



TOWN COUNCIL REGULAR WORK SESSION

Monday, June 10, 2024 @ 7:00PM

Town Hall Conference Room

View meeting online LIVE at <https://www.frontroyalva.com/673/Town-Hall-Live>

7:00pm 1. Roll Call

2. Presentation by Lisa Schwartz of the Beautification Committee of Front Royal (No Coversheet)

3. **New Business**

A. Request to Vacate a Portion of an Alley Behind 125 W. 8th Street - Mike McCool – *Joe Waltz*

B. Blanket Resolution for Project Funding Commitment/Projects Under Agreement with VDOT– *S Scheulen*

8:00pm 4. **Old Business**

A. Local Board of Building Code Appeals (LBBCA) Membership – *Lauren Kopishke*

5. Closed Meeting

6. Adjourn



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: June 10, 2024

Item# 03A

Agenda Item: Request to Vacate a Portion of an Alley Behind 125 W. 8th Street - Mike McCool

Summary: The applicant is requesting to vacate a portion (2,000 SF) of the alley behind 125 W. 8th Street to be used as an additional buffer from the construction of the five (5) townhouses. If approved, the applicant will move forward with a lot consolidation.

Several of the parcels adjoining the Town's undeveloped alley are being redeveloped with Townhomes. The Townhouse construction project is by-right, no legislative approvals are required. The applicant would like the opportunity to purchase the land behind their property to have an additional buffer from neighboring development.

Budget/Funding: N/A

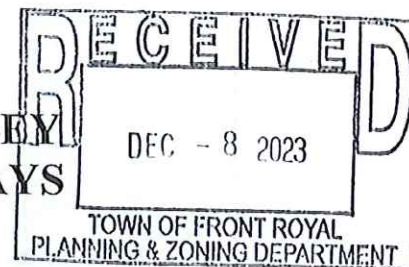
Staff Recommendation:

1. Staff recommends moving forward with notification of adjoining property owners and a public hearing.
2. Staff also recommends that the entire alley be vacated to eliminate any access issues.

#2300787



VACATION OF STREETS AND ALLEYS
and OTHER TOWN RIGHTS-OF-WAYS
APPLICATION



APPLICANT INFORMATION

(please print)

Name MICHAEL MCCOOL

Mailing Address 125 W 8th St

FRONT ROYAL

Phone # 540-631-3968

E-mail MIKE@NATIONALMEDIA SERVICES.COM

VACATION INFORMATION

Description (please select all that apply)

☐ Street/Portion of Street

☒ Alley/Portion of Alley

☐ Other (please specify) _____

Location 125 W 8th St

Reason for request Additional buffer. Developer doesn't
want it (on 9th St) Building 5' town boxes

☒ Current Plat Attached Showing Property to be Vacated

Applicant's Signature Michael McCool

Date 12/8/23

Completed application shall be returned by mail or delivery to: Department of Planning and Zoning, Town Hall, 102 E. Main Street, P.O. Box 1560, Front Royal, VA 22630 Additional Information: Planning and Zoning Office (540)635-4236, Monday-Friday, 8:00am - 4:30pm

Revised 10/24/2022

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE LAND SHOWN ON THIS PLAT IS THE LAND CONVEYED TO MICHAEL D. MCCOOL AND JANE M. MCCOOL PER INSTRUMENT # 980002180 AND A PORTION OF 20' WIDE ALLEY PER PLAT OF FRONT ROYAL AND RIVERTON IMPROVEMENT COMPANY BLOCK 29 IN D.B. S PAGE 300 RECORDED IN THE WARREN COUNTY CIRCUIT COURT CLERKS OFFICE AND THAT THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS THE PROPERTY LINES EXCEPT AS SHOWN.

Joseph G. Brogan, Jr.
JOSEPH G. BROGAN, JR. LIC. # 3209

10/11/23
DATE

ALL TOWN REAL ESTATE TAXES HAVE BEEN PAID IN FULL.

FINANCE DIRECTOR

DATE

REVIEWED AND APPROVED BY THE TOWN OF FRONT ROYAL

DIRECTOR OF PLANNING AND ZONING

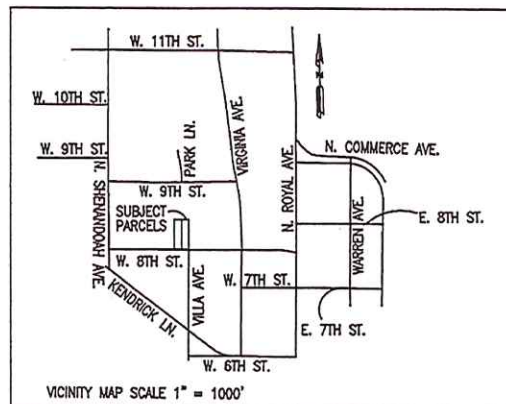
DATE

TOWN MANAGER

DATE

BOUNDARY LINE ADJUSTMENT BETWEEN LOT 10, LOT 11, AND A PORTION OF AN UNIMPROVED 20' WIDE ALLEY, BLOCK 29, PER PLAT OF THE FRONT ROYAL AND RIVERTON IMPROVEMENT COMPANY

NORTH RIVER MAGISTERIAL DISTRICT
TOWN OF FRONT ROYAL
WARREN COUNTY, VA.



