



CITY OF
**VIRGINIA
BEACH**

Board of Zoning Appeals
May 6, 2026

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

City Staff:

Hannah Sabo, Zoning Administrator
Victoria Eisenberg, City Attorney
Wilissa Blair-Miller, Planner III

A Board of Zoning Appeals public hearing is scheduled for 2:00 p.m. **Wednesday, May 6, 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://virginiabeach.gov/BZA> or call (757) 385-8074 for more details.

AGENDA:

- A. Comments from Board Chair and/or zoning staff (1:00 p.m. to 2:00 p.m.)
- B. Review of public hearing cases and staff briefing (1:00 p.m. to 2:00 p.m.)
- C. Public hearing (2:00 p.m. to finish / variance cases typically called in order by case number)

AGENDA CASES

- **Case 2025-BZA-00094** (*variance request*)
Applicants: Brian and Alik Tanis (*property owners*)
Representatives: Brian and Alik Tanis (*property owners*)
Address: 1021 Birnam Woods Drive
Request: Variance to the required yard for a proposed room addition.
- **Case 2026-BZA-00015** (*variance request*)
Applicant: Patrick McKinney (*property owner*)
Representative: Patrick McKinney (*property owner*)
Address: 5601 New Colony Drive
Request: Variances to the required yards for a proposed two-story accessory building.
- **Case 2026-BZA-00019** (*variance request*)
Applicant: EDC Homes I LLC (*property owner*)
Representative: R. Edward Bourdon, Jr. (*attorney*)
Address: 477 Southside Road
Request: Variance to the maximum allowable lot coverage for a proposed single-family dwelling.

- **Case 2026-BZA-00020** (*variance request*)
Applicant: Coffee Sandcastle Refuge, LLC (*property owner*)
Representative: Billy Garrington (*agent*)
Address: 3600 Sandfiddler Road
Request: Variances to the required yards for a proposed inground pool, pool equipment, landscaping, and privacy fence.
- **Case 2025-BZA-00075** (*variance request*)
Applicant: Colleen Wynn (*property owner*)
Representative: Theron Wynn (*husband of owner*)
Address: 525 Lake Drive
Request: Variance to the required yard for an existing shed.

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CASE: 2025-BZA-00094 - Brian and Aliko Tanis
HEARING DATE: May 6, 2026
TO: Chairman, Board of Zoning Appeals
FROM: Wilissa Blair-Miller, Planner III

ADDRESS ASSOCIATED WITH VARIANCE REQUEST:

1021 Birnam Woods Drive

REPRESENTATIVES:

Brian and Aliko Tanis (*property owners*)

VARIANCE REQUEST(S) (ABBREVIATED):

Variance to the required yard for a proposed room addition.

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 BANQUO STREET (NORTH):** A side corner yard setback variance to 19 feet instead of 30 feet as required for a proposed room addition.

GEOGRAPHIC PARCEL INFORMATION NUMBERS (GPIN):

1466-31-5199

LOT AREA:

- 10,626 square feet (.24 acres) (per city assessment records)

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 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-7.5 (Residential District)
- Not in a Strategic Growth Area

SURROUNDING LAND USES/ZONING DISTRICTS:

- North: Residential (single-family), R-7.5
- South: Residential (single-family), R-7.5
- East: Residential (single-family), R-7.5
- West: Residential (single-family), R-7.5

EXISTING CONDITIONS:

- Dwelling: 30.6 feet from front property line (west – Birnam Woods Drive)
- Dwelling: Greater than 30 feet from front property line (east – Whitehurst Landing Road))
- Dwelling: 19.9 feet from side corner property line (north – Banquo Street)
- Dwelling: 10 feet from side property line (south)

EXTENT OF PROJECT:

Building addition (variance requested)

Proposed 16 feet by 22 feet one-story room addition located 19.9 feet from the property line abutting Banquo Street instead of 30 feet as required.

BACKGROUND INFORMATION:

According to City records, the subject property was recorded by plat on April 27, 1977 (map book 119 at page 54).

The subject lot is located at the intersections of Birnam Woods Drive, Banquo Street, and Whitehurst Landing Road. This atypically positioned parcel could be described as a peninsula, albeit bounded by roadways on three sides instead of water. The property is also defined by the zoning ordinance as both a through lot and a corner lot (i.e., it contains frontage along Birnam Woods Drive and Whitehurst Landing Road, while it is also situated with a side yard adjacent to Banquo Street).

The subject lot meets the current minimum required lot area of 7,500 square feet and the current minimum lot width of 85 feet along Birnam Woods Drive and Whitehurst Landing Road.¹

The subject dwelling was constructed in 1978. At the time of its construction, the required yard adjacent to Banquo Street was 15 feet.² As a result, the home was positioned 19.9 feet from the property line adjacent to Banquo Street, 4.9 feet greater than needed. Nevertheless, in 1988 the required yard adjacent to Banquo Street increased to 30 feet, which caused 10.1 feet of the established structure to encroach into the newly required yard. As a result, such encroachment is legally nonconforming.

The applicants would like to construct a building addition on the north side of the subject dwelling. Such extension would stay in-line with the existing nonconforming structure. In other words, the proposed addition would not encroach into the required side yard adjacent to Banquo Street any further than the existing home already does.

NOTES:

1. In accordance with Section 200(d) of the City Zoning Ordinance, the width of a lot abutting a straight right-of-way, or where the radius of curvature is ninety (90) feet or more, shall be determined by measuring across the rear of the required front yard(s).

2. In 1978, the required side yards in the subject zoning district were 5 feet on one side and 10 feet on the other. If a property was located on a corner, the required yard width increased by 10 feet. Because the subject dwelling was built 10 feet from the 'interior' side property line (south), the opposite side adjacent to Banquo Street had a 5-foot required yard, which after adding the mandatory 10 additional feet resulted in a 15-foot required side yard adjacent to Banquo Street.

KEY CONSIDERATIONS:

- The proposed addition will not extend any further into the required yard than the existing home.

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

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

APPLICANT STATED HARDSHIP:

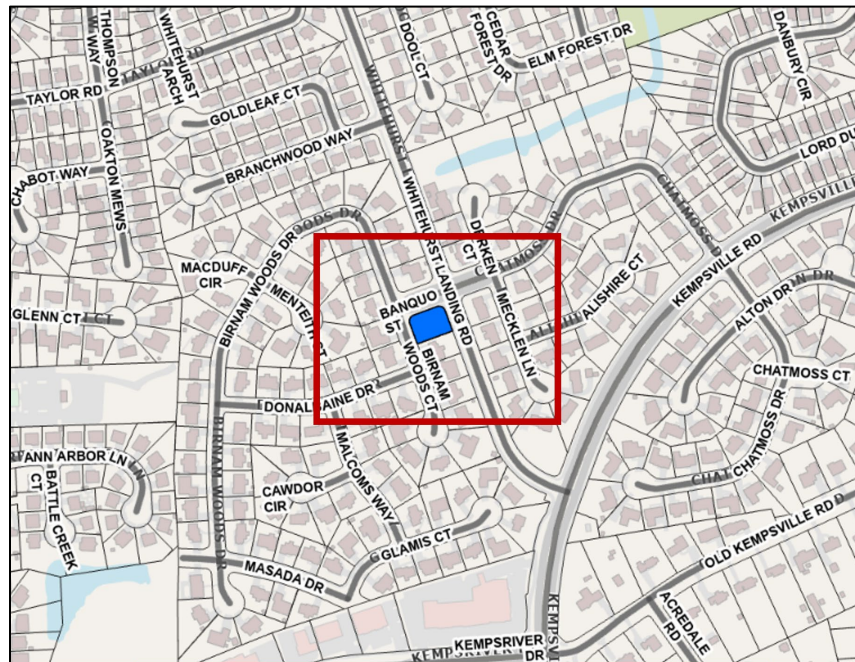
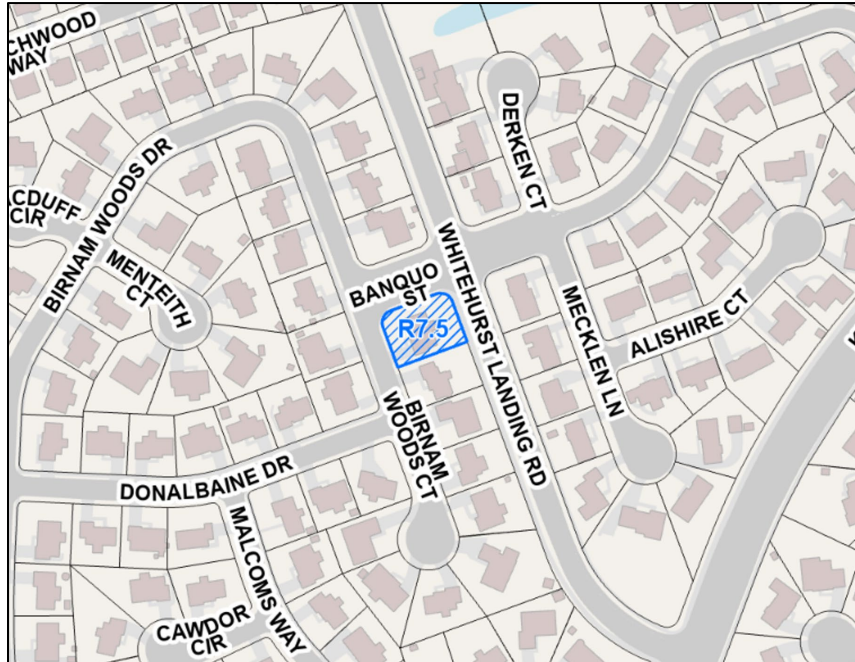
“When the house was originally constructed, the side yard set back [sic] was 20’. After the residential district changes through the years, the new set back is 30’. We are requesting to change the current side yard set back [sic] from 30’ to 19.9’. We are limited on where we can expand on the house due the location on the corner. Pushing the addition in 10’ to abide by the current setback distance would be an eye sore to the neighborhood and also would not provide the addiquate [sic] amount of floor space needed for an expanding family. With the current state of the realty market, upgrading to a larger house is not an option. Additionally, traffic site lines would not be impacted by the addition on Banquo St. or Whitehurst Landing. The upgrade would boost the spirit of the neighborhood by essentially reinvigorating the will to maintain and improve the houses that are in need of it. Quite a few neighbors are in the same situation regarding the set backs [sic] today compared to 1978. This addition would be motivation for them to move forward in making the necessary home improvements.”

RECOMMENDED CONDITIONS IF APPROVED:

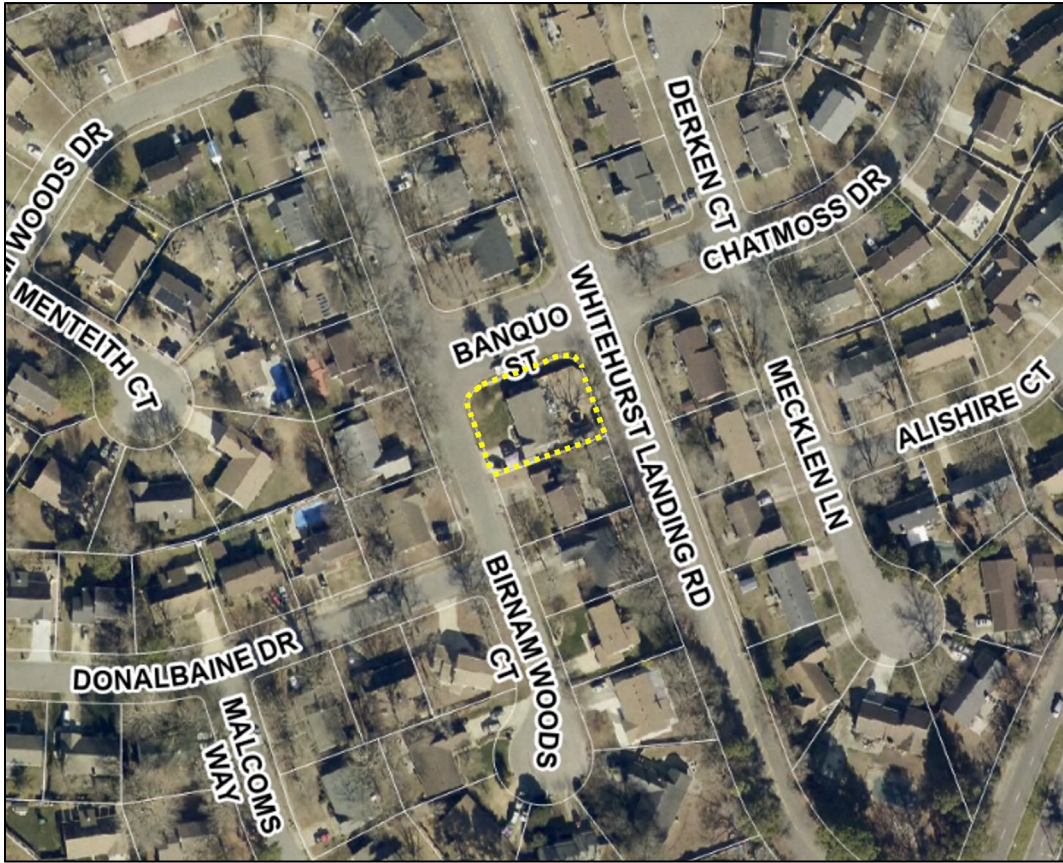
1. The proposed improvements shall be constructed in substantial conformance to the City staff modified and marked exhibit titled, “Physical Survey of Lot 27, Block A, Amended Plat of Birnam Woods,” dated February 3, 2026 / February 9, 2026, and prepared by Michael Murphy Land Surveying (shown as *Exhibit 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 untitled renderings (shown as *Renderings* in this staff report). This condition does not permit deviations from any applicable laws, codes, policies, or interpretations not specifically requested by the applicant and granted by the Board of Zoning Appeals. Nevertheless, this condition shall grant the Zoning Administrator the right to interpret substantial conformance with the Board approved renderings, which may include considerations based on details found in the associated staff report and compliance with the *Public Works Design Standards Manual*.

3. The existing 12.2 feet by 20.2 feet one-story shed, as shown on *Exhibit A* in this staff report and which according to *Connect Explorer* satellite imagery was placed on the subject site between January 2019 and January 2020, shall be brought into minimum compliance with the City Zoning Ordinance or removed from the property. This shall occur prior to the final inspection of any building permits issued for the subject improvements, or within six months of this Board action, whichever occurs first.
4. Any fencing or boundary walls shown on *Exhibit A*, as found in the *Site Plan* section of this staff report, not meeting minimum requirements of the City Zoning Ordinance shall be brought into minimum compliance with such ordinance or removed from the property. This shall occur prior to the final inspection of any building permits issued for the subject improvements, or within six months of this Board action, whichever occurs first.
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.

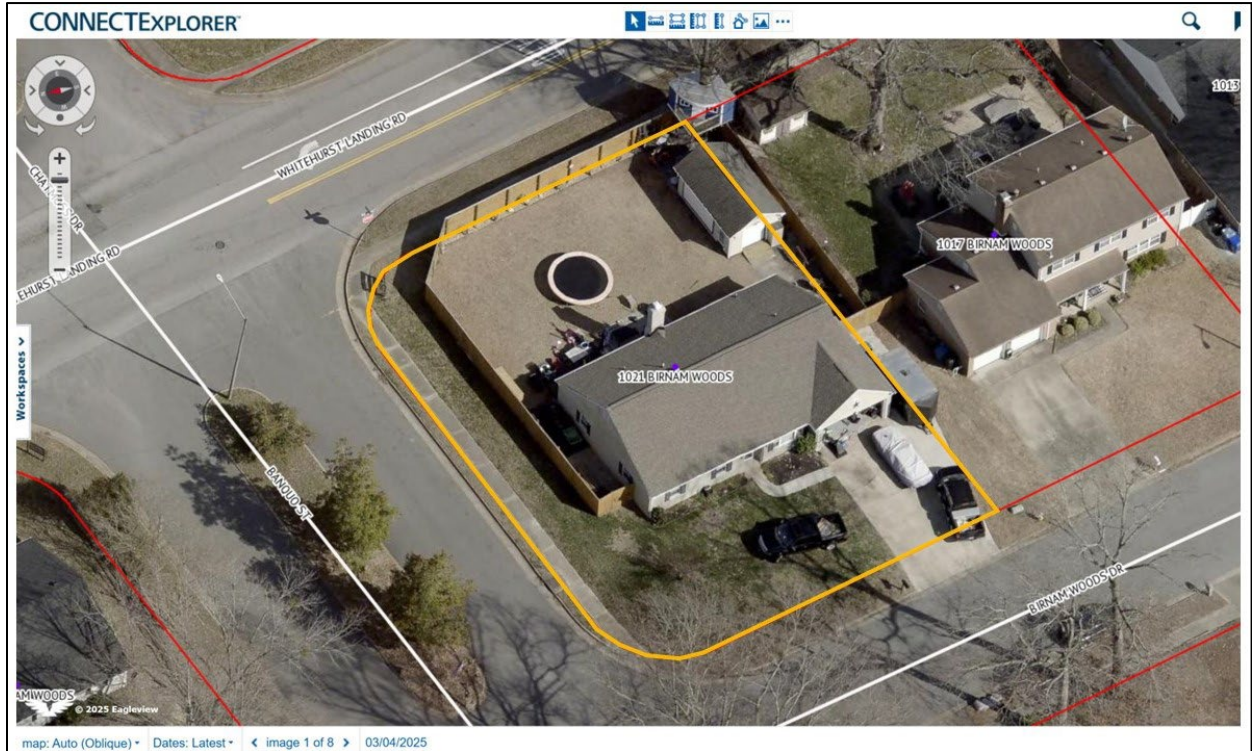
LOCATION MAPS:



AERIAL:



AERIAL (DETAIL):



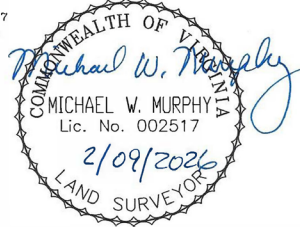
SITE PLAN (EXHIBIT A):

THIS IS TO CERTIFY THAT ON JANUARY 13, 2026, I SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDING ARE AS SHOWN ON THIS PLAT. THE IMPROVEMENTS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OR VISIBLE EASEMENTS, EXCEPT AS SHOWN. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND, CONSEQUENTLY, MAY NOT DEPICT ALL MATTERS AFFECTING THE TITLE OF THE PROPERTY SHOWN.

