



## BOARD OF ZONING APPEALS

**Business Meeting: Tuesday, September 19, 2023, 7:00pm**  
**Council Chamber, Town Hall, 25 West Market Street,**  
**Leesburg, VA 20176**

**Board of Zoning Appeals Meetings are broadcast for public viewing as follows:**

- a. Webcast: <https://www.leesburgva.gov/government/webcasts>
- b. Comcast Government Access Channel 67 and Verizon Channel 35

**Please note that all Town Council, Board, and Commission meetings are recorded and can be found on the Town's website at [www.leesburgva.gov/webcasts](http://www.leesburgva.gov/webcasts)**

### Board Members

Peter Vanderloo, Chair  
Susan Moffett, Vice Chair  
Gregory Gutierrez  
Martha Mason Semmes  
Thomas Marshall

### Support Staff

Evan Harlow, Assistant Zoning Administrator  
Deobrah Parry, Preservation Specialist  
Carmen Babonneau, Zoning Inspector  
Shelby Miller, Planner-Zoning Administration  
Ashleigh Goedeke, Zoning Analyst

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- I. Call to Order and Roll Call
  - II. Determination of Quorum
  - III. Approval of Meeting Minutes:
    - a. January 17, 2023 Meeting Minutes
  - IV. Zoning Ordinance Rewrite Presentation-Betsy Arnett
  - V. Unfinished Business
  - VI. New Business
  - VII. Adjournment

**NEXT SCHEDULED BUSINESS MEETING: January 20, 2024\***

\* The BZA holds regular business meetings in January and September of each year. Other meetings of the Board are held on an as needed basis.

Assisted Listening System devices are available at this meeting. If you require any type of reasonable accommodation to attend and/or participate in this meeting, please contact Debi Parry at [dparry@leesburgva.gov](mailto:dparry@leesburgva.gov) or 703-737-7023. Three days advance notice is requested.



**MINUTES OF THE BOARD OF ZONING APPEALS**  
**Tuesday, January 17, 2023**  
**25 West Market Street**  
**Council Chamber**

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MEMBERS PRESENT: Chairman Peter Vanderloo, Vice Chair Susan Moffett, Gregory Gutierrez, and Martha Mason Semmes

MEMBERS ABSENT: None

STAFF: Zoning Administrator Michael Watkins, and Preservation Specialist Deborah Parry

**Call to Order and Roll Call**

Chairman Vanderloo called the meeting to order at 7:01pm. Attendance was noted by roll call and a quorum of four voting members was deemed present.

**Approval of Meeting Minutes**

**a. September 20, 2022, Board of Zoning Appeals Meeting**

On a motion by Vice Chair Moffett, seconded by Mr. Gutierrez, the minutes of September 20, 2022, were approved by a 4-0 vote.

**BZA Disclosures**

None

**Public Hearings**

None

**Unfinished Business**

None

**New Business**

**a. Election of Officers**

Ms. Mason Semmes nominated Peter Vanderloo to continue as Chairman of the BZA for 2023. The nomination was seconded by Vice Chair Moffett.

Chairman Vanderloo accepted the nomination, and no further nominations were proposed.

Chairman Vanderloo nominated Susan Moffett to continue as Vice Chair of the BZA for 2023. The nomination was seconded by Ms. Mason Semmes.

Vice Chair Moffett accepted the nomination, and no further nominations were proposed.

The nominations of Peter Vanderloo as Chairman and Susan Moffett as Vice Chair were approved by a 4-0 vote.

**b. Adoption of the 2023 BZA Meeting Calendar**

On a motion by Ms. Mason Semmes, seconded by Mr. Gutierrez, the 2023 BZA meeting calendar was approved by a 4-0 vote.

**c. 2022 BZA Annual Report**

Chairman Vanderloo noted a minor edit to page 2 of the report.

***BZA Minutes – January 17, 2023***

On a motion by Vice Chair Moffett, seconded by Mr. Gutierrez, the 2022 BZA annual report was adopted, as amended, by a 4-0 vote.

**d. Other Items of Business**

Mr. Watkins noted the appointment of Tom Marshall and reappointment of Ms. Mason Semmes to the Board of Zoning Appeals are both pending with the courts. He also noted that Evan Harlow will be joining the Town as the new Assistant Zoning Administrator beginning February 6, 2023. Further, Mr. Watkins provided a brief overview of the annual zoning batch amendments as well as the Town's zoning ordinance rewrite process.

**Adjournment**

On a motion by Vice Chair Moffett, seconded by Ms. Mason Semmes, the meeting was adjourned at 7:09pm by a 4-0 vote.

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Peter Vanderloo, Chairman

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Deborah Parry, Preservation Specialist

## January 17, 2023 Board of Zoning Appeals Meeting

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**Chairman Vanderloo:** Oh, okay. Let us call the January 19th, 2023 Town of Leesburg Board of Zoning Appeals meeting will be now brought into order. Please, Debi, would you take the roll call?

