

STAFFORD COUNTY BOARD OF ZONING APPEALS MINUTES
April 23, 2018

The regular meeting of the Stafford County Board of Zoning Appeals (BZA) of Monday, April 23, 2018, was called to order with the determination of a quorum at 7:00 p.m. by Chairman Robert Grimes in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Robert Grimes, Steven Apicella, Ernest Ackermann, Dana Brown, Robert Gibbons, Dean Larson, Heather Stefl

MEMBERS ABSENT: Adela Bertoldi, Danny Kim

STAFF PRESENT: Susan Blackburn, Melody Musante, Denise Knighting

DETERMINATION OF QUORUM

Mr. Grimes: Good evening ladies and gentlemen. Welcome to the April 23, 2018 meeting of the Stafford County Board of Zoning Appeals. The BZA is a quasi-judicial body whose members are volunteers appointed by the Circuit Court of Stafford County. The purpose of the BZA is to hear and decide appeals from any order, requirement, decision, or determination made by the Zoning Administrator. Hearing of Appeals will be conducted in two parts. The first will be a review of jurisdiction and standings, the second will be hearing the merits of the case, if required after review of jurisdiction and standing. Hear and decide upon requests of Variance from the Zoning Ordinance when a literal enforcement of the Ordinance would result in unnecessary hardship to the owners of a property and hear and decide on requests for Special Exceptions where the Zoning Ordinance allows for Special Exceptions. The Board consists of seven regular members and two alternate members. An alternate member may be called upon to participate when a regular member is unable to hear a case. Let the record reflect that we have a quorum tonight with seven voting members present. The members present and voting tonight are Mr. Apicella, Ms. Brown, Dr. Larson, Mrs. Stefl, Dr. Ackermann and Mr. Gibbons, and myself, Robert Grimes. County staff is represented tonight by Ms. Susan Blackburn, the Zoning Administrator, Ms. Musante, the Deputy Zoning Manager, and Ms. Denise Knighting, the Office Manager. The hearings will be conducted in the following order. The Chair will ask the staff to read the case and the members of the Board may ask questions of the staff. The Chair shall ask the applicant and/or their representative to come forward and state their name and address, and present their case to the Board. The presentation shall not exceed 10 minutes unless additional time is granted by the Board. Members of the Board may ask questions of the applicant to better clarify or understand the case. The Chair will then ask for any member of the public who wishes to speak in support of the application to come forward and speak. There shall be a 3 minute time limit for each individual speaker, and a 5 minute time limit for a speaker who represents a group. After hearing from those in favor of the application, the Chair will ask for any member of the public who wishes to speak in opposition to the application to come forward and speak. After all public comments have been received the applicant shall have 3 minutes to respond. We ask that each speaker present their views directly to the Board, and not to the applicant or other members of the public. We require the applicant speakers, presenters and audience to act with a decorum and respect appropriate of courtroom setting. After the applicant's final response, the Chair shall close the public hearing. After the public hearing has been closed, there shall be no further public comments. The Board shall review the evidence presented and the Chair shall seek a motion. After discussion of the motion, the Chair shall call for a vote. In order for any motion to be approved, four members of the Board must vote for approval. In order to allow the Board time for appropriate review, the applicant or applicant's representative is required to submit relevant material to the Department of Zoning and Planning, ten business days prior to this hearing, to be included in the

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staff report. The Board may accept additional relevant material from the applicant or the applicant's representative during the hearing; however, large amounts of additional material may require a deferral, at the Board's option, on behalf of the applicant to allow the Board time to consider the additional material. Members of the public and/or staff may also submit relevant material during the hearing. The applicant should be aware that we have seven voting members present, and you must have four affirmative votes to approve an application. The applicant may also withdraw his or her application at any time prior to a vote to approve or deny the application provided that the applicant has not withdrawn a substantially similar application within the previous 12 months. Any person, or persons, who do not agree with the decision of the Board, shall have 30 days to petition the Stafford County Circuit Court to review our decision. Also, be aware that the Board will not hear any denied application for a Variance or Special Exception that is substantially the same request for one year from the date of our decision. I'll now ask anyone with a cell phone or other electronic device to please silence it. Thank you. It is the custom of this Board to require that any person who wishes to speak before this Board shall be administered an oath. Therefore, I ask that anyone who wishes to speak tonight to stand and raise your right hand. Please stand. Do you hereby swear or affirm that all testimony before this Board shall be nothing but the truth?

