



CITY OF
**VIRGINIA
BEACH**

Board of Zoning Appeals August 5, 2026

Kevin Newton, Chairman
Robert Thornton, Vice Chairman
Myles Pocta, Secretary

City Staff:

Hannah Sabo, Zoning Administrator
Victoria Eisenberg, City Attorney
Wilissa Blair-Miller, Senior Planner
Alyssa Didone, Planning Technician

A Board of Zoning Appeals public hearing is scheduled for 2:00 p.m. **Wednesday, August 5, 2026**, on the second floor of City Hall (Council Chambers, Building #1, 2401 Courthouse Drive).

Informal discussions and staff briefings will occur at 1:00 p.m. in room 2034 of Building #1. All interested parties are invited to observe the 1:00 p.m. informal meeting and/or the 2:00 p.m. public hearing.

Please visit <https://viriniabeach.gov/BZA> or call (757) 385-8074 for more details.

AGENDA:

- Comments from Board Chair and/or zoning staff (1:00 p.m. to 2:00 p.m.)
- Review of public hearing cases and staff briefing (1:00 p.m. to 2:00 p.m.)
- Annual Report presentation
- Public hearing (2:00 p.m. to finish / variance cases typically called in order by case number / Appeals cases called last)
- Vote on Annual Report

AGENDA CASES

- **Case 2026-BZA-00036** (*variance request*)
Applicant: VEPCO/Dominion Power (*property owner*)
Representative: Alee Silva (*agent for property owner*)
Address: 1469 General Booth Blvd
Request: Variance to the maximum allowable height for a proposed security fence.
- **Case 2026-BZA-00047** (*variance request*)
Applicants: Neil and Deborah Lichtenstein (*property owners*)
Representatives: Neil and/or Deborah Lichtenstein (*property owners*)
Address: 901 Ashbrook Court
Request: Variance to the required yard for a proposed covered porch.
- **Case 2026-BZA-00049** (*variance request*)
Applicant: Dr. Benjamin A. Carey (*property owner*)
Representative: Bob Simon (*agent*)
Address: 2053 Thomas Bishop Lane
Request: Variances to the required yards for a proposed pier/dock.
- **Case 2026-BZA-00051** (*variance request*)
Applicants: Thomas V. Sr. and Avis Esposito (*property owners*)
Representative: R. Edward Bourdon Jr. (*attorney*)
Address: 4536 Jeanne Street
Request: Variance to the required yard for a proposed single-family dwelling.

- **Case 2026-BZA-00053** (*appeal*)

Appellants: Edward and Sandra Schmidtman (*property owners*)

Representative: David F. Johnson (*attorney*)

Address: 4408 Clyde Street

Request: Appeal of a Zoning Administrator, or designee, determination letter dated April 29, 2026, pertaining to short-term rental use.

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CASE: 2026-BZA-00036 (replacement record for BZA-2025-00018) -
VEPCO/Dominion Power

HEARING DATE: August 5, 2026

TO: Chairman, Board of Zoning Appeals

FROM: Wilissa Blair-Miller, Planner III

ADDRESS ASSOCIATED WITH VARIANCE REQUEST:

1469 General Booth Boulevard

REPRESENTATIVE:

Alee Silva of Burns and McDonnell (engineering, architecture, construction, and consulting firm).

VARIANCE REQUEST(S) (ABBREVIATED):

Variance to the maximum allowable height for a proposed security fence.

VARIANCE REQUEST(S) (DETAILED):

The following variances are requested pursuant to City Zoning Ordinance Article 2, Section 201(e) Article 2, Section 271, Article 4, Section 401(a), and the Virginia Beach Landscape Screening and Buffering Standards:

1. **FENCE HEIGHT:** A variance to allow a security fence to be maximum of 9 feet tall, with 12-foot-tall support posts, instead of 8 feet tall as allowed.
2. **BUFFER REQUIREMENTS:** A variance to waive the opaque structure requirements within a Category V landscape and screening buffer.

GEOGRAPHIC PARCEL INFORMATION NUMBERS (GPIN):

- 2415-56-2964

LOT AREA:

- 111,805 square feet (2.56 acres) (per city records)

AICUZ:

- Greater than 75 decibels

REGULATORY WATERSHED AND FLOOD ZONE:

- Southern Rivers
- X (area determined to be outside the 500-year flood)

VOTING DISTRICT:

- District X

PREVIOUS BOARD OF ZONING APPEALS VARIANCE(S):

- On June 4th, 2025, this matter was indefinitely deferred by the Board due to a matter relating to the legality surrounding the creation of the property.
- No other previous variances were found.

EXISTING LAND USE, ORIGINAL BUILD DATE, ZONING DISTRICT, STRATEGIC GROWTH AREA:

- Electric Utility Substation
- AG-2 (Agricultural District)
- Not in a strategic growth area

SURROUNDING LAND USES/ZONING DISTRICTS:

- North: Residential (single-family) R-5D and Business (small shopping center) B-2
- South: Business (shopping center) B-2
- East: Business (shopping center) B-2
- West: Business (shopping center) B-2

EXTENT OF PROJECT:

Chain link security fence (variance requested)

Proposed fence will be 9 feet tall (8 feet of chain link and 1-foot of barbed wire), with 12-foot-tall support posts.

BACKGROUND INFORMATION:

According to City records, the subject property is presently under review by City staff for legal recordation by plat. The applicant was made aware that if the plat is not legally recorded before August 5, 2026, this variance request must be deferred with a new fee.

The subject parcel is an interior lot situated along General Booth Boulevard, with the property line abutting General Booth Boulevard defined as the front.

On September 18, 1972, City Council granted a conditional use permit for an electric utility substation on the subject property. Nevertheless, the City Zoning Ordinance no longer requires such use permits in agricultural zoning districts, provided they meet the requirements of Section 401(a) of the City Zoning Ordinance, which mandates a Category V buffer screening.⁽¹⁾⁽²⁾

Based on an increased need for nationwide power grid defense, the applicant is requesting approval for the installation of a 12-foot-tall chain link security fence, which would replace an existing chain link fence. It must be noted that each chain link 'panel' topped by barbed wire will measure 9 feet in height, with only the vertical posts measuring 12 feet in height.

The applicant would also like a variance to allow a transparent security fence (i.e., chain link) instead of a fully opaque structure as currently required by Section 401(a) of the City Zoning Ordinance.⁽¹⁾ It must be noted that the existing chain link fencing appears to be nonconforming to such present regulations. Nevertheless, because the existing nonconforming transparent fence will be voluntarily removed, the new structure must meet the minimum zoning requirements unless a variance is granted. Understanding the sensitive nature of security surrounding utility substations, a Board condition was added for consideration that allows 10-foot landscape buffer in place of Category V solid screening. Such landscaping would only apply to the northern boundary abutting the residential area, with no other landscaping or screening required around the perimeter of the facility. Moreover, because the northern area of the property already contains mature vegetation, additional required landscaping may be minimal.

NOTES:

(1) Section 401(a)(public utility installations) of the zoning ordinance requires that all electric utility substations are "Surrounded by Category V screening, solid except for entrances and exits, and transformer vaults for underground utilities and the like shall require Category I screening, solid except for access opening."

(2) The City of Virginia Beach Landscape Screening and Buffering Manual mandates that Category V buffers are made up of fences, decorative walls, or other physical or structural enclosures to visually and physically separate uses.

KEY CONSIDERATIONS:

- Protection of electric utility substations is essential to protect citizens from grid disruptions.

LETTERS OF SUPPORT AND OPPOSITION *(final count to be determined on hearing date):*

- Letters of Support: 0
- Letters of Opposition: 0

APPLICANT STATED HARDSHIP:

"The strict application of the ordinance would produce an undue hardship: The fence upgrades at Pendleton Substation are driven by the GTSA, which declared electric distribution grid transformation to be in the public interest. This project is a key component of Dominion Energy's Grid Transformation Plan (Phase III), which directly supports the GTSA's objective of enhancing grid reliability and security. The strict application of the 8-foot fence height limit would create an undue hardship by preventing Dominion Energy from fulfilling these state-recognized public interest requirements. This hardship is further compounded by the current site conditions. The existing fence is in poor condition and no longer provides an adequate level of security. Replacing it with a modern, taller, and more robust design is necessary to safeguard critical infrastructure and reduce risk to the public. This substation contains 115kV and 34.5kV electric lines and equipment critical to the grid. The requested fence height is not arbitrary but is grounded in the company's internal security standards, which are based on risk assessments and industry best practices designed to protect these vital assets.

That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

This property is used for public utility purposes, which is not a characteristic shared generally throughout the zoning district.

That the authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of this variance.

The use is pre-existing, and the new fencing will adhere to all other applicable requirements, including maintaining at least a 15-foot separation from adjacent residential properties. Furthermore, existing vegetative buffers between the substation and neighboring communities will be maintained to the greatest extent possible.

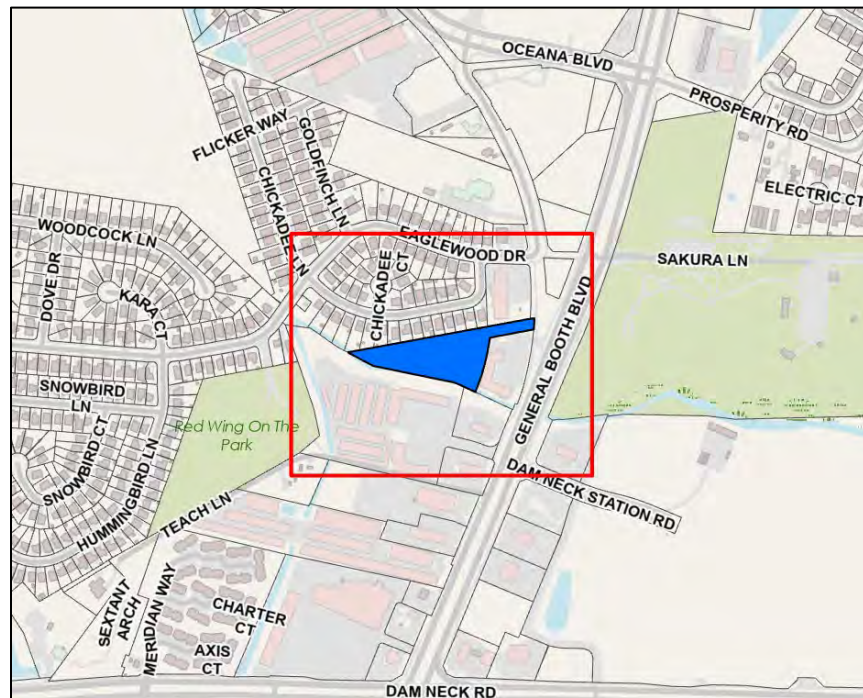
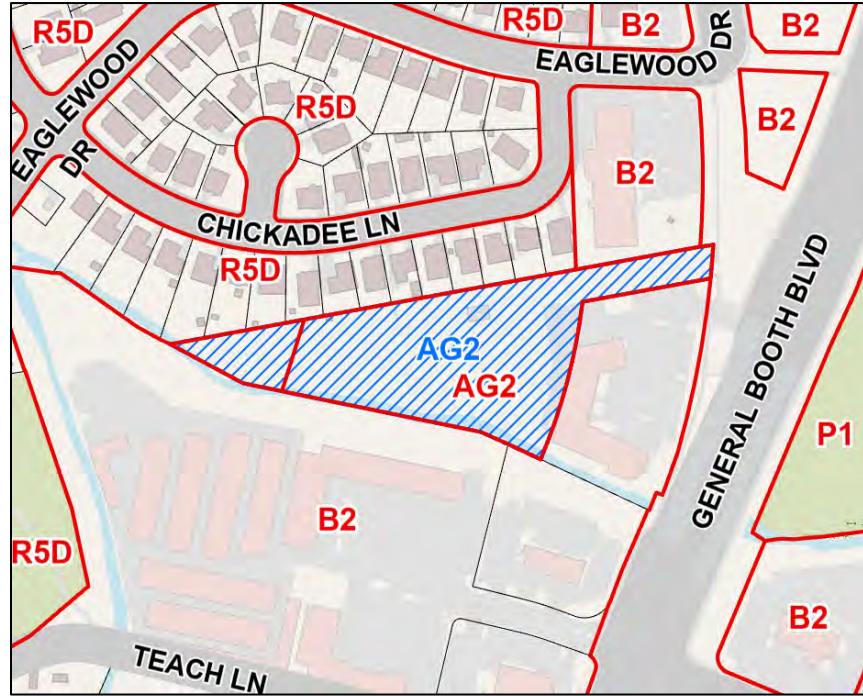
That the granting of the Variance is in harmony with the intended spirit and purpose of the ordinance.

The fencing, while taller, will provide additional screening of the internal infrastructure at the substation."

RECOMMENDED CONDITIONS IF APPROVED:

1. The proposed improvements shall be constructed in substantial conformance to the City staff modified and marked exhibit titled, "Pendleton Substation," dated March 10, 2026, and prepared by Pennoni 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 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 subject fencing shall be at least 15 feet from the northern property line. This mandate corresponds to the current City Zoning Ordinance regulation requiring barbed wire and electrified fences to be 15 feet from any residential and apartment district.
3. A 10-foot-wide landscape buffer shall be established along the northern property boundary to shield the residential use from the substation. This shall be in lieu of Category V screening required surrounding the substation. A landscaping plan shall be submitted for compliance review by the Development Services Center (DSC) Division of the City Planning Department. This shall occur prior to, or concurrently with, any necessary building or zoning permit approvals. Existing vegetation along the northern property boundary may count toward this condition if deemed appropriate by the DSC landscape architect.
4. All on-site lighting shall comply with the requirements found in the City Zoning Ordinance.
5. 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.
6. 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.
7. 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.

LOCATION MAPS:



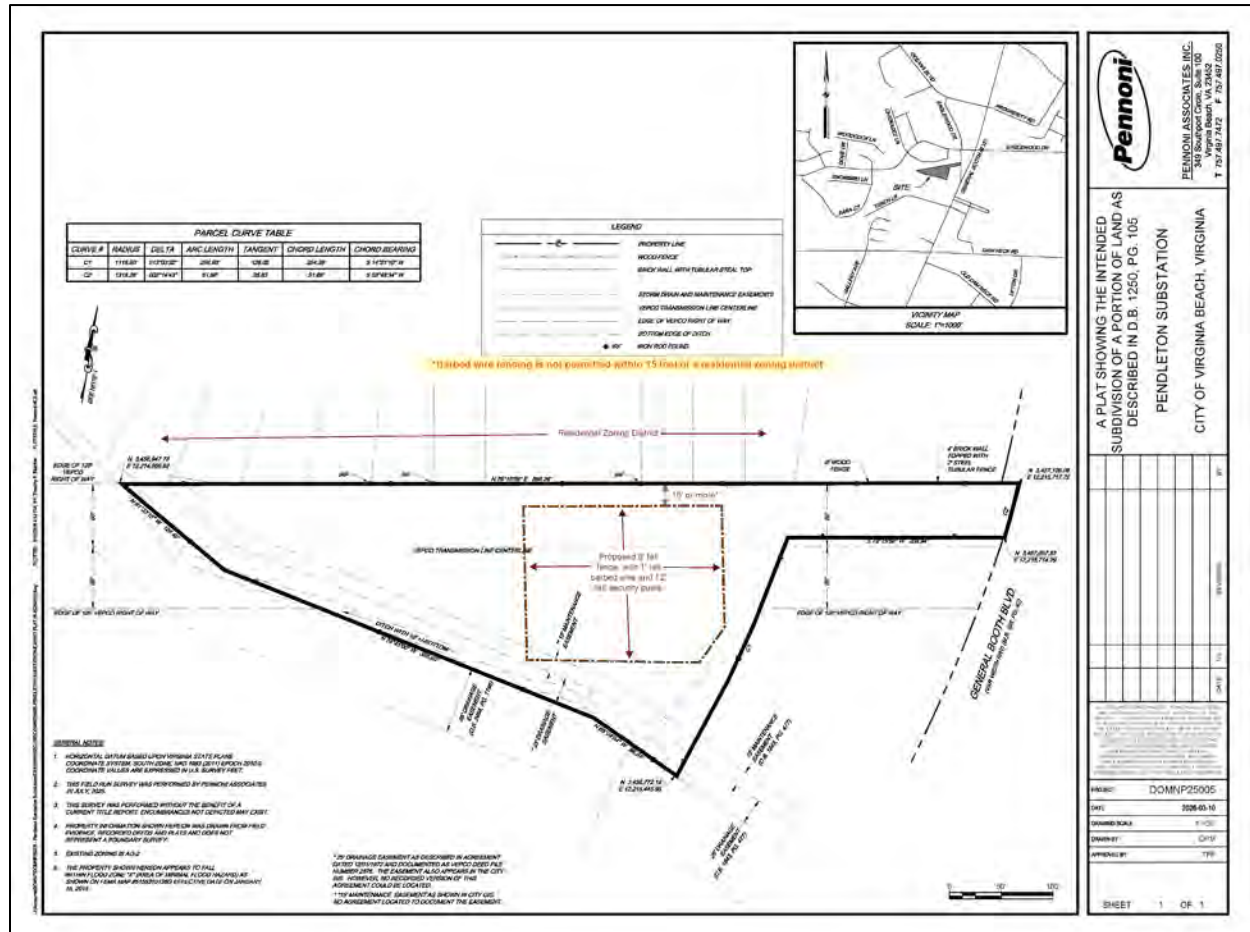
AERIAL:



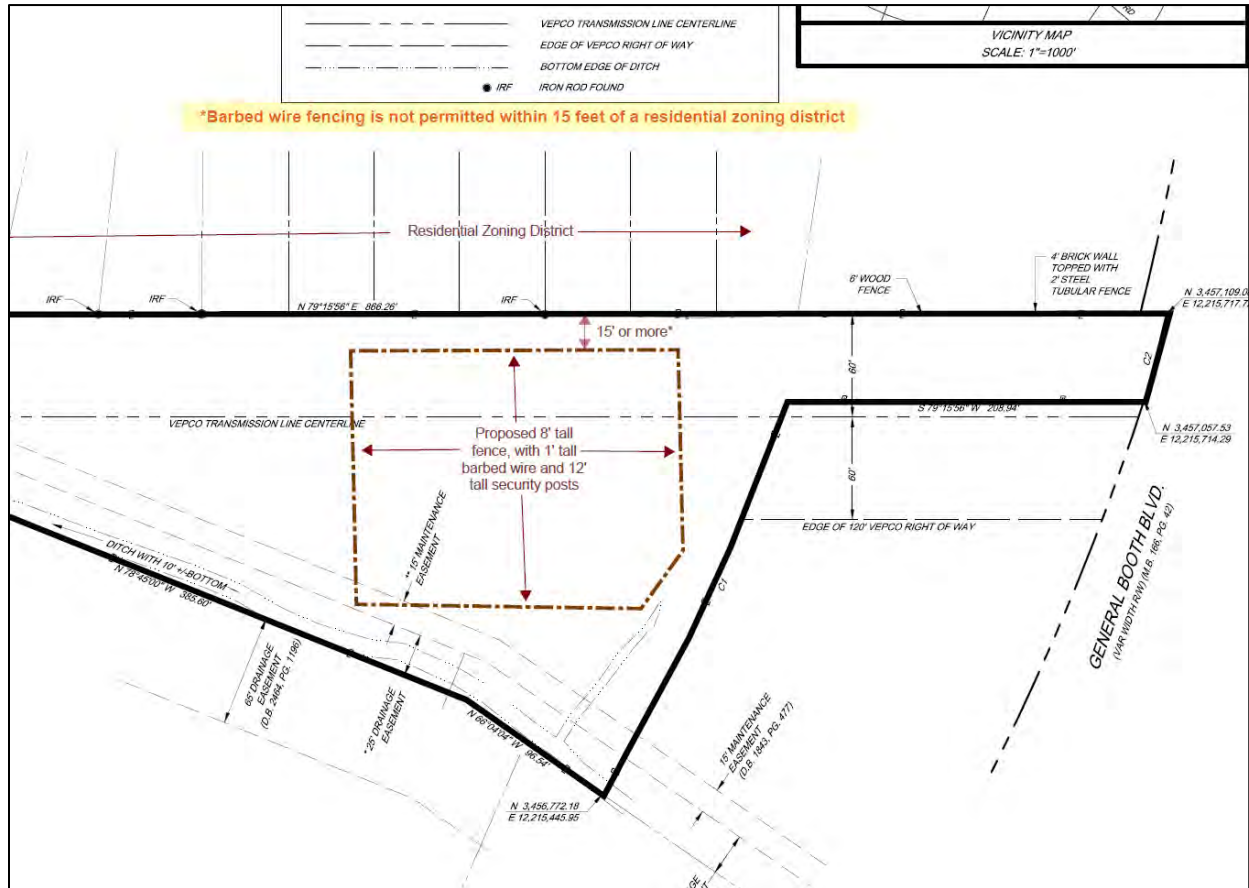
AERIAL (DETAIL):



SITE PLAN (EXHIBIT A):



SITE PLAN DETAIL (EXHIBIT A):



PHOTOGRAPHS:



PHOTOGRAPHS:



PHOTOGRAPHS:



DISCLOSURE STATEMENT:



CITY OF

VIRGINIA

BEACH

Disclosure Statement

The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. Completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council, boards, commissions, or other bodies.

