

**MINUTES OF
FAUQUIER COUNTY BOARD OF ZONING APPEALS
SEPTEMBER 4, 2014**

*Work Session
1:45 p.m.
Warren Green Building, First Floor Meeting Room
10 Hotel Street
Warrenton, Virginia*

The Fauquier County Board of Zoning Appeals held a work session on Thursday, September 4, 2014, beginning at 1:45 p.m. in the Warren Green Building, First Floor Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. John Meadows, Chairperson; Mr. Michael Brown, Vice-Chairperson; Mr. Bill Chipman; Mrs. Mary North Cooper; and Mr. Maximilian Tufts, Jr. Also present were Ms. Holly Meade, Chief of Planning; Mr. Andrew Hopewell, Assistant Chief of Planning; Mr. Chuck Floyd, Assistant Chief of Zoning/Development Services; Ms. Marianne Primeau, Senior Assistant County Attorney; Mr. Don Del Rosso, Planner II; Mr. Rob Walton, Senior Planner; Ms. Heather Jenkins, Planner II; and Mrs. Fran Williams, Administrative Manager.

MINUTES:

Board members discussed the August 7, 2014 minutes.

AGENDA REVIEW:

SPECIAL PERMIT #SPPT-14-001505, THE PLAINS REDEVELOPMENT CORPORATION (OWNER)/THE PLAINS RENEWAL CORPORATION T/A THE PLAINS REDEVELOPMENT CORPORATION (APPLICANT) – CANOPY, INC.

Applicant is requesting Special Permit approval to operate a business or professional office with six (6) or less employees, PIN 6989-86-6209-000, located at 4385 Old Tavern Road, Scott District, The Plains, Virginia. (Don Del Rosso, Staff)

Mr. Del Rosso reviewed the application.

ADJOURNMENT:

The meeting was adjourned at 1:50 p.m.

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

The Fauquier County Board of Zoning Appeals held its regularly scheduled meeting on Thursday, September 4, 2014, beginning at 2:00 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. John Meadows, Chairperson; Mr. Michael Brown, Vice-Chairperson; Mr. Bill Chipman; Mrs. Mary North Cooper; and Mr. Maximilian Tufts, Jr. Also present were Ms. Holly Meade, Chief of Planning; Mr. Andrew Hopewell, Assistant Chief of Planning; Mr. Chuck Floyd, Assistant Chief of Zoning/Development Services; Ms. Marianne Primeau, Senior Assistant County Attorney; Mr. Don Del Rosso, Planner II; Mr. Rob Walton, Senior Planner; Ms. Heather Jenkins, Planner II; and Mrs. Fran Williams, Administrative Manager.

LETTERS OF NOTIFICATION AND PUBLIC NOTICE:

Ms. Meade stated that, to the best of her 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 Mrs. Cooper, it was moved to approve the August 7, 2014 minutes, with the following amendment on Page 3:

After discussion, on motion made by Mr. Tufts and seconded by Mr. Brown, it was moved to postpone action on this item until the next regularly scheduled meeting, with the public hearing left open, to allow time for the Board to consult with outside legal counsel *regarding a time limit being placed on this use.*

The motion carried unanimously.

REGULAR AGENDA:

VARIANCE #VARI-14-001379, BOARD OF SUPERVISORS OF FAUQUIER COUNTY (OWNER)/FAUQUIER COUNTY DEPARTMENT OF ENVIRONMENTAL SERVICES (APPLICANT) – NEW BALTIMORE CONVENIENCE SITE

Applicant is requesting a variance of Zoning Ordinance Sections 4.1, 3-404.4 and 3-405.1 related to required setbacks for a convenience store, located at 5468 Old Alexandria Turnpike, Scott District, Warrenton, Virginia. (Rob Walton, Staff)

SPECIAL PERMIT #SPPT-14-001505, THE PLAINS REDEVELOPMENT CORPORATION (OWNER)/THE PLAINS RENEWAL CORPORATION T/A THE PLAINS REDEVELOPMENT CORPORATION (APPLICANT) – CANOPY, INC.

Applicant is requesting Special Permit approval to operate a business or professional office with six (6) or less employees, PIN 6989-86-6209-000, located at 4385 Old Tavern Road, Scott District, The Plains, Virginia. (Don Del Rosso, Staff)

Mr. Del Rosso reviewed the staff report, a copy of which is attached to and made a part of these official minutes.

Mr. Meadows opened the public hearing.

Mr. Earl Double, 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. Brown, 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 and 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.

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 site 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. Hours of operation shall be limited to Monday through Saturday, from 8:30 a.m. to 5:00 p.m.

3. On-site employees associated with the use shall be limited to six (6).
4. All lighting on-site shall conform to the Fauquier County Zoning Ordinance.

The motion carried unanimously.

OTHER BUSINESS:

None.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 2:05 p.m.

John R. Meadows, Chairperson

Holly Meade, Secretary

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