Members of the audience: Yes sir.

Mr. Grimes: Thank you, you may be seated. The Chair asks that when you come down to the podium to speak, please give your name and address clearly into the microphone so our recording secretary can have an accurate record of the speakers tonight. Also, please sign the form on the table at the rear of the room. Thank you. Are there any changes or additions to the advertised agenda?

Mrs. Musante: There are no changes.

Mr. Grimes: Since we are talking about the agenda, I wanted to bring this up to the Board. We have several items of other business. Considering that we are down 2 or 3 members, do we want to do those this evening or do we want to wait until our next meeting where we might have a full Board. Any thoughts?

Ms. Brown: I am ready to do it tonight, but that's just me.

Dr. Ackermann: I think a full Board might be best, but that's just me.

Mr. Grimes: Any other thoughts?

Mr. Apicella: I am good to wait Mr. Chairman.

Mr. Grimes: Alright, I will just go ahead and poll the Board really quick. All those in favor of deferring the other business items to our next meeting say aye.

Mr. Apicella: Aye.

Dr. Ackermann: Aye.

Mr. Grimes: Aye.

Dr. Larson: Aye.

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Mrs. Stefl: Aye.

Mr. Grimes: Okay, it looks like we will defer all three of those.

Ms. Brown: I am a nay on that, just for the record.

Mr. Grimes: Thank you. I will now have the secretary read the first case.

Ms. Brown: Excuse me Mr. Chairman.

Mr. Grimes: Yes.

Ms. Brown: Did you want to ask for declarations?

Dr. Ackermann: Yes.

Mr. Grimes: Did I miss that? I am sorry. You are correct.

Ms. Brown: You did or I did, one of us.

Mr. Grimes: Oh that was my mistake. Before we hear the first case does any Board member wish to make any declarations or statements concerning any case to be heard before the Board tonight? Ms. Brown.

DECLARATIONS OF DISQUALIFICATION

Ms. Brown: I just have one. I just wanted to say that I did visit the property today. I did not go in. I drove by at 66 Lucks Drive. I must say the GPS directions are not reliable, but I did have a nice drive out to the county today and I took a quick look at your property. I just wanted to let you know. Thank you.

Mr. Grimes: Any other declarations? Hearing none, now I can have the secretary read the case.

PUBLIC HEARINGS

1. SE01-18/18152227 - William and Alonna Musselman - Request a Special Exception per Stafford County Code Sec. 28-35, Table 3.1, "District uses and standards," A-1, Agricultural Zoning District, to allow mobile locksmithing as a Rural Home Business on Tax Map Parcel No. 55-93A. The property is zoned A-1, Agricultural, located at 66 Lucks Drive.

Ms. Musante: SE01-18/18152227, William and Alonna Musselman request a Special Exception per Stafford County Code Sec. 28-35, Table 3.1, District uses and standards for the A-1, Agricultural Zoning District, to allow mobile locksmithing as a Rural Home Business on Tax Map Parcel No. 55-93A. The property is zoned A-1, Agricultural, located at 66 Lucks Drive. You have a copy of the application, application affidavit, a plat dated March 3, 2018, copy of construction plans and a copy of definition of rural home business. The applicant is requesting a Special Exception for a Rural Home Business to operate a mobile locksmith business on the property. He is requesting to construct a 3,172 square-foot detached garage which will provide a secure and weatherproof location for his work van, tools, and inventory. He would also be using this space for any prep work he would need to do for his scheduled jobs and an additional van in the future. The setbacks for the proposed building are 580 feet

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from the front property line, 39.3 feet to the side property line, 50 feet from an existing shed, and approximately 70 feet from the house. There is a 3,384 square-foot single-family dwelling located on the property that will not be utilized for the business. The site is heavily wooded with hardwoods which will act as a screen for the proposed building. The applicant has requested the days and hours of operation to be Monday through Friday 8:00 AM to 4:30 PM, with no weekend hours. He stated he may have up to 2 employees who will work off-site but will be coming to the property to pick up the work van and any tools and supplies needed for the jobs. The site has more than adequate parking to accommodate any employee traffic. The applicant indicates there will not be any outside storage and all tools and materials will be stored in the proposed structure. No customer traffic is expected. The single-family dwelling was constructed in 1989.