BOUNDARY LINES SHOWN HEREON ARE BASED OFF OF A CURRENT FIELD SURVEY MEETING THE REQUIREMENTS OF THE MINIMUM STANDARDS AND PROCEDURES FOR LAND BOUNDARY SURVEYING PRACTICE (18 VAC 10-20-370) OF THE CODE OF VIRGINIA.

NO TITLE REPORT FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

SUBJECT PARCELS SITUATED OUTSIDE
THE LIMITS OF THE FEMA FLOOD ZONE.

SHEET ONE OF TWO

THE BOUNDARY LINE ADJUSTMENT OF THE LAND SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS.

Michael D. McCool
MICHAEL D. MCCOOL

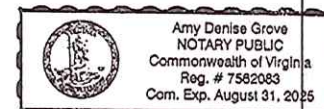
Jane M. McCool
JANE M. MCCOOL

ACKNOWLEDGED BEFORE ME THIS

15th DAY OF NOV 2023.

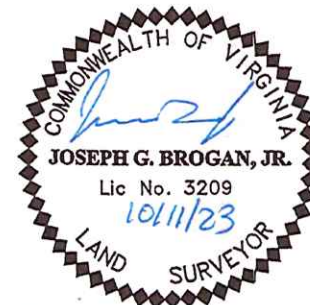
MY COMMISSION EXPIRES 8/31/2025

Joseph G. Brogan, Jr.
NOTARY



AREA TABULATION

ORIG. AREA LOT 10	9,250 SQ. FT.
+ORIG. AREA LOT 11	9,250 SQ. FT.
+PORTION OF ALLEY	2,000 SQ. FT.
AREA NEW LOT 10A	20,500 SQ. FT.



PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
OCTOBER 11, 2023

Alley Vacation Request 2300787, 125 W. 8th Street

Request	The applicant is requesting to vacate a portion (2,000 SF) of the alley behind 125 W. 8 th Street to be used as an additional buffer from the construction of five (5) townhouses. If approved, the applicant will move forward with a lot consolidation.
Background Information	Several of the parcels adjoining the Town's undeveloped alley are being redeveloped with Townhomes. The Townhouse construction project is by-right, no legislative approvals are required. The applicant would like the opportunity to purchase the land behind their property to have an additional buffer from neighboring development.
Public Works Comments	Public Works has checked the requested area to be vacated, since there are no existing utilities in this area, Public Works has no comments or concerns regarding this request. 4/10/24
Energy Services Comments	No concerns from the Department of Energy Services. 12/21/23
Planning Comments	

