

# Special Permits

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## FAUQUIER COUNTY

DEPARTMENT OF  
COMMUNITY DEVELOPMENT  
PLANNING DIVISION

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DEPARTMENT OF COMMUNITY  
DEVELOPMENT

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## Frequently Asked Questions

### What is a Special Permit?

A Special Permit is a permit for a use or structure that is not allowed as a matter of right, but may be permitted under the provisions of the Zoning Ordinance, if certain standards defined in the Ordinance are met.

### When do I need a Special Permit?

The Fauquier County Zoning Ordinance allows for a wide variety of land uses. Some of the uses are only allowed with approval of a Special Permit. Article 3 of the Zoning Ordinance lists the uses that require a Special Permit. Examples of uses requiring a Special Permit include churches, kennels, and major home occupations. The purpose of a Special Permit is to carefully review uses which need extra deliberation to ensure the surrounding area is not adversely impacted.

### How do I apply for a Special Permit?

Although not required, a meeting with staff to discuss the proposed use before filing an application is recommended. In addition to the Special Permit application, there is a submission checklist detailing the additional information and materials necessary for completing the application. The application can be prepared by the applicant without the help of consultants or an attorney. All application materials are available on-line at <http://www.fauquiercounty.gov/government/department/CommDev/index.cfm?action=specialpermit> or from staff. To schedule an appointment, call 540-422-8210.

### Is there an application fee?

Yes. There is a fee for Special Permit Categories 9 through 22. Other fees are applied for all other

Special Permits or additional Special Permit uses. If multiple uses are requested, a fee for each is required.

### Is there a deadline for filing applications?

Applications must be filed no later than 35 calendar days prior to the Board of Zoning Appeals' (BZA) meeting. The BZA meets the first Thursday of each month in the Warren Green Building at 10 Hotel Street, Warrenton, Virginia, 20186.

### How does the review process work?

After an application has been accepted, it will be reviewed by various County and State Agencies. As comments are received, staff will contact the applicant to resolve any issues that are identified to the extent possible prior to the BZA meeting. The applicant is required to post notices on the property at least 15 days prior to the BZA hearing date, and then to provide an affidavit to staff showing that the posting was done at the required time. The notices will be prepared by staff, and the applicant will be notified by staff that the notices are ready for posting in advance of the required posting date. These



posters give the community additional notice of the pending application.

Staff will prepare a report on the application. This staff report will be provided to the BZA, with a copy going to the applicant in advance of the meeting. Copies of the report will also be available to the public. The report may include recommendations from staff on appropriate conditions to place on any approval. The day of the BZA meeting, a work session is typically held before the public hearing. Applicants are welcome to attend the work session. The BZA holds its public hearing in the afternoon, starting at 2:00 p.m. The applicant as well as members of the general public will have the opportunity to speak regarding the application. After the public hearing is held, the BZA can approve (with or without conditions), deny, or defer the item for further consideration. If the BZA defers the item, it will be brought back at a future meeting date for action.

### What is the BZA and what is its role?

The BZA is a five-member panel appointed by the Fauquier County Circuit Court. It reviews and conducts public hearings on various applications, including Special Permits.

### How long does it take to get a Special Permit?

The BZA must render a decision within 90 days of the date that a complete application was filed with the County. However, with the applicants' consent, the timeline can be extended.

### How can I learn more about the process?

Visit the Planning Division at 10 Hotel Street, Third Floor, Suite 305, Warrenton, VA 20186, or call 540-422-8210. The office is open between the hours of 8:00 a.m. and 4:30 p.m.