Mr. Grimes: Thank you. Are there any questions for staff?

Dr. Ackermann: I do.

Mr. Grimes: Yes sir.

Dr. Ackermann: Is this a... in the applicant information form it says that there are two applicants, William and Alonna.

Ms. Musante: Correct.

Dr. Ackermann: And the form is only signed by one.

Ms. Musante: We just had her sign it a few minutes ago.

Dr. Ackermann: So, do you have a copy of that?

Ms. Musante: Yes.

Dr. Ackermann: If I could see it that would be great. Thank you. Great. Anybody else want to see this? No. We're good, okay. Okay thank you. Thank you very much.

Mr. Grimes: Yes.

Mr. Apicella: Mr. Chair, I have a couple of questions. Regarding the development conditions, I am curious if you discussed with the applicant a couple of these potential additional conditional that were not included, but based on the nature of the business itself, and I won't get into it because I think we have all read the package. But I am wondering if a security system was discussed with the applicant.

Ms. Musante: It was not.

Mr. Apicella: Okay, how about signage.

Ms. Musante: No.

Mr. Apicella: And you mentioned the applicant indicated that would be no outside storage. Would they be okay with, as far as you know, an additional condition that said no outside storage?

Ms. Musante: I do believe so.

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Mr. Apicella: Okay, thank you.

Mr. Grimes: Any other questions for staff? Yes Mr. Gibbons.

Mr. Gibbons: I noticed that one of the staff members has the same last name.

Ms. Musante: I am not related to him.

Mr. Gibbons: Thank you.

Mr. Grimes: Any other questions for staff? Hearing none, I will go ahead and open the public hearing. Will the applicant or his or her representative please come forward and present their case.

Mr. Musselman: Good evening Board. My name is William Musselman and I am looking to build a garage for my business. I want to grow my business. I started it in 1994 and at one time I did have three employees and two vehicles, when the recession hit I scaled back and went back to just me and one vehicle. So I am trying to grow it back. Currently I have inventory in an old horse barn and it's not climate controlled so I have some issues with weather and when I go out of town my van is outside. It is not secure, so I am looking just to improve on the situation, you know. Build me a nice garage and for my business. Have a place to work that's climate controlled and secure. When I built my house I was 26 years old. I bought a nice piece of land and built a real modest house. So, you know that's kind of hurt me now.

Mr. Apicella: So that was three years ago?

Mr. Musselman: No thirty years ago.

Mr. Grimes: Alright, are there any questions for the applicant? Yes Ms. Brown.

Ms. Brown: I to had noticed about there was a lack of a sign. Did you want to have a sign?

Mr. Musselman: No.

Ms. Brown: Were you planning on...

Mr. Musselman: No.

Ms. Brown: Okay.

Mr. Musselman: No, I don't do any business out of the house.

Ms. Brown: Okay.

Mr. Musselman: Strictly mobile.

Ms. Brown: Thank you.

Mr. Musselman: It's just for inventory and work van and maintenance and that sort of thing.

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Ms. Brown: And I did just have one question for Mrs. Musselman, if I could. I to had noticed about the lack of your signature on the documents before our meeting. Was that just an oversight that you didn't sign that?

Mr. Musselman: Yes.

Mrs. Musselman: I work in Manassas Virginia and he came here on a Tuesday, so I just wasn't present when he filled out the application. But I helped fill out the application at home before he came in.

Ms. Brown: Okay, so you are fine with having a business on the property.

Ms. Musselman: Oh yes, yes.

Ms. Brown: Great. Okay, thank you.

Mr. Grimes: Ms. Musselman, if you wouldn't mind just stating your name.

Ms. Musselman: Sure, Alonna Musselman.

Mr. Grimes: Thank you. Yes sir.

Dr. Larson: Mr. Musselman in your special exception description you say I would like also to have a place to keep my stock and I think you referred to stock just earlier in your comments. Later on you say I don't have a walk in business. So what are you calling stock?

Mr. Musselman: Inventory. Locks and you know hardware. If I buy in bulk I get a better price, so a lot of times I will stock up on things when they are on sale and I keep a good inventory to restock the vans.

Dr. Larson: And how do you distribute your inventory?

