

## RESOLUTION

A RESOLUTION TO APPROVE SPEX-16-005332 – MIDDLEBURG MONTESSORI SCHOOL – AN APPLICATION FOR A CATEGORY 5 SPECIAL EXCEPTION TO ALLOW A PRIMARY SCHOOL AND A CATEGORY 5 SPECIAL PERMIT TO ALLOW A NURSERY SCHOOL (PIN 6073-89-6367-000 AND 6073-89-9285-000, SCOTT DISTRICT)

WHEREAS, the applicant, BethAnn Slater of Middleburg Montessori School, has requested a Category 5 Special Exception to allow a primary school for students under the age of 15 and a Category 5 Special Permit to allow a nursery school for children under the age of 6; and

WHEREAS, on August 18, 2016, the Fauquier County Planning Commission held a public hearing on the proposed Special Exception and Special Permit and recommended approval of the application; and

WHEREAS, on September 8, 2016, the Board of Supervisors conducted a public hearing and considered written and oral testimony; and

WHEREAS, the Board of Supervisors waives the 5-acre minimum lot requirement for a primary school in the Residential-Village (V) District, and finds that the 4.35-acre Residential-Village (V) zoned property is adequate to accommodate less than 50 primary school students per Section 5-504.3.A of the Zoning Ordinance; and

WHEREAS, the Board of Supervisors finds that the lesser setback of the existing structure on PIN 6073-89-6367-000 from the adjoining property to the west will not cause an undue impact on the adjoining property because of the specific characteristics of the proposed school per Section 5-502.1 of the Zoning Ordinance; and

WHEREAS, the Board of Supervisors finds that the type and amount of traffic generated by the new facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road usage per Section 5-502.2 of the Zoning Ordinance; and

WHEREAS, the Board of Supervisors has determined that the application satisfies the standards of Zoning Ordinance Sections 5-006 and 5-500; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8<sup>th</sup> day of September 2016, That SPEX-16-005332 be, and is hereby approved, subject to the following conditions:

1. This Special Exception and Special Permit are granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception and Special Permit Plat “Middleburg Montessori” dated July 6, 2016, and received in the Planning Office on July 6, 2016, as approved with this application and as modified by the associated conditions below.
2. The applicant shall comply with all Virginia Department of Health (VDH) requirements. The Operation Permit for the proposed school use at 7296 Rectors Lane shall be required prior to release of the Site Plan.

3. The school use, including nursery and primary schools on both parcels, shall be limited to a maximum enrollment of one hundred thirty-eight (138) students.
4. The primary school use (6 to 14 years), including both parcels, shall be limited to a maximum enrollment of forty-nine (49) students.
5. The number of students on the school parcel currently designated as PIN 6073-89-6367-000, 7296 Rectors Lane, shall be limited to fifty (54) students.
6. No more than four (4) non-related staff members shall be housed on PIN 6073-89-6367-000.
7. The number of people per school building shall not exceed the occupancy load of the structure.
8. The preschool on PIN 6073-89-9285-000 may include an office with a maximum of six (6) employees.
9. Accessory teacher training classes shall be permitted.
10. The outdoor recreation area on the parcel currently designated as PIN 6073-89-6367-000, 7296 Rectors Lane, shall be constructed in accordance with Sections 5-503 and 5-504 of the Zoning Ordinance in the general area shown on the Special Exception and Special Permit plat. It shall be completely surrounded with a wood picket fence at least four (4) feet in height. The total size of the outdoor recreation area shall accommodate the required space per child at a given time: one hundred (100) square feet per nursery school child, two hundred (200) square feet per child in kindergarten through grade 3, and four hundred thirty (430) square feet per child in grade 4 through 12. This area shall be supervised by at least one member of the faculty or staff when students are using the space.
11. The applicant shall obtain an entrance permit and meet all Virginia Department of Transportation (VDOT) standards.
12. Off-street parking shall be effectively screened and located outside of the minimum front yard setback, which is fifty (50) feet from the centerline of Rectors Lane (Route 828).
13. The applicant shall provide a suitable and safe student drop off area on PIN 6073-89-6367-000 prior to school use.
14. The applicant shall retain the existing vegetation around the perimeter of the campus with the exception of minor maintenance and removal of dead vegetation.
15. Non-scalable fencing shall be installed around the perimeter of both properties, running behind the stone wall. Students shall not be permitted to use this area for outdoor recreation until this fencing is completely constructed. This area shall be supervised by at least one member of the faculty or staff when students are using the space.

16. Access to the two parcels shall be limited to Rectors Lane (Route 828); no access shall be authorized on John S. Mosby Highway (Route 50).
17. The existing farm gate on PIN 6073-89-9285-000 shall remain locked at all times and shall include non-scalable wire fencing. No additional gates shall be installed along the north side of the subject properties.
18. The stone wall along the south side of the school properties shall be retained, except in the instance when it may become necessary to remove a small portion to install a commercial entrance to provide access to the school parcel currently designated as PIN 6073-89-6367-000, 7296 Rectors Lane. If the stone pillars are removed to install the new entrance, they shall be reconstructed.
19. A lighted path connecting the two parcels, the approximate location of which is shown on the Special Exception/Special Permit plat, shall be installed. The lighting shall be in conformance with Article 9 of the Zoning Ordinance.
20. All signs shall require appropriate permits. No additional signage shall be installed along John S. Mosby Highway (Route 50).
21. All required building and zoning permits shall be obtained.