



**Westmoreland County
Board of Zoning Appeals
AGENDA**

Thomas Andrews
Matthew Beard
James McConkie
Dexter Monroe
John O'Neil
Lonnie Thurston

George D. English, Sr.
Memorial Building
111 Polk Street
Montross, VA 22520
Board Room

Monday, February 23, 2026

1. Statement: A quorum of the Board of Zoning Appeals Board members are physically present, this meeting is also being broadcast electronically.
2. Election of Officers
3. Approval of October 2025 Minutes
 - A. Approval of October 2025 Meeting Minutes
4. Action Items
5. Other Matters
 - A. Review and adoption of by-laws
 - B. Establish regular meeting date: the 4th Monday of each month at 9:00 a.m.
6. Adjournment

A regular meeting of the Westmoreland County Board of Zoning Appeals was held on Monday, October 27, 2025 in the George D. English, Sr. Memorial Building, 111 Polk Street, Montross, Virginia. Those members present were James McConkie, Thomas Andrews, Lonnie Thurston, and Matthew Beard. Dexter Monroe was absent.

Interim Director Richard H. Stuart Jr. was also present.

CALL TO ORDER

Chairman McConkie called the meeting to order at 9:02 AM. The roll was called and a quorum declared.

PRIOR MINUTES

Mr. Beard moved to approve the August 2025 minutes as presented. Mr. Thurston seconded; the motion carried with a unanimous vote.

CASE# 2509-V-03 – Richard McMurray and Cammie & Cheryl Mangrum 10221 Dale Drive Fairfax VA 22030 & agent Bayshore Design LLC 8518 Cople Highway Hague VA 22469 request approval for a replacement home to be located within the street setback. This project is located at 608 Narrows Beach Road Hague, TM 38C-1-10, Cople Magisterial District.

Chairman McConkie explained the meeting process to applicants and agents present.

Richard H. Stuart Jr. presents the facts of the case and answering questions that the board has.

Mr. Beard motions to approve CASE# 2509-V-03 as presented. The motion included the staff's recommended conditions as provided below. Mr. Thurston seconded, and CASE# 2509-V-03 was approved unanimously with the following conditions:

1. The proposed development shall be in substantial conformance with the Structural & Vegetative Mitigation, E&S Plan designed by Bayshore Design and dated June 20, 2025.
2. The applicant shall record the notice of the Board of Zoning Appeals' decision as furnished by the Land Use Administration. A copy of the recorded instrument shall be submitted to the Land Use Administration prior to issuing any permits for this construction.
3. This variance shall become effective immediately after the decision of the Board of Zoning Appeals. However, no permits shall be granted until the Westmoreland County Land Use Administration receives a copy of the recordation described in item 2 above and provided all provisions of the decision have been complied with.

4. The applicant is aware that any person aggrieved by the decision of the Board of Zoning Appeals may file an appeal within 30 days of this decision in accordance with Section 15.2-2314 of the Code of Virginia. Any construction performed prior to this appeal date is at the owners' risk of potential litigation on this project.
5. No additional development will be permitted on the property except in compliance with the Zoning Ordinance.
6. All necessary local, state, and federal plan application(s), review, and approval processes shall be complied with and adhered to.
7. Failure to abide by these requirements or conditions will result in the immediate revocation of the variance.

Chairman McConkie reminded the audience that in accordance with the provisions of §15.2-2285 of the Code of Virginia 1950, as amended there was a 30-day period in which they could appeal this decision to the Circuit Court of Westmoreland County. Chairman McConkie added that failure to file an appeal within the stated time shall validate this decision and make it unappealable.

OTHER MATTERS

Richard H Stuart Jr. mentioned that Beth McDowell has resigned as Planning Director and that he would be the new interim director. Mr. McConkie mentioned a Letter of Commendation for Ms. McDowell, Mr. Beard motioned to have a Letter of Commendation written. Mr. O'Neil seconded the motion. The motion carries with a unanimous vote.

ADJOURNMENT

There being no other business to come before the Board, Mr. Thurston moved that they adjourn, Mr. Beard seconded, the motion carried by unanimous vote with the meeting adjourning at 9:29 AM.



Westmoreland County, Virginia
LAND USE ADMINISTRATION
PO Box 1000
Montross, VA 22520
804-493-0120

Building Official
Zoning Official
Planning Commission
Board of Zoning Appeals
Board of Building Appeals
Wetlands Board

BY-LAWS
of the
BOARD OF ZONING APPEALS
for
WESTMORELAND COUNTY

ARTICLE I
NAME, PURPOSE, AND AUTHORITY

1-1 Name. The official title of this board shall be the "Board of Zoning Appeals for Westmoreland County".

