

**MINUTES OF  
FAUQUIER COUNTY PLANNING COMMISSION  
JANUARY 31, 2008**

*The Fauquier County Planning Commission held its regular meeting on Thursday, January 31, 2008, beginning at 6:30 P.M. in the 1<sup>st</sup> Floor Conference Room of the Warren Green Building, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. John Meadows, Chairman; Ms. Ann McCarty, Vice Chairman; Ms. Adrienne Garreau, Secretary; Mr. Larry Kovalik; and Mr. Jim Stone. Also present at the meeting were Mr. Rick Carr, Mrs. Kimberley Fogle, Mr. Kevin Burke, Mrs. Susan Eddy, Mrs. Bonnie Bogert, Ms. Holly Meade, Mrs. Melissa Dargis, Mrs. Cynthia Porter-Johnson, Ms. Kim Johnson, and Miss Carissa Blevins.*

<p><i>Regular Meeting 6:30 P.M. Warren Green Meeting Room Warren Green Building</i></p>
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Mrs. Susan Eddy opened the meeting and initiated the election of officers.

1. **ELECTION OF OFFICERS**

a. Chairman

Ms. McCarty, seconded by Mr. Stone, moved to elect Mr. Meadows as Chairman.

The motion carried unanimously.

b. Vice Chairman

Mr. Stone, seconded by Mr. Kovalik, moved to elect Ms. McCarty as Vice Chairman.

The motion carried unanimously.

c. Secretary

Mr. Stone, seconded by Ms. McCarty, moved to elect Ms. Garreau as Secretary.

The motion carried unanimously.

2. **CONSIDERATION OF BY-LAWS**

Mr. Stone, seconded by Ms. McCarty, moved to postpone the Consideration of By-laws until the next regularly scheduled meeting.

The motion carried unanimously.

3. **COMMITTEE ASSIGNMENTS**

- a. Architectural Review Board – Mr. Stone
- b. Capital Review Committee – Pending
- c. Proffer Policy Analysis Committee – Mr. Stone & Mr. Meadows
- d. Transportation Committee – Ms. Garreau

4. **APPROVAL OF MINUTES** – November 29, 2007 & December 19, 2007

Mr. Kovalik, seconded by Mr. Stone, moved to approve the November 29, 2007 minutes, as amended.

Mr. Stone, seconded by Ms. McCarty, moved to approve the December 19, 2007 minutes, as amended.

Both motions carried unanimously.

5. **ZONING AND SUBDIVISION ORDINANCE TEXT AMENDMENTS**

- a. Initiation of a Zoning Ordinance Text Amendment to Section 8-1401 (12.C) to add language that would permit the BZA to allow an additional phrase on a sign, if they amend the standards of directional signs that would allow for additional language on a directional sign, if approved by the Board of Zoning Appeals in conjunction with the approval of a Special Permit

Ms. Johnson requested this item be removed from the agenda.

- b. Initiation of a Zoning Ordinance Text Amendment to Sections 5-011, 12-502 and 13-202, a Subdivision Ordinance Text Amendment to Section 9-5, and creation of a new Chapter 3: Transportation in the Design Standards Manual, to establish requirements for Traffic Impact Analysis

Mrs. Eddy reviewed the staff memorandum, a copy of which is attached to and made part of the official minutes.

For the purposes of convenience and good zoning practices, Mr. Kovalik, seconded by Mr. Stone, moved to initiate a Zoning Ordinance Text Amendment to Section 5-011, 12-502 and 13-202, a Subdivision Ordinance Text Amendment to Section 9-5, and creation of a new Chapter 3: Transportation in the Design Standards Manual, to establish requirements for Traffic Impact Analysis and to schedule a public hearing for the Planning Commissions February 28, 2008 meeting.

6. **ZONING ORDINANCE WAIVER**

- **WAVR08-SC-046 – Shannon & Terri Smith., owner and applicant – English Chase Subdivision** – applicant wishes to obtain a Waiver of Section 7-302.1.A.3 of the Zoning Ordinance to waive the requirement of a fifty foot width for a private street. The property is located west of Rectortown Road (Route 710) and Chestnut Forks Road (Route 717), Scott District. (PIN 6060-37-3858-000)

Mrs. Porter-Johnson reviewed the staff memorandum, a copy of which is attached to the official minutes.

Ms. Garreau, seconded by Mr. Stone, moved to approve.

The motion carried unanimously.

7. **PRELIMINARY PLAT EXTENSIONS**

- a. **PPLT05-LE-025 – VCA, LLC, owner and applicant – Laurenwood Estates** – applicant wishes to obtain two six-month extensions of a previously approved Preliminary Plat to extend the expiration date to January 13, 2009. The property is located on the southeast side of Remington Road (Route 656), Lee District. (PIN 6888-41-5000-000 & 6888-50-4476-000)

Mrs. Bogert reviewed the staff memorandum, a copy of which is attached to and made part of the official minutes.

