FAUQUIER COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

ADMINISTRATION

Third Floor - Court and Office Building 29 Ashby Street, Suite 310 Warrenton, VA 20186

> (540) 422-8200 Fax: (540) 422-8201



ZONING & DEVELOPMENT SERVICES
Third Floor – Court and Office Building
29 Ashby Street, Suite 310
Warrenton, VA 20186

Zoning & Development Plans: (540) 422-8220 Permitting & Building: (540) 422-8230 Fax: (540) 422-8231 PLANNING 10 Hotel Street, Suite 305 Warrenton, VA 20186

(540) 422-8210 Fax: (540) 422-8211

April 2, 2014

Mr. Shane O'Connor Blackthorne Inn 10087 John S. Mosby Highway Upperville, VA 20187

Re: Special Exceptions – SPEX14-MA-003, SPEX14-MA-004, & SPEX14-MA-005 – Stonecreek Group, LLC (Owner)/Shane O'Connor (Applicant) – Blackthorne Inn & Restaurant

Dear Mr. O'Connor:

On January 9, 2014, the Fauquier County Board of Supervisors voted to approve your Special Exception requests. A copy teste of the resolution of approval is attached.

Please note that a site plan must be approved as the next step and the transportation improvements shall be completed within six months of site plan approval. To proceed with the site plan application, please contact Rob Walton, Senior Planner, at (540) 422-8220.

Sincerely,

Holly Meade

Assistant Chief of Planning

Attachment

cc: Stone Creek Group, LLC, Owner

Amy Pritchard, Carson, Ashley & Associates, LLC, Representative

- Timbir mit Zuğılılırı - Tabelli gerik çiliyen ilkişin ve Tabuyulka desi

93343

and the second

men v 1 Tr rul up

in Agent I deel dhe bharen geest beer an Bangaren een en een een een de een. Deephin eelteste beern een elligietes ee geen brochend beinnesse

The many of the property of the part of th

دلان إلارمالك

guiant Min 1 - 12 Impaki d

u ser ette

and take great factors

Holly Meade

RESOLUTION

A RESOLUTION TO APPROVE SPEX14-MA-003, SPEX14-MA-004, AND SPEX14-MA-005

– BLACKTHHORNE INN & RESTAURANT – AN APPLICATION FOR A CATEGORY 7

SPECIAL EXCEPTION FOR AN ADAPTIVE USE TO CONTINUE THE OPERATION OF A

RESTAURANT; A CATEGORY 9 SPECIAL EXCEPTION TO CONTINUE THE

OPERATION OF A RESORT; AND A CATEGORY 9 SPECIAL EXCEPTION TO HOLD

CLASS "C" EVENTS (PIN 6044-67-8620-000, MARSHALL DISTRICT)

WHEREAS, Shane O'Connor, applicant, has requested Special Exception approval to continue the operation of a restaurant and resort, and to hold various events on the property; and

WHEREAS, on September 26, 2013, the Fauquier County Planning Commission held a public hearing on the proposed Special Exception requests and unanimously postponed action on the applications due to unresolved issues; and

WHEREAS, on November 7, 2013, the Fauquier County Board of Zoning Appeals approved a variance to Zoning Ordinance standard 5-916.3, permitting Class "C" events in a structure within 100 feet of the front property line with approval of a Special Exception; and

WHEREAS, on December 4, 2013, the Fauquier County Planning Commission held a public hearing on the proposed Special Exception requests and unanimously recommended approval of the applications; and

WHEREAS, on January 9, 2014, the Board of Supervisors conducted a public hearing and considered written and oral testimony; and

WHEREAS, the Planning Commission and Board of Supervisors find that less restrictive standards related to acreage do not negatively impact any other general or specific standard contained in Article 5 for these uses and will serve the purposes of promoting public health, safety and welfare to an equivalent degree; and

WHEREAS, the Board of Supervisors has determined that the applications satisfy the standards of Zoning Ordinance Sections 5-006, 5-702, 5-906, and 5-916; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of January 2014, That SPEX14-MA-003, SPEX14-MA-004, and SPEX14-MA-005 be, and are hereby, approved, subject to the following conditions:

1. The Special Exception is granted for the purposes(s), structure(s), and/or uses indicated on the Special Exception Plat prepared by Carson Ashley titled "Category 7 & 9 Special Exception Blackthorne Inn" dated July 15, 2013 and the "Entrance Exhibit" dated November 6, 2013, except as specifically modified by the conditions below or as may be necessary to meet Zoning Ordinance and engineering requirements.

