

MINUTES OF

FAUQUIER COUNTY PLANNING COMMISSION***APRIL 27, 2000***

The Fauquier County Planning Commission held its regular meeting on Thursday, April 27, 2000, beginning at 3:00 P.M. in the Meeting Room of the Warren Green Building, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. Richard Robison, Chairman; Mr. Bob Sinclair, Vice Chairman, and Mr. Jim Green. Also present at the meeting were Mr. Rick Carr, Mr. Randy Hodgson, and Mr. Lou Mosurak.

1. APPROVAL OF MINUTES - MARCH 30, 2000

On motion made by Mr. Sinclair it was moved to postpone the minutes of March 30, 2000, until the April meeting in that Mr. Guerra and Mr. Rohrbaugh were absent from the meeting. The motion carried unanimously.

2. SPECIAL EXCEPTIONS

a. #SE00-C-06 - PATRICIA ANN & DR. ELOY ARENDS, OWNERS, AND JEFFREY

D. LIPPINCOTT/WHISPERWOOD, LLC, APPLICANT - applicant wishes to obtain special exception approval under Category 29 of the Zoning Ordinance which would waive the public street requirement in residential zones. The property is zoned Residential-1 (R-1), contains 48.0866 acres, and is located at the intersection of Frytown Road (Route 6740 and Millwood Drive, Center District. (PIN #6994-48-3480-000)

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

On motion made by Mr. Robison and seconded by Mr. Sinclair, it was moved to recommend approval of the special exception subject to the following conditions:

1. Stag Lane Conditions

- A culvert must be placed in the roadside ditch that is appropriately sized for the flow coming down Atlee Road from the North.
- A paved apron, in accordance with VDOT entrance standards, must be placed at the intersection of Atlee Road and Stag Lane and must be extended to beyond the culvert location.
- The fill on the west side of Stag Lane must be kept to a minimum of 2'.

- The road must be a minimum 12' wide paved travelway with 2' grass shoulders.
- If the location of the road is changed in any way, the special exception should become null and void and the developer should be required to resubmit for the new road location so that staff can review the new location and change the conditions, if necessary.
- A maintenance agreement should be executed and recorded for the road.

2. Carib Way Conditions

- Road plans are required because of the difficulty of this stream crossing. These plans should address all concerns discussed above, including steepness, drainage in the roadside ditches, including the drainage being diverted to the stormwater pond via a culvert under Carib Way, and all the drainage calculations for the culverts.
- The developer should provide a 100-year storm elevation in the vicinity of the proposed crossing. The culverts will create a ponding area upstream from this crossing, therefore, we will use this elevation to set the minimum first floor elevation for the houses on Logs 28 and 29. This will need to be completed at the final plat stage for Phase II. It will be important that once the house location is established, that the builder not be able to change the location when acquiring the zoning and building permits.
- The stream crossing is to be designed to pass a minimum of the two (2) year storm without flowing over the road.
- Carib Way must be a minimum of 12' wide paved travelway with 4' gravel shoulders.
- The developer is to supply a physical barrier on both sides of the road at the culvert crossing.
- The developer should be required to bond for this road crossing.
- A maintenance agreement should be executed and recorded for this road.
- The Developer is to supply a physical barrier on both sides of Carib Way unless a minimum 3 to 1 side slope is provided.

The motion carried unanimously.

- b. #SE00-L-07 - JIMMY L. HALL, OWNER/APPLICANT - applicant wishes to obtain

special exception approval under Category 28 of the Zoning Ordinance which would waive the requirement for Type I private streets in the RA and RC zones. The property contains 54.3 acres, is zoned Rural Agriculture (RA), and is located on Botha Road (Route 661), Lee District. (PIN #6960-88-4695-000)

On motion made by Mr. Robison and seconded by Mr. Green, it was moved to postpone the special exception, at the request of the applicant, indefinitely. The motion carried unanimously.

