

McLEOD v. STAFFORD COUNTY

SUPPORT PACKAGE: THE DOUBLE STANDARD

Case Nos: CL25-382-00 / CL25-1989-00

Circuit Court of Stafford County, Virginia

Next Hearing: October 19, 2026 at 1:00 PM

Section	For	Purpose
A — The Person	The McLeods & community	Plain-language field guide: what happened, what to do, how to fight
B — The Judge	The Court	Formal legal submission: facts, law, authority, relief requested
C — The Counsel	Legal team	Professional memo: case strategy, precedent, key arguments

Prepared by CaseLock Investigative Platform — July 2026

SECTION A — THE PERSON'S COPY

What happened: Mark and Vivian McLeod want to build a family campground on their own 75 acres in Stafford County. They call it Crow's Nest Outdoor Adventure — 150 campsites, RVs welcome, right next to the beautiful Crow's Nest Natural Area Preserve.

The problem: Stafford County's Planning Department told the McLeods their campground could only be for "tents only" — no RVs, no travel trailers. The McLeods said that's not in the rules. They offered a \$250,000 reward to anyone who could find a Stafford regulation requiring "tents only." Nobody could. The reward was never claimed.

The county's response: Instead of approving the campground, Stafford County hired an outside law firm using your tax dollars to fight a local family in court. Judge Caddell said the case can go to trial — the county couldn't get it dismissed.

THE DOUBLE STANDARD: While Stafford County fights a 75-acre family campground in court, they have approved **8.7 million square feet of data centers across 864 acres** — totaling **1,592 megawatts** of power consumption. That's enough electricity to power 1.5 million homes. They approved it with virtually no environmental review.

What you can do:

#	Action	How
1	Attend the October 19 hearing	Circuit Court of Stafford County, 1:00 PM. Bring supporters. Pack the courtroom.
2	Share this package	Post on social media. Send to local news. The more people who know, the harder it is to ignore.
3	Contact your Supervisor	Ask: Why did you vote to grandfather data centers but block a family campground?
4	Document everything	Save every email, every Planning Department letter, every public statement by county officials.
5	Point to the All-Saints precedent	Stafford County already paid \$500,000 for fabricating an ordinance to block a project in 2020. Same pattern.

KEY VICTORY: Judge Caddell denied the county's demurrer on May 27, 2025. This means the county cannot dismiss the case on technicalities. The McLeods get their day in court. County officials will have to explain under oath why they fabricated a "tents only" rule that doesn't exist in the code.

SECTION B — THE JUDGE'S COPY

MARK A. McLEOD and VIVIAN McLEOD,
Plaintiffs,
v.
STAFFORD COUNTY, VIRGINIA,
Defendant.

Circuit Court of Stafford County

Case Nos: CL25-382-00 / CL25-1989-00
Hon. Judge Strickland
Hearing: October 19, 2026, 1:00 PM

MEMORANDUM IN SUPPORT OF PLAINTIFFS' POSITION

I. STATEMENT OF FACTS

Plaintiffs Mark and Vivian McLeod seek to develop Crow's Nest Outdoor Adventure, a 75-acre camping resort with 150 campsites located off Belle Plains Road in Stafford County, Virginia. The subject property is zoned A-1 Agricultural.

Under Stafford County Code Sec. 28-35, campgrounds are a permitted by-right use in the A-1 zone on parcels of 10 acres or more. The subject property is 75 acres — well exceeding the minimum threshold. Plaintiffs submitted a site plan for administrative approval.

Stafford County Planning Department staff informed Plaintiffs that the campground could only be for "tents only" — no recreational vehicles or travel trailers. No written regulation supporting this restriction exists in the Stafford County Code. Plaintiffs offered a \$250,000 reward for identification of such a regulation. The reward remains unclaimed.

Source: Fredericksburg Free Press, June 10, 2025: "The McLeods went so far as to offer a continually escalating cash reward to anyone who could find a Stafford regulation that said campgrounds had to be for 'tents only.' The amount of the reward reached \$250,000 but was never given out because no one, the couple said, found the required legal language."

