



TOWN OF OCCOQUAN

Circa 1734 | Chartered 1804 | Incorporated 1874

314 Mill Street
PO BOX 195
Occoquan, VA 22125
(703) 491-1918
occoquanva.gov
info@occoquanva.gov

PLANNING COMMISSION MEETING

September 9, 2025 | 6:30 PM

1. **Call to Order**
2. **Citizens' Time** - Members of the public may, for three minutes, present for the purpose of directing attention to or requesting action on matters not included on the prepared agenda. These matters shall be referred to the appropriate town official(s) for investigation and report. Citizens may address issues as they come up on the agenda if advance notice is given during 'Citizens' Time
3. **Approval of Minutes**
 - a. July 22, 2025 Meeting Minutes
4. **Reports**
 - a. Town Council Report
 - b. Deputy Town Manager Report
 - c. Architectural Review Board Report
5. **Action Items**
 - a. Request to Make Recommendation on BZA Appeal of Notice of Violation
 - b. Request to Make Recommendation on BZA Appeal for Variance
6. **Discussion Items**
 - a. Sign Ordinance Amendments Referred by Town Council
 - b. Planning Commission Priorities Update
 - i. The Mill at Occoquan
 - ii. Occoquan Riverwalk
 - iii. Riverside Station (Formerly North Woodbridge Town Center)
 - iv. Alpine X
 - v. The Townes at Occoquan (Formerly Destination Place)
7. **Work Session**
 - a. Town Council-Assigned Strategic Planning Items
8. **Adjournment**

Eliot Perkins
Chair, Planning Commission

Portions of this meeting may be held in closed session pursuant to the Virginia Freedom of Information Act.
A copy of this agenda with supporting documents is available online at www.occoquanva.gov.



TOWN OF OCCOQUAN PLANNING COMMISSION

Agenda Communication

3. Approval of Minutes	Meeting Date: September 9, 2025
3A: July 22, 2025 Meeting Minutes	

Attachments: a. July 22, 2025 Meeting Minutes – To Be Provided

Submitted by: Megan Lubash
Town Clerk/ Assistant Town Manager

Explanation and Summary:

This is a request to approve the meeting minutes from July 22, 2025 Meeting Minutes for the Planning Commission Meeting.

Proposed/Suggested Motion:

“I move to approve the meeting minutes as presented.”

OR

Other action the Planning Commission deems appropriate.



TOWN OF OCCOQUAN PLANNING COMMISSION

Agenda Communication

4. Reports	Meeting Date: September 9, 2025
4B: Deputy Town Manager Report	

Attachments: a. None

Submitted by: Matt Whitmoyer
Deputy Town Manager

Explanation and Summary:

This is a report by the Deputy Town Manager on matters occurring in the past months that may be of relevance to the Planning Commission. The summary of items is below.

1. Sign Ordinance Amendments
2. Parking Ordinance Adoption
3. New Commission Members
4. Fall Show Volunteers



TOWN OF OCCOQUAN PLANNING COMMISSION

Agenda Communication

5. Action Items	Meeting Date: September 9, 2025
5A: Request to Make Recommendation on BZA Appeal of Notice of Violation	

Attachments: a. Application for Appeal
b. Staff Report on BZA Appeal

Submitted by: Matt Whitmoyer
Deputy Town Manager

Explanation and Summary:

This is a request to review and make a recommendation on a BZA appeal of a notice of violation issued by the Zoning Administrator for lighting at 125 East Colonial Drive.

The public hearing on the appeal is scheduled to take place on September 16, 2025 at 5 p.m. at the Occoquan Town Hall.

Per Town Code § 33.30(C), when an appeal is made to the Board of Zoning Appeals, a copy of the application and the related staff report must be sent to the Planning Commission, who in turn may elect to appear as a party at the public hearing on the appeal. The relevant code section reads as follows:

After entering the appeal on the docket, the Secretary of the Board shall advertise a public hearing, give written notice to the parties in interest, and request the Zoning Administrator to transmit a copy of the application and his or her staff report to the Planning Commission; the Planning Commission may send a written recommendation to the Board to appear as a party at the public hearing.

Proposed Motion:

"I move to accept the submitted documents and take no further action."

OR

"I move to recommend to the BZA that the Planning Commission appear as a party to the public hearing on the appeal of notice of violation OCV-2025-002."

OR

Other action the Commission deems appropriate.

Mailing address: [REDACTED]

Telephone No. (_____) _____

If the applicant is not the owner of the property in question, attach a Power of Attorney from owner, suitable for recordation, in which owner authorizes applicant to act on owner's behalf with regard to this application and consents to imposition of any conditions as authorized by law. A copy of any pending contract or option agreement shall be attached hereto and made a part of this application.

Name of person to be notified in addition to the applicant /property owner: William D. Wides, Esquire, Compton & Duling LC

Address: [REDACTED]

Telephone No. [REDACTED]

5. REQUEST

Please state the specific request(s) for the BZA's consideration and explain fully the proposed use. Specify the type of development, operational program, etc. and the reason of this request, and attach applicable plans, renderings, elevations, photographs, etc.: Please see the attached Addendum.

6. EFFECT ON AREA

State how this request will not be materially detrimental to adjacent property, the surrounding neighborhood, or the town, in general. Include where applicable, information concerning use of public utilities; effect of request on public schools, effect on traffic, to include means of access to the nearest public road: effect on existing and future area development, etc. Please see the attached addendum.

**Appeal of Notice of Violation and Compliance Order
Issued by the Town of Occoquan Zoning Administrator
Issued on June 27, 2025
To Roy Ellis Bussey
Case # OCV-2025-002**

**ADDENDUM TO APPEAL OF THE NOTICE OF VIOLATION AND COMPLIANCE
ORDER ISSUED BY THE TOWN FOR A LIGHT ILLIMINATING THE REAR
DOORWAY OF MR. BUSSEY'S HOME**

COMES NOW the Appellant, Roy Ellis Bussey, by and through counsel, and hereby submits his Addendum to Sections 5 and 6 of the Appeal of the Notice of Violation and Compliance Order issued by the Town on June 27, 2025 (the "NVCO"). The NVCO contains an allegation that Mr. Bussey is in violation of Town of Occoquan Ordinance § 157.287(B) because his "rear deck light not fully cut-off or directionally shielded." (See the NVCO "nature of violation"). Mr. Bussey respectfully submits that this violation was issued in error, and was issued unlawfully, for the following reasons.

1. The Town has defined an alleged violation of Ordinance § 157.287(B) as a Class 1 Misdemeanor. Any individual who has been accused of violating this Ordinance is entitled to due process pursuant to the Sixth Amendment of the Constitution of the United States of America: i.e. innocent until proven guilty, entitled to a speedy and public trial in a court of law, to be confronted with the witnesses against him, etc. The Town's attempt to pursue an alleged violation of an ordinance it has defined as a Class 1 Misdemeanor through the Zoning Violation process is a violation of Mr. Bussey's due process rights¹

The Town of Occoquan has defined a violation of Town Ordinance §157.287 as a Class 1 Misdemeanor. Ordinance § 157.287 ends by stating, "Penalty, see § 10.99." There is no further penalty specifically defined within this Ordinance or within this Chapter of Occoquan Code of Ordinances.

¹ Undersigned counsel attempted to resolve this issue with both the Town Attorney and the Town's misdemeanor/infraction prosecutor, via an email dated July 8, 2025 and attached hereto as Exhibit 1. Neither attorney responded to this inquiry.

Ordinance § 10.99(A) states "... the violation of any such provision of this code or the ordinances of the town shall be deemed to be a misdemeanor..." and § 10.99(B) states "[w]henever punishment for a misdemeanor is prescribed by stating that the misdemeanor is punishable as provided for in this section, or whenever no specific penalty is provided for a misdemeanor, the misdemeanor shall be deemed a class 1 misdemeanor." "Whenever a misdemeanor is declared to be a class 1 misdemeanor, such misdemeanor shall be punished by confinement in jail for not more than 12 months or a fine of not more than \$2,500, either or both." Ordinance § 10-99(A)(1). Based on the foregoing statutory definitions, it is clear that the Town of Occoquan has defined a violation of Ordinance § 157.287 solely as a Class 1 misdemeanor offense.²

Any supposed "enforcement" of an alleged violation of Ordinance § 157.287 must be through a criminal prosecution. "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial . . . and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence [sic]." U.S. Const. amend. VI.

² For comparison, see Prince William County Ordinance § 32-1000.01, which is contained within Chapter 32 of the County's Ordinances (the Chapter labeled "Zoning"). This Ordinance explicitly states, "[a]n owner of property shall be responsible for; *and subject to civil and criminal liability* for any violation of this chapter found to exist on his property." PWC Ordinance § 32-1000.01(1) (emphasis added). This language subjects an individual allegedly in violation of a County Zoning Ordinance to civil liability, subjecting them to the civil Violation Notice and Correction Order process, and concurrently subjects the owner to potential criminal liability through proper criminal due process.

The Town of Occoquan has no similar ordinance anywhere in Title XV ("Land Usage") or Chapter 157 ("Zoning") of the Town Code. It is clear from the plain language of the Town's ordinance that the only possible statutory liability for a person alleged to be in violation of Town Ordinance § 157.287 is criminal liability upon a conviction of a Class 1 misdemeanor.