- c. #SE99-CR-46 - MELVIN SCOTT AND CAROLYN L. CHAMBERS, OWNERS, AND

DONALD R. THARPE, APPLICANT - LIBERTY STATION AT BEALETON - applicant wishes to obtain special exception approval under Category 11 of the Zoning Ordinance to allow for parking facilities (public/private). The property is zoned Rural Agriculture (RA), contains 64.5190 acres, and is located on Bealeton Road (Route 805) approximately 1 mile east of Marsh Road (Route 17), Cedar Run District. (PIN #6899-85-6796-000)

On motion made by Mr. Robison and seconded by Mr. Sinclair, it was moved to postpone the special exception, at the request of the applicant, until the June meeting. The motion carried unanimously.

3. AMENDMENT TO THE COMPREHENSIVE PLAN, CHAPTER 9, PUBLIC FACILITIES &

UTILITIES, FOR TELECOMMUNICATIONS - this proposed amendment presents the Plan for Commercial Wireless Technology Facilities, which includes a review of wireless technologies, an inventory of existing structures, topographic analyses, recommended hierarchy of facilities and services, recommended performance standards and aesthetics.

Mr. Carr stated that there will be a work session held on May 1st from 4:00 P.M. to 6:00 P.M. and that this should be postponed until the June meeting in order to put it into the proper Comprehensive Plan format.

On motion made by Mr. Robison and seconded by Mr. Sinclair, it was moved to postpone the request until the June meeting for further review. The motion carried unanimously.

4. COMPREHENSIVE PLAN CONFORMANCE DETERMINATIONS AND

SPECIAL

EXCEPTIONS

- a. #CPD99-L-03 AND #SE99-L-30 - CHANTILLY FARMERS SUPPLY COMPANY,

INC., OWNER, AND AMERICAN TOWER CORPORATION, APPLICANT - applicant has requested County determination as to whether the location of a telecommunications facility associated with #SE99-L-30 is in accord with the Code of Virginia, Section 15.2-2232. Applicant also wishes to obtain special exception approval under Category 20 of the Zoning Ordinance which would allow the construction of a 190' monopole type communications tower and related equipment. The property is zoned Commercial-2 (C-2), contains 5.1 acres, and is located on James Madison Highway (U.S. Routes 15/17/29) between Routes 651 and 687, Lee District. (PIN #6981-16-7415-000)

Mr. Robison stated that the applicant has requested that the request be postponed until the May meeting.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to postpone the requests, at the request of the applicant, until the May meeting for further review. The motion carried unanimously.

- b. #CPD99-M-05 AND #SE99-M-32 - PHILIP L. WHITESIDE, OWNER, AND

AMERICAN TOWER CORPORATION, APPLICANT - applicant has requested County determination as to whether the location of a telecommunications facility associated with #SE99-M-32 is in accord with the Code of Virginia, Section 15.2-2232. Applicant also wishes to obtain special exception approval under Category 20 of the Zoning Ordinance which would allow for the construction of a 190' monopole type communications tower and related equipment. The property is zoned Rural Agriculture (RA), contains 46.63 acres, and is located on Old Waterloo Road (Route 678), Marshall District. (PIN #6974-06-7342-000)

Mr. Robison stated that the applicant has requested that the request be postponed until the May meeting.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to postpone the requests, at the request of the applicant, until the May meeting for further review. The motion carried unanimously.

- c. #CPD99-L-06 AND #SE99-L-33 - LELA FALLER, OWNER, AND AMERICAN

TOWER CORPORATION, APPLICANT - applicant has requested County determination as to whether the location of a telecommunications facility associated with #SE99-L-33 is in accord with the Code of Virginia, Section 15.2-2232. Applicant also wishes to obtain special exception approval under Category 20 of the Zoning Ordinance which would allow for the construction of a 190' monopole type communications tower and related equipment. The property is zoned Rural Agriculture (RA), contains 8.57 acres, and is located on Weaversville Road (Route 662), Lee District. (PIN #6980-40-6265-000)