Mr. Musselman: I am a mobile locksmith. So I go out to the site.

Dr. Larson: You go out?

Mr. Musselman: Yes.

Dr. Larson: People don't come to your home and buy things?

Mr. Musselman: Naw, I have a large spinner van and it's set up like a mobile shop. So I have a pretty big inventory on it.

Dr. Larson: Okay, thank you.

Mr. Musselman: Okay.

Mr. Grimes: Yes Mrs. Stefl.

Mrs. Stefl: You mentioned that employees might come to the home and pick up a vehicle because you want to maybe have a second or a third van.

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Mr. Musselman: Yes ma'am.

Mrs. Stefl: Is that correct?

Mr. Musselman: Yes ma'am.

Mrs. Stefl: So they will leave their personal vehicles at the home during the day and then pick up the van and return it in the evenings?

Mr. Musselman: Yes ma'am.

Mrs. Stefl: So you would have three vehicles... three mobile vans on property.

Mr. Musselman: Well currently I have one, my son is going to come back to work for me so I am going to probably get another and then down the road...

Mrs. Stefl: Uh huh.

Mr. Musselman: ... I would like to get a third, but right now I just have one.

Mrs. Stefl: And do you have any hesitations with possibly having security installed, cameras or something to that affect. You stated in your application, you know it is a locksmith so there's...

Mr. Musselman: Right.

Mrs. Stefl: ... means for people to want possibly break in and get supplies to them themselves use it for not so ethical...

Mr. Musselman: I plan on putting a security system in there.

Mrs. Stefl: Okay, thank you so very much.

Mr. Musselman: You are welcome.

Mr. Apicella: So everyone has pretty much stole my thunder here. So, the only other question I will ask is you know again, you have indicated in your application no outside storage. Are you okay with a condition that states the same?

Mr. Musselman: Oh yeah.

Mr. Apicella: So that's one additional add. I think you have heard us ask about signage, so one condition might be no signage associated with the business. You are okay with that?

Mr. Musselman: Yes sir.

Mr. Apicella: And also a last condition on installing a monitored security system, you would be okay with that as well?

Mr. Musselman: Yes sir.

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Mr. Apicella: Thank you very much sir.

Dr. Ackermann: I have a question.

Mr. Grimes: Yes.

Dr. Ackermann: It says here hours of operation from 8:00 am to 4:30 Monday through Friday. Is that like really strict? I mean if I called you on Saturday and say I can't get in my house would you come and work for me.

Mr. Musselman: You know I did 24-Hours for 11 years and it's alright when you are young, but it's... I need my sleep now.

Dr. Ackerman: Okay.

Mr. Musselman: The hours vary, I mean being a mobile... they really don't affect there. So I pretty much work until the work is done. So, I list them in the yellow pages but I don't really have set hours, but they are pretty close.

Dr. Ackermann: Okay, thank you.

Ms. Brown: Mr. Chairman?

Mr. Grimes: Yes.

Ms. Brown: I am sorry, I did forget one. I noticed today when I was out there that you had your yellow public notice sign, thank you for keeping that up. Have any of the neighbors expressed any concerns at all?

Mr. Musselman: No a couple of them contacted me when they saw the sign and just when they found out what it was, you know, I think they were relieved.

Ms. Brown: Okay. I just wanted to ask. Thank you very much. It was a nice piece of property out there. I felt very much like I was on country vacation.

Mr. Musselman: Thank you.

Mr. Grimes: any other questions for the applicant? Alright, hearing none, you can be seated now.

Mr. Musselman: Okay.

Mr. Grimes: Any member of the public who wishes to speak in support of the application please come forward. Seeing none we will move on. Any member of the public who wishes to speak in opposition to the application please come forward. Alright I guess you don't have to respond to any additional comments from anyone. We will now close the public hearing for this application and bring the matter back to the Board for discussion.

Mr. Apicella: Mr. Chairman.

Mr. Grimes: Yes sir.

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Mr. Apicella: In anticipation that we might proceed forward with approval of tonight's application, I would like to add three additional conditions. The first being that there will be no signage associated with the business on site. Second being no outside storage associated with the business. And lastly, the applicant will maintain a monitored security system.

