

**Dinwiddie County Board of Zoning Appeals
Organizational & Regular Meeting**

January 21, 2026 - 7:00 PM

**Board Meeting Room - Government Center
Building
Meeting Room**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF MINUTES**

Documents:

[November 19, 2025 Regular Meeting.pdf](#)

- 5. CITIZEN COMMENTS**
- 6. ELECTION OF CHAIRMAN FOR 2026**

Documents:

[Chairman Resolution 2026.pdf](#)

- 7. ELECTION OF VICE CHAIRMAN FOR 2026**

Documents:

[Vice Chairman Resolution 2026.pdf](#)

- 8. ELECTION OF SECRETARY FOR 2026**

Documents:

[Secretary Resolution 2026.pdf](#)

- 9. DETERMINATION OF MEETING SCHEDULE FOR 2026**

Documents:

[2026 Meeting Schedule Resolution.pdf](#)

- 10. OLD BUSINESS**
- 11. NEW BUSINESS**

12. REVIEW OF BY-LAWS

Documents:

[BZA Bylaws.pdf](#)
[Bylaw Resoution Memo.pdf](#)

13. REVIEW CODE OF ETHICS AND STANDARDS OF CONDUCT

Documents:

[BZA Code of Ethics and Standards of Conduct.pdf](#)

14. BOARD MEMBER COMMENTS

15. ZONING ADMINISTRATOR COMMENTS

16. ADJOURNMENT

VIRGINIA: MINUTES OF THE REGULAR MEETING FOR THE DINWIDDIE COUNTY BOARD OF ZONING APPEALS HELD IN THE BOARD MEETING ROOM OF THE DINWIDDIE COUNTY GOVERNMENT CENTER BUILDING ON THE 19^H DAY OF NOVEMBER, 2025 AT 7:00 P.M.

PRESENT:	TRACY SHEETS	CHAIRMAN	DISTRICT #3
	LANCE EVERETT		DISTRICT #4
	WILLIAM SEAY		DISTRICT #5

ABSENT:	WILSON YAGER	VICE CHAIRMAN	DISTRICT #1
	DONNIE BOSTIC		DISTRICT #2

OTHERS:	MATTHEW CULBREATH	ASST. PLANNING DIRECTOR
	MICHAEL DREWRY	ASST. COUNTY ATTORNEY

IN RE: CALL TO ORDER

The Chairman called the meeting to order at 7:06 p.m.

IN RE: ROLL CALL

The Chairman called the meeting to order and all members were present.

IN RE: APPROVAL OF AGENDA

The Chairman asked if there were any additions or corrections to the agenda. She said since there are none she would entertain a motion to accept the agenda as presented. Mr. Everett made a motion to accept the agenda as presented. Mr. Seay seconded it and with Mr. Everett, Mr. Seay, and Ms. Sheets voting “Aye” the agenda was accepted as presented.

IN RE: APPROVAL OF MINUTES

The Chairman said you have the minutes from the January 15, 2025 organizational and regular meeting before you. She asked if there were any corrections. She said since there are none she would entertain a motion to accept the minutes as presented. Mr. Everett made a motion to accept the minutes as presented. Mr. Seay seconded it and with Mr. Everett, Mr. Seay, and Ms. Sheets voting “Aye” the minutes were accepted as presented.

IN RE: CITIZEN COMMENTS

The Chairman opened the citizen comment period of the meeting and asked if anyone had signed up to speak. She said since there is no one she was closing the citizen comments portion of the meeting.

Staff Report
Board of Zoning Appeals
November 19, 2025

File:	V-25-1
Applicant:	Dione Fields
Property Location:	22181 Jordan Heights Dr. North Dinwiddie, VA 23803
Acreage:	0.46 acres
Tax Map Parcel:	33D-1-33
Current Zoning:	Residential, Limited, District R-1

SUMMARY OF CASE

The applicant, Dione Fields, is seeking a variance from Zoning Ordinance Section 22-116. – Setback, which requires structures in the Residential, Limited, District R-1 to be located 65 feet or more from the centerline of any street right-of-way. The grandfathered plat requires a 35 foot setback from the front property line. The applicants are requesting to reduce the building setback line by 15 feet to 20 feet from the front property line. The subject parcel is located on Jordan Heights Drive, North Dinwiddie, Virginia, and is designated as Tax Map Parcel 33D-1-33, which is currently zoned as Residential, Limited, District R-1.

