

# **STAFFORD COUNTY BOARD OF ZONING APPEALS**

**May 24, 2022**

The regular meeting of the Stafford County Board of Zoning Appeals (BZA) Tuesday, May 24, 2022, was called to order with the determination of a quorum at 7:00 PM by Chairman Kecia Evans in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

**MEMBERS PRESENT:** Kecia Evans, Dana Brown, Jon Ireland, Robert Gibbons (*Alternate*), John Harris, Jeffrey Spinnanger (8:12 PM)

**MEMBERS ABSENT:** Steven Apicella, Robert Grimes (*Alternate*)

**STAFF PRESENT:** Douglas Morgan, James Staranowicz, Stacie Stinnette

## **DECLARATIONS OF DISQUALIFICATION**

Ms. Evans: We have a quorum tonight with 5 voting members present. Please let the record reflect. Now we're going to do the declarations of disqualification. Is there anyone that have a... that needs to make an announcement?

Ms. Brown: Madam Chairman, I have a declaration, not a disqualification. I just wanted to state that I drove by the property tonight for the commercial kennel yesterday afternoon. I did not speak with anyone, but I did drive around through the neighborhood and took a look from the street.

Ms. Evans: I also would like to make a declaration as well. I spoke to the applicant, and I did walk around her property. I also would like to note, and make the record reflect, that on the, on the application under issue, the Tax Map Parcel No. 18-45 is incorrect, and that the property where it says it's located at 330 Joshua Road is also incorrect. So I'm making that stipulation. However, under the agenda, the Application of Appeals, where it talks about the case, that tax number is correct, and it should be Tax Map Parcel No. 54NN-2. And the location is actually 131 Town and Country Drive in George Washington Election District. Okay. 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 part will be a review of jurisdiction and standing. The second will be the hearing of the merits of the case, if required, after review of jurisdiction and standing. The second is we hear and decide upon request for variance from the Zoning Ordinance, when a literal enforcement of the ordinance would result in unnecessary hardship to the owners of a property. And third, we hear and decide on request for special exceptions, where the Zoning Ordinance allows for special exceptions. The hearing will be conducted in the following order. I will ask the BZA Secretary to read the case. I will then ask the applicant or their representative to come forward and state their name and address, and present the case to the board. You will be allowed 10 minutes to present your case. I will then ask for any member of the public who wishes to speak in support of the application to come forward and speak. You will only have 3 minutes. After hearing from those in favor of the application, I will then ask for any member of the public who wishes to speak in opposition to the application to come forward and speak. You will only have 3 minutes. After all public comments have been received, the applicant shall have 3 minutes to respond and provide closing remarks. Members of the board may ask questions of the applicant to clarify or better understand the case. 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 that the applicants, speakers, presenters, and audience to act with a level of decorum and respect appropriate as a courtroom setting. This board requires that any person who wishes to speak before this board shall be administered in oath. Therefore, I ask that anyone who wishes to speak tonight to stand and raise

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your right hand. Do you hereby swear or confirm that all testimony before this board shall be nothing but the truth?

Members of the Public: I do.

Ms. Evans: Thank you, you may be seated. After the applicant's final response, I will close the public hearing. After the public hearing has been closed, there shall be no further public comments. As a reminder, I ask that when you come down to the podium to speak, please give your first name and your address clearly into the microphone so our recording secretary can have an accurate record of the speakers. Also, please sign the form on the table at the rear of the room. At this time, I'm going to ask, are there any changes or additions to the advertised agenda?

Mr. Staranowicz: No, Madam Chairman.

Ms. Evans: Okay. I will now ask are there any questions to the staff? Does BZA member John Harris have any additional questions for staff?

Mr. Harris: No.

Ms. Evans: Does BZA Secretary Jon Ireland have any questions for staff?

Mr. Ireland: No.

Ms. Evans: Does BZA Vice Chair Dana Brown have any additional questions for staff?

Ms. Brown: Just one. I noticed on the plat map that there's, as you explained to me, a 35-foot setback easement on the back. Can you tell me what can be built or erected in a 35-foot setback easement? I mean, can a fence, can a play yard, can a shed, can anything be built in that?

Mr. Staranowicz: Typically, the setback is for the primary structure itself. Any accessory buildings with a lot greater than 1 acre would have to be a minimum of 10 feet from the rear property line. And a fence could be placed right on the property line.

Ms. Brown: Okay, thank you, very much.

Ms. Evans: Does alternate member Robert Gibbons have any additional questions for staff?

Mr. Gibbons: No.

Ms. Evans: And I do not have any questions for staff. I now ask staff to... is the application, has it been deemed complete?

Mr. Staranowicz: Yes, Madam Chair, it is complete.

Ms. Evans: Okay. I now ask the Secretary to read the first case.

**APPLICATIONS AND APPEALS**

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1. SE22-04/22154434 – Journee’s Divine Kennels – A request for a Special Exception per Stafford County Code Sec. 28-35, Table 3.1, “District uses and standards,” A-1, Agricultural, to allow a commercial kennel as a Business on Tax Map Parcel No. 54NN-2. The property is zoned A-1, Agricultural, and is located at 131 Town & Country Drive, in the George Washington Election District.

Mr. Ireland: The Applicant is requesting a Special Exception for a Business to operate a commercial kennel on the property. The definition of commercial kennel is “any establishment in which ten (10) or more canines, felines, or hybrids of either of more than six (6) months of age are kept for the purpose of breeding, hunting, training, renting, buying, boarding, selling or showing. This includes home-based rescues.” The existing single-family dwelling is 4,688 square feet per the Commissioner of Revenue records. All boarding and grooming operations will be conducted in a proposed 30x20 detached structure. The Applicant has requested the days and hours of operation to be six (6) days a week, Monday through Friday from 9:00 AM to 6:30 PM and Saturday from 8:00 AM to 3:00 PM. The kennel will be closed Sundays and for major holidays. Drop-off and pick-up of dogs will be by appointment only. The Applicant proposes to screen the entire property with fencing and existing trees and shrubs.

Ms. Evans: I now open the public hearing. Will the applicant, or his or her representative, please come forward to present their case?

Ms. Alexander: Hello everyone.

Ms. Evans: Hello, good evening.