- 2. The transportation improvements shown on the "Entrance Exhibit" prepared by Carson Ashley dated November 6, 2013 shall be completed within six months of Site Plan approval.
- 3. Class "C" events are limited to a maximum of 30 events per year with a maximum of 120 guests. Events shall be limited to arts and crafts shows; family reunions; wedding ceremonies and receptions and similar receptions; picnics, barbecues, and other similar activities such as corporate retreats; education seminars; and community-related arts, cultural and educational activities.
- 4. The hours of operation for all Class "C" events shall be limited to the hours of 9:00 a.m. to 11:00 p.m. Class "C" events which start on December 31st shall be permitted to operate until 1:00 a.m. January 1st. All activities relating to the Class "C" events, including event preparation and breakdowns, shall cease one (1) hour after the scheduled end of the event.
- 5. Related to Class "C" events, music associated or other amplified sound shall be allowed from 10:00 a.m. until the end of the event. Sound from any event, including events with music (amplified and non-amplified), shall not exceed sixty (60) dB at any property line.
- 6. All music related to the restaurant and pub shall be acoustic and shall be performed indoors.
- 7. The total number of guests on-site at any one time shall not exceed 200.
- 8. No activities or events shall result in more than the authorized occupancy limits under the Health Department septic permit. The applicant shall provide a copy of the approved upgraded Health Department septic permit for the restaurant and events to the Department of Community Development.
- 9. The applicant shall maintain at all times occupancy permits for all dwelling and guest units, Health Department approvals, and proof that State fire codes are met.
- 10. The applicant shall submit to the Health Department and the Department of Community Development the results of quarterly water testing as required by the State for bed and breakfast and full food service restaurants.
- 11. Applicant shall provide for the shielding of lighting located at the property entrance along Route 50 to mitigate off-site impacts. All lighting on-site shall conform to the Fauquier County Zoning Ordinance.
- 12. Flowering shrubs shall be planted between the existing rock wall and parking lot. All parking lot landscaping shall be maintained, which requires replacement in the result of damage or death.

- 13. All signage, including temporary signs, shall require appropriate permits from the Department of Community Development.
- 14. As stated in the Fauquier County Zoning Ordinance 5-916(6), the Zoning Administrator shall be notified no less than 30 days prior to any Class "C" event. This notice shall include the date, time, and type of event and copies of any required permits or licenses from the Sherriff's Office, VDOT, Emergency Services Office, and Health Department. Should the existing Zoning Ordinance be amended, this provision shall conform to the amended Zoning Ordinance.
- 15. In the event of a fire or other property-related casualty affecting the historic structure for which adaptive use is granted hereunder, the structure must be substantially restored to its condition prior to the casualty in order for the adaptive use to remain legally permissible. If such restoration is not completed within two years of the occurrence of such casualty, then the adaptive use permitted hereunder shall no longer be allowed and the Special Exception therefore shall be null and void.
- 16. All commercial activities permitted hereunder, and the structure or structures in which they are conducted, shall be subject to all applicable building code regulations, as well as applicable regulations promulgated by the Virginia Departments of Health and Transportation.
- 17. All alterations and additions to existing historic structures, all additional accessory structures, including signs, shall be designed and constructed in a manner that conforms to the United States Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