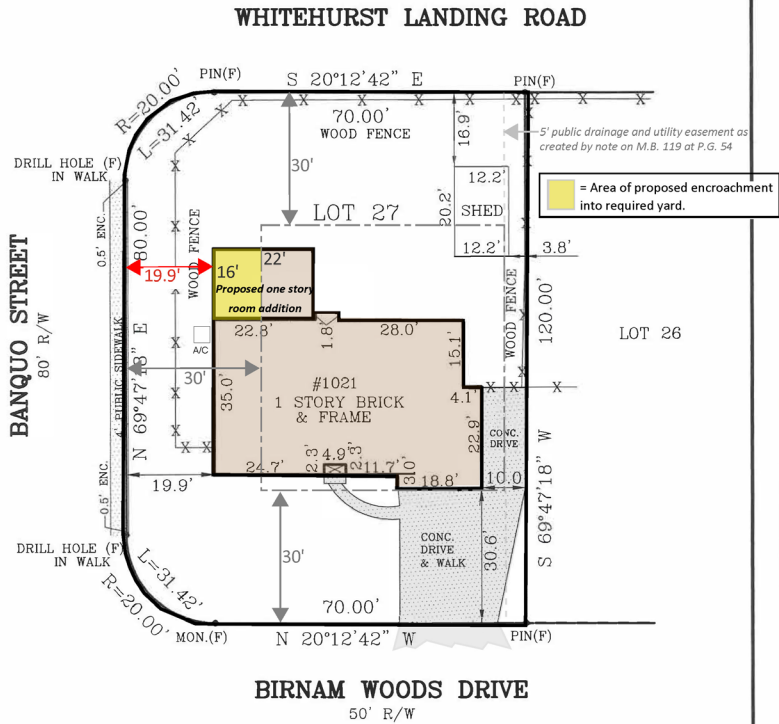
THIS PLAN REFERS TO THE SAME LOT AS SET FORTH ON PLAT DATED APRIL 27, 1977 AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF VIRGINIA BEACH, VIRGINIA IN MAP BOOK 119, PAGE 54.

THIS PROPERTY APPEARS TO FALL INSIDE FLOOD ZONE "X" AS SCALED FROM COMMUNITY PANEL #515531 0083 G. THE FIRM EFFECTIVE DATE WAS 1/16/2015.

ADDRESS: 1021 BIRNHAM WOODS DRIVE



Document not as original.
Modifications to exhibit made by City staff for BZA illustration purposes



PHYSICAL SURVEY OF
 LOT 27 - BLOCK A
 AMENDED PLAT OF BIRNHAM WOODS,
 PARTS 1 AND 2, SECTION OF CHATHAM HALL,
 VIRGINIA BEACH, VIRGINIA
 FOR: BRIAN TANIS & ALIKI TANIS

MICHAEL MURPHY LAND SURVEYING
 1108 CARRIAGE COURT
 CHESAPEAKE, VIRGINIA 23322
 (757)754-2145 - mm4ky@cox.net

SCALE: 1" = 25' DATE: FEBRUARY 3, 2026

PHOTOGRAPHS:



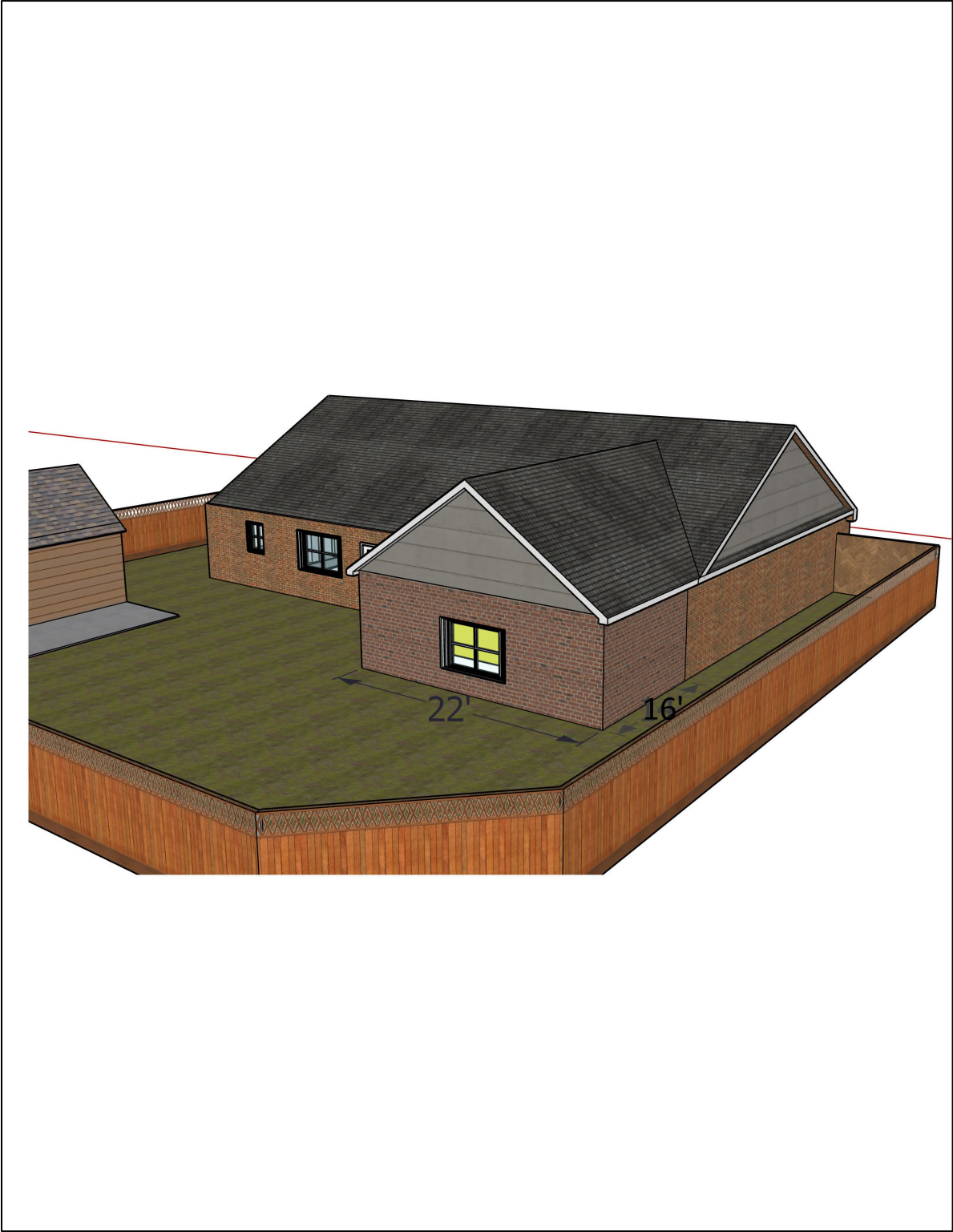
PHOTOGRAPHS:



PHOTOGRAPHS:



RENDERINGS:



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: Brian Tanis
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: _____

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 <i>(Name entity and/or individual)</i>
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="radio"/>	<input checked="" type="radio"/>	
Real Estate Broker/Agent/Realtor	<input type="radio"/>	<input checked="" type="radio"/>	



CASE: 2026-BZA-00015 - Patrick McKinney
HEARING DATE: May 6, 2026
TO: Chairman, Board of Zoning Appeals
FROM: Wilissa Blair-Miller, Planner III

ADDRESS ASSOCIATED WITH VARIANCE REQUEST:

5601 New Colony Drive

REPRESENTATIVE:

Patrick McKinney (property owner)

VARIANCE REQUEST(S) (ABBREVIATED):

Variances to the required yards for a proposed two-story accessory building.

VARIANCE REQUEST(S) (DETAILED):

The following variances are requested pursuant to Article 6, Section 602(c) of the City Zoning Ordinance:

1. **FRONT YARD (NORTH, NORTHWEST, WEST):** A front yard setback variance to 0 feet instead of 30 feet as required for the construction of a 30-foot-tall two-story detached garage.
2. **SIDE YARD (SOUTH):** A side yard setback variance to 5 feet instead of 10 feet as required for the construction of a 30-foot-tall two-story detached garage.

GEOGRAPHIC PARCEL INFORMATION NUMBERS (GPIN):

1466-03-3812

LOT AREA:

- 3,832 square feet (.08 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 1

PREVIOUS BOARD OF ZONING APPEALS VARIANCE(S):

April 2, 2025 (granted as modified)

- a. *FRONT YARD (NEW COLONY DRIVE): A setback variance to 2 feet instead of 30 feet as required for existing and proposed eight-foot-tall privacy fencing (six-foot-tall fence approved by Board at public hearing);*
- b. *FRONT YARD (NEW COLONY DRIVE): A setback variance to 18 feet instead of 30 feet as required for an existing hot tub;*
- c. *FRONT YARD (NEW COLONY DRIVE): A setback variance to 28 feet instead of 30 feet as required for an existing shed;*
- d. *WAIVE REQUIRED LANDSCAPING: A variance request to waive the category I landscaping required to be placed within a five-foot buffer area between the proposed fence and the City right-of-way boundary.*

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

- Townhome (built in 1973)
- A-12 (Apartment, Duplex, Townhome District)
- Not in a Strategic Growth Area

SURROUNDING LAND USES/ZONING DISTRICTS:

- North: Residential (townhomes), A-12
- South: Residential (single-family), R-7.5
- East: Residential (townhomes), A-12
- West: Recreation Area (City Park), A-12 / R-10

EXISTING CONDITIONS:

- N/A as the request is for an accessory building

EXTENT OF PROJECT:

Two-story 528 square foot accessory building, 30 feet tall, with garage on first floor and storage room on second floor (variance requested)

Proposed 12 feet by 22 feet accessory building proposed to sit 5 feet from the side property line and 0 feet from front property line.

BACKGROUND INFORMATION:

According to City records, the subject property was recorded by plat in 1972 (map book 90 at page 31).

The subject parcel sits along a curved portion of New Colony Drive situated between Old Providence Road and Jamestown Drive. Because the subject property abuts only one street, the entirety of the property boundary adjacent to New Colony Drive is defined as the front property line.

The subject lot exceeds the 2,500 square foot average lot size required for townhome parcels in the subject zoning district by 1,332 square feet (subject lot is 3,832 square feet in total). In addition, the subject property also exceeds the minimum required lot width of 30 feet. Still, it is recognized that the lot is irregularly shaped, as it contains 128 feet of curved frontage and only about 42 feet of depth.

From 1973 to 1988, the required front yard associated with the subject lot was 10 feet. In 1988, the required front yard increased from 10 feet to 30 feet for all townhome properties in the subject zoning district. As a result, the subject dwelling's present encroachment into the required 30-foot front yard is legally nonconforming.

The applicant is requesting a variance to encroach into the required front yard adjacent to New Colony Drive and the required side yard (south) with a proposed 30-foot tall, 528 square foot, two-story detached garage. The structure would sit 0 feet from the front property line instead of 30 feet as required and 5 feet from the side property line instead of 10 feet as required.

Based on mandates found in Section 15.2-2201 and 15.2-2309 of the Code of Virginia, City staff offer the following opinions:

- The request is contrary to the City Zoning Ordinance, wherein the ordinance specifically states that "No portion of any garage or carport shall occupy any required front, side, or rear yard."
- The strict application of the ordinance would not unreasonably restrict the utilization of the property, as the Board of Zoning Appeals granted the applicant a variance for a storage building in 2025.
- The proposed structure is not in keeping with the character of the neighborhood, which includes townhomes situated on smaller lots with compatibly scaled and positioned accessory buildings (please see City staff analysis on page 4 for details). Therefore, the proposed improvements would be a substantial detriment to adjacent property and nearby properties.
- The granting of this variance would set an undesirable precedent for the neighborhood.

On March 4, 2026, City staff sent the applicant an email requesting clarity regarding the height, number of stories, and use of the proposed structure. The applicant responded noting that the building would be two stories, 30 feet tall, and used for storage. City staff then advised the applicant of their opinions regarding this submittal, minus the noted analysis findings below, which were completed at a later date.

Using *Connect Explorer* satellite imagery, City staff conducted an aerial analysis focused on the scale of the subject accessory building as compared to other accessory buildings within the subject townhome neighborhood and abutting single-family home community. In addition, staff also used *Connect Explorer* satellite imagery to compare the height of the subject townhome with the height of the proposed accessory building. Findings are as follows:

- No comparably scaled accessory buildings were located within the subject townhome neighborhood (i.e., no 30-foot, or close thereto, accessory buildings were found).
- Staff were unable to locate any accessory buildings within the subject townhome neighborhood that appeared to exceed one story in height.
- The abutting R-10 single-family home community revealed few accessory buildings over one story, with none appearing to match the 30-foot height proposed associated with the applicant's request (note: only the first few blocks from the subject lot were examined).
- The height tool in *Connect Explorer* satellite imagery appears to show that the subject townhome is approximately 26 feet tall at its peak, which, if accurate, means the proposed detached garage would be taller than the townhome (see page 13 for details).

KEY CONSIDERATIONS:

- The request is in direct contrast with the City Zoning Ordinance, which specifically states that "No portion of any garage or carport shall occupy any required front, side, or rear yard."
- The Board granted a variance for a storage building on the subject property in 2025, which arguably provided relief in the form of additional on-site storage.
- Because the size of the structure requires a continuous footing (i.e., the applicant is proposing a 'turn down slab'), and the structure would be built on the property line abutting a City sidewalk, damage to such City property is possible.
- The proposed accessory building size and location do not appear to be in keeping with the character of the neighborhood due to its seemingly incompatible scale and proximity to the City sidewalk and street. As a result, the structure would arguably be of substantial detriment to adjacent property, nearby properties, and possibly to City property.
- While debatable, the granting of this variance would set an undesirable precedent for the neighborhood.

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

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

APPLICANT STATED HARDSHIP:

