

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
FEBRUARY 27, 2003**

The Fauquier County Planning Commission held its regular meeting on Thursday, February 27, 2003, beginning at 3:06 P.M. in the 4th Floor Conference Room of The Fauquier County Courthouse, 40 Culpeper Street, Warrenton, Virginia. Those members present were Mr. Richard Robison, Chairman; Mrs. Ann McCarty, Vice Chairman; Mr. Jim Stone, Secretary; Mr. Bob Sinclair; and Mr. John Meadows. Also present at the meeting were Mr. Rick Carr, Mr. Robert Counts, Mrs. Elizabeth Cook, Ms. Deirdre Clark, Ms. Kristen Slawter, Mrs. Carolyn Bowen, Mr. Danny Hatch, and Ms. Beckie Williams.

Mr. Robison, seconded by Mr. Stone, moved to add the Preliminary Plat Extension for Bluestone Subdivision to the agenda.

The motion carried unanimously.

1. **APPROVAL OF MINUTES** – January 23, 2003, January 7, 2003, and December 19, 2003

Mr. Robison, seconded by Mr. Stone, moved to approve the minutes of January 23, 2003, as amended.

The motion carried unanimously.

Mr. Robison, seconded by Mr. Stone, moved to approve the minutes of January 7, 2003, as presented.

The motion carried unanimously.

Mr. Robison, seconded by Mr. Sinclair, moved to approve the minutes of December 19, 2003, as amended.

The motion carried unanimously.

2. **ADOPTION OF PLANNING COMMISSION POLICIES AND CALENDAR**

Mr. Robison, seconded by Mr. Stone, moved to postpone action until March 13, 2003.

The motion carried unanimously.

3. **CONSIDERATION OF BY-LAWS**

Mr. Sinclair, seconded by Mrs. McCarty, moved to postpone action until March 13, 2003.

The motion carried unanimously.

4. **PROPOSED ZONING ORDINANCE TEXT AMENDMENT**

- Zoning Ordinance Text Amendment to add Section 3-309.19 (Paintball Recreation Fields) and Section 5-919 (Additional Standards for Paintball Recreation Fields.) The Planning Commission held the public hearing January 23, 2003.

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

Mr. Robison, seconded by Mr. Sinclair, moved to postpone action for 30 days, for further review.

The motion carried unanimously.

5. **INITIATION OF ZONING ORDINANCE TEXT AMENDMENTS**

- Initiation of Zoning Ordinance Text Amendment to change all references from 15.1, *Code of Virginia* to 15.2 *Code of Virginia* and with all appropriate sub references.

1-200 14; 1-200 15.; 4-301 1.; 4-501; 5-010 1.; 5-010 2.; 5-1703 GG (1); 5-1703 GG (2); 8-1200; 8-1700; 12-601; 12-612 6.; 13-202 1. A.; 13-202 2. D.; 13-205; 13-301; 14-102; 14-201; 14-202; 14-210; 15; and Appendix B – III A.

Ms. Bowen reviewed her staff memorandum, a copy of which is attached to these official minutes.

Mr. Robison, seconded by Mr. Stone, moved to forward this request to the March 27, 2003, public hearing.

The motion carried unanimously.

6. **PRELIMINARY PLATS**

- a. **#PP02-C-04 - Academy Hill Development, LLC, owner/applicant** - (Postponed until February 27, 2003, at the request of the applicant.)

Superseded by #PP03-C-17 – Warrenton Chase Subdivision. See Item #6j.