SECTION 1: APPLICANT DISCLOSURE

APPLICANT INFORMATION

Applicant Name: Virginia Electric and Power Company (dba) Dominion Energy
as listed on application

Is Applicant also the Owner of the subject property? Yes ☒ No ☐
If no, Property Owner must complete SECTION 2: PROPERTY OWNER DISCLOSURE (page 3).

Does Applicant have a Representative? Yes ☒ No ☐
If yes, name Representative: Alee Silva of Burns & McDonnell Engineering Company, Inc.

Is Applicant a corporation, partnership, firm, business, trust or unincorporated business? Yes ☒ No ☐
If yes, list the names of all officers, directors, members, or trustees below AND businesses that have a parent- subsidiary ¹ or affiliated business entity ² relationship with the applicant. (Attach list if necessary.)

See attached

Does the subject property have a proposed or pending purchaser? Yes ☐ No ☒
If yes, name proposed or pending purchaser: _____

KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action? Yes ☐ No ☒
If yes, name the official or employee, and describe the nature of their interest.

APPLICANT SERVICES DISCLOSURE

READ: The Applicant must certify whether the following services are being provided in connection to the subject application or any business operating or to be operated on the property. The name of the entity and/or individual providing such services must be identified. (Attach list if necessary.)

SERVICE	YES	NO	SERVICE PROVIDER (Name entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	☐	☒	
Real Estate Broker/Agent/Realtor	☐	☒	

Disclosure Statement | rev. May-2024

page 1 of 3

DISCLOSURE STATEMENT:

SECTION 1: APPLICANT DISCLOSURE *continued*

SERVICE	YES	NO	SERVICE PROVIDER (Name entity and/or individual)
Accounting/Tax Return Preparation	☐	☒	
Architect/Designer/Landscape	☐	☒	
Architect/Land Planner	☐	☒	
Construction Contractor	☐	☒	
Engineer/Surveyor/Agent	☒	☐	Burns & McDonnell Engineering Company, Inc.
Legal Services	☐	☒	

APPLICANT CERTIFICATION

READ: I certify that all information contained in this Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein three weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.

Rhiannon Cahill

Applicant Name (Print)



Applicant Signature

3/16/2026

Date

¹ "Parent-subsidary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

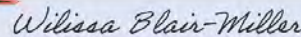
² "Affiliated business entity relationship" means "a relationship, other than parent-subsidary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

FOR CITY USE ONLY:

No changes as of (date): 07-13-2026

Wilissa Blair-Miller

Staff Name (Print)



Staff Signature

07-13-2026

Date

DISCLOSURE STATEMENT:

Virginia Electric and Power Company

Directors Officers

Name	Title
Baine, Edward H.	Director
Blue, Robert M.	Director
Leopold, Diane	Director
Blue, Robert M.	Chief Executive Officer
Baine, Edward H.	President
Ridge, Steven D.	Executive Vice President and Chief Financial Officer
Arnett, Corynne S.	Executive Vice President - Regulatory Affairs and Customer Experience
Brown, Carlos M.	Executive Vice President, Chief Legal Officer and Corporate Secretary
Carr, Eric S.	President - Nuclear Operations and Chief Nuclear Officer
Cardiff, Michele L.	Senior Vice President, Controller and Chief Accounting Officer
Green, Cedric F.	Senior Vice President - Generation
Lawrence, Douglas C.	Senior Vice President - Nuclear Operations & Fleet Performance
Locke, Robert H.	Senior Vice President - Electric Distribution
Mitchell, Mark D.	Senior Vice President - Project Construction
Murray, William L.	Senior Vice President - Corporate Affairs & Communications
Windle, W. Keith	Senior Vice President - Administrative Services
Woomer, Joseph A.	Senior Vice President - Electric Transmission
Arruda, Thomas	Vice President and Chief Information Officer
Avram, Emil G.	Vice President - Business Development
Bassey, Utibe O.	Vice President - Customer Experience

DISCLOSURE STATEMENT:

Name	Title
Bennett, Joshua J.	Vice President - Offshore Wind Operations
Chester, Elizabeth "Betsy" L.	Vice President - Segment Planning (Regulated)
Gardner, R. Matthew	Vice President - Planning and Operations
Gaskill, J. Scott	Vice President - Regulatory Affairs
Holloway, James	Vice President - Nuclear Engineering & Fleet Support
Humberson, Karl	Vice President - Offshore Wind Construction
Johnson, IV Augustus	Vice President - Grid & Technical Solutions
Jones, Ann M.	Vice President - Operations Support
Kinslow, Karen M.	Vice President - Distribution Operations
Lee, Adam S.	Vice President and Chief Security Officer
McFarland, David M.	Vice President - Investor Relations and Treasurer
Miscikowski, Jeffrey G.	Vice President - Project Construction
Parker, Mary "Molly" A.	Vice President - Environmental & Sustainability
Porada, Caitlin H.	Vice President - Corporate Planning and Financial Analysis
Purohit, Prabir	Vice President - Strategy
Sauer, Robert W.	Vice President - System Operations
Scott, Kelly S.	Vice President - Technical Services
Showalter, Alma W.	Vice President - Tax
Stites, Brandon E.	Vice President - Engineering & Construction
Stuckey, II Jim O.	Vice President and General Counsel
Tornabene, Amanda "Mandy" B.	Vice President - Governance and Assistant Corporate Secretary
Wellener, Wendy T.	Vice President and Chief Procurement Officer
Wright, Jr. Robert "Robbie" S.	Vice President - Strategic Partnerships
Hilbert, Lisa	Site Vice President - North Anna Power Station
Wilson, David H.	Site Vice President - Surry Power Station

DISCLOSURE STATEMENT:

Name	Title
Ingram, John	Controller
Atwill, Katherine A.	Assistant Treasurer
Davis, Jr. Richard M.	Assistant Treasurer
Doggett, Karen W.	Assistant Corporate Secretary
Evans, Jonathan T.	Assistant Treasurer
Kurz, William J.	Assistant Controller
Miles, Morenike K.	Assistant Secretary
Nawrocki, Alison M.	Assistant Controller

DISCLOSURE STATEMENT:

VIRGINIA ELECTRIC AND POWER COMPANY
Secretary's Certificate

I, the undersigned, hereby certify that I am Assistant Corporate Secretary of Virginia Electric and Power Company, a Virginia public service corporation (the "Company").

I further certify that the signature and delegation of authority with respect to the Company (Attachment 1) has not been amended or revoked and that the same is now in full force and effect until revoked.

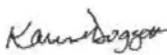
I further certify that the below named individual has been duly authorized by said Company and is the incumbent of the respective office below set opposite her name:

Laura P. Meadows

Authorized Representative

IN WITNESS WHEREOF, I have hereunto set my hand and have affixed the corporate seal of said Company this 9th day of September 2024.





Karen W. Doggett

DISCLOSURE STATEMENT:

ATTACHMENT 1

VIRGINIA ELECTRIC AND POWER COMPANY

Transcript From Records Effective August 21, 2024

I hereby delegate to each person listed below (each, an "Authorized Representative") the authority to enter into, execute, acknowledge, deliver and accept, in the name and on behalf of Virginia Electric and Power Company (the "Company"), any and all contracts, agreements, easements, instruments, waivers, licenses, consents and any other documents that may be necessary, expedient in, or related to the use of property for the installation, operation and maintenance of electrical equipment and related facilities, each such transaction not to exceed \$500,000.

This delegation of authority shall be effective as of the date of electronic acceptance hereof, and any acts consistent with this delegation prior to the effective date are hereby ratified and confirmed. This delegation shall not restrict or limit my authority and may be revoked at any time by written instrument or electronic transmission. Unless earlier revoked, this delegation shall terminate upon the termination of the Authorized Representatives' employment with the Company.

Authorized Representatives:

Gregory Mathe
Laura Meadows

VIRGINIA ELECTRIC AND POWER COMPANY

By: /s/ Brandon E. Stites

Brandon E. Stites
Vice President – Engineering &
Construction



CASE: 2026-BZA-00047 - Neil and Deborah Lichtenstein

HEARING DATE: August 5, 2026

TO: Chairman, Board of Zoning Appeals

FROM: Wilissa Blair-Miller, Planner III

ADDRESS ASSOCIATED WITH VARIANCE REQUEST:

901 Ashbrook Court

REPRESENTATIVE:

Neil and/or Deborah Lichtenstein (*property owners*)

VARIANCE REQUEST(S) (ABBREVIATED):

Variance to the required yard for a proposed covered porch.

VARIANCE REQUEST(S) (DETAILED):

The following variance is requested pursuant to Article 5, Section 502(a) of the City Zoning Ordinance:

1. **SIDE YARD ADJACENT TO STREET (NORTHEAST, EASTWIND ROAD):** A side corner yard setback variance to 23 feet instead of 30 feet as required for the construction of a one-story covered front porch.

GEOGRAPHIC PARCEL INFORMATION NUMBERS (GPIN):

- 1476-31-2919

LOT AREA:

- 11,077 square feet (.25 acres) (per BZA Exhibit)

AICUZ:

- Less than 65 decibels

REGULATORY WATERSHED AND FLOOD ZONE:

- Southern Rivers
- X (area determined to be outside the 500-year flood)

VOTING DISTRICT:

- District 1

PREVIOUS BOARD OF ZONING APPEALS VARIANCE(S):

- None found

EXISTING LAND USE, ORIGINAL BUILD DATE, ZONING DISTRICT, STRATEGIC GROWTH AREA:

- Single-family (built in 1978)
- R-10 (Residential District)
- Not in a Strategic Growth Area

SURROUNDING LAND USES/ZONING DISTRICTS:

- North: Residential (single-family), R-10
- South: Residential (single-family), R-10
- East: Residential (single-family), R-10
- West: Residential (single-family), R-10

EXISTING CONDITIONS:

- Dwelling: 34.7 feet from front property line (south)
- Dwelling: 14.8 feet from side property line (southwest)
- Dwelling: 20.9 feet from side corner property line (northeast)
- Dwelling: Greater than 20 feet from rear property line rear (north)

EXTENT OF PROJECT:

Proposed one-story covered front porch with steps (variance requested)

Proposed covered front porch located within the required yard adjacent to Eastwind Drive.

BACKGROUND INFORMATION:

According to City records, the subject property was recorded by plat in 1977 (map book 121 at page 01).

The subject parcel is a corner lot situated at the intersection of Ashbrook Court and Eastwind Drive, with the parcel boundary along Ashbrook Court defined as the front.

The subject parcel meets the minimum required lot area of 10,000 square feet and the minimum required lot width of 80 feet.

The applicant is requesting a variance to encroach into the required side yard adjacent to Eastwind Drive with a proposed covered front porch, which would stay 'in-line' with the side of the existing home.

The subject dwelling was constructed 48 years ago when the required side yard adjacent to Eastwind Drive was only 10 feet. In 1988, such required yard increased to 30 feet. As a result, the existing encroachment into the present 30-foot required yard adjacent to Eastwind Drive is legally nonconforming.

KEY CONSIDERATIONS:

- Because the proposed porch will not extend into the required yard any further than the existing house, it may be argued that the granting of the variance would not be of substantial detriment to adjacent property and nearby properties.
- The granting of the variance would seemingly alleviate a hardship due to the existing nonconforming improvements already encroaching into the required yard adjacent to Eastwind Drive.

LETTERS OF SUPPORT AND OPPOSITION *(final count to be determined on hearing date):*

- Letters of Support: 0
- Letters of Opposition: 0

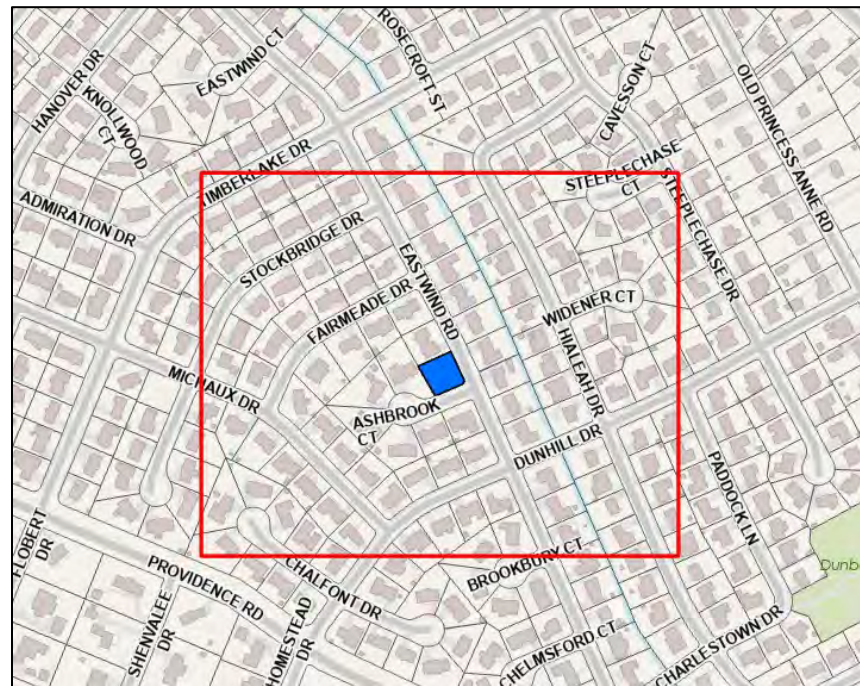
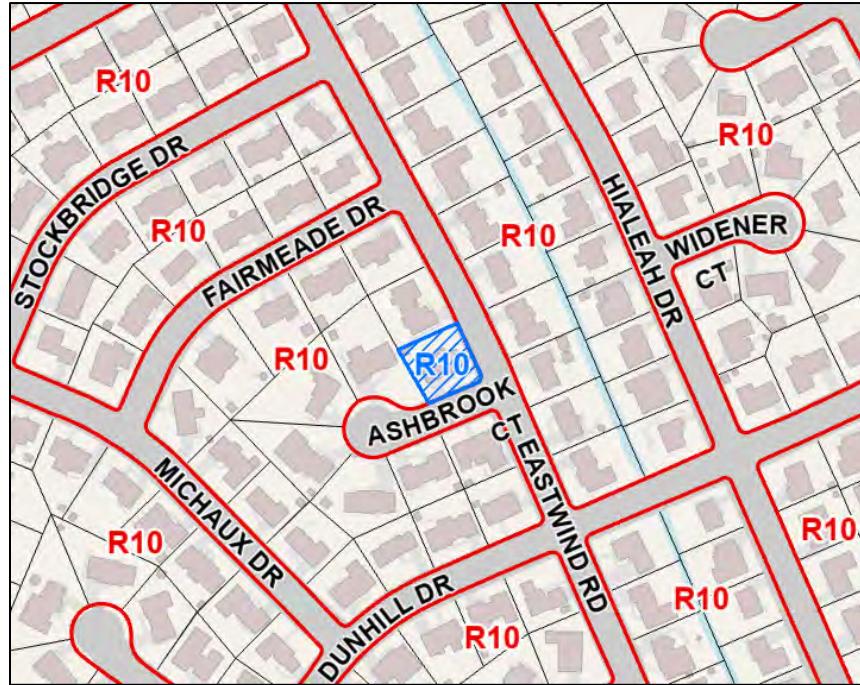
APPLICANT STATED HARDSHIP:

"Existing house right wall sits 23.3 ft from existing 10 ft city easement. Variance requested to add new front porch that will not extend further than existing right-side wall (adjacent to Eastwind Rd)."