ATTACHMENTS

The following are included:

- Application
- Location Map
- Original Plat
- Most Recent Survey

PURPOSE OF THE STANDARD

As described in Section 22-2 of the Dinwiddie County Zoning Ordinance, the regulations of the zoning ordinance are “*for the purpose of promoting the health, safety and general welfare of the public.*” These regulations are also a planning tool utilized by the County for improving the orderly development of land.

More specific to this application, Sec. 22-113., of the Zoning Ordinance states that “*Residential, limited, district R-1 is composed of certain quiet, low-density residential areas plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life where there are children and to prohibit all activities of a commercial nature. To these ends, development is limited to relatively low concentration and permitted uses are limited basically to single-unit dwellings providing homes for the residents plus certain additional uses, such as schools, parks, churches and certain public facilities that serve the residents of the district.*”

APPLICABLE CODE SECTIONS

The Code of Virginia provisions relevant to this variance request include:

Sec. 15.2-2201. Definitions

"Variance" means, in the application of a zoning ordinance, a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure when the strict application of the ordinance would unreasonably restrict the utilization of the property, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the purpose of the ordinance. It shall not include a change in use, which change shall be accomplished by a rezoning or by a conditional zoning.

Sec. 15.2-2309. Powers and duties of boards of zoning appeals.

Boards of zoning appeals shall have the following powers and duties:

2. Notwithstanding any other provision of law, general or special, to grant upon appeal or original application in specific cases a variance as defined in § 15.2-2201, provided that the burden of proof shall be on the applicant for a variance to prove by a preponderance of the evidence that his application meets the standard for a variance as defined in § 15.2-2201 and the criteria set out in this section.

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, or alleviate a hardship by granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability, and (i) the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance; (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; (iii) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance; (iv) the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application.

The Dinwiddie County Code provisions relevant to this variance request include:

Sec. 22-116. - Setback.

Structures in residential, limited, district R-1 shall be located 65 feet or more from the centerline of any street right-of-way, except that signs may be erected up to the property line, however, such signs shall not block the view of traffic from a roadway. This shall be known as the "setback line."

CASE ANALYSIS

The applicants are seeking a variance from the front setback requirements of the R-1 District in order to construct a single-family dwelling on 22181 Jordan Heights Dr., Tax Map Parcel 33D-1-33. There is an active building permit to construct a single family dwelling that was approved and meets all applicable zoning requirements. The subject property is 0.46 acres. The R-1 District requires a minimum front setback of 65 feet from the centerline of Jordan Heights Dr. (Route 1102). However, the Lake Jordan Subdivision was subdivided under previous guidelines of the Dinwiddie County Zoning Ordinance that was amended in 2008. Under the previous ordinance that the Lake Jordan Subdivision was designed from, the front setback requirement was 35 feet from the front property line. Since Lake Jordan was designed under the previous ordinance, the front setback requirement of 35 feet is grandfathered. An attached plat shows the 35 foot front setback.

Due to the topography of the subject property and an existing 16' sewer easement, the applicant is requesting to reduce the minimum front setback by 15 feet to 20 feet from 35 feet. The topography from the front to the rear of the property drops 30 feet in elevation with approximately 20 feet of that elevation change being located where the sewer easement starts. The buildable area of the lot has approximately 10 feet of elevation change from front to back. A plat attached from 2024 describes an allowable building area that meets all zoning setbacks as approximately 4,488.49 square feet or approximately 0.103 acres. Additionally, staff consulted the Dinwiddie County Building Official who stated multiple homes on Lake Jordan Dr. were constructed with engineered footings to counteract the elevation change.

Strict application of the ordinance, or requiring the dwelling to comply with the grandfathered minimum setback of 35 feet would not prevent a dwelling from being constructed or restrict utilization of the property. The topography of the property and the sewer easement is a not physical hardship that prevents a dwelling from being constructed or restrict utilization of the property.

For case, V-25-1, staff recommends **DENIAL** of a variance of 15 feet from the front setback requirement for a proposed single-family dwelling, due to the topography of the property not restricting development, the existing sewer easement does not restrict development, and the plat showing an approximate building area of 4,488.49 square feet. Sec. 15.2-2309 of the Code of Virginia states that, notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and:

- (i) **“the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;”**

The applicant did not create the hardship as the topography on the rear of the property is naturally occurring and the sewer easement with infrastructure was in place before the property was purchased.

- (ii) **“the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;”**

There is no indication that the granting of the variance will be of any detriment to the adjacent property owners. The proposed dwelling will still comply with the minimum side yard setback of 15 feet with the total width of the two required side yards being 35 feet and rear yard setback of 35 feet, respectively.