1-2 Purpose. The purpose of the Board of Zoning Appeals for Westmoreland County is to exercise that authority delegated to it in a fair and consistent manner; to balance private property rights with the public interests; to promote the health, safety, morals, and general welfare of the citizens of Westmoreland County; and to promote and further the spirit and purpose of the Westmoreland County Zoning Ordinance.

1-3 Authority. The Board of Zoning Appeals for Westmoreland County is established pursuant to and shall operate in accordance with the authority and responsibilities set forth in § 15.2-2308 et. seq. of the Code of Virginia, 1950, as amended; and Section 11-1, Provisions for Appeal - Board of Zoning Appeals, of the Zoning Ordinance of Westmoreland County and any amendments or revisions thereto as may be subsequently adopted.

1-4 Adoption of By-Laws. This document shall be known and may be cited as the "By Laws of the Board of Zoning Appeals for Westmoreland County". These By-Laws are adopted pursuant to § 15.2-2308 of the Code of Virginia, 1950, as amended, and shall be effective, by a two-thirds majority vote on and after August 25, 1997 and reaffirmed on and after February 23, 2026.

ARTICLE II MEMBERSHIP

2-1 Number of Members. The number of members on the Board of Zoning Appeals is set by the Board of Supervisors in accordance with the requirements of § 15.2-2308 of the Code of Virginia, 1950, as amended. Upon adoption of the Zoning Ordinance of Westmoreland County, the size of the Board of Zoning Appeals was established at five members. The Board of Zoning Appeals may also include an alternate.

2-2 Qualification of Members. Members of the Board of Zoning Appeals shall hold no other public office in Westmoreland County, with the exception that one member may also be a member of the Westmoreland County Planning Commission. A member shall not be considered to be in good standing; shall not be entitled to take part in the deliberations of the Board of Zoning Appeals; and shall not vote until and after the member shall have taken an oath of office administered by the Clerk for the Circuit Court after having been appointed or re-appointed by the Circuit Court.

2-3 Appointment of Members. Members of the Board of Zoning Appeals are appointed by the Circuit Court for Westmoreland County. Traditionally, the Court has considered the recommendation of the Board of Supervisors. The Secretary for the Board of Zoning Appeals shall notify the Board of Supervisors no less than two months prior to the expiration of the term of a member and shall indicate if the member has expressed a written desire as to whether or not to serve another term. The Secretary shall notify the Circuit Court at least thirty days in advance of the expiration of the term of a member. The Secretary shall notify the Circuit Court and the Board of Supervisors promptly when a vacancy occurs.

2-4 Term of Office. The term of office shall be for five years with the terms staggered such that a term expires each year. Members may be reappointed. Appointments to fill vacancies shall be only for the unexpired portion of the term. A member whose term expires shall continue to serve until his or her successor is appointed and qualifies.

2-5 Removal from Board. A member of the Board of Zoning Appeals may be removed for malfeasance, misfeasance or nonfeasance in office, or for other just cause, by the Circuit Court, after hearing with at least fifteen days' notice.

ARTICLE III

OFFICERS AND THEIR ELECTION

3-1 Officers. The officers for the Board of Zoning Appeals shall be:

- A. A Chairperson elected from the membership;
- B. A Vice-Chairperson elected from the membership; and
- C. A Secretary who may either be elected from the membership or be an employee of the Board of Supervisors and appointed by a majority vote of the Board of Zoning Appeals after consultation with the Board of Supervisors.

3-2 Election of Officers. The election of officers shall be the first order of business at the first regular meeting of the Board of Zoning Appeals in each calendar year. Such elections shall begin with nominations from the floor. Election of each officer shall require a majority vote of the Board of Zoning Appeals.

3-3 Chairperson. The duties and responsibilities of the Chairperson are:

- A. The Chairperson shall serve for the entire calendar year for which elected, or until his or her successor shall take office;
- B. The Chairperson shall be the residing officer at all meetings of the Board of Zoning Appeals;
- C. The Chairperson shall rule on all procedural questions, subject to reversal as prescribed by Robert's Rules of Order;
- D. The Chairperson, shall, by his or her signature, indicate the adoption of all Resolutions of the Board of Zoning Appeals and all Minutes of Proceedings of the Board of Zoning Appeals when approved by a majority vote; and
- E. The Chairperson shall otherwise discharge all other duties and responsibilities normally associated with the office.

