



BOARD OF ZONING APPEALS

Business Meeting: Tuesday, April 16, 2024, 7:00pm
Council Chamber, Town Hall, 25 West Market Street,
Leesburg, VA 20176

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

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Board Members

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

Support Staff

Michael Watkins, Zoning Administrator
Ashleigh Goedeke, Zoning Analyst
Carmen Babonneau, Zoning Inspector
Shelby Miller, Planner-Zoning Administration

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- I. Call to Order and Roll Call
 - II. Determination of Quorum
 - III. Approval of Meeting Minutes:
 - a. January 16, 2024 Meeting Minutes
 - IV. Zoning Ordinance Rewrite Presentation – Betsy Arnett
 - V. Unfinished Business
 - VI. New Business
 - VII. Adjournment

NEXT SCHEDULED BUSINESS MEETING: September 17, 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 Shelby Miller at samiller@leesburgva.gov or 703-737-7183.

Three days advance notice is requested.



MINUTES OF THE BOARD OF ZONING APPEALS
Tuesday, January 16, 2024
25 West Market Street
Council Chamber

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

MEMBERS ABSENT: None

STAFF: Zoning Analyst Ashleigh Goedeke, Zoning Administrator Michael Watkins

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 19, 2023, Board of Zoning Appeals Meeting**
On a motion by Mr. Marshall, seconded by Vice Chair Moffett, the minutes of September 19, 2023, were approved by a 5-0 vote.
- b. December 19, 2023, Board of Zoning Appeals Meeting**
On a motion by Mr. Marshall, seconded by Vice Chair Moffett, the minutes of December 19, 2023, were approved by a 5-0 vote.

BZA Disclosures

None

Public Hearings

None

Unfinished Business

None

New Business

- a. Election of Officers**
Vice Chair Moffett nominated Peter Vanderloo to continue as Chairman of the BZA for 2024. The nomination was seconded by Mr. Marshall.

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 2024. 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 5-0 vote.
- b. Adoption of the 2024 BZA Meeting Calendar**
On a motion by Vice Chair Moffett, seconded by Mr. Gutierrez, the 2024 BZA meeting calendar was approved by a 5-0 vote.

c. 2023 BZA Annual Report

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

On a motion by Vice Chair Moffett, seconded by Mr. Guterrez, the 2023 BZA annual report was adopted, as amended, by 5-0 vote.

Adjournment

On a motion by Ms. Semmes, seconded by Mr. Marshall, the meeting was adjourned at 7:08 pm by a 5-0 vote.

Peter Vanderloo, Chairman

Ashleigh Goedeke, Zoning Analyst

Chair Vanderloo: I hereby call this Town of Leesburg Board of Zoning Appeals, January 16th, 2024 meeting into session. Ashleigh, would you please take the roll?

Ms. Goedeke: Yes. Chairman Vanderloo?

Chair Vanderloo: Present.

Ms. Goedeke: Vice Chair Moffett?

Vice Chair Moffett: Present.

Ms. Goedeke: Mr. Gutierrez?

Mr. Gutierrez: Present.

Ms. Goedeke: Ms. Semmes?

Ms. Semmes: Present.

Ms. Goedeke: Mr. Marshall?

Mr. Marshall: Present.

Chair Vanderloo: All right. Thank you for that. I determine that we have a quorum present. All five of our members are present, so we can conduct the business that we were brought together to conduct tonight. We have just a few items on the agenda. We're going to have a couple meeting minutes, September 19th, 2023, December 19th, 2023. There is no public hearing, as we know. I'm not aware of any unfinished business, but when I get to that, I'll call for any.

Then we definitely have the new business for the election of officers, the adoption of the 2024 meeting calendar, and then also the adoption of the beautiful, well-done, professional 2023 BZA Annual Report. All right. Let's move on to the approval of the meeting minutes. Has everybody got a copy of the September 19th, 2023, and the December 19th, 2023-

Mr. Marshall: Yes.

Chair Vanderloo: -meeting minutes?

Mr. Gutierrez: Yes.

