



AGENDA

Board of Supervisors Meeting

May 4, 2021

9:00 AM

Moment of Silence

- A. Call to Order and Pledge of Allegiance of the United States of America
- B. Adoption of Agenda – Additions or Deletions
- C. Presentation – Resolutions of Appreciation for Information Technology (IT) Support
- D. Public Comment Period (60 Minute Time Limit)
- E. Report – Virginia Department of Transportation – Ed Carter
- F. Report – Virginia Cooperative Extension Office – Stacy Swain
- G. Reports – Board Members, Interim County Administrator, Interim County Attorney

NEW BUSINESS

- H. Consent Agenda
 - 1. Appropriation Resolution for FY 2021-2022 – Keith McLiverty/Ed Daley
 - 2. Approval of Health and Dental Insurance Rates – Ed Daley/Ed White
 - 3. Festival Permit Request of the Homesteaders of America – Joe Petty
 - 4. Resolution Regarding Old Dominion Court Services – Kim Chmura/Emily Ciarrocchi
 - 5. Request to Approve a Grant from the Virginia Department of Aviation – Caitlin Jordan
 - 6. Amended Agreement for the Use of Federal CARES Coronavirus Relief Funds between the County of Warren and Town of Front Royal (Municipal Utility Relief Program) – Rick Farrall/Caitlin Jordan
 - 7. Road Naming Request – Access Road off Gooney Manor Loop as “Present Way” – Emma Rusnak
 - 8. Road Naming Request – Access Road off Gooney Manor Loop as “Woodlands Lane” – Emma Rusnak
 - 9. Conditional Use Permit 2011-05-02, Modification Request to Change the Name from “Todd and Heather Lupton” to “Nichole Buckholtz and Andy Crafton” – Matt Wendling
 - 10. Authorization to Advertise for Public Hearing – R2021-03-01, Michael and Barbara Olsen to Amend the Warren County Zoning Map and Rezone Approximately Thirty (30) +/- acres from Residential One (R-1) to Agricultural (A) – Taryn Logan

11. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-03-01, Kevin and Shannon Melton for a Short-Term Tourist Rental – Joe Petty
 12. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-03-03, John and Anna Carpenter for a Short-Term Tourist Rental – Matt Wendling
 13. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-03-04, Front Royal Self Storage, LLC for an Enclosed Storage Facility – Taryn Logan
 14. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-03-05, Front Royal Self Storage, LLC for the Storage of Cars, Boats, and Recreational Vehicles – Taryn Logan
 15. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-03-06, Jacob Foltz for a Commercial Repair Garage in Combination with a Single-Family Dwelling – Joe Petty
- I. Authorization to Advertise for Public Hearing – Reconsideration of Rezoning Request R2020-10-01 for Dudding Commercial Development, LLC – Tony Carter
- J. Closed Session – Virginia Freedom of Information Act
1. Section 2.2-3711(A)(1) Personnel re: Warren County Planning Commission
 2. Sections 2.2-3711(A)(7) and (A)(8) for Consultation with Legal Counsel Pertaining to Actual or Probable Litigation and Consultation with Legal Counsel for the Provision of Legal Advice re: Economic Development Authority Matters
- K. Additional New Business (If needed)
- L. Adjournment

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WORK SESSION

- A. Discussion – Virginia Department of Transportation Secondary Six Year Plan – Ed Carter
- B. Discussion – Amendment to the Lease Agreement with VA Golf, LLC for the Front Royal Golf Club – Jason Ham
- C. Adjournment



DATE	ITEM	SUBJECT:	PAGE 1 OF
May 4, 2021	C	Resolutions of Appreciation of Information Technology Services	
<u>EXPLANATION & SUMMARY:</u> Attached are two resolutions of appreciation for the provision of information technology services to Warren County.			
<u>COST & FINANCING:</u> N/A			
<u>PROPOSED OR SUGGESTED MOTION:</u> I move that the Board of Supervisors adopt the proposed resolutions of appreciation for the Warren County Public Schools Department of Information Technology and the Frederick County Department of Information Technology.			
SUBMITTED BY: Edwin C. Daley, Interim County Administrator	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)		PROCESSED BY:

RESOLUTION



of the Board of Supervisors of Warren County in Appreciation of Information Technology Support Services

WHEREAS, the County of Warren, like many other localities around the country, was the victim of a cybersecurity incident in March 2021; and

WHEREAS, it was necessary to assess the impact of the incident and work with law enforcement and the cyber insurance provider; and

WHEREAS, a cybersecurity forensics team was engaged to investigate this incident as well as system, network, and software engineers to restore services, bolster cybersecurity, and build out the County's information technology (IT) infrastructure; and

WHEREAS, Warren County had a limited amount of staff available to complete this work; and

WHEREAS, this team was supplemented by staff from the Frederick County Department of Information Technology who volunteered their time for Warren County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Warren, Virginia extends its sincere gratitude and appreciation to Scott Varner, Patrick Fly, Samuel Cheshire, Andrew Farrar, and Jose Trujillo from the Frederick County Department of Information Technology for the time they each volunteered and the expertise they provided to assist a neighboring jurisdiction.

Adopted: May 4, 2021

ATTEST:

Cheryl L. Cullers, Chair
Warren County Board of Supervisors

Edwin C. Daley, Interim Clerk
Warren County Board of Supervisors

RESOLUTION



of the Board of Supervisors of Warren County in Appreciation of Information Technology Support Services

WHEREAS, the County of Warren, like many other localities around the country, was the victim of a cybersecurity incident in March 2021; and

WHEREAS, Tim Grant and his staff quickly took action to manage the potential effects stemming from the incident and began working with law enforcement and the County's cyber insurance provider; and

WHEREAS, a cybersecurity forensics team was engaged to investigate this incident as well as system, network, and software engineers to restore services, bolster cybersecurity, and build out the County's information technology (IT) infrastructure; and

WHEREAS, this team was supplemented by staff from the Warren County Public Schools Department of Information Technology; and

WHEREAS, the staff from the Warren County Public Schools Department of Information Technology has worked tirelessly for two months to restore and upgrade the information technology services of Warren County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Warren, Virginia extends its sincere appreciation to Tim Grant, Chris German, and Jesse Budd from the Warren County Public Schools Department of Information Technology for their time and dedication; and

BE IT FURTHER RESOLVED that the Board of Supervisors also appreciates the continuing hard work of these individuals to restore complete functionality to all County employees, including the migration of County servers to a cloud-based system.

Adopted: May 4, 2021

ATTEST:

Cheryl L. Cullers, Chair
Warren County Board of Supervisors

Edwin C. Daley, Interim Clerk
Warren County Board of Supervisors

Maintenance:

- Completed sweeping the bridges and intersections of build up from winter operations
- Demobilized and cleaned up snow removal equipment. Graded and applied stone to various non-hard surfaced roads and will continue in May
- Repaired potholes on various routes and asphalt repaired failed areas along Route 522 North; will continue with asphalt patching this month
- Cleaned up downed trees and debris along various routes and will continue with tree trimming this month
- Will be doing shoulder repairs at various locations and begin the first cycle of mowing
- Will be bringing in a contractor for pipe flushing operations on clogged pipes and begin the first round of ditching operations
- GEI will be replacing a pipe and repairing a soft spot on Route 340
- Picked up litter bags collected by RSW Regional Jail crews and will continue to collect bags gathered this month

Board Issues:

- Happy Creek Road project is beginning construction, and some flagging operations will be necessary, which could cause some minor delays. The road will not be closed until school is out, and buses will be given priority during flagging operations.
- Proposed school parking area on Apple Manor Drive is in limbo because of extended Limited Access Right of Way.
- Traffic Engineering is studying a proposed remarking of Rt. 340 at Rivermont Drive (619).



Warren County Quarterly Reports
to the
Warren County Board of Supervisors

January to March 2021

Program Areas Serving the Citizens of Warren County:

Agriculture and Natural Resources:

- Livestock: Corey Childs, cchilds@vt.edu, 540/635-4549
- Horticulture: Mark Sutphin, mark.sutphin@vt.edu, 540/665-5699
- Crop and Soil Science: Robert Clark, raclark@vt.edu, 540/459-6140

Family and Consumer Sciences:

- Family Financial Management: Karen Poff, kpoff@vt.edu, 540/635-4549
- Food, Nutrition, and Health: Vanessa Santiago, vsantiago@vt.edu, 540/665-5699
- SNAP-Ed Extension Agent: Molly Beardslee, mollykb@vt.edu, 540/778-5794

4-H Youth Development:

- 4-H: Stacy Swain, hstacy@vt.edu, 540/ 635-4549

Agriculture & Natural Resources: Livestock
Corey Childs, Extension Agent
540/635-4549; cchilds@vt.edu
Serving Frederick, Clarke, Shenandoah, Page, and Warren Counties



Programs: January 1 to March 31, 2021

Activities related to all five counties in the Northern Shenandoah Valley (Clarke, Frederick, Page, Shenandoah, and Warren):

- Collaborated on and Facilitated the following program activities for Commercial Pesticide Recertification
 - 2021 Commercial Pesticide Applicator Recertification Program (online programming)
 - Core Pesticide Manual Training- On line programming - 18 participants
- Planned, organized the VA/NC Shepherds Symposium as part of the organizational committee (1st Night -119 , 2nd Night – 122 attendees) virtual producers during a 2 night program.
- While serving as educational Advisor to the Blue Ridge Cattleman's Association, Board of Directors virtual meeting to plan upcoming meeting strategies and membership discount program offerings.
- Represented local staff and PD 7 during a meeting of the State Beef Quality Assurance program management committee.
- Worked with Burke Moeller of VA Farm Bureau to develop a 30 minute You Tube video highlighting Agriculture in Warren county which was present on TV on the Virginia Rural Heritage TV program.
- Assisted 19 local producers with on farm diagnostic work.
- I worked on a Foot and Mouth Disease (FMD) quarantine and biosecurity exercise slated for November of 2021 with example premises in Frederick and Clarke Counties with Carolyn Bissett, DVM, MPH, DACVPM Program Manager, Office of Veterinary Services Virginia Department of Agriculture and Consumer Services
- Planned YQCA trainings and certification for the yearly component of the Youth for the Quality Care of Animals certification program offered by area 4-H programs.
 - Also serve on the state leadership team for this program
- Served as livestock official and program advisor for the Skyline Youth stockman's contest. Provided training materials, official scoring of testing materials and classes. 180 youth and adults participated.
- Managed the Page county 4-H Beef nomination process and interviews for the ANR Agent positions.
- Planned and facilitated 2 Beef 20/20 virtual educational opportunities.
- Provided training to the Loudoun Sheep Producers Association members on controlling internal parasites and the FAMACHA, 5-Point and DAG certification process.
- Served as a member of the specialty issues team for the Northern District.
- Attended 5 meetings of the Lord Fairfax Soil and Water Conservation District.
- Serve as C.T.E. liaison for the Frederick and Clarke County school administration.
- Attended the VCE state Program Team meetings and participated in the state wide VCE In-service training conference and scheduled monthly trainings.
- Participated in the Warren county Emergency Service response group quarterly meeting.
- Provided input into planning meetings and serve as an educational advisor to the Clarke, Frederick county fairs and the Warren County Fair Youth Livestock show. Serve as educational resource to Youth Livestock educational programs in all PD7 counties.

- Work with Warren County Administrator and staff to provide accurate information for the 2021 budget process for the local Board of Supervisors.
- As Unit Coordinator, work with UAA to manage the office finances and ensure accurate accounting and timely reporting to both local and state funding partners.
- Collaborate with all unit staff to ensure that all activities comply with all federal civil rights requirements.
- Developed the NSV Livestock E-Update Newsletter and maintained the Northern Shenandoah Valley Agriculture and Natural Resources Blog and social networking presence.
- Interviewed by local news reporters on Cold weather impacts on crops and Livestock, How current drought conditions may impact spring pastures.
- Developed enterprise budgets and or ration formulations for 9 livestock producers.
- Collaborated with Warren Master Gardener volunteer staff to responded to 28 requests from local home and property owners requesting diagnostic and technical recommendations relating to:
 - Insect identification and control
 - Plant identification
 - Ornamental Disease control
- Responded to producer informational or other educational needs on animal health, livestock, production, forages and marketing issues as requested.

District and State Program Leadership Activities:

- Continue with (2nd) three-year term as a member of the Northern District Program Leadership Team.
 - The DPLT team created training materials and began providing a series of trainings to agents in the areas of Situational Analysis, Program Design and Implementation, Evaluation, and Risk Management.

Other Activities

- Serve as VCE-Warren Unit Coordinator
- Serve as Educational Advisor to Blue Ridge Cattleman's Association
- Serve as Educational Advisor to Old Dominion Livestock Association
- Serve as Educational Advisor to the Clarke Area Wool Growers' Association
- Serve as Board of Director and as chairman of the Technical Review committee for Lord Fairfax Soil and Water District

Family & Consumer Sciences: Family Financial Management
Karen Poff, Senior Extension Agent
540/635-4549; kpoff@vt.edu
Serving Frederick, Clarke, Shenandoah, Page, and Warren Counties



Programs: January 1 to March 31, 2021

Area Family and Consumer Sciences Programming Report

Educational Presentations/Programs (Up to 2 ½ Hours)

Coping with a Money Crunch Webinar (Short Version) – Warren County

Quick Money Chats Volunteer Training – All Counties

Extended Learning Programs (In-Depth or Multiple Sessions)

None

Exhibits/Displays/Brief Community Presentations

The Valley Today Radio Interview (WFTR Interview), “Quick Money Chats” – All Counties

Additional Accomplishments

Individual Consultations by Phone or E-mail (Indirect Contacts – 16) – All Counties

Individual Consultations In-person or Virtual (Direct Contacts – 8) – All Counties

COVID-19 Specific Meetings and Webinars (5 Meetings)

Networking Meetings (17 Meetings) – All Counties

Planning Meetings (14 Meetings) – All Counties and State Teams

Professional Development

Professional Development Webinars on Various Topics (11 Webinars)

VCE Online Home Food Preservation Course (3 Modules)

2021 VCE Professional Development Conference

2021 Northern Shenandoah Valley Housing Summit

Virginia Household Water Quality Program In-service

Compliance: Title IX Training

VCE Program Team Forum

Submitted by: Karen Lynn Poff, MPA, AFC®
Senior Extension Agent, Family and Consumer Sciences
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Sign Up for Our Upcoming Programs E-mail List: <http://tinyurl.com/nsvfepemails>
Financial Education Website – <http://warren.ext.vt.edu/programs/nsvfep.html>
Facebook Page – <https://www.facebook.com/nsvfinancialeducation>
LinkedIn – www.linkedin.com/in/karenlympoff

4-H Youth Development
Stacy Swain, 4-H Program Educator
540/635-4549; hstacy@vt.edu
Warren County



Programs: January 1 to March 31, 2021

Programs, Trainings & Meetings



Virginia Cooperative Extension
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Agriculture & Natural Resources: Horticulture
Mark Sutphin, Extension Agent
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Serving Frederick, Clarke, Shenandoah, Page, and Warren Counties



Programs: January 1 to March 31, 2021

Activities related to all five counties in the Northern Shenandoah Valley/PD7 (Clarke, Frederick, Page, Shenandoah, and Warren):

- Assisted with coordination of commercial fruit production programs to help ensure the regional food supply as well as maintain viable farm enterprises
 - Virginia Commercial Fruit Production School in Winchester, VA (four-day virtual conference) - 342 participants
 - Commercial Tree Fruit Online Spring Meeting - 27 participants
 - Peer reviewed “Selecting Plants for Virginia Landscapes: Edible Landscape Species – Trees”, Niemiera, A. and McConkey, M.
 - Peer reviewed “Selecting Plants for Virginia Landscapes: Edible Landscape Species – Shrubs, Vines, and Groundcovers”, Niemiera, A. and McConkey, M.
- Supervised and advised Northern Shenandoah Valley Master Gardener volunteers to provide community with best management practices for residential horticulture activities along with appropriate pest identification to reduce misuse and overuse of pesticides and fertilizers
 - 153 Virginia Cooperative Extension volunteers serve as Extension Master Gardener volunteers (EMGs) and interns in the Northern Shenandoah Valley and offer outreach to our communities by offering over 40 educational programs teaching horticultural and environmentally sound practices
 - EMGs conducted the Virtual Garden in the Valley Symposium Winchester, VA -125 attendees
 - 2020 impacts: 161 Extension Master Gardener volunteers reached 313,091 individuals with information and volunteered 12,134 hours equating to more than six full-time staff valued at \$345,334 in volunteer time
- Conducted and facilitated the program activities for commercial pesticide applicator recertification to ensure reduction in misuse and overuse of pesticides
 - 2021 Shenandoah Valley Commercial Pesticide Applicator Recertification Program virtual course – 92 participants
- Conducted private pesticide applicator recertification & training opportunities to ensure reduction in misuse and overuse of pesticides
 - Virginia Commercial Fruit Production School (four-day virtual conference)- 25 WV participants recertified
- Invasive species education, outreach, and management for spotted lanternfly
 - Spoke at four different programs on Spotted Lanternfly -79 attendees
 - Assisting with volunteer banding and early detection project state-wide efforts
 - Responded to 41 reports of spotted lanternfly via online portal, in-person, email, phone, postage mail, and Facebook. These location reports were entered into Survey 123 for mapping purposes and coordination with Virginia Department of Agriculture and Consumer Services and the United States Department of Agriculture SLF field teams conducting management activities in Winchester, and the counties of Augusta, Clarke, Frederick, Page, Shenandoah, and Warren

- Provided photo for new Factsheet: “Best Management Practices for Spotted Lanternfly on Christmas Tree Farms”
(<https://resources.ext.vt.edu/contentdetail?contentid=2539&contentname=Best%20Management%20Practices%20for%20Spotted%20Lanternfly%20on%20Christmas%20Tree%20Farms>)

Client Contacts/Farm Visits (additional to programs previously mentioned)

- 1,543 Plant & Plant Products Contacts (excluding social media)

Media

- Co-maintain five Facebook pages: Virginia Tech Tree Fruit Extension and Outreach; VCE Northern Shenandoah Valley Agriculture and Natural Resources; Strasburg Community Garden; VCE-Clarke; and Young Grower Alliance of Virginia (640,248 educational contacts were reached in 2020 through these social media pages)
- Virginia Cooperative Extension Master Gardener Volunteers Interviewed by 95.3 The River – Valley Today, <https://theriver953.com/podcast/gardening-in-the-valley-symposium-2021-goes-virtual/>
- Photo provided for The Winchester Star, January 19, 2021: “Area’s crops can expect to see noticeable impact from lanternfly”; The Winchester Star, February 11, 2021: “Spotted lanternfly quarantine expanding to Clarke, Warren”; The Daily News-Record, March 12, 2021: “Rockingham Supervisors Warned of Spotted Lanternfly”; The Clarke Monthly, March 2021: “Spotted Lanternfly Quarantine”;
- Virginia Cooperative Extension Master Gardener Volunteer produced the Northern Shenandoah Valley Master Gardener Association Quarterly Newsletter: <http://nsvmga.org/newsletter/>
- Compiled the Northern Shenandoah Valley Annual Report showcasing 2020 Virginia Cooperative Extension programming:
https://frederick.ext.vt.edu/content/dam/frederick_ext_vt_edu/2020%20Annual%20Report%20-%20FINAL.pdf

Professional Development

- 4-Day: Mid Atlantic Fruit and Vegetable Conference – virtual
- 3-Day: Mid Atlantic Horticultural Short Course – virtual
- 3-Day: Virginia Cooperative Extension Annual In-Service – virtual
- 2-Day: Virginia Vineyards Association Winter Meeting – virtual
- 2-Day: Virginia State University Berry School – virtual
- 3-Day: Regional Spotted Lanternfly Summit – virtual
- 2-Day: SE Organic Vegetable Production In-Service – virtual
- 2-Day: VCE Program Teams meeting – virtual

Other Activities

- Serve as VCE-Frederick County Unit Coordinator
- Coordinate the VCE-Frederick Extension Leadership Council
- Serve on the state VCE Master Gardener College Planning Team
- Serve on the VT Foundation – J. Fred Thwaite Frederick 4-H Account Committee
- Serve as Educational Advisor to the Shenandoah Valley Nursery & Greenhouse Association
- Serve as Extension Representative to the Frederick County Fruit Growers Association

- Serve as Educational Advisor to the Virginia Young Grower Alliance
- Serve on the Alson H. Smith, Jr., AREC Strategic Planning Working Group & ELC
- Serve on the Frederick County Public Schools Ag Advisory Committee
- Serve on the VCE-Page Agriculture and Natural Resources Agent Position Interview Committee
- Serve on the USDA Appalachian Fruit Research Station Focus Group
- Participate in County of Frederick Planning and Zoning Agricultural District Advisory Committee meetings
- Member of Beekeepers of Northern Shenandoah
- Member of Virginia State Horticultural Society
- Member of VCE Emerging Pests and Pest Management Program Team
- Member of Epsilon Sigma Phi
- Member of Virginia Extension Service Association
- Northern District Junior Director of Virginia Association of Agriculture Extension Agents
- Member of National Association of County Agriculture Agents



Agriculture & Natural Resources: Crop & Soil Science
Robert Clark, Senior Extension Agent
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Serving Frederick, Clarke, Shenandoah, Page, and Warren Counties



Programs: January 1 to March 31, 2021

Activities related to all five counties in the Northern Shenandoah Valley (Clarke, Frederick, Page, Shenandoah and Warren):

- Held Advisory Meetings in Shenandoah and Page County.
- Supported a valley-wide effort to offer an On-Line Commercial Pesticide Applicator Recertification Training. Over 90 people participated in the course.
- Participated in the VCE Annual Conference in January (which was held via internet).
- Participated in the VCE Program Team Forum (which was held via internet).
- Completed an application to hire a summer intern in the VCE-Shenandoah County Unit.
- Distributed the "Virginia Farm Voluntary Agricultural Best Management Practices Inventory" surveys to as many farmers as I could through the internet, media releases, and placing paper copies at multiple farm businesses.
- Coordinated three different meetings to facilitate livestock slaughter and processing in the Northern Shenandoah Valley.
- Completed a certification training on proper application of Paraquat.
- Made a presentation to a group of agriculture students about Careers in Agriculture. There were 15 in attendance.
- Virginia Extension Agronomy Program Team:
 - Coordinated two meetings of the Virginia Agronomy Extension Program Team.
 - Assisted with completing a statewide assessment interviewing six Extension Agents and Specialists to better understand their Extension Programs, their Needs, and Future Opportunities.
- Shenandoah County Sustainable Farm Demonstration:
 - Collected soil samples on the County Farm.
 - Held one meeting of the Steering Committee for the County Farm.
- Above Ground Burial for Management of Catastrophic Livestock Mortality:
 - Assisted a student at the Massanutten Regional Governors School with installing an Above Ground Burial Trial to evaluate a product that is being promoted as a material that will enhance decomposition.
- Screening and Beneficial Re-Use of Large Animal Mortality Compost:
 - Made a presentation to the Canada Ministry of Agriculture about using Horizontal Grinders for Managing Catastrophic Livestock Mortality (four in attendance).
 - Made a presentation with Gary Flory from the DEQ to the National Alliance of State Animal and Agricultural Emergency Programs about using Horizontal Grinders for Managing Catastrophic Livestock Mortality (77 people in attendance).
- Improving Farm Profitability through Grazing Management (Graze 300):
 - Collected Stockpile forage samples on three different farms to assess the quality of stockpiled grass. At least six different samples from four farms were collected after January 15.
 - Made multiple visits to farms to provide technical assistance to farmers who were grazing through snow and who continued to graze into March 2021.
 - As part of the Statewide Graze 300 VA team, I led an effort to write (and subsequently received) grant funds to do Graze 300 VA work statewide.



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- Slug Management in No-Till
 - Assisted with scouting fields for a new research project that is being led by the University of Delaware to better study the weather impact on slug numbers. Dr. Sally Taylor from Virginia Tech is doing the Virginia work.
 - Information about the latest slug management work done in Virginia was presented at all of the Commercial Pesticide Applicator Recertification meetings in the Shenandoah Valley.

Media

- 4 posts to the Graze 300 VA Facebook page reaching 150 people.
- 2 posts to the VCE Northern Shenandoah Valley Facebook page.
- 7 group e-mails to Area Farmers and Agribusinesses (322 people on e-mail list).
- 3 newspaper press releases.

Other Activities

- Coordinated two meetings with the Shenandoah County Extension Leadership Council and one meeting of an ELC Subcommittee related to the ELC Showcase.
- Made a presentation to the Shenandoah County Board of Supervisors highlighting Extension Agriculture Programs in Shenandoah County.

Family & Consumer Sciences: Food, Nutrition, and Health

Vanessa Santiago, Associate Extension Agent

540/665-5699; vsantiago@vt.edu

Serving Frederick, Clarke, Shenandoah, Page, and Warren Counties



Programs: January 1 to March 31, 2021

Nutrition, Health, and Food Safety Related Programs

- Developed and distributed monthly state-wide newsletter *Buzz, Body & Bites* targeting older adults with two other colleagues; content includes current news and trends related to nutrition and wellness, a recipe, an exercise, and a puzzle. It is distributed by e-mail and mail.
- Leading and facilitating Northern Shenandoah Valley Diabetes Prevention Program group of 12 participants. Educating participants using CDC curriculum on preventing Type 2 Diabetes through physical activity and healthy eating. Classes this quarter held twice a month. This year-long program will conclude in November 2021.
- Delivered Read for Health program with 4-H Agent Dyllan Chapins and 4-H Program Assistant Tammy Epperson; virtually presented interactive nutrition and fitness curriculum to four first grade classrooms at a Frederick County elementary school.
- Delivered two meal planning classes to Clarke County residents, in partnership with Clarke County Parks & Recreation Center
- Provided nutritional educational information to Clarke County Senior Center to include in "goodie bags" delivered to seniors
- Judged three monthly 4-H food art contests across three levels
- Volunteered at Poverty Simulation in conjunction with VCU and their Internal Medicine Interns
- Responded to multiple inquiries from the public in regard to food safety and food preservation
- Provided regular nutrition education content on Virginia Cooperative Extension N. Shenandoah Valley Nutrition Programs Facebook page
- Scheduled 2021 Water Clinics for Fall across five counties with five agents
- Interviewed 4-H adult club leaders to volunteer in leadership positions this year

Professional Development

- Became certified to deliver Lifelong Improvements through Fitness Together (LIFT) program to older adults; 8-week program strengthens participants' balance and muscles in a social supportive group environment.
- Joined VCE Food, Nutrition, and Health Program Team and currently serving in leadership role as secretary
- Serving as NEAFCS judge for their national awards and also submitted our newsletter *Buzz, Body & Bites* to receive a state and national award
- Attended the following webinars and conferences:
 - VCE Winter Conference
 - 2021 Virginia Annual Meeting for the National Diabetes Prevention Program
 - Building Relationships across Higher Education Institutions to Address Racism in the Food System
 - Department of Food Science & Technology Listeria monocytogenes contamination Webinar
 - 2021 Planning Session for the Master Food Volunteer Program
 - "The Lunch Bunch" | Learning about Hunger in our Area by Virginia Chamber
 - Live2Lead: Winchester - "Leadership at a Local Level"
 - Addiction and COVID-19: A conversation with Dr. Anthony Fauci and Dr. Nora Volkow
 - Dr. Ozzie Abaye Following our Foodways: Perspectives on Sustainable Food Systems Education from Field to Kitchen
 - Building Racial Equity for Food Justice



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- Get the Facts Webinar on Ketogenic diet and Alzheimer's disease
- VCE Balancing Life & First Fridays series focusing on emotional and overall employee well-being

Networking

- Connected with Clarke County Parks & Recreation and the Senior Center brainstorm and schedule future nutritional programs for the public
- Connected with new Public Relations Director of the Shenandoah Community Health Clinic
- Attended monthly Diabetes Prevention Program meetings for those teaching the program across Virginia
- Attended monthly Page Alliance for Community Action (PACA) meetings to get to know community members in Page County, learn issues facing them, and to form collaborations



Family & Consumer Sciences: SNAP-ED
Molly Beardslee, Extension Agent
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Serving Frederick, Clarke, Shenandoah, Page, and Warren Counties



Programs: January 1 to March 31, 2021

Quarterly Newsletter
January-March 2021



PD 7

Nutrition Education & Training

In this issue:

- VCE's FNP
- Programming
- Contact Information
- Available Curricula

Virginia Cooperative Extension's Family Nutrition Program

SNAP-Ed Extension Agents recruit and train volunteers to deliver nutrition and physical activity program to low-income populations. We also assist with community/school Policy, System, and Environmental (PSE) Changes. Program Assistants provide direct education to youth and adults. We work in schools, community centers, afterschool programs, and other settings as needed. For more information about our programs and how to become a partner, please contact:

Programming

Page: At Shoppers Value, as part of our Shop Smart, Eat there are point of sale prompts on 5 healthy items in the store and a recipe tear off sheet for apple salad which has the potential to reach 11,562 people.

At Page One, as part of our Shop Smart, Eat Smart Pantry program there are point of distribution prompts throughout the pantry with the potential to reach 1,040 people.

A community garden was started at the Rural Health Clinic in Stanley by PACA and Valley Health. In March, a second location was built in Luray at the Page Memorial Hospital. Both gardens have been planted for the spring.

At the Page Middle 21st Century Community Learning Center three lessons of Choose Health: Food, Fun, and Fitness were taught to 6th-8th graders participating in the after school program, they learned about whole grains, fat, and the importance of breakfast.

At Shenandoah Elementary, 1 volunteer taught 6 hours of LEAP and OrganWise Guys to 123 Pre-K through second graders. At Luray Elementary School, 1 volunteer taught 2 hours of OrganWise Guys to 212 Pre-K through second graders.

Shenandoah: At Jon Henry General Store, as part of our Shop Smart, Eat Smart program point of sale prompts on healthy items and posters in the store has the potential to reach 2,146 people. A Facebook live food demonstration was published on March 5th and reached 1247 people. A video lesson of LEAP on the Hungry Caterpillar was recorded in collaboration with the New Market Library. On March 26th a "This or That" store tour was published live on Facebook.

Molly Beardslee
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Kimberly Costa
Adult Program Assistant
kimcosta@vt.edu



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE May 4, 2021	ITEM H-1	SUBJECT: Appropriation Resolution for FY 2021-2022	PAGE 1 OF
<u>EXPLANATION & SUMMARY:</u> Attached is the Appropriation Resolution for FY 2021-2022. <u>COST & FINANCING:</u> N/A <u>PROPOSED OR SUGGESTED MOTION:</u> I move that the Board of Supervisors adopt and approve the Appropriation Resolution for FY 2021-2022 as presented. OR I move that the Board of Supervisors not adopt or approve the Appropriation Resolution for FY 2021-2022 as presented.			
SUBMITTED BY: Edwin C. Daley, Interim County Administrator	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)		PROCESSED BY:

RESOLUTION



of the Board of Supervisors of Warren County

APPROPRIATION RESOLUTION FOR FY 2021-2022

BE IT RESOLVED by the Board of Supervisors of the County of Warren, Virginia (the "Board") that the following appropriations be, and the same hereby are made for the period July 1, 2021 through June 30, 2022 from the funds and for the functions or purposes indicated; provided, however, that if anticipated and budgeted state or federal funds are reduced, that these appropriations shall be reduced a like amount in those categories for which the state or federal funds are designated, and, provided that if local revenues do not reach anticipated levels the Board of Supervisors may reduce the appropriations listed below;

BE IT FURTHER RESOLVED by the Board that the appropriations to the school board are appropriated by and to the major classifications in accordance with Code of Virginia § 22.1-94 and 22.1-115, and that such funds must be spent in accordance with such major classifications unless otherwise authorized by the Board.

GENERAL FUND, SCHOOL OPERATING FUND, AND SCHOOL CAFETERIA FUND:

Board of Supervisors	\$	78,220 (P)	
		100,780 (O)	
			\$ 179,000
County Administration	\$	470,766 (P)	
		27,734 (O)	
		1,500 (C)	
			\$ 500,000
Human Resources	\$	150,900 (P)	
		19,000 (O)	
		0 (C)	
			\$ 169,900
County Attorney	\$	146,444 (P)	
		197,556 (O)	
		0 (C)	
			\$ 344,000
Commissioner of the Revenue	\$	708,647 (P)	
		39,950 (O)	
		28,403 (C)	
			\$ 777,000

Reassessment	\$	50,000	(O)	\$	50,000
Treasurer	\$	463,750	(P)		
		99,400	(O)		
		2,850	(C)	\$	566,000
Finance and Purchasing	\$	500,404	(P)		
		13,256	(O)		
		4,340	(C)	\$	518,000
Elections	\$	259,009	(P)		
		109,841	(O)		
		22,150	(C)	\$	391,000
JUDICIAL ADMINISTRATION					
Circuit Court	\$	63,650	(P)		
		900	(O)		
		850	(C)	\$	65,400
General District Court	\$	19,300	(O)		
		5,000	(C)	\$	24,300
Magistrates	\$	5,400	(O)		
		400	(C)	\$	5,800
Juvenile and Domestic Court	\$	8,500	(O)		
		10,500	(C)	\$	19,000
Clerk of Circuit Court	\$	564,280	(P)		
		67,132	(O)		
		7,188	(C)	\$	638,600
Law Library	\$	44,763	(P)		
		9,537	(O)	\$	54,300
Commonwealth's Attorney	\$	1,076,900	(P)		
		26,300	(O)		
		2,000	(C)	\$	1,105,200

PUBLIC SAFETY				
Sheriff's Office	\$	4,094,198	(P)	
		583,470	(O)	
		275,332	(C)	
				\$ 4,953,000
E-911 System	\$	504,273	(P)	
		149,017	(O)	
		99,710	(C)	
				\$ 753,000
School Resource	\$	766,400	(P)	
		400	(O)	
				\$ 766,800
Volunteer Fire and Rescue		940,000		\$ 940,000 (O)
Court Services	\$	976,124	(P)	
		21,176	(O)	
		1,000	(C)	
				\$ 998,300
Probation	\$	0	(P)	
		41,000	(O)	
				\$ 41,000
Building Inspections	\$	529,550	(P)	
		86,950	(O)	
		1,500	(C)	
				\$ 618,000
Animal Control	\$	276,088	(P)	
		382,712	(O)	
		47,000	(C)	
				\$ 705,800
Medical Examiner		1,000		\$ 1,000 (O)
Fire and Rescue Department	\$	4,048,538	(P)	
		227,462	(O)	
		100,000	(C)	
				\$ 4,376,000
Cost Recovery	\$	900,000	(O)	
				\$ 900,000
PUBLIC WORKS				
Public Works/Sanitary Districts	\$	342,149	(P)	
		38,051	(O)	
		48,000	(C)	
				\$ 428,200

Streets and Highways	\$	6,000 (P) 14,000 (O)	\$	20,000
Refuse Collection	\$	336,477 (P) 666,023 (O) 9,500 (C)	\$	1,012,000
Refuse Disposal	\$	288,708 (P) 2,530,292 (O) 61,000 (C)	\$	2,880,000
General Services	\$	573,857 (P) 753,200 (O) 68,943 (C)	\$	1,396,000
HEALTH AND WELFARE				
Health		382,412	\$	382,412 (O)
Social Services		5,045,779	\$	5,045,779 (O)
Other Social Services		142,500	\$	142,500 (O)
Children's Services Act	\$	73,593 (P) 1,711,407 (O)	\$	1,785,000
EDUCATION				
Public Schools				
Instruction	\$	48,947,371 (O)		
Administration, Attendance, and Health		2,836,279 (O)		
Pupil Transportation		2,818,962 (O)		
Operations and Maintenance		6,627,383 (O)		
Debt Service and Fund Transfers		614,253 (O)		
Technology		1,949,722 (O)		
Contingency Reserves		150,859 (O)	\$	63,944,829
Public Schools - School Food Services and Other Noninstructional Operations (Cafeteria Fund)			\$	2,896,000 (O)
REGIONAL PARTNERSHIPS				
Lord Fairfax Community College		41,368	\$	41,368
Northwestern Community Services		342,746	\$	342,746
Juvenile Detention Facility		344,769	\$	344,769

RSW Regional Jail	3,464,967	\$	3,464,967	
PARKS, RECREATION AND CULTURAL				
Parks and Recreation	\$	1,785,627 (P)		
		630,850 (O)		
		69,623 (C)		
			\$	2,486,100
Library Museum Cultural Enrichment	1,018,100	\$	1,018,100	(O)
COMMUNITY DEVELOPMENT				
Planning and Zoning Administration	\$	402,185 (P)		
		61,315 (O)		
		9,500 (C)		
			\$	\$473,000
Economic Development	3,197,500	\$	3,197,500	(O)
Front Royal/Warren County Airport	\$	21,000 (P)		
		127,535 (O)		
		71,465 (C)		
			\$	220,000
Environmental Management	18,500	\$	18,500	(O)
VPI Extension Service	\$	113,105 (P)		
		7,895 (O)		
			\$	121,000
Non-Departmental	\$	756,300 (P)		
		1,127,700 (O)		
			\$	1,884,000
CAPITAL OUTLAY			\$	2,779,408
TRANSFER TO DEBT SERVICE			\$	11,846,251
GRAND TOTAL			\$	127,510,825

Blue Mountain Sanitary District	\$	153,665	(O)
Cedarville Heights Sanitary District	\$	12,500	(O)
High Knob Sanitary District	\$	385,478	(O)
Lake Front Royal Sanitary District	\$	137,053	(O)
Linden Heights Sanitary District	\$	29,963	(O)
Osprey Lane Sanitary District	\$	9,180	(O)
Riverside Sanitary District	\$	3,480	(O)
Shangri-La Sanitary District	\$	9,144	(O)
Shannon Woods Sanitary District	\$	3,906	(O)
Shenandoah Farms Sanitary District	\$	811,834	(O)
Shenandoah Shores Sanitary District	\$	277,000	(O)
Skyland Estates Sanitary District	\$	235,511	(O)
South River Estates Sanitary District	\$	17,689	(O)
Wildcat Drive Sanitary District	\$	14,940	(O)

Adopted: **May 4, 2021**

Interim Clerk, Board of Supervisors
County of Warren, Virginia

Glossary

(P) – Personnel
(O) – Operating
(C) – Capital



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF
May 4, 2021	H-2	Insurance Rates for FY 2021-2022	

EXPLANATION & SUMMARY:

In February 2021, the County issued a Request for Proposals (RFP) to establish a contract or contracts through competitive negotiation for the provision of Medical, Pharmacy, Dental, and Vision insurance. Two proposals were received for only Vision insurance, four proposals were received for Vision and Dental insurance, and four proposals were received for the entire package of insurance coverages in the RFP. Of these four, the proposal from United Healthcare offered the most competitive rates.

On April 20, 2021, Ed White with McGriff Insurance delivered a presentation to the Board on the proposed offerings of United Healthcare, which included the following:

	Choice Plus \$250 BZIM Mod Rx DS	Choice Plus \$1,000 BZG6 Mod Rx DS
Single	43	142
Dual	10	43
Family	5	36
Total Enrollment		279
Rates		
	Choice Plus \$250 BZIM Mod Rx DS	Choice Plus \$1,000 BZG6 Mod Rx DS
Single	\$665.35	\$593.32
Dual	\$1,231.54	\$1,098.27
Family	\$1,797.86	\$1,603.36
Monthly Liability	\$271,896	\$239,113

Additional services include a nationwide network (accepted at 98% of providers), PPO Plan Design, Wellness programs, Care Cash, Dental coverage discount, Vision coverage discount, Benefit Ally of bundling accident, critical illness, and hospital indemnity, and an included Employee Assistance Program (EAP).

COST & FINANCING: Based on current census information (actual counts and employee selections), approximately \$2,980,352. Please note that exact costs will vary due to the exact number of employees who select the insurance and the employee selection of plan.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve United Healthcare as the County's health and dental insurance carrier at the rates presented for FY 2021-2022.

SUBMITTED BY:	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)	PROCESSED BY:
Edwin C. Daley , Interim County Administrator		

County of Warren

Group Dental

July 1, 2021

				Current			
Carrier				The Local Choice Low Plan	The Local Choice High Plan	UnitedHealthcare Low Plan	UnitedHealthcare High Plan
Network				Delta Dental	Delta Dental	Options PPO 30	Options PPO 30
Deductible (Ind/Fam)				N/A	\$25/\$75	N/A	\$25/\$75
Plan Year Maximum				N/A	\$1,500	N/A	\$1,500
Ortho Lifetime Max				N/A	\$1,500	N/A	\$1,500
Out of Network				Negotiated Fee Schedule	Negotiated Fee Schedule	90th Percentile	90th Percentile
Benefits (In Network / Out of Network)	Preventative (In/Out)			100%	100%	100%	100%
	Basic (In/Out)			N/A	80%	N/A	80%
	Major (In/Out)			N/A	50%	N/A	50%
	Orthodontics (In/Out)			N/A	50%	N/A	50%
Ortho Adult/Children				N/A	Adult and Children	N/A	Adult and Children
Composite Fillings				N/A	Included	N/A	Included
Implant Coverage				N/A	Included	N/A	Included
Rollover Benefit				N/A	Excluded	N/A	Included
Waiting Periods				None	None	None	None
Participation Requirement						75% of eligible employees	75% of eligible employees
Rate Guarantee						2 years	2 years
Enrollment	Low Plan	High Plan	Single Plan	Rates	Rates	Rates	Rates
Single	29	156	185			\$10.70	\$34.05
Dual	3	50	53			\$21.78	\$67.46
Family	5	36	41			\$45.21	\$122.43
Monthly Premium	37	242	279	\$0.00	\$0.00	\$601.69	\$13,092.28
Annual Premium				\$0		\$164,328	

This is a brief benefit summary for illustrative purposes only. The provisions of the Group Policy will govern if there is any difference between this summary and the Group Policy. Required benefit changes due to the Patient Protection and Affordable Care Act and/or the Health Care and Education Reform Act of 2010.

		Current	
Carrier		The Local Choice	UnitedHealthcare
Voluntary/Contributory		Contributory	Voluntary
Exam Copay		\$35, \$40	\$20
Frequency		12 months	12 months
Materials Copay		\$20	\$20
Lens Frequency		12 months	12 months
Contacts Allowance (in lieu of glasses)	Elective	\$100 allowance	\$105 allowance
	Medically Necessary	\$250 allowance	100% covered
Frames	Allowance	\$100 allowance	\$100 allowance
	Frequency	12 months	12 months
Network		Anthem Blue View Vision	Spectera
Participation Requirement			N/A
Rate Guarantee			3 years
Enrollment		Rates	Rates
EE	160		\$4.88
Dual	60		\$8.90
Family	40		\$15.44
Total	260	\$0.00	\$1,932.40
Annual Premium		\$0	\$23,189

This is a brief benefit summary for illustrative purposes only. The provisions of the Group Policy will govern if there is any difference between this summary and the actual policy.



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE 05/04/2021	ITEM H-3	SUBJECT: Request for Festival Permit <i>Homesteaders of America</i>
EXPLANATION & SUMMARY: Attached is the festival application from the Homesteaders of America LLC requesting the Board's approval for a conference/festival to be held from October 7 to 10, 2021 at the Fairgrounds located at 26 Fairground Road. The festival will be held from 8:00 AM - 6:00 PM each day. The maximum number of people expected per day is 4,500. The event will focus on teaching different types of homesteading, self-sufficient living, sustainable meat, gardening, fiber arts, survivalism, backyard hobby farming, permaculture, and more. A request for comments has been sent to VDOT, Fire & Rescue, the Sheriff's Department, and the Building Inspections Department. All comments will be provided to the event coordinator and have been attached to this report.		
PROPOSED OR SUGGESTED MOTION: I move that the Board of Supervisors approve the festival permit request for the Homesteaders of America to be held from October 7-10, 2021 at 26 Fairground Road. OR I move that the Board of Supervisors deny the festival permit request for the Homesteaders of America to be held from October 7-10, 2021 at 26 Fairground Road. (List Reasons)		
SUBMITTED BY: Joe Petty, Planning Director	DISPOSITION OF COMMISSION: ☐ APPROVED ☐ OTHER (Describe)	PROCESSED BY:

RECEIVED

FEB 08 2021

**APPLICATION FOR PERMIT TO HOLD
MUSICAL OR ENTERTAINMENT FESTIVALS**

WARREN COUNTY
PLANNING DEPARTMENT

The following conditions must be met and the following plans, statements and approvals must be submitted to the Warren County Administrator's Office with the application at least twenty-one (21) days before the planned date of such festival.

Applicant Information

Name of Applicant: Amy Fewell / Homesteaders of America LLC
Address of Applicant: PO Box 555
City: Rixeyville State: VA Zip Code: 22737
Home Phone #: 540-937-7860 Work Phone #: 540-827-8285
Email Address: amy.fewell@gmail.com
Name of Organization/Promoter(s): Homesteaders of America
Address of Organization/Promoter(s): Same ↑
City: same State: same Zip Code: same

Festival Information

Name of Festival: Homesteaders of America Conference
Festival Location: 26 Fairground Rd Front Royal VA
Name of property owner(s): Warren Co Fairground ↑
Address of property owner(s): _____
Date(s) of Festival: October 7-10
Time(s) of Festival: 8am to 6pm
Admission Charge (dollars): \$35 to \$95
Maximum number of tickets offered per day: 5,000 (tickets not sold at gate)
Number of people expected per day: 4,500

List names of performers or groups who will perform at the festival:

- (1) _____
- (2) _____
- (3) _____
- (4) _____

Additional Instructions

1) Attach a copy of the ticket or badge of admission for the festival, containing the date(s) and time(s) of such festival (may be marked as "sample").

2) Provide a plan for adequate sanitation facilities and garbage, trash and sewage disposal which complies with all applicable state and local laws and provide evidence of approval by the Warren County Department of Health.

Hand sanitizer & washing stations will be set up throughout the facility. Trash & garbage removal on site. Adequate open air spacing will be practiced w/ attendees.

3) Provide a plan for providing food, water and lodging which complies with all applicable state and local laws and provide evidence of approval by the Warren County Department of Health.

Local lodging. Food vendors. Rented porties.

4) Provide a plan for adequate medical facilities which complies with all applicable state and local laws and provide evidence of approval by the County Fire Chief and local fire and rescue company.

A first aid station will be set up EMTs will also be informed

5) Provide a plan for adequate fire protection which complies with all applicable state and local laws and provide evidence of approval by the County Fire Chief and local fire and rescue company.

All tents will have directions for fire as well as equipped with extinguishers.

6) Provide a plan for adequate parking and traffic control in and around the festival area.

Tickets will NOT be sold at the gate this year. Ticket stand will be moved. Park first, then show ticket.

7) Provide a plan for any outdoor lighting that will be used at the festival. In addition, please describe what steps will be taken or devices used to shield nearby properties from unreasonable glow or glare.

event will not take place during non-daylight hours

8) State whether alcoholic beverages will be served. If yes, please provide details on how it will be controlled (Note: Evidence of any applicable VA ABC permit must also be provided and posted at the festival as required).

- No -

9) State whether any temporary structures will be used (i.e. tents, etc.). If yes, please provide details on the type and size of the temporary structure (Note: Any temporary structure over 900 sq. ft. will require a permit from Warren County Building Inspections, as well as evidence that that the temporary structure is composed of properly fire treated material).

TENTS. 1- 60x60 tent 2- 40x60 tents 1- 20x30 tent

all are fire certified pole tents

10) State whether any type of amusement device will be used. If yes, please provide details on such device(s) (Note: Warren County Building Inspections must be contacted by the applicant to determine whether or not a building permit will be required).

- No -

11) State whether any security or law enforcement will be needed on-site. If yes, please provide details on the number of personnel required and for what date(s) and time(s) (Note: The Warren County Sheriff's Office must be contacted if law enforcement is requested).

Private security is hired for Oct 7, 8, 9, & 10

12) For festivals other than not-for-profit, organization/promoter should check with the Warren County Commissioner of Revenue to determine compliance with County business license requirements.

General Regulations

1) No music shall be played, either by mechanical device or live performance, in such a manner that that by reason of its volume, pitch, duration or repetition, considering the time of day, is likely to disturb the rest of any person of ordinary sensibilities or interfere with such person's lawful and peaceful enjoyment of property owned or rented by him.

2) Music may not be played nor entertainment provided for more than eight (8) hours in any twenty-four (24) hour period.

3) No person under the age of eighteen (18) years of age shall be allowed to enter the festival unless accompanied by a parent or guardian who will remain with such person during the period of the festival.

4) The Warren County Board of Supervisors shall have the right to revoke any permit issued under this ordinance upon non-compliance with any of its provisions and conditions.

I, the undersigned applicant, hereby certify that the information contained in this application is correct to the best of my knowledge and further certify that I will be the individual responsible for conducting this festival in accordance with a permit issued by the County of Warren and that the festival will be conducted in accordance with the regulations contained herein as well as the provisions of the Warren County ordinance pertaining to festivals. I hereby grant permission for the Board, its lawful agents, and/or duly constituted law enforcement officers to go upon the property where the festival is being held at any time for the purpose of determining compliance with the provisions of the County Ordinance.

Amy K. Swell
Applicant's Signature

2/1/2021
Date

For Official Use Only

Permit _____ Approved _____ Denied by Warren County Board of Supervisors on _____

Comments: _____

County Administrator

Date

Cc: Warren County Sheriff's Office
Warren County Building Inspections
Warren County Fire & Rescue

Email Content

Sent at: 2021-01-21 19:51:50

To: faith.sauerwald@gmail.com

Subject: Your ticket from Homesteaders of America

Raw Email Content

Preview Content as HTML

TICKET #	TICKET TYPE	PURCHASER	SECURITY CODE
2020CT-301-0QEW31	TWO PERSON Weekend Pass	Faith Sauerwald	f143e4329d

<https://homesteadersofamerica.com>



Check in for this event

Scan this QR code at the event to check in.

Close

Homesteaders of America - FW: Scanned from a Xerox Multifunction Printer

Patti Baggarly <pbaggarly@warrencountysheriff.org>

Mon 4/19/2021 4:11 PM

To: Natalie Lentz <NLentz@warrencountyva.net>

 1 attachments (108 KB)

Scanned from a Xerox Multifunction Printer.pdf

Good Afternoon,

Attached please find an Event Threat Matrix for the Application for Permit for Homesteaders of America LLC in October.

The Sheriff's Office has no issues and no conflicts for this event.

If you would be so kind as to send us a copy once the application has been approved please.

Thank you,

Patti Baggarly
Administrative Services Manager
Warren County Sheriff's Office
(540)636-5924

-----Original Message-----

From: network scanner <networkscanner@warrencountysheriff.org>

Sent: Monday, April 19, 2021 4:16 PM

To: Patti Baggarly <pbaggarly@warrencountysheriff.org>

Subject: Scanned from a Xerox Multifunction Printer

Please open the attached document. It was sent to you using a Xerox multifunction printer.

Attachment File Type: pdf, Multi-Page

Multifunction Printer Location: Admin Office
Device Name: Admin Xerox

For more information on Xerox products and solutions, please visit <http://www.xerox.com>

Warren County Sheriff's Office
Event Threat Matrix

*** (Homesteaders of America LLC) ***
General Risk Evaluation Table

RISK FACTOR	1 LOW	2 MEDIUM	3 HIGH	4 EXTREME	SCORE
EVENT AND ACTIVITY INFORMATION					
TYPE	Planned Events	Planned Events	Planned Events	Unplanned Events	1
	Community and Family Based	Sporting Events Runs/walks Concerts	Rallies Demonstrations Protests	Any Spontaneous Event	
DURATION	Up to 3 Hours	Up to 10 Hours	Up to 24 Hours	Over 24 Hours	2
INFRASTRUCTURE AND EQUIPMENT	No Structures, Low to the ground such as tables, chairs	Soft structures such as small or moderate sized tents	Hard, Tall or Heavy Structures (stages), Power Cables and electrical equipment	Uncontrolled or non-permitted structures and equipment	2
ALCOHOL	None	Confined, Controlled, Limited Access	Uncontrolled, Unconfined, Moderate to high use	Excessive use, Uncontrolled, Unconfined, Movement through public areas	1
CRIMINAL ACTIVITY	None expected	Potential law / ordinance infractions	Criminal acts, Minor property damage, Potential assaults	Life/safety issues, Excessive property damage	1
VENUE					
TYPE	Parks and public spaces that are not confined	Buildings or parks with controlled or confined spaces (plazas, theaters)	Buildings with uncontrolled access	Streets	1
ROUTE SAFETY	Paths and sidewalks, No police assistance needed	Planned street route with some traffic control and signage	Un-escorted, Un-marked with no police or safety controls	Varied route, Un-planned, Uncontrolled, Interacts with other users	1

LOW-LITTLE TO NO EFFECT//MEDIUM-EFFECTS FELT BUT NOT CRITICAL
HIGH-SERIOUS IMPACT//EXTREME-COULD RESULT IN DISASTER

Warren County Sheriff's Office
Event Threat Matrix

*** (Homesteaders of America LLC) ***

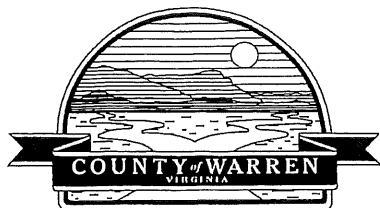
RISK FACTOR	1 LOW	2 MEDIUM	3 HIGH	4 EXTREME	SCORE
ORGANIZATION AND PLANNING					
ORGANIZERS	Well-organized, Compliant, Experienced	New group, May be inexperienced	History of uncooperative behavior, Non-payment	Defiant, Violent	1
EVENT HISTORY	No problems, No police interventions	Minor incidents, Minimal police interventions	Major incidents, Arrests / charges, Some impacts on town/city services	Critical upset to town/city services, History of violence	1
EVENT PLANNING	Maximum preparation time	Limited preparation time	Minimal preparation time	No preparation time	1
SECURITY	None needed or trained and in sufficient numbers	Needed, Limited training, Volunteers, Insufficient numbers	Needed, No training, Insufficient numbers	No security	1
EMERGENCY RESPONSE PLANNING	Have emergency response plans including medical, security, evacuation, and communications	Adequate emergency response plans and warning/notification systems	Inadequate emergency response plans and/or warning/notification systems	No emergency response plans and/or warning notification systems	1
CROWD ASSESSMENT					
CROWD TYPE	Family, Corporate, Business, Elderly	Young Adults, Persons of interest	Disruptive, Rebellious, Criminal	Radical	1
CROWD SIZE AND CAPACITY	Small size, High capacity venue for size of crowd	Moderate numbers, Up to maximum capacity of venue	Large numbers, Exceeds capacity	Critical density, Uncontrolled venue	2
CROWD DYNAMICS	Calm, Cooperative, Peaceful	Celebratory	Anxious, Aggressive	Violent	1
CROWD ASSESSMENT					
TIME, DAY, SEASON	Weekday	Weekend or weekday evening	Friday or Saturday evening, or other in region during periods of strained servicing capacity	Periods of strained emergency capacity (weekend evening, holiday, other major events, times of high alcohol consumption)	2

ADD TOTAL SCORE	20
(1-16 LOW) (17-32 MEDIUM) (33-48 HIGH) (49-64 EXTREME) RISK LEVEL	MED

Run #3

LOW-LITTLE TO NO EFFECT//MEDIUM-EFFECTS FELT BUT NOT CRITICAL
HIGH-SERIOUS IMPACT//EXTREME-COULD RESULT IN DISASTER

COUNTY OF WARREN



Department of Fire & Rescue Services

200 Skyline Vista Drive, Suite 200

Front Royal, Virginia 22630

Phone: (540) 636-3830

FAX: (540) 636-9986

Email: jbonzano@warrencountyfire.com

James G. Bonzano II

Fire Chief

BOARD OF SUPERVISORS

CHAIR
Cheryl L. Cullers
South River
District

VICE-CHAIRMAN
Archie Fox
Fork
District

Tony F. Carter
Happy Creek
District

Delores R. Oats
North River
District

Walter J. Mabe
Shenandoah
District

Edwin C. Daley
County Administrator

Memorandum

TO: Taryn Logan, Planning Director

FROM: Gerry R. Maiatico, Fire Marshal

DATE: April 8, 2021

SUBJECT: Request for Comments – Homesteaders of America

In review of the Request for Comments dated February, 9, 2021 for Homesteaders of America; we offer the following:

Number of people expected per day: Based on response provided of 4,500 per day, the event shall provide crowds managers as required in section 403.12.3 of the Virginia Statewide Fire Prevention Code.

Additional Instructions Section:

Item #3) if food vendors utilize mobile food preparation vehicles (food trucks) as defined by the Virginia Statewide Fire Prevention (SFPC), such vehicle shall comply with section 319 of the SFPC.

Item #4) "EMT will be informed" explanation is requested as is this vague.

Item #5 and 9) Tents shall meet the requirements as set forth by the Warren County Building Official and be maintained in accordance with the SFPC Chapter 31.

Should you require any additional information and/or assistance, please let me know.

*Front Royal-Warren County
Rivers of Opportunity-Mountains of Success*

Natalie Lentz

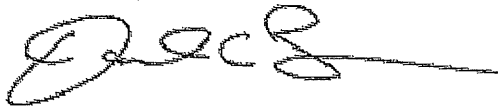
From: David Beahm
Sent: Thursday, February 11, 2021 2:47 PM
To: Natalie Lentz
Cc: Taryn Logan; Paula Fristoe
Subject: RE: Request from Homesteaders of America
Attachments: Homesteaders of America Festival Permit_2021.pdf

Comments – Festival Permit – Homesteaders of America Virginia LLC – Warren County Fair:

- Erosion and Sediment Control Items:
 - There does not appear to be any land disturbance at this time and therefore nothing would be required.
- Building Inspections Items:
 - The applicant has identified that the tents that will require permits to be applied for and fire certificates will be required to be provided at the time of permit application.
 - The applicant has not identified any amusement rides that would require permits.

If anything should change in the scope additional requirements may be required.

Respectfully,



David C. Beahm, CBO
Building Official
County of Warren
540-636-9973
Fax 540-636-4698
dbeahm@warrencountyva.net
www.warrencountyva.net

THIS MESSAGE IS INTENDED SOLELY FOR THE INDIVIDUAL(S) NAMED IN THE HEADER. THIS MESSAGE MAY CONTAIN MATERIAL THAT IS PRIVILEGED OR CONFIDENTIAL. IF YOU ARE NOT ONE OF THE INTENDED RECIPIENTS, PLEASE DO NOT READ, COPY, USE, OR DISCLOSE THIS MESSAGE TO OTHERS; PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE; AND THEN PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU.