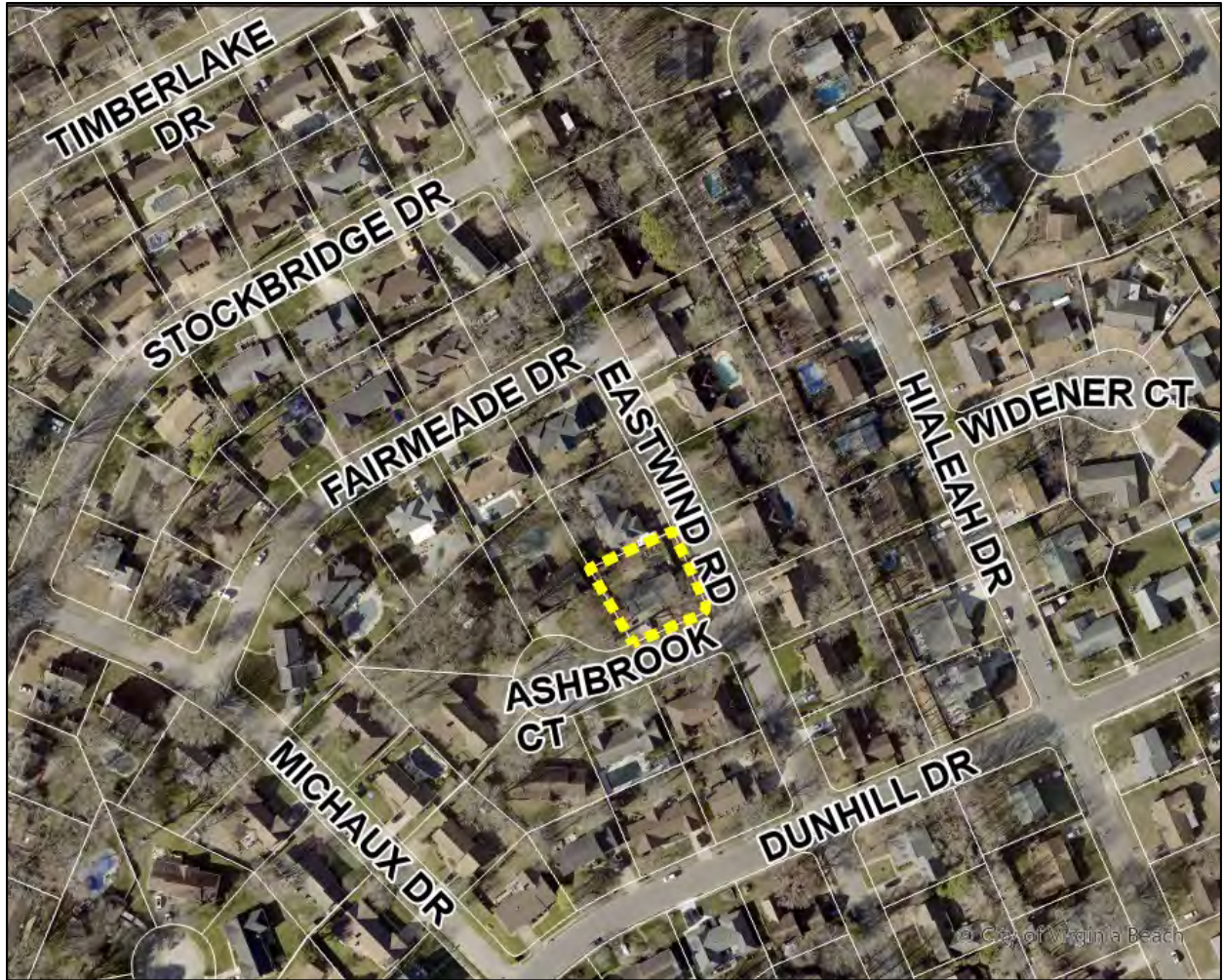
RECOMMENDED CONDITIONS IF APPROVED:

1. The proposed improvements shall be constructed in substantial conformance to the City staff modified and marked exhibit titled, “Physical Survey of Lot 19, Block W, Subdivision of Bellamy Manor Estates, Section four,” dated May 22, 2026, and prepared by Rouse-Sirine Associates, LTD. (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 subject front porch shall not be enclosed. The Zoning Administrator shall have the authority to determine conformance with this condition.
3. The existing shed located in the northwest corner of the subject property, as shown on *Exhibit A* in the *Site Plan* section of this report, shall either be moved to meet minimum City Zoning Ordinance requirements or removed from the subject property. This shall occur prior to the final inspection of any building permits issued for the subject improvements, or six months from this Board action, whichever occurs first.
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 approved 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.

LOCATION MAPS:



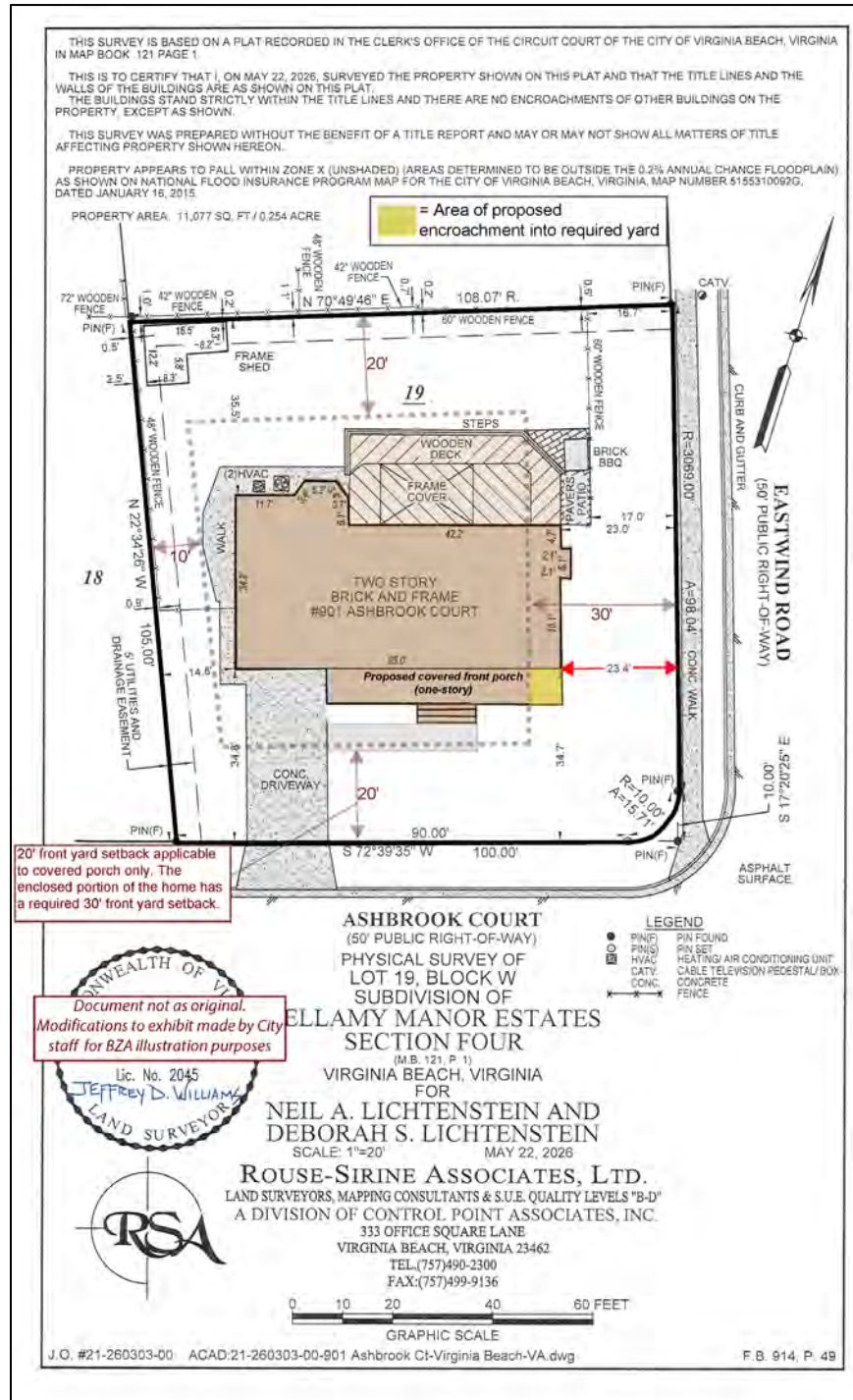
AERIAL:



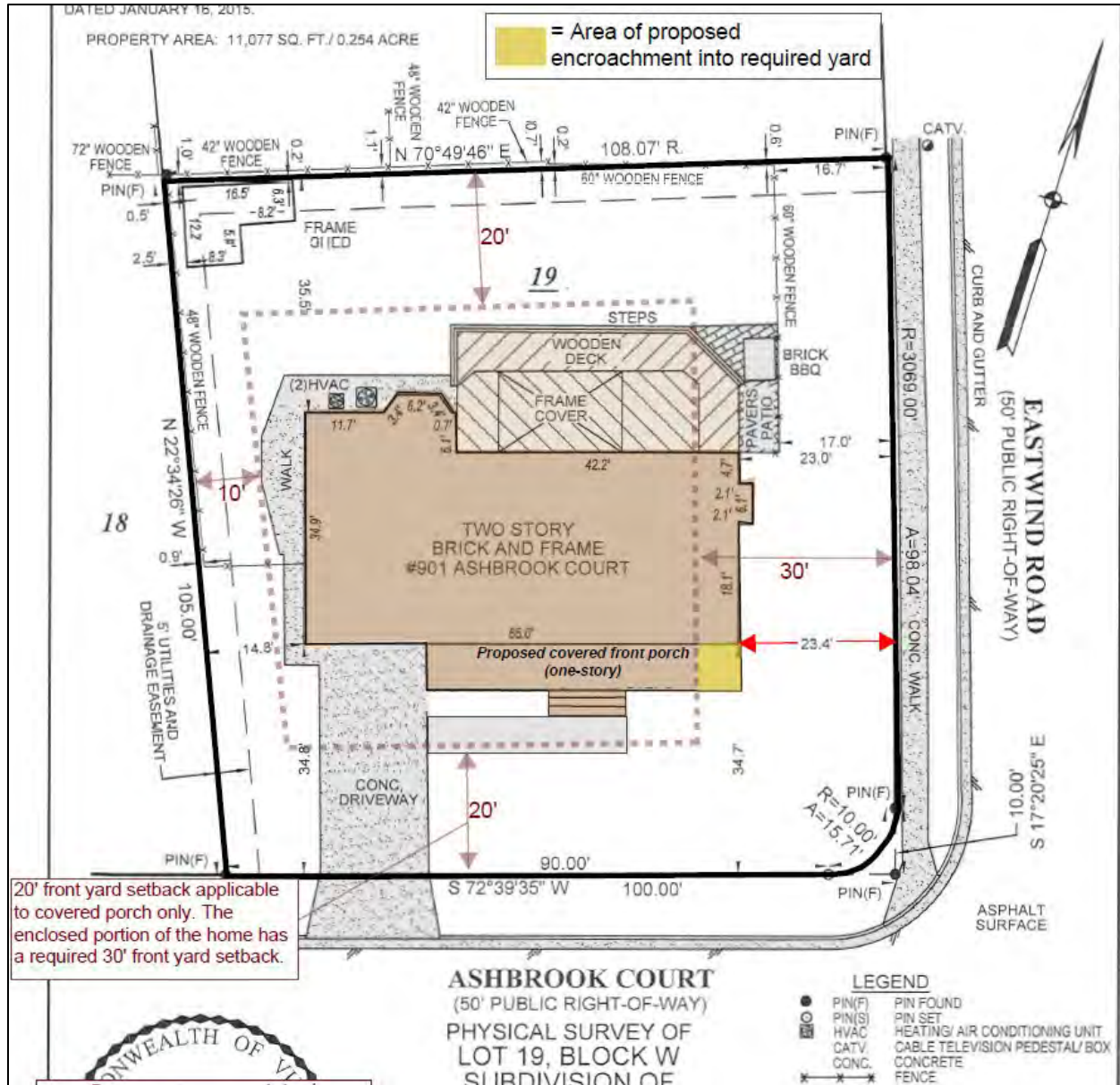
AERIAL (DETAIL):



SITE PLAN (EXHIBIT A):



SITE PLAN DETAIL (EXHIBIT A):



PHOTOGRAPHS:



PHOTOGRAPHS:



DISCLOSURE STATEMENT:

	CITY OF VIRGINIA BEACH	Disclosure Statement	
<i>The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. Completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council, boards, commissions, or other bodies.</i>			
SECTION 1: APPLICANT DISCLOSURE			
APPLICANT INFORMATION			
Applicant Name: _____ <i>as listed on application</i> Neil Lichtenstein			
Is Applicant also the Owner of the subject property? Yes ☒ No ☐			
<i>If no, Property Owner must complete SECTION 2: PROPERTY OWNER DISCLOSURE (page 3).</i>			
Does Applicant have a Representative? Yes ☐ No ☒			
<i>If yes, name Representative:</i> _____			
Is Applicant a corporation, partnership, firm, business, trust or unincorporated business? Yes ☐ No ☒			
<i>If yes, list the names of all officers, directors, members, or trustees below AND businesses that have a parent- subsidiary ¹ or affiliated business entity ² relationship with the applicant. (Attach list if necessary.)</i>			
Does the subject property have a proposed or pending purchaser? Yes ☐ No ☒			
<i>If yes, name proposed or pending purchaser:</i> _____			
KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE			
Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action? Yes ☐ No ☒			
<i>If yes, name the official or employee, and describe the nature of their interest.</i>			
APPLICANT SERVICES DISCLOSURE			
READ: <i>The Applicant must certify whether the following services are being provided in connection to the subject application or any business operating or to be operated on the property. The name of the entity and/or individual providing such services must be identified. (Attach list if necessary.)</i>			
SERVICE	YES	NO	SERVICE PROVIDER <i>(Name entity and/or individual)</i>
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	☐	☒	
Real Estate Broker/Agent/Realtor	☐	☒	

Disclosure Statement | rev. May -2024page 1 of 3

DISCLOSURE STATEMENT:

SECTION 1: APPLICANT DISCLOSURE *continued*

SERVICE	YES	NO	SERVICE PROVIDER (Name entity and/or individual)
Accounting/Tax Return Preparation	☐	☒	
Architect/Designer/Landscape Architect/Land Planner	☐	☒	
Construction Contractor	☒	☐	Maverick Building Solutions
Engineer/Surveyor/Agent	☐	☒	
Legal Services	☐	☒	

APPLICANT CERTIFICATION

READ: I certify that all information contained in this Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein three weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.

Neil Lichtenstein

Applicant Name (Print)

Applicant Signature

5/20/2026

Date

¹ "Parent-subsidiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsidiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

FOR CITY USE ONLY:

No changes as of (date): 07-09-2026

Wilissa Blair-Miller

Staff Name (Print)

Wilissa Blair-Miller

Staff Signature

07-09-2026

Date

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CASE: 2026-BZA-00049 - Dr. Benjamin A. Carey

HEARING DATE: August 5, 2026

TO: Chairman, Board of Zoning Appeals

FROM: Wilissa Blair-Miller, Planner III

ADDRESS ASSOCIATED WITH VARIANCE REQUEST:

2053 Thomas Bishop Lane

REPRESENTATIVE:

Bob Simon (*agent for applicant*)

VARIANCE REQUEST(S) (ABBREVIATED):

Variances to the required yards for a proposed pier/dock.

VARIANCE REQUEST(S) (DETAILED):

The following variances are requested pursuant to Article 5, Section 502(a) of the City Zoning Ordinance:

1. **SIDE YARD (EAST):** A side yard setback variance to 0 feet instead of 15 feet as required for the construction of a private pier/dock.
2. **REAR YARD (NORTH):** A rear yard setback variance to 0 feet instead of 15 feet as required for the construction of a private pier/dock.

GEOGRAPHIC PARCEL INFORMATION NUMBERS (GPIN):

- 1499-66-3796

LOT AREA:

- 30,417 square feet (.69 acres) (per city records)

AICUZ:

- Less than 65 decibels

REGULATORY WATERSHED AND FLOOD ZONE:

- Chesapeake Bay Preservation Area (Resource Protection Area)
- AE (1% annual chance flood hazard) and X (area determined to be outside the 500-year flood)

VOTING DISTRICT:

- District 8

PREVIOUS BOARD OF ZONING APPEALS VARIANCE(S):

- July 17, 1996 (granted)
A variance to a 5-foot side yard setback (west side) instead of 15 feet as required for a proposed two car detached garage.

EXISTING LAND USE, ORIGINAL BUILD DATE, ZONING DISTRICT, STRATEGIC GROWTH AREA:

- Single-family (built in 1981)
- R-30 (Residential District)
- Not in a Strategic Growth Area

SURROUNDING LAND USES/ZONING DISTRICTS:

- North: Waterway (Broad Bay), Unclassified Zoning District (reverts to AG-1)
- South: Residential (single-family), R-20
- East: Residential (single-family), R-30
- West: Residential (single-family), R-30

EXISTING CONDITIONS:

- Existing private pier, dock, and boat lifts 0 feet from the side property line and 0 feet from the rear property line.

EXTENT OF PROJECT:

Replace existing private pier, dock, and boatlifts (variances requested for a part of the structure)

- Proposed replacement of private pier, dock, and boatlifts, with a portion of the structure proposed to be located within the required side and rear yards landward of mean low water.

BACKGROUND INFORMATION:

According to City records, the subject property was recorded by plat in 1979 (map book 136 at page 04).

The subject parcel is an interior lot situated along Thomas Bishop Lane, with the property line abutting Thomas Bishop Lane defined as the front.

The subject parcel meets the minimum overall required lot area of 30,000 square feet, the minimum required lot area of 24,000 square feet outside water, wetlands, or marsh, and the minimum required lot width of 100 feet.

The applicant is requesting variances from the required side and rear yards for a replacement pier/dock located on the subject property. For ease of reference, the term pier/dock shall henceforth be simply referred to as a *pier*.

The boundaries of the subject parcel form what could be described as a pie shape, with the wide portion of the pie situated along Thomas Bishop Lane and the narrow portion along Broad Bay. Moreover, the narrow portion of the lot situated along the bay is irregularly shaped since the rear property boundary follows the mean low water mark.

Currently, an approximately 34-year-old pier encroaches into the required side and rear yards at the subject site. Because the City does not maintain building permit records from the 1980s, it is unknown if a permit was obtained for the pier when it was originally constructed. Still, City records do show appropriate taxes paid associated with the structure for over 15 years. As a result, the existing yard encroachments appear to be legally nonconforming in accordance with Section 15.2-2307 of the Code of Virginia. Nevertheless, because the structural framing of the existing nonconforming pier will be voluntarily removed, a zoning variance is required to replace it in kind.

It should be noted that the zoning ordinance allows piers up to four feet wide to encroach into the required side and rear yards. Moreover, a long-standing Zoning Administrator decision allows piers over four feet wide to encroach into the required side and rear yards once they cross the mean low water boundary. In this instance, the proposed pier reconstruction does not comply with either allowance.

On May 24, 2023, Zoning Staff mistakenly approved the subject pier construction using a 5-foot setback allowance instead of 15 feet as required. A building permit was subsequently issued.

On May 26, 2026, this zoning variance submittal was received from the applicant's agent requesting 0-foot side/rear yard setbacks landward of mean low water instead of 15 feet as required.

On July 14, 2026, it was discovered by zoning staff that the subject pier was already under construction 0 feet from the side/rear property lines. Zoning staff alerted the City Permits and Inspections Division of the issue; however, at the time of this writing, the Permits Division had taken no action pertaining to the matter.

KEY CONSIDERATIONS:

- The structure will replace an existing legally nonconforming pier in kind.