- b. **#PP02-S-12 - Llewellyn J. Evans, Jr., owner and Airlie Estates, LLC, applicant - Airlie Estates** - applicant wishes to obtain preliminary plat approval to subdivide approximately 4.1 acres into twenty-four (24) lots. The property is zoned Residential-1 (R-1), and is located on the northeast side of Airlie Road (Route 605), Scott District. (PIN's #6995-15-0169-000 and 6995-15-2925-000) (Postponed until February 27, 2003, at the request of the applicant.)
- c. **#PP02-C-20 - Carlton Moorefield, owner, and Premier Homebuilders, Inc., applicant - Cedar Mill Subdivision** - applicant wishes to obtain preliminary plat approval to subdivide approximately 31.92 acres into nineteen (19) lots. The property is zoned Residential-1 (R-1), and is located on Frytown Road, Center District. (PIN's #6994-36-3798-000, #6994-37-3260-000 and #6994-36-5406-000) (Postponed at the request of the applicant.)
- d. **#PP03-L-01 – James W. Ott, owner and Wayne K Shover, applicant – Ott’s Landing** – applicant wishes to obtain preliminary plat approval to subdivide approximately +/- 31 acre parcel into twenty-two (22) lots. The property is zoned Residential-4 (R-4), and is located between U.S. 15/29 and Duey Street, Lee District. (part of PIN #6878-80-7704-000) (Withdrawn by applicant.)
- e. **#PP03-CR-02 – J. Randolph Parks, Trustee, owner, and Mike Stumpo, applicant – Sycamore Springs** - applicant wishes to obtain preliminary plat approval to subdivide approximately 16.8 acres into six (6) lots. The property is zoned Rural Residential – 2 (RR-2), and is located on the east side of Routes 15/77, south of intersection with Beach Road, Cedar Run District. (PIN #6995-16-7184-000) (Postponed December 19, 2002 until February 27, 2003, at the request of the applicant.)
- f. **#PP03-M-11 – The California House Investment Co., owner / applicant – Fenny Hill Subdivision** - applicant wishes to obtain preliminary plat approval to subdivide approximately 18.9 acres into five (5) lots. The property is located on the northeast side of Fenny Hill Road (Route 816), Marshall District. (PIN # 6031-60-1727-000) (Postponed until February 27, 2003, at the request of the applicant.)

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

Mrs. McCarty, seconded by Mr. Stone, moved to postpone action for 30 days, at the applicant’s request.

The motion carried unanimously.

- g. **#PP03-CR-12 – John F. Myers, Jr., owner / applicant – Myers Subdivision** – applicant wishes to obtain preliminary plat approval to subdivide approximately 1.2 acres into four (4) lots. The property is zoned Rural Residential (RR-2) and is located on the west side of Beach Road (Route 616), south of its intersection with Routes 15/29/17, Cedar Run District. (PIN #6982-58-2353-000) (Postponed until March 27, 2003, at the request of the applicant.)
- h. **#PP03-C-14 – E.C. Investors, LLC owner /applicant – Sterling Valley Subdivision** – applicant wishes to subdivide approximately 184.9 acres into six (6) lots, with one (1) future administrative lot proposed. The property is located on the southwest side of Dumfries Road (Route 605), east of its intersection with Mount Sterling Farm Road, Center District. (PIN #7904-66-2671-000) (Postponed January 23, 2003 until February 27, 2003, at the request of the applicant.)

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

Mr. Robison, seconded by Mr. Meadows, moved to postpone action until March 13, 2003, per the applicant's verbal request.

The motion carried unanimously.

- i. **#PP03-M-15 – DTM, LLC, owner/applicant – Enon School Estates – Lot 4** - applicant wishes to subdivide approximately 70.0 acres into two (2) lots. The property is zoned Rural Agriculture and Rural Conservation (RA/RC) and is located on the west side of Enon School Road, south of its intersection with Bear Mountain Drive, Marshall District. (PIN #6956-59-9082-000) (Postponed December 19, 2002 until February 27, 2003, at the request of the applicant.)

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

Mrs. McCarty, seconded by Mr. Stone, moved to approve this request, subject to the conditions outlined below.

The motion carried unanimously.

PROPOSED DEVELOPMENT CONDITIONS
Preliminary Plat #PP03-M-15
DTM, LLC, Owner/Applicant
Enon School Estates
PIN 6956-59-9082-000

If it is the intent of the Fauquier County Planning Commission to approve PP03-M-15, PIN 6956-59-9082-000 to divide approximately 69.3 acres into one (1) single-family residential lot of ± 2.47 acres and a residue lot of approximately 66.86 acres, staff recommends that such approval requires conformance with the conditions of development cited below:

1. The final plat shall be in general conformance with the preliminary subdivision plat entitled "Enon School Estates" dated January 8, 2003, received in the Planning Office on January 8, 2003.
2. Prior to final plat and construction plan approval, the applicant shall submit a detailed landscape plan as required pursuant to Section 7-600 of the Zoning Ordinance.
3. A Virginia Certified Professional Soil Scientist (CPSS) shall adjust the Type I Soil Map soil lines onto the final working plat. This shall be done in the field and checked for any additional soil information to be added to the final scale plat map.
4. A signature block shall be placed on the final plat for the CPSS to sign which states:

Preliminary Soils Information Provided by the Fauquier County Soil Scientist Office via a Type I Soil Map (1"=400') Dated October 18, 2002.	
This Virginia Certified Professional Soil Scientist has field reviewed and adjusted the preliminary soil information onto the final plat (1"=???) and certifies that this is the Best Available Soils Information to Date for Section 2.	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> _____ Va. Certified Professional Soil Scientist CPSS #3401-_____	DATE

5. Interpretive information from the Type I soil report for each mapping unit shown on the above plat shall be placed on the same soil map. Also, a Symbols Legend shall be placed on the plat to identify spot symbols. Include all mapping units and soil lines on soil map.

