

**MINUTES OF  
FAUQUIER COUNTY PLANNING COMMISSION  
JULY 27, 2006**

*The Fauquier County Planning Commission held its regular meeting on Thursday, July 27, 2006, beginning at 4:00 P.M. in the 2<sup>nd</sup> Floor Conference Room of the Warren Green Building, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. Jim Stone, Chairman; Mrs. Ann McCarty, Vice Chairman; Mr. John Meadows, Secretary; Mr. Larry Kovalik; and Mr. Holder Trumbo. Also present at the meeting were Mrs. Elizabeth Cook, Mr. Todd Benson, Mrs. Kimberly Fogle, Mr. Kevin Burke, Ms. Holly Meade, and Miss Carissa Blevins.*

1. **APPROVAL OF MINUTES** – June 29, 2006

Mr. Stone, seconded by Mr. Meadows, moved to postpone approval of the minutes until the August 30, 2006 meeting.

The motion carried unanimously.

2. **PROPOSED TEXT AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES**

- a. Initiation of a Zoning Ordinance Text Amendment to Section 12-606 to Allow Certain Driveways to be Ten (10) Feet in Width and Composed of Any Surface

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

For the purposes of convenience and good zoning practices, Mr. Stone, seconded by Mr. Meadows, moved to initiate a Zoning Ordinance Text Amendment to Section 12-606 to allow certain driveways to be ten (10) feet in width and composed of any surface and to schedule a public hearing for the Planning Commission's August 30, 2006 meeting.

The motion carried unanimously.

- b. Initiation of a Zoning Ordinance Text Amendment to Article 4, Part 4 of the Fauquier County Zoning Ordinance and Sections 15-300 and 3-323 Pertaining to Floodplain Overlay Districts

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

For the purposes of convenience and good zoning practices, Mr. Stone, seconded by Mr. Meadows, moved to initiate a Zoning Ordinance Text Amendment to Article 4, Part 4 of the Fauquier County Zoning Ordinance and Sections 15-300 and 3-323 pertaining to floodplain overlay districts and to schedule a public hearing for the Planning Commission's August 30, 2006 meeting.

The motion carried unanimously.

- c. Initiation of a Zoning Ordinance Text Amendment to Sections 3-310, 4-603, and 15-300 and add a New Section 5-1003 to Permit Indoor Sports/Activity Centers in Commercial and Industrial Zoning Districts and the PCID Overlay Districts

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

For the purposes of convenience and good zoning practices, Mr. Stone, seconded by Mr. Meadows, moved to initiate a Zoning Ordinance Text Amendment to Sections 3-310, 4-603, and 15-300 and adding a New Section 5-1003 to permit indoor sports/activity centers in commercial and industrial zoning districts and the PCID Overlay Districts and to schedule a public hearing for the Planning Commission's August 30, 2006 meeting.

The motion carried unanimously.

3. **PRELIMINARY PLATS**

- a. **#PPLT03-LE-007 – Janja Zobundija, owner and applicant – Remington Business Park** – applicant wishes to subdivide approximately 65.72 acres into twelve (12) lots. The property is zoned Industrial-1 (I-1), and is located on the east side of Lucky Hill Road, south of its intersection with James Madison Street (Route 15/29 Business), Lee District. (PIN 6888-37-4051-000)

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

Mr. Meadows, seconded by Mr. Stone, moved to postpone action for up to 90 days, at the request of the applicant.

The motion carried unanimously.

- b. **#PPLT06-CR-017 – Engle Homes Virginia, owner and applicant – The Estates at Old Marsh** – applicant wishes to subdivide approximately 41.27 acres into thirty-five (35) lots. The property is located off Green

Road (Route 674) east of its intersection with Old Marsh Road (Route 837), Cedar Run District. (PIN 6990-13-5554-000)

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

Mr. Meadows, seconded by Mr. Stone, moved to postpone action for up to 90 days, at the request of the applicant.

The motion carried unanimously.

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

No Comments

b. **TRANSPORTATION COMMITTEE AGENDA**

No Comments

<p style="text-align: center;"><i>Public Hearings</i> <i>7:00 P.M.</i> <i>Warren Green Meeting Room</i> <i>10 Hotel Street, Warrenton, Virginia</i></p>
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5. **THE PLEDGE OF ALLEGIANCE**

6. **ANNOUNCEMENTS**

None

7. **CITIZENS' TIME**

Mr. Al Benkelman, Scott District, stated that he is concerned about the ground water in New Baltimore. He stated that the area has nine (9) well systems that are expected to serve the entire New Baltimore area and that the new homes being built in this area are putting too much of a strain on these wells. He continued that when he recently received a letter from Emery & Garrett Groundwater, Inc., it stated that their tests do not take long term drought conditions into consideration nor do they perform the long-term investigation of Fauquier or mapped aquifers. He stated that builders are digging deeper and deeper to locate any available water system. Mr. Benkelman followed up by saying that the county uses water like it is an unlimited resource and that more studies need to be conducted to make sure there is still an ample supply of water in years to come.