Chair Vanderloo: All right. Fantastic. Everyone has a copy. Does anyone have any comments or proposed changes to those meeting minutes?

Mr. Marshall: I don't think so.

Chair Vanderloo: The only question I have is, are the transcripts-- I noticed something in the transcript. Are we correcting that as well, or just the shorter form of one?

Ms. Goedeke: We can, yes. Those are something that we update as staff to correct the transcripts, but yes, we can.

Chair Vanderloo: Because I just saw one item on the September 19th page two. It quotes me as saying the meeting was-- Hold on one second.

Ms. Goedeke: Oh, yes, the January--

Chair Vanderloo: The meeting passed 320. I think it's supposed to be the minutes passed four to zero.

Ms. Goedeke: Yep, perfect.

Chair Vanderloo: All right. I'll give everyone another minute to see if they have any comments.

Vice Chair Moffett: I think that was really the only thing I noticed and I just would like to bring it up. As far as Ms. Arnett's report, I'm counting them. That way, I can check to see if that's exactly what she said.

Chair Vanderloo: [laughs] True. All right. Not hearing any comments, I would entertain a motion to approve both the September 19th, 2023, and the December 19th, 2023, meeting minutes. Do I have a motion for that?

Mr. Marshall: So moved, Mr. Chairman.

Chair Vanderloo: Second to that?

Vice Chair Moffett: I second the motion.

Chair Vanderloo: All right. All in favor?

Members: Aye.

Chair Vanderloo: All right. It appears that passed five to zero, so the minutes are approved for both of those meetings. We have no public hearing, so I will now call for any unfinished business from members of the board. Any unfinished business from staff?

Mr. Watkins: No, sir.

Chair Vanderloo: All right. Fantastic. Let's move on to our new business. As mentioned, we have three items of new business. The first is the election of officers. Do I have any nominations? I will now call for nominations. Do I have any

nominations for any-- We have the chair and the vice chair. Do we have any nominations for the chair of the Board of Zoning Appeals?

Vice Chair Moffett: I nominate Peter Vanderloo-

Chair Vanderloo: Thank you.

Vice Chair Moffett: -as chair.

Mr. Marshall: I'll second that.

Chair Vanderloo: Thank you. I accept. Thank you. Any other nominations for chair? All right. Hearing none, I'll call for nominations for vice chair. I would also like to nominate you for vice chair, Ms. Moffett.

Vice Chair Moffett: I accept.

Ms. Semmes: I would second that.

Chair Vanderloo: Fantastic. Any other nominations for vice chair? All right. Hearing none, I'll close the nominations and move to vote. All in favor of electing Peter Vanderloo as chairman, Susan Moffett as vice chairman, say aye.

Members: Aye.

Chair Vanderloo: Any opposed? All right. Peter Vanderloo and Susan Moffett are hereby elected as chair and vice chair, respectively. All right. Thank you for that. The next item is the adoption of the 2024 BZA meeting calendar. Did everybody receive a copy of the BZA meeting calendar? Does anybody have any comments to this?

Vice Chair Moffett: The business meetings are January-- For some reason, I thought it was up to January and September. Which of those--

Ms. Goedeke: Yes, it's January and September.

Vice Chair Moffett: January and September.

Ms. Goedeke: That's been typical the last couple of years.

Vice Chair Moffett: Oh, that's why the asterisks are there, obviously. Yes, I see it now.

Ms. Goedeke: Yes. They're bolded. January 16th and then September 17th are our two regularly scheduled meetings.

Vice Chair Moffett: The others would just be as needed.

Ms. Semmes: As needed.

Vice Chair Moffett: Right.

Mr. Marshall: It's just those two?

Vice Chair Moffett: Just those two that we meet regardless of whether we have a case or not.

Chair Vanderloo: In reviewing the December meeting minutes, I understand that there may be something coming soon so we may have a meeting.

Ms. Goedeke: On the agenda for this one, I think April is what we estimated for another update from Ms. Betsy Arnett for the zoning ordinance rewrite is about that timeframe when we expect her to come-

Chair Vanderloo: Okay, fantastic.

Ms. Goedeke: -to come back to the board and offer a presentation.