On June 17, 2025 — while Plaintiffs' lawsuit was pending — the Board of Supervisors enacted Ordinance O25-07, which retroactively stripped campgrounds of by-right status and required a Conditional Use Permit (CUP) with a 14-night maximum stay limitation. This legislative action was taken while Plaintiffs' by-right application was under administrative review.

II. THE DATA CENTER DOUBLE STANDARD

While imposing fabricated restrictions on a 75-acre family campground, Stafford County has simultaneously approved five massive industrial data center developments totaling over 8.72 million square feet across approximately 864 acres, consuming approximately 1,592 megawatts of electrical capacity:

Project	Developer	Acre s	Sq Ft	MW	Approval
Stafford Technology Campus	Stack VA1	504	5.8M	~1,000	Sept 17, 2024 (6-1)
Vantage VA-4 / Melrod	Vantage	100	926,800	192	ICTP Overlay
Cranes Corner	Unknown	46	792,000	—	Late 2025
Centreport Gateway	Pemberton	114	730,000	—	By-right
Old Potomac Church	Amazon AWS	100	478,310	400	By-right
TOTAL		864	8.72M	1,592	

On December 2, 2025, when community pressure forced the Board to enact stricter data center regulations (Ordinance O25-29(R)), the Board **unanimously voted 7-0** to grandfather all existing data center pipeline projects, exempting them from new setback, noise, and environmental requirements.

The Equal Protection Issue: The same Board of Supervisors that retroactively stripped a family campground of its by-right rights (Ordinance O25-07, June 17, 2025) simultaneously grandfathered 8.7 million square feet of industrial data centers from new regulations (Ordinance O25-29(R), December 2, 2025). The discriminatory intent is evident.

III. APPLICABLE AUTHORITY

Authority	Holding	Application
Board of Supervisors v. Crucible, Inc. (Va. 2009)	Counties cannot use bad-faith administrative delays to buy time to retroactively outlaw a pending by-right application.	Stafford County delayed the McLeods' site plan while passing Ordinance O25-07 to strip by-right status. Identical pattern.
Virginia Code Sec. 15.2-2280	By-right uses are ministerial. If application meets objective criteria, approval is mandatory.	McLeods' 75-acre A-1 parcel exceeds 10-acre minimum. Campground is listed as by-right. Approval was mandatory.
All-Saints Muslim Cemetery (2020)	Stafford County fabricated emergency ordinance to block a religious land use. Settled for \$500,000 after DOJ investigation.	Establishes pattern of Stafford County using fabricated ordinances to block disfavored A-1 uses. Relevant to equal protection claim.
Va. Code Sec. 8.01-273	Demurrer tests legal sufficiency of complaint. If overruled, case proceeds to trial.	Judge Caddell overruled the demurrer on May 27, 2025. Case is bound for full trial.

IV. RELIEF REQUESTED

#	Relief	Basis
1	Declaratory judgment that campground is a by-right use under Sec. 28-35	Campground is listed as permitted in A-1 zone on 10+ acre parcels. Subject property is 75 acres.

#	Relief	Basis
2	Order compelling approval of site plan	By-right review is ministerial. Application meets objective criteria. County has mandatory duty to approve.
3	Injunctive relief barring enforcement of Ordinance O25-07 as applied	Crucible doctrine: retroactive amendment during pending application is bad faith. ordinance cannot apply.
4	Finding of discriminatory zoning under equal protection	County grandfathered data centers while stripping campground rights. Same board, same period, opposite treatment.
5	Attorney's fees and costs	Va. Code allows fee recovery for successful land use challenges.