Mr. Robison stated that the applicant has requested that the request be postponed until the May meeting.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to postpone the requests, at the request of the applicant, until the May meeting for further review. The motion carried unanimously.

d. #CPD99-CR-07 AND #SE99-CR-34 - GF DEVELOPMENT, LLC, OWNER, AND

AMERICAN TOWER CORPORATION, APPLICANT - applicant has requested County determination as to whether the location of a telecommunications facility associated with #SE99-CR-34 is in accord with the Code of Virginia, Section 15.2-2232. Applicant also wishes to obtain special exception approval under Category 20 of the Zoning Ordinance which would allow for the construction of a 190' monopole type communications tower and related equipment. The property is zoned Rural Agriculture (RA), contains 136.82 acres, and is located on Rogues Road (Route 602), Cedar Run District. (PIN #7901-70-0869-000)

Mr. Robison stated that the applicant has requested that the request be postponed until the May meeting.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to postpone the requests, at the request of the applicant, until the May meeting for further review. The motion carried unanimously.

e. #CPD99-CR-08 AND #SE99-CR-35 - WILLIE H. AND KATHERINE M.

WASHINGTON, OWNERS, AND AMERICAN TOWER CORPORATION, APPLICANT - applicant has requested County determination as to whether the location of a telecommunications facility associated with #SE99-CR-35 is in accord with the Code of Virginia, Section 15.2-2232. Applicant also wishes to obtain special exception approval under Category 20 of the Zoning Ordinance which would allow for the construction of a 190' monopole type communications tower and related equipment. The property is zoned Rural Agriculture (RA), contains 8.58 acres, and is located on Ritchie Road (Route 644), Cedar Run District. (PIN #7808-21-7316-00)

Mr. Robison stated that the applicant has requested that the request be postponed until the May meeting.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to postpone the requests, at the request of the applicant, until the May meeting for further review. The motion carried unanimously.

5. PRELIMINARY PLATS

a. #PP99-S-15 - LOUIE & SHIRLEY WALKER, OWNERS/APPLICANTS - applicants

wish to obtain preliminary plat approval to subdivide 7.09 acres into six (6) lots. The property is zoned R-1 and is located off the south side of Lee Highway (Routes 15/29), between Baldwin Street (Route 673) and Pendleton Lane, Scott District. (PIN #6995-98-3229-000 and #6995-98-1794-000)

Mr. Hodgson reviewed his staff memorandum, a copy of which is attached to and made a part of these official minutes. He stated that he applicant has requested postponement until the May meeting.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to postpone the preliminary, at the request of the applicant, until the May meeting for further review. The motion carried unanimously.

b. #PP00-S-04 - JAMES W. AND FLORENCE V. SMITH, OWNERS, AND ROBERT

H. ROGERS, III, APPLICANT - applicant wishes to obtain preliminary plat approval to subdivide 9.67 acres into seven (7) lots. The property is zoned Residential-1 (R-1), and is located off of Lee Highway (Route 15/29) in New Baltimore, Scott District. (PIN #7905-09-5413-000 and #6995-99-9827-000)

On motion made by Mr. Sinclair and seconded by Mr. Green, it was moved to approve the preliminary plat subject to the following conditions:

1. The following statements will be added to the final drainfield plat:

- The County recommends that no below grade basements be constructed on soil mapping units 16B and 415B due to wetness unless the foundation drainage system of the structure is designed by a Virginia Licensed Professional Engineer.
- Before a home is started the builder needs to mark the drainfield area off and not disturb it during construction.

2. The preliminary plat will include the approval of the County Engineer prior to

the submittal of final plan/plats for the proposed subdivision.