COPY AS
APPROVED BY
PC
1-9-14

Meadl
CERTIFIED

CASE # SPEXI4-MA-003
SPEXI4-MA-004
SPEXI4-MA-005
3

A Copy Teste

Paul S. McCulla

Clerk to the Board of Supervisors

COPY AS APPROVED BY PC

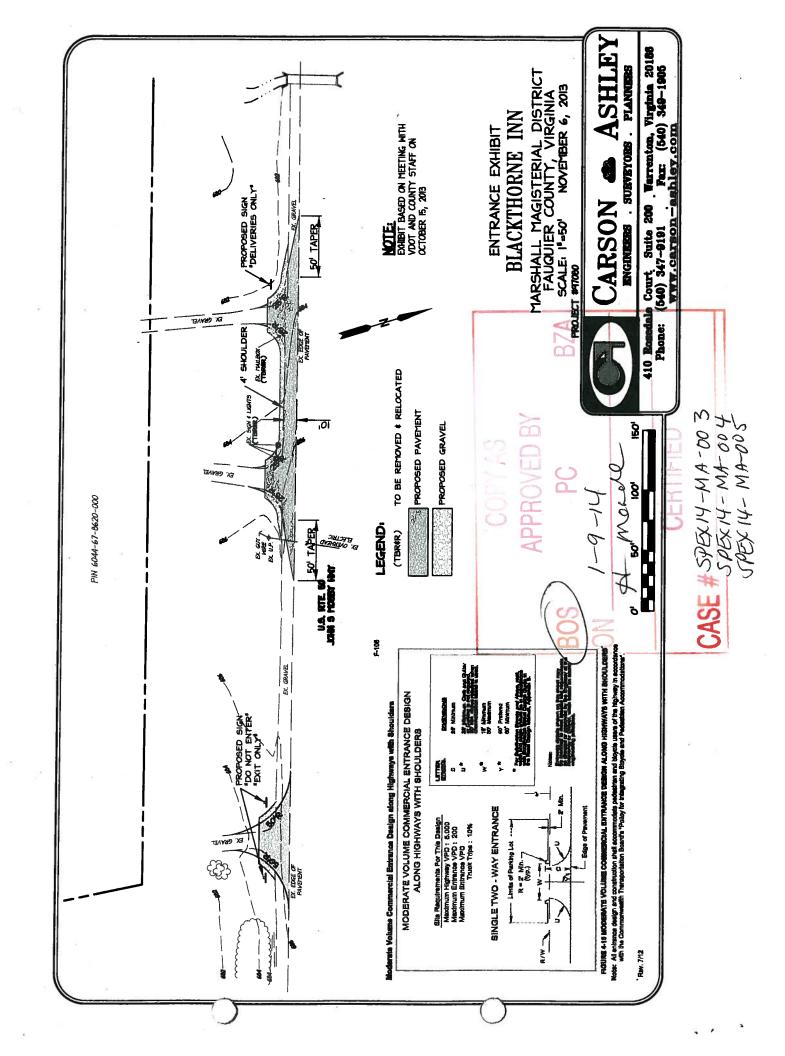
BZA

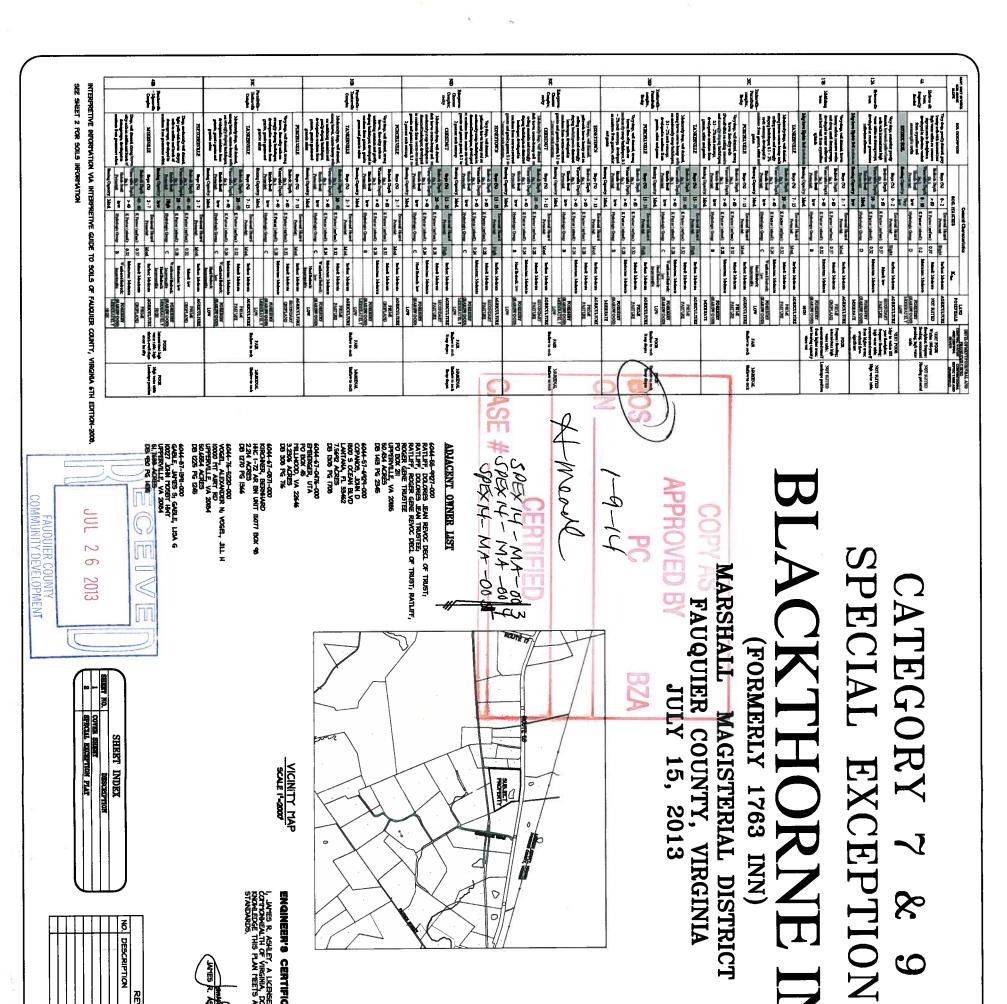
CERTIFIED

CASE #

808

ИО





GENERAL NOTES

I. PROJECT DESCRIPTION - THIS PROJECT IS A REQUEST FOR A CATEGORY 7 SPECIAL EXCEPTION FOR A RESTAURANT AS AN ADAPTIVE RELISE AND FOR THIS CATEGORY 9 SPECIAL EXCEPTIONS TO OPERATE A RESCRIT AND TO KIND CLASS C EVENTS LOCATED AN THE PROPERTY RISH IN SITE LOCATED AT 10002 CATED LAKE IN UPPERVILLE, VIRGINIA. THE USES ARE ALLOWED BY SPECIAL EXCEPTION PIRESHAT TO 3-307.4, 3-307.6, 3-306.16, 5-700 AND 5-300 OF THE FAVOUER COUNTY ZONING ORDINANCE.

2. PIN: 6044-67-3399-000

9

- 3. THIS SITE DISTRICT. CONTAINS 44,6468 ACRES, AND IS LOCATED IN THE MARSHALL MAGISTERIAL
- 1. CURRENT ZONING: RURAL AGRICULTURE (RA) ¢ RURAL CONSERVATION (RC)

RA ZONING REQUIREMENTS;
I'MN LOT NOTH 300: ACRES
I'MN LOT NOTH: 300:
I'MN LOT NOTH: 300:
I'MN BUILDING HEIGHT: 350
SETBACKS: FROMT: 350
SETBACKS: FROMT: SPOM CENTERLINE OF LOCAL COLLECTOR ROAD
OF FROMT CENTERLINE OF ROJE 50 (JOHN MOSEY HIGHWAY)
SIDE & REAR: 251 AS PER FAUGUIER COUNTY ZONING ORDINANCE