Ms. Alexander: Okay. So, hi, my name’s Lynda Alexander. Everyone, how you doing. My name’s Lynda Alexander. I reside at 131 Town and Country Drive, Fredericksburg 22405. I appreciate everybody coming in this evening. I came to state my case and what my ideas are. This is actually the beginning of a project. The idea for, you know, we’re brainstorming. Most of your concerns I want to first address that I currently hold a non-commercial license for the property... I was just trying to give eye contact, I’m sorry. Okay, so I currently hold a non-commercial license which enables me to have up to, I think, 20 or 25 dogs on the property; I got that many licenses when they gave me the commercial license. But I can have multiple dogs on, I’ll just say multiple dogs on the property. So, I come before the board to ask for the commercial license as a way to make sure that I’m staying within the guidelines of what the County wants as far as caring for the dogs. I do have boy and girl dogs so it’s possible they could breed. It’s not that I’m going to be breeding every two months, every three months, every four months. It’s not that type of business. The grooming part, I have a daughter that grooms that wants to move up and so we just decided to do, because I do have, like I said, I have multiple dogs already. We do, you know, to put her skills to use, to you know, I’ve taken some training classes now. Just to broaden horizons to do things with, um, I’m a single parent with my two grandkids and their friends and stuff. So, we just, you know, through talking to let’s try this project. So, it started, the dream started maybe about a year or so ago. But then I started talking to people in the office here, I had to get a zone A piece of property, I went and I got mine. I do have A-1 zoning. I got the piece of property. I did the noncommercial. So most of the, let's go on the topic to that, that I see that people are concerned about, I held the one letter that this was sent to me, I don't know if it's a concern. With the noise, I do plan on again with the fencing, the fencing. It's going to be fenced in, that'd be part of the noise breaker, but there is some already established growth there. The trees are there. There are some already out to the road. I do plan on putting some around the kennel that you saw today, that sits back out, that's where my personal dogs are, which would maybe to go into be bred or not or whatever but that's where they are. I’m suggesting having other kennels similar to that one will be painted. We just moved into the property in

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February-March time. So, we haven't had a chance between weather and all that to paint the existing kennel that's there. But that would be painted, it'll be landscaped and all that but everything's a time factor when you work in a real job and doing you know, managing a family and everything else. So those things will come plus the weather is just crappy right now. It's Virginia. The existing piece that's there, that's in the file, the contractor who built it has left so that it can be later AC put in it, the lighting to put in, et cetera. It will be insulated. I'm just a work in progress. Plus, I didn't want to expend too much if y'all tell me no. So that, you know, as far as you know, those three buildings to the side, one I will separate and let that be like a maternity ward, like a better way to describe it, you know, the mom and the pups so that they will be remained safe. The other ones for the dog and maybe one for storage or for later use or whatever, or just spread them out if they have to be spread out or whatever. So that's that. The thing about the waste. We don't have a waste product now, but I have done research and there's a product called a doggie Dooley, which is a compost thing that you put in the ground. It's a compost septic tank that you put in the ground. And its bio degrades, you put the tablets in and it turns everything nasty to nice. And it's organic. So, it's you know, it's not going to harm the environment at all, or whatever. So, I've looked into doing that, if it goes to that. On the opposite side of the house that I have the 30 x 20 facility which was closer to the church and that piece of property, the property or the house, that's for the grooming, mainly, the main thing that would go on in that facility would just be the grooming and any boarding if somebody says can you keep my dog or whatever. I just want, I think outside the box so I can have this all available instead of having to keep coming back, coming back, coming back. Okay, so that's the main operations of that. As far as transportation, like later, maybe transport and or the transporting part is if there's a puppy and somebody in New Orleans wanted a puppy, I could get the puppy down to him. That's the transportation part or if later people say that like we went through COVID and dog's got to get to the vets and they didn't want to go to the vet, it's like a doggie Uber, that's the idea on that, you know, give us a call one me or my family members, we can go and pick the dog up to get it over there to the doctor for this person, or if you're working in DC and can't get back until five o'clock to go to the doctor, you know, that's those are the ideas, these are bunches, it seems like a mega business, but it's a bunch of little small businesses to keep the kids busy to maintain compliance within the county. So, on the like on that last note they say the noise isn't bad. Well, that's good that the noise isn't bad right now, because I don't plan on having any more permanent dogs there. I have several. I have seven now. It's seven. So, if this noise is not bad with seven dogs permanently, because they're my pets, either way, which I was approved to get them. So that's not an issue that won't become an issue later because that's it on the permanent dogs. Other concerns were the fencing, what type of fencing I'm looking at the front has to be pretty, number one, I live that house still. So, it has to be fairly pretty. In the front, on the side with the church is I plan on putting privacy fence because they do have a lot of activities between the yard next door with the house and the church lot yard. So, they have a lot of activities there so I plan on having at least a five foot privacy fence running down that side, it'll be some type of privacy fence across the front that matches the side, the front side, electric gate at the driveway, then when you get to the side, where the trees are in going back into that cut back that you were talking about that 35-foot cutback in the back of that property on the right hand side, it'd be if you stand in front of houses the left hand it goes into a V, some of those trees our mine so it wouldn't make any sense to run like pretty privacy fence through the woods. So that will be chain-link going through the woods, same height, and then again, around the back surface of the of the property. Other concerns, in regards to advertising. I will never advertise the breeding side of it, which if you've noticed, I'm keeping them separate as well. I will never advertise the breeding side out front or whatever cause people pass by, people steal dogs, people are getting shot in DC over dogs. So, they would be you know that, that dogs were being bred there would definitely be not even a part of that. The services or shampoo or whatever, I can see that being advertised on the fence maybe or something maybe, or in a street sign or something I'm not sure but my other means of advertisement is on social media. I have a website that I'm in the middle of designing. Word of mouth is the best advertisement. And and, and so that's, that's

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primarily but if the sign is a problem for my neighbors that doesn't, you know, we can work around the sign or we can make it really pretty. I'm not here trying to because I'm proud of our neighborhood too. I'm very happy with that area. Somebody had written that the landscaping would not cover the buildings, or whatever. It's not my desire to just hide behind anything. When you say that you're going to conceal, concealed, you're going to make it not is what I meant by that. And by definition, I will keep it from, it's not going to be an eyesore by any means necessary. It won't be an eyesore. Like I said, my house is right there too. So, it won't be an eyesore. I have to live on the property. I don't know if everybody was aware I have to live on the property because that's the law that I have to live on the property where there's a kennel and dogs are being bred, etc., etc., etc. So that's why I chose that. Oh, there was a question about capacity.

Ms. Evans: Ms. Alexander, your time is up. Thank you. I'm going to ask right now are there any members of the public who wishes to speak in support of the application please come forward.