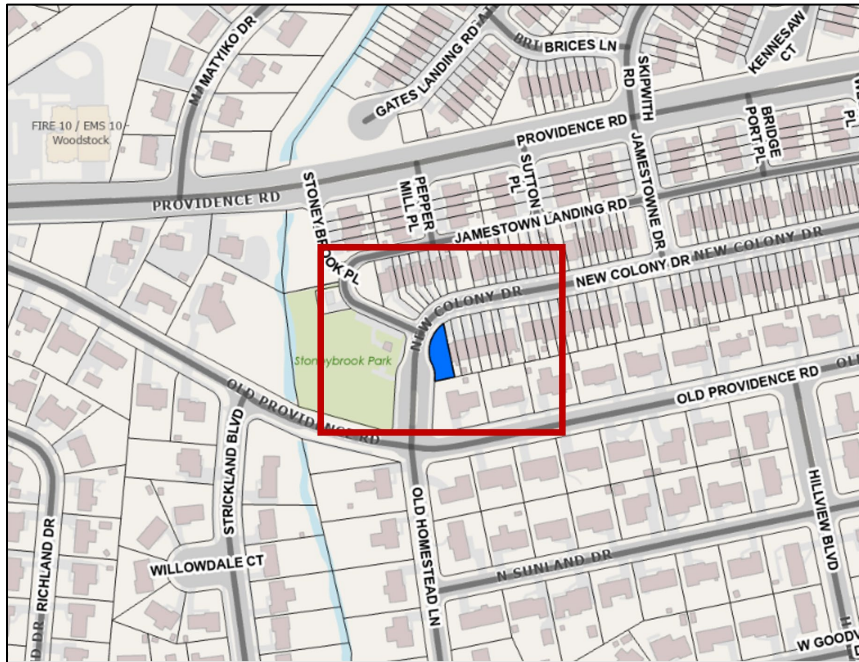
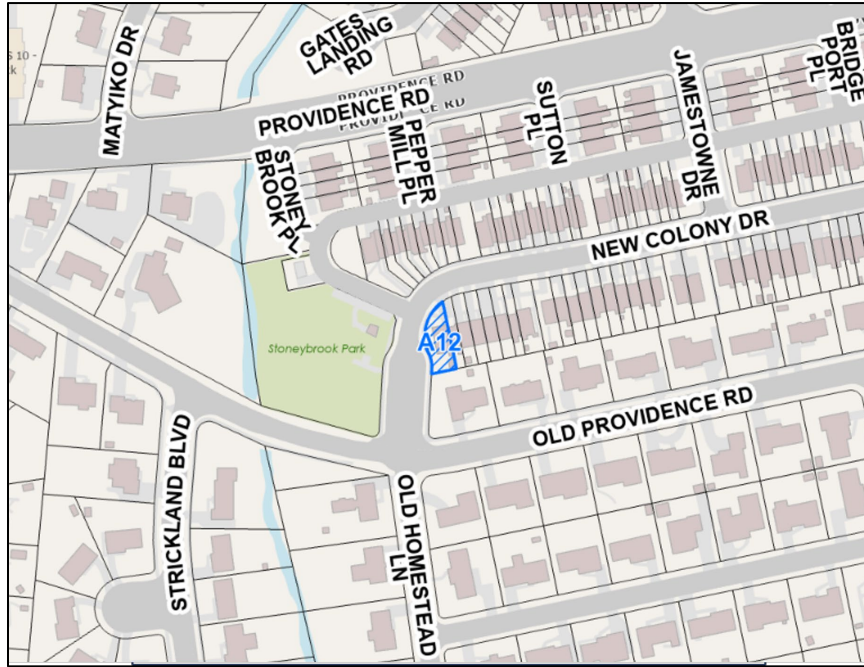
“Need storage, can't afford to buy a new house or new lot with the 30 percent increase in real estate prices. The request is being made due to specific encroachments on the required setbacks and height restrictions outlined in Section 602(c) of the zoning code. This variance request seeks relief from the 30-foot front setback, as well as the rear setback and lot coverage restrictions, in order to install an accessory shed that complements the primary townhouse structure. Requested Variance: The proposed shed encroaches into the required 30-foot front setback, as it is positioned approximately [insert encroachment distance] from the front property line. Additionally, the rear property line setback for the shed is approximately 20 feet, whereas the zoning code specifies a minimum setback of 5 feet for accessory structures such as sheds. Furthermore, the lot coverage for the property is subject to the 40% maximum coverage rule, and the shed's inclusion must comply with this limitation. The accessory structure is designed to ensure that it will not exceed the height of the principal structure (the townhouse), as required by the zoning code. Justification for Variance: 1. Encroachment into Front Setback: The property is a [corner lot, large lot, or unique configuration], and the 30-foot front setback presents challenges in placing the shed while maintaining reasonable use of the lot. The proposed location of the shed will not obstruct views or create adverse impacts on the streetscape or adjacent properties. The lot's unique configuration and substantial front yard (over [insert number] feet) mitigate the effect of the front setback encroachment. 2. Rear Setback: The proposed shed is situated [insert measurement] feet from the rear property line, which is in line with the 5-foot setback for accessory structures in the zoning code. The rear property line is also adjacent to a [mention any easement, alleyway, or space] that provides additional separation from neighboring properties, ensuring that the shed will not affect privacy or sightlines. 3. Lot Coverage: The 40% lot coverage maximum is being carefully considered to ensure that the combined footprint of the shed and existing structures does not exceed the allowed coverage. The shed's size and design have been tailored to comply with this requirement, and the impact on overall lot coverage remains within permissible limits. 4. Height Compliance: The shed has been designed with a gambrel-style roof and will not exceed the height of the principal townhouse structure, as stipulated in the zoning code. The structure will maintain the aesthetic integrity of the neighborhood, and its height will be consistent with other accessory structures in the area. Conclusion: In light of the unique characteristics of the lot and the efforts made to design the shed in compliance with zoning regulations, I respectfully request that the Board of Zoning Appeals approve this variance request. Granting this variance will allow for reasonable use of the property without negatively impacting neighboring properties or the community.”

STAFF NOTE: The proposed two-story detached garage would meet the rear yard setback of 20 feet, and according to City staff calculations, the lot coverage would remain below the maximum of 40% (see page 10 for rear setback illustration and page 12 for lot coverage calculations).

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, Lot 1 – Block A, Jamestown at Whitehurst Landing, Section 1," dated January 17, 2025, and prepared by DKT Associates Land Surveyors (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 detached garage shall meet all City Zoning Ordinance requirements for use.
3. The subject detached garage shall not exceed a height of 30 feet and contain no more than two stories.
4. No portion of the subject detached garage shall cross into the City right-of-way at any time. This includes swinging doors and the like.
5. The applicant, or any future owner of the subject property, shall maintain the accessory structure (i.e. shed) in good repair at all times or otherwise bring it into full compliance with the City Zoning Ordinance. For this condition, the Zoning Administrator is authorized to determine the meaning of 'good repair.'
6. 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.
7. 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.
8. 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.

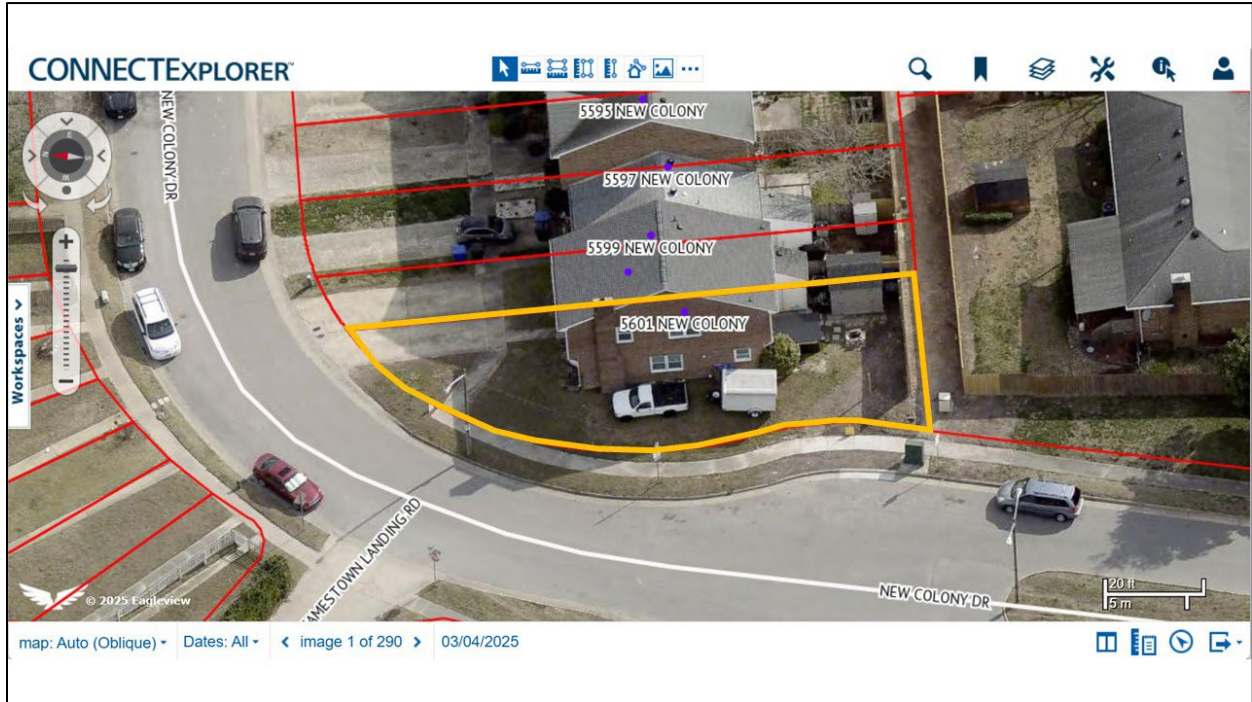
LOCATION MAPS:



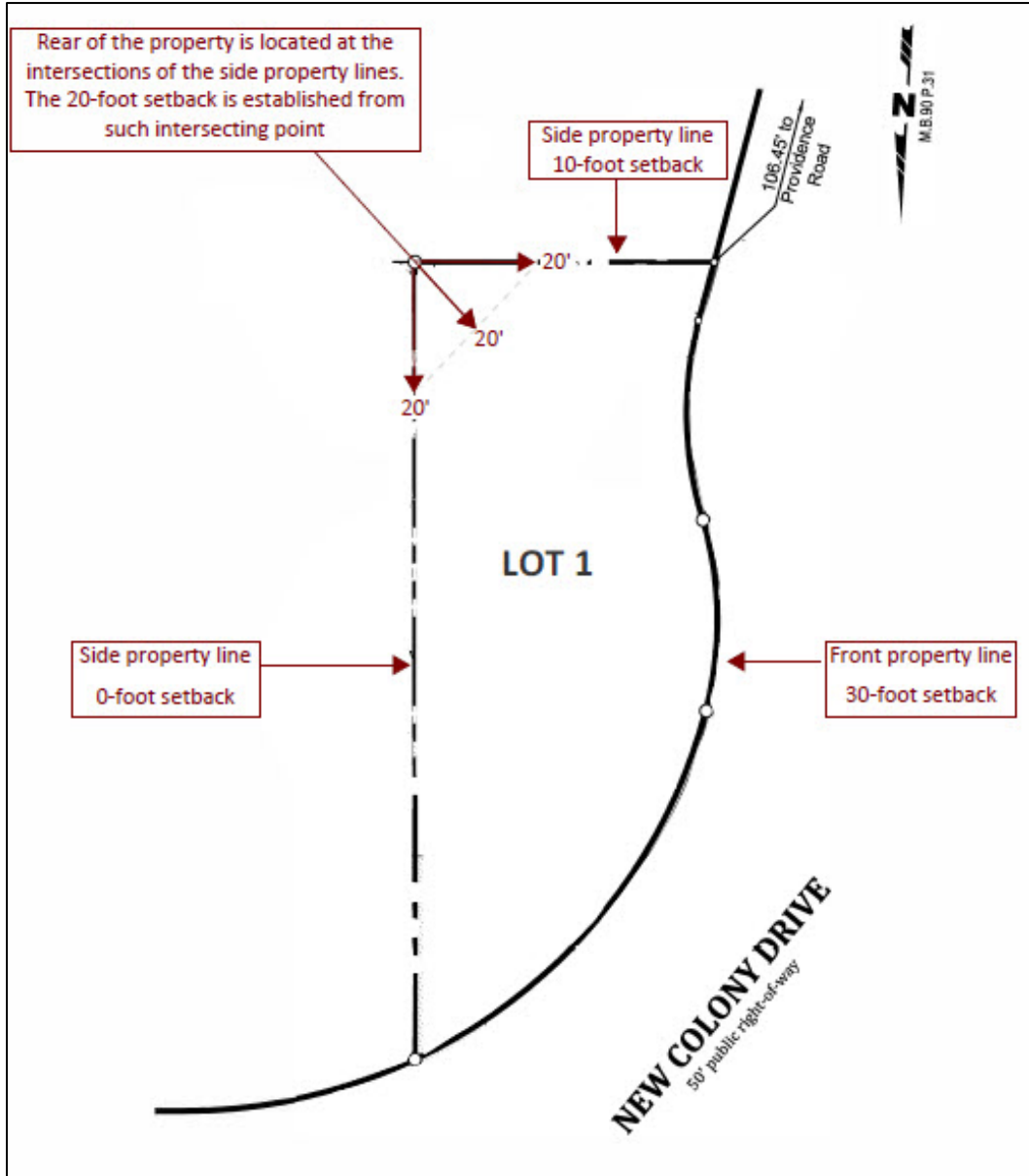
AERIAL:



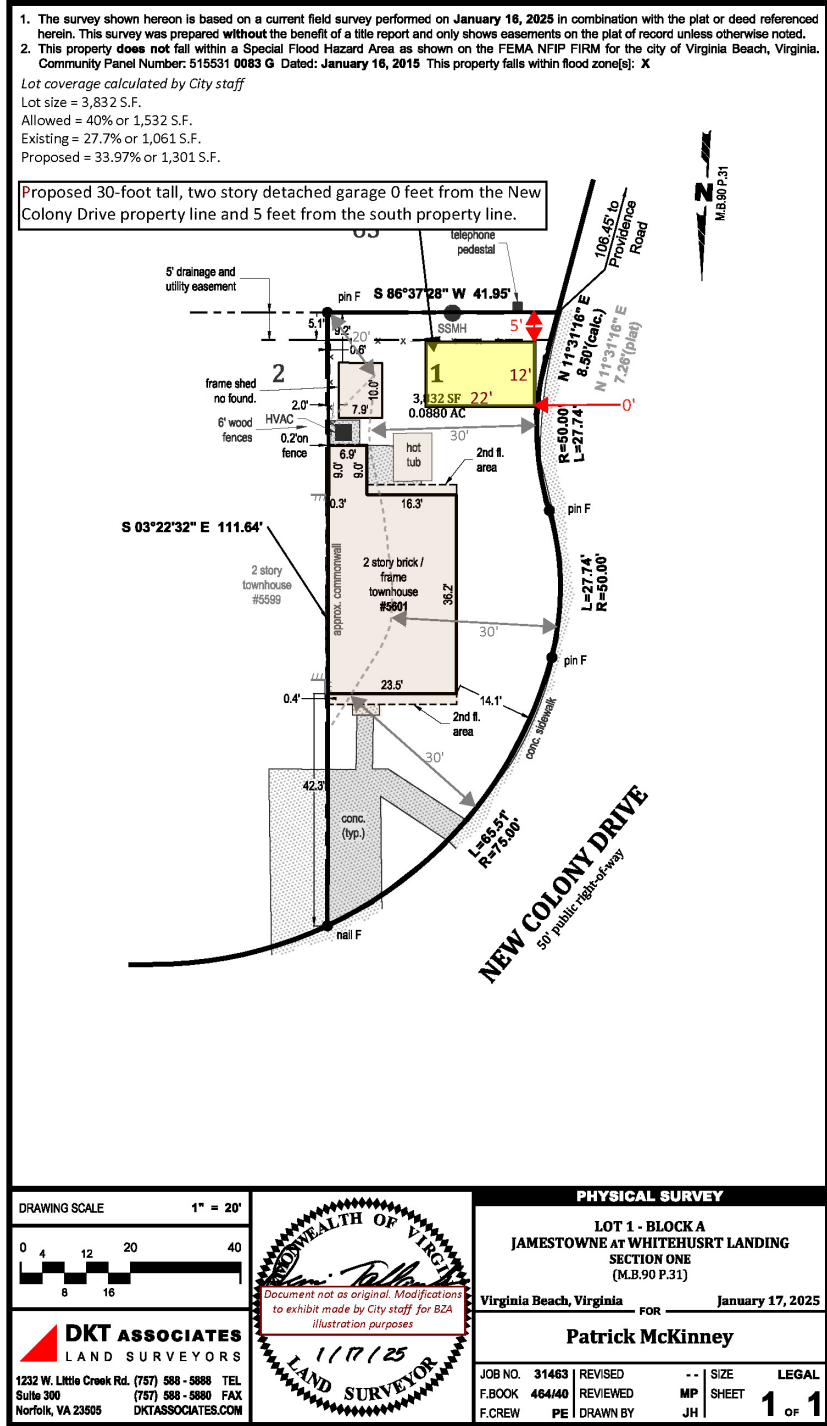
AERIAL (DETAIL):



PROPERTY LINE DESIGNATIONS:



SITE PLAN (EXHIBIT A):



SITE PLAN DETAIL (EXHIBIT A):

Lot coverage calculated by City staff

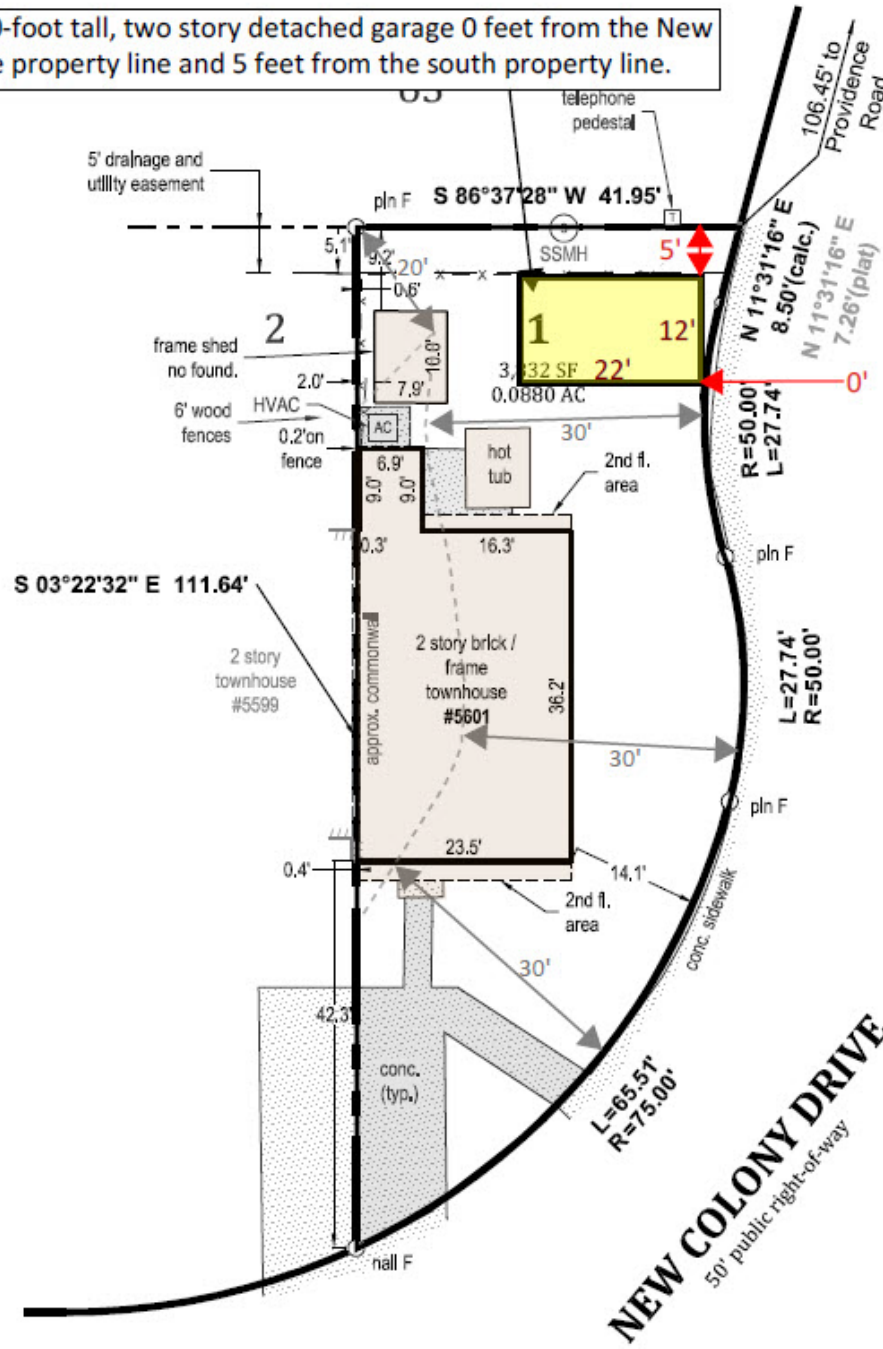
Lot size = 3,832 S.F.