Mr. Grimes: I have one other suggested development condition. I noticed that it dropped off; we normally have some kind of expiration that we set on these. Is that correct? So I would like to see if we can add in the normal language where this Special Exception expires on the sale of the property. Is anybody opposed to that condition? We will bring you back up to ask a couple of questions about that. Any other comments or discussion on development conditions for this Special Exception?

Dr. Larson: Mr. Chairman, just to remove any ambiguity I think I would like to add something about no retail sales are permitted on the premises of his lot or however that was... we had something in the typical verbiage before, which we could probably use. But I don't recall what it was.

Ms. Musante: We are actually hooked into the computer system, so if you give me a few minutes I can find it.

Dr. Larson: Okay, great. Thank you Melody.

Mr. Grimes: Any other comments on the development conditions or the application in front of us? Okay, you are back, excellent. You have heard us talk about the suggested development conditions, kind of refining them as we review your case and discuss it. To you take exception to any of the proposed conditions that we have added?

Mr. Musselman: No sir.

Mr. Grimes: And you have read through the previous seven that were included in the staff report?

Mr. Musselman: I did.

Mr. Grimes: Okay. Thank you, you can go ahead and sit down.

Mr. Musselman: Okay.

Mr. Apicella: Mr. Chairman, I think it is probably simple enough to say that there shall be no retail, and I would add wholesale, sales associated with the business. Both of those terms are actually in the Zoning Ordinance.

Mr. Grimes: For rural business definition?

Mr. Apicella: Well there... they are just terms...

Mr. Grimes: Okay.

Mr. Apicella: ... in the Zoning Ordinance. So if you say you can't have it then you can't have it. You don't need to redefine it. It's not specific to a rural home business.

Ms. Brown: I am fine with that, very simple language.

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Mr. Apicella: Melody, did you hear that.

Ms. Musante: I am sorry.

Mr. Apicella: There should be no retail or wholesale business... I lost what I said.

Ms. Brown: On the property, I think you said.

Mr. Grimes: No retail or wholesale sales allowed.

Dr. Larson: Of merchandise or...

Ms. Brown: On the property.

Mr. Apicella: On the property.

Dr. Larson: On the property, yeah. It's a law that we are trying to include.

Ms. Brown: (Inaudible, microphone not on) said that they just didn't hear me.

Mrs. Stefl: (Inaudible, microphone not on) wholesale businesses, not wholesale sales.

Mr. Apicella: Yes, but I do believe wholesale sales because we've been looking at this at the Planning Commission.

Dr. Larson: A long time.

Mrs. Stefl: (Inaudible, microphone not on) definitions for retail.

Ms. Musante: We just used no retail sales on the premise...

Dr. Ackermann: Right.

Ms. Musante: ... is what I found. That was in 2015.

Mr. Apicella: So, just add wholesale.

Mr. Grimes: So if we can go back through these suggested development conditions one more time to make sure that we are all on the same page. And I am going to read these off Melody since I was taking notes and see if I've got them right. Number 1 - Days and hours of operation, Monday through Friday 8:00 am to 4:30 pm. No weekend hours. Number 2 - Customers by appointment only. Number 3 - Provide three off-street parking spaces. Number 4 - No more than two employees who do not reside on the premises. Number 5 - All work shall be conducted within the enclosed building. Number 6 - Must comply with all Federal, State and local codes. Number 7 - This approval may be revoked for willful noncompliance of the conditions imposed by the Board of Zoning Appeals. Number 8 - No outside storage associated with the business. Number 9 - No signage associated with the business on premises. Number 10 - Applicant will provide a monitored security system. Number 11 - No retail or wholesale sales on premises and Number 12 - This Special Exception expires at the sale of the property.

Mr. Apicella: Mr. Chairman, with those revised conditions I move for approval of SE01-18/18152227.

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Ms. Brown: I will second that but I have one question real quick on number 4. Just... I think it is a simple question but... Mr. Musselman you had said that you were going to have a couple more trucks and possibly your son might be coming back to the business. Is that going to be more than two employees? Okay, I am good then. Second for it.

Mr. Apicella: Right, but even under the rural home business you are allowed to have family members...

Ms. Brown: I know but...

Mr. Apicella: ... and not have that counted as employees. The business shall be... this if from the rural home business definition. The business shall be allowed on parcels at least three acres in size, no more than three employees other than family members who are residing in the principal residence shall be employed in the business.

