

**MINUTES OF
FAUQUIER COUNTY BOARD OF ZONING APPEALS
JANUARY 4, 2007**

AN ADJOURNED MEETING OF THE FAUQUIER COUNTY BOARD OF ZONING APPEALS WAS HELD ON JANUARY 4, 2007 AT 11:00 A.M. IN WARRENTON, VIRGINIA.

Members present were Mr. John Meadows, Chairperson; Mrs. Margaret Mailler, Vice-Chairperson; Mr. James W. Van Luven, Secretary; Mrs. Carolyn Bowen; Mr. Serf Guerra; and Mr. Maximilian Tufts. Also present were Mr. Doug Morgan, Senior Planner; and Mr. Todd Benson, Assistant Zoning Administrator.

Mr. Morgan reviewed the site visit agenda and stated that there would be one (1) site visit as follows:

1. EZRA Leadership Institute

With no further business, the meeting was adjourned at approximately 11:40 a.m., to reconvene at 2:00 p.m. at 10 Hotel Street, Warren Green Meeting Room, Warrenton, Virginia.

MEETING:

The Fauquier County Board of Zoning Appeals held its regularly scheduled meeting on Thursday, January 4, 2007, beginning at 2:00 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. John Meadows, Chairperson; Mrs. Margaret Mailler, Vice-Chairperson; Mr. James W. Van Luven, Secretary; Mrs. Carolyn Bowen; Mr. Serf Guerra; and Mr. Maximilian Tufts. Member absent was Mr. Roger R. Martella, Jr. Also present were Mrs. Tracy Gallehr, Deputy County Attorney; Ms. Kimberley Johnson, Zoning Administrator; Mr. Todd Benson, Assistant Zoning Administrator; and Mrs. Fran Williams, Administrative Specialist.

ELECTION OF OFFICERS:

Ms. Gallehr asked for the nomination of BZA officers for 2007.

On motion made by Mr. Tufts and seconded by Mrs. Bowen, it was moved to nominate Mr. Meadows as Chairperson; Mrs. Mailler as Vice-Chairperson; and Mr. Van Luven as Secretary.

The motion carried unanimously.

MINUTES:

On motion made by Mrs. Mailler and seconded by Mr. Van Luven, it was moved to approve the November 2, 2006 minutes.

The motion carried unanimously.

LETTERS OF NOTIFICATION AND PUBLIC NOTICE:

Mrs. Williams read the Public Hearing protocol. Mr. Benson 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. However, Mr. Benson noted that the legal ad for EZRA Leadership Institute indicated that the property is located on Pilgrims Rest Road, when in fact, it is located on Pilgrims Rest Road East. After consultation with the County Attorney's office and Mr. John Foote, applicant's representative, it was decided to move forward with this application.

SPECIAL PERMIT #SPPT07-CR-012, JAMES R. & DIANA L. MORRIS (OWNERS/APPLICANTS)

Applicants are requesting special permit approval to operate a small contracting business as a home occupation, PIN #7847-76-4033-000, located at 12429 Tower Hill Road, Cedar Run District, Midland, Virginia.

Mr. & Mrs. Morris have submitted a request, a copy of which is attached to and made a part of these minutes, to withdraw this application.

SPECIAL PERMIT #SPPT07-SC-013, EZRA LEADSHIP INSTITUTE (OWNER/APPLICANT)

Applicant is requesting special permit approval to operate a retreat facility, PIN #7916-09-5069-000, located at 6216 Pilgrims Rest Road East, Scott District, Warrenton, Virginia.

Mr. Benson reviewed the staff report, a copy of which is attached to and made a part of these minutes, and stated that a site visit was made earlier in the day. Mr. Benson stated that he has received several letters from surrounding property owners expressing concerns about increased traffic along Pilgrims Rest Road East and Finchingfield Road, access from U. S. Route 29, and various environmental issues.

Mrs. Bowen inquired if a directional sign would be allowed. Mr. Benson indicated that the Zoning Ordinance does not allow directional signs for this use.

Mr. Meadows opened the public hearing.

John Foote, Esquire, representative, expressed agreement with the staff report. Mr. Foote reviewed the applicant's proposal and stated that there will be no outdoor speaker systems and that, to date, no lighting plan has been designed.