- (iii) **“the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;”**

The topography of the subject property and the existing sewer easement is generally shared and recurring with properties along Jordan Heights Drive. Adjacent and neighboring properties were able to develop in compliance with the zoning ordinance with these features present.

- (iv) **“the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and”**

Granting of the variance will not result in a use that is not permitted on the property nor change the R-1 zoning classification of the property.

- (v) **“the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A4 of § 15.2-2286 at the time of the filing of the variance application.”**

Relief is not available by a special exception process and a modification of the ordinance is not in progress at this time.

BOARD OF ZONING APPEALS ACTION

The final statement of action should be similar to the following. If a BZA member chooses to make this motion, it should be read aloud:

I move that the Board of Zoning Appeals adopts the following resolution:

WHEREAS, the Code of Virginia, specifically § 15.2-2309, states that the Board of Zoning Appeals shall grant a variance if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and:

- i. the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
- ii. the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
- iii. the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
- iv. the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and
- v. the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A4 of § 15.2-2286 at the time of the filing of the variance application; and

WHEREAS, the Board (FINDS AS TRUE or DOES NOT FIND AS TRUE) the factual statements and rationale set forth in the staff report,

BE IT THEREFORE RESOLVED THAT pursuant to Virginia Code Section 15.2-2309, after full examination of the facts and law related to the case, the Board of Zoning Appeals finds the foregoing criteria are (MET or NOT MET) and the Board of Zoning Appeals (APPROVES or DENIES) variance request V-25-1, to grant the request for a variance of 15.0 feet from the front setback of 35.0 feet.

Mr. Culbreath asked if there were any questions from the Board Members.

There was some general conversation about the current front setback number compared to the setback number allowed when the subdivision was plated.

Mr. Seay asked if the applicant knew about the setback situation when she purchased the property.

Mr. Culbreath said the applicant was aware of that.

The Chairman said if there are no more questions for Mr. Culbreath would the applicant like to come forward and add anything.

Ms. Dione Fields living at 6012 Restingway Lane, North Chesterfield, VA came forward and said she would answer any questions you may have.

Mr. Seay asked how long had she owned the lot and if she knew she would have problems building on it.

Mr. Fields said she has owned the lot since May of 2024. She said she knew the slope was there and after talking to several contractors, she understood that the house would need a reinforced foundation because of the slope.

There was some general conversation about the slope of the lot in the rear and its close proximity to the sewer easement in the rear of the property.

The Chairman said if there are no more questions for the applicant, she was opening the public hearing portion of the case. She asked if anyone had signed up. Hearing that no one had signed up, she closed the public hearing portion. She asked the members if they had any more questions. She said if not she would entertain a motion.

Mr. Everett made a motion and read the following:

WHEREAS, the Board FINDS AS TRUE the factual statements and rationale set forth in the staff report,

BE IT THEREFORE RESOLVED THAT pursuant to Virginia Code Section 15.2-2309, after full examination of the facts and law related to the case, the Board of Zoning Appeals finds the foregoing criteria are NOT MET and the Board of Zoning Appeals DENIES variance request V-25-1, to grant the request for a variance of 15.0 feet from the front setback of 35.0 feet.

It was seconded by Mr. Seay and with Mr. Everett, Mr. Seay and Ms. Sheets voting "AYE" V-25-1 was disapproved.

IN RE: OLD BUSINESS

Mr. Culbreath said he did not have any old business.

IN RE: NEW BUSINESS

Mr. Culbreath said he did not have any new business.

IN RE: BOARD MEMBER COMMENTS

The Board members did not have any comments.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNNER COMMENTS

Mr. Culbreath thanked the members for coming out tonight.

IN RE: ADJOURNMENT

The Chairman said since there is nothing else she would entertain a motion for adjournment. Mr. Seay made a motion to adjourn and Mr. Everett seconded it. With all members, present voting "AYE" the meeting adjourned at 6:25 p.m.

Respectfully submitted:

Matthew Culbreath
Assistant Planning Director/
Zoning Administrator

Signed: _____
Tracy Sheets, BZA Chairman

Dated: _____



Resolution

**of the BOARD OF ZONING APPEALS of
DINWIDDIE COUNTY, VIRGINIA**

BE IT RESOLVED, by the Board of Zoning Appeals of Dinwiddie County, Virginia that _____ shall be appointed as the Chairman of the Board of Zoning Appeals of Dinwiddie County, Virginia for the year 2026, or until he or she resigns, is unable to hold office, or until a successor assumes office.