**Ms. Parry:** Mike took my agenda.

**Chairman Vanderloo:** 17th, excuse me. I'm getting ahead of myself. Time travel.

**Ms. Parry:** We have Chair Vanderloo?

**Chairman Vanderloo:** Yes, present.

**Ms. Parry:** Vice Chair Moffett?

**Vice Chair Moffett:** Present.

**Ms. Parry:** Mr. Gutierrez?

**Mr. Gutierrez:** Present.

**Ms. Parry:** Ms. Mason Semmes?

**Ms. Mason Semmes:** Present.

**Chairman Vanderloo:** All right, fantastic. We have a quorum, and we can conduct business this evening. I'd like to correct myself. Thank you. It is actually the January 17th, 2023 Board of Zoning Appeals meeting. The next item of business is approval of the meeting minutes. Has everyone received the September 20th, 2022 meeting minutes and had an opportunity to review them?

**Mr. Gutierrez:** Yes.

**Vice Chair Moffett:** I prefer the summary to the-- [laughs]

**Chairman Vanderloo:** To the transcript.

**Ms. Mason Semmes:** I did not find a missing period, or a comma instead of a period.

**Chairman Vanderloo:** Did anybody want to confess to reading the transcript? I didn't.

**Vice Chair Moffett:** I tried to skim it.

**Mr. Gutierrez:** I read through the transcript. It's fine.

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**Vice Chair Moffett:** I skimmed it.

[laughter]

**Chairman Vanderloo:** I read the first page. Does anybody have any comments to the meeting minutes? All right, if no, I'll entertain a motion to approve the meeting minutes.

**Mr. Gutierrez:** I'll second.

**Vice Chair Moffett:** I'll move.

**Chairman Vanderloo:** Okay. All in favor?

**Board Members:** Aye.

**Chairman Vanderloo:** The meeting minutes of the September 20th, 2022 meeting are hereby adopted. All right. I see we have public hearing is the next agenda item, but I don't believe we actually have a public hearing tonight.

**Ms. Parry:** No, we do not.

**Chairman Vanderloo:** Unfinished business. Is anyone aware of any unfinished business to be brought before the board this evening? All right. No unfinished business. New business. We have three items of new business this evening. The first one is the election of officers, the second one is the adoption of the 2023 BZA meeting calendar, and the third one is the 2022 BZA annual report. Why don't we take those in order, then. The first new business is the election of officers. Do we have any nominations for officers of the Board of Zoning Appeals?

**Ms. Mason Semmes:** I would nominate Peter Vanderloo to be Chair, hoping that he would be willing to serve in that capacity again.

**Chairman Vanderloo:** I will, and I thank you for the nomination.

**Vice Chair Moffett:** I will second that nomination if that's necessary.

**Chairman Vanderloo:** All right. Thank you for that. Do we have any other nominations for the role of Chair? Hearing none, I would like to nominate for the role of Vice Chair, Ms. Moffett, would you be willing to accept it again?

**Vice Chair Moffett:** Certainly, yes.

**Chairman Vanderloo:** Very well.

**Ms. Mason Semmes:** I'll second that nomination.

**Chairman Vanderloo:** Do we have any other nominations for the role of Vice Chair? Hearing no others, let us vote on the proposed Chair and Vice Chair. All in favor?

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**Board Members:** Aye.

**Chairman Vanderloo:** Any opposed? All right. Those nominations carry, and we've elected the officers for the Board of Zoning Appeals. Thank you for that, everyone. The adoption of the 2023 BZA meeting calendar. Has everyone had a chance to take a look at the BZA meeting calendar, and are there any comments to it?

[silence]

**Ms. Mason Semmes:** I put all the dates in my phone.

**Vice Chair Moffett:** That's a good idea.

**Chairman Vanderloo:** You're farther ahead than me.

**Vice Chair Moffett:** That's a good idea

**Chairman Vanderloo:** That's a good idea.

**Vice Chair Moffett:** It's a good idea.

**Chairman Vanderloo:** It all looks, of course, as usual, in order. Thank you, Debi. No comments from me. If there are no comments, I'll entertain a motion to adopt the 2023 BZA meeting calendar.

**Ms. Mason Semmes:** I will move that we adopt the 2023 Board of Zoning Appeals meeting schedule.

**Chairman Vanderloo:** Second?

**Mr. Gutierrez:** I'll second it.

**Chairman Vanderloo:** All in favor?

**Board Members:** Aye.

**Chairman Vanderloo:** Okay. The 2023 Board of Zoning Appeals meeting calendar is hereby adopted. 2022 BZA annual report. I did have one little nit, and I'm sorry for that.

