



**BOARD OF ZONING APPEALS OF THE TOWN OF WARRENTON
TOWN HALL
21 MAIN STREET
WARRENTON, VIRGINIA 20186**

MINUTES

**A REGULAR MEETING OF THE BOARD OF ZONING APPEALS WAS HELD ON JANUARY 6, 2026,
AT 5:00 P.M. IN WARRENTON, VIRGINIA**

PRESENT Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair, Ms. Susan Helander; Mr. Kenneth "Charlie" Mulliss, Ms. Elizabeth Scullin; Ms. Heather Jenkins, Zoning Administrator; Ms. Amber Heflin, Zoning Official

ABSENT

CALL TO ORDER AND DETERMINATION OF A QUORUM

The meeting was called to order at 5:00pm. There was a quorum of members present.

Mr. Baggett moved to amend the Board's agenda to add a closed session after the Rules of Procedure Adoption agenda item during their work session. Ms. Helander seconded. All in favor. The vote was as follows:

Ayes:

Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth "Charlie" Mulliss, Ms. Elizabeth Scullin

Nays:

Absent During Vote:

ELECTION OF OFFICERS

Ms. Maybach asked for discussion.

Ms. Helander asked if the current Chair and Vice Chair had interest in remaining in their positions.

Ms. Maybach indicated she was happy to remain as Chair if it was the will of the Board but was also open to changing roles.

Mr. Mulliss moved to nominate Ms. Maybach as Chair of the Board. Ms. Helander seconded. All in favor.

The vote was as follows:

Ayes: *Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth “Charlie” Mulliss, Ms. Elizabeth Scullin*

Nays:

Absent During Vote:

Ms. Helander moved to nominate Mr. Baggett as Vice Chair of the Board. Mr. Mulliss seconded. All in Favor. The vote was as follows:

Ayes: *Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth “Charlie” Mulliss, Ms. Elizabeth Scullin*

Nays:

Absent During Vote:

Ms. Maybach thanked the Board.

Ms. Helander asked staff if a secretary was needed.

Ms. Heflin confirmed the Board would need to appoint a secretary and advised the position has been previously filled by the Zoning Administrator or her designee.

Ms. Maybach motioned to appoint the Zoning Administrator or her designee as the secretary to the Board. Mr. Baggett seconded. All in favor. The vote was as follows:

Ayes: *Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth “Charlie” Mulliss, Ms. Elizabeth Scullin*

Nays:

Absent During Vote:

Ms. Maybach thanked the staff for their willingness to support the Board.

APPROVAL OF MINUTES

Draft Minutes – November 6, 2025, Meeting

Mr. Baggett motioned to approve the minutes as presented, and Ms. Helander seconded. All in favor. The vote was as follows:

Ayes: *Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth “Charlie” Mulliss, Ms. Elizabeth Scullin*

Nays:

Absent During Vote:

WORK SESSION

Board of Zoning Appeals By Laws Adoption

Ms. Heflin advised the By Laws have not changed since the Board's previous adoption. She added that staff noticed an issue with Article 3-2 of the current By Laws as it pertains to when a regular meeting falls on a legal holiday.

Ms. Heflin added the By Laws currently require the meeting falling on a holiday be rescheduled to the following Tuesday, which is in conflict with the regular meeting date for the Town Council.

Ms. Heflin stated that correcting the By Laws would also correct an issue with the November 2026 meeting date, as that meeting would fall on Election Day. She added the staff suggests changing the corrected meeting date to the next available business day, which would require the meeting be held on Wednesday of the same week.

Ms. Heflin reiterated that changing to a Wednesday would eliminate scheduling conflicts with other Boards due to their regular meeting dates.

Ms. Scullin asked if staff had proposed language for Article 3-2.

Ms. Heflin advised she did not prepare draft language but reiterated the change would reflect a Wednesday meeting make-up date rather than the following Tuesday.

Ms. Maybach stated she had a conflict with the proposed Wednesday meeting date due to her participation on the Fauquier County Architectural Review Board, and asked staff if the Board would be bound to the Wednesday date.

Ms. Heflin advised the way the By Laws are currently written allows for flexibility in giving the Chair the ability to move the meeting date.