Resolution

of the BOARD OF ZONING APPEALS of DINWIDDIE COUNTY, VIRGINIA

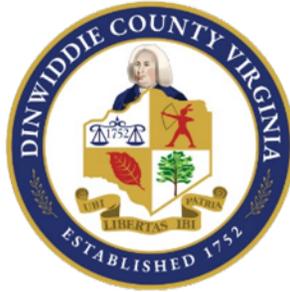
BE IT RESOLVED, by the Board of Zoning Appeals of Dinwiddie County, Virginia that _____ shall be appointed as the Vice Chairman of the Board of Zoning Appeals of Dinwiddie County, Virginia for the year 2026, or until he or she resigns, is unable to hold office, or until a successor assumes office.



Resolution

of the BOARD OF ZONING APPEALS of DINWIDDIE COUNTY, VIRGINIA

BE IT RESOLVED, by the Board of Zoning Appeals of Dinwiddie County, Virginia that _____ shall be appointed as the Secretary of the Board of Zoning Appeals of Dinwiddie County, Virginia for the year 2026, or until he or she resigns, is unable to hold office, or until a successor assumes office.



Resolution

of the BOARD OF ZONING APPEALS of DINWIDDIE COUNTY, VIRGINIA

ORGANIZATIONAL MEETING OF THE BOARD OF ZONING APPEALS SCHEDULE OF MEETINGS AND DATES FOR 2026

WHEREAS, the Board of Zoning Appeals of Dinwiddie County, Virginia, in accordance with the Code of Virginia, 1950, as amended may adopt a regular meeting schedule,

NOW THEREFORE BE IT RESOLVED by the Board of Zoning Appeals of Dinwiddie County, Virginia, that the following rules shall apply for the year 2026:

1. Regular Meetings of the Board shall be held every month, on the third Wednesday of the month in the Government Center Building Board Meeting Room, 14010 Boydton Plank Road, Dinwiddie, Virginia 23841. The Regular Meeting time shall be 7:00 p.m. unless otherwise noted.
2. If a meeting with an advertised public hearing is canceled due to weather or other conditions, it shall be continued for 7 days to the same time and place. If no cases are pending, the Board may cancel the meeting or the Board may hold the meeting to receive training or to consider matters brought before it by the Secretary of the BZA.

The regular meeting dates are as follows:

January 21, 2026	February 18, 2026	March 18, 2026
April 15, 2026	May 20, 2026	June 17, 2026
July 15, 2026	August 19, 2026	September 16, 2026
October 21, 2026	November 18, 2026	December 16, 2026

*Note: The organizational meeting for the calendar year 2027 will be held on January 20, 2027 at 7:00 p.m.

Dinwiddie County Board of Zoning Appeals Bylaws

TABLE OF CONTENTS

Articles

1. *Objectives*
2. *Members*
3. *Officers and Their Selection*
4. *Duties of Officers*
5. *Meetings*
6. *General Rules of Procedure*
7. *Citizen Comment Period*
8. *Voting*
9. *Public Hearings*
10. *Committees*
11. *Amendments*
12. *Severability*

These bylaws are written rules of conduct for the Dinwiddie County Board of Zoning Appeals and are intended to establish best practices for meeting behavior and structure, but are not required by code.

ARTICLE 1 - OBJECTIVES

- 1 *The Dinwiddie County Board of Zoning Appeals (“Board”) is established to administer the powers and duties set forth in Title 15.2, Article 7 of the Code of Virginia and all amendments or changes thereto. As defined in Chapter 22, Article 3 of the Code of Dinwiddie County these powers and duties are:*
 - a. *To hear appeals from any order, requirement, decision or determination made by an administrative officer in the administration or enforcement of zoning ordinances.*
 - b. *To authorize, upon appeal in specific cases, such variance from the terms of this chapter as will not be contrary to the public interest, and the strict application of the ordinance would unreasonably restrict the utilization of the property, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the purpose of the ordinance.*
 - c. *To hear and decide appeals from the decision of the zoning administrator or applications for such special exceptions as may be authorized by Chapter 22 of the Code of Dinwiddie County.*
- 2 *The official title of this Board shall be the Dinwiddie County Board of Zoning Appeals.*

ARTICLE 2 - MEMBERS

- 1 *The Board shall consist of five (5) members appointed by the Circuit Court of the County. One of the members may be a member of the Planning Commission. All members must reside within Dinwiddie County.*
- 2 *The term of the members are terms for five (5) years. Their successors shall be appointed for terms of five (5) years. Any member shall be eligible for reappointment. Any vacancy in membership shall be filled by an appointment by the Circuit Court of the County and all vacancies occurring otherwise than by expiration of term shall in all cases be for the unexpired term. Members shall not hold any other public office in the locality with the exception that one member may be a member of the Planning Commission.*
- 3 *Any appointed member may be removed for cause by the appointing authority upon written notice and after a public hearing. Any member shall be disqualified to act upon a matter before the Board with respect to property in which the said member has an interest.*

