

**ALBEMARLE COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING
TUESDAY, MARCH 3, 2026—2:00 P.M.**

Board Members: Edward (Bo) Carrington
Kurt Burkhart
Marcia Joseph
John Shepherd
Ronald Rosenberg

Staff Members: Bart Svoboda, Zoning Administrator
Francis MacCall, Deputy Zoning Administrator
Marsha Alley, BZA Clerk and Recorder

County Attorney: Andy Herrick, County Attorney
Jennifer Tevendale, Deputy County Attorney

BZA Attorney: James Bowling, IV

1. Call to Order

The meeting was called to order at 2:00 p.m. by Deputy Zoning Administrator Francis MacCall.

2. Establish a Quorum

Mr. MacCall established a quorum.

The following members were present: Kurt Burkhart, John Shepherd, Marcia Joseph, Ronald Rosenberg, and Edward Carrington.

The following members were absent: None.

Also present were Bart Svoboda, James Bowling, Andy Herrick, Jennifer Tevendale, and Marsha Alley.

3. Annual Organizational Meeting

A. Election of Officers

Mr. Carrington nominated a slate of officers as follows: Mr. Burkhart as Chair, Mr. Rosenberg as Vice Chair, and Ms. Joseph as Secretary. Mr. Shepherd seconded the nomination.

Given no additional nominations, Mr. MacCall closed the floor to nominations. The nominees accepted the nomination.

MOTION: Mr. Carrington motioned to elect the slate of officers as follows: Mr. Burkhart as Chair, Mr. Rosenberg as Vice Chair, and Ms. Joseph as Secretary. Mr. Shepherd seconded the motion, which passed unanimously (5-0). Mr. Burkhart took his seat as Chair.

B. Review and Re-Adopt Rules of Procedures

Mr. Burkhart reviewed the procedure for amending or readopting the Rules of Procedure. After discussion by the BZA, there were no proposed amendments.

MOTION: Mr. Rosenberg motioned to re-adopt the Rules of Procedure as presented. Mr. Carrington seconded the motion, which passed unanimously (5-0).

C. Review and Adopt 2026 Meeting Schedule

Mr. Burkhart asked the members to review the proposed schedule and provide any dates that may present a conflict. Mr. Carrington and Mr. Rosenberg mentioned that they would be unavailable for the April 7, 2026 date. There was discussion regarding the April date and a likely appeal being scheduled. It was noted that the appellant is working with staff to abate the violation and may be withdrawn; therefore, the April meeting may not be held.

MOTION: Mr. Carrington moved to adopt the 2026 Meeting Schedule as presented. Mr. Rosenberg seconded the motion, which passed unanimously (5-0).

4. Public Hearings

A. There were no public hearings scheduled for this meeting.

5. Approval of Minutes

A. December 2, 2025

Ms. Joseph pointed out that on page 2 of the minutes, packet page 14, the statement reads that Mr. Sipe *presented a letter*. She noted that a letter was not presented to the BZA and asked that the wording be revised to *referred to a letter*. Mr. Shepherd asked that the signature line reflect the newly elected Secretary as he did not attend that meeting and the signature would occur after the recent election.

MOTION: Mr. Shepherd moved to approve the minutes for December 2, 2025, with the proposed revisions. Mr. Rosenberg seconded the motion, which passed (4-0). (Mr. Carrington abstained as he was not present at the December meeting.)

6. Old Business

A. Budget Update

Mr. Burkhart asked staff for a budget update. Mr. Svoboda stated that the departmental budget has been submitted for review by the Board of Supervisors. He added that the \$1,000 increase (from \$5,000 to \$6,000) in the Professional Legal Services line item was included in that request. Mr. Burkhart asked if there had been any mention regarding alternate appointments for the BZA. Mr. Svoboda stated that there had not been any mention of alternate members. Ms. Joseph informed the members that she had spoken with Fred Missel, recently elected BOS member, and that she has shared with him the information that had been previously shared with the previous Board members. Mr. Shepherd shared that he believes it is important to have an alternate member.

B. Application Process Questions

Mr. Burkhart introduced the item and asked staff to provide insight. Mr. Svoboda stated that the heading had been included on the agenda due to the expressed interest in the application process at the previous meeting. He reviewed how staff assist applicants at the lobby kiosks. Mr. MacCall explained that forms are not used as the submittal is electronic. Ms. Joseph voiced concern regarding the potential for an applicant not understanding information included by the assistance of staff. Mr. Shepherd suggested that an affidavit be used to declare that the applicant acknowledges that assistance was received and that staff assure that any assistance was provided at the direction of the applicant.

7. New Business

A. Upcoming Meeting Information

Mr. MacCall informed the BZA of a submitted appeal that is currently scheduled for the April meeting. He added that the appellant may consider withdrawing the appeal as it is likely that the issue will be abated before the April meeting.

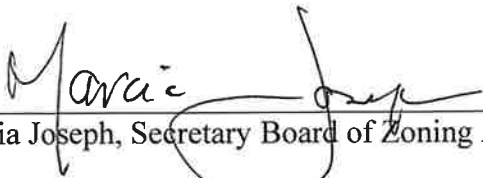
8. Adjournment

MOTION: Ms. Joseph moved to adjourn the meeting. Mr. Carrington seconded the motion, which passed unanimously (5-0).

The meeting adjourned at 2:38 p.m.

(Recorded and summarized by Marsha Alley)

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Marcia Joseph", is written over a horizontal line.

Marcia Joseph, Secretary Board of Zoning Appeals

*This meeting may be viewed at <https://youtu.be/ubmR4TEYDK0>.