

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, March 4, 2026.

The Board members' staff briefing was held at 1:00 p.m. in Room 2034 of Building 1, to provide the Board members information pertaining the agenda of March 4, 2026.

Board Members Present: Jan Anderson, Jan Hall, Kevin Newton, Myles Pocta, Robert Thornton, George Wall, Jr., and Natalie Borecki sat in as the alternate.

Case 2025-BZA-00098: Steier Revocable Trust

Variations to required yards for a proposed single-family dwelling, 2425 Windward Shore Drive, Zoning: R-20, GPIN: 14999822310000

Board Action: APPROVED WITH 3 CONDITIONS ON MARCH 4, 2026.

Conditions:

1. The proposed improvements shall be constructed in substantial conformance to the City staff modified and marked exhibit titled, "Single Family Site Plan Exhibit," dated November 25, 2025/December 1, 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 not prohibit improvements to the subject property that otherwise comply with minimum requirements of the City Zoning Ordinance. The Zoning Administrator has the right to interpret substantial conformance with the Board approved plan, which may include considerations based on details found in the associated staff report and compliance with the Public Works Design Standards Manual.
2. The applicant is responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, laws, judgements, encroachments or other encumbrances to title affecting the subject property, shown or not, on the approved exhibit in this staff report (i.e., Exhibit A). Approval of this application does not annul, interfere with, or invalidate such matters.
3. All applicable permits associated with the subject improvements shall be obtained from the City of Virginia Beach Planning Department and/or any other relevant authority.

Billy Garrington appeared before the Board representing the applicant.

There was no opposition present.

There was no support present.

A motion was made by Mr. Pocta, seconded by Mr. Thornton to approve the request(s) with the

conditions noted, which are also found in the staff report. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0

ANDERSON AYE
HALL AYE
NEWTON AYE
POCTA AYE
BORECKI AYE
THORNTON AYE
WALL AYE

Case 2025-BZA-00102: John L. and Kathleen Bilisoly

Variances to required yards for a proposed building addition, 116 88th Street, Zoning: R-5R(NE)
GPIN: 25105135550000

Board Action: APPROVED WITH 6 CONDITIONS ON MARCH 4, 2026.

Conditions:

1. The proposed improvements shall be constructed in substantial conformance to the City staff modified and marked exhibit titled, "Physical Survey of the Northern 100' of Lots 17 & 19, Block 1, Section D, Cape Henry," dated April 28, 2025/May 5, 2025, and prepared by Fox Land Surveying, PC (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 not prohibit improvements to the subject property that otherwise comply with minimum requirements of the City Zoning Ordinance. The Zoning Administrator has the right to interpret substantial conformance with the Board approved plan, which may include considerations based on details found in the associated staff report and compliance with the Public Works Design Standards Manual.
2. The proposed improvements shall be constructed in substantial conformance to the submitted untitled and undated renderings shown in the Renderings section of 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 renderings, which may include considerations based on details found in the associated staff report and compliance with the Public Works Design Standards Manual.
3. In accordance with the North End Suburban Focus Area recommendations, the subject addition shall be constructed using attractive and high-quality building materials capable of withstanding severe weather events. Such materials included, but are not limited to, fiber cement siding, brick veneer, stone veneer, high quality vinyl siding (i.e., Dutch lap, board and batten, shake and shingle, etc.), architectural/dimensional asphalt shingles,

slate shingles, cedar shake shingles, or metal roofing. The applicant shall submit a materials list to the Zoning Administrator, or designee, for review and possible approval prior to the submittal of any building permits associated with the proposed improvements. The Zoning Administrator, or designee, shall have the right to interpret the meaning of “attractive and high-quality building materials capable of withstanding severe weather events.”

4. Any existing structures shown on Exhibit A, as found in the Site Plan section of this staff report, not meeting current minimum requirements of the City Zoning Ordinance and which fail to meet minimum nonconformity/vested rights requirements listed in Section 15.2-2307 of the Code of Virginia, shall not be considered part of this variance request.
5. The applicant is responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, laws, judgements, encroachments or other encumbrances to title affecting the subject property, shown or not, on the exhibit in this staff report (i.e., Exhibit A). Approval of this application does not annul, interfere with, or invalidate such matters.
6. All applicable permits associated with the subject improvements shall be obtained from the City of Virginia Beach Planning Department and/or any other relevant authority.

John L. Bilisoly appeared before the Board.

There was no opposition present.

There was no support present.

A motion was made by Mr. Thornton, seconded by Mr. Pocta to approve the variance with 6 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 |
| BORECKI | AYE |
| THORNTON | AYE |
| WALL | AYE |

Case 2025-BZA-00104: C and C Development Company, Inc.

Variances to required yards for a proposed single-family dwelling, 2237 Powhatan Avenue, Zoning: R-5R(SD) GPIN: 14892994190000

Board Action: APPROVED AS MODIFIED AND CONDITIONED ON MARCH 4, 2026.