ARTICLE 3 - OFFICERS AND THEIR SELECTION

- 1 *The officers of the Board shall consist of a Chairman, Vice-Chairman, and a Secretary.*
- 2 *Nomination of the Chairman and Vice-Chairman shall be made from the floor at the first meeting of each calendar year. Election of officers shall follow immediately.*
- 3 *A candidate receiving a majority vote of the entire membership of the Board shall be declared elected. He shall take office immediately and serve for one (1) year or until his successor takes office.*
- 4 *At the Board's first meeting of each year, the Board shall appoint a Secretary who shall be a salaried employee of the Planning Department. The Secretary shall not be entitled to vote on matters before the Board. In the absence of the Secretary, the Director of Planning shall designate a staff member to serve as Temporary Secretary.*
- 5 *Officer vacancies shall be filled immediately by regular election procedures.*

ARTICLE 4 - DUTIES OF OFFICERS

- 1 *The Chairman shall be a member of the Board and shall:*
 - a. *Preside at all meetings and hearings of the Board.*
 - b. *Appoint committees, special and/or standing, that are necessary for the business of the Board.*
 - c. *Promote the orderly and expeditious conduct of meetings.*
 - d. *Rule on all procedural questions. (Subject to a reversal by two-thirds (2/3) majority of the members present).*
 - e. *Ensure new members are properly oriented to the Board bylaws and rules of order.*
 - f. *The Chairman may speak in discussion, and vote on all questions.*
 - g. *Carry out other duties as assigned by the Board.*

2 *The Vice-Chairman shall be a member of the Board and shall:*

- a. *Perform the duties of the Chairman in the absence or disability or at the request of the Chairman.*

3 *The Secretary shall be a non-member of the Board and shall:*

- a. *Receive all applications for appeals to the Board and shall request of the applicant all information and collect other such information required to advise the Board fully of the issues before it.*
- b. *Advertise all public hearings and notify the parties in interest of all hearing as required by law and these bylaws.*
- c. *Keep all papers relating to an application, including written documentation of the decision of the Board, as part of the records of the Board and shall file such records in the Office of the Board as public records.*
- d. *Keep the minutes of the Board's proceedings and other official actions and shall file them in the Office of the Board as public records.*
- e. *Notify all applicants of the final action of the Board on applications for variances and special exceptions, appeals, and any other item over which the Board has jurisdiction.*
- f. *Notify the Vice-Chairman, by telephone or in person, as soon as possible after the Secretary is informed that the Chairman ~~(or Vice-Chairman)~~ will not attend a Board meeting.*
- g. *The Secretary or another member of the Planning staff, on behalf of the Secretary, shall prepare and file an Annual Report of the BZA with the Board of Supervisors.*

ARTICLE 5 - MEETINGS

- 1 *The Board shall adopt a regular meeting time, location and schedule for the year at its first regular meeting of each year. If no cases are pending, the Board may hold its regular meeting to receive training or to consider matters brought before it by the Secretary of the Board of Zoning Appeals.*
- 2 *All regular meetings shall be open to the public.*
- 3 *A quorum must be present at all meetings to transact any official business. A quorum of the Board shall consist of three (3) of the five (5) members of the Board.*

- a. *If a quorum is not present, the Board's agenda shall be moved to the next regular or special meeting of the Board.*
 - b. *An abstention, although not a vote in favor or against a motion, shall be counted as a vote for the purpose of determining a quorum.*
- 4 *The order of business for a regular meeting shall be as follows, unless amended by a majority of the Board:*
 - a. *Call to order by Chairman.*
 - b. *Roll Call to determine quorum.*
 - c. *Review and approval of minutes from previous meetings.*
 - d. *Review agenda.*
 - e. *Citizen Comments - unrelated to agenda items.*
 - f. *Public Hearings.*
 - g. *Old Business.*
 - h. *New Business.*
 - i. *Adjournment.*
- 5 *All motions shall be restated by the Chairman before a vote is taken. The names of persons making and seconding motions shall be recorded.*
- 6 *The Chairman of the Board may, at his discretion, administer oaths and compel the attendance of witnesses.*
- 7 *The Board shall keep a set of minutes of all regular meetings, and these minutes shall be a public record.*
- 8 *Board members are encouraged to attend all meetings, regular and special, and to notify the Chairman or Secretary as soon as possible if unable to attend a meeting. Any member who misses three (3) regular meetings in succession, or fails to attend at least sixty percent (60%) of regular scheduled meetings during any calendar year, without sufficient justification, is subject to recommendation by the Board to the appointing authority for removal from office.*
- 9 *Non-legal staff of the governing body, applicant, landowner or his agent or attorney may have ex parte communications with a member of the board prior to the meeting but may not discuss the facts or law relative to a particular case, and must be in accordance with Va. Code § 15.2-2308.1.*
- 10 *If a meeting exceeds four hours, the Chairman may continue the meeting until the next meeting. If there is a public hearing on the agenda, it can be continued without the need to re-advertise.*

