

**MINUTES OF  
FAUQUIER COUNTY PLANNING COMMISSION  
April 25, 2013**

**Work Session  
12:30 p.m.  
Warren Green Building  
Second Floor Conference Room  
10 Hotel Street, Warrenton, Virginia**

*The Fauquier County Planning Commission held a Work Session on Thursday, April 25, 2013, beginning at 12:30 p.m., in the Warren Green Building, Second Floor Conference Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Adrienne Garreau, Chairperson; Mr. John Meadows, Vice-Chairperson; Mr. Dell Ennis, Secretary; Mr. Bob Lee, and Mr. Ken Alm. Also present were Ms. Tracy Gallehr, Ms. Kimberley Johnson, Mrs. Susan Eddy, Ms. Holly Meade, Mr. Rob Walton, Mr. Adam Shellenberger, Mr. Don Del Rosso and Chief Thomas Billington.*

**COMPREHENSIVE PLAN AMENDMENT/REZONING/SPECIAL EXCEPTIONS – CPAM12-CR-003, REZN13-CR-001, SPEX13-CR-014, SPEX13-CR-015, SPEX13-CR-016, SPEX13-CR-017, & SPEX13-CR-018 – JUNIPER TREE PROPERTIES, LC/OAK TREE PROPERTIES, LLC (OWNERS/APPLICANTS) – OPAL GATEWAY**

Mr. Shellenberger reviewed the application.

**16<sup>th</sup> ADDITION TO THE ORLEAN/HUME AGRICULTURAL AND FORESTAL DISTRICT**

Mr. Del Rosso reviewed the application.

**12<sup>th</sup> ADDITION TO THE UPPERVILLE AGRICULTURAL AND FORESTAL DISTRICT**

Mr. Del Rosso reviewed the application.

**TELECOMMUNICATION SPECIAL EXCEPTION – TWSE13-SC-004 – VINT HILL ECONOMIC DEVELOPMENT AUTHORITY (OWNER)/PRINCE WILLIAM COUNTY (APPLICANT) – VINT HILL TOWER**

Mrs. Eddy reviewed the application.

**SPECIAL EXCEPTION – SPEX13-LE-011 – BEALTON FINANCIAL, LLC (OWNER)/FAUQUIER H&R RE, LLC (APPLICANT) – BEALETON HEALTH & REHABILITATION CENTER**

Mr. Shellenberger reviewed the application.

**CLOSED MEETING**

On motion made by Mr. Meadows and seconded by Ms. Garreau, it was moved to go into a closed meeting, pursuant to *Code of Virginia* Section 2.2-3711.A.(7) for the purpose of consultation with legal counsel relating to the Bealeton Health & Rehabilitation Center (SPEX13-LE-011).

The motion carried 5 – 0, as follows:

AYES: Mr. Meadows, Ms. Garreau, Mr. Ennis, Mr. Lee, Mr. Alm

NAYS: None

ABSTENTION: None

ABSENT: None

Upon reconvening from the closed meeting, Ms. Garreau read the following Certification of Closed Meeting:

The Fauquier County Planning Commission, having adjourned into a closed meeting this day for the purposes stated in the resolution authorizing such meeting, does hereby certify that to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and
2. Only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered in the closed meeting.

This certification shall be recorded in the minutes of the Planning Commission on motion of Mr. Meadows and seconded by Ms. Garreau.

The motion carried 5 – 0, as follows:

AYES: Mr. Meadows, Ms. Garreau, Mr. Ennis, Mr. Lee, Mr. Alm

NAYS: None

ABSTENTION: None

ABSENT: None

**COMPREHENSIVE PLAN AMENDMENT – CPAM13-LE-003** – A Comprehensive Plan Amendment to change the designation of certain properties within the Bealeton Service District.

Mr. Shellenberger reviewed the application.

**REZONING – REZN13-SC-002 – STAGECOACH AT BUCKLAND, LLC (OWNER/APPLICANT) – FORMERLY TED’S TACK SHACK**

Mr. Shellenberger reviewed the application.

**CLOSED MEETING**

On motion made by Mr. Meadows and seconded by Ms. Garreau, it was moved to go into a closed meeting, pursuant to *Code of Virginia* Section 2.2-3711.A.(7) for the purpose of consultation with legal counsel relating to the Stagecoach at Buckland, LLC (REZN13-SC-002).