LETTERS OF SUPPORT AND OPPOSITION *(final count to be determined on hearing date):*

- Letters of Support: 0
- Letters of Opposition: 0

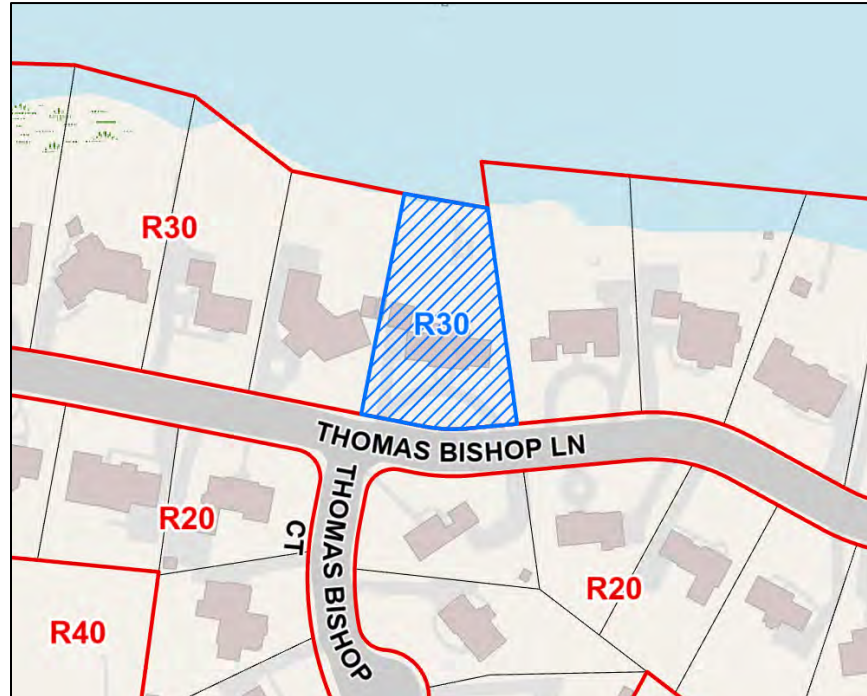
APPLICANT STATED HARDSHIP:

"The existing structure was constructed in 1982 and the proposed structure will be constructed in the same footprint."

RECOMMENDED CONDITIONS IF APPROVED:

1. The proposed improvements shall be constructed in substantial conformance to the City staff modified and marked exhibit titled, "Carey BZA Exhibit," dated May 28, 2026, and prepared by Chesapeake Bay Site Solutions and Waterfront Consulting 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 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. 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.
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.

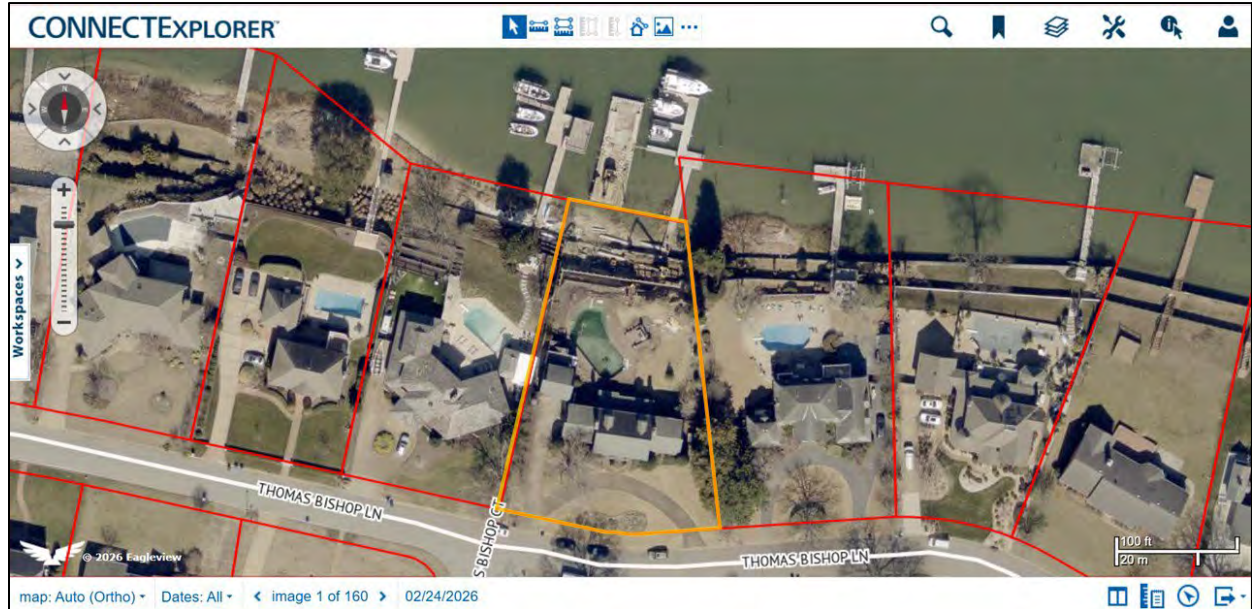
LOCATION MAPS:



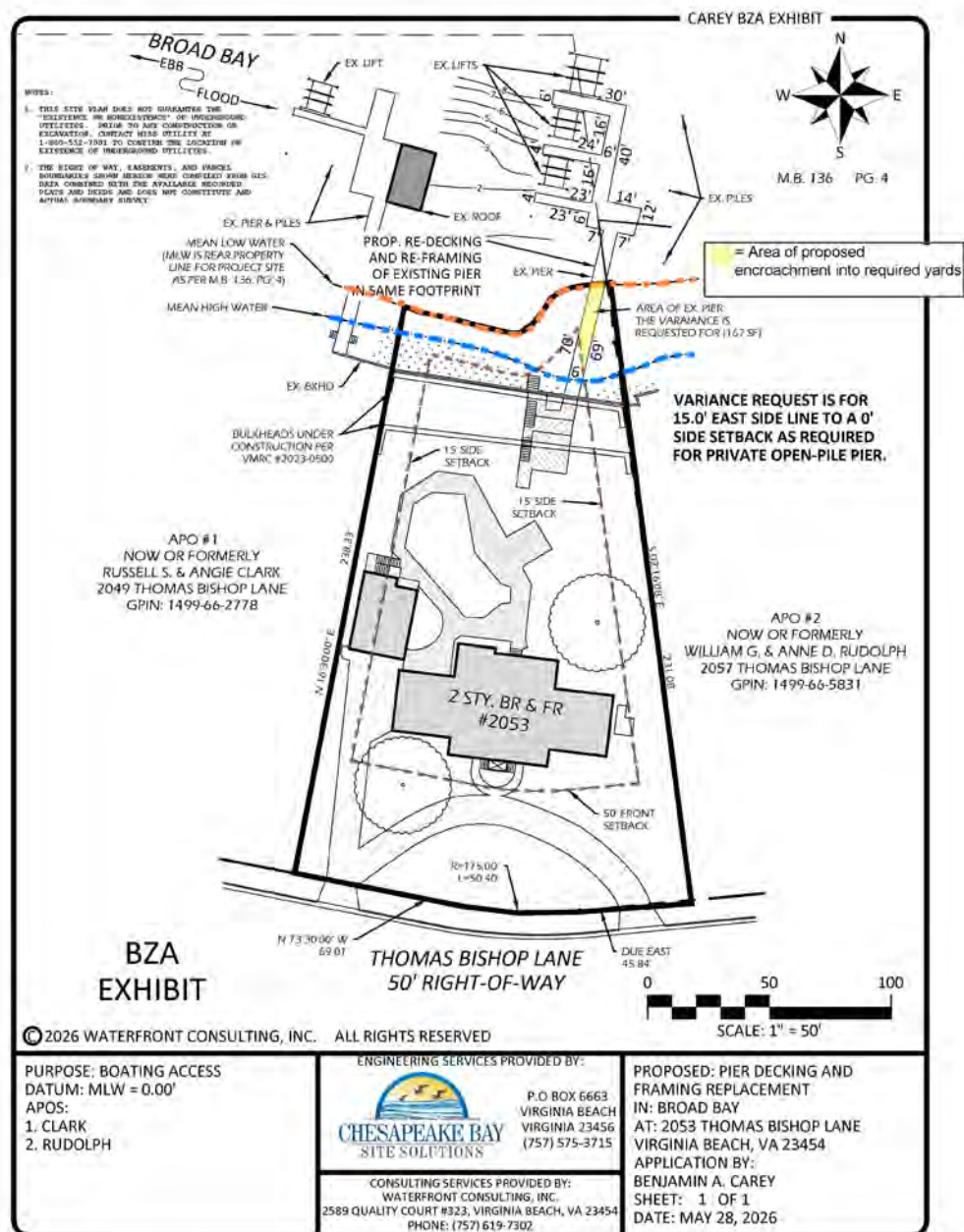
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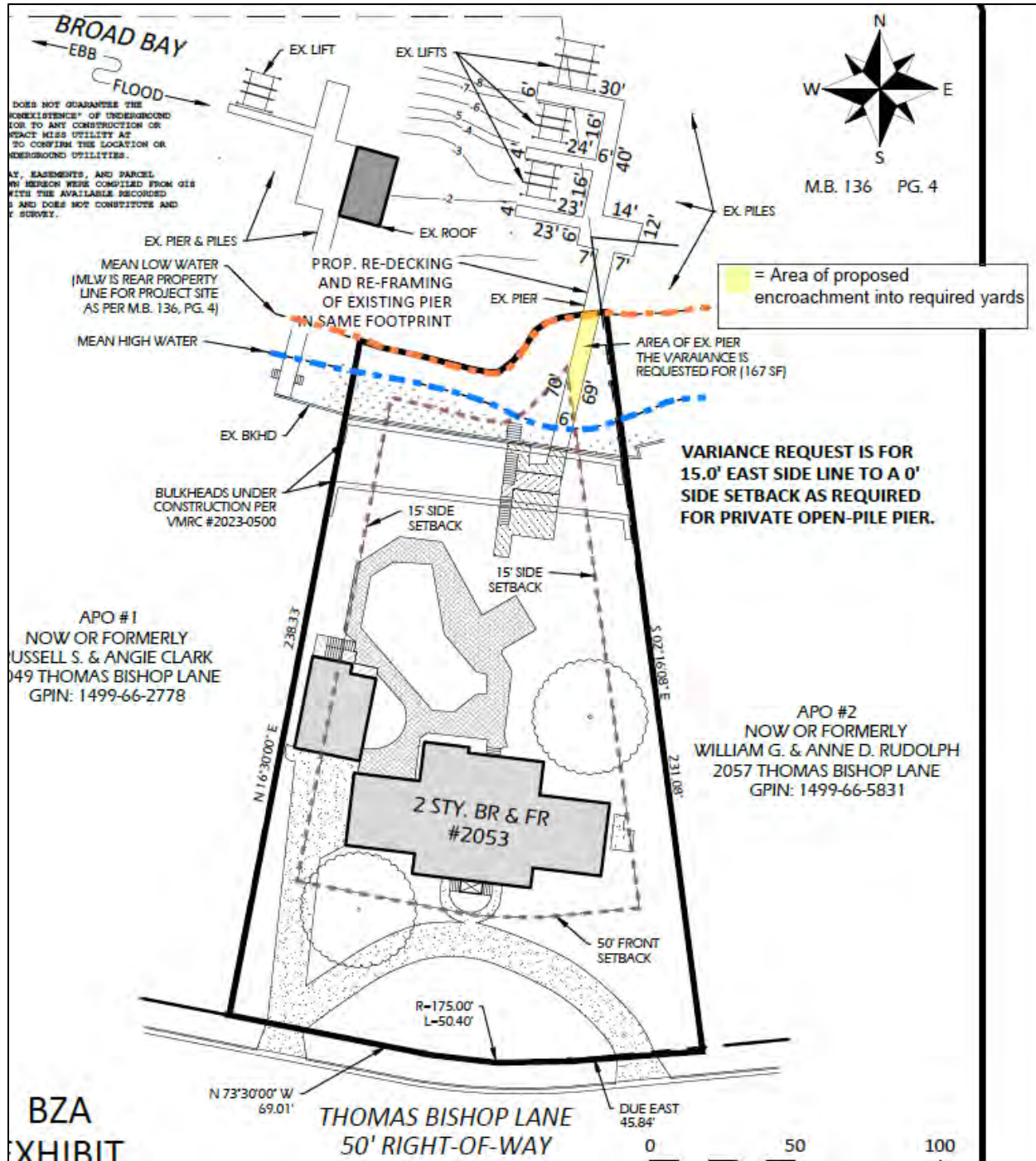
AERIAL (DETAIL):



SITE PLAN (EXHIBIT A):



SITE PLAN DETAIL (EXHIBIT A):



PHOTOGRAPHS:



PHOTOGRAPHS:



PHOTOGRAPHS:



DISCLOSURE STATEMENT:

DocuSign Envelope ID: 2DE1BE8C-586B-8FAE-82CE-331B1A172DCE



CITY OF
**VIRGINIA
BEACH**

Disclosure
Statement

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SECTION 1: APPLICANT DISCLOSURE

APPLICANT INFORMATION

Applicant Name: Benjamin A. Carey
as listed on application

Is Applicant also the Owner of the subject property? Yes ☒ No ☐
If no, Property Owner must complete SECTION 2: PROPERTY OWNER DISCLOSURE (page 3).

Does Applicant have a Representative? Yes ☒ No ☐
If yes, name Representative: Robert Simon - Waterfront Consulting, Inc.

Is Applicant a corporation, partnership, firm, business, trust or unincorporated business? Yes ☐ No ☒
If yes, list the names of all officers, directors, members, or trustees below AND businesses that have a parent- subsidiary ¹ or affiliated business entity ² relationship with the applicant. (Attach list if necessary.)

Does the subject property have a proposed or pending purchaser? Yes ☐ No ☒
If yes, name proposed or pending purchaser: _____

KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action? Yes ☐ No ☒
If yes, name the official or employee, and describe the nature of their interest.

APPLICANT SERVICES DISCLOSURE

READ: The Applicant must certify whether the following services are being provided in connection to the subject application or any business operating or to be operated on the property. The name of the entity and/or individual providing such services must be identified. (Attach list if necessary.)

SERVICE	YES	NO	SERVICE PROVIDER (Name entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	☐	☒	
Real Estate Broker/Agent/Realtor	☐	☒	

Disclosure Statement | rev. May -2024

page 1 of 3

DISCLOSURE STATEMENT:

DocuSign Envelope ID: 2DE1BE8C-586B-8FAE-82CE-331B1A172DCE

SECTION 1: APPLICANT DISCLOSURE *continued*

SERVICE	YES	NO	SERVICE PROVIDER (Name entity and/or individual)
Accounting/Tax Return Preparation	☒	☐	Corbin & Company
Architect/Designer/Landscape Architect/Land Planner	☐	☒	
Construction Contractor	☐	☒	
Engineer/Surveyor/Agent	☒	☐	Robert E. Simon, VP of Waterfront Consulting, Inc. Gregory O. Milstead, P.E. of Chesapeake Bay Site Solutions
Legal Services	☐	☒	

APPLICANT CERTIFICATION

READ: I certify that all information contained in this Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein three weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.

Benjamin A. Carey

Applicant Name (Print)

DocuSigned by:

Benjamin A. Carey

Applicant Signature

5/7/2026

Date

¹ "Parent-subsidiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

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FOR CITY USE ONLY:

No changes as of (date): 07-14-2026

Wilissa Blair-Miller

Staff Name (Print)

Wilissa Blair-Miller

Staff Signature

07-14-2026

Date



CASE: 2026-BZA-00051 - Thomas V. Sr. and Avis Esposito

HEARING DATE: August 5, 2026

TO: Chairman, Board of Zoning Appeals

FROM: Wilissa Blair-Miller, Planner III

ADDRESS ASSOCIATED WITH VARIANCE REQUEST:

4536 Jeanne Street

REPRESENTATIVE:

R. Edward Bourdon, Jr. Esq., of Sykes, Bourdon, Ahern, & Levy, PC

VARIANCE REQUEST(S) (ABBREVIATED):

Variance to the required yard for a proposed single-family dwelling.

VARIANCE REQUEST(S) (DETAILED):

The following variance is requested pursuant to Article 5, Section 502(a) of the City Zoning Ordinance:

1. **REAR YARD (EAST):** A rear yard setback variance to 5 feet instead of 20 feet as required for a proposed single-family dwelling.

GEOGRAPHIC PARCEL INFORMATION NUMBERS (GPIN):

- 1477-46-7952

LOT AREA:

- 9,898 square feet (.22 acres) (per BZA Exhibit)

AICUZ:

- Less than 65 decibels

REGULATORY WATERSHED AND FLOOD ZONE:

- Chesapeake Bay Preservation Area (Resource Management Area)
- X (area determined to be outside the 500-year flood)

VOTING DISTRICT:

- District 9

PREVIOUS BOARD OF ZONING APPEALS VARIANCE(S):

- None found

EXISTING LAND USE, ORIGINAL BUILD DATE, ZONING DISTRICT, STRATEGIC GROWTH AREA:

- Vacant lot (home demolished – build date removed from City tax records)
- R-7.5 (Residential District)
- Not in a Strategic Growth Area (note: while the subject property borders the Pembroke Strategic Growth Area, it does not fall within such area)

SURROUNDING LAND USES/ZONING DISTRICTS:

- North: Residential (single-family), R-7.5
- South: Commercial (Pembroke Mall), CBC
- East: Residential (single-family), R-7.5
- West: Residential (single-family), R-7.5

EXISTING CONDITIONS:

- N/A Home demolished

EXTENT OF PROJECT:**Proposed two story single-family home** (variance requested)

- The proposed home would encroach into the required rear yard (east).

BACKGROUND INFORMATION:

According to City records, the subject property was recorded by plat in 1962 (map book 57 at page 20).

The subject parcel is a corner lot situated at the intersection of King George Road and Jeanne Street, with the parcel boundary along King George Road defined as the front of the lot.

The subject parcel meets the minimum required lot area of 7,500 square feet and the minimum required lot width of 85 feet.

The applicant is requesting a variance to allow a proposed single-family dwelling to be located within the required rear yard east.

It is City staff's understanding that the now vacant lot previously contained a ranch-style home that encroached into the required front yard adjacent to King George Road by roughly 5 feet. The applicant plans to construct a two-story home on this site and would like to encroach into the required rear yard by 15 feet.

KEY CONSIDERATIONS:

- The subject parcel exceeds the minimum required lot size by 2,398 square feet.
- The subject parcel exceeds the minimum required lot width by roughly 9 feet.
- While certainly debatable, the strict application of the ordinance does not seem to unreasonably restrict the utilization of the subject property.