11 *Special meetings of the Board may be called at any time by the Chairman or in the absence or unavailability of the Chairman, by the Vice-Chairman. The Secretary shall contact all members, at least fourteen (14) days in advance of a special meeting, informing them to the time and place of the meeting and the purpose thereof. If the special meeting is to hear a variance case or an appeal to the Board, then all advertisement requirements of a public hearing shall be met.*

ARTICLE 6 - GENERAL RULES OF PARLIMENTARY PROCEDURE

- 1 *The Board's Parliamentary Procedures shall be the most current edition of Robert's Rules of Order, in all matters not covered by the Board's bylaws, to the extent compatible with law and the historical practices of the Board. The County Attorney, or his or her designee, shall act as Parliamentarian to the Board. Any questions involving the interpretation or application of Robert's Rules shall be addressed to the County Attorney. The Board may amend, by Resolution, the rules as it deems appropriate. The following rules shall apply:*
 - a. *Members are not required to obtain the floor before making motions or speaking, which they may do while seated.*
 - b. *Motions need not be seconded. If a motion is not seconded, the Chairman shall decide if vote is taken on the motion or if a motion is dead.*
 - c. *There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained.*
 - d. *Informal discussion of a subject is permitted while no motion is pending.*
 - e. *The Chairman may speak in discussion without leaving the chair, can vote on all questions, but cannot make motions unless by consent of a majority of Board members present.*
 - f. *When any Board member determines, prior to the calling of any issue before the Board, that he, because of conflict or otherwise, will abstain from voting on such issue, he shall announce such intention at the time the issue comes before the Board and shall not participate in the discussion on such issue or question.*
 - g. *In the incidence of a tie, the voted upon issue by the Board is dead and therefore voted down, except any appeal taken pursuant to Va. Code § 15.2-2311, in a tie vote, the matter may be carried over until the next scheduled meeting at the request of the person filing the appeal.*

- h. Only Board members and the Parliamentarian shall have standing to raise noncompliance with these General Rules of Procedure, and only during the current meeting at the time of violation. Failure of the Board to comply with these General Rules of Procedure shall not invalidate any action taken by the Board.*

ARTICLE 7 - CITIZEN COMMENT PERIOD

To ensure that the affairs of the Board and its committees may be conducted in an orderly manner, to ensure that all persons desiring to address the Board on matters pertinent to it are afforded an opportunity to do so, to permit persons in attendance to observe and hear the proceedings of the Board without distraction, and to permit to the fullest extent the Board to conduct County business with minimal disruption the following rules are established. Any individual, who does not abide by the following rules, after a warning, may be asked to leave the meeting.

1 Rules for Citizen Comment Period

- a. Each person desiring to speak must sign up in advance of the opening of the Citizen's Comment Period on the agenda.*
- b. Each speaker shall be limited to a period of three (3) minutes per comment period; when two (2) minutes have passed the speaker will be reminded that there is one (1) minute remaining. Specified time limits may vary at the discretion of the Chairman.*
- c. Speakers who have signed up may use their allotted time only for themselves and may not donate their time to other speakers.*
- d. Comments must not be related to agenda items and must be confined to matters germane to the business of the Board of Zoning Appeals and shall not be cumulative or repetitive.*
- e. Speakers should address the Board with decorum – loud, boisterous, and disruptive behavior, obscenity, and vulgarity should be avoided, as well as other words or acts tending to evoke violence or deemed to be a breach of the peace.*
- f. The Citizens' Comment Period is not intended to be a question and answer period or for dialogue with County officials. Questions which are raised during a comment period may at the discretion of the Board be responded to by County officials after sufficient time for investigation.*
- g. Speakers shall remain at the podium while addressing the Board.*

- h. Speakers shall not be interrupted by audience comments, calls/whistles, laughter, or other gestures.*

