

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
JUNE 24, 2010**

**Work Session
2:00 p.m.
Second Floor Conference Room, Warren Green Building,
10 Hotel Street, Warrenton, Virginia**

The Fauquier County Planning Commission held a Work Session on Thursday, June 24, 2010, beginning at 2:00 p.m., in the Warren Green Building, Second Floor Conference Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Ann McCarty, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. John Meadows, Secretary; Mr. Ken Alm, and Mr. Jim Stone. Also present were Mrs. Tracy Gallehr, Mr. Rick Carr, Mrs. Susan Eddy, Mrs. Kimberley Fogle, Mr. Andrew Hushour, Mrs. Cynthia Porter-Johnson, Mrs. Melissa Dargis and Mrs. Rebecca Kellert.

WAVR10-MA-030 – Robin Fetsch (Owner)/William Fetsch (Applicant) – Linden Hill Estates

Mrs. Porter-Johnson reviewed the staff report.

SPEX10-MA-020 – James W. & Edel M. Kunkel (Owners)/Edel M. Kunkel (Applicant) – Mountainside Montessori School

Mrs. Dargis reviewed the staff report.

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 pertaining to specific legal matters requiring the provision of legal advice by counsel relating to SPEX10-MA-020 – James W. & Edel M. Kunkel (Owners)/Edel M. Kunkel (Applicant) – Mountainside Montessori School.

The motion carried 5 – 0, as follows:

AYES: Mr. Meadows, Ms. Garreau, Mr. Alm, Ms. McCarty, Mr. Stone

NAYS: None

ABSTENTION: None

ABSENT: None

Upon reconvening from the closed meeting, Mr. Meadows 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. McCarty.

The motion carried 5 – 0, as follows:

AYES: Mr. Meadows, Ms. Garreau, Mr. Alm, Ms. McCarty, Mr. Stone

NAYS: None

ABSTENTION: None

ABSENT: None

Zoning Ordinance Text Amendment to Section 5-1301 relating to the setback of structures associated with kennels.

Mr. Hushour reviewed the proposed text amendment.

Board of Zoning Appeals Agenda

Mr. Hushour reviewed the agenda.

Public Green Building Policy

Mr. Alm reviewed the proposed policy.

Marshall Service District Plan Update

Mrs. Eddy reviewed updates to the plan.

Transportation Committee Agenda

Ms. Garreau reviewed the agenda.

Approval of Minutes – May 27, 2010

The Planning Commissioners discussed the May 27, 2010 minutes.

The meeting was adjourned at 5:00 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, June 24, 2010, beginning at 6:30 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Ann McCarty, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. John Meadows, Secretary; Mr. Ken Alm and Mr. Jim Stone. Also present were Mr. Kevin Burke, Mrs. Susan Eddy, Mrs. Melissa Dargis, Mr. Andrew Hushour, Mrs. Cynthia Porter-Johnson and Mrs. Rebecca Kellert.

1. **APPROVAL OF MINUTES** – May 27, 2010

On motion made by Ms. Garreau and seconded by Mr. Stone, it was moved to approve the May 27, 2010 minutes.

The motion carried unanimously.

2. **ZONING ORDINANCE WAIVER**

- **WAVR10-MA-030 – Robin Fetsch (Owner)/William Fetsch (Applicant) – Linden Hill Estates** – Applicant wishes to obtain a waiver of Zoning Ordinance Section 7-302.1.A.3 to reduce the required width of a proposed private street from fifty (50) feet to thirty-five (35) feet. The property is located on Fiery Run Road (Route 726) just north of its intersection with Cherry Hill Road (Route 638), Marshall District (PIN #6010-06-2105-000) (Cynthia Porter-Johnson, Staff)

Mrs. Porter-Johnson reviewed the staff report, a copy of which is attached to and made part of these official minutes.

On motion made by Ms. McCarty and seconded by Mr. Alm, 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*

5. **ANOUNCEMENTS**

No announcements.

6. **CITIZENS TIME**

No one spoke.

7. **PROPOSED TEXT AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES, THE FAUQUIER COUNTY CODE AND THE COMPREHENSIVE PLAN**

- Zoning Ordinance Text Amendment to Section 5-1301 relating to the setback of structures associated with kennels. (Andrew Hushour, Staff)

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

Ms. McCarty opened the public hearing.

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

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

The motion carried unanimously.

8. **SPECIAL EXCEPTION**

- **SPEX10-MA-020 – James W. & Edel M. Kunkel (Owners)/Edel M. Kunkel (Applicant) – Mountainside Montessori School** – Applicant wishes to obtain a Category 5 Special Exception to allow a primary school, on a temporary basis, at the current preschool location. The property is located at 6089 John Barton Payne Road (Route 732), Marshall District. (PIN #6947-10-9444-000) (Melissa Dargis, Staff)

Mrs. Dargis reviewed the staff report, a copy of which is attached to and made part of these official minutes. Mrs. Dargis noted that during the work session earlier today, staff recommended postponement so the applicant could advertise a Category 5 Special Permit for the existing preschool to continue to operate in conjunction with the proposed primary school.

Merle Fallon, Esq., representative, stated that the applicant is requesting assistance from the County to move the school from a Rural Agriculture (RA) zoning district to a location within the Marshall Service District.

Ms. Edel Kunkel, applicant, stated that there are only a few Montessori schools in this area and they currently have long waiting lists. Ms. Kunkel stated that she does not plan to operate two schools, but intends to relocate the school to a new site on Belvoir Road, which she believes is an ideal location.

Mr. Ben Cooper, Marshall District, stated that he is opposed. He stated that the school is going against its original agreement by seeking an expansion.

Ms. Linda Wine, Marshall District, stated that she is in favor. She stated that she is a neighbor of the school and is very impressed by it.

Mr. Bill Clark, Marshall District, stated that he is opposed. He stated that this proposal is incompatible with the surrounding area. He also stated that this school should be located within a service district.

Ms. April Dodson, Marshall District, stated that she is in favor. She stated that she lived near the school for a short time and never even knew it was there. Her daughter now attends the school and the school has changed her daughter in a positive way.

Mr. Rory Mulvey, Scott District, stated that he is in favor. He stated that he currently has to drive his son to Warren County so that he can attend a Montessori school that provides an elementary program.

In that there were no further speakers, Ms. McCarty adjourned the public hearing.

On motion made by Ms. McCarty and seconded by Mr. Stone, it was moved to postpone action on this item until the next regularly scheduled meeting, with the public hearing left open.

Ms. Garreau requested clarification on the ages covered for each grade level.

Ms. Kunkel stated that from the Montessori perspective, students ages 3-6 would be considered "primary," ages 6-12 is "elementary," and ages 12-15 would be "farm" school, where the emphasis is on real work close to the earth.

Mr. Meadows asked if the maximum age for students would be 12 at the John Barton Payne Road location.

Merle Fallon, Esq. stated that he would confer with the applicant and provide staff with additional clarification on this point.

Mr. Meadows suggested that if this item is approved, that a condition should be added stating that once the new location is opened, the current location will be closed.

Merle Fallon, Esq. stated that he agrees with Mr. Meadows and the applicant, who does not want two locations, plans to sell the John Barton Payne Road site once the new facility on Belvoir Road is opened.

The motion carried unanimously.

In that there was no further business, the meeting was adjourned at 7:00 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.