



County of Albemarle  
COMMUNITY DEVELOPMENT DEPARTMENT

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**ALBEMARLE COUNTY BOARD OF ZONING APPEALS  
AGENDA  
TUESDAY, JANUARY 3, 2023 at 2:00 P.M  
LANE AUDITORIUM**

1. Call to Order
2. Establish a Quorum
3. Annual Organizational Meeting
  - A. Election of Officers
  - B. Review and Re-Adopt Rules of Procedure
  - C. Review and Adopt 2023 Meeting Schedule
4. Public Hearings:
  - A. AP2022-00003 Berkmar Flats (Signs #79 & 80)  
Property Owner: Third Mesa, LLC  
Appellant: Third Mesa, LLC/J.T. Maxwell  
Staff: Francis MacCall
5. Approval of Minutes
  - A. August 2, 2022
6. Old Business
7. New Business
  - A. Discuss Contract Renewal for Legal Counsel for FY2023-24
8. Adjournment

Opportunities for the public to access and participate in the meeting will be posted at <https://www.albemarle.org/community/county-calendar>. Participation will include the opportunity to comment on those matters for which comments from the public will be received.

## **BOARD OF ZONING APPEALS IN-PERSON MEETING GUIDELINES**

Thank you for attending the Board of Zoning Appeals (BZA) meeting. The following information is provided to help ensure the meeting proceeds as efficiently and effectively as possible. As a courtesy to others, please turn off all cell phones during the meeting.

### **General Information:**

This meeting is recorded and later transcribed into minutes approved at a later meeting date.

Each item set for public hearing will begin with a presentation of the staff report. Next, the applicant or appellant for that item will be invited to speak. During the course of the process, the Chair will open the public hearing to comments from the public. At the end of these proceedings the Chair will announce that the public hearing is closed. Once the public hearing is closed, no further public comments will be allowed unless the Board asks for additional information from the applicant or appellant.

The BZA reserves the right to digress from these guidelines in any particular case.

### **To Members of the Public:**

If you wish to address the Board, please raise your hand or stand when the Chairman asks for public comments for that item. When it is your turn for comment, please come to the microphone and state your name for the record. For uncommon spellings, please spell your name for the recording secretary. If you are with a group of people, you may want to have a spokesperson present your position to the Board.

In order to give all speakers equal treatment and courtesy, the Board requests that speakers adhere to the following guidelines:

- *Come forward to the speaker's podium and state your name;*
- *Address comments directly to the Board as a whole - open public debate is prohibited;*
- *State your position and give facts and other data to back it up – keep in mind that there is a **3 minute time limit for public comment**;*
- ***Give written statements and other supporting material to the Recording Secretary** (written comments are also welcome if you do not wish to speak).*

### **Additional Guidelines for Applicants and Appellants addressing the Board:**

- *Please contact staff in Community Development ahead of the meeting to make any necessary arrangements for your presentation. **The Recording Secretary will also need copies of any handouts given to the BZA members for the official record of the meeting.***
- *Be clear in stating your position and do not repeat information that has been previously submitted to the Board.*
- *Stay on topic by addressing the questions in the application or by responding directly to staff's determination(s). Focus on presenting facts and data that support your position.*
- *Keep in mind there is a **15 minute time limit for presentations and a 5 minute time limit for rebuttal comments.** The Board will ask any necessary follow-up questions to clarify points made during the presentation.*
- *Understand that the Board of Zoning Appeals cannot change County ordinances.*

The BZA reserves the right to place additional time limitations on speakers, as necessary.