8. **PROPOSED TEXT AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES**

- a. Zoning Ordinance Text Amendment to Section 5-504 to Eliminate the Limitation of 300 Students per School in Residential Districts

Mr. Todd Benson reviewed the staff memorandum, a copy of which is attached to and made part of these official minutes.

Mr. Stone opened the public hearing.

In that there were no speakers, Mr. Stone 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.

- b. Zoning Ordinance Text Amendment to Section 5-105 to Change the Square Footage of Accessory Family Dwelling Units and to Define Such Units to be Occupied by Family Members

Mr. Todd Benson reviewed the staff memorandum, a copy of which is attached to and made part of these official minutes.

Mr. Stone opened the public hearing.

Mr. Steve Thorpe, Marshall District, stated that he did not understand why there is a size restriction on family dwelling units. He said his family has owned a farm and that he is the sixth generation to live there. He added that he would like to be able to continue having his family build their homes on the property without restricting them to a certain size.

Mr. Glenn Jewell, Lee District, stated that his mother-in-law is moving to the area and that they will be building her home on their property. He stated he is concerned that with these restrictions she will not be able to have a home large enough to accommodate all of her belongings. He also stated that it is nearly impossible to find a house plan for any home under 1,400 square feet. He continued that the porch and the basement should not be included in the calculation of square footage if it is not used as living space.

Ms. Carrie Beavers, Marshall District, stated that she and her husband have lived in Fauquier County all of their lives and currently live on her parents property because with their income they could not afford to purchase anything else. She continued that her main concern is that many young couples cannot afford to purchase homes in this area and that being

able to build decent size homes on family owned property is their only option.

Mr. Lee Smith, Cedar Run District, stated that affordable family housing has totally disappeared from Fauquier County and that the Family Dwelling Unit Text Amendment will allow the future generations to stay in Fauquier County. He continued that the County should not limit the number of family members that make up a family unit. Mr. Smith stated that a 1600 square foot house helps preserve the rural aspect of Fauquier County. He stated that non enclosed porches should not be included in this square footage because it is not livable space. He added that a ten (10) year restriction on resale of the family dwelling units is too long and that the two (2) year restriction has always worked and should remain in place.

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

Mr. Stone, seconded by Mr. Meadows, moved to postpone action for 30 days to allow for a work session.

The motion carried unanimously.

- c. Zoning Ordinance Text Amendment to Section 15-300 to Amend the Definition of Park Facilities (Governmental/Civic), Nonathletic

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

In that there were no speakers, Mr. Stone 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.

## 9. **COMPREHENSIVE PLAN AMENDMENTS**

- New Baltimore Service District – consider proposed amendments to the Comprehensive Plan Chapter 6 – New Baltimore Service District

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

Mr. Stone opened the public hearing.

Mr. Charles Moore, Scott District, stated that he lives in the historic Village of New Baltimore and stated that the area does not have sewer and that the whole village are needs to be addressed because it will become problem in the near future.

Ms. Helen Ford, Scott District, stated that she is concerned about the Buckland Battlefield transportation area. She stated that the residents of this area do not want this transportation expansion, and she continued that historic research needs to be conducted before expanding anymore roads.

Mr. Nodi Chabra, Scott District, stated that he recently purchased property in the New Baltimore at Route 29/676 and it is currently zoned neighborhood and he would like to see it rezoned to commercial.

Mr. Chuck Medvitz, Scott District, stated that as a member of the community, he would thank that staff and the Planning Commission for their hard work on this Plan. He continued that one thing that concerns him is the area that was changed from Mixed Use to Neighborhood Center. Mr. Medvitz would like to see some language included to regulate the type of business that can be built in this location.

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

Mr. Trumbo stated that he will adjourn this public hearing, for now in order to give the public and the Planning Commission more time to review the plan, and he will reopen the public hearing if necessary.

Mr. Trumbo, seconded by Mrs. McCarty, moved to postpone action for 30 days.

The motion carried unanimously.

10. **SPECIAL EXCEPTIONS**

- **#SPEX06-CR-018 and #SPEX06-CR-025 – Engle Homes Virginia, owner and applicant – The Estates at Old Marsh** – applicant wishes to obtain Special Exception approval under Categories 20 and 31 to allow for a community water system serving approximately 30 lots with an above ground water facility. The property is located at 10529 Old Marsh Road (Route 837) south of Green Road (Route 674), Cedar Run District. (PIN 6990-13-5554-000)

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

Mr. Stone opened the public hearing.

Mr. Dan Williams, representative for the applicant, thanked staff for their hard work on this application. He also thanked the Planning Commission for their time this morning at the work session and stated that he is available if there are any questions.

Mr. Chuck Medvitz, Scott District, stated that he is concerned about the amount of water this neighborhood will be using and would hope that the County would conduct a hydrogeological study.

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

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

The motion carried unanimously.

In that there was no further business the meeting adjourned at 7:58 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.*