

# Board of Zoning Appeals

*The five members of the BZA are appointed by the Fauquier County Circuit Court to five-year terms.*

## FAUQUIER COUNTY

### Department of Community Development

PLANNING DIVISION

10 Hotel Street  
Third Floor

Warrenton, Virginia 20186

Phone: 540-422-8210

Fax: 540-422-8211

Additional information available online at  
[www.fauquiercounty.gov](http://www.fauquiercounty.gov)



## FAUQUIER COUNTY

Department of Community  
Development

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## Frequently Asked Questions

### What is the BZA?

The Fauquier County Board of Zoning Appeals (BZA) hears and makes decisions on requests for Special Permits, Variances to the Zoning Ordinance and Appeals of decisions made by the Zoning Administrator. The five members of the BZA are appointed by the Fauquier County Circuit Court to five-year terms. Unlike members of the Board of Supervisors and the Planning Commission, the BZA members do not represent magisterial districts.

### When does the BZA meet?

The BZA meets on the first Thursday of the month. The regular public hearing begins at 2:00 p.m.; in addition, a work session may be held prior to the hearing.

### Where does the BZA meet?

Typically, the BZA meets in the Warren Green Building at 10 Hotel Street, Warrenton. The work sessions take place in the second-floor conference room; public hearings are held in the first floor meeting room of the Warren Green Building.

### What does the BZA do?

The BZA holds public hearings on all Special Permit and Variance requests. Before public hearings take place, county staff notifies by mail landowners who adjoin the property that is the subject of a Special Permit or Variance request. The County also places advertisements in the local newspaper indicating the type of permits or Variances requested as well as the date, time and location of the public hearings.

An applicant may apply to the BZA for a Variance when a requirement of the Zoning Ordinance cannot be met. The BZA shall grant a Variance

when a property owner proves that the strict application of the terms of the Ordinance would unreasonably restrict utilization of the property or that the granting of the variance would alleviate a clearly demonstrable hardship.

Finally, the BZA considers Appeals of decisions made by the Zoning Administrator. These are not public hearings. Applications for Appeal must be filed within 30 days from the date of the Zoning Administrator's decision. The BZA may affirm, reverse, or modify the order, requirement, decision or determination that is being appealed.

### What takes place during work sessions and the regular public meetings?

During work sessions, the BZA members discuss among themselves the Special Permit and Variance requests on the regular public meeting agenda. Work sessions are open to the public. Individuals with applications before the BZA and members of the public do not comment during work sessions, unless asked to do so by the Board. During the regular public meeting, the Board holds public hearings on agenda items as required by the Zoning Ordinance. Any person may comment



during public hearings. Speakers are asked to limit their remarks to three minutes. Appeals are not a public hearing item.

### How do public hearings operate?

Public hearings begin with a staff member providing an overview of requests for Special Permits or Variances, after which applicants are given a period of time to comment on their applications. At that point, any person may comment on applications. After reviewing applications and receiving public comments, the Board will decide whether to approve, modify, postpone or deny Special Permit or Variance requests.

### When must the BZA make its decisions?

The BZA must render decisions on Special Permit requests within 90 days of receiving a complete application. More often than not, the BZA acts on a Special Permit request immediately after the hearing. The BZA also has 90 days to act on Variance and Appeals requests. The deadlines for decisions on Special Permits, Variances and Appeals may be extended with the mutual consent of the BZA and the applicant.

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

For more information about the BZA visit the County Website at <http://www.fauquiercounty.gov/government/committees/bd zoning appeals/>, or call 540-422-8210. Applications, agency comments and staff reports for Special Permits are available for public review on the third floor of the Warren Green Building, Suite 305, at 10 Hotel Street, Warrenton.