If the Town chooses to proceed against a homeowner who the town alleges is in violation of Ordinance § 157.287, the Town *must* proceed through the criminal process. It cannot subvert Mr. Bussey's Sixth Amendment rights by issuing a NVCO. The current NVCO therefore must be dismissed as being improperly issued in violation of Mr. Bussey's rights to due process.

2. Alternatively, assuming without admitting that the Town has the ability to proceed forward through a NVCO, the rear deck light in question is not in violation of § 157.287(B)

The supposed violation was issued because Mr. Bussey's "rear deck light not fully cut-off or directionally shielded." *See* NVCO. Undersigned counsel can find no definition of "directionally shielded" within the Town's Code of Ordinances. The closest definition of "directionally shielded" that can be found is located in Ordinance § 157.287(B)(1), which states that outdoor lights "shall consist of fully cut-off or directionally shielded lighting fixtures *that are aimed and controlled so that the directed light is confined to the object intended to be illuminated.*" § 157.287(B)(1) (emphasis added).

An enlarged photograph of the light in question is attached hereto as Exhibit 2. This photograph clearly shows that the light will illuminate the back door and immediately adjacent back deck of the property, but *is directionally shielded* so that no light is permitted to shine upwards towards the night sky. Further, approximately 270 degrees of the downward light is surrounded by Mr. Bussey's physical home, demonstrating that the light is directionally shielded by the building itself. Further, the light from this rear deck light is confined to the object intended to be illuminated, i.e. Mr. Bussey's rear deck. A photograph from Mr. Bussey's upstairs window looking down onto his deck during darkness is attached hereto as Exhibit 3. A photograph from Mr. Bussey's next-door neighbor of the view of Mr. Bussey's deck during darkness, with the light in question on, is attached hereto as Exhibit 4.

The purpose of § 157.287 is “to protect dark skies and the general welfare by controlling the spillover of light onto adjacent properties, and to prevent glare from outdoor luminaires and limit the intensity of light on adjacent properties and roadways to further public safety.” Ordinance §157.285(A). Mr. Bussey’s rear deck light does not infringe upon the dark skies of the town, nor does it create spillover light onto adjacent properties or roadways, as clearly demonstrated by Exhibits 2-4. Based on the foregoing it is obvious that Mr. Bussey’s back deck light is not in violation of Town Ordinance § 157.287(B) and this supposed violation must be dismissed.

3. The Town has waived its ability to enforce Ordinance § 157.287(B).

A cursory review of the lights adorning the homes in the town reveal that the overwhelming majority of homes within the Town have substantially similar lights as the light in supposed violation in this matter. Exhibit 5A is a street photograph of the light adorning the front of Mayor Earnest W. Portio’s residence located at 184 Washington Street, Occoquan, VA 22125, while Exhibit 5B is a zoomed-in image of the front light. Exhibit 6 is the light adorning the front of Councilmember Theo Daubresse’s residence, located at 106 East Colonial Drive, Occoquan, VA 22125. Exhibit 7 is a photograph of the front of 209 Mill Cross Lane, Occoquan, VA 22125, owned by Ms. Samantha Sparks. A close review of each of these photographs will reveal that they share the same directional shielding as Mr. Bussey’s rear light, with the only difference being that these lights are on the front of the properties, i.e. can be seen from public roadways, while Mr. Bussey’s rear light cannot be seen from any public roadway.

Mr. Bussey is in possession of numerous photographs of other similar light fixtures throughout the town that are of a similar quality. He invites the members of this Zoning Appeal Board to drive through streets of Occoquan at night prior to any hearing on this matter. It will

become obvious that the town's zoning administrator has waived the town's ability to enforce ordinance § 157.287 by failing to enforce this provision against any resident since it was passed into law in 2017.

4. Alternatively, even if the light in question is in violation of the current town ordinance, it is exempt from enforcement pursuant to ordinance §157.285(D)(1)

Ordinance §157.287 was passed into law on September 5, 2017. "Outdoor light fixtures installed prior to the effective date of this subchapter are exempt from the provisions of this subchapter, provided, however, that no change in use, increase in lumen output, or structural alteration of outdoor light fixtures shall be made unless it thereafter conforms to the provisions of this subchapter." Ordinance §157.285(D)(1).

Mr. Bussey and his late wife purchased the property on February 26, 1999, and Mr. Bussey has resided in the property at all times since. He has never modified nor altered the rear light in question. As such, it is clear that this light is exempt from the current ordinance, as it was installed prior to September 5, 2017.

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WHEREFORE for the foregoing reasons your Appellant respectfully requests that this Board of Zoning Appeals determine that the NVCO issued in Case # OCV-2025-002 was issued in error, overturn this NVCO, and grant to the Appellant any and all such further relief as this Board deems just and proper.

Respectfully submitted,
R. Bussey
By Counsel:



William D. Wides, VSBN 86264
COMPTON & DULING, L.C.
12701 Marblestone Drive, Suite 350
Prince William, Virginia 22192
Tel. (703) 583-6060
Fax (703) 583-6066
wdw@comptonduling.com
Counsel for Appellant

EXHIBIT 1

**Email to Town Attorneys dated
July 8, 2025**

William D. Wides

From: William D. Wides
Sent: Tuesday, July 8, 2025 8:54 AM
Cc: [REDACTED]
Subject: RE: Appeal of Notice of Violation and Compliance Order to Bussey, Roy Ellis: Case Number OCV-2025-02

Mr. Gwinn and Ms. Humbrecht,

Good morning, I hope this email finds you well. I am including Ms. Humbrecht, the attorney responsible for criminal prosecutions on behalf of the Town of Occoquan, for reasons that will become obvious in the subsequent paragraphs. To provide a brief background: On June 27, 2025, the Town of Occoquan issued a Notice of Violation and Correction Order to my client, Mr. Roy Bussey, for an alleged violation of Town Ordinance Section 157.287(B). Were this a simple alleged Zoning Violation this would be a civil matter and I would proceed forward with an appeal to the Board of Zoning Appeals for the Town, an appeal which I am in the midst of preparing. During my review of the statute, however, I have realized that the plain language of the Ordinance in question makes an alleged violation a Class 1 Misdemeanor subjecting any alleged violator to all the constitutional protections any criminal defendant is entitled to.

I say this because Town Ordinance § 157.287 ends by stating, "Penalty, see § 10.99" without defining any further specific penalty. Town Ordinance § 10.99(A) states "... the violation of any such provision of this code or the ordinances of the town shall be deemed to be a misdemeanor..." and § 10.99(B) states "[w]henver punishment for a misdemeanor is prescribed by stating that the misdemeanor is punishable as provided for in this section, or whenever no specific penalty is provided for a misdemeanor, the misdemeanor shall be deemed a class 1 misdemeanor." Ordinance § 10.99(A)(1) further states "[w]henver a misdemeanor is declared to be a class 1 misdemeanor, such misdemeanor shall be punished by confinement in jail for not more than 12 months or a fine of not more than \$2,500, either or both."

Based on the foregoing it seems obvious to me that this issue is not a civil Zoning Violation subject to Article 7 of Chapter 22 of the Virginia Code, but rather a criminal prosecution subject to the protections of the Sixth Amendment. In other words, my client is entitled to a trial and a right to confront witnesses and cannot be found to have violated Ordinance 157.287 simply by failing to appeal the alleged violation of Section 157.287 within 30 days.

I kindly ask that you review at the language contained in these ordinances and let me know if you believe the Town has the ability to proceed forward under the current process, i.e. as an alleged zoning violation, or if you agree that the ordinances as written would require a criminal prosecution.

I kindly ask for a response by 5:00 p.m. this Friday, July 11th.

Thank you in advance,

WILLIAM D. WIDES

Partner

703.583.6060

703.583.6066

Direct 703.565.5201

wdw@comptonduling.com

12701 Marblestone Drive, Suite 350 • Prince William, VA 22192

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From: William D. Wides

Sent: Tuesday, July 1, 2025 8:37 AM

To: 'townclerk@occoquanva.gov' <townclerk@occoquanva.gov>

Cc: [REDACTED]

Subject: Appeal of Notice of Violation and Compliance Order to Bussey, Roy Ellis: Case Number OCV-2025-02

Good morning,

My name is William Wides and I represent Mr. Bussey in the abovementioned VNCO. Please direct all future correspondence in this matter directly to me.

The purpose of this email is to inform you that Mr. Bussey will be appealing this supposed violation to the Town's Board of Zoning Appeals. **This email serves as Mr. Bussey's Notice of Appeal.**

I would appreciate it if you would provide me with the information necessary to perfect this appeal at your earliest convenience.

