

**MINUTES OF
FAUQUIER COUNTY BOARD OF ZONING APPEALS
NOVEMBER 7, 2019**

*Regularly Scheduled Meeting
2:00 p.m.
Warren Green Building
10 Hotel Street
Warrenton, Virginia*

The Fauquier County Board of Zoning Appeals held its regularly scheduled meeting on Thursday, November 7, 2019, beginning at 2:00 p.m. in the Warren Green Building, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. John Meadows, Chairperson; Mr. Maximilian Tufts, Jr., Vice-Chairperson; Mrs. Mary North Cooper; Mr. Lawrence G. McDade; and Mr. Benjamin Tissue, Jr. Also present were Ms. Amy Rogers, Chief of Zoning/Development Services; Ms. Heather Jenkins, Assistant Chief of Zoning/Development Services; Mr. Adam Shellenberger, Chief of Planning; Ms. Tracy Gallehr, Deputy County Attorney; Mr. Jonathan Rodman, Senior Planner; Ms. Kara Krantz, Planner II; Ms. Lauren Runyan, Planner; and Mrs. Fran Williams, Administrative Manager.

INTRODUCTIONS:

Mr. Meadows introduced and welcomed two new staff members – Mr. Jonathan Rodman, Senior Planner and Ms. Lauren Runyan, Planner.

LETTERS OF NOTIFICATION AND PUBLIC NOTICE:

Mrs. Williams read the public hearing protocol.

Mr. Shellenberger stated that, to the best of his knowledge, the cases before the Board of Zoning Appeals for public hearing have been properly advertised, posted and letters of notification sent to adjoining property owners.

MINUTES:

On motion made by Mr. Tufts and seconded by Mr. Tissue, it was moved to approve the August 1, 2019 minutes.

The motion carried unanimously.

REGULAR AGENDA:

VARIANCE #VARI-19-010932 – PETER J. & BARBARA E. DECLEMENTE (OWNERS/APPLICANTS) – DECLEMENTE PROPERTY – An application for a

variance of Zoning Ordinance Section 3-405.1 to reduce the minimum required rear yard setback, PIN 6994-99-6619-000, located at 5743 Myriah Court, Cedar Run District, Warrenton, Virginia. (Amy Rogers, Staff) *Note: Public hearing was closed on August 1, 2019.*

Mr. Meadows opened the public meeting.

Ms. Rogers provided an update on the application. Ms. Rogers stated that the applicants have requested an additional postponement to allow time for a proposed boundary line adjustment, which has been submitted, to be reviewed. She noted that if the boundary line adjustment is approved, the Variance request will be withdrawn.

In that there were no further speakers, Mr. Meadows closed the public meeting.

On motion made by Mrs. Cooper and seconded by Mr. Tufts, it was moved to postpone action on this item up to the third next regularly scheduled meeting, at the applicants' request, with the public hearing closed.

The motion carried unanimously.

SPECIAL PERMIT #SPPT-19-011461 – UPPERVILLE BUSINESS PARK, LLC (OWNER)/MICHAEL STANFIELD (APPLICANT) – QUINTESSENTIAL ROVERS (d/b/a Q ROVERS) – An application for a Category 14 Special Permit to allow an automobile sales business, PIN 6054-65-8611-000, located at 9193 John S. Mosby Highway, Unit 1A, Marshall District, Upperville, Virginia. (Kara Krantz, Staff)

Ms. Krantz reviewed the staff report.

Mr. Meadows opened the public hearing.

Mr. Jeremy Junnila, representative, expressed agreement with the staff report.

In that there were no further speakers, Mr. Meadows closed the public hearing.

On motion made by Mr. Tufts and seconded by Mr. McDade, it was moved to grant the Special Permit, after due notice and hearing, as required by *Code of Virginia* §15.2-2204 and Section 5-009 of the Fauquier County Zoning Ordinance, based upon the following Board findings:

1. The proposed use will not adversely affect the use or development of neighboring properties or will not impair the value of nearby land.
2. The proposed use is in accordance with the applicable zoning district regulations and applicable provisions of the Comprehensive Plan.
3. Pedestrian and vehicular traffic generated by the proposed use will not be hazardous or conflict with existing patterns in the neighborhood.

4. Adequate utility, drainage, parking, loading and other facilities are provided to serve the proposed use.
5. Air quality, surface and groundwater quality and quantity will not be degraded or depleted by the proposed use to an extent that would hinder or discourage appropriate development in nearby areas.
6. The proposed use is consistent with the general standards for Special Permits.
7. The proposed gravel surface in the parking area and travel ways will not cause an undue impact on neighboring properties.

The Special Permit is granted subject to the following conditions, safeguards, and restrictions upon the proposed uses, as are deemed necessary in the public interest to secure compliance with the provisions of this Ordinance:

1. The use shall be in general conformance with the information and drawings submitted with the Special Permit application, except as specifically modified by the conditions below or necessary to meet Zoning Ordinance requirements.
2. The regular hours of operation shall be generally limited to between 11:00 a.m. and 4:00 p.m., Monday through Thursday, with additional hours by appointment only.
3. The automobile retail establishment shall occupy no more than 2,400 square feet of the existing warehouse building. This space shall not be shared with the farm supply establishment (SPPT-19-010639).
4. There shall be no more than two (2) employees working at the automobile sales business at any one time.
5. There shall be a maximum of four (4) client visits per week.
6. There shall be a maximum of six (6) vehicles in stock.
7. All displayed vehicles shall be parked inside the warehouse. There shall be no outdoor storage of vehicles.
8. A 30 foot dense evergreen tree screen shall be installed along the south and west property lines where the parcels are adjacent to the rural and residential zoning district. An alternative method may be used to achieve the same result, as determined by the Zoning Administrator.
9. The existing gravel areas adjacent to the side and rear property lines shall be removed as necessary and replaced with top soil to accommodate the required buffer and planting area.

10. All signage shall be in compliance with Article 8 of the Zoning Ordinance, and all applicable permits shall be obtained.
11. All lighting shall be shown on the Site Plan and in compliance with Article 9, Part 10 of the Zoning Ordinance.
12. The Applicant shall obtain applicable building and zoning permits for all structures and uses associated with this approval on the property prior to establishment of the use.
13. A Site Plan is required prior to commencement of the use.

After discussion, on motion made by Mr. Tufts and seconded by Mr. Tissue, it was moved to amend Conditions #5 and #6 of the above motion, as follows:

5. There shall be a maximum of ~~four (4)~~ *ten (10)* client visits per week.
6. There shall be a maximum of ~~six (6)~~ *ten (10)* vehicles in stock.

The motion carried unanimously, as amended.

Thereafter, the original motion carried unanimously, as amended.

OTHER BUSINESS:

- Mr. Shellenberger reviewed use of the new microphones. He also noted that the Board of Zoning Appeals will be going digital (iPads, Novus Agenda, etc.) in the near future. Board members will also be given County email addresses. In addition, he stated that Board of Zoning Appeals' meetings will be live video streamed perhaps as early as January 2020. Mr. Shellenberger stated that the regular meeting location will not be available on Thursday, March 5, 2020 and suggested rescheduling the meeting to Wednesday, March 4, 2020. Board members were in agreement.

ADJOURNMENT:

There being no further business, the meeting was adjourned at approximately 2:25 p.m.

John R. Meadows, Chairperson

Fran Williams, Secretary

Copies of all files and materials presented to the BZA are attached to and become part of these minutes. A recording of the meeting is on file for one (1) year.