Ms. Maybach asked if the Wednesday make-up date would also apply to inclement weather closures.

Ms. Jenkins advised the Wednesday date would only apply to meetings that are scheduled for a legal holiday per the By Laws.

Ms. Scullin asked about the process for weather-related closures.

Ms. Jenkins advised the Board would need to discuss a revised meeting date if necessary due to weather closures.

Ms. Scullin pointed out Article 3-9 of the By Laws states if a meeting were canceled due to weather, the items on the agenda would get pushed to the following month.

Ms. Jenkins advised pushing an item to the following month could present an issue if there are time constraints on that particular item. She added that in these cases, the Board would need to call a special meeting to alleviate this issue.

Mr. Mulliss pondered about changing the date to Thursday of the same week.

Ms. Heflin advised the conflict is due to Ms. Maybach's involvement with Fauquier County's Architectural Review Board. She noted the Board could consider a Thursday meeting date, but staff would need to verify there are no conflicting meetings with other Boards.

Ms. Jenkins stated it comes down to not being able to set a specific day of the week within the By Laws, but stating "next available business day" provides the Board with flexibility.

Ms. Maybach asked if there were time limitations in place for the public during a public hearing.

Ms. Jenkins advised the time limitations should be included within the procedures for appeals, which gives the Town and the appellant 20 minutes each. She added generally speaking, the By Laws do have a section for procedure for applicants to speak during a public hearing.

Ms. Heflin stated Article 6-1 of the By Laws do currently follow the same standards as a Town Council meeting, which provides three minutes for the public to speak unless they are speaking on behalf of an organization, which provides five minutes.

Ms. Maybach thanked the staff for providing clarification.

Ms. Scullin asked if the By Laws were required to be adopted at the Board's January meeting.

Ms. Heflin stated the By Laws adoption is not a requirement if there are changes the Board would like to make. She advised the document could be revised and brought back to them next month for adoption.

There were no further questions or discussion.

Mr. Baggett motioned to table the adoption of the By Laws until the February meeting, and Ms. Scullin seconded. All in favor. No discussion. The vote was as follows:

Ayes: *Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth "Charlie" Mulliss, Ms. Elizabeth Scullin*

Nays:

Absent During Vote:

Remote Participation Policy- Adoption

Ms. Heflin stated the policy has been brought back for re-adoption annually as required. She added the policy was originally drafted by the former Town Attorney and has not been edited since the original discussion and adoption.

There were no further questions or discussion.

Ms. Helander motioned to approve the remote participation policy as presented, and Mr. Baggett seconded. All in favor. No discussion. The vote was as follows:

Ayes: *Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth "Charlie" Mulliss, Ms. Elizabeth Scullin*

Nays:

Absent During Vote:

Rules of Procedure- Adoption

Ms. Heflin gave a brief description of the rules of procedure, noting they are required to be submitted signed with each application to the Board.

Ms. Helander asked if staff have any changes or recommended changes to the document.

Ms. Jenkins advised staff had no recommendations for changes to the document at this time. There were no further questions or discussion.

Ms. Helander motioned to approve the rules of procedure as presented, and Mr. Mulliss seconded. All in favor. No discussion. The vote was as follows:

Ayes: *Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth "Charlie" Mulliss, Ms. Elizabeth Scullin*

Nays:

Absent During Vote:

CLOSED SESSION

Mr. Baggett moved to convene in closed session As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving:

Discussion, consideration or interviews of prospective candidates for employment or appointment; OR assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town.

Specifically dealing with Board of Zoning Appeals legal representation.

Ms. Helander seconded. All in favor. The vote was as follows:

Ayes: *Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth "Charlie" Mulliss, Ms. Elizabeth Scullin*

Nays:

Absent During Vote:

The Board returned from closed session and reconvened in open session at 5:49pm.