Thank you in advance,



WILLIAM D. WIDES
Partner

☎ 703.583.6060

✉ 703.583.6066

Direct 703.565.5201

wdw@comptonduling.com

12701 Marblestone Drive, Suite 350 • Prince William, VA 22192

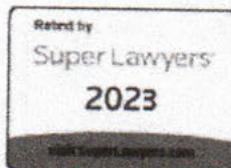


EXHIBIT 2

Photograph of the light at issue



EXHIBIT 3

**Photograph of back porch at
night**



EXHIBIT 4

**Photograph of back porch at
night taken from next-door
neighbor's back porch**



EXHIBIT 5A

**Photograph of the front light of
184 Washington Street, Occoquan**



EXHIBIT 5B

**Zoomed-in photograph of the
front light of 184 Washington
Street, Occoquan**

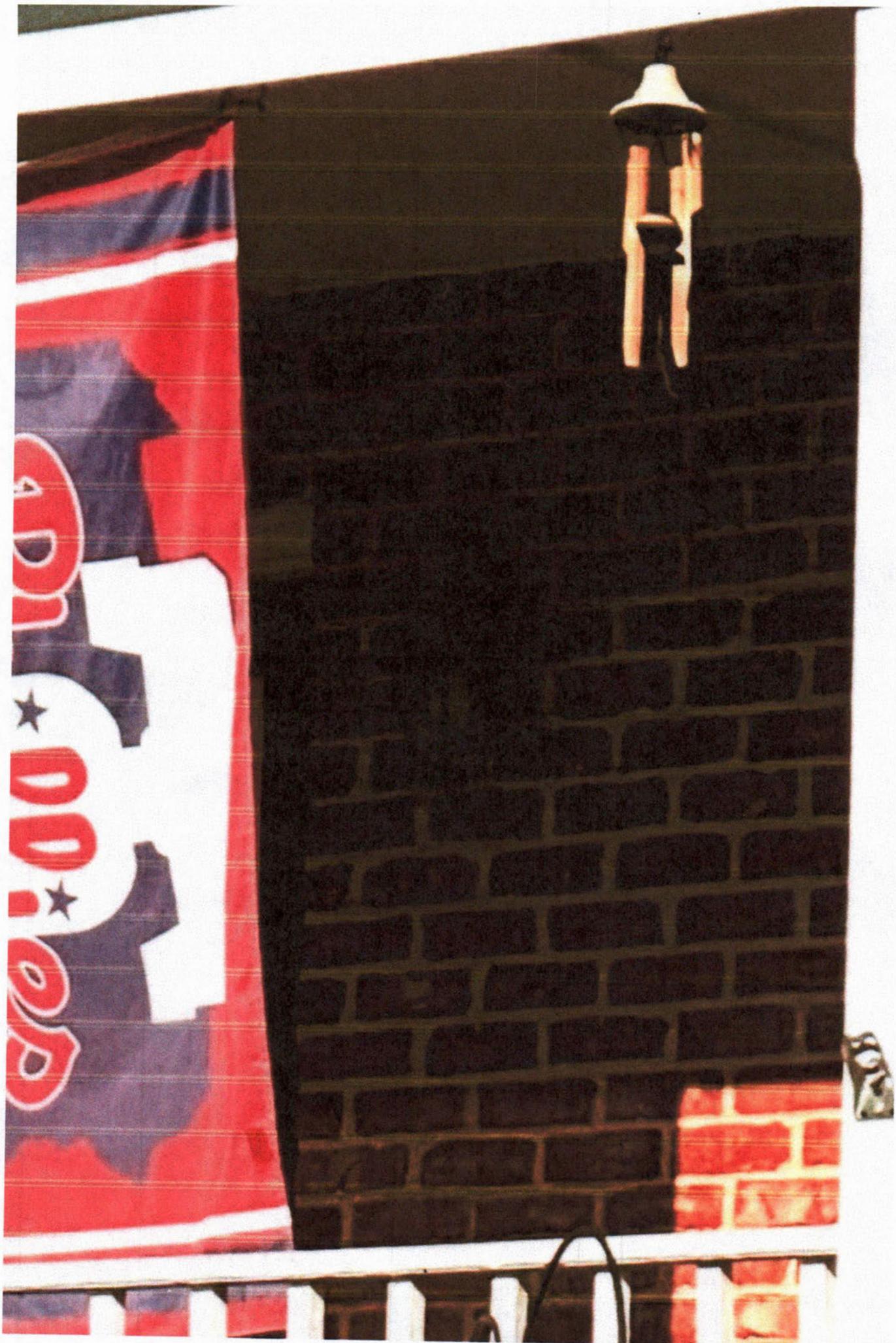


EXHIBIT 6

**Photograph of the front light of
106 East Colonial Drive,
Occoquan**



EXHIBIT 7

**Photograph of the front light of
209 Mill Cross Lane, Occoquan**





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TOWN COUNCIL
Earnest W. Porta, Jr., Mayor
Jenn Loges, Vice Mayor
Cindy Fithian
Eliot Perkins
Theo Daubresse
Robert E. Love

**TOWN MANAGER /
CHIEF OF POLICE**
Adam C. Linn, J.D.

Date: September 16, 2025

Memorandum to: Board of Zoning Appeals

From: Sara Fila, P.E.
Zoning Administrator

Re: ***Appeal of a Notice of Violation – 125 East Colonial Drive, Occoquan, VA 22125 – Prince William County GPIN 8393-72-0553***

APPEAL:

July 17, 2025, William D. Wides, Esquire, agent for Roy Ellis Bussey filed an Appeal of a Notice of Violation issued by the Town of Occoquan on June 27, 2025. The appeal seeks the BZA to make a determination that the Notice of Violation was issued in error and was issued unlawfully, and the decision of the Zoning Administrator should be reversed. The appeal application and addendum are included in Attachment 1.

NOTICE OF VIOLATION:

The Notice of Violation (OCV-2025-002) cited non-compliance with Town Code Sec. 157.287(B) (Attachment 2). The Notice of Violation described the nature of the violation to be “rear deck light not fully cut-off or directionally shielded”. The stated corrective action required is “removal or code compliant shielding/replacement of fixture”. The notice required compliance within 30 days and cited that an appeal may be made to the Board of Zoning Appeals within thirty days. The appeal application was filed within thirty days, and prior to the cited compliance date. Attachment 3 includes communication between the Town and the Appellant

CODE PROVISIONS APPLICABLE TO THE NOTICE OF VIOLATION:

§ 157.286 DEFINITIONS.

https://codelibrary.amlegal.com/codes/occoquanva/latest/occoquan_va/0-0-0-5680

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FOOT-CANDLE. A quantitative unit of measure referring to the measurement of illumination at a single point. One **FOOT-CANDLE** is equal to one lumen uniformly distributed over an area of one square foot.

FULL CUTOFF ANGLE. The angle formed by a line drawn from the light source and a line perpendicular to the ground from the light source, beyond which no light is emitted. (See Figure 1 in § 157.288.)

FULLY SHIELDED. Fixtures that are shielded in such a manner that light emitted by the fixture, either directly from the lamp or indirectly from the fixture, is projected below a horizontal plane running through the lowest point on the fixture where light is emitted. This means that a **FULLY SHIELDED** fixture is one used in a way that allows no direct or internally reflected light to shine above the fixture. (See Figure 1 in § 157.288.)

INITIAL LUMENS. The lumens emitted from a lamp as specified by the manufacturer of the lamp.

LAMP. The component of a luminaire that produces light. A **LAMP** is also commonly referred to as a bulb.

LUMEN. A standard unit of measurement referring to the amount of light energy emitted by a light source without regard to the effectiveness of its distribution.

LUMINAIRE. A complete lighting unit consisting of a lamp or lamps together with the components designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply. A **LUMINAIRE** is also commonly referred to as a fixture.

OUTDOOR LIGHT. Outdoor artificial illuminating devices, outdoor fixtures, lamps, or other fixture devices, permanent or portable, used for illumination, direction, or advertisement. Such devices shall include, but are not limited to, search, spot, or floodlights for: buildings and structures including canopies and overhangs; recreational areas; parking lot lighting; landscape lighting; signs, including billboards; and display and service areas.

OUTDOOR LUMINAIRE. A luminaire which is permanently installed outdoors including, but not limited to, devices used to illuminate any site, structure, or sign.

PHOTOMETRIC PLAN. A point by point plan depicting the intensity and location of lighting on the property. (See Figure 4 in § 157.288.)

TEMPORARY. Not used more than seven consecutive days and not used more than 15 days in any calendar year.

(1998 Code, § 66-351) (Ord. passed 9-5-2017)

§ 157.287 USE AND ZONING DISTRICT SPECIFIC REQUIREMENTS.

https://codelibrary.amlegal.com/codes/occoquanva/latest/occoquan_va/0-0-0-5694

(B) *Outdoor lighting of buildings, parking lots, loading areas, sales areas, display areas, aprons/canopies, landscaping, signs, flags, statues, and other objects.* The following lighting requirements apply to single-family attached, multifamily, educational, institutional, commercial recreation, public, commercial business and retail, motor vehicle related, wholesaling, and industrial uses identified in this chapter.

(1) Lighting of the aforementioned uses shall consist of fully cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light is confined to the object intended to be illuminated.

(2) Directional control shields shall be used where necessary to limit stray light.

(3) No light from any illuminated sign shall cause or direct non-reflected light from the fixture to shine onto any adjoining property or public right-of-way.

(4) Lighting for all parking, display, and loading areas shall not exceed an average horizontal illumination level of two and one-half foot-candles. All lighting fixtures serving these areas shall be fully cut-off fixtures.

(5) Maximum mounting height is 20 feet for residential uses and 25 feet for nonresidential uses. Height is measured from the ground surface to the bottom of the lighting fixture. (See Figure 3 in § [157.288](#).)