The motion carried 4 – 0, as follows:

AYES: Mr. Meadows, Ms. Garreau, Mr. Ennis, Mr. Alm

NAYS: None

ABSTENTION: None

ABSENT: Mr. Lee

Upon reconvening from the closed meeting, Ms. Garreau read the following Certification of Closed Meeting:

The Fauquier County Planning Commission, having adjourned into a closed meeting this day for the purposes stated in the resolution authorizing such meeting, does hereby certify that to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and
2. Only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered in the closed meeting.

This certification shall be recorded in the minutes of the Planning Commission on motion of Mr. Meadows and seconded by Ms. Garreau.

The motion carried 4 – 0, as follows:

AYES: Mr. Meadows, Ms. Garreau, Mr. Ennis, Mr. Alm

NAYS: None

ABSTENTION: None

ABSENT: Mr. Lee

**ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Sections 4-600, 5-607 and 15-300 to allow affordable housing, supportive housing and transitional family housing facilities in the Planned Commercial Industrial Development (PCID) District with Special Exception approval, as well as establishing a definition for supportive housing.

Mr. Walton reviewed the proposed text amendment.

**ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Section 5-700 Regarding the Adaptive Use of Public and Quasi-Public Buildings.

Ms. Johnson reviewed the proposed text amendment.

**APPROVAL OF MINUTES – March 28, 2013**

Planning Commissioners discussed the March 28, 2013 minutes.

**BOARD OF ZONING APPEALS AGENDA**

Planning Commissioners discussed the agenda.

**TRANSPORTATION COMMITTEE AGENDA**

Planning Commissioners discussed the agenda.

The meeting was adjourned at 4:30 p.m.

**Regular Meeting**  
**6:30 p.m.**  
**Warren Green Meeting Room**  
**10 Hotel Street, Warrenton, Virginia**

*The Fauquier County Planning Commission held its regular meeting on Thursday, April 25, 2013, beginning at 6:30 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Adrienne Garreau, Chairperson; Mr. John Meadows, Vice-Chairperson; Mr. Dell Ennis, Secretary; Mr. Ken Alm and Mr. Bob Lee. Also present were Ms. Tracy Gallehr, Mrs. Susan Eddy, Mr. Rob Walton, Mr. Adam Shellenberger, Ms. Wendy Wheatcraft and Mr. Don Del Rosso.*

1. **APPROVAL OF MINUTES** – March 28, 2013

On motion made by Mr. Ennis and seconded by Mr. Meadows, it was moved to approve the March 28, 2013 minutes.

The motion carried unanimously.

2. **SPECIAL EXCEPTION – SPEX13-LE-011 – BEALTON FINANCIAL, LLC (OWNER)/FAUQUIER H&R RE, LLC (APPLICANT) – BEALETON HEALTH & REHABILITATION CENTER** – An application for a Category 6 Special Exception to allow for a continuing care facility. The property is located on the south side of Catlett Road, approximately 1,000 feet west of the intersection of Route 17 and Route 28, Lee District. (PIN 6899-05-7218-000) (Adam Shellenberger, Staff)

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

On motion made by Mr. Meadows and seconded by Mr. Ennis, it was moved to forward this item to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

3. **BOARD OF ZONING APPEALS AGENDA**

No comment.

4. **TRANSPORTATION COMMITTEE AGENDA**

No comment.

***Public Hearings***  
***6:30 p.m.***  
***Warren Green Meeting Room***  
***10 Hotel Street, Warrenton, Virginia***

1. **ANNOUNCEMENTS**

Ms. Garreau announced that public hearing item #5 for the Warrenton Airpark was withdrawn.

2. **CITIZENS' TIME**

None.

3. **16<sup>th</sup> ADDITION TO THE ORLEAN/HUME AGRICULTURAL AND FORESTAL DISTRICT**

Mr. Del Rosso reviewed the staff report, a copy of which are attached to and made part of these official minutes.

Ms. Garreau opened the public hearing,

In that there were no speakers, Ms. Garreau closed the public hearing.

On motion made by Mr. Lee and seconded by Mr. Meadows, it was moved to forward this item to the Board of Supervisors with a recommendation of approval subject to the following conditions:

**Joseph M. & Kay H. McClure**  
**16th Addition to the Orlean/Hume District**  
**Application #AGFD13-MA-001**

1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4312 of the *Code of Virginia* (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
  - a. For properties in the Agricultural and Forestal District, uses listed in Zoning Ordinance Sections 3-301 through 3-317 and Sections 3-319 through 3-332 that require a special permit shall instead require a special exception. Agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for

members of their immediate family shall be allowed as permitted under the Zoning Ordinance. No special exception permit shall be in conflict with the purposes for which the district was created.