Callie McGruder: Hi, I'm Callie McGruder. I'm her granddaughter. I just wanted to say that as she said before, with the kennel that will be on the left side. I'm painting that. I'm an artist. I like to draw and stuff like that. I'm actually going to be doing that myself. And I feel like with the noise and things like that there are like, there's a church there and things like that, that they have things going on too stuff like that. So, I feel like it's not really fair to compare, like, the sound with the dogs and things like that. As of right now, as I said before it's not going to be a problem. Now we have seven dogs, and it's not that loud. So, with more dogs coming in and out, I don't think that will really be a problem. And that's all I have to say. Thank you.

Ms. Evans: Anyone else? Okay, is there any member of the public who wishes to speak in opposition to the application? Come forward. So, what we're going to do is, who has the sheet? Everyone signed in in the back? Okay, can we go in order that way? Matt Chilton, please come forward.

Mr. Chilton: Good evening. My name is Matt Chilton.. I own a piece of property that backs up to 131 Town and Country not directly but downstream, if you will. One of my major concerns is runoff from these kennels. My farm, I raise beef cattle and my cattle are in A-1 use by-right and with my cattle being in A-1 use by-right this is directly not in harmony with that use. The things that were not mentioned in the application that were listed in the business plan were more reasons that we should be denying this application tonight. Cat kennels were discussed in the application, or in the business plan, but not any locate any buildings for cat kennels in the future. So that's more potential buildings on the property. Multiple buildings, all climate controlled, so we're gonna have the ground dug up for all the electric lines, water lines, whatever else takes place. I mean, this is a full-scale commercial operation, not something that is agricultural by use. Something else that's mentioned in the application is the taxi fleet parking and the doggy Uber, if you will. The applicant listed that there were zero vehicles that needed to be used on the application, however, she addressed that there were going to be vehicles used on this property and those vehicles would need parking. That parking would then create runoff. That runoff eventually flows to White Oak Creek. The business plan lists that this is a 24-hour a day operation, no appointments needed, but the application has a narrower timeframe, dogs will be there 24/7 365. All these services are listed but only two cars per day. I find that hard to believe. How you can run a successful business with only having two cars in and out of your driveway all day and it is a driveway not a commercial parking area. Grooming is not listed as a use of a commercial kennel. If you go back to what you read earlier, you cannot groom in a commercial kennel. Fencing is not a noise barrier. And a five-foot privacy fence will not stop these dogs from jumping over chasing my cows and my cows will end up in the road. And once the cows are in the road, they'll get hit by a car. I'm not worried about the cows. I'm worried about people in the cars. Thank you.

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Ms. Evans: Thank you. Mr. Matthew Younce

Mr. Younce: Hello. My name is Matthew Younce. I'm here to ask you not to support this special exemption for commercial kennel. The first reason I have is the issue of traffic. The applicant's description says boarding, grooming and training is going to occur six days a week providing pickup and delivery through these doggy Ubers, these taxis, as well as drop-ins from customers. These vehicles are going to be on our road and are going to be increasing the traffic and this is something we don't need. Town and Country is already being used as a cut-through between White Oak and Route 3 through Ferry. Its vehicles run up and down that road at all times. The posted speed limit is 25 miles an hour but there's often cars going much faster than that, endangering those of us who live on the street. It's obviously an issue to the police and the County Commission because we've seen a radar trailer out there. We have the double fines for speeding in the area so it's already known that this is an issue with additional traffic and now we're talking about putting a commercial business on the property. We have had a number of times that we've come out and found accidents on Town and Country. I have two examples in the last year, one of a car spun out in my driveway and one of a wreck that occurred less than 500 feet from my house and that one blocked my neighbor from even getting home because they had blocked his driveway while they were clearing the accident after he came home from working an overnight shift. These accidents are just going to increase if we put more cars on the road. In addition, you have to consider that that end of the road, Town and Country, is on Ferry right there. Less than a mile from Ferry Farm Elementary School so you're talking about vehicles coming up and down Town and Country and then on the Ferry right there at the elementary school. Now not only am I concerned about the traffic, but also the fact that if you look right now the animal shelter, the Stafford County Animal Shelter, is having to report they're completely full. In the last month they've announced they're at full capacity and have no more room for dogs. If we are already at a place where we are completely full in our animal shelter, our tax supported animal shelter, we should not be supporting, bringing in breeders to bring more dogs into the county. Additionally, they said that even their stray holding area is completely full. The shelter has so many dogs right now. Even the Stafford County Animal Shelter's slogan "adopt, don't shop" and outdoor dog kennel is also going to mean dogs barking all hours of the day and night we're talking about a residence which is right next to a church, another church on the other side of Ferry Road. The farms and the houses around, this is our refuge, our place, to live and we don't want to hear dogs barking and howling 24 hours a day so we're just asking you to please vote against this. Thank you.

Ms. Evans: Thank you. Mr. Abe Jacob.

Mr. Jacob: Good evening. My name is Abe Jacob. My property happens to be about 200 feet away from the subject property. I am a father of seven. I homeschool. I telework. We already hear the dogs and it's already a disturbance. Supposedly this is with the number that they have now. If it's turned into a commercial operation, I bought my house, you know, thinking this was a residential neighborhood, there's a characteristic that goes with a residential neighborhood. Now, if I come into a residential neighborhood, if I were, if I were not living there, and I came in, and I wanted to buy a house, and I see that there is a business running, a commercial business running over there with dogs barking, I'm not interested in buying a property near there, which means that my property value is already going to take a take a nosedive, because people are not interested in buying a house, in my case, 200 feet away and there's dogs barking all the time. You've got day in day out, it's a seven day a week operation. So, my property values are affected. My peace, that I deserve on my property, I'm not bothering anyone, I just don't want anyone bothering me, I want to be left alone, my peace is affected. So, this application, I would strongly suggest, this exception that is being requested of the zoning be declined, be denied. Thank you.

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Ms. Evans: Thank you. Mr. Christopher Fritcher.

Mr. Fritcher: Good evening, ladies and gentlemen. My name is Christopher Fritcher. I'm also going to request that the board deny this application for several reasons. If there's dogs there 24/7, then there's the possibility of having to listen to dogs bark for 24/7. I also believe that this will affect the property value, not only the properties that are directly adjacent to this proposed commercial kennel but the whole neighborhood as far as Town and Country Drive is concerned. Another concern of mine would also be the smell from dog waste. I've got one dog and I've got one bucket where we put the dog waste and that's one dog and it gets pretty smelly, especially in the summertime. You know, even with you know, because trash only comes once a week, you know, with taking that out. It's still an issue just on my own property with one animal. Not to mention, you know, the number of animals that will be at a commercial dog shelter or kennel. Now, I just I think it's a bad idea. It's a commercial, or it's a residential area. Why would we allow a commercial dog kennel to be set up on that property? I don't believe it's in harmony with the intent of the neighborhood and I think it's just a bad idea. Thank you.

