



MINUTES OF THE BOARD OF ZONING APPEALS
Tuesday, January 18, 2022
25 West Market Street
Council Chamber

MEMBERS PRESENT: Chairman Peter Vanderloo, Vice Chair Susan Moffett, Joseph Carter, and Gregory Gutierrez

MEMBERS ABSENT: Martha Mason Semmes

STAFF: Assistant Zoning Administrator Mike Ruddy, and Planning and Zoning Analyst Deborah Parry

Call to Order and Roll Call

Chairman Vanderloo called the meeting to order at 7:00pm. Attendance was noted by roll call and a quorum of four voting members was deemed present.

Approval of Meeting Minutes

a. September 21, 2021, Board of Zoning Appeals Meeting

On a motion by Vice Chair Moffett, seconded by Mr. Carter, the minutes of September 21, 2021, were approved with a minor edit by a 4-0-1 vote (Ms. Mason Semmes absent).

BZA Disclosures

None

Public Hearings

None

Unfinished Business

None

New Business

a. Adoption of the 2021 BZA Annual Report

On a motion by Mr. Gutierrez, seconded by Mr. Carter, the 2021 BZA Annual Report was adopted by a 4-0-1 vote (Ms. Mason Semmes absent).

b. Approval of the 2022 BZA Meeting Calendar

On a motion by Mr. Carter, seconded by Vice Chair Moffett, the 2022 BZA meeting calendar was approved by a 4-0-1 vote (Ms. Mason Semmes absent).

c. Election of Officers for the BZA

Chairman Vanderloo opened nominations for chair and vice chair of the BZA.

Vice Chair Moffett nominated Peter Vanderloo to continue as chairman.

The nomination was seconded by Mr. Carter.

Chairman Vanderloo nominated Susan Moffett to continue as vice chair.

The nomination was seconded by Mr. Carter.

BZA Minutes – January 18, 2022

The nomination of Peter Vanderloo as Chairman of the BZA for 2022 was approved by a 4-0-1 vote (Ms. Mason Semmes absent).

The nomination of Susan Moffett as Vice Chair of the BZA for 2022 was approved by a 4-0-1 vote (Ms. Mason Semmes absent).

d. Other Discussion Items

There was a brief discussion of the Town's inclement weather policy for board and commission meetings as well as a brief discussion regarding the Town's policy for electronic meetings.

Adjournment

On a motion by Mr. Carter, seconded by Mr. Gutierrez, the meeting was adjourned at 7:09pm by a 4-0-1 vote (Ms. Mason Semmes absent).



Peter Vanderloo, Chairman



Deborah Parry, Planning & Zoning Analyst

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Chairman Vanderloo: Town of Leesburg, Board of Zoning Appeals meeting is hereby called to order. Debi, would you please do the roll call?

Ms. Parry: We have Gregory Gutierrez.

Mr. Gutierrez: Present.

Ms. Parry: Joseph Carter.

Mr. Carter: Present.

Ms. Parry: Susan Moffett.

Vice Chair Moffett: Present.

Ms. Parry: Peter Vanderloo.

Chairman Vanderloo: Present. All right. We have four or five members present. I determine that we have a quorum and we're able to proceed with business for the evening. The next item on the agenda is the approval of the meeting minutes of the September 21, 2021, meeting. Has everyone received a copy of the meeting minutes and had an opportunity to review them? Does anybody have any comments to the meeting minutes?

Vice Chair Moffett: On the second page, I think there's a little disconnect or something. Second page down, one, two, three, four, five. Seventh line down on the right, the shape of the lot due to an RPA on the comma which-- Is there a word left out or, do I?-- [chuckles]

Ms. Parry: I'll look into it.

Vice Chair Moffett: Okay, thank you. I don't know that it matters because we used to have a member of the board....

Chairman Vanderloo: Oh, my gosh. I remember, Karen? [laughs]

Vice Chair Moffett: Karen, yes. She was the best proofreader and I feel like I can't let her down.

Chairman Vanderloo: Let me see [crosstalk]. All right.

[silence]

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Vice Chair Moffett: It doesn't matter anyway, I don't think anybody's ever going to read them again, but I thought since I did read them.

Ms. Parry: Sure. No, of course. I'll go back and fix it. It's not a problem.

Chairman Vanderloo: Maybe, it's supposed to say, "On the lot" which has cut off a portion of the lot, maybe?

Vice Chair Moffett: Yes, maybe. We note what happened. Okay, all right. That's it. That's all. [laughs].

Chairman Vanderloo: All right. Oh, thank you for that. Appreciate that. Are there any other comments to the meeting minutes?

Mr. Gutierrez: I have nothing.

Chairman Vanderloo: All right. I will entertain a motion to approve the meeting minutes as amended on Ms. Moffett's comment.

Vice Chair Moffett: I moved to approve the minutes as corrected.

Chairman Vanderloo: All right. Any second to that?

Mr. Carter: Second.

Chairman Vanderloo: All right. All in favor?

Board members: Aye.

Chairman Vanderloo: Any opposed? All right. The September 21, 2021, meeting minutes are hereby approved as amended.

Ms. Parry: Mr. Chair, I'm sorry I didn't get who seconded it. I couldn't tell. Thank you.

Chairman Vanderloo: Fantastic. We don't have any public hearings this evening. The next item of agenda then would be any unfinished business. Is there any unfinished business that any members of the Board would like to bring to the agenda today?

Mr. Gutierrez: I have none.

Chairman Vanderloo: Hearing none. We'll move on to the next items of business. There are three under new business. They are the adoption of the 20, I believe that says-- Oh, sorry. 2021 BZA annual report. The approval of the 2022 BZA meeting calendar and the election of officers for BZA. Let's address them one at a time. The first one is the 2021 BZA annual report. Has everybody had an opportunity to look at that, and are there any comments to that?