- b. Only the following divisions of land are allowed within an Agricultural and Forestal District:
    - i. Family transfers.
    - ii. Large Lots divisions.
  - c. Boundary Line Adjustments are allowed between other Agricultural and Forestal Districts. If a boundary line adjustment occurs between different Districts, the area boundary line adjusted would not be allowed to withdraw from the District any sooner than the first opportunity under the District created.
2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the *Code of Virginia*.
  3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the *Code of Virginia*.
  4. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4311 of the *Code of Virginia*.
  5. If a parcel is divided or boundary line adjusted to less than 5 acres, the parcel shall be removed from the District.
  6. If any parcel is boundary adjusted or divided such that a newly created parcel contains less than 25 acres, then the parcel containing less than 25 acres shall be removed from the District. An exception to this rule shall be where such property is part of a working farm that is comprised of a contiguous collection of parcels under the same ownership; in such a case, any parcel containing less than 25 acres that is *sold* shall be removed from the District. Furthermore, if the contiguous collection of parcels under the same ownership is decreased to less than 25 acres, then all of the parcels in that collection shall be removed from the District.

The motion carried unanimously.

4. **12<sup>TH</sup> ADDITION TO THE UPPERVILLE AGRICULTURAL AND FORESTAL DISTRICT**

Mr. Del Rosso reviewed the staff report, a copy of which are attached to and made part of these official minutes.

Ms. Garreau opened the public hearing.

In that there were no speakers, Ms. Garreau closed the public hearing.

On motion made by Mr. Lee and seconded by Mr. Meadows, it was moved to forward this item to the Board of Supervisors with a recommendation of approval subject to the following conditions:

**Marianne Coale & Scott Randolph Robinson**  
**12th Addition to the Upperville District**  
**Application #AGFD13-MA-002**

1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4312 of the *Code of Virginia* (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
  - a. For properties in the Agricultural and Forestal District, uses listed in Zoning Ordinance Sections 3-301 through 3-317 and Sections 3-319 through 3-332 that require a special permit shall instead require a special exception. Agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family shall be allowed as permitted under the Zoning Ordinance. No special exception permit shall be in conflict with the purposes for which the district was created.
  - b. Only the following divisions of land are allowed within an Agricultural and Forestal District:
    - i. Family transfers.
    - ii. Large Lots divisions.
  - c. Boundary Line Adjustments are allowed between other Agricultural and Forestal Districts. If a boundary line adjustment occurs between different Districts, the area boundary line adjusted would not be allowed to withdraw from the District any sooner than the first opportunity under the District created.
2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the *Code of Virginia*.
3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the *Code of Virginia*.
4. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4311 of the *Code of Virginia*.



5. If a parcel is divided or boundary line adjusted to less than 5 acres, the parcel shall be removed from the District.
6. If any parcel is boundary adjusted or divided such that a newly created parcel contains less than 25 acres, then the parcel containing less than 25 acres shall be removed from the District. An exception to this rule shall be where such property is part of a working farm that is comprised of a contiguous collection of parcels under the same ownership; in such a case, any parcel containing less than 25 acres that is *sold* shall be removed from the District. Furthermore, if the contiguous collection of parcels under the same ownership is decreased to less than 25 acres, then all of the parcels in that collection shall be removed from the District.

The motion carried unanimously.

5. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Sections 4-600, 5-607 and 15-300 to allow affordable housing, supportive housing and transitional family housing facilities in the Planned Commercial Industrial Development (PCID) District with Special Exception approval, as well as establishing a definition for supportive housing. (Kimberley Johnson, Staff)

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

Ms. Garreau opened the public hearing.

In that there were no speakers, Ms. Garreau closed the public hearing.

On motion made by Ms. Garreau and seconded by Mr. Lee, it was moved to forward this item to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

6. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Section 5-700 Regarding the Adaptive Use of Public and Quasi-Public Buildings. (Kimberley Johnson, Staff)

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

Ms. Garreau opened the public hearing.

Mr. Bruce Morrow, Vice President of New Baltimore Volunteer Fire & Rescue Company, spoke in favor of this text amendment noting the re-use of the old firehouse has helped to generate income for paying utilities at the new facility.

In that there were no further speakers, Ms. Garreau closed the public hearing.