Ms. Evans: Thank you. Mr. Jay Jennings.

Mr. Jennings: How are you doing? My name is Jay Jennings. I'm the facilities manager of the property which is right next door to the proposed kennel. Our concerns are where the kennel backs up, that's our property. And there's a natural run off that goes behind there. It runs behind our property to a natural pond that we have on the church's property. There's no way that you can guarantee that the dog feces, the cat feces won't get into that natural pond and then go over to the farmer's pond and mess with his cows. Also, not to mention, there have already been two times that dogs have gotten loose from said property that I've seen. Also, like the gentleman said before me, it would be an eyesore. I would hate to be the property across the street and try to sell my home and a dog kennel be across from it. Also, not to mention the safety with the church has an event in the field on our property next door and there are dogs there they're going to bark at the children, at the people. And then it's six days a week, six days a week that people will have to hear this. And not to mention all the other things that they've talked about. But my main concern is if there's a natural pond and run off, you can put all the compost stuff down you want. It's not going to stop everything from getting over there to our property and then in the summertime what are we supposed to do it when it runs behind our property and we have to deal with the smell so I would strongly suggest that you deny this application.

Ms. Evans: Thank you Mr. Jennings. Pastor Jeffery Smith.

Pastor Smith: Good evening. Jeff Smith, Lead Pastor of Strong Tower Church. I understand that I need to be sworn in.

Mr. Morgan: He needs to be sworn in.

Ms. Evans: Okay. Take the oath right. You gotta tell the truth here.

Pastor Smith: Absolutely. I have a boss that won't let me get away with that.

Ms. Evans: Do you swear to tell the truth?

Pastor Smith: Yes, I do.

Ms. Evans: Nothing but the truth so help you God?

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Pastor Smith: So help me God. I'll be brief. Thank you for the opportunity to speak. You just heard from our facilities manager there at Strong Tower Church. As was already mentioned, I serve as lead pastor there at Strong Tower Church. Here with me this evening, are number of lay leaders as well as additional staff. So just to reiterate, comments that were already made from our facilities manager concerns include the safety. There's hundreds of people, if not thousands of people that call Strong Tower Church home and so families and children, their safety is a great concern for us on an ongoing basis. We have community events that we host there on the property and the thought of dogs getting loose and causing potential harm and danger is of great concern. As is already made mention, there's been a couple of incidents where dogs have already been loose on our property as it stands. I believe the owner has six dogs currently, that they consider pets. And the thought of additional animals and pets there for commercial use, just heightens that concern beyond what it is right now. Waste management, obviously, is a concern. More animals, more waste. The runoff onto our property is very concerning. That runoff then moves from our property onto the farm. And so see that as a detrimental situation as well. As was already mentioned, sound and smell on an ongoing basis just causes for a continual nuisance. That would be a bad situation for our congregation, and those that call Strong Tower home. And then lastly, just the eyesore. So many of the same things that have already been mentioned, just wanted you to know that, indeed, those things are very concerning for us as we try to navigate and create a safe space for the congregants that call Strong Tower Church home. So, it's my recommendation and hope that you would deny this request. Thank you.

Ms. Evans: Thank you. Michael and Cynthia Zimmerman.

Mrs. Zimmerman: Good evening. I'm Cindy Zimmerman and this is my husband Michael. For the record. We have two dogs and one cat. We appreciate the opportunity to comment tonight and we'd like to talk about two major concerns that we laid out in our longer written comments. First, the size of the proposed commercial kennel and the number of services would have an adverse impact on the neighborhood. And second, the application materials raise significant unanswered questions about the nature and capacity of the business. The Oaks at Ferry Farm is a small neighborhood of single-family homes well-spaced on three acre lots. The proposed commercial kennel would be wholly out of character with the residential appearance of the neighborhood. A commercial kennel allows in excess of 10 animals as you know, but the application materials do not discuss the expected volume or capacity of the business. The application states that two cars per day would be expected at the business but with the services provided (boarding, grooming daycare, pet sitting, pet transportation and training) two cars per day definitely understates the potential increase in traffic. In addition, the applicant states that they will expand the business if customer demand and grows. As for the structures to be built on the property, the memo to the board mentions only the 20 by 30 detached structure for boarding and grooming, but the drawing and other applicant materials describe a much more extensive business with three dog kennels and runs, four cat runs with separate kennels and equipment storage area that is presumably another structure for food, utility carts, mowers and taxis. The drawing doesn't show the structures for cats that are discussed elsewhere in the material. The memo also says that certain conditions apply to limit the intensity and use and minimize the impact on surrounding properties essentially admitting that the homes along the road will clearly be affected by granting the special exception. It notes that one condition will be the hours of operation but the applicant states that its hours will be expanded based on customer demand. In reality, a kennel as you've heard is a 24/7 operation and we expect there could be adverse impact from noise barking dogs and the possibility of escape at any time. As to concealment the application has no specifics about the visual adverse, how it would mitigate the visual as adverse impacts of the business. The entire front and sides of the property are completely open, and there's no description of the type height or placement of fencing. We respectfully suggest that it would be imprudent to approve the special exception without much more detail, professional drawings and a reliable assessment of the



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potential impact on the neighborhood. A much smaller and discreet business might be acceptable, but not this open-ended proposal. The board should consider the size of the business and the likely increase in traffic in balancing the request for a special exception against the rights of the current homeowners to preserve the integrity. We hope you will deny.

Ms. Evans: Mr. Michael Chilton.

Mr. Chilton: Good evening. Thank you for your time. My name is Michael Chilton. I ask you not to support this application. I don't want to see it advance with or without any conditions. I haven't found any upper limit to the number of animals that a commercial kennel may have at any time per the ordinance that was passed by the Board of Supervisors on One October of 2019. That's a concern on the three-acre lot. When the dogs get to barking right now they are loud and they don't stop quickly. Just as we all know with dogs as they start barking that's hard to get them to calm down and as they add more that's that could continue to be worse. The subdivision at Town and Country Drive was originally approved for was done without any commercial development and it should remain. Town and Country Drive and Ferry Road both already have more than enough traffic for each of those two-lane roads. I have a 40-acre farm on the back of the proposed application. The address was 220 Ferry Road. We raise cattle and I'm concerned that if the dogs at the kennel get free, they'll chase the cattle through the fences into the road which could end up end up with a tragic consequence. That's not something any of us want to deal with. We're not worried about the cattle but we are worried about our neighbors. If you do approve this application, I request the following: limit the total number of dogs allowed on the property to six only. This will limit the barking for those of us within the property nearby and allow us to enjoy the property as it is. I also ask that you require the applicant to construct the 8 to10-foot tall privacy fence that is solid along with a 2-foot wire dug in the ground underneath so that animals cannot dig out and get over to my animals to my cattle. It needs to be dug in the ground as I said to make sure they can't dig through there. And that keeps any dogs out of there and from digging over as best we can. This fencing may deter the animals from leaving but if they have a mind too we all know they're going to get out so I want to make sure that we address that. And the third is as it has been said we want to address the runoff of the creek and going to my family pond and farm. Thank you very much for your time.