Ms. Brown: Right, we are not sure his son resides on the property. But I just wanted to make clear that we were okay with that. So we have a...

Mr. Grimes: We have a motion...

Ms. Brown: And a second. I seconded it.

Mr. Grimes: Motion by Mr. Apicella, second by Ms. Brown...

Dr. Ackermann: I would like to make a statement.

Mr. Grimes: Discussion?

Dr. Ackermann: Yes. I would like to support the motion. I think that the application, the type of business that we are talking about fits almost entirely into the kinds of applications that we approved in the past and I think that we are following the zoning code. I think that this is a good thing to support. Thank you.

Mr. Grimes: Thank you. Anyone else?

Dr. Larson: Mr. Chairman, I will also support the motion. I think that the use is in harmony with the by-right uses of the A-1 zoning district and will have, as far as I can tell, very little impact on the neighbors.

Mr. Grimes: Thank you. Anyone else? With no further discussion I have a motion made by Mr. Apicella, seconded by Ms. Brown to approve the Special Exception as stated in case number SE01-18/18152227. All those in favor of the motion signify by saying aye.

Mr. Apicella: Aye.

Dr. Ackermann: Aye.

Mr. Grimes: Aye.

Mr. Gibbons: Aye.

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Dr. Larson: Aye.

Mrs. Stefl: Aye.

Ms. Brown: Aye.

Mr. Grimes: All those opposed say nay. It looks like the motion is approved for the Special Exception 7-0. Thank you for coming in and presenting. Ms. Musante will be following up with you at a later date. Thank you.

Mr. Musselman: Thank you very much.

Ms. Brown: Congratulations.

Mrs. Stefl: Good luck.

UNFINISHED BUSINESS

Mr. Grimes: So moving on to the next agenda item, unfinished business. Since we have deferred all of the other business, do we have any unfinished business?

Dr. Ackermann: Could I just ask one question? So this Code of Performance that is in our packet.

Mr. Grimes: Yes.

Dr. Ackermann: I think it is great that we state these things and further that we sign these. But I am just curious as to what if someone does not follow the Code of Performance? Is there any... I mean, or if let's say I accuse Ms. Brown of not following the Code of Performance, which I would never do, but if I did how does she defend herself or is there any due process? If there is no result of not following the Code of Performance then of course we don't need due process because nothing is going to happen. But I think it is great to have this stuff stated here, to have these statements here. I think it mirrors exactly what I think about what we do on the BZA and have no qualms about putting this here and having us sign it. As we have new members on the Board... I think it is also good as we have new come to the Board to also present something like this to them. It's just that I was just thinking that there's... we are just saying that we are great, pat ourselves on the back and okay.

Mr. Grimes: Yep.

Dr. Ackermann: You know, but there's no... How about another question? Who would remove us from the Board? It would have to be the Court wouldn't it?

Mr. Grimes: Yes, you would have to actually file a complaint.

Mr. Apicella: You would have to be impeached.

Dr. Ackermann: Malfeasance or something. Malfeasance, yes.

Mr. Grimes: Yes. A complaint would have to be filed to the Circuit Court and then the Circuit Court is the only one that has the power to do anything. So, I agree there is no kind of teeth behind it, but if we acknowledge this and as new members come on they see what the expectations are for how we should

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treat each other.

Dr. Ackermann: Sure.

Mr. Grimes: I just think is a good thing.

Dr. Ackermann: I think it is a good thing too. Right.

Mr. Grimes: But...

Dr. Ackermann: I just wanted to clarify that for myself. Because I did not see anywhere where, you know...

Mr. Grimes: No, and I think that the Board of Supervisors did something similar but what they discussed doing was reviewing it once a year at a work session to see if everybody's in compliance and discuss those in that session.

Mr. Apicella: I actually think that happens in closed session.

Mrs. Stefl: Yeah.

Dr. Ackermann: I would think so.

Mr. Apicella: Yes.

Mr. Grimes: Special session, closed session.

Dr. Ackermann: Right, thank you.

Mr. Grimes: So, any unfinished business Melody? Okay. Zoning Administrators report.

ZONING ADMINISTRATOR'S REPORT

Ms. Blackburn: I have nothing at this time.

Mr. Grimes: Thank you very much. I don't think we have any minutes to approve.

