

January 9, 2024  
Town Council  
Public Hearing

**RESOLUTION TO APPROVE SPECIAL USE PERMIT 23-03 FOR AN ACCESSORY DWELLING UNIT AT 226 E. LEE STREET PURSUANT TO SECTION 11-3.10 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, Mr. and Mrs. Lawrence, ("the Applicant"), is requesting a Special Use Permit approval on a parcel of land containing approximately 1.3 acres, identified as GPIN 6984-52-4022-000, located at 226 E. Lee Street in the Town of Warrenton's Historic District and hereinafter referred to as the "Property"; and

**WHEREAS**, the Applicant is requesting to convert an existing barn in the rear yard of the Property into an Accessory Dwelling Unit ("ADU") measuring approximately 985-1,049 square feet; and

**WHEREAS**, an Accessory Dwelling Unit ("ADU") is authorized as a permissible use in the R-6 Residential Zoning District pursuant to Article 3-4-3.3 as a dwelling(s) in an accessory building; and

**WHEREAS**, the Warrenton Architectural Review Board held a work session to discuss the Special Use Permit on July 27, 2023; and

**WHEREAS**, the applicant has placed the Certificate of Appropriateness on hold until the conclusion of the Special Use Permit application; and

**WHEREAS**, the Warrenton Planning Commission held a work session to discuss the Special Use Permit on November 28, 2023; and

**WHEREAS**, the Warrenton Planning Commission held a public hearing on this matter on December 19, 2023; and

**WHEREAS**, the Town Council received and considered the Planning Commission's recommendation for approval of the Special Use Permit based on Conditions of Approval; and

**NOW THEREFORE BE IT RESOLVED**, that the Warrenton Town Council on this 9<sup>th</sup> day of January 2024, that SUP 23-03 be, and is hereby, approved, subject to the following conditions:

1. This Special Use Permit is issued covering the entire Property pursuant to the provisions of §11-3.10 of the Town of Warrenton Zoning Ordinance.
2. The Property shall be developed in substantial conformance with the Special Use Permit Plan with the label "taken from survey provided by James H Harris &

Associates April 10, 1986 with the seal of Laura Gargagliano Bartee, Architect dated November 3, 2023. Minor adjustments may be made to entrances, parking, dimensions and location of any required SWM facilities, the exact configuration and location of the building footprints, and other similar features, provided they meet the intent of these Conditions and are approved by the Director of Community Development or the Zoning Administrator.

3. The site is located within the Historic District and therefore is subject to the Town of Warrenton Guide to Historic Resources and any exterior changes or alterations require the submission of a Certificate of Appropriateness (COA) and review and approval by the Architectural Review Board (ARB). No structures shall be modified or constructed until a COA has been issued, per §3-5.3 of the Zoning Ordinance.
4. A Site Development Plan is required with all Special Use Permits, per §11-3.7 of the Zoning Ordinance.
5. Disturbance in excess of 2,000 square feet will require a Land Disturbance Permit.
6. The Accessory Dwelling Unit (ADU) shall not exceed twenty-five (25) percent of the total floor area of the principal dwelling, nor contain less than five hundred (500) square feet of floor area; and
7. If the property is subdivided in a manner that results in the ADU becoming its own parcel, separate water and sewer taps from the primary residence shall be required by the Applicant/Property Owner; and
8. The ADU shall have a separate address and signage from the Principal Residence so as to distinguish the ADU as a separate dwelling to fire, police, and emergency services; and
9. The ADU shall contain adequate parking spaces and driveway configuration in order to allow for proper access from fire, police, and emergency services.
10. Proposed light fixtures and exterior attachment methods shall be reviewed during the Certificate of Appropriateness (COA) process and in accordance with the Zoning Ordinance.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:**

Community Development Director,  
Town Attorney

ATTEST: \_\_\_\_\_  
Town Recorder