

North Virginia Beach Civic League News

January 2018

A Letter from Your President

Over the past 18 months or so, the Civic League has been closely following the actions of City Council in potentially regulating online “home sharing” rental platforms offering rooms for short-term leasing in residentially zoned neighborhoods. A critical objective of the City’s effort has been to insure that virtual on-line rental platforms and bricks-and-mortar real estate companies be treated equally. Effective July 1, 2017, the Virginia General Assembly enacted a law essentially allowing Virginia Beach and other localities to establish a registry for all “operators” of short-term rentals, defined as providing a room or space for dwelling, sleeping or lodging purposes for a period less than 30 consecutive days in exchange for a charge for the occupancy. The failure of a short-term rental operator to properly register carries a potential penalty of up to \$500 per violation. The law further provides that repeated violations could result in denying an operator the ability to register and thereafter offer the property for short-term rental. Localities are now authorized by the state to pass additional ordinances on related questions. In November City Council accepted regulatory recommendations regarding short-term rentals submitted by its On-line Home Sharing Economy Ad Hoc Committee, an appointed body of 15 citywide residents. As coincidence would have it, I chaired this group which conducted several public hearings and meticulously examined the issues for nearly three months. Council considered the committee proposed remedies and referred the issues to the Planning Commission for further study. After a December public hearing and with input from the City Attorney, Zoning Department and Commissioner of Revenue’s Office, the Planning Commission continues to consider how to bring existing ordinances as

well as newly created ones into conformity with state law and will soon make its recommendations to City Council. These are expected in the coming weeks.

The following is the position of the Civic League as determined by its Zoning Committee. We recognize that rentals of residential property in the North End have been occurring since our neighborhood was created; however, we feel strongly that there is a balance to be struck between the right to rent one’s property and insuring that the residential quality of North End life be preserved.

First and perhaps foremost, we find a distinct difference between a situation where a homeowner resides in and rents a portion of his/her residential property to another (“Home Sharing”) as opposed to a non-occupying owner renting his/her dwelling(s) to another (“House Rental”). This difference is particularly acute when the non-occupying owner leases a residence for a short term, now defined by state law to be a period less than 30 consecutive days in exchange for a charge for the occupancy. In our view any ordinance enacted by City Council should distinguish between Home Sharing and House Rentals. In either circumstance, registry with the Commissioner of Accounts must be required in order that the City know where the rentals are occurring and to insure that appropriate transient occupancy taxes are collected. Under such an ordinance, a non-occupying owner who pays the transient occupancy tax prior to January 1, 2017 would be “grandfathered” and thereby allowed by right to use his/her property for short term rentals. If, however, no such payment of transient occupancy taxes has occurred by that date, anyone desiring to use his/her property as a short term rental would be required to obtain a conditional use permit from the city. In no event would a Home Sharing owner be required to obtain a conditional use permit as he/she would by

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**Upcoming civic league
general meeting dates**
(Tuesdays, 7:30 p.m. at
A.R.E.)

Jan. 16
April 17
July 17
Oct. 16

Officer Elections at
January 16 Meeting.

**Dues are
now \$20**

After much
consideration, the
board voted to raise
dues for 2018.

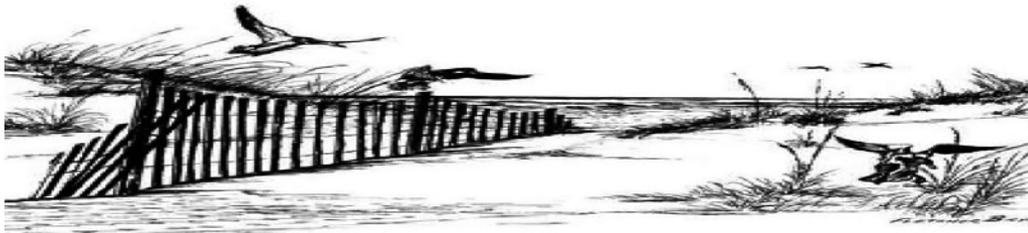
Treasurer’s report

I would like to thank everyone for paying their dues, and also for those who made donations throughout the year. Our money was spent on donations to the Chesapeake Bay Foundation, A.R.E., and Friends of First Landing Seashore State Park. Monies allowed for a spectacular 100th Anniversary party! I would like to add that the flags on Atlantic Avenue generate great compliments and are replaced as they deteriorate. The beautification committee completed various projects as well.

