

**MINUTES OF
FAUQUIER COUNTY BOARD OF ZONING APPEALS
AUGUST 4, 2011**

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, August 4, 2011, 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. Mary Catherine Sheridan, Assistant County Attorney; Mr. Andrew Hushour, Assistant Zoning Administrator; and Mr. Wally Horton, Senior Planner.

AGENDA REVIEW:

SPECIAL PERMIT #SPPT12-LE-002, MORRISVILLE UNITED METHODIST CHURCH, TRUSTEES (OWNERS/APPLICANTS) – HIS LITTLE LIGHT AT MORRISVILLE UNITED METHODIST CHURCH

Applicants are requesting special permit approval to allow for a preschool, PIN #7816-36-1316-000 and 7816-36-1500-000, located at 4422 Morrisville Road and 4432 Morrisville Road, Lee District, Bealeton, Virginia. (Wally Horton, Staff)

Mr. Horton reviewed the application.

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, August 4, 2011, 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; Mr. Wally Horton, Senior Planner; and Mrs. Fran Williams, Administrative Specialist.

MINUTES:

On motion made by Mr. Russell and seconded by Mr. Brown, it was moved to approve the July 7, 2011 minutes.

The motion carried unanimously.

LETTERS OF NOTIFICATION AND PUBLIC NOTICE:

Mrs. Williams read the public hearing protocol. Mr. Horton 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.

SPECIAL PERMIT #SPPT11-LE-028, JOLEEN TEETS (OWNER/APPLICANT) – TEETS KENNEL

Applicant is requesting special permit approval to operate a commercial kennel for dog breeding, PIN #6889-34-7522-000, located at 11065 Harley Drive, Lee District, Bealeton, Virginia. (Andrew Hushour, Staff)

Postponed.

SPECIAL PERMIT #SPPT12-LE-002, MORRISVILLE UNITED METHODIST CHURCH, TRUSTEES (OWNERS/APPLICANTS) – HIS LITTLE LIGHT AT MORRISVILLE UNITED METHODIST CHURCH

Applicants are requesting special permit approval to allow for a preschool, PIN #7816-36-1316-000 and 7816-36-1500-000, located at 4422 Morrisville Road and 4432 Morrisville Road, Lee District, Bealeton, Virginia. (Wally Horton, Staff)

Mr. Horton 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. Elizabeth Pulliam, 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 submitted with the special permit application except as specifically modified by the conditions below or necessary to meet Zoning Ordinance requirements.
2. The year round hours of operation of the preschool are from 9:00 a.m. to 12:00 p.m. five days per week, exclusive of the tutoring program, which is limited to 2 hours per day for four days per week during after school hours and before 6:00 p.m.
3. The number of students associated with the preschool is limited to twenty-one (21) at any one time, and the number of instructors is limited to no more than four (4) teachers and/or assistants.
4. The required outdoor play area shall be enclosed with a six (6) foot board-on-board privacy fence. No more than eleven (11) students shall use the playground at any one time.
5. All existing trees on-site shall be preserved in order to maintain sufficient screening of the subject property from all adjacent uses.
6. No exterior lighting shall be allowed on-site for the preschool use beyond that which is already established on the site by the church.

After discussion, on motion made by Mr. Brown and seconded by Mr. Tufts, it was moved to amend Condition #2 of the above motion, as follows:

2. The year round hours of operation of the preschool are from 9:00 a.m. to 12:00 p.m. five days per week, exclusive of the tutoring program, which is limited to 2 hours per day for *five* days per week during after school hours and before 6:00 p.m.

The motion carried unanimously, as amended.

After further discussion, on motion made by Mr. Tufts and seconded by Mrs. Cooper, it was moved to reopen Special Permit #SPPTLE-002, Morrisville United Methodist Church, Trustees (Owners/Applicants) – His Little Light At Morrisville United Methodist Church.

The motion carried unanimously.

On motion made by Mr. Tufts and seconded by Mrs. Cooper, it was moved to further amend Condition #4 of the above motion, as follows:

4. The required outdoor play area shall be enclosed with a six (6) foot board-on-board privacy fence. *No more than eleven (11) students shall use the playground at any one time.*

The motion carried unanimously, as amended.

OTHER BUSINESS:

None.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 2:16 p.m.

John R. Meadows, Chairperson

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.