

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
NOVEMBER 29, 2007**

The Fauquier County Planning Commission held its regular meeting on Thursday, November 29, 2007, beginning at 6:30 P.M. in the 1st Floor Conference Room of the Warren Green Building, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. Holder Trumbo, Chairman; Ms. Ann McCarty, Vice Chairman; Mr. John Meadows, Secretary; Mr. Larry Kovalik; and Mr. Jim Stone. Also present at the meeting were Mr. Rick Carr, Ms. Kim Johnson, Mrs. Kimberley Fogle, Mr. Kevin Burke, Mrs. Bonnie Bogert, Ms. Holly Meade, Mrs. Susan Eddy, and Miss Carissa Blevins.

1. **APPROVAL OF MINUTES** – October 25, 2007

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

The motion passed unanimously.

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

- a. Initiation of 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 Inactivity

Ms. Johnson 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. Meadows, seconded by Mr. Stone, moved to initiate 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 inactivity and to schedule a public hearing for the Planning Commission's January 31, 2008 meeting.

The motion carried unanimously.

- b. Initiation of a 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.

For the purposes of convenience and good zoning practices, Mr. Trumbo, seconded by Ms. McCarty, moved to initiate a 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 and to schedule a public hearing for the Planning Commission's January 31, 2008 meeting.

The motion carried unanimously.

3. **PRELIMINARY PLAT EXTENSIONS**

- **Brookside Communities, LLC, owner and applicant – Brookside** – applicant wishes to obtain an extension of a previously approved Preliminary Plat (PPLT02-SC-001). The property is located off of Riley Road (Route 676), Scott District. (PIN 7905-90-5850-000, 7915-34-4195-000, 7915-21-7975-000, 7915-10-9734-000, 7905-93-5666-000, 7915-35-2459-000, 7915-22-0132-000, 7915-20-9661-000, 7915-16-2290-000, 7915-05-6985-000, 7915-20-4957-000)

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

Mr. Trumbo, seconded by Mr. Stone, moved to approve, subject to the revised conditions.

The motion passed unanimously.

4. **PRELIMINARY PLAT**

- **PPLT06-SC-016 – Pleasants-Oliver, LLC, owner and applicant – Wooded Run Estates** – applicant wishes to amend a previously approved, but expired, Preliminary Plat that would subdivide approximately 87.16 acres into forty-five (45) lots. The property is located on the southeast side of Old Bust Head Road (Route 694), Scott District. (PIN 6996-74-7581-000)

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

Mr. Trumbo, second by Mr. Meadows, moved to approve, subject to conditions.

The motion carried unanimously.

5. **BOARD OF ZONING APPEALS AGENDA**

No comments.

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

6. **THE PLEDGE OF ALLEGIANCE**

7. **ANNOUNCEMENTS**

Mr. Trumbo announced that the Planning Commission would hold a work session on December 4, 2007 to discuss the Mixed Use Zoning Text Amendment and that the next regularly scheduled Planning Commission meeting will be held on December 19, 2007.

Mr. Trumbo also announced that there would be a public meeting regarding the Marshall Service District Plan on December 5, 2007 to be held at the Marshall Community Center.

8. **CITIZENS' TIME**

Comments should not be directed to Public Hearing items.

Citizens wishing to address the Planning Commission should provide their name and residential address. Citizens' comments are limited to five (5) minutes unless a large number of citizens wish to speak; in which case, the time limit must be reduced to accommodate all who wish to address the Planning Commission.

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

- a. Zoning Ordinance Text Amendment to Section 11-102 to allow a Legally Existing Non-Conforming Cell Tower to be relocated on the Same Lot.

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

Mr. Trumbo opened the public hearing.

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

Mr. Trumbo, seconded by Mr. Meadows, moved to forward to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

- b. Zoning Ordinance Text Amendment to Sections 3-324, 5-2401 and 15-300 to Change the Procedure for Calculating Building Height and Allow Some Increase in Heights by Administrative Permits.

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

Mr. Trumbo opened the public hearing.

Mr. Merle Fallon, representing the Northern Virginia Building Industry Association, stated that this Text Amendment helps bring the Zoning Ordinance into the 21st Century and he supports this.

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

Mr. Trumbo, seconded by Mr. Meadows, moved to forward to the Board of Supervisors with a recommendation of approval.

The motion passed unanimously.

- c. Zoning Ordinance Text Amendment to Sections 4-400 and 15-300 to Update Floodplain Regulations to Comply With Federal Law.