From: Natalie Lentz <NLentz@warrencountyva.net>
Sent: Wednesday, February 10, 2021 11:44 AM
To: David Beahm <Dbeahm@warrencountyva.net>
Cc: Taryn Logan <Tlogan@warrencountyva.net>
Subject: Request from Homesteaders of America

Good Morning,

Please review the attached application and provide any appropriate comments regarding the effects on the public health and safety. The Applicant is requesting to hold a festival from October 7, 2021 through October 10, 2021. If you feel that there will be no adverse effects or that no additional conditions should be met, please state this. I have enclosed copies of the applicant's festival application. Your response as soon as possible would be greatly appreciated.



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF
May 4, 2021	H-4	Resolution for the Implementation of the Comprehensive Community Corrections Act for Local Responsible Offenders, the Pretrial Services Act, and the Establishment of the Old Dominion Community Criminal Justice Board	

EXPLANATION & SUMMARY:

Please see the attached proposed resolution and correspondence from S. Kimberly Chmura, Community Corrections Chief with Old Dominion Court Services.

COST & FINANCING: *No local funds are required*

CONSENT AGENDA MOTION:

I move that the Board of Supervisors adopt the proposed resolution for the Implementation of the Comprehensive Community Corrections Act for Local Responsible Offenders, the Pretrial Services Act, and the Establishment of the Old Dominion Community Criminal Justice Board.

SUBMITTED BY:	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)	PROCESSED BY:
Kim Chmura, Old Dominion Court Services <i>Through Emily Ciarrocchi,</i> <i>Deputy Clerk of the Board</i>		



S. K. Chmura, CC Chief
860 Smithfield Avenue
Winchester, VA 22601

OLD DOMINION COURT SERVICES
PRETRIAL & LOCAL PROBATION

Telephone: 540-665-5633
Fax Number: 540-667-3875

To: Cheryl L. Cullers, Warren Co. BOS Chair
From: S. Kimberly Chmura, Community Corrections Chief
Date: April 27, 2021
Subject: BOS Agenda Item – CCCA/PSA Resolution

Old Dominion Court Services (ODCS) requests the Board of Supervisors to approve a resolution for the implementation of local community-based probation and pretrial services.

In March of 2020, this Board approved a motion to allow ODCS to apply for a grant to expand pretrial services to Warren County, as well as Shenandoah and Page.

In January of 2021, DCJS awarded funds to ODCS for this purpose. Currently Warren County only has local probation.

In accordance with the Code of Virginia §9.1-173, §19.2-152.2 and other relevant codes, localities establishing local community-based probation and pretrial services must create a Community Criminal Justice Board (CCJB). Additionally, multi-jurisdiction areas must outline which locality will be the fiscal and administrative agent.

In 1995 Frederick, Clarke, Warren, Page, Shenandoah Counties and City of Winchester established the Old Dominion CCJB and local probation in all six localities and with the County of Frederick being the administrative agent.

A new resolution is necessary to establish Pretrial Services in Warren County. This new resolution supersedes the previous, and therefore, must reaffirm local community-based probation, the CCJB and identify Frederick County as the administrator.

It is noted, no local funds are required or requested. Warren County supports ODCS with office space located at 101 East Main Street.

I look forward to reviewing this request with the Board and welcome any questions.

Thank you.

RESOLUTION



***of the Board of Supervisors of Warren County Providing for the
Implementation of the Comprehensive Community Corrections Act
for Local Responsible Offenders, the Pretrial Services Act,
and the Establishment of the Old Dominion
Community Criminal Justice Board***

WHEREAS, the Virginia General Assembly has adopted legislation entitled the Comprehensive Community Corrections Act for Local Responsible Offenders, Article 9 (Section 9.1-173 et seq.) of the Code of Virginia and the Pretrial Services Act, Article 5 (Section 19.2-152.2 et seq.) of the Code of Virginia, both of which were effective July 1, 1995; and

WHEREAS, Sections 9.1-174 and 19.2-152.2 of the Code of Virginia require counties and cities approved for a jail project pursuant to Section 53.1-82.1 to develop and establish services in accordance with both Acts; and

WHEREAS, Sections 9.1-178 and 19.2-152.5 of the Code of Virginia require that each county and city establishing and operating local community-based probation and pretrial services establish a Community Criminal Justice Board, and in the case of multi-jurisdictional efforts, that each jurisdiction mutually agree upon the number of appointments to said board.

THEREFORE, BE IT RESOLVED by the Warren County Board of Supervisors that the County of Warren jointly agrees with the Counties of Clarke, Page, and Frederick and the City of Winchester to implement the services and programs required by the Comprehensive Community Corrections Act for Local Responsible Offenders and the Pretrial Services Act with, pursuant to Section 9.1-183, the County of Frederick acting as the administrator and fiscal agent on behalf of the participating localities.

BE IT FURTHER RESOLVED that the County of Warren establishes the Old Dominion Community Criminal Justice Board; that said board shall fulfill its responsibilities pursuant to Section 9.1-180; and shall be composed of the following members, pursuant to Section 9.1-178 of the Code of Virginia.

- One representative of the governing bodies of each participating jurisdiction,
- A circuit court judge representing the 26th Judicial Circuit(s) as agreed upon by the judge of said circuit,
- A judge of general district court, representing the 26th Judicial District(s) as agreed upon by said judges of the district,
- A judge of the juvenile and domestic relations district court representing the 26th Judicial District(s) as agreed upon by the said judges of the district,
- The Chief Magistrate,
- A Commonwealth's Attorney representing all the Commonwealth's Attorneys of the participating jurisdictions,

- A public defender where available in the participating localities and/or an attorney experienced in the defense of criminal matters who are current members of the Virginia State Bar,
- A sheriff or, where available, the regional jail administrator responsible for jail(s) serving the jurisdictions involved in local pretrial and community-based probation services,
- A Chief of Police or a Sheriff in a jurisdiction not served by a police department to represent all law enforcement agencies of the participating jurisdictions,
- A Community Services Board Administrator representing all agencies providing such services to participating jurisdictions, and
- A representative of local adult education representing all agencies providing such services to participating jurisdictions.

BE IT FURTHER RESOLVED that this resolution supersedes and replaces all prior resolutions approve by the locality relating to the establishment of required services and the formation of the Old Dominion Community Criminal Justice Board; and

BE IT FINALLY RESOLVED that the County of Warren appoints the Commonwealth's Attorney as its governing body representative to begin May 4, 2021 and extend until further amendment.

Adopted: May 4, 2021

ATTEST:

Cheryl L. Cullers, Chair
Warren County Board of Supervisors

Edwin C. Daley, Interim Clerk
Warren County Board of Supervisors

COUNTY OF WARREN

County Administrator's Office

Warren County Courthouse

P.O. Box 908

Front Royal, Virginia 22630

(703) 636-4600

FAX (703) 636-6066

J. Ronald George

County Administrator



BOARD OF SUPERVISORS

CHAIRMAN

Staige Miller Sr
North River
District

VICE-CHAIRMAN

Scottie Thomson
Shenandoah
District

Stuart Rudacille
South River
District

Donald McNeill Jr
Happy Creek
District

Ashby Crowder
Fork District

May 4, 1995

Mr. Joseph A. Walker
Director
Division of Court Services
County of Frederick
317 South Cameron Street
Winchester, Virginia 22601

Dear Mr. Walker:

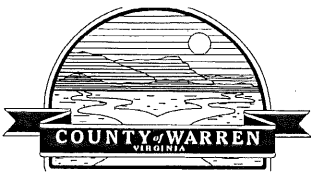
This is to confirm that the Warren County Board of Supervisors, at its regular meeting of May 2, 1995, voted to request continued services for Warren County from the Division of Court Services for an interim period July 1 through September 30, 1995 with Frederick County as Fiscal Agent as outlined in your memorandum of April 7.

The Board of Supervisors also voted to be included in a regional approach for these types of services as called for in the Comprehensive Community Corrections Act and Pre-Trial Services Act.

Sincerely yours,


J. Ronald George
County Administrator

jd



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT	PAGE
May 4, 2021	H-5	Request to Approve a Grant from the Virginia Department of Aviation of \$3,198.00 for the terminal roof replacement	1 OF 1

EXPLANATION & SUMMARY:

For many years, the Front Royal-Warren County Airport has received grants from the Virginia Department of Aviation ("DOAV") to help fund projects for the Airport. In 2010, the DOAV began utilizing a *Master Agreement on Terms and Conditions for Accepting State Aviation Funding* ("Master Agreement") to help improve the efficiency in grant management. The Master Agreement consolidated the terms and conditions found in grant agreements previously issued for the various funding programs administered by the DOAV. This allowed grant forms to simply incorporate the standard terms and conditions of the Master Agreement.

On October 5, 2010, the Board of Supervisors of Warren County, Virginia approved the Master Agreement. Then, in November 2017, the DOAV notified the County that it had modified the terms and conditions of the Master Agreement by adding terms and conditions for grant and allocation terminations, audits, and recordkeeping. On January 3, 2018, the Board of Supervisors of Warren County, Virginia approved the revised Master Agreement. The revised Master Agreement is attached hereto.

On March 18, 2021, the DOAV approved a grant offer to the County for the terminal roof replacement. The Grant Offer provides the following terms and conditions:

1. The grant offer is subject to the terms and conditions of the Master Agreement.
2. The maximum obligation of the Commonwealth shall not exceed \$3,198.00.
3. The County does not have to have a commitment from the FAA for federal funds for this project.
4. The grant term will expire on September 30, 2022.
5. The grant obligation term is 20 years.

The grant offer does not require a commitment of local funds. The grant offer will expire on May 17, 2021 if the attached Grant Agreement is not fully executed by that time.

COST AND FINANCING:

There will be no cost to the County if the County operates and maintains the Airport for the duration of the grant obligation term, which is 20 years from the last entitlement payment received.

CONSENT AGENDA MOTION:

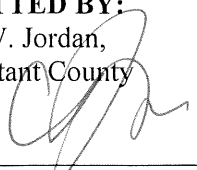
I move that the Board of Supervisors approve the grant offer for the terminal roof replacement and authorize the Interim County Administrator and Interim County Attorney to execute the Grant Agreement on the County's behalf.

ALTERNATIVE MOTIONS

I move that the Board of Supervisors disapprove the grant offer for the terminal roof replacement.

OR

I move that the Board of Supervisors postpone this request until _____.

SUBMITTED BY:	DISPOSITION OF BOARD:	PROCESSED BY:
Caitlin W. Jordan, Sr. Assistant County Attorney 	☐ APPROVED ☐ OTHER (DESCRIBE)	



Commonwealth of Virginia
Department of Aviation
5702 Gulfstream Road
Richmond, Virginia 23250-2422

Grant Agreement

Part I - Offer

Project Number:	CS0019-22
Date of Approval:	March 18, 2021
Date of Offer:	March 18, 2021
Date of Offer Expiration:	May 17, 2021

WHEREAS, by executing a *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* (hereinafter referred to as the "Master Agreement"), effective on January 4, 2018, the **County of Warren** (hereinafter referred to as the "Sponsor") agreed to the terms and conditions for accepting state aviation funding from the Commonwealth of Virginia (hereinafter referred to as the "Commonwealth"); and

WHEREAS, the Sponsor has submitted a request for a grant of state funds to assist in the development of **Front Royal-Warren County Airport** (hereinafter referred to as the "Airport") together with the appropriate supporting documentation; and

WHEREAS, the Commonwealth acting by and through the Virginia Aviation Board (hereinafter referred to as the "Board") and/or the Virginia Department of Aviation (hereinafter referred to as the "Department"), has approved a project for development of the Airport which consists of the following (hereinafter referred to as the "Project"):

Terminal Roof Replacement (Design)

NOW, THEREFORE, pursuant to the authority granted to the Department by §5.1-2.2 of the *Code of Virginia* (1950), as amended, and in consideration of (a) the authority granted to the Sponsor to operate and maintain the Airport, (b) the Sponsor's adoption and ratification of the assurances provided in the Master Agreement, and (c) the benefits to accrue to the Commonwealth and the public from the accomplishment of this Project, the Department offers to pay, as the Commonwealth's share, **seventy-eight (78) percent** of all eligible Project costs.

This offer is made on and subject to the following terms and conditions:

1. The Master Agreement is incorporated by reference herein, and this offer is subject to the terms and conditions of said Master Agreement.
2. The maximum obligation of the Commonwealth payable under this Grant Agreement shall not exceed **\$3,198.00**.
3. If the Federal Aviation Administration (hereinafter referred to as the "FAA") will be participating in the funding of this Project, the Sponsor has, at the time of the execution of this Grant Agreement, a commitment from FAA for federal funds in the amount of **\$N/A**.
4. This Grant Term will expire on **September 30, 2022**.
5. The Grant Obligation Term is **20 years**.

The Sponsor's acceptance of this Grant Offer with its terms and conditions shall be evidenced by execution of this Grant Offer by, or on behalf of, the Sponsor, as hereinafter provided, and said Grant Offer and acceptance shall comprise a Grant Agreement for the distribution of funds by the Department as authorized under §5.1-2.2 *Code of Virginia* (1950), as amended. This Grant Agreement shall become effective upon the Sponsor's acceptance and shall remain in full force as provided herein.

Commonwealth of Virginia
Virginia Department of Aviation



Mark K. Flynn
Director

3-18-21
Date

Part II - Acceptance

The Sponsor hereby accepts and agrees to all the terms, conditions and assurances contained in this Grant Agreement.

Executed this _____ day of _____, 20____

County of Warren

By _____

Title _____

Attest _____

Title _____

Certification of Sponsor's Attorney

I, _____,
acting as Attorney for the Sponsor do hereby certify that in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the Commonwealth of Virginia. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the Commonwealth of Virginia. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____, Virginia this _____ day of _____, 20____

By _____

Title _____



Commonwealth of Virginia
Department of Aviation
5702 Gulfstream Road
Richmond, Virginia 23250-2422

**Master Agreement on Terms and Conditions
for Accepting State Aviation Funding Resources**

Sponsor: **County of Warren**
Airport: **Front Royal-Warren County Airport**

This Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources (herein referred to as the "Master Agreement") contains the terms and conditions for accepting state aviation funding from the Commonwealth of Virginia (hereinafter referred to as the "Commonwealth") for capital, facilities and equipment, security, maintenance, and aviation promotion projects. These terms and conditions become applicable when the **County of Warren** (hereinafter referred to as the "Sponsor") accepts funds from the Commonwealth Airport Fund and/or the Aviation Special Fund. The terms and conditions of this Master Agreement may be modified or amended by the Virginia Aviation Board (hereinafter referred to as the "Board") and/or the Virginia Department of Aviation (hereinafter referred to as the "Department") at which time a revised Master Agreement or a written amendment to the Master Agreement will be provided to the Sponsor for execution. The new or revised terms and conditions of the revised Master Agreement or amendment will apply to funds allocated from the Commonwealth Airport Fund and/or the Aviation Special Fund after the effective date specified by the Board or Department for the new or revised language.

Part I - Definitions

For the purpose of this Master Agreement, the following definitions are used:

Airport: An Airport is an area of land or water that is used, or intended for public use, for the landing and takeoff of aircraft, and any appurtenant areas that are used, or intended for use, for airport buildings or other airport facilities or rights-of-way or easements, and together with all airport buildings and facilities located thereon.

Airport Layout Plan: An Airport Layout Plan is a scaled drawing of the existing and planned land and facilities supporting the development and operation of an airport.

Airport Real Property: Airport Real Property is property consisting of land, buildings, or other resources attached to or within the land or improvements or fixtures permanently attached to the land or a structure on an airport.

Airport Program Manual: The *Airport Program Manual* is the document, approved by the Board and issued by the Department that provides information on state aviation funding programs, Board policies, and administrative processes used by the Department to implement the policies, as it now exists or may hereafter be modified.

Allocation: An Allocation is the authorization to expend a specific amount of state funds for an eligible project approved by the Board and/or Department.

Contractor: A contractor is a private entity, including consultants and subcontractors, engaged by a Sponsor or Department to perform work.

Equipment: Equipment is all fixed assets other than Airport Real Property of an airport environs to include, but not limited to, maintenance equipment, navigational aid equipment, and security equipment.

FAA: FAA is the Federal Aviation Administration, an agency of the federal government.

Federally Funded Project: A Federally Funded Project is a project that is funded with monetary participation by one or more federal agencies, the Commonwealth, and the Sponsor.

Force Majeure Event(s): A Force Majeure Event(s) is an event of fire, flood, war, rebellion, riots, strikes, terrorism, or acts of God that may affect or prevent either party from timely or properly performing its obligation under the Master Agreement, Grant Agreement, or Allocation.

Grant Agreement: A Grant Agreement is the contract created upon the Sponsor's acceptance of the terms and conditions set forth in this document and the Department's Grant Offer, as evidenced by the Sponsor's execution of the Grant Offer.

Grant Amendment: A Grant Amendment is the written modification of the terms and conditions of a Grant Agreement, the acceptance of which is evidenced by the Sponsor's execution of the Grant Amendment.

Grant Obligation Term: The Grant Obligation Term is the time period specified in the Grant Agreement during which the terms, conditions, and assurances of the Grant Agreement, including this document, remain in effect. The Grant Obligation Term shall begin upon the date the final payment under the Grant Agreement is made by the Commonwealth.

Grant Offer: A Grant Offer is the terms and conditions upon which the Department is willing to provide funds to a Sponsor for an identified project, as specified in the Grant Agreement.

Grant Term: The Grant Term is the time period within which the Commonwealth will accept requests for reimbursement from the Sponsor pursuant to the Grant Agreement. The expiration date for such Grant Term will be specified in the Grant Agreement.

Operating Costs: Operating Costs are direct expenses associated with the operation of an airport, including but not limited to, recurring maintenance, utility expenses, and salary and wage expenses.

Reimbursement: A Reimbursement is the refunding of eligible costs incurred or expenses paid.

Scope of Work: A Scope of Work is a document that describes the tasks, schedule, deliverables, man hours, costs, and responsible parties for a project and is to be approved by the Sponsor, Department, FAA, Board, and/or applicable state or federal agencies as appropriate.

Sponsor: A Sponsor is an entity that is legally, financially, and otherwise able to assume and carry out the certifications, representations, warranties, assurances, covenants, and other obligations required in this document and in an executed Grant Agreement.

State Funded Project: A State Funded Project is a project that is funded with monetary participation by the Commonwealth and the Sponsor.

Usable Unit of Work: A Usable Unit of Work is a deliverable that allows the next phase of a project to begin or results in a facility or airport infrastructure that can be utilized for its intended purpose.

Part II - General Conditions

- A. The Sponsor agrees to comply with this Master Agreement, Grant Agreements, and Grant Amendments in accordance with all provisions of the *Code of Virginia*, *Virginia Administrative Code*, and *Airport Program Manual*, as approved by the Board and in force on the date of execution of each Grant Agreement.
- B. Consistent with the *Airport Program Manual*, the Sponsor shall annually certify to the Department that the Sponsor has adequate liability insurance or other means of financial responsibility to satisfy the minimum dollar amount required by the §5.1-88.7 *et seq.* of the *Code of Virginia* (1950), as amended.
- C. A Grant Offer, if not fully accepted, shall expire and cease to be effective upon the expiration date stated on each Grant Offer.
- D. The maximum obligation of the Commonwealth shall be specified in the Grant Offer for each project.
- E. The expiration date of a Grant Term shall be specified in the Grant Offer for each project. No requests for reimbursement shall be accepted under the Grant Agreement after the expiration date and no further commitment for payment of monies under the Grant Agreement shall continue after the expiration date, whether or not the project described in the Grant Agreement is completed; provided, however, the Department in its sole discretion may extend the end date of the Grant Term for good cause shown in accordance with the *Airport Program Manual*.
- F. For Federally Funded Projects, at the time of execution of the state Grant Offer, the Sponsor shall have a written commitment by the federal funding agency(ies) for the federal funds identified in the state Grant Offer to provide financial support for the project described in said Grant Offer.
- G. For all projects, at the time of execution of a state Grant Offer, the Sponsor shall have a written commitment for local funds to support the project described in said Grant Offer. By executing the state Grant Offer, the Sponsor certifies that it has sufficient funds available to assure the operation and maintenance of the owned improvements and/or equipment funded under said Grant Offer, which the Sponsor will own or control.
- H. The Sponsor shall carry out and complete the project, identified in a Grant Agreement or Allocation award, in accordance with the approved Scope of Work to provide a Usable Unit of Work. The approved Scope of Work may be revised with prior written approval of the Department.

- I. The Sponsor shall operate and maintain the Airport, now existing or built in whole or in part as a result of all projects undertaken with state funds, as an airport open to the public for the duration of the Grant Obligation Term. The Grant Obligation Term included in any Grant Agreement begins upon final payment of the executed Grant Agreement. Sponsors of 14 CFR Part 139 Airports who receive state entitlement funds are obligated for 20 years from the last entitlement payment received.
- J. If the Airport closes or ceases to operate as an airport open to the public, the Sponsor shall repay to the Commonwealth the sum which is equal to the pro-rata share (computed monthly) of all state funding for Grant Agreements for which the Grant Obligation Term has not expired.
- K. The Sponsor is obligated to keep the Airport Layout Plan current, providing the Department, and as appropriate, FAA, with revisions of the appropriate Airport Layout Plan sheets.
- L. A Grant Agreement will be considered fully repaid to the Commonwealth at the expiration of the Grant Obligation Term, and the Sponsor shall have no further financial obligation to the Commonwealth under the Grant Agreement, with the exception of Grant Agreements for the purpose of land acquisition in either fee simple or easement, which are described in Part III - Special Conditions.
- M. All professional services, non-professional services, and goods associated with any funds allocated from the Commonwealth Airport Fund and/or the Aviation Special Fund shall be procured in accordance with the *Virginia Public Procurement Act* and/or the appropriate federal procurement regulations as specified in the FAA Grant Agreements and *Airport Improvement Program Handbook* in effect at the time such funds are allocated.
- N. The Sponsor shall maintain the Airport free and clear of obstructions to navigable airspace in accordance with the applicable standards of *Federal Aviation Regulation Part 77*, FAA Advisory Circular 150/5300-13, and *Virginia Administrative Code* Section 24 VAC 5-20-140, specifically that version applicable on the date of execution of each Grant Offer, for as long as the Airport remains an airport open to the public licensed by the Commonwealth.
- O. To the extent permitted by law, the Sponsor shall not release title to any Airport Real Property without first receiving written approval from the Department and, as appropriate, the FAA.
- P. Any equipment purchased under a State Funded Project shall be used only for maintaining facilities on Airport property as identified on the approved Airport Layout Plan and for any non-federal navigational aid facilities owned by the Department.
- Q. During the applicable Grant Obligation Term, the Sponsor shall not sell, trade in, or donate equipment purchased as part of a State Funded Project without the prior approval of the Department.
- R. All revenues generated by the Airport shall be expended by the Sponsor for improvements on the Airport, or for Airport land acquisition, or operating costs of the Airport.
- S. Sponsors of 14 CFR Part 139 Airports must maintain entitlement funds in an independent interest bearing account in order to be eligible to receive entitlement funds. The sponsor shall only deposit

state entitlement funds into this account and provide documentation for this account that clearly reports the annual interest earned.

- T. The Sponsor shall at all times operate the Airport and its facilities which are necessary to serve the aeronautical users of the Airport in a safe and serviceable condition, with due regard to weather related conditions. For Airports with runway lighting systems, the Sponsor must keep the runway open 24 hours a day, 7 days a week, unless otherwise approved by the Department or unless temporarily affected by weather, mechanical conditions, or other emergency. The Sponsor must promptly issue a Notice(s) to Airmen (NOTAM) and notify the Department of any condition affecting the use of the Airport. Airport terminal buildings must be kept open during the hours published in the most current edition of FAA's Chart Supplement.
- U. The Master Agreement, subsequent Allocations and Grant Agreements, and any associated Grant Amendments, may be terminated or amended by the Department upon the occurrence of any of the following:
 - 1. The Sponsor may terminate the project at any time by notifying the Department 60 calendar days in advance in writing that it intends to terminate the project. If such a termination occurs, the Sponsor shall repay the Department the funds received, according to either the provisions of this Master Agreement or the Grant Agreement, as determined in the sole discretion of the Department.
 - 2. The Sponsor may terminate a Grant Agreement, Grant Amendment(s), or Allocation at any time under the laws of the Commonwealth of Virginia where the Department has written notice of any material breach of any Grant Agreement, Grant Amendment(s), or Allocation; and the Department has failed to cure such breach within 90 calendar days. However, nothing herein shall constitute a waiver of the Commonwealth's or the Department's sovereign immunity.
 - 3. Upon 60 calendar day written notice to the Sponsor, the Department may terminate, in whole or in part, any funding under a Grant Agreement, Grant Amendment(s), or Allocation any time (1) it is determined that the Sponsor has materially breached the Grant Agreement, Grant Amendment(s), or Allocation and has failed to cure said breach after 90 calendar days, or if the Department in its sole judgment determines that compliance within 90 calendar days is not reasonable, then within such time period as the Department may thereafter specify in writing, (2) the Sponsor becomes insolvent, or (3) the Sponsor fails to properly apply provided funds as intended under the Grant Agreement, Grant Amendment(s), or Allocation. The Department shall notify the Sponsor promptly in writing of such a determination and provide the effective date of the termination. The Sponsor may request reconsideration from the Department in writing within 30 calendar days of the date of the Department's notification. The Department shall not terminate funding until the request has been reconsidered but may withhold funds in the interim in the sole discretion of the Department. Following a request for reconsideration, the decision of the Department will be made within 60 calendar days and will be final. If the Grant Agreement, Grant Amendment(s), or Allocation is terminated by the Department, the Sponsor shall repay the Department thereafter all funds received for the project. Such repayment shall be made within 60 calendar days following written notification by the Department of the amount to be repaid.
 - 4. Upon 60 calendar day written notice to the Sponsor, the Department may at any time terminate, in whole or in part, the funding under a Grant Agreement, Grant Amendment(s), or Allocation (1) if the Department fails to secure the necessary budgetary appropriation or allocation to fulfill its

obligations under the Grant Agreement, Grant Amendment(s), or Allocation or (2) statutory changes affecting the program under which the funds were allocated render funding the Grant Agreement, Grant Amendment(s), or Allocation impossible. The Department shall notify the Sponsor promptly in writing of any such determination and the effective date of such termination. Should the project be terminated by the Department as a result of lack of funds or statutory changes, the Department will exercise its best efforts to seek funds to be used to defray costs of shutting down the project, and the Sponsor is not required to repay those funds already paid to the Sponsor if such funds represent eligible project costs.

5. Reasonable delays, as determined by the Department, caused by any Force Majeure Event(s) during construction shall not be deemed a breach or default under a Grant Agreement, Grant Amendment(s), or Allocations. Upon the occasion of any Force Majeure Event(s) which makes it impossible for the project to be constructed and/or prevents the need for the project, the Department may at its sole discretion terminate the Grant Agreement, Grant Amendment(s), or Allocation. A Force Majeure Event(s) occurring during the period of the Grant Agreement, Grant Amendment(s), or Allocation may, in the sole discretion of the Department, result in a day-for-day extension(s) to any performance specified in the Grant Agreement, Grant Amendment(s), or Allocation.
 6. Reimbursements from the Sponsor may, in the sole discretion of the Department, require the payment of interest, using the prevailing statutory legal rate of interest established by the Virginia General Assembly, calculated from the date payment is made by the Department to the date of repayment by the Sponsor.
- V. Each year prior to the release of entitlement funds allocated pursuant to subdivision A3a of §58.1-638, the Sponsor of an air carrier airport shall submit an Entitlement Utilization Plan that outlines the planned use of such funds for the upcoming fiscal year to the Board for review and approval. The Board shall approve such plan provided that the use of funds is in accordance with Board policies. The determination that the Entitlement Utilization Plan is in accordance with Board policies shall be made in the sole discretion of the Board. The Sponsor may modify its plan during a fiscal year by submitting a revised plan to the Board for review.

The Board shall have the right to withhold entitlement funds in the event that the Entitlement Utilization Plan is not approved by the Board. The Board shall also have the right to recoup entitlement funds in the event that the Sponsor uses the funds in a manner that is inconsistent with the approved plan.

- W. The Sponsor and its Contractors shall maintain all books, documents, papers, accounting records, and any other written or electronic evidence supporting their project activities and the costs incurred. Such information shall be made available for audit and inspection at the respective Sponsor's offices at all times during the Grant Agreement, Grant Amendment(s), or Allocation period and for a period of four years from the end of the state fiscal year (i.e., June 30) in which the final payment is made, except for records pertaining to terminal buildings and the acquisition of land and easements. Records for terminal buildings shall be kept for the useful life of the terminal building. Records for the acquisition of land and easements shall be kept indefinitely. Copies of any such information shall be furnished by the Sponsor to the Department upon request.
- X. The Sponsor, its agents, and its Contractors shall permit any authorized representatives of the Department to inspect and audit all records of the Sponsor and its Contractors related to the

performance of the Master Agreement or any Grant Agreements, Grant Amendments, and Allocations. This shall include, but not be limited to, the following:

1. All Sponsors must follow the requirements of *Generally Accepted Government Audit Standards*.
2. The Department reserves the right to require any Sponsor receiving federal and/or state funds, regardless of amount or funding category, to have an audit performed on any matter relating to a project funded by the Department through a Grant Agreement, Grant Amendment(s), or Allocation and to designate the scope of such audit.
3. If an independent Certified Public Accountant, other auditor, the Department, or any other party conducting an authorized audit finds the Sponsor not to be in compliance with any provision of the Master Agreement, Grant Agreement, Grant Amendment(s), Allocation, or any applicable federal or state law or regulation, the Sponsor must provide an approved corrective action plan to the Department within 60 calendar days of notification of the finding. The scope of any audit conducted must include those expenditures made by the Sponsor for the Grant Agreement, Grant Amendment(s), or Allocation, including consultants, subconsultants, and any other recipients of pass-through funds.
4. The Sponsor agrees that following the completion of any audit performed in accordance with the Master Agreement, it will refund to the Department within 60 calendar days any payments that are found by the Department to be unsupported by acceptable records or are found by the Department to be in violation of any other terms and conditions of the Master Agreement, Grant Agreement, Grant Amendment(s), Allocation, or the *Airport Program Manual*. Acceptable records are defined as original documents (such as timesheets, travel reimbursements, invoices, etc.) that were used to generate amounts on the reimbursement forms submitted to the Department or FAA. The Department also may require the Sponsor to furnish certified reports of all expenditures under any subcontracts.
5. All Sponsors of 14 CFR Part 139 Airports must submit audited financial statements including a third party audit for entitlement expenditures to the Department within 120 calendar days following the Sponsor's fiscal year end. The documents should be sent to:

Virginia Department of Aviation
Attention: Director, Airport Services Division
5702 Gulfstream Road
Richmond, VA 23250

- Y. If any specifics of a project generate the need for terms and conditions not provided for in this Master Agreement, any additional terms and conditions will be stated in the Grant Agreement for the project. In the event of any conflict between a provision in this Master Agreement and any provision in a Grant Agreement, then the Grant Agreement shall govern, but only for the purposes of the projects controlled by the Grant Agreement.
- Z. Should a Virginia court of competent jurisdiction invalidate or hold unenforceable any provision of the Master Agreement, or any provision of any Grant Agreement or Grant Amendment(s) entered into hereunder, or the application thereof in any particular circumstance, the remainder of the Master Agreement, Grant Agreement, or Grant Amendment(s) not dependent on the invalidated provision shall remain in full force and effect.

AA. This Master Agreement shall be construed and governed by the laws of the Commonwealth of Virginia without regard to conflict of law provisions. The parties hereto agree that any legal actions regarding the interpretation or enforcement of the Master Agreement, Grant Agreement, or Grant Amendment(s) entered into hereunder shall be heard in Virginia courts of competent jurisdiction in the City of Richmond, Virginia.

Part III - Special Conditions

A. Land and Easement Acquisition

All land acquired in either fee simple or easement as part of a Grant Agreement executed in conjunction with the Master Agreement shall continue to be dedicated exclusively, and in perpetuity, to aeronautical purposes. The Sponsor shall attach such covenants to the disposition of such land or easements as may be necessary to protect the Airport from encroachment from hazards to navigable airspace or land uses that may be incompatible with Airport operations. At such time as the land or easement originally acquired under a state grant is no longer required for aeronautical purposes; and upon official written release by the Department and, as appropriate, the FAA, the land or easement may be disposed of at fair market value. The proceeds of such disposition which are repayable to the Commonwealth shall be reimbursed at the same percentage by which the Commonwealth participated in the original acquisition.

B. Public-use Spaces and Areas

Except as stated herein, all spaces and areas constructed as part of a Grant Agreement, and designated as public-use and/or non-revenue producing, shall remain so designated for the Grant Obligation Term. Such public-use and/or non-revenue producing spaces shall be indicated on an approved structure floor plan, which shall be attached as an exhibit to the executed Grant Agreement.

If during the Grant Obligation Term the Sponsor changes the use of these areas designated public-use to proprietary-use (i.e., under the Sponsor's exclusive control) or from non-revenue producing to revenue producing, then the Sponsor shall repay to the Department a sum which is equal to the pro-rata share (computed monthly from the beginning of the Grant Obligation Term) of the space or area that is changed as a percentage of the entire square footage based on the original construction costs and the remaining period of the Grant Obligation Term.

The designated public-use and/or non-revenue producing space and area, shown on the approved structure plan noted above, constructed by the Sponsor under a Grant Agreement executed in conjunction with this Master Agreement shall be open and accessible in accordance with Part II - General Conditions, Section S, as set out above.

C. Bridge Loan

Prior to requesting a bridge loan for a federally eligible project, a Sponsor must insure that the project is included in the federal Airport Improvement Program.

Within 60 calendar days of any receipt of reimbursement from FAA, in full or in part, the Sponsor shall reimburse the Department the difference between the state's share of the eligible costs of the State Funded Project and the state's share of the eligible costs of the Federally Funded Project.

If FAA has not reimbursed the sponsor within 48 months from the beginning of the Grant Obligation Term of the Grant Agreement, the Sponsor shall fully reimburse the Department or request an extension of the payment period from the Board. Failure to do so may result in the Board finding the Sponsor non-compliant with assurances and may affect future funding.

D. Facilities and Equipment

1. The Sponsor shall pay all utility installation and recurring operating costs associated with a system owned and maintained by the Department, as described in the *Airport Program Manual*.
2. The Sponsor shall operate facilities and equipment, owned by either the Department or the Sponsor and installed under a state Grant Agreement, 24 hours a day, 7 days a week, unless otherwise approved by the Department in writing or unless temporarily affected by weather, mechanical conditions, or other emergency.
3. The Sponsor shall immediately notify the Department and issue a NOTAM to the appropriate FAA Flight Services Station or Operation Center about all inoperative equipment.
4. The Sponsor shall purchase and maintain insurance on all facilities and equipment placed in service under a Grant Agreement insuring against any loss and damage, and shall maintain public liability insurance, malicious mischief insurance, and insurance against such other hazards as may reasonably be required. The Department shall be notified in writing thirty (30) days prior to the cancellation of any such policy. The Sponsor shall not permit any condition to exist on the Airport which would wholly or partially invalidate the insurance thereon.

E. Private Ownership

The Sponsor of a privately-owned Airport shall execute and maintain a credit line deed of trust, as defined in §55-58.2 of the *Code of Virginia* (1950), as amended, and in compliance with the *Airport Program Manual* to ensure sufficient collateral for the Commonwealth's investment in the Airport.

The Sponsor shall execute a new credit line deed of trust note for each Grant Agreement and Grant Amendment(s).

Part IV - Acceptance

The Sponsor's acceptance of this *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* shall be evidenced by execution of this instrument by, or on behalf of, the Sponsor, as hereinafter provided, and unless terminated or modified, this Master Agreement will apply to funds allocated from the Commonwealth Airport Fund and/or the Aviation Special Fund after the effective date of this Master Agreement. Such Master Agreement shall become effective upon the Sponsor's acceptance and shall remain in full force as provided herein.

The Sponsor hereby accepts and agrees to all the terms, conditions, and assurances contained in this *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources*.

Executed this 4th day of JANUARY, 2018

County of Warren

By

Title

[Signature]
County Administrator

Attest

[Signature]
Title Deputy Clerk of the Board

Certification of Sponsor's Attorney

I, Daniel Nichols Whitten
acting as Attorney for the Sponsor do hereby certify that in my opinion the Sponsor is empowered to enter into the foregoing Master Agreement under the laws of the Commonwealth of Virginia. Further, I have examined the foregoing Master Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the Commonwealth of Virginia. Further, it is my opinion that the said Master Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at Front Royal, Virginia this 4th day of January, 2018

By

Title

[Signature]
County Attorney



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF
May 4, 2021	H-6	Amended Agreement for the Use of Federal CARES Coronavirus Relief Funds between the County of Warren and Town of Front Royal (Municipal Utility Relief Program)	

EXPLANATION & SUMMARY:

On December 14, 2020, the Board of Supervisors approved the Agreement for the Use of Federal CARES Coronavirus Relief Funds between the County of Warren and Town of Front Royal (Municipal Utility Relief Program). Since then, the time period of the CARES Municipal Utility Relief Program was extended from December 30, 2020 to December 31, 2021. See the attached Memorandum from the Department of Housing and Community Development notifying all parties of the extension marked Attachment A.

As a condition of release of the funds, the County must serve as the Town's fiscal agent and must agree to return any funds that are not spent in accordance with the CARES Act or if the Town fails to meet certain other requirements, including those related to obtaining and retaining certain records. Accordingly, the County must sign a Certification for Receipt of Corona virus Relief Fund Payments that so provides, and which also authorizes State Aid intercept of County funds if repayment is required. Because the County is responsible for the funds but the Town spends them, an Agreement was drafted that requires the Town to indemnify the County if the Town fails to comply with any such requirements and sets out the Town's and County's responsibilities.

On April 19, 2021, the Front Royal Town Council reviewed the attached Amended Agreement for the Use of Federal CARES Coronavirus Relief Funds.

COST & FINANCING:

With full compliance of the CARES Act and all other applicable rules, there is no cost to the County.

PROPOSED OR SUGGESTED/ CONSENT AGENDA MOTION:

I move the Board of Supervisors authorize the Chair to execute, approve and delivery and performance of the Amended Agreement for the Use of Federal CARES Coronavirus Relief Funds between the County of Warren and the Town of Front Royal on behalf of Warren County, in substantially the form as presented, with such additions and corrections as may be approved by the Chair.

ALTERNATIVE MOTIONS:

I move the Board of Supervisors not approve and authorize the execution, delivery and performance of the Amended Agreement for the Use of Federal CARES Coronavirus Relief Funds between the County of Warren and the Town of Front Royal.

OR

I move the Board Postpone action until _____ for further discussion.

SUBMITTED BY: Rick Farrall, Emergency Coordinator	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)	PROCESSED BY:
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**AMENDED AGREEMENT FOR THE USE OF
FEDERAL CARES CORONAVIRUS RELIEF FUNDS**

THIS AMENDED AGREEMENT for the Use of Federal Cares Coronavirus Relief Funds (the "Agreement"), made this _____ day of _____, 2021 by and between the County of Warren, a political subdivision of the Commonwealth of Virginia, (herein after referred to as the "County") party of the first part, and the Town of Front Royal, a political subdivision of the Commonwealth of Virginia, (hereinafter referred to as the "Town") party of the second part;

WITNESSETH:

WHEREAS, the United States Congress passed, and the President signed the *Coronavirus Aid, Relief and Economic Security ("CARES") Act of 2020* (the "Act"); and,

WHEREAS, the Act provided funding for a number of different programs to address the COVID-19 pandemic; and,

WHEREAS, a primary component of the Act is the provision of \$150 billion in assistance to state, local, territorial and tribal governments for the direct impact of the COVID-19 pandemic through the establishment of the Coronavirus Relief Fund ("CRF"); and,

WHEREAS, the Town has been notified that it has been awarded federal Coronavirus Aid, relief, and Economic Security Act (CARES Act) funds pursuant to the Appropriation Act mandated State Corporation Commission application process in the amount of \$88,109,00 to assist with municipal utility customer relief for all eligible customers of Town of Front Royal, and,

WHEREAS, expenditure of the funds is subject to be used only for qualifying expenses as defined by the COVID-19 Municipal Utility Relief Program, the expenditure of the funds will be audited and any funds expended for purposes other than as provided by the Act will have to be repaid and returned to the Commonwealth of Virginia; and,

WHEREAS, the parties hereto wish to confirm that the expenditure of the funds from CRF is limited to the uses established in the COVID-19 Municipal Utility Relief Program and that the

funds distributed to the Town will be subject to refund and return by the Town and not by the County;

NOW THEREFORE THE PARTIES HERETO DO HEREBY AGREE AS FOLLOWS:

- 1) That the County will distribute to the Town the sum of \$88,109.00 from the CRF funds distributed to the County, contingent upon the Town using such funds for expenses that are reimbursable under the COVID-19 Municipal Utility Relief Program, upon the Town providing the Certification for Receipt of Coronavirus Relief Fund Payments document to the County, and that the Town comply with all other applicable laws and County requirements concerning the expenditure of the fund.
- 2) That the funds distributed to the Town by the County may only be used for the direct costs associated with the COVID-19 Municipal Utility Relief Program, as those expense qualify and as defined and limited by the Program. These are specifically limited to costs that:
 - a) Assist municipal utility customers experiencing economic hardship due to the COVID-19 pandemic;
 - b) Utility customers that attest of the COVID-19 economic hardship;
 - c) Arrearages owed by eligible customers owed from March 1, 2020 through December 31, 2021;
 - d) Funds may only be used to provide direct assistance to customer accounts over 30 days in arrears during the March 1, 2020 through December 31, 2021;
 - e) Up to 5% of the allocation may be used for direct administrative costs to support management of relief program.

The Town shall refrain from providing dual benefit to customers who have already received some level of assistance through other existing programs funded by the CARES Act for the same months of arrearages.

- 3) That the Town shall keep, maintain and provide to the County all necessary documentation to ensure compliance with the federal, state and County requirements.
- 4) Except as otherwise provided herein, distribution by the Town is at its sole risk. Except as otherwise provided herein, should the appropriate federal or state authorities determine that the Town improperly expended such funds for purposes that do not qualify under the Act the Town must promptly return and repay the amount of the funds subject to the improper expenditure to the County. The County shall not be required to appeal or contest any determination by the federal or state authorities that such funds were improperly expended, unless the Town requests the County to appeal or contest such determination by the federal or state authorities that such funds were improperly expended, in which case the Town will assume all costs, expenses, and risks of such appeal, and will hold the County harmless from same.
- 5) The Town shall return all unspent funds to the County no later than the close of business on November 30, 2021. Upon receipt of the unspent funds, the County shall return such funds to The Department of Accounts by the close of business on December 31, 2021. The Town shall fully comply with all requirements of the Act and fully cooperate with the County, the Commonwealth of Virginia, and the United States of America in the use of the Town Distribution, including any and all audits
- 6) Except as otherwise provided herein, the parties agree that the Town shall reimburse the County within ten (10) days of request from the County for any expenditure of funds by the County necessitated by the failure of the Town to fully comply with this Agreement, with the Act, or incurred as a result of an allegation or inquiry by the state or federal government that the Town failed to comply with the Act, including any costs, such as audit fees, attorney's fees, or other expenses and any amounts that the County may be required to refund because of the violation by the Town of the Act or the improper expenditure of the Town Distribution. If such reimbursement is not provided within ten (10) days of such request, interest at the judgment rate shall be paid by the Town to the County.
- 7) In order to secure repayment of any amounts due hereunder to be reimbursed to the County by the Town, the Town agrees that any amount due hereunder, if not paid within ten (10)

days of notification and request to pay, may be withheld by the County from any funds due the Town which passes through the County or the office of the County Treasurer. This may include sales taxes, real estate taxes, personal property taxes, court fines and fees, septage fees, state or federal revenues, or any other funds of any kind or character which the County Treasurer collects on behalf of the Town and remits to the Town, or which the County possesses for any period of time: Furthermore, the Town .agrees that any amount due hereunder, if not paid within ten (10) days of notification and request to pay, may be withheld by the County from any funds due the Town from the County under any agreement between the County and the Town now in existence or to be agreed to in the future, including but not limited to all amounts owed under the Amendment to Voluntary Settlement Agreement Between the County of Warren, Virginia, and the Town of Front Royal, Virginia, Regarding the Compromise for Pilot Meals and Lodging Taxes dated April 11, 2018.

- 8) In the event that any State or Federal authority finally determines that the County owes money as a result of actions of the Town in violation of this Agreement, the Town waives its right to and agrees not to assert any defense of statute of limitations, laches or any other time related defense. The parties agree that the remedies provided in this Agreement are not exclusive, and that the County preserves all causes of action against the Town related to the Town Distribution.
- 9) Any dispute concerning the performance or interpretation of this Agreement must be adjudicated in the General District or Circuit Courts of Warren County, Virginia, unless this matter has been removed by the United States of America or the Commonwealth of Virginia to the Federal Courts, in which case the matter may be adjudicated there.
- 10) This Agreement constitutes the entire understanding and agreement among the parties with respect to the matters set forth herein and/or therein and supersedes all prior or contemporaneous understandings or agreements among the parties with respect to the subject matter hereof, whether oral or written.
- 11) If any provision of this Agreement is invalid, illegal or unenforceable, the balance of this Agreement remains in full force and effect. If, however, the provision of the Agreement

held invalid, illegal or unenforceable is material to the whole Agreement then the entire Agreement is of no force or effect, unless the parties otherwise unanimously agree in writing.

- 12) This Agreement constitutes a fully negotiated agreement among sophisticated parties, with the assistance of legal counsel, and must not be construed and interpreted for or against any party thereto.

This Agreement has been duly authorized and approved by the Town Council of the Town of Front Royal and the Board of Supervisors of Warren County and the Chairman of the Board and the Mayor of the Town are authorized to execute the same.

WITNESS the following signatures:

Mayor
Town of Front Royal, Virginia

Chairwoman
Board of Supervisors of
Warren County, Virginia

Attest:

Attest:

Tina Presley, Clerk of Town Council

Edwin Daley, Clerk of Board of Supervisors

Approved as to Form:

Approved as to Form:

Douglas W. Napier, Town Attorney

Caitlin Jordan, Sr. Assistant County Attorney

Attachment A



Ralph S. Northam
Governor

R. Brian Ball
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT

Erik C. Johnston
Director

Memorandum

To: Municipal Utility Directors; and City, County, and Town Chief Administrative Officers
From: Erik Johnston, Director, Virginia Department of Housing and Community Development
David Von Moll, Comptroller, Virginia Department of Accounts
Date: January 11, 2021
Re: Deadline extension for (1) return of CRF to DOA and (2) submission of required certification and certification addendum

This memo is to inform you that the previously established deadline of February 19, 2021, for returning any unspent funds as part of the COVID-19 Municipal Utility Relief Program has been extended to December 31, 2021.

Additional deadlines related to the administration of this program are contained in this memo, so please carefully read through this memo in its entirety. We also encourage all participating municipal utilities and their partner city or partner county (where applicable) to print and retain a copy of this memo for their records.

Item 5 of the original certification contained the following language:

Any funds that are not expended or that will not be expended on necessary expenditures incurred before December 30, 2020, by the municipal utility or its grantee(s), must be returned to Commonwealth of Virginia no later than January 29, 2021, and that the Commonwealth of Virginia is entitled to invoke State Aid Intercept to recover any such unexpended funds.

The Virginia Department of Housing and Community Development (DHCD) and the Virginia Department of Accounts (DOA) hereby affirm and attest that any existing or future certification containing the previous language referenced above shall be interpreted and enforced as if the new due date of December 31, 2021, was in the certification language. Accordingly, Item 5 for any existing and future certification that is reviewed and approved by DHCD with subsequent distribution by DOA, shall now read and/or be interpreted as follows:

Any funds that are not expended or that will not be expended on necessary expenditures incurred before December 31, 2021, by the municipal utility or its grantee(s), must be returned to Commonwealth of Virginia no later than December 31, 2021, and that the Commonwealth of Virginia is entitled to invoke State Aid Intercept to recover any such unexpended funds.

We encourage any municipal utility and partner city or county that has not yet submitted their certification through the certification portal to update the language in item 5 to reflect the December 31,

Attachment A

2021, date; however, submissions that contain the old date are still sufficient and shall be interpreted and enforced in accordance with this new date.

Please note that the December 31, 2021, deadline for returning unspent funds shall also function as the end of the "covered period" for which eligible arrearages may be addressed. **Accordingly, for purposes of the COVID-19 Municipal Utility Relief Program, the "covered period" will now cover the period of March 1, 2020, to December 31, 2021.**

Finally, as it relates to receiving your utility's award amount that was reflected in the December 7, 2020, award letter, **you are required to submit your complete, signed certification and certification addendum to DHCD through the certification portal no later than 5:00 p.m. on Tuesday February 16, 2021, in order to receive your funds.** The certification portal can be accessed at the following link:

<https://survey.alchemer.com/s3/6053803/COVID-19-Municipal-Utility-Relief>



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
5/04/2021	H-7	New road naming request for properties accessed off of <i>Gooney Manor Loop</i> .	1 of 1

EXPLANATION & SUMMARY:

Upon the review of the proposed exempt subdivision of Tax Map 43-49A, it was discovered that the platted 50' private access easement off of Gooney Manor Loop will require a name. There is the potential for four (4) lots along this access that will share this road. This brings the possible number of dwellings served by this access to, or above, (3) three.

The Warren County Code requires (3) three or more dwellings to be numbered where the driveways meet on a final platted by-way within a subdivision. With the potential of three (3) or more dwellings in the future, this lane will require a new name. We are seeking approval for this name now in anticipation of future development. The new road will be added to the mapping system and a sign will be erected once building begins.

The developer of the land within this subdivision has been contacted. The proposed name is "Present Way."

COST & FINANCING:

The cost of erecting the road sign pole is \$151.35. The road sign pole is required to have (2) crossed road signs identifying each of the intersecting roads (Gooney Manor Loop & Present Way) for a total cost of \$151.35 to be paid for and installed by the County.

PROPOSED OR SUGGESTED MOTION:

I move to name the access road off of Gooney Manor Loop "*Present Way*".

SUBMITTED BY:	DISPOSITION OF BOARD:	PROCESSED BY:
Emma Rusnak, GIS Coordinator	☐ APPROVED ☐ OTHER (Describe)	

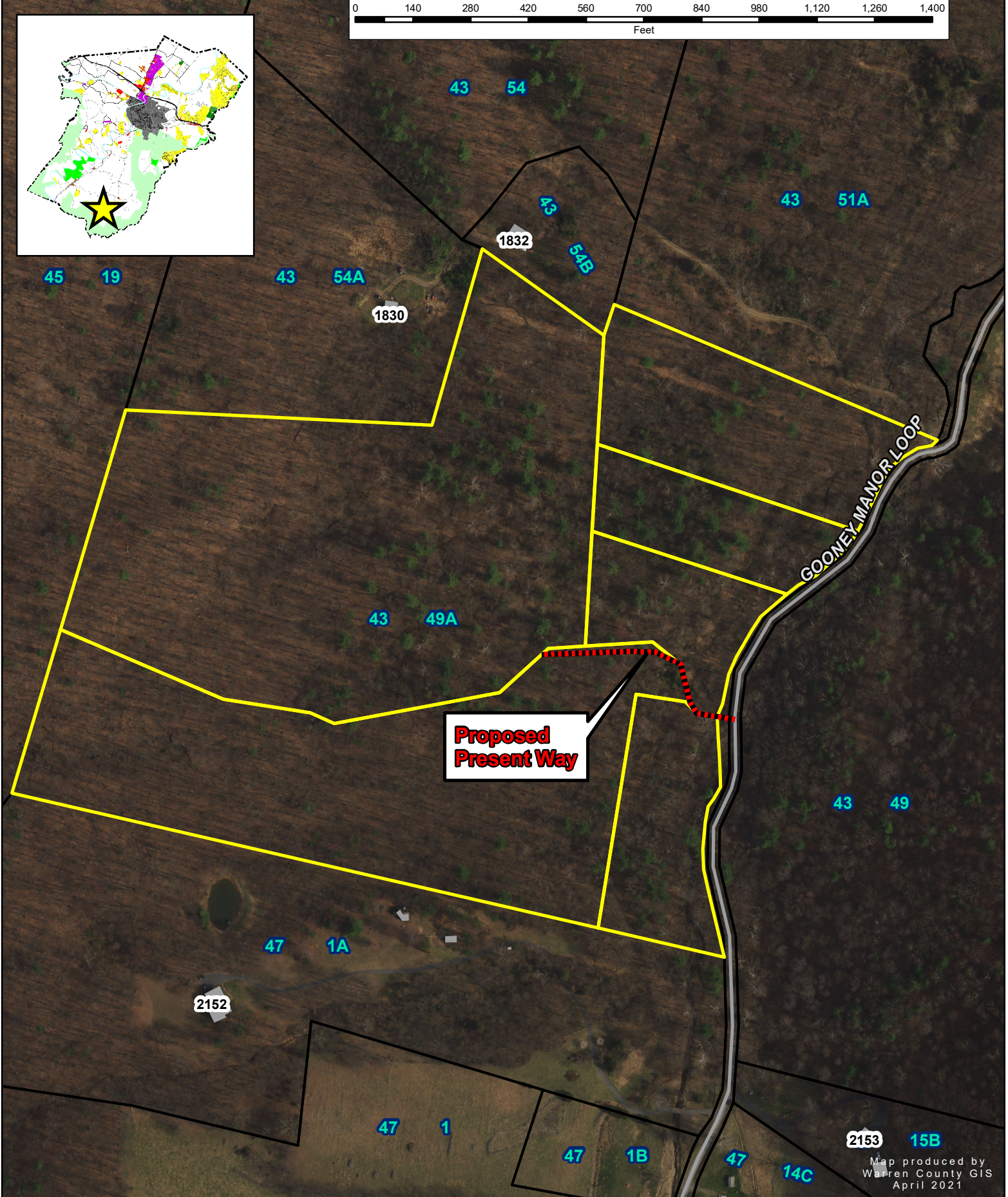
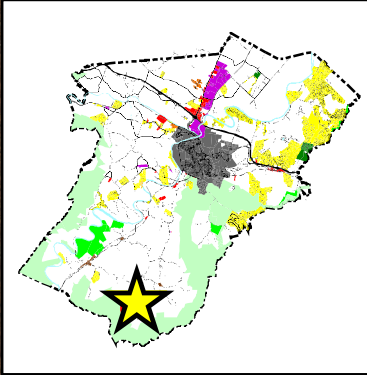
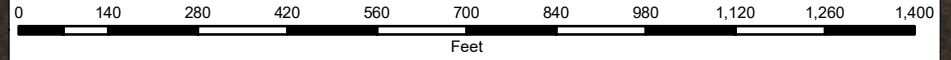


- Proposed Present Way
- Proposed Subdivision Lots
- Roads
- County Address

Proposed Road Name: "Present Way"



1 inch = 300 feet





COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
5/04/2021	H-8	New road naming request for properties accessed off of <i>Gooney Manor Loop</i> .	1 of 1

EXPLANATION & SUMMARY:

Upon the review of the proposed "Shenandoah Woodlands" subdivision of Tax Map 43-49, it was discovered that the platted 20' private access easement off of Gooney Manor Loop will require a name. There is the potential for four (4) lots along this access that will share this road. This brings the possible number of dwellings served by this access to, or above, (3) three.

The Warren County Code requires (3) three or more dwellings to be numbered where the driveways meet on a final platted by-way within a subdivision. With the potential of three (3) or more dwellings in the future, this lane will require a new name. We are seeking approval for this name now in anticipation of future development. The new road will be added to the mapping system and a sign will be erected once building begins.

The developer of the land within this subdivision has been contacted. The proposed name is "Woodlands Lane."

COST & FINANCING:

The cost of erecting the road sign pole is \$151.35. The road sign pole is required to have (2) crossed road signs identifying each of the intersecting roads (Gooney Manor Loop & Woodlands Ln) for a total cost of \$151.35 to be paid for and installed by the County.

PROPOSED OR SUGGESTED MOTION:

I move to name the access road off of Gooney Manor Loop "*Woodlands Lane*".