LETTERS OF SUPPORT AND OPPOSITION *(final count to be determined on hearing date):*

- Letters of Support: 0
- Letters of Opposition: 0

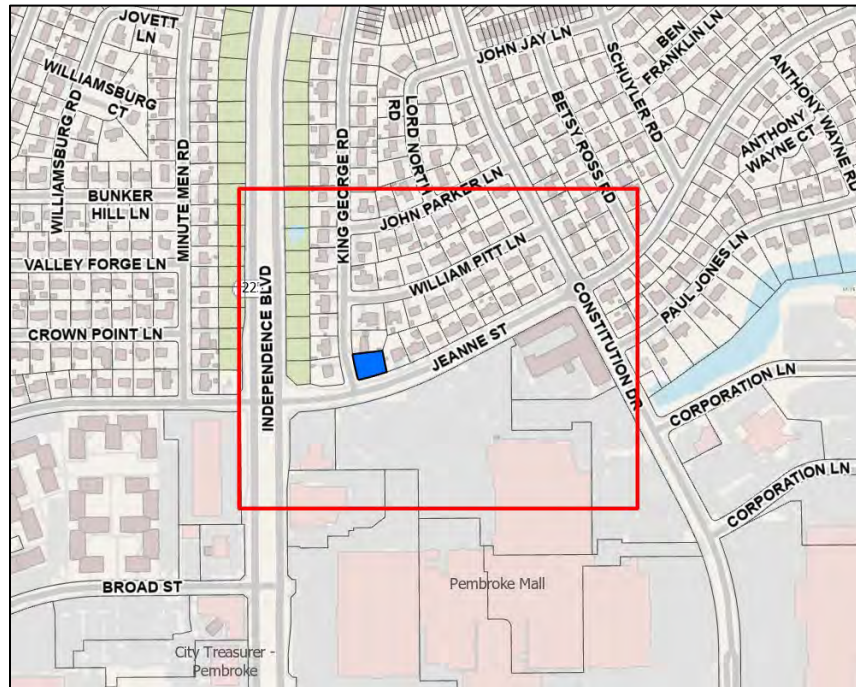
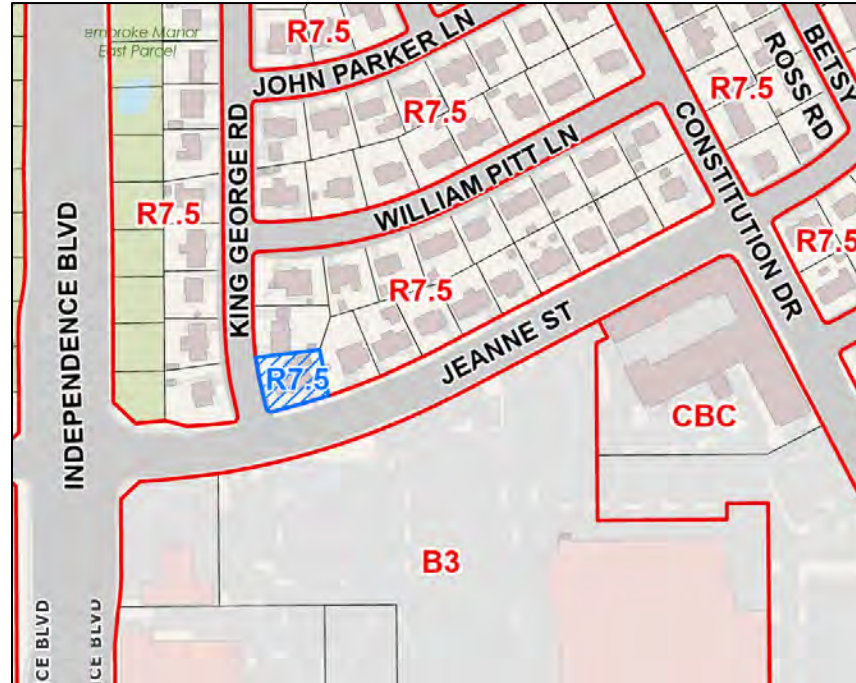
APPLICANT STATED HARDSHIP:

"The house will physically front Jeanne Street and meet both the 30 foot setback from Jeanne Street (side corner) and from King George Road (front) on the east side. The 5.08 foot setback complies with the side setback if the front was considered to be Jeanne Street. The beautiful new home on the lot to the east, which also faces Jeanne Street is setback over 26 feet from the side property line it shares with the Esposito's Lot 1. Instead of designing a home with a 5 foot side setback to the north, where the house on that lot is actually less than 5 feet from the shared boundary with the Esposito's Lot, the proposed new home will be setback from 15.58 feet to over 20 feet along the much longer shared northern property line. The 20 foot setback from the northern property line wasn't able to be held on the easternmost 37 feet of the new home due to the fact that the lot narrows from 97.6 feet at the King George Road frontage to 81.26 feet at what the City interprets to be the rear property line. Strict insistence on the shortest frontage being the "front" for the purpose of assigning the "rear" setback has never been viewed as unvariable and in fact for many years the owners of corner lots were permitted to choose their front by their choice of how to situate their home on the lot (i.e. which street the home's front faced). In this instance with the home to the north less than 5 feet from the shared boundary line and the beautiful new home on the lot to the east over 26 feet from the Esposito's eastern property line, and the Esposito's desire to have their home face Jeanne Street (as was the case with the existing home), that decision is clearly not detrimental to either adjacent property and the result will be in keeping with the character of the properties involved and a significant improvement, in every respect. The hardship and the choice available is unique. In addition, by making this choice to treat the Jeanne Street frontage as the front yard so that the east side setback is 5 feet (the actual result of approval of this variance) there is a net reduction in the buildable footprint on the lot by 260 square feet. As proposed, with the small variances into the shifted 20 foot rear setback on the north side of the Lot, the proposed footprint of the home is approximately 150 square feet smaller than could have been designed and built using the 5 foot side setback on the north side and 20 foot rear setback on the east side."

RECOMMENDED CONDITIONS IF APPROVED:

1. The proposed improvements shall be constructed in substantial conformance to the City staff modified and marked exhibit titled, "Single-Family Site Plan of Lot 1, Block 18, Subdivision of Pembroke Manor," dated April 17, 2026/May 22, 2026, and prepared by Fox Land Surveying (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, "Exhibit 4, Preliminary View of the Front of the House," (shown as *Elevation Drawings/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 height of the dwelling shall not exceed the maximum allowed by the City Zoning Ordinance.
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.

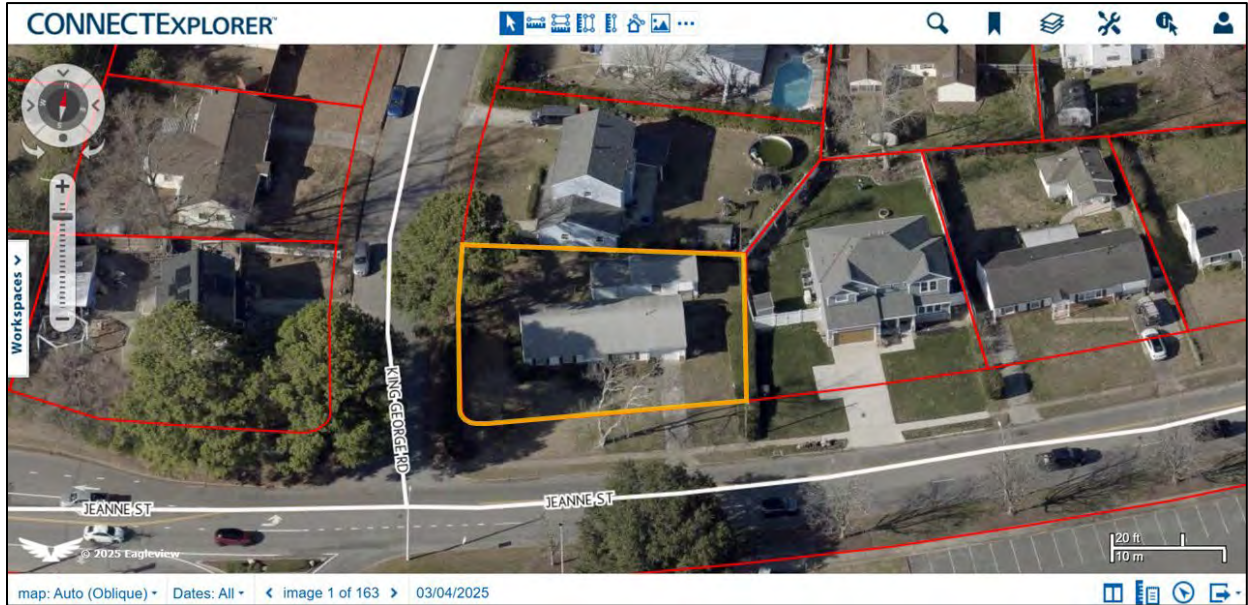
LOCATION MAPS:



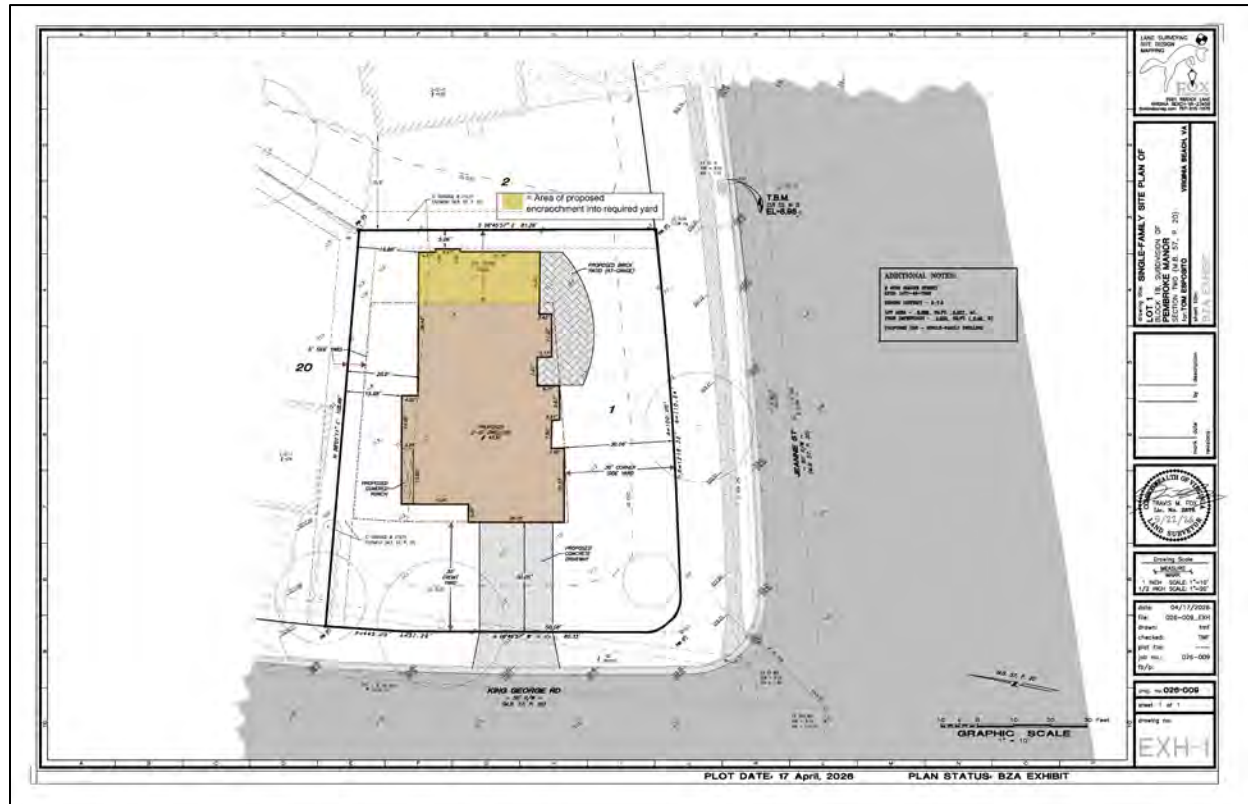
AERIAL:



AERIAL (DETAIL):



SITE PLAN (EXHIBIT A):



[illegible]

ELEVATION DRAWINGS/RENDERINGS:

Exhibit 4
Preliminary view of
the front of the
house:



PHOTOGRAPHS:



PHOTOGRAPHS:



DISCLOSURE STATEMENT:



CITY OF
**VIRGINIA
BEACH**

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SECTION 1: APPLICANT DISCLOSURE

APPLICANT INFORMATION

Applicant Name:
as listed on application Thomas V. Eposito, Sr. & Avis L. Eposito, husband and wife

Is Applicant also the Owner of the subject property? Yes ☒ No ☐
If no, Property Owner must complete SECTION 2: PROPERTY OWNER DISCLOSURE (page 3).

Does Applicant have a Representative? Yes ☒ No ☐
If yes, name Representative: R. Edward Bourdon, Jr., ESq.

Is Applicant a corporation, partnership, firm, business, trust or unincorporated business? Yes ☐ No ☒
If yes, list the names of all officers, directors, members, or trustees below AND businesses that have a parent- subsidiary ¹ or affiliated business entity ² relationship with the applicant. (Attach list if necessary.)

Does the subject property have a proposed or pending purchaser? Yes ☐ No ☒
If yes, name proposed or pending purchaser: _____

KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action? Yes ☐ No ☒
If yes, name the official or employee, and describe the nature of their interest.

APPLICANT SERVICES DISCLOSURE

READ: The Applicant must certify whether the following services are being provided in connection to the subject application or any business operating or to be operated on the property. The name of the entity and/or individual providing such services must be identified. (Attach list if necessary.)

SERVICE	YES	NO	SERVICE PROVIDER (Name entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	☐	☒	
Real Estate Broker/Agent/Realtor	☐	☒	

Disclosure Statement | rev. May-2024

page 1 of 3

DISCLOSURE STATEMENT:

SECTION 1: APPLICANT DISCLOSURE *continued*

SERVICE	YES	NO	SERVICE PROVIDER (Name entity and/or individual)
Accounting/Tax Return Preparation	☐	☒	
Architect/Designer/Landscape Architect/Land Planner	☒	☐	Dave Chase, Architect
Construction Contractor	☒	☐	Scott Shields, General Contractor
Engineer/Surveyor/Agent	☒	☐	Travis Fox, Fox Land Surveying
Legal Services	☒	☐	R. Edward Bourdon, Jr., Esq., Sykes, Bourdon, Ahern & Levy, P.C.

APPLICANT CERTIFICATION

READ: I certify that all information contained in this Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein three weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.

Thomas V. Esposito, Sr.

Thomas V Esposito Sr

05/27/2026

Applicant Name (Print)

Applicant Signature

Date

¹ "Parent-subsidiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsidiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

FOR CITY USE ONLY:

No changes as of (date): 07.09.2026

Wilissa Blair-Miller

Wilissa Blair-Miller

07.09.2026

Staff Name (Print)

Staff Signature

Date



CASE: 2026-BZA-00053 - Edward and Sandra Schmidtman

HEARING DATE: August 5, 2026

TO: Chairman, Board of Zoning Appeals

FROM: Hannah Sabo, Zoning Administrator

ADDRESS ASSOCIATED WITH APPEAL:

4408 Clyde Street

REPRESENTATIVE:

David F. Johnson Esq. (Anchor Legal)

GEOGRAPHIC PARCEL INFORMATION NUMBER (GPIN):

1479-76-9610

ZONING DISTRICT:

R-10(SD) (Shore Drive Overlay District)

REGULATORY WATERSHED AND FLOOD ZONE:

- Chesapeake Bay Preservation Area (Resource Management Area)
- X (area determined to be outside the 500-year flood)

NATURE OF APPEAL (GENERAL DESCRIPTION):

Appeal of a Zoning Administrator, or designee, determination letter dated April 29, 2026, pertaining to short-term rental use.

WRITTEN STATEMENTS FROM APPELLANT (IF ANY):

"To the Board of Zoning Appeals and Zoning Administration,

Please accept this letter and the attached documentation as a formal explanation regarding why the property located at 4408 Clyde Street should be recognized with "Grandfathered" status under the City of Virginia Beach Short-Term Rental Ordinance.

1. Verification of Registration and Compliance with the July 1, 2018, Deadline

The property has been an active, licensed whole-home rental since 2018. Working in coordination with the Commissioner of the Revenue's office, my business license was officially backdated to June 19, 2018, to ensure the property was in full compliance with the City's grandfathering deadline. This registration is supported by the original license included in the attached artifacts.

2. Full Tax Compliance and Good Faith Effort

In 2019, I worked directly with Revenue Agent Ellen Kutchak and Revenue Investigator Maggie Blynn to ensure all accounts were properly configured. To reach a "Grandfathered" status, a payment of approximately \$4,500 was made in September 2019 to settle all taxes and collection fees. The City accepted these funds to bring the account to a current standing, and I have maintained a zero balance consistently through April 2026.

3. Reasonable Reliance on City Guidance

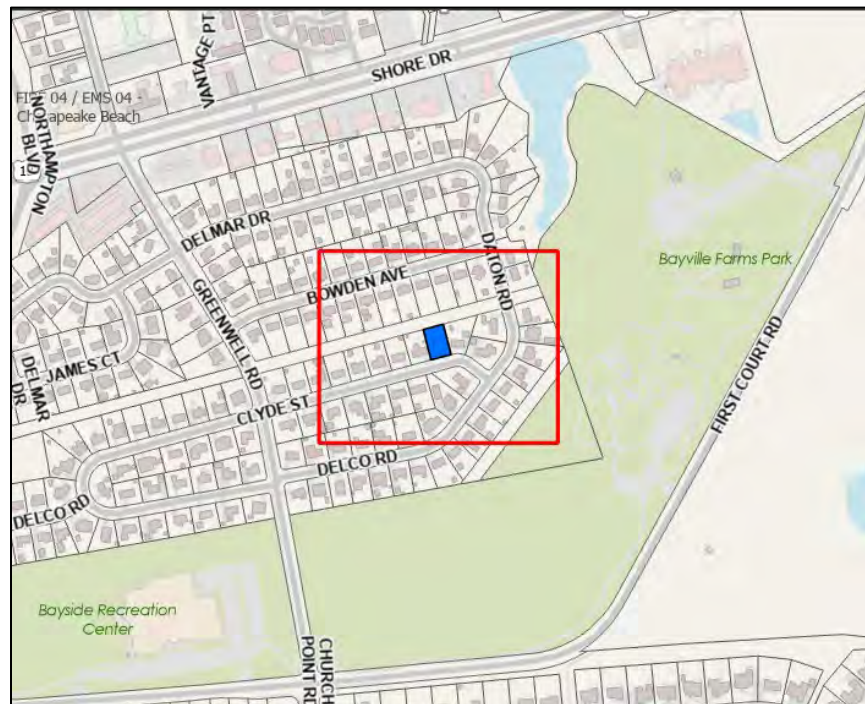
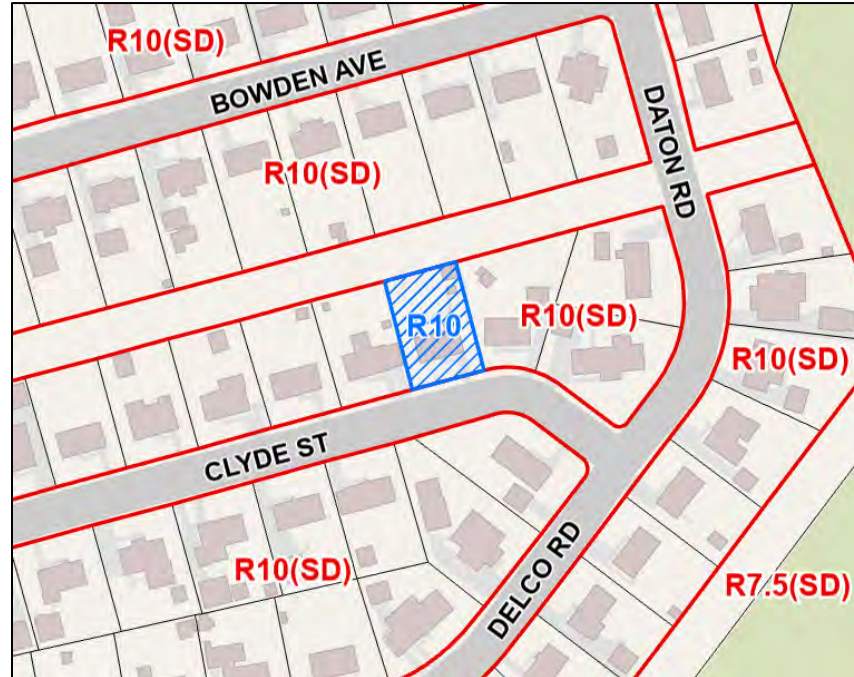
Since 2018, the City has continuously provided and accepted my monthly trustee tax reports and annual business license renewals. During these eight years of interaction, there was no contact from the City regarding home inspections or additional permit requirements, leading to the reasonable belief that the property was fully compliant as a grandfathered use.