6. BOARD OF ZONING APPEALS AGENDA

a. SPECIAL PERMIT (#45487) - WALNUT GROVE BAPTIST CHURCH, TRUSTEES,

OWNERS - applicants are requesting special permit approval for an addition to the existing church. The proposed addition will be used for Sunday school classrooms. The subject property is identified as PIN #6992-88-8892-000, contains 1.084 acres, is located at the intersection of Meetze Road (Route 643) and Turkey Run Road (Route 779), and is zoned Residential-1, Cedar Run District.

b. SPECIAL PERMIT (#45470) - MOUNT HOLLY BAPTIST CHURCH, TRUSTEES,

OWNERS - applicants are requesting special permit approval for an addition to the existing church. The proposed addition will be used for Sunday school classrooms. The subject properties are identified as PIN #6895-48-1870-000 and PIN #6895-49-2009-000, contains 4.25 acres, is located at 6172 Sumerduck Road (Route 651), and is zoned Residential-1, Lee District.

c. SPECIAL PERMIT (#45503) - ASPEN PROPERTIES, LLC, OWNERS, AND

RICHARD AND KATHLEEN FITZSIMMONS, CONTRACT OWNERS - applicants are requesting special permit approval to continue operating a Residential Care Facility. Applicants are requesting to increase the number of residents to twenty (20). The subject property is identified as PIN #7828-40-2249-000, contains 21.836 acres, is located at 3493 Midland Road (Route 610), and is zoned Rural Agriculture (RA), Cedar Run District.

d. SPECIAL PERMIT (#45626) - MAIN STREET LIMITED PARTNERSHIP,

OWNERS - applicant is requesting an extension of one (1) year to Special Permit #44059. The subject properties are identified as PIN #6969-89-6085-000, PIN #6969-88-1625-000 and PIN #6969-89-2054-000, contains approximately 8.69 acres, are located on the east side of Old Stockyard Road (Route 1001), and are zoned Commercial-3, Marshall District.

e. SPECIAL PERMIT (#45625) - WILLIE H. AND KATHERINE M. WASHINGTON,

OWNERS, AND KASTLE GREEN GOLF CLUB, APPLICANT - applicant is requesting special permit approval to locate two (2) directional signs of two (2) square feet on property identified as PIN #7808-21-7316-000, contains approximately 8.58 acres, and is located on Ritchie Road (Route 644) and Marsh Road (Route 17), and is zoned Rural Agriculture, Cedar Run and Lee Districts.

f. VARIANCE (#45627) - BRUCE A. AND JUDI K. ABBOTT, OWNERS - applicants

wish to construct a detached garage three (3) feet from a side property line, wherein the Zoning Ordinance requires twenty-five (25) feet. The subject property is identified as PIN #7914-83-5944-000, contains 5.00 acres, is located at 4121 Ringwood Road (route 669), and is zoned Rural Residential-2, Cedar Run District.

g. SPECIAL PERMIT (#45628) - THE PLAINS REDEVELOPMENT CORPORATION,

OWNER, AND JOSEPH H. SIMPSON, CONTRACT OWNER - applicant is requesting special permit approval to locate a contractor's office, shop and materials storage yard on more than one (1) acre. The subject property is identified as PIN #6979-49-3419-000, contains 3.32 acres, is located south of John Marshall Highway (Route 55), and is zoned Industrial-2, Scott District.

h. SPECIAL PERMIT AND VARIANCE (#45630) - FAUQUIER JUNIOR FAIR, INC.,

OWNER, AND PIEDMONT EQUINE PRACTICE, INC., CONTRACT OWNERS - applicants are requesting special permit approval to locate a veterinary clinic. They are also requesting a variance to construct a barn seven (7) feet from a side property line, wherein the Zoning Ordinance requires one-hundred (100) feet. The subject property is identified as PIN #6070-60-7640-000, located at 4122 Zulla Road (Route 709), contains 4.00 acres, and is zoned Rural Agriculture, Scott District.

i. VARIANCE (#45638) - LANE ENTERPRISES, INC., OWNER - applicant is

requesting a variance for an addition to an existing nonconforming building. The proposed addition would contain 120 square feet within the nonconforming area, and would be located 57.7 feet from the centerline of Schoolhouse Road (Route 805), wherein the zoning Ordinance requires seventy-five (75) feet. The subject property is identified as PIN #6899-31-2695-000, contains 5.214 acres, located on Schoolhouse road (Route 805), and is zoned Industrial-2, Lee District.