SUBMITTED BY:	DISPOSITION OF BOARD:	PROCESSED BY:
Emma Rusnak, GIS Coordinator	☐ APPROVED ☐ OTHER (Describe)	

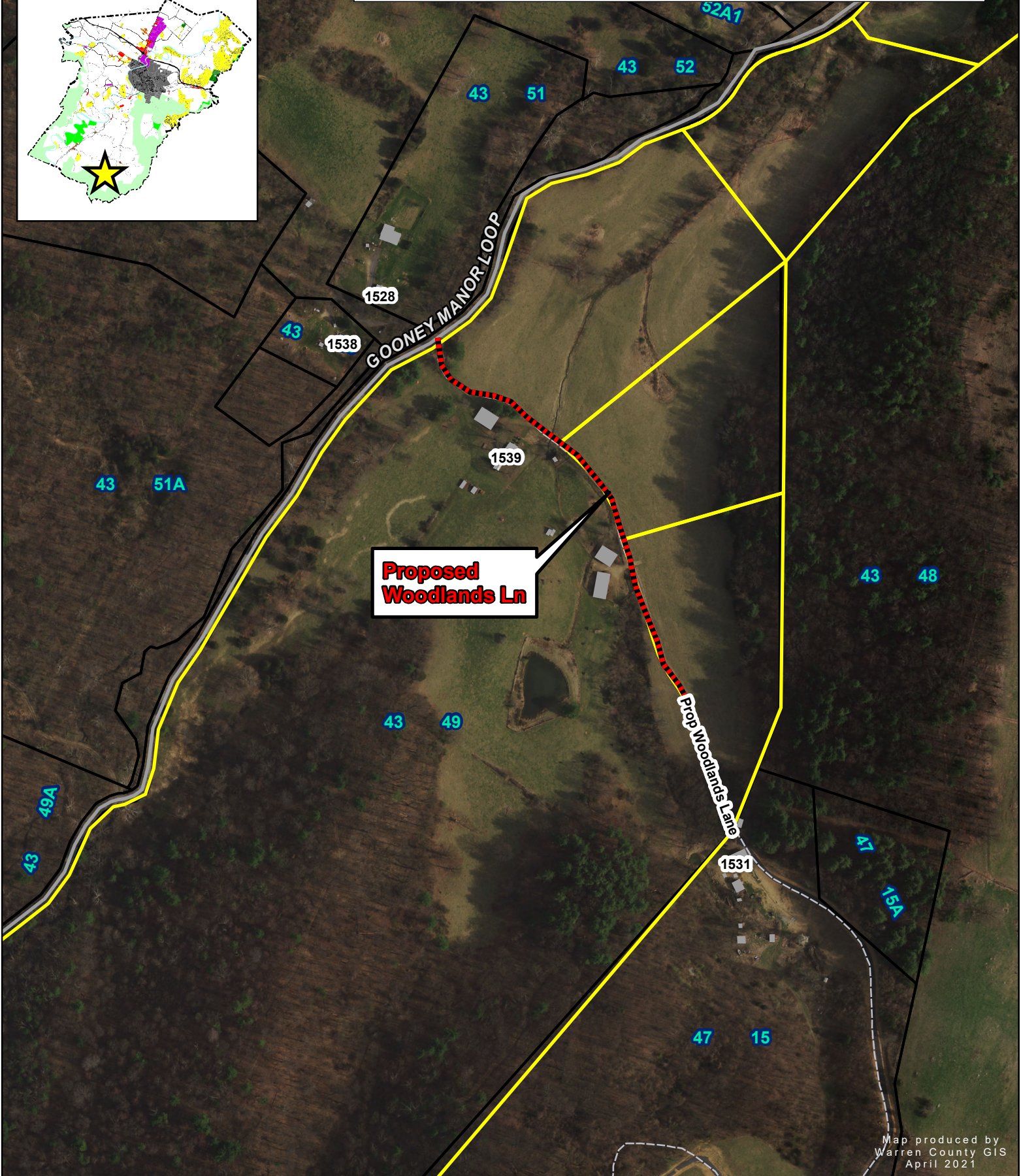
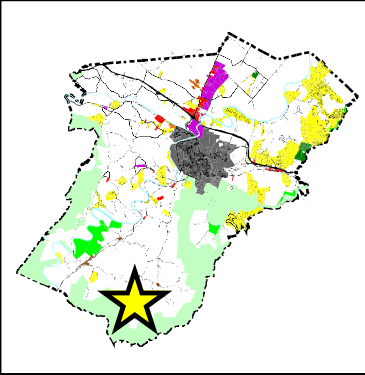
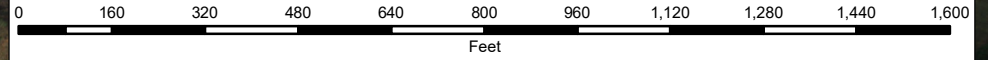


- Proposed Woodlands Lane
- Proposed Subdivision Lots
- Roads
- County Address

Proposed Road Name: "Woodlands Lane"



1 inch = 330 feet





COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
5/4/2021	H-9	Conditional Use Permit #2011-05-02 Todd & Heather Lupton: Modification for Name Change to Nichole Buckholtz & Andy Crafton <i>Private Use Camping</i>	1 of 1

EXPLANATION & SUMMARY:

On March 10, 2021 the applicants, Nichole Buckholtz and Andy Crafton, closed on the purchase of this vacant riverfront lot from Todd and Heather Lupton. The property is located off Homestead Drive in Man-Da-Lay subdivision in the North River Magisterial District. It is identified on tax map 19H, section 1, as parcel 3, and is approximately 1.14 +/- acres. They plan to use the property for their personal use for recreational camping and are aware of the conditions of the permit. The purpose of this conditional use permit is to allow the applicants to use their river lot located in the Special Flood Hazard Area (SFHA) for non-commercial camping and parking of their recreational vehicle and to install a shed or pavilion with the issuance of a Building and Zoning permit for the structure.

Private use camping is defined by the Warren County Zoning Ordinance as, *"No more than two major recreational vehicles used for living, sleeping or other occupancy on any lot or combination of lots under one ownership, provided that such use is limited to the owner, family members or guests, and no fee is charged for camping."*

Section 180-63 of the Warren County Zoning Ordinance states that the Board of Supervisors may modify previously imposed conditions or permitted uses on conditional use permits. No material changes in permit conditions or uses shall be approved until a public hearing is held on the proposal. Such hearing shall be advertised and adjacent property owners notified. A material change is defined as any change which could reasonably be expected to result in a substantial change in the appearance, operation or general character of the permitted use or its effects upon other persons or properties.

If the Board of Supervisors determines that the proposed change in permitted use is of such a nature that it should appropriately be treated as a new application, the request will be returned to the applicant for submission to the County as a new application.

It is my opinion the request is not of such a nature that it should be treated as a new application. It is also my opinion that the request is not a material change in use based on the fact that the use of the property will remain the same.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve this modification to change the name on Conditional Use Permit (CUP #2011-05-02) to Nichole Buckholtz and Andy Crafton for Private Use (Non-Commercial) Camping.

SUBMITTED BY:	DISPOSITION OF BOARD:	PROCESSED BY:
Matt Wendling, CFM Planner II 	☐ APPROVED ☐ OTHER (Describe)	

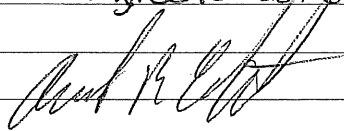
Nichole Buckholtz
Andy Crafton

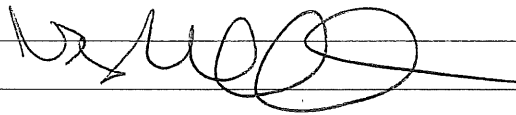
76 Success Farm Ln
Front Royal VA 22630

nicholebuckholtz@yahoo.com

We are requesting a name change
on conditional use permit 2011-05-02

We agree and understand to conditions of the
permit. We agree to abide by these conditions

 4-16-21

 4-16-21

CONDITIONAL USE PERMIT 2011-05-02

NAME: Todd and Heather Lupton

ADDRESS: 1310 Kendrick Ford Road, Front Royal, VA 22630

PROPERTY DESCRIPTION: Located in the Fork District, identified on Tax Map 19H, Section 1 as Parcel 3, and is zoned Residential One (R-1).

AUTHORIZED USE: Private Use Camping

CONDITIONS:

1. Materials associated with the campers are to be stored in a neat and orderly fashion during the time of use and are to be removed from the site when not in use.
2. The applicant shall comply with all Warren County Health Department regulations and requirements.
3. No more than two (2) major recreational vehicles, as defined by Section 180-10 (B) (1) of the Warren County Zoning Ordinance, or tents shall be parked, stored or used on any lot or combination of contiguous lots under the ownership of one (1) party.
4. This permit shall be reviewed by the Warren County Planning staff annually for compliance.
5. The applicant shall comply with Section 180-40.1 of the Warren County Zoning Ordinance regarding noncommercial camping (Private Use Camping).
6. The applicant shall have an emergency egress plan for removal of the recreational vehicle(s) prior to an imminent flood event and the recreational vehicle/camper is removed prior to any flood event.

DATE PERMIT EXPIRES: THIS PERMIT WILL EXPIRE ON August 16, 2013 UNLESS THE USE HAS BEEN ESTABLISHED OR IF THE USE IS DISCONTINUED FOR A PERIOD OF TWO YEARS OR LONGER.

DATE APPROVED BY BOARD OF SUPERVISORS: August 16, 2011

DOUGLAS P. STANLEY
COUNTY ADMINISTRATOR

cc: Commissioner of the Revenue
Planning Director
Zoning Administrator
Planner
GIS Coordinator

Consideration: **\$28,000.00**

Assessed Value : **\$20,000.00**

Tax Map No: 19H 1 3

Grantees' Address:

~~NB-693 Wildcat Drive~~ 76 Success Farm Ln
Front Royal, Virginia 23630

Document Prepared By:

David N. Crump, Jr., Esq. – VSB# 15014

1516 N. Shenandoah Avenue

P.O. Box 1754

Front Royal, Va. 2263

**THIS DOCUMENT PREPARED WITHOUT
BENEFIT OF PREPARER'S REVIEW OF TITLE
EXAMINATION**

File No:

Underwriter: None

THIS DEED made this March 10, 2021, by and between **TODD E. LUPTON** and **HEATHER M. LUPTON**, husband and wife, hereinafter referred to as the **GRANTORS**, and **NICHOLE BUCKHOLTZ**, unmarried, and **ANDY CRAFTON**, unmarried, hereinafter referred to as the **GRANTEES**.

WITNESSETH

THAT FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the **GRANTORS** do hereby grant, bargain, sell and convey, in fee simple, with **GENERAL WARRANTY** and English Covenants of Title, unto the **GRANTEES**, to be held as joint tenants in common with the right of survivorship, all the following lot or parcel of land with all improvements thereon lying and being situated in Warren County, Virginia, to-wit:

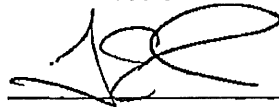
All that certain lot or parcel of land, with all the improvements thereon, together with all appurtenances and hereditaments thereunto belonging or in anywise appertaining, lying and being situate in the Fork Magisterial District of Warren County, Virginia, being known and designated as Lot No. 3, as shown and designated on that certain plat entitled "MANDALAY", which is recorded in the Clerk's Office of the Circuit Court of Warren County, Virginia, in Plat Book 1, at Page 217, and further described on a plat and survey prepared by L.C. Himelright, L.S., dated November 28, 2005, and recorded in the aforesaid Clerk's Office as part of Instrument #050016611.

AND BEING the identical real property conveyed to the **GRANTORS** by deed dated July 13, 2009 from Randall B. Crabtree of record in the aforesaid Clerk's Office as Instrument No. 090004262.

Reference is hereby made to the aforesaid deed and plat for a more particular description of the real property herein conveyed.

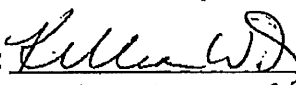
THIS CONVEYANCE is made expressly subject to the easements, conditions, restrictions, and rights-of-way of record contained in the instruments forming the chain of title to the property conveyed herein, and to matters visible upon inspection.

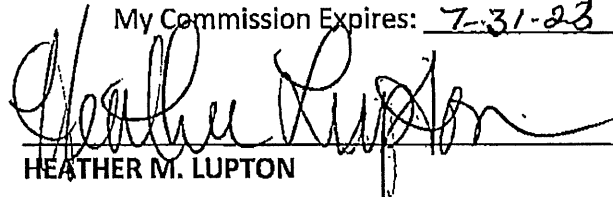
WITNESS the following signatures and seals:


_____(SEAL)
TODD E. LUPTON

Commonwealth of Virginia)
County of Warren) to wit:

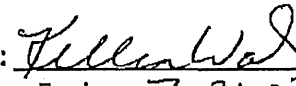
The foregoing deed was acknowledged before me on March 10, 2021
by Todd E. Lupton.

Notary Public: 
My Commission Expires: 7-31-23


_____(SEAL)
HEATHER M. LUPTON

Commonwealth of Virginia)
County of Warren) to wit:

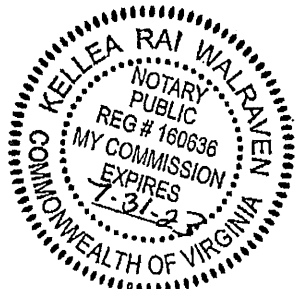
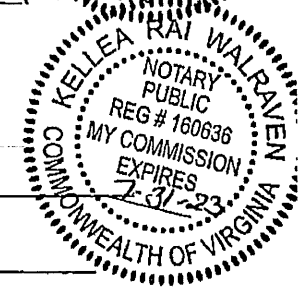
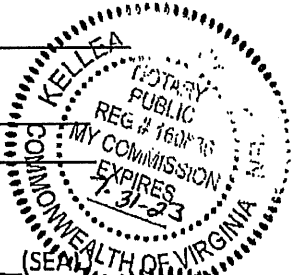
The foregoing deed was acknowledged before me on March 10, 2021
by Heather M. Lupton.

Notary Public: 
My Commission Expires: 7-31-23

After recording, please return to:

Nichole Buckholtz and Andy Crafton
693 Wildcat Drive
Front Royal, Virginia 23630

Reserved for Recording Clerk:



INSTRUMENT 210002380
RECORDED IN THE CLERK'S OFFICE OF
WARREN COUNTY CIRCUIT ON
MARCH 17, 2021 AT 01:28 PM
\$28.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$14.00 LOCAL: \$14.00
ANGELA M. MOORE, CLERK
RECORDED BY: BLS

BLS

e



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE 5/4/2021	ITEM H-10	SUBJECT: Rezoning request - R2021-03-01 Michael and Barbara Olsen Residential One (R-1) to Agricultural (A)	PAGE 1 of 1
<u>EXPLANATION & SUMMARY:</u> See attached application and staff report.			
<u>MOTION TO APPROVE:</u> Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Kersjes, and approved by the Planning Commission by a vote of 4-0.			
<u>PROPOSED OR SUGGESTED MOTION:</u> I move that the Board of Supervisors authorize the rezoning application for advertisement for a public hearing.			
SUBMITTED BY: Taryn Logan, Planning Director	DISPOSITION OF COMMISSION: ☐ APPROVED ☐ OTHER (Describe)		PROCESSED BY:

Staff Report

To: Warren County Planning Commission

From: Taryn Logan, Planning Director

Date: March 10, 2021

Re: Rezoning

Applicants: Michael and Barbara Olsen
Rezoning No.: R2021-03-01
Location: Blue Ridge Reserves Property - off of High Top Road
Current Zoning: Residential One (R-1)
Requested Zoning: Agricultural (A)

Request

The applicants are requesting to amend the Warren County Zoning Map and rezone approximately thirty (30) +/- acres from Residential One (R-1) to Agricultural (A). The property is located off of High Top Road in Linden, VA, and identified on tax map 23K, lot 1. The property is part of the larger Blue Ridge Reserves property that was placed in a conservation easement in 2012.

The applicants are proposing the rezoning to allow them to be able to pursue agricultural uses, which are listed in the conservation easement. In 2012, the owner of approximately 640 acres in Shenandoah Farms, off of Blue Mountain Road, came to the County to place the land in a permanent conservation easement. The County now is the grantor of the easement. Mr. and Mrs. Olsen purchased the property with knowledge of the easement. They wish to do Agricultural pursuits on the property as explained in their statement of justification, however, the underlying zoning is still Residential-One (R-1), which conflicts with some language in the easement. We received an opinion from our attorney that the zoning takes precedence, therefore the downzoning would need to occur for the owners to conduct agricultural uses on the property.

In your packets, you have a statement of justification, a parcel map, a completed application, and a copy of the conservation easement.

The Agricultural (A) district is intended, "for areas where general agricultural pursuits are practiced, where low density residential developments may be situated without degrading the environment and where expanses of open spaces best exist for parks, playgrounds, game preserves and similar uses."

Surrounding Uses

The property is bordered by Residential-One (R-1) lots in Shenandoah Farm Subdivision, as well as the remaining 600 acres in the Blue Ridge Reserves Conservation Easement.

Staff Comments

Staff will provide specific comments on the rezoning prior to the public hearing.

cc: Michael and Barbara Olsen, Applicants

January 23, 2021

1035 Old Linden Rd
Linden, VA 22642

To: Taryn Logan (Planning Director)
Joe Petty (Zoning Administrator)

Subject: Rezoning property 23K 1 High Top Rd Linden Va 22642 from Residential 1 to Agricultural.

In April 2020 my wife and I purchased 30 acres in the Blue Ridge Reserves, Lot # 23K 1 High Top Rd. Our overall goal is to develop the land into a native tree farm with as little impact as possible. We are currently in a general 3-part planning phase of our property:

- (1) Erecting an enclosed 40X60x12 pole barn.
 - a. Building will include a concrete finished floor to be used as storage of equipment and miscellaneous supplies for property improvement and future farming. Preliminary Plans of the building included with documentation. We have selected contractor and acquired approval for financing.
- (2) Construction of a primary residents.
 - a. Residents will be less than 3500 sq ft under roof including a walkout unfinished basement with an attached 2 car garage. Building plans not available at this time as we are still in the preliminary planning phase.
- (3) Institution of a Virginia Native Tree Farm.
 - a. Business license and business plan will be established upon and during construction and occupancy of property. and general replanting of various Virginia hard woods and flowering trees used both for rejuvenation of property and small vending operations
 - b. Prior to business startup we have preliminary plans to remove evasive non-native trees on property. This work will include

influence and advisory from the local Virginia Department of Forestry.

- c. As of November 2020, we met with VDOF which included a property walk and a preliminary prescribed burn scheduled for late fall 2021.
- d. We are also pursuing a Forest Stewardship with VDOF in spring of 2021.

As part of our plans, we would like to request a rezoning of our property from Residential 1 to Agricultural. As there is a consensus, this property would be better utilized as Agricultural than Residential 1 with regards to the Deed Gift of Easement and the physical location of the property i.e., Blue Mountain in Linden Virginia.

Below we have listed several sightings within the "Deed of Gift of Easement (The Blue Ridge Reserves)", <https://drive.google.com/file/d/18ZCDZV8fo97RAk2Iluz8vGIUJOO5R375/view>, that speak to both Agricultural and Forested lands topics.

"(Page 3) WHEREAS, the Property possesses significant Open Space Values, referenced in Article 1 and in these recitals, the preservation of which will benefit the citizens of the Commonwealth and the public; and

WHEREAS, the Property consists of approximately six hundred forty (640 ±) acres of forested lands; and

WHEREAS, the Property lies in the vicinity of large properties which are presently under open-space or conservation easement and contributes to the open-space values of such properties; and

WHEREAS, the Property is zoned for residential and agricultural use and lies in an area of Warren County that is predominantly forestal in land use; and

WHEREAS, the Property is a portion of several tracts which consists of seven hundred forty-one (741) previously platted and subdivided tracts which exposes it to intense residential usage"

“(Page 4) The Code of Virginia (Title 58, § - 58.1 -3229 et seq.), which provides for and promotes special use -value tax assessments for real estate devoted to agricultural, forestal, horticultural and open space use, such the Property having such values and thus having been approved for use value assessment; and

2) Land use policies of the County of Warren as delineated in its comprehensive plan adopted in 2005, to which plan the restrictions set forth in this deed conform and which contains the following vision statement, goals, objectives, and strategies:

Vision Statement: "... the quality and character of Warren County's natural resources should be preserved, conserved, and used effectively to ensure that future citizens will enjoy the benefits of:

An adequate, sustainable, clean, and potable supply of both surface water and ground

water:

Clean air;

Farming and open spaces;

The beauty of our rivers, mountains, and scenic views;

Protection of our rural character..."

Goal: To preserve and improve the environmental quality of Warren County through measures which protect natural resources and environmentally sensitive air, lands, and waters.

Implementation: Encourage Open space — Encourage local citizens to preserve open space by placing their property in scenic easements.

Goal: To direct future development into an efficient and serviceable form that will preserve the County's predominately rural character.

Implementation: State /Federal Program Participation — Encourage rural property owners and farmers to participate in State and Federal Programs designed to foster resource conservation. Such programs could include: Agricultural Cost -Share and Conservation Easements. “

“(Page 5) Goal: Preserve the County's rural character by preserving open space, as well as agricultural and forest lands.

Implementation: State /Federal Program Participation — Encourage rural property owners, including farmers, to participate in State /Federal Programs designed to foster conservation of resources. Such programs might include: Agricultural Cost -Share and Conservation Easements;”

“(Page 6) WHEREAS, the Property is zoned residential and agricultural and lies in an area of Warren County that is predominantly agricultural and forestal in land uses;”

As you can see, we have 3 general plans to move forward with our property that show specific interests in building and maintaining a healthier forest and small tree farm business. We believe rezoning from a Residential 1 to an Agricultural would better benefit the county included in the Blue Ridge Reserves Conservations Easement. Please feel free to contact us with any questions or concerns with regards to our request for consideration of rezoning.

Sincerely,

Michael and Barbara Olsen
hightopfarms@comcast.net
571-438-9266

REZONING APPLICATIONAPPLICATION NO. R2021-03-01DATE RECEIVED: 2-12-2021FEE AMOUNT: \$ WAIVED

DATE PAID: _____

Applicant:

Name:	Michael and Barbara Olsen
Address:	23K 1 High Top Road
	Linden VA 22642
Telephone:	(571) 438-9266
Email:	overinvirginia@comcast.net

Owner of Record: (if different than above; if more than one owner provide information for each on a separate page).

Name:
Address:
Telephone: ()

Respectfully (name above) request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a rezoning for the property described below.

Property Information:**A. Location of Property:**

Election District:	Warren County
Tax Map No.:	23
Section:	K
Block:	1
Lot(s):	
Subdivision Name:	PAR 1 Blue Ridge Reserves
Area of Property (acres):	30

B. Current land use and condition of site:

Agriculture/Undeveloped

C. Zoning of surrounding land and property: Residential and Blue Ridge Reserves

--

Zoning Classification and Request:

A. Present Zoning of property: Residential 1

B. Proposed Zoning requested: Agricultural

Proposed Use of Property:

A. Describe the proposed use of the property, including primary and secondary uses.
Primary residence and secondary agricultural Native Virginia tree farm.

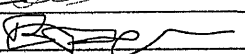
Plans Prepared by:

Name:

Address:

Telephone :()

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for Rezoning, shall be charged to the applicant. **If the set of required documents is incomplete, your application will not be placed on the Planning Commission's agenda.**

Signature of Owner: 	Date: 02/12/2021
Signature of Applicant: 	Date: 02/12/2021
Signature of Co-Applicant(s): 	Date:

RECEIVED

APR 07 2021

April 6, 2021

WARREN COUNTY
PLANNING DEPARTMENT

Ms. Taryn Logan, Planning Director/Deputy County Administrator

Warren County, VA

We received your letter dated March 29, 2021 regarding the application for a zoning change by Michael and Barbara Olsen and would like to share our input and feelings.

We purchased our house and property over 35 years ago and selected this house because of the view, the fact that it was forested, quiet, secluded, lots of native flora and fauna. We were aware of the platting of the land below us as it was at that time and knew the odds of it changing over time were inevitable. Over the years, dozens of new houses have been built on High Top Road so the noise and traffic has already increased significantly. We have always been active in the community including one of us being on the Board of the POSF to provide input to maintaining our section of Shenandoah Farms(Mountain View.) That included trying to stop the commercial logging of the mountain twice by W.P. Associates which we weren't successful, and had to put up with the noise and logging trucks on High Top.

When the Blue Ridge Reserve was created and deeded to the County, we had mixed thoughts as we liked the idea of the conservation of most of the land with the setting aside of a few parcels for Residential development but on significant acreage. What we didn't like is that it was no longer part of either Shenandoah Farms or the Sanitary District but they still have free use of the roads in the Farms and pay nothing towards the maintenance of them. The owners of properties within the Sanitary District are stuck paying for the wear and tear that the hauling of construction equipment to non-Sanitary District properties cause. Our roads have no VDOT maintenance and the County does a great job trying to maintain them but it is a challenge. There are two situations of this on High Top and I know there are others within the Farms. We wish the County would have thought through the big picture at the time of the Reserve being deeded and will consider rectifying the unfair problems it is now creating.

As to the Olsen's application, we have some questions and some serious concerns. Since they purchased the property they have already cleared at least an acre and have trailers, sheds, ATVs, construction equipment which they constantly haul in and out on a trailer, etc. For over a year now, we have had to tolerate frequent shooting, the noise of the equipment and ATVs and dogs barking. There is also frequently burning of whatever. As you know, their property borders ours to the west and based on prevalent winds they blow onto our property. We have spent a lot of time developing trails around our property all the way to the bottom and often take walks down there with our pets. We will not do it now when there is shooting activity or fires burning. Sad but safe.

We have secured copies of the Olsen's application and vague reasons for requesting the zoning change. We also have a copy of the Deed where it describes the restrictions and limitations in the Reserve which were obviously established for the conservation of nature within the Reserve. This is why we have some serious questions as to what the Olsen's real motives are and whether the County is really serious about the conservation of the Reserve.

We have always been excited about the native flora we have on our property but also the area below us including rare plants like ginseng, ramps, many wildflowers, dogwoods, redbuds, etc. and we do our best to protect them and let them spread. As to the Olsen's wanting to do a controlled burn of the forest floor, two major concerns. One, why burn all of these native, somewhat rare plants as well as morels and other fungi/plants? Their burning will affect the propagation on the rest of the Reserve and our property. Two, since we are normally down wind from their property we are very worried that we will get sparks or embers on our property that will start a fire and potentially set our house on fire. We just don't see how a burn helps the conservation of the Reserve. The burn would also impact not only the food supply for the native animals(bear, deer, racoons, possum, snakes, turtles, turkeys and many other birds, frogs/toads, squirrels/chipmunks) on the reserve but possible the animals themselves. Do we want that? NO!

We also question the Olsen's real intentions. Why do they want to remove a bunch of 100+ year old native trees to plant new ones? What are they going to

do with the old ones as well as the new ones once they are 100 years old? Is it going to be a commercial operation?

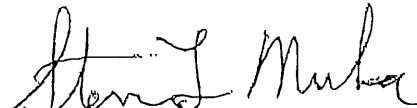
The Olsen's also mentioned animals. Are they going to commercially raise livestock and what are the livestock going to eat? The native flora that is supposed to be being conserved?

We are also concerned about the number and size of buildings that will be built. As we stated, there are already a number of "things" on the property. What you approve is what us and our neighbors will have to look at.

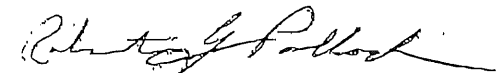
All the while they are doing all of this, we will have to put up with the noise, the view of it and the traffic on High Top.

We hope that the County closely reads the Deed establishing the Reserve to establish true intent. We really hope that the County takes an in person look/walk, serious look at the property and the neighboring properties as well as seriously review our comments before making decisions.

Based on what we can see and what we know already, we are very concerned.



Steven L. Muha



Robert G. Pollock

1494 High Top Road, Linden, VA 22642

540-636-3652

Rainbow-View@comcast.net



OFFICIAL RECEIPT
WARREN COUNTY CIRCUIT
DEED RECEIPT

DATE: 12/03/12 TIME: 14:44:00 ACCOUNT: 187CLR120007104 RECEIPT: 12000012982
CASHIER: SFK REG: WK35 TYPE: DE PAYMENT: FULL PAYMENT
INSTRUMENT : 120007104 BOOK: PAGE: RECORDED: 12/03/12 AT 14:44
GRANTOR: W P ASSOCIATES EX: N LOC: CO
GRANTEE: BOARD OF SUPERVISORS OF WARREN COUNTY EX: N PCT: 100%
AND ADDRESS : , .
RECEIVED OF : JOSEPH F SILEK JR
CHECK: \$51.00 18730
DESCRIPTION 1: EASEMENT PAGES: 46 OF 0
2: NAMES: 0
CONSIDERATION: .00 A/VAL: .00 MAP:
PIN:
301 DEEDS 48.50 145 VSLF 1.50
035 VOF FEE 1.00
TENDERED : 51.00
AMOUNT PAID: 51.00
CHANGE AMT : .00

CLERK OF COURT: JENNIFER R. SIMS

PAYOR'S COPY
RECEIPT COPY 1 OF 2

090105 DEC-3 2

Prepared by: J. Randolph Parks VSB #12080, 31 Winchester Street, Warrenton, VA 20186
TAX MAP NO: See Attached Exhibit B (total of 709 donated tracts)

**Deed of Gift of Easement
(The Blue Ridge Reserves)**

Exempted from recordation tax
under the Code of Virginia (1950), as amended,
§58.1-811 (D) and
From Circuit Court Clerk's Fees under §17.1-266

THIS DEED OF GIFT OF EASEMENT (the "Easement"), made this 3rd day of December, 2012, between W.P. ASSOCIATES, a Virginia general partnership ("Grantor"), and the BOARD OF SUPERVISORS OF WARREN COUNTY, of the Commonwealth of Virginia, whose address is 220 North Commerce Avenue, Suite 100, Front Royal, VA 22630, ("Grantee"), and OAK VIEW NATIONAL BANK (the "Lender"); and GULICK, CARSON & THORPE, P.C., of 70 Main Street, Suite 52, Warrenton, VA 20186, ("Trustee") , which designations "Grantor", "Grantee", "Lender", and "Trustees") include their successors and assigns.

WITNESSETH:

WHEREAS, the Grantor is the owner in fee simple of real property in Shenandoah Farms Subdivision, consisting of approximately six hundred forty (640 +/-) acres, situated off State Route 638 (Blue Mountain Road) in the Shenandoah Magisterial District, Warren County, Virginia (the "Property"); and

WHEREAS, Grantee is the governing body of a political subdivision of the Commonwealth of Virginia and a "qualified organization" and "eligible donee" under Section 170(h)(3) of the Internal Revenue Code and Treasury Regulation §1.170A-14(c)(1), is a public body under Section 10.1-1700, of the Code of Virginia, 1950, as amended, and is willing to accept an open-space easement over the Property as herein set forth; and

Return To: Joseph Silek, Esquire

000106 DEC -3 20

WHEREAS, Chapter 461 of the Acts of 1966, codified in Chapter 17, Title 10.1, of the Code of Virginia, as amended (the "Open-Space Land Act"), declares that the preservation of open-space land serves a public purpose by curbing urban sprawl, preventing the spread of urban blight and deterioration and encouraging more economic and desirable urban development, helping provide or preserve necessary park, recreational, historic and scenic areas, and conserving land and other natural resources, and authorizes the acquisition of interests in real property, including easements in gross, as a means of preserving open-space land;

WHEREAS, the Open-Space Land Act declares it to be the public policy of the Commonwealth to encourage preservation of open-space land and authorizes the Grantee to hold real property or any estate or interest therein for the purpose of preserving the natural, scenic, historic, scientific, open-space and recreational lands of the Commonwealth; and

WHEREAS, 26 U.S.C. §170(h)(1) of the Internal Revenue Code defines a qualified conservation contribution as a contribution of a qualified real property interest to a qualified organization exclusively for conservation purposes; and

WHEREAS, 26 U.S.C. § 170(h)(2)(C) defines the term "qualified real property interest" as "a restriction (granted in perpetuity) on the use which may be made of the real property," and an easement granted in perpetuity qualifies as a qualified real property interest under this section, 26 CFR §1.170A-14(b)(2); and

WHEREAS, 26 U.S.C. § 170(h)(4) defines a conservation purpose as "(i) the preservation of land areas for outdoor recreation by, or the education of, the general public, (ii) the protection of a relatively natural habitat of fish, wildlife, or plants, or similar ecosystem, (iii) the preservation of open space (including farmland and forest land) where such preservation is (I) for the scenic enjoyment of the general public, or (II) pursuant to a clearly delineated Federal,

000107 DEC -3 20

State, or local governmental conservation policy, and will yield a significant public benefit, or (iv) the preservation of a historically important land area or certified historic structure"; and

WHEREAS, pursuant to the requirements of the Open-Space Land Act, the limitations and obligations created by this easement conform in all respects to the Warren County Comprehensive Plan.

WHEREAS, the Property possesses significant Open Space Values, referenced in Article 1 and in these recitals, the preservation of which will benefit the citizens of the Commonwealth and the public; and

WHEREAS, the Property consists of approximately six hundred forty (640 +/-) acres of forested lands; and

WHEREAS, the Property lies in the vicinity of large properties which are presently under open-space or conservation easement and contributes to the open-space values of such properties; and

WHEREAS, the Property is zoned for residential and agricultural use and lies in an area of Warren County that is predominantly forestal in land use; and

WHEREAS, the Property is a portion of several tracts which consists of seven hundred forty one (741) previously platted and subdivided tracts which exposes it to intense residential development and intense residential usage; and

WHEREAS, the conveyance of this Easement on the Property by this Deed is in furtherance of and will serve clearly delineated federal, regional, state and local conservation policies, as set forth in:

(1) Section 1 of Article XI of the Constitution of Virginia, which states that it is the Commonwealth's policy to protect its atmosphere, lands and waters from pollution, impairment,

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or destruction, for the benefit, enjoyment, and general welfare of the people of the Commonwealth; and

The Virginia Open Space Land Act (Code of Virginia, Title 10.1, §§10.1-1700 et seq.), which declares that open space land serves a public purpose by promoting the health and welfare of the citizens of the Commonwealth by curbing urban sprawl and encouraging more desirable and economical development of natural resources, and which authorizes the use of open space easements to maintain the character of open-space land; and

The Virginia Land Conservation Incentives Act of 1999 (Code of Virginia, Title 58, §§58.1-510 - 58.1-513), which provides an income tax credit for donors of interests in land for conservation purposes to encourage the preservation and sustainability of Virginia's unique natural resources, wildlife habitats, open spaces, and forested resources; and

The Code of Virginia (Title 58, §~58.1-3229 et seq.), which provides for and promotes special use-value tax assessments for real estate devoted to agricultural, forestal, horticultural and open space use, such the Property having such values and thus having been approved for use value assessment; and

(2) Land use policies of the County of Warren as delineated in its comprehensive plan adopted in 2005, to which plan the restrictions set forth in this deed conform and which contains the following vision statement, goals, objectives, and strategies:

Vision Statement: "...the quality and character of Warren County's natural resources should be preserved, conserved, and used effectively to ensure that future citizens will enjoy the benefits of:

- An adequate, sustainable, clean, and potable supply of both surface water and ground water;
- Clean air;

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- Farming and open spaces;
- The beauty of our rivers, mountains, and scenic views;
- Protection of our rural character...”

Goal: To preserve and improve the environmental quality of Warren County through measures which protect natural resources and environmentally sensitive air, lands, and waters.

Implementation: Encourage Open space – Encourage local citizens to preserve open space by placing their property in scenic easements.

Goal: To direct future development into an efficient and serviceable form that will preserve the County’s predominately rural character.

Implementation: State/Federal Program Participation – Encourage rural property owners and farmers to participate in State and Federal Programs designed to foster resource conservation. Such programs could include: Agricultural Cost-Share and Conservation Easements.

Goal: Develop Warren County land in accordance with local, state and federal standards that provide the best possible quality of life.

Objective: Identify and seek to retain significant views and vistas along the Skyline Drive and County roads.

Goal: Preserve the County’s rural character by preserving open space, as well as agricultural and forest lands.

Implementation: State/Federal Program Participation – Encourage rural property owners, including farmers, to participate in State/Federal Programs designed to foster conservation of resources. Such programs might include: Agricultural Cost-Share and Conservation Easements; and

WHEREAS, the Property is within the primary viewshed of State Route 638 (Blue Mountain Road); and

WHEREAS, the Property is zoned residential and agricultural and lies in an area of Warren County that is predominantly agricultural and forestal in land uses; and

WHEREAS, this Easement will yield significant public benefit to the citizens of the Commonwealth as set forth in Section I; specifically, this Easement will accomplish the following in furtherance of the above-described purposes:

(i) Creation of a vegetated buffer area along all perennial streams on the Property will enhance water quality of the stream and of downstream waters by limiting erosion and siltation, as well as limiting the introduction of nutrients into the waters of the stream;

(ii) Prevention of more intense development and residential usage of the Property, which otherwise may occur as an extension of more intensive development on parcels within the vicinity of the Property which have been rezoned and/or subdivided and built upon within the past several years;

(iii) Preservation of views which are readily seen from the Property and from the nearby country roads (none of which are as yet designated as scenic highways), but which could be blocked by more intense development on the Property if it were subdivided into more dense lots;

(iv) Preservation of forestal lands by the limitation of the re-subdivision of the Property into not more than six (6) parcels; and

WHEREAS, by amendment to the Warren County comprehensive plan adopted September 18, 2012, the Property was designated as lying within a County conservation district; and

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WHEREAS, the specific Open-Space Values of the Property, as set forth herein hereof, are further documented in an inventory of relevant features of the Property (Baseline Documentation Report), incorporated herein by reference, acknowledged as an accurate description of the Property as of the date of donation and signed by the Grantor and the Grantee, to be maintained on file in the offices of the Grantee, and intended to serve as an accurate and objective, though nonexclusive, information baseline for monitoring compliance with the terms of this Easement; and

WHEREAS, the retention, preservation and protection of the Open-Space Values will be a significant and substantial benefit to the citizens of the Commonwealth and the public; and

WHEREAS, the Grantor and Grantee intend that the Open-Space Values of the Property be retained, preserved and protected in perpetuity by restricting the use of the Property as set forth in Article II, herein, by permitting only those uses on or development of the Property that will not adversely affect, are not inconsistent with, do not conflict with, diminish, impair or interfere with such values; and

WHEREAS, the Grantor further intends, as to all or any portion of or interest in the Property, as owner of the Property, to grant and convey in perpetuity to the Grantee, the right in perpetuity (1) to retain, preserve and protect the Open-Space Values of the Property by granting this Easement to the Grantee that will restrict use of the Property by the Grantor because of the imposition of the duties, restrictions, covenants, and other terms and conditions ("Terms and Conditions") hereinafter expressed, and (2) to enforce such Terms and Conditions; and

WHEREAS, the Grantee intends and has hereby agreed to accept such conveyance; and

WHEREAS, the Grantor and Grantee hereby agree that the Terms and Conditions will retain, preserve and protect in perpetuity the Open-Space Values of the Property by

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consolidation of seven hundred twenty six (726) tracts into a maximum of six (6) tracts and by limiting use of the Property to those uses that do not adversely affect, are not inconsistent with, do not conflict with, diminish, impair, or interfere with the Open-Space Values, which are described herein and referenced in Article I;

NOW, THEREFORE, in recognition of the foregoing and in consideration of the mutual covenants herein and the acceptance hereof by Grantee, Grantor does hereby give, grant and convey to Grantee an open-space easement in gross over, and the right in perpetuity to restrict the use of, the Property, which consists of six hundred forty (640 +/-) acres, more or less, located in the Shenandoah Magisterial District, Warren County, Virginia, to-wit:

See Attached Exhibit A for legal description

See Attached Exhibit B for subdivision lots or parcels donated

Grantor RESERVES from this Easement grant all areas on the attached Exhibit C which refer to "PROPOSED" 50' INGRESS/EGRESS EASEMENT, "PROPOSED 50' RIGHT OF WAY (REYNOLDS DRIVE)", and "PROPOSED 50' EMERGENCY ACCESS EASEMENT (SWITCHBACK ROAD), such reservation to include ten foot (10') wide easement areas parallel to and on either side of such rights of way, (the "Reserved Areas"). Grantor further RESERVES from this Easement grant all dedicated rights of way existing on the Property. The parties acknowledge that widening or improvement of existing Reynolds Drive may require expansion of the current right of way over a portion of the Property and that Warren County emergency vehicle access may be required over portions of the Reserved Areas. Such dedications are referenced in the NOTES contained on Exhibit C and shall not be considered divisions or subdivisions of the Property and shall be not be prohibited by this easement, provided that Grantee approves such dedications. In addition, in the event of any future Virginia Department of Transportation (VDOT) condemnation action to expand the state highway system over portions of the Reserved Areas of the Property, any acquisition or taking of needed land by VDOT for such purposes shall be not considered a division or subdivision of the Property and shall not be prohibited by this Easement, provided that such acquisition is within the Reserved Areas and Grantee approves such acquisition or taking, which approval may be contingent upon the project including reasonable measures to minimize impact on the Open-Space Values of the Property. Grantor reserves any separate rights to approve such acquisition or taking.

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The above-described tracts are identified among the tax records of Warren County, Virginia, by those seven hundred twenty six (726) Tax Map numbers set forth on attached Exhibit B. Even if the Property should consist of more than one subdivided or tax parcel, it shall be considered one parcel for the purposes of this Easement, and the restrictions and covenants of this Easement shall apply to the Property as a whole, unless specific reference is made to an individual or subdivided parcel, or otherwise stated herein.

ARTICLE I – EASEMENT

1. **PURPOSE.** The purpose of this Easement is to preserve and protect the conservation value of the Property in perpetuity by enforcing the restrictions imposed on the use of the Property by Article II, while allowing the Property to be used for all other uses by the owner as long as such uses do not interfere with the conservation value of the Property. The conservation value of the Property is its value as open-space land and forestal, as more specifically identified as the Open-Space Values described in the recitals to this Easement which are hereby incorporated.
2. **DURATION.** This Easement shall be perpetual. It is an easement in gross which runs with the land as an incorporeal interest in the Property. The covenants, terms, conditions and restrictions contained in this Easement are binding upon, and inure to the benefit of, the Grantor and the Grantee, and their respective successors, and assigns, and shall continue as a servitude running in perpetuity with the Property.
3. **NO PUBLIC ACCESS.** Although this Easement in gross will benefit the public as described above, nothing herein shall be construed to convey to the public a right of

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access to, or use of the Property. Grantor retains the exclusive right to such access and use, subject to the terms hereof.

ARTICLE II – RESTRICTIONS

Restrictions are hereby imposed on the use of the Property pursuant to the public policies set forth above. The acts that Grantor covenants to do and not to do upon the Property, and the restrictions that Grantee is hereby entitled to enforce, are and shall be as follows:

1. **DIVISION.** The Property shall not be divided into, nor be separately conveyed as, more than six (6) parcels, and no division of the Property shall be permitted except as substantially in accordance with the configurations set forth on the attached Schedule B. In the event of a division of the Property as provided in this paragraph, the grantor retains the right to make a maximum of three (3) divisions of Parcel 4 on the attached Schedule B. In the event a permitted division of the Property requires a road or street dedication, such dedication shall not be considered a separate conveyance of a portion of the Property or a division or subdivision of the Property.

Boundary line adjustments with adjoining parcels of land are permitted and shall not be considered separate conveyances of portions of the Property or divisions or subdivisions of the Property, provided that Grantee approves such adjustments, is made party to any deed creating a boundary line adjustment, and at least one of the following conditions is met:

- (i) The entire adjacent parcel is subject to a recorded open-space easement owned by Grantee or its permitted assignee, other public body as defined in Section 10.1-1700 of the Code of Virginia; or

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(ii) The proposed boundary line adjustment shall have been reviewed and approved in advance by the governing Board of Grantee or the governing body of any successor in interest to the Grantee.

2. BUILDINGS, STRUCTURES, ROADS, AND UTILITIES.

(i) No buildings, structures, roads or utilities, other than the following, are permitted on the Property:

(a) **Dwellings.** Twelve (12) dwelling unit(s), such as detached or attached dwellings or barn or garage apartments, which shall not exceed an aggregate of thirty-nine thousand (39,000) square feet of above-ground enclosed living area and non-residential outbuildings and structures commonly and appropriately incidental to such dwelling(s) sized appropriately to serve as amenities to residential use. Such dwelling(s) shall not individually exceed 4,500 square feet of above-ground enclosed living area without Grantee's prior review and written approval, which approval shall take into consideration the impact of the size, height and siting of the proposed dwelling(s) on the scenic and other conservation values of the Property. No more than one primary dwelling unit and one guest house or tenant dwelling, as otherwise permitted under Warren County, Virginia, Zoning Ordinances, shall be permitted on any tax parcel. Any dwelling currently existing on the Property shall be counted in the number of permitted dwellings and in the permitted aggregate square feet of above-ground enclosed living area. Grantor shall give Grantee 30 days' written notice before beginning construction or enlargement of any dwelling on the Property; and

(b) **Farm buildings or structures.** Farm buildings or structures, except that a farm building or farm structure exceeding three thousand (3,000) square feet in

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ground area may not be constructed on the Property unless prior written approval for the building or structure shall have been obtained from Grantee, which approval shall be limited to consideration of the impact of the size, height and siting of the proposed structure on the conservation values of the Property. For purposes of this paragraph (b), a farm building or structure shall mean a building or structure originally constructed and used for the activities specified in Section II Paragraph 3(i) (a) below; and

(c) Buildings for the processing and sale of farm or forest products.

Buildings for the processing and sale of farm or forest products produced or partially produced on the Property not exceeding 4,500 square feet of enclosed area in the aggregate and not individually exceeding 2,500 square feet of enclosed area. For purposes of this paragraph (c), a building for the processing and sale of farm or forest products shall mean a building originally constructed and used for the activities specified in Section II Paragraph 3(i)(b) below; and

(d) Roads. New paved private roads to serve permitted buildings or structures shall require review and approval by the easement holder prior to construction; however, paved residential driveways or graveled or pervious-surface roads or access ways may be constructed and maintained without review and approval, provided that such roads or access ways are (1) to serve permitted buildings or structures, (2) for public safety needs, or (3) for other permitted uses, such as farming or forestry; and

(e) Utilities. Public or private utilities to serve permitted buildings or structures. Public or private utilities to be constructed in whole or in part to serve other properties shall not be constructed on, under, or over the Property unless Grantee determines that the construction and maintenance of such utilities will not impair the

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Open-Space Values of the Property and gives its prior written approval for such construction and maintenance. Approval or disapproval of such construction and maintenance shall take into consideration the visibility and any other adverse impact of such utilities on the Open-Space Values of the Property. Grantor reserves its separate rights to approve such public or private utilities; and

(f) **Alternative energy structures.** Alternative energy structures scaled to provide electrical energy or pump water for permitted dwellings, structures, and activities on the Property, including, but not limited to, solar panels, wind turbines, and micro-hydro installations; and

(g) **Small-scale miscellaneous buildings or structures.** Small-scale miscellaneous buildings and structures, the existence of which is consistent with the conservation purposes of this Easement and which will not impair the Open-Space Values protected herein, such as hunting stands, wildlife observation structures, fences, boardwalks, or structures for crossing of streams or wetlands.

(ii) Grantor shall have the right to construct a new dwelling/new dwellings, other buildings, structures, roads, and utilities permitted in Section II Paragraph 2(i) above and to repair, maintain, renovate and replace all/the new and existing permitted dwelling(s), other buildings, structures, roads, and utilities on the Property, within the limitations set forth in this Easement. No structure shall be built or maintained on any individual parcel until a survey of said parcel is recorded among the County land records.

(iii) To protect the Open-Space Values of the Property, no buildings or structures larger than 500 square feet in ground area shall be constructed within 200 feet of any state-maintained road, as measured from the center line of the road. In addition, the

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location of permitted new buildings and structures shall be approved in writing by the Grantee, or its permitted assignee, prior to beginning construction of any permitted new buildings or structures.

(iv) The collective footprint of all buildings and structures on the Property, excluding roads, shall not exceed 1% of the total area of the Property, provided that if Grantor can demonstrate that an increase in the collective footprint would result in increased protection of the conservation values of the Property, Grantee may approve such increase. For the purpose of this paragraph the collective footprint is the ground area measured in square feet of the buildings and structures set forth in Section II Paragraph 2(i)(a) through (c), (f), and (g) and Section II Paragraph 2(iii) above and all other impervious surfaces, excluding roads.

3. ACTIVITIES ON THE PROPERTY.

(i) Industrial or commercial activities are prohibited, with the exception of the following:

(a) agriculture, equine activities, or forestry, provided that no commercial bovine, poultry or porcine farm operations shall be conducted on Parcels 1, 2 or 3 described on attached Exhibit C;

(b) processing or sale of farm or forest products produced or partially produced on the Property in buildings permitted in Section II Paragraph 2(i)(c) above;

(c) small-scale incidental commercial or industrial operations compatible with activities set forth in (a) above that Grantee approves in writing as being consistent with the conservation purposes of this Easement, and as permitted in the underlying zoning district detailed in the Warren County, Virginia, Zoning Ordinances;

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(d) activities that can be and in fact are conducted within permitted buildings without material alteration to their external appearance.

(e) activities to restore or enhance wetlands or streams or restore, enhance, or develop other ecosystem functions on the Property including, but not limited to, stream bank restoration, wetland and stream mitigation, biological carbon sequestration and biodiversity mitigation, provided that such activities are not in conflict or inconsistent with the conservation purpose of or the restrictions set forth in this Easement and that prior written approval for same shall have been obtained from Grantee. Grantee is not responsible for monitoring any such activities and has no obligation to enforce the provisions of any permit(s), restriction(s), or easement(s) therefor. Subject to Grantee's approval, Grantor is free to participate in same in Grantor's discretion and to retain any remuneration derived therefrom. Grantee reserves the right to impose a cost recovery charge for evaluation of ecosystem function projects on the property.

(f) temporary or seasonal outdoor activities or events ("activities") that do not permanently alter the physical appearance of the Property and that do not impair the conservation values of the Property herein protected, except that such activities involving 100 or more people shall not exceed seven consecutive days unless Grantee gives its prior written approval of such activities, which approval shall take into consideration the number of people involved, the duration of such activities, and any other aspects thereof that may have an impact on the conservation values being protected herein. Approval may be subject to the requirement that at the conclusion of the activity Grantor shall restore the Property to its pre-existing condition.

Educational, recreational, or religious activities are permitted on the Property, as allowed in the underlying zoning district detailed in the Warren County Code, provided that they are consistent with the conservation purposes of this Easement and do not impair the conservation values protected herein. Recreational activities may include use of all or a portion of the Property as a park for passive recreational activities, such as hiking, photography, bird watching, and nature study.

4. **MANAGEMENT OF FOREST.** A current written forest management plan or Virginia Forest Stewardship Plan shall be developed and in place prior to the commencement of timber harvesting or other significant forest management activities. The forest management plan shall include a provision that all forest management and harvesting activities be developed by, or in consultation with, the Virginia Department of Forestry, or be consistent with Virginia's Forestry Best Management Practices for Water Quality Guide. Best Management Practices (BMPs), as defined by the Virginia Department of Forestry, shall be used to control erosion and protect water quality when any timber harvest or land-clearing activity is undertaken. The Virginia Department of Forestry shall be notified prior to any material timber harvest or land-clearing operations, with copies of all notices to and from the Virginia Department of Forestry regarding the Property.

The following activities do not constitute significant forest management activities and do not require a pre-harvest plan: cutting, clearing, or removal of less than 10 acres of trees (i) for the construction of permitted roads, utilities, buildings, or structures, (ii) for firewood for Grantor's domestic use (iii) for creation or clearing of trails, (iv) which pose an imminent hazard to the health or safety of persons, property, or livestock, or (v) which are invasive species.

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AGRICULTURAL CONSERVATION PLAN. As long as at least five acres of the Property are in agricultural production, a written conservation plan shall be developed or be in place that stipulates the use of Best Management Practices for water quality protection (such as proper nutrient management, utilization of cover crops, and stabilization of highly erodible lands) on such lands in agricultural use. The plan shall be developed in consultation with a representative of the local Soil and Water Conservation District (SWCD), or the U.S. Natural Resources Conservation Service (NRCS), or their successor organizations, and shall be implemented and periodically updated by Grantor.

5. **RIPARIAN BUFFER.** To protect water quality, riparian buffer strips shall be maintained as follows: A 35-foot wide vegetated buffer strip shall be maintained along each edge of all perennial streams, wetlands, springs or ponds on the Property, as measured from the top of the banks.

(i) Within the buffer strips there shall be (a) no buildings, structures, roads or other impervious surfaces constructed, (b) roads existing prior to the recordation of this conservation easement may be maintained but not enlarged (c) no storage of compost, manure, fertilizers, chemicals, machinery or equipment, (d) no removal of trees except removal of invasive species or removal of dead, diseased or dying trees, or trees posing a threat to human or livestock health or safety, and (e) no dumping, plowing, cultivation, filling, or other earth-disturbing activity, except as may be reasonably necessary for the activities set forth in Section II Paragraph 5(ii) below.

(ii) Notwithstanding the foregoing, permitted within the buffer strip(s), subject to any applicable laws and regulations, are (a) erosion control or restoration, enhancement, or development of ecosystem functions on the Property as permitted and limited under

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Section II, Paragraph 3 (i)(f) above, (b) fencing along or within the buffer strip(s), (c) construction and maintenance of a limit of five (5) stream crossings (including improvements over the buffer strip(s) to access crossings) for pedestrians, livestock and vehicles, which crossings minimize obstruction of water flow and follow U.S. Natural Resources Conservation Service design standards, (d) removal of invasive species or dead, diseased or dying trees, (e) minimal removal of individual trees or trees posing a threat to human or livestock health or safety, (f) planting of trees, shrubs, grasses, or other vegetation, and (g), implementation of forest management plans in accordance with Article II, Paragraph 4, which may include temporary forest managed crossings for timber harvesting and which will expire pursuant to a pre-harvest forest management plan approved pursuant to said Article II, Paragraph 4.

(iii) Livestock shall be excluded from the buffer strips.

(iv) To protect wetland communities, no significant disturbances shall occur within the wetlands or their associated vegetated buffers, including timber harvesting. However, removal of invasive species and minimal removal of dead or diseased trees may occur to protect the wetland habitat as long as there is no significance disturbance of the wetlands in conjunction with such permitted operations.

6. **GRADING, BLASTING, FILLING AND MINING.** Grading, blasting, filling, or earth removal shall not materially alter the topography of the Property except for (i) dam construction to create ponds, (ii) restoration, enhancement, or development of ecosystem functions on the Property as permitted and limited under Section II, Paragraph 3 (i)(e) above, (iii) erosion and sediment control pursuant to an erosion and sediment control plan, or (iv) as required in the construction of permitted buildings, structures, roads, and

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utilities. Grantee may require appropriate sediment and erosion control practices to be undertaken for buildings, structures, roads, or utilities that require Grantee approval in Section II Paragraph 2 (i) above, as a condition of such approval.

Notwithstanding the foregoing, no alterations, demolition or ground-disturbing activity may occur that may adversely impact historic, cultural, or natural heritage resources on the Property.

Grading, blasting, filling, or earth removal in excess of one acre for the purposes set forth in subparagraphs (i) through (iv) above require 30 days' prior notice to Grantee. Generally accepted agricultural activities, including the conversion of forest land into farmland, shall not constitute a material alteration. Surface mining, subsurface mining, dredging on or from the Property, or drilling for oil or gas on the Property is prohibited.

7. **ACCUMULATION OF TRASH.** Accumulation or dumping of trash, refuse, junk or toxic materials is not permitted on the Property. This restriction shall not prevent generally accepted agricultural or wildlife management practices, such as creation of brush piles, composting, or the storage of farm machinery, organic matter, agricultural products, or agricultural byproducts on the Property.
8. **SIGNS.** No billboards or other signs may be displayed on the Property, except for signs that relate to the Property or to permitted activities thereon, and which are otherwise permitted in accordance with Warren County, Virginia, Zoning Ordinances. Temporary political signs are allowed. No sign visible from outside the Property shall exceed thirty-two square feet in size.

SECTION III – ENFORCEMENT

1. **RIGHT OF INSPECTION.** Representatives of Grantee may enter the Property from time to time for purposes of inspection (including photographic documentation of the condition of the Property) and enforcement of the terms of this Easement after permission from or reasonable notice to Grantor or Grantor's representative, provided, however, that in the event of an emergency, entrance may be made to prevent, terminate or mitigate a potential violation of these restrictions with notice to Grantor or Grantor's representative being given at the earliest practicable time.
2. **ENFORCEMENT.** Grantee, in accepting this Easement, commits to protecting the conservation purposes of the Easement and has the resources necessary to enforce the restrictions set forth herein. Grantee has the right to bring a judicial proceeding to enforce the restrictions, which right specifically includes the right (i) to require restoration of the Property to its condition at the time of the donation; (ii) in Grantee's discretion, to require restoration of the Property to its condition prior to a violation of the terms hereof, provided that such prior condition was in compliance with the restrictions and consistent with the purpose of this Easement; (iii) to recover any damages arising from non-compliance; and (iv) to enjoin non-compliance by temporary or permanent injunction. If the court determines that Grantor failed to comply with this Easement, Grantor shall reimburse Grantee for any reasonable costs of enforcement, including costs of restoration, court costs and attorney's fees, in addition to any other payments ordered by the court. Grantee's delay shall not waive or forfeit its right to take such action as may be necessary to ensure compliance with this Easement, and Grantor hereby waives any defenses of waiver, estoppel or laches with respect to any failure to act by Grantee.

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Notwithstanding any other provision of this Easement, Grantor shall not be responsible or liable for any damage to the Property or change in the condition of the Property (i) caused by fire, flood, storm, Act of God, governmental act or other cause outside of Grantor's control or (ii) resulting from prudent action taken by Grantor to avoid, abate, prevent or mitigate such damage to or changes in the condition of the Property from such causes. Nothing in this Easement shall create any right in the public or any third party to maintain any judicial proceeding against Grantor or Grantee.

SECTION IV – DOCUMENTATION

Grantor has made available to Grantee, prior to donating this Easement, documentation sufficient to establish the condition of the Property at the time of the gift, and documentation retained in the office of Grantee including, but not limited to, the Baseline Documentation Report describes the condition and character of the Property at the time of the gift. The Baseline Documentation Report may be used to determine compliance with and enforcement of the terms of this Easement; however, the parties are not precluded from using other relevant evidence or information to assist in that determination. The parties hereby acknowledge that the Baseline Documentation Report contained in the files of Grantee is an accurate representation of the Property and contains a statement signed by Grantor and a representative of Grantee as required by Treasury Regulation 1.170A-14(g)(5)(i).

SECTION V – GENERAL PROVISIONS

1. **DURATION.** This Easement shall be perpetual. It is an easement in gross that runs with the land as an incorporeal interest in the Property. The covenants, terms, conditions and restrictions contained in this Easement are binding upon, and inure to the benefit of, the

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parties hereto and their successors and assigns, and shall continue as a servitude running in perpetuity with the Property. The rights and obligations of an owner of the Property under this Easement terminate upon proper transfer of such owner's interest in the Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

2. **NO PUBLIC ACCESS AND GRANTOR'S RETENTION OF USE.** Although this Easement will benefit the public as described above, nothing herein shall be construed to convey to the public a right of access to, or use of the Property. Subject to the terms hereof, Grantor retains the exclusive right to such access and use, including, but not limited to, the right to hunt, fish, or trap on the Property.
3. **TITLE.** Grantor covenants and warrants that Grantor has good title to the Property, that Grantor has all right and authority to grant and convey this Easement and that the Property is free and clear of all encumbrances (other than restrictions, covenants, conditions, and utility and access easements of record) including, but not limited to, any mortgages or deeds of trust not subordinated to this Easement.
4. **ACCEPTANCE.** Grantee accepts this conveyance pursuant to Virginia Code Section 10.1-1701, which acceptance is evidenced by the signature of Chairman, Board of Supervisors, by authority granted by Grantee's Board of Supervisors on November 20, 2012.
5. **INTERACTION WITH OTHER LAWS.** (a) This Easement does not permit any use of the Property that is otherwise prohibited by federal, state, or local law or regulation. Neither the Property, nor any portion of it, has been or shall be dedicated as open space within, or as part of, a residential subdivision or any other type of residential or

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commercial development; dedicated as open space in, or as part of, any real estate development plan; or dedicated for the purpose of fulfilling density requirements to obtain approvals for zoning, subdivision, site plan, or building permits. No development rights that have been encumbered or extinguished by this Easement shall be transferred to any other property pursuant to a transferable development rights scheme, cluster development arrangement or otherwise. (b) Notwithstanding any other provision of this Easement, the Warren County Zoning Ordinances shall apply to the Property and shall take precedence over any provisions of this Deed of Gift of Easement to the extent that the Zoning Ordinances regulations are more restrictive than the terms of this Easement.