RC ZONING REQUIRED MIN LOT SIZE: 2.0 A MIN LOT WIDTH: 400 MIX BUILDING HEIGH SETBACKS: FRONT: ZONING REQUIREMENTS: N LOT SIZE: 2.0 ACRES N LOT MIDTH: 400' N BUILDING HEIGHT: 35'

76' FROM CENTERLINE OF LOCAL COLLECTOR ROAD
90' FROM CENTERLINE OF A MAJOR COLLECTOR
105' FROM CENTERLINE OF ROUTE SO (OLM MOSSY HIGHWAY)
50' AS PER FAUGUIER COUNTY ZONING ORDINANCE

SIDE # REAR

STONE CREEK GROUP, LLC 5306 INVERCHAPEL LANE SPRINGFIELD, VA 22151

APPLICANT:

- SHANE OCONNOR
 BLACKTHORNE INN
 10007 JOHN 5. MOSBY HAY
 UPPERVILLE, VA 20184
- 6. CURRENT USE: RESTAURANT # RESORT
- 1. PROPOSED USE: RESTAURANT ¢ RESORT WITH EVENTS
- B. BOUNDARY INFORMATION FROM SURVEY BY THIS FIRM. B. IMRPOVEMENTS TAKEN FORM ALTAVASTM SURVEY PREPAERD BY DUNN LAND SURVEYS.

- 2. PROPOSED ACCESS MILL BE FROM AN EXISTING COMMERCIAL ENTRANCE LOCATED ON ROUTE SO (JUAN MOSEY HIGHWAY)

 B. NO TITLE REPORT FURNISHED. EASEMENTS AND/OR RIGHT-OF-MAY MAY EXIST.

 II. METLANDS, IF ANY, ARE NOT SHOWN ON THIS PLAN.

 III. THE SUBJECT PROPERTY IS LOCATED ON FEMA FLOOD INSURANCE RATE MAP, NUMBER SIGNIC, PANEL 0025C, DATED FERNANTY 6, 2008. THE PROPERTY IS LOCATED IN ZONE C. THIS DOES NOT CONSTITUTE A FLOOD PLAIN STUDY BY THIS FIRM.
- is, this develophent mill be served by enting approved mells and drainfields. Revisions and upgrades to the drainfields are being proposed by george malker in Consultation mith the virginia department of health.
- 17. PARKING TABULATION
- PARKING PROVIDED: 54 PARKING SPACES
- PARKING REQUIRED
- RESTAURANT I SPACE PER 4 SEATS PLUS EMPLOYEES 123 SEATS 33 SPACES REGUIRED
 10 EMPLOYEES 10 SPACES REGUIRED
 43 SPACES REGUIRED TOTAL
 54 SPACES PROVIDED
- 120 PEOPLE PER EVENT 125 PEOPLE/CAR PER COUNT TRAFFIC REQUIREMENT 48 SPACES REQUIRED OVERFLOM GRASS PARKING IS AVAILABLE

