

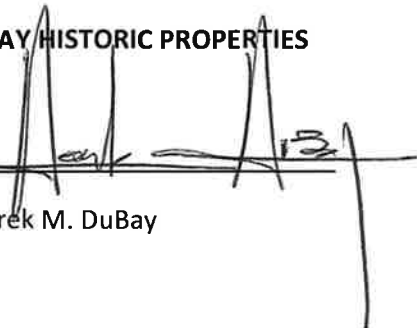
This reciprocal agreement, made this 29th day of March, 2024, between Jennifer Clark, Grantor, and DuBay Historic Properties, Grantees, whose address is 3624 Dupont Circle, Virginia Beach, Virginia 23455 – 2956.

WITNESSETH:

**RECIPROCAL AGREEMENT**

Whereas DuBay Historic Properties (Ocean Park Baptist Church) has +/- 35 parking spaces in use usually Monday through Sunday and whereas Jennifer Clark (A Shore Thing) has +/- 10 parking spaces in use predominately during the day Monday through Friday. Each entity agrees to share each other's parking facilities when not in conflict with the others needs, and each agrees to "clean up" after one another.

Both parties appreciate the spirit of cooperation shown by each to the other and thank each other for defining neighbor as a friend next door, not merely the adjoining property owner.

DUBAY HISTORIC PROPERTIES  
BY:   
Derek M. DuBay

A Shore Thing (3725 Shore Drive)  
BY:   
Jennifer Clark (Business owner)

# Conditional Rezoning



## Contact Information

Applicant's Name DUBAY HISTORIC PROPERTIES  
Address 4360 SHORE DRIVE  
City VIRGINIA BEACH State VA ZIP 23454  
Phone 757-343-6611 Email DEREKMDUBAY@GMAIL.COM

Applicant's Representative DEREK DUBAY  
Address 4360 SHORE DRIVE  
City VIRGINIA BEACH State VA ZIP 23454  
Phone " " Email " "

Property Owner's Name OCEAN PARK BAPTIST  
Address 3624 DUPONT CIRCLE  
City VIRGINIA BEACH State VA ZIP 23455  
Phone N/A Email N/A

## Property Information

Address or Location 3624 DUPONT CIRCLE  
GPIN(s) 1489 - 48 - 8740  
Land area (acres or square feet) 23,957 SQFT City Council Election District DISTRICT #9  
Existing Zoning R5D Overlay District  Yes  No (If yes, specify \_\_\_\_\_)  
Strategic Growth Area (SGA)  Yes  No (If yes, specify \_\_\_\_\_)  
AICUZ <65 dB DNL Watershed CHESAPEAKE BAY  
Special Flood Hazard Area  Yes  No (If yes, specify \_\_\_\_\_)

If you need assistance with obtaining any of the above information, please contact the Planning and Community Development Department for assistance at (757) 385-4621.

# Conditional Rezoning

## Conditional Rezoning Request

Change of Zoning from the existing zoning district of R5D  
to Conditional B2

## Conditional Rezoning Details

Please provide a detailed description of the proposal below. Include information related to previously approved City Council actions, number of units, square footage of building, exterior building materials, hours of operation, number of employees, etc.

PLEASE NOTE THAT THERE IS AN ACCOMPANYING CONDITIONAL USE PERMIT APPLICATION WITH THIS APPLICATION. WE ARE REQUESTING A CONDITIONAL REZONING TO B2 IN ORDER TO SAVE A CHAPEL BUILT IN 1949. WE BELIEVE THE CHAPEL WOULD BE A GREAT LOCATION FOR COMMUNITY GATHERINGS / NEIGHBORHOOD FUNCTIONS AND WEDDINGS. THE CHURCH / CHAPEL IS 4,500 SQFT WITH AN ACCESSORY BUILDING THAT IS 2,500 SQFT. THE STRUCTURES AND PARKING LOT WILL REMAIN EXACTLY THE SAME. ORIGINAL DOORS AND WINDOWS AS WELL AS SIDING WILL REMAIN. ONLY PAINT AND LANDSCAPING WILL CHANGE ON THE EXTERIOR. ALL LIVE OAK TREES WILL REMAIN. THE PARKING LOT HAS 35<sup>±</sup> SPACES. CROSS PARKING AGREEMENTS ARE BEING COLLECTED AS WELL AS LETTER FROM VALET SERVICE. WEDDINGS WILL BE ON THE WEEKENDS ONLY F-S AND ENDING BEFORE 11 PM. THE CHURCH WOULD BE MADE AVAILABLE M-F TO THE CIVIC LEAGUE / BAYFRONT ADVISORY AND ANYONE ELSE SEEKING TO USE THE SPACE, NOT TO OPERATE PAST 7:00 PM. EXTERIOR SIDING WILL REMAIN, NUMBER OF EMPLOYEES IS UNKNOWN AT THIS TIME.

# 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. The 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 or a City board, commission or other body.

## Applicant Disclosure

Applicant Name DUBAY HISTORIC PROPERTIES

Does the applicant have a representative?  Yes  No

- If yes, list the name of the representative.

DEREK DUBAY

Is the applicant a corporation, partnership, firm, business, trust or an unincorporated business?  Yes  No

- If yes, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)

DEREK DUBAY, BRITTANY DUBAY, HAYDEN DUBAY

- If yes, list the businesses that have a parent-subsiary<sup>1</sup> or affiliated business entity<sup>2</sup> relationship with the applicant. (Attach a list if necessary)

DUBAY PROPERTIES

<sup>1</sup> "Parent-subsiary 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.