ARTICLE 8 - VOTING

- 1 All matters to be voted upon shall be stated in the form of a motion.*
- 2 All matters before the Board that require a majority vote shall be by roll call.*
- 3 A favorable vote of three members of the Board shall be necessary to reverse any order, requirement, decision or determination of any administrative official or to decide in favor of the applicant on any matter upon which the Board is required to pass.*
- 4 A tie vote means the defeat of the motion, except any appeal taken pursuant to Va. Code § 15.2-2311, in a tie vote, the matter may be carried over until the next scheduled meeting at the request of the person filing the appeal.*
- 5 No member shall abstain from voting on a roll call unless he/she has a conflict of interest in the matter being voted upon, and so states for the record, or unless by the consent of a majority of members present.*

ARTICLE 9 – PUBLIC HEARINGS

- 1 All public hearings will be advertised in accordance with the Virginia Code. No action at a public hearing shall be taken until after notice of intention so to act has been published once a week for two (2) successive weeks in a newspaper published or having general circulation in Dinwiddie County. The term two successive weeks shall mean that such notice shall be published at least twice in such newspapers with not less than six (6) days elapsing between the first and second publication. The notice shall specify the time and place of the hearing at which persons affected may appear and present their views, which the time of hearing shall be not less than five (5) days nor more than twenty-one (21) days after the second advertisement appears in the newspaper.*
- 2 In addition to those required by law, the Board at its discretion may hold public hearings when it decides that a hearing will be in the public interest.*
- 3 The procedure for a public hearing shall be as follows:*
 - a. The Chairman calls for the item.*
 - b. The Secretary, or staff, reads the request and recommendation.*
 - c. Applicant's presentation.*
 - d. Interested citizens' presentation in support/opposition.*

- e. *Applicant rebuttal.*
- f. *Additional time for presenters, as permitted by the Chairman.*
- g. *Questions, if any, from the Board members.*
- h. *Chairman closes public hearing and the Board votes.*

4 The following rules shall govern the conduct of public hearings:

- a. *The applicant shall have ten (10) minutes to address the Board and present written and/or oral comments. Individuals who have signed up to comment on the case shall have three (3) minutes to present written and/or oral comments. All comments shall be directed to the Board, not the audience or other individuals. Specified time limits may vary at the discretion of the Chairman.*
- b. *After all persons who desire to address the Board have had the opportunity to do so, the Chairman may grant additional time to persons who have spoken previously.*
- c. *The Chairman may terminate the hearing at any time after all persons who desire to address the Board have had one (1) opportunity to do so.*
- d. *Board members may question each speaker at the end of his/her presentation.*
- e. *When a matter is set for a public hearing, it shall be heard even though no one in favor of, or in opposition to, the matter appears at the hearing unless it is deferred or withdrawn. In the absence of a personal appearance by the applicant or agent, the Board may proceed to dispose of the application or defer it to another meeting. The applicant may withdraw an application at any time prior to the Board's action.*
- f. *Upon the BZA making a decision, the applicant or appellant shall be advised that an appeal of such decision must be filed within 30 days from the date of that decision.*

ARTICLE 10 - COMMITTEES

- 1 Special Committees may be appointed by the Chairman for the purposes and terms approved by the Board.*

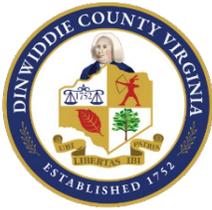
ARTICLE 11 - AMENDMENTS

- 1 The Board bylaws may be amended by a recorded majority vote of the entire membership of the Board provided that written notice has been given to all members of the Board and a copy of the proposed amendment is sent with the notice, prior to said meeting.*

2 The Board bylaws may be suspended in whole or in part upon the unanimous vote of Board members present, relating to any matter before it.

ARTICLE 12 – SEVERABILITY

1 If any word, clause, sentence, section, subsection or other part of parts of these Bylaws shall be held by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining parts of these Bylaws, nor shall it affect any application of these Bylaws that may be given effect without the unconstitutional or invalid parts, and to this end, all provisions of these Bylaws are hereby declared to be severable.