6. Once the drainfield area is identified and approved by the Health Department, the following statement shall be placed on the final drainfield plat: “Before a home is started the builder shall mark the drainfield area off and not disturb it during construction.”
7. Two signed copies of the final soil map shall be given to the County Soil Scientist Office. One map shall be filed in the Office of Community Development and used exclusively for the public to obtain soils information for this subdivision. One copy shall be filed in the Building Department to be used by the plan reviewer for their use in identifying potential problem soils associated with building permits.
8. This map shall be submitted to the County Soil Scientist Office for approval before final plat approval is made.
9. The applicant shall provide this soil information to the Building Department at the time of application.
10. The final placement of the pond shall be outside of the building restriction line. The toe of the embankment shall be no closer than 25’ from the property line.
11. An access easement to the SWM/BMP facility shall be provided.
12. A maintenance agreement for the SWM/BMP facility shall be recorded prior to final plat approval.
13. Prior to subdividing the property, a road maintenance agreement applicable to all users of the private street shall be executed. The subdivision plat shall include the private street notation referenced in Section 7-306 of the Zoning Ordinance.
14. The entrance to Kildare Lane shall be constructed in accordance with the Private Subdivision Road/Street Entrance standard from the Virginia Department of Transportation's Minimum Standard of Entrances to State Highways.
15. Appropriately sized ditches along the private street shall be constructed.
16. Prior to final construction plan approval, verification of an egress/ingress easement to serve Lot 4 shall be provided. The final plat shall reference the ingress/egress easement by deed book and page number.
 - j. **#PP03-C-17 – Toll Bros., Inc., owner / applicant – Warrenton Chase Subdivision** – applicant wishes to subdivide approximately 244.5 acres into one hundred fifty (150) lots. The property is zoned Rural – 1 (R-1) and is located on the north side of Duhollow Road (Route 672) west of its intersection with Frytown Road (Route 674), Center District. (PIN #6984-92-6454-000, 6984-93-2775-000, 6984-83-4176-000, 6994-02-8294-000, 6994-03-2688-000, and 6994-13-8021-000)

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

Mr. Robison, seconded by Mr. Sinclair, moved to postpone action for 60 days, at the applicant's request.

The motion carried unanimously.

- k. **#PP03-M-19 – Douglas E. & Sharon Y. Darling, owners / applicants – Cannon Ridge Subdivision** – applicants wish to obtain preliminary plat approval to subdivide approximately 18 acres into thirty-one (31) lots. The property is located on the southeast side of Routes 55 and 17, south of its intersection with Manor Drive, Marshall District. (#6969-47-7043-000 and 6969-47-3414-000)

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

Mrs. McCarty, seconded by Mr. Robison, moved to postpone action until March 13, 2003.

The motion carried unanimously.

- l. **#PP03-M-21 – John Morgan, owner / applicant – Fauquier Woods** – applicant wishes to obtain preliminary plat approval to subdivide approximately 11.8 acres into six (6) lots. The property is located on the north side of Route 55 and the south side of Route 66, Marshall District. (PIN #6001-74-4448-000)

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

Mrs. McCarty, seconded by Mr. Stone, moved to postpone action for 90 days, at the applicant's request.

The motion carried unanimously.

- m. **#PP03-M-22 – MLD Associates, LLC, owners / applicants – Freestate Mountain Subdivision** – applicants wish to obtain preliminary plat approval to subdivide approximately 23.8 acres into two (2) lots. The property is located on the northwest side of Free State Road (Route 721), Marshall District. (#6958-31-0955-000)

Mrs. Clark reviewed Chuck Floyd's staff memorandum, a copy of which is attached to and made part of these official minutes.

Mrs. McCarty, seconded by Mr. Robison, moved to postpone action until March 13, 2003.

The motion carried unanimously.