3-4 Vice-Chairperson. The duties and responsibilities of the Vice-Chairperson of the Board of Zoning Appeals shall be:

- A. The Vice-Chairperson shall serve for the entire calendar year for which elected, or until his or her successor shall take office; and
- B. The Vice-Chairperson shall discharge the duties of the Chairperson in the Chairperson's absence or inability to act.

3-5 Secretary. The duties and responsibilities of the Secretary of the Board of Zoning Appeals shall be:

- A. The Secretary, if elected from the membership, shall serve for the entire calendar year for which elected, or until a successor shall take office;
- B. The Secretary, if an employee of the Board of Supervisors, shall be appointed by majority vote of the Board of Zoning Appeals, shall serve at the pleasure of the Board of Zoning Appeals without need for an annual re-appointment, but shall have no vote on matters before the Board of Zoning Appeals;
- C. The Secretary shall keep a written record of the proceedings of each meeting of the Board of Zoning Appeals;
- D. The Secretary shall notify all members of the Board of Zoning Appeals of all meetings;
- E. The Secretary shall prepare, in consultation with the Chairperson, and distribute to each member an agenda containing the Orders of the Day, for all meetings of the Board of Zoning Appeals;
- F. The Secretary shall be responsible for the correspondence of the Board of Zoning Appeals;
- G. The Secretary shall be the custodian for all records, reports, and files of the Board of Zoning Appeals;
- H. The Secretary shall discharge all other secretarial duties which may be assigned by the Board of Zoning Appeals;
- I. The Secretary shall serve an advisory role to, and only to the Chairperson in deciding procedural points and in interpreting Robert's Rules of Order in accordance with the Chairperson's responsibilities under these By-Laws; and
- J. The Secretary shall prepare an annual report of the activities of the Board of Zoning Appeals for the Board to review and submit to the Board of Supervisors in January of each year in accordance with Section 15.2-2308 of the Code of Virginia.
- K. The Secretary shall otherwise discharge all other duties and responsibilities normally associated with the office.

3-6 Vacancies in Offices. Vacancies in office shall be filled by election as per Section 3-2 at the next regular meeting following the vacancy. Any such elected officer shall serve for only the remainder of the term of office.

3-7 Removal from Office. Any officer may be removed from office by a three-quarters (3/4) majority vote of the Board of Zoning Appeals for misfeasance, malfeasance, or nonfeasance as an officer.

ARTICLE IV MEETINGS

4-1 Schedule of Regular Meetings. The Board of Zoning Appeals shall adopt a Standing Rule establishing a regular schedule of meetings, including the dates, times and locations of such meetings. When there is no old business and no new business to come before the Board of Zoning Appeals, the Secretary, acting in consultation with the Chairperson, may cancel a regularly scheduled meeting.

4-2 Order of Business. Each meeting of the Board of Zoning Appeals shall begin with a Call to Order, which shall be followed by a roll call and a determination of quorum and then a reading of the minutes of the prior regular meeting and of any special meetings held since the prior regular meeting. The Chairperson may waive the actual reading of the minutes provided that there is no objection by any member of the Commission.

4-3 Quorum. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members of the Board of Zoning Appeals. A regular member when he knows he will be absent from a meeting shall notify the chairperson 24 hours prior to the meeting of such fact.

ARTICLE V RULES OF ORDER

5-1 Adoption of Rules of Order. The rules contained in Robert's Rules of Order Revised shall govern the Board of Zoning Appeals in all cases to which they are applicable, and in which they are not inconsistent with these By-Laws or special rules of order of the Board of Zoning Appeals or with the Code of Virginia, 1950, as amended.

5-2 Oaths and Subpoenas. The Chairperson, or in his or her absence the acting chairperson, may administer oaths and compel the attendance of witnesses.

5-3 When Actions Become Effective. Any action of the Board of Zoning Appeals, unless specifically stated otherwise, shall become effective when voted upon and shall require no further action of the Board of Zoning Appeals. No public release shall be made unless it has officially been approved by the Board of Zoning Appeals or unless the Board of Zoning Appeals has authorized the Chairperson to make an appropriate release.

ARTICLE VI
AMENDMENT

6-1 Amendment. These By-Laws may be amended by a two-thirds (2/3) majority vote of the entire Board of Zoning Appeals at any regular meeting provided that the amendment was submitted in writing at the previous regular meeting.

6-2 Severability. Should any of the provisions of these By-Laws be found to be inconsistent with or in violation of the Code of Virginia, 1950, as amended, or inconsistent with or in violation of any other applicable law, then any such provision shall not thereby invalidate the remaining By-Laws.

Chairman

Date Adopted