

**MINUTES OF  
FAUQUIER COUNTY BOARD OF ZONING APPEALS  
FEBRUARY 1, 2007**

The Fauquier County Board of Zoning Appeals held its regularly scheduled meeting on Thursday, February 1, 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; Mr. Maximilian Tufts; and Mr. Roger R. Martella, Jr. Also present were Mrs. Tracy Gallehr, Deputy County Attorney; Mr. Todd Benson, Assistant Zoning Administrator; and Mrs. Fran Williams, Administrative Specialist.

**MINUTES:**

On motion made by Mrs. Mailler and seconded by Mr. Van Luven, it was moved to approve the January 4, 2007 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.

**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 last month. Mr. Benson also stated that the applicant has revised their Statement of Intent to reduce the number of parking spaces to thirty (30) and withdraw their request for an off-site sign. Mr. Benson further stated that he has received traffic counts from the Virginia Department of Transportation (VDOT) for Pilgrims Rest Road East; however, the most current figures (490 vehicle trips per day) are from 2001.

Mr. Martella stated that while the proposed retreat would be limited to the 15.29 acre parcel, it is his understanding that the applicant owns a total of approximately 221 acres. Mr. Martella requested clarification on what is proposed for the additional property.

Mr. Benson stated that the applicant actually owns approximately 15 additional acres and the remainder, the majority of which is currently in an open space easement, is owned by EZRA International, Inc., a closely related organization.

Mrs. Mailler expressed concern that the traffic counts received from the Virginia Department of Transportation (VDOT) were from 2001. Mrs. Mailler stated that these traffic counts are far too old since additional development has occurred in the area since 2001 which has caused an increase in the amount of traffic, including a number of young drivers.

Mr. Meadows stated that the public hearing remained open.

John Foote, Esquire, representative, expressed agreement with the staff report. Mr. Foote stated that he has worked with Staff to prepare proposed conditions that he believes will alleviate many of the neighbor's concerns.

Mr. Arthur Miles, a neighbor, stated that he is in opposition to the granting of this special permit for a variety of reasons, including water, sewer and parking issues; increased traffic, and the number of trees that will need to be cleared for the proposed facility. Mr. Miles also expressed concern about the precedent that approval of this special permit will set.

Mr. Erik Johnson, a neighbor, stated that he is also in opposition to the granting of this special permit and expressed concerns about water and sewer issues, increased traffic, property values, and the precedent that would be set if this application is approved. Mr. Johnson further stated that there is always a possibility that these two corporations (EZRA Leadership Institute and EZRA International, Inc.) could merge.

Mr. Mark Brown, a neighbor, spoke in opposition to the granting of this special permit because the description of what is proposed is so vague, the negative impact the proposed facility will have on residents' quality of life, as well as water and issues.

Mrs. Barbara Severin, a neighbor, expressed concern that this proposed project will have a major impact on the area. Mrs. Severin noted that the proposed structure is 17,000 square feet. However, if the building is two stories, this would actually be a total of 34,000 square feet. Mrs. Severin stated that much of the wooded area has been cleared and that wildlife in the area has been seriously impacted. Mrs. Severin further stated that if the application is approved, she would like to see conditions imposed to stipulate that the roof line will not be substantially higher than that of the house and that there be permeable surfaces wherever possible.

Mr. Guerra requested clarification as to whether Mrs. Severin is opposed to the project as it stands now.

Mrs. Severin stated that she is primarily concerned about the potential water, sewer, drainage, run-off and visual impacts this proposal might have, but she does feel there are worse things that could be placed on this property.

Mr. Keith Severin, a neighbor, expressed concern about the increasing amount of traffic on Pilgrims Rest Road East (Route 625). Mr. Severin stated that he has been driving since 1945 and the only accident he has ever been involved in was at the crest on Pilgrims Rest Road East (Route 625).

Mr. John "Jack" Lash, a neighbor, stated that he is in support of the granting of this special permit for a retreat.

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

On motion made by Mrs. Mailler and seconded by Mr. Meadows, 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 findings:

1. The proposed use will adversely affect the use or development of neighboring properties.
2. Pedestrian and vehicular traffic generated by the proposed use will be in conflict with existing patterns in the neighborhood.
3. The use is incompatible with the neighborhood in which it is to be placed.

After discussion, the motion failed 5 – 2, as follows:

AYES: Mrs. Mailler, Mr. Meadows

NAYS: Mr. Van Luven, Mr. Tufts, Mrs. Bowen, Mr. Guerra, Mr. Martella

ABSTENTION: None

ABSENT: None

On motion made by Mrs. Bowen and seconded by Mr. Guerra, 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 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 specific standards for retreats contained in Section 5-603 of the Zoning Ordinance.

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. Use Parameters:
  - a. The Property shall be developed in conformance with these conditions and the plan entitled "Special Permit Site Plan," prepared by DRH Design Group, Inc., dated October 19, 2006, (the "Plan"). The Property subject to this Special Permit shall consist of the entire 15.29 acre area shown on the Plan. The architectural design of the center shall be in general conformance with "Retreat Center for EZRA Leadership Institute," prepared by Architecture Design Concepts, P.C., dated August 28, 2006.
  - b. The use of the Property shall be limited to a religious residential facility, for use by missionary candidates, ministerial candidates, and church leaders to assemble for periods of prayer, meditation, and study, and for periods of quiet, study, and contemplation by missionaries returning from assignment.
  - c. Uses permitted on the Property shall comprise not more than twenty-six (26) rooms housing retreatants in the structure to be built on the premises and the existing house on the property, and those structures depicted on the Plan.
  - d. The number of visitors shall not exceed fifty (50) at any one time except as set forth in Condition 4.
  - e. Retreatants shall be accommodated on the Property not more than thirty-two (32) weeks in any calendar year, and individual sessions shall be permitted to run not more than four (4) weeks for any one session.
  - f. The maximum number of staff members shall be four (4), of whom two (2) may reside overnight on the Property.
2. Primary Access to the site shall be provided as shown on the Plan, provided that Finchingfield Road may be used for emergency vehicle access. In the event that the Zoning Administrator determines, in the exercise of her sole discretion, that there is

excessive use of alternative access by means of existing roads, she may require the construction of breakaway gates or other gate structures acceptable to fire and rescue services in order to restrict the use of such alternative access.

3. Parking and loading areas shall be screened from Finchingfield Road and Pilgrims Rest Road East.
4. Notwithstanding any other provision of these conditions, the premises may be used not more than twice per calendar year for daytime fundraising activities on days when there are no regular program sessions in progress, not to exceed 100 participants.
5. Activities will be limited to PIN #7916-09-5069-000.
6. The roof shall be terne metal, painted on-site with a paint and in a manner to minimize reflectiveness of the roof.
7. There shall be no adverse human health or environmental impacts arising from any waste treatment or disposal system, nor shall there be any off-site odor from the same.
8. There shall be no adverse impact on off-site wells arising from water use on the site.
9. The special permit shall be granted for twenty-five (25) years from the date of site plan approval.
10. All parking and driveway areas are to be permeable, except for the first 50' of the driveway where it connects to Pilgrims Rest Road East.

The motion carried 6 – 1, as follows:

AYES: Mrs. Bowen, Mr. Guerra, Mr. Meadows, Mr. Van Luven, Mr. Tufts,  
Mr. Martella

NAYS: Mrs. Mailler

ABSTENTION: None

ABSENT: None

**OTHER BUSINESS:**

Mr. Benson requested that Board members bring in their Zoning Ordinances so that they can be updated.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 3:25 p.m.

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John R. Meadows, Chairperson

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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.*