TOWN OF Herndon VIRGINIA

HERNDON BOARD OF ZONING APPEALS
Regular Meeting Minutes
Thursday, January 25, 2024

1. **Call to Order**

Chair Kim called the January 25, 2024, Board of Zoning Appeals to order at 7:00 PM and stated that 5 board members were present, which constituted a quorum.

2. **Organizational Meeting**

a. **Election of Officers**

Chair Kim called on Deputy Town Attorney Lauri Sigler to provide a brief summary on the Election of Officer process as it related to the Board of Zoning Appeals.

Ms. Sigler provided her explanation and answered questions from the Board.

Chair
Chair Kim called for a motion to nominate the Chair for the Board of Zoning Appeals

Chair Kim nominated Cari Lyn Pierce as Chair for a one-year term effective January 25, 2024.

Motion seconded by Board Member Frye.

Chair Kim called for a discussion on the motion.

Board Member Mundt asked if Vice Chair Pierce was accepting the nomination. Vice Chair Pierce acknowledged that she would accept the nomination.

The question was called on the motion, which was carried by a 5 - 0 roll call vote. The vote was: Board Members Frye, Mundt, Porter, Vice Chair Pierce and Chair Kim voting "Aye."

Vice Chair
Board Member Mundt motioned to nominate Stevan Porter as Vice Chair for a one

year term effective January 25, 2024.

Motion seconded by Board Member Frye.

The question was called on the motion, which was carried by a 4 - 1 roll call vote. The vote was: Board Members Frye, Mundt, Vice Chair Pierce and Chair Kim voting "Aye." Board Member Porter abstained.

Secretary
Board Member Porter motioned to designate the Zoning Administrator or their designee as Secretary for a one year term effective January 25, 2024.

Motion seconded by Board Member Mundt.

Chair Kim called for a discussion on the motion.

The question was called on the motion, which was carried by a 5 - 0 roll call vote. The vote was: Board Members Frye, Mundt, Porter, Vice Chair Pierce and Chair Kim voting "Aye."

Parliamentarian
Board Member Mundt motioned to designate the Town Attorney or their designee as Parliamentarian for a one year term effective January 25, 2024.

Motion seconded by Board Member Frye.

The question was called on the motion, which was carried by a 5 - 0 roll call vote. The vote was: Board Members Frye, Mundt, Porter, Vice Chair Pierce and Chair Kim voting "Aye."

Resolution
Board Member Mundt motioned to approve the resolution electing the Officers and designating the Secretary and Parliamentarian of the Board of Zoning Appeals.

Motion seconded by board member Porter.

The question was called on the motion, which was carried by a 5 - 0 roll call vote. The vote was: Board Members Frye, Mundt, Porter, Vice Chair Pierce and Chair Kim voting "Aye."

3. <u>Approval of Minutes</u>

a. December 21, 2023, Board of Zoning Appeals Regular Meeting Minutes

Board Member Frye motioned to approve the December 21, 2023, Board of Zoning Appeals regular meeting minutes.

Motion seconded by Chair Pierce.

The question was called on the motion, which was carried by a 4 - 1 roll call vote. The vote was: Board Members Frye, Kim, Mundt, and Chair Pierce voting "Aye." Vice Chair Porter abstained.

4. Comments

a. Comments from the Board Members

Chair Pierce recognized members of the Board of Zoning Appeals for comments.

Board Member Mundt initiated a discussion with the Zoning Administrator and the Deputy Town Attorney to clarify administrative items that were brought up during his recent training for the Board in Richmond. Board Member Mundt asked specifically about the idea of the BZA reviewing special/conditional use permits and the idea of a BZA member sitting on the Planning Commission.

The Board and staff discussed these points.

Staff responded to his questions and advised that they would research the process changes and provide additional information at an upcoming meeting.

There were no further comments from the Board.

b. Comments from the Staff Members

Chair Pierce recognized staff members for comments.

There were no comments from the staff members.

c. Comments from Citizens

Chair Pierce recognized members of the audience for comments.

There were no comments from citizens.

5. Public Hearings

There were no public hearings on the agenda.

6. New Business

a. Resolution to amend and restate the Bylaws of the Town of Herndon Board of Zoning Appeals

Chair Pierce recognized Ms. Sigler for the discussion on the amendments of the Bylaws of the Board of Zoning Appeals.

Lauri, introduction on the bylaw review process. Effort for consistency among all boards and commissions. Terminology changes. There are reasons for differences based on State Code and Town Code. Town Council attendance policy. Compile comments from boards/commissions and see if we can maintain consistency.

There was discussion among the board members and staff on this item, including: (1) whether the attendance policy will be consistent for all boards and commissions and the Town Council, (2) consideration of good cause in absences from meetings, (3) the process for motions on public hearings and the order in which discussion among the Board is allowed (proceeding or following a motion on the table), and (4) the understanding of the language used for proper decorum and enforcement of such decorum.

Ms. Sigler acknowledged that the Town Attorney's office would continue to compile items of interest from all Boards and the Planning Commission and return to the board in the coming months with additional information on the adoption of the bylaws by the Board of Zoning Appeals.

7. Adjournment

There being no further business, and without objection, the January 25, 2024, Board of Zoning Appeals regular meeting was adjourned at 7:43 p.m. on the motion of Board Member Kim, seconded by Vice Chair Porter.

Aaron Zoellick

Aaron Zoellick
Clerk of Boards and Commissions

Minutes approved by the Board of Zoning Appeals: July 25, 2024