At the end of 2017, our membership is 869 which is down from previous years. Our total assets are \$16,637.75.

Again, thank you to all who contributed to our civic league.

– Bonner Styles



Public Safety Phone Nos.

Non emergency police
385-5000, option 3
2nd Precinct
385-2700
Fire/Police 911



Beautification

Perhaps some of you have noticed the white spray painted “X”s on the ground throughout the medians.

I recently met with Kenny Denson, our new City of Virginia Beach Landscape Division coordinator for the North End, and confirmed that the contract for replacing trees in the Atlantic Avenue median was out for bids. Planting can be expected to occur this winter season. Also, he confirmed that the pump station in the 8300 block median would receive a renewed priority for landscape screening and mulching. Coincidentally, Kenny and his wife, Symsi (also with City Landscaping), are our neighbors on 89th Street.

– *Jim Spruance*

Membership

The December meeting of the Executive Board recommended the forming of an ad-hoc committee to examine ways to increase our membership. Bonner Styles, Sue Bowser, and Jim Spruance (Chairman) volunteered to be on the committee. We met and decided on a membership drive/contest to commence in January and run through March 31, 2018.

All NVBCL membership is encouraged to sign up new members. Every member who signs up at least 2 new members, will have his or her name entered into a drawing for a \$50 gift certificate and be recognized in the April newsletter. Whoever signs up the most new members will receive a \$100 gift certificate. The goal is to increase membership to 1000. A member is considered “new” if they did not pay 2017 dues. Area Directors, as listed in the current newsletter, will have lists of 2017 membership for clarification to aid in determining “new members”. Also, an updated version of our NVBCL Welcome Letter is available for copying on our NVBCL.org website.

– *Jim Spruance*

Hospitality

As January ushers in 2018 with icy cold days, let us find time to enjoy the comfort of our homes with family and friends. There’s nothing better than a warm fire, good book and a view of the winter garden with bare trees blowing from northern winds off the ocean. While a stroll along the beach can be bitterly cold, a walk in First Landing State Park will be sheltered by the trees. You may even find a warm, sunny spot along the Narrows or Rainey’s Gut. The cardinals and chickadees will surely appreciate fresh water in the birdbath and seeds in the feeders. Winter is a great time for tackling the in-door “honey-dew” lists that remain ignored during those hot summer beach days.

While I have enjoyed leading the Hospitality Committee and party planning for the NVBCL, it’s time to bring on fresh ideas with new leadership. Succession planning is an important ingredient for non-profits and businesses. If you are ready to be creative, leave your signature on the North End and meet wonderful new friends, please let me know, as my time as the Hospitality Committee Chair is ending and I’m excited to find a new Chair person.

– *Kimberly Goold*

Resort

As everyone knows the VB Arena team failed to comply with the city requirements and the deal is off the radar screen for now. The city immediately turned their attention to the Dome Site, Sports Center, The Pier Project, and public infrastructure projects on 19th, 18th and 17th streets. A tremendous amount of redevelopment is in the wings in the ViBe District. Streetscape project will start in early 2018.

The city has received proposals from three qualified design build teams for a new sports center to be located west of the convention center. The Dome site is now in the hands of the Venture Group team along with Pharrell Williams to develop an entertainment complex featuring a Wave Garden Cove surf park, Experiential Retail, Restaurants, a 3,500 seat music venue, and residences.

The Pier Project is back in the forefront and is actively moving forward.