(6) The lighting fixture bulbs in aprons and canopies shall be recessed into a canopy ceiling so that the bottom of the fixture is flush with the ceiling so that light is restrained to no more than 85 degrees from vertical.

(a) As an alternative to recessed ceiling lights, indirect lighting may be used where the light is directed upward and then reflected down from the underside of the canopy. In this case, light fixtures shall be shielded so that direct illumination is focused exclusively on the underside of the canopy.

(b) Lights shall not be mounted on the top or sides (facial) of the canopy and the sides of the canopy shall not be illuminated.

(7) The lighting for pump islands and under canopies shall have a minimum of one foot-candle at grade, and the average horizontal illumination cannot exceed ten foot-candles at grade level, subject to a uniformity ratio (ratio of average to minimum illuminance) no greater than four to one. The standards herein are based on the Illuminating Engineering Society of America (IESNA) RP-33, Lighting for Exterior Environments.

(8) Lamps shall not exceed 400 watts.

EXAMPLES OF FULL CUT-OFF LIGHT FIXTURES:

Sec. 157.288, Site Plan Requirements of the Town Code provides guidance on what constitutes a full cut-off fixture as shown below in figures 1 and 2 below.

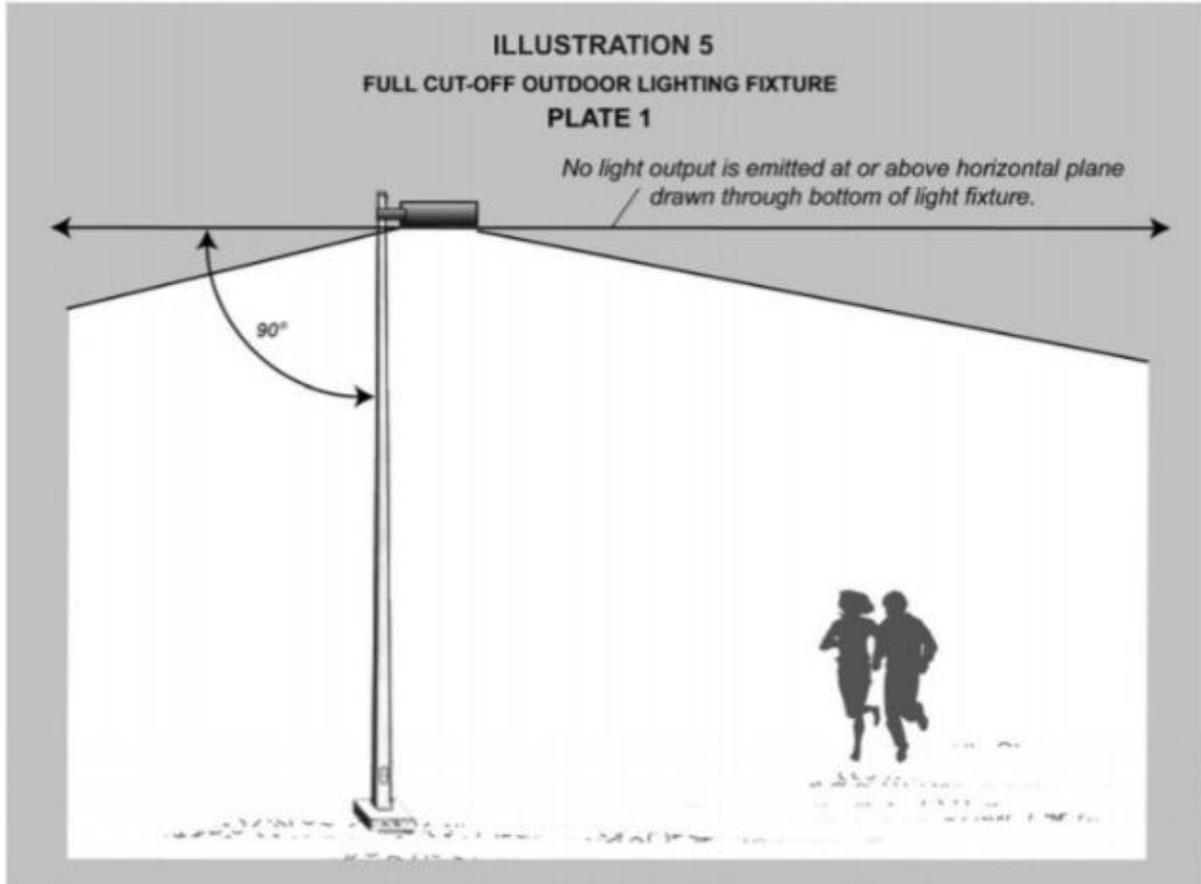
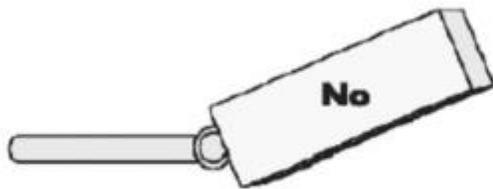
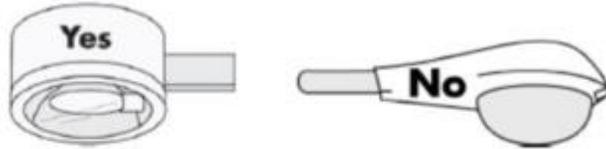


Figure 1: Full Cut-off Lighting Fixture

Source: Fairfax County, Virginia Zoning Ordinance - Appendix 2 (Illustrations)



Flat glass lens, eliminates or minimizes direct glare, no upward throw of light. The housing for these fixtures is available in many styles.



Same fixture as above mounted incorrectly - defeating the horizontal mounting design. The fixture now produces direct glare, and can also produce uplight at steeper mounting angles



Known as just "Cutoff". Center "drop" or "sag" lens with or without exposed bulb, produces direct glare.



Forward-Throw Style. Exposed bulb in the forward direction produces some direct glare.

Source: International Dark-Sky Association (IDA Inc.), www.darksky.org.

Figure 2: Full Cut-Off Light Fixtures

EXISTING LIGHT FIXTURE:



Member of Virginia Municipal League

COMPLAINT PHOTOS OF EXISTING LIGHT FEATURE TURNED ON AT NIGHT:

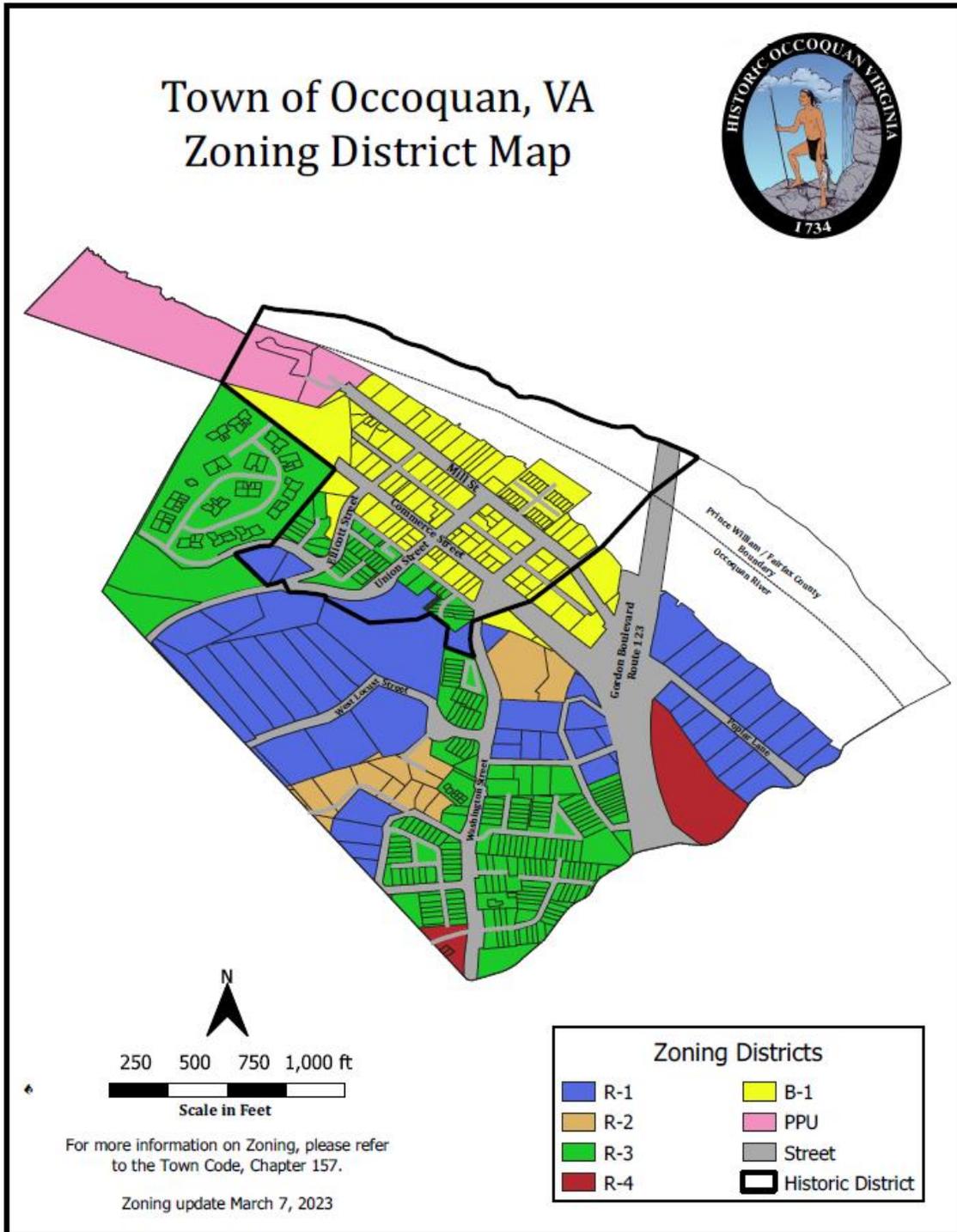
Submitted on 4/24/25



Member of Virginia Municipal League

ZONING DISTRICT:

125 East Colonial Avenue is zoned R-3, general residential, high-density zoning. The use of the property is a townhouse dwelling which is a by-right use in the zoning district. The cited light fixture is located at a rear entrance to townhouse dwelling on an elevated deck. Below is the zoning map of the Town.



