

**MINUTES OF
FAUQUIER COUNTY BOARD OF ZONING APPEALS
OCTOBER 7, 2010**

*Work Session
12:30 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, October 7, 2010, beginning at 12:30 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/Secretary; and Mr. Wally Horton, Senior Planner.

AGENDA REVIEW:

SPECIAL PERMIT #SPPT10-CR-006, STEVEN BRYANT (OWNER/APPLICANT) – BRYANT’S POWERWASHING

Applicant is requesting an amendment to a previously approved special permit for a small contracting business as a major home occupation, PIN #7931-17-2097-000, 7931-16-1895-000, and 7931-16-0895-000, located at 9529 Elk Run Road, Cedar Run District, Catlett, Virginia. (Andrew Hushour, Staff) *Note: Public hearing was closed on October 1, 2009.*

Mr. Hushour reviewed the application.

ZONING VARIANCE #ZNVA11-MA-003, KATHLEEN W. TAYLOR (OWNER/APPLICANT) – TAYLOR PROPERTY

Applicant is requesting a variance to reduce the required one hundred (100) foot setback to allow for an addition to an existing barn, PIN #6946-51-2358-000, located at 6685 Bull Moose Court, Marshall District, Marshall, Virginia. (Andrew Hushour, Staff)

Mr. Hushour reviewed the application.

ZONING VARIANCE #ZNVA11-CR-004, MT. CARMEL BAPTIST CHURCH/MT. CARMEL BAPTIST CHURCH, TRUSTEES (OWNERS)/JOHN H. JAMES (APPLICANT) – MT. CARMEL BAPTIST CHURCH

Applicant is requesting variances to reduce the required ninety (90) foot front setback to allow for the construction of two additions and the required twenty-five (25) foot rear setback for an existing structure, PIN #7817-96-8336-000 and 7817-96-6101-000, located at 12714

Elk Run Road and 12734 Elk Run Road, Cedar Run District, Midland, Virginia. (Wally Horton, Staff)

Mr. Horton reviewed the application.

SPECIAL PERMIT #SPPT11-CR-005, WALNUT GROVE BAPTIST CHURCH, TRUSTEES & ANDRE E. MARSHALL (OWNERS)/REVEREND LEON JACKSON, PASTOR AND ANDRE E. MARSHALL (APPLICANTS) – WALNUT GROVE BAPTIST CHURCH

Applicants are requesting special permit approval to allow for the expansion of an existing place of worship, PIN #6992-88-8892-000 and 6992-89-9182-000, located at 8909 Meetze Road and 8905 Meetze Road, Cedar Run District, Warrenton, Virginia. (Andrew Hushour, Staff)

Mr. Hushour reviewed the application.

SPECIAL PERMIT #SPPT11-LE-006, MOUNT HOLLY BAPTIST CHURCH, TRUSTEES (OWNERS/APPLICANTS) – MOUNT HOLLY BAPTIST CHURCH

Applicants are requesting special permit approval to allow for the expansion of an existing place of worship, PIN #6895-48-2918-000, located at 6172 Sumerduck Road, Lee District, Remington, Virginia. (Andrew Hushour, Staff)

Mr. Hushour reviewed the application.

SPECIAL PERMIT #SPPT11-CR-007, DONALD H. & LINDA LECHER (OWNERS/APPLICANTS) – TOP DOG RESORT, INC.

Applicants are requesting special permit approval to operate a dog boarding facility, PIN #7931-45-2390-000, located at 2591 Carriage Ford Road, Cedar Run District, Catlett, Virginia. (Wally Horton, Staff)

Mr. Horton 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, October 7, 2010, 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; Mr. Wally Horton, Senior Planner; and Mrs. Fran Williams, Administrative Specialist.

MINUTES:

On motion made by Mr. Tufts and seconded by Mr. Russell, it was moved to approve the September 2, 2010 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.

REVISIONS TO THE AGENDA:

On motion made by Mr. Brown and seconded by Mr. Tufts, it was moved to amend the agenda to consider Item #3 (Zoning Appeal #ZNAP11-SC-002, Wilshire Limited Partnership) as Item #8.

The motion carried unanimously.