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[silence]

Mr. Gutierrez: I have no comment.

Vice Chair Moffett: Yeah, it looks good.

Chairman Vanderloo: I have none either. Just the version I happen to see--- Mike, it seemed like the way it was printed, the interior pages were at 180-degree orientation.

Ms. Parry: When you printed it looks like this.

Chairman Vanderloo: Yes. Other than that, as always, Debi, Mike, beautiful work. I'll entertain a motion to adopt the 2021 BZA annual report.

Mr. Gutierrez: I'll second.

Chairman Vanderloo: Oh, sorry. To move.

Mr. Gutierrez: I move to approve.

Chairman Vanderloo: Thank you. A second?

Mr. Carter: Second.

Chairman Vanderloo: All right. All in favor?

Board members: Aye.

Chairman Vanderloo: All right. Any opposed? All right. We've adopted the 2021 BZA annual report. The next item is the approval of the 2022 BZA meeting calendar. Has everyone had a chance to review the 2022 meeting calendar, and are there any comments to it? [silence] All right, hearing none. I'll entertain a motion to approve the 2022 BZA meeting calendar.

Mr. Carter: I make a motion to approve the 2022 BZA meeting calendar.

Chairman Vanderloo: All right. Second, please?

Vice Chair Moffett: I'll second.

Chairman Vanderloo: Thank you for that. All in favor?

Board members: Aye.

Chairman Vanderloo: Any opposed? All right. We hereby approve the 2022 BZA meeting calendar. The next and last item of new business, the election of officers for the BZA. All right. If I recall, we have a chair and a vice chair as officers. I will now

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entertain nominations for the chair. Feel free to nominate yourself because it's a small enough group where you're more than entitled to nominate yourself.

Vice Chair Moffett: I'll nominate Mr. Vanderloo to be chair of the Board.

Chairman Vanderloo: Thank you for that.

Mr. Carter: I'll second that nomination.

Chairman Vanderloo: Well, thank you for that.

Mr. Gutierrez: I agree.

Chairman Vanderloo: All right. Well, thank you for that. I will now entertain any motions for vice chair, and we'll vote separately on chair and vice chair. Any motions for vice chair? [silence] Ms. Moffett, I'd like to nominate you to continue as vice chair.

Mr. Carter: I second that.

Mr. Gutierrez: I agree.

Chairman Vanderloo: All right. Fantastic. Thank you. Any other nominations for vice chair? All right. Hearing none, I'm going to go back to the voting. There's one person nominated for Chair, Mr. Vanderloo, myself. All in favor?

Board Members: Aye.

Chairman Vanderloo: Any opposed? All right. Mr. Vanderloo is hereby re-elected as the chairman. We'll now vote on the vice chair. Ms. Moffett for vice chair. All in favor?

Board Members: Aye.

Chairman Vanderloo: Any opposed? None. Ms. Moffett is hereby reconfirmed, voted in as the vice chair of the Board of Zoning Appeals. All right. Although we don't have it, I'm going to call for any new business from the floor, or from the BZA itself. Would anybody like to discuss anything that we haven't discussed yet tonight? Mr. Ruddy?

Mr. Ruddy: No, we have nothing to bring to the Board this evening.

Chairman Vanderloo: Very well. Ms. Parry?

Parry: No, sir.

Chairman Vanderloo: All right. Members of the Board?

Mr. Gutierrez: I have nothing.

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Chairman Vanderloo: This could be a record-setting meeting.

Mr. Carter: I was going to say that.

[laughter]

[crosstalk]

Vice Chair Moffett: I have a Zoom meeting at 7:30. I didn't think I was going to make it [laughs].

Mr. Carter: I've got a question.

Chairman Vanderloo: Oh, of course. Yes, sure.

Vice Chair Moffett: Oh, yes, sure.

Mr. Carter: Inclement weather as far as the meetings or whatnot, how does that work here with the Town? Can you refresh my memory on that?

Mr. Ruddy: Debi, do you have a follow-up for that?

Ms. Parry: The staff will reach out to the chair, and the chair makes the determination as to whether the meeting's canceled.

Mr. Carter: Okay. Thank you for that reminder.

Chairman Vanderloo: Yes, thank you for that, Debi. I saw something recently where the Town Council had potentially considered a remote meeting or updated guidance for remote meetings, has that been implemented? Would it apply to BZA?

Ms. Parry: There has been no change to the current meeting format. That is that we're not doing electronic meetings at this time. We were last year, during the pandemic, and then the Town Council rescinded that in September. Since that time, we have not been doing electronic meetings.

Chairman Vanderloo: Okay, all right. Is it fair to say then if we decide because of weather to cancel a meeting, we still may need to reschedule it if there's an active case that needs to be heard within the appeal period? Okay, fair enough. That means we may not be able to extend it to an entire month to schedule a replacement meeting for the meeting that was canceled.

Ms. Parry: Yes.

Chairman Vanderloo: Okay. Great question. Thank you. Very timely, because I see we have two more chances of snow in the next few days. Fortunately, we don't have any meetings scheduled then, but it seems like the year we went from 60s in December to Buffalo Bill's weather in January. That's fantastic. All right. Any other

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questions, comments, business? All right. Well, hearing none, I'll entertain a motion to adjourn.

Mr. Carter: I'll so move.

Chairman Vanderloo: A second?

Mr. Gutierrez: I'll second.

Chairman Vanderloo: All in favor?

Board Members: Aye.

Chairman Vanderloo: All right. The January 18, 2022, Board of Zoning Appeals meeting is hereby adjourned. Thank you all.

The meeting was adjourned at 7:09pm.