

**MINUTES OF
FAUQUIER COUNTY BOARD OF ZONING APPEALS
MARCH 5, 2009**

The Fauquier County Board of Zoning Appeals held its regularly scheduled meeting on Thursday, March 5, 2009, 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. James W. Van Luven, Vice-Chairperson; Mr. Maximilian Tufts, Secretary; Mrs. Sonja R. Addison; Mrs. Mary North Cooper; Mr. Serf Guerra; and Mr. Harry Russell. Also present were Ms. Mary Catherine Sheridan, Assistant County Attorney; Mr. Andrew Hushour, Assistant Zoning Administrator; Mr. Wally Horton, Senior Planner; Mrs. Sandra O'Connell, Senior Planner; and Mrs. Fran Williams, Administrative Specialist.

MINUTES:

On motion made by Mr. Guerra and seconded by Mr. Van Luven, it was moved to approve the February 5, 2009 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 had been properly advertised, posted, and letters of notification sent to adjoining property owners.

SPECIAL PERMIT #SPPT09-CR-025, QUARLES OIL COMPANY, INC. (OWNER/APPLICANT) – LUBE PLANT LOAD RACK

Applicant is requesting special permit approval for petroleum products bulk storage in order to install nine (9) bulk lubricant storage tanks, PIN #6981-23-9887-000, located at 9683 James Madison Highway, Cedar Run District, Warrenton, Virginia. (Wally Horton, Staff)

Postponed.

SPECIAL PERMIT #SPPT09-LE-026, VIRGINIA ELECTRIC AND POWER COMPANY/DBA DOMINION VIRGINIA POWER (OWNER)/OLD DOMINION ELECTRIC COOPERATIVE (APPLICANT) – MARSH RUN POWER STATION

Applicant is requesting special permit approval to allow for a two (2) square foot directional sign, PIN #6898-21-1913-000, located at 12025 Lucky Hill Road, Lee District, Remington, Virginia. (Sandra O'Connell, Staff)

Mrs. O'Connell reviewed the staff report, a copy of which is attached to and made a part of these minutes.

Mr. Meadows opened the public hearing.

Mr. Jay Raymond, representative, expressed agreement with the staff report. Mr. Raymond stated that he would like to modify the application to locate the directional sign nineteen (19) feet off the centerline of the access road rather than the twelve (12) feet shown on the sketch, which was submitted with the application packet.

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

On motion made by Mrs. Addison and seconded by Mr. Van Luven, it was moved to deny 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 Code, based upon the following 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. One directional sign shall be allowed at the proposed location with a size no greater than two (2) square feet and height no greater than six (6) feet.
2. The sign shall be located nineteen (19) feet off the centerline of the access road.

The motion carried unanimously.

SPECIAL PERMIT #SPPT09-MA-027, FAWNBOROUGH, LLC
(OWNER/APPLICANT) – FAWNBOROUGH BED AND BREAKFAST

Applicant is requesting special permit approval to operate a bed and breakfast, PIN #6978-61-5737-000 and 6978-73-7229-000, located at 7349 Fawnborough Drive, Marshall District, Marshall, Virginia. (Drew Hushour, Staff)

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

Mr. Meadows opened the public hearing.

Mark Hyson, Esquire, representative, expressed agreement with the staff report. Mr. Hyson emphasized that this will be a low impact use since it will be centered around events at Great Meadow and there will be off-site laundry and food services.

Mr. Russell asked if the applicant is proposing any signage with this application.

Mr. Hyson stated the applicant does not intend to request any additional signage.

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

On motion made by Mr. Russell and seconded by Mr. Van Luven, 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 Code, 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.
7. The type and amount of traffic generated by the facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road usage.

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 bed and breakfast is limited to three (3) rooms in the existing estate house.
3. A site plan is required for this use and must be submitted to the Department of Community Development within sixty (60) days following BZA approval.

The motion carried unanimously.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 2: 15 p.m.

John R. Meadows, Chairperson

Maximilian A. Tufts, Jr., 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.