

December 10, 2024
Town Council
Regular Meeting

**RESOLUTION TO APPROVE ZMA 2023-01 WARRENTON UNITED METHODIST
CHURCH/HERO'S BRIDGE PURSUANT TO SECTION 11-3.9 OF THE ZONING ORDINANCE OF
THE TOWN OF WARRENTON
(GPINS 6984-16-5101 PORTION APPROXIMATELY 5.22 ACRES OF THE APPROXIMATELY
6.31 ACRE PARCEL, 6984-16-7013, 6984-15-1823 AND 6984-15-1930)**

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

WHEREAS, the Owner, Trustees of Warrenton United Methodist Church, and the Applicants, Warrenton United Methodist Church and Hero's Bridge, seek a Zoning Map Amendment of approximately 9.8640 acres from R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development) located on and adjacent to the existing church located at 341 Church Street in the Town of Warrenton and hereinafter referred to as the "Property"; and

WHEREAS, the Applicants have applied for a Zoning Map Amendment to develop 22-two-family residential dwellings for a total of 44 units to provide affordable housing to veterans ages 65 and older; and

WHEREAS, the Application includes a Small Office/Community Center to be constructed; and

WHEREAS, The Applicants are requesting deviations from Zoning Ordinance requirements under the Virginia Supreme Court's ruling in *Rowland vs. Town of Warrenton* that "the General Assembly intended for these statutes to grant localities the authority to permit deviations from the requirements of a zoning ordinance by accepting voluntary proffers as part of a rezoning application"; and

WHEREAS, the Owner and Applicants submitted executed voluntary proffers dated September 20, 2024, and a Concept Development Plan dated September 19, 2024; and

WHEREAS, the Planning Commission held two public work sessions on ZMA 2023-01 on July 16, 2024 and August 27, 2024; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of a zoning amendment, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on September 17, 2024 and October 15, 2024; and

WHEREAS, the Planning Commission considered for approval of the zoning amendment based on voluntary proffers and Virginia State Code Section 15.2-2285; and

WHEREAS, the Warrenton Planning Commission recommended denial to the Town Council in a 3 to 1 vote, with one member absent; and

WHEREAS, the Owner and Applicants have submitted updated executed voluntary proffers dated October 30, 2024, Warrenton UMC Proposed Building Elevation dated March 16, 2023, Fitness Trail/Stations Exhibit dated October 22, 2024, and a General Development Plan dated October 30, 2024; and

WHEREAS, the Warrenton Town Council held a work session on ZMA 2023-01 on Tuesday, November 12, 2024; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicants for approval of a zoning amendment, the Town Council upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on Tuesday, December 10, 2024; and

WHEREAS, the Town Council considered for approval of the zoning amendment based on the Planning Commission recommendation, voluntary proffers and Virginia State Code Section 15.2-2285; and

WHEREAS, the Town Council finds that the Application meets the criteria for approval found in Section 11-3.9.12 in the Town of Warrenton Zoning Ordinance; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council on this 10th day of December 2024, hereby approves ZMA 2023-01 subject to the executed voluntary proffers dated October 30, 2024, Warrenton UMC Proposed Building Elevation dated March 16, 2023, Fitness Trail/Stations Exhibit dated October 22, 2024, and a General Development Plan dated October 30, 2024.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

ATTEST: _____
Stephen Clough, Town Clerk