ADOPTION OF MINUTES

None

Ms. Brown: Can we talk about the minutes real quick?

Mr. Grimes: Sure.

Ms. Brown: I don't know if you all got my email. After the last meeting when I had contacted all the counties doing my little survey about alternates and secretaries and all that, I hadn't heard back from Spotsylvania as of our meeting. But the very next day or two after our meeting I did hear back. And I had a really good discussion with, I think her name was Mary, it's in my email. But they were putting their minutes out to contract to get them done and I think Melody you said we were going to do that too.

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Are we doing that?

Ms. Musante: We did do it and the woman that we contracted with became ill.

Ms. Brown: Okay. Are we using Mrs. Goode or somebody else?

Ms. Knighting: We are using Pam Deyerle out of Henrico.

Ms. Brown: Okay, a different one. Okay. I just wondered. Just if that was what was going on with that. That's it.

Unknown: (Inaudible microphone not on).

Ms. Brown: Right when I got it, so a couple days after our last meeting. She had... it was Mary somebody, but it was working out really good. They are getting like a two week turnaround time on their minutes and they just contract them out. Because our staff is so busy.

Mr. Grimes: And Stacie had sent me an email that said we went and outsourced it and then the person we outsourced to got sick. So now there is this backlog of meeting minutes that they are trying to put together. And I assume that this person that it has been outsourced to is doing meeting minutes for other Boards as well. So they went to one person, sounds like a one person shop, and so now we are kind of put in the predicament, who know how many other Boards meeting minutes are backed up in this log.

Ms. Brown: Just in case it doesn't work out, I am sure it probably will, but I'll look back in my email because she told me it was like the clerks association... clerk of courts association and then she gave some recommendations. But if it doesn't work out then let me know and we can... because they had some good, you know, person that works for them. So that was it. I just wanted to check on that and see. And for the Zoning Administrator, do we have any cases next month that we know of?

Ms. Musante: No.

Ms. Brown: No, okay.

Mr. Grimes: And then... on your station when you got here tonight, there should have been two documents. One is called the Code of Conduct - Decorum, Fairness and Scheduling. This was put together by Ms. Bertoldi and the idea behind this document is that this would be something that we hand to applicants before they come before the Board. So if you can take some time between now and the next time we meet, take a look at it, provide any comments that you see appropriate. Again, it's just something a little informal that could be handed to an applicant to help remind some of the folks that come before us on a regular basis, but also to help the folks that have not been here before. Kind of what the expectation of their decorum should be while they are here. And then the second one is a check list for the BZA staff report. Mr. Apicella put this together and the idea is that these are all the items that we would like to see included in the staff reports. I would like everybody to take and review this and let us know if there's any edits that you want to make, changes, updates. And then I can sit and meet with Melody and her staff and discuss what the next steps are and how we can start incorporating this. I have also posted to the shared drive for everyone the markups of the Special Exception and the Variance that Ms. Bertoldi and Mr. Larson worked on.

Dr. Larson: Yeah, I am not... I saw those there but it didn't look like they were... it looked like somebody has accepted the changes. I didn't see a lot of...

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Mr. Grimes: If that's the case I will go by... I might have done that by mistake but I can go back and turn them on.

Dr. Larson: I saw your appeal thing had changes in it which... I appreciate knowing what the changes are...

Mr. Grimes: Agreed.

Dr. Larson: ... so I can try to figure that out. So what I could do, I could send you a new version... well we discussed a lot of the changes last time and lots of people were in favor of that. I could accept the old changes and just put in the new changes. We were going to look at footnote to explain Special Exception and address the Cochran case in some relevant way. But if people want to see all the changes, I can certainly leave all the changes in too. It's just harder to see what we just did.

Mr. Grimes: No I think if we have accepted any of the changes, just go ahead and leave them as accepted and only highlight the new ones. That will speed up the process.

Dr. Larson: I will send you the new one with changes, then.

Mr. Grimes: Perfect. Okay.

Ms. Brown: I looked at them last night too and I... and maybe I just missed them because I was tired, but I thought ... were we going to put on the bottom of the applications or somewhere in, the deadline for turning in material. I didn't see that and I just maybe I missed it.

Mr. Grimes: I don't feel like we actually settled that when we were talking last time. But...