On motion made by Ms. Garreau and seconded by Mr. Meadows, it was moved to forward this item to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

7. **REZONING – REZN13-SC-002 – STAGECOACH AT BUCKLAND, LLC (OWNER/APPLICANT) – FORMERLY TED’S TACK SHACK** – An application to amend a previously approved rezoning to revise the proffers. The property is located at 6275 Vint Hill Road, Scott District. (PIN 7916-67-3029-000) (Adam Shellenberger, Staff)

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

Ms. Garreau opened the public hearing.

Mr. Wes Kennedy, applicant, responded to the Commissioners’ questions.

In that there were no further speakers, Ms. Garreau closed the public hearing.

After discussion, on motion made by Ms. Garreau and seconded by Mr. Meadows, it was moved to forward this item to the Board of Supervisors with a recommendation of approval subject to the revised proffer statement dated April 25, 2013.

The motion carried unanimously.

8. **TELECOMMUNICATION SPECIAL EXCEPTION – TWSE13-SC-004 – VINT HILL ECONOMIC DEVELOPMENT AUTHORITY (OWNER)/PRINCE WILLIAM COUNTY (APPLICANT) – VINT HILL TOWER** – A Category 20 Telecommunication Special Exception to install two (2) new microwave dishes on an existing tower and associated equipment. The property is located at 6830 Johnson Drive, Scott District. (PIN 7915-76-3083-000) (Wendy Wheatcraft, Staff)

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

Ms. Garreau opened the public hearing.

In that there were no speakers, Ms. Garreau closed the public hearing.

On motion made by Ms. Garreau and seconded by Mr. Ennis, it was moved to forward this item to the Board of Supervisors with a recommendation of approval subject to the following revised conditions:

**VINT HILL TOWER**  
**TWSE13-SC-004**

1. The tower shall conform to all Federal Communication Commission (FCC) and Federal Aviation Administration (FAA) regulations, including submission of the FCC license prior to release of the Site Plan.
2. The height of the tower shall not exceed 410 feet.
3. The two (2) microwave dishes, six feet in diameter, shall be of a material or color that matches the exterior of the existing telecommunications tower.
4. To ensure sufficient structural capacity of the tower, the applicant shall replace guy wires at the 91.4' and 180' elevations and reinforce diagonals from 162.845' to 180'. These improvements shall be shown on the Site Plan **prior to the installation of the new microwave dishes.**
5. **All landscaping shown on Site Plan SPAM13-SC-033 shall be implemented prior to the installation of the microwave dishes.**
6. Signals or lights or illumination shall not be permitted on any antenna, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County.
7. No commercial advertising or signs shall be allowed on the tower or associated structures.
8. Removal of the facility is subject to the terms identified in Section 11-107.2 of the Zoning Ordinance. The site shall be restored as closely as possible to its original condition.
9. Future replacement or addition of by-right antennas and associated equipment, which do not require Special Exception approval, shall be processed administratively.

The motion carried unanimously.

9. **COMPREHENSIVE PLAN AMENDMENT – CPAM13-LE-003** – A Comprehensive Plan Amendment to change the designation of certain properties within the Bealeton Service District. The affected properties are located along Oak Shade Road between Weaversville Road and Harley Drive. (PIN 6889-45-6575-000, 6889-45-9429-000, 6889-55-0261-000, 6889-55-0469-000, 6889-55-2511-000, 6889-55-3562-000, 6889-55-4111-000, 6889-55-9407-000, 6889-56-4266-000, and 6889-46-0388-000) (Adam Shellenberger, Staff)

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

Ms. Garreau opened the public hearing.

In that there were no speakers, Ms. Garreau closed the public hearing.

After discussion, on motion made by Mr. Meadows and seconded by Ms. Garreau, it was moved to forward this item to the Board of Supervisors with a recommendation of approval.

The motion carried 4-1, as follows:

AYES: Mr. Meadows, Ms. Garreau, Mr. Alm, and Mr. Lee

NAYS: Mr. Ennis

ABSTENTION: None

ABSENT: None

**OTHER BUSINESS**

None.

In that there was no further business, the meeting was adjourned at 7:09 p.m.

*A tape recording of the meeting, as well as the associated staff reports and attachments for each agenda item, are retained on file in the Department of Community Development's Planning Office, 10 Hotel Street, Third Floor, Warrenton, Virginia, for a period of one year.*

**THE AGENDA MAY BE MODIFIED ON ADOPTION  
BY THE PLANNING COMMISSION IN THE FORM OF  
ADDITIONS, DELETIONS OR REVISIONS**