

**MINUTES OF  
FAUQUIER COUNTY BOARD OF ZONING APPEALS  
JANUARY 3, 2013**

*Site Visit  
12:30 p.m.  
5459 Old Alexandria Turnpike  
Warrenton, Virginia*

The Fauquier County Board of Zoning Appeals held a site visit on Thursday, January 3, 2013, beginning at 12:30 p.m. at 5459 Old Alexandria Turnpike, Warrenton, Virginia. Members present were Mr. John Meadows, Chairperson; Mr. Harry Russell, Vice-Chairperson; and Mr. Michael Brown. Also present were Ms. Holly Meade, Assistant Chief of Planning/Secretary; Mr. Jeffrey LeHew; Mr. Terry Caniford; and Mr. Jay Pinsky.

The meeting was adjourned at 1:10 p.m.

*Work Session  
1:30 p.m.  
Second Floor Conference Room, Warren Green Building  
10 Hotel Street, Warrenton, Virginia*

The Fauquier County Board of Zoning Appeals held a work session on Thursday, January 3, 2013, beginning at 1:30 p.m. in the Warren Green Building, Second Floor Conference Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. John Meadows, Chairperson; Mr. Harry Russell, Vice-Chairperson; Mr. Michael Brown; Mrs. Mary North Cooper and Mr. Maximilian Tufts, Jr. Also present were Ms. Holly Meade, Assistant Chief of Planning/Secretary; Ms. Mary Catherine Sheridan, Assistant County Attorney; Mr. Don Del Rosso, Planner II; and Mrs. Fran Williams, Administrative Manager.

**AGENDA REVIEW:**

**SPECIAL PERMIT #SPPT13-CT-009, BRIAN P. & PATRICIA E. PARRISH (OWNERS)/BRIAN P. PARRISH (APPLICANT) – TRIUNE ARMS, LLC**

Applicant is requesting special permit approval to allow for the continued operation of a gunsmithing business, PIN 6995-03-3020-000, located at 7208 Princess Anne Court, Center District, Warrenton, Virginia. (Don Del Rosso, Staff)

Mr. Del Rosso reviewed the application.

**SPECIAL PERMIT #SPPT13-SC-010, JEFFREY L. LEHEW FAMILY, LLC X (OWNER/APPLICANT)**

Applicant is requesting special permit approval to allow for automobile sales, PIN 7906-00-6859-000, located at 5459 Old Alexandria Turnpike, Warrenton, Virginia. (Holly Meade, Staff)

Ms. Meade reviewed the application.

**MINUTES:**

Board members discussed the December 6, 2012 minutes.

The meeting was adjourned at 1:55 p.m.

<p><i>Regularly Scheduled Meeting</i>  <i>2:00 p.m.</i>  <i>Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia</i></p>
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The Fauquier County Board of Zoning Appeals held its regularly scheduled meeting on Thursday, January 3, 2013, 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 Elect; Mrs. Mary North Cooper; Mr. Harry Russell; and Mr. Maximilian Tufts, Jr. Also present were Ms. Holly Meade, Assistant Chief of Planning/Secretary; Ms. Mary Catherine Sheridan, Assistant County Attorney; Mr. Don Del Rosso, Planner II; and Mrs. Fran Williams, Administrative Manager.

Mr. Meadows opened the meeting, which was then turned over to Ms. Sheridan to initiate the election of officers.

**ELECTION OF OFFICERS:**

a. Chairperson

On motion made by Mr. Brown and seconded by Mr. Russell, it was moved to nominate Mr. Meadows as Chairperson.

The motion carried unanimously.

b. Vice-Chairperson

On motion made by Mr. Russell and seconded by Mr. Meadows, it was moved to nominate Mr. Brown as Vice-Chairperson.

The motion carried unanimously.

c. Secretary

On motion made by Mr. Meadows and seconded by Mr. Tufts, it was moved to nominate Ms. Meade as Secretary.

The motion carried unanimously.

The meeting was then turned over to Mr. Meadows, Chairperson.

**LETTERS OF NOTIFICATION AND PUBLIC NOTICE:**

Mrs. Williams read the public hearing protocol. Ms. Meade stated that, to the best of her knowledge, the cases before the Board of Zoning Appeals for a public hearing have been properly advertised, posted, and letters of notification sent to adjoining property owners.

**MINUTES:**

On motion made by Mr. Brown and seconded by Mr. Russell, it was moved to approve the December 6, 2012 minutes, as amended below:

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After discussion, on motion made by ~~Mr. Tufts~~ *Mr. Meadows\** and seconded by Mr. Russell, it was moved to amend Condition #3 of the above motion, as follows:

3. The applicant is limited on-site to the commercial breeding and sale of only labradoodles and goldendoodles. There shall be a maximum of eight (8) litters per year. Upon delivery of each litter, the applicant shall provide documentation to the Zoning Administrator regarding the number of puppies born and the date of their birth. *Upon receiving such documentation, the Zoning Office shall give the applicant a date stamped copy as proof of receipt.*

The motion carried unanimously.