6. **CONSTRUCTION.** Any general rule of construction to the contrary notwithstanding, this Easement shall be liberally construed in favor of the grant to effect the purposes of the Easement and the policy and purposes of Grantee. If any provision of this Easement is found to be ambiguous, an interpretation consistent with the purpose of this Easement that would render the provision valid shall be favored over any interpretation that would render it invalid. Notwithstanding the foregoing, lawful acts or uses consistent with the purpose of and not expressly prohibited by this Easement are permitted on the Property. Grantor and Grantee intend that the grant of this Easement qualify as a "qualified conservation contribution" as that term is defined in IRC Section 170(h)(1) and Treasury Regulation Section 1.170A-14, and the restrictions and other provisions of this instrument shall be construed and applied in a manner that will not prevent this Easement from being a qualified conservation contribution.
7. **REFERENCE TO EASEMENT IN SUBSEQUENT DEEDS.** This Easement shall be referenced by deed book and page number, instrument number or other appropriate

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reference in any deed or other instrument conveying any interest in the Property. Failure of Grantor to comply with this requirement shall not impair the validity of the Easement or limit its enforceability in any way.

8. **NOTICE TO GRANTEE AND GRANTOR.** For the purpose of giving notices hereunder the current address of Grantee is Warren County Administrator, 220 North Commerce Avenue, Suite 100, Front Royal, VA 22630 (with copy to Warren County Attorney, 220 North Commerce Avenue, Suite 100, Front Royal, VA 22630), and any notice to Grantor shall be given to the recipient at the address at which the real estate tax bill is mailed for the Property or portion thereof that is the subject of the notice and which is currently 4072 Remount Road, Front Royal, VA 22630. Failure to comply with this requirement shall not impair the validity of the Easement or limit its enforceability in any way.

Grantor agrees to notify Grantee in writing (i) before exercising any reserved right that Grantor believes may have an adverse effect on the conservation or Open-Space Values or interests associated with the Property (the purpose of requiring such notice is to afford Grantee an adequate opportunity to monitor such activities to ensure that they are carried out in a manner consistent with the purpose of this Easement; such notice shall describe the proposed activity in sufficient detail to allow Grantee to judge the consistency of the proposed activity with the purpose of this Easement) and (ii) at or prior to closing on any *inter vivos* transfer, other than a deed of trust or mortgage, of all or any part of the Property.

9. **TAX MATTERS.** The parties hereto agree and understand that any value of this Easement claimed for tax purposes as a charitable gift must be fully and accurately

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substantiated by an appraisal from a qualified appraiser as defined in Treasury Regulation Section 1.170A-13(c)(5), and that the appraisal is subject to review and audit by all appropriate tax authorities. Grantee makes no express or implied warranties that any tax benefits will be available to Grantor from donation of this Easement, that any such tax benefits might be transferable, or that there will be any market for any tax benefits that might be transferable. By its execution hereof, Grantee acknowledges and confirms receipt of the Easement and further acknowledges that Grantee has not provided any goods or services to Grantor in consideration of the grant of the Easement.

10. **NO MERGER.** Grantor and Grantee agree that in the event that Grantee acquires a fee interest in the Property, this Easement shall not merge into the fee interest, but shall survive the deed and continue to encumber the Property.
11. **ASSIGNMENT BY GRANTEE.** Assignment of this Easement is permitted by Virginia Code Section 10.1-1700, but Grantee may not transfer or convey this Easement unless Grantee conditions such transfer or conveyance on the requirement that (i) all restrictions and conservation purposes set forth in this Easement are to be continued in perpetuity and (ii) the transferee then qualifies as an eligible donee as defined in IRC Section 170(h)(3) and the applicable Treasury Regulations.
12. **GRANTEE'S PROPERTY RIGHT.** Grantor agrees that the donation of this Easement gives rise to a property right, immediately vested in Grantee, with a fair market value that is equal to the proportionate value that the perpetual conservation restriction at the time of the gift bears to the value of the Property as a whole at that time. The values applicable for purposes of the calculations required by this Paragraph 12 shall be the values finally

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determined for purposes of any federal income tax deduction allowed with respect to the conveyance of this Easement.

13. **CONVERSION OR DIVERSION.** Grantor and Grantee intend that this Easement be perpetual and acknowledge that no part of the Property may be converted or diverted from its open-space use except in compliance with the provisions of Section 10.1-1704 of the Open-Space Land Act, which does not permit loss of open space.
14. **EXTINGUISHMENT.** Notwithstanding the provisions of Section 10.1-1704 of the Open-Space Land Act, should an attempt be made to extinguish this Easement in whole or in part, such extinguishment can be carried out only by judicial proceedings and only if in compliance with Section 10.1-1704 and IRC Section 170 (h) and applicable Treasury Regulations. In a sale or exchange of the Property subsequent to and resulting from an extinguishment, Grantee shall be entitled to a portion of the proceeds at least equal to the proportionate value of this Easement computed as set forth in Section V Paragraph 13 above, but not to be less than the proportion that the value of this Easement at the time of extinguishment bears to the then value of the Property as a whole. Grantee shall use all its share of the proceeds from the sale of the Property in a manner consistent with the conservation purpose of this Easement and the Open-Space Land Act.
15. **AMENDMENT.** Grantee and Grantor may amend this Easement to enhance the Property's Open-Space Values or add to the restricted property by an amended deed of easement, provided that no amendment shall (i) affect this Easement's perpetual duration, (ii) conflict with or be contrary to or inconsistent with the conservation purpose of this Easement, (iii) reduce the protection of the conservation values, (iv) affect the qualification of this Easement as a "qualified conservation contribution" or "interest in

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land", (v) affect the status of Grantee as a "qualified organization" or "eligible donee", or (vi) create an impermissible private benefit or private inurement in violation of federal tax law. No amendment shall be effective unless documented in a notarized writing executed by Grantee and Grantor and recorded in the Clerk's Office of the Circuit Court of Warren County, Virginia.

16. **JOINT OWNERSHIP.** If Grantor at any time owns the Property or any portion of or interest therein in joint tenancy, tenancy by the entireties, or tenancy in common, all such tenants shall be jointly and severally liable for all obligations of Grantor set forth herein.
17. **SEVERABILITY.** If any provision of this Easement or its application to any person or circumstance is determined by a court of competent jurisdiction to be invalid, the remaining provisions of this Easement shall not be affected thereby.
18. **ENTIRE AGREEMENT.** This instrument sets forth the entire agreement of the parties with respect to this Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the easement.
19. **CONTROLLING LAW.** The interpretation and performance of this Easement shall be governed by the laws of the Commonwealth of Virginia, resolving any ambiguities or questions of the validity of specific provisions in order to give maximum effect to its conservation purpose.
20. **RECORDING.** This Easement shall be recorded in the land records in the Circuit Court Clerk's Office of the County of Warren, Virginia, and Grantee may re-record it any time as may be required to preserve its rights under this Easement.
22. **COUNTERPARTS.** This Easement may be executed in one or more counterpart copies, each of which, when executed and delivered shall be an original, but all of which shall

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constitute one and the same Easement. Execution of this Easement at different times and in different places by the parties hereto shall not affect the validity of the Easement.

OAK VIEW NATIONAL BANK, herein the Lender, is the Noteholder under a certain Commercial Real Estate Deed of Trust dated June 8, 2012, and recorded in the Clerk's Office of the Circuit Court of Warren County, Virginia, as Instrument No. 120003253, which subjects the Property to the Lender's lien. The Lender hereby consents to the terms, conditions, and restrictions of this Easement, and agrees that the lien represented by said Deed of Trust shall be held subject to this Easement and joins in this Deed to reflect its direction to the Trustee(s) to execute this Easement to give effect to the subordination of such Deed of Trust to this Easement.

SIGNATURES ON FOLLOWING PAGES

WARREN COUNTY
LAND RECORDS

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[Counterpart signature page 2 of 4]

Accepted:
COUNTY OF WARREN, VIRGINIA

By: Archie A. Fox
ARCHIE A. FOX, CHAIRMAN
BOARD OF SUPERVISORS

Attest:

Douglas P. Stanley
Douglas P. Stanley, County Administrator

COMMONWEALTH OF VIRGINIA,
COUNTY OF Warren, TO WIT:

I, Paula J. Blamer, a Notary Public for the Commonwealth
aforesaid, hereby certify that Archie A. Fox, Chairman, Warren County Board of Supervisors
and Douglas P. Stanley, County Administrator, personally appeared before me this day and
acknowledged the foregoing instrument on behalf of the Board of Supervisors of Warren County,
Virginia.

WITNESS my hand and official seal this 3rd day of December, 2012.

Paula J. Blamer
Notary Public

Notary ID# 7109443

My commission expires: 7-31-2015 (SEAL)

PAULA J. BLAMER
NOTARY PUBLIC 7109443
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES 07/31/2015

PAULA J. BLAMER
NOTARY PUBLIC 7109443
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES 07/31/2015

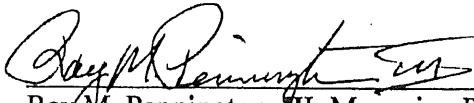
WARREN COUNTY, VIRGINIA
LAND RECORDS

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[Counterpart signature page 1 of 4]

WITNESS the following signatures and seals:

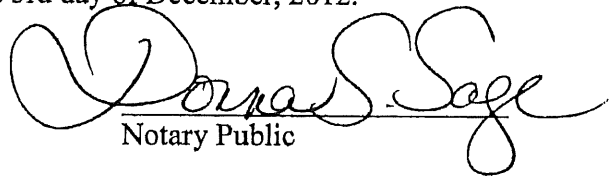
W.P. ASSOCIATES

By:  (SEAL)
Ray M. Pennington, III, Managing Partner

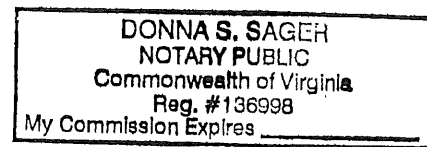
COMMONWEALTH OF VIRGINIA,
COUNTY OF FAUQUIER, TO WIT:

I, Donna S. Sager, a Notary Public for the Commonwealth aforesaid, hereby certify that Ray M. Pennington, III, Managing Partner of W. P. Associates, personally appeared before me this day and acknowledged the foregoing instrument o/b/o W. P. Associates.

WITNESS my hand and official seal this 3rd day of December, 2012.


Notary Public

My commission expires: October 31, 2013 (SEAL)



LAND RECORDS
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[Counterpart signature page 3 of 4]

Lender: OAK VIEW NATIONAL BANK

By: R. Rucker Slater

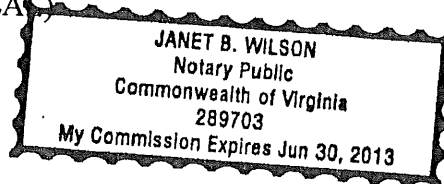
Its: Senior Vice President

COMMONWEALTH OF VIRGINIA,
COUNTY OF FAUQUIER, TO WIT:

The foregoing instrument was acknowledged before me this 3rd day of December, 2012, by R. Rucker Slater, Jr., S. Vice Pres. of Oak View National Bank, Lender.

Janet B. Wilson
Notary Public
Notary ID# 289703

My commission expires: 6-30-13 (SEAL)



FAUQUIER COUNTY, VIRGINIA
LAND, 10/1/13

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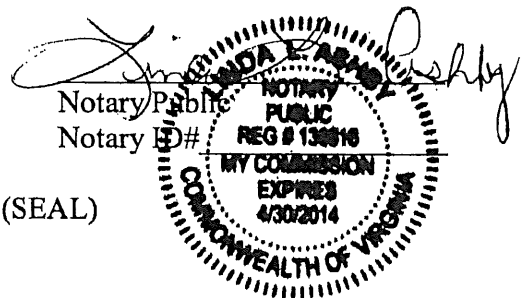
TRUSTEE: GULICK, CARSON & THORPE, PC

By: [Signature]
Vice President

COMMONWEALTH OF VIRGINIA,
COUNTY OF FAUQUIER, TO WIT:

The foregoing instrument was acknowledged before me this 3rd day of December, 2012, by T. Huntley Thorpe, III, as authorized officer of Gulick, Carson & Thorpe, P.C., Trustee.

My commission expires: _____ (SEAL)



WARREN COUNTY, VIRGINIA
LAND RECORDS
EXHIBIT A
LEGAL DESCRIPTION
THE BLUE RIDGE RESERVES
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PARCEL ONE: All those certain lots or parcels of land lying and being situate in the Shenandoah Magisterial District of Warren County, Virginia, and dedicated as Part 2, Part 2A, and Part 2B, of Mountain View Section of Shenandoah Farm Subdivision and according to plats of record in the Clerk's Office of the Circuit Court of Warren County, Virginia, the said lots are designated as:

Lots 59, 60, 61, 61A, 61B; Lots 62 through 67 inclusive; Lots 80 through 82, inclusive, as shown on that certain plat entitled "Plat Showing Mountain View, Section 2B, Shenandoah Farms, being a Vacated Portion of Mountain View Section 2, Shenandoah Magisterial District, Warren County, Virginia", prepared by Wesley A. Harris, C.L.S., dated May 1975 and recorded in Deed Book 226, at Page 187.

Lots 219, 264, 298, 300, 301; Lots 306-308, inclusive; Lots 311 through 392, inclusive; Lot 393A, Lots 423 through 43C inclusive; Lots 461 through 477, inclusive; Lots 483 through 496, inclusive; Lots 499 through 512, inclusive; Lot 587; Lot 598 through 601, inclusive; Lots 604 through 682, inclusive; Lots 717 through 727, inclusive; and Lots 730 through 732, inclusive, as shown on plat entitled "Shenandoah Farms, Mountain View Section, Part Two", prepared by Richard U. Goode dated March 8, 1966 and recorded in Plat Book 3, at Page 162-166.

PARCEL TWO: All those certain lots or parcels of land lying and being situate in the Shenandoah Magisterial District of Warren County, Virginia, described as being Section 4 in Mountain View Section of Shenandoah Farms Subdivision and according to a plat and survey prepared by Richard U. Goode, C.L.S., dated March 30, 1966 and recorded in the Clerk's Office of the Circuit Court of Warren County, Virginia, in Plat Book 3, at Pages 180-181, the said lots being designated as Lot 3, Lots 7 through 10, inclusive; Lots 12 through 22, inclusive; Lot 24, Lots 26 through 50, inclusive; Lots 51 through 122, inclusive; Lots 221 through 382, inclusive; Lots 383 through 450, inclusive; Lots 476 through 521, inclusive; and Lots 547 through 575, inclusive.

PARCEL THREE: All that certain tract or parcel of land lying and being situate in the Shenandoah Magisterial District of Warren County, Virginia, being described as Lots 1 through 8, together containing 42.68 acres, more or less, on that certain plat entitled "Plat of Subdivision of part of the Property of Marvin L. McDonald, Shenandoah District, Warren County, Virginia", prepared by William A. Hall, C.L.S., dated December 23, 1980 and recorded in Deed Book 283, at Page 96.

PARCEL FOUR: All those certain lots or parcels of land lying and being situate in the Shenandoah Magisterial District of Warren County, Virginia, described as being Section 3 in Mountain View Section of Shenandoah Farms Subdivision and according to a plat and survey entitled "Shenandoah Farms, Mountain View Section, Part Three", prepared by Richard U. Goode, C.L.S., dated March 16, 1966 and recorded in the Clerk's Office of the Circuit Court of Warren County, Virginia, in Deed Book 145, at Pages 481-485, the said lots being designated as:

Lot 189; Lots 197 through 203, inclusive; Lots 222 through 247, inclusive; Lots 304 and 305; and Lots 343 through 371.

EXHIBIT A CONTINUED

PARCEL FIVE: All those certain lots or parcels of land lying and being situate in the Shenandoah Magisterial District of Warren County, Virginia, being described as **Parcel A, containing 62.65644 acres**, more or less, and **Parcel B, containing 1.44028 acres**, more or less, in Shenandoah Farms Subdivision, Mountain View Section, **Part 2A** as shown on that certain plat entitled "Plat Showing Mountain View, Section 2A, being a Vacated Portion of Mountain View, Section 2, Shenandoah Subdivision, Shenandoah Magisterial District, Warren County, Virginia", prepared by Wesley A. Harris, Jr., L.S., dated August 1, 1974 and recorded with Deed of Dedication and Declaration of Plats in the Clerk's Office of the Circuit Court of Warren County, Virginia in Deed Book 223, at Page 74 **AND Parcel A, containing 90.91112 acres**, more or less, **Parcel B, containing 1.10093 acres**, more or less, **Parcel C, containing 9.72391 acres**, more or less, and **Parcel D, containing 2.41803 acres**, more or less, Shenandoah Farms Subdivision, Mountain View Section, **Part 2B**, as shown on that certain plat entitled "Plat Showing Mountain View, Section 2B, being a Vacated Portion of Mountain View, Section 2, Shenandoah Subdivision, Shenandoah Magisterial District, Warren County, Virginia", prepared by Wesley A. Harris, Jr., L.S., dated May 9, 1975 and recorded with Deed of Dedication and Declaration of Plats in the aforesaid Clerk's Office in Deed Book 226, at Page 177.

PARCEL SIX: All that certain tract or parcel of land lying and being situate in the Shenandoah Magisterial District of Warren County, Virginia being known and designated as Lot No. FOUR (4), containing 8.919 acres, more or less, Mountain View Section, Part II, Shenandoah Farms Subdivision, as shown on that certain plat entitled "Plat of the Property of Marvin L. McDonald, Shenandoah District, Warren County, Virginia", prepared by William A. Hall, C.L.S., dated May 8, 1978 and recorded in the Clerk's Office of the Circuit Court of Warren County, Virginia in Deed Book 267, at Pages 681 and 682.

SUBJECT TO a reservation of a fifty (50) foot easement along existing road as shown on plat recorded in Deed Book 267, at Pages 681 and 682.

AND BEING the same property conveyed to W.P. Associates, the Grantor herein, by Trustee's Deed from Bridget G. Madden, Trustee, made June 8, 2012, and recorded as Instrument No. 120003252 among the Warren County, Virginia, land records.

LESS AND EXCEPT, those several tracts inadvertently described in the aforementioned conveyance but not owned by the Grantor herein:

Lots not owned

LOT #'S	OWNER	INSTRUMENT
23C-3-3-189 & 197	Qi, Hong & Yvonne Lee	050008199
23C-3-3-198 thru 200	Oh, Joshua Sang & Tam, Rebecca	050008203
23C-3-3-222 thru 225	Cheong, Jae B.	050008205
23C-3-3-226	Knoth, Paul W. & Hwa Chong	050008564

FURTHER LESS AND EXCEPT those fifteen (15) lots and portions of two lots described in attached Exhibit B ("Lots not included in Conservation Easement").

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EXHIBIT B
THE BLUE RIDGE RESERVES

Tax Map Number	Lot Number	Legal Description	Map Number	Lot Number	Legal Description
23C-2-2	59	L59 Shen Farms Mt View	23C-2-2	326	L326 Shen Farms Mt View
23C-2-2	60	L60 Shen Farms Mt View	23C-2-2	327	L327 Shen Farms Mt View
23C-2-2	61	L61 Shen Farms Mt View	23C-2-2	328	L328 Shen Farms Mt View
23C-2-2	61A	L61A Shen Farms Mt View	23C-2-2	329	L329 Shen Farms Mt View
23C-2-2	61B	L61B Shen Farms Mt View	23C-2-2	330	L330 Shen Farms Mt View
23C-2-2	62	L62 Shen Farms Mt View	23C-2-2	331	L331 Shen Farms Mt View
23C-2-2	63	L63 Shen Farms Mt View	23C-2-2	332	L332 Shen Farms Mt View
23C-2-2	64	L64 Shen Farms Mt View	23C-2-2	333	L333 Shen Farms Mt View
23C-2-2	65	L65 Shen Farms Mt View	23C-2-2	334	L334 Shen Farms Mt View
23C-2-2	66	L66 Shen Farms Mt View	23C-2-2	335	L335 Shen Farms Mt View
23C-2-2	67	L67 Shen Farms Mt View	23C-2-2	336	L336 Shen Farms Mt View
23C-2-2	80	L80 Shen Farms Mt View	23C-2-2	337	L337 Shen Farms Mt View
23C-2-2	81	L81 Shen Farms Mt View	23C-2-2	338	L338 Shen Farms Mt View
23C-2-2	82	L82 Shen Farms Mt View	23C-2-2	339	L339 Shen Farms Mt View
			23C-2-2	340	L340 Shen Farms Mt View
			23C-2-2	341	L341 Shen Farms Mt View
			23C-2-2	342	L342 Shen Farms Mt View
23C-2-2	219	L219 Shen Farms Mt View	23C-2-2	343	L343 Shen Farms Mt View
23C-2-2	264	L264 Shen Farms Mt View	23C-2-2	344	L344 Shen Farms Mt View
23C-2-2	298	L298 Shen Farms Mt View	23C-2-2	345	L345 Shen Farms Mt View
23C-2-2	300	L300 Shen Farms Mt View	23C-2-2	346	L346 Shen Farms Mt View
23C-2-2	301	L301 Shen Farms Mt View	23C-2-2	347	L347 Shen Farms Mt View
23C-2-2	306	L306 Shen Farms Mt View	23C-2-2	348	L348 Shen Farms Mt View
23C-2-2	311	L311 Shen Farms Mt View	23C-2-2	349	L349 Shen Farms Mt View
23C-2-2	312	L312 Shen Farms Mt View	23C-2-2	350	L350 Shen Farms Mt View
23C-2-2	313	L313 Shen Farms Mt View	23C-2-2	351	L351 Shen Farms Mt View
23C-2-2	314	L314 Shen Farms Mt View	23C-2-2	352	L352 Shen Farms Mt View
23C-2-2	315	L315 Shen Farms Mt View	23C-2-2	353	L353 Shen Farms Mt View
23C-2-2	316	L316 Shen Farms Mt View	23C-2-2	354	L354 Shen Farms Mt View
23C-2-2	317	L317 Shen Farms Mt View	23C-2-2	355	L355 Shen Farms Mt View
23C-2-2	318	L318 Shen Farms Mt View	23C-2-2	356	L356 Shen Farms Mt View
23C-2-2	319	L319 Shen Farms Mt View	23C-2-2	357	L357 Shen Farms Mt View
23C-2-2	320	L320 Shen Farms Mt View	23C-2-2	358	L358 Shen Farms Mt View
23C-2-2	321	L321 Shen Farms Mt View	23C-2-2	359	L359 Shen Farms Mt View
23C-2-2	322	L322 Shen Farms Mt View	23C-2-2	360	L360 Shen Farms Mt View
23C-2-2	323	L323 Shen Farms Mt View	23C-2-2	361	L361 Shen Farms Mt View
23C-2-2	324	L324 Shen Farms Mt View	23C-2-2	362	L362 Shen Farms Mt View
23C-2-2	325	L325 Shen Farms Mt View	23C-2-2	363	L363 Shen Farms Mt View
			23C-2-2	364	L364 Shen Farms

WARREN COUNTY, VIRGINIA
LINE RECORDS

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Tax Map Number	Lot Number	Legal Description	Map Number	Lot Number	Legal Description
23C-2-2	365	L365 Shen Farms Mt View	23C-2-2	464	L464 Shen Farms Mt View
23C-2-2	366	L366 Shen Farms Mt View	23C-2-2	465	L465 Shen Farms Mt View
23C-2-2	367	L367 Shen Farms Mt View	23C-2-2	466	L466 Shen Farms Mt View
23C-2-2	368	L368 Shen Farms Mt View	23C-2-2	467	L467 Shen Farms Mt View
23C-2-2	369	L369 Shen Farms Mt View	23C-2-2	468	L468 Shen Farms Mt View
23C-2-2	370	L370 Shen Farms Mt View	23C-2-2	469	L469 Shen Farms Mt View
23C-2-2	371	L371 Shen Farms Mt View	23C-2-2	470	L470 Shen Farms Mt View
23C-2-2	372	L372 Shen Farms Mt View	23C-2-2	471	L471 Shen Farms Mt View
23C-2-2	373	L373 Shen Farms Mt View	23C-2-2	472	L472 Shen Farms Mt View
23C-2-2	374	L374 Shen Farms Mt View	23C-2-2	473	L473 Shen Farms Mt View
23C-2-2	375	L375 Shen Farms Mt View	23C-2-2	474	L474 Shen Farms Mt View
23C-2-2	376	L376 Shen Farms Mt View	23C-2-2	475	L475 Shen Farms Mt View
23C-2-2	377	L377 Shen Farms Mt View	23C-2-2	476	L476 Shen Farms Mt View
23C-2-2	378	L378 Shen Farms Mt View	23C-2-2	477	L477 Shen Farms Mt View
23C-2-2	379	L379 Shen Farms Mt View	23C-2-2	483	L483 Shen Farms Mt View
23C-2-2	380	L380 Shen Farms Mt View	23C-2-2	484	L484 Shen Farms Mt View
23C-2-2	381	L381 Shen Farms Mt View	23C-2-2	485	L485 Shen Farms Mt View
23C-2-2	382	L382 Shen Farms Mt View	23C-2-2	486	L486 Shen Farms Mt View
23C-2-2	383	L383 Shen Farms Mt View	23C-2-2	487	L487 Shen Farms Mt View
23C-2-2	384	L384 Shen Farms Mt View	23C-2-2	488	L488 Shen Farms Mt View
23C-2-2	385	L385 Shen Farms Mt View	23C-2-2	489	L489 Shen Farms Mt View
23C-2-2	386	L386 Shen Farms Mt View	23C-2-2	490	L490 Shen Farms Mt View
23C-2-2	387	L387 Shen Farms Mt View	23C-2-2	491	L491 Shen Farms Mt View
23C-2-2	388	L388 Shen Farms Mt View	23C-2-2	492	L492 Shen Farms Mt View
23C-2-2	389	L389 Shen Farms Mt View	23C-2-2	493	L 493-494-495-496 Shen Far
23C-2-2	390	L390 Shen Farms Mt View	23C-2-2	499	L499 Shen Farms Mt View
23C-2-2	391	L391 Shen Farms Mt View	23C-2-2	500	L500 Shen Farms Mt View
23C-2-2	392	L392 Shen Farms Mt View	23C-2-2	501	L501 Shen Farms Mt View
23C-2-2	423	L423 Shen Farms Mt View	23C-2-2	502	L502 Shen Farms Mt View
23C-2-2	424	L424 Shen Farms Mt View	23C-2-2	503	L503 Shen Farms Mt View
23C-2-2	425	L425 Shen Farms Mt View	23C-2-2	504	L504 Shen Farms Mt View
23C-2-2	426	L426 Shen Farms Mt View	23C-2-2	505	L505 Shen Farms Mt View
23C-2-2	427	L427 Shen Farms Mt View	23C-2-2	506	L506 Shen Farms Mt View
23C-2-2	428	L428 Shen Farms Mt View	23C-2-2	507	L507 Shen Farms Mt View
23C-2-2	429	L429 Shen Farms Mt View	23C-2-2	508	L508 Shen Farms Mt View
23C-2-2	430	L430 Shen Farms Mt View	23C-2-2	509	L509 Shen Farms Mt View
23C-2-2	461	L461 Shen Farms Mt View	23C-2-2	510	L510 Shen Farms Mt View
23C-2-2	462	L462 Shen Farms Mt View	23C-2-2	511	L511 Shen Farms Mt View
23C-2-2	463	L463 Shen Farms Mt View	23C-2-2	512	L512 Shen Farms Mt View

Map Number	Lot Number	Legal Description	Map Number	Lot Number	Legal Description
23C-2-2	587	L587 Shen Farms Mt View	23C-2-2	638	L638 Shen Farms Mt View
23C-2-2	598	L598 Shen Farms Mt View	23C-2-2	639	L639 Shen Farms Mt View
23C-2-2	599	L599 Shen Farms Mt View	23C-2-2	640	L640 Shen Farms Mt View
23C-2-2	600	L600 Shen Farms Mt View	23C-2-2	641	L641 Shen Farms Mt View
23C-2-2	601	L601 Shen Farms Mt View	23C-2-2	642	L642 Shen Farms Mt View
23C-2-2	604	L604 Shen Farms Mt View	23C-2-2	643	L643 Shen Farms Mt View
23C-2-2	605	L605 Shen Farms Mt View	23C-2-2	644	L644 Shen Farms Mt View
23C-2-2	606	L606 Shen Farms Mt View	23C-2-2	645	L645 Shen Farms Mt View
23C-2-2	607	L607 Shen Farms Mt View	23C-2-2	646	L646 Shen Farms Mt View
23C-2-2	608	L608 Shen Farms Mt View	23C-2-2	647	L647 Shen Farms Mt View
23C-2-2	609	L609 Shen Farms Mt View	23C-2-2	648	L648 Shen Farms Mt View
23C-2-2	610	L610 Shen Farms Mt View	23C-2-2	649	L649 Shen Farms Mt View
23C-2-2	611	L611 Shen Farms Mt View	23C-2-2	650	L650 Shen Farms Mt View
23C-2-2	612	L612 Shen Farms Mt View	23C-2-2	651	L651 Shen Farms Mt View
23C-2-2	613	L613 Shen Farms Mt View	23C-2-2	652	L652 Shen Farms Mt View
23C-2-2	614	L614 Shen Farms Mt View	23C-2-2	653	L653 Shen Farms Mt View
23C-2-2	615	L615 Shen Farms Mt View	23C-2-2	654	L654 Shen Farms Mt View
23C-2-2	616	L616 Shen Farms Mt View	23C-2-2	655	L655 Shen Farms Mt View
23C-2-2	617	L617 Shen Farms Mt View	23C-2-2	656	L656 Shen Farms Mt View
23C-2-2	618	L618 Shen Farms Mt View	23C-2-2	657	L657 Shen Farms Mt View
23C-2-2	619	L619 Shen Farms Mt View	23C-2-2	658	L658 Shen Farms Mt View
23C-2-2	620	L620 Shen Farms Mt View	23C-2-2	659	L659 Shen Farms Mt View
23C-2-2	621	L621 Shen Farms Mt View	23C-2-2	660	L660 Shen Farms Mt View
23C-2-2	622	L622 Shen Farms Mt View	23C-2-2	661	L661 Shen Farms Mt View
23C-2-2	623	L623 Shen Farms Mt View	23C-2-2	662	L662 Shen Farms Mt View
23C-2-2	624	L624 Shen Farms Mt View	23C-2-2	663	L663 Shen Farms Mt View
23C-2-2	625	L625 Shen Farms Mt View	23C-2-2	664	L664 Shen Farms Mt View
23C-2-2	626	L626 Shen Farms Mt View	23C-2-2	665	L665 Shen Farms Mt View
23C-2-2	627	L627 Shen Farms Mt View	23C-2-2	666	L666 Shen Farms Mt View
23C-2-2	628	L628 Shen Farms Mt View	23C-2-2	667	L667 Shen Farms Mt View
23C-2-2	629	L629 Shen Farms Mt View	23C-2-2	668	L668 Shen Farms Mt View
23C-2-2	630	L630 Shen Farms Mt View	23C-2-2	669	L669 Shen Farms Mt View
23C-2-2	631	L631 Shen Farms Mt View	23C-2-2	670	L670 Shen Farms Mt View
23C-2-2	632	L632 Shen Farms Mt View	23C-2-2	671	L671 Shen Farms Mt View
23C-2-2	633	L633 Shen Farms Mt View	23C-2-2	672	L672 Shen Farms Mt View
23C-2-2	634	L634 Shen Farms Mt View	23C-2-2	673	L673 Shen Farms Mt View
23C-2-2	635	L635 Shen Farms Mt View	23C-2-2	674	L674 Shen Farms Mt View
23C-2-2	636	L636 Shen Farms Mt View	23C-2-2	675	L675 Shen Farms Mt View
23C-2-2	637	L637 Shen Farms Mt View	23C-2-2	676	L676 Shen Farms Mt View

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Map Number	Lot Number	Legal Description
23C-2-2	677	L677 Shen Farms
23C-2-2	678	L678 Shen Farms
23C-2-2	679	L679 Shen Farms
23C-2-2	680	L680 Shen Farms
23C-2-2	681	L681 Shen Farms
23C-2-2	682	L682 Shen Farms
23C-2-2	717	L717 Shen Farms
23C-2-2	718	L718 Shen Farms
23C-2-2	719	L719 Shen Farms
23C-2-2	720	L720 Shen Farms
23C-2-2	721	L721 Shen Farms
23C-2-2	722	L722 Shen Farms
23C-2-2	723	L723 Shen Farms
23C-2-2	724	L724 Shen Farms
23C-2-2	725	L725 Shen Farms
23C-2-2	726	L726 Shen Farms
23C-2-2	727	L727 Shen Farms
23C-2-2	730	L730 Shen Farms
23C-2-2	731	L731 Shen Farms
23C-2-2	732	L732 Shen Farms

23C-3-3	201	L201 Shen Farms
23C-3-3	202	L202 Shen Farms
23C-3-3	203	L203 Shen Farms

23C-3-3	227	L227 Shen Farms
23C-3-3	228	L228 Shen Farms
23C-3-3	229	L229 Shen Farms
23C-3-3	230	L230 Shen Farms
23C-3-3	231	L231 Shen Farms
23C-3-3	232	L232 Shen Farms
23C-3-3	233	L233 Shen Farms
23C-3-3	234	L234 Shen Farms
23C-3-3	235	L235 Shen Farms
23C-3-3	236	L236 Shen Farms
23C-3-3	237	L237 Shen Farms
23C-3-3	238	L238 Shen Farms
23C-3-3	239	L239 Shen Farms
23C-3-3	240	L240 Shen Farms
23C-3-3	241	L241 Shen Farms
23C-3-3	242	L242 Shen Farms
23C-3-3	243	L243 Shen Farms
23C-3-3	244	L244 Shen Farms
23C-3-3	245	L245 Shen Farms
23C-3-3	246	L246 Shen Farms
23C-3-3	247	L247 Shen Farms

Map Number	Lot Number	Legal Description
23C-3-3	304	L304 Shen Farms
23C-3-3	305	L305 Shen Farms
23C-3-3	343	L343 Shen Farms
23C-3-3	344	L344 Shen Farms
23C-3-3	345	L345 Shen Farms
23C-3-3	346	L346 Shen Farms
23C-3-3	347	L347 Shen Farms
23C-3-3	348	L348 Shen Farms
23C-3-3	349	L349 Shen Farms
23C-3-3	350	L350 Shen Farms
23C-3-3	351	L351 Shen Farms
23C-3-3	352	L352 Shen Farms
23C-3-3	353	L353 Shen Farms
23C-3-3	354	L354 Shen Farms
23C-3-3	355	L355 Shen Farms
23C-3-3	356	L356 Shen Farms
23C-3-3	357	L357 Shen Farms
23C-3-3	358	L358 Shen Farms
23C-3-3	359	L359 Shen Farms
23C-3-3	360	L360 Shen Farms
23C-3-3	361	L361 Shen Farms
23C-3-3	362	L362 Shen Farms
23C-3-3	363	L363 Shen Farms
23C-3-3	364	L364 Shen Farms
23C-3-3	365	L365 Shen Farms
23C-3-3	366	L366 Shen Farms
23C-3-3	367	L367 Shen Farms
23C-3-3	368	L368 Shen Farms
23C-3-3	369	L369 Shen Farms
23C-3-3	370	L370 Shen Farms
23C-3-3	371	L371 Shen Farms

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Map Number	Lot Number	Legal Description
23C-4-4	1	L1 Shen Farms
23C-4-4	7	L7 Shen Farms Mt
23C-4-4	8	L8 Shen Farms
23C-4-4	9	L9 Shen Farms Mt
23C-4-4	10	L10 Shen Farms
23C-4-4	12	L12 Shen Farms Mt View
23C-4-4	13	L13 Shen Farms Mt View
23C-4-4	14	L14 Shen Farms Mt View
23C-4-4	15	L15 Shen Farms Mt View
23C-4-4	16	L16 Shen Farms Mt
23C-4-4	17	L17 Shen Farms Mt
23C-4-4	18	L18 Shen Farms Mt View
23C-4-4	19	L19 Shen Farms Mt View
23C-4-4	20	L20 Shen Farms
23C-4-4	21	L21 Shen Farms Mt View
23C-4-4	22	L22 Sec Pt4 L22 Shen Farms
23C-4-4	24	L24 Shen Farms Mt
23C-4-4	26	L26 Shen Farms
23C-4-4	27	L27 Shen Farms Mt View
23C-4-4	28	L28 Shen Farms Mt View
23C-4-4	29	L29 Shen Farms Mt View
23C-4-4	30	L30 Shen Farms Mt View
23C-4-4	31	L31 Shen Farms Mt View
23C-4-4	32	L32 Shen Farms Mt View
23C-4-4	33	L33 Shen Farms Mt View
23C-4-4	34	L34 Shen Farms Mt View
23C-4-4	35	L35 Shen Farms Mt View
23C-4-4	36	L36 Shen Farms Mt View
23C-4-4	37	L37 Shen Farms Mt View
23C-4-4	38	L38 Shen Farms Mt View
23C-4-4	39	L39 Shen Farms Mt View
23C-4-4	40	L40 Shen Farms Mt View
23C-4-4	41	L41 Shen Farms Mt View
23C-4-4	42	L42 Shen Farms Mt View
23C-4-4	43	L43 Shen Farms Mt View
23C-4-4	44	L44 Shen Farms Mt View
23C-4-4	45	L45 Shen Farms Mt View
23C-4-4	46	L46 Shen Farms Mt View
23C-4-4	47	L47 Shen Farms Mt View
23C-4-4	48	L48 Shen Farms Mt View
23C-4-4	49	L49 Shen Farms Mt View
23C-4-4	50	L50 Shen Farms Mt View

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Map Number	Lot Number	Legal Description	Map Number	Lot Number	Legal Description
23C-4-4	51	L51 Shen Farms Mt View	23C-4-4	90	L90 Shen Farms Mt View
23C-4-4	52	L52 Shen Farms Mt View	23C-4-4	91	L91 Shen Farms Mt View
23C-4-4	53	L53 Shen Farms Mt View	23C-4-4	92	L92 Shen Farms Mt View
23C-4-4	54	L54 Shen Farms Mt View	23C-4-4	93	L93 Shen Farms Mt View
23C-4-4	55	L55 Shen Farms Mt View	23C-4-4	94	L94 Shen Farms Mt View
23C-4-4	56	L56 Shen Farms Mt View	23C-4-4	95	L95 Shen Farms Mt View
23C-4-4	57	L57 Shen Farms Mt View	23C-4-4	96	L96 Shen Farms Mt View
23C-4-4	58	L58 Shen Farms Mt View	23C-4-4	97	L97 Shen Farms Mt View
23C-4-4	59	L59 Shen Farms Mt View	23C-4-4	98	L98 Shen Farms Mt View
23C-4-4	60	L60 Shen Farms Mt View	23C-4-4	99	L99 Shen Farms Mt View
23C-4-4	61	L61 Shen Farms Mt View	23C-4-4	100	L100 Shen Farms
23C-4-4	62	L62 Shen Farms Mt View	23C-4-4	101	L102 Shen Farms
23C-4-4	63	L63 Shen Farms Mt View	23C-4-4	102	L102 Shen Farms
23C-4-4	64	L64 Shen Farms Mt View	23C-4-4	103	L103 Shen Farms
23C-4-4	65	L65 Shen Farms Mt View	23C-4-4	104	L104 Shen Farms
23C-4-4	66	L66 Shen Farms Mt View	23C-4-4	105	L105 Shen Farms
23C-4-4	67	L67 Shen Farms Mt View	23C-4-4	106	L106 Shen Farms
23C-4-4	68	L68 Shen Farms Mt View	23C-4-4	107	L107 Shen Farms
23C-4-4	69	L69 Shen Farms Mt View	23C-4-4	108	L108 Shen Farms
23C-4-4	70	L70 Shen Farms Mt View	23C-4-4	109	L109 Shen Farms
23C-4-4	71	L71 Shen Farms Mt View	23C-4-4	110	L110 Shen Farms
23C-4-4	72	L72 Shen Farms Mt View	23C-4-4	111	L111 Shen Farms
23C-4-4	73	L73 Shen Farms Mt View	23C-4-4	112	L112 Shen Farms
23C-4-4	74	L74 Shen Farms Mt View	23C-4-4	113	L113 Shen Farms
23C-4-4	75	L75 Shen Farms Mt View	23C-4-4	114	L114 Shen Farms
23C-4-4	76	L76 Shen Farms Mt View	23C-4-4	115	L115 Shen Farms
23C-4-4	77	L77 Shen Farms Mt View	23C-4-4	116	L116 Shen Farms
23C-4-4	78	L78 Shen Farms Mt View	23C-4-4	117	L117 Shen Farms
23C-4-4	79	L79 Shen Farms Mt View	23C-4-4	118	L118 Shen Farms
23C-4-4	80	L80 Shen Farms Mt View	23C-4-4	119	L119 Shen Farms
23C-4-4	81	L81 Shen Farms Mt View	23C-4-4	120	L120 Shen Farms
23C-4-4	82	L82 Shen Farms Mt View	23C-4-4	121	L121 Shen Farms
23C-4-4	83	L83 Shen Farms Mt View	23C-4-4	122	L122 Shen Farms
23C-4-4	84	L84 Shen Farms Mt View	23C-4-4	221	L221 Shen Farms
23C-4-4	85	L85 Shen Farms Mt View	23C-4-4	222	L222 Shen Farms
23C-4-4	86	L86 Shen Farms Mt View	23C-4-4	223	L223 Shen Farms
23C-4-4	87	L87 Shen Farms Mt View	23C-4-4	224	L224 Shen Farms
23C-4-4	88	L88 Shen Farms Mt View	23C-4-4	225	L225 Shen Farms
23C-4-4	89	L89 Shen Farms Mt View	23C-4-4	226	L226 Shen Farms

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Map Number	Lot Number	Legal Description	Map Number	Lot Number	Legal Description
23C-4-4	227	L227 Shen Farms	23C-4-4	266	L266 Shen Farms
23C-4-4	228	L228 Shen Farms	23C-4-4	267	L267 Shen Farms
23C-4-4	229	L229 Shen Farms	23C-4-4	268	L268 Shen Farms
23C-4-4	230	L230 Shen Farms	23C-4-4	269	L269 Shen Farms
23C-4-4	231	L231 Shen Farms	23C-4-4	270	L270 Shen Farms
23C-4-4	232	L232 Shen Farms	23C-4-4	271	L271 Shen Farms
23C-4-4	233	L233 Shen Farms	23C-4-4	272	L272 Shen Farms
23C-4-4	234	L234 Shen Farms	23C-4-4	273	L273 Shen Farms
23C-4-4	235	L235 Shen Farms	23C-4-4	274	L274 Shen Farms
23C-4-4	236	L236 Shen Farms	23C-4-4	275	L275 Shen Farms
23C-4-4	237	L237 Shen Farms	23C-4-4	276	L276 Shen Farms
23C-4-4	238	L238 Shen Farms	23C-4-4	277	L277 Shen Farms
23C-4-4	239	L239 Shen Farms	23C-4-4	278	L278 Shen Farms
23C-4-4	240	L240 Shen Farms	23C-4-4	279	L279 Shen Farms
23C-4-4	241	L241 Shen Farms	23C-4-4	280	L280 Shen Farms
23C-4-4	242	L242 Shen Farms	23C-4-4	281	L281 Shen Farms
23C-4-4	243	L243 Shen Farms	23C-4-4	282	L282 Shen Farms
23C-4-4	244	L244 Shen Farms	23C-4-4	283	L283 Shen Farms
23C-4-4	245	L245 Shen Farms	23C-4-4	284	L284 Shen Farms
23C-4-4	246	L246 Shen Farms	23C-4-4	285	L285 Shen Farms
23C-4-4	247	L247 Shen Farms	23C-4-4	286	L286 Shen Farms
23C-4-4	248	L248 Shen Farms	23C-4-4	287	L287 Shen Farms
23C-4-4	249	L249 Shen Farms	23C-4-4	288	L288 Shen Farms
23C-4-4	250	L250 Shen Farms	23C-4-4	289	L289 Shen Farms
23C-4-4	251	L251 Shen Farms Mt View	23C-4-4	290	L290 Shen Farms
23C-4-4	252	L252 Shen Farms	23C-4-4	291	L291 Shen Farms
23C-4-4	253	L253 Shen Farms	23C-4-4	292	L292 Shen Farms
23C-4-4	254	L254 Shen Farms	23C-4-4	293	L293 Shen Farms
23C-4-4	255	L255 Shen Farms	23C-4-4	294	L294 Shen Farms
23C-4-4	256	L256 Shen Farms	23C-4-4	295	L295 Shen Farms
23C-4-4	257	L257 Shen Farms	23C-4-4	296	L296 Shen Farms
23C-4-4	258	L258 Shen Farms	23C-4-4	297	L297 Shen Farms
23C-4-4	259	L259 Shen Farms	23C-4-4	298	L298 Shen Farms
23C-4-4	260	L260 Shen Farms	23C-4-4	299	L299 Shen Farms
23C-4-4	261	L261 Shen Farms	23C-4-4	300	L300 Shen Farms
23C-4-4	262	L262 Shen Farms	23C-4-4	301	L301 Shen Farms
23C-4-4	263	L263 Shen Farms	23C-4-4	302	L302 Shen Farms
23C-4-4	264	L264 Shen Farms	23C-4-4	303	L303 Shen Farms
23C-4-4	265	L265 Shen Farms	23C-4-4	304	L304 Shen Farms

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Map Number	Lot Number	Legal Description	Map Number	Lot Number	Legal Description
23C-4-4	305	L305 Shen Farms	23C-4-4	344	L344 Shen Farms
23C-4-4	306	L306 Shen Farms	23C-4-4	345	L345 Shen Farms
23C-4-4	307	L307 Shen Farms	23C-4-4	346	L346 Shen Farms
23C-4-4	308	L308 Shen Farms	23C-4-4	347	L347 Shen Farms
23C-4-4	309	L309 Shen Farms	23C-4-4	348	L348 Shen Farms
23C-4-4	310	L310 Shen Farms	23C-4-4	349	L349 Shen Farms
23C-4-4	311	L311 Shen Farms	23C-4-4	350	L350 Shen Farms
23C-4-4	312	L312 Shen Farms	23C-4-4	351	L351 Shen Farms
23C-4-4	313	L313 Shen Farms	23C-4-4	352	L352 Shen Farms
23C-4-4	314	L314 Shen Farms	23C-4-4	353	L353 Shen Farms
23C-4-4	315	L315 Shen Farms	23C-4-4	354	L354 Shen Farms
23C-4-4	316	L316 Shen Farms	23C-4-4	355	L355 Shen Farms
23C-4-4	317	L317 Shen Farms	23C-4-4	356	L356 Shen Farms
23C-4-4	318	L318 Shen Farms	23C-4-4	357	L357 Shen Farms
23C-4-4	319	L319 Shen Farms	23C-4-4	358	L358 Shen Farms
23C-4-4	320	L320 Shen Farms	23C-4-4	359	L359 Shen Farms
23C-4-4	321	L321 Shen Farms	23C-4-4	360	L360 Shen Farms
23C-4-4	322	L322 Shen Farms	23C-4-4	361	L361 Shen Farms
23C-4-4	323	L323 Shen Farms	23C-4-4	362	L362 Shen Farms
23C-4-4	324	L324 Shen Farms	23C-4-4	363	L363 Shen Farms
23C-4-4	325	L325 Shen Farms	23C-4-4	364	L364 Shen Farms
23C-4-4	326	L326 Shen Farms	23C-4-4	365	L365 Shen Farms
23C-4-4	327	L327 Shen Farms	23C-4-4	366	L366 Shen Farms
23C-4-4	328	L328 Shen Farms	23C-4-4	367	L367 Shen Farms
23C-4-4	329	L329 Shen Farms	23C-4-4	368	L368 Shen Farms
23C-4-4	330	L330 Shen Farms	23C-4-4	369	L369 Shen Farms
23C-4-4	331	L331 Shen Farms	23C-4-4	370	L370 Shen Farms
23C-4-4	332	L332 Shen Farms	23C-4-4	371	L371 Shen Farms
23C-4-4	333	L333 Shen Farms	23C-4-4	372	L372 Shen Farms
23C-4-4	334	L334 Shen Farms	23C-4-4	373	L373 Shen Farms
23C-4-4	335	L335 Shen Farms	23C-4-4	374	L374 Shen Farms
23C-4-4	336	L336 Shen Farms	23C-4-4	375	L375 Shen Farms
23C-4-4	337	L337 Shen Farms	23C-4-4	376	L376 Shen Farms
23C-4-4	338	L338 Shen Farms	23C-4-4	377	L377 Shen Farms
23C-4-4	339	L339 Shen Farms	23C-4-4	378	L378 Shen Farms
23C-4-4	340	L340 Shen Farms	23C-4-4	379	L379 Shen Farms
23C-4-4	341	L341 Shen Farms	23C-4-4	380	L380 Shen Farms
23C-4-4	342	L342 Shen Farms	23C-4-4	381	L381 Shen Farms
23C-4-4	343	L343 Shen Farms	23C-4-4	382	L382 Shen Farms

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Map Number	Lot Number	Legal Description	Map Number	Lot Number	Legal Description
23C-4-4	383	L383 Shen Farms	23C-4-4	422	L422 Shen Farms
23C-4-4	384	L384 Shen Farms	23C-4-4	423	L423 Shen Farms
23C-4-4	385	L385 Shen Farms	23C-4-4	424	L424 Shen Farms
23C-4-4	386	L386 Shen Farms	23C-4-4	425	L425 Shen Farms
23C-4-4	387	L387 Shen Farms	23C-4-4	426	L426 Shen Farms
23C-4-4	388	L388 Shen Farms	23C-4-4	427	L427 Shen Farms
23C-4-4	389	L389 Shen Farms	23C-4-4	428	L428 Shen Farms
23C-4-4	390	L390 Shen Farms	23C-4-4	429	L429 Shen Farms
23C-4-4	391	L391 Shen Farms	23C-4-4	430	L430 Shen Farms
23C-4-4	392	L392 Shen Farms	23C-4-4	431	L431 Shen Farms
23C-4-4	393	L393 Shen Farms	23C-4-4	432	L432 Shen Farms
23C-4-4	394	L394 Shen Farms	23C-4-4	433	L433 Shen Farms
23C-4-4	395	L395 Shen Farms	23C-4-4	434	L434 Shen Farms
23C-4-4	396	L396 Shen Farms	23C-4-4	435	L435 Shen Farms
23C-4-4	397	L397 Shen Farms	23C-4-4	436	L436 Shen Farms
23C-4-4	398	L398 Shen Farms	23C-4-4	437	L437 Shen Farms
23C-4-4	399	L399 Shen Farms	23C-4-4	438	L438 Shen Farms
23C-4-4	400	L400 Shen Farms	23C-4-4	439	L439 Shen Farms
23C-4-4	401	L401 Shen Farms	23C-4-4	440	L440 Shen Farms
23C-4-4	402	L402 Shen Farms	23C-4-4	441	L441 Shen Farms
23C-4-4	403	L403 Shen Farms	23C-4-4	442	L442 Shen Farms
23C-4-4	404	L404 Shen Farms	23C-4-4	443	L443 Shen Farms
23C-4-4	405	L405 Shen Farms	23C-4-4	444	L444 Shen Farms
23C-4-4	406	L406 Shen Farms	23C-4-4	445	L445 Shen Farms
23C-4-4	407	L407 Shen Farms	23C-4-4	446	L446 Shen Farms
23C-4-4	408	L408 Shen Farms	23C-4-4	447	L447 Shen Farms
23C-4-4	409	L409 Shen Farms	23C-4-4	448	L448 Shen Farms
23C-4-4	410	L410 Shen Farms	23C-4-4	449	L449 Shen Farms
23C-4-4	411	L411 Shen Farms	23C-4-4	450	L450 Shen Farms
23C-4-4	412	L412 Shen Farms	23C-4-4	476	L476 Shen Farms
23C-4-4	413	L413 Shen Farms	23C-4-4	477	L477 Shen Farms
23C-4-4	414	L414 Shen Farms	23C-4-4	478	L478 Shen Farms
23C-4-4	415	L415 Shen Farms	23C-4-4	479	L479 Shen Farms
23C-4-4	416	L416 Shen Farms	23C-4-4	480	L480 Shen Farms
23C-4-4	417	L417 Shen Farms	23C-4-4	481	L481 Shen Farms
23C-4-4	418	L418 Shen Farms	23C-4-4	482	L482 Shen Farms
23C-4-4	419	L419 Shen Farms	23C-4-4	483	L483 Shen Farms
23C-4-4	420	L420 Shen Farms	23C-4-4	484	L484 Shen Farms
23C-4-4	421	L421 Shen Farms	23C-4-4	485	L485 Shen Farms

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Map Number	Lot Number	Legal Description	Map Number	Lot Number	Legal Description
23C-4-4	486	L486 Shen Farms	23C-4-4	550	L550 Shen Farms
23C-4-4	487	L487 Shen Farms	23C-4-4	551	L551 Shen Farms
23C-4-4	488	L488 Shen Farms	23C-4-4	552	L552 Shen Farms
23C-4-4	489	L489 Shen Farms	23C-4-4	553	L553 Shen Farms
23C-4-4	490	L490 Shen Farms	23C-4-4	554	L554 Shen Farms
23C-4-4	491	L491 Shen Farms	23C-4-4	555	L555 Shen Farms
23C-4-4	492	L492 Shen Farms	23C-4-4	556	L556 Shen Farms
23C-4-4	493	L493 Shen Farms	23C-4-4	557	L557 Shen Farms
23C-4-4	494	L494 Shen Farms	23C-4-4	558	L558 Shen Farms
23C-4-4	495	L495 Shen Farms	23C-4-4	559	L559 Shen Farms
23C-4-4	496	L496 Shen Farms	23C-4-4	560	L560 Shen Farms
23C-4-4	497	L497 Shen Farms	23C-4-4	561	L561 Shen Farms
23C-4-4	498	L498 Shen Farms	23C-4-4	562	L562 Shen Farms
23C-4-4	499	L499 Shen Farms	23C-4-4	563	L563 Shen Farms
23C-4-4	500	L500 Shen Farms	23C-4-4	564	L564 Shen Farms
23C-4-4	501	L501 Shen Farms	23C-4-4	565	L565 Shen Farms
23C-4-4	502	L502 Shen Farms	23C-4-4	566	L566 Shen Farms
23C-4-4	503	L503 Shen Farms	23C-4-4	567	L567 Shen Farms
23C-4-4	504	L504 Shen Farms	23C-4-4	568	L568 Shen Farms
23C-4-4	505	L505 Shen Farms	23C-4-4	569	L569 Shen Farms
23C-4-4	506	L506 Shen Farms	23C-4-4	570	L570 Shen Farms
23C-4-4	507	L507 Shen Farms	23C-4-4	571	L571 Shen Farms
23C-4-4	508	L508 Shen Farms	23C-4-4	572	L572 Shen Farms
23C-4-4	509	L509 Shen Farms	23C-4-4	573	L573 Shen Farms
23C-4-4	510	L510 Shen Farms	23C-4-4	574	L574 Shen Farms
23C-4-4	511	L511 Shen Farms	23C-4-4	575	L575 Shen Farms
23C-4-4	512	L512 Shen Farms			
23C-4-4	513	L513 Shen Farms			
23C-4-4	514	L514 Shen Farms	23C-5-2	307	L307 Shen Farms Mt View
23C-4-4	515	L515 Shen Farms	23C-5-2	308	L308 Shen Farms Mt View
23C-4-4	516	L516 Shen Farms	23C-5-2	393A	L393A Shen Farms Mt View
23C-4-4	517	L517 Shen Farms	23C-62A	A 62.6544	Par A Shen Farms Mt View
23C-4-4	518	L518 Shen Farms	23C-62B	B 1.44028	Par B Shen Farms Mt View
23C-4-4	519	L519 Shen Farms			
23C-4-4	520	L520 Shen Farms			
23C-4-4	521	L521 Shen Farms			
23C-4-4	547	L547 Shen Farms			
23C-4-4	548	L548 Shen Farms			
23C-4-4	549	L549 Shen Farms			

(3)

WARREN COUNTY, VIRGINIA
LAND RECORDS

000149 DEC 13 20

Map Number	Lot Number	Legal Description	
23C-72B	A ✓	Par A Shen Farms Mt View 2B	90.9112 acres
23C-72B	B ✓	Par B Shen Farms Mt View 2B	1.0093 acres
23C-72B	C ✓	Par C Shen Farms Mt View 2B	9.72391 acres
23C-72B	D ✓	Par D Shen Farms Mt View 2B	9.4823 acres
23D-1	1	L1 Marvin L McDonald Sub	
23D-1	2	L2 Marvin L McDonald Sub	
23D-1	3	L3 Marvin L McDonald Sub	
23D-1	4	L4 Marvin L McDonald Sub	
23D-1	5	L5 Marvin L McDonald Sub	42.68 acres
23D-1	6	L6 Marvin L McDonald Sub	
23D-1	7	L7 Marvin L McDonald Sub	
23D-1	8	L8 Marvin L McDonald Sub	

LESS AND EXCEPT THE FOLLOWING LOTS:
Lots not Included in Conservation Easement

Lots Excluded

LOT #'S

23C-2-2-59 thru 67
23C-2-2-219
23C-3-3-304 & 305
23C-5-2-393A
23C-62A-B
23C-72B-B

A Portion of:

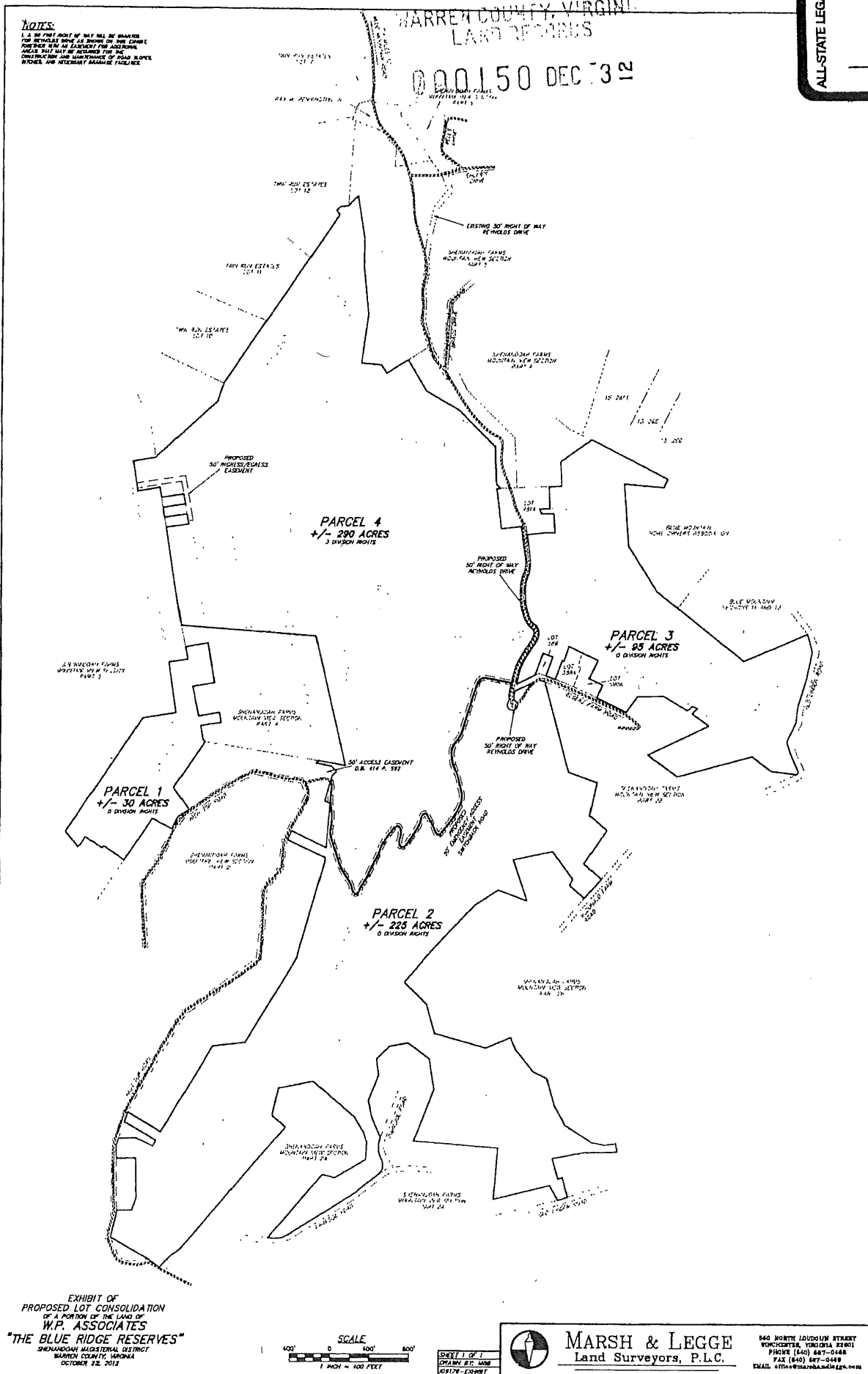
23C-5-2-308
23C-6-2A-A

NOTES:

1. A 30 FOOT RIGHT OF WAY WILL BE GRANTED FOR RETHICHT SURVEY AS SHOWN ON THIS DRAWING TOGETHER WITH AN EASEMENT FOR ADDITIONAL AREAS THAT MAY BE REQUIRED FOR THE CONSTRUCTION AND MAINTENANCE OF ROAD BLOCKS, DITCHES, AND NECESSARY GRASSLAND FACILITIES.