Ms. Evans: Thank you. David Whiteside.

Mr. Whiteside: Good evening everybody. I'm mainly concerned about the runoff from the animal sanctuary they're going to have over there and because on my property, everything runs down in that yard, and I've been asking the city and everybody else to come look at it, they won't look at it for some reason. But that's not my concern right now is about the dog kennel you trying to allow them put up there. I worry about the smell, I worry about the traffic, we have enough traffic through there. Car pollution, we got noise pollution, we got everything. For the amount of money we pay to live over there and stuff we shouldn't have to go through the things we go through over there because it's like a race track at times over there. They need to do something about the traffic. I worry about that. Somebody can get killed over there. If they don't soon do something, because the police do go over there but they know when the police go over there. So they go there and they slow down. They know what they doing. But we need to start looking at that. I understand what the young lady want. I agree with if I want to improve my home or my lifestyle, I understand that, but not where we live. You got to understand, this is what we wanted before. If we wanted industrial area we would've moved to an industrial area. This is area for people that wants to settle down and enjoy their life while they got it. That's just how I feel about it. Thank you for allowing me to speak to you.

Ms. Evans: Thank you. Does the applicant wish to respond and or add additional comments?

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Ms. Alexander: Okay, so I have listened to everybody's concern and I do take them wholeheartedly. There are some quick things I do want to say straight up like I started off before the dogs are there, the dogs that are there, their pets, they're there. There hasn't been any complaints over the last three months that I have been on that property of smell of anything pertaining to dogs. I am in constant conversation with those people who are right next door to me about the noise and they have not complained about it. The dogs do bark. So do the cows moo. So do the cows poop. So do they urinate. They do the same thing that dogs do. Okay, so they're also on the flip side of this farm, so-called farm that's on the flip side of the church there's also, I don't know if it's a legal kennel or not. I'm not putting nobody out there but there's a kennel back there with more dogs, with a bunch of little dogs, that y'all need to look into because there is an existing kennel now, back there with multiple dogs, a lot of dogs. Okay. So that I've seen myself when I was fetching my dog that got out, yes, my dog did get out when we first moved in because I have the one that's an escape artist. Yes, it did get out but we've corrected that problem since. As far as the dogs barking, like I said, we haven't had that as an issue. As far as the cat kennel, I think that was an error, that must be an error on the paper. There's no separate kennel for a cat not even being planned because you can't put the cat out in the run or it'll climb the fence and it'll get out. So, there's no separate kennel for a cat so please correct that. Far as the problem with the traffic, that's the issue that was there before me. I don't see this. I see this as a business, but not as a conglomerate big, big Walmart turning into running people out of their house and it can't be done that it's going to be such a disturbance that because everything that I'm asking to be able to do legally. I'm trying to do this legally. I could do it by putting a five-foot fence up, blocking myself out, concealing myself behind like other people do. But I'm not trying to do that. I know of several kennels that exists in Stafford County that are not commercial kennels that's not asked for permission to do things legally. I want to be legal. I want to be upfront. I'll have an LLC. I want everything to be insured. So, everything will be on status quo because I'm not trying to get in trouble. I have a whole life that I don't want to throw away either. I'm Dr. Lynda Alexander... *inaudible*. We can all live on it...

Ms. Evans: Alright Mrs. Alexander, your time is up but we are going to ask you to stay right there. Okay so at this time we will open for questions from the board members. This is the time for the board members to ask questions of the applicant before I close the public hearing. As a reminder once the public hearing is closed, we cannot take any further questions from the floor. I am going to ask that each board member limit their questions to two minutes. Does BZA Member John Harris have any additional questions for the applicant?

Mr. Harris: Not at this time Madam Chair.

Ms. Evans: Does BZA Secretary John Ireland have any additional questions for the applicant?

Mr. Ireland: I do. You had mentioned earlier in your presentation that with a non-commercial kennel permit or approval you can keep 20 to 25 dogs

Ms. Alexander: They gave me 20 licenses.

Mr. Ireland: Oh, 20 licenses for one property?

Ms. Alexander: Yes.

Mr. Ireland: Okay, because I was gonna say it looks like you can only keep six but that's what the one I believe. Can I have the staff confirm that please? Is that something we can?

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Mr. Staranowicz: Non-commercial kennels allow 6 or more animals.

Mr. Ireland: Okay, does a residence typically get 20 licenses? Or can they get 20 licenses?

Mr. Staranowicz: Non-commercial kennel licenses are issued by the Sheriff's Department, Animal Control Division.

Mr. Ireland: Okay, so that's not a zoning thing?

Mr. Staranowicz: Correct.

Mr. Ireland: Okay, thank you. I learned something new.

Ms. Evans: That's it. Does BZA Vice Chair Dana Brown have any additional questions for the applicant?

Ms. Brown: I do. I'm going to talk fast because she only gave me two minutes. At your pre-meeting you had with staff, did you guys discuss anything about grooming or special events?

Ms. Alexander: Can you repeat that?

Ms. Brown: When you had your pre-meeting with staff before you decided to come before us, did you guys discuss anything about grooming or special events?

Ms. Alexander: No, no we didn't and the special events will be like if somebody has to go out of town real fast or like I had a death in the family this past weekend and they need somebody quickly to keep the dog or something like that.

Ms. Brown: Got it. Okay, so you're not going to offer special events? You just mean something that comes up? Okay, great.

Ms. Alexander: No. If they have a special event.

Ms. Brown: To receive grooming services do they need to be an overnight boarding customer?

Ms. Alexander: No, that's just like you walk into Barnsfield PetSmart right now take your dog in, leave it for an hour.

Ms. Brown: Ok. And how many total animals will you have on site at any one time? Cats, dogs, everybody.