4. Commitment to Safety and Community Standards

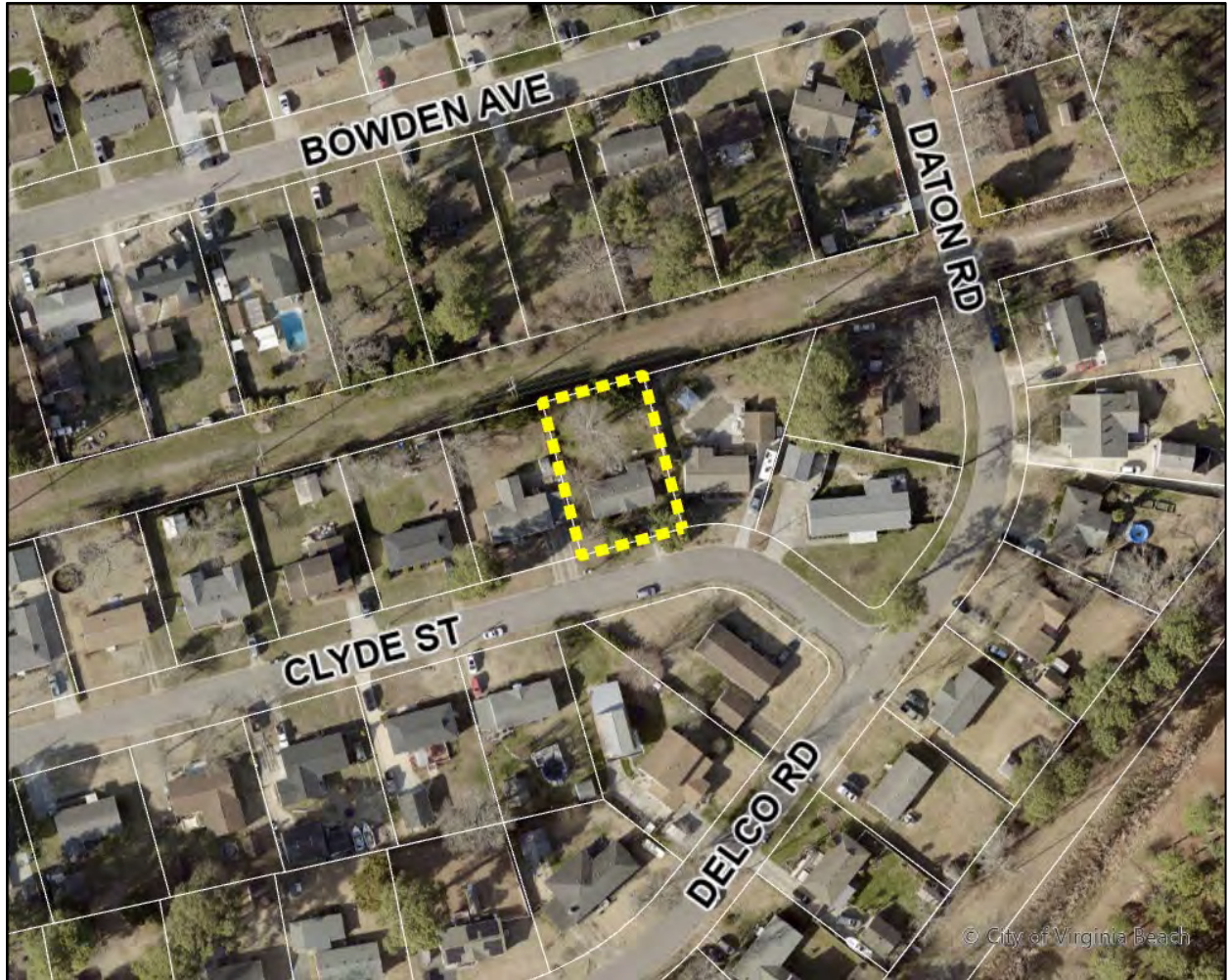
Since beginning operations in 2018, this property has received zero complaints. We remain fully committed to adhering to all City ordinances, including parking, noise, and insurance requirements. We are currently in the process of completing our 2026 Life-Safety and Structural inspections to demonstrate our ongoing commitment to guest safety.

Based on the evidence of our 2018 registration and our unbroken record of tax compliance, we respectfully request that the City recognize 4408 Clyde Street as a grandfathered STR."

LOCATION MAPS:



AERIAL:



CITY/APPELLANT EXHIBIT:



PLANNING & COMMUNITY DEVELOPMENT

Zoning Administration
2403 Courthouse Drive
Virginia Beach, VA 23456

April 29, 2026

Edward and Sandra Schmidtman
1809 Perrel St
Virginia Beach, VA 23455

To Whom It May Concern:

City records indicate that you own the property located at **4408 Clyde Street** in the City of Virginia Beach. This property is within the city limits of Virginia Beach and is therefore governed by the Virginia Beach Zoning Ordinance. This property is within the **R-10 zoning district**. The Zoning Ordinance is Appendix A of the Virginia Beach Municipal Code and is available to view online at <https://library.municode.com/va/virginiabeach>.

Your property has been found to be in violation of Appendix A, Article 5, Section 501.

This property must be brought into compliance within 30 days following receipt of this letter. Contact me to do a physical inspection for compliance or legal action can be initiated. According to Section 104 of the Virginia Beach City Zoning Ordinance, violations shall be assessed a criminal penalty. Any person who violates any of the provisions of this ordinance shall, upon conviction, be guilty of a criminal misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000). If the violation is uncorrected at the time of conviction, the court shall order the violation be remedied. Failure to correct shall constitute a separate misdemeanor offense punishable by a fine of not more than one thousand dollars (\$1,000); and any such failure during a succeeding ten-day period shall constitute additional fines and misdemeanor offenses.

If you have any questions, please contact our department at (757) 385-8862 or STR@vbgov.com.

In accordance with Section 15.2-2311 of the Code of Virginia, you have the right to appeal this decision/Notice of Violation to the Board of Zoning Appeals within 30 days. The appeal application and additional information regarding the filing of an appeal may be obtained online at <https://VirginiaBeach.gov/BZA>, at the Virginia Beach Planning Department located at 2403 Courthouse Drive, Building 3, Virginia Beach, VA 23456 or by calling the Zoning division at (757) 385-8074. The application, along with a filing fee in the amount of **\$400** for residential uses and **\$500** for commercial uses (includes cost of notification and advertising), payable to Treasurer, City of Virginia Beach, must be filed with the Zoning division. If you do not appeal, this decision/Notice of Violation shall be final and unappealable.

Sincerely,
Madisen Gelner | mgelner@vbgov.com
Short-Term Rental Team
City of Virginia Beach
Planning Department
Zoning Administration

(757) 385-8862
VirginiaBeach.gov/Zoning

CITY EXHIBIT:

Charming Single Family Home by the Chesapeake Bay

[Share](#) [Save](#)



Entire home in Virginia Beach, Virginia
5 guests · 4 bedrooms · 3 beds · 1 bath

Guest favorite

4.87
★★★★★

208
Reviews

 **Hosted by Eddie**
Superhost · 8 years hosting

 **Top 10% of homes**
This home is highly ranked based on ratings, reviews, and reliability.

 **Self check-in**
Check yourself in with the keypad.

 **Great location**
Guests who stayed here in the past year loved the location.

 **Rare find!** This place is usually t

\$550 for 2 nights

CHECK-IN 5/4/2026	CHECKOUT 5/6/2026
GUESTS 1 guest	

[Reserve](#)

You won't be charged yet

 [Report this listing](#)

CITY EXHIBIT:

Discover your perfect Virginia Beach retreat! This charming, single-family home is nestled in a friendly neighborhood just a mile from the stunning Chesapeake Bay. You're within walking or biking distance of great local breweries, restaurants, and parks, including the Bayside Recreational Center and Bayville Park.

This home features a private, fenced-in backyard, perfect for relaxing after a day at the beach or letting small pets run around fo...

Show more

Where you'll sleep

1 / 2



Bedroom 1
1 queen bed



Bedroom 2
1 double bed

What this place offers

-  Kitchen
-  Wifi
-  Dedicated workspace
-  Free parking on premises
-  Pets allowed
-  TV with standard cable
-  Free washer - In unit

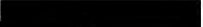
APPELLANT EXHIBIT:

5/20/26, 4:54 PM

Gmail - EIN Schmed Properties

 **eddie schmidtman** 

EIN Schmed Properties
3 messages

eddie schmidtman 

Tue, Sep 3, 2019 at 2:44 PM

Reply-To: 
To: ekutchak@vbgov.com
Cc: sandra schmidtman <sandy@simpleeatsvb.com>

Good afternoon,

Thanks for your assistance today. Below is the EIN requested:



Thanks, Eddie Schmidtman

Ellen M. Kutchak <EKutchak@vbgov.com>
To: 
Cc: sandra schmidtman <sandy@simpleeatsvb.com>

Tue, Sep 3, 2019 at 3:09 PM

Mr. Schmidtman,

Thank you for the speedy response.

After you left I realized that you forgot to leave the check, which may have been a good thing. Since you started back in 2018 there are going to be 2 registration fees. One for 2018 and one for 2019. This would make the total amount due \$100.00.

If you want you can either drop it off to me tonight or tomorrow or send it in the mail. Once I receive the check then I can finish processing your registration for the short term rental. Once the registration is complete then I can gather all the trustee tickets for you and send them your way.

Please let me know if you have any other questions.

Regards,

Ellen

Ellen Kutchak
Revenue Agent I
Business Revenue Division

<https://mail.google.com/mail/u/0/?ik=6ab8ed72a7&view=pt&search=all&permthid=thread-a:r-8986809522100583733&simpl=msg-a:r-55420050669834...> 1/2

APPELLANT EXHIBIT:

5/20/26, 4:54 PM

Gmail - EIN Schmed Properties

Office of Philip J. Kellam
Commissioner of Revenue
2401 Courthouse Drive Bldg. #1
Virginia Beach, VA 23456-9002
Direct: 757-385-3113
Main Line: 757-385-4515
Fax: 757-385-4183
Email: business@vbgov.com

Save time, visit us online @ www.vbgov.com/cor
Philip J. Kellam, Commissioner

The information contained in this electronic message is legally privileged and confidential under title 58.1-3 of the Code of Virginia and all other applicable laws.
[Quoted text hidden]

eddie schmidtman <[REDACTED]@com>
Reply-To: [REDACTED]@mail.com
To: "Ellen M. Kutchak" <EKutchak@vbgov.com>
Cc: sandra schmidtman [REDACTED]

Tue, Sep 3, 2019 at 3:58 PM

Thank you, I will drop by tomorrow during my lunch break to get you the check!

Thanks, Eddie Schmidtman
[Quoted text hidden]

<https://mail.google.com/mail/u/0/?ik=6ab8ed72a7&view=pt&search=all&permthid=thread-a:r-8986809522100583733&simpl=msg-a:r-55420050669834...> 2/2

APPELLANT EXHIBIT:

Form 8879-S Department of the Treasury Internal Revenue Service	IRS e-file Signature Authorization for Form 1120S ▶ Return completed Form 8879-S to ERO. (Don't send to IRS.) ▶ Go to www.irs.gov/Form8879S for the latest information.	OMB No. 1545-0123 2018
For calendar year 2018, or tax year beginning _____, 2018, and ending _____, 20____		
Name of corporation SCHMED PROPERTIES, LLC		Employer identification number
Part I Tax Return Information (Whole dollars only)		
1 Gross receipts or sales less returns and allowances (Form 1120S, line 1c)	1	
2 Gross profit (Form 1120S, line 3)	2	
3 Ordinary business income (loss) (Form 1120S, line 21)	3	-725.
4 Net rental real estate income (loss) (Form 1120S, Schedule K, line 2)	4	-7,806.
5 Income (loss) reconciliation (Form 1120S, Schedule K, line 18)	5	-8,531.
Part II Declaration and Signature Authorization of Officer (Be sure to get a copy of the corporation's return)		
Under penalties of perjury, I declare that I am an officer of the above corporation and that I have examined a copy of the corporation's 2018 electronic income tax return and accompanying schedules and statements and to the best of my knowledge and belief, it is true, correct, and complete. I further declare that the amounts in Part I above are the amounts shown on the copy of the corporation's electronic income tax return. I consent to allow my electronic return originator (ERO), transmitter, or intermediate service provider to send the corporation's return to the IRS and to receive from the IRS (a) an acknowledgement of receipt or reason for rejection of the transmission, (b) the reason for any delay in processing the return or refund, and (c) the date of any refund. If applicable, I authorize the U.S. Treasury and its designated Financial Agent to initiate an electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of the corporation's federal taxes owed on this return, and the financial institution to debit the entry to this account. To revoke a payment, I must contact the U.S. Treasury Financial Agent at 1-888-353-4537 no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment. I have selected a personal identification number (PIN) as my signature for the corporation's electronic income tax return and, if applicable, the corporation's consent to electronic funds withdrawal.		
Officer's PIN: check one box only		
☒ I authorize <u>BOUCHER ACCOUNTING & TAX SVCS INC.</u> to enter my PIN as my signature ERO firm name Don't enter all zeros		
☐ As an officer of the corporation, I will enter my PIN as my signature on the corporation's 2018 electronically filed income tax return.		
Officer's signature ▶ <u></u> Date ▶ <u>9-12-19</u> Title ▶ <u>MEMBER</u>		
Part III Certification and Authentication		
ERO's EFIN/PIN. Enter your six-digit EFIN followed by your five-digit self-selected PIN.		
I certify that the above numeric entry is my PIN, which is my signature on the 2018 electronically filed income tax return for the corporation indicated above. I confirm that I am submitting this return in accordance with the requirements of Pub. 3112, IRS e-file Application and Participation, and Pub. 4163, Modernized e-File (MeF) Information for Authorized IRS e-file Providers for Business Returns.		
ERO's signature ▶ _____ Date ▶ <u>09/11/2019</u>		
ERO Must Retain This Form — See Instructions Don't Submit This Form to the IRS Unless Requested To Do So		
For Paperwork Reduction Act Notice, see instructions. Form 8879-S (2018)		

APPELLANT EXHIBIT:

VA-8879P Virginia Department of Taxation	Virginia Pass-Through Entity Return of Income and Return of Nonresident Withholding Tax e-file Signature Authorization	Tax Year 2018
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DO NOT SEND THIS VA-8879P TO THE VIRGINIA DEPARTMENT OF TAXATION OR THE IRS.
IT MUST BE MAINTAINED IN YOUR FILES!

Entity Name SCHMED PROPERTIES, LLC	Federal ID Number
--	---

Part I Number and Types of Owners	
a. The total number of owners	a. 2.
b. The total number of nonresident owners	b. 0.
c. Total amount withheld for nonresident owners (Total of Line e from all Schedules VK-1)	c.
d. If the entity is exempt from withholding, enter the exemption code	d.

Part II Declaration and Signature Authorization of Authorized Representative
Under penalties of perjury, I, the undersigned owner and authorized representative of the pass-through entity for which this return is made, declare under the penalties provided by law that this return (including any accompanying schedules, statements and attachments) has been examined by me and is, to the best of my knowledge and belief, a true, correct, and complete return, made in good faith, for the taxable year stated, pursuant to the tax laws of the Commonwealth of Virginia. A preparer other than the authorized representative declares the same, and such declaration is based on all information of which he or she has any knowledge. I further declare that the information provided to my Electronic Return Originator (ERO), Transmitter, or Intermediate Service Provider including the amounts shown in Part I above agrees with the information and amounts shown on the corresponding lines of the pass-through entity electronic tax return.
Officer's e-File PIN: check one box only ☒ I authorize the ERO named below to enter my e-File PIN as my signature on the pass-through entity's 2018 electronic Virginia pass-through entity tax return. Do not enter all zeros BOUCHER ACCOUNTING & TAX SVCS INC. ERO Firm Name ☐ I will enter my e-File PIN as my signature on the pass-through entity's 2018 electronic Virginia pass-through entity tax return. Check this box only if you are entering your own e-File PIN and the return is filed using the Practitioner PIN method. The ERO must complete Part III below.
Your Signature <u>Edward W. Shuck Jr.</u> Date <u>9-12-19</u>

Part III Certification and Authentication
ERO's EFIN/PIN: Enter your six digit EFIN followed by your five digit self-selected PIN. Do not enter all zeros I certify that the above numeric entry is my ERO EFIN/PIN, which is my signature for the 2018 Virginia pass-through entity return for the pass-through entity indicated above. I confirm that I am submitting this return in accordance with the requirements of the Practitioner PIN method and have followed all other requirements as specified by the Virginia Department of Taxation. EROs may sign the form using a rubber stamp, mechanical device, such as a signature pen, or computer software program. ERO's Signature _____ Date <u>09/11/2019</u>

REV 11/27/18 PRO

Form VA-8879P (REV 08/18)

APPELLANT EXHIBIT:



BOUCHER ACCOUNTING & TAX SERVICES, INC.

1104 Jensen Drive Suite 105 ♦ Virginia Beach, VA 23451

Phone: (757) 425-2585 ♦ Fax: (757) 425-2586

www.boucheraccountingtaxservices.com

kathy@bas-tax.hrcoxmail.com

Dear Client,

The Internal Revenue Service imposes penalties on taxpayers, and on return preparers, for failure to observe due care in reporting of income tax returns. In order to ensure understanding of our mutual responsibilities, we ask all clients for whom we prepare tax returns to confirm the following arrangements.

We have prepared your 2018 Federal and State income tax returns from information you have furnished us. We will not verify the data you submit although we may ask you to clarify some of the information. If you have taxable activity in a state other than that specifically listed, you have informed us of the applicable states and have provided our firm with all the information necessary to prepare the applicable state(s) income tax returns. You understand that if you have income tax filing requirements in a given state but do not file that return, there could be possible adverse ramifications such as an unlimited statute of limitations, penalties, etc. We are responsible for preparing only the returns listed above.

It is your responsibility to maintain in your records the documentation necessary to support the data used in preparing your tax returns, including but not limited to the auto, travel, entertainment, and related expenses and the required documents to support charitable contributions. If you have any questions as to the type of records required, please ask us for advice in that regard. It is also your responsibility to carefully examine and approve your completed tax returns before signing your authorization for us to e-file your tax returns. We are not responsible for the disallowances of doubtful deductions or inadequately supported documentation, nor for resulting taxes, penalties, and interest. Our fee does not include responding to inquiries or examination by taxing authorities. However, we are available to represent you and our fees for such services are at our standard rates and would be covered under a separate engagement letter.

In order for us to release any of your personal information to any third party per your request, we must have signed authorization from you in our file.