PER FILED MAP

T.M. 20A5-3-29 LOT 25A5
N/F TEDDY STOUT
CONSTRUCTION, INC.
PER INST. # 230002512
ZONED R-3

T.M. 20A5-3-29 LOT 25A4
N/F TEDDY STOUT
CONSTRUCTION, INC.
PER INST. # 230002512
ZONED R-3

T.M. 20A5-3-29 LOT 25A3
N/F TEDDY STOUT
CONSTRUCTION, INC.
PER INST. # 230002512
ZONED R-3

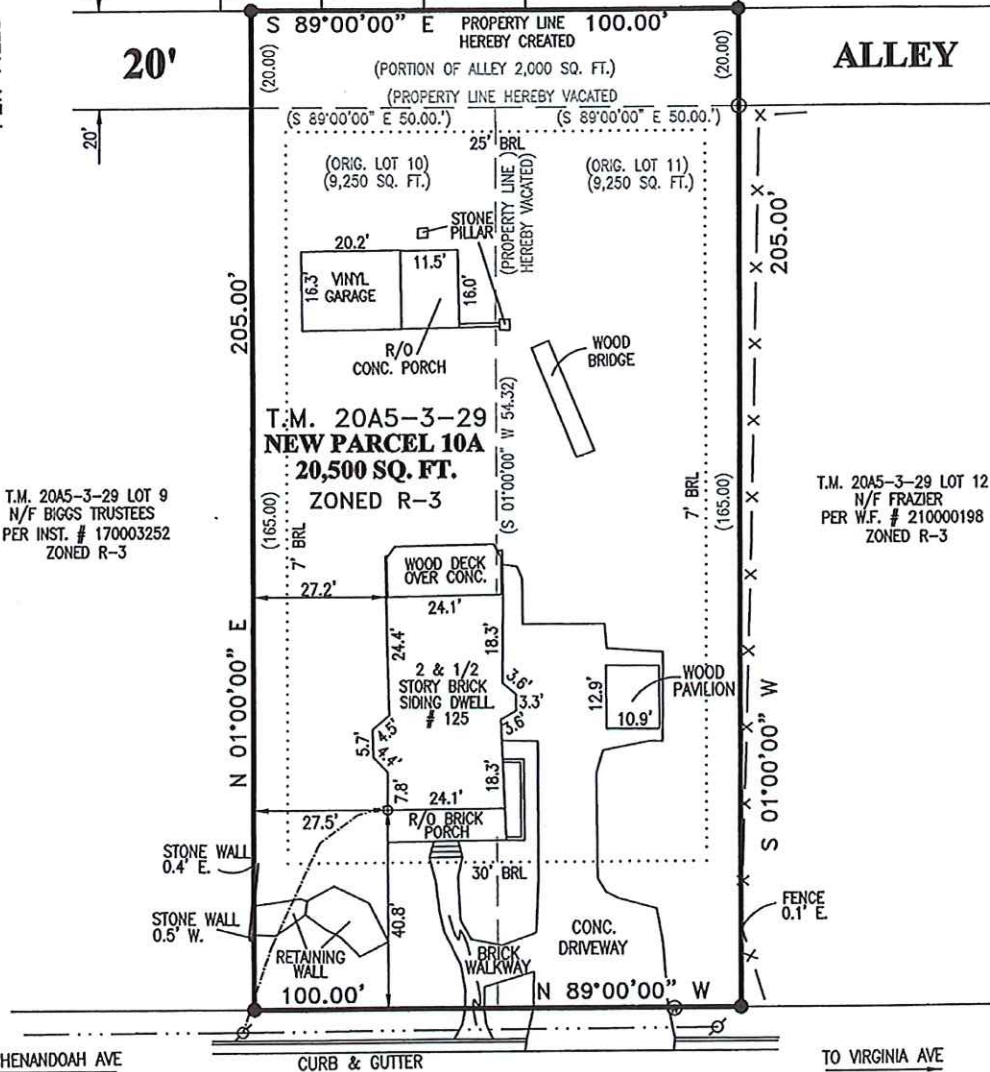
T.M. 20A5-3-29 LOT 25A2
N/F TEDDY STOUT
CONSTRUCTION, INC.
PER INST. # 230002512
ZONED R-3

T.M. 20A5-3-29 LOT 25A1
N/F TEDDY STOUT
CONSTRUCTION, INC.
PER INST. # 230002512
ZONED R-3

T.M. 20A5-3-29 LOT 24
N/F BROWN
PER INST. # 200001739
ZONED R-3

T.M. 20A5-3-29 LOT 9
N/F BIGGS TRUSTEES
PER INST. # 170003252
ZONED R-3

T.M. 20A5-3-29 LOT 12
N/F FRAZIER
PER W.F. # 210000198
ZONED R-3



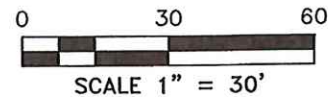
TO N. SHENANDOAH AVE

CURB & GUTTER

W. 8TH ST.
50' WIDE R/W

TO VIRGINIA AVE

- ⊗ DENOTES WATER METER.
- DENOTES PIN FOUND.
- DENOTES PIN SET.
- ⊕ DENOTES UTILITY POLE.
- · — · — DENOTES OVERHEAD WIRES.
- · — · — DENOTES APPROXIMATE UNDERGROUND WIRE.
- X — DENOTES CHAIN LINK FENCE.



NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DERIVATION OF TITLE TO: MICHAEL D. AND JANE M. MCCOOL
PER INSTRUMENT # 980002180.
OWNER ADDRESS: 125 W. 8TH ST., FRONT ROYAL, VA. 22630.

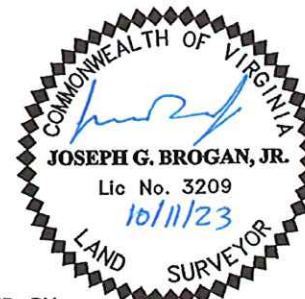
PLAT REF: DEED BOOK S PAGE 300.
SUBJECT PARCEL SITUATED OUTSIDE
THE LIMITS OF THE FEMA FLOOD ZONE.