000150 DEC 3 12

ALL-STATE LEGAL



WARREN COUNTY, VIRGINIA
LAND RECORDS

000151 DEC 13²

INSTRUMENT #120007104
RECORDED IN THE CLERK'S OFFICE OF
WARREN COUNTY ON
DECEMBER 3, 2012 AT 02:44PM

JENNIFER R. SIMS, CLERK
RECORDED BY: SFK

A handwritten signature in black ink, appearing to be 'SFK', located below the printed name 'RECORDED BY: SFK'.

NOTES:
1. A 30 FOOT WIDE STRIP OF LAND ON EITHER
SIDE OF THE ROAD IS RESERVED FOR THE
FUTURE USE OF THE STATE OF ARIZONA.
2. THE LAND IS TO BE USED FOR THE
PURPOSES OF THE BLUE RIDGE RESERVES
AND THE STATE OF ARIZONA.

WARREN COUNTY, VA
LINE 1000S
000150 DEC '32

OLSEN

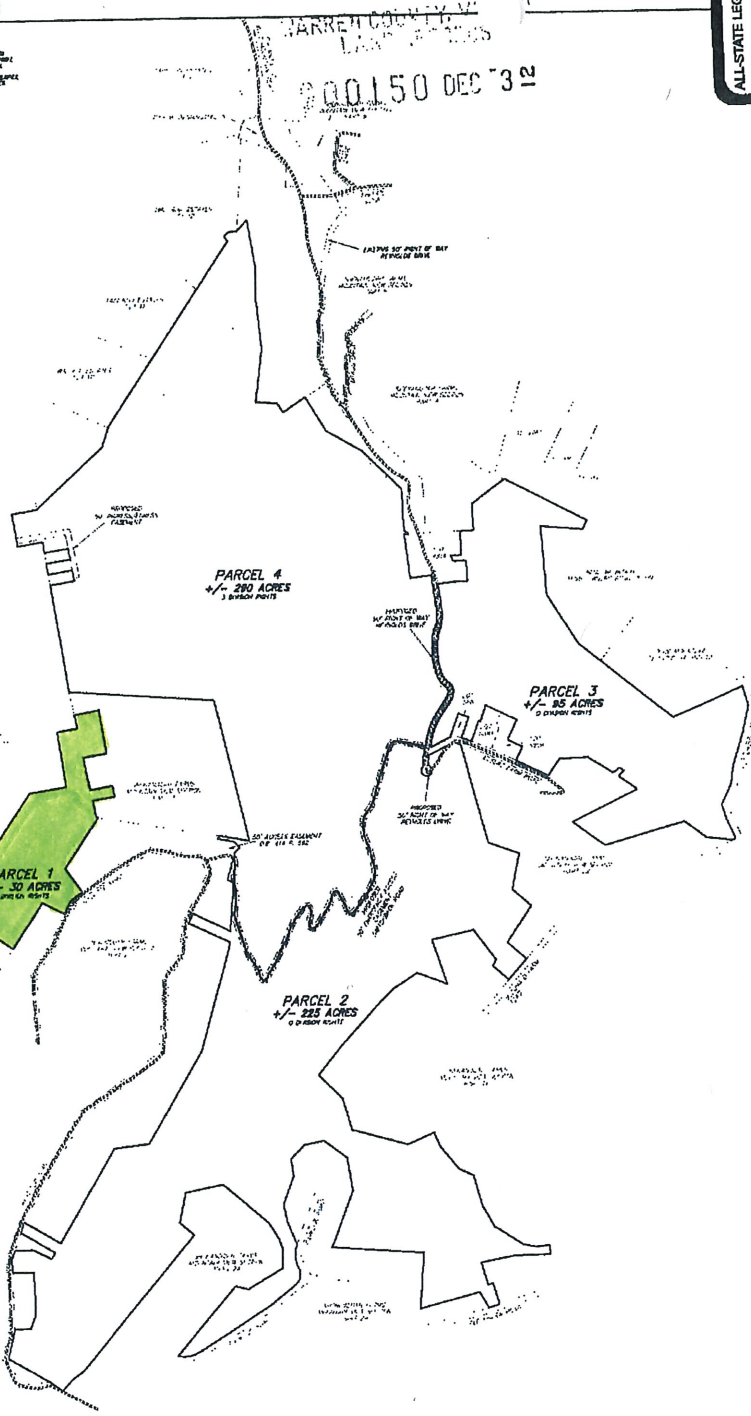


EXHIBIT OF
PROPOSED LOT CONSOLIDATION
OF A PORTION OF THE LAND OF
W.P. ASSOCIATES
"THE BLUE RIDGE RESERVES"
BENJAMIN HARRISON, DISTRICT
WARREN COUNTY, VIRGINIA
OCTOBER 22, 2012



DATE: 10/22/12
DRAWN BY: JLM
CHECKED BY: JLM

MARSH & LEGGE
Land Surveyors, P.L.C.

660 NORTH LAURELVIEW AVENUE
CHANDLER, ARIZONA 85226
PHONE (480) 847-8488
FAX (480) 847-8488
EMAIL: info@marshandlegge.com



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:
05/04/2021	H-11	Conditional Use Permit #2021-03-01 Kevin & Shauneen Melton <i>Short-Term Tourist Rental</i>
EXPLANATION & SUMMARY: See attached application and staff report. General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards: 1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan. 2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations. 3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. 4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area. 5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. 6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that: a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties. b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion. c) Provide for adequate parking and ingress and egress to public streets or roads. d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property. e) Prevent such use from changing the character and established pattern of development of the community.		

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed Conditional Use Permit request for a Short-Term Tourist Rental for advertisement of a public hearing.

SUBMITTED BY:

Joseph Petty 
Planning Director

DISPOSITION OF COMMISSION:

☐

APPROVED

☐

OTHER (Describe)

**PROCESSED
BY:**



Conditional Use Permit: 2021-03-01 / Short-Term Tourist Rental

Kevin & Shauneen Melton, Current Owners/Applicants

Revised: April 23, 2021

Staff Contact: Joseph Petty, Zoning Administrator

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a Short-Term Tourist Rental. The rental will be available for short-term visitations for individuals who will be visiting the Warren County area. The owners currently live in Washington DC and will have the home professionally cleaned and maintained in between reservations. They have years of experience owning /operating short-term rentals.

PROPERTY INFORMATION

Property Location: 186 Reid Drive

Tax Map ID: 15E--5-5-653A

Magisterial District: Shenandoah

Subdivision: Shenandoah Farms – Mountain Lake Section

City: Front Royal

Zoning: Residential One (R-1)

Acres: 3.614 Acres

Existing Land Use: Single-Family Dwelling

SURROUNDING ZONING DISTRICTS & USES

North: Residential One (R-1)

South: Zoned Agricultural (A)

East: Residential One (R-1)

West: Residential One (R-1)

Use: Vacant Lot, Forest

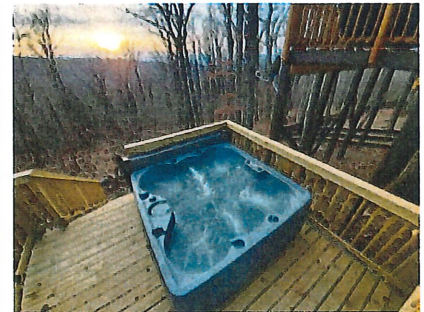
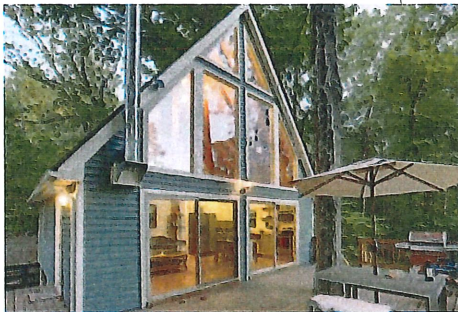
Use: Vacant Lot, Forest

Use: Single-Family Dwelling, Forest

Use: Single-Family Dwelling, Forest

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential One zoning district. The house was constructed in 1981, and does not have a record of any previous zoning violations.



COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for agriculture/residential land uses. A Short-Term Tourist Rental is a use allowed by conditional use permit in the Residential One zoning district, and is compatible with the current Warren County Zoning Ordinance.

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

ATTACHMENTS

☐ Agency Comments
☐ Location Map

☐ Application
☐ Public Comments

☐ Health Permit
☐ Submitted Plans

☐ Letter from Applicant
☐ Other: _____

SUPPLEMENTARY REGULATIONS

Warren County Zoning Ordinance: § 180-56.4: Short-term tourist rentals.

- A. The owner of a dwelling unit to be used for a short-term tourist rental shall apply and receive a zoning permit and/or a conditional use permit from the Planning Department prior to utilizing the dwelling unit as a short-term rental. The permit shall be reviewed by planning staff on an annual basis to ensure compliance with the performance standards listed in this section, along with all conditions placed on the conditional use permit, if applicable. Warren County may revoke a permit for repeated noncompliance with these performance standards.
- B. The maximum number of occupants in the dwelling unit shall be determined according to permit approval received by the Warren County Health Department; however the maximum number of occupants shall not exceed 10. Please see the attached response from the Health Department. There is documentation provided that list the property as three (3) bedrooms with a four (4) person maximum.
- C. Parking for the use shall be located in driveways or other designated and approved parking areas. The parking of vehicles is prohibited in or along all right-of-ways and in yards. There is sufficient parking for at least two (2) vehicles in the driveway.
- D. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times. The property is situated on an interior lot, with two sides bordering adjacent properties containing a single-family dwelling. Most of the area is forest land, the area to the south is a large vacant parcel that is heavily forested.
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. The applicant shall obtain building permits to ensure the dwelling meets the current code requirements for fire protection systems.
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24 hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. The PMP is attached.
- I. If the property is located within a subdivision governed by a Home Owners Association/Property Owners Association, the Planning Department must receive a recommendation of approval or disapproval from the HOA/POA to operate the short-term tourist rental. This property is not located within an HOA/POA.
- J. The short-term tourist rental shall have a "land-line" with local phone service. The phone number servicing the short-term tourist rental shall be included in the property management plan.

- K. The owners of the tourist rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. **The property shall have the evacuation plan posted in each bedroom and in the guest registration packet.**
- L. A copy of Chapter 123 of the Warren County Code relative to noise must be provided at the short-term tourist dwelling. **The applicant shall have a copy of the ordinance in their guest registration packet and posted in a common area of the dwelling.**
- M. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation as described in §180-63 of the Warren County Zoning Ordinance.
- N. All outdoor burning shall be in compliance with Chapter 92 of the Warren County Code.
- O. There shall be a minimum of 100' from the short-term tourist rental to all neighboring residences. **This short-term tourist dwelling does meet the setback requirement to adjacent single family dwellings. The closest dwelling is 255' to the west.**

RECOMMENDED CONDITIONS

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. *Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.*

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed four (4) as determined according to the Health Department permit.
3. The applicants shall provide documentation to County Staff for the maintenance of the sewage treatment system as recommended by the Warren County Health Department.
4. The applicants shall have the well water tested annually for e- coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments by the end of the calendar year.

Cc: Kevin & Shauneen Melton – Owner/ Applicant

WCCUP-000088-2021

**WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION**

Application Number: CUP 2021-03-01

Date Received: 2/16/21

Fee Amount: \$ 500.00

Date Paid: \$500.00 CK # 108

Applicant Information:

Kevin Melton, Shauneen Melton
Applicant Name

915 3rd St NE Washington DC 20002
Address City State Zip

186 Reid Dr Front Royal VA 22630
Property Location for conditional use permit if Different than Applicant's Address

703-994-6886 Kevin.Melton@gmail.com
Primary Contact Number Email

Property Owner (if same as applicant, leave blank)

Address City State Zip

Primary Contact Number

Respectfully request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a Conditional Use Permit for the property described below.

A. Property Information:

- (1) Address/Location: 186 Reid Dr
- (2) Election District: Shenandoah
- (3) Tax Map Number: 15E-5-5-683A
- (4) Subdivision Name: Shenandoah Farms
- (5) Total Area of Property (acres): 3.61
- (6) Total Area to be Used (acres): 3.61
- (7) Total Road Frontage (feet): 440ft
- (8) Depth of Property (feet): 450ft
- (9) Present Zoning: R-1

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Short term^{Tourist} rental
- (2) Current land use and condition of site: _____
- (3) Zoning of surrounding land/property: _____
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: N/A
- (6) Season, days, and hours of operation: All year
- (7) Will there be a sign? ☐ Yes ☒ No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) N/A
- (9) Number of full time employees: N/A
- (10) What type of sewage disposal system will be used? ☒ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: < 6
- (12) Number of parking spaces to be provided: Regular 2 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? existing brush and landscaping

C. Plans Prepared By

Name: _____

Address: _____

Telephone Number: _____

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?) _____

N/A

- (2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) _____

N/A

- (3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) _____

N/A

- (4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. _____

N/A

- (5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) _____

N/A

- (6) What will be the impact on traffic? Vehicle access to/from the property

- (7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. _____

N/A

The following documents and/or information are required
to be submitted with the application:

- ☒ **An application fee of \$500.00.**
Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.

- ☒ **A Statement of Justification**
This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 1/2 x 11 size paper.

- ☒ **A Site Plan/Survey.**
Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.

- ☒ **Sewage Disposal and Well Site.**
Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.

- ☒ **A copy of the deed to the property verifying the current ownership.**
A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.

- COUNTY
ON FILE ☒ **A statement verifying that real estate taxes have been paid.**
This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.

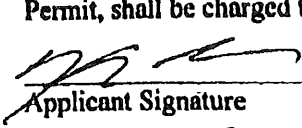
- N/A ☒ **Environmental and Community Impact Statements**
The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.

- N/A ☒ **List of chemicals stored on the site**
A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.

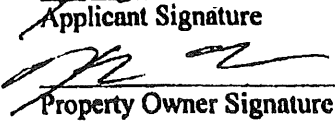
- COUNTY
ON FILE ☒ **Location Map**
A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.

- ☐ **Directions to your property from the Warren County Government Center.**

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.


Applicant Signature

2/8/21
Date


Property Owner Signature

2/9/21
Date

Accepted by: N. Long

Date: 2/16/21

PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

February 9th, 2021

**County of Warren
Department of Planning
220 N Commerce Avenue, Suite 200
Front Royal, VA 22630**

Re: Application for Conditional Use Permit

To Whom It May Concern:

This letter contains information to assist you in determining the suitability of the property located at 186 Reid Drive, Front Royal, VA 22630 as a short-term tourist rental.

Our family purchased the home in July 2020 after Kevin's mother passed away in March 2020. Annie, Kevin's mother, and the Melton family have always been fond of the Shenandoah area and spent several vacations during Kevin's childhood at a family friend's home in High Knob. Having just welcomed a newborn son to our family in Fall 2020, we are excited to continue making family memories in Shenandoah. In order to make this dream feasible, we plan to share our home with others when we cannot be enjoying it ourselves.

The mountain property includes a 3-bedroom, one-bathroom, two-level dwelling on 3.6 acres of forest. There are no properties within 100 feet of the home, thus minimizing any impact on other residents. With no more than 1008 sq/ft of living space, the purpose of the cabin is for couples and families to enjoy a relaxing and quiet retreat. Therefore, we will limit guest occupancy to no more than 6 adults (2 per bedroom) and will keep quiet hours between 10pm and 7am. This is a policy we intend to strictly enforce.

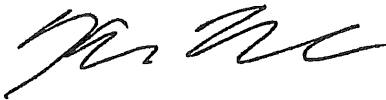
We are experienced in short-term rentals and have previously managed properties in Alexandria and Washington, DC. This house will be maintained by an experienced property management company, Stay BnB, and has an emergency point of contact, James Cunningham (540-216-8919), who lives in Shenandoah Farms approximately 3 minutes away. Further, there is a local cleaning service, Milly Cleaning Service (571-471-1834), who will keep the property in pristine and COVID-19 ready condition between each short-term rental.

In preparing 186 Reid Drive for short-term tourist rental activity, we the owners, Kevin and Shauneen Melton, have completed the following:

- **Installed wireless smoke detectors in each of the 3 bedrooms and one in the kitchen. We installed a carbon monoxide detector near the wood stove;**
- **Provided written instructions and rules for the wood stove;**
- **Listed emergency phone numbers and hospital directions in the documents provided to guests;**
- **Supplied a fresh fire extinguisher which is in the kitchen under the sink;**

- Supplied a large fire extinguisher for outdoor use located in the kitchen and easily accessible for the barbeque and outdoor fire pit;
- Rebuilt and reinforced the outdoor stone fire pit walls as well as installed safe distance seating in cleared area surrounding the pit;
- Provided written rules in accordance with Chapter §123 of the Warren County Code and
- Installed visible hot tub rules;
- Provided a heavy-duty plastic garbage can and recycle can for use by guests; the cleaning service will remove all garbage to the garbage/ recycle center in Warren County regularly;
- Renovated the interior including new floors, new window screens, replaced loose bannisters, and tiled the areas surrounding the wood stove;
- Reinforced and expanded the deck;
- Enclosed and insulated the crawl space to protect the house and for safety of the guests;
- Updated the air conditioning system including heaters and fans for each room;
- Updated the kitchen including new countertops and additional kitchen lighting;
- Landscaped the property including removing thick brush surrounding the property, and cleared potentially damaging limbs and trees;
- Installed motion sensor lighting and a camera at the entrance;
- Installed outdoor solar path lights, stair lights, and deck lights;
- Added a hose located in front of the house with a 100ft hose.

Thank you for your consideration.




 Kevin and Shauneen Melton
 186 Reid Drive
 Front Royal, VA 22630

PROPERTY MANAGEMENT PLAN

Kevin & Shauneen Melton (Operated by Stay BnB)

186 Reid Drive, Front Royal, VA 22630

202-670-6877

StayBnB: 202-845-5454

Emergency Contact: James Cunningham, 540-216-8919

bookings@staybnb.com

OCCUPANCY

The Conditional Use Permit and Health Department records limit the occupancy for this short-term rental at 6 People and 3 Bedrooms.

CHECK-IN & CHECK-OUT

In the winter time, we highly recommend using the wood stove to keep the cabin nice and toasty. We also have a gas grill and one propane tank. If you are planning to use the wood stove, fire pit or gas grill, we recommend picking up firewood or extra propane from the Lowes in Front Royal since we are not able to maintain a supply of these items.

There is a paved road all the way to our home, but during winter months we strongly recommend a four-wheel drive vehicle since there are a few hills in the neighborhood. You will find parking for two cars in the gravel driveway.

The keypad code to enter our home is ***** + the Kwikset button. When exiting, press the Kwikset button to lock the door.

On occasion, the deadbolt can be a little sticky. Should you find the door not unlocking, pull handle towards you as you enter the code. After you hear the deadbolt move, you can turn the handle clockwise and open the door.

The sliding glass doors are secured by a twist lock and wooden security bar. Please secure the sliding doors before exiting the property.

We hope that you enjoy our shoe-free home and appreciate that you leave your shoes at the entryway.

WIFI/PHONE/ENTERTAINMENT

For your enjoyment, our smart TV features on-demand content and live TV streaming. Please navigate to the Sling App on the smart TV for viewing.

Network: *****

PW: *****

There is a landline phone for *emergency purposes only* located in the main living area.

SPECIFIC PROPERTY REGULATIONS

In accordance with County and Community regulations, the following will be strictly enforced:

- No shooting of firearms
- No fireworks
- No ATVs

NOISE

Quiet hours are from 10pm to 7am. All noise must be in compliance with Chapter §123 of the Warren County Code.

PARKING

Parking is limited to 2 cars in the driveway. Under no circumstances should cars park along the roadway.

HEATING AND COOLING

The AC/heating unit for the cabin is located in the loft and controlled by the thermostat to the left of the bed. This powerful system should be used to adjust the temperature of the entire cabin. Kindly set to 68 degrees when not in use. For supplementary heat in the two bedrooms on the first floor, you will find energy efficient plug-in electric heaters. Please do not use the portable heaters outside of the bedrooms and refrain from using the old baseboard heaters in the bedrooms/bathroom for safety and energy efficiency.

GRILL RULES AND OPERATION

Users must be 18+ years old. Keep children and pets at least three feet away from the grill area. Never leave your grill unattended. Make sure the lid is open before pressing the igniter. When you are finished grilling, turn off all burners and close the propane tank. Guests are responsible for cleaning the grill after each use. Let the unit completely cool and turn off before covering. Do not move the grill.

WOOD STOVE RULES AND OPERATION

Users must be 18+ years old. Keep children and pets away from the fire. Do not leave the fire burning when you go to sleep. Put it out completely and close the glass door. Keep the fire extinguisher easily accessible.

Never use gasoline, kerosene or other flammable liquids to jump start your fire. Never soak a rolled newspaper in flammable liquids to start a fire. This is extremely dangerous and can cause

a strong flare up or explosion. Do not build a roaring fire that exceeds the capacity of the fireplace.

Do not burn trash in the fireplace. Use only seasoned (dry) hardwoods for firewood and never use more than one "starter log". Soft, wet wood and "starter logs" add layers of creosote to the chimney. Store firewood in the log rack next to the fireplace. Guests are responsible for putting ashes in the metal ash container and ensuring they are cool before disposing of them in the trash.

Make sure the flue rod (the metal rod above the glass door) is PUSHED IN COMPLETELY (open position) before you light a fire. Otherwise, smoke will fill the house and create a dangerous situation. When lighting the fire, keep the glass door cracked open for oxygen to reach the fire, careful to not allow smoke in the house. Once the fire is going – usually 5-10 minutes – close the glass door tightly. Use the flue rod above the glass door (CAREFUL – use gloves or a hot pad, it will be hot!) to regulate the temperature of the stove – pushing in completely will make the stove hotter and burn faster, pulled out completely will slow the burning and level the temperature.

FIRE PIT RULES AND OPERATION

Users must be 18+ years old and monitor the fire at all times, until it is entirely extinguished. Only burn clean, dry, natural materials. Prohibited burning materials include garbage, oils; rubber, plastic, and other forms of waste. Guests must bring their own wood and may only use loose branches, not pre-cut wood or live trees. Keep the fire extinguisher easily accessible.

HOT TUB RULES AND OPERATION

For safety and hygiene, the hot tub is chemically-treated on a regular basis. It is critical that users wash with soap and water before entering. Replace and lock the hot tub cover after each use. Please review the following rules:

- No glass in the hot tub or near the hot tub deck.
- Do not use alcohol, narcotics, or medication.
- Enter and exit slowly.
- No jumping or diving.
- Elderly, pregnant women and persons with heart disease, diabetes, high/low blood pressure, or serious illness should consult doctor before use.
- Children must be supervised by an adult.
- Do not enter if temp is above 104 degrees Fahrenheit.
- Limit soak to 15min and cool off before re-entry.
- Do not sit or lie down on hot tub cover.
- Turn off jets after use.
- Do not use soaps or oils in the hot tub.

You'll find the special key for the hot tub cover in a lock box attached to the drawer in the kitchen: code 8080. Kindly set the temp back to 90 degrees, return the hot tub cover, lock, and replace the key in the lock box when not in use.

DECK GUIDELINES

Please stack chairs when not in use. Close and secure umbrella when not in use. Place table benches under the table when not in use.

TRASH & RECYCLE

Food and trash should not be left outside as this will attract wildlife including bears. Guests are responsible for disposing of trash at the following location:

Warren County Waste Disposal Center Shenandoah Farms
47 Blue Mountain Road (Howellsville Road)
Front Royal, VA 22630

RIVER ACCESS

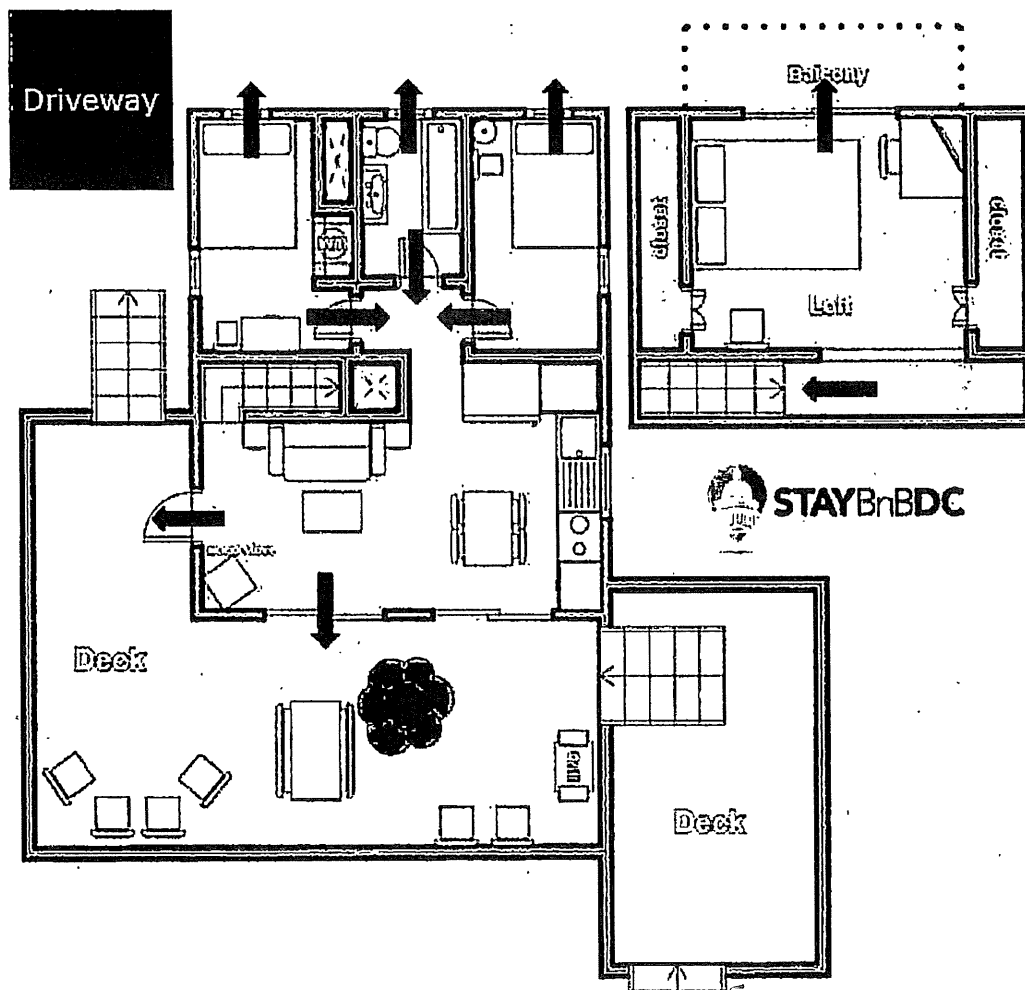
Parking and access to the river marked by 'Shenandoah Farms' and to recreation areas are reserved for residents ONLY. Guests can walk to the recreation areas, but cannot park there.

ATTACHMENTS

- Dwelling Evacuation Plan and Emergency Contacts

Property Map and Dwelling Evacuation Plan

186 Reid Drive, Front Royal, VA 22630



- Please note at least two forms of egress per room
- Designated gathering point is the driveway

Emergency Evacuation: Turn LEFT out of driveway onto Reid Drive. Turn LEFT on Briar Lane. Continue onto Drummer Hill Road. Turn RIGHT onto Venus Branch Road. Merge onto Old Oak Lane. Turn LEFT onto Manor Road. Turn RIGHT onto State Route 638 which will bring you to US-17.

EMERGENCY CONTACT INFORMATION

If there is an emergency, or there are questions regarding the property, please contact (Kevin Melton) at (202)670-6877 or Stay BnB at (202) 845-5454. If the emergency requires immediate assistance please call the following or 911.

Warren County Sheriff's Department: 540-636-7100 or 911, 200 Skyline Vista Drive, Front Royal, VA 22630

Warren County Fire & Rescue: 540-636-3830 or 911, 200 Skyline Vista Drive, Front Royal, VA 22630

Front Royal Volunteer Fire and Rescue Department Inc.:
540-635-2540, 221 N Commerce Ave, Front Royal, VA 22630

Warren Memorial Hospital: 540-636-0300 or 911, 1000 N. Shenandoah Ave, Front Royal, VA 22630

Electrical Outage: Rappahannock Electric Cooperative at (540) 622-2001

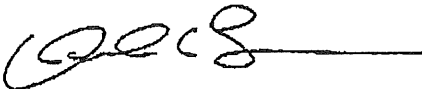
Natalie Lentz

From: David Beahm
Sent: Tuesday, February 23, 2021 11:21 AM
To: Natalie Lentz
Cc: Paula Fristoe; Taryn Logan
Subject: Request for Comments 2021-03-01 – Kevin and Shauneen Melton – Conditional Use Permit for Short-Term Tourist Rental - WCCUP-000088-2021
Attachments: 2021-03-01_WCCUP_ShortTermRentalpgs1-3.pdf

Comments 2021- 03-01 – Kevin and Shauneen Melton – Conditional Use Permit for Short-Term Tourist Rental:

- Warren County Building Inspections cannot provide any type of approval, at this time, for the issuance of this Conditional Use Permit. Please see the attached document for work that has been completed without any record being found of a building permit being issued. See page three attached of the document that has been highlighted with items that would have required building permits being issued, prior to work being completed. This must be addressed prior to any approval being provided. They may contact the office to arrange for the proper process in how to address.

Respectfully,



Warren County Building Inspections

David C. Beahm, CBO
Building Official

220 North Commerce /

Suit
Front Royal, VA

540/636

FAX 540/636

dbeahm@warrencountyva.net

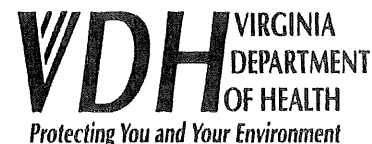
www.warrencountyva.net

THIS MESSAGE IS INTENDED SOLELY FOR THE INDIVIDUAL(S) NAMED IN THE HEADER. THIS MESSAGE MAY CONTAIN MATERIAL THAT IS PRIVILEGED OR CONFIDENTIAL. IF YOU ARE NOT ONE OF THE INTENDED RECIPIENTS, PLEASE DO NOT READ, COPY, USE, OR DISCLOSE THIS MESSAGE TO OTHERS; PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE; AND THEN PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU.



Lord Fairfax Health District

Warren County Health Department
465 West 15th Street, Suite 200
Front Royal, Virginia 22630
Tel. (540) 635-3159 ~ Fax (540) 635-9698
www.vdh.virginia.gov



April 12, 2021

RECEIVED

APR 14 2021

**WARREN COUNTY
PLANNING DEPARTMENT**

Ms. Taryn Logan, Planning Director
Warren County Planning and Zoning
220 North Commerce Avenue, Suite 400
Front Royal, Virginia 22630

RE: Request for comments; 2021-03-01

Dear Taryn:

I have reviewed the request for comments regarding the property at 186 Reid Dr, Front Royal, Virginia, in Warren County, (Property identified as tax map # 15E-5-5-653A), and I offer the following comments:

1. The permit for a sewage disposal system was issued on May 11, 1998 and the operation permit was issued on May 26, 1998. This system is designed to serve a three-bedroom home with the conditions of four occupants maximum and a 300 gallon per day design flow.
2. The property is served by a well. The well water should be tested for bacteria. If the sample result is positive, steps must be taken to correct the problem and the water should be re-tested.
3. All trash and garbage shall be placed in containers with tight-fitting lids.
4. There shall be no food service provided unless the Virginia Department of Health Food Regulations are met.
5. All Virginia Department of Health Hotel Regulations shall be met as necessary. The owners can contact our office for further information.
6. Do not connect any hot tub discharge to the sewage disposal system.



Lord Fairfax Health District

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465 West 15th Street, Suite 200
Front Royal, Virginia 22630
Tel. (540) 635-3159 ~ Fax (540) 635-9698
www.vdh.virginia.gov



Melton
April 12, 2021
Page 2

Please call me at (540) 635-3159 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "G. Smith".

Greg Smith
Environmental Health Specialist

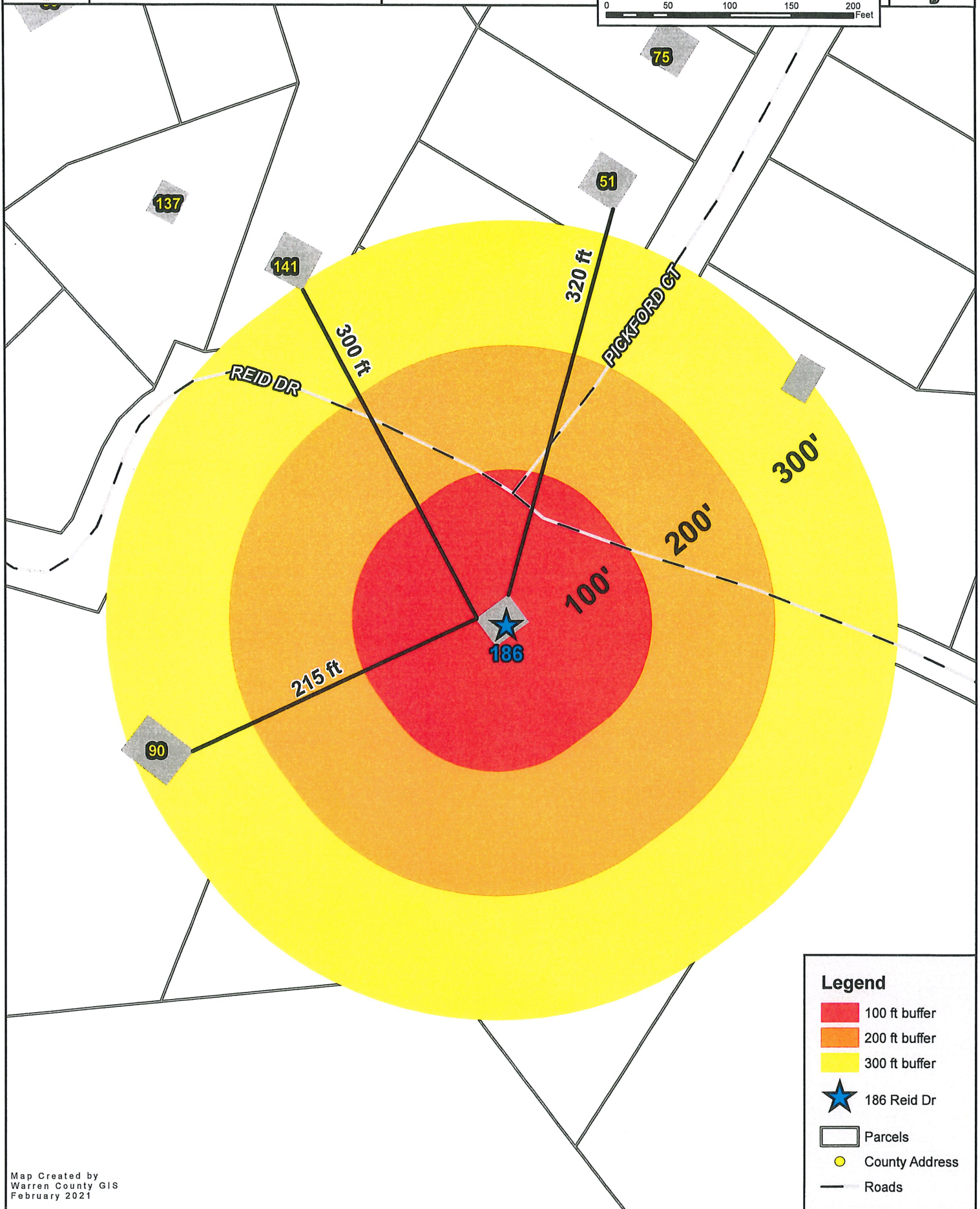
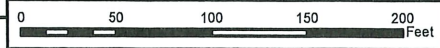


Warren County, VA 2021

186 Reid Dr: Distance to Surrounding Homes



1 inch = 100 feet



Legend

- 100 ft buffer
- 200 ft buffer
- 300 ft buffer
- 186 Reid Dr
- Parcels
- County Address
- Roads



Warren County VA

CUP Location Map

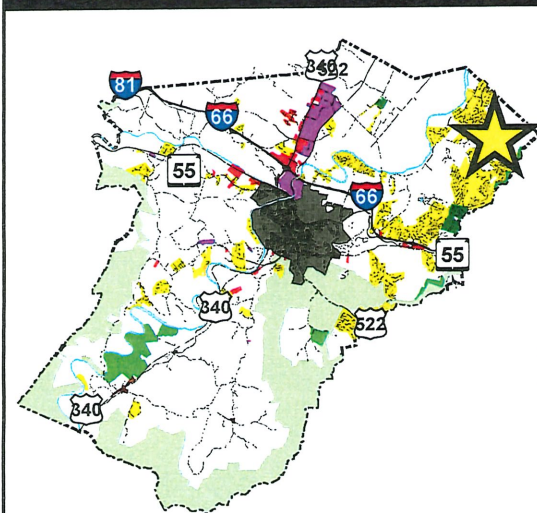
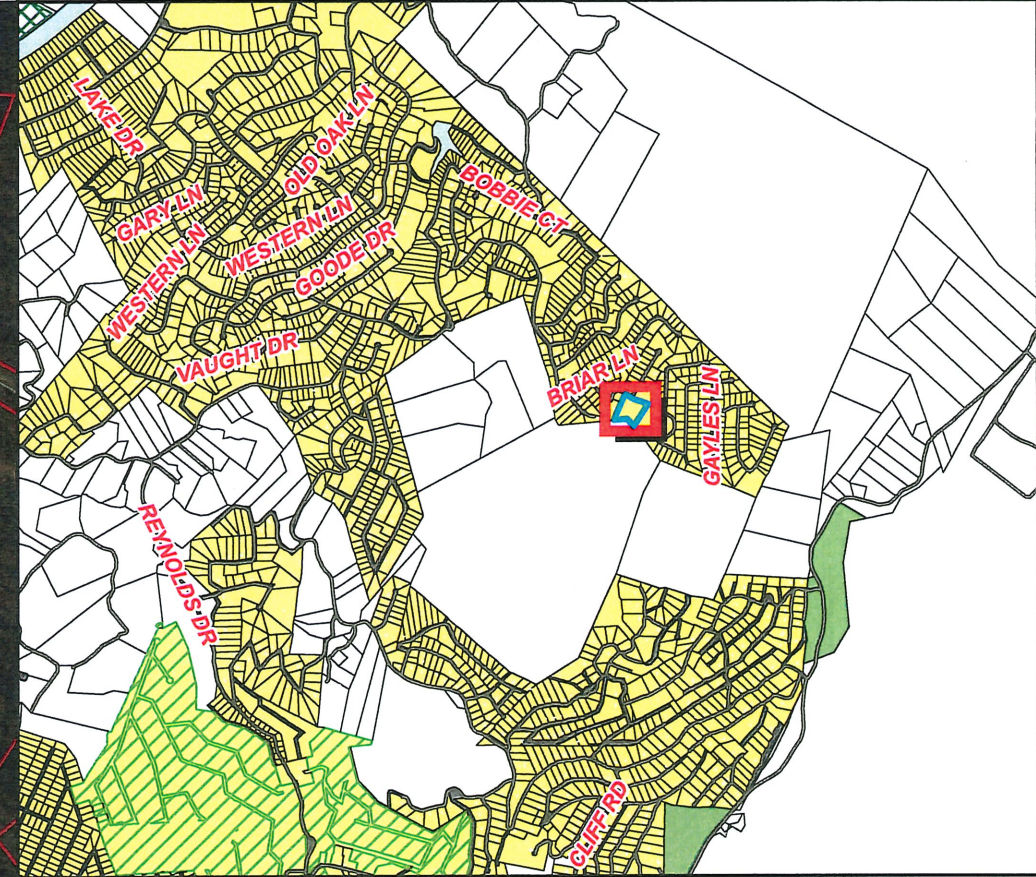


CUP: Short-Term Tourist Rental
Applicant: Kevin Melton

TM 15E--5-5-653A

186 Reid Dr

Shen. Farms Mountain Lake Sec.



Zoning

Agricultural	Rural Residential
Commercial	Right of Way
Industrial	Front Royal
Residential One	Federal Land
Residential Two	State Land
Suburban Residential	Water
Village Residential	VOF Conservation Easements
	WC Conservation Easements

Map produced by
Warren County GIS 2021
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
5/04/2021	H-12	Conditional Use Permit #2021-03-03 John and Anna Carpenter <i>Short-Term Tourist Rental</i>	1 of 2

EXPLANATION & SUMMARY:

See attached application and staff report.

General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards:

- (1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.
- (2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- (3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- (4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area.
- (5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.
- (6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that:
 - (a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.
 - (b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.
 - (c) Provide for adequate parking and ingress and egress to public streets or roads.
 - (d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property.
 - (e) Prevent such use from changing the character and established pattern of development of the community.

After proper advertisement and a public hearing by the Planning Commission, the application has been forwarded to the Board of Supervisors recommending approval with the following conditions:

1. The applicants shall comply with all Warren County Health Department regulations and requirements and the maximum number of occupants shall not exceed six (6) as determined according to the department's operational permit for a three (3) bedroom dwelling.
2. The applicants shall have the well water tested annually for e-coli and L-coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments by the end of the calendar year.
3. The shooting of firearms and hunting shall be prohibited.
4. The use of All-Terrain Vehicles (ATV), dirt bikes and similar recreational vehicles shall be prohibited on the private roads of the subdivision and on the property.
5. There shall be no discharging of fireworks.
6. There shall be no open outdoor fires, bonfires or fire pits used by guests.
7. A copy of Chapter §123 of the Warren County Code relative to noise must be provided at the Short-term Tourist Rental dwelling and included in the guest registration agreement.
8. The property boundaries, or limitations within the property's boundaries where guests are allowed, shall be clearly marked at all times.

Motion to Approve:

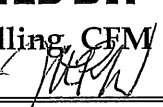
Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval with the conditions listed above. The motion was seconded by Mr. Longo and approved unanimously by the Planning Commission by a vote of 4-0. Ms. Beall was absent due to her resignation.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the conditional use permit request of John and Anna Carpenter for a Short-term Tourist Rental with the conditions as recommended by the Planning Commission and staff.

OR

I move that the Board of Supervisors deny the conditional use permit request of John and Anna Carpenter for a Short-term Tourist Rental (List reasons).

SUBMITTED BY: Matt Wendling, CFM/ Planner II 	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (Describe)	PROCESSED BY:
---	---	----------------------



Conditional Use Permit: 2021-03-03 Short Term Tourist Rental
John and Anna Carpenter, Current Owners/Applicants
Staff Report for the Planning Commission & BOS
Prepared: February 25, 2021 Revised April 8, 2021
Staff Contact: Matt Wendling, Planner II/County Floodplain Manager *MW*

SUMMARY OF REQUEST

The applicants are requesting a conditional use permit for a Short-term Tourist Rental for rental of their single-family dwelling. This property was purchased in March 2018 as a second home by the applicants who currently reside in Williamsburg, VA. They plan to rent the property to friends and tourists visiting the area in addition to their own personal use of the property. This would allow them to offset the costs of maintenance, mortgage and property taxes on this property and make improvements to the dwelling. The have hired a local resident who will assist in managing the property, rental and business details. The Sligo Estates Citizen's Association has been notified of this request and we have received comment back from them with a list of concerns and a request to deny this application, their letter is included in your packet.

PROPERTY INFORMATION

Property Location: 703 Kildare Dr.	Town/Village: Front Royal
Tax Map ID: #15L-1-1-13	Zoning: Agricultural (A)
Magisterial District: Shenandoah	Acres: 5.13
Subdivision: Sligo Estates	Existing Land Use: Single Family Dwelling
Special Flood Hazard Area: Non-Floodzone X	

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)	Use: Single Family Dwelling – Mostly Wooded
South: Agricultural (A)	Use: Vacant Lot - Wooded
East: Agricultural (A)	Use: Single Family Dwelling – Mostly Wooded
West: Residential One (R-1)	Use: Single Family Dwelling – Mostly Wooded

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Agricultural (A) zoning district and has no previous zoning violations. It is located on a private road in a subdivision which has a citizens association that is tasked to maintain the roads.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for agricultural land uses which allows for a Short-term Tourist Rental by conditional use permit with the current Warren County Zoning Ordinance Section §180-21. Short-term Tourist Rentals provide transient lodging taxes to the County and are typically used by tourists visiting the area. This use complies with Chapter 6: Economic Development chapter, Goal V and the promotion of tourism objectives of the comprehensive plan.

PROPOSAL:

A Short-Term Tourist Rental is defined by the Warren County Zoning Ordinance as, "A single-family dwelling not attached to any other dwelling by any means and located on an individual lot that is rented for compensation for periods of less than 30 days. See § 180-56.4 for supplementary regulations pertaining to short-term tourist rentals."

SUPPLEMENTARY REGULATIONS FOR SHORT-TERM TOURIST RENTAL (Section 180-56.4 of the Warren County Zoning Ordinance):

These regulations are as follows:

- A. The owner of a dwelling unit to be used for a short-term tourist rental shall apply and receive a zoning permit and/or a conditional use permit from the Planning Department prior to utilizing the dwelling unit as a short-term rental. The permit shall be reviewed by planning staff on an annual basis to ensure compliance with the performance standards listed in this section, along with all conditions placed on the conditional use permit, if applicable. Warren County may revoke a permit for repeated noncompliance with these performance standards.
- B. The maximum number of occupants in the dwelling unit shall be determined according to permit approval received by the Warren County Health Department; however the maximum number of occupants shall not exceed 10. **The Warren County Health Department approved a septic system construction permit to allow a three (3) bedroom, six (6) person occupancy, and at a 450 GPD limit. Staff will provide additional comments once information has been received from the Health Department.**
- C. Parking for the use shall be located in driveways or other designated and approved parking areas. The parking of vehicles is prohibited in or along all right-of-ways and in yards. **There is sufficient parking for three vehicles in the driveway and designated parking area in the front of the dwelling.**
- D. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times. **The property has a landscape buffer to the south, east and west located along the property lines and the property owner will be required to post property boundaries prior to being issued a zoning permit for their business.**
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. **A change of use to Commercial for the property dwelling and an inspection will be required to verify if it meets all Building Code requirements for fire/smoke protection and a fire extinguisher.**
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24 hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly

tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. **A draft of the Property Management Plan has been submitted, will be reviewed and approved by staff and all other requirements shall need to be met prior to a certificate of zoning for the business being issued. The applicants state they have hired a local contact to manage the property.**

- I. If the property is located within a subdivision governed by a Home Owners Association/Property Owners Association, the Planning Department must receive a recommendation of approval or disapproval from the HOA/POA to operate the short-term tourist rental. **This property is located within a subdivision. Sligo Estates is served by a citizens association that is charged to maintain the private roads and have submitted a letter to the Planning Commission and BOS which is included in your packets.**
- J. The short-term tourist rental shall have a "land-line" with local phone service. The phone number servicing the short-term tourist rental shall be included in the property management plan.
- K. The owners of the tourist rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. **The applicants shall have this posted in the bedrooms and in their guest registration packet.**
- L. A copy of Chapter §123 of the Warren County Code relative to noise must be provided at the short-term tourist dwelling. **The applicant shall have a copy of this in their guest registration packet and posted in a common area of the dwelling.**
- M. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation as described in Warren County Code Section §180-63.
- N. All outdoor burning shall be in compliance with Chapter §92 of the Warren County Code.
- O. There shall be a minimum of 100 feet from the short-term tourist rental to all neighboring residences. **This short-term tourist dwelling meets the setback requirements to the nearest adjacent single family dwelling which is 186' to the southeast.**

RECOMMENDED CONDITIONS:

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.

Staff recommends that, if the Planning Commission recommends approval of this application, the following conditions should be applied:

- 1. The applicants shall comply with all Warren County Health Department regulations and requirements and the maximum number of occupants shall not exceed six (6) as determined according to the department's operational permit for a three (3) bedroom dwelling.
- 2. The applicants shall have the well water tested annually for e-coli and L-coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments by the end of the calendar year.
- 3. **The shooting of firearms and hunting shall be prohibited.**

4. The use of All-Terrain Vehicles (ATV), dirt bikes and similar recreational vehicles shall be prohibited on the private roads of the subdivision and on the property.
5. There shall be no discharging of fireworks.
6. There shall be no open outdoor fires, bonfires or fire pits used by guests.
7. A copy of Chapter §123 of the Warren County Code relative to noise must be provided at the Short-term Tourist Rental dwelling and included in the guest registration agreement.
8. The property boundaries, or limitations within the property's boundaries where guests are allowed, shall be clearly marked at all times.

Cc: John and Anna Carpenter, Applicants



Date: February 16, 2021

To: Warren County Planning Commission

From: John and Anna Carpenter
121 Whistling Swan Court
Williamsburg, VA 23188
540-993-0065
John.carpenter91@gmail.com

Subj: Application for Conditional Use Permit for 703 Kildare Drive, Front Royal, VA

Attachments:

- a) Warren County Conditional Use Permit Application
- b) Property Management Plan
- c) Site Plan & Survey
- d) Emergency and Evacuation Plan
- e) 2020 Warren County Tax information
- f) Copy of Warren County Deed
- g) Record of email exchange with Sligo Estates Citizens Association

Background

John and Anna Carpenter (owners) own a home (affectionately referred to as "The Shed") at 703 Kildare Drive, Front Royal, VA. The three-bedroom, two bath home was built in 1983 in the Sligo Estates community. It sits on just over five acres, on a hillside above the Shenandoah river. The westward facing property boasts beautiful views of the Shenandoah valley, breathtaking sunsets, and a tranquil escape into nature.

The Shed is close to many of Warren County's attractions including the river, the Appalachian Trail and other hiking trails, shopping, restaurants, and wineries and breweries throughout the region. As such, this new short-term lodging options will attract tourists and generate activity for local businesses and revenue for the county.

The owners intend to make the property available for friends and tourists through services such as AirBnB. Prospective tenants will be carefully screened, evaluated and selected based on their online profile and rating, and will be informed of the property and county policies and procedures. In addition to supporting the local economy, our goal is to generate supplemental income to offset the costs of maintaining and improving the property.

The owners work and live in Williamsburg, VA, and will frequently use the property on weekends, holidays and vacations. Since the owners are not local, they have partnered with a local resident, Holly Landes (manager), who will help manage the short-term rental business.

WCUP - 000089-2021

WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION

Application Number: 2021-03-03

Date Received: 2/16/21

Fee Amount: \$ 500.00

Date Paid: 2/17/21

CK# 1480

Applicant Information:

John and Anna Carpenter

Applicant Name

121 Whistling Swan Ct. Williamsburg VA 23188

Address

City

State

Zip

703 Kildore Dr. Front Royal, VA 22630

Property Location for conditional use permit if Different than Applicant's Address

540-993-0065

Primary Contact Number

Email

john.carpenter91@gmail.com

Property Owner (if same as applicant, leave blank)

Address

City

State

Zip

Primary Contact Number

Respectfully request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a Conditional Use Permit for the property described below.

A. Property Information:

(1) Address/Location: 703 Kildore Dr. Front Royal, VA 22630

(2) Election District: Shenandoah-401

(3) Tax Map Number: 15 6 1 1 13

(4) Subdivision Name: S'ing Estates

(5) Total Area of Property (acres): 5.13

(6) Total Area to be Used (acres): 1

(7) Total Road Frontage (feet): 264

(8) Depth of Property (feet): 594

(9) Present Zoning: Agricultural

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Short Term Tourist Rental
- (2) Current land use and condition of site: Single-Family Residential
- (3) Zoning of surrounding land/property: Agricultural
- (4) Will development be staged? ☐ Yes ☐ No
- (5) Construction Time: _____
- (6) Season, days, and hours of operation: _____
- (7) Will there be a sign? ☐ Yes ☒ No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) No.
- (9) Number of full time employees: None
- (10) What type of sewage disposal system will be used? ☒ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: _____
- (12) Number of parking spaces to be provided: Regular 3 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? _____

C. Plans Prepared By

Name: _____

Address: _____

Telephone Number: _____

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?)
No.

(2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) No.

(3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) No.

(4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. N/A.

(5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) No.

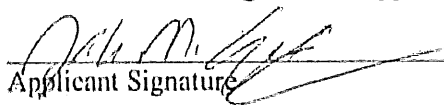
(6) What will be the impact on traffic? No.

(7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. No.

**The following documents and/or information are required
to be submitted with the application:**

- ☒ **An application fee of \$500.00.**
Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.
- ☒ **A Statement of Justification**
This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 1/2 x 11 size paper.
- ☒ **A Site Plan/Survey.**
Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.
- ☒ **Sewage Disposal and Well Site.**
Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.
- ☒ **A copy of the deed to the property verifying the current ownership.**
A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.
- ☒ **A statement verifying that real estate taxes have been paid.**
This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.
- N/A ☐ **Environmental and Community Impact Statements**
The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.
- N/A ☐ **List of chemicals stored on the site**
A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.
- ☒ **Location Map**
A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.
- ☐ **Directions to your property from the Warren County Government Center.**

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.


Applicant Signature

Feb 16, 2021
Date

Property Owner Signature

Date

Accepted by: _____

Date: _____

PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

“The Shed” on the Shenandoah

703 Kildare Drive, Front Royal, VA

Owners: John and Anna Carpenter

Property Manager: Holly Landes



Property Management Plan

1. Overview

- John and Anna Carpenter own a home ("The Shed") in Warren County.
- The Shed is in the Sligo Estates community, located at 703 Kildare Drive, Front Royal, VA.
- The owners seek to generate tourism revenue for Warren County and area businesses by providing a quaint and attractive location for short-term lodging.
- The owners have partnered with Holly Landes to manage the short-term rental business.

2. The Shed

- The three-bedroom, two-bath western facing property is set on a 5-acre plot. It is surrounded by trees and offers a private, quaint, peaceful setting.
- The large deck affords beautiful views of the Shenandoah Valley and breathtaking sunsets.
- The property is serviced by Rappahannock Electric Cooperative, propane is provided by Quarles Inc., internet is provided by Century Link, and water is provided by a well on-site.
- The landline at the residence is 540xxxxxx (TBD – will be installed prior to rental).

3. Marketing Plan

- The Shed will be advertised through personal communications and services such as Airbnb.
- The owners and manager will publicize local businesses and area attractions to guests.
- The owners and manager will seek to partner with local business to offer discounts or other incentives to encourage guests to visit attractions and businesses in the region.
- Rental rates will vary depending the season, demand and competition.

4. Operations

- The owners will personally select and approve of each guest, and will handle communications directly.
- The manager will meet and care for guests' needs, as appropriate, and will be available to respond to issues that may arise.
- The owners will employ a local cleaning service to clean and sanitize the home between guests.

5. Contact Information

- John Carpenter: 540-993-0065, john.carpenter91@gmail.com
- Anna Carpenter: 571-242-4598, annasjoy@gmail.com
- Holly Landes: 540-931-5654, hollylandesdesign@gmail.com

6. Emergency Evacuation Plan

- The Shed is equipped with fire extinguishers, smoke detectors, carbon monoxide detectors, and a basic first aid kit.
- The property lines will be clearly marked.
- See attached Emergency Information and Evacuation Plan that will be posted in the residence for guests' reference

Emergency Information & Evacuation Plan

For any medical, fire or police emergency, dial **911**

Warren County Fire and Rescue: Non-emergency number: 540-636-3830

Shenandoah Farms Volunteer Fire Department: 540-837-1290

Warren County Sheriff's Department: Non-emergency number: 540-635-4128

Local Hospital and Urgent Care Clinics:

- Warren Memorial Hospital (*18 min drive via Happy Creek Rd / 10 miles*)
1000 N. Shenandoah Ave, Front Royal, VA
540-636-0300
- Valley Health Urgent Care Express (*19 min drive via State route 603 / 10.3 miles*)
415A South St., Front Royal, VA
540-636-0495
- Valley Health Urgent Care (*22 min drive via State route 658 / 11.5 miles*)
65 Riverton Commons Plaza, Front Royal, VA
540-635-0700

Fire Extinguisher: A fire extinguisher is installed in the kitchen.