It is our policy to keep records related to this engagement for four years after which they are destroyed. However Boucher Accounting & Tax Services, Inc./Kathy Boucher does not keep any original client records, so we will return those to you at the completion of the services rendered under this engagement.

APPELLANT EXHIBIT:

If this engagement is for a joint (husband and wife) return, the undersigned enters into this agreement on behalf of all affected parties.

It is agreed between the client and our firm/Kathy Boucher to limit the liability of Boucher Accounting & Tax Services, Inc./Kathy Boucher and all employees, to the fullest extent permitted by law, for any and all claims, losses, costs, and damages of any nature whatsoever for the services rendered in this document so that the total aggregate liability shall not exceed the tax preparation fees paid under this agreement. Additionally, both parties agree that there is a one-year limitation period to bring a claim against us for errors and omissions, beginning upon the date of this document.

By signing below, I agree to pay the balance due in full within 30 days including interest at the rate of 1.5% per month. I hereby waive presentment, protest and demand, notice of protest, and notice of dishonor for non-payment of this obligation. Upon default, I authorize any attorney designated by Boucher Accounting & Tax Services, Inc./Kathy Boucher or any clerk of court to appear for me on my behalf without prior hearing in favor of Boucher Accounting & Tax Services, Inc./Kathy Boucher for and in the amount of the unpaid balance plus interest accrued and unpaid, together with the costs of suit and attorney's fees of 20% of the unpaid balance of the amount outstanding. This note shall be governed by and construed under the laws of the Commonwealth of Virginia.

We appreciate the opportunity to serve you. Please date and sign below to acknowledge your receipt of the tax returns and acceptance of your responsibilities and the terms of this engagement.

I Edward & Sandra Schmidtman with Schmed Properties, LLC
(Client's Name) (Company Name)

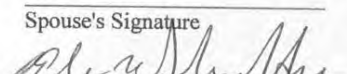
agree to pay Boucher Accounting & Tax Services, Inc./Kathy Boucher. By my signature, I agree to bind myself personally, and the corporation, for any professional service rendered and to be personally bound by the terms set forth in this engagement letter. I agree to be responsible for all collection fees, including, but not limited to, attorney's fees and court costs.


Individual Signature

Edward M Schmidtman
Printed Name

9-12-19
Date

Spouse's Signature


Officer Signature & Title

Printed Name

Date

Edward M Schmidtman
Printed Name

9-12-19
Date

Kathy Boucher
BAS Signature

Kathy Boucher
Printed Name

1/11/2019
Date

IMPORTANT NOTICE: THIS INSTRUMENT CONTAINS A CONFESSION OF JUDGEMENT PROVISION, WHICH CONSTITUTES A WAIVER OF IMPORTANT RIGHTS YOU MAY HAVE AS A DEBTOR AND ALLOWS CREDITORS TO OBTAIN A JUDGEMENT AGAINST YOU WITHOUT ANY FURTHER NOTICE.

APPELLANT EXHIBIT:



CITY OF VIRGINIA BEACH, VIRGINIA
TAX STATEMENT



YEAR
2018

ACCOUNT #
[REDACTED]

ITEM #
[REDACTED]

FOR PERIOD
BEGINNING JANUARY 1
ENDING DECEMBER 31

YEAR
2018

SCHMED PROPERTIES LLC
T/A SCHMED PROPERTIES LLC
[REDACTED]
VIRGINIA BEACH VA 23455-2607

4408 CLYDE ST
VIRGINIA BEACH VA 23455-2834
LLC
757-639-2960

TYPE OF CLASSIFICATION	BASIS	TAX	PENALTY		TOTAL
			FILING	PAYMENT	
141244 - 721310.03 Private Home Rental	\$1.00	\$50.00			\$50.00

NOTE: IF APPLICANT IS A CORPORATION, AN OFFICER MUST SIGN APPLICATION

[Signature]
SIGNATURE OF APPLICANT/OFFICER REQUIRED

EDWARD M SCHMIDTMAUN
PRINT APPLICANT/OFFICER NAME

OWNER 7-9-19
TITLE DATE

FOR OFFICE USE ONLY

TRADE NAME	\$0.00
TAX DUE	\$50.00
PENALTY	\$0.00
INTEREST	\$0.00
TOTAL DUE	\$50.00
PRIOR PAYMENT	\$0.00
TODAY'S PAYMENT	50.00
BALANCE DUE	\$50.00
IF PAID BY	09/03/2019



MAKE CHECK PAYABLE TO: CITY OF VIRGINIA BEACH

ISSUED BY:
Philip J. Kellam
COMMISSIONER OF THE REVENUE
CITY HALL
2401 COURTHOUSE DRIVE
VIRGINIA BEACH, VA 23456-9002
(757) 385-4515 FAX (757) 385-4183
email: business@vbgov.com

[Signature]
Authorized Signature



Print Date: 09/04/2019

Account # [REDACTED]
Item # [REDACTED]
Tax Code : 102

Due Date : 07/20/2018
Tax Period : 06/01/2018-06/30/2018

(Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)

What are your GROSS RECEIPTS subject to tax for Transient Occupancy for 06/01/2018-06/30/2018?	2716	Box 1.	What is your SUBTOTAL ? Add Box 2 and Box 3.	Box 4. 2717.28
What is your NET TAX PAYABLE ? Multiply Box 1 by 8.00% .	\$ 217.28	Box 2.	Are you paying after 07/20/2018? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5. 0
Are you filing after 07/20/2018? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	0	Box 3.	What is your TOTAL TAX DUE for 06/01/2018-06/30/2018? Add Box 4 and Box 5.	Box 6. \$ 217.28

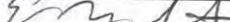
Description	Amount Due
-------------	------------

Total Prior Balance Due: 0.00

Payments received may be applied to the oldest outstanding bills first, per § 58.1-3913.

TAXPAYER COPY-PLEASE RETAIN THIS PORTION FOR YOUR RECORDS. YOUR CANCELED CHECK WILL SERVE AS YOUR RECEIPT.

*Please read reverse side of this bill for important information.

Receipts subject to Tax	\$ 2716	Box 1	Late Payment Penalty	0	Box 5
Net Tax Payable	217.25	Box 2	Monthly Total	217.25	Box 6
Late Filing Penalty	0	Box 3	Prior Balances Due	\$ 0.00	Box 7
SubTotal	\$ 217.25	Box 4	Amount Paid	217.25	Box 8
			Signature		
			Date	9-6-11	

June, 2018

.....

SCHMED PROPERTIES LLC

VIRGINIA BEACH VA 23455-2607

OFFICE COPY-PLEASE RETURN THIS PORTION WITH YOUR CHECK, PAYABLE TO: TREASURER, CITY OF VIRGINIA BEACH.
Please use the enclosed envelope or mail to CITY TREASURER, 2401 COURTHOUSE DRIVE, VIRGINIA BEACH, VA 23456-9018.

APPELLANT EXHIBIT:



City of Virginia Beach
V. Leigh Henderson, Treasurer
Trustee Tax
Lodging Room Tax

Print Date: 09/04/2019

Name : SCHMED PROPERTIES LLC
T/A : SCHMED PROPERTIES LLC
Site : 4408 CLYDE ST
VIRGINIA BEACH VA 23455-2834

Account # : XXXXXXXXXX
Item # : XXXXXX
Tax Code : 103

Due Date : 07/20/2018
Tax Period : 06/01/2018-06/30/2018

Taxpayer Worksheet for Current Monthly Tax Due
(Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)

What are your # OF NIGHTS / RENTED ROOMS subject to tax for Lodging Room Tax for 06/01/2018-06/30/2018? Multiply number of nights by number of rooms and enter in Box 1.	Box 1.	What is your SUBTOTAL? Add Box 2 and Box 3.	Box 4.
13			\$26
What is your NET TAX PAYABLE? Multiply Box 1 by \$2.00.	Box 2.	Are you paying after 07/20/2018? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5.
\$26			0
Are you filing after 07/20/2018? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	Box 3.	What is your TOTAL TAX DUE for 06/01/2018-06/30/2018? Add Box 4 and Box 5.	Box 6.
0			\$26.00

Prior Balances Due	
Description	Amount Due
Total Prior Balance Due: 0.00	

Payments received may be applied to the oldest outstanding bills first, per § 58.1-3913.
TAXPAYER COPY-PLEASE RETAIN THIS PORTION FOR YOUR RECORDS. YOUR CANCELED CHECK WILL SERVE AS YOUR RECEIPT.
*Please read reverse side of this bill for important information.

June, 2018

# of Nights/Rooms	13	Box 1	Late Payment Penalty	0	Box 5
Net Tax Payable	\$26	Box 2	Monthly Total	\$26	Box 6
Late Filing Penalty	0	Box 3	Prior Balances Due	\$ 0.00	Box 7
SubTotal	\$26	Box 4	Amount Paid	\$26	Box 8

Signature: *[Signature]*

Date: 9-6-19



SCHMED PROPERTIES LLC
XXXXXXXXXX
VIRGINIA BEACH VA 23455-2607

OFFICE COPY-PLEASE RETURN THIS PORTION WITH YOUR CHECK, PAYABLE TO: TREASURER, CITY OF VIRGINIA BEACH.
Please use the enclosed envelope or mail to CITY TREASURER, 2401 COURTHOUSE DRIVE, VIRGINIA BEACH, VA 23456-9018.

APPELLANT EXHIBIT:



City of Virginia Beach
V. Leigh Henderson, Treasurer
Trustee Tax
Transient Occupancy

Print Date: 09/04/2019

Name : SCHMED PROPERTIES LLC
T/A : SCHMED PROPERTIES LLC
Site : 4408 CLYDE ST
VIRGINIA BEACH VA 23455-2834

Account # [REDACTED]
Item # [REDACTED]
Tax Code : 102

Due Date : 08/20/2018
Tax Period : 07/01/2018-07/31/2018

Taxpayer Worksheet for Current Monthly Tax Due
(Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)

What are your GROSS RECEIPTS subject to tax for Transient Occupancy for 07/01/2018-07/31/2018?	Box 1.	What is your SUBTOTAL? Add Box 2 and Box 3.	Box 4.
	4459		\$ 356.72
What is your NET TAX PAYABLE? Multiply Box 1 by 8.00 %.	Box 2.	Are you paying after 08/20/2018? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5.
	\$ 356.72		0
Are you filing after 08/20/2018? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	Box 3.	What is your TOTAL TAX DUE for 07/01/2018-07/31/2018? Add Box 4 and Box 5.	Box 6.
	0		\$ 356.72

Prior Balances Due	
Description	Amount Due
Total Prior Balance Due: 0.00	

Payments received may be applied to the oldest outstanding bills first, per § 58.1-3913.

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July, 2018

Receipts subject to Tax	4459	Box 1	Late Payment Penalty	345.92	Box 5
Net Tax Payable	345.92	Box 2	Monthly Total	345.92	Box 6
Late Filing Penalty	0	Box 3	Prior Balances Due	\$ 0.00	Box 7
SubTotal	345.92	Box 4	Amount Paid	\$ 345.92	Box 8

Signature: *[Signature]*

Date: 9-6-19



SCHMED PROPERTIES LLC
[REDACTED]
VIRGINIA BEACH VA 23455-2607

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Please use the enclosed envelope or mail to CITY TREASURER, 2401 COURTHOUSE DRIVE, VIRGINIA BEACH, VA 23456-9018.

APPELLANT EXHIBIT:



City of Virginia Beach
V. Leigh Henderson, Treasurer
Trustee Tax
Lodging Room Tax

Print Date: 09/04/2019

Name : SCHMED PROPERTIES LLC
T/A : SCHMED PROPERTIES LLC
Site : 4408 CLYDE ST
VIRGINIA BEACH VA 23455-2834

Account # : [REDACTED]
Item # : [REDACTED]
Tax Code : 103

Due Date : 08/20/2018
Tax Period : 07/01/2018-07/31/2018

Taxpayer Worksheet for Current Monthly Tax Due
(Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)

What are your # OF NIGHTS / RENTED ROOMS subject to tax for Lodging Room Tax for 07/01/2018-07/31/2018? Multiply number of nights by number of rooms and enter in Box 1.	Box 1. 23	What is your SUBTOTAL? Add Box 2 and Box 3.	Box 4. \$46
What is your NET TAX PAYABLE? Multiply Box 1 by \$2.00.	Box 2. \$46.00	Are you <u>paying</u> after 08/20/2018? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5. 0
Are you <u>filing</u> after 08/20/2018? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	Box 3. 0	What is your TOTAL TAX DUE for 07/01/2018-07/31/2018? Add Box 4 and Box 5.	Box 6. \$46

Prior Balances Due	
Description	Amount Due
Total Prior Balance Due: 0.00	

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804343

797904

103

July, 2018

# of Nights/Rooms	23	Box 1	Late Payment Penalty	0	Box 5
Net Tax Payable	46	Box 2	Monthly Total	+46	Box 6
Late Filing Penalty	0	Box 3	Prior Balances Due	\$ 0.00	Box 7
SubTotal	46	Box 4	Amount Paid	+46	Box 8

Signature

Date 9-6-19

SCHMED PROPERTIES LLC

[REDACTED]

VIRGINIA BEACH VA 23455-2607

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APPELLANT EXHIBIT:



City of Virginia Beach
V. Leigh Henderson, Treasurer
Trustee Tax
Transient Occupancy

Print Date: 09/04/2019

Name : SCHMED PROPERTIES LLC
T/A : SCHMED PROPERTIES LLC
Site : 4408 CLYDE ST
VIRGINIA BEACH VA 23455-2834

Account # [REDACTED]
Item # [REDACTED]
Tax Code : 102

Due Date : 09/20/2018
Tax Period : 08/01/2018-08/31/2018

Taxpayer Worksheet for Current Monthly Tax Due
(Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)

What are your GROSS RECEIPTS subject to tax for Transient Occupancy for 08/01/2018-08/31/2018?	Box 1 4324	What is your SUBTOTAL? Add Box 2 and Box 3.	Box 4 \$345.92
What is your NET TAX PAYABLE? Multiply Box 1 by 8.00 %.	Box 2 \$345.92	Are you paying after 09/20/2018? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5 0
Are you filing after 09/20/2018? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	Box 3 0	What is your TOTAL TAX DUE for 08/01/2018-08/31/2018? Add Box 4 and Box 5.	Box 6 \$345.92

Prior Balances Due	
Description	Amount Due
Total Prior Balance Due: 0.00	

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August, 2018

Receipts subject to Tax	\$4324	Box 1	Late Payment Penalty	0	Box 5
Net Tax Payable	\$345.92	Box 2	Monthly Total	\$345.92	Box 6
Late Filing Penalty	0	Box 3	Prior Balances Due	\$ 0.00	Box 7
SubTotal	\$345.92	Box 4	Amount Paid	\$345.92	Box 8

Signature: *[Signature]*

Date: 9-4-19



SCHMED PROPERTIES LLC
[REDACTED]
VIRGINIA BEACH VA 23455-2607

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APPELLANT EXHIBIT:



City of Virginia Beach
V. Leigh Henderson, Treasurer
Trustee Tax
Lodging Room Tax

Print Date: 09/04/2019

Name : SCHMED PROPERTIES LLC
T/A : SCHMED PROPERTIES LLC
Site : 4408 CLYDE ST
VIRGINIA BEACH VA 23455-2834

Account # [REDACTED]
Item # [REDACTED]
Tax Code : 103

Due Date : 09/20/2018
Tax Period : 08/01/2018-08/31/2018

Taxpayer Worksheet for Current Monthly Tax Due
(Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)

What are your # OF NIGHTS / RENTED ROOMS subject to tax for Lodging Room Tax for 08/01/2018-08/31/2018? Multiply number of nights by number of rooms and enter in Box 1.	Box 1.	What is your SUBTOTAL? Add Box 2 and Box 3.	Box 4.
23			\$46
What is your NET TAX PAYABLE? Multiply Box 1 by \$2.00.	Box 2.	Are you paying after 09/20/2018? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5.
\$46			0
Are you filing after 09/20/2018? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	Box 3.	What is your TOTAL TAX DUE for 08/01/2018-08/31/2018? Add Box 4 and Box 5.	Box 6.
0			\$46

Prior Balances Due	
Description	Amount Due
Total Prior Balance Due: 0.00	

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August, 2018

# of Nights/Rooms	23	Box 1	Late Payment Penalty	0	Box 5
Net Tax Payable	\$46	Box 2	Monthly Total	46	Box 6
Late Filing Penalty	0	Box 3	Prior Balances Due	\$ 0.00	Box 7
Sub Total	\$46	Box 4	Amount Paid	\$46	Box 8

Signature

Date 9-6-19

SCHMED PROPERTIES LLC
[REDACTED]
VIRGINIA BEACH VA 23455-2607

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APPELLANT EXHIBIT:



City of Virginia Beach
V. Leigh Henderson, Treasurer
Trustee Tax
Transient Occupancy

Print Date: 09/04/2019

Name : SCHMED PROPERTIES LLC
T/A : SCHMED PROPERTIES LLC
Site : 4408 CLYDE ST
VIRGINIA BEACH VA 23455-2834

Account # [REDACTED]
Item # [REDACTED]
Tax Code : 102

Due Date : 10/22/2018
Tax Period : 09/01/2018-09/30/2018

Taxpayer Worksheet for Current Monthly Tax Due
(Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)

What are your GROSS RECEIPTS subject to tax for Transient Occupancy for 09/01/2018-09/30/2018?	Box 1.	What is your SUBTOTAL? Add Box 2 and Box 3.	Box 4.
	1244		99.52
What is your NET TAX PAYABLE? Multiply Box 1 by 8.00 %.	Box 2.	Are you paying after 10/22/2018? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5.
	99.52		0
Are you filing after 10/22/2018? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	Box 3.	What is your TOTAL TAX DUE for 09/01/2018-09/30/2018? Add Box 4 and Box 5.	Box 6.
	0		\$ 99.52

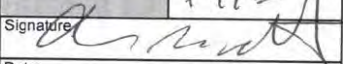
Prior Balances Due	
Description	Amount Due
Total Prior Balance Due: 0.00	

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[REDACTED]

September, 2018

Receipts subject to Tax	Box 1	Late Payment Penalty	Box 5
	1244		0
Net Tax Payable	Box 2	Monthly Total	Box 6
	\$ 99.52		\$ 99.52
Late Filing Penalty	Box 3	Prior Balances Due	Box 7
	0		\$ 0.00
SubTotal	Box 4	Amount Paid	Box 8
	\$ 99.52		\$ 99.52

Signature: 

Date: 9-6-19



SCHMED PROPERTIES LLC
[REDACTED]
VIRGINIA BEACH VA 23455-2607

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APPELLANT EXHIBIT:



City of Virginia Beach
V. Leigh Henderson, Treasurer
Trustee Tax
Lodging Room Tax

Print Date: 09/04/2019

Name : SCHMED PROPERTIES LLC
T/A : SCHMED PROPERTIES LLC
Site : 4408 CLYDE ST
VIRGINIA BEACH VA 23455-2834

Account # [REDACTED]
Item # [REDACTED]
Tax Code : 103

Due Date : 10/22/2018
Tax Period : 09/01/2018-09/30/2018

Taxpayer Worksheet for Current Monthly Tax Due
(Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)