The Cavalier Hotel is nearing completion with an anticipated opening on Valentine's Day 2018. The Cavalier Beach Club is well under construction on the oceanfront soon to be followed by the new Marriott Oceanside on the north side starting in early 2018.

Recent news about these resort projects can be found at the city website www.vbgov.com

– *Billy Almond*

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right be able to rent a portion of his/her residence while living under the same roof or in a house with an accessory rental unit.

The remaining restrictions favored by the Civic League regarding Home Sharing and House Rentals are as follows: (1) vehicular parking must be provided on-site; (2) city code provisions dealing with noise, fireworks, fires on the beach, trash, etc. must be posted conspicuously inside (Home Sharing owners would not face such a requirement.); (3) trash must be placed in automated bins, (4) a small sign (1' x 1') would be affixed to the exterior of the dwelling (Home Sharing owner exempted); (5) \$1 million in general liability insurance on the property would be required; (6) a contact person must be identified (with a telephone number) available to reach the site in 30 minutes. A Home Sharing owner presumably would be this contact person. (7) Maximum Occupancy: 2 persons per bedroom plus 4 additional people would be allowed for House Rentals. No such requirement would be mandated for Home Sharing. (8) A critical requirement is a limitation of one rental contract per 7 day period, which would eliminate daily rentals to different people and importantly would keep the residence from becoming the equivalent of a hotel or motel. There have been any number of disruptive instances in the North End and elsewhere in the City over the past couple of years where homes have been rented by non-occupying owners for less than 7 days wreaking havoc on neighboring residents. (9) Special Events (such as those occurring in Sandbridge and elsewhere in the past few years) would be limited to more than 50 people and no more than 100, with a maximum of 3 such events per year: A special permit would be required of a non-occupant owner. No such requirement would be mandated for a home sharing owner.

There you have it. We do not expect everyone to agree with our stance, but it is the view of the Civic League that the outlined positions strike a proper balance between an individual's property rights and preserving the residential character of the North End.

I wish you all a happy and prosperous New Year.

–*Jack Drescher*

Zoning Review Committee (ZRC)

As everyone knows redevelopment at the North End is moving at a feverous pace. Virtually every street has some type of construction occurring. Recently members of the ZRC met with the planning department to voice concerns over two major issues. The Two Cottage Scheme allowed by the NE Overlay design guidelines are not being followed during the Planning Department review and in the field with Building Inspections. Lately developers are acquiring what we would consider to be normal size parcels but in actuality have underlying historically recorded smaller parcels within the larger parcel. The developer is then pushing for new construction based on the density of the historically recorded parcels resulting in proposed re-subdivisions of non-conforming historically recorded parcels into larger but still non-conforming parcels. The result is smaller houses crowded into smaller parcels than we would normally see at the North End.

The ZRC has met with the Planning Department several times in November and December in an attempt to discourage approval of substandard lots. We are encouraged by the Planning Department's response and feel they are looking at options to require that all new subdivided lots meet the minimum standards for lot size and street frontage. The ZRC will continue to work with the Planning Department in 2018 until these issues are resolved.

We remind our neighbors that developers have three options for North End properties. They are a single-family house, duplex, or a NE Overlay project consisting of two detached cottages on one parcel. The NE Overlay opportunity is an incentive based design guideline and a developer must comply with the design criteria in the overlay ordinance. We remind our neighbors that any opportunity to determine what type redevelopment happens on your street starts with the "Seller of the Parcel". Once the parcel has sold it is in the hands of the buyer who has the three by-right options listed above. The ZRC meets the second Tuesday of the month at the ARE Visitor's Center at 6:30 PM on a regular basis unless there is no business before the committee that month. If you wish to attend the ZRC please contact Billy Almond at 235-0731 or billy@wplsite.com for additional information.

– *Billy Almond*

North Virginia Beach Civic League News

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We are now collecting \$20 dues for 2018.

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