

**MINUTES OF  
FAUQUIER COUNTY BOARD OF ZONING APPEALS  
MARCH 3, 2022**

***Regularly Scheduled Meeting  
2:00 p.m.  
Warren Green Building, First Floor Meeting Room  
10 Hotel Street  
Warrenton, Virginia***

The Fauquier County Board of Zoning Appeals held its regularly scheduled meeting on Thursday, March 3, 2022, beginning at 2:00 p.m. in the Warren Green Building, First Floor Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. Benjamin Tissue, Jr., Chairperson; Mr. Maximilian Tufts, Jr., Vice-Chairperson; Mr. Dell Ennis; Mr. Jonathan Lienhard; and Mr. Lawrence G. McDade.

Also present were Mr. Adam Shellenberger, Chief of Planning/Secretary; Ms. Tracy Gallehr, County Attorney; Ms. Heather Jenkins, Assistant Chief of Zoning/Development Services; and Mrs. Meredith Meixner, Planning Associate II.

Mr. Tissue introduced the Board and announced that the one item scheduled for public hearing has been withdrawn by the applicants.

**ADOPTION OF BYLAWS:**

On motion made by Mr. Tufts and seconded by Mr. McDade, it was moved to adopt the following Bylaws:

***BYLAWS  
FAUQUIER COUNTY BOARD OF ZONING APPEALS***

***Adopted October 11, 1955  
Amended September 5, 1974  
Amended September 7, 1978  
Amended September 8, 1988  
Amended February 10, 2000  
Amended February 25, 2005  
Amended February 18, 2010  
Amended March 3, 2022***

**ARTICLE I – AUTHORITY**

The Fauquier County Board of Zoning Appeals operates under the authority of the *Code of Virginia*, as amended, and the Fauquier County Zoning Ordinance.

## **ARTICLE II – MEMBERS**

The Board of Zoning Appeals shall consist of five (5) members appointed by the Circuit Court of Fauquier County. Their terms of office shall be for five (5) years. All members shall be residents of the County. The secretary of the Board shall notify the court at least ninety (90) days in advance of the expiration of any term of office, and shall also notify the court promptly if any vacancy occurs.

## **ARTICLE III – OFFICERS AND ELECTIONS**

The Board of Zoning Appeals shall elect from its membership a Chairman, Vice Chairman and Secretary, whose terms shall be for one year, with eligibility for reelection. The secretary may be either from the board's membership or a qualified individual who is not a member of the board. A secretary who is not a member of the board shall not be entitled to vote on matters before the board. Officers shall be elected at the January meeting, with the new officers taking position at that meeting. When a vacancy occurs, the office shall be filled at the next regular meeting.

The Board may make, alter and rescind rules and forms for its procedures, consistent with Ordinances of the County and general laws of the Commonwealth.

## **ARTICLE IV – QUORUMS**

For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members of the Board. Three (3) members of the BZA shall constitute a quorum and three (3) members are necessary to render a decision on all matters, but a less number may meet and adjourn.

## **ARTICLE V – MEETINGS**

The Board of Zoning Appeals shall meet once a month in regular session on the first Thursday of each month at a time to be set by the Board at its January meeting in the Warren Green Building, Warrenton, Virginia. The Board of Zoning Appeals, by Resolution, may also fix the day or days to which any meeting shall be continued if the Chairman or Vice-Chairman is unable to act or finds and declares that weather or other conditions are such that it is hazardous for members to attend the meeting. Such finding shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised for such meeting in accordance with *Code of Virginia* § 15.2-2309(8) shall be conducted at the continued meeting and no further advertisement is required.

Special meetings may be called by the Chairman or at the request of any two members provided that notice thereof has been emailed to each member of the Board of Zoning Appeals at least five (5) days before the time set, or that a waiver of notice is obtained from each member.

When a regularly scheduled meeting falls on a legal holiday, the meeting shall be held on

the following business day unless the Board by majority vote prescribes another date.

**ARTICLE VI – ROBERTS RULES OF ORDER**

The proceedings of the Board of Zoning Appeals, except as otherwise provided in these Bylaws and by the *Code of Virginia* or the Fauquier County Zoning Ordinance shall be governed by Robert’s Rules of Order, 12<sup>th</sup> edition, provided, however, that the rules governing small assemblies contained in Robert’s Rules of Order shall not apply.

**ARTICLE VII – AMENDMENTS**

These Bylaws may be changed by a recorded majority vote of those in attendance after thirty (30) days prior notice.

The motion carried unanimously.

**MINUTES:**

On motion made by Mr. Tufts and seconded by Mr. McDade, it was moved to approve the February 3, 2022 minutes.

The motion carried unanimously.

**REGULAR AGENDA:**

**VARIANCE – VARI-21-016613 – JAMES C. & LAURIE LUCAS ANDREWS (OWNERS/APPLICANTS) – ANNE’S PROPERTY** – An application for a variance of Zoning Ordinance Section 3-405.1. The property is located at 7580 Cannoneer Court, Marshall, VA 22134. PIN 6974-57-7734-000 (Heather Jenkins, Staff)

Mr. Tissue noted that this item has been withdrawn by the applicants.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at approximately 2:05 p.m.

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Benjamin D. Tissue, Jr. Chairperson

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Adam Shellenberger, Secretary

*Copies of all files and materials presented to the BZA are attached to and become part of these minutes. A recording of the meeting is on file for one (1) year.*