



**BOARD OF ZONING APPEALS OF THE TOWN OF WARRENTON
TOWN HALL
21 MAIN STREET
WARRENTON, VIRGINIA 20186**

MINUTES

**A REGULAR MEETING OF THE BOARD OF ZONING APPEALS WAS HELD ON
NOVEMBER 6, 2025, AT 5:00 P.M. IN WARRENTON, VIRGINIA**

PRESENT Mr. Van Baggett, Vice Chair, Mr. Kenneth “Charlie” Mulliss, Ms. Elizabeth Scullin; Ms. Heather Jenkins, Zoning Administrator; Ms. Amber Heflin, Zoning Official

ABSENT Ms. Melea Maybach, Chair; Ms. Susan Helander

CALL TO ORDER AND DETERMINATION OF A QUORUM

The meeting was called to order at 5:00pm. There was a quorum of members present.

APPROVAL OF MINUTES

Draft Minutes – May 7, 2025, Meeting

Mr. Mulliss motioned to approve the minutes as presented, and Ms. Scullin seconded. All in favor. The vote was as follows:

Ayes: *Mr. Van Baggett, Vice Chair; Mr. Kenneth “Charlie” Mulliss, Ms. Elizabeth Scullin*

Nays:
Absent During Vote: *Ms. Melea Maybach, Chair; Ms. Susan Helander*

PUBLIC HEARING

BZA-25-2- 130,132,134 Haiti Street

Ms. Heflin gave a brief presentation on the proposed variance request, advising the request was

for a variance of the minimum lot size, minimum lot frontage, and minimum side yard setbacks required by the Residential R-6 Zoning District so the existing and recently reconstructed three-family dwelling can be subdivided into three separate single-family dwellings on individual lots.

Ms. Heflin added the applicant would also be required to submit a final plat of subdivision for approval and recordation after the BZA approves the variance request, should it choose to do so.

Ms. Heflin advised the applicant and property owner, Melanie Burch with Fauquier Habitat for Humanity, was present for questions from the Board. She also added that the applicant's representative, Greg Ashwell, was also present.

Mr. Baggett asked if the applicant would like to speak to their variance request.

Mr. Ashwell advised the Board one of Habitat for Humanity's major projects is the revitalization of Haiti Street and have purchased several homes on the street that were in disrepair. He noted the property in question was one of them.

Mr. Ashwell added Habitat is trying to keep continuity throughout the Haiti Street neighborhood where they are able and also trying to work with Town officials to do things "by the book".

He stated they submitted a detailed statement of justification with background on the property that they felt explained the importance of the variance they respectfully asked the Board to consider. He also reiterated the appearance of the homes on the lot will not change due to this request.

Mr. Ashwell restated Ms. Heflin's previous statement about needing additional rezoning approvals prior to subdividing the property.

Ms. Scullin asked for additional information about the rezoning needed and pondered if rezoning the property would be considered spot zoning.

Ms. Jenkins advised the next step would not be a rezoning but would be a subdivision plat to subdivide the lots.

Ms. Scullin confirmed again that a rezoning is not required at all.

Ms. Heflin concurred and stated the final step in the process would be a subdivision plat to create the interior lot lines.

Ms. Scullin compared the requested zero side yard interior lot setbacks to those of townhouses.

Ms. Heflin affirmed.

Mr. Ashwell stated the proposal was a "townhouse without actually being a townhouse".

Mr. Baggett asked Mr. Ashwell for the reasoning behind the subdivision of the property into three lots.

Mr. Ashwell stated that Fauquier Habitat's aim was for homeownership for the individuals that will

be purchasing these properties. If the homes were to remain on one lot, that would preclude homeownership abilities for prospective buyers.

Ms. Burch added the properties would no longer be tenant-occupied and would be homeowners. She noted they could not sell the structure on one lot to three families. They would be required to rent without the subdivision into three separate lots.

Ms. Burch stated they have people ready to purchase these homes that are currently in overcrowded situations. She added it was important to get these people into these starter homes to have the opportunity to begin building generational equity.

Ms. Scullin pondered the current non-conforming status of the property and noted staff stated the property would become more non-conforming with the proposed subdivision.

Ms. Jenkins advised the existing three-family structure is non-conforming, and the request to subdivide would not necessarily make the property more non-conforming, but there would be new non-conformities created. She added that rather being a non-conforming use, it would become a conforming use by reestablishing single-family dwellings (a by-right use), but new non-conformities of setbacks, lot size, and lot frontage would be created by the subdivision.

Ms. Scullin asked about accessory structures and fences on the property.

Ms. Burch stated it would be helpful to have fences in the backyards for the safety and security of the homeowners.

Ms. Heflin stated the concern is not with fencing, but rather accessory structures. She added that the concern is if sheds are placed in the rear yard, the setbacks would limit placement of any accessory structure, noting accessory structures are currently required to meet a 5' setback from any side or rear property line. Ms. Heflin asked Ms. Jenkins about side yard setbacks for an interior lot.

Ms. Jenkins advised the variance is for the single-family dwelling structure only, and any future accessory structures would be required to meet the 5' side yard setback requirement. She added it appears that setbacks should be able to be met, but she could not definitively state that at this time.

Ms. Scullin asked if it was to the applicant's advantage to show fences on the site plan for the property.

Ms. Jenkins advised a fence does not have a setback unless it is greater than 4' tall in a front yard setback. She added that any rear yard fencing could certainly be on the property line.

Ms. Heflin added that the applicant is not required to show fencing on a site development plan or plat unless the applicant has the intent of installing at that time. She noted that fencing can be applied for separately at a later date.

Mr. Baggett asked for any further discussion.

There were no further questions or discussion.

Mr. Baggett opened the public hearing at 5:17pm.

No one spoke.

Mr. Baggett closed the public hearing at 5:17pm.

Mr. Baggett motioned to approve BZA-25-2 with the approval conditions as presented by staff, and Mr. Mulliss seconded. All in favor. No discussion. The vote was as follows:

Ayes: *Mr. Van Baggett, Vice Chair; Mr. Kenneth "Charlie" Mulliss, Ms. Elizabeth Scullin*

Nays:

Absent During Vote: *Ms. Melea Maybach, Chair; Ms. Susan Helander*

There were no further comments or questions.

UPDATES FROM STAFF

Cancellation of the Board's Regularly Scheduled December Meeting

Ms. Heflin advised the Board there are no pending appeals or variance requests and there are no pending administrative tasks the Board needs to complete next month, and the December meeting can be cancelled should the Board wish to do so.

There was agreement from all Board members to cancel the regularly scheduled December meeting.

Ms. Scullin requested the date for the January meeting.

Ms. Jenkins stated the January meeting was scheduled for the 6th.

There were no further questions.

Mr. Baggett welcomed the new members to the Board for their first meeting.

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ADJOURNMENT

There being no further business, Mr. Baggett adjourned the meeting at 5:20pm.

I hereby certify that this is a true and exact record of actions taken by the Board of Zoning Appeals of the Town of Warrenton on November 6, 2025.

Melea Maybach
BZA Chair