

RESOLUTION

A RESOLUTION TO DENY WAIV-16-005690 – A WAIVER OF ZONING ORDINANCE SECTION 7-302.1.A.2 ALLOWING A PRIVATE STREET THAT DOES NOT CONNECT DIRECTLY TO A STATE MAINTAINED STREET (PIN 6022-96-1121-000, PIN 6032-04-4173-000, PIN 6032-06-3415-000, PIN 6032-15-3237-000, PIN 6032-16-8625-000, PIN 6032-27-2904-000, 6032-18-1323-000, 6022-76-7256-000), MARSHALL DISTRICT

WHEREAS, Zand 78, LLC, and Demavand 9, LLC, Owners, and Partow Payandeh, Applicant, are seeking a Waiver of Zoning Ordinance Section 7-302.1.A.2 to allow the dedication of two private streets that do not connect directly to a state maintained street; and

WHEREAS, the proposed ‘Waiver Segment A’ connects to the private street Audubon Trail rather than a public road; and

WHEREAS, the proposed ‘Waiver Segment B’ connects to the private streets Apple Manor Road and Audubon Trail rather than a public road; and

WHEREAS, on October 13, 2016, the Fauquier County Board of Supervisors conducted a public meeting and considered written and oral testimony; and

WHEREAS, the connection of these proposed private streets to the existing private streets will have an unreasonable adverse impact to property owners who use these streets; and

WHEREAS, the proposed construction of these private streets to a Type I standard does not conform to the rural character of the Conservation District; and

WHEREAS, the construction of these proposed private streets will have a negative impact on the environmental resources present within the subject properties due to land disturbance associated with construction of the private streets to a Type I standard; and

WHEREAS, the Board of Supervisors has determined that denial of the waiver would not unreasonably restrict the use of the applicant’s property; and

WHEREAS, the Board of Supervisors has determined that granting the requested waiver does not constitute good zoning practice; and

WHEREAS, the Board of Supervisors has determined that the request fails to satisfy the ordinance standards for a waiver; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of October 2016, That WAIV-16-005690 be, and is hereby, denied.

A Copy Teste

Paul S. McCulla
Clerk to the Board of Supervisors