BOUNDARY LINE ADJUSTMENT BETWEEN LOT 10,
LOT 11, AND A PORTION OF AN UNIMPROVED 20'
WIDE ALLEY PER PLAT OF THE FRONT ROYAL
AND RIVERTON IMPROVEMENT COMPANY

NORTH RIVER MAGISTERIAL DISTRICT

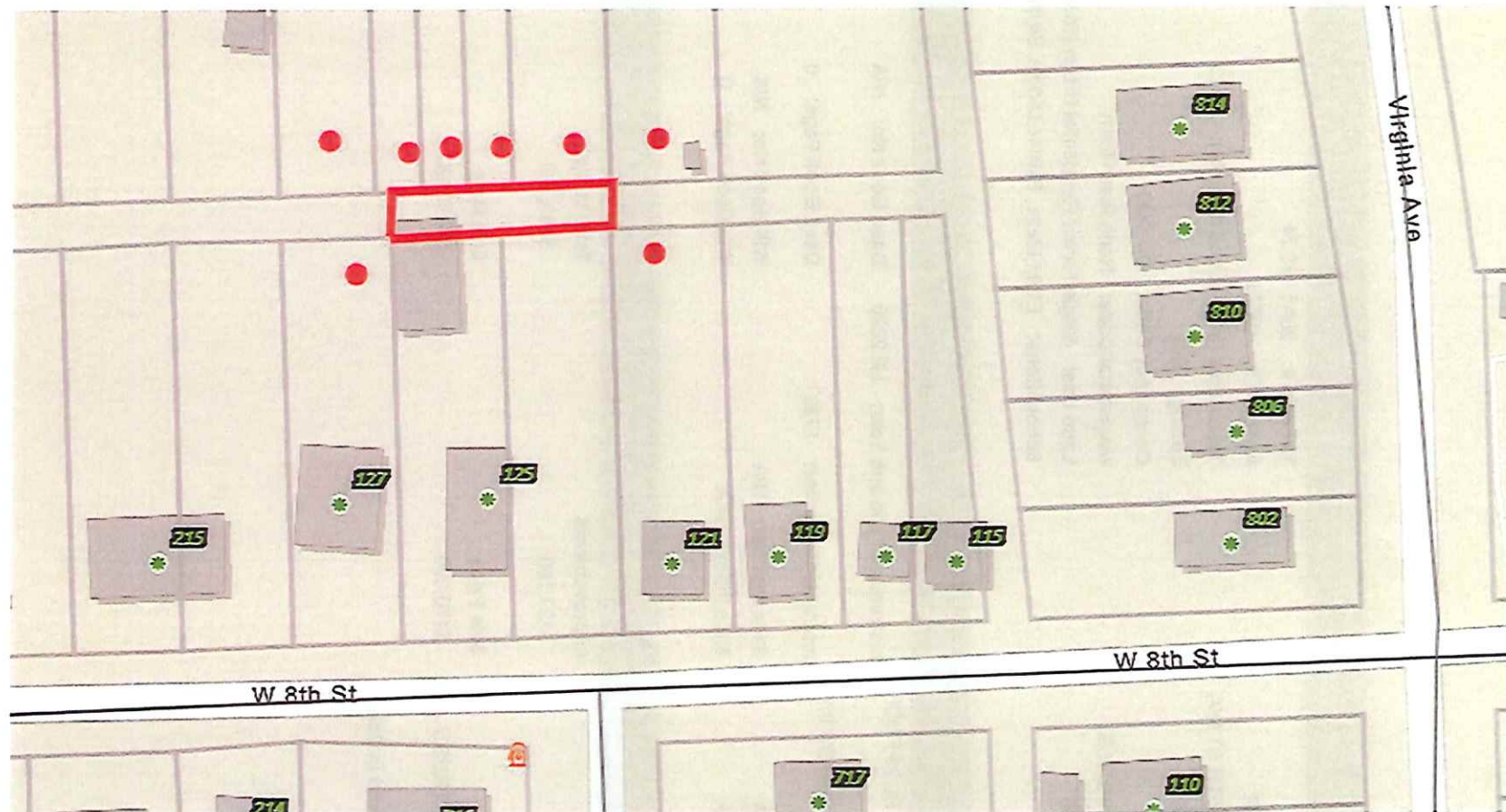
TOWN OF FRONT ROYAL

WARREN COUNTY, VA.