Ms. Brown: Okay, I thought we did.

Mr. Grimes: ... I could be wrong.

Ms. Brown: Okay, if we didn't, I thought we talked about, but can we? Are we interested in doing that so we don't have these, you know, last hour submissions?

Mr. Grimes: I think where we came around on the conversation was that we had added all that information in the preamble about submission requirements and dates.

Ms. Brown: Shouldn't that be on the application too though?

Mrs. Stefl: Yeah.

Ms. Brown: Just so they have it?

Mr. Grimes: In my mind it... everything we can give them to remind them...

Ms. Brown: I am all for doing both.

Mr. Grimes: ... of their responsibilities.

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Ms. Brown: I am all for doing both. I would love to put it on the front page of the application, the deadline for submissions is, whatever we decide ten days, five, whatever. I thought three days was way too generous.

Mr. Grimes: Well I think when Dr. Larson updates the document in the shared drive, go ahead and mark it up.

Dr. Larson: That would be fine. I don't have any notes on...

Ms. Brown: You mark it up or...

Dr. Larson: No I haven't put anything to that.

Ms. Brown: I am not supposed to do it, right? Is that what you just said?

Dr. Larson: I think that is what he just said.

Mr. Grimes: Yeah.

Ms. Brown: Okay. How do I put my initials on it so you guys...

Dr. Larson: Your computer will make it happen.

Mr. Grimes: It will automatically happen.

Mrs. Stefl: It automatically does it.

Dr. Larson: If track changes is engaged, which it will be, you are a different editor so your changes will appear to be a different color and it will come under your...

Ms. Brown: Do I have to... okay I have never done that before. Is it pretty simple?

Mrs. Stefl: Yes.

Ms. Brown: Just go in there...

Dr. Larson: It is very easy, just go to the review button up there...

Ms. Brown: On top, okay.

Dr. Larson: ... for word and then make sure track changes... I will leave the track changes on in the copy that I submit so just start typing and it will come up different.

Ms. Brown: So just let me know when it's up. Because, we have got a lot of stuff on there, is there a way to organize that?

Dr. Larson: Yes, we might need to ... yes because we have some old stuff on there too.

Mr. Grimes: I will spend some time this weekend going through there and purging.

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Dr. Larson: And are we using as a primary, which one... which... we are not using the special meeting 2018 are we? We are using the other one, which disc are you using?

Mr. Grimes: It should be special session 2018 on Google drive.

Dr. Larson: But... okay. So there's a Google drive and then there's a special...

Mr. Grimes: There was a One drive that I gave everybody initially, that was 2018 special session.

Dr. Larson: Yes.

Mr. Grimes: I am going to close that.

Dr. Larson: That was my question.

Mr. Grimes: Yes.

Ms. Brown: The one I was looking at...

Mr. Grimes: I moved all the documents to the account that I created for the Board, so that it is all in one place for all of us.

Dr. Larson: Okay.

Ms. Brown: Was that the one where you sent us the message like...that was when I was out of town, like early April?

Mr. Grimes: The first one, yes.

Ms. Brown: That's the one we are using now? That has like 20 documents in it?

Dr. Ackermann: Yes it was April 1st.

Dr. Larson: Well they both have a lot of documents, but it's the Google... it's the Google disc.

Dr. Ackermann: Yeah.

Mr. Grimes: Yep.

Ms. Brown: I remember now, just whatever the last one that you sent. That's the one?

Dr. Larson: That's the one.

Mr. Grimes: To eliminate confusion, I am just going to shut down that One drive and nobody will have access to it anymore. That way you won't be able to find it.

Dr. Larson: You won't get confused.

OTHER BUSINESS

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- Code of Performance
- By-laws Review
- Amendments from Work Session

ADJOURNMENT

Mr. Grimes: Alright, well thank you everyone. Do I have a motion to adjourn?

Mr. Apicella: So moved.

Dr. Larson: Second.

Mr. Grimes: Everybody in favor?

Mr. Apicella: Aye.

Dr. Ackermann: Aye.

Mr. Grimes: Aye.

Mr. Gibbons: Aye.

Dr. Larson: Aye.

Mrs. Stefl: Aye.

Ms. Brown: Aye.

Mr. Grimes: Thank you all very much.

With no further business to discuss, the meeting adjourned at 7:38 p.m.