Allowed = 40% or 1,532 S.F.

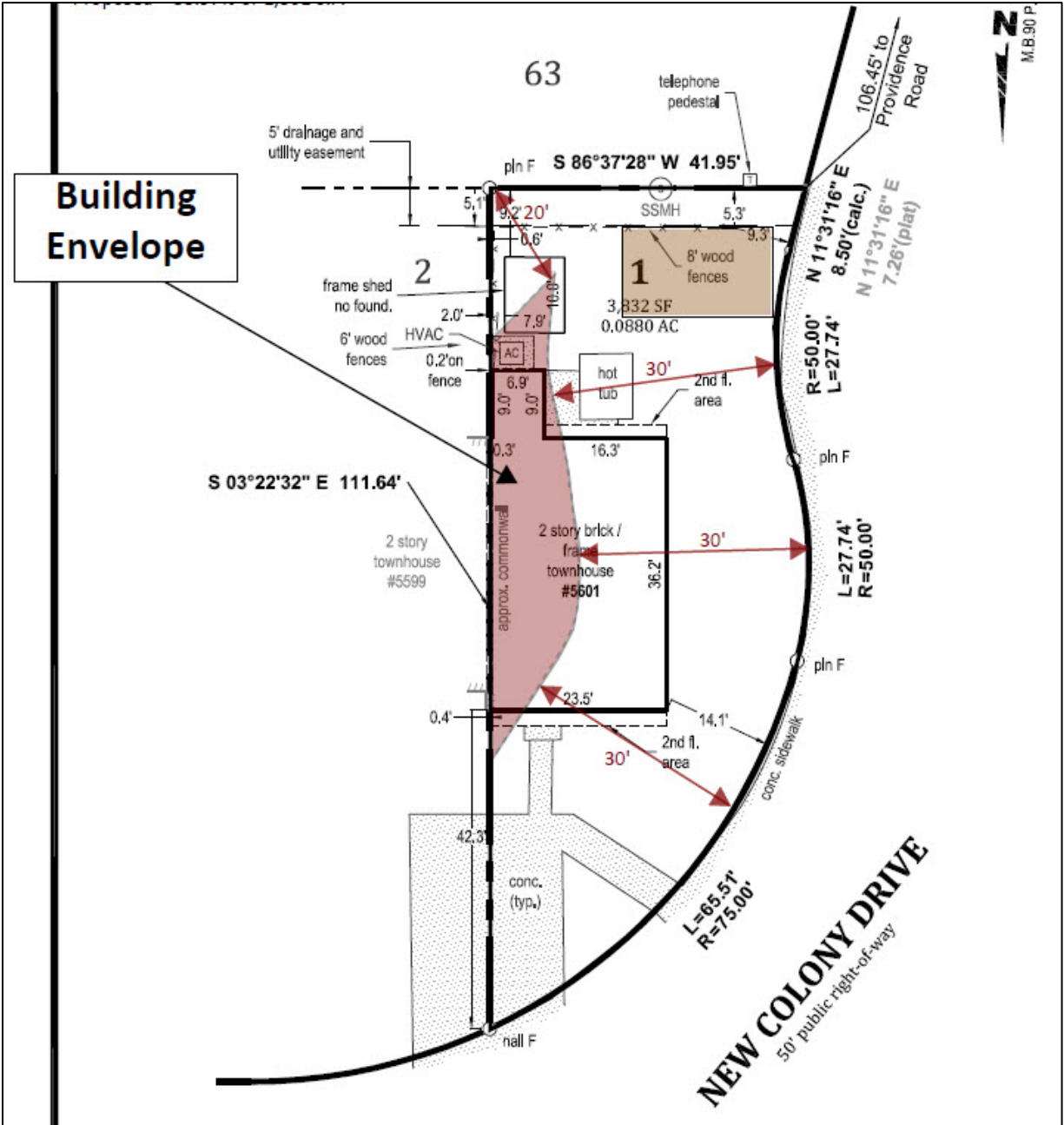
Existing = 27.7% or 1,061 S.F.

Proposed = 33.97% or 1,301 S.F.

Proposed 30-foot tall, two story detached garage 0 feet from the New Colony Drive property line and 5 feet from the south property line.



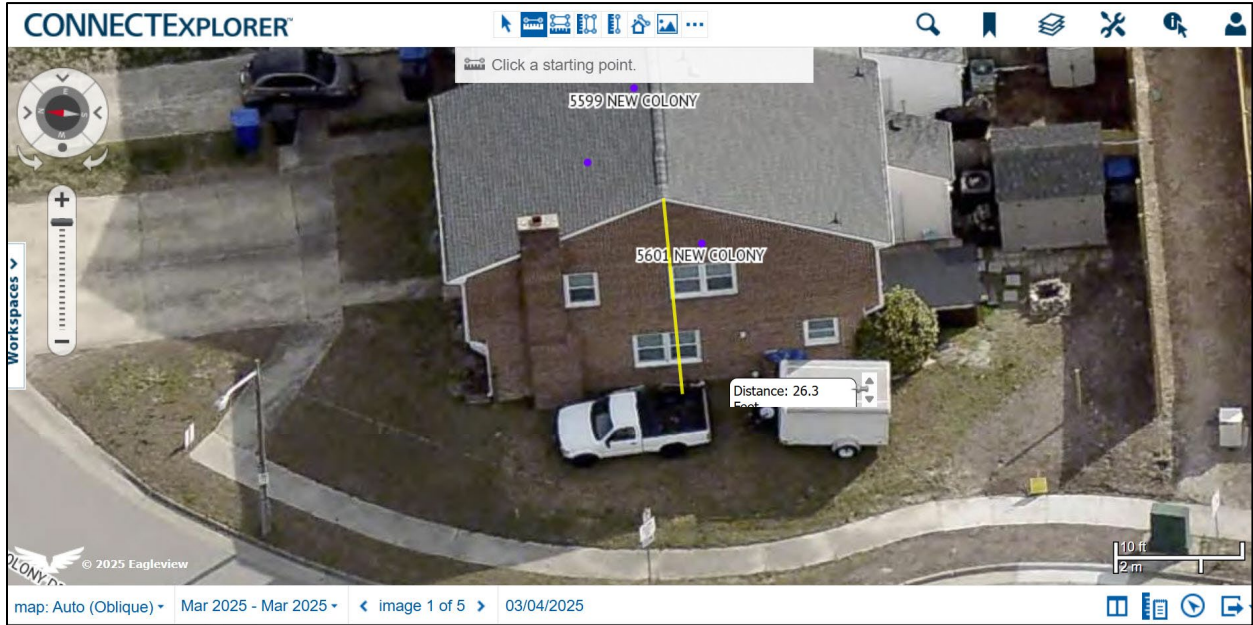
SITE (BUILDING ENVELOPE):



AERIAL (WITH PROPOSED IMPROVEMENTS):



AERIAL (APPROXIMATE HEIGHT OF SUBJECT TOWNHOME):



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: as listed on application Patrick McKinney

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: _____

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 <i>(Name entity and/or individual)</i>
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="radio"/>	<input checked="" type="radio"/>	
Real Estate Broker/Agent/Realtor	<input type="radio"/>	<input checked="" type="radio"/>	

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



CASE: 2026-BZA-00019 - EDC Homes I LLC
HEARING DATE: May 6, 2026
TO: Chairman, Board of Zoning Appeals
FROM: Wilissa Blair-Miller, Planner III

ADDRESS ASSOCIATED WITH VARIANCE REQUEST:

477 Southside Road

REPRESENTATIVE:

Billy Garrington of GPC, Inc., in partnership with R. Edward Bourdon, Jr. Esq., of Sykes, Bourdon, Ahern, & Levy, PC

VARIANCE REQUEST(S) (ABBREVIATED):

Variance to the maximum allowable lot coverage 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. **LOT COVERAGE:** A variance to permit 38% lot coverage instead of 35% as allowed for a proposed single-family dwelling.

GEOGRAPHIC PARCEL INFORMATION NUMBERS (GPIN):

2427-20-0591

LOT AREA:

- 5,115 square feet (.11 acres) (per BZA exhibit)

AICUZ:

70-75 decibels

REGULATORY WATERSHED AND FLOOD ZONE:

- Atlantic Ocean
- X (area determined to be outside the 500-year flood)

VOTING DISTRICT:

District 5

PREVIOUS BOARD OF ZONING APPEALS VARIANCE(S):

March 31, 1989 (approved)

A variance of 7 feet to a 3-foot rear yard setback instead of 10 feet as required and of 3 feet to a 2-foot side yard setback south side instead of 5 feet as required accessory building-storage shed.

Conditions:

Granted subject to applicant obtaining an encroachment agreement from the public works/real estate right-of way division

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

- Single-family (built in 1942) (to be demolished)
- R-7.5 (Residential District)
- Not in a Strategic Growth Area

SURROUNDING LAND USES/ZONING DISTRICTS:

- North: Residential (single-family), R-7.5
- South: Residential (single-family), R-7.5
- East: Residential (single-family), R-7.5
- West: Residential (single-family), R-7.5

EXISTING CONDITIONS:

- N/A (existing home to be demolished)

EXTENT OF PROJECT:

Single-family Dwelling (variance requested)

Proposed single-family dwelling covering 37.97% of the lot instead of 35% as allowed.

BACKGROUND INFORMATION:

According to City records, the subject property was originally recorded by plat in 1926, then rerecorded on a replat in 1957 (map books 7 and 26 at pages 169 and 57 respectively).

The subject property is situated roughly mid-block between Hobart Avenue and Grace Avenue along Southside Road. Because the parcel abuts private property at all boundaries except Southside Road, it is considered an interior lot, with the boundary abutting Southside Road defined as the lot front.

The subject parcel does not meet the current minimum required lot area of 7,500 square feet, nor does it meet the current minimum required lot width of 75 feet adjacent to Southside Road. Instead, the lot area is 5,115 square feet and the lot width is 50 feet. Nevertheless, due to the age of the parcel, these lot area and width deficiencies are legally nonconforming.

The applicant is requesting a variance to permit roughly 38% lot coverage instead of the maximum of 35% as allowed by the City Zoning Ordinance. It is worth noting that the legally nonconforming lot area associated with the subject property arguably gives rise to the need for the requested variance. In other words, if the subject property met the modern 7,500 square foot lot area requirement, then the proposed 1,942 square foot lot coverage would only cover 25.9% of the parcel (i.e., $7,500 \times 25.9\% = 1,942.5$).

KEY CONSIDERATIONS:

- The strict application of the ordinance seems to unreasonably restrict the utilization of the property based on the legally substandard size of the lot.
- If the subject property met the modern 7,500 square foot lot area requirement, the proposed 1,942 square foot lot coverage would only cover 25.9% of the parcel.

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

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

APPLICANT STATED HARDSHIP:

“This lot in the Rudee Heights neighborhood on the south side of General Booth Boulevard was created by Plat in 1926, almost three (3) decades before Princess Anne County first adopted a Subdivision Ordinance and a Zoning Ordinance. This 50 foot wide lot containing 5,115 square feet has now been zoned R-7.5 and is thus 32% smaller than the minimum 7500 square foot lot size. In addition, the lots in the subject block today vary dramatically in size. Within the block the subject property is located, the lot square footages vary from as small as 4,041 square feet to as high as 14,809.35 square feet. With only 5,115.2 square feet the subject property is smaller than 18 of the 21 lots in this block. This lot has only 1/3rd the square footage of the average size of the seven (7) lots across Southside Road from this block.

The City has modified its Zoning District regulations to encourage covered front porches in all single family residential districts, R-7.5 through R-40 by permitting the covered porch to be setback 10 feet closer than the building setback (in this case 20’ vs 30’).

The applicant proposes to redevelop this property by constructing a high quality home, meeting all setbacks, including a 126.4 square foot front porch. It would be contrary to the City Council’s intended result (incentivize the creation of more usable front porches) adding a reduced foot front yard setback (here 20 feet instead of 30 feet) solely for covered porches if the desired porches are not built due to the fact that they reduce the allowed heated and air conditioned space in the home itself.

The hardship is the fact that while the maximum lot coverage applicable to the smallest lots zoned R-7.5 (i.e. 7500 sq. ft.) would be 2,625 sf (35% of the minimum lot size), the 35% maximum placed on a lot existing prior to the adoption of a Zoning Ordinance which made it instantly non-conforming at 32% less lot size (5,115 sf v. 7500 sf) than the district minimum.

The property owner’s hardship is compounded and the City’s desire to encourage wide, usable front porches to increase community interaction is thwarted if a variance is not attainable.

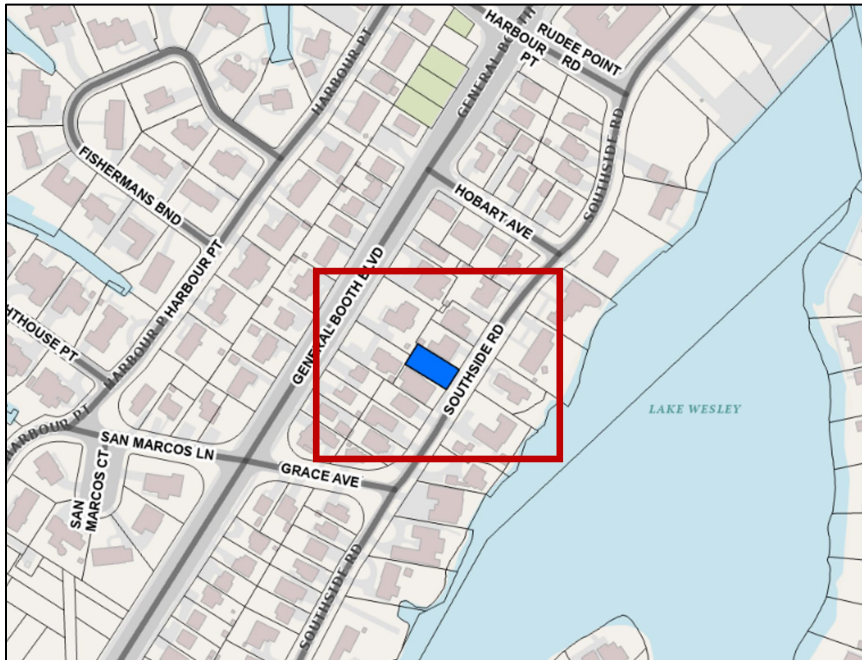
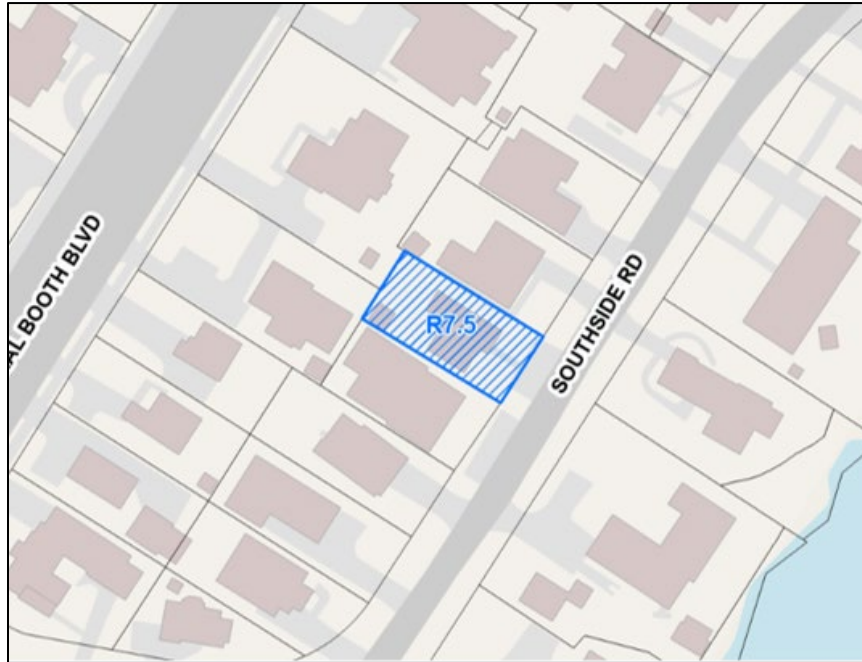
The proposed dwelling meets every setback and dimensional requirement of the R-7.5 Zoning District. The lot coverage of the proposed home without the porch would be just under one half of one percent (0.0049%) or 25.48 square feet above thirty-five percent (i.e. 35.0049%) of the square footage of this lot. Certainly, a di minimis variance considering the fact that the lot is thirty-two percent (32%) smaller than the district minimum.

