPTEMBER 3, 2025

Conditions:

1. The proposed improvements shall be constructed in substantial conformance to the submitted marked site plan titled, "Proposed Addition and Physical and Topographic Survey," dated October 26, 2018, revised April 24, 2025, Hayden Frye and Associates, Inc. (shown as Exhibit 'A' in this staff report). This condition does not permit deviations from any applicable laws, codes, policies, or interpretations not specifically requested by the applicant and granted by the Board of Zoning Appeals. Nevertheless, this condition shall grant the Zoning Administrator the right to interpret substantial conformance with the Board approved plan.

2. All applicable permits shall be obtained from the City of Virginia Beach Planning Department and/or any other applicable authority

Lindsay Shepherd appeared before the Board.

There was no opposition present.

A motion was made by Mr. Purkey, seconded by Mrs. Anderson to approve the variance with 2 conditions as listed in the staff report. All voted for the motion.

AYE	7	NO	0	ABSTAIN	0
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ANDERSON	AYE
HALL	AYE
NEWTON	AYE
POCTA	AYE
PURKEY	AYE
THORNTON	AYE
WALL	AYE

Case 2025-BZA-00056: The Kastner Family Trust

A variance to the minimum required yards for a proposed single-family dwelling, 108 48th St,
Zoning: R7.5 GPIN: 2418-88-8097

Board Action: APPROVED WITH 3 CONDITIONS ON SEPTEMBER 3, 2025

Conditions:

1. The proposed improvements shall be constructed in substantial conformance to the submitted marked site plan titled, "Conceptual BZA Exhibit," dated June 10th & 26th, 2025, and prepared by WPL Landscape Architecture, Surveying, and Engineering (shown as Exhibit 'A' in this staff report). This condition does not permit deviations from any applicable laws, codes, policies, or interpretations not specifically requested by the applicant and granted by the Board of Zoning Appeals. Nevertheless, this condition shall grant the Zoning Administrator the right to interpret substantial conformance with the Board approved plan.
2. The proposed improvements shall be constructed in substantial conformance to the submitted renderings titled, "New Construction, Kastner Residence," dated June 25, 2025, and prepared by Altruistic Design (shown as 'Renderings' in this staff report). This condition does not permit deviations from any applicable laws, codes, policies, or interpretations not specifically requested by the applicant and granted by the Board of Zoning Appeals. Nevertheless, this condition shall grant the Zoning Administrator the right to interpret substantial conformance with the Board approved plan.
3. All applicable permits shall be obtained from the City of Virginia Beach Planning Department and/or any other applicable authority.

R. Edward Bourdon, Jr., Attorney with Sykes Bourdon Ahern & Levy appeared before the Board representing the applicant.

There was no opposition present.

A motion was made by Mrs. Anderson, seconded by Mrs. Hall to approve the variance with 3 conditions as listed in the staff report. All voted for the motion.

AYE	7	NO	0	ABSTAIN	0
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ANDERSON	AYE
HALL	AYE
NEWTON	AYE
POCTA	AYE
PURKEY	AYE
THORNTON	AYE
WALL	AYE

Case 2025-BZA-00060: Jimenez Family Revocable Living Trust

A variance to the minimum required yard for a proposed screen porch with landing and steps, 620 Bushnell Ct, Zoning: R10 GPIN: 2426-18-1717

Board Action: APPROVED WITH 3 CONDITIONS ON SEPTEMBER 3, 2025

Conditions:

1. The proposed improvements shall be constructed in substantial conformance to the submitted marked site plan titled, "Physical Survey of 620 Bushnell Court, Lot 11, Croatan Landing," dated June 17, 2025, and July 17, 2026, and prepared by Hayden Frye and Associates, Inc. (shown as Exhibit 'A' in this staff report). This condition does not permit deviations from any applicable laws, codes, policies, or interpretations not specifically requested by the applicant and granted by the Board of Zoning Appeals. Nevertheless, this condition shall grant the Zoning Administrator the right to interpret substantial conformance with the Board approved plan.
2. Future conversion of the proposed screen porch into a sunroom, or similar, is permitted without returning to the Board of Zoning Appeals for a modification of this approval; however, such conversion must remain within the footprint of the screen porch as shown in the Site Plan (Exhibit A) section of this report. In addition, such conversion allowance does not include a second story room addition or second story deck/balcony/porch. The Zoning Administrator shall have the right to determine conformance with the condition.
3. All applicable permits shall be obtained from the City of Virginia Beach Planning Department and/or any other applicable authority.

Joel Jimenez appeared before the Board.

There was no opposition present.

A motion was made by Mrs. Anderson, seconded by Mr. Pocta to approve the variance with 3 conditions as listed in the staff report. All voted for the motion.

AYE	7	NO	0	ABSTAIN	0
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ANDERSON	AYE
HALL	AYE
NEWTON	AYE
POCTA	AYE
PURKEY	AYE
THORNTON	AYE
WALL	AYE

Respectfully Submitted

Myles Pocta
Secretary

lmr