Smoke Alarm: An integrated smoke alarm system is installed in the home, with detectors throughout.

Carbon Monoxide Alarm: A carbon monoxide alarm is installed.

First Aid: A First Aid kit is located in kitchen.

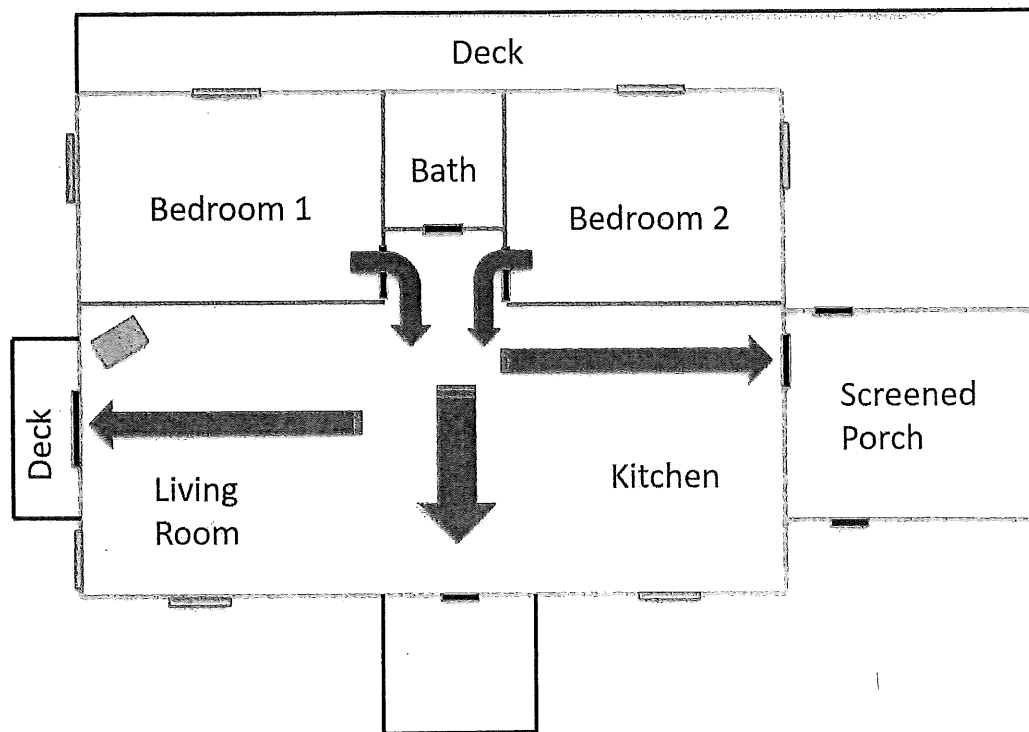
Poison Control: National Poison Control Hotline: 800-222-1222

Emergency Evacuation

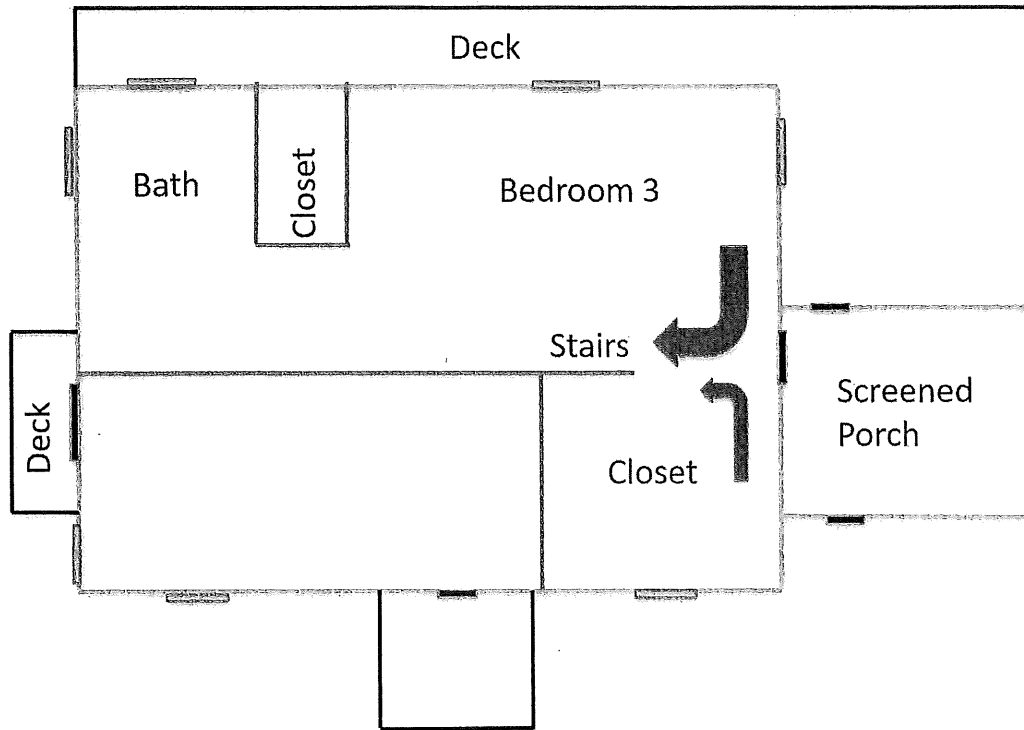
- If upstairs, evacuate down the stairs to the first level or climb down the emergency fire escape ladder located on the balcony
- Exit the home through front, deck-side, or porch-side doors.
- If outside, exit the property around either side of the deck
- To exit the property from the driveway, turn right on Kildare Dr, then left or right on State Road 638 (Blue Mountain Rd)

Inclement Weather:

- During heavy rain, pay attention to low-lying portions of Howellsville road that can flood
- An AWD or 4x4 vehicle may be needed on Kildare Drive during and after snowfall



Lower Level

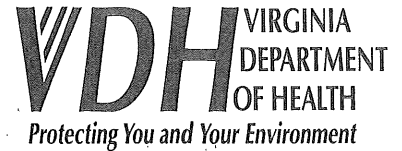


Upper Level



Lord Fairfax Health District

Warren County Health Department
465 West 15th Street, Suite 200
Front Royal, Virginia 22630
Tel. (540) 635-3159 ~ Fax (540) 635-9698
www.vdh.virginia.gov



April 20, 2021

Ms. Taryn Logan, Deputy County Administrator/Planning Director
Warren County Planning and Zoning
220 North Commerce Avenue, Suite 400
Front Royal, Virginia 22630

RECEIVED
APR 26 2021
WARREN COUNTY
PLANNING DEPARTMENT

RE: Request for comments; 2021-03-03

Dear Taryn:

I have reviewed the request for comments regarding the property at 703 Kildare Dr, Front Royal, Virginia, in Warren County, (Property identified as tax map # 15L-1-1-13), and I offer the following comments:

1. The permit for a sewage disposal system was issued on September 7, 1983 and an operation permit was issued on July 25, 2008. This system is designed to serve a two bedroom home with four occupants maximum and a 300 gallon per day design flow.
2. The property is served by a well. The well water should be tested for bacteria. If the sample result is positive, steps must be taken to correct the problem and the water should be re-tested.
3. All trash and garbage shall be placed in containers with tight-fitting lids.
4. There shall be no food service provided unless the Virginia Department of Health Food Regulations are met.
5. All Virginia Department of Health Hotel Regulations shall be met as necessary. The owners can contact our office for further information.
6. Do not connect any hot tub discharge to the sewage disposal system.



Lord Fairfax Health District

Warren County Health Department
465 West 15th Street, Suite 200
Front Royal, Virginia 22630
Tel. (540) 635-3159 ~ Fax (540) 635-9698
www.vdh.virginia.gov



Carpenter
April 20, 2021
Page 2

Please call me at (540) 635-3159 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "G. Smith".

Greg Smith
Environmental Health Specialist

Natalie Lentz

From: David Beahm
Sent: Tuesday, February 23, 2021 11:53 AM
To: Natalie Lentz
Cc: Taryn Logan; Paula Fristoe
Subject: Request for Comments 2021-03-03 – John and Anna Carpenter – Conditional Use Permit for Short-Term Tourist Rental - WCCUP-000089-2021
Attachments: 2021-03-03_WCCUP_ShortTermRental.pdf

Comments 2021-03-03 – John and Anna Carpenter – Conditional Use Permit for Short-Term Tourist Rental:

- Erosion and Sediment Control Items:
 - There does not appear to be any land disturbance at this time (appears to be existing) and therefore nothing would be required. If this is not the case a normal submission would be required.
- Building Inspections Items:
 - The use of the existing dwelling(s) for a “short-term rental” would require a building permit to establish it as a transient boarding facility which is the term used by the building code for this type of use. The dwelling would receive a new Certificate of Occupancy designating as a short-term rental.
 - Given the timeframe that the structure was originally built it more than likely will require an Electrical permit to meet the building code requirements for this change.
 - This change requires that smoke detectors are installed as required by the Virginia Residential Building Code.

If anything should change in the scope additional requirements may be required.

Respectfully,



Warren County Building Inspections

David C. Beahm, CBO
Building Official

220 North Commerce /

Sui
Front Royal, VA

540/636

FAX 540/636

www.warrencountyva.net

dbeahm@warrencountyva.net

THIS MESSAGE IS INTENDED SOLELY FOR THE INDIVIDUAL(S) NAMED IN THE HEADER. THIS MESSAGE MAY CONTAIN MATERIAL THAT IS PRIVILEGED OR CONFIDENTIAL. IF YOU ARE NOT ONE OF THE INTENDED RECIPIENTS, PLEASE DO NOT READ, COPY, USE, OR DISCLOSE THIS MESSAGE TO OTHERS; PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE; AND THEN PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU.

Sligo Estates
Citizen's Association, Inc

Kildare Dr. Front Royal, VA 22630

April 7, 2021

To whom it may concern,

I am writing on behalf of Sligo Estates Citizen's Association. It has been brought forth to our attention that John Carpenter, is applying for a conditional use permit for a short term rental for the address 703 Kildare Dr, Front Royal, VA 22630.

Our primary concerns for allowing a short term rental to be established is on the basis of the safety and security of the neighborhood. The Sligo Estates community is based in a wooded, mountainous location, where we face fire restrictions on a regular basis. Short term renters who may want to have a small fire (even if it's against the rules) may not be aware of a current local burn ban if they are from out of the area. This alone could prove catastrophic. The next concern would be the new influx of non-residential traffic coming into our neighborhood. The beauty of the mountain may be curiously inviting to a short term renter to take a stroll through the neighborhood and possibly into someone else's private property.

The main concern is, historically, there have been problems in the past with short term rentals in the community where parties were held. Issues that arose from those rentals were loud parties late into the night with fireworks, gun fire, bon fires, trespassing and property damage. While it may be unlikely for those events to happen, it is a higher risk without a resident present and it only takes one accident to cause potentially major problems.

Our mission of Sligo estates is to preserve the peace, value, and beauty of our neighborhood.

With careful consideration, Sligo Estates Citizens Association board has opted to oppose short term rentals at this time.

Thank you for your considerations.

With best regards,

James Sittner

Sligo Estates President

352 Kildare Dr

Front Royal, VA 22630

(540) 878 0502

000089 JUL-6-2018

Sligo Estates

Reservations and Protective Covenants

July 2018

In order to promote the orderly development of the subdivision known as Sligo Estates, to conserve property values, reduce nuisances and promote the general welfare of property owners in the said subdivision, reservations and covenants have been imposed on all lots therein by declarations recorded among the land records of Warren County, Virginia in deed book 259 at page 96. Said reservations and covenants shall be deemed to be included in each lot and each item shall run with the land and shall be binding upon the owners of all lots in the subdivision with the exception of lots A, B, and C section two, which are not included in membership.

"Corporation" means Sligo Estates Citizens Association, Inc. replacing Waterford Estates Inc.

Sligo Estates Citizens Association, Inc. is the association and is so referred to herein.

- 1) Said lots shall be used only for residential purposes. No activity shall be conducted on said lots or in any building thereon which may constitute or become an annoyance or nuisance or disturb the peace of the subdivision.
- 2) No lot shall be subdivided or its boundaries redrawn to less than five acres. Lots consolidated as shown in the Warren County Commissioner of Revenue's land records will be recognized as consolidated by the association.
- 3) No lot accessed by the private roads of Sligo Estates less than five acres in size shall have improvements of any kind constructed.
- 4) No building, or portion thereof, shall be constructed within thirty-five (35) feet of the front or side boundary lines. When two or more lots have been acquired as a single building site, the side boundary lines refer only to those bordering the adjoining property.
- 5) No owner shall obstruct, divert, or otherwise impair natural drainage unless equal to or better drainage is provided. Lakes or ponds shall not be constructed without written approval of the association. No more than one third of a lot may be cleared without the

approval of two thirds of the remaining lot owners. The other two thirds must remain wooded.

- 6) Horses may be kept on any lot in Sligo Estates, however objectionable animals are not permitted on any said lot in Sligo Estates.
- 7) Easements for utilities are reserved as follows: A strip of land 15 feet wide along each rear and side lines and 35 feet either side of the road easement centerline. Purchasers of lots Sligo Estates, agree that the association shall have full rights without joinder of said purchasers to grant easements to franchise utility companies for construction, servicing, and maintenance of utilities.
- 8) Owners of lots in Sligo Estates shall, within 100 feet of the road easement, maintain their estates in good appearance by removing falling trees, trash, garbage, rubbish, and other debris. In the event estate owners to not comply with the above provisions, then the association may enter such estates and cause them to be maintained in accordance with said provisions. Such entry shall not be deemed trespass. The full amount chargeable for such maintenance shall be due and payable thirty days after the estate owner has been billed therefore.
- 9) The association, and estate owners, or any of them, jointly, severally, shall have the right to proceed at law or in equity to compel compliance with the protective covenants and/or prevent such breach or violation of any of them. In the event a structure is built on any estate in violation of these covenants, then the association shall also have the right to enter upon the property where such violation exists and summarily abate or remove the same at the expense of the owner. Such entry shall not be deemed trespass.
- 10) No billboards, advertising boards, or sign boards of any character shall be permitted on any lot in the subdivision except that sign board not to exceed five feet square may be erected for the purpose of advertising the sale or rental of a property and such sign or sign boards as are required to direct the public to the property.
- 11) No trucks, trailers, buses, old cars, or unsightly vehicles of any type or description shall be left abandoned on said lots, nor may they be used as a dwelling.

000091 III-5⁰⁰

- 12) Easements for roads as shown on the plats of Sligo Estates are reserved for the use of estate owners with the right to use the roads. The association shall form a non-profit association to care for road easements, landscaping, and anything else, which, to its discretion, deems necessary or desirable in order to maintain the development in good repair and condition. All persons purchasing a lot in Sligo Estates do agree, upon signing their respective agreements to purchase an estate, to become members of the aforesaid functions. Membership fees shall be \$300 per lot, per year unless increased by a majority vote of property owners in the association as specified in section 15. Each owner being entitled to one vote, regardless of how thereto may be held. Membership fees for Lot 1, Section 1 shall pay \$25.00 per lot, per year. Owners of this lot are not permitted to use Kildare Drive for any purpose. Membership fees shall be payable upon purchase of an estate and on the first day of each September thereafter. The corporation may add any unpaid association fee to any unpaid purchase price of the estate. The failure of the association or any estate owner to insist upon strict performance in any one or more instances shall not be a waiver of their right to insist upon future compliance with said provisions.
- 13) The President of the Sligo Estates Citizens Association, Inc may request a special assessment from its property owners to cover costs associated with any catastrophic event or natural disaster which may impact the safety of the residents in the subdivision. A Special Assessment must be: voted on and approved by the majority of the of property owners in the association. A one-time fee shall be equally assessed per lot to all property owners. The assessment must be for a defined purpose and limited to the cost necessary to complete the work. In the event that it is not practicable due to exigent circumstances to hold an association meeting on such event, votes may be solicited telephonically or by email and used as an official record. Lot 1 Section 1 is exempt from special assessments.
- 14) In the event an estate owner refuses; neglects, or fails to satisfy and discharge any account arising hereunder within thirty days as aforesaid, the association shall be entitled to a late fee of 10% per quarter and shall be entitled to costs of collection, including a

000092 JUL -6 9

reasonable attorney's fee.

- 15) The reservations and covenants shall run with the land until January 1, 1995 and thereafter shall be automatically renewed for successive periods of 10 years each, unless an instrument signed by 2/3 of Sligo Estates owners, shall be recorded, agreeing to change such covenants in whole or part.
- 16) The association shall have the right to approve reasonable modifications or exceptions to these reservations and covenants herein, where such modifications or exceptions will not defeat the overall purpose of the said reservations and covenants.
- 17) Invalidity of any one or more of the reservations and covenants by a court of competent jurisdiction shall in no way affect any other of the reservations and covenants which shall remain in full force and effect.
- 18) "There shall be a one thousand dollar building fee for the construction of any new house being built."

NOW, THEREFORE, pursuant to the provisions of the above mentioned restrictive covenant, Sligo Estates Citizens Association, Inc. is the association above in the above mentioned document and does hereby amend the restrictive covenants as herein above set out.

WARREN COUNTY VIRGINIA

000093 JUL-6 2018

The recordation of this covenant is done with the free will and consent of Sligo Estates Citizens Association, Inc.

IN TESTIMONY WHEREOF, SLIGO ESTATES CITIZENS ASSOCIATION, INC. has caused these presents to be signed hereto by Jeff Sissler, its President and its corporate Seal affixed hereto and duly attested by Joette Harrison, its secretary, on the 6 day of July, 2018

SLIGO ESTATES CITIZENS ASSOCIATION, INC.

BY Jeff Sissler
PRESIDENT

ATTEST:

Joette Harrison
SECRETARY

INSTRUMENT 180003360
RECORDED IN THE CLERK'S OFFICE OF
WARREN COUNTY CIRCUIT ON
July 6, 2018 AT 12:37 PM
DARYL C. FUNK, CLERK
RECORDED BY: SEA
SET

IN TESTIMONY WHEREOF, SLIGO ESTATES CITIZENS ASSOCIATION, INC. has caused these presents to be signed hereto by Jeff Sissler, its President, this 6 day of July 2018.

SLIGO ESTATES CITIZENS ASSOCIATION, INC.

BY Jeff Sissler
PRESIDENT

STATE OF VIRGINIA

COUNTY OF WARREN, to-wit;

I, Amber Dawn Collier, a Notary Public in and for the State and County aforesaid, do hereby certify that Jeff Sissler, whose name is signed to the foregoing instrument as president of Sligo Estates Citizens Association, Inc, has acknowledged the same before me in my State and County aforesaid.

Given under my hand this 6th day of July 2018.
My commission expires 6/30/2020

Amber Dawn Collier



March 31, 2021

TO: Warren County Planning Dept. and the Warren
County Board of Supervisors.

This is in regard to your letter dated March 22,
2021 regarding the request by John and Anna Carpenter
for a Conditional Use Permit for a Short Term
Tourist Rental at 703 Kildare Dr.

This is to inform you that I, Ann Marie Mildoon,
716 Kildare Dr. am 100% opposed to this
request.

This proposal is prohibited under the Sligo
Estates HOA Protective Covenant.

Having a Short Term Tourist Rental in our Subdivision
does not benefit our community in any way
and only offers hardships for the property
owners of Sligo Estates.

I have many concerns and will list a few.

1. I am terrified that out of ignorance, neglect or disrespect that the tourist centers will improperly handle and/or dispose of outdoor fires, starting fires and potentially causing loss of life, injury and property damage to the people, properties and homes in Sligo Estates.
2. I am concerned for our safety and security from the unknown centers that will be roaming on and around our properties and potentially participating in trespass and theft.
3. my privacy, peace and quiet will be violated by having a vacation rental across the road from my property. There will be problems to me caused by the constant flow of visitors, increased traffic, loud partying, littering and other behaviors from people that have no vested interest or respect for the land or its neighbors.

4. There are areas on our road that the unaware could potentially cause an accident resulting in loss of life, injury and/or property damage to the S190 Estates residents.

As an occasional tourist myself, I respect the areas that I visit. But I've also had personal experience with the 'Bad and the Ugly' tourist. They have no vested interest in treating the neighborhood or areas with kindness and think nothing of trashing and causing lasting harm because they don't live here. A tourist rental has no place in our neighborhood!

Also, I don't appreciate the Carpenters disregard and lack of respect for the S190 Estates Protective Covenant just to make a 'fast Buck' at our expense.

County of Warren please deny this request, & to blight our neighborhood.

Thank you

G. Muldoon

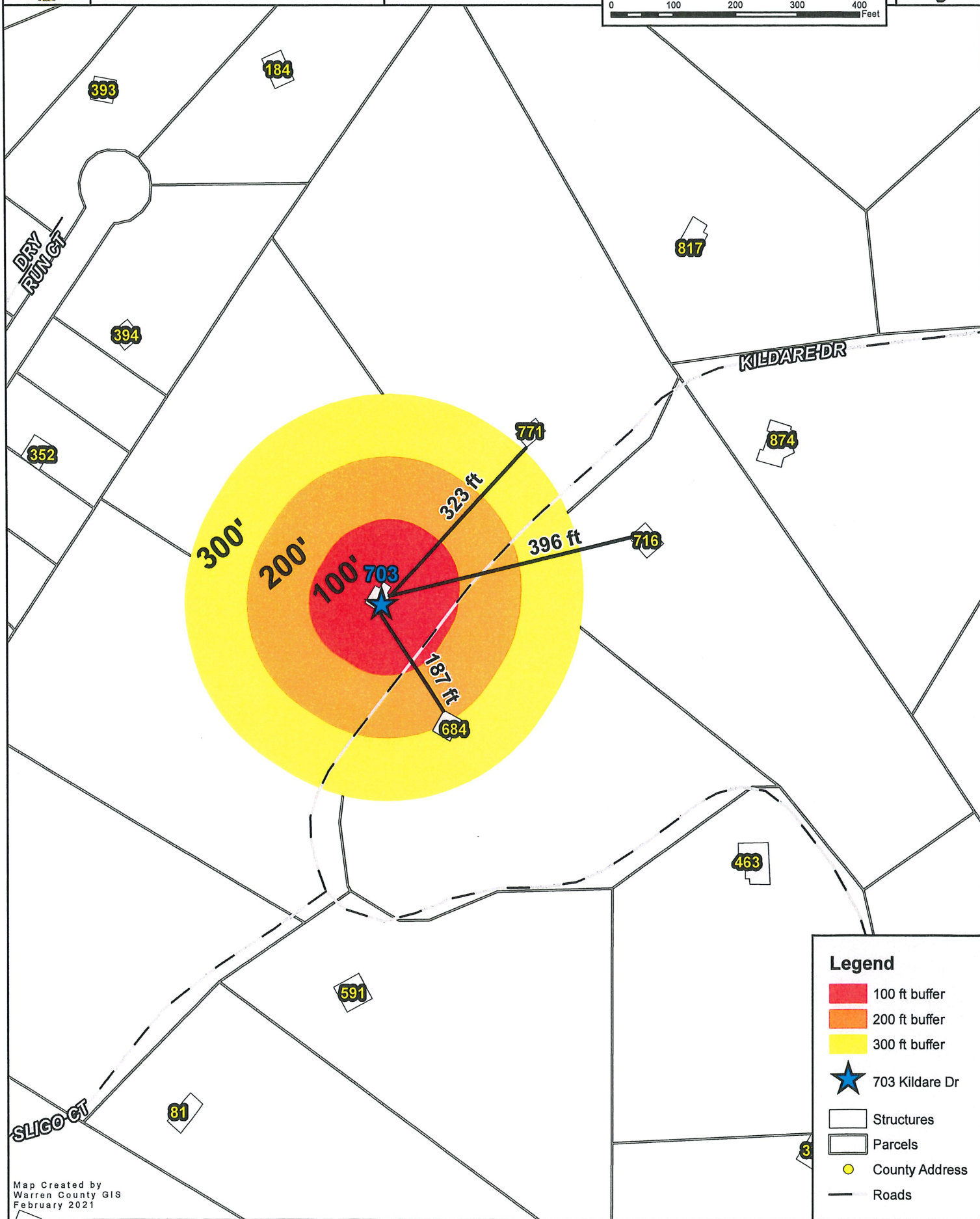
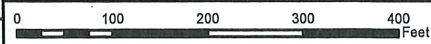


Warren County, VA 2021

703 Kildare Dr: Distance to Surrounding Homes



1 inch = 200 feet



Legend

- 100 ft buffer
- 200 ft buffer
- 300 ft buffer
- 703 Kildare Dr
- Structures
- Parcels
- County Address
- Roads



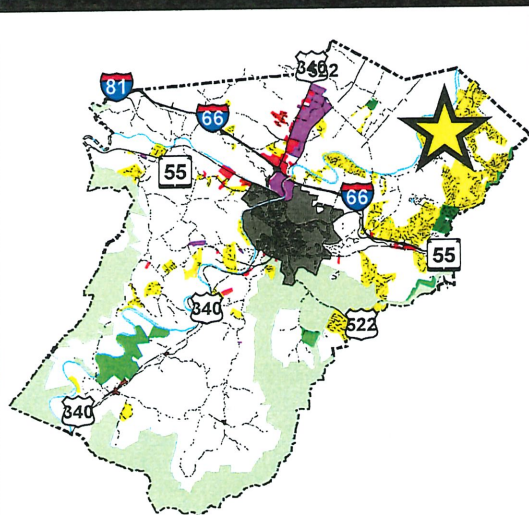
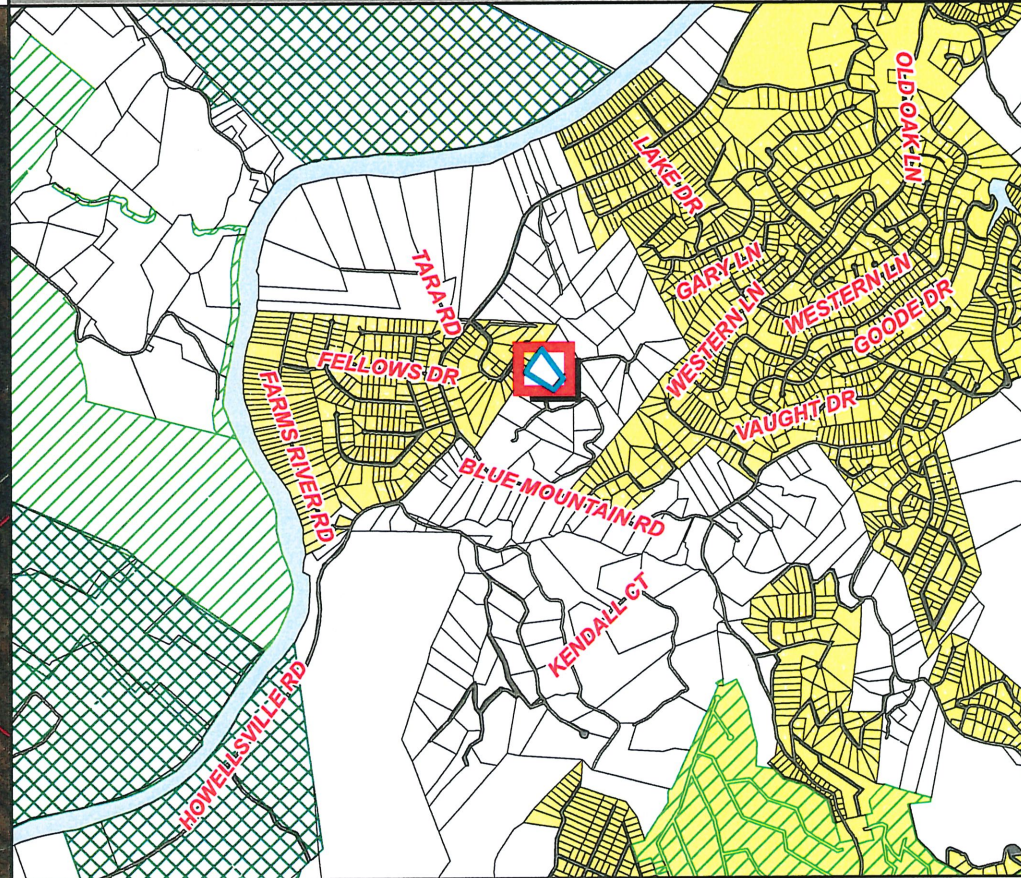
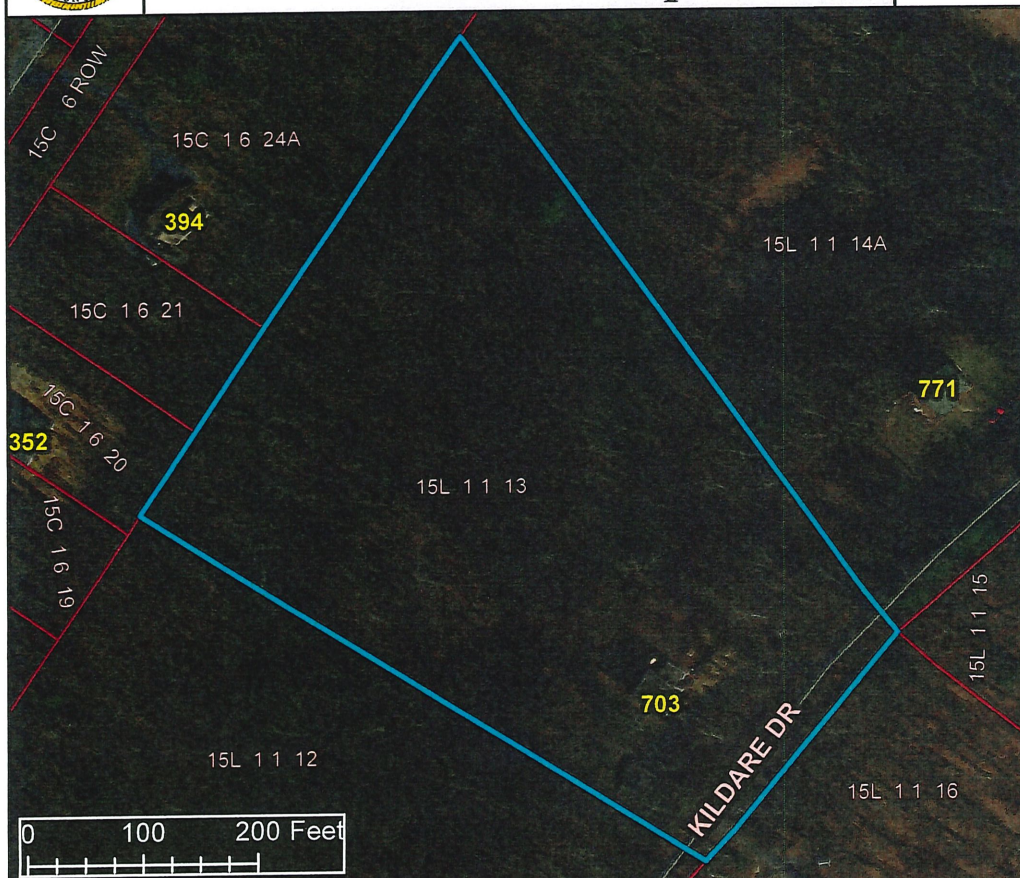
Warren County VA

CUP Location Map



CUP: Short-Term Tourist Rental
Applicant: John Carpenter

TM 15L--1-1--13
703 Kildare Dr
Sligo Estates



Zoning

Agricultural	Rural Residential
Commercial	Right of Way
Industrial	Front Royal
Residential One	Federal Land
Residential Two	State Land
Suburban Residential	Water
Village Residential	VOF Conservation Easements
	WC Conservation Easements

Map produced by
Warren County GIS 2021
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
5/4/2021	H-13	Conditional Use Permit - 2021-03-04 Front Royal Self Storage Enclosed Storage Facility	1 of 2

EXPLANATION & SUMMARY:

See attached application and staff report.

General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards:

- (1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.
- (2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- (3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- (4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area.
- (5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.
- (6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that:
 - (a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.
 - (b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.
 - (c) Provide for adequate parking and ingress and egress to public streets or roads.
 - (d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property.
 - (e) Prevent such use from changing the character and established pattern of development of the community.

After proper advertisement and a public hearing by the Planning Commission, the application has been forwarded to the Board of Supervisors recommending approval with the following conditions:

1. The applicant shall comply with all Virginia Department of Transportation, Town of Front Royal Public Works Department, Warren County Building Inspections, and applicable environmental regulations and requirements.
2. The applicant shall submit a formal site plan to the County prior to the issuance of a building permit.
3. The permanent color of building materials shall be earthen tones in compliance with the County's highway overlay district ordinance and all building facades visible from Rt. 340/522 shall be constructed of a combination of stone and DriVit/EFIS/or similar material as approved by the Warren County Planning Department.
4. All outdoor lighting fixtures shall be full cut-off fixtures as required by the Warren County Zoning Ordinance.
5. The property shall be in compliance with Warren County Code Section 180-45.5 regarding the supplemental regulations for self-storage facilities.

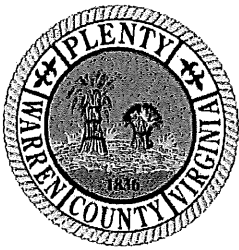
Motion to Approve:

Mr. Henry moved to forward this application to the Board of Supervisors recommending approval. The motion was seconded by Mr. Kersjes, and approved by the Planning Commission by a vote of 4-0.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed conditional use permit request for advertisement for a public hearing.

SUBMITTED BY: Taryn G. Logan, Deputy County Administrator	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (Describe)	PROCESSED BY:
---	---	----------------------



Conditional Use Permit: 2021-03-04
Enclosed Storage Facility
Front Royal Self Storage, LLC
Staff Report for the Planning Commission
Prepared: March 10, 2021
Staff Contact: Taryn Logan, AICP, Planning Director

SUMMARY OF REQUEST

Front Royal Self Storage, LLC is requesting a conditional use permit for an enclosed storage facility. The property is located at 8897 Winchester Road in the North River Magisterial District. The proposed facility will consist of two phases. The first phase includes 39,000 square feet of climate-controlled storage, 38,000 square feet of drive-up storage and a section furthest away from Winchester Road that will contain RV and boat storage. The second phase would expand the storage to up to 125,000 square feet total. The addition of drive-up units in the second phase depends on market demand.

The property is the site of an abandoned single family dwelling that was served by a well and a pump and haul system. The property is located on Winchester Road, just north of the Potomac Edison transmission line and Shenandoah Motors and west of Warren Industrial Park.

The property lies within the County's highway overlay district, which has architectural requirements on all building facades visible from the corridor highway (Route 340/522). Another requirement of the highway overlay district is no outdoor storage, which would include recreational vehicles, boats and cars that are being stored on the property. They will need to be fully screened from view of the corridor highway.

The Commercial (C) district is intended, "for areas suitable for the conduct of general business not characterized by either constant heavy trucking or nuisance factors and to which the public requires direct and frequent access."

PROPERTY INFORMATION

Property Location: 8897 Winchester Road
Zoning: Commercial (C)
Acres: 6.69

Tax Map ID: #12-56C
Magisterial District: North River
Existing Land Use: Vacant SFD

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)
South: Commercial (C)
East: Industrial (I)
West: Residential-One (R-1)

Use: Potomac Edison Power
Use: Vacant
Use: Aggregate Industries (Warren Industrial Park)
Use: Route 340/522 North
Single Family Dwellings

PROPERTY HISTORY

This property was part of a rezoning that occurred in 1977.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for commercial land uses. Enclosed storage is a use permitted by conditional use permit.

SUPPLEMENTAL REGULATIONS

Section 180-45.5 of the Warren County Code addresses supplemental regulations for Self-Storage Facilities. The property will need to be in compliance with these regulations.

Where allowed, self-service storage facilities shall meet the following requirements.

- A.** Materials stored shall not be used or sold within the self-service storage facility. No commercial activities of any kind shall occur within the facility. No repair of vehicles, furniture, or other materials or equipment shall occur within the facility. Signs shall be posted within the facility describing such limitations.
- B.** No storage of hazardous, toxic or explosive materials shall occur in the self-service storage facility. Signs shall be posted within the facility describing such limitations.
- C.** The maximum size of any individual storage space or unit in a self-service storage facility shall be 500 square feet.
- D.** The self-service storage facility, including loading areas and all storage areas, shall be totally enclosed by structures or by an eight-foot-high opaque wall or fence. Such fences shall be set back at least six feet from property boundaries. Landscaping shall be provided in such setback areas, including trees and shrubs.
- E.** All storage shall be within an enclosed structure, unless otherwise approved by the Board of Supervisors through the issuance of a conditional use permit. The storage of personal vehicles associated with household use within areas enclosed by the wall or fence may be permitted by condition.
- F.** For storage units that open to the outdoors, a twenty-foot-deep loading aisle or space shall be provided adjacent to each unit. Such loading aisles shall be separate from driveways used for internal circulation.
- G.** Before a site plan is approved for a self-service storage facility, a copy of the lease agreement shall be submitted to the Zoning Administrator for review and approval to ensure that the limitations described in this section have been included in the lease agreement.
- H.** Self-service facilities shall not include portable storage containers, shipping containers and/or tractor trailers.

ROUTE 340/522 OVERLAY DISTRICT

The site lies within the 1000' Route 340/522 Overlay District, which should address architectural details, landscaping and overall appearance. There is a proposed collector road to the rear of the property shown in the County's Comprehensive Plan. The applicant should plan for this in the site plan phase of the project.

AGENCY COMMENTS:

This request has been sent to VDOT, Town of Front Royal, Warren County Building Inspections, and Rappahannock Electric for their review and comment. The Applicant has been working with VDOT on proposed transportation improvements. Also, the facility is proposed to be connected to water and sewer.

RECOMMENDED CONDITIONS

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.

Staff recommends that, if the Planning Commission recommends approval of this application, the following conditions should be applied:

1. The applicant shall comply with all Virginia Department of Transportation, Town of Front Royal Public Works Department, Warren County Building Inspections, and applicable environmental regulations and requirements.
2. The applicant shall submit a formal site plan to the County prior to the issuance of a building permit.
3. The permanent color of building materials shall be earthen tones in compliance with the County's highway overlay district ordinance and all building facades visible from Rt. 340/522 shall be constructed of a combination of stone and DriVit/EFIS/or similar material as approved by the Warren County Planning Department.
4. All outdoor lighting fixtures shall be full-cut off fixtures as required by the Warren County Zoning Ordinance.
5. The property shall be in compliance with Warren County Code Section 180-45.5 regarding the supplemental regulations for self-storage facilities.

Cc: Front Royal Self Storage, LLC, Applicant



Statement of Justification
for the proposed Self Storage Facility
at 8897 Winchester Road, Front Royal, VA 22630

February 16, 2021

To the Warren County Planning Commission and Board of Supervisors:

Front Royal Self Storage LLC (FRSS) is proposing construction of a self-storage facility on the 6.69 acre parcel located at 8897 Winchester Road in Front Royal Virginia. We have determined the market/area is underserved regarding self-storage and, our proposed improvements at this facility will be a dramatic improvement over the current use and condition of the property.

When calculating the demand for self-storage, it is accepted in the industry to use 8 SF per person within reasonable proximity of the storage facility. This establishes the equilibrium point for self-storage. Urban areas will use a 3-mile radius when calculating the population and rural areas can use up to a 10-mile radius. For purposes of our analysis, we are using a 10-mile radius.

According to KLNb, a regional real estate brokerage firm representing nearby commercial property, the population within a 10-mile radius from the proposed site is 77,282. Using the 8 SF/Person formula, we can establish the equilibrium point as being 618,256 SF. There are currently eight self-storage facilities within this 10-mile radius totaling approximately 225,000 SF. Self-storage is clearly a need that is not being fully met – See attachment.

Additionally, FRSS marketing and feasibility consultants have contacted the larger facilities in the market, and most if not all report 100% occupancy and a waiting list for the most popular units.

Although the site can physically accommodate 125,000 SF of storage, we are proposing a two-phased approach. The first phase includes 39,000 SF of climate-controlled storage and 38,000 SF of drive-up unit storage. Also, in the first phase, the eastern portion (furthest from Winchester Road) will be used for RV and boat storage. The ultimate plan of up to 125,000 SF is well under the market equilibrium. Separating this project in to two phases will allow us to establish operations and verify demand before building additional drive-up units (phase 2) on the eastern portion of the property.

Also, there are currently no climate-controlled storage options in the area.

Regarding our belief that this project will improve the area, the site we are pursuing is an abandoned residential property, served by a well and a pump & haul septic system. Modern buildings utilizing public water and sewer certainly are an improvement.

The property is bordered by Aggregate Industries concrete plant to the east, an access road for the concrete plant and the Dominion VA Power electric generating station to the north, an Extra High Voltage line to the south and Winchester road to the west. It is a unique property, and given its surroundings, there are not a lot of options for other uses. The site is not well suited for residential or retail use. We believe a new storage facility will fit in and be an enhancement to the Winchester Road corridor.

As the public travels on Winchester Road, they will see the façade of the climate-controlled building, which will be designed per Highway Corridor overlay district architectural requirements. The drive-up storage units will be behind the building and within a security fence. Customers will pass through a security gate on the south side of the building to access the drive-up units and well as the climate-controlled building. Loading for the climate-controlled building will occur behind and on the sides of the building.

The security gate will be located towards the rear on the climate-controlled building. There will be a key pad entrance for access. The entire site will be covered by security cameras. We will fully comply with section 180.45.5 (Self-service Storage Facilities) of Article V, Supplementary Regulations of Warren County, VA.

Our focus will be operating a clean, modern, state of the art and secure self-storage facility.

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION - 1 of 2

Application Number: 2021-03-404

Date Received: 2/17/21

Fee Amount: \$ 500.00

Date Paid: 2-17-21

CL#9046

SELF STORAGE
STRUCTURESApplicant Information:

Front Royal Self Storage LLC
Applicant Name

8009 WOLFTRAP ROAD, DUNN LORING, VA 22027
Address City State Zip

8897 WINCHESTER ROAD, FRONT ROYAL VA 22630
Property Location for conditional use permit if Different than Applicant's Address

703-244-1972 emurphy@rdsdc.com
Primary Contact Number Email

WILSON CHU BUSINESS TRUST
Property Owner (if same as applicant, leave blank)

5851 SADDLE DOWNS PL., CENTREVILLE VA 20120
Address City State Zip

703-981-4909
Primary Contact Number

Respectfully request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a Conditional Use Permit for the property described below.

A. Property Information:

- (1) Address/Location: 8897 WINCHESTER ROAD, FRONT ROYAL
- (2) Election District: NORTH RIVER
- (3) Tax Map Number: 12-56C
- (4) Subdivision Name: N/A
- (5) Total Area of Property (acres): 6.69
- (6) Total Area to be Used (acres): 6.69
- (7) Total Road Frontage (feet): 308.6
- (8) Depth of Property (feet): 855.2
- (9) Present Zoning: COMMERCIAL

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: SELF STORAGE
- (2) Current land use and condition of site: VACANT ABANDONED RESIDENTIAL
- (3) Zoning of surrounding land/property: COMMERCIAL/INDUSTRIAL
- (4) Will development be staged? ☒ Yes ☐ No
- (5) Construction Time: 24-36 MONTHS
- (6) Season, days, and hours of operation: OPEN WEEKLY
- (7) Will there be a sign? ☒ Yes ☐ No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) No
- (9) Number of full time employees: 3
- (10) What type of sewage disposal system will be used? ☐ Private ☐ Central ☒ Public
- (11) Number of persons to be served by the sewage disposal system: _____
- (12) Number of parking spaces to be provided: Regular 10 Handicap 2
- (13) What is the proposed landscaping and buffering for this property?
AS REQUIRED, FRONT & SIDE SETBACK

C. Plans Prepared By

Name: GREENWAY ENGINEERING, INC.

Address: 151 WINDY HILL RD, WINCHESTER, VA

Telephone Number: 740-662-4185

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?) _____

NO - COMMERCIAL IMPROVEMENT
WILL BENEFIT COMMUNITY

- (2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) _____

No

- (3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) _____

No

- (4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. _____

NONE

- (5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) _____

No

- (6) What will be the impact on traffic? _____

NONE / LOW TRAFFIC USE

- (7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. _____

LED / BUILDING MOUNTED

CUT OFF AT PROPERTY LINE

**The following documents and/or information are required
to be submitted with the application:**

☒ **An application fee of \$500.00.**

Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.

☐ **A Statement of Justification**

This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 1/2 x 11 size paper.

☐ **A Site Plan/Survey.**

Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.

☐ **Sewage Disposal and Well Site.**

Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.

☐ **A copy of the deed to the property verifying the current ownership.**

A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.

☐ **A statement verifying that real estate taxes have been paid.**

This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.

☐ **Environmental and Community Impact Statements**

The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.

☐ **List of chemicals stored on the site**

A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.

☐ **Location Map**

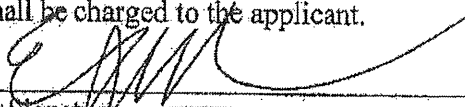
A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.

☐ **Directions to your property from the Warren County Government Center.**

NORTH OF WINCHESTER ROAD TO

8897 WINCHESTER ROAD

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.


Applicant Signature

2/5/21
Date


Property Owner Signature

2/6/2021
Date

Accepted by: _____

Date: _____

PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

COMMUNITY IMPACT STATEMENT

FRONT ROYAL SELF STORAGE LLC CONDITIONAL USE PERMIT

**North River Magisterial District
Warren County, Virginia**

Tax Map Parcel – 12-56C

Conditional Use Permit: (6.69 Acres)

February 17, 2021

Revised _____, 2021 per staff report comments

Prepared for: Front Royal Self Storage LLC

Realty Development Services, LLC

Vienna, VA 22027

Telephone 703-244-1972

www.rdsDC.com

Virginia Professional Engineer License # 0402020542

FRSS 2021

Front Royal Self Storage LLC
Conditional Use Permit
COMMUNITY IMPACT STATEMENT

INTRODUCTION

This report has been prepared for the purpose of assessing the community impacts of the proposed by right commercial development for self-storage units, climate controlled and drive-up units, and boat and recreational vehicles (RV) storage and associated required conditional use permits (CUP) for the approximately 6.69-acre single parcel identified as Wilson Chu property. Two CUP approvals are required for self-storage units and one for boat and RV storage. The property subject to these CUPs is one existing parcel: TM 12-56C Commercial (C) District, located in the Highway Corridor Overlay District. The proposed use of the property is self-storage and boat and RV storage; construction will be phased as market demands determine.

The current zoning of the subject parcel is Commercial (C) District. The applicant, Front Royal Self Storage LLC proposes to develop and construct roughly 125,000 SF of climate controlled (indoor) storage and drive-up units. These uses are allowed in Commercial zoning districts with a CUP approved by the Board of Supervisors. Additionally, the site will be developed in Phases, with Phase 1 including climate controlled units, drive-up units and boat and RV storage. As market conditions dictate, boat and RV storage will be reduced by additional drive-up units up to 125,000 SF.

The subject site is located at 8897 Winchester Road, (US 340/ VA522) just north of the Warren County/Riverton retail hubs and has 308' of road frontage and is approximately ½ mile north of Interstate 66. The parcel currently has an approved access point on Winchester Road. Access to the development parcel/property will be via an approved access ingress/egress point by VDOT.

The adjacent properties are commercial or industrial zoned; Aggregate Industries concrete batch plant and stone storage; Dominion VA Power electric generating station; and an Extra High Voltage (EHV) transmission line owned by Potomac Edison on the southern property line. The project will be developed with indoor storage units located in front, at the setback line, and will be in architectural conformance to requirements of the Highway Corridor overlay district. The improvements visible from the road will be a dramatic improvement to the existing vacant abandoned burned-out residence. All boat and RV storage will be located at the rear of the property and will generally be obstructed from public view. This development project is found to be in conformance with the Warren County Comprehensive Plan, specifically those provisions within the "Land Use and Growth Management" chapter concerning commercial and industrial development (Section 8), and highway corridor plans (Section 10).

Basic information

Location:	8897 Winchester Road, ½ mile north of Interstate-66 (Access directly Route US RT 340 / VA RT 522)
Magisterial District:	North River
Property ID Numbers:	12-56C
Current Zoning:	Commercial (C) District
Current Use:	Abandoned residential dwelling on commercial zone
Proposed Use:	Self-Storage Facility, Climate Controlled (indoor) and drive-up units, and boat and RV storage
Total Commercial area:	Approximately 6.69 acres
Total CUP area:	Approximately 6.69 acres

1. Law Enforcement

The Warren County Sheriff's Department provides law enforcement services. The department headquarters is located in the Public Safety Building just to the south of town at 200 Skyline Vista Drive which is approximately four miles away. Response time is related to the availability and proximity of units in the field at the time of need, but travel time from the headquarters office to the Front Royal Self Storage facility should generally be about twelve to fifteen minutes.

The property is in an area of commercial-type development and nearby interstate interchange related hospitality uses and light industrial uses. Future adjacent development includes potential commercial and industrial/institutional uses. There is demand for law enforcement services generated by the property in its current vacant /abandoned state; numerous vacant property activities are noted. The further development of this property for commercial self-storage use will little or no increase demand of law enforcement, fire and rescue and emergency services as planned. The entire facility will be fenced and gate access controlled for security of the property. The real estate tax revenue generated by Front Royal Self Storage should far outweigh the cost of services this development demands of local government.

There are no significant concerns relating to natural terrain or other barriers that might inhibit response, although it is acknowledged the property is separated from the Town of Front Royal by the Shenandoah River bridge crossings and the Interstate-66 interchange.

2. Fire and Rescue Services

The property is located within the first due area served by Company 10; North Warren, of the Warren County Fire and Rescue system. The Company 10; North Warren station is just over ¼ mile from the subject property and response time should be excellent. Company 10 is staffed with career personnel on weekdays during daytime hours. Initial backup is to be provided by Company 1; Front Royal and then Company 3; South Warren. There are no natural terrain or other existing physical barriers that might inhibit response.

The further development of this property will not increase demand for fire and rescue services.

3. Educational Facilities and Services

The proposed development will no impact on capacity of any educational facilities. The annual real estate tax revenue, and other business-related revenue will help to fund public education.

4. Parks and Recreation

Existing Warren County Park facilities are primarily located within the Town of Front Royal. These facilities include the Bing Crosby Baseball Stadium, The Front Royal Golf Club, the Raymond Santmeyer Youth Center, the Gertrude E. Miller Community Park, the Claude A. Stokes Community Swimming Pool, the Skyline Soccerplex, Warren County Dog Park, Carson Walking Trail, Riverton/Front Royal Golf Club Boat Landings and Rockland Park and various other facilities.

The Avtex Redevelopment project on the former Avtex Fibers site is planned to provide a variety of new recreational opportunities for the community. The Skyline Soccerplex has been developed on a 31-acre portion of the site. The plans also include a 241-acre passive recreation and wildlife refuge conservancy park on the eastern side of the South Fork of the Shenandoah River with pedestrian walking trails on the western side.

The proposed commercial development of self-storage units and boat and RV storage will have no impact of Parks and Recreation.

5. Library

The Warren County Samuels Public Library is located within the Town of Front Royal. The library operations are funded primarily through the Warren County government. The Warren County Board of Supervisors has prioritized the funding of a library expansion through the current County budget deliberations.

Front Royal Self Storage will have no impact on County Library facilities. The annual sales tax revenue, the annual real estate tax revenue, and other business-related revenue will help to fund public services.

6. Solid Waste Facilities

All waste will be collected by commercial contract haulers contracted by the property management company. The storage units and boat and RV parking will not generate any significant solid waste. All waste will be required to be removed by storage tenants. The remaining routine solid waste generated by the operator or tenants will temporarily stored in approved, screened secure dumpster locations not visible from the highway corridor. Locally registered commercial haulers will be regularly removing the contents of these dumpsters. These haulers may take the waste to the Warren County central transfer station in Bentonville.

For planning purposes, it is estimated that the property generates about 8 -12 CY per month.

The disposal of solid waste at the County operated facilities, generated by the property will have no significant on this system.

7. County Administrative Services

The processing of the conditional use permit applications, and construction related permits will generate a demand for public administrative services that will be sufficiently offset by the fees charged for these applications. The development will generate additional annual sales tax revenue, annual real estate tax revenue, and other business-related revenue that will help to fund government operational costs and capital projects, helping to offset the fiscal impact of other higher demand type development elsewhere in the County.

Given the property value of the improvements that will be constructed on the land and the real estate and business-related tax revenue derived, development of this property will contribute positively to the tax revenue of Warren County.

8. Transportation

Front Royal Self Storage will be accessed directly from Winchester Road. Construction of the entrance and additional future turn in lanes will be privately funded by the developer; all plans will be subject to VDOT review and approval. The developer will include pavement sections as required by VDOT, along with a bike/pedestrian section. The property is located along the Royal Trolley and Corridor Connector public transportation bus services that are ADA compliant and run from Monday thru Saturday.

No significant impact of traffic will be generated by the development as this use is a very low traffic uses and low traffic generator. Trips generated by the facility will vary by and during any given 24-hour period.

ENVIRONMENTAL IMPACT STATEMENT

FRONT ROYAL SELF STORAGE LLC CONDITIONAL USE PERMIT

**North River Magisterial District
Warren County, Virginia**

**TM 12-56C
Conditional Use Permit (6.69 Acres)**

February 17, 2021

Revised _____ 2021 per staff report comments

Prepared for: Front Royal Self Storage LLC

Realty Development Services, LLC

Vienna, VA 22027
Telephone 703-244-1972
www.rdcDC.com

Virginia Professional Engineer License #0402020542

FRSS 2021

Front Royal Self Storage
Conditional Use Permit
ENVIRONMENTAL IMPACT STATEMENT

INTRODUCTION

A Phase I Environmental Site Assessment (ESA) will be completed and supplied to Warren County Planning and Zoning prior to the Conditional Use Permit (CUP) Planning Commission hearing in April 2021. The ESA will be completed and findings supplied by Greenway Engineering, Inc. **This Environmental Impact Statement will be updated pursuant to the ESA phase 1 and subsurface investigation reports.**

The current zoning of the parcel is Commercial (C) District. The applicant, Front Royal Self Storage LLC proposes to keep the current Commercial (C) designation with two CUPs for self storage units and boat and recreational vehicles (RV) storage.

The property is located on Winchester Road 1/2 mile north of Interstate 66. The property is accessed directly from Winchester Road a VDOT/publicly maintained Road (US Route 340 / VA Route 522).

CONDITIONS: Not Applicable at this date.

Basic information

Location:	8897 Winchester Road, ½ mile north of Interstate 66 (Access directly from Route US RT 340 / VA RT 522)
Magisterial District:	North River
Property ID Number:	12-56C11
Current Zoning:	Commercial (C) District
Current Use:	Vacant abandoned Residential on C Zone land
Proposed Use:	Self Storage Units, Climate Controlled (indoor) and drive-up units, and boat and RV storage
Proposed Zoning:	Commercial (C) with two CUPs for above uses
Total conditional use permit area:	approximately 6.69 acres

ENVIRONMENT: Any required mitigation measures would occur consistently with the appropriate federal, state, and local permits. Development of the site is not anticipated to produce any adverse environmental impact that cannot be mitigated with normal and customary development techniques.

A study has been contracted with Triad Engineering, Inc. to perform soil boring and subsurface investigation; this report will be provided to Warren County Planning and Zoning prior to the April 2021 public hearing.

Storm water management quality and quantity will be designed by Greenway Engineering, Inc. and fully approved by the Virginia DEQ. Stormwater will discharge directly into the Crooked Run stream to the west of Winchester Road.

No portion of the subject property is located within the Federal Emergency Management Agency (FEMA) flood insurance rate map. No flood plain study is required.

PUBLIC SEWER AND WATER: This Property has adjacent access to adequate public sanitary sewer and public water that can be provided by the Town of Front Royal. The Applicant would be responsible for all construction and connections on site. The sewer collection system will be on-site and will be generally comprised of gravity sewer lines to serve one single on-site office. No other sewer improvements are required on the property. Water will be required for single building fire protection and minimal domestic use.

ADDITIONAL CONSIDERATIONS: There are extra high voltage (EHV) overhead power lines that are constructed immediately to property southerly property line; these EHV lines are a potential source of electromagnetic fields (EMFs), which are produced at by extremely low frequencies within the lines. These lines are owned and operated by Potomac Edison Power Company and will not adversely affect the proposed uses. To the immediate east of the property, Aggregate Industries operates a concrete batch plant and aggregate storage buildings. To the north and east, Dominion VA Power Company operates an electrical generating power station.