Mr. Sinclair stated his concerns during the work session held earlier in the day.

ZONING ORDINANCE TEXT AMENDMENTS

Mr. Robison stated that the Commission needs to schedule public hearings on two (2) Zoning Ordinance Text Amendments concerning ponds and the parking of commercial vehicles.

On motion made by Mr. Robison and seconded by Mr. Sinclair it was moved to advertise the two (2) text amendments for public hearing at the May meeting. The motion carried unanimously.

There being no further business, the meeting was recessed at 3:15 P.M.

The Fauquier County Planning Commission reconvened its regular meeting on Thursday, April 27, 2000, beginning at 7:00 P.M. in the Meeting Room of the Warren Green Building, 10 Hotel Street, Warrenton, Virginia, for public hearings. Those members present were Mr. Richard Robison, Chairman; Mr. Bob Sinclair, Vice Chairman; Mr. Serf Guerra, Secretary and Mr. Jim Green. Also present at the meeting were Mr. Rick Carr, Mr. Randy Hodgson, Mrs. Denise Harris and Mr. Lou Mosurak.

7. CITIZENS TIME

No one spoke.

8. SPECIAL EXCEPTIONS

a. #SE99-CR-39 - RODNEY I. SMITH, OWNER, AND CROWN CASTLE ATLANTIC,

LLC, AND BELL ATLANTIC MOBILE, INC., APPLICANTS - applicants wish to obtain special exception approval under Category 20 of the Zoning Ordinance which would allow for an unmanned telecommunications facility. The property is located on the south side of Catlett Road (Route 28), Cedar Run District. (PIN #7900-75-7589-000)

Mr. Hodgson stated that the applicant has requested an indefinite postponement for the Special Exception, Comprehensive Plan Conformance Determination and Rezoning Request. A copy of the letter is attached to and made a part of these official minutes.

Mr. Robison opened the public hearing.

In that no one appeared to speak for or against the request, Mr. Robison closed the public hearing.

On motion made by Mr. Guerra and seconded by Mr. Green it was moved to postpone the request indefinitely, at the request of the applicant. The motion carried unanimously.

b. #SEA00-S-01 - ARROWOOD, LLC, OWNER, AND ROBERT H. SMITH,

APPLICANT - applicant wishes to amend special exception #22111 dated July 30, 1985. This amendment would allow apartments to be leased to non-employees. The special exception was approved for the four apartments to be used by employees, visitors and guests. Two (2) of the four (4) apartments would be rented. The property is zoned Rural Agriculture (RA), contains 379.2187 acres, and is located on Rokeby Road (route 623), Scott District. (PIN #6064-62-7167-000)

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

Mr. Robison opened the public hearing.

Mr. Richard C. Talley, representing the applicant, stated that they have had a reduction of staff, that they have gone out of the thoroughbred horse business, and that some of the apartments are empty and they wish to rent them out.

Mr. Green asked if the apartments are in the old house and Mr. Tally replied yes.

In that no one else appeared to speak for or against the motion, Mr. Robison closed the public hearing.

On motion made by Mr. Green and seconded by Mr. Robison, it was moved to recommend approval of the request subject to the following conditions:

1. Use of two (2) of the four apartments for employees, guests and visitors in

conjunction with farm operations only. The remaining two (2) apartments may be leased to non-employees.
2. Maintenance of exterior appearance of a single family dwelling.
3. Exception to be void if farm operation ceases.
4. Office to be used as a farm office only.

The motion carried unanimously.

c. #SEA00-M-02 - MARRIOTT INTERNATIONAL, INC., OWNER, AND JERRY

COOPER, APPLICANT - applicant has filed a special exception amendment application to change condition #30 to allow the division of 33 acres, more or less, from the parcel containing 495 acres. The property is zoned Rural Agriculture (RA), and is located on Hume Road (Route 635), Marshall District. (PIN #6918-55-7748-000)

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

Mr. Robison opened the public hearing.