- n. **#PP02-S-13 - Lillie E. Smith Estate, owner, and Robert H. Rogers, III, applicant - Smithridge Subdivision** - applicant wishes to obtain preliminary plat approval to subdivide approximately 16.7 acres into fourteen (14) lots. The property is zoned Residential-1 (R-1), and is located on the southeast side of Routes 15/29, Lee District. (PIN #6888-32-5186-000) (Postponed until February 27, 2003, at the request of the applicant.)
- o. **#PP03-L-07 – D.C. Diamond Corporation, owner/applicant – Remington Business Park** – applicant wishes to obtain preliminary plat approval to subdivide approximately 12 acres into twelve (12) lots. The property is zoned Industrial, 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) (Postponed until February 27, 2003, at the request of the applicant.)
- p. **#PP03-M-13 – Judith C. Ellis, owner and Mike Stumpo, applicant – Woodmont Forest** – applicant wishes to subdivide approximately 20.33 acres of a +/- 27.736 acre parcel into twenty (20) lots. The property is zoned Village and Rural Agriculture (V/RA) and is located at 9259 Springs Road, Marshall District. (part of PIN #6962-67-5339-000) (Postponed until February 27, 2003, at the request of the applicant.)
- q. **#PP02-C-20 - Carlton Moorefield, owner, and Premier Homebuilders, Inc., applicant - Cedar Mill Subdivision** - applicant wishes to obtain preliminary plat approval to subdivide approximately 31.92 acres into nineteen (19) lots. The property is zoned Residential-1 (R-1), and is located on Frytown Road, Center District. (PIN's #6994-36-3798-000, #6994-37-3260-000 and #6994-36-5406-000) (Postponed October 24, 2002, until February 27, 2003, at the request of the applicant.)

7. **COMPREHENSIVE PLAN AMENDMENTS**

- **#CPA03-S-03 – Beights Development Corporation, owner / applicant** – applicant wishes to obtain a Comprehensive Plan Amendment to change the Comprehensive Plan land use designation from Low Density Residential to Industrial. The property contains 3.291 acres, is zoned R-1 (Residential), and is located on the southeast side of Routes 15/29 east of its intersection with Telephone Road in the New Baltimore Service

District, Scott District. (PIN #7906-21-3527-000) (Postponed until March 27, 2003, at the request of the applicant.)

8. **SPECIAL EXCEPTIONS**

- a. **#SE02-S-22 and #SE02-S-23 - Llewellyn J. Evans, Jr., owner, and Airlie Estates, applicant** - applicant wishes to obtain special exception approval under Category 29 which would allow for a waiver of the public street requirements and Category 33, which would allow for a waiver of the public/central water requirement. The property contains 47.56 acres, is zoned Residential-1 (R-1), and is located on Airlie Road (Route 605), Scott District. (PIN's #6995-15-0169-000 and #6995-15-2925-000) (Postponed until February 27, 2003, at the request of the applicant.)
- b. **#SE03-C-04 and SE03-C-05 – Marliece Williams and David W. Sanasack, owners, and STBI-Warrenton, LLC, applicant - Warrenton Hunt** – (Postponed until February 27, 2003, at the request of the applicant.) **Superseded by #SE03-C-17, SE03-C-21, and SE03-C-22 – Warrenton Chase Subdivision – see item #15d.**
- c. **#SE03-S-15 – Cecil T. Campbell, Trustee & Others, owners, and Ravinder Varma, applicant – New Baltimore Shell Center** – applicant wishes to obtain special exception approval under Category 23, which would allow for the crossing to be maintained. The property contains approximately 2.36 acres and is located on the south side of Routes 29/211/15, Scott District. (PIN #7906-83-6405-000) (Postponed December 19, 2002 until March 27, 2003, at the request of the applicant.)
- d. **#SE02-CR-29 - William A. Hamp, III, owner, and Karen Coleman/Eastern Clearing Inc., applicant** - applicant wishes to obtain special exception approval under Category 20 of the Zoning Ordinance, which would allow for an approved wastewater system. The property contains ± 10 acres, is zoned Industrial-Park (I-1), and is located on the northeast side of Bealeton Road (Route 805), Cedar Run District. (PIN #6899-75-8606-000) (Postponed until March 27, 2003, at the request of the applicant.)

9. **REZONING**

- **#RZ03-L-02 – William F. and Lewis N. Springer and Delorise Gordon, owners, and Robert N. Springer, applicant – Fox Meadows** – applicant wishes to rezone approximately 90 acres from Rural Agricultural (RA) to Residential – 4 (R-4). The property is located on the northwest side of Route 28 south of Oak Shade Road (Route 661), Lee District. (PIN's #6889-54-9393-000, 6889-74-0648-000, and 6889-75-2303-000) (Postponed until February 27, 2003, at the applicant's request.)

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

Mr. Meadows, seconded by Mr. Sinclair, moved to approve this request with the applicant's revised proffered conditions.