This hardship is not shared generally with other properties in the District and most critically the presence of such a wide variation in lot sizes within this block and this neighborhood is the type of unique and unanticipated circumstance which the creation of a BZA was intended to address. This variance, if granted, will certainly not be of substantial detriment to any adjacent property, nor will it change the character of the District. Granting the variance for the 126.4 square feet of lot coverage for the covered front porch will be in harmony with the intended spirit and purpose of the Ordinance and most particularly the City Council’s purpose for creating the additional 10’ of buildable area for covered front porches.”

RECOMMENDED CONDITIONS IF APPROVED:

1. The proposed improvements shall be constructed in substantial conformance to the City staff modified and marked exhibit titled, “BZA Exhibit for Lot Coverage, Lot 20, Block J, Rudee Heights,” dated February 20, 2026, Gallup Surveyors and Engineering, (shown as *Exhibit A* in this staff report). This condition does not permit deviations from any applicable laws, codes, policies, or interpretations not specifically requested by the applicant and granted by the Board of Zoning Appeals. Nevertheless, this condition shall not prohibit improvements to the subject property that otherwise comply with minimum requirements of the City Zoning Ordinance. The Zoning Administrator has the right to interpret substantial conformance with the Board approved plan, which may include considerations based on details found in the associated staff report and compliance with the *Public Works Design Standards Manual*.
2. The proposed improvements shall be constructed in substantial conformance to the submitted elevation drawings and renderings titled, “477 Southside Project,” dated February 16, 2026, and prepared by Designer Roy French (shown as *Elevation Drawings and 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. Enclosure of the proposed covered first floor front porch is not permitted. The Zoning Administrator shall have the right to interpret the definition of the term *enclosure*.
4. The existing shed located within the western corner of the subject parcel shall be removed from the site.
5. Unless an additional zoning variance to further exceed the maximum allowable lot coverage is granted by the Board of Zoning Appeals, the current property owner of the subject parcel, or any subsequent property owner(s), shall not be permitted to utilize the zoning variance granted on March 31, 1989, for a shed.
6. 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.
7. 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.
8. 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.

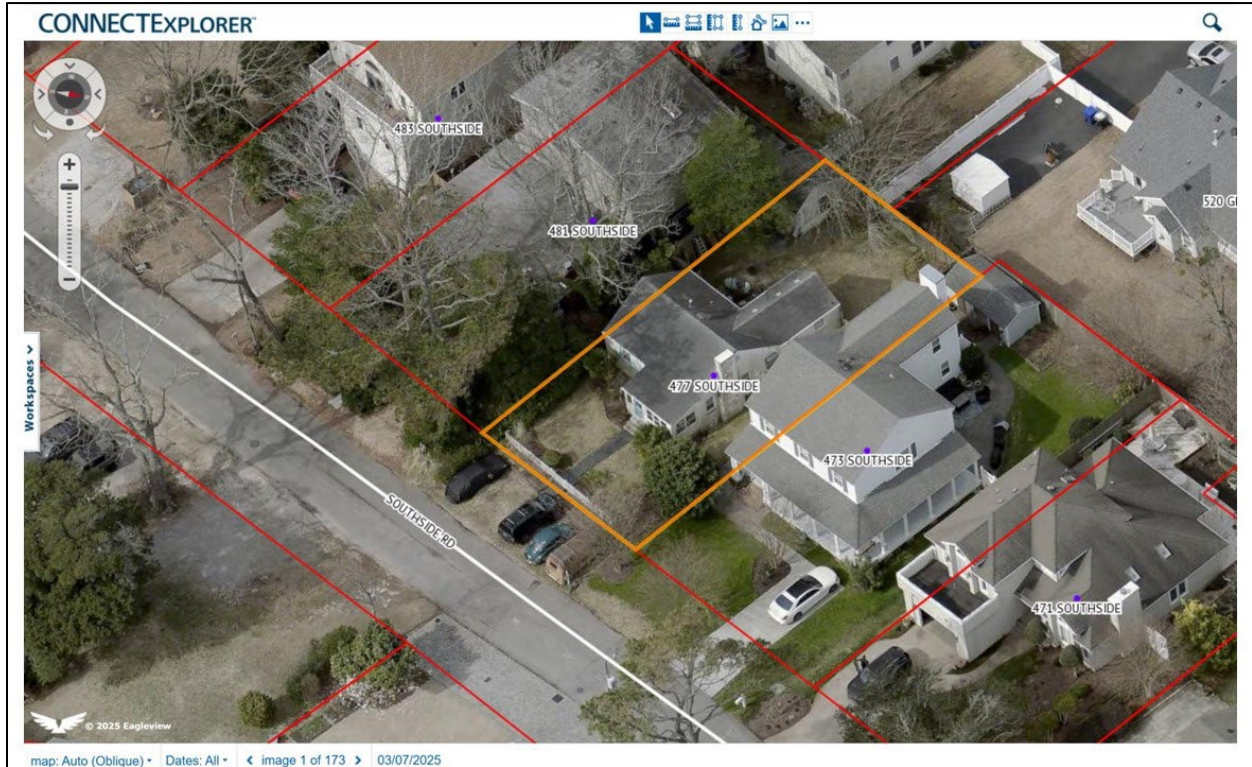
LOCATION MAPS:



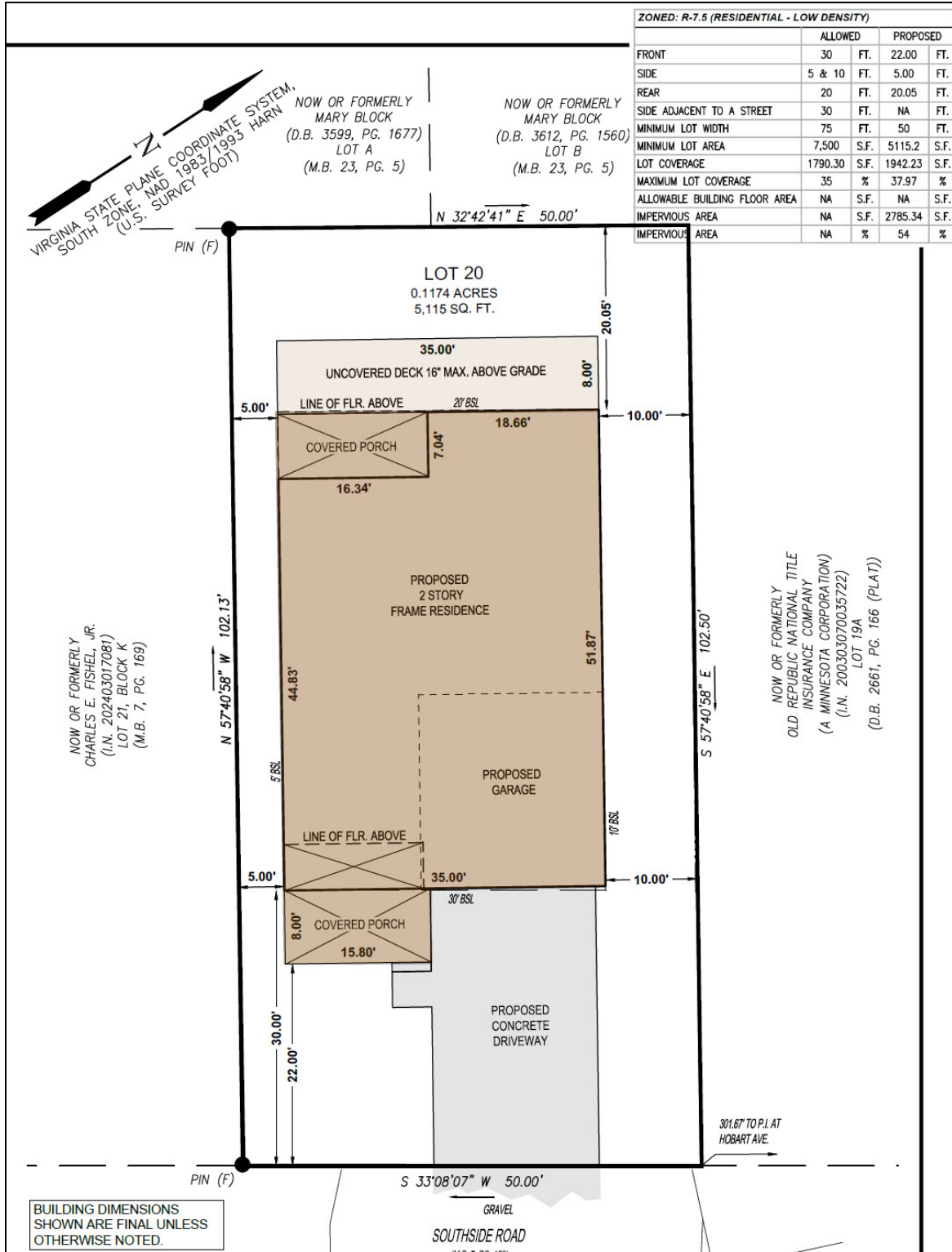
AERIAL:



AERIAL (DETAIL):



SITE PLAN DETAIL (EXHIBIT A):



ZONED: R-7.5 (RESIDENTIAL - LOW DENSITY)			
	ALLOWED	PROPOSED	
FRONT	30 FT.	22.00	FT.
SIDE	5 & 10 FT.	5.00	FT.
REAR	20 FT.	20.05	FT.
SIDE ADJACENT TO A STREET	30 FT.	NA	FT.
MINIMUM LOT WIDTH	75 FT.	50	FT.
MINIMUM LOT AREA	7,500 S.F.	5115.2	S.F.
LOT COVERAGE	1790.30 S.F.	1942.23	S.F.
MAXIMUM LOT COVERAGE	35 %	37.97	%
ALLOWABLE BUILDING FLOOR AREA	NA S.F.	NA	S.F.
IMPERVIOUS AREA	NA S.F.	2785.34	S.F.
IMPERVIOUS AREA	NA %	54	%

BUILDING DIMENSIONS SHOWN ARE FINAL UNLESS OTHERWISE NOTED.

PHOTOGRAPHS:



ELEVATION DRAWINGS AND RENDERINGS:



477 SOUTHSIDE PROJECT

SQUARE FOOTAGE
 MAIN LEVEL - 2,375 SF
 LOWER LEVEL - 1,800 SF
 TOTAL SF - 4,175 SF

477 SOUTHSIDE PROJECT
 NO ROOF DECK
 VICTORIA BUCH

REVISION:
 2/16/2026 8:11:24 PM

Every attempt has been made in the preparation of these drawings to avoid errors. The designer will not be held liable for any errors or omissions in these drawings.

THIS PROPERTY WILL BE NOISE TESTED PER TO GO BEING ISSUED IN LOCATION THAT REQUIRES IT

NOT FOR CONSTRUCTION BIG SET (AND TRADE SET)

NO.	DATE	REVISION



COVER SHEET

A01

Scale:

ELEVATION DRAWINGS AND RENDERINGS:

2 LEFT ELEVATION1
1/4" = 1'-0"

1 FRONT ELEVATION A1
1/4" = 1'-0"

4 RIGHT ELEVATION1
1/4" = 1'-0"

3 REAR ELEVATION1
1/4" = 1'-0"

477 SOUTHSIDE PROJECT
NO ROOF DECK
VICTORIA BEACH

REVISION:
2/16/2026 6:11:31 PM

Every attempt has been made in the preparation of these drawings to avoid mistakes. The designer will not be held liable for any errors or omissions in these drawings.

THIS PROPERTY WILL BE BORNE HEREIN PRIOR TO CC BEING ISSUED IN LOCATION THAT REQUIRES IT

NOT FOR CONSTRUCTION
80 SET AND TRADE SET


designer

ELEVATIONS

A201

Scale: 1/4" = 1'-0"

DISCLOSURE STATEMENT:



CITY OF
**VIRGINIA
BEACH**

Disclosure Statement

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SECTION 1: APPLICANT DISCLOSURE

APPLICANT INFORMATION

Applicant Name: EDC Homes I, LLC, a Virginia limited liability company
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: Billy Garrington, Governmental Permitting

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.)

Nicholas Jacovides, Sole Member

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 <small>(Name entity and/or individual)</small>
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input checked="" type="radio"/>	<input type="radio"/>	Atlantic Union Bank
Real Estate Broker/Agent/Realtor	<input type="radio"/>	<input checked="" type="radio"/>	

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

DISCLOSURE STATEMENT:

SECTION 1: APPLICANT DISCLOSURE *continued*

SERVICE	YES	NO	SERVICE PROVIDER <i>(Name entity and/or individual)</i>
Accounting/Tax Return Preparation	<input type="radio"/>	<input checked="" type="radio"/>	
Architect/Designer/Landscape Architect/Land Planner	<input checked="" type="radio"/>	<input type="radio"/>	Roy French, Designer
Construction Contractor	<input checked="" type="radio"/>	<input type="radio"/>	EDC Homes I, LLC
Engineer/Surveyor/Agent	<input checked="" type="radio"/>	<input type="radio"/>	David Butler, Gallup Surveyors & Engineers, Ltd.
Legal Services	<input checked="" type="radio"/>	<input type="radio"/>	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.

Nicholas Jacovides, Sole Member  2/25/26
 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): 04.13.2026

Wilissa Blair-Miller  04.13.2026
 Staff Name (Print) Staff Signature Date

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CASE: 2026-BZA-00020 - Coffee Sandcastle Refuge, LLC
HEARING DATE: May 6, 2026
TO: Chairman, Board of Zoning Appeals
FROM: Wilissa Blair-Miller, Planner III

ADDRESS ASSOCIATED WITH VARIANCE REQUEST:

3600 Sandfiddler Road

REPRESENTATIVE:

Billy Garrington of GPC, Inc.

VARIANCE REQUEST(S) (ABBREVIATED):

Variances to the required yards for a proposed inground swimming pool, pool equipment, landscaping, and privacy fence.

VARIANCE REQUEST(S) (DETAILED):

The following variances are requested pursuant to Article 2, Section 201(a), Article 2, Section 201(e), and Article 5, Section 502(a) of the City Zoning Ordinance:

1. **SIDE YARD ADJACENT TO UNIMPROVED SEASCAPE ROAD (NORTH):** A side corner setback variance to 10 feet instead of 30 feet as required for a proposed inground swimming pool.
2. **SIDE YARD ADJACENT TO UNIMPROVED SEASCAPE ROAD (NORTH):** A side corner setback variance to 24 feet instead of 25 feet as required for proposed mechanical equipment associated with a swimming pool.
3. **SIDE YARD ADJACENT TO UNIMPROVED SEASCAPE ROAD (NORTH):** A side corner setback variance to 0 feet instead of 10 feet as required for a proposed 6-foot-tall privacy fence.
4. **CATEGORY I LANDSCAPING:** A variance to waive the required category I landscaping in the required yard abutting the proposed privacy fence.

GEOGRAPHIC PARCEL INFORMATION NUMBERS (GPIN):

2432-75-1642

LOT AREA:

- 29,979 square feet (.68 acres) (per BZA exhibit)

AICUZ:

Less than 65 decibels

REGULATORY WATERSHED AND FLOOD ZONE:

- Atlantic Ocean
- VE (Coastal areas with a 1% or greater chance of flooding and an additional hazard associated with storm waves)

VOTING DISTRICT:

District 2

PREVIOUS BOARD OF ZONING APPEALS VARIANCE(S):

August 15, 2001 (granted)

A variance to a 30-foot front yard setback instead of 50 feet as required a proposed single-family dwelling.

NOTE: On April 11, 2006, City Council adopted an amendment to the City Zoning Ordinance that reduced all required front yards associated with R-20 zoned lots on the east side of Sandfiddler Road. This amendment reduced such required front yards from 50 feet to 30 feet.

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

- Single-family (unknown build date as home was demolished)
- R-20 (Residential District)
- Not in a Strategic Growth Area

NOTE: The subject property is located within the Sandbridge Suburban Focus Area (SSFA). The November 20, 2018, adopted revision to the City's Comprehensive Plan includes no recommendations pertaining to single-family dwelling use within the SSFA.

SURROUNDING LAND USES/ZONING DISTRICTS:

- North: Residential (single-family), R-20
- South: Residential (single-family), R-20
- East: Water body (Atlantic Ocean)
- West: Residential (single-family), R-10

EXISTING CONDITIONS:

- N/A (existing dwelling demolished – demolition permit 2025-BDMR-22726)

EXTENT OF PROJECT:

Proposed inground swimming pool, pool equipment, and privacy fence (variances requested)

The proposed improvements are associated with the construction of a new single-family dwelling, which is planned to meet all City Zoning Ordinance regulations.

BACKGROUND INFORMATION:

According to City records, the subject property was recorded by plat in 1966 (map book 70 at page 44).

The subject parcel sits at the intersections of Sandfiddler Road and unimproved Seascape Road. As a result, the property is considered a corner lot, with the parcel boundary abutting Sandfiddler Road defined as the front property line.