Respectfully submitted,
Mark A. McLeod and Vivian McLeod, Plaintiffs pro se
July 2026

SECTION C — THE COUNSEL'S COPY

TO: Counsel for Plaintiffs
RE: McLeod v. Stafford County — Litigation Strategy Memo
Case Nos: CL25-382-00 / CL25-1989-00
Court: Circuit Court of Stafford County, Virginia
Hearing: October 19, 2026, 1:00 PM — Hon. Judge Strickland

THREE PILLARS OF THE CASE

Pillar 1: Administrative Bad Faith (Crucible Doctrine)

Under *Board of Supervisors v. Crucible, Inc.* (Va. 2009), a county cannot use bad-faith administrative delays to buy time to retroactively outlaw a pending by-right application. Stafford County delayed the McLeods' site plan review while simultaneously passing Ordinance O25-07 to strip campgrounds of by-right status. This is the exact factual pattern Crucible prohibits. The \$250,000 reward — never claimed — proves the "tents only" restriction was fabricated to stall.

Pillar 2: Vested Rights Under Sec. 28-35

Under Virginia Code Sec. 15.2-2280, by-right use review is ministerial and non-discretionary. When a site plan meets objective criteria, the county has a mandatory legal duty to approve. The McLeods' 75-acre A-1 parcel exceeds the 10-acre minimum. Campgrounds are listed as permitted. The application was compliant. The county's refusal to approve is a violation of its ministerial duty.

Pillar 3: Equal Protection — The Data Center Double Standard

The same Board of Supervisors that enacted Ordinance O25-07 (June 17, 2025) to strip a family campground of by-right rights simultaneously voted 7-0 (December 2, 2025) to grandfather 8.7 million square feet of industrial data centers from new regulations. The discriminatory treatment — retroactive restriction for a small campground, retroactive exemption for massive industrial developments — supports an equal protection challenge under the Virginia Constitution.

PRIOR PRECEDENT: ALL-SAINTS MUSLIM CEMETERY (2020)

In 2020, Stafford County fabricated an emergency "900-foot well setback" ordinance to block a proposed Islamic cemetery on by-right A-1 land. The Department of Justice opened a civil rights investigation, and under severe legal pressure, Stafford County was forced to repeal the ordinance, apologize, and pay a \$500,000 cash settlement to the developers.

This establishes a documented pattern of Stafford County using fabricated, bad-faith zoning amendments to block disfavored uses on A-1 land. The McLeods' case is the second documented instance of this practice.

BOARD OF SUPERVISORS VOTE RECORD

Action	Date	Vote	Relevant Supervisors
Stafford Technology Campus rezoning (504 acres, 5.8M sq ft DC)	Sept 17, 2024	6-1 YES	Diggs, Bohmke, Allen, Yeung, English, Gary voted YES; Holcomb voted NO
Ordinance O25-07 (stripped campground by-right rights)	June 17, 2025	Enacted	Same board
Ordinance O25-29(R) (DC regs + grandfather clause)	Dec 2, 2025	7-0 YES	All supervisors voted to grandfather existing DC pipeline

RECOMMENDED DISCOVERY TARGETS

#	Target	Records Requested
1	All internal Planning Dept. communications re: 'tents only' rule	Emails, memos, and text messages from 2023-2025 referencing the McLeod application or 'tents only' restriction
2	All communications between BOS members re: Ordinance O25-07	Timeline of when the ordinance was drafted, who requested it, and whether it was coordinated with Planning Dept. staff
3	All data center application approvals since 2023	Complete files for all 5 projects — including environmental reviews (or lack thereof), traffic studies, and public comment periods
4	Comparison of environmental review requirements: campground vs data center	Any SEPA/staff studies required for each project type, including wastewater, runoff, and traffic analyses
5	All-Saints Cemetery settlement documents	Terms of the 2020 settlement, DOJ findings, and any admissions of bad-faith zoning practices

*Figures and citations sourced from documents identified herein. All citations should be independently verified before use in legal proceedings. This document organizes public records and legal research for case preparation purposes. It does not constitute legal advice.
Prepared by CaseLock Investigative Platform, July 2026.*