This approval is subject to the following proffered conditions:

1. LAND USE:
 - 1.1. Residential development on the Property shall not exceed 197 single-family dwelling units.
 - 1.2. The proposed single-family detached subdivision shall be developed in general conformance with the Concept Development Plan (CDP) with modifications, as needed to address existing and future utility locations, right-of-way locations, wetlands issues, open space access, and stormwater management requirements.
2. DEVELOPMENT PHASING:
 - 2.1. That the proposed 197 lots will not be built out in less than six (6) years.
 - 2.2. That the initial year of development (whenever that occurs) will not produce more than 33 building lots.
 - 2.3. That the subsequent cumulative rate of development will not exceed 33 building lots per year.
 - 2.4. That, while annual lot development need not be equally paced, no more than 66 lots will be produced in any single year, regardless of the pace of development in previous years.
3. BUFFERING:
 - 3.1. A 50-foot landscaped buffer shall be maintained around the perimeter of the property with all adjoining land
 - 3.2. An exception to this buffer will be the approximately 400 feet on the southern edge of proposed lots 128 through 133 that adjoin land designated as open space in the adjoining Liberty Run subdivision.
 - 3.3. **The 50-foot buffer shall be outside of individual lots and shall be maintained by the homeowners association.**
4. UTILITIES:

All dwelling units will be connected to Fauquier County Water and Sewer Authority (WSA) water and sewer service at the applicant's expense.

5. HOMEOWNERS ASSOCIATION:

A homeowners association will be created and shall be responsible for the maintenance and repair of all common areas not dedicated to public use, all buffer areas as referenced above, and any entrance features.

6 TRANSPORTATION:

6.1 The Applicant will dedicate right-of-way bordering Route 28 for the proposed road widening. This right-of-way dedication will extend 60 feet from the existing centerline of Route 28, sufficient to provide for VDOT requirements.

6.2 The Applicant will construct the on-site portions of a connector road as indicated in the Comprehensive Plan for the Bealeton Service District.

6.3 This road will begin as a 90-foot divided road for the first few hundred feet, continuing as a 70-foot road to an inter-parcel connection with the property currently identified by PIN: 6889-65-1209.

7 LAND DONATED TO COUNTY:

Applicant will donate approximately 2.77 acres of the tract to the county for recreational or other public use as determined by the County. If it is determined by the County that such donation is not desirable from the County's perspective, no less than two acres will be added the open space controlled by the HOA.

8 CASH PROFFERS

8.1 Applicant will contribute proffers with a total value of \$14,730 per lot for the 189 approved over the current by-right development potential. The total calculated value of these proffers is 2,783,970.

8.2 The applicant is seeking credit toward this cash proffer for the approximate 2.77 acres donated for community use. This land has an average assessed value of \$15,683.

- 8.3 Based on these requested credits, the applicant agrees to contribute a total cash proffer of \$2,768,287 to be paid upon issuance of each building permit in the amount of \$14, 647 per lot.

Mr. Robison stated that there are too many homes being built without enough infrastructure.

The motion carried 4 – 1, with Mr. Robison in opposition.

10. **BOARD OF ZONING APPEALS AGENDA**

1. **REVIEW OF MINUTES OF THE FEBRUARY 6, 2003 MEETING**
2. **SPECIAL PERMIT #50651 MARY C. DECARLO (OWNER) & DECARLO ENTERPRISES, INC. (LESSEE)** - Applicants are requesting special permit approval to store propane fuel on 25 acres of 132.01 acres, identified as PIN #6898-18-1549, located at 11271 Remington Road, Lee Magisterial District, Bealeton, Virginia. The property is zoned Industrial 2. The public hearing has been closed.
3. **SPECIAL PERMIT #50887 JOHN P. SIFRIT & HEATHER P. SIFRIT (OWNERS)** - Applicants are requesting special permit approval to locate a small contracting business on the property, identified as PIN #6945-36-1395, located at 7017 Catbird Lane, Marshall District, Marshall, Virginia. The public hearing has been closed.
4. **SPECIAL PERMIT #50894 AMERICAN LEGION POST 360 (OWNER)** - Applicants are requesting special permit approval to locate a meeting hall on the property, identified as PIN #6994-10-6814, located on Frytown Road, Center District, Warrenton, Virginia. The public hearing has been closed.
- *5. **SPECIAL PERMIT #50998 GARY E. HURST, SR. & JANE M. HURST (OWNERS)** - Applicants are requesting special permit approval to construct a single family dwelling unit 37.5 feet in height wherein the Zoning Ordinance permits a maximum height of 35 feet in the Rural Agriculture Zoning District, identified as PIN #6976-45-8936, located on Route 17, Marshall District, Warrenton, Virginia.

*** Proposed Site Visit**

Mr. Robison asked if there were any comments before staff forwards them onto the Board of Zoning Appeals.

No comments were stated.

There being no further business, the meeting was adjourned at 3:46 p.m.