Mr. Meadows, seconded by Mr. Stone, moved to approve.

The motion carried unanimously.

- b. **PPLT06-LE-006 – Property Management Associates, Inc. & Larry and Frances Williams, owner and Revere Development Company & Monument Development – 14, LC, applicants – Revere Woods** – applicant wishes to obtain a six-month extension of a previously approved Preliminary Plat to extend the expiration date to July 13, 2008. The property is located at the end of Piney Ridge Road (Route 820) and connects to Piney Lane, Lee District. (PIN 6887-46-8038-000 and 6887-46-2019-000)

Mrs. Bogert reviewed the staff memorandum, a copy of which is attached to and made part of the official minutes.

Mr. Meadows, seconded by Ms. McCarty, moved to approve.

The motion carried unanimously.

- c. **PPLT06-CT-018 – Millennium Bank, NA & J&R Land Investments, owners and Millennium Bank, NA & Premier Homebuilders, applicants – Cedar Mill** – applicant wishes to obtain a six-month extension to a previously approved Preliminary Plat to extend the expiration date to July 13, 2008. The property is located at the intersection of Atlee Road and Frytown Road (Route 674) and Academy Road (Route 678), Center District. (PIN 6994-27-7561-000, 6994-26-8780-000, 6994-37-4250-000 and 6994-36-7932-000)

Mrs. Bogert reviewed the staff memorandum, a copy of which is attached to and made part of these official minutes.

Mr. Kovalik, seconded by Mr. Stone, moved to approve.

The motion carried unanimously.

8. **PRELIMINARY PLAT AMENDMENT**

- **PPAM07-LE-002 – Remland, LLC, owner and applicant – The Meadows of Remington Phase 2, Section 3-6** – applicant wishes to amend a previously approved Preliminary Plat to reduce the amount of lots from one hundred forty eight (148) to one hundred thirty three (133). The property is located on the north side of Lucky Hill Road (Route 655), Lee District. (PIN 6887-68-2679-000 & 6887-28-3220-000)

Mrs. Bogert reviewed the staff memorandum, a copy of which is attached to and made part of the official minutes.

Mr. Meadows, seconded by Ms. McCarty, moved to postpone action for 30 days, at the request of the applicant.

The motion passed unanimously.

9. a. **BOARD OF ZONING APPEALS AGENDA**

No comment.

b. **TRANSPORTATION COMMITTEE AGENDA**

No comment.

**Public Hearings**  
**7:00 P.M.**  
**Warren Green Meeting Room**  
**10 Hotel Street, Warrenton, Virginia**

10. **THE PLEDGE OF ALLEGIANCE**

11. **ANNOUNCEMENTS**

Mr. Meadows announced that the Planning Commission would hold a work session on February 15, 2008 at 1:00 p.m. in the 2<sup>nd</sup> floor conference room of the Warren Green Building in order to discuss the Mixed Use Zoning Text Amendment.

12. **CITIZENS' TIME**

No one spoke.

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

- a. Zoning Ordinance Text Amendment to Sections 5-014 and 5-015 to establish an expiration date for Special Permits and Special Exception uses after a period of activity

Ms. Johnson reviewed the staff memorandum, a copy of which is attached to and made part of the official minutes.

Mr. Meadows opened the public hearing.

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

Ms. McCarty, seconded by Mr. Stone, moved to forward to the Board of Supervisors, with a recommendation of approval.

The motion carried unanimously.

- b. Zoning Ordinance Text Amendment to Section 5-1503 to amend the standards for livestock exchange to allow parking of trucks and trailers as an accessory use

Ms. Johnson reviewed the staff memorandum, a copy of which is attached to and made part of the official minutes.

Mr. Meadows opened the public hearing.

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

Ms. Garreau, seconded by Mr. Kovalik, moved to forward to the Board of Supervisors, with a recommendation of approval, as amended.

The motion carried unanimously.

- c. Zoning Ordinance Text Amendment to Section 8-1401 to increase identification sign limits in the rural and residential zones

Ms. Johnson reviewed the staff memorandum, a copy of which is attached to and made part of the official minutes.

Mr. Meadows opened the public hearing.

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

Mr. Stone, seconded by Ms. McCarty, moved to forward to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

14. **SPECIAL EXCEPTION AMENDMENT**

- **SEAM08-SC-002 & SPPT08-SC-029 Great Meadow Foundation, owner and applicant – Great Meadow** – applicant wishes to obtain a Category 9 Special Exception to extend the time of a previously approved Special Exception (SPEX03-SC-012) from five (5) years to ten (10) years and for certain Class C events to exceed 1000 attendees or to exceed the three (3) day duration. The property is located east of Route 17, Scott District. (PIN 6978-96-2610-000 & 6988-04-7000-000)

Mrs. Dargis reviewed the staff memorandum, a copy of which is attached to and made part of the official minutes.