Dinwiddie County Planning & Zoning Office

14010 Boydton Plank Road

Dinwiddie, VA 23841

Phone: (804) 469-4500

To: Dinwiddie County Board of Zoning Appeals

From: Matthew Culbreath, Assistant Planning Director/Zoning Administrator

Date: January 21, 2026

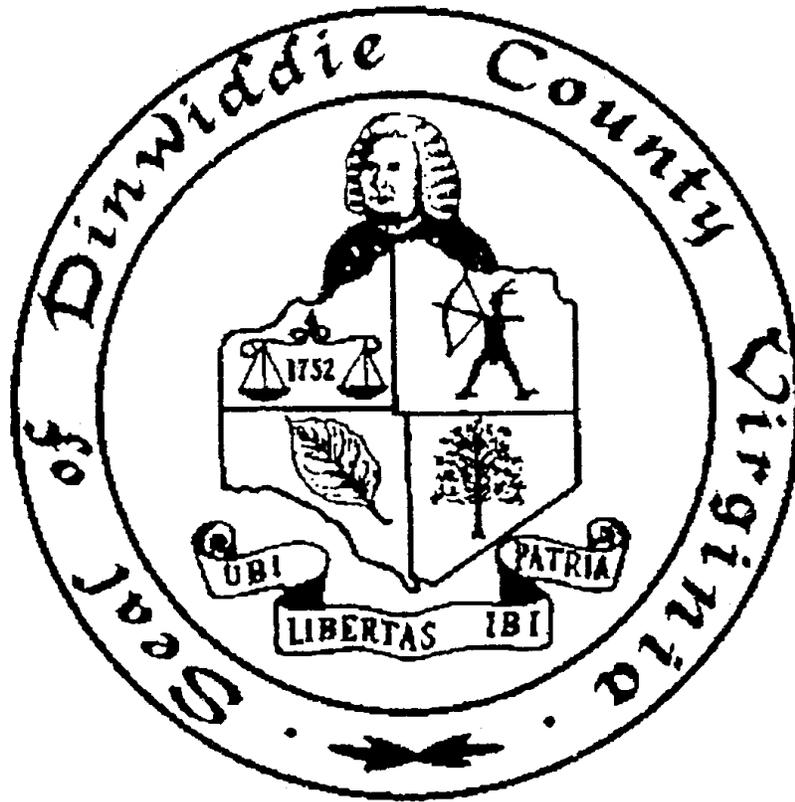
Subject: Proposed Resolution to adopt the Dinwiddie County Board of Zoning Appeals Bylaws.

Board of Zoning Appeals Action

WHEREAS, Section 22-39 of the Zoning Ordinance in the Dinwiddie County Code states that the Board of Zoning Appeals (the “Board”) of Dinwiddie County, Virginia (the “County”) shall adopt such rules and regulations as it may consider necessary; and

NOW, THEREFORE, BE IT RESOLVED, that the Board does hereby adopt the Dinwiddie County Board of Zoning Appeals Bylaws

Board of Zoning Appeals Code of Ethics



DINWIDDIE COUNTY

Dinwiddie, Virginia

CODE OF ETHICS AND STANDARDS OF CONDUCT FOR MEMBERS OF THE DINWIDDIE COUNTY BOARD OF ZONING APPEALS

Recognizing that persons who hold public office have been given a public trust and that the stewardship of such office demands the highest levels of ethical and moral conduct, any person serving on the Dinwiddie County Board of Zoning Appeals should adhere to the following Code of Ethics:

1. Uphold the Constitution, laws and regulations of the United States and of all governments therein and never knowingly be a part to their evasion.
2. Put loyalty to the highest moral principles and to the County as a whole above loyalty to individuals, districts, or particular groups.
3. Give a full measure of effort and service to the position of trust for which stewardship has been granted; giving earnest effort and best thought to the performance of duties.
4. Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.
5. Adopt policies and programs that provide equal opportunity to all citizens without regard to national origin, race, color, religion, gender, age, disability, pregnancy, or sexual orientation.
6. Ensure the integrity of the actions of the Board by conducting official and private affairs in a way that clearly conveys that you cannot be improperly influenced in performing your official duties.
7. Make no private promises of any kind binding upon the duties of any office, since a public servant has no private word, which can be binding on public duty.
8. Engage in no business with the County government, or the school system, either directly or indirectly, which is inconsistent with the conscientious performance of Board duties except as may be consistent with the conflict of interest statutes in the Code of Virginia.
9. Never use any information gained confidentially in the performance of Board duties as a means of making private profit.
10. Expose, through appropriate means and channels, corruption, misconduct, or neglect of duty whenever discovered.
11. Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the Freedom of Information Act using closed sessions only to deal with sensitive personnel, legal or contractual matters as provided by the Code of Virginia.
12. Avoid using the position of public trust to gain access to the media for the purposes of criticizing colleagues or citizens, impugning their integrity or vilifying their personal beliefs.
13. Make sure, when responding to the media, that a clear distinction is made between personal opinion or belief and a decision made by the Board.
14. Review orally and in public session, at the annual organizational meeting, each of these principles.
15. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.