Conditions:

1. The proposed improvements shall be constructed in substantial conformance to the City staff modified and marked exhibit titled, “BZA Exhibit of Lot 14, Block 44, Plat of Ocean

Park, Section C,” dated December 19/30, 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 not prohibit improvements to the subject property that otherwise comply with minimum requirements of the City Zoning Ordinance. The Zoning Administrator has the right to interpret substantial conformance with the Board approved plan, which may include considerations based on details found in the associated staff report and compliance with the Public Works Design Standards Manual.

2. The proposed improvements shall be constructed in substantial conformance to the untitled and undated color renderings found in the Renderings section of 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, the Zoning Administrator has the right to interpret substantial conformance with the Board approved renderings, which may include considerations based on details found in the associated staff report and compliance with the Public Works Design Standards Manual. Condition #2 modified by Board at public hearing on March 4, 2026, as shown above.
3. The covered porch located within the front and side corner setbacks shall not be enclosed unless a separate zoning variance is granted by the Board of Zoning Appeals. The Zoning Administrator is authorized to define the word ‘enclosed.’
4. The applicant is responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, laws, judgements, encroachments, or other encumbrances to title affecting the subject property, shown or not, on the approved exhibit in this staff report (i.e., Exhibit A). Approval of this application does not annul, interfere with, or invalidate such matters.
5. All applicable permits associated with the subject improvements shall be obtained from the City of Virginia Beach Planning Department and/or any other relevant authority.

R. Edward Bourdon, Jr. Esq., of Sykes, Bourdon, Ahern, & Levy, PC appeared before the Board representing the applicant.

There was no opposition present.

There was no support present.

Ms. Shirley McGergen of 2241 Powhatan Avenue spoke but had no opposition once she was provided with answers to her questions.

A motion was made by Mr. Pocta, seconded by Ms. Hall to approve the request(s) with the modified conditions noted, which are also found in the revised 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 |
| BORECKI | AYE |
| THORNTON | AYE |
| WALL | AYE |

Case 2025-BZA-00105: Hang Ten Holdings, LLC.

Variances to the required yards, impervious surface cover, and landscaping requirements for a proposed single-family dwelling and boundary wall. 8300 Ocean Front Avenue, Zoning: R-5R(NE) GPIN: 24196919160000

BOARD ACTION: APPROVED AS MODIFIED AND CONDITIONED ON MARCH 4, 2026.

Conditions:

1. The proposed improvements shall be constructed in substantial conformance to the City staff modified and marked exhibit titled, "Single Family BZA Exhibit," dated December 23/30, 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 not prohibit improvements to the subject property that otherwise comply with minimum requirements of the City Zoning Ordinance. The Zoning Administrator has the right to interpret substantial conformance with the Board approved plan, which may include considerations based on details found in the associated staff report and compliance with the Public Works Design Standards Manual.
2. The proposed improvements shall be constructed in substantial conformance to the submitted undated renderings titled, "Ocean Front, 8300 Ocean Front Avenue," sheets 79, and prepared by HEDS Architects (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 renderings, which may include considerations based on details found in the associated staff report and compliance with the Public Works Design Standards Manual.
3. The applicant is responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, laws, judgements, encroachments or other encumbrances to title affecting the subject property, shown or not, on the approved exhibit in this staff report (i.e., Exhibit A). Approval of this application does not annul, interfere with, or invalidate such matters.
4. All applicable permits associated with the subject improvements shall be obtained from the City of Virginia Beach Planning Department and/or any other relevant authority.

R. Edward Bourdon, Jr. Esq., of Sykes, Bourdon, Ahern, and Levy, PC appeared before the Board representing the applicant.

Martian Waranch of the North Virginia Beach Civic League, and Gayle Johnson appeared before the Board in favor.

Skip Green and Cathy Sadle appeared before the Board in opposition.

A motion was made by Mr. Thornton, seconded by Ms. Hall to approve the request(s) with the conditions and modifications noted, which are also found in the revised staff report. All voted for the motion except Ms. Borecki who voted no.

AYE 6 NO 1 ABSTAIN 0

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| ANDERSON | AYE |
| HALL | AYE |
| NEWTON | AYE |
| POCTA | AYE |
| BORECKI | NAY |
| THORNTON | AYE |
| WALL | AYE |

Case 2025-BZA-00104: Andy Caravas

Appeal a zoning administrator, or designee, notice of violation dated November 5, 2025, regarding excess window signage, excess wall signage, string lights in windows, and changeable copy signage. 812 Atlantic Avenue, Zoning: OR(STR-OR) GPIN: 24272451990000

BOARD ACTION: UPHELD THE INTERPRETATION OF THE ZONING ADMINISTRATOR ON MARCH 4, 2026

Andy Caravas appeared before the Board.

Hannah Sabo, Zoning Administrator, appeared before the Board to make commentary.

Victoria Eisenberg, Deputy City Attorney, appeared before the Board to defend the interpretation of the Zoning Administrator.

A motion was made by Mr. Thornton, seconded by Ms. Hall to uphold the Zoning Administrator, or designee, notice of violation dated November 5, 2025. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0

ANDERSON AYE
HALL AYE
NEWTON AYE
POCTA AYE
BORECKI AYE
THORNTON AYE
WALL AYE

Respectfully Submitted

Myles Pocta
Secretary