FRONT ROYAL/RIVERTON VA AREA SELF-STORAGE MODEL

DEMAND MODEL						MARKET SUPPLY			NOTES
	2 Miles	4 Miles	KLNB 5 Miles	6 Miles	KLNB 10 Miles	FACILITY NAME	Address	SQ FT	
Total Households	775	6,513	8,837	11,024	28,605	1- Shenandoah Valley Storage	6951 Winchester Road	61,400	All Drive Up
% of Users	10.57%	10.57%	10.57%	10.57%	10.57%	2-Blue Ridge Self Storage	1465 Strasburg Road	53,578	All Drive Up
						3- Happy Creek Storage	676 Shenandoah Shores Road	29,500	All Drive up
Total users	82	688	934	1,165	3,024	4 - Country Mini Storage	137 Silas Lane	2,948	All Drive Up
Units per user	1.3	1.3	1.3	1.3	1.3	5 - Royal Oak Storage	603 Remount Road	20,250	All Drive Up
						6- Signal Nob Self Storage	5320 Strasburg Road	4,500	All Drive Up
Total Units Used	106	895	1,214	1,515	3,931	7- Apple House Mini Storage	4675 John Marshall Highway	19,200	All Drive Up
Sq Ft of Unit	120	120	120	120	120	8- Stephens City	11114 Fairfax Pike	30,000	All Climate Controlled
						Total Square Feet in Market		221,376	
Total Residential SF = 80%	12,779	107,394	145,715	181,777	471,674	Demand Potential Delta - Short SF			10 mile Radius
Total Business SF = 20%	3,195	26,849	36,429	45,444	117,918	Demand Potential Delta - Short Units			
Total SQ FT Demand Potential	15,974	134,243	182,144	227,221	589,592				
Population	2,509	17,550	24,202	29,723	77,282	Demand Potential Delta - Short SF			10 Mile Radius
8 SF per Capita	8	8	8	8	8	Demand Potential Delta - Short Units			
Total SQ FT Demand Potential	20,072	140,400	193,616	237,784	618,256				

Natalie Lentz

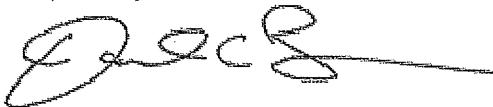
From: David Beahm
Sent: Monday, March 1, 2021 4:17 PM
To: Natalie Lentz
Cc: Paula Fristoe
Subject: FW: Request for Comments CUP 2021-03-04 – Front Royal Self Storage, LLC – Storage of Cars, Boats, and Recreational Vehicles – WCCUP-000090-2021
Attachments: Community Impact Statement_2021-03-04.pdf; Conditonal Use Permit Application_Front Royal Self Storage,LLC_2021-03-04.pdf; Request for Comments_CUP2021-03-04.pdf; Statement of Justification_2021-03-04.pdf; Enviornmental Impact Statement_2021-03-04.pdf

Comments CUP 2021-03-04 – Front Royal Self Storage, LLC – Enclosed Storage:

- Erosion and Sediment Control (ESC) Items:
 - Application and permits are required for ESC permit, which would be a normal submission including a full plan review application.
 - The area of disturbance exceeds one (1) acre which will additionally require a Stormwater permit through the Department of Environmental Quality (DEQ). Approval by DEQ (Construction General Permit) would be required prior to any Erosion and Sediment Control Permit and any type of Building Permit being issued by Warren County.
- Building Inspections Items:
 - If or when any building construction related activity (structure, electrical, plumbing, mechanical, etc.) were to start, it would be subject to the normal requirements of application, review and approval prior to work beginning.
 - Storage Buildings over 2,500 square feet require fire suppression. This code requirement has been explained to the applicants during prior meetings.

If anything should change in the scope additional requirements may be required.

Respectfully,



David C. Beahm, CBO
Building Official
County of Warren
540-636-9973
Fax 540-636-4698
dbeahm@warrencountyva.net
www.warrencountyva.net

THIS MESSAGE IS INTENDED SOLELY FOR THE INDIVIDUAL(S) NAMED IN THE HEADER. THIS MESSAGE MAY CONTAIN MATERIAL THAT IS PRIVILEGED OR CONFIDENTIAL. IF YOU ARE NOT ONE OF THE INTENDED RECIPIENTS, PLEASE DO NOT READ, COPY, USE, OR DISCLOSE THIS MESSAGE TO OTHERS; PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE; AND THEN PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU.

From: Natalie Lentz <NLentz@warrencountyva.net>
Sent: Wednesday, February 24, 2021 3:51 PM
To: David Beahm <Dbeahm@warrencountyva.net>
Subject: Request for Comments CUP2021-03-04

Taryn Logan

From: Arthur Boyce <bobby.boyce@vdot.virginia.gov>
Sent: Friday, April 23, 2021 9:46 AM
To: Taryn Logan
Subject: Warren-Rte 340/522-Front Royal Self Storage, LLC CUP 2021-03-04

<<...>>

DEPARTMENT OF TRANSPORTATION

Staunton/Edinburg Land Development

14031 Old Valley Pike

Edinburg, VA 22824

Dear Ms. Logan:

We have reviewed the above subject Conditional Use Permit Application dated February 17, 2021 received April 21, 2021 for impacts to the adjacent roadway. This application is for the construction of a combined 125,000 square feet of both climate and non-climate controlled storage. Our comments are as follows:

- We estimate that an additional 15' of right-of-way is needed to install the proposed corridor improvements plus a 20' slope, drainage, and utility easement. The dedication width verified during site plan design and secured prior to construction.
- Typically we require that roadway improvements along the front of commercial properties be installed per the Warren County Comprehensive Plan proposed widening for the corridor. However since these self-storage units for the most part are low volume uses, we suggest that the right turn lane be installed as proposed by the developer and necessary right-of-way or easements dedicated to VDOT per the corridor plan. The entrance and site construction will need to be setback and/or graded to accommodate the future road improvements per the County's plan.
- This property is within the alignment of the County's eastern parallel collector road (Caroline Drive) to Route 340/522 outlined in the Comprehensive Plan. Right-of-way should be secured for construction of this future roadway.
- An entrance will need to be installed that will meet VDOT's minimum commercial standards including sight distance requirements. The design for the entrance should be included with the site plan and will need to be submitted to this office for review and approval prior to any construction.
- A Land Use Permit shall be obtained before any work is performed on the State's right-of-way. The permit is issued by this office and will require an application fee and surety coverage. Once satisfactory application has been made, a permit will normally take 7-14 days to process and issue.

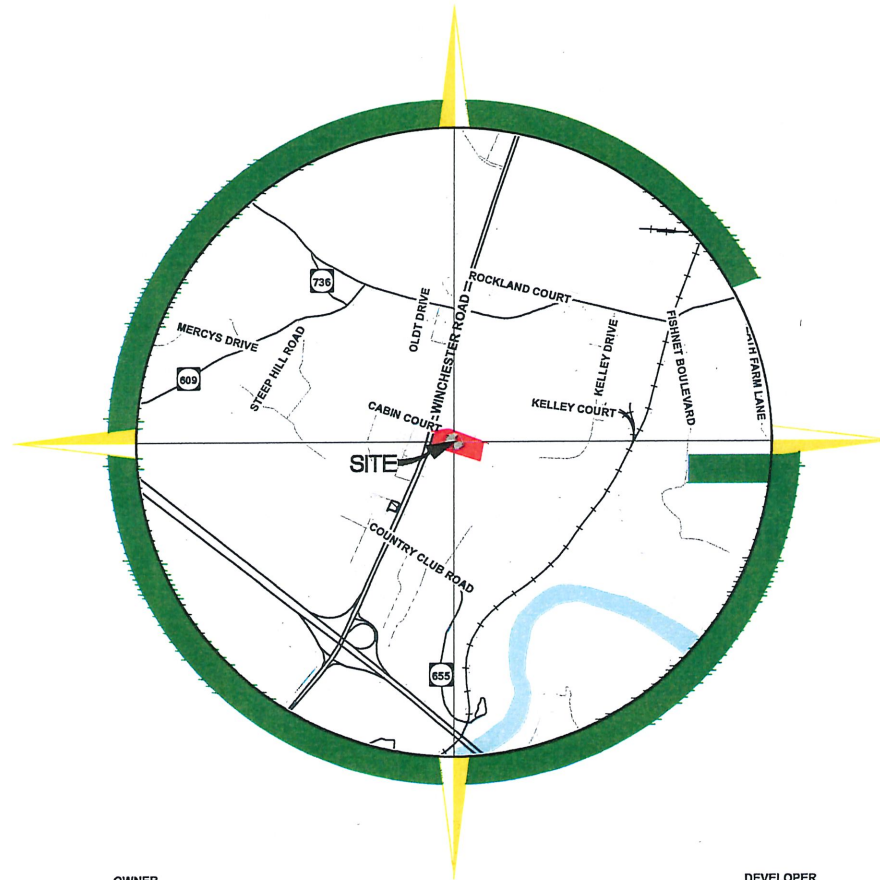
We appreciate the County's efforts to include VDOT in the early planning stages for development and the opportunity to provide comments on this Conditional Use Permit. We ask that you include a copy of this transmittal for official public record. If you have any questions or need further information, please do not hesitate to give me a call.

Sincerely,

Bobby Boyce

VDOT- Land Development Engineer
Shenandoah, Frederick, Clarke, & Warren Counties

**NORTH RIVER MAGISTERIAL DISTRICT
WARREN COUNTY, VA**



VICINITY MAP

SCALE: 1" = 1000'

OWNER
FRONT ROYAL SELF STORAGE LLC
8009 WOLFTRAP ROAD
DUNN LORING, VA 22027
CONTACT: EDWARD MURPHY, P.E.

DEVELOPER
FRONT ROYAL SELF STORAGE LLC
8009 WOLFTRAP ROAD
DUNN LORING, VA 22027
CONTACT: EDWARD MURPHY, P.E.

[illegible]

Plan Revisions

Date	Comment
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CALL "MISS UTILITY"

CALL MISS ORIENT
VIRGINIA UTILITY PROTECTION SERVICE (VUPS) AT 811 OR 1-800-552-7001, 48 HOURS
PRIOR TO THE START OF WORK. EXCAVATORS MUST NOTIFY ALL PUBLIC UTILITY
OPERATORS WHO MAINTAIN UNDERGROUND UTILITY LINES IN THE AREA OF
PROPOSED EXCAVATING OR BLASTING AND HAVE THOSE FACILITIES LOCATED BY
THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS
RESPONSIBLE FOR COMPLIANCE WITH ALL COUNTY REQUIREMENTS, VIRGINIA CODE
AND REGULATIONS.

UTILITY NOTICE REQUIRED

Contractors shall notify all public utility operators who maintain underground utility lines in the area of proposed excavating or blasting at least two (2) working days, but not more than ten (10) working days, prior to commencement of excavation or demolition. Names and telephone numbers of the operators of underground utility lines appear below. These numbers shall also be used to serve in an emergency condition.

Water/Sewer:	Frederick Water P.O. Box 1877 Winchester, VA 22604 (540) 866-1061
Power:	Rappahannock Electric Coop 137 Kelly Court Frost Royal, VA 22630 1-800-652-3904
Phone:	Verizon P.O. Box 17398 Baltimore, MD 21297 (201) 954-6282
Gas:	Shenandoah Gas Co. P.O. Box 2400 Winchester, VA 22604 (540) 869-1111

SURVEY AND TOPOGRAPHIC INFORMATION

1. Boundary survey was performed by: GREENWAY ENGINEERING Dated: 2021

2. Aerial, horizontal, and vertical control surveys were performed by: GREENWAY ENGINEERING 2021
(Year)

3. Aerial topographic mapping performed by: GREENWAY ENGINEERING Dated: 2021

APPROVALS

WARREN COUNTY PLANNING DIRECTOR _____ DATE _____

*APPROVAL OF THESE PLANS SHALL EXPIRE FIVE (5) YEARS FROM THE DATE OF PLANNING APPROVAL

*E&S APPROVAL OF THESE PLANS SHALL EXPIRE ONE HUNDRED EIGHTY (180) DAYS AFTER APPROVAL DATE.

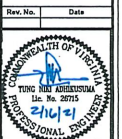
**151 Windy Hill Lane
Winchester, Virginia 22602
Telephone: (540) 662-4185
Fax: (540) 722-9528
www.greenwayeng.com**



COVER SHEET

FRONT ROYAL SELF STORAGE LLC

NORTH RIVER MAGISTERIAL DISTRICT
WARREN COUNTY, VA



DATE: FEBRUARY 16, 2021

SCALE: N/A

DESIGNED BY: TNAWB

FILE NO. 5865R

SHEET 1 OF 3

LIST OF SERVICES: CIVIL ENGINEERING | GIS | LAND SURVEYING | ENVIRONMENTAL | ANALYTICAL LABORATORY | QUALITY CONTROL TESTING & INSPECTIONS

GENERAL NOTES

1. Greenway Engineering, Inc. (GE) issued this plan set based on project criteria dictated by the client and municipal codes. This plan set is based on the Virginia Department of Transportation (VDOT) Standards and Specifications for Roadway Construction, and any other applicable state, federal, or local codes and regulations. The Engineer is not responsible for the contractor's schedule or failure to carry out the work. The Engineer is not responsible for acts of omission of the contractor, subcontractor, or their agents or employees, or any other person performing portions of the work.

2. The Contractor, Owner or Developer shall be responsible for securing any third party inspection/testing service to insure construction compliance with these plans and specifications. It is Greenway Engineering's recommendation that a third party inspection/testing service be employed to ensure that project is completed and materials installed meet the details and specifications in these plans.

3. The location of existing utilities shown in these plans are taken from existing records. It shall be the contractor's responsibility to verify the exact horizontal and vertical location of all existing utilities as needed prior to construction. The contractor shall be responsible for the design of all test holes that may be required, whether recommended or not by these plans, to determine the exact location and elevation of existing utilities. If any conflicts arise from this existing utility verification or if during the course of construction, any object of an unusual nature is encountered, the contractor shall cease work in that area and immediately notify Greenway Engineering at (540) 332-4115 and/or the proper authority. Greenway Engineering or any engineer associated with these plans shall not be responsible or liable for any construction cost that may be associated with the installation or relocation of any utility or other improvements if not notified of any discrepancies between actual field conditions and the approved plan.

4. The approval of these plans in no way releases the developer, the contractor, or their agents of any legal responsibility which may be required by the code of Virginia or any other ordinance enacted by the County nor does it guarantee the issuance of any required permit by the County, VDOT or any other Agency.

5. The approved set of plans and all applicable permits must be available at the construction site at all times during construction. A representative of the developer must be available at all times.

6. Prior to the initiation of any land disturbing activities the Developer, the Contractor or the responsible Land Disturber shall submit a plan set to the Building Inspection Office, the Contractor, Developer or his agent shall be responsible for obtaining a Virginia Stormwater Management Ordinance (VSMO) permit from the local authority having jurisdiction of the construction site as required by law. They shall also be responsible for obtaining and posting a construction site erosion control plan (ECP) from the local authority having jurisdiction on site at a Stormwater Management Office (SMO). The approved set of plans shall not be released to the contractor or his agent of the responsibilities contained in the Virginia Stormwater Management Handbook.

7. The Developer or his agent shall be responsible for obtaining any required permits from the Virginia Department of Environmental Quality (VDEQ) or the United States Army Corps of Engineers (USACE) for any wetland disturbance as shown on these plans. They shall also be responsible for the identification and delineation of any wetlands that may be present on the construction site.

8. The contractor shall be responsible for obtaining any required permits from the local authority having jurisdiction for any required permit for the equipment prior to entering public streets and it is the contractor's responsibility to clean and restore any damage to the streets and sidewalks caused by the construction equipment. The contractor shall be responsible for obtaining any required permits from the local authority having jurisdiction for any required permit for the equipment prior to entering public streets and it is the contractor's responsibility to clean and restore any damage to the streets and sidewalks caused by the construction equipment.

9. The permit must be obtained from the Office of the Resident Engineer, Virginia Department of Transportation (VDOT) and Warren County prior to any construction activities within existing right-of-way.

10. The developer will be responsible for any damage to the existing streets and utilities which occurs as a result of this construction project within or contiguous to the existing right-of-way.

11. Warning signs, markers, barricades or flagmen should be in accordance with the State and Federal Manual on Uniform Traffic Control Devices (MUTCD).

12. The exact location of all guard rails and paved ditches will be determined by VDOT personnel. A joint inspection will be held with the Developer, Representative, and Representatives of the Virginia Department of Transportation (VDOT) to determine if and where guard rail and/or paved ditches will be needed. The Developer will be responsible for providing guardrail and paved ditches as determined by this joint inspection. Refer to Virginia Department of Transportation (VDOT) Guard Rail and Paved Ditch Manual for more information.

13. All undisturbed material shall be removed from the construction limits of the site plan before placing embankment.

14. All pavement sections shown on these approved plans are based on a minimum CBR value of 7. The CBR value shall be determined by the Virginia Department of Transportation (VDOT) and approved by the Virginia Department of Transportation (VDOT) and approved by the Virginia Department of Transportation (VDOT).

15. All springs shall be capped and piped to the nearest storm sewer manhole or curb inlet. The pipe shall be minimum 8" diameter and conform to VDOT Standard 301-1.

16. When grading is proposed within easements of utilities, letters of permission from all involved companies must be provided to the Warren County prior to issuance of grading and/or site development permits.

17. All utilities to be located underground.

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VDOT GENERAL NOTES

V1. All work on this project shall conform to the current editions of and latest revisions to the Virginia Department of Transportation (VDOT) Standards and Specifications for Roadway Construction, and any other applicable state, federal, or local codes and regulations. The Engineer is not responsible for the contractor's schedule or failure to carry out the work. The Engineer is not responsible for acts of omission of the contractor, subcontractor, or their agents or employees, or any other person performing portions of the work.

V2. All construction shall comply with the latest U.S. Department of Labor, Occupational Safety and Health, Administration (OSHA), and Virginia Occupational Safety & Health (VOSH) Rules and Regulations.

V3. When working within VDOT right-of-way, all traffic control, whether permanent or temporary, shall be in accordance with the current edition of VDOT's Work Area Protection Manual. A transportation management plan needs to be submitted for approval and land use permit issued prior to any execution of work within the VDOT right-of-way.

V4. The developer shall be responsible for relocating, at his expense, any and all utilities, including traffic signal poles, junction boxes, controllers, etc., owned by VDOT or private utility companies. It is the sole responsibility of the developer to locate and install utility facilities or items that may be in conflict with the proposed construction activity. VDOT approval of these plans does not indemnify the developer from this responsibility.

V5. Design features relating to field construction, regulations, and control or safety of traffic may be subject to change as deemed necessary by VDOT. Any additional expense incurred as a result of any field revision shall be the responsibility of the developer.

V6. If required by the local VDOT Land Development Office, a pre-construction conference shall be arranged and held by the engineer and/or developer with the attendance of the contractor (s), various County agencies, utility companies and VDOT prior to initiation of work.

V7. The contractor shall notify the local VDOT Land Development Office when work is to begin or cease for any unanticipated length of time. VDOT requires and shall receive 48 hours advance notice prior to any required or requested interruption.

V8. The contractor shall notify the Traffic Operations Center at (540) 332-8500 for any traffic control plan that impacts a VDOT maintained Interstate or Primary roadway to the satisfaction of the Traffic Operations Center.

V9. The contractor shall be responsible for maintaining a VDOT permitted temporary construction entrance(s) in accordance with Section 3.02 of the Virginia Erosion and Sedimentation Control Manual. Furthermore, access to other properties affected by access project shall be maintained throughout construction.

V10. Contractor shall ensure adequate drainage is achieved and maintained on the site during and at the end of construction.

V11. All water and sewer lines within existing or proposed VDOT right-of-way shall have a minimum thirty-six (36) inches cover and when possible shall be installed under roadway drainage facilities at curbside.

V12. Any unusual subsurface conditions (e.g., unsuitable soils, sinkholes, voids, etc.) encountered during the course of construction shall be immediately brought to the attention of the engineer and VDOT. VDOT shall cause in that vicinity until a adequate design can be determined by the engineer and approved by VDOT.

V13. All fill areas, borrow material and undercut areas shall be inspected and approved by a VDOT representative prior to placement of the fill. VDOT shall cause in that vicinity until a adequate design can be determined by the engineer and approved by VDOT.

V14. All roadway work shall be completed in accordance with the VDOT standards and specifications. The contractor shall be responsible for obtaining any required permits from the local authority having jurisdiction for any required permit for the equipment prior to entering public streets and it is the contractor's responsibility to clean and restore any damage to the streets and sidewalks caused by the construction equipment.

V15. VDOT Standard CD and UD underdrains shall be installed where indicated on these plans and/or as specified by VDOT.

V16. A post construction visual/edge camera inspection shall be conducted by the Contractor on all pipes identified on the plans as storm sewer pipes and a select number of pipes on all pipe culverts, a minimum of one pipe installation for each size of each material type will be inspected, or ten percent of the total amount for each size and material type inspected. All pipe installations on the plans not identified as storm sewer pipe shall be considered as culvert pipes for inspection purposes. Additional testing may be required as directed by the County or their representative.

V17. The installation of any entrances and manholes within any dedicated street right-of-way must meet VDOT minimum design standards and is the responsibility of the contractor.

V18. Prior to VDOT acceptance of any streets, all required street signage and/or pavement markings shall be installed by the developer in accordance with the Manual on Uniform Traffic Control Devices.

V19. The developer shall provide the VDOT Land Development Office with a list of all material sources prior to the start of construction. Copies of all invoices for material used within any dedicated street right-of-way must be provided to the local VDOT Land Development Office prior to acceptance of the work. Unit and total prices may be used.

V20. Aggregate base and subbase materials shall be placed on subgrade by means of a motor grader. The contractor shall be responsible for obtaining any required permits from the local authority having jurisdiction for any required permit for the equipment prior to entering public streets and it is the contractor's responsibility to clean and restore any damage to the streets and sidewalks caused by the construction equipment.

V21. Asphalt concrete pavement shall be placed in accordance with Section 315 of the VDOT Road and Bridge Specifications. The contractor shall be responsible for obtaining any required permits from the local authority having jurisdiction for any required permit for the equipment prior to entering public streets and it is the contractor's responsibility to clean and restore any damage to the streets and sidewalks caused by the construction equipment.

V22. In accordance with Section 302.03, the foundations for pipe culverts thirty-six (36) inches and larger shall be explored below the bottom of the excavation to determine the type and condition of the foundation. The contractor shall report findings of foundation exploration to the engineer and VDOT for approval prior to placing pipe. Foundation designs shall comply with VDOT Road and Bridge Standard 315-1. Where soft, yielding, or otherwise unsuitable foundation is encountered, the foundation design and/or test for foundation stabilization shall be approved by the engineer and approved by VDOT.

V23. VDOT Standard Groundfill shall be installed where warranted and/or as proposed on these plans in accordance with VDOT standards and specifications. The contractor shall be responsible for obtaining any required permits from the local authority having jurisdiction for any required permit for the equipment prior to entering public streets and it is the contractor's responsibility to clean and restore any damage to the streets and sidewalks caused by the construction equipment.

V24. Approval of these plans shall expire five (5) years from the date of the approval letter.

V25. VDOT Standard G-12/Curb Ramps shall be installed where indicated on these plans and/or as specified by VDOT.

V26. The foundations for all box culverts shall be investigated by means of exploratory excavation. The contractor shall submit copies of borings logs and test results to the engineer and VDOT for approval prior to placing pipe. Foundation designs shall comply with VDOT Road and Bridge Standard 315-1. Where soft, yielding, or otherwise unsuitable foundation is encountered, the foundation design and/or test for foundation stabilization shall be approved by the engineer and approved by VDOT.

PROJECT NOTES

NOTES:

1. THESE PLANS ARE IN CONFORMANCE WITH WARREN COUNTY STANDARDS AND SPECIFICATIONS. ANY DEVIATION OR CHANGE IN THESE PLANS SHALL BE APPROVED BY THE COUNTY ADMINISTRATOR PRIOR TO CONSTRUCTION.

2. ALL UTILITY SERVICE LINES, SUCH AS ELECTRIC, TELEPHONE, CABLE, TELEVISION, OR OTHER SIMILAR LINES SERVING INDIVIDUAL PLOT SITES, SHALL BE PLACED UNDERGROUND.

3. FOR FILL IN AREAS OF PROPOSED STRUCTURES, ROADWAY, PLEASE SEE CURRENT CONSTRUCTION REPORT FOR MODERN CONSTRUCTION. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE GEOTECHNICAL REPORT AND COORDINATED WITH THE DEVELOPER'S GEOTECHNICAL ENGINEER.

4. CONTROLLED FILL SHALL BE PLACED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT AND COORDINATED WITH THE DEVELOPER'S GEOTECHNICAL ENGINEER.

5. SLOPE STABILITY ANALYSIS WILL BE REQUIRED FOR ANY SLOPE STEEPER THAN 3:1.

6. PROPOSED RETAINING WALL GREATER THAN 2 FEET IN HEIGHT SHALL BE SUBMITTED TO WARREN COUNTY BUILDING INSPECTION FOR SEPARATE APPROVAL.

7. Loading and service bays, loading areas, service enclosures and service bays shall be oriented and/or screened so as not to be visible from the corridor highway.

8. Waste disposal areas, Dumpster and other waste disposal areas shall be completely screened from the public view by means of a board-on-board fence and landscaping, or similar opaque material. Utilities, utility lines, such as electric, telephone cable, television or similar lines, shall be installed underground. This requirement shall apply to lines serving individual sites as well as utility lines necessary within the project. All function and access bays shall be screened. All utility pad features and enclosures shall be shown on the site plan. The necessity for utility connections, outdoor house, etc. shall be recognized and integrated with the architectural elements of the site plan. All underground utilities shall be installed within easements parallel to street right-of-way or lot line when possible.

9. Outside storage/display of goods, outside storage or display of goods shall be completely screened from the view of the corridor highway. Outdoor storage shall include the parking of all company owned and operated vehicles, with the exception of passenger vehicles.

10. Fences, fences exceeding four feet in height shall be located in side and rear yards. Chain-link fences, including those with stile, are discouraged. Particularly where visible from a public right-of-way. No chain-link fences shall be permitted in the front yard in the HC District.

11. Mechanical equipment, mechanical equipment shall be shielded and screened from the public view as designed to be preserved as an integral part of the building.

12. The building, building materials shall be typical of those prevalent in Warren County, including stone, brick, architectural block, wood siding, and standing corrugated metal. Inappropriate materials include reflective glass and metal wall panels. No facades visible from adjoining property or the corridor highway shall be constructed of corrugated metal, corrugated metal or sheet metal.

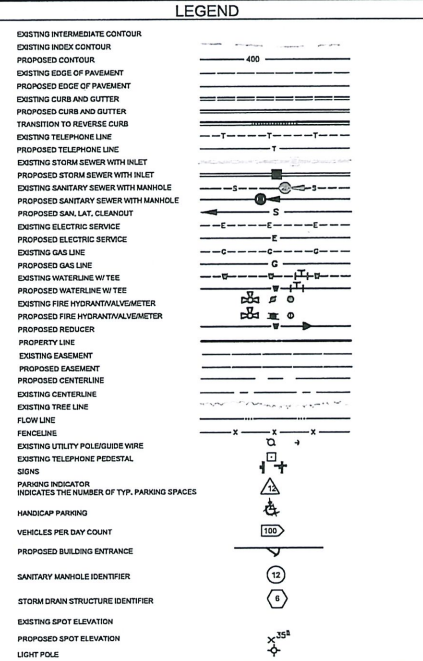
13. The permanent color of building materials (to be left unpainted) shall be the color of the predominant tone, primarily earthen tones, around the corridor. Dark and striking colors should be avoided.

14. Lighting will be installed in accordance with § 100-402 of this ordinance.

TOWN OF FRONT ROYAL
GENERAL CONSTRUCTION NOTES

(To be included on all site plans)

1. For technical specifications and details refer to the Town of Front Royal Water and Sewer Standards and Specifications, latest edition. All construction shall be in accordance to these specifications. Any deviation or changes shall be submitted in writing to the Town for supplemental approval. Inspections shall be performed by the Department of Public Works. Contact: Director of Public Works at (540) 653-7819 or FAX (540) 653-9773.
2. Locations of utilities shown are approximate. Contractor shall be responsible for verifying the location, vertically and horizontally, of the utilities prior to any excavation or construction. The Contractor shall contact MISS UTILITY and all applicable utility companies for clearance prior to excavation. The Contractor shall be responsible for adhering to the Commonwealth of Virginia Underground Utility Damage Prevention Ordinance 19, Title 54, Chapter 19.
3. Contractor shall be responsible for preventing and maintaining all erosion and sediment control measures necessary during construction in accordance with current state and local regulations. Disturbed area shall not remain denuded for more than seven (7) calendar days. During construction, all storm sewer inlets shall be protected by filter protection, maintained and modified as required by construction process. Contractor shall contact the County Building Inspection Office at (540) 656-9773 prior to schedule inspections.
4. The Contractor shall provide adequate means of clearing mud from trucks and/or other equipment prior to entering public streets. It is the Contractor's responsibility to clean streets, alley, and, and to take whatever measures necessary to ensure that the streets are maintained in a clean, mud and dust free condition at all times.
5. Any street or utilities damaged by Contractor or Sub-Contractor shall be sole responsibility of the primary contractor and properly and immediately repaired by the Contractor. Such repairs shall be to the original condition and shall be to the satisfaction of the Town Inspector.
6. All plastic sanitary sewer main pipe shall be 8" diameter, SDR 35, unless otherwise noted. Pipe bedding shall be determined by field conditions and Town Specifications.
7. All proposed water main, hydrant branches and fire suppression lines shall be Class 52 ductile iron pipe with a minimum of 42" cover unless otherwise noted.
8. All 2" and smaller water services shall be type "K" copper pipe. Soldered joints on buried lines are not acceptable.
9. All precast concrete structures shall be minimum 4000 psi and 28 days with a bituminous coating.
10. The Contractor shall be responsible for acquiring all necessary permits before any construction begins.
11. The Contractor is responsible for adjustment of all utility boxes, vaults or other appurtenances to new finished grade elevations.
12. Contractor to relocate all signs and utilities required for this work.
13. Any planned drapings of or tie-ins to existing utilities shall be coordinated with the appropriate utility owner. With the exception of emergencies, there shall be a minimum of 24 hours notice given by the Contractor to all residential, commercial and industrial utility users affected by utility interruptions.
14. The unauthorized use of water without due compensation is illegal. No person shall connect to or do any work on that portion of the system owned by the Town unless written authorization is received prior to commencing work.
15. Construction limits shall be property lines or as indicated by plan requirements.
16. Construction shall conform to the American with Disabilities Act (ADA) requirements. Curb ramps shall be placed where all sidewalks meet curbs.



PROJECT INFORMATION

PARCEL IDENTIFICATION NO: 12-15-9C
STREET ADDRESS: 8807 WINCHESTER RD, FRONT ROYAL, VA 22630
PROJECT SITE AREA: 6.00 ACRES
CURRENT ZONING: COMMERCIAL
CURRENT USE: VACANT DWELLING
PROPOSED USE: SELF STORAGE FACILITIES
PREVIOUSLY APPROVED PLANS: NONE

COMMERCIAL ZONING ON HIGHWAY CORRIDOR DISTRICT REQUIREMENTS
MAX LENGTH/WIDTH RATIO: 4:1
LENGTH/WIDTH RATIO PROVIDED: 2.5:1
MINIMUM LOT AREA: 21,780 SQ FT
LOT AREA: 291,416 SQ FT
MIN. LOT WIDTH AT STREET: 100'
LOT WIDTH AT STREET: 325'

HIGHWAY CORRIDOR DISTRICT REQUIRED SETBACKS
FRONT: 100'
SIDE: 10'
REAR: 10'

AREA CALCULATIONS
TOTAL SITE AREA = 6.00 ACRES
FLOOR AREA RATIO (FAR) = 42.8%
PAVEMENT AND BUILDING AREA = 5.4 ACRES 90.72%
OPEN SPACE = 1.6 ACRES 19.28%

LIGHTING NOTES:
1. The location, height, make, model, lamp type and wattage of each outdoor lighting fixture will be provided with final site plan submittal.
2. Certification that the angle of total light output is no more than 60 degrees.
3. All outdoor lighting fixtures, including display lighting, will be turned off after close-of-business, unless needed for safety or security, in which case the lighting shall be reduced to the minimum level necessary.
4. All light fixtures that are required to be fully shielded will be installed and maintained so that the shielding is effective as described in the definition of a fully-shielded fixture in § 100-402.21, Definitions.
5. Light trespass from any lighting fixture will be designed not to exceed one footcandle at the property line.
6. All outdoor lighting fixtures will comply with the shielding requirements of Section 100-402.21 Table F.

FIRE MARSHAL'S NOTE

Please lines markings and signs: Any "No Parking" signs and yellow painted curb locations will be installed by field inspection at the direction of Warren County Building Inspections Department.

TRIP GENERATION DATA

CLASS	MINI	UNITS	* TRIP RATE	VPD
ITE CODE 151	USE WAREHOUSE	125,000 GSF	2.38	297

* TAKEN FROM ITE TRIP GENERATION 9TH EDITION

GENERAL NOTES

1. These plans are in accordance with Warren County Standards and Specifications. Any deviation or change in these plans shall be approved by the County Administrator prior to construction.

2. All utility service lines, such as electric, telephone, cable, television, or other similar lines serving individual plot sites, shall be placed underground.

3. For fill in areas of proposed structures, roadway, please see current construction report for modern construction. All construction shall be in accordance with the geotechnical report and coordinated with the developer's geotechnical engineer.

4. Controlled fill shall be placed in accordance with the geotechnical report and coordinated with the developer's geotechnical engineer.

5. Slope stability analysis will be required for any slope steeper than 3:1.

6. Proposed retaining wall greater than 2 feet in height shall be submitted to Warren County Building Inspection for separate approval.

7. Loading and service bays, loading areas, service enclosures and service bays shall be oriented and/or screened so as not to be visible from the corridor highway.

8. Waste disposal areas, Dumpster and other waste disposal areas shall be completely screened from the public view by means of a board-on-board fence and landscaping, or similar opaque material. Utilities, utility lines, such as electric, telephone cable, television or similar lines, shall be installed underground. This requirement shall apply to lines serving individual sites as well as utility lines necessary within the project. All function and access bays shall be screened. All utility pad features and enclosures shall be shown on the site plan. The necessity for utility connections, outdoor house, etc. shall be recognized and integrated with the architectural elements of the site plan. All underground utilities shall be installed within easements parallel to street right-of-way or lot line when possible.

9. Outside storage/display of goods, outside storage or display of goods shall be completely screened from the view of the corridor highway. Outdoor storage shall include the parking of all company owned and operated vehicles, with the exception of passenger vehicles.

10. Fences, fences exceeding four feet in height shall be located in side and rear yards. Chain-link fences, including those with stile, are discouraged. Particularly where visible from a public right-of-way. No chain-link fences shall be permitted in the front yard in the HC District.

11. Mechanical equipment, mechanical equipment shall be shielded and screened from the public view as designed to be preserved as an integral part of the building.

12. The building, building materials shall be typical of those prevalent in Warren County, including stone, brick, architectural block, wood siding, and standing corrugated metal. Inappropriate materials include reflective glass and metal wall panels. No facades visible from adjoining property or the corridor highway shall be constructed of corrugated metal, corrugated metal or sheet metal.

13. The permanent color of building materials (to be left unpainted) shall be the color of the predominant tone, primarily earthen tones, around the corridor. Dark and striking colors should be avoided.

14. Lighting will be installed in accordance with § 100-402 of this ordinance.

GENERAL NOTES

1. The location, height, make, model, lamp type and wattage of each outdoor lighting fixture will be provided with final site plan submittal.

2. Certification that the angle of total light output is no more than 60 degrees.

3. All outdoor lighting fixtures, including display lighting, will be turned off after close-of-business, unless needed for safety or security, in which case the lighting shall be reduced to the minimum level necessary.

4. All light fixtures that are required to be fully shielded will be installed and maintained so that the shielding is effective as described in the definition of a fully-shielded fixture in § 100-402.21, Definitions.

5. Light trespass from any lighting fixture will be designed not to exceed one footcandle at the property line.

6. All outdoor lighting fixtures will comply with the shielding requirements of Section 100-402.21 Table F.

151 Waddy Hill Lane
Warrenton, Virginia 22602
Phone: (540) 653-7819
Fax: (540) 653-9773
www.greenwayeng.com

GREENWAY ENGINEERING

GENERAL NOTES

FRONT ROYAL SELF STORAGE LLC

NORTH RIVER MAGISTRAL DISTRICT
WARREN COUNTY, VA

SP NUMBER: POC-XC

DATE: FEB 16, 2021

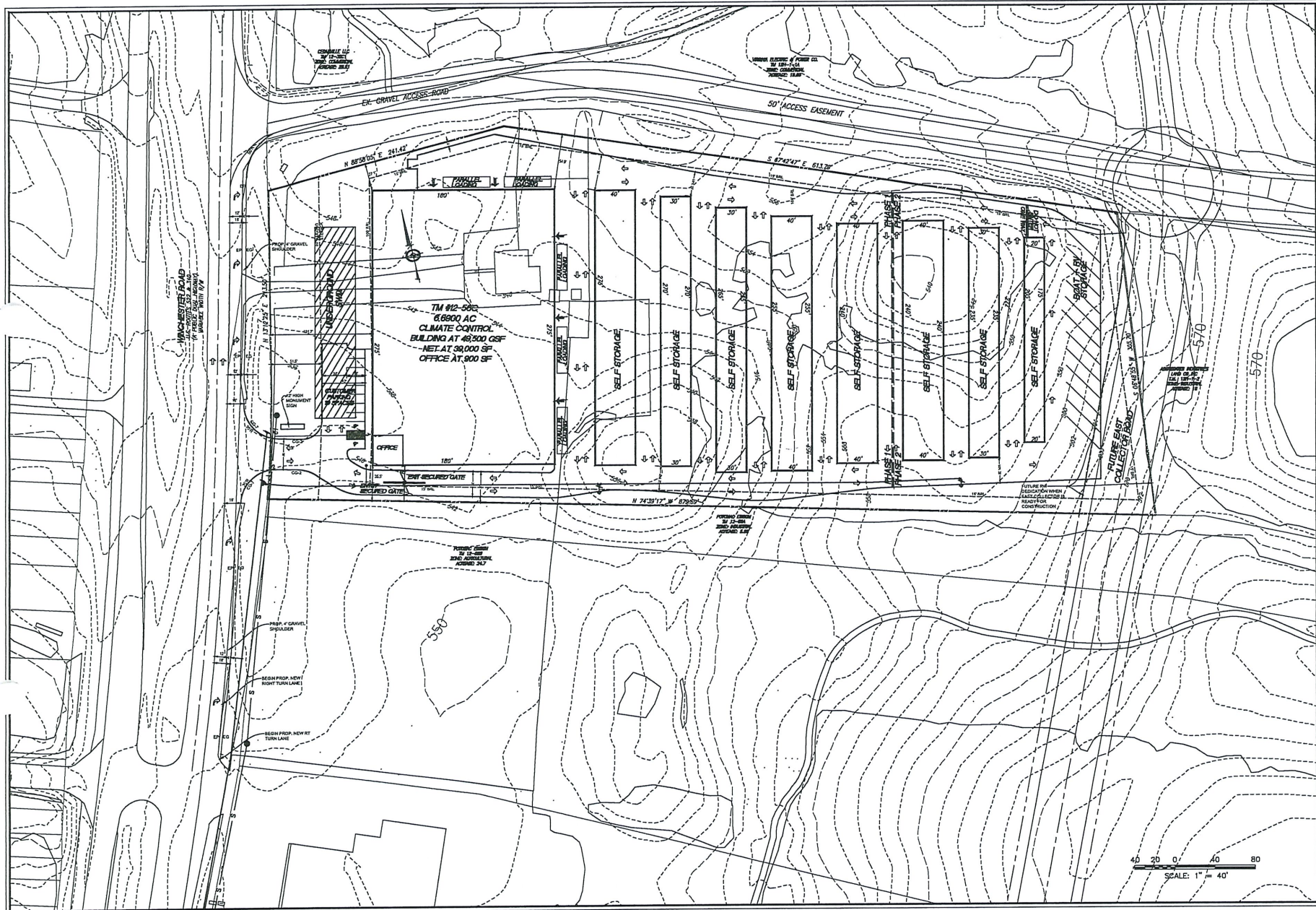
SCALE: N/A

DESIGNED BY: TNAMB

FILE NO: 586R

SHEET 2 OF 3

12-21



101 Woods Hill Lane
Woodstock, Virginia 22092
Tel: 540-953-1855
Fax: 540-953-1858
www.geneengineering.com



GENERAL DEVELOPMENT PLAN
FRONT ROYAL SELF STORAGE LLC
NORTH RIVER MAGISTERIAL DISTRICT
WARREN COUNTY, VA

SP NUMBER: XXX-XX



DATE: FEB 16, 2021

SCALE: 1"=40'

DESIGNED BY: TNA

FILE NO. 686SR

SHEET 3 OF 3

12-21



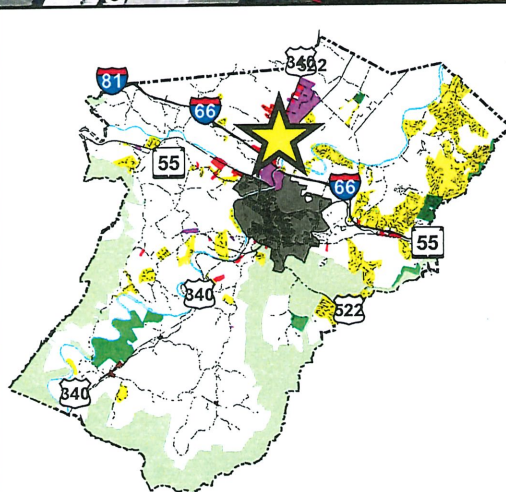
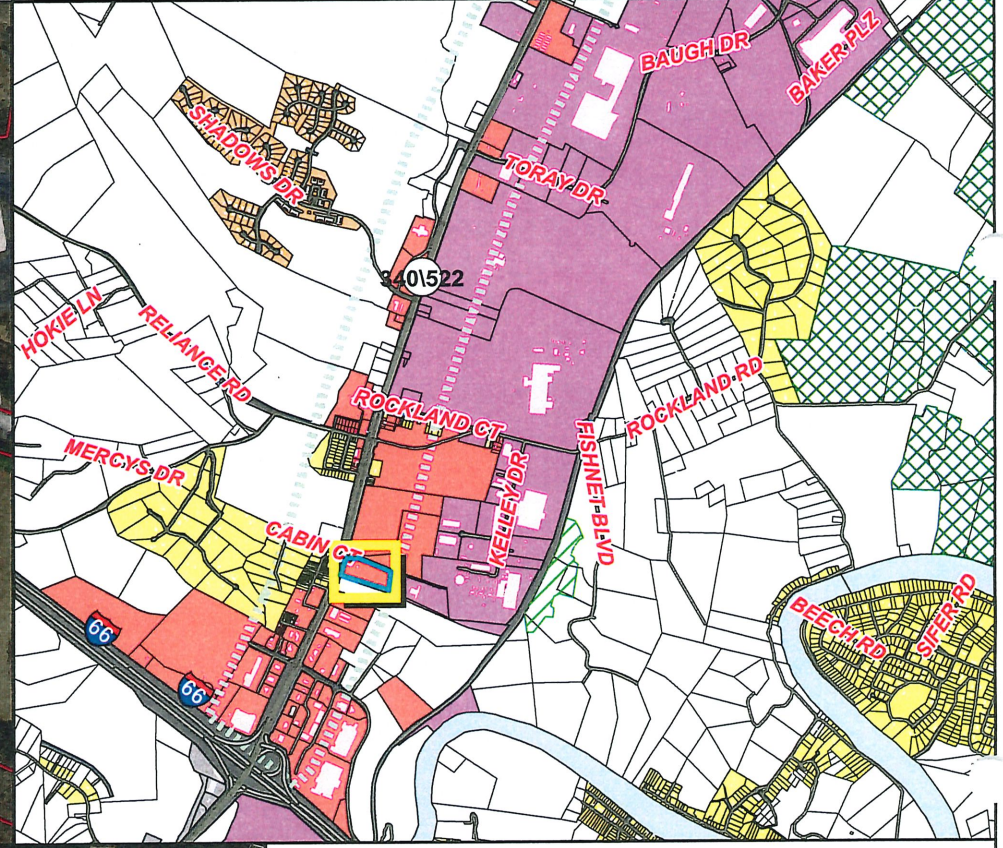
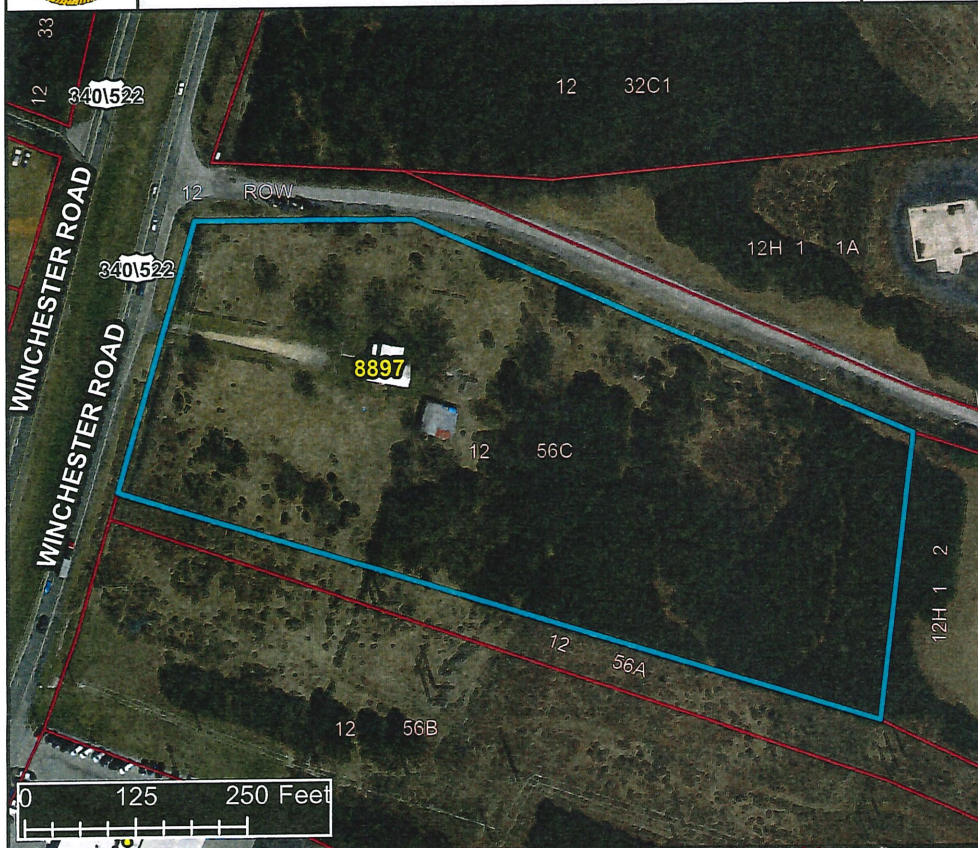
Warren County VA

CUP Location Map



CUP: Enclosed Storage
Applicant: Front Royal Self Storage, LLC

TM 12-----56C
8897 Winchester Rd



Zoning

Agricultural	Rural Residential
Commercial	Right of Way
Industrial	Front Royal
Residential One	Federal Land
Residential Two	State Land
Suburban Residential	Water
Village Residential	VOF Conservation Easements
	WC Conservation Easements

Map produced by
Warren County GIS 2021
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
5/4/2021	H-14	Conditional Use Permit – 2021-03-05 <i>Front Royal Self Storage</i> <i>Storage of Cars, Boats, and Recreational Vehicles</i>	1 of 2

EXPLANATION & SUMMARY:

See attached application and staff report.

General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards:

- (1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.
- (2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- (3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- (4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area.
- (5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.
- (6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that:
 - (a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.
 - (b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.
 - (c) Provide for adequate parking and ingress and egress to public streets or roads.
 - (d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property.
 - (e) Prevent such use from changing the character and established pattern of development of the community.

After proper advertisement and a public hearing by the Planning Commission, the application has been forwarded to the Board of Supervisors recommending approval with the following conditions:

1. The applicant shall comply with all Virginia Department of Transportation, Town of Front Royal Public Works Department, Warren County Building Inspections, and applicable environmental regulations and requirements.
2. The applicant shall submit a formal site plan to the county prior to the issuance of a building permit.
3. The area on the property for the storage of RV's, boats and cars shall be adequately screened from view of Route 340/522 North in accordance with the County's Highway Overlay District and as approved by the Warren County Planning Department.
4. All vehicles shall have valid tags and inspection while stored on the site.
5. The storage of recreational vehicles, boats and cars on the property shall be in conjunction with the enclosed storage facility (CUP#2021-03-04).

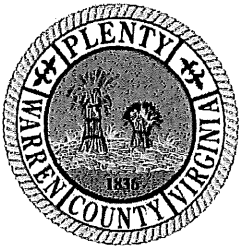
Motion to Approve:

Mr. Henry moved to forward this application to the Board of Supervisors recommending approval. The motion was seconded by Mr. Longo, and approved by the Planning Commission by a vote of 4-0.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed conditional use permit request for advertisement for a public hearing.

SUBMITTED BY: Taryn G. Logan, Deputy County Administrator	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (Describe)	PROCESSED BY:
---	---	----------------------



Conditional Use Permit: 2021-03-05
Storage of Recreational Vehicles, Boats and Cars
Front Royal Self Storage, LLC
Staff Report for the Planning Commission
Prepared: March 10, 2021
Staff Contact: Taryn Logan, AICP, Planning Director

SUMMARY OF REQUEST

Front Royal Self Storage, LLC is requesting a conditional use permit for the storage of recreational vehicles, boats and cars in conjunction with CUP#2021-03-04 for an enclosed storage facility. The property is located at 8897 Winchester Road in the North River Magisterial District. The overall project is proposed in two phases. The first phase includes 39,000 square feet of climate-controlled storage, 38,000 square feet of drive-up storage and a section furthest away from Winchester Road that will contain RV and boat storage. The second phase would expand the storage to up to 125,000 square feet total. The addition of drive-up units in the second phase depends on market demand.

The property is the site of an abandoned single family dwelling that was served by a well and a pump and haul system. The property is located on Winchester Road, just north of the Potomac Edison transmission line and Shenandoah Motors and west of Warren Industrial Park.

The property lies within the County's highway overlay district, which has architectural requirements on all building facades visible from the corridor highway (Route 340/522). Another requirement of the highway overlay district is no outdoor storage, which would include recreational vehicles, boats and cars that are being stored on the property. They will need to be fully screened from view of the corridor highway.

The Commercial (C) district is intended, "for areas suitable for the conduct of general business not characterized by either constant heavy trucking or nuisance factors and to which the public requires direct and frequent access."

PROPERTY INFORMATION

Property Location: 8897 Winchester Road
Zoning: Commercial (C)
Acres: 6.69

Tax Map ID: #12-56C
Magisterial District: North River
Existing Land Use: Vacant SFD

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)
South: Commercial (C)
East: Industrial (I)
West: Residential-One (R-1)

Use: Potomac Edison Power
Use: Vacant
Use: Aggregate Industries (Warren Industrial Park)
Use: Route 340/522 North
Single Family Dwellings

PROPERTY HISTORY

This property was part of a rezoning that occurred in 1977.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for commercial land uses. The storage of recreational vehicles, boats and cars is a use permitted by conditional use permit.

ROUTE 340/522 OVERLAY DISTRICT

The site lies within the 1000' Route 340/522 Overlay District, which should address architectural details, landscaping and overall appearance. There is a proposed collector road to the rear of the property shown in the County's Comprehensive Plan. The applicant should plan for this in the site plan phase of the project.

AGENCY COMMENTS:

This request has been sent to VDOT, Town of Front Royal, Warren County Building Inspections, and Rappahannock Electric for their review and comment. The Applicant has been working with VDOT on proposed transportation improvements. Also, the facility is proposed to be connected to water and sewer.

RECOMMENDED CONDITIONS

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.

Staff recommends that, if the Planning Commission recommends approval of this application, the following conditions should be applied:

1. The applicant shall comply with all Virginia Department of Transportation, Town of Front Royal Public Works Department, Warren County Building Inspections, and applicable environmental regulations and requirements.
2. The applicant shall submit a formal site plan to the county prior to the issuance of a building permit.
3. The area on the property for the storage of RV's, boats and cars shall be adequately screened from view of Route 340/522 North in accordance with the County's Highway Overlay District and as approved by the Warren County Planning Department.
4. All vehicles shall have valid tags and inspection while stored on the site.
5. The storage of recreational vehicles, boats and cars on the property shall be in conjunction with the enclosed storage facility (CUP#2021-03-04).

Cc: Front Royal Self Storage, LLC, Applicant



Statement of Justification
for the proposed Self Storage Facility
at 8897 Winchester Road, Front Royal, VA 22630

February 16, 2021

To the Warren County Planning Commission and Board of Supervisors:

Front Royal Self Storage LLC (FRSS) is proposing construction of a self-storage facility on the 6.69 acre parcel located at 8897 Winchester Road in Front Royal Virginia. We have determined the market/area is underserved regarding self-storage and, our proposed improvements at this facility will be a dramatic improvement over the current use and condition of the property.

When calculating the demand for self-storage, it is accepted in the industry to use 8 SF per person within reasonable proximity of the storage facility. This establishes the equilibrium point for self-storage. Urban areas will use a 3-mile radius when calculating the population and rural areas can use up to a 10-mile radius. For purposes of our analysis, we are using a 10-mile radius.

According to KLNb, a regional real estate brokerage firm representing nearby commercial property, the population within a 10-mile radius from the proposed site is 77,282. Using the 8 SF/Person formula, we can establish the equilibrium point as being 618,256 SF. There are currently eight self-storage facilities within this 10-mile radius totaling approximately 225,000 SF. Self-storage is clearly a need that is not being fully met – See attachment.

Additionally, FRSS marketing and feasibility consultants have contacted the larger facilities in the market, and most if not all report 100% occupancy and a waiting list for the most popular units.

Although the site can physically accommodate 125,000 SF of storage, we are proposing a two-phased approach. The first phase includes 39,000 SF of climate-controlled storage and 38,000 SF of drive-up unit storage. Also, in the first phase, the eastern portion (furthest from Winchester Road) will be used for RV and boat storage. The ultimate plan of up to 125,000 SF is well under the market equilibrium. Separating this project in to two phases will allow us to establish operations and verify demand before building additional drive-up units (phase 2) on the eastern portion of the property.

Also, there are currently no climate-controlled storage options in the area.

Regarding our belief that this project will improve the area, the site we are pursuing is an abandoned residential property, served by a well and a pump & haul septic system. Modern buildings utilizing public water and sewer certainly are an improvement.

The property is bordered by Aggregate Industries concrete plant to the east, an access road for the concrete plant and the Dominion VA Power electric generating station to the north, an Extra High Voltage line to the south and Winchester road to the west. It is a unique property, and given its surroundings, there are not a lot of options for other uses. The site is not well suited for residential or retail use. We believe a new storage facility will fit in and be an enhancement to the Winchester Road corridor.

As the public travels on Winchester Road, they will see the façade of the climate-controlled building, which will be designed per Highway Corridor overlay district architectural requirements. The drive-up storage units will be behind the building and within a security fence. Customers will pass through a security gate on the south side of the building to access the drive-up units and well as the climate-controlled building. Loading for the climate-controlled building will occur behind and on the sides of the building.

The security gate will be located towards the rear on the climate-controlled building. There will be a key pad entrance for access. The entire site will be covered by security cameras. We will fully comply with section 180.45.5 (Self-service Storage Facilities) of Article V, Supplementary Regulations of Warren County, VA.

Our focus will be operating a clean, modern, state of the art and secure self-storage facility.

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

2 of 2

Application Number: 2021-03-05

Date Received: 2/17/2021

Fee Amount: \$ 500.00

Date Paid: 2/17/21

BOAT &
RV STORAGE

CR# 90416

Applicant Information:

Front Royal Self Storage LLC
Applicant Name

8009 WOLFTRAP ROAD, DUNN LORING, VA 22027
Address City State Zip

8897 WINCHESTER ROAD, FRONT ROYAL VA 22630
Property Location for conditional use permit if Different than Applicant's Address

703-244-1972 emurphy@rdsDC.com
Primary Contact Number Email

WILSON CHU BUSINESS TRUST
Property Owner (if same as applicant, leave blank)

5551 SADDLE DOWNS PL., CENTREVILLE VA 20120
Address City State Zip

703-981-4909
Primary Contact Number

Respectfully request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a Conditional Use Permit for the property described below.

A. Property Information:

- (1) Address/Location: 8897 WINCHESTER ROAD, FRONT ROYAL
(2) Election District: NORTH RIVER
(3) Tax Map Number: 12-56C
(4) Subdivision Name: N/A
(5) Total Area of Property (acres): 6.69
(6) Total Area to be Used (acres): 6.69
(7) Total Road Frontage (feet): 308.6
(8) Depth of Property (feet): 855.2
(9) Present Zoning: COMMERCIAL

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: BOAT & RV STORAGE
- (2) Current land use and condition of site: VACANT ABANDONED RESIDENTIAL
- (3) Zoning of surrounding land/property: COMMERCIAL/INDUSTRIAL
- (4) Will development be staged? ☒ Yes ☐ No
- (5) Construction Time: 24-36 MONTHS
- (6) Season, days, and hours of operation: OPEN WEEKLY
- (7) Will there be a sign? ☒ Yes ☐ No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) NO
- (9) Number of full time employees: 3
- (10) What type of sewage disposal system will be used? ☐ Private ☐ Central ☒ Public
- (11) Number of persons to be served by the sewage disposal system: _____
- (12) Number of parking spaces to be provided: Regular 10 Handicap 2
- (13) What is the proposed landscaping and buffering for this property? AS REQUIRED, FRONT & SIDE SETBACK

C. Plans Prepared By

Name: SPEEDWAY ENGINEERING, INC.

Address: 151 WINDY HILL RD, WINCHESTER, VA

Telephone Number: 540-662-4185

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?)
NO - COMMERCIAL IMPROVEMENT
WILL BENEFIT COMMUNITY

- (2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) _____

No

- (3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) _____

No

- (4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. _____

NONE

- (5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) _____

No

- (6) What will be the impact on traffic? _____

NONE / LOW TRAFFIC USE

- (7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. _____

- LED / BUILDING MOUNTED

- CUT OFF AT PROPERTY LINE

**The following documents and/or information are required
to be submitted with the application:**

☒ **An application fee of \$500.00.**

Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.

☐ **A Statement of Justification**

This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 ½ x 11 size paper.

☐ **A Site Plan/Survey.**

Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.

☐ **Sewage Disposal and Well Site.**

Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.

☐ **A copy of the deed to the property verifying the current ownership.**

A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.

☐ **A statement verifying that real estate taxes have been paid.**

This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.

☐ **Environmental and Community Impact Statements**

The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.

☐ **List of chemicals stored on the site**

A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.

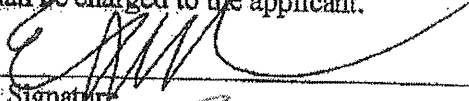
☐ **Location Map**

A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.

☐ **Directions to your property from the Warren County Government Center.**

NORTH OF WINCHESTER ROAD TO
8897 WINCHESTER ROAD

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.


