

Sandra Shackelford

From: Vicki Wheaton <songbrook@icloud.com>
Sent: Wednesday, January 17, 2018 10:34 PM
To: Sandra Shackelford
Subject: My letter to David Shreve
Attachments: Safari - Jan 9, 2018 at 358 PM.pdf; ATT00001.htm

Sandy,

I have to admit that last night was very upsetting to me. I feel much is amiss.

Please see that the BZA Members receive a copy of this letter. I also request that someone in your office let me know the date & time it gets sent/given to them.

Also, Peter Agelasto & I would like to meet with you in person as we both have many unanswered questions.

Thursday 1/18 afternoon or Friday 1/19 morning would work for both of us. How about you?

Again, I don't mean to cause anyone discomfort but I think some discomfort may be unavoidable. I regret this very much as I'm sure some will find discomfort from my questions & concerns. They certainly cause me much discomfort.

Please take care of yourself through this. Stress is so detrimental to our health. I've been involved in this since 2014 & sometimes I wonder how I've done it & remained healthy. I think it's my faith in something loving, kind & forgiving that keeps me going. I recognize that deep down we all possess these inherent qualities.

V

David,

Please read the attached code. The BZA needs to be told that there's no legal reason why they can't communicate with the Public. The only ones the BZA can't communicate with are the applicant & some internal staff. Please let me know when this has been done because the BZA Members are under the belief that they're unable to communicate with the Public. If you disagree with me please provide me the code that supports the BZA's inability to communicate with the Public.



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§ 15.2-2308.1. Boards of zoning appeals, ex parte communications, proceedings.

A. The non-legal staff of the governing body may have ex parte communications with a member of the board prior to the hearing but may not discuss the facts or law relative to a particular case. The applicant, landowner or his agent or attorney may have ex parte communications with a member of the board prior to the hearing but may not discuss the facts or law relative to a particular case. If any ex parte discussion of facts or law in fact occurs, the party engaging in such communication shall inform the other party as soon as practicable and advise the other party of the substance of such communication. For purposes of this section, regardless of whether all parties participate, ex parte communications shall not include (i) discussions as part of a public meeting or (ii) discussions prior to a public meeting to which staff of the governing body, the applicant, landowner or his agent or attorney are all invited.

B. Any materials relating to a particular case, including a staff recommendation or report furnished to a member of the board, shall be made available without cost to such applicant, appellant or other person aggrieved under [§ 15.2-2314](#), as soon as practicable thereafter, but in no event more than three business days of providing such materials to a member of the board. If the applicant, appellant or other person aggrieved under [§ 15.2-2314](#) requests additional documents or materials be provided by the locality other than those materials provided to the board, such request shall be made pursuant to [§ 2.2-3704](#). Any such materials furnished to a member of the board shall also be made available for public inspection pursuant to subsection F of [§ 2.2-3707](#).

C. For the purposes of this section, "non-legal staff of the governing body" means any staff who is not in the office of the attorney for the locality, or for the board, or who is appointed by special law or pursuant to [§ 15.2-1542](#). Nothing in this section shall preclude the board from having ex parte communications with any attorney or staff of any attorney where such communication is protected by the attorney-client privilege or other similar privilege or protection of confidentiality.

D. This section shall not apply to cases where an application for a special exception has been filed pursuant to subdivision 6 of [§ 15.2-2309](#).

2015, c. [597](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

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U.S. Constitution

The Virginia Law website data is available via a web service.