What are your # OF NIGHTS / RENTED ROOMS subject to tax for Lodging Room Tax for 09/01/2018-09/30/2018? Multiply number of nights by number of rooms and enter in Box 1.	Box 1.	24	Box 4.
What is your NET TAX PAYABLE? Multiply Box 1 by \$2.00.	Box 2.	48	Box 5.
Are you filing after 10/22/2018? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	Box 3.	0	Box 6.
		What is your SUBTOTAL? Add Box 2 and Box 3.	Box 4.
		Are you paying after 10/22/2018? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5.
		What is your TOTAL TAX DUE for 09/01/2018-09/30/2018? Add Box 4 and Box 5.	Box 6.
		48	48

Prior Balances Due	
Description	Amount Due
Total Prior Balance Due: 0.00	

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[REDACTED]

September, 2018

# of Nights/Rooms	24	Box 1	Late Payment Penalty	0	Box 5
Net Tax Payable	\$48	Box 2	Monthly Total	\$48	Box 6
Late Filing Penalty	0	Box 3	Prior Balances Due	\$ 0.00	Box 7
Sub Total	\$48	Box 4	Amount Paid	\$48	Box 8

Signature

Date 9-6-19

SCHMED PROPERTIES LLC
[REDACTED]
VIRGINIA BEACH VA 23455-2607

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APPELLANT EXHIBIT:

		City of Virginia Beach V. Leigh Henderson, Treasurer Trustee Tax Transient Occupancy		Print Date: 09/04/2019																																				
Name : SCHMED PROPERTIES LLC T/A : SCHMED PROPERTIES LLC Site : 4408 CLYDE ST VIRGINIA BEACH VA 23455-2834		Account # [REDACTED] Item # [REDACTED] Tax Code : 102		Due Date : 11/20/2018 Tax Period : 10/01/2018-10/31/2018																																				
Taxpayer Worksheet for Current Monthly Tax Due (Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)																																								
What are your GROSS RECEIPTS subject to tax for Transient Occupancy for 10/01/2018-10/31/2018?	Box 1. 3696	What is your SUBTOTAL? Add Box 2 and Box 3.	Box 4. \$295																																					
What is your NET TAX PAYABLE? Multiply Box 1 by 8.00 %.	Box 2. \$295.68	Are you paying after 11/20/2018? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5. 0																																					
Are you filing after 11/20/2018? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	Box 3. 0	What is your TOTAL TAX DUE for 10/01/2018-10/31/2018? Add Box 4 and Box 5.	Box 6. \$295																																					
Prior Balances Due																																								
Description				Amount Due																																				
				Total Prior Balance Due: 0.00																																				
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 October, 2018 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Receipts subject to Tax</td> <td style="width: 15%; text-align: center;">13696</td> <td style="width: 15%; text-align: center;">Box 1</td> <td style="width: 25%;">Late Payment Penalty</td> <td style="width: 20%; text-align: center;">0</td> <td style="width: 10%; text-align: center;">Box 5</td> </tr> <tr> <td>Net Tax Payable</td> <td style="text-align: center;">4295.68</td> <td style="text-align: center;">Box 2</td> <td>Monthly Total</td> <td style="text-align: center;">295.68</td> <td style="text-align: center;">Box 6</td> </tr> <tr> <td>Late Filing Penalty</td> <td style="text-align: center;">0</td> <td style="text-align: center;">Box 3</td> <td>Prior Balances Due</td> <td style="text-align: center;">\$ 0.00</td> <td style="text-align: center;">Box 7</td> </tr> <tr> <td>SubTotal</td> <td style="text-align: center;">295.68</td> <td style="text-align: center;">Box 4</td> <td>Amount Paid</td> <td style="text-align: center;">295.68</td> <td style="text-align: center;">Box 8</td> </tr> <tr> <td colspan="3"></td> <td>Signature</td> <td colspan="2" style="text-align: center;">[Signature]</td> </tr> <tr> <td colspan="3"></td> <td>Date</td> <td colspan="2" style="text-align: center;">9-6-19</td> </tr> </table>					Receipts subject to Tax	13696	Box 1	Late Payment Penalty	0	Box 5	Net Tax Payable	4295.68	Box 2	Monthly Total	295.68	Box 6	Late Filing Penalty	0	Box 3	Prior Balances Due	\$ 0.00	Box 7	SubTotal	295.68	Box 4	Amount Paid	295.68	Box 8				Signature	[Signature]					Date	9-6-19	
Receipts subject to Tax	13696	Box 1	Late Payment Penalty	0	Box 5																																			
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SubTotal	295.68	Box 4	Amount Paid	295.68	Box 8																																			
			Signature	[Signature]																																				
			Date	9-6-19																																				
 SCHMED PROPERTIES LLC [REDACTED] VIRGINIA BEACH VA 23455-2607																																								
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APPELLANT EXHIBIT:

		City of Virginia Beach V. Leigh Henderson, Treasurer Trustee Tax Lodging Room Tax		Print Date: 09/04/2019																								
Name : SCHMED PROPERTIES LLC T/A : SCHMED PROPERTIES LLC Site : 4408 CLYDE ST VIRGINIA BEACH VA 23455-2834		Account # [REDACTED] Item # [REDACTED] Tax Code : 103		Due Date : 11/20/2018 Tax Period : 10/01/2018-10/31/2018																								
Taxpayer Worksheet for Current Monthly Tax Due (Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)																												
What are your # OF NIGHTS / RENTED ROOMS subject to tax for Lodging Room Tax for 10/01/2018-10/31/2018? Multiply number of nights by number of rooms and enter in Box 1.	Box 1. 24	What is your SUBTOTAL? Add Box 2 and Box 3.	Box 4. \$42																									
What is your NET TAX PAYABLE? Multiply Box 1 by \$2.00.	Box 2. \$42	Are you paying after 11/20/2018? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5. 0																									
Are you filing after 11/20/2018? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	Box 3. 0	What is your TOTAL TAX DUE for 10/01/2018-10/31/2018? Add Box 4 and Box 5.	Box 6. \$42																									
Prior Balances Due																												
Description				Amount Due																								
				Total Prior Balance Due: 0.00																								
Payments received may be applied to the oldest outstanding bills first, per § 58.1-3913. TAXPAYER COPY -PLEASE RETAIN THIS PORTION FOR YOUR RECORDS. YOUR CANCELED CHECK WILL SERVE AS YOUR RECEIPT. *Please read reverse side of this bill for important information.																												
October, 2018 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;"># of Nights/Rooms</td> <td style="width: 10%; text-align: center;">24</td> <td style="width: 10%;">Box 1</td> <td style="width: 25%;">Late Payment Penalty</td> <td style="width: 10%; text-align: center;">0</td> <td style="width: 10%;">Box 5</td> </tr> <tr> <td>Net Tax Payable</td> <td style="text-align: center;">\$42</td> <td>Box 2</td> <td>Monthly Total</td> <td style="text-align: center;">42</td> <td>Box 6</td> </tr> <tr> <td>Late Filing Penalty</td> <td style="text-align: center;">0</td> <td>Box 3</td> <td>Prior Balances Due</td> <td style="text-align: center;">\$ 0.00</td> <td>Box 7</td> </tr> <tr> <td>SubTotal</td> <td style="text-align: center;">\$42</td> <td>Box 4</td> <td>Amount Paid</td> <td style="text-align: center;">\$42</td> <td>Box 8</td> </tr> </table> Signature <i>[Signature]</i> Date 9-6-19					# of Nights/Rooms	24	Box 1	Late Payment Penalty	0	Box 5	Net Tax Payable	\$42	Box 2	Monthly Total	42	Box 6	Late Filing Penalty	0	Box 3	Prior Balances Due	\$ 0.00	Box 7	SubTotal	\$42	Box 4	Amount Paid	\$42	Box 8
# of Nights/Rooms	24	Box 1	Late Payment Penalty	0	Box 5																							
Net Tax Payable	\$42	Box 2	Monthly Total	42	Box 6																							
Late Filing Penalty	0	Box 3	Prior Balances Due	\$ 0.00	Box 7																							
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 SCHMED PROPERTIES LLC VIRGINIA BEACH VA 23455-2607																												
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APPELLANT EXHIBIT:



City of Virginia Beach
V. Leigh Henderson, Treasurer
Trustee Tax
Transient Occupancy

Print Date: 09/04/2019

Name : SCHMED PROPERTIES LLC
T/A : SCHMED PROPERTIES LLC
Site : 4408 CLYDE ST
VIRGINIA BEACH VA 23455-2834

Account # [REDACTED]
Item # [REDACTED]
Tax Code : 102

Due Date : 12/20/2018
Tax Period : 11/01/2018-11/30/2018

Taxpayer Worksheet for Current Monthly Tax Due
(Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)

What are your GROSS RECEIPTS subject to tax for Transient Occupancy for 11/01/2018-11/30/2018?	Box 1.	What is your SUBTOTAL? Add Box 2 and Box 3.	Box 4.
800⁰⁰		64	
What is your NET TAX PAYABLE? Multiply Box 1 by 8.00 %.	Box 2.	Are you <u>paying</u> after 12/20/2018? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5.
64		0	
Are you <u>filing</u> after 12/20/2018? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	Box 3.	What is your TOTAL TAX DUE for 11/01/2018-11/30/2018? Add Box 4 and Box 5.	Box 6.
0		64⁰⁰	

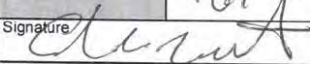
Prior Balances Due	
Description	Amount Due
Total Prior Balance Due: 0.00	

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November, 2018


SCHMED PROPERTIES LLC
[REDACTED]
VIRGINIA BEACH VA 23455-2607

Receipts subject to Tax	\$ 800	Box 1	Late Payment Penalty	0	Box 5
Net Tax Payable	\$ 64	Box 2	Monthly Total	\$ 64	Box 6
Late Filing Penalty	0	Box 3	Prior Balances Due	\$ 0.00	Box 7
SubTotal	\$ 64	Box 4	Amount Paid	\$ 64	Box 8

Signature 

Date 9-6-19

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APPELLANT EXHIBIT:



City of Virginia Beach
V. Leigh Henderson, Treasurer
Trustee Tax
Lodging Room Tax

Print Date: 09/04/2019

Name : SCHMED PROPERTIES LLC
T/A : SCHMED PROPERTIES LLC
Site : 4408 CLYDE ST
VIRGINIA BEACH VA 23455-2834

Account # [REDACTED]
Item # [REDACTED]
Tax Code : 103

Due Date : 12/20/2018
Tax Period : 11/01/2018-11/30/2018

Taxpayer Worksheet for Current Monthly Tax Due
(Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)

What are your # OF NIGHTS / RENTED ROOMS subject to tax for Lodging Room Tax for 11/01/2018-11/30/2018? Multiply number of nights by number of rooms and enter in Box 1.	Box 1.	What is your SUBTOTAL? Add Box 2 and Box 3.	Box 4.
21			\$92
What is your NET TAX PAYABLE? Multiply Box 1 by \$2.00.	Box 2.	Are you paying after 12/20/2018? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5.
\$42			0
Are you filing after 12/20/2018? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	Box 3.	What is your TOTAL TAX DUE for 11/01/2018-11/30/2018? Add Box 4 and Box 5.	Box 6.
0			\$42

Prior Balances Due	
Description	Amount Due
Total Prior Balance Due: 0.00	

Payments received may be applied to the oldest outstanding bills first, per § 58.1-3913.

TAXPAYER COPY-PLEASE RETAIN THIS PORTION FOR YOUR RECORDS. YOUR CANCELED CHECK WILL SERVE AS YOUR RECEIPT.
*Please read reverse side of this bill for important information.

[REDACTED]

November, 2018

# of Nights/Rooms	21	Box 1	Late Payment Penalty	0	Box 5
Net Tax Payable	42	Box 2	Monthly Total	\$42	Box 6
Late Filing Penalty	0	Box 3	Prior Balances Due	\$ 0.00	Box 7
SubTotal	\$42	Box 4	Amount Paid	\$42	Box 8

Signature: *[Signature]*

Date: 9-6-19


SCHMED PROPERTIES LLC
[REDACTED]
VIRGINIA BEACH VA 23455-2607

OFFICE COPY-PLEASE RETURN THIS PORTION WITH YOUR CHECK, PAYABLE TO: TREASURER, CITY OF VIRGINIA BEACH.
Please use the enclosed envelope or mail to CITY TREASURER, 2401 COURTHOUSE DRIVE, VIRGINIA BEACH, VA 23456-9018.

APPELLANT EXHIBIT:



City of Virginia Beach
V. Leigh Henderson, Treasurer
Trustee Tax
Transient Occupancy

Print Date: 09/04/2019

Name : SCHMED PROPERTIES LLC
T/A : SCHMED PROPERTIES LLC
Site : 4408 CLYDE ST
VIRGINIA BEACH VA 23455-2834

Account # [REDACTED]
Item # [REDACTED]
Tax Code : 102

Due Date : 01/22/2019
Tax Period : 12/01/2018-12/31/2018

Taxpayer Worksheet for Current Monthly Tax Due
(Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)

What are your GROSS RECEIPTS subject to tax for Transient Occupancy for 12/01/2018-12/31/2018?	Box 1.	What is your SUBTOTAL? Add Box 2 and Box 3.	Box 4.
1582 ⁰⁰			
What is your NET TAX PAYABLE? Multiply Box 1 by 8.00%.	Box 2.	Are you paying after 01/22/2019? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5.
126 ⁵⁶		0	
Are you filing after 01/22/2019? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	Box 3.	What is your TOTAL TAX DUE for 12/01/2018-12/31/2018? Add Box 4 and Box 5.	Box 6.
0			

Prior Balances Due	
Description	Amount Due
Total Prior Balance Due: 0.00	

Payments received may be applied to the oldest outstanding bills first, per § 58.1-3913.
TAXPAYER COPY-PLEASE RETAIN THIS PORTION FOR YOUR RECORDS. YOUR CANCELED CHECK WILL SERVE AS YOUR RECEIPT.
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December, 2018

Receipts subject to Tax	Box 1	Late Payment Penalty	Box 5
1582		0	
Net Tax Payable	Box 2	Monthly Total	Box 6
126 ⁵⁶		126 ⁵⁶	
Late Filing Penalty	Box 3	Prior Balances Due	Box 7
0		\$ 0.00	
SubTotal	Box 4	Amount Paid	Box 8
126 ⁵⁶		126 ⁵⁶	

Signature

Date 9-6-19



SCHMED PROPERTIES LLC
[REDACTED]
VIRGINIA BEACH VA 23455-2607

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1

Print Date: 09/04/2019

Account # [REDACTED]
Item # [REDACTED]
Tax Code : 103

Due Date : 01/22/2019
Tax Period : 12/01/2018-12/31/2018

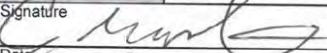
(Please copy all figures from taxpayer worksheet to payment coupon below and return to Treasurer)

What are your # OF NIGHTS / RENTED ROOMS subject to tax for Lodging Room Tax for 12/01/2018-12/31/2018? Multiply number of nights by number of rooms and enter in Box 1.	Box 1. \$ 20	What is your SUBTOTAL? Add Box 2 and Box 3.	Box 4. \$ 40
What is your NET TAX PAYABLE? Multiply Box 1 by \$2.00.	Box 2. \$ 40	Are you paying after 01/22/2019? If No, enter '0' and move to Box 6. If Yes, multiply Box 4 by 10% OR enter \$10.00 whichever is greater.	Box 5. 0
Are you filing after 01/22/2019? If No, enter '0' and move to Box 4. If Yes, multiply Box 2 by 10% OR enter \$10.00 whichever is greater.	Box 3. 0	What is your TOTAL TAX DUE for 12/01/2018-12/31/2018? Add Box 4 and Box 5.	Box 6. \$ 40

Description	Amount Due
Total Prior Balance Due: 0.00	

TAXPAYER COPY-PLEASE RETAIN THIS PORTION FOR YOUR RECORDS. YOUR CANCELED CHECK WILL SERVE AS YOUR RECEIPT.

*Please read reverse side of this bill for important information.

# of Nights/Rooms	20	Box 1	Late Payment Penalty	0	Box 5
Net Tax Payable	\$40	Box 2	Monthly Total	\$40	Box 6
Late Filing Penalty	0	Box 3	Prior Balances Due	\$ 0.00	Box 7
SubTotal	\$40	Box 4	Amount Paid	\$40	Box 8
			Signature		
			Date	9-06-19	

SCHMED PROPERTIES LLC

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Please use the enclosed envelope or mail to CITY TREASURER, 2401 COURTHOUSE DRIVE, VIRGINIA BEACH, VA 23456-9018.

PHOTOGRAPHS:



DISCLOSURE STATEMENT:



CITY OF
**VIRGINIA
BEACH**

Disclosure Statement

The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. Completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council, boards, commissions, or other bodies.

SECTION 1: APPLICANT DISCLOSURE

APPLICANT INFORMATION

Applicant Name:

as listed on application Edward Schmidtman

Is Applicant also the Owner of the subject property? Yes ☒ No ☐

If no, Property Owner must complete SECTION 2: PROPERTY OWNER DISCLOSURE (page 3).

Does Applicant have a Representative? Yes ☒ No ☐

If yes, name Representative: David F. Johnson (Anchor Legal)

Is Applicant a corporation, partnership, firm, business, trust or unincorporated business? Yes ☐ No ☒

If yes, list the names of all officers, directors, members, or trustees below AND businesses that have a parent- subsidiary¹ or affiliated business entity² relationship with the applicant. (Attach list if necessary.)

--

Does the subject property have a proposed or pending purchaser? Yes ☐ No ☒

If yes, name proposed or pending purchaser: _____

KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action? Yes ☐ No ☒

If yes, name the official or employee, and describe the nature of their interest.

--

APPLICANT SERVICES DISCLOSURE

READ: The Applicant must certify whether the following services are being provided in connection to the subject application or any business operating or to be operated on the property. The name of the entity and/or individual providing such services must be identified. (Attach list if necessary.)

SERVICE	YES	NO	SERVICE PROVIDER (Name entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	☐	☒	
Real Estate Broker/Agent/Realtor	☐	☒	

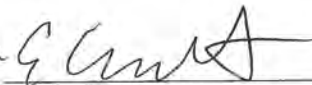
DISCLOSURE STATEMENT:

SECTION 1: APPLICANT DISCLOSURE *continued*

SERVICE	YES	NO	SERVICE PROVIDER (Name entity and/or Individual)
Accounting/Tax Return Preparation	☐	☒	
Architect/Designer/Landscape Architect/Land Planner	☐	☒	
Construction Contractor	☐	☒	
Engineer/Surveyor/Agent	☐	☒	
Legal Services	☒	☒	David F. Johnson (Attorney Legal)

APPLICANT CERTIFICATION

READ: I certify that all information contained in this Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein three weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.

Edward Schmittman  0-1-2026
 Applicant Name (Print) Applicant Signature Date

¹ "Parent-subsidary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsidary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

FOR CITY USE ONLY:

No changes as of (date): 07-13-2026

Wilissa Blair-Miller  07-13-2026
 Staff Name (Print) Staff Signature Date

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