Chair Vanderloo: There may also be something in the downtown, a contested--

Mr. Watkins: We'll see. The council is entertaining an amendment to the zoning ordinances, which may preempt the need for variance, so we'll see what happens with that.

Chair Vanderloo: All right. We shall tune in with excitement to see how this comes out. All right, back to business. I'm sorry. I was trying to keep you warm.

Vice Chair Moffet: Thank you. [crosstalk] are thawing out.

Chair Vanderloo: Hearing no comments, I will entertain a motion for the approval of the adoption, I should say the 2024 BZA meeting calendar.

Vice Chair Moffet: So moved.

Chair Vanderloo: Second.

Mr. Guiterrez: I'll second.

Chair Vanderloo: All in favor?

Members: Aye.

Chair Vanderloo: All right, passes five to zero. Wonderful. We've hereby adopted the 2024 BZA meeting calendar. All right, now hopefully everybody has received the 2023 BZA annual report, and it appears we have. Again, this is a beautiful work product. Always love to see this. Thank you all for putting this together. Although I do wonder because Ms. Moffett again has been identified-- what's the dirt? She's been identifying as vice here.

Vice Chair Moffet: Vice, yes.

Ms. Semmes: That's right. You've identified with a comma [crosstalk]--

Vice Chair Moffet: You have no identification. [crosstalk]

Chair Vanderloo: Mystery. That's what it is.

Ms. Semmes: You should probably fix that.

Chair Vanderloo: If we can get a copy of the dirt we have on Ms. Vice over here [crosstalk] vice is nice. My one and only comment would be just to confirm the [crosstalk].

Vice Chair Moffet: I don't know if-- I'll say chair, CHR after you or something, if they really wanted to--

Ms. Semmes: They've got room.

Vice Chair Moffet: It's not important.

Ms. Semmes: They have plenty of room on that page. I think they can--

Vice Chair Moffet: There's a comma after your name, so it is really a mystery which follows.

Ms. Semmes: It's down there. It's just not showing up.

Ms. Goedeke: I promise it's in there. The copy I have says chairman and vice chairman [crosstalk]--

Chair Vanderloo: I'm sure. [crosstalk] Exactly.

Ms. Semmes: We have the secret copies, I guess.

Vice Chair Moffet: She's got the real copies.

[laughter]

Ms. Semmes: Darn, those printer settings.

Vice Chair Moffet: She got the cast off.

Chair Vanderloo: I'm wondering, does anybody want to submit maybe a drawing, like-

Ms. Semmes: I think we should, right?

Chair Vanderloo: -the BZA in action or something, an original charcoal or something [crosstalk]--

Vice Chair Moffet: Who's artistic here?

Ms. Semmes: A picture.

Chair Vanderloo: All right. Hearing no real comments-- although let me pause again. Are there any other substantive comments? All right, I entertain a motion to approve the 2023 BZA annual report as amended, but it sounds like we don't need to amend it, so entertaining a motion if we have one.

Vice Chair Moffet: I move to accept the BZA annual report.

Chair Vanderloo: Thank you. A second?

Mr. Guiterrez: I'll second.

Chair Vanderloo: All in favor?

Members: Aye.

Chair Vanderloo: Aye. It is hereby approved, the 2023 BZA annual report. All right, is there any other matter of new business to come before the board of zoning appeals tonight? All right. I just want to say thank you to everybody for coming out in the snow and the cold. I stopped to gas up my car on the way here and I was like, "It is cold. The wind is kicking up now." Anyways, thank you all for being here tonight. Definitely, appreciate that. If there is no other business, then motion to adjourn.

Ms. Semmes: I'll move that we adjourn.

Chair Vanderloo: Any second on that?

Vice Chair Moffet: Second.

Chair Vanderloo: All in favor?

Members: Aye.

Chair Vanderloo: The January 16th, 2024, Town of Leesburg Board and Zoning Appeals meeting is hereby adjourned.

Ms. Semmes: You remembered to say 2024. [crosstalk].

Chair Vanderloo: Amazing.

[00:14:09] [END OF AUDIO]