The subject parcel meets the current minimum required lot area of 20,000 square feet outside water, wetlands, or marsh and meets the current minimum 100-foot lot width adjacent to Sandfiddler Road.

The applicant is requesting a variance to encroach into the required side yard adjacent to unimproved Seascape Road with an inground swimming pool, associated pool mechanical equipment, and a 6-foot-tall wood privacy fence atop a bulkhead.¹ Moreover, the proposed fence placement would not allow for the planting of Category I landscaping on the subject property, which is required to be placed between all fences and right-of-way lines when such structures are 10 feet or less from those lines. Nevertheless, a condition requiring that the property owner apply for an encroachment allowance into the City right-of-way with appropriate landscaping abutting the subject privacy fence was added for Board consideration.

NOTE:

1. Fence height is measured from the grade being retained when sitting atop a bulkhead or a retaining wall.

KEY CONSIDERATIONS:

- Other than necessary beach access improvements and vegetation, Seascape Road is an unimproved City right-of-way that will likely remain unimproved in perpetuity.
- Because the height of the fence is measured from the retained grade, the fence will arguably appear quite tall when viewed from the City public beach access without the presence of landscaping to soften the massing of the fence/bulkhead combination. Erecting the proposed privacy fence at least 5-feet from the side corner property line would allow for a reduction in visual bulkhead/fence massing and the appropriate landscape buffer. Such 5-foot setback would still allow a 5-foot clearance between the proposed inground swimming pool and the privacy fence.

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

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

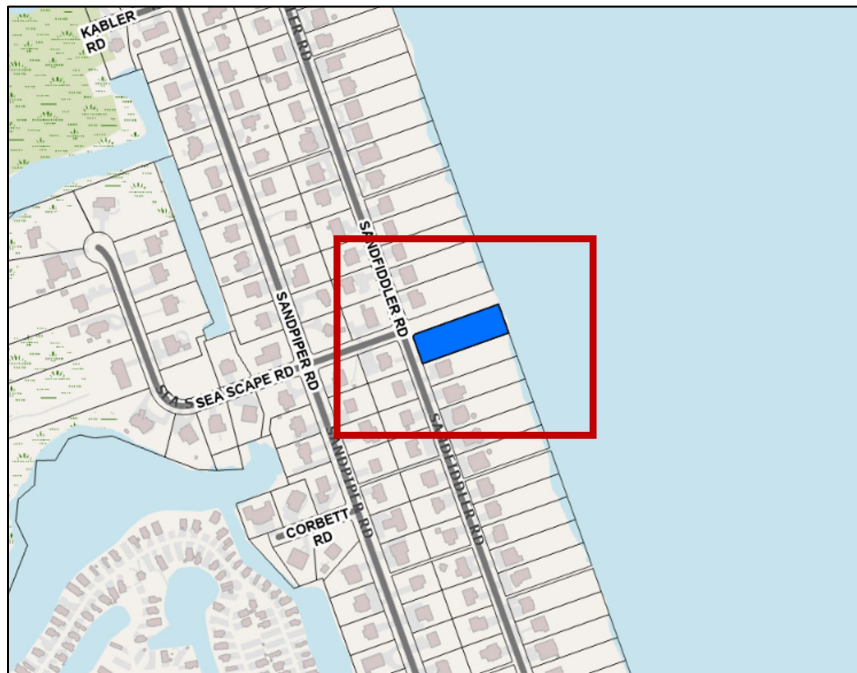
APPLICANT STATED HARDSHIP:

“The existing lot is situated on two (2) streets with frontage on Sandfiddler Road and Seascape Lane. Seascape Lane is an unimproved right of way and is not and will not be improved as it is currently an existing beach access walkway and open space planting area. The parcel also is impacted on the east side of the lot with the inability to develop an approximate 175' portion of the land due to an existing easement for the coastal primary dune. We feel that the double street frontage and desire not to seek an impact into the coastal primary dune demonstrates and provides evidence that the request meets the criteria based on the Code of Virginia section 15.2-2309.”

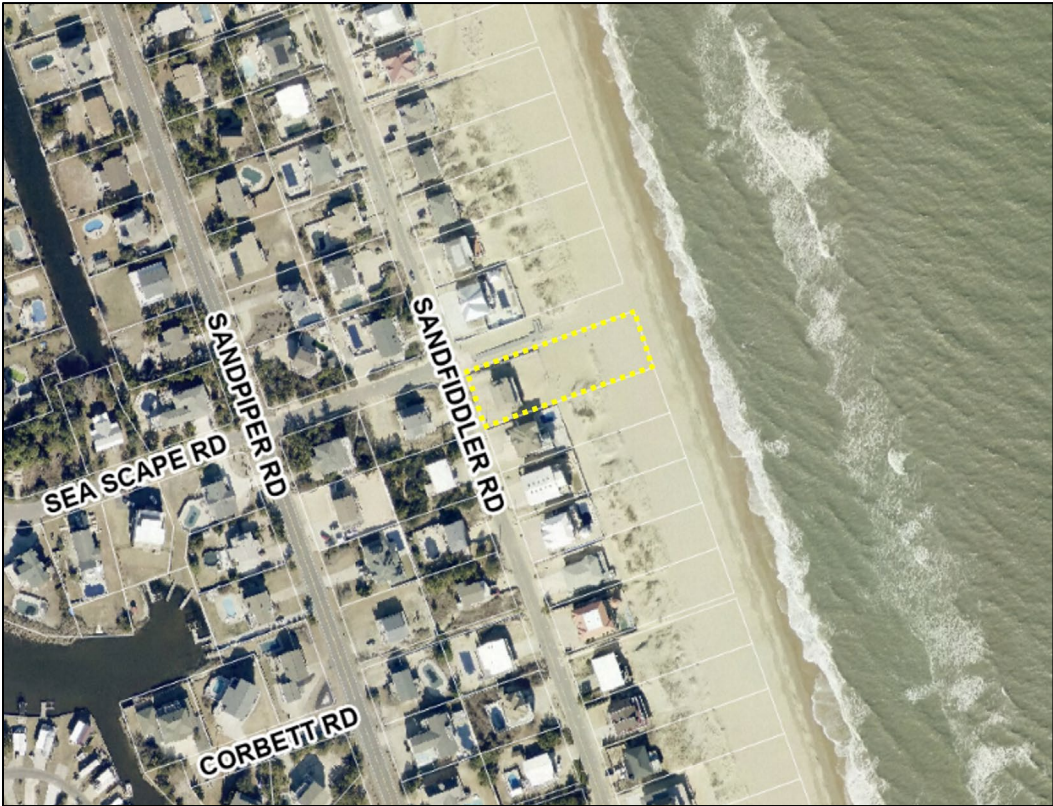
RECOMMENDED CONDITIONS IF APPROVED:

1. The proposed improvements shall be constructed in substantial conformance to the City staff modified and marked exhibit titled, “BZA Exhibit of Lot 1, Sandbridge Beach, Tract D – Section 3,” dated February 28, 2026, and prepared by WPL Landscape Architecture, Surveying, and Engineering (shown as *Exhibit A* in this staff report). This condition does not permit deviations from any applicable laws, codes, policies, or interpretations not specifically requested by the applicant and granted by the Board of Zoning Appeals. Nevertheless, this condition shall not prohibit improvements to the subject property that otherwise comply with minimum requirements of the City Zoning Ordinance. The Zoning Administrator has the right to interpret substantial conformance with the Board approved plan, which may include considerations based on details found in the associated staff report and compliance with the *Public Works Design Standards Manual*.
2. The property owner, or agent, shall collaborate in good faith with the City Department of Public Works to add appropriate Category I landscaping within the unimproved Seascapes Road right-of-way adjacent to the subject privacy fence. The applicant shall obtain proof of approval or denial of the landscape plantings from the Public Works Department and/or City Council. Such proof shall be provided to the Zoning Administrator within six months of this Board action. The Zoning Administrator shall be authorized to define ‘in good faith,’ as the term is used in this condition. Due to the sandy soil at the subject site, appropriate plant species deviations from standard Category I landscaping may be approved by the proper Public Works Department landscape professional and/or the Planning Department landscape architect. This condition shall be void if the Board denies the requested variance for the subject privacy fence or they grant a 5-foot, or greater, side corner setback for the proposed privacy fence. If the Board chooses to grant a 5-foot, or greater, side corner setback variance instead of the requested 0-foot setback, then appropriate Category I landscaping shall be required in accordance with the City Zoning Ordinance.
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:



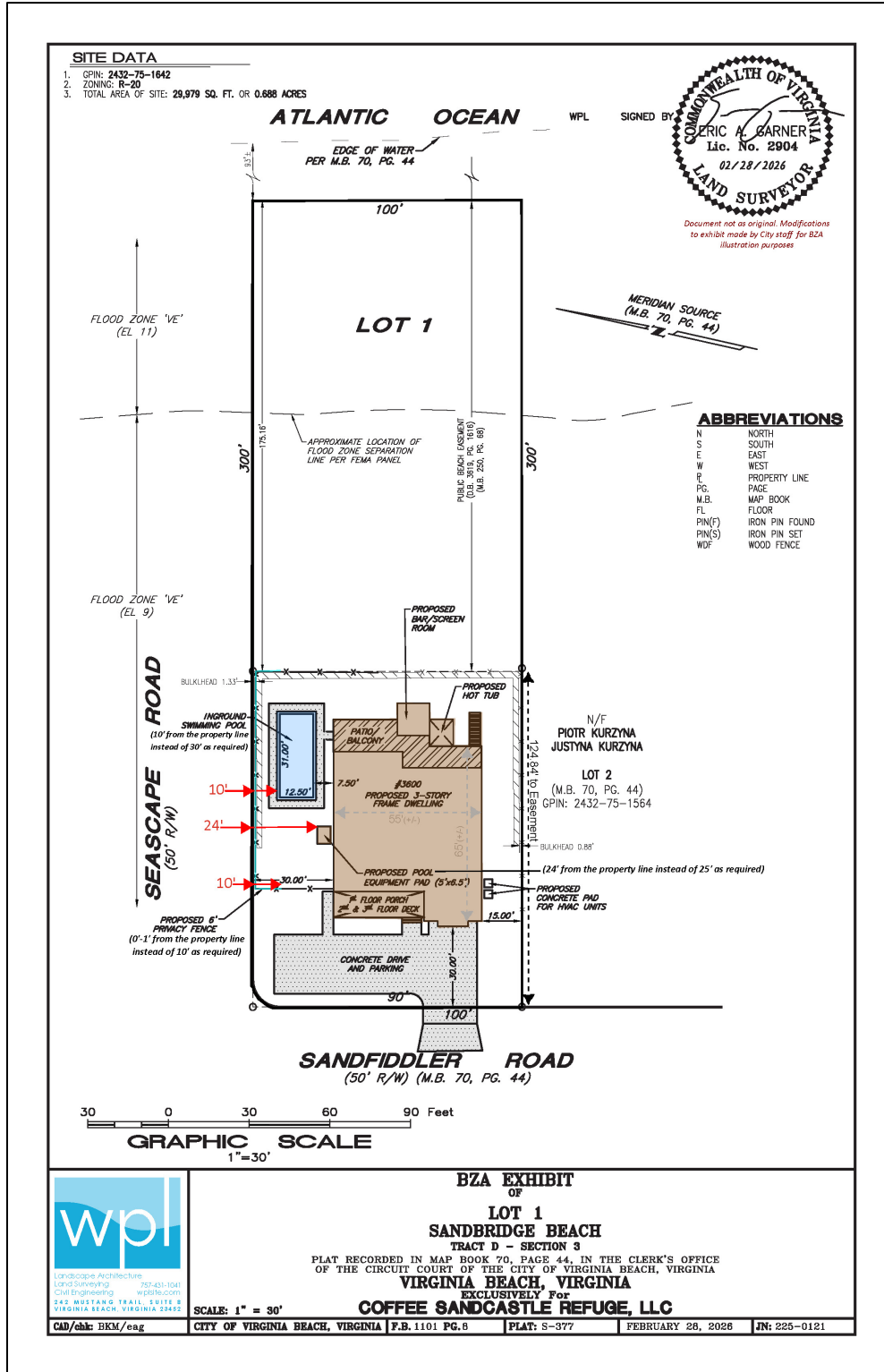
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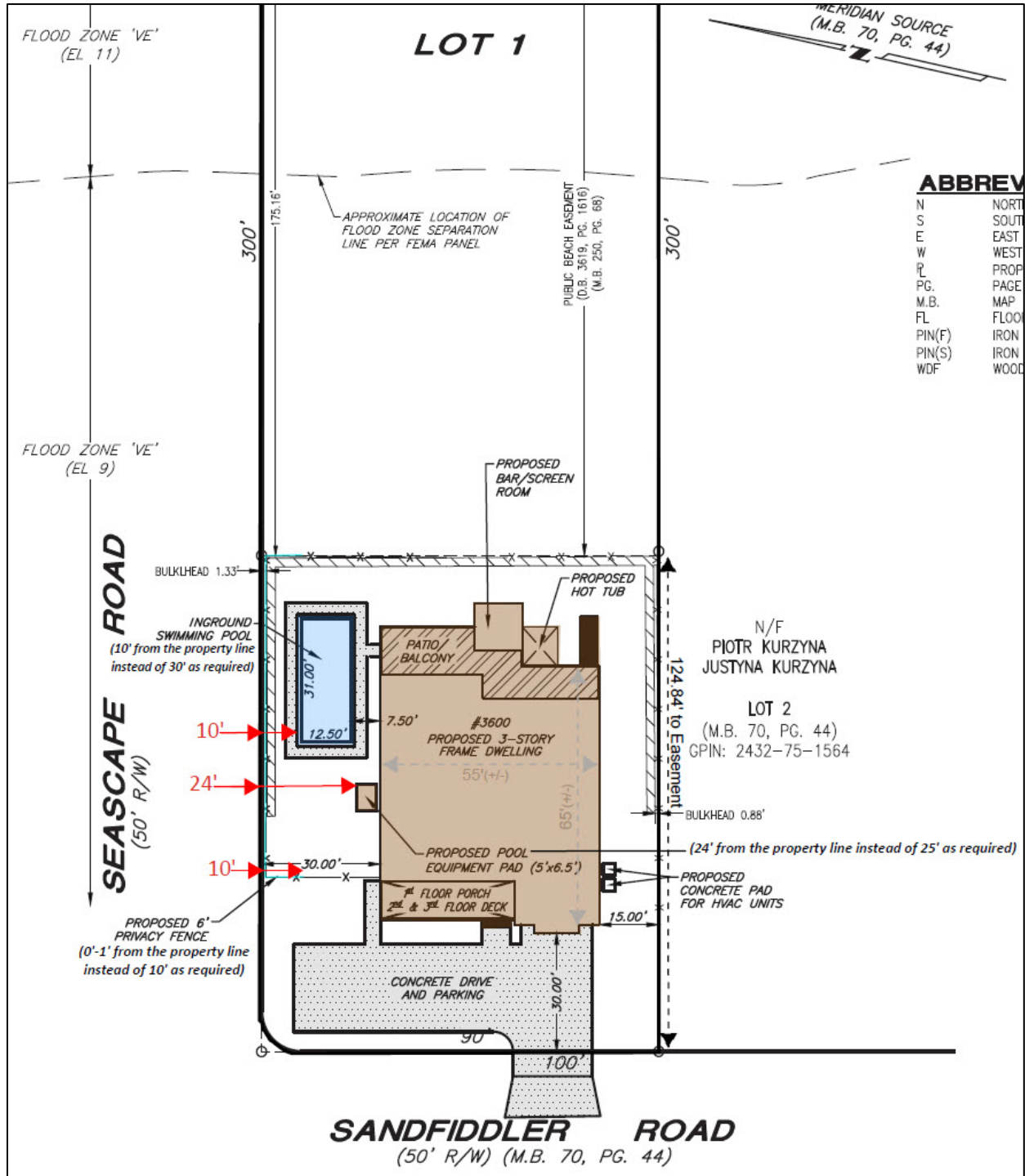
AERIAL (DETAIL):



SITE PLAN (EXHIBIT A):



SITE PLAN DETAIL (EXHIBIT A):




PHOTOGRAPHS:



PHOTOGRAPHS:



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: Coffee Sandcastle Refuge, LLC
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: Billy Garrington, GPC 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- subsidiary¹ or affiliated business entity² relationship with the applicant. (Attach list if necessary.)

Neil Coffee, President, Coffee Sandcastle Refuge, LLC

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 <small>(Name entity and/or individual)</small>
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="radio"/>	<input checked="" type="radio"/>	
Real Estate Broker/Agent/Realtor	<input type="radio"/>	<input checked="" type="radio"/>	

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



CASE: 2025-BZA-00075 - Colleen S. Wynn
HEARING DATE: May 6, 2026
TO: Chairman, Board of Zoning Appeals
FROM: Wilissa Blair-Miller, Planner III

DEFERRED CASE:

At the request of the applicant, this request was deferred at the public hearing on November 5, 2025.

ADDRESS ASSOCIATED WITH VARIANCE REQUEST:

525 Lake Drive

REPRESENTATIVE:

Theron Wynn, Husband of Property Owner

VARIANCE REQUEST(S) (ABBREVIATED):

A variance to the required side yard for a shed with deck and stairs.

VARIANCE REQUEST(S) (DETAILED):

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

1. **SIDE YARD (SOUTH):** A side yard setback variance to 0 feet instead of 10 feet as required for a shed with deck and stairs.