<sup>2</sup> "Affiliated business entity relationship" means "a relationship, other than parent-subsiary 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.

# Disclosure Statement



## 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**, what is the name of the official or employee and what is the nature of the interest?

## Applicant Services Disclosure

1. Does the applicant have **any existing financing (mortgage, deeds of trust, cross-collateralization, etc) or are they considering any financing** in connection with the subject of the application or any business operating or to be operated on the property?

Yes  No

- If **yes**, identify the financial institutions providing the service.

SOUTHERN BANK

2. Does the applicant have a **real estate broker/agent/realtor** for current and anticipated future sales of the subject property?

Yes  No

- If **yes**, identify the company and individual providing the service.

3. Does the applicant have services for **accounting and/or preparation of tax returns** provided in connection with the subject of the application or any business operating or to be operated on the property?  Yes  No

- If **yes**, identify the firm and individual providing the service.

DESROACHES AND CO. MARK DESROACHES

4. Does the applicant have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property?  Yes  No

- If **yes**, identify the firm and individual providing the service.

ALTRUISTIC DESIGN: JEREMY MALONEY ARCHITECT PAINTED FERN: JESS NELSON LANDSCAPE DESIGN

5. Is there any other **pending or proposed purchaser** of the subject property?  Yes  No

- If **yes**, identify the purchaser and purchaser's service providers.

DUBAY HISTORIC PROPERTIES

# Disclosure Statement



6. Does the applicant have a **construction contractor** in connection with the subject of the application or any business operating or to be operated on the property?  **Yes**  **No**

- If **yes**, identify the company and individual providing the service.

DUBAY PROP - SHERRI DUBAY

7. Does the applicant have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property?  **Yes**  **No**

- If **yes**, identify the firm and individual providing the service.

GALLUP SURVEYORS AND ENGINEERS - BART EHRENZELLER

8. Is the applicant receiving **legal services** in connection with the subject of the application or any business operating or to be operated on the property?  **Yes**  **No**

- If **yes**, identify the firm and individual providing the service.

LAW CENTER OF H.I. DUBAY

## Applicant Signature

I certify that all of the information contained in this Disclosure Statement 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 two 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.**

Applicant Signature

DEREK DUBAY - OWNER

Print Name and Title

4 - 1 - 2024

Date

Is the applicant also the owner of the subject property?  **Yes**  **No**

- If **yes**, you do not need to fill out the owner disclosure statement.

**FOR CITY USE ONLY/ All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the applications**

<input type="checkbox"/>	No changes as of	Date	Signature	
			Print Name	

**Continue to Next Page for Owner Disclosure**

# Disclosure Statement



## Owner Disclosure

Owner Name OCEAN PARK BAPTIST CHURCH

Applicant Name DUBAY HISTORIC PROPERTIES

Is the Owner a corporation, partnership, firm, business, trust or an unincorporated business?  Yes  No

- If **yes**, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)

MARVIN BAGENT

LOU PARAMORE

MELVA EDWARDS

- If **yes**, list the businesses that have a parent-subsiary<sup>3</sup> or affiliated business entity<sup>4</sup> relationship with the Owner. (Attach a list if necessary)

## 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**, what is the name of the official or employee and what is the nature of the interest?

<sup>3</sup> "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

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## Owner Services Disclosure

1. Does the Owner have **any existing financing (mortgage, deeds of trust, cross-collateralization, etc) or are they considering any financing** in connection with the subject of the application or any business operating or to be operated on the property?

Yes  No

- If **yes**, identify the financial institutions providing the service.

2. Does the Owner have a **real estate broker/agent/realtor** for current and anticipated future sales of the subject property?

Yes  No

- If **yes**, identify the company and individual providing the service.

3. Does the Owner have services for **accounting and/or preparation of tax returns** provided in connection with the subject of the application or any business operating or to be operated on the property?  Yes  No

- If **yes**, identify the firm and individual providing the service.

4. Does the Owner have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property?  Yes  No

- If **yes**, identify the firm and individual providing the service.

5. Is there any other **pending or proposed purchaser** of the subject property?  Yes  No

- If **yes**, identify the purchaser and purchaser's service providers.

DUBAY HISTORIC PROPERTIES AND DUBAY PROPERTIES  
DEREK DUBAY HAYDEN DUBAY

6. Does the Owner have a **construction contractor** in connection with the subject of the application or any business operating or to be operated on the property?  Yes  No

- If **yes**, identify the company and individual providing the service.

7. Does the Owner have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property?  Yes  No

- If **yes**, identify the firm and individual providing the service.

# Disclosure Statement



8. Is the Owner receiving **legal services** in connection with the subject of the application or any business operating or to be operated on the property?  **Yes**  **No**

- If **yes**, identify the firm and individual providing legal the service.

REYNOLDS LAW GROUP · GLENN REYNOLDS

## Owner Signature

I certify that all of the information contained in this Disclosure Statement 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 two 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.

Lou PARAMORE

Owner Signature

LOU PARAMORE · OCEAN PARK BAPTIST TRUSTEE

Print Name and Title

APRIL 2ND 2024

Date