

**MINUTES OF  
FAUQUIER COUNTY BOARD OF ZONING APPEALS  
JANUARY 5, 2012**

*Work Session*

*1:00 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 5, 2012, beginning at 1:00 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. Mary Catherine Sheridan, Assistant County Attorney; Mr. Andrew Hushour, Assistant Zoning Administrator/Secretary; and Ms. Sandra O'Connell, Senior Planner.

**AGENDA REVIEW:**

**SPECIAL PERMIT #SPPT12-SC-010, SANDRA S. HENLEY (OWNER)/ROBERT L. SCHOENIKE & ELAINE M. ONSTAD (APPLICANTS) – TRINITY LUTHERAN CHURCH**

Applicants are requesting special permit approval to locate a place of worship in an existing building, PIN #7906-11-0106-000, located at 5439 Old Alexandria Turnpike, Scott District, Warrenton, Virginia. (Andrew Hushour, Staff)

Mr. Hushour reviewed the application.

**SPECIAL PERMIT #SPPT12-SC-011, BELVOIR ASSEMBLY OF GOD CHURCH (OWNER/APPLICANT) – BELVOIR ASSEMBLY OF GOD CHURCH**

Applicant is requesting special permit approval to construct an addition onto an existing place of worship, PIN #6979-68-3851-000, located at 4180 Belvoir Road, Scott District, Marshall, Virginia. (Sandra O'Connell, Staff)

Ms. O'Connell reviewed the application.

**SPECIAL PERMIT #SPPT12-CT-012, BETHEL UNITED METHODIST CHURCH (OWNER/APPLICANT) – BETHEL UNITED METHODIST CHURCH**

Applicant is requesting special permit approval to enclose an existing pavilion for use as a multi-purpose room for a place of worship, PIN #6986-03-3585-000, located at 6903 Blantyre Road, Center District, Warrenton, Virginia. (Andrew Hushour, Staff)

Mr. Hushour reviewed the application.

The meeting was adjourned at 1:45 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, January 5, 2012, 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. Harry Russell, Vice-Chairperson; Mr. Michael Brown; Mrs. Mary North Cooper; and Mr. Maximilian Tufts, Jr. Also present were Ms. Mary Catherine Sheridan, Assistant County Attorney; Mr. Andrew Hushour, Assistant Zoning Administrator/Secretary; Ms. Sandra O'Connell, Senior Planner; Mr. Rob Walton, Senior Planner; and Mrs. Fran Williams, Administrative Specialist.

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. Tufts and seconded by Mrs. Cooper, it was moved to nominate Mr. Meadows as Chairperson.

The motion carried unanimously.

b. Vice-Chairperson

On motion made by Mrs. Cooper and seconded by Mr. Tufts, it was moved to nominate Mr. Russell 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 Mr. Hushour 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. Mr. Hushour stated that, to the best of his 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. Russell and seconded by Mr. Tufts, it was moved to approve the December 1, 2011 minutes.

The motion carried unanimously.

**SPECIAL PERMIT #SPPT12-SC-010, SANDRA S. HENLEY (OWNER)/ROBERT L. SCHOENIKE & ELAINE M. ONSTAD (APPLICANTS) – TRINITY LUTHERAN CHURCH**

Applicants are requesting special permit approval to locate a place of worship in an existing building, PIN #7906-11-0106-000, located at 5439 Old Alexandria Turnpike, Scott District, Warrenton, Virginia. (Andrew Hushour, Staff)

Mr. Hushour 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.

Ms. Judith Windingland, representative, expressed agreement with the staff report. Ms. Windingland also presented the Board with a letter, a copy of which is attached to and made a part of these official minutes, addressed to the Health Department requesting a waiver of the requirement for an extensive report on the functionality of the drainfield. Ms. Windingland stated that a beauty salon previously operated at this site for a number of years with no septic issues.

Mr. Brown inquired if this requirement by the Health Department is something the Board should be concerned with.

Mr. Hushour stated that this issue can be addressed during the site plan process.

Ms. Sandra Henley, owner, spoke in support of the granting of this special permit.

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

On motion made by Mr. Russell and seconded by Mr. Tufts, 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 maximum number of attendants allowed for the church use at any one time is limited to fifty-five (55) persons.
3. The two parking spaces located in the southern limits of the existing parking area on-site, which are located within the front yard area adjacent to Route 29/Lee Highway, are prohibited for use by the church. These spaces shall be blocked off during those times in which church related activities are conducted on-site.
4. Landscaping consisting of ornamental trees and shrubs shall be installed along the Route 29/Lee Highway frontage of the property. The number and type of plantings shall be determined by the Zoning Administrator during the site plan review process.

After discussion, on motion made by Mr. Brown and seconded by Mrs. Cooper, it was moved to eliminate Condition #4.

~~4. Landscaping consisting of ornamental trees and shrubs shall be installed along the Route 29/Lee Highway frontage of the property. The number and type of plantings shall be determined by the Zoning Administrator during the site plan review process.~~

The motion carried unanimously, as amended.

After further discussion, on motion made by Mr. Brown and seconded by Mrs. Cooper, it was moved to amend Condition #3 of the previous motion, as follows:

3. The two parking spaces located in the southern limits of the existing parking area on-site, which are located within the front yard area adjacent to Route 29/Lee Highway, are prohibited for use by the church. ~~*These spaces shall be blocked off during those times in which church related activities are conducted on site.*~~

The motion carried unanimously, as amended.

**SPECIAL PERMIT #SPPT12-SC-011, BELVOIR ASSEMBLY OF GOD CHURCH (OWNER/APPLICANT) – BELVOIR ASSEMBLY OF GOD CHURCH**

Applicant is requesting special permit approval to construct an addition onto an existing place of worship, PIN #6979-68-3851-000, located at 4180 Belvoir Road, Scott District, Marshall, Virginia. (Saundra O’Connell, Staff)

Ms. O’Connell 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.

Reverend Robert Shank, 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. Brown and seconded by Mr. Tufts, 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 playground will be used solely in conjunction with the permitted church use.

The motion carried unanimously.

**SPECIAL PERMIT #SPPT12-CT-012, BETHEL UNITED METHODIST CHURCH (OWNER/APPLICANT) – BETHEL UNITED METHODIST CHURCH**

Applicant is requesting special permit approval to enclose an existing pavilion for use as a multi-purpose room for a place of worship, PIN #6986-03-3585-000, located at 6903 Blantyre Road, Center District, Warrenton, Virginia. (Andrew Hushour, Staff)

Mr. Hushour 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 Kemper, 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. 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 use of the enclosed pavilion space shall be for a multi-purpose room and does not authorize an expansion of the principal place of worship or an increase in the number of seats for the same.

The motion carried unanimously.

**OTHER BUSINESS:**

None.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 3:50 p.m.

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John R. Meadows, Chairperson

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Andrew B. Hushour, 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.*