Mr. Baggett moved that the Board of Zoning Appeals certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion. Mr. Mulliss seconded. All in favor. The vote was as follows:

Ayes: *Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth "Charlie" Mulliss, Ms. Elizabeth Scullin*

Nays:

Absent During Vote:

Ms. Helander motioned that the Town of Warrenton Board of Zoning Appeals retain Matthew A. Crist, LLC, as the Board of Zoning Appeals attorney, and Mr. Mulliss seconded. All in favor. No discussion. The vote was as follows:

Ayes: *Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth "Charlie" Mulliss, Ms. Elizabeth Scullin*

Nays:
Absent During Vote:

Ms. Maybach asked the staff for clarity regarding the timeline for securing their selected attorney.

Ms. Jenkins stated staff will need the attorney's contact information so that the Town's finance department is able to get a contract signed.

Ms. Scullin asked if the Council is required to approve the attorney selection.

Ms. Jenkins advised Council approval is not required.

Ms. Maybach asked for an estimated timeframe for getting the contract signed so that the attorney could begin meeting with the Board.

Ms. Jenkins advised she did not have an estimated timeframe but was hopeful it would be a quick process. She noted she was aware the Board would like to meet with their selected counsel prior to the appeal hearing next month.

Ms. Maybach stated the Board would also like to schedule a special meeting the week of January 20th or January 27th.

Ms. Scullin asked if the meeting would need to be a closed session to ask questions of the attorney.

Ms. Jenkins advised yes, the special meeting would first need to be scheduled, but the closed session would need to be added to ask legal questions of Mr. Crist.

There were no further questions from the Board.

UPDATES FROM STAFF

2026 Board Meeting Schedule- Discussion

Ms. Heflin advised the Board staff created the meeting schedule to lay out the regularly scheduled Board meeting dates for formal adoption similar to the Planning Commission and the Town Council.

Ms. Heflin noted there was an issue with the regularly scheduled November 2026 meeting date, as it would fall on a holiday. She stated there is conflict with how the current By Laws require an alternative meeting date due to the requirement that the Board meeting be held on the following Tuesday, which is the same date as the Town Council meeting.

Ms. Heflin stated the Board could make changes to their by-laws to correct this issue, or they could examine an alternative meeting date altogether, which is also permitted in the current by-laws.

Ms. Heflin stated the board meeting schedule would be brought back at the Board's next meeting in February for formal adoption by resolution.

There were no further questions.

Pending Application Updates

Ms. Heflin advised the Board they will have an application for an appeal of the Zoning Administrator's

Determination for the Amazon Data Center that will be heard in February. She added that all documents that have been submitted are available for public view and have been distributed to the Board as well.

Ms. Maybach asked if the Town would have legal representation present for the meeting in February.

Ms. Jenkins stated staff were hopeful to have the former Town Attorney, Mr. Petersen, present but staff could not confirm if the Town would have legal representation present at this time.

There were no further questions.

ADJOURNMENT

Ms. Helander motioned to adjourn the meeting, and Mr. Mulliss seconded. All in favor. No discussion. The vote was as follows:

Ayes:

Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth "Charlie" Mulliss, Ms. Elizabeth Scullin

Nays:

Absent During Vote:

Ms. Maybach adjourned the meeting at 5:55pm.

I hereby certify that this is a true and exact record of actions taken by the Board of Zoning Appeals of the Town of Warrenton on January 6, 2026.

Melea Maybach, BZA Chair



Motion for Convening a Closed Session

BZA Meeting Date: January 6, 2026

Agenda Title:

I move that the Board of Zoning Appeals convene in closed session to discuss the following:

As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving: Discussion, consideration or interviews of prospective candidates for employment or appointment; OR
 assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town. specifically dealing with Board of Zoning Appeals legal representation

Votes:

Ayes: Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth "Charlie" Mulliss; Ms. Elizabeth Scullin

Nays:

Absent from Vote: None

CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION:

(requires a recorded roll call vote)

I move that the Board of Zoning Appeals certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion.

Votes:

Ayes: Ms. Melea Maybach, Chair; Mr. Van Baggett, Vice Chair; Ms. Susan Helander; Mr. Kenneth "Charlie" Mulliss; Ms. Elizabeth Scullin

Nays:

Absent from Vote: None

For Information:

Town Clerk

Effective date: 1/06/2026

Heather Jenkins, BZA Secretary