Mr. Jerry Cooper, General Manager of Marriott Ranch, stated that he wishes to build a house for himself on this property and stated that they will try to limit obstruction of the view.

Mr. Green asked who owns the property behind this parcel in question, and was told by Mr. Cooper the Bach's and someone else. Mr. Green also asked

if this will include the red cattle barn and Mr. Cooper relied yes.

Mrs. Sheila Wolk, The Dell Farm, stated that Marriott is an excellent neighbor, but they have concerns about the view going west on Route 635, and asked if they could build somewhere else on the property. She presented a letter to the Commission, a copy of which is attached to and made an official part of these minutes.

Mr. Green asked where the house will be located and Mr. Cooper replied against the tree line.

In that no one else appeared to speak for or against the request, Mr. Robison closed the public hearing.

Mr. Green stated that he is very familiar with this property and stated that the house will not be noticeable and will not detract from the area.

On motion made by Mr. Green and seconded by Mr. Sinclair, it was moved to recommend approval of the request subject to the following conditions:

1. Uses to which the property may be put under this special exception shall be limited to the following: weddings and wedding receptions; company, corporate or organization picnics and barbecues; corporate retreats; trail rides with catered meals; youth group camping; equestrian events (cutting horse competitions and clinics at the Corral site). Uses other than these shall be allowed only upon approval by the Board of Supervisors or Board of Zoning Appeals for individual special exceptions or special permits. These events may be conducted either for profit or for charitable or community service organizations.
2. Except for youth group camping with a maximum limit of 45 campers at any one time on the Marriott Ranch property, the number of "Class B" events permitted in any calendar year shall not exceed one (1) and the attendance at any such "Class B" event shall not exceed 2,000 attendees per day.
3. The maximum number of "Class C" events permitted in any calendar week shall not exceed four (4) in excess of 25 persons and the total number of attendees in any week shall not exceed 500.
4. The total attendance for "Class B" and "Class C" events, combined, in any

calendar year shall not exceed 16,000 persons.

5. Marriott Ranch shall maintain for an indefinite period event and attendance records and shall submit a report to the zoning Administrator each month between April and November.
This report shall include all events by type and number of attendance.
6. Events conducted under this special exception shall be conducted only from April 15 through November 15 in any calendar year.
7. With the exception of catered trail rides and charitable events, none of the events permitted under this special exception shall be open to the general public.
8. With the exception of overnight camping activities to be conducted at the two (2) designated camping sites (located along the Rappahannock River and off of Route 726 near the Trail Ridge Barn), the hours of operation for all events shall be limited to the hours of 8:00 A.M. to 11:00 P.M.
9. Musical events will be conducted only between the hours of 12:00 Noon and 10:00 P.M. except at the Western Town, where an 11:00 P.M. limit shall be employed.
10. At all "Class B" events except for youth group camping, the applicant shall employ and have continuously on the premises a private emergency medical technician during the operation for each event.
11. At all events with greater than 25 attendees the applicant shall employ and have continuously on the premises a person trained in Cardio-Pulmonary Resuscitation (CPR).
12. Fire extinguishers meeting State and Federal standards shall be provided at all event sites.
13. All grass areas used for parking shall be mowed and maintained so as to minimize the risk of vehicle and field fires.
14. The applicant shall require its employees and all invitees to strictly comply with State burning laws and copies of such laws shall be posted at the designated campsites and at other

appropriate places.