Ms. Alexander: My permanent dogs are seven. I just don't foresee having more than five, maybe 10, in boarding at one time. I'm one person and I got my kids so we're just doing this. I don't know.

Ms. Brown: Will you have any restrictions on size or breed or anything like that?

Ms. Alexander: Not really, they would have to have their shots and all that kind of stuff.

Ms. Brown: Okay, and did you want a sign for your business? You said you maybe want one on the fence possibly.

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Ms. Alexander: Not if it's gonna cause a conflict. It's not a big, it's not a deal breaker for me. If they don't want to sign that's ok.

Ms. Brown: And you're gonna take drop-ins as well?

Ms. Alexander: Just like in that emergency case like I was saying.

Ms. Brown: Okay, I noticed in your packet you said you would have impromptu tours for anybody that wanted to stop by.

Ms. Alexander: Like sometimes people just want to say can I come see your place before I leave my dog there? That's what that is, you know.

Ms. Brown: Then just one last because I'm running out of time. How many car trips a day do you think you're going to have? Like can you put a number on it?

Ms. Alexander: I don't foresee, I would say maybe, a toss-up, maybe four or five? I don't see many. I mean, these are for transporting.

Ms. Brown: Thank you. I don't mean to be abrupt. I only have two minutes so I don't want to I want to anger the chair there.

Ms. Evans: All right. Um, I do have one question for you. So, can you have your days of operation from Monday through Friday, only from nine to six. And on Saturday, from eight to three if we were to approve?

Ms. Alexander: Yes.

Ms. Evans: You are able to do that?

Ms. Alexander: Yes, I can do shorter hours as well. It's just, as a layperson, just trying to encompass all cats, the dog is going to be cared for all day long, you know, and I was just trying to embrace that. But sure, the hours are adjustable.

Ms. Evans: I know I said I had one question but I have one more. The cats. You're gonna have cats as well?

Ms. Alexander: Not, not, like if somebody needed that. The idea is if somebody needed. Like someone says can you keep my cat for the weekend? That's to put into boarding but not like breeding. But if we can't, then you see I'm saying right?

Ms. Evans: Would you have a problem with just eliminating the cats?

Ms. Alexander: No, I don't.

Ms. Evans: Okay. Alright. That's it. Does alternate member Robert Gibbons have any additional questions for the applicant?

Mr. Gibbons: No.

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Ms. Evans: Okay, thank you. So, I will now close the public hearing for this.

Mr. Ireland: Before we do that I just have one question, but it's to the members who spoke. The gentleman talked about cattle and the other gentleman that had a farm. Are they the same farm or different?

Mr. Chilton: Same one.

Mr. Ireland: Okay, thank you. Good. Thanks.

Ms. Evans: I will now close the public hearing for the application and bring the matter to the Board for discussion. Are there any conditions?

Mr. Morgan: Madam Chair, members of the Board, if I may. Since there's clarification, a kennel does have ancillary type uses and that was brought up by the board. So, I just wanted to make it very clear that grooming is a standalone use as defined by this use. If a kennel was in existence, or approved, and it was ancillary to the kennel, this appears to be a standalone business that is not permissible, and it would not be subject to be approved by the Board of Zoning Appeals. It is not a permitted use in this right, in this district.

Ms. Evans: Okay. So, we put that in as a condition.

Mr. Ireland: Can I, Doug, sorry. You're saying that the grooming part that they want to do cannot be considered as part of this? Is that correct?

Mr. Morgan: And the reason as defined by the applicant, that it's a separate use, the grooming does not have anything to do with the kennel.

Mr. Ireland: Ok, before we get too far down the road does the applicant want to change it say that's my biggest part of my business I don't want to do it anymore? I mean, is that something you would consider? No. Okay, I don't want to waste everybody's time if that's going to be a deal...

Ms. Alexander: *Inaudible, not at microphone.*

Mr. Ireland: Okay. It's not a deal breaker then. Okay.

Ms. Evans: Thank you. Alright, let's set conditions, if any. Okay, go ahead. Well, let's do board member Ireland. Do you have any conditions? John? I mean, John. Mr. Harris, I'm sorry. Right.

Mr. Harris: Not at this time, Madam Chairman, thank you.

Ms. Evans: Okay. Thank you. Vice Chair Brown, do you have any?

Ms. Brown: If we were to approve this, because, you know, I don't know that we would, I would want to add four conditions and that would be the tours would be by appointment only. She had mentioned in her application she was going to have just impromptu drop in tours because that might, you know, if they were appointment only that might cut down on some of the traffic. Also, I think a five-foot privacy fence is probably too short and I would want to have at least a six foot. I don't know what what's allowed in that zoning district, if it can go up to eight, but I think at least a six-foot fence.

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Mr. Staranowicz: The fence can be a maximum of eight feet.

Ms. Brown: Okay. And I know that they probably can't fence in the front yard, it'd be the side yards. And I would like it to match so that the side fence and the rear fence would all look the same.

Mr. Staranowicz: They could put a fence in the front yard, but it can only be five feet.

Ms. Brown: Yeah. Okay, so the stipulation I would like to put in there that it would be, you know, on the side of the house coming in from the sides of the house and encompassing the rest of the property and at least be a six-foot fence. The third one, she'd mentioned she wanted to expand hours depending on how things go and things that she did. I would want to put in there the applicant could not expand upon the agreed upon hours that we set without approval from us. And the last one was that all conditions that we set be satisfied prior to opening to clients. That was all I had.

Ms. Evans: Okay, BZA Secretary John Ireland, do you have any conditions?

Mr. Ireland: No.

Ms. Evans: And I only have one condition that we have no cats. It's an application for a dog kennel and so I would say if we were to approve this, that we would stick to strictly to dogs. And also, we limit, we bring down the number and so it would be, I would say a condition of no more than six to 10 dogs.

Ms. Brown: Counting hers or just...

Ms. Evans: Dogs to bring in.

Ms. Brown: So, 16-17 dogs at a time?

Ms. Evans: No, that's excluding hers. But, you're adding hers together? Yeah, so it'd be 16 to 17 dogs. That's a lot of dogs. But yes, we would have to, to be fair.

Mr. Staranowicz: So, you're asking for 16 to 17 dogs, including the applicant's?

Ms. Evans: Total. So that includes her dogs as well.

Mr. Staranowicz: Sixteen to seventeen total, including the applicants?

Ms. Evans: Correct.

Ms. Brown: Any suggestions on how to cut down on the car trips? I'm open to anything.

Mr. Staranowicz: Excuse me, Ms. Brown, you had mentioned something about the hours of operation?