SPECIAL PERMIT #SPPT10-CR-006, STEVEN BRYANT (OWNER/APPLICANT) – BRYANT’S POWERWASHING

Applicant is requesting an amendment to a previously approved special permit for a small contracting business as a major home occupation, PIN #7931-17-2097-000, 7931-16-1895-000, and 7931-16-0895-000, located at 9529 Elk Run Road, Cedar Run District, Catlett, Virginia. (Andrew Hushour, Staff) *Note: Public hearing was closed on October 1, 2009.*

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

Mr. Meadows noted that the public hearing was previously closed on October 1, 2009.

Mr. Steve Bryant, applicant, expressed agreement with the staff report and stated that he will make the necessary adjustments so that there are only five employees of the business.

Mr. Brown requested clarification on the type of business that will be operated at the site and how the waste water will be disposed of.

Mr. Bryant stated that he will only be operating the powerwashing business from this location. Mr. Bryant also noted that when he goes to a client's property, he uses their water for the powerwashing and there are no heavy detergents that need to be disposed of.

Mr. Meadows inquired about the storage of solvents used in the powerwashing business.

Mr. Bryant stated that he only uses cleansers that can be purchased by any homeowner at one of the local home improvement stores.

On motion made by Mr. Brown 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. All activity related to the small contracting business shall be limited to Mondays through Saturdays, between the hours of 8:00 a.m. and 6:00 p.m.
3. Activity related to the small contracting business in the residence shall be limited to the 672 square foot office located in the southeast corner of the residence, and no more than 800 square feet of the attached garage, as shown on the approved Special Permit Plat.

4. The outdoor storage area, which includes the area used for employee parking, shall not exceed 5,000 square feet and shall be located in the rear of the residence.
5. No more than five (5) commercial vehicles related to the small contracting business shall be stored on-site, and only in the outdoor parking and storage area identified on the Special Permit Plat.
6. No more than five (5) persons, including the owner/applicant, involved in the business shall work from or visit the property on a daily basis.
7. Access to and from the residence for business activity shall be limited to the rear entrance of the residence.
8. All existing vegetation shall be preserved on the property in order to provide a natural vegetative screening of the site. This shall be in addition to any landscaping required pursuant to the Zoning Ordinance as a part of the site plan review process.
9. A Certificate of Occupancy is required for the residence and a site plan is required for the small contracting business prior to the commencement of any business related operations on-site.
10. This permit shall expire on October 7, 2011 and may be renewed by the applicant pursuant to Section 5-202.10 of the Zoning Ordinance.

The motion carried unanimously.

**ZONING VARIANCE #ZNVA11-MA-003, KATHLEEN W. TAYLOR
(OWNER/APPLICANT) – TAYLOR PROPERTY**

Applicant is requesting a variance to reduce the required one hundred (100) foot setback to allow for an addition to an existing barn, PIN #6946-51-2358-000, located at 6685 Bull Moose Court, Marshall District, Marshall, 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. Kathleen Taylor, applicant, expressed agreement with the staff report.

Mr. Brown asked if it would be possible to put the storage shed in another location on the property.

Ms. Taylor stated that this would not be possible due to the topography of the property and the location of the well and drainfield.

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 variance, after due notice and hearing, as required by *Code of Virginia* §15.2-2204 and Section 13-402 of the Fauquier County Zoning Ordinance, based upon the following Board findings:

1. That the strict application of the Zoning Ordinance would result in unnecessary, unreasonable, or undue hardship to the property owner; and
2. That the need for the variance is not shared generally by other properties in the same zoning district and the same vicinity and is not of so general or recurring a nature as to make reasonably practical the formation of a general regulation to be adopted as an amendment to the Ordinance; and
3. That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance; and
4. That such variance is necessary in order to afford relief, is not contrary to the intent and purpose of the Ordinance, and results in substantial justice being done.

The variance 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 variance application except as specifically modified by the conditions below or as are necessary to meet Zoning Ordinance requirements.
2. The barn is limited in size to 814 square feet and can be used to storage no more than two (2) animals and associated hay and/or feed.
3. The barn shall be located no closer than ninety-six (96) feet to the western side property line and no closer than thirty-five (35) feet to the southern rear property line.
4. The special permit is granted permitting the reduction of the side yard requirements for the existing 24' x 24' barn for two animals.
5. All applicable permits for the proposed barn addition shall be obtained prior to the commencement of construction activities, and all necessary inspections completed prior to occupancy.