PREPARED BY:
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FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
OCTOBER 11, 2023

2300787 – PORTION OF ALLEY VACATION – MIKE MC COOL – 124 W. 8TH STREET





122 W 9TH ST

Property Details

Current Owner

Name: BROWN HEATHER

Mailing Address: 122 W 9TH ST N/A
FRONT ROYAL, VA 22630

Physical Address: 122 W 9TH ST
FRONT ROYAL, VA 22630

Tax Map #: 20A5 329 24

Account #: 10574

Total Acres (Includes all Sublots): .2123

Zoning: R-3

Occupancy Code: Dwelling

Magisterial Code: North River-Town

Land Use: Single-Family Residential Urban (Town)

School Zone: EWM Elem., Skyline Middle, Skyline High

Legal Repository

Legal Description: L 24 BL 29 FRONT
ROYAL

Instrument Type and Year: LR 2020

Deed Book No: N/A

Legal Description 2: RIVERTON IMP
CO

Instrument Number: 1739

Deed Book Page: 0

Legal Description 3: N/A

Slide Number: N/A

Will Book No: N/A

Legal Description 4: N/A

Slide Index: N/A

Will Book Page: 0

Valuation & Sales

Land	Improvements	Total Value
\$46,000	\$137,700	\$183,700

Grantor	Sale Price	Sale Date
WHEATON FAMILY REV TRUST/	\$170,000	3/20/2020

Number of Parcels Involved In Sale

1



0 W 9TH ST

Property Details

Current Owner

Name: TEDDY STOUT CONSTRUCTION INC

Mailing Address: PO BOX 1489 N/A
FRONT ROYAL, VA 22630

Physical Address: 0 W 9TH ST
FRONT ROYAL, VA 22630

Tax Map #: 20A5 329 25A4

Account #: 33542

Total Acres (Includes all Sublots): .089

Zoning: R-3

Occupancy Code: Vacant Land

Magisterial Code: North River-Town

Land Use: Single-Family Residential Urban (Town)

School Zone: EWM Elem., Skyline Middle, Skyline High

Legal Repository

Legal Description: L 25A4 BL 29
FRONT ROYAL

Instrument Type and Year: LR 2023

Deed Book No: N/A

Legal Description 2: RIVERTON IMP
CO MINOR

Instrument Number: 2512

Deed Book Page: 0

Legal Description 3: SUBDIV LR23-
3839

Slide Number: N/A

Will Book No: N/A

Legal Description 4: N/A

Slide Index: N/A

Will Book Page: 0

Valuation & Sales

Land

\$28,800

Improvements

N/A

Total Value

\$28,800

Grantor

N/A

Sale Price

N/A

Sale Date

9/1/2023

Number of Parcels Involved In Sale

N/A



127 W 8TH ST

Property Details

Current Owner	Tax Map #: 20A5 329 9
Name: BIGGS WILLIAM M & RINER-BIGGS	Account #: 10560
Mailing Address: 500 E MAIN ST N/A FRONT ROYAL, VA 22630	Total Acres (Includes all Sublots): .2123
	Zoning: R-3
	Occupancy Code: Dwelling
Physical Address: 127 W 8TH ST FRONT ROYAL, VA 22630	Magisterial Code: Shenandoah-Town
	Land Use: Multi-Family Residential
	School Zone: EWM Elem., Skyline Middle, Skyline High

Legal Repository

Legal Description: 127 W 8TH ST	Instrument Type and Year: LR 2017	Deed Book No: N/A
Legal Description 2: L9 BL 29 FRONT ROYAL	Instrument Number: 3252	Deed Book Page: 0
Legal Description 3: RIVERTON IMP CO	Slide Number: N/A	Will Book No: N/A
Legal Description 4: N/A	Slide Index: N/A	Will Book Page: 0

Valuation & Sales

Land	Improvements	Total Value
\$51,800	\$262,500	\$314,300
Grantor	Sale Price	Sale Date
BIGGS WILLIAM M	N/A	6/21/2017

Number of Parcels Involved In Sale

2



125 W 8TH ST

Property Details

Current Owner

Name: MCCOOL MICHAEL D & JANE M

Mailing Address: 125 W 8TH ST N/A
FRONT ROYAL, VA 22630

Physical Address: 125 W 8TH ST
FRONT ROYAL, VA 22630

Tax Map #: 20A5 329 10

Account #: 10561

Total Acres (Includes all Sublots): .42

Zoning: R-3

Occupancy Code: Dwelling

Magisterial Code: Shenandoah-Town

Land Use: Single-Family Residential Urban (Town)