Ms. Brown: Yes, and I marked it in her business plan. I don't remember what page it was. She had said that she might want to expand hours as things, you know, got better. Let me get the exact wording that's in her plan. I did highlight it. Okay, it was on the first page, fourth bullet, last sentence, we will expand or decrease our operating hours based on customer demand for our services. And so, my condition would be that she could not expand operating hours without approval of the BZA if that's agreeable.

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Mr. Staranowicz: So that would be seeking another set of special exception to increase hours?

Ms. Brown: I guess. She'd have to come back and get an amendment. I don't know how that would work.

Ms. Alexander: That'll be okay.

Ms. Brown: I guess you know, if we approve a set amount of business hours and then she changes it, according to her business plan, I just want to make sure that's in there that she's got to adhere to what we...

Mr. Staranowicz: Right. I just wanted to clarify, to make sure I had the right information.

Ms. Brown: Thank you. Sorry for not being very articulate.

Ms. Evans: Okay, so now I'm going to ask the staff to read back the development conditions to confirm all in agreement.

Mr. Staranowicz: Days and hours of operation were Monday through Friday from 9 AM to 6 PM and Saturday from 8 AM to 3 PM. Business hours will not be expanded without seeking a special exception and approval through the BZA. The applicant shall accommodate an adequate number of parking spaces consistent with county code. All vehicle parking shall conform to the following standards: All vehicles shall be parked in a designated parking space. No vehicle shall be parked along Town and Country Drive and all required travel lanes shall remain unobstructed. Removal of animal waste shall comply with state health department requirements. All tours of the kennels will be by appointment only. An eight-foot privacy fence from the side of the house to the side property lines and along the rear property line will be installed. There will be no cats to be kept at the kennel. No more than 16 to 17 total dogs, including the applicant's. All conditions will be satisfied prior to opening of the kennel. The kennel shall comply with all applicable state and local codes. The special exception will expire when this applicant vacates the property and is nontransferable. This special exception may be revoked for willful noncompliance of the conditions imposed by the Board of Zoning Appeals.

Ms. Brown: I think there was two you left out. One of them was no grooming to be allowed. And the other one was if the board agrees I would like to have everything set up before she operates like the fence built and everything done before operation begins.

Mr. Staranowicz: So, there will be no grooming on the property.

Ms. Brown: Well as part of the business. I mean, I'm sure she's gonna groom her own dogs.

Mr. Staranowicz: As part of the commercial kennel.

Ms. Brown: Yes.

Staranowicz: And I did state that all conditions will be satisfied prior to opening of the business.

Ms. Evans: Alright, do I have a motion on the floor to approve or deny?

Mr. Ireland: I move that we deny the applicant application. Reason for that. I believe we've had a few of these in the past since I've been on here a year or so we've had a few commercial kennels come up. It

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seems like that's the one we seem to look at each time. We've approved a few. We've disapproved one, and I think the disapproval for the one was due to the type of dogs they wanted to keep, potentially dangerous, you know, type of dog. In this case, it's very similar to the ones that we've approved. However, the difference between this one and that one I think is though, you know, the church is right next door. We haven't heard...

Ms. Evans: It's just the motion.

Mr. Ireland: Ok, I move that we deny.

Ms. Evans: There's a motion to deny the applicant for case number SE22-04/221...

Mr. Harris: Second, Madam Chair.

Ms. Evans: I didn't finish the case number. So, there's a motion on the floor to deny the application for Journee's Divine Kennels, SE22-04/22154434. For those that are in favor to deny the application?

Mr. Ireland: Can I just say one thing? I don't know if this complies with what we're supposed to be doing. But I think it's important for the public to hear why, as opposed to just make taking a vote or is there an opportunity to explain why?

Ms. Evans: We didn't take a vote yet so since there's a motion on the floor, let's take a vote because it could be that it gets approved. Like, I mean, we don't know what the vote is going to be.

Mr. Ireland: If once we take the vote, there's no decision.

Ms. Evans: Then we have a discussion. So that's why let's take the vote. And then when we take the vote, then there is a discussion.

Mr. Harris: Madam Chair, point of order, please. Yes, motion would need to be seconded, then discussion, then a call for the question, then a vote. So, I'll second the motion.

Ms. Evans: Okay. So, there is a second. Now there's a discussion. You can discuss.

Mr. Ireland: Okay. Thank you. So, as I was saying is, the difference between this one and those other ones that we approved, I believe is the fact that the church is right there. I do believe that there's an effect to the church and the events that you might have. The other side of that is, well, they already have six dogs or seven dogs, or what have you, that they can keep anyway, regardless of what we say. So, are those dogs that are there today going to be a nuisance to the church? Perhaps, there's nothing we can do about it. But the other thing is to farm, the runoff. Those are the things that every group has talked about traffic, odors, waste, tranquility of the area, it's going to upset that. I understand all that. But I think the tiebreaker for me is the church next door for this one. So that's why. Thank you.

Ms. Evans: Any further discussion?

Mr. Harris: No comment, Madam Chair.

Ms. Brown: I'm actually very torn because I actually like the business idea. I like the fact that our applicant would like to make it easy for people to get services, you know, because of COVID and not



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being able to go places. We have a lot of people that can't drive. I think it's a really good business plan. My only concern is I don't know that it's the right place. And I'm still deciding right now. This might be a great business plan in a more commercial area. I could see myself using this. I really liked the Uber idea. So, I right now I'm undecided. I'm going to listen to the rest of my board members while I decide.

Ms. Evans: I, as well, I'm torn. I can say that, though those are a lot of dogs. But I am torn in between. But we have to vote. We have to make a vote. So, I'm just going to ask right now those since we have a motion on the floor. Those are in favor to deny.

Ms. Brown: Did anybody else want to speak?

Ms. Evans: I'm so sorry. Mr. Gibbons, did you? Did you want to discuss anything? You have anything?

Mr. Gibbons: I'm still trying to find a non-barking dog.

Ms. Evans: A non-barking dog. Okay. Right. Alright, so there's a motion on the floor. Those are in favor to deny the applicant say aye.

Mr. Gibbons: Aye.

Mr. Ireland: Aye.

Mr. Harris: Aye.

Ms. Evans: And those who are in favor to approve.

Ms. Brown: I'm going to be a deny. It went fast. I was trying to think.

Ms. Evans: So, there's gonna be three deny. I am going to...

Mr. Ireland: Actually, there's four.

Ms. Evans. Did he deny? I didn't hear him say it. Did you deny? Okay. So, there's four deny and I am going to abstain. So, let the record reflect that the motion is denied by a four to one vote.