[\*Note: Correct as originally submitted, with Mr. Tufts making the motion.]

**REGULAR AGENDA:****SPECIAL PERMIT #SPPT13-CT-009, BRIAN P. & PATRICIA E. PARRISH (OWNERS)/BRIAN P. PARRISH (APPLICANT) – TRIUNE ARMS, LLC**

Applicant is requesting special permit approval to allow for the continued operation of a gunsmithing business, PIN 6995-03-3020-000, located at 7208 Princess Anne Court, Center District, Warrenton, 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.

Jennifer Moore, Esquire, representative, expressed agreement with the staff report.

Dr. Brian Parrish, applicant, reviewed his credentials and requested approval of the special permit.

Mr. Donald Leonard, Jr., a neighbor, spoke in support of the approval of this special permit.

Mr. Sean Grier, Scott District, spoke in support of the approval of this special permit.

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

On motion made by Mr. Tufts and seconded by Mr. Russell, 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. The hours of operation shall be limited to 8:00 a.m. – 6:00 p.m. daily.

3. All client visits to the site shall be by appointment only and such visits shall be limited to a maximum of seven (7) per week and a maximum of two (2) on any one day. No more than one (1) client shall be allowed on the subject property at a time.
4. The inventory of firearms offered for retail sales shall not exceed twenty-five (25) guns at any one time, none of which can be fully automatic.
5. This Special Permit shall expire in ten (10) years, with a five (5) year Administrative approval after that.
6. No firearms associated with the commercial activity shall be fired on the subject property.
7. This Special Permit is conditional upon the applicant obtaining and maintaining all federal, state and local permits applicable to this use.

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

5. This Special Permit shall expire in *five (5) years, with the option of one five (5) year Administrative approval.*

Mr. Meadows commended the applicant for the additional safety features he has installed and his decision to operate the business from his home rather than a shed, as originally planned.

The motion carried unanimously.

Thereafter, the original motion carried unanimously, as amended.

**SPECIAL PERMIT #SPPT13-SC-010, JEFFREY L. LEHEW FAMILY, LLC X (OWNER/APPLICANT)**

Applicant is requesting special permit approval to allow for automobile sales, PIN 7906-00-6859-000, located at 5459 Old Alexandria Turnpike, Warrenton, Virginia. (Holly Meade, Staff)

Ms. Meade reviewed the staff report, a copy of which is attached to and made a part of these official minutes. Ms. Meade also stated that a site visit was made earlier in the day.

Mr. Meadows opened the public hearing.

Mr. Terry Caniford, representative, expressed agreement with the staff report.

Mr. Bill Towne, a resident of Snow Hill, spoke in opposition to the granting of this special permit, stating that the use is not in compliance with the Comprehensive Plan. Mr. Towne also expressed concerns about increased traffic, safety, lighting, and the effect run-off will have on the environment.

Dr. John Gilbert, a resident of Snow Hill, expressed concern about adequate site distance at the location, especially when motorists are distracted.

Ms. Leslie Wise, a resident of Snow Hill, spoke in opposition to the granting of this special permit. Ms. Wise expressed concern for the safety of residents in the area since it is very likely that prospective automobile purchasers will test drive vehicles in their neighborhood.

Mr. Will Smith, a resident of Snow Hill, spoke in opposition to the granting of this special permit, citing concerns about safety and increased traffic especially since that there is a one lane bridge located further down Old Alexandria Turnpike.

Ms. Patti Dahnke, a resident of Snow Hill, spoke in opposition to the granting of this special permit, citing concern that the proposed use will negatively impact the two ponds in her subdivision.

Mr. Andrew Eglund, a resident of Snow Hill, spoke in opposition to the granting of this special permit, also citing concerns about the negative impact the proposed use would have on the environment as well as wildlife in the area.

Mr. Terry Caniford, representative, requested that action on this item be postponed until the next regularly scheduled meeting.

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

On motion made by Mrs. Cooper and seconded by Mr. Brown, it was moved to postpone action on this item until the next regularly scheduled meeting, at the applicant's request, with the public hearing left open.

The motion carried unanimously.

**OTHER BUSINESS:**

Mr. Meadows requested that the Board review the proposed Zoning Appeals' procedures, which were distributed by Ms. Sheridan, for consideration at the next regularly scheduled meeting.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 2:55 p.m.

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John R. Meadows, Chairperson

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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.*