Reverend Wong Sang Lee, applicant, briefed the Board on the history of the EZRA Leadership Institute and stated that it is his intention to minimize any inconvenience to his neighbors and to give something back to the community.

Mr. Van Luven asked if missionaries will be trained and then sent to other areas of the world.

Reverend Lee responded that it is his intention to recruit and train new missionaries and also provide a retreat for missionaries who return on furlough to rest in quiet surroundings. Reverend Lee further stated that he does not plan to rent this facility to other organizations, but would like to open it up to those in the community (i.e., homeowner's association) to gather once or twice a year.

Mrs. Mailler requested clarification on which thirty-two (32) weeks of the year the retreat would be used.

Reverend Lee stated that he felt that requesting this time period would be more manageable for his organization and cause fewer problems for his neighbors.

Mr. Foote added that while training will occur at this facility, it is not a school, and those who attend the retreat will be there for brief periods of time.

Mr. Guerra asked if the facility would be open to other Presbyterian churches.

Mr. Foote responded that the facility would be for the use of EZRA Leadership Institute, but community events would be allowed subject to a limitation on the number of people.

Mr. Guerra requested clarification on the proposed number of staff members that will be on-site at all times and if they will be able to care for the needs of fifty (50) retreatants.

Reverend Lee stated that while there will only be four (4) staff members who will stay on-site, the missionary trainees will be doing most of the actual work (i.e., cleaning, cooking, dishwashing, etc.) as part of their life education, which is an aspect of their missionary training.

Mr. Guerra questioned if adequate water and sewer facilities will be available.

Mr. Foote stated that while no well site has been identified, Dominion Soil Services has assured them that there is ample area for a drainfield site based on the proposed usage. Mr. Foote continued that they will be required to meet Health Department requirements for both sewer and water and, without their approval, this use will not be allowed.

Mrs. Mailler stated that the only exit from Pilgrims Rest Road East is onto Route 29, which could cause a problem in the event of an accident.

Mr. Arthur Miles, a neighbor, stated that he is in opposition to the granting of this special permit. Mr. Miles expressed concern about the fact that, while EZRA Leadership Institute has a vision for this project, there is no clear definition of what is actually proposed. Mr. Miles expressed further concern about traffic issues as well as what will happen if this property is sold to others.

Mr. Erik Johnson, a neighbor, spoke in opposition to the granting of this special permit. Mr. Johnson echoed the thought that nothing has been defined about the proposed use and expressed further concern about water and sewer usage, property values, domestic tranquility, and traffic issues.

Mrs. Barbara Severin, a neighbor, commended Reverend Lee and his associates for their efforts to bring life back to a farm that had been neglected and for being thoughtful members of the community. However, Mrs. Severin expressed concerns about the potential run-off from what will be substantially increased amounts of waste water as well as the possibility of other groups being allowed to use this facility. Mrs. Severin stated that if this application is approved she would like to see conditions imposed relating to these issues as well as other items (i.e., water use, drainage issues, future expansion of the project, lighting, and noise) addressed in her letter to the Board, a copy of which is attached to and made a part of these minutes.

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

After discussion, the Board requested additional information they would like in order to clarify exactly what is proposed, including the following items:

- Corners of the proposed structure staked in the field or imposed on an aerial;
- A balloon to indicate the height of the proposed structure;
- Location of the parking area staked in the field;
- Current traffic counts;
- Maximum number of retreatants and staff that will be on-site;
- Clarification on whether others will be allowed to use the facility;
- How drainage issues will be addressed;
- Access on the loop for emergency purposes only;
- All proposed uses.

On motion made by Mr. Guerra and seconded by Mrs. Bowen, it was moved to postpone action on this application until the next regularly scheduled meeting.

The motion carried unanimously.

OTHER BUSINESS:

Ms. Johnson asked if members of the Board would like advance copies of proposed Zoning Ordinance text amendments. Mr. Van Luven indicated that he would like to receive these in advance.

Ms. Johnson stated that the Board will be provided updated Zoning Ordinances in the near future.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 3:10 p.m.

John R. Meadows, Chairperson

James W. Van Luven, 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 year.