15. The applicant at all times, employ such number of persons as are necessary to facilitate the parking of vehicles and the control of those in attendance, and at events where attendance will exceed 500 persons, the applicant shall employ such number of off-duty deputies or other security personnel as are determined to be acceptable to the Zoning Administrator in consultation with the Fauquier County Sheriff's Office.
16. All on-site parking, entrances and other physical improvements will comply with the County's site plan regulations.
17. The applicant shall conform at all times to County Health Department regulations regarding sanitary sewerage facilities, food service, hand washing facilities and wells.
18. All uses under this special exception shall be conducted so as to meet all noise performance standards enumerated in Article IX of the County Zoning Ordinance. In addition, all events shall be conducted in such a manner that noise emissions will not exceed 50% of the decibel limits permitted by the County's noise regulations.
19. At all events with amplified music, the applicant shall employ noise attenuation devices which will include acoustical absorbing materials and shall have available noise measuring devices for use by the Sheriff's Office or other County officials.
20. The amplified sound system presently in use at The Corral shall be modified prior to any use under this special exception to use directional speakers, and that system shall be placed in use no more than 6 times in any calendar year.
21. All regular and contract employees shall be informed of the sound emissions limitations and shall be required to conform to same. A decibel metering system shall be purchased and utilized at all events with amplified sound.
22. All lighting shall be of the "downlight" type, shall be shielded, and redirected downward and inward, so as to eliminate glare from all adjacent

properties.

23. Any parking illumination shall be limited to ground lighting.
24. In addition to any approvals and permits required by Sections 5-915.6 and 5-916.6 of the Zoning Ordinance the applicant shall obtain a VDOT permit for any event or series of events which will generate more than 250 attendees per day. VDOT as a condition to issuance of a permit may require such measures as are deemed necessary to protect public safety.
25. In the event flagmen are required by VDOT or the Sheriff's Office for traffic control, all persons so employed shall be so qualified by VDOT or the Sheriff's Office.
26. The applicant shall regularly, and no less than monthly, police both sides of the highway right-of-way and remove all litter and foreign materials along the applicant's entire frontage on Route 635.
27. Any reduction in acreage below 2,133; 831; 462 and 712 acres respectively, except for the dedication or condemnations of right-of-way for public purposes shall constitute a violation of this special exception.
28. Future subdivision of the 33 acre parcel, which was permitted to be divided from the 495 acre parcel (PIN #6918-55-7748-000) following amendment to this special exception in April 2000, is not permitted.
29. This special exception shall be for a period of ten (10) years from the time of approval of this special exception application.

NOTE: While the Planning Commission recommended approval of this special exception amendment, it suggested that Condition #28 (regarding the prohibition of further subdivision of the 33 acre parcel being created) be separated out and written as a stand alone condition. All other conditions of the original special exception remain the same, with the exception of the change in acreage from 495 to 462 acres in Condition #27 (reflecting the 33 acre division.)

Mr. Guerra stated that his questions will be taken care of in the site plan

process, and was told by Mr. Mosurak that there will be no site plan, just the subdivision approval process.

The motion carried unanimously.

d. #SE00-CR-08 - CHARLES HULL, OWNER, AND JAMES COLES,
APPLICANT -

applicant wishes to obtain special exception approval under Category 29 of the Zoning Ordinance which would waive the public street requirement in residential zones. The property contains 14.13 acres, is zoned Residential-1 (R-1), and is located just north of Sillamon Road (route 752) and east of Blackwells Mill Road (Route 617), Cedar Run District. (PIN #7825-75-5989-000)

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

Mr. Robison opened the public hearing.

In that no one appeared to speak for or against the request, Mr. Robison closed the public hearing.

Mr. Robison stated that he has talked with Mr. Rohrbaugh and that he sees no problems with sending this forward to the Board of Supervisors with conditions.

On motion made by Mr. Robison and seconded by Mr. Sinclair, it was moved to recommend approval of the request subject to the following conditions:

1. The driveway shall be constructed to a minimum width of 12 feet with grass shoulders.
2. Appropriately sized ditches along the driveway shall be constructed.
3. Access to the parcel shall be at a location approved by VDOT prior to subdivision approval.

Mr. Guerra stated that he is glad to see this wrapping up.

The motion carried unanimously.