Mr. Harris: Negative Madam Chairman. Motion is approved.

Ms. Evans: I'm sorry, the motion is approved. Yes, you are right, your motion is approved. And let the record reflect the motion is approved that it is denied. Sorry. So, I thank you all and Ms. Alexander, you will be receiving a follow-up letter from the Department of Planning and Zoning. Okay.

Ms. Alexander: *Inaudible, not at microphone.*

**UNFINISHED BUSINESS**

Ms. Evans: No. At this point, no, because it's closed. So, we're gonna go to the next Unfinished Business. I have one thing when it comes to the Unfinished Business and I need to make this very clear. There was a question last month about the type of hats the BZA wears. So, it is correct. I spoke to our attorney, and we need to make it known. Yes, we do wear two hats. We have a judicial hat and we have

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a quasi, I'm sorry, we have a legislative hat. And after speaking to the attorney, I have to find my notes. I'm so sorry. He gave me the statute that we are not bound when it comes to ex parte under the legislative when it comes to special exceptions. And so, I wanted to make that clear and put that on the record. Right, it is the statute is 15.2-2308.1 when it comes to ex parte communication, subsection D it states that this section shall not apply to cases where an application for a special exception has been filed pursuant to subdivision 6, of 15.2-2309. So, I just want to make sure that everyone on the board understands and knows and that it is set on record. Okay. Alright, now I will get the Zoning Administrator's Report.

**ZONING ADMINISTRATOR'S REPORT**

Mr. Staranowicz: At this time, we have one case for next month. It will be a special exception for a home business in an A-2 property.

**ADOPTION OF MINUTES**

2. February 22, 2022

Ms. Evans: Now we have the adoption of minutes. It's first, the February 22, 2022 meeting minutes. Has everyone had a chance to go over?

Ms. Brown: I've looked at them and have a couple of additions. But I do want to make note that they are different than the last ones that we saw. So, it looks like somebody went back in and added some extra things. Is that correct?

Ms. Evans: Yes.

Ms. Brown: Okay. Let's see. I'll put my glasses on here so I can read this. Oh, this line 35 it says that Mr. Brown and Ms. Keisha Evans both declared that they have visited the Lupine Grove location. I just want to make that clear that that was I did not visit the location I did not visit the house. I visited the neighborhood and I drove by the proposed site. So just to make that clarification, I don't want to sound like I was in the kennels and on the second page, line 60 we talked about show dogs raising of or showing on premises. I just want to, because I did ask this, we were advised by staff that we have no definition of show. Because I remember asking is that for showing on, you know, off site raising dogs to show off site? Or is that having shows on the property because I was concerned about events venue. So, I just want to, we were told that there was no definition of show at this time. Line 96 is like a blank, I wanted to add topics of discussion. I think we spent a lot of time on the safety issues for the neighborhood, walking and letting children play outside. I just think that should be mentioned in there. And I'm gonna go back to that one. Right now, line 144. I wanted to note that it was myself it was Ms. Brown that noted that the case numbers in the application were inconsistent. And we did get that straightened out. But I just wanted to put that in there. On the back page at line 162, it talks about a previous court case from 2009 being brought to light on lots 11 and 17. I think that date is incorrect. The BZA and the letter of determination were in 2010. And it went to the circuit court in 2011. So, I don't know what the 2009 was. And then lastly, this might be controversial. I wanted to put in there somewhere since we don't have you know, the exact wording, you know, recordings, that our applicant did concede that he had been operating without BZA approval after the last denial. That's it.

Ms. Evans: So, is there a motion on the floor to approve the minutes? Can I get a motion please?

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Ms. Brown: I motion to approve.

Ms. Evans: All in favor say aye.

All members: Aye.

Ms. Evans: Anyone not in favor say nay? Alright, motion is moved. The minutes February 22, 2022 is approved. Alright, so we're gonna go to the next board meeting minutes, March 22, 2022 meeting minutes. Can I get a motion on the floor to approve?

3. March 22, 2022

Ms. Brown: In just a moment, I'm just making sure I don't have any notes. I don't think I do on this one. Okay, I'll motion to approve, though.

Mr. Ireland: Second.

Ms. Evans: There's a second on the floor. Those in favor say aye.

All Members: Aye.

Ms. Evans: Those are not in favor, say nay. Alright, the board minutes for March 22, 2022 is approved. Is there any other business?

**OTHER BUSINESS**

Ms. Brown: I just have a comment. I just wanted to give a shout out to James and Stacie. Since you guys have been doing this the last couple of months, we are getting our board packages super early, which is great. That's a good thing. I mean, I noticed. I don't know. Great job. I just wanted to point out that.

Mr. Staranowicz: Well I was going on vacation so I just wanted to make sure...

Ms. Brown: Oh, so this was just a one-time thing. Okay. Got it. Alright.

Mr. Harris: Observation to that is that is you have my correct home address.

Mr. Morgan: And as a matter of fact, he had them done even earlier, Stacie, and they were ready to send them out like so much earlier that I said no, hold on.

Ms. Brown: I just want to say I appreciate it and I noticed and great job.

Ms. Evan: Alright, can I get a motion?

Mr. Harris: One question. In your last discussion with the committee you had discussed robes. Any further comment or dialogue on that because I have to buy the slippers to match.

Ms. Evans: Well, I'm gonna say you know, I like the robes. I want to wear the robes.

Mr. Harris: You were going to visit the judge.

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Ms. Evans: Well, I'm gonna say you know, I like the robes. I want to wear the robes.

Mr. Harris: If it's the judge's opinion that's appropriate, yeah, I'm fine with that. It's the judge's opinion that it's not at this level, I'll agree to that. I'm just in suspense.

Ms. Evans: Okay. Well, you know what, since we have a meeting next month. I'll make sure I get the answer next month.

Mr. Harris: Maybe just sitting with the judge for a few minutes talking about it would be good.

Ms. Evans: Yes.

Ms. Brown: I feel obligated to say if we did wear the robes, as the attorney just advised, we would only be wearing them for a variance or an appeal. We would not be wearing them in our legislative capacity. Just want to make sure you know that so on those nights, you'd have to leave it at home.

Ms. Evans: Thank you, Ms. Brown. Alright, can I get a motion to adjourn?

**ADJOURNMENT**

Ms. Brown: Motion to adjourn.

Ms. Evans: We are done at 8:20.

With no further business to discuss, the meeting was adjourned at 8:20 PM.

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Kecia Evans, Chairman  
Board of Zoning Appeals