REQUIREMENTS FOR APPEALS TO THE BOARD OF ZONING APPEALS:

Town Code Sec. 33.30 below describes the requirements and processes for appeals to the Board of Zoning Appeal. A majority of the Board of Zoning Appeals may wholly or partly reverse, affirm or modify the Notice of Violation. The decision of the Board of Zoning Appeals must be based on the evidence cited at the public hearing and must include a finding of fact identifying the evidence as the basis for the decision.

§ 33.30 APPEALS TO BOARD.

https://codelibrary.amlegal.com/codes/occoquanva/latest/occoquan_va/0-0-0-745

(A) Generally.

(1) An appeal to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer, department, board, or bureau of the town affected by any decision of the Zoning Administrator or from any order, requirement, decision, or determination made by any other administrative officer (a “decision”) in the administration or enforcement of VA Code §§ 15.2-2280 et seq., or [Chapter 157](#) of this code. Except as provided in division (A)(2) below, any decision shall include a statement informing the recipient that he or she may have a right to appeal the notice of a zoning violation or a written order within 30 days in accordance with this section, and that the decision shall be final and unappealable if not appealed within 30 days. The appeal period shall not commence until the statement is given.

(2) A notice of violation concerning a temporary trailer for sales and construction office during construction, temporary seasonal displays, or parking of a marked company vehicle in connection with a home occupancy certificate shall state that the appeal must be brought to the Board of Zoning Appeals (BZA) within ten days from the date of the decision.

(B) *Application and fees.* Any person aggrieved by a decision of the Zoning Administrator may appeal to the Board of Zoning Appeals (BZA) by filing, on the form provided, a notice of appeal with the Zoning Administrator and the Board of Zoning Appeals, which appeal shall specify the grounds of the appeal, together with the fees as established in the current fee schedule. For a notice of violation concerning a temporary trailer for sales and construction office during construction under § [157.014](#); temporary seasonal displays under §§ [157.041](#)(A)(8), [157.061](#)(A)(7), [157.081](#)(A)(9), [157.101](#)(A)(4), or [157.121](#)(A)(21); or parking of a marked company vehicle in connection with a home occupancy certificate under § [157.010](#), the appeal must be filed within ten days from the date of the notice of violation. For all other decisions, the appeal must be filed within 30 days from the date of the decision. The application and accompanying maps, plans, and other documentation constituting the record upon which the action appealed from was taken shall be transmitted promptly to the Secretary of the Board, who shall place the matter on the docket. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the Board that by reason of facts stated in the certificate a stay would in his or her opinion cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order granted

by the Board or by a court of record, on application and on notice to the Zoning Administrator and for good cause shown.

(C) *Notice and hearing required; Planning Commission recommendation.* After entering the appeal on the docket, the Secretary of the Board shall advertise a public hearing, give written notice to the parties in interest, and request the Zoning Administrator to transmit a copy of the application and his or her staff report to the Planning Commission; the Planning Commission may send a written recommendation to the Board to appear as a party at the public hearing.

(D) *Burden of proof.* The applicant for a variance has the burden of proving that denial of a variance will result in unnecessary hardship, of proving that his or her hardship is due to [Chapter 157](#) of this code itself, and of proving, to the satisfaction of the Board, requirements for a variance stipulated in the VA Code.

(E) *Findings required.* The Board shall fix a reasonable time for the hearing of an application or appeal, give public notice as well as due notice to the parties in interest, and make its decision within 90 days of the filing of the application or appeal. In exercising its powers, the Board may reverse or affirm, wholly or partly, or may modify an order, requirement, decision, or determination appealed from. The concurring vote of a majority of the membership of the Board shall be necessary to reverse any order, requirement, decision, or determination of an administrative officer or to decide in favor of the applicant on any matter upon which it is required to pass under [Chapter 157](#) of this code or to effect any variance from [Chapter 157](#) of this code. The decision of the Board must be based on the evidence adduced at a public hearing and must include findings of fact disclosing the evidence relied upon by the Board and otherwise state the business and grounds for its decision to assure that the provisions of the VA Code and this subchapter have been met.

(F) *Board to issue order.* Whenever the Board shall grant a variance, the Secretary of the Board shall cause an order to be issued evidencing the grant and furnish copies of the order to the applicant, to the Zoning Administrator, to the Town Clerk, and to such other parties as deemed necessary.

(G) *Limitation on change.* In no event shall a written order, requirement, decision, or determination made by the Zoning Administrator or other administrative officer be subject to change, modification, or reversal by any Zoning Administrator or other administrative officer after 60 days have elapsed from the date of the written order, requirement, decision, or determination where the person aggrieved has materially changed his or her position in good faith reliance on the action of the Zoning Administrator or other administrative officer unless it is proven that such written order, requirement, decision, or determination was obtained through malfeasance of the Zoning Administrator or other administrative officer or through fraud. The 60-day limitation period shall not apply in any case where, with the concurrence of the Town Attorney, modification is required to correct clerical or other nondiscretionary errors.

(1998 Code, § 2-281) (Ord. O-2023-15, passed 9-19-2023; Ord. O-2025-06, passed 5-20-2025)

Attachments

1. Appeal Application
2. Notice of Violation
3. Communication between the Town and the Appellant

CC: William D. Wides, Esquire
Adam Linn, Town Manager
Matt Whitmoyer, Deputy Town Manager
Martin Crim, Town Attorney



TOWN OF OCCOQUAN

Circa 1734 • Chartered 1804 • Incorporated 1874
314 Mill Street • PO Box 195 • Occoquan, Virginia 22125
(703) 491-1918 • Fax (571) 398-5016 • info@occoquanva.gov
www.occoquanva.gov

TOWN COUNCIL
Earnest W. Porta, Jr., Mayor
Jenn Loges, Vice Mayor
Cindy Fithian
Eliot Perkins
Theo Daubresse
Robert E. Love

**TOWN MANAGER /
CHIEF OF POLICE**
Adam C. Linn, J.D.

NOTICE OF VIOLATION AND COMPLIANCE ORDER

BUSSEY ROY ELLIS TR
[REDACTED]
OCCOQUAN, VA 22125

Case # OCV-2025-002
Date Certified Notice Mailed: 6/27/2025
Date Regular Notice Mailed: 6/27/25
Date(s) of Offense/Inspection: 5/28/2025

Location of Offense: 125 East Colonial Drive, Occoquan, VA 22125
Tax Map: 8393-72-0553
Property Address: 125 East Colonial Drive, Occoquan, VA 22125

VIA CERTIFIED MAIL
Certified Mail Number: 9589 0710 5270 1771 0976 85

Name of Property Owner: BUSSEY ROY ELLIS TR
Property Owner Address: [REDACTED] OCCOQUAN, VA 22125

You are hereby notified that the Property listed above is in violation of the Town of Occoquan Code. In order to achieve compliance, you must remedy the stated violations by the compliance date as provided below:

CODE SECTION VIOLATED	NATURE OF VIOLATION	CORRECTION ACTION(S) REQUIRED	COMPLIANCE DATE
THE TOWN OF OCCOQUAN § 157.287(B)	REAR DECK LIGHT NOT FULLY CUT-OFF OR DIRECTIONALLY SHIELDED	REMOVAL OR CODE-COMPLIANT SHIELDING/REPLACEMENT OF THE FIXTURE.	WITHIN THIRTY (30) DAYS OF THIS NOTICE.

Corrective action as detailed above must be taken by the compliance date(s) specified in this notice. Town of Occoquan and/or State Code may require that you be given Notice of Violation

Member of the Virginia Municipal League

or Notice to Comply. This notice is intended to be such notice. Failure to respond as directed may result in legal proceedings against you. The Town of Occoquan is committed to working cooperatively with you by explaining the nature of the violation(s) and code section(s) noted above. If you have any questions and/or concerns regarding the notice of violation or how to come into compliance, we encourage you to please e-mail (preferred) or call the Zoning Administrator from the contact information listed below.

Failure to comply as described above may result in the initiation of appropriate legal action to terminate and/or correct the violation. This violation may also result in fines and each day a violation continues to exist constitutes a separate offense.

This Notice of Violation may be appealed to the Board of Zoning Appeals within thirty (30) days in accordance with Section 15.2-2311 of the Code of Virginia. If not so appealed, this decision shall be final and unappealable. If you wish to submit a notice of appeal to the BZA appeal please contact the Town Clerk at (703) 491-1918 or by email at townclerk@occoquanva.gov. The associated application fee is \$250 plus any contractor review charges.