9. COMPREHENSIVE PLAN AMENDMENT (#CPA00-M-01) AND REZONING
REQUEST

(#RZ00-M-02) - TOWER DEVELOPERS, LLC, OWNER, AND DAVID SUTHERLAND, APPLICANT - applicant wishes to modify Chapter 7, Villages and Settlements, of the Fauquier County Comprehensive Plan to change two parcels from Village (V) to Village Commercial (VC) on the Village of Linden map for a future post office. Applicant also wishes to rezone 1.9404 acres from Village (V) to Village

Commercial (VC) to allow for the construction of a new 3,500 square foot post office. The property is located at the intersection of John Marshall Highway (Route 55) and Freezeland Road (Route 638), in the Village of Linden, Marshall District. (PIN #6001-34-7648-000 and #6001-34-9732-000)

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

Mrs. Harris stated that the applicant's plan to vacate the property line, and that this will be done at the site plan stage. She further stated that VDOT has requested transportation improvements.

Mr. Green stated that this is a dangerous intersection and that the transportation issues are important, and the vacation of the property line is important.

Mr. Robison opened the public hearing.

Mr. David Sutherland, representing Tower Developers, stated that the post offices wishes to construct a new building. He stated his concerns about VDOT requiring the decel lane and stated that this is being required because of development on Freezeland Lane and asked why the decel lane could not be constructed with this development.

Mrs. Harris stated that it is normal for VDOT to ask for road frontage improvements along the property line, as well as across the street, and stated that they are asking for improvements only along Route 55 not along Route 638.

Mr. Sinclair stated that it appears that the applicant needs longer to look into the matter of the decel lane.

Mr. Sutherland stated that this will cost approximately \$20,000 more than he had figured.

Mr. Guerra asked if the applicants are under time constraints and Mr. Sutherland replied that they are under contract to have the building completed by December. Mr. Guerra further stated that this could be approved subject to resolving this issue prior to the Board meeting.

Mr. Robison asked about excluding the C-2 uses and Mr. Sutherland stated that has no problems with this.

Mr. Sutherland stated that the existing building is not large enough, that the building will have a masonry exterior, with an asphalt shingle roof that will blend with the area and the landscape and will be handicap accessible. He further stated he would develop proffers for the requested VDOT improvements and excluding all C-2 uses not related to the post office.

In that no one else appeared to speak for or against the request, Mr. Robison closed the public hearing.

On motion made by Mr. Green and seconded by Mr. Guerra it was moved to recommend approval of the request subject to the proffers being signed prior to the Board of Supervisors meeting.

Mr. Carr advised the applicant to work with staff and VDOT to prepare the proffer statement.

The motion carried unanimously.

10. COMPREHENSIVE PLAN CONFORMANCE DETERMINATION (#CPD00-CR-02) AND

REZONING REQUEST (#RZ00-CR-01) - RODNEY I. SMITH, OWNER, AND CROWN CASTLE ATLANTIC, LLC, AND BELL ATLANTIC MOBILE, INC., APPLICANT - applicants have requested County determination as to whether the location of a telecommunications facility associated with #SE99-CR-39 is in accord with the Code of Virginia, Section 15.2-2232. applicants also wish to amend the proffered conditions of a previously approved rezoning to allow telecommunications facilities on the property. The property contains 3.3 acres, is zoned Industrial-2 (I-2), and is located on the south side of Catlett Road (Route 28), Cedar Run District. (PIN #7900-75-7589-000)

Mr. Sinclair stated that the applicant has request an indefinite postponement of the request.

Mr. Robison opened the public hearing.

In that no one appeared to speak for or against the request, Mr. Robison closed the public hearing.

On motion made by Mr. Robison and seconded by Mr. Sinclair, it was moved to postpone the request indefinitely, at the request of the applicant. The motion carried unanimously.

There being no further business the meeting was adjourned at 7:45 P.M.

A tape recording of the meeting is on file in the Department of Community Development, 40 Culpeper Street, Warrenton, Virginia, for one year.