**Ms. Parry:** It's okay.

**Chairman Vanderloo:** It's actually on the inside page 2 under 2022 BZA members. There next to my name there's a comma.

**Ms. Parry:** Oh, it got cut off. Yes. That should be--

**Chairman Vanderloo:** Then after Susan's name, she's now accused of vice.

[laughter]

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**Ms. Parry:** I will fix the block.

**Ms. Mason Semmes:** I looked at that, I didn't even see it. That's great.

**Chairman Vanderloo:** True confessions. It's time to--

**Vice Chair Moffett:** Maybe, I don't know, maybe I'm vice squad.

**Chairman Vanderloo:** Other than that, no comments from me.

**Ms. Mason Semmes:** Thank you. Do we have to adopt it or anything?

**Ms. Parry:** Yes.

**Chairman Vanderloo:** Yes. Hearing no other comments, I'll entertain a motion to adopt the 2022 BZA annual report.

**Vice Chair Moffett:** I move that we adopt the 2022 annual report.

**Chairman Vanderloo:** Friendly amendment, as amended?

**Vice Chair Moffett:** As amended, yes.

**Chairman Vanderloo:** Very well. Second for that?

**Mr. Gutierrez:** I'll second it.

**Chairman Vanderloo:** All those in favor of adopting the 2022 BZA annual report as amended, say aye.

**Board Members:** Aye.

**Chairman Vanderloo:** Any opposed? All right. The 2022 BZA annual report as amended is hereby adopted. I think there's actually a fourth item of new business, which would be Mr. Marshall's appointment. Is that correct?

**Mr. Watkins:** Mr. Chair and members of the Board, good evening. Just a couple of housekeeping things to make you aware of. This year we actually have the re-appointment of Ms. Mason Semmes and a new appointment for Mr. Thomas Marshall. Both of those appointments are pending with circuit court. The nature of the process is you make an application to Council, Council selects you as a recommended appointee, the Town Attorney drafts an order for the court's decision, the court actually appoints you to the BZA. We're waiting on those two orders to come back from the circuit court.

**Chairman Vanderloo:** Okay. Are there any other items of which the BZA should be made aware at this point?

**Mr. Watkins:** I'm pleased to announce that my reign or tenure as your secretary will be short. I'm pleased to announce that the Town has made an offer of employment

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for the Assistant Zoning Administrator, who is your clerk. That person is Evan Harlow. He will be starting on February 6th. I'm super excited to have him on board.

**Chairman Vanderloo:** Fantastic.

**Vice Chair Moffett:** Where does he come from?

**Mr. Watkins:** He is currently employed with Loudoun County.

**Ms. Mason Semmes:** For many years.

**Mr. Watkins:** Yes, 19 years.

**Ms. Mason Semmes:** I do know him.

**Mr. Watkins:** An excellent resource for Town staff and you all moving forward. Additionally, we've got a batch, our annual batch is moving forward, there's about 13 items that are included in the batch. In addition, I can't remember if Mr. Ruddy made you aware, The Town had put out for bid a solicitation for a rewrite of the zoning ordinance.

**Chairman Vanderloo:** I believe we'd heard that.

**Ms. Semmes:** Yes, I think so.

**Mr. Watkins:** We're close to selecting a vendor for the rewrite. It's anticipated it would be a two-year process. Then obviously as a stakeholder, when we get closer to the pertinent sections of the zoning ordinance dealing with variances and whatnot, you'll be sought out as a stakeholder and comment on the rewrite. Other than that, I really don't have anything to report to you. We're super busy here at the town. Lots of development applications based on our suburban nature of growth. We're not really seeing any variances or appeals yet. There's a couple that may play out here, so there may be a case or two on the appeals side of things that may come to the attention of the Board. Other than that, staff is busy. We're all doing well and hope you all are doing well and have a good 2023.

**Chairman Vanderloo:** Thank you very much for that report. I appreciate that. Do we have any other new business from any of the members of the Board of Zoning Appeals like to bring forward?

**Ms. Mason Semmes:** Don't think so.

**Chairman Vanderloo:** Debi, is there anything that we should be aware of from your perspective?

**Ms. Parry:** Not aware of anything. I think you all have got your disclosure forms in, so, hurrah to you. Gold stars all around.

**Chairman Vanderloo:** Fantastic. That's awesome. Hearing no other items of business, a motion to adjourn?



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**Vice Chair Moffett:** I move that we adjourn the meeting.

**Chairman Vanderloo:** Second?

**Ms. Mason Semmes:** I'll second.

**Chairman Vanderloo:** All in favor?

**Board Members:** Aye.

**Chairman Vanderloo:** The January 17th, 2023 Board of Zoning Appeals meeting is hereby adjourned.

**The meeting was adjourned at 7:09pm.**