GEOGRAPHIC PARCEL INFORMATION NUMBERS (GPIN):

2427-04-5960

LOT AREA:

- 6,103 square feet (.1 acres)

AICUZ:

70-75 decibels

REGULATORY WATERSHED AND FLOOD ZONE:

- Atlantic Ocean
- AE (1% annual chance flood hazard)

On October 2, 2025, the following comments were received from Planning Department Environmental Unit staff:

“The property is located in the Special Flood Hazard Area Zone AE with a Base Flood Elevation of 8 feet NAVD 88.

The proposed shed needs to either be:

- *Elevated with a finished floor elevation of 10.0 or higher, or*
- *Flood resistant materials are required below elevation 10 and flood vents must be provided. Flood vents must provide at least 1 square inch of opening for every square foot of enclosed space. At least 2 flood vents must be installed on at least 2 sides of the enclosed space. Please see City Code, Appendix K, Section 4.3.C.3 for specific requirements.”*

VOTING DISTRICT:

District 5

PREVIOUS BOARD OF ZONING APPEALS VARIANCE(S):

None found

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

- Single-family (built in 1983)
- R-5S (Residential District)
- Strategic Growth Area: Resort

SURROUNDING LAND USES/ZONING DISTRICTS:

- North: Lake (Lake Holley) and Residential (single-family and multi-family), R-5S
- South: Residential (single-family), R-5S
- East: Residential (single-family), R-5S
- West: Residential (single-family), R-5S

EXISTING CONDITIONS:

- Dwelling: 21.6 feet from front property line (south)
- Dwelling w/shed: 10.5 (dwelling) and 0 feet (shed) from side property line (east)
- Dwelling: 4.3 feet from side property line (west)
- Dwelling: Greater than 20 feet from rear property line rear (north)

EXTENT OF PROJECT:**Existing shed with deck and stairs** (variance requested)

Existing shed with deck and stairs sitting 3-inches from the dwelling and 0 feet from the side property line (east).

BACKGROUND INFORMATION:

According to City records, the existing home was constructed in 1983. At the time of construction, the subject property was located within an R-7 zoning district. In 1988, the R-7 zoning district was renamed to R-5S, which is the current designation.

The applicant is requesting a variance to encroach into the required side yard (east) with an existing one-story shed and accompanying deck with stairs. The shed sits 3 inches from the dwelling (i.e., the principal structure) and 0 feet from the side property line (east). As per a long-standing Zoning Administration policy, structures less than 10 inches from a principal structure are considered part of such principal structure. Additionally, the eave height of the subject shed is greater than 8 feet when measured from grade, which increases the minimum side yard setback distance required of the structure (note: the subject shed has very shallow, almost nonexistent, eaves). Both the distance from the home and the height of the eaves require the subject shed to meet the same side yard setback as the dwelling, which is 10 feet in this instance. Notwithstanding, if the subject shed were positioned more than 10 inches from the home and the eave height from grade was 8 feet or less, the City Zoning Ordinance would allow a reduced side yard setback of 5 feet.

Based on *Connect Explorer* satellite imagery, and Google Corporation public street view imagery, the subject improvements were constructed between 2024 and 2025.

On July 10, 2025, the following zoning complaint was received by City Zoning staff:

“Complaint of a structure that was built attached to the side of the house and attached to the fence.”

On July 17, 2025, City staff issued a notice of violation to the property owner.

On August 20, 2025, this Board of Zoning Appeals variance request application was submitted.

The subject property is approximately 6,103 square feet in overall area, with roughly 1,940 square feet covered by the waters and marshes of Lake Holley. Moreover, according to the property owner's representative, another 830 square feet of land is subject to recurrent flooding. After subtracting the area presently occupied by the home, the widths of the required yards, the area of recurrent flooding, and all wet or marshy locations from the subject property's overall square footage, there is seemingly limited space for additional improvements.

This request may be viewed in a variety of ways. Some may argue the challenges associated with Lake Holley justifies the placement of the subject shed at its present location. Others may be sympathetic to the overall constraints caused by Lake Holley but may nevertheless feel reducing the required side yard to 0 feet is unwarranted. Still others may take a harder stance and claim the need for the requested variance is self-imposed. Because each argument appears to have some degree of merit, perhaps a solution lies with a reduced, but not fully eliminated, side yard setback. For instance, some localities allow small sheds to be located 3 feet from a side property line; conceivably, similar relief may be warranted.

It should be noted that the City Planning Department, Development Service Center Administrator, considers Lake Holley as a manmade drainage area, albeit with an origin and history that is a bit more nuanced. Because the City Zoning Ordinance specifies that manmade drainage areas constructed primarily for storage and retention of stormwater runoff shall be included when calculating allowable lot coverage, the entirety of the subject property can be used when completing this calculation. As a result, 2,441 square feet of lot coverage associated with the subject property is allowed. Because roughly 1,800 square feet currently covers the lot, the parcel falls below the maximum threshold.

On November 5, 2025, the applicant requested an indefinite deferral so they could record a maintenance easement on the neighboring property.

During the November 5th public hearing, the topic of fire separation was broached by the Board. At that time, it was believed by staff that the Statewide Building Code would require portions of the structure to contain fire rated assemblies due to its proximity to the property line and the existing dwelling. On November 6, 2025, staff reviewed the Statewide Building Code and discovered that 'detached' tool sheds and storage sheds are not required to provide wall protection (i.e., fire rated walls) based on their location within a lot. Staff discussed this code exemption with the City Building Official to determine if the current three-inch separation between the house and shed is considered 'detached.' The Building Official noted that the subject shed is detached as long as there are no structural connections between it and the subject dwelling. As City staff understands it from the applicant's representative, the home and the shed share no structural components. If true, the Building Official determined that no fire rated assemblies are required for the subject shed. Nevertheless, since the property is located within a special flood hazard area, the Building Official noted the requirement of a building permit to ensure minimum compliance with the City's Floodplain Ordinance.

NOTE: On April 8, 2026, a deed of easement was recorded associated with the abutting lot. The deed grants access to the subject property for maintenance of the shed located on the shared property line (please see pages 18-21 of this report to view a copy of the recorded deed of easement)

LIST OF ITEMS COMPLETED BY APPLICANT SINCE LAST HEARING (list provided by applicant's representative):

- Flood vents added according to code
- Smoke and fire detector added integrated with home alarm
- Easement agreement completed with the owner of the adjoining property
- Shed anchored to bring it into conformance with state and local codes

KEY CONSIDERATIONS:

- Granting relief to the required side yard would seemingly alleviate a hardship due to a physical condition relating to the property, although the degree of such relief is admittedly debatable.
- The applicant owned the property when the subject improvements were added to the parcel.

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

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

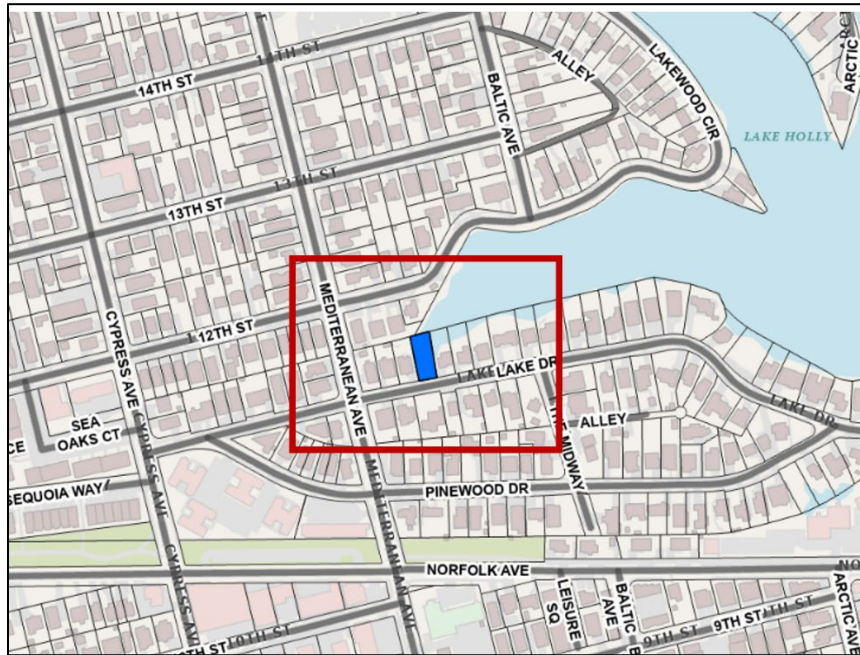
APPLICANT STATED HARDSHIP:

“Physical conditions of property and situation of improvements does not allow any other location to place a shed necessary for proper use of proper use enjoyment. Maintaining a residential property requires the use of tools such as lawn mowers, rakes, shovels, chainsaws, clippers etc. These items must be stored when not in use. Interior storage in closets inside the residence creates a safety hazard due to clutter, fumes, etc. The types of homes in the area without garages or space allowed inside for storage make additional storage space a requirement. To meet this requirement a shed is the only solution as offsite storage creates a financial burden as well as an extreme inconvenience. Along with property maintenance tools, other bulky items used seasonally must also be stored. Not being able to have a shed as a means to store these items severely impacts the use of the property as evidenced by the fact that the majority of properties utilize these as the only functional method of meeting this need. As I will demonstrate below, the current placement of the shed for which we seek a variance is a replacement for a previously existing shed of the same approximate footprint. It is built in the same location because that is the only place where it is possible to put it. The unique topography of the property makes any other site impossible. As stated briefly above, our property limits a building site for a shed to one specific location. The dwelling constructed on the property required pilings since it was built over the existing lake that bounds the lots 7 and 8. These are the lots on which the house was built. The lake and mud occupy roughly 70% of those lots. Of the remaining land (about 50%) is just several inches above lake level with a high-water table. Just the fact that the house was built over water on pilings is unique but beyond that if the house was removed from the property there would still be no other location where the shed could be built except by the street and even then, setbacks would be an issue. Also unique to the property is that the surrounding properties are much higher above the level of the lake. This is of course significant because the ground is more solid and less prone to regular flooding. The subject property floods with heavy rain in lower lying areas whereas the surrounding properties do not. This makes it impossible to place a structure in any other area except the one used. Additionally, very heavy rainfall causes water to form a torrent that flows from all the surrounding properties approximately 100 yards to the East and South on to the front of the subject property forming a river that flows under the house and into the lake. This natural swale is formed in the area in front of the subject shed. The shed is placed so as not to block or interfere with this runoff. The subject shed is constructed adjacent to a fence on the adjoining property. The construction materials used are similar to the neighboring fence and results in a harmonious symmetry of appearance. Nothing about the aesthetics or placement could harm the value, use or appearance of the adjoining property. As a matter of fact, I have received many compliments on the appearance of the subject shed and all my neighbors have signed a petition to support its remaining. Heavy vegetation in the form of evergreen Oleander growing on the adjoining property act to obscure the shed. Additionally, the owner of the property that the shed abuts supports the request for a variance. The subject shed is constructed in such a manner as to blend with the character of the surrounding properties. Due to the unique nature of the area near the oceanfront, lots are smaller and narrower generally with houses that occupy every square foot of buildable land. This often results in a curb view that fills most of the front of the lot. Additionally, privacy fences are frequently added that give the house the appearance of cover.”

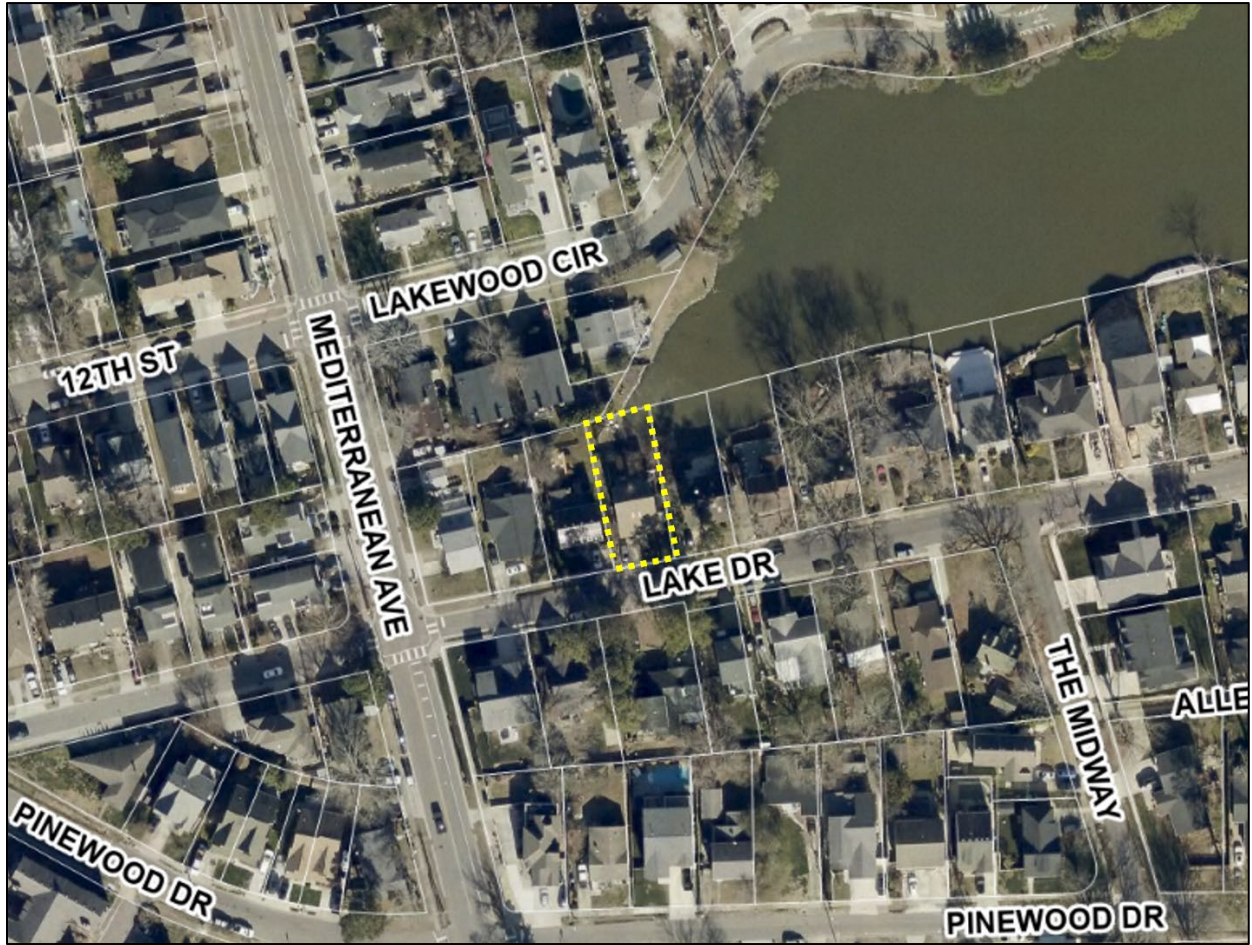
RECOMMENDED CONDITIONS IF APPROVED:

1. The proposed improvements shall be constructed in substantial conformance with the marked site plan titled, "Physical Survey of 525 Lake Drive, Virginia Beach, Va. Lots 7 & 8, Block 3," dated August 09, 2004, and prepared by Stephen L. Boone and Associates (shown as Exhibit 'A' in this staff report). This condition does not permit deviations from any applicable laws, codes, policies, or interpretations not specifically requested by the applicant and granted by the Board of Zoning Appeals. Nevertheless, this condition shall grant the Zoning Administrator the right to interpret substantial conformance with the Board approved plan.
2. As recommended by the City Subdivision Administrator, the subject Lots (i.e., Lots 7 and 8, Block 3) shall be resubdivided through the vacation of the existing property boundary presently separating existing Lot 7 from existing Lot 8. This 'interior' lot line vacation shall be completed and properly recorded with the City of Virginia Beach Land Records Office within six months of this Board action. The applicant may request additional time to satisfy this condition. If additional time is needed, the applicant may submit a written request to the City Zoning Administrator, who shall be authorized to grant an extension up to six months.
3. The subject shed shall meet all City Zoning Ordinance requirements for use.
4. The subject shed shall not be converted to living space associated with the abutting dwelling.
5. A building permit shall be obtained from the City of Virginia Beach Planning Department, and/or any other relevant authority, as required for construction in a special flood hazard area.