Sincerely,



Sara Fila, P.E., Zoning Administrator
Sara@legacy-eng.com

Cc: Adam Linn, Town Manager
Matt Whitmoyer, Deputy Town Manager
Martin Crim, Town Attorney

Megan Lubash

From: Matt Whitmoyer
Sent: Thursday, June 12, 2025 4:22 PM
To: Michele Scott
Cc: [REDACTED]
Subject: RE: Roy Bussey - 125 E Colonial Drive, Occoquan, VA

Hello Michele,

Thank you for coming in and meeting with me the other week. The Town Zoning Administrator has reviewed the case and collected information at the property. They have determined that the light is still in violation of the code as it is unshielded. Per [§ 157.287\(B\)](#), outdoor lighting for single family attached homes must be fully cut off or directionally shielded.

In order to abate the code violation, **the fixture must be removed or altered with shielding to comply with the Town Code. You have until Monday, June 23rd, 2025 (10 days from the sending of this email) to abate the violation** or a formal notice of violation may be sent.

You can find examples of fully cut off lighting in the Code at this link:

https://codelibrary.amlegal.com/codes/occoquanva/latest/occoquan_va/0-0-0-5712

Please let me know if you have any questions about abatement measures.

Best,

Matt Whitmoyer
Deputy Town Manager
he.him.his

Town of Occoquan
314 Mill Street, PO Box 195
Occoquan, VA 22125
(703) 491-1918 ext. 101
www.occoquanva.gov
mwhitmoyer@occoquanva.gov



From: Matt Whitmoyer
Sent: Monday, May 12, 2025 3:22 PM
To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Roy Bussey - 125 E Colonial Drive, Occoquan, VA

Hello Michele,

Unfortunately, after reviewing your case for compliance with the Town Code, it has been found that the fixture in the image does not comply with the Code. Per [§ 157.287\(B\)](#), outdoor lighting for single family attached homes must be fully cut off or directionally shielded.

In order to abate the code violation, **the fixture must be removed or altered to comply with the Town Code. You have until Thursday, May 22nd, 2025 (10 days from the sending of this email) to abate the violation** or a formal notice of violation may be sent.

You can find examples of fully cut off lighting in the Code at this link:

https://codelibrary.amlegal.com/codes/occoquanva/latest/occoquan_va/0-0-0-5712

Please let me know if you have any questions about abatement measures.

Sincerely,

Matt Whitmoyer
Deputy Town Manager
he.him.his

Town of Occoquan
314 Mill Street, PO Box 195
Occoquan, VA 22125
(703) 491-1918 ext. 101
www.occoquanva.gov
mwhitmoyer@occoquanva.gov



From: Matt Whitmoyer <MWhitmoyer@occoquanva.gov>
Sent: Monday, May 5, 2025 1:14 PM
To: Michele Scott [REDACTED]
Subject: RE: Roy Bussey - 125 E Colonial Drive, Occoquan, VA

Hello Michele,

Thank you for your prompt response and submission. Staff will review and I will get back to you this week.

All the best,

Matt Whitmoyer
Deputy Town Manager
he.him.his

Town of Occoquan
314 Mill Street, PO Box 195
Occoquan, VA 22125
(703) 491-1918 ext. 101
www.occoquanva.gov
mwhitmoyer@occoquanva.gov



From: Michele Scott [REDACTED]
Sent: Friday, May 2, 2025 1:29 PM
To: Matt Whitmoyer <MWhitmoyer@occoquanva.gov>
Subject: Roy Bussey - 125 E Colonial Drive, Occoquan, VA

Hello Mr. Whitmoyer,

Attached is a picture of my father's back porch light.

Best Regards
Michele L. Scott



Sent from my iPhone



TOWN OF OCCOQUAN PLANNING COMMISSION

Agenda Communication

5. Action Items	Meeting Date: September 9, 2025
5B: Request to Make Recommendation on BZA Appeal for Variance	

Attachments:

- a. Application for Appeal
- b. Staff Report on BZA Appeal - To Be Provided

Submitted by: Matt Whitmoyer
Deputy Town Manager

Explanation and Summary:

This is a request to review and make a recommendation on a BZA appeal for a variance for improvements at 102 Frayer's Farm Court.

The public hearing on the appeal is scheduled to take place on September 16, 2025 at 5 p.m. at the Occoquan Town Hall.

Per Town Code § 33.30(C), when an appeal is made to the Board of Zoning Appeals, a copy of the application and the related staff report must be sent to the Planning Commission, who in turn may elect to appear as a party at the public hearing on the appeal. The relevant code section reads as follows:

After entering the appeal on the docket, the Secretary of the Board shall advertise a public hearing, give written notice to the parties in interest, and request the Zoning Administrator to transmit a copy of the application and his or her staff report to the Planning Commission; the Planning Commission may send a written recommendation to the Board to appear as a party at the public hearing.

Proposed Motion:

"I move to accept the submitted documents and take no further action."

OR

"I move to recommend to the BZA that the Planning Commission appear as a party to the public hearing on the appeal for a variance at 102 Frayer's Farm Court."

OR

Other action the Commission deems appropriate.



TOWN OF OCCOQUAN

314 Mill Street, PO Box 195
 Occoquan, Virginia 22125
 (703) 491-1918

www.occoquanva.gov | info@occoquanva.gov

ZONING REVIEW APPLICATION

Permit No.
 TZP

Fee Amount Admin
 Fee + Contractor
 Review Charges (see
 Fee Schedule)

Zoning review and approval by the Town of Occoquan is required prior to issuance of building permits by Prince William County. Zoning reviews are also required prior to issuance of new business BPOLs. This form is also used to request Nonconforming Use/Structure Permits and Zoning Modifications.

Please complete the applicable sections below and submit all supporting documentation electronically to Town Hall in person or by email to townclerk@occoquanva.gov. Please be sure to mark the relevant zoning activity. All fees are due upon submission.

SECTION 1: Applicant/Contractor and Owner Information				<input type="checkbox"/> Applicant same as Owner	
Applicant/Contractor Name: Andrew Blanco			Phone: [REDACTED]		
Applicant/Contractor Mailing Address: [REDACTED] Occoquan, VA 22125			E-mail: [REDACTED]		
Owner Name: Andrew, Caroline, and David Blanco			Phone: [REDACTED]		
Owner Mailing Address: [REDACTED] Occoquan, VA 22125			E-mail: [REDACTED]		
SECTION 2: Zoning Activity / Site Information					
<input type="checkbox"/> New Construction		<input type="checkbox"/> Alteration/Repair		<input type="checkbox"/> Nonconforming Use	
<input type="checkbox"/> New Tenant/Business		<input type="checkbox"/> Change of Use		<input type="checkbox"/> Addition	
<input type="checkbox"/> Modification Request				<input checked="" type="checkbox"/> Other: Request for a zoning variance	
Site Address: 102 Frayers Farm Court, Occoquan, VA 22125				GPIN:	
Zoning District: R-2		Historic District: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		REZ/SUP #:	
Land Disturbance (SF): approx. 580 sq. ft.		Cost of Improvement: \$12,000.00		Supporting Documents: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Current/Previous Use of Property: none (backyard)				Type: (Sketch, Plat, Parking Tabulation, Reason for Modification Request, Historical Documentation of Nonconforming Use/Structure, etc.)	
Proposed Use of Property: safe access to backyard; patio/outdoor dining/portable hot tub					
Additional Comments/Description: <small>We bought the house on June 9, 2025; currently, there is a back door that opens to a 40" drop to the backyard (see attached photo). It is a major safety hazard that we are seeking to correct. We also wish to make use of the backyard in accordance with the enjoyment that our neighbors are able to experience in their backyards. Our HOA has approved our request for a patio with stairs leading from the back door to the backyard. Currently, we cannot access our backyard without going all around the house. In addition, without this variance, we only have one exit out of the house, creating a safety concern. The attached sketch depicts a small set of stairs to allow access to the backyard from the elevated back door of the house, leading to a concrete patio that extends approximately 20' from the base of the back of the house towards the back fence, which is 25' from the house. (Note that the back door extends approximately two feet from the base of the house due to an elevated burro-out.) The proposed patio is approximately 35' across at its greatest point, but will be less in total square footage due to the design that is envisioned.</small>					
SECTION 3: Authorized Signatures					
Please review the "Notice to Applicant/Property Owner" on the second page of this application. By signing below, you acknowledge receipt of the Notice and that all information provided on this application is accurate and complete.					
Applicant/Property Owner Signature:					August 28, 2025
Andrew Blanco; Caroline Blanco; David Blanco			David Blanco		Date
Authorized Name (Please Print)			Authorized Signature		Date

FOR TOWN USE ONLY			
Amount Collected:	Check/Receipt No. [REDACTED]	Submission Date:	
Zoning Request: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved			
RPA? <input type="checkbox"/> Yes <input type="checkbox"/> No	Site Plan Required? <input type="checkbox"/> Yes <input type="checkbox"/> No	SUP Required? <input type="checkbox"/> Yes <input type="checkbox"/> No	COA Required? <input type="checkbox"/> Yes <input type="checkbox"/> No
Issue Date:	_____ Zoning Administrator Signature		
Legal Approval Date:	_____ Town Attorney Signature (if applicable)		
Comments/ Conditions:			