Mr. Meadows opened the public hearing.

Ms. Leslie VanSant, representing the applicant, stated that she would agree with a postponement for up to sixty days.

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

Ms. Garreau, seconded by Mr. Stone, moved to postpone action for up to 60 days, at the request of the applicant with the public hearing left open.

The motion carried unanimously.

15. **SPECIAL EXCEPTION**

- a. **SPEX06-MA-004 – M3 Marshall Properties, LLC & Arthur McKenny, owner and applicant – M3 Marshall Properties/McKenny** – applicant wishes to obtain a Category 14 Special Exception to allow certain motor vehicle related uses in an I-2 zoning district. The property is located on the west side of Whiting Road (Route 622), south of its intersection with East Main Street (Route 55), Marshall District. (PIN 6979-29-9361-000)

Ms. Meade reviewed the staff memorandum, a copy of which is attached to and made part of the official minutes.

Mr. Meadows opened the public hearing.

Mr. Jim Downey, representing the applicant, stated that he would agree to a postponement in order to work out any further refinements.

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

Ms. McCarty, seconded by Ms. Garreau, moved to postpone action for 30 days, at the request of the applicant with the public hearing left open.

The motion carried unanimously.

- b. **SPEX08-CR-06 – Moses Coates, owner and applicant – Coates Property** – applicant wishes to obtain a Category 20 Special Exception which would allow for an alternative discharging sewage system within a residential district. The property is located west of Bristersburg Road (Route 616), Cedar Run District. (PIN 7920-47-9565-000)

Mrs. Dargis reviewed the staff memorandum, a copy of which is attached to and made part of the official minutes.

Mr. Meadows opened the public hearing.

Mr. Moses Coates, applicant, stated that he would respectfully request approval of this application.

Mr. Mike Bridges, Cedar Run District, stated that he was concerned about the type of discharge system that would be installed and the amount of time this property has been vacant.

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

Mr. Stone, seconded by Ms. McCarty, moved to forward this to the Board of Supervisors, with a recommendation of approval.

The motion carried unanimously.

- c. **SPEX08-SC-007 & SPEX08-SC-008 & SPEX08-SC-009 – L & J Property, LLC, owner and applicant – Virginia Pines** – applicant wishes to obtain (1) a Category 29 Special Exception which would allow a waiver of the public street requirement; (2) a Category 28 Special Exception which would allow a waiver of the Type I private street requirement; and (3) a Category 23 Special Exception which would allow for fill in the floodplain associated with the construction of the access road for the proposed subdivision. The property is located east of Bull Run Mountain Road (Route 629) south of the Loudoun County line and west of the Prince William County line, Scott District. (PIN 7012-73-5993-000)

Mrs. Bogert reviewed the staff memorandum, a copy of which is attached to and made part of the official minutes.

Mr. Meadows opened the public hearing.

Mr. Dean Elgin, Scott District, stated that he is a lifetime resident and adjoining land owner to this property and is concerned about what granting this special exception would do to the rural landscaping of this area. He continued that special exceptions should be reserved for severe hardships when landowners have exhausted all other options and this property does not fit into that category. He would urge the Planning Commission to deny this application.

Ms. Elizabeth Hail, Scott District, stated that she is concerned about the amount of homes that would be going into the proposed development due to the water shortage in this area, including her property. She continued that building a large number of homes would only increase the strain and she would urge the Planning Commission to deny this application.

Mr. Ian Abernethy, Scott District, stated he recognizes that this Special Exception is only being entertained because of a pending lawsuit but would hope the County uphold the Zoning Ordinance concerning



development in the flood plain. The processes are put into place for a reason and every applicant should have to follow them.

Ms. Carina Elgin, Scott District, stated she is opposed to this application and that the County has ordinances for a reason and should make all applicants follow the same set of rules and regulations.

Mr. Merle Fallon, representing the applicant, stated that he would respectfully request approval of this application. He continued he was concerned that some of the conditions were only reiterating what was already written in the Zoning Ordinance and were not necessary.

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

Ms. Garreau stated that she has visited the property and what the applicant is proposing is less intrusive to the land than other alternatives that could have come forward. She continued that she appreciated the adjoining property owners' concern in keeping with the rural landscaping, but that the applicant is able by-right to subdivide this property and that the Planning Commission is trying to make it as acceptable as possible to everyone involved.

Ms. Garreau, seconded by Mr. Stone, moved forward to the Board of Supervisors with a recommendation of approval, subject to revised conditions.

The motion carried unanimously.

In that there was no further business, the meeting adjourned at 7:43 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, Warrenton, Virginia, for a period of one year.*