ENGINEER'S CERTIFICATE

I SPACE PER RENTAL UNIT
SPACES PROVIDED ADJACENT TO CABINS AND COTTAGES

FAUQUIER COUNTY, VIRGINIA BLACKTHORNE INN CATEGORY 7 & 9
SPECIAL EXCEPTION PLAN DATE: JULY 15, 2013

CARSON ASHLEY ENGINEERS SURVEYORS PLANNERS

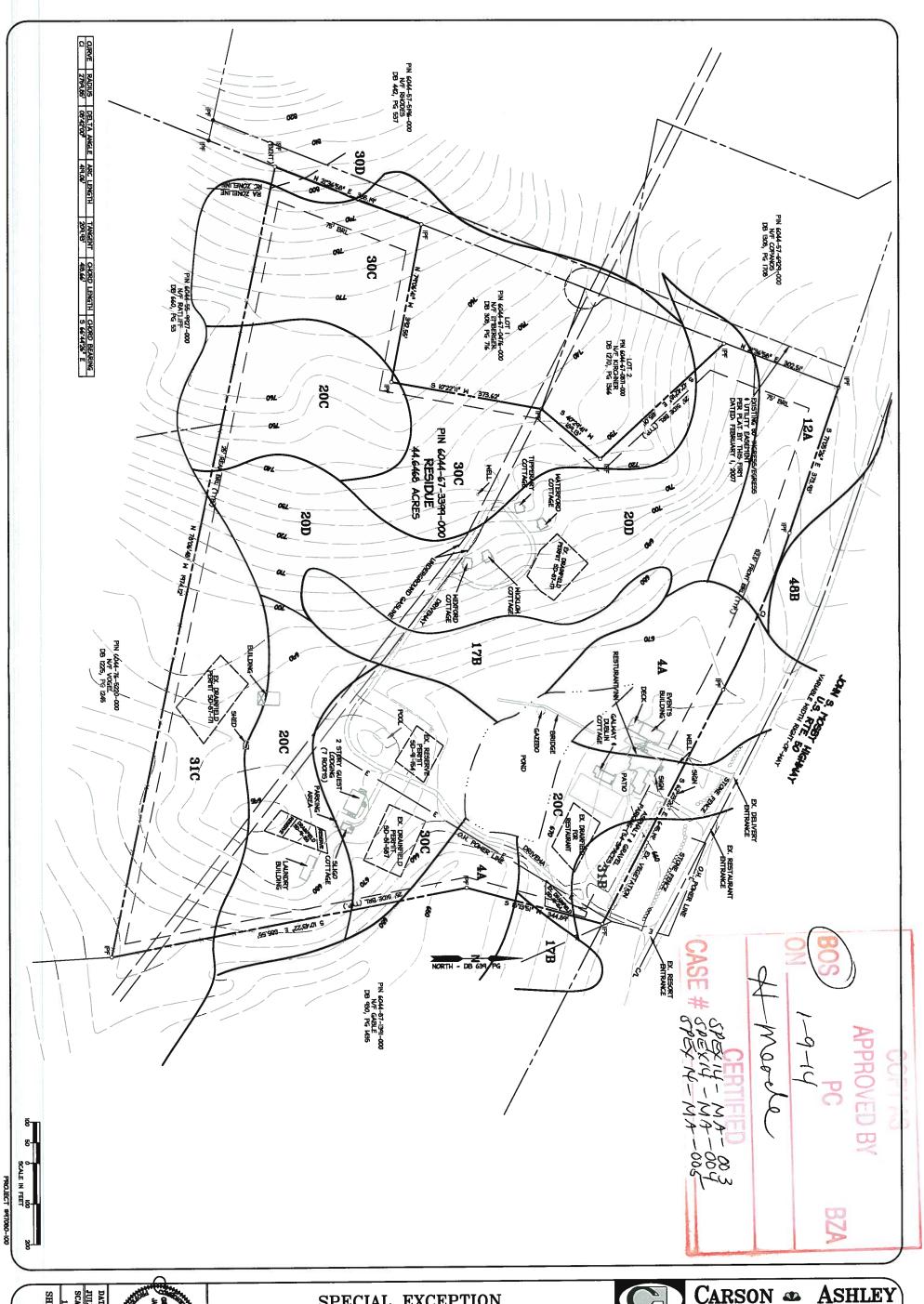
410 Ro

SHEET 1 OF 2

DESCRIPTION

REVISIONS

sedale Court · Suite 200 · Warrenton, Virginia 20186 Phone: (540) 347-9191 · Fax: (540) 349-1905



SHEET 2



SPECIAL EXCEPTION BLACKTHORNE INN

MARSHALL MAGISTERIAL DISTRICT

FAUQUIER COUNTY, VIRGINIA



410 Rosedale Court · Suite 200 · Warrenton, Virginia 20186 Phone: (540) 347-9191 · Fax: (540) 349-1905 www.carson-ashley.com

PLANNERS