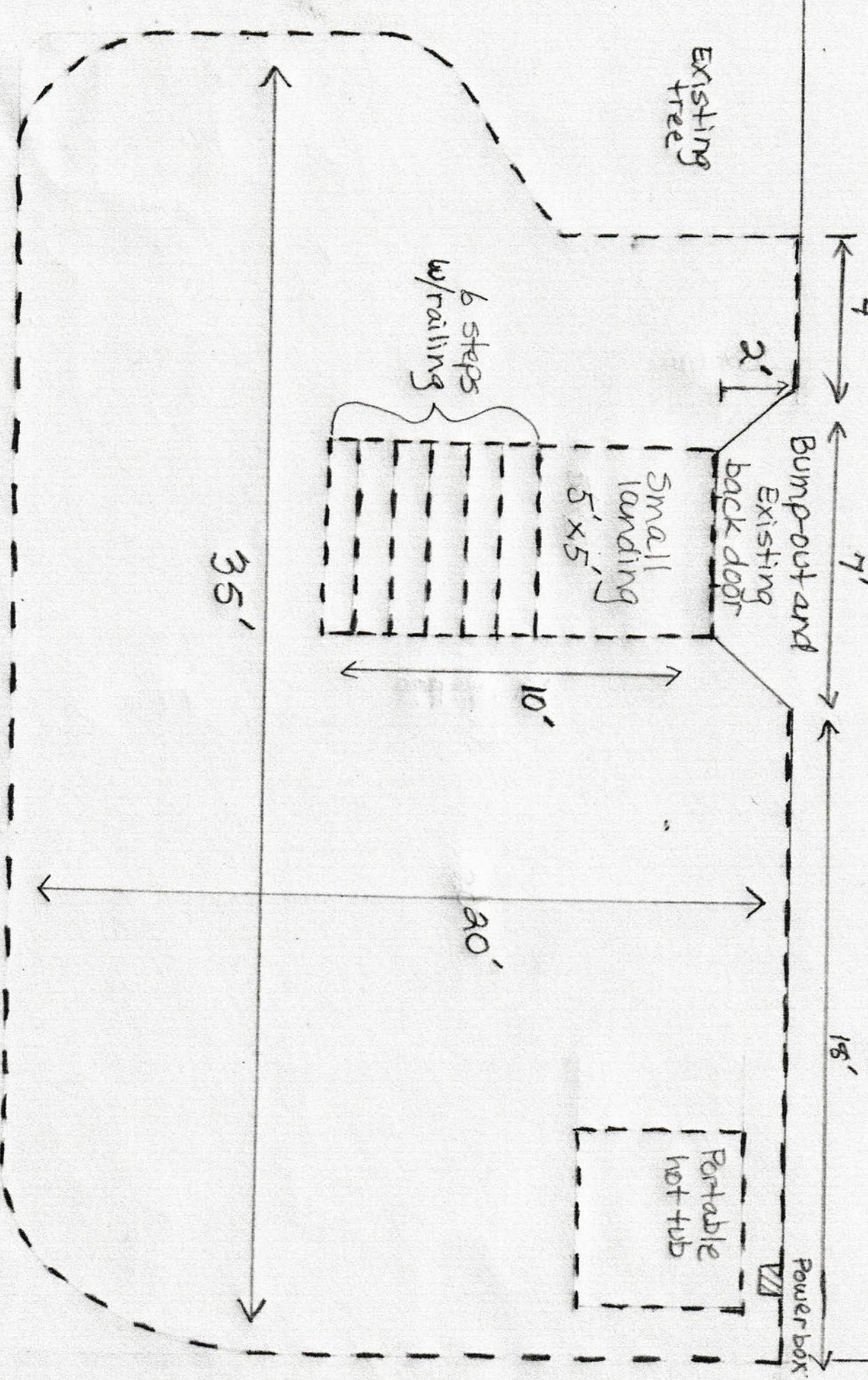
NOTICES TO APPLICANT AND PROPERTY OWNER

Prior to construction and/or installation of improvements, it is your responsibility to determine the existence of any restrictive covenants and/or deed restrictions governing property improvements. In some cases, such covenants may be more restrictive than the Occoquan Town Code, and the issuance of permits will not relieve you of complying with any applicable private restrictions. We recommend that you contact your Home/Property/Business Owners Association to determine the existence and applicability of any such covenants.

Additionally, it is the responsibility of the applicant/owner to obtain permission from applicable easement holders before placing any structure within an established easement. Please note that any changes to the exterior of buildings and/or properties located within the Historic District require approval by the Architectural Review Board prior to work beginning. The ARB meets on the fourth Tuesday of each month; applications are due to Town Hall by noon on the Tuesday the week before a scheduled meeting. It is the responsibility of the applicant/owner to apply for ARB approval through Town Hall PRIOR to installing any exterior modifications as requested in this zoning request.

INFORMATION PROVIDED BY THE APPLICANT/OWNER ON BUSINESS LICENSE APPLICATIONS, SITE PLANS, PLATS, RELATED DOCUMENTS, VERBALLY OR WRITTEN SHALL BE ASSUMED TO BE TRUE AND ACCURATE (I.E., PROPOSED/EXISTING USES AND STRUCTURES, SETBACKS, EASEMENTS, ETC.) IF INFORMATION PROVIDED IS INACCURATE, INCOMPLETE OR OTHERWISE MISREPRESENTED, THIS APPROVAL WILL BE CONSIDERED NULL AND VOID.

House 102 Frayers Farm Court
(built 1998)

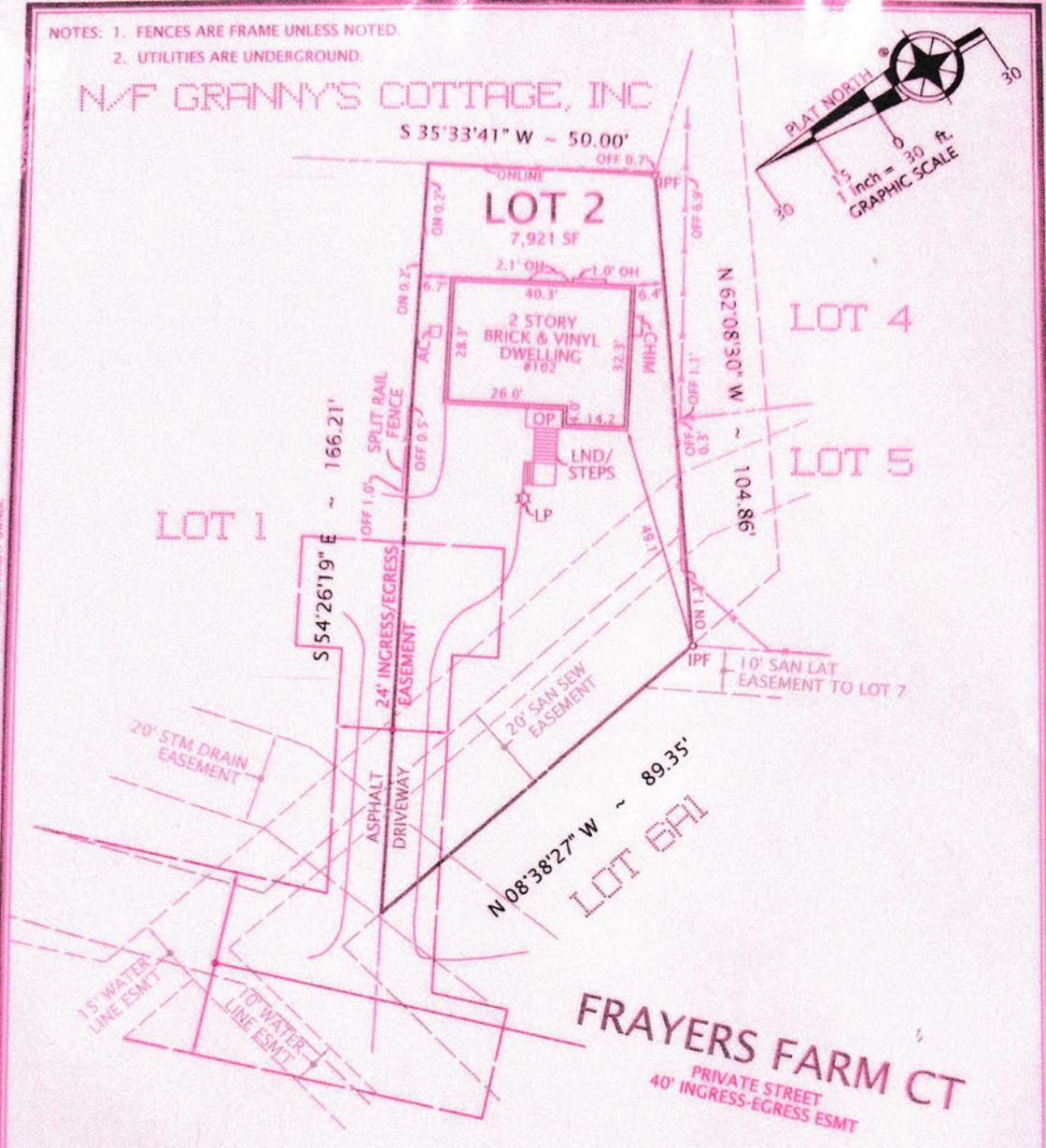
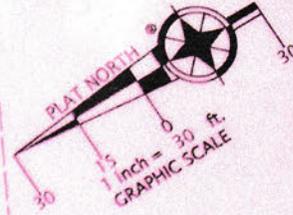


- Distances:
- steps to rear property line: 13 feet
 - Proposed hot tub to side property line: 9 feet
 - Proposed hot tub to rear property line: 17 feet
 - Proposed patio to rear property line: 5 feet

existing 25' setback in rear lot from house

NOTES: 1. FENCES ARE FRAME UNLESS NOTED.
 2. UTILITIES ARE UNDERGROUND.