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

Mr. Trumbo opened the public hearing.

In that there were no speakers, Mr. Trumbo 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.

- d. Zoning Ordinance Text Amendment to Sections 5-006.5, 12-610 and 15-300 Related to Utilization of Low Impact Development Techniques with Site Development.

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

Mr. Trumbo opened the public hearing.

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

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

The motion carried unanimously.

- e. Zoning Ordinance Text Amendment to Section 5-1813 to Amend the Additional Standards for a Community Farmers' Market.

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

Mr. Trumbo opened the public hearing.

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

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

The motion carried unanimously.

- f. Zoning Ordinance Text Amendment to 11-102.2 to clarify the locational requirements for Wireless Facilities.

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

Mr. Trumbo opened the public hearing.

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

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

The motion carried unanimously.

- g. Zoning Ordinance Text Amendment to Create a Mixed Use Special District as Section 4-900.

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

Mr. Trumbo opened the public hearing.

Mr. Chuck Floyd, Carson, Ashley & Associates, thanked staff and the Planning Commission for reviewing this ordinance and would like to have the opportunity to continue to work with staff on this Text Amendment.

Mr. Merle Fallon, representing Mr. & Mrs. Lynn of Bealeton, stated that he supports this Text Amendment and appreciates the weeks of review that are being put into it but, would like to be assured that the proper uses are clarified.

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

Mr. Trumbo, seconded by Ms. McCarty, moved to postpone action for up to 60 days, with the public hearing left open.

The motion passed unanimously.

- h. Consider proposed amendments to the Comprehensive Plan Chapter 6 – Service Districts - Bealeton, Opal and Remington Service District Plan.

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

Mr. Trumbo opened the public hearing.

Mr. Merle Fallon, representing Mr. & Mrs. Lynn of Bealeton, supports this Text Amendment but suggests it coincides with the previous amendment.

Mr. Chuck Floyd, representing the Tharpe Trust, stated that he supports approval of this Text Amendment.

Mr. Carl Faller, Lee District, requested that notification of the proposed Text Amendment be sent to all the property owners that would be affected.

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

Mr. Meadows, seconded by Mr. Trumbo, moved to postpone action for up to 60 days.

The motion passed unanimously.

10. **COMPREHENSIVE PLAN AMENDMENT**

- **CPAM06-LE-005 – Donald R. Tharpe, owner and applicant – Tharpe/Marsh Road Commercial** – applicant wishes to obtain a Comprehensive Plan Amendment to add approximately 9 acres to the Bealeton Service District with the planned designation of Commercial Office. The property is located off at the intersection of Marsh Road (Route 17) and Old Marsh Road (Route 831), Lee District. (PIN 6899-19-5387-000 & 6899-19-6609-000)

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

Mr. Trumbo opened the public hearing.

Mr. Chuck Floyd, representing the applicant, stated that the applicant is in agreement with a 90 day postponement.

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

Mr. Meadows, seconded by Mr. Kovalik moved to postpone action for up to 90 days, with the public hearing left open, at the request of the applicant.

The motion carried unanimously.

11. **REZONING**

- **REZN08-LE-001 – Wexford Mews, LLC, owner and applicant – Wexford Mews** – applicant wishes to rezone approximately 9.81 acres from Residential-4 (R-4) to Commercial-2 (C-2). The property is located west of Marsh Road (Route 17), Lee District. (PIN 6899-24-0759-000 & 6899-25-0237-000)

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

Mr. Trumbo opened the public hearing.

Mr. Jim Carson, representing the applicant, thanked staff for their hard work on this application and would respectfully request approval.

Mr. Dell Ennis, Cedar Run District, stated that he is an adjoining property owner and that he entered written comments to be made part of the official records.

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

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

The motion carried unanimously.

12. **SPECIAL EXCEPTION**

- **SPEX08-MA-004 – Dondoric Farm Limited Partnership, LLC, owner and Summerplace Farm Horse Show, LLC, applicant – Summerplace Farm Horse Shows** – applicant wishes to obtain a Category 9 Special Exception in order to run horse shows as part of the Virginia Horse Show Association. The property is located west of the intersection of Dondoric Farm Road (Route 812) and Route 17, Marshall District. (PIN 6978-56-3909-000)

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

Mr. Trumbo opened the public hearing.

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

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

The motion carried unanimously.

In that there was no further business, the meeting adjourned at 8:50 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.