Applicant Signature

2/5/21
Date


Property Owner Signature

2/6/2024
Date

Accepted by: _____

Date: _____

PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

FRONT ROYAL/RIVERTON VA AREA SELF-STORAGE MODEL

DEMAND MODEL						MARKET SUPPLY			NOTES
	2 Miles	4 Miles	KLNB 5 Miles	6 Miles	KLNB 10 Miles	FACILITY NAME	Address	SQ FT	
Total Households	775	6,513	8,837	11,024	28,605	1- Shenandoah Valley Storage	6951 Winchester Road	61,400	All Drive Up
% of Users	10.57%	10.57%	10.57%	10.57%	10.57%	2-Blue Ridge Self Storage	1465 Strasburg Road	53,578	All Drive Up
						3- Happy Creek Storage	676 Shenandoah Shores Road	29,500	All Drive up
Total users	82	688	934	1,165	3,024	4 - Country Mini Storage	137 Silas Lane	2,948	All Drive Up
Units per user	1.3	1.3	1.3	1.3	1.3	5 - Royal Oak Storage	603 Remount Road	20,250	All Drive Up
						6- Signal Nob Self Storage	5320 Strasburg Road	4,500	All Drive Up
Total Units Used	106	895	1,214	1,515	3,931	7- Apple House Mini Storage	4675 John Marshall Highway	19,200	All Drive Up
Sq Ft of Unit	120	120	120	120	120	8- Stephens City	11114 Fairfax Pike	30,000	All Climate Controlled
						Total Square Feet in Market		221,376	
Total Residential SF = 80%	12,779	107,394	145,715	181,777	471,674	Demand Potential Delta - Short SF			10 mile Radius
Total Business SF = 20%	3,195	26,849	36,429	45,444	117,918	Demand Potential Delta - Short Units			
Total SQ FT Demand Potential	15,974	134,243	182,144	227,221	589,592				
Population	2,509	17,550	24,202	29,723	77,282	Demand Potential Delta - Short SF			10 Mile Radius
8 SF per Capita	8	8	8	8	8	Demand Potential Delta - Short Units			
Total SQ FT Demand Potential	20,072	140,400	193,616	237,784	618,256				

Natalie Lentz

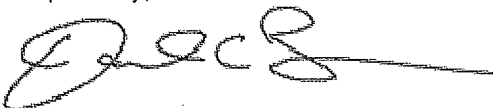
From: David Beahm
Sent: Monday, March 1, 2021 3:49 PM
To: Natalie Lentz
Cc: Paula Fristoe
Subject: FW: Request for Comments CUP 2021-03-05 – Front Royal Self Storage, LLC – Storage of Cars, Boats, and Recreational Vehicles – WCCUP-000091-2021
Attachments: Statement of Justification_2021-03-05.pdf; Conditonal Use Permit Application_2021-03-05.pdf; Community Impact Statement_2021-03-05.pdf; Enviornmental Impact Statement_2021-03-05.pdf; Request for Comments_2021-03-05.doc

Comments CUP 2021-03-05 – Front Royal Self Storage, LLC – Storage of Cars, Boats, and Recreational Vehicles:

- Erosion and Sediment Control (ESC) Items:
 - Application and permits are required for ESC permit, which would be a normal submission including a full plan review application.
 - The area of disturbance exceeds one (1) acre which will additionally require a Stormwater permit through the Department of Environmental Quality (DEQ). Approval by DEQ (Construction General Permit) would be required prior to any Erosion and Sediment Control Permit and any type of Building Permit being issued by Warren County.
- Building Inspections Items:
 - If or when any building construction related activity (structure, electrical, plumbing, mechanical, etc.) were to start, it would be subject to the normal requirements of application, review and approval prior to work beginning.
 - Storage Buildings over 2,500 square feet require fire suppression. This code requirement has been explained to the applicants during prior meetings.

If anything should change in the scope additional requirements may be required.

Respectfully,



David C. Beahm, CBO
Building Official
County of Warren
540-636-9973
Fax 540-636-4698
dbeahm@warrencountyva.net
www.warrencountyva.net

THIS MESSAGE IS INTENDED SOLELY FOR THE INDIVIDUAL(S) NAMED IN THE HEADER. THIS MESSAGE MAY CONTAIN MATERIAL THAT IS PRIVILEGED OR CONFIDENTIAL. IF YOU ARE NOT ONE OF THE INTENDED RECIPIENTS, PLEASE DO NOT READ, COPY, USE, OR DISCLOSE THIS MESSAGE TO OTHERS; PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE; AND THEN PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU.

From: Natalie Lentz <NLentz@warrencountyva.net>
Sent: Thursday, February 25, 2021 2:16 PM
To: David Beahm <Dbeahm@warrencountyva.net>
Subject: Request for Comments CUP2021-03-05

Taryn Logan

From: Arthur Boyce <bobby.boyce@vdot.virginia.gov>
Sent: Friday, April 23, 2021 9:46 AM
To: Taryn Logan
Subject: Warren-Rte 340/522-Front Royal Self Storage, LLC CUP 2021-03-04

<<...>>

DEPARTMENT OF TRANSPORTATION

Staunton/Edinburg Land Development

14031 Old Valley Pike

Edinburg, VA 22824

Dear Ms. Logan:

We have reviewed the above subject Conditional Use Permit Application dated February 17, 2021 received April 21, 2021 for impacts to the adjacent roadway. This application is for the construction of a combined 125,000 square feet of both climate and non-climate controlled storage. Our comments are as follows:

- We estimate that an additional 15' of right-of-way is needed to install the proposed corridor improvements plus a 20' slope, drainage, and utility easement. The dedication width verified during site plan design and secured prior to construction.
- Typically we require that roadway improvements along the front of commercial properties be installed per the Warren County Comprehensive Plan proposed widening for the corridor. However since these self-storage units for the most part are low volume uses, we suggest that the right turn lane be installed as proposed by the developer and necessary right-of-way or easements dedicated to VDOT per the corridor plan. The entrance and site construction will need to be setback and/or graded to accommodate the future road improvements per the County's plan.
- This property is within the alignment of the County's eastern parallel collector road (Caroline Drive) to Route 340/522 outlined in the Comprehensive Plan. Right-of-way should be secured for construction of this future roadway.
- An entrance will need to be installed that will meet VDOT's minimum commercial standards including sight distance requirements. The design for the entrance should be included with the site plan and will need to be submitted to this office for review and approval prior to any construction.
- A Land Use Permit shall be obtained before any work is performed on the State's right-of-way. The permit is issued by this office and will require an application fee and surety coverage. Once satisfactory application has been made, a permit will normally take 7-14 days to process and issue.

We appreciate the County's efforts to include VDOT in the early planning stages for development and the opportunity to provide comments on this Conditional Use Permit. We ask that you include a copy of this transmittal for official public record. If you have any questions or need further information, please do not hesitate to give me a call.

Sincerely,

Bobby Boyce

VDOT- Land Development Engineer
Shenandoah, Frederick, Clarke, & Warren Counties



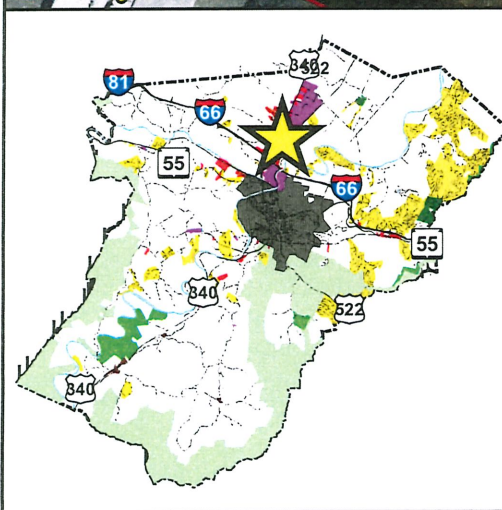
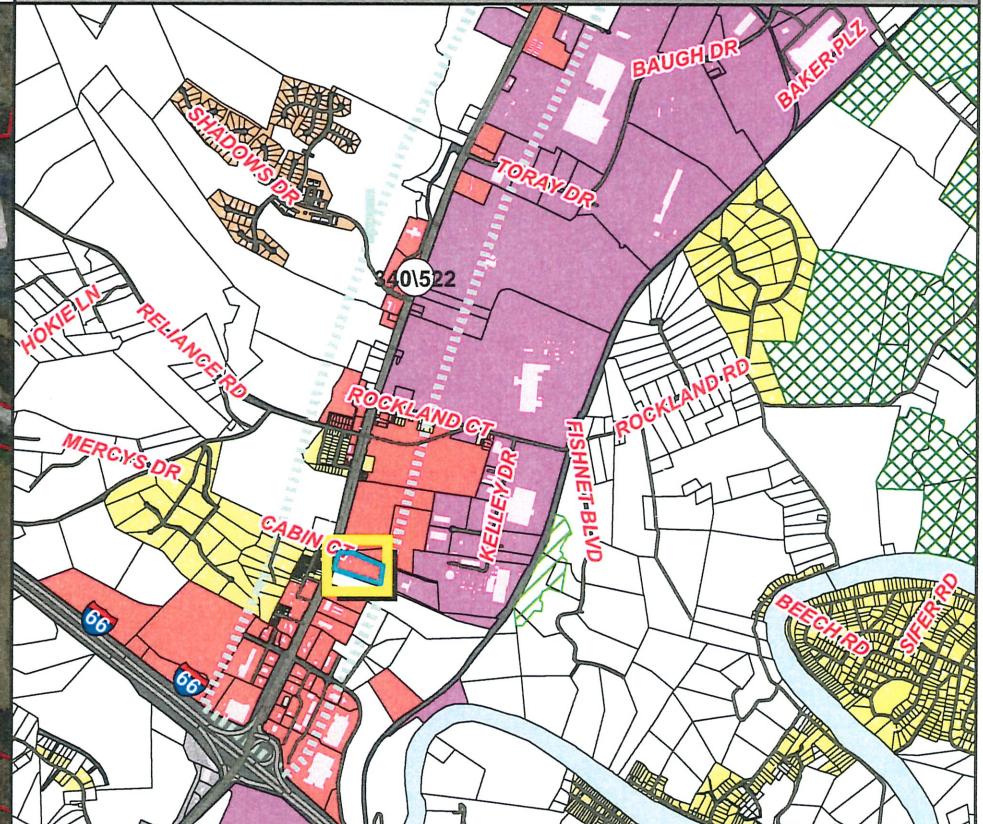
Warren County VA

CUP Location Map



CUP: Storage of Cars, Boats, and RVs
Applicant: Front Royal Self Storage, LLC

TM 12-----56C
8897 Winchester Rd



Zoning

Agricultural	Rural Residential
Commercial	Right of Way
Industrial	Front Royal
Residential One	Federal Land
Residential Two	State Land
Suburban Residential	Water
Village Residential	VOF Conservation Easements
	WC Conservation Easements

Map produced by
Warren County GIS 2021
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:
05/04/2021	H-15	Conditional Use Permit #2021-03-06 Jacob R. Foltz <i>Commercial Garage Repair</i>

EXPLANATION & SUMMARY:

See attached application and staff report.

General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards:

- 1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.
- 2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- 3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- 4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area.
- 5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.
- 6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that:
 - a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.
 - b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.
 - c) Provide for adequate parking and ingress and egress to public streets or roads.
 - d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property.
 - e) Prevent such use from changing the character and established pattern of development of the community.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed Conditional Use Permit request for a Commercial Garage Repair for advertisement of a public hearing.

SUBMITTED BY:

Joseph Petty 
Planning Director

DISPOSITION OF COMMISSION:

☐

APPROVED

☐

OTHER (Describe)

**PROCESSED
BY:**



Conditional Use Permit: 2021-03-06 / Commercial Garage Repair

Jacob R. Foltz, Current Owners/Applicants

Prepared: March 10, 2021

Staff Contact: Joseph Petty, Zoning Administrator

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a Commercial Garage Repair. The owner operates a mobile forklift repair business that has been family owned for many years. Occasionally projects need to be brought to a shop for additional work. The property owner/applicant would like to construct a detached garage on their property that allows them to perform work and keep materials and equipment indoors.

PROPERTY INFORMATION

Property Location: 288 Durham Drive
Tax Map ID: 18E--2-2--11
Magisterial District: South River
Subdivision: Rolling Valley

City: Front Royal
Zoning: Agricultural (A)
Acres: 5.02 Acres
Existing Land Use: Single Family Dwelling

SURROUNDING ZONING DISTRICTS & USES

North: Zoned Agricultural (A)
South: Zoned Agricultural (A)
East: Zoned Agricultural (A)
West: Zoned Agricultural (A)

Use: Single-Family Dwelling
Use: Vacant Lot, Forest
Use: Vacant Lot, Forest
Use: Single-Family Dwelling

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Agricultural zoning district. The house was constructed in 2010, and does not have a record of any previous zoning violations.



COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for agriculture/residential land uses. A Commercial Garage Repair is a use allowed by conditional use permit in the Agricultural (A) zoning district, and is compatible with the current Warren County Zoning Ordinance.

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

ATTACHMENTS

☐ Agency Comments
☒ Location Map

☒ Application
☐ Public Comments

☐ Health Permit
☐ Submitted Plans

☒ Letter from Applicant
☐ Other: _____

SUPPLEMENTARY REGULATIONS

Warren County Zoning Ordinance: § 180-42 Commercial garage (repair)

- A) Commercial garages shall be screened from view of any adjacent residential district or residential use or an adjacent lot by means of a combination of evergreen landscaping and solid fencing with a minimum height of six feet and with the landscaping located nearest the affected lot. **Applicant shall work with Planning Department in order to meet condition and Warren County Code §180-18 and §180-49.1.**
- B) Commercial garages shall be located on a lot or parcel adjacent to and have access to a state-maintained road. **Applicant is seeking a waiver from this condition. The business will not have customer traffic, only scheduled roll-off trucks.**
- C) The owner of the commercial garage shall prepare a statement stating how the environment will not be degraded by the following aspects: **See attached letter**
- 1) The commercial garage structure.
 - 2) The accumulation of operable or inoperable vehicles.
 - 3) Repair equipment and tools.
 - 4) Containers for the storage of parts and liquids (used oil, antifreeze and similar fluids). **Most items are kept on the work truck that is used for the mobile business.**
 - a) Containers for liquids shall be clearly identified as to their contents.
- D) All associated materials for the operation of the garage shall be stored within a fully enclosed building. **A building is proposed to be constructed in order to accommodate business.**
- E) A statement describing the need for a commercial garage at the particular site indicated in the application.
- F) A sketch of the parcel showing all the following information: **See attachment**
- 1) The location of the commercial garage.
 - 2) All other buildings (house, outbuildings, storage buildings and similar structures).
 - 3) Proposed and existing parking areas.
 - 4) Septic tank and drainfield location.
 - 5) Well location.
 - 6) All other prominent features on the property.
 - 7) Setback distances between all the features above shall be shown in feet.
- G) Separation between all buildings shall be of a sufficient distance as to provide adequate fire protection.
- H) When combined with a residential dwelling in the following zoning districts: Agricultural (A) and Village Residential (VR), the following additional regulations apply:
- 1) A nonilluminated sign may be posted to advertise the establishment that shall not exceed two square feet in size.
 - 2) All work to be performed shall be on an appointment-only basis. **All work is by appointment only, as there are no customer hours.**
 - 3) No more than two employees, which includes the owner, shall be associated with such an operation. **There are no employees other than the property owner.**

RECOMMENDED CONDITIONS

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. *Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.*

1. No inoperable vehicles/equipment shall be stored outdoors on the property
2. No more than three (3) forklifts will be stored outdoors at any one time
3. Waste materials of fluids parts and other related debris shall be disposed of properly
4. A waiver to the required access to a state-maintained road shall be granted given the business traffic is limited only to scheduled drop-off and pick-up of forklift vehicles and equipment.

Cc: Jacob R. Foltz – Owner/Applicant

RECEIVED**WARREN COUNTY****CONDITIONAL USE PERMIT APPLICATION**

FEB 08 2021

WARREN COUNTY
PLANNING DEPARTMENTApplication Number: 2021-03-06Date Received: 02-08-2021Fee Amount: \$ 500.00Date Paid: 02-08-2021 CK# 10624**Applicant Information:**Jacob R Foltz
Applicant Name288 Durham Dr. Front Royal VA 22630
Address City State Zip

Property Location for conditional use permit if Different than Applicant's Address

703 909 6999 jakefoltz@yahoo.com
Primary Contact Number Email

Property Owner (if same as applicant, leave blank)

Address City State Zip

Primary Contact Number

Respectfully request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a Conditional Use Permit for the property described below.

A. Property Information:

- (1) Address/Location: 288 Durham Dr.
- (2) Election District: Fork
- (3) Tax Map Number: 18E 22 11
- (4) Subdivision Name: Rolling Valley
- (5) Total Area of Property (acres): 5.02
- (6) Total Area to be Used (acres): 1
- (7) Total Road Frontage (feet): 655
- (8) Depth of Property (feet): 1082
- (9) Present Zoning: Agricultural

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Commercial repair garage
- (2) Current land use and condition of site: Single Family dwelling
- (3) Zoning of surrounding land/property: Agricultural
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: 3-6 months
- (6) Season, days, and hours of operation: Monday - Friday 8:30 - 5
- (7) Will there be a sign? ☐ Yes ☒ No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) No
- (9) Number of full time employees: owner only
- (10) What type of sewage disposal system will be used? ☒ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: 1
- (12) Number of parking spaces to be provided: Regular _____ Handicap _____
- (13) What is the proposed landscaping and buffering for this property? trees

C. Plans Prepared By

Name: _____

Address: _____

Telephone Number: _____

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?) NO

(2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) No

(3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) N/A

(4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. N/A

(5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) No

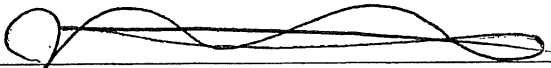
(6) What will be the impact on traffic? Not much impact, occasional roll back

(7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. Yes entry lights on outside of building. Should not effect neighbors

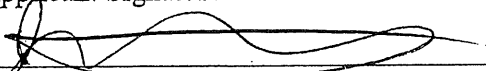
**The following documents and/or information are required
to be submitted with the application:**

- ☐ **An application fee of \$500.00.**
Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.
- ☐ **A Statement of Justification**
This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 1/2 x 11 size paper.
- ☐ **A Site Plan/Survey.**
Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.
- ☐ **Sewage Disposal and Well Site.**
Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.
- ☐ **A copy of the deed to the property verifying the current ownership.**
A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.
- ☐ **A statement verifying that real estate taxes have been paid.**
This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.
- ☐ **Environmental and Community Impact Statements**
The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.
- ☐ **List of chemicals stored on the site**
A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.
- ☐ **Location Map**
A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.
- ☐ **Directions to your property from the Warren County Government Center.**
~~② onto E 3rd St~~ ~~① onto~~ ~~②~~
① E 3rd St ② Chester St ① N Royal Ave
Slight ② onto 340 N ① turn ① onto W Strasburg Rd
① F+ Valley Rd ① onto Mt Rd. ① Rolling Valley Ln
② onto Durham Dr. Follow around last house on ②

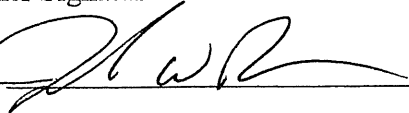
I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.


Applicant Signature

8 Feb 21
Date


Property Owner Signature

8 Feb 21
Date

Accepted by: 

Date: 2-8-2021

PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

Jacob R. Foltz
All Mechanical Repair LLC
DBA Total Lift Care
288 Durham Drive
Front Royal, VA 22630
(703) 909-6999
Feb. 3, 2021

Warren County Planning Commission
220 North Commerce Ave.
Front Royal, VA 22630

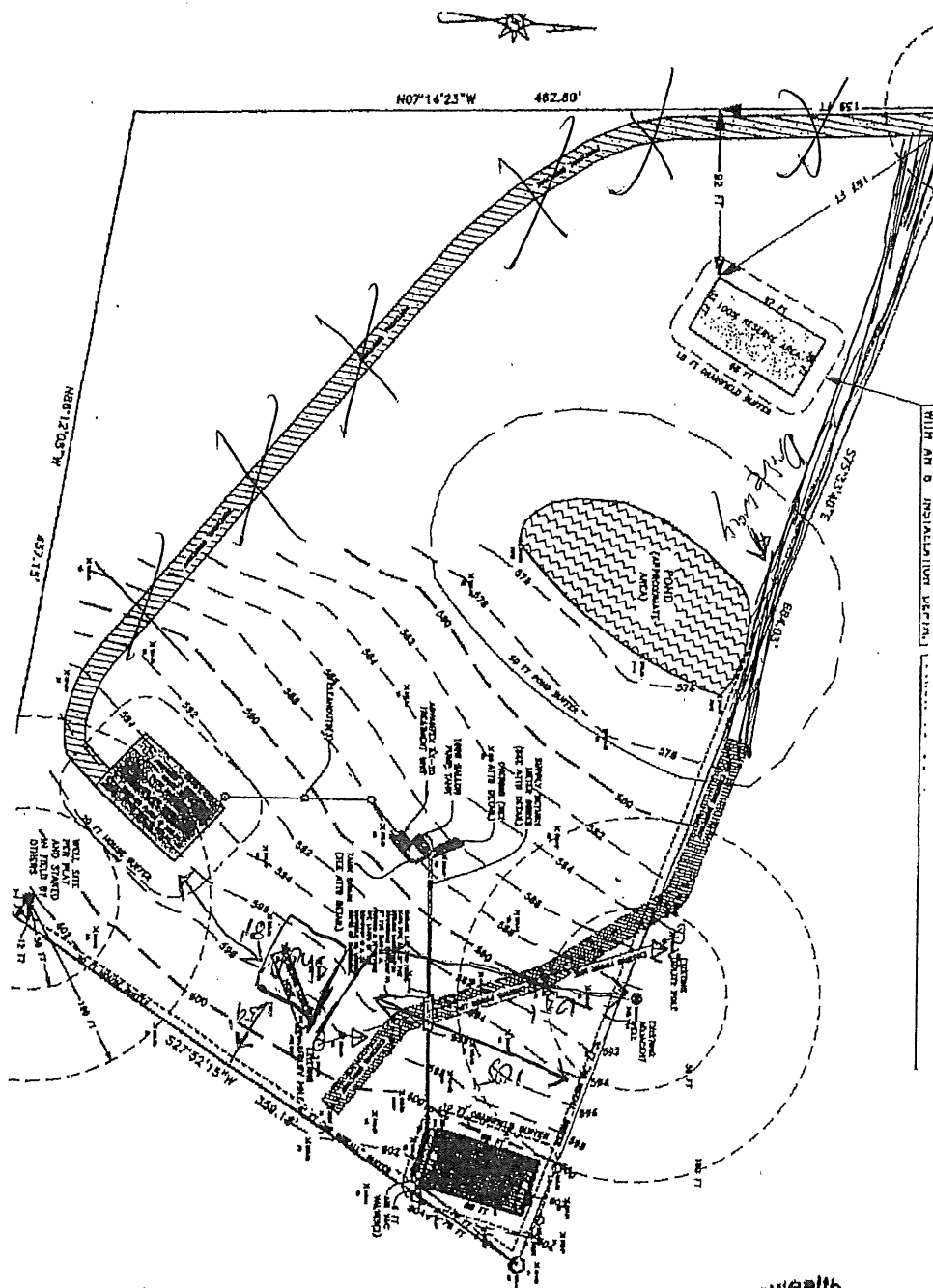
Planning Commission,

I, Jacob Foltz, member owner of All Mechanical Repair LLC would like to erect a shop for the occasional shop job, for my mobile forklift repair business. I am applying for a special use permit to have a combination single family dwelling unit and a commercial garage repair shop. There is ample space on my 5-acre parcel to put up a sizable shop. This shop would be used for repairing forklift and storing them, so they do not have to sit outside. I think a shop would benefit the property by helping to make the area look clean and tidy. Thank you for considering my application to erect a building on my property.

Sincerely,

Jacob R. Foltz
Member/ owner

Scale: 1" = 100'

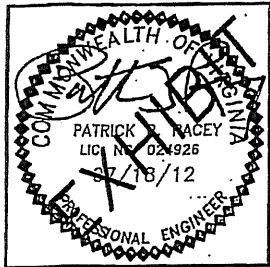


Commonwealth of Virginia
 Daniel Perry

DPOR #1940001087

Daniel Perry
 AOSE

Customer: Foltz
 Subdivision: Rolling Valley
 Tract: 11 Tax Map: 18E2-11-94
 Location: Durham Drive



**VISIBLE PHYSICAL
FEATURES SKETCH**
DPULLEN
7-18-12
TAX MAP# 18E-11-94

DARK/SHADED COMPONENTS DENOTE COMPONENT
LOCATION AT THE TIME OF RACEY ENGINEERING'S
VISIBLE PHYSICAL FEATURES SKETCH.



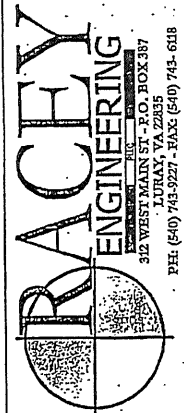
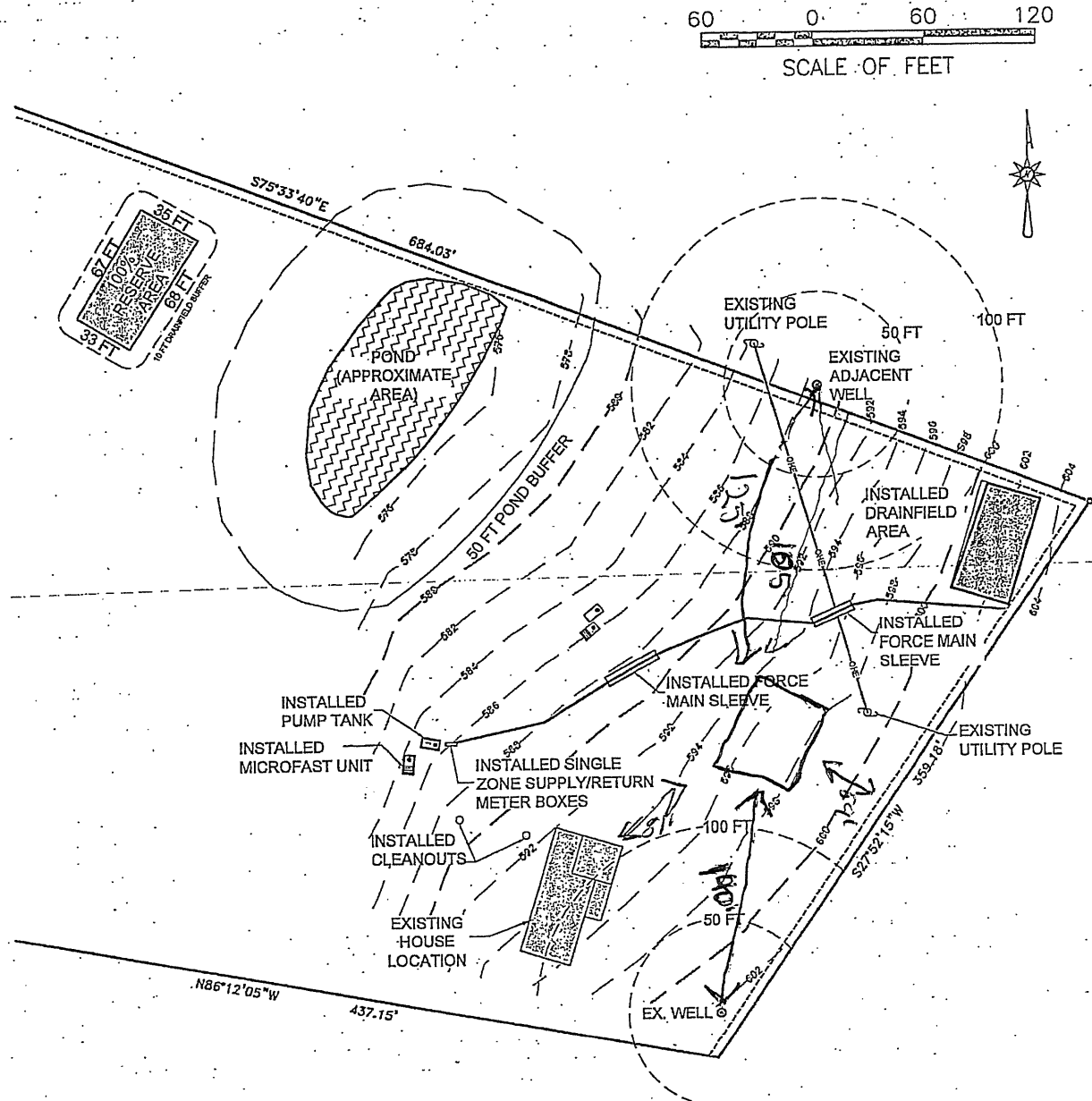
NON-SHADED LITE LINE COMPONENTS DENOTE
ORIGINAL PLAN RECOMMENDED LOCATION.



[1] THIS IS A SEWAGE DISPOSAL "AS-BUILT" SKETCH AND IS NOT
INTENDED TO BE USED FOR ANY OTHER PURPOSE...

[2] PERMIT ADMINISTRATION AND REVIEWS FOR WATER SUPPLY
LOCATIONS ARE NOT INCLUDED IN THE ENGINEER'S CONTRACT
WITH THE PROJECT OWNER.

[3] (SKETCH) FIELD MEASUREMENTS HAD TO BE COMPLETED
BEFORE SYSTEM BACKFILL OPERATIONS.



RACEY PROJECT #4B14

DATE	DESCRIPTION	DRAWN BY:
07/18/12	VISIBLE PHYSICAL FEATURES SKETCH	SDP
8/3/12	Review/Sign	PBR

THE JACOB FOLTZ PROPERTY WARREN COUNTY, VA	PREPARED FOR: JACOB FOLTZ	SEWAGE DISPERSAL DESIGN
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SCALE AS NOTED
SHEET 1 of 2

SHEET 5 OF 6

TRACT 9

TRACT 10

DURHAM

N 00° 36' 21" W 25'

N 07° 13' 17" W 462.66'

203.00' 25'

DRIVE 50' R/W

IPS
50' R
IPS

25.01'

IPS

IPS

N 86° 12' 43" W

437.33'

TRACT 11

5.0213 AC.

S 75° 33' 40" E

TRACT 12

5.0433 AC.

S 88° 41' 20" E

852.13'

IPS @ FENCE CORNER

359.00'

S 27° 53' 00" W

IPS

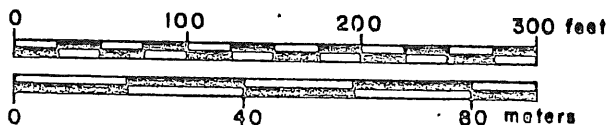
400.56'

IPS



NORMAN HALL
189/605

SCALE 1" = 100' 1:1200



NORTH BY SOLAR OBS.

NOTE: DURHAM DRIVE IS A PRIVATE STREET
RESERVED FOR TRACT OWNERS IN
ROLLING VALLEY SUBDIVISION.

To Whom it may concern,

Community & Environmental Impact:

The community should not be greatly impacted, there is no HOA in this development, the road is maintained 60% by myself. It is graded and rock laid when needed.

Environmentally all hazardous substances will be kept on/ stored in the work truck and not stored in the building. All materials are labeled accordingly. Oil and other waste products will be disposed of properly. Waste oil is stored in a pump tank in the service truck and disposed of before the tank reaches capacity at 1 of 3 locations, 2 here in Front Royal and 1 in Manassas, VA. Garbage and other waste are routinely taken to the transfer stations here in Warren County. Once scrap metal has accumulated enough to warrant a trip to the scrap metal facility in Frederick County, VA it is disposed of.

Natalie Lentz

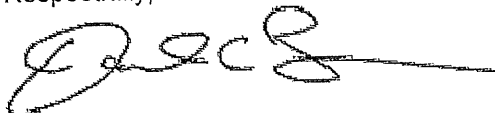
From: David Beahm
Sent: Friday, March 5, 2021 1:45 PM
To: Natalie Lentz
Cc: Paula Fristoe
Subject: FW: Request for Comments CUP 2021-03-06 - WCCUP-000087-2021
Attachments: Warren County Conditional Use Permit Application_Jacob Foltz_2021-03-06.pdf; Jacob Foltz Statement of Justification_2021-03-06.pdf; Jacob Foltz Site Plans_2021-03-06.pdf

Comments CUP 2021-03-06 – Jacob Foltz – Conditional Use Permit for a Commercial Repair Garage:

- Erosion and Sediment Control Items:
 - No land disturbance is indicated specifically within the application, but if any is required the following would be required:
 - Application and permits are required for ESC permit for work over 10,000 square feet, which would be a normal submission including a full plan review application. Any area that would be graveled that is not related to an existing graveled area would be considered part of the 10,000 square feet threshold.
 - If the area of disturbance exceeds one (1) acre consultation with the Department of Environmental Quality (DEQ) should be considered to ensure it meets the Stormwater Regulations. If it requires DEQ approval, we would not be able to issue anything prior to it being provided.
- Building Inspections Items:
 - The applicant indicates that the business is proposed to be conducted in an accessory structure to be located on the property with a single-family dwelling. The structure will need to comply with the requirements of the Virginia Uniform Statewide Building Code (USBC). This will require application to be made to the Building Inspections Department for review for structure, electrical, mechanical, plumbing, etc. At this time there is insufficient information provided without an application submission to provide any further response. If any additional information is needed beyond what is provided here, the applicant can contact the office and speak with the Plan Reviewer to assist.
 - The work that is indicated would require all permits as any other commercial business would before any work was started.

If anything should change in the scope additional requirements may be required.

Respectfully,



David C. Beahm, CBO
Building Official
County of Warren
540-636-9973
Fax 540-636-4698
dbeahm@warrencountyva.net
www.warrencountyva.net

THIS MESSAGE IS INTENDED SOLELY FOR THE INDIVIDUAL(S) NAMED IN THE HEADER. THIS MESSAGE MAY CONTAIN MATERIAL THAT IS PRIVILEGED OR CONFIDENTIAL. IF YOU ARE NOT ONE OF THE INTENDED RECIPIENTS, PLEASE DO NOT READ, COPY, USE, OR DISCLOSE THIS MESSAGE TO OTHERS; PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE; AND THEN PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU.

RE: Jacob Foltz Conditional Use Permit

Joe Gillette <jdgillette@embarqmail.com>

Fri 4/9/2021 9:58 AM

To: Natalie Lentz <NLentz@warrencountyva.net>

Ms Natalie Lentz,

Thank you for the conditional use permit application and drawings for Mr. Foltz Commercial Garage.

The 200 acres of Norman Hall family has been in our family since the 1930's. Norman Hall was born on the farm next door in 1890. Our family has been living and hunting in the Bethel since the early 1800's.

We used to access the back of our property via Durham road for twenty years via Johnny Gaines the original owner (current Foltz tract.) We'd drive up Durham Road a couple times a year and park for a couple hours on our land during deer season.

When Jacob Foltz first bought the tract he asked if he could ride his 4 wheelers on our land. Our father said no for liability reasons. Mr. Foltz neighborly response was to dig up the roadbed and block access to our land via Durham Road.

There is a history of trash and debris being blown onto our property from Foltz's property. We've picked it up a few times over the year. Currently, there are a dozen or more plastic items that belong to the Foltz's. There has been zero attempt to pick up the trash.

You're more than welcome to visit the site and inspect our adjacent Gillette/Hall family land to see what we're talking about. It's spread out across the tree line 50 to 75 yards directly across from the front entrance of the residence.

Every time we ride on the trail (farm equipment) by their house and or park on the trail like we've done for years we feel our/their privacy is disrupted.

Questions about Conditional Use Application:

1. Reason for application: to work on occasional forklifts and make the Area Look Clean and Tidy.

Applicant works on heavy equipment now we can hear it a mile away. Yard looks more like a scrap yard than a landscaped single family home. Also there is a small logging operation for outdoor wood furnace right up against our land. Looks raw from our property.

2. Season hours of operation Monday-Friday 8:30-5:00.

What is to keep the owner from working on weekends ? This is not a noiseless operation.

3. Proposed landscaping and buffering? Applicant answer: Trees.

We did not see a professional site plan drawing with Tree details? What kind of trees? Where are they to be placed? Are Leyland Cypress going to be planted along our property line close enough together to block the view? Leyland Cypress take time to grow. Suggest a 6' privacy fence that is to be maintained over the years along to property line and Leyland cypress to create a wind break and sound barrier and blown trash deterrent

We imagine the trash and mechanical noise will increase significantly if a commercial enterprise is approved on the Foltz property. We suggest the following manmade and natural barriers to clean make the Area Look Clean and Tidy Area thus protecting our land from noise and trash coming our way.

*We are not opposed to the garage if a fence/Leyland Cypress trees are **installed and maintained** along our adjacent property line. The applicant should be required to install and maintain a six foot tall wood as well as adequately spaced row of Leyland Cypress trees like other Commercial Enterprises are required to do so as to not detract from the neighboring property owners serenity.*

Warm regards,
Daniel Gillette & Joseph D. Gillette,
Landowner(s)

From: Natalie Lentz [mailto:NLentz@warrencountyva.net]

Sent: Tuesday, April 6, 2021 2:22 PM

To: jdgillette@embarqmail.com

Subject: Jacob Foltz Conditional Use Permit

Hello Mr. Gillette,

Thank you for stopping by the office to inquiry about Mr. Foltz's Conditional Use Permit. Attached you will find the information we have pertaining to this Conditional Use Permit. If you have any additional information, please give us a call.

Natalie Lentz
Administrative Assistant
Warren County Planning and Zoning Department
(540) 636-3354



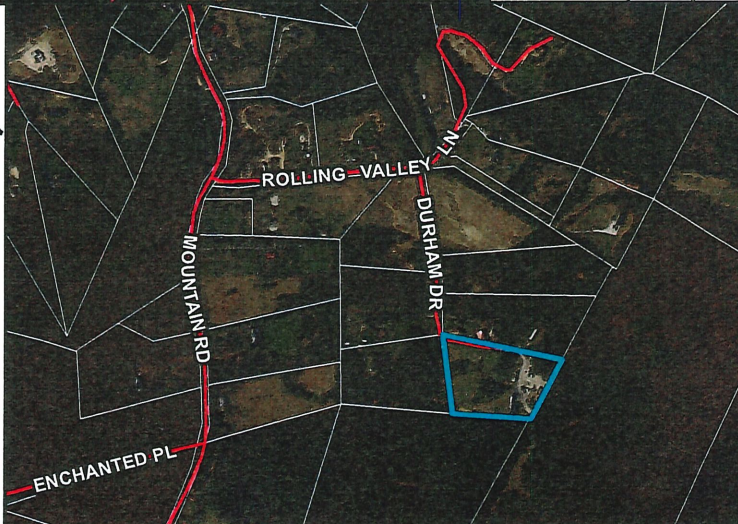
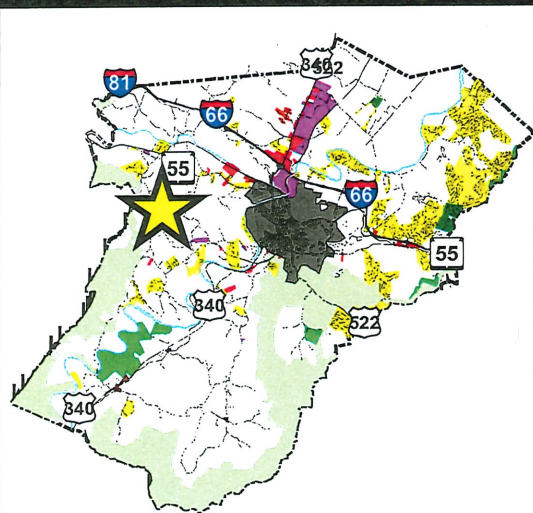
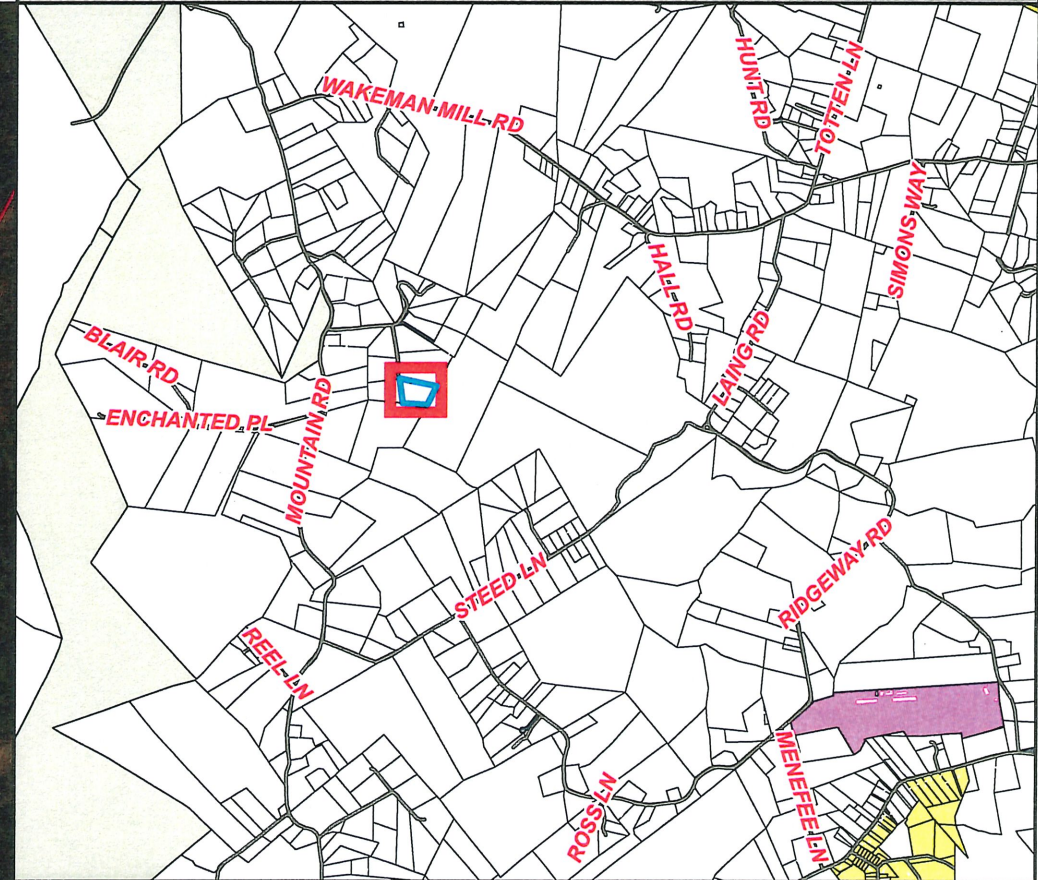
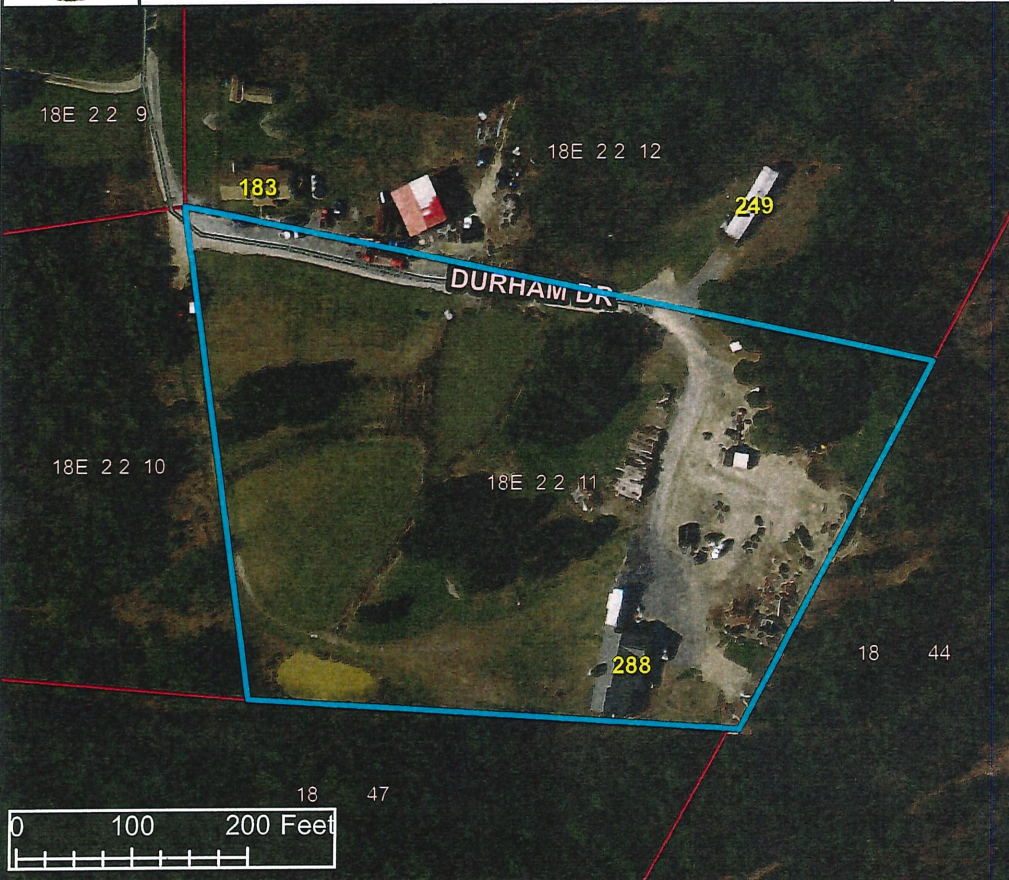
Warren County VA

CUP Location Map



CUP: Commercial Garage Repair
Applicant: Jacob Foltz

TIME--2-2--11
288 Durham Drive
Rolling Valley Subdivision



Zoning

Agricultural	Rural Residential
Commercial	Right of Way
Industrial	Front Royal
Residential One	Federal Land
Residential Two	State Land
Suburban Residential	Water
Village Residential	VOF Conservation Easements
	WC Conservation Easements

Map produced by
Warren County GIS 2021
Department of Planning



DATE 5/4/2021	ITEM I	SUBJECT: Authorization to Advertise for a Public Hearing - Reconsideration of Rezoning Request R2020-10-01 for Dudding Commercial Development, LLC	PAGE 1 of 1
EXPLANATION & SUMMARY:			
PROPOSED OR SUGGESTED MOTION:			
I move to authorize staff to advertise for a public hearing so that the Board of Supervisors may hear comments from members of the public regarding Rezoning Request R2020-10-01 for Dudding Commercial Development, LLC, prior to the possible reconsideration of such Rezoning Request by the Board.			
SUBMITTED BY: Tony Carter	DISPOSITION OF COMMISSION: ☐ APPROVED ☐ OTHER (Describe)		PROCESSED BY:

Motion to be Made Going into Closed Meeting

I move the Board enter into a closed meeting under the provisions of Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act for the discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, and resignation of a specific public officer of the public body; I further move that discussion be limited to the Warren County Planning Commission.

I also move the Board enter into a closed meeting under the provisions of Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act for consultation with legal counsel pertaining to actual or probable litigation and the provision of legal advice regarding the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia (the “EDA”), the Town of Front Royal, the *EDA vs. Jennifer McDonald, et al.*, the *Town of Front Royal vs. the EDA, et al.*, and other potential claims and litigation relating to other possible liabilities of the EDA and the recovery of EDA funds and assets.

- - -

Motion to be Made Coming out of Closed Meeting

I move that the Board certifies to the best of each member’s knowledge only public business matters lawfully exempted from open meeting requirements under Sections 2.2-3711(A)(1), (A)(7), and (A)(8) of the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

Secondary System
Warren County
Construction Program
Estimated Allocations

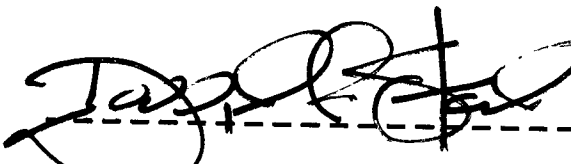
Fund	FY2020	FY2021	FY2022	FY2023	FY2024	FY2025	Total
CTB Formula - Unpaved State	\$153,375	\$0	\$0	\$0	\$0	\$0	\$153,375
Secondary Unpaved Roads	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TeleFee	\$79,173	\$79,173	\$79,173	\$79,173	\$79,173	\$79,173	\$475,038
Residue Parcels	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STP Converted from IM	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP - Bond Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Formula STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
MG Formula	\$0	\$0	\$0	\$0	\$0	\$0	\$0
BR Formula	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other State Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
State Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
District Grant - Unpaved	\$0	\$215,351	\$141,055	\$187,270	\$199,477	\$199,477	\$942,630
Total	\$232,548	\$294,524	\$220,228	\$266,443	\$278,650	\$278,650	\$1,571,043

Board Approval Date:

 5-29-19

Residency Administrator

Date

 5-22-19

County Administrator

Date

District: Staunton
County: Warren County
Board Approval Date:

SECONDARY SYSTEM CONSTRUCTION PROGRAM (in dollars)

2020-21 through 2024-25

Route	Road Name	Estimated Cost		Previous Funding	Additional Funding Required	PROJECTED FISCAL YEAR ALLOCATIONS						Balance to complete	Traffic Count
PPMS ID	Project #												Scope of Work
Accomplishment	Description												FHWA #
Type of Funds	FROM			SSYP Funding		2019-20	2020-21	2021-22	2022-23	2023-24	2024-25		Comments
Type of Project	TO			Other Funding									
Priority #	Length	Ad Date		Total									
Rt.0624	MORGAN FORD ROAD	PE	\$1,452,640										
77272	0624093192	RW	\$165,069	\$276,511		\$0	\$0	\$0	\$0	\$0	\$0		1876
RAAP CONTRACT	RTE 624 - BRIDGE & APPROACHES OVER SHENANDOAH RIVER	CON	\$7,332,790	\$8,673,988		\$0	\$0	\$0	\$0	\$0	\$0		Bridge Replacement w/o Added Capacity
BR	0.03 Mi South of Rte 643	Total	\$8,950,499	\$8,950,499	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	14011
Migration	0.36 Mi North of Rte 643												
0001.02	0.4												
Rt.0624	HAPPY CREEK RD	PE	\$1,321,196										
17714	0624093186	RW	\$569,234	\$528,000		\$0	\$0	\$0	\$0	\$0	\$0		4200
RAAP CONTRACT	#HB2.FY17 RTE 624 - RECONSTRUCTION	CON	\$8,596,622	\$5,454,857		\$1,272,027	\$1,225,599	\$2,006,569	\$0	\$0	\$0		Reconstruction w/o Added Capacity
STP	ECL FRONT ROYAL	Total	\$10,487,052	\$5,982,857	\$4,504,195	\$1,272,027	\$1,225,599	\$2,006,569	\$0	\$0	\$0	\$0	15004
Migration	ROUTE 645												
0001.03	0.9												
Rt.0607	Rocky lane	PE	\$10,000										
104624	0607093766	RW	\$0	\$147,052		\$0	\$0	\$0	\$0	\$0	\$0		280
STATE FORCES/HIRED EQUIPMENT	Rocky LN - Rural Rustic	CON	\$350,000	\$212,948		\$0	\$0	\$0	\$0	\$0	\$0		Reconstruction w/o Added Capacity
	Rt 340	Total	\$360,000	\$360,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	17004
	Rt 649												
Migration	1.6												
0003.02													
Rt.0616	Richardson Road	PE	\$2,500										
105006	0616093775	RW	\$0	\$45,000		\$0	\$0	\$0	\$0	\$0	\$0		210
STATE FORCES/HIRED EQUIPMENT	Richardson Road - Rural Rustic	CON	\$42,500	\$0		\$0	\$0	\$0	\$0	\$0	\$0		Reconstruction w/o Added Capacity
	Rt 610	Total	\$45,000	\$45,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	17004
	River Lakes Drive												
Migration	0.2												
0003.04													
Rt.0610	Bucks Mill Road	PE	\$2,500										
105009	0610093774	RW	\$0	\$45,000		\$0	\$0	\$0	\$0	\$0	\$0		450
STATE FORCES/HIRED EQUIPMENT	Bucks Mill Rd - Rural Rustic	CON	\$42,500	\$0		\$0	\$0	\$0	\$0	\$0	\$0		Reconstruction w/o Added Capacity
	Rt 55	Total	\$45,000	\$45,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	17004
	.05 East of Rt 616												
Migration	0.2												
0003.05													

District: Staunton
County: Warren County
Board Approval Date:

SECONDARY SYSTEM CONSTRUCTION PROGRAM (in dollars)

2020-21 through 2024-25

Route PPMS ID Accomplishment Type of Funds Type of Project Priority #	Road Name Project # Description FROM TO Length	Estimated Cost Ad Date	Previous Funding SSYP Funding Other Funding Total	Additional Funding Required	PROJECTED FISCAL YEAR ALLOCATIONS						Balance to complete	Traffic Count Scope of Work FHWA # Comments
					2019-20	2020-21	2021-22	2022-23	2023-24	2024-25		
Rt.0623 104618 STATE FORCES/HIRED EQUIPMENT Migration 0003.06	Downing Farm Road 0623093769 Downing Farm Road - Rural Rustic Thunder Road Stoney Bottom Road 1.0	PE \$10,000 RW \$0 CON \$215,000 Total \$225,000	\$0 \$225,000 \$0 \$225,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	490 Reconstruction w/o Added Capacity 17004
Rt.0613 104617 STATE FORCES/HIRED EQUIPMENT Migration 0003.07	Panhandle Road 0613093770 Panhandle Rd - Rural Rustic 1.1 Mile from Lower Water Bridge Shenandoah River 1000' from Lower Water Bridge Shenandoah River 1.1	PE \$10,000 RW \$0 CON \$237,500 Total \$247,500	\$0 \$132,885 \$0 \$132,885	\$114,615	\$114,615	\$0	\$0	\$0	\$0	\$0	\$0	260 Reconstruction w/o Added Capacity 17004
Rt.0628 111061 STATE FORCES/HIRED EQUIPMENT State forces/Hired equip CN Only 0003.08	Rocky Hollow Road 0628093811 Rocky Hollow Road Rd - Rural Rustic Rt. 613 - Indian Hollow Road Rt. 629 - Acorn Hill Road 1.1	PE \$0 RW \$0 CON \$250,000 Total \$250,000	\$0 \$0 \$0 \$0	\$250,000	\$38,760 \$0 \$38,760	\$211,240 \$0 \$211,240	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0	\$0	100 Reconstruction w/o Added Capacity 17004
Rt.0637 -18105 STATE FORCES/HIRED EQUIPMENT State forces/Hired equip CN Only 0003.10	Cauthorn Mill Road 0637093805 Cauthorn Mill Road - Rural Rustic 0.06 Mile North of Rt. 627 0.62 Mile North of Rt. 627 0.6	PE \$0 RW \$0 CON \$135,000 Total \$135,000	\$0 \$0 \$0 \$0	\$135,000	\$67,500 \$0 \$67,500	\$67,500 \$0 \$67,500	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0	\$0	180 Reconstruction w/o Added Capacity 17004
Rt.0660 -21814 STATE FORCES/HIRED EQUIPMENT State forces/Hired equip CN Only 0003.11	Kendrick Ford Road 0660093817 Kendrick Ford Road - Rural Rustic Punch Run Rd. Rt. 621 End of State Maintenance 0.7	PE \$0 RW \$0 CON \$216,390 Total \$216,390	\$0 \$0 \$0 \$0	\$216,390	\$0	\$4,111 \$0 \$4,111	\$141,055 \$0 \$141,055	\$71,224 \$0 \$71,224	\$0 \$0 \$0	\$0 \$0 \$0	\$0	110 Reconstruction w/o Added Capacity 17004

District: Staunton
County: Warren County
Board Approval Date:

SECONDARY SYSTEM CONSTRUCTION PROGRAM (in dollars)

2020-21 through 2024-25

Route	Road Name	Estimated Cost	Previous Funding	Additional Funding Required	PROJECTED FISCAL YEAR ALLOCATIONS						Balance to complete	Traffic Count
PPMS ID	Project #											Scope of Work
Accomplishment	Description											FHWA #
Type of Funds	FROM		SSYP Funding		2019-20	2020-21	2021-22	2022-23	2023-24	2024-25		Comments
Type of Project	TO		Other Funding									
Priority #	Length	Ad Date	Total									
RL0613	Panhandle Road	PE \$0										200
-21815	0613093818	RW \$0	\$0		\$0	\$0	\$0	\$116,046	\$43,954	\$0		Reconstruction w/o Added Capacity
STATE FORCES/HIRED EQUIPMENT	Panhandle Road Phase II - Rural Rustic	CON \$160,000	\$0		\$0	\$0	\$0	\$0	\$0	\$0		17004
	Mountain Road Rt. 619	Total \$160,000	\$0	\$160,000	\$0	\$0	\$0	\$116,046	\$43,954	\$0	\$0	
	Wilson Burke Road RL 608											
State forces/Hired equip CN Only	0.5											
0003.12												
RL0631	William Vincent Road	PE \$0										90
-21816	0631093819	RW \$0	\$0		\$0	\$0	\$0	\$0	\$155,523	\$199,477		Reconstruction w/o Added Capacity
STATE FORCES/HIRED EQUIPMENT	William Vincent Road - Rural Rustic	CON \$355,000	\$0		\$0	\$0	\$0	\$0	\$0	\$0		17004
	Buck Mountain Road Rt. 622	Total \$355,000	\$0	\$355,000	\$0	\$0	\$0	\$0	\$155,523	\$199,477	\$0	
	Bentonville Road RL 613											
State forces/Hired equip CN Only	1.2											
0003.13												
RL0603	Oregon Hollow Road	PE \$0										820
112383	0603093806	RW \$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0		Reconstruction w/o Added Capacity
STATE FORCES/HIRED EQUIPMENT	Oregon Hollow - High Volume Unpaved Road - Warren County Rte 643	CON \$599,000	\$768,000		\$0	\$0	\$0	\$0	\$0	\$0		17004
	0.74 Miles S of Rt 643	Total \$599,000	\$768,000	(\$169,000)	\$0	\$0	\$0	\$0	\$0	\$0	(\$169,000)	Revised estimate required
State forces/Hired equip CN Only	0.7											
0005.02												
RL4005	1204005	PE \$0										0
100215	COUNTYWIDE ENGINEERING & SURVEY	RW \$0	\$267,516		\$11,673	\$11,673	\$79,173	\$79,173	\$79,173	\$79,173		Preliminary Engineering
NOT APPLICABLE	VARIOUS LOCATIONS IN COUNTY	CON \$250,000	\$0		\$0	\$0	\$0	\$0	\$0	\$0		17015
S	VARIOUS LOCATIONS IN COUNTY	Total \$250,000	\$267,516	(\$17,516)	\$11,673	\$11,673	\$79,173	\$79,173	\$79,173	\$79,173	(\$357,554)	MINOR SURVEY & PRELIMINARY ENGINEERING FOR BUDGET ITEMS AND INCIDENTAL TYPE WORK
9999.99												



March 24, 2020

To: The County of Warren Board of Supervisors