N/F GRANNY'S COTTAGE, INC



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PLAT
 SHOWING HOUSE LOCATION ON
 LOT 2, SECTION 2
THE HOLLOWS
 (DEED BOOK 2225, PAGE 1022)
 TOWN OF OCCOQUAN, VIRGINIA
 PRINCE WILLIAM COUNTY
 SCALE: 1" = 30' JUNE 3, 2025

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.
 A TITLE REPORT WAS NOT FURNISHED.
 NO CORNER MARKERS SET.

DOMINION SURVEYORS®

Ordered by:
UT UNIVERSAL
 TITLE
 9990 Fairfax Blvd., Suite 110
 Fairfax, Virginia 22030
 Ph: 703-349-3308 Fax: 703-822-5906

DOMINION Surveyors Inc.®
 8808-H PEAR TREE VILLAGE COURT
 ALEXANDRIA, VIRGINIA 22309
 703-619-6555
 www.dominionsurveyors.com



P.O. BOX 1562 Great Falls, VA 22066 P: 703-307-2965
Managing Agent for Hollows II HOA

August 20, 2025

David, Andrew & Caroline Blanco

[REDACTED]
Occoquan, VA 22125

RE: 102 Frayers Farm Court, Occoquan, VA 22125

Dear David, Andrew & Caroline,

Your application for the installation of a patio and hot tub was reviewed by the Hollows II Board of Directors and was approved. The approval is based upon the specific information provided in your application dated **8/6/25**. Any alterations or changes not described in the above dated application are not included in this approval.

If you have any questions, please do not hesitate to let us know. Please keep a copy of the approval documentation for your records.

Thank You,

Lisa Cornaire

Lisa Cornaire, CMCA, AMS
Spectrum Property Management

TO: THE OCCOQUAN BOARD OF ZONING APPEALS

FROM: HOMEOWNERS AT 102 FRAYERS FARM COURT, OCCOQUAN, VA (ANDREW BLANCO, CAROLINE BLANCO, AND DAVID BLANCO)

DATE: August 28, 2025

Attached please find our request for a zoning variance to build a patio with a small set of stairs leading from an elevated back door to the backyard. We purchased the house on June 9, 2025, in good faith and noticed that the back door in the kitchen opens to a 40" drop to the backyard; there currently are no stairs or other ways to access the backyard at all. This creates a major safety hazard. Also of concern is that without having access to the backyard, the only exit from the house is from the front. These safety concerns create a significant hardship to our family and our guests and through this request for a zoning variance, we are seeking to remedy this.

In addition to the safety concerns, the current zoning regulations requiring a 40' rear setback and the prohibition of patios that extend more than six feet into the rear setback prevent us from having a patio to enjoy outdoor dining and the environment directly outside of our house. This is starkly different from the experience that our neighbors have. There are 11 homes in our homeowners association, Hollows II, and all member properties have outdoor patios; many have additional hardscape improvements that they are able to enjoy. Therefore the property owners in our neighborhood do not share the same hardship as we do in this regard. Noteworthy is that we sought approval from our homeowners association for our proposed patio, and that approval was granted (see enclosed letter of approval). This approval was not surprising given that the addition of a patio to our backyard would make all of the houses in our homeowners association more uniform and would likely increase the value of the homes in the association; without our proposed patio, the value of our home could not reflect the same value as our neighbors' properties, which would adversely harm our family's home value and, by extension, the neighborhood at large. Accordingly, we are now seeking to be put on par with our neighbors through our variance request.

This request is an isolated request that seeks to cure both significant safety concerns and the existing inequity in our ability to enjoy our outdoor environment in the same manner as do our neighbors. Therefore, this request should not result in the need to change any regulations; only a variance from the rear setback and the patio size is being requested given the unusual shape of our lot (see attached) and the safety hazards presented. (Please note that the developer did seek and obtain a variance from the zoning regulations governing the front and side setback requirements; the developer did not seek a variance for the rear setback requirement.)

Thank you in advance for your consideration of this request. Please let us know if you have any questions or require any more information.

Best regards,

The Blanco Family





TOWN OF OCCOQUAN PLANNING COMMISSION

Agenda Communication

6. Discussion Items	Meeting Date: September 9, 2025
6A: Sign Ordinance Amendments Referred by Town Council	

Attachments: a. N/A

Submitted by: Matt Whitmoyer
Deputy Town Manager

Explanation and Summary:

This is a discussion item to introduce a Town Council request to review and amend the Town's sign ordinance, with particular attention to increasing the allowed amount of A-frame and off-premises signage in the Town.

At the August 6, 2025 meeting, the Town Council referred the above matter to the Planning Commission to start the review and amendment process for the sign ordinance. As it constitutes a change to the zoning ordinance, the amendments will require a public hearing(s).

Staff are currently drafting a proposed zoning text amendment and coordinating a joint public hearing date, likely in October, for both Town Council and Planning Commission to hear comments on the amendments. A draft will be available for the September 23, 2025 Commission meeting.

Staff request: Provide any initial feedback to staff as they finalize the draft.



TOWN OF OCCOQUAN PLANNING COMMISSION

Agenda Communication

6. Discussion Items	Meeting Date: September 9, 2025
6B. Planning Commission Priorities Update	

Attachments: a. None

Submitted by: Matt Whitmoyer
Deputy Town Manager

Explanation and Summary:

This is a discussion item to review regional planning news and development projects of importance to the Planning Commission.

Priorities include:

- The Mill at Occoquan
- Occoquan Riverwalk Expansion
- Riverside Station (Formerly North Woodbridge Town Center)
- Alpine X
- The Townes of Occoquan (Formerly Destination Place)



TOWN OF OCCOQUAN PLANNING COMMISSION

Agenda Communication

7. Work Session	Meeting Date: September 9, 2025
7A: Town Council-Assigned Strategic Planning Items	

Attachments: a. N/A

Submitted by: Matt Whitmoyer
Deputy Town Manager

Explanation and Summary:

This is a work session to review and work on the strategic planning items assigned to the Commission by the Town Council.

At the July 22, 2025 meeting, the Planning Commission assigned items to individual Commissioners to develop. The assignment matrix is below.

TC Assigned Strategic Planning Items		
	Planning Commission	PC Commissioner Assigned
Trail Town Program	1.1 Assess Community Input	Newell
	1.5. Present Yearly Progress Update at NVRC Trails Summit	Perkins
Parking and Transportation	1.2. Apply for Bike Friendly Status	Newell
Green Improvements	1.1 Water Quality Monitoring	Wood
	1.4 Tree Management and Increase Native Species	Perkins
	2.1 Award System (PC Develop Parameters)	Grant
Placemaking	1.1 Public Art Surveys	Perkins, Grant, Hawkins
	1.3 Create Inventory of Beautification Challenges	Perkins, Grant

Background

On April 16, 2024, the Planning Commission submitted its report on Strategic Planning Recommendations to Town Council. The Town Council reviewed the report and provided feedback at its September 17, 2024 meeting.

The Town Council recommended that the Commission address four high-level areas of the report and submit a revised report as part of the Commission’s annual report.

The four areas are the following: (1) Clarity of Purpose, (2) Enhanced Due Diligence, (3) Consistency Among Recommendations, and (4) Timing. Revising the report to reflect these considerations and submitting it as part of the Planning Commission’s annual report will allow

the Town Council to incorporate the recommendations into the budget in a timely and informed manner.

At its September 24, 2024 meeting, the Planning Commission reviewed Council's response and the Chair instructed each Commissioner to create a priority list of 10 recommendations for discussion and revision of the report at the next Commission meeting. At its October 22, 2024 meeting, the Planning Commission reviewed the prioritized lists and discussed how to revise the recommendations. The Chair indicated he would redraft the recommendations to indicate the priorities and work with Town Staff on answering the questions from the Town Council's response memo on the recommendations. At the January 28, 2025 meeting, the Commission reviewed the revised report, provided feedback, and approved the recommendations at the February 25, 2025 meeting. At the March 25, 2025 meeting, the Commission voted to submit a revised version of the report (including the Riverwalk) and a summary list of the recommended items to the Town Council.

At its April 15, 2025 meeting, the Town Council acknowledged receipt of the revised report and at the May 20, 2025 meeting, the Mayor offered to create a response matrix to address the recommended items. At its July 8, 2025 meeting, the Town Council approved the Mayor's response matrix and submitted it to the Planning Commission. The Town Council assigned eight (8) items to the Commission, over fifteen (15) items to Town Council/staff, and four (4) items to indefinite tabling.