After further discussion, the motion carried 3 - 2, as follows:

AYES: Mr. Tufts, Mr. Russell, Mr. Meadows

NAYS: Mr. Brown, Mrs. Cooper

ABSTENTION: None

ABSENT: None

ZONING VARIANCE #ZNVA11-CR-004, MT. CARMEL BAPTIST CHURCH/MT. CARMEL BAPTIST CHURCH, TRUSTEES (OWNERS)/JOHN H. JAMES (APPLICANT) – MT. CARMEL BAPTIST CHURCH

Applicant is requesting variances to reduce the required ninety (90) foot front setback to allow for the construction of two additions and the required twenty-five (25) foot rear setback for an existing structure, PIN #7817-96-8336-000 and 7817-96-6101-000, located at 12714 Elk Run Road and 12734 Elk Run Road, Cedar Run District, Midland, 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.

Mr. John James, applicant, expressed agreement with the staff report with the exception of the portion regarding the pavilion. Mr. James stated that the pavilion was located on the property believing that a line of trees marked the property line. However, when a survey was done, it was found that the property line was actually ten (10) feet closer than originally thought.

Mr. Charles Floyd, representative, stated that it would be a hardship for the church to move the pavilion because of the effort and cost involved. Mr. Floyd suggested that a row of staggered evergreens could be planted as a screen between the pavilion and the adjacent property.

Reverend Peyton Embrey, Pastor, spoke in support of the granting of the requested variances.

Mr. Meadows suggested that a boundary line adjustment might alleviate this issue.

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

After discussion, on motion made by Mr. Brown and seconded by Mr. Tufts, it was moved to ***grant*** the variance related to the ***additions***, after due notice and hearing, as required by *Code of Virginia* §15.2-2204 and Section 13-402 of the Fauquier County Zoning Ordinance, based upon the following Board findings:

1. That the strict application of the Zoning Ordinance would result in unnecessary, unreasonable, or undue hardship to the property owner; and

2. That the need for the variance is not shared generally by other properties in the same zoning district and the same vicinity and is not of so general or recurring a nature as to make reasonably practical the formation of a general regulation to be adopted as an amendment to the Ordinance; and
3. That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance; and
4. That such variance is necessary in order to afford relief, is not contrary to the intent and purpose of the Ordinance, and results in substantial justice being done.

The variance 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 variance application except as specifically modified by the conditions below or as are necessary to meet Zoning Ordinance requirements.
2. The northernmost addition shall not be located closer than fifty-three (53) feet from the centerline of Elk Run Road and shall be limited to 804 square feet in size.
3. The southernmost addition shall not be located closer than fifty-eight (58) feet from the centerline of Elk Run Road and shall be limited to 609 square feet in size.

The motion carried unanimously.

On motion made by Mr. Brown and seconded by Mrs. Cooper, it was moved to ***deny*** the variance related to the ***pavilion***, after due notice and hearing, as required by *Code of Virginia* §15.2-2204 and Section 13-402 of the Fauquier County Zoning Ordinance, based upon the following Board findings:

1. That the strict application of the Ordinance does not produce an unnecessary, unreasonable, or undue hardship to the property owner; and
2. That the variance is contrary to the intent and purpose of the Zoning Ordinance.

The motion carried unanimously.

SPECIAL PERMIT #SPPT11-CR-005, WALNUT GROVE BAPTIST CHURCH, TRUSTEES & ANDRE E. MARSHALL (OWNERS)/REVEREND LEON JACKSON, PASTOR AND ANDRE E. MARSHALL (APPLICANTS) – WALNUT GROVE BAPTIST CHURCH

Applicants are requesting special permit approval to allow for the expansion of an existing place of worship, PIN #6992-88-8892-000 and 6992-89-9182-000, located at 8909 Meetze Road and 8905 Meetze Road, Cedar Run 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. Charles Floyd, representative, expressed agreement with the staff report.

Mr. Andre Marshall, applicant, 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. 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 area encumbered by this Special Permit is limited to that land area shown on the approved Special Permit Plat, which is generally described as 0.961 acres on PIN #6992-88-8892, and an approximate one (1) acre portion of PIN #6992-89-9182, which is to be boundary line adjusted into PIN #6992-88-8892 prior to site plan approval.
3. The proposed addition shall be no greater than 10,000 square feet in size.
4. The use of the existing church edifice shall be limited for use as a fellowship hall, or similar accessory use.
5. A vegetative screen consisting of a row of staggered evergreen trees shall be installed along that portion of the new eastern property line adjacent to the existing residence located on property identified as PIN #6992-99-2188. The plantings must be appropriately spaced at the time of planting to ensure proper screening upon maturity.
6. Parking for the church and all related activities shall be limited to those designated parking areas on the approved Special Permit Plat.