LOCATION MAPS:



AERIAL:



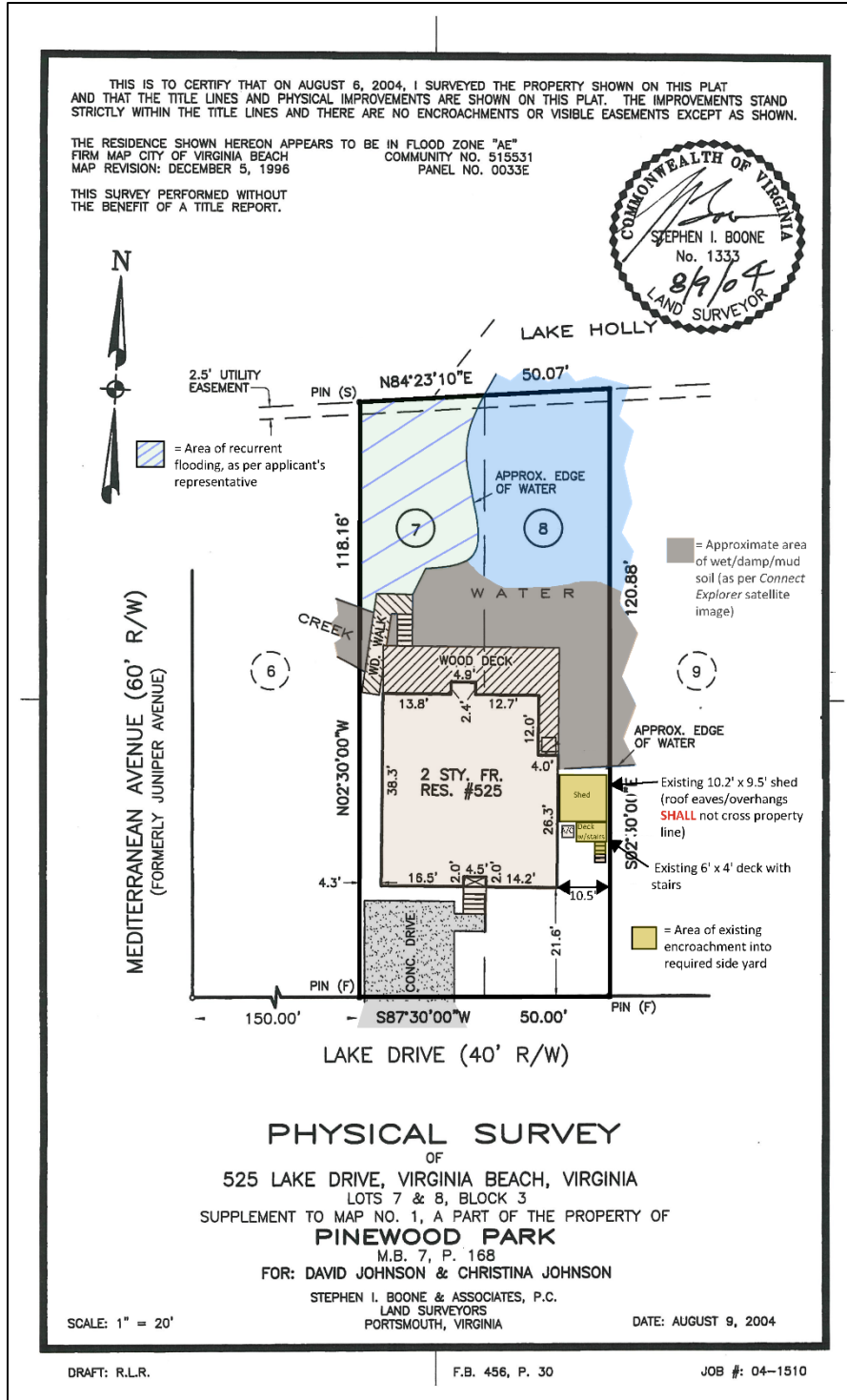
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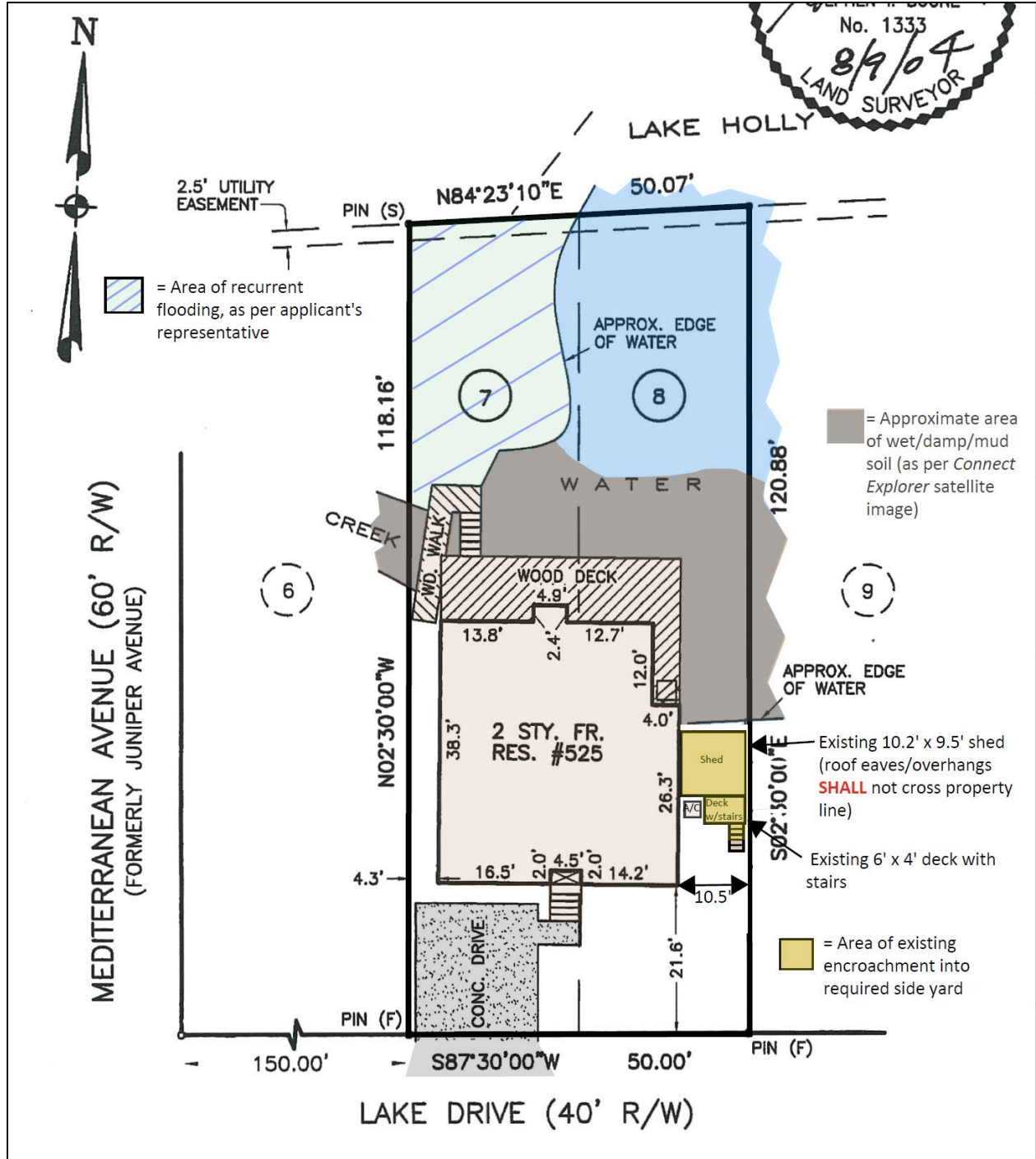
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SITE PLAN (EXHIBIT A):



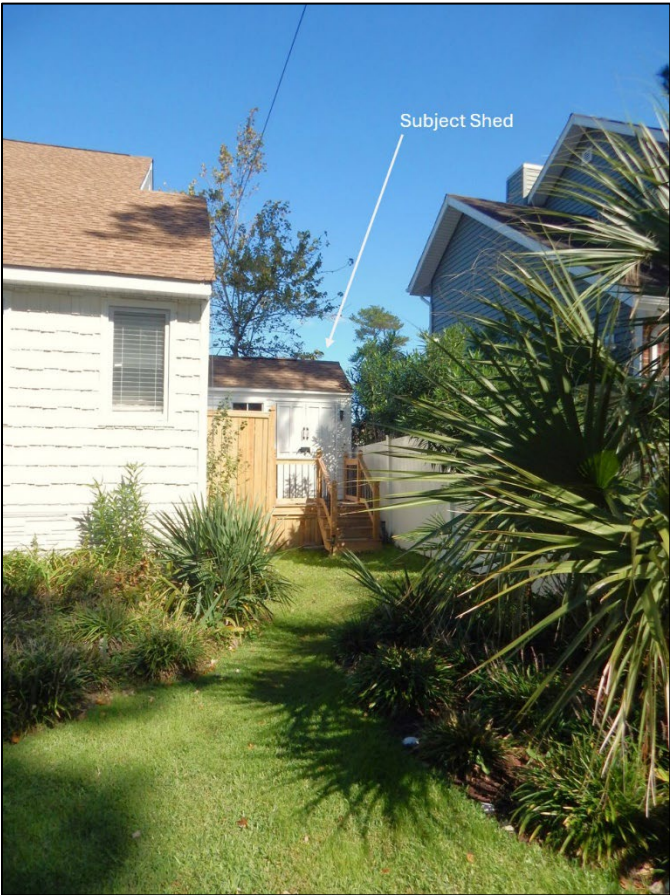
SITE PLAN DETAIL (EXHIBIT A):



PHOTOGRAPHS:



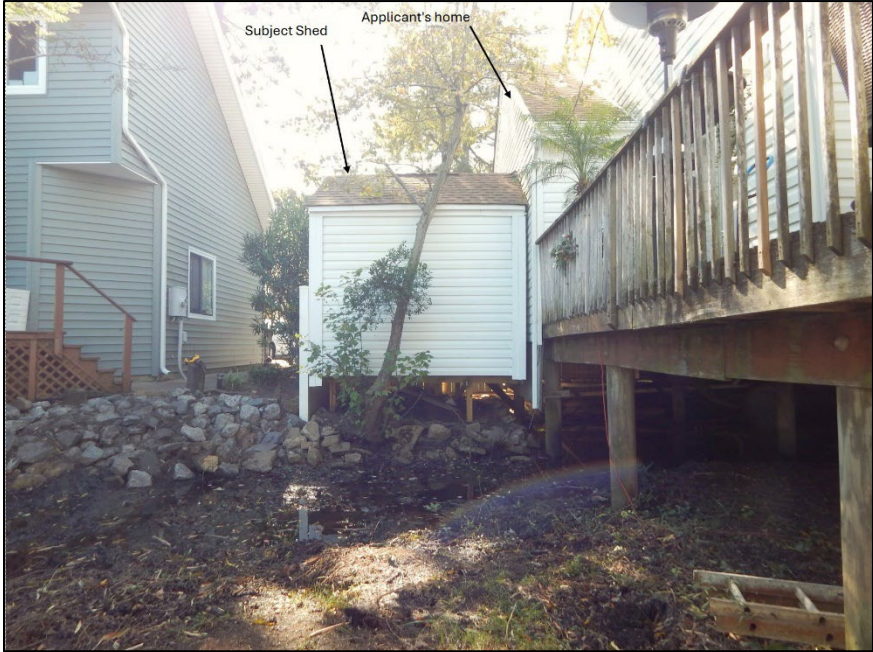
PHOTOGRAPHS:



PHOTOGRAPHS:



PHOTOGRAPHS:



DEED OF EASEMENT:

202603015595.001

REAL ESTATE EASEMENT AGREEMENT

THIS AGREEMENT is made on December 10, 2025 by and between Laura Traylor of 517 Lake Drive, Virginia Beach, Virginia 23451 hereinafter ("Grantor"), and Colleen Siobhan Wynn of 525 Lake Drive, Virginia Beach, Virginia 23451, hereinafter ("Grantee").

Recitals

- A. The Grantor is the owner of certain real property commonly known as 517 Lake Drive, Virginia Beach, Virginia 23451 and more fully described as follows: Lots 9 & 10 Block 3 Pinewood Virginia Beach, Virginia. GPIN#24270469110000 ("Servient Estate")
- B. The Grantee is the owner of certain real property commonly known as 525 Lake Drive, Virginia Beach, Virginia 23451 and more fully described as follows: Lots 7&8 Block 3 Pinewood, Virginia Beach VA. ("Dominant Estate")
- C. The Grantee desires to acquire certain rights in the Servient Estate.

1. Grant of Easement

In consideration of \$1.00, Grantor hereby grants to the Grantee as easement on ad across the following described portion of the Servient Estate: Lots 9&10, Block 3 Pinewood, Virginia Beach, Virginia.

2. Character of Easement

It is the intention of the parties that the easement granted appurtenant to the Dominant Estate, in that the easement benefits the use and enjoyment of the Dominant Estate by providing maintenance access to a shed abutting the property line.

3. Duration and Binding Effect

The easement shall endure for 100 years. This Agreement is made expressly for the benefit of, and shall be binding on, the heirs, personal representatives, successors in interest and assigns of the respective parties.

INSTRUMENT # 202603015595 PAGE 1 OF 4
RECORDED VIRGINIA BEACH CIRCUIT COURT
Apr 08, 2026 AT 11:29 am ESMT
TINA E. SINNEN, CLERK

STATE TAX: \$0.25

RECORDED
2026 APR -8 AM 10: 22
TINA E. SINNEN, CLERK

DEED OF EASEMENT:

202603015595.002

4.Purpose of Easement

The easement will benefit the Grantee by providing maintenance access to a shed abutting the property line.

5.Limitations

It is expressly agreed that the easement, rights, and privileges conveyed to the Grantee are limited only to necessary maintenance of the aforementioned shed.

6.Exclusiveness of Easement

The easement, rights and privileges granted by this easement are exclusive and Grantor covenants not to convey any other easement or conflicting rights within the area covered by this grant or non-exclusive and Grantor reserves and retains the right to convey similar easement and rights to such other persons as Grantor may deem proper.

7.Grantor's Rights

Grantor also retains, reserves and shall continue to enjoy the use of the surface of the land subject to this easement for any and all purposes that do not interfere with or prevent the use by the Grantee of the easement. Grantor's retained rights include, but are not limited to, the right to build and use the surface of the easement for drainage ditches and private streets, roads, driveways, alleys, walks, gardens, lawns, planting or parking areas, and other like uses. The Grantor further reserves the right to dedicate all or any part of the property affected by this easement to any city for use as public street, road, or alley if the dedication can be accomplished without extinguishing or otherwise interfering with the rights of the Grantee in the easement. If the Grantor or an of Grantor's successors or assigns dedicates all or any part of the property affected by this easement, the Grantee and its successors and assigns shall execute all instruments that may be necessary or appropriate to effectuate the dedications.

8.Grantee's Rights and Duties

Grantee shall have the duty to repair and maintain the property subject to the easement and shall at all times keep the easement free and open for the benefit of the Grantor and any other concurrent user. Grantee shall at all times act so as to safeguard Grantor's property. Grantee shall have the right to keep access to the easement open by removing vegetation and by cutting or trimming trees or vegetation that may have encroached on the easement property. Grantee shall have the right to cut and trim trees or shrubbery that may encroach on the easement property. Grantee shall dispose of all cuttings and trimmings by hauling them away from the premises.

DEED OF EASEMENT:

202603015595.003

9.Termination

This easement may be terminated by written agreement signed by all owners of record and other successors to the respective interests of Grantor and Grantee in the Dominant and Servient Estates. Grantee, his/her heirs, successors, and assigns may execute and record a release of this easement at any time. This easement shall also terminate if the purposes of the easement cease to exist, are abandoned by the Grantee, or hence become impossible to perform.

10.Failure to Perform

Should Grantee fail to perform any covenant, undertaking, or obligation arising under this easement, all rights and privileges granted shall terminate and the provisions of this Agreement creating the easement shall be of no further effect. In such case, within thirty days of receipt of written demand from Grantor, Grantee shall execute and record all documents necessary to terminate the easement of record. Should Grantee fail or refuse to record the necessary documents, Grantor shall be entitled to bring an action for the purpose of declaring the easement to be terminated.

11.Entire Agreement

This instrument contains the entire agreement between the parties relating to the rights granted and the obligations assumed. Any oral representation or modification concerning this instrument shall be of no force and effect. Any modifications of this Agreement must be in writing and must be signed by both parties.

12.Attorney's Fees

If legal action is initiated by either party for the purpose of enforcing or interpreting this Agreement, or to compel the recording of a release, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorney's fees and costs.

DEED OF EASEMENT:

202603015595.004

The parties have executed this agreement on the above mentioned date.

GRANTOR:

By: Laura Traylor Date: 4/7/26
Laura Traylor

State of Virginia County of Virginia Beach
Subscribed and sworn to (or affirmed) before me on this 7th day
of April, 2026 by Laura Traylor/Colleen Siobhan Wynn
Raphael Turner
Notary Public Signature



GRANTEE:

By: Colleen Siobhan Wynn Date: 4/7/2026
Colleen Siobhan Wynn

DISCLOSURE STATEMENT:



CITY OF
**VIRGINIA
BEACH**

**Disclosure
Statement**

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SECTION 1: APPLICANT DISCLOSURE

APPLICANT INFORMATION

Applicant Name: Colleen S Wynn
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: Theron Wynn

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 <i>(Name entity and/or individual)</i>
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="radio"/>	<input checked="" type="radio"/>	
Real Estate Broker/Agent/Realtor	<input type="radio"/>	<input checked="" type="radio"/>	

DISCLOSURE STATEMENT:

SECTION 1: APPLICANT DISCLOSURE *continued*

SERVICE	YES	NO	SERVICE PROVIDER <i>(Name entity and/or individual)</i>
Accounting/Tax Return Preparation	<input type="radio"/>	<input checked="" type="radio"/>	
Architect/Designer/Landscape Architect/Land Planner	<input type="radio"/>	<input checked="" type="radio"/>	
Construction Contractor	<input type="radio"/>	<input checked="" type="radio"/>	
Engineer/Surveyor/Agent	<input type="radio"/>	<input checked="" type="radio"/>	
Legal Services	<input type="radio"/>	<input checked="" type="radio"/>	

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.

Colleen S Wynn  02/25/2026
 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): 04/14/2026

Wilissa Blair-Miller  04/14/2026
 Staff Name (Print) Staff Signature Date

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