School Zone: EWM Elem., Skyline Middle, Skyline High

Legal Repository

Legal Description: L10 & L11 BL 29
FRONT

Instrument Type and Year: LR 1998

Deed Book No: N/A

Legal Description 2: ROYAL
RIVERTON IMP CO

Instrument Number: 2180

Deed Book Page: 0

Legal Description 3: L 10 & 11 COMB
BY BLDG

Slide Number: N/A

Will Book No: N/A

Legal Description 4: PERMIT

Slide Index: N/A

Will Book Page: 0

Valuation & Sales

Land	Improvements	Total Value
\$69,000	\$471,600	\$540,600

Grantor	Sale Price	Sale Date
N/A	\$26,000	4/14/1998

Number of Parcels Involved in Sale

2



121 W 8TH ST

Property Details

Current Owner

Name: FRAZIER KELLI ELIZABETH
Mailing Address: 121 W 8TH ST N/A
FRONT ROYAL, VA 22630

Physical Address: 121 W 8TH ST
FRONT ROYAL, VA 22630

Tax Map #: 20A5 329 12

Account #: 10563

Total Acres (Includes all Sublots): .2123

Zoning: R-3

Occupancy Code: Dwelling

Magisterial Code: Shenandoah-Town

Land Use: Single-Family Residential Urban (Town)

School Zone: EWM Elem., Skyline Middle, Skyline High

Legal Repository

Legal Description: L 12 BL 29 FRONT
ROYAL

Instrument Type and Year: WF 2021

Deed Book No: N/A

Legal Description 2: RIVERTON IMP
CO

Instrument Number: 198

Deed Book Page: 0

Legal Description 3: N/A

Slide Number: N/A

Will Book No: N/A

Legal Description 4: N/A

Slide Index: N/A

Will Book Page: 0

Valuation & Sales

Land

\$40,300

Improvements

\$186,300

Total Value

\$226,600

Grantor

HESSON COLLEEN E

Sale Price

N/A

Sale Date

11/19/2021

Number of Parcels Involved In Sale

1

Vacation of Alley's, Streets and Right-of-Ways (Mc Cool #2300787)

Tax Map ID	Acres	Square Footage	Land Value	Price per square foot
20A5-3-29-5	0.4565	19,885.14 \$	51,800.00 \$	2.605
20A5-3-29-7 & 20A5-3-29-8	0.4246	18,495.58 \$	51,800.00 \$	2.801
20A5-3-29-9	0.2123	9,247.79 \$	51,800.00 \$	5.601
20A5-3-29-10 & 20A5-3-29-11	0.4200	18,295.20 \$	69,800.00 \$	3.815
20A5-3-29-12	0.2123	9,247.79 \$	40,300.00 \$	4.358
20A5-3-29-13	0.2123	9,247.79 \$	40,300.00 \$	4.358
20A5-3-29-14A	0.1359	5,919.80 \$	34,500.00 \$	5.828
20A5-3-29-14	0.1359	5,919.80 \$	34,500.00 \$	5.828
20A5-3-29-23	0.3613	15,738.23 \$	51,800.00 \$	3.291
20A5-3-29-24	0.2123	9,247.79 \$	46,000.00 \$	4.974
20A5-3-29-25A1	0.1860	8,102.16 \$	40,300.00 \$	4.974
20A5-3-29-25A2	0.0890	3,876.84 \$	28,800.00 \$	7.429
20A5-3-29-25A3	0.0890	3,876.84 \$	28,800.00 \$	7.429
20A5-3-29-25A4	0.0890	3,876.84 \$	28,800.00 \$	7.429
20A5-3-29-25A5	0.1860	8,102.16 \$	40,300.00 \$	4.974
20A5-3-29-28 & 20A5-3-29-29	0.4246	18,495.58 \$	51,800.00 \$	2.801
20A5-3-29-30 & 20A5-3-29-31	0.4240	18,469.44 \$	51,800.00 \$	2.805
TOTAL		186,044.76 \$	743,200.00 \$	3.995
Portion of Area Requested	0.0459	2,000.00 \$	7,990.00 \$	3.995



Regular Work Session Agenda Statement

Item # 03B

Meeting Date: June 10, 2024

Agenda Item: Blanket Resolution for Project Funding Commitment and Projects Under Agreement with VDOT

Summary: A “blanket resolution” is now the preferred method for localities commitment to the funding needed and it names a signatory authority for project agreements. The resolution is required for submittal of project applications into the VDOT Smart Portal.

Budget/Funding: Should a project be funded; the amount of funding is confirmed with an agreement.

Staff Recommendation: Staff requests passing the resolution for project application of Happy Creek Road Phase II using VDOT’s SMART SCALE Program at the June 24th meeting.

**RESOLUTION
OF THE
COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA
FOR BLANKET PROJECT FUNDING COMMITMENT AND
PROJECTS UNDER AGREEMENT WITH THE VIRGINIA DEPARTMENT OF
TRANSPORTATION**

Recitals

A. The Town of Front Royal administers transportation projects under agreement with the Virginia Department of Transportation;

B. The Town of Front Royal desires to provide clear commitment for funding these transportation projects and clean signature authority for signing the Project Administration agreements.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Front Royal, Virginia that:

1. the Town of Front Royal hereby commits to fund its local share of preliminary engineering, right-of-way and construction (as applicable) of the project(s) under agreement with the Virginia Department of Transportation in accordance with the project financial document(s).
2. the Town Manager or Acting/Interim Town Manager is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

Adopted this ____ day of _____, 2024.

Lori A. Cockrell, Mayor

Attest: _____
Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2024 upon the following recorded vote:

R. Wayne Sealock	___Yes ___No	H. Bruce Rappaport	___Yes ___No
Joshua L. Ingram	___Yes ___No	Melissa DeDomenico-Payne	___Yes ___No
Amber F. Morris	___Yes ___No	Glenn A. Wood	___Yes ___No

Approved as to Form and Legality:

George M. Sonnett, Jr., Town Attorney

Dated: _____



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: June 10, 2024

Item# 04A

Agenda Item: Local Board of Building Code Appeals Membership

Summary: Council established the Local Building Code Board of Appeals in January 2023. Per Code, the Board is required to provide a means for an aggrieved party to appeal the determination of the Town's Property Maintenance Official. To start the appeals process, an application must be submitted to the Board's Clerk.

Currently the LBBCA is short two members. Pursuant to VPMC Section 107.2 the LBBCA must have a minimum of five (5) members; therefore, the Town of Front Royal currently does not have a LBBCA.

Budget/Funding:

Staff Recommendation:

Town Council must appoint additional members so that staff may issue Property Maintenance citations, or the Town Manager must quickly enter into an agreement with another locality to hear your case.

Staff also requests the appointment of two alternates in case of an absence.

From: [Lauren Kopishke](#)
Sent: Tuesday, May 14, 2024 6:19 AM
To: [Tina Presley](#)
Subject: Fwd: LBBCA Membership

Sent via the Samsung Galaxy A14 5G, an AT&T 5G smartphone
Get [Outlook for Android](#)

From: Luter, Travis (DHCD) <travis.luter@dhcd.virginia.gov>
Sent: Monday, May 13, 2024 2:57:58 PM
To: Lauren Kopishke <lkopishke@frontroyalva.com>
Subject: RE: LBBCA Membership

Good afternoon Lauren.

Pursuant to VPMC Section 107.2 the LBBCA must have a minimum of five (5) members; therefore, the Town of Front Royal currently does not have a LBBCA because you only have four members. If you have a need for a hearing, your Town Council must quickly appoint a fifth member, or the Town Manager must quickly enter into an agreement with another locality to hear your case. All time frames in the code to hear the case remain in place so you all must act quickly.

I will follow up with a phone call shortly.

W. Travis Luter, Sr., CBO

Secretary to the State Building Code Technical Review Board
Code and Regulation Specialist
Virginia Department of Housing and Community Development (DHCD)
804-371-7163
travis.luter@dhcd.virginia.gov



From: Lauren Kopishke <lkopishke@frontroyalva.com>
Sent: Monday, May 13, 2024 2:33 PM
To: Luter, Travis (DHCD) <travis.luter@dhcd.virginia.gov>

Cc: Connie Potter <cpotter@frontroyalva.com>

Subject: LBBCA Membership

Good Afternoon Travis,

I was hoping you could provide me with some clarification. Can the LBBCA meet as long as there is a quorum? We have 4 people on the Board currently, with no alternates.



Lauren E. Kopishke

Director of Planning & Zoning

Zoning Administrator

Town of Front Royal

Dept. of Planning and Zoning

102 E Main St | PO Box 1560

Front Royal, VA 22630

T./540-635-4236

Town of Front Royal Local Building Code Appeals Board

Bylaws

Article 1: Officers

- 1.1 The local board of building code appeals shall organize and annually elect a chairman and a vice-chairman in the month of February.
- 1.2 The Town's Planning and Zoning Department will provide a member from its staff to serve the Board as its recording secretary.
- 1.3 The chairman shall preside at the meeting and hearings, shall decide points of order or procedure, and shall appoint any committees that are found to be necessary.
- 1.4 The vice-chairman shall assume the duties of the chairman in the chairman's absence, disability, or disqualification.
- 1.5 The secretary shall handle correspondence subject to these rules at the direction of the Board; shall send out notices required by these rules; shall keep the minutes of the Board's proceedings; and shall keep a file on each appeal that comes before the Board.

Article 2. Meetings:

- 2.1 Regular meetings of the Board for hearings of appeals shall be held on the first Thursday of each month at 6:00 p.m., except as may be canceled by a majority of the Board if no appeals are pending, in which instance no meeting shall be held.
- 2.2 Special meetings may be called by the chairman, provided at least five (5) days written notice of such meeting is given each member.
- 2.3 A majority of the full membership of the Board shall constitute a quorum.
- 2.4 Business conducted at meetings of the Board shall follow Robert's Rules of Order in all matters in which they are applicable.
- 2.5 The Board may adjourn a meeting if all applications or appeals cannot be disposed of on the meeting day, and no further notice shall be necessary for a continuation of such meeting.

Article 3. Procedure for Hearing Appeals:

- 3.1 Appeals to the Board shall be filed with the Property Maintenance Official on a form provided by the Town's Planning and Zoning Department.
- 3.2 The Property Maintenance Official shall transmit the appeal to the secretary of the Board along with all papers constituting the record of action upon which the appeal is based.
- 3.3 The applicant shall provide the secretary with all information requested on the form provided by the Board, and with any such additional information and data as may be required by the Board to advise the Board fully with the reference to the application for appeal.
- 3.4 Applications for appeal must be on the proper form.
- 3.5 Failure by the applicant to furnish all required information to the Board may be grounds for the Board to dismiss the appeal.
- 3.6 An application for appeal filed accordingly to the above shall be assigned an appeal number within five (5) days.
- 3.7 Applications for appeal will be heard in the order in which they are received.
- 3.8 The secretary of the Board shall schedule the appeal, notify all interested parties of the hearing and give notice including the time, date and place of the meeting to anyone requesting such info action.
- 3.9 The applicant may appear in his own behalf at the hearing or may be represented by counsel or an agent.
- 3.10 Both the applicant and the Property Maintenance Official may speak and present evidence to the appeal and any person whose interests are affected may speak and present evidence for or against the issue. Speakers will be limited to a thirty (30) minute time frame.
- 3.11 The applicant shall be given opportunity for a final rebuttal, not to exceed fifteen (15) minutes.
- 3.12 The final decision on any appeal to the Board shall be in the form of a resolution approved by a majority of the Board members present and voting.
- 3.13 The Board shall notify the interested parties and the code official of the decision within seven (7) days after signing of the resolution by the

chairman, and in any event, within fourteen (14) days after the meeting in which the application for appeal was filed.

Article 4. Records:

- 4.1 A complete file on each appeal shall be kept by the secretary as part of the records of the local Board.
- 4.2 All records of the Board shall be public records.

COPY

EXERPT FROM TOWN CODE

9-100 BUILDING CODE

E. As specified under Subsection B, Town Council shall appoint five (5) members to a Board of Appeals upon adoption of a Town Building Department. The membership of the Board shall be established in compliance with the following requirements, unless more stringent requirements are required by the Building Code.

1. All members of the Board of Appeals shall live within Warren County, Virginia, and at least three (3) members shall reside within the Town.
2. Town Council may appoint two (2) alternate members who shall be called by the board chair to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.
3. At least three (3) members shall have no less than five (5) years knowledge and experience in the construction industry. Members that do not have knowledge and experience in the construction industry shall have an equivalent experience in the real estate, law, architecture, or engineering professions.
4. No employee or official of the Town may serve as a Board Member.
5. Compensation, meeting dates, voting procedures, officers, term limits and other procedures of the Board of Appeals shall be established in by-laws that are approved by Town Council.
6. The Board of Appeals shall be used as the appeals board for the Virginia Maintenance Code.
7. The Board of Appeals shall be reviewed by the Virginia Department of Housing and Community Development

9-200 ADOPTION OF MAINTENANCE CODE

- A. The Town shall appoint a Board of Appeals to consider all appeals that may arise from the provisions of this Article. Such Board of Appeals shall be established under the criteria found within Chapter 9, Section 100, Subsection E. Alternatively, the Town may elect to use the Board of Appeals used by another county or municipality, or with some other agency, provided that an agreement is entered into with the appropriate local government board, or an approved state agency.



CLOSED MEETING AGENDA STATEMENT

Meeting Date: June 10, 2024

Item# 05

MOTION ON TO GO INTO CLOSED MEETING

[to be approved by affirmative recorded vote, with motion set forth in detail in the minutes]

I move that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purposes and that Council consider taking action on these matters in open session:

1) pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, more specifically, a) an offer to purchase a conditionally vacated portion of 7th Street (3,390 square feet) located at its intersection with Kibler Street and b) a request from HEPTAD, LLC.

Motion to Certify Closed Meeting at its Conclusion

[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Moved _____ Seconded _____

VM Sealock _____ Ingram _____ Morris _____ Rappaport _____ DeDomenico-Payne _____ Wood _____