The motion carried unanimously.

SPECIAL PERMIT #SPPT11-LE-006, MOUNT HOLLY BAPTIST CHURCH, TRUSTEES (OWNERS/APPLICANTS) – MOUNT HOLLY BAPTIST CHURCH

Applicants are requesting special permit approval to allow for the expansion of an existing place of worship, PIN #6895-48-2918-000, located at 6172 Sumerduck Road, Lee District, Remington, 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. Lonnie Whetzel, representative, expressed agreement with the staff report.

Reverend Charles Campbell, Pastor, spoke in support of the granting of this special permit.

Mr. Jim Van Luven, Lee District, 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 Mrs. Cooper, 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 proposed addition shall be no greater than 2,900 square feet in size, and shall not be utilized for worship services or classroom instruction.
3. A vegetative screen approximately one hundred (100) feet in length and consisting of a row of staggered evergreen trees shall be installed along that portion of the eastern property line adjacent to the existing residence located on property identified as PIN# 6895-49-5226. The plantings must be appropriately spaced at the time of planting to ensure proper screening upon maturity. A final determination as to the exact location of this vegetative screen along the eastern property line will be determined by the Zoning Administrator at the time of site plan approval.

The motion carried unanimously.

SPECIAL PERMIT #SPPT11-CR-007, DONALD H. & LINDA LECHER (OWNERS/APPLICANTS) – TOP DOG RESORT, INC.

Applicants are requesting special permit approval to operate a dog boarding facility, PIN #7931-45-2390-000, located at 2591 Carriage Ford Road, Cedar Run District, Catlett, 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. Linda Lecher, applicant, expressed agreement with the staff report.

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

On motion made by Mrs. Cooper 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 Board's 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 plans 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 associated with the business are limited to Mondays through Saturdays, from 9:00 a.m. until 8:00 p.m., and Sundays and holidays from 2:00 p.m. until 8:00 p.m.
3. No more than fifty (50) dogs shall be allowed on the property at any one time, including those animals associated with the business operating on-site and personal pets.
4. All dogs kept at Top Dog Resort shall weigh 25 pounds or less.
5. Arrivals to Top Dog Resort shall be by appointment only.
6. Arriving and departing dogs shall be leashed at all times.
7. The Applicant shall make provisions for maintenance of the vegetation and trees.
8. All animal waste shall be properly disposed of at the County landfill or at a County collection site for transfer to the County landfill.
9. No extension of the existing, approximately three (3) acre fenced area is authorized, and the tree buffer to the front of the existing fenced area shall be maintained along with the black mesh screening on the existing fence.
10. No employees other than the applicants, Donald H. and Linda P. Lecher, shall be allowed.
11. No sign larger than sixteen (16) square feet shall be allowed for the use, and the applicants shall make application for all signage on the premises within thirty (30) days of the issuance of this Special Permit.
12. A site plan is required for this use.
13. This special permit shall be granted for a period of five (5) years.

The motion carried unanimously.

ZONING APPEAL #ZNAP11-SC-002, WILSHIRE LIMITED PARTNERSHIP (OWNER)/CHARLES JENKINS (APPLICANT)

Applicant is appealing a Zoning Administrator's determination regarding display, a produce vendor, located in a required front yard, PIN #6995-88-5503-000, located at 5599 Lee Highway, Scott District, Warrenton, Virginia. (Andrew Hushour, Staff) *Note: This is a public meeting, not a public hearing.*

Mr. Charles Jenkins, appellant, requested a postponement on this item until the next regularly scheduled meeting.

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

The motion carried unanimously.

OTHER BUSINESS:

Mr. Hushour stated that Ms. Carolyn Calarco (Zoning Variance #ZNVA11-MA-002 – Peaceful Haven Alpacas) has requested a reconsideration of her application, which was denied on September 2, 2010.

Mark Hyson, Esquire, representative, stated that he has additional information regarding the topography and drainage issues affecting the property and would like to present this to the Board for reconsideration.

On motion made by Mr. Brown and seconded by Mrs. Cooper, it was moved to reconsider this item at the next regularly scheduled meeting.

The motion carried unanimously.

After discussion, on motion made by Mr. Tufts and seconded by Mrs. Cooper, it was moved to schedule this item for reconsideration when the applicant is prepared to present the additional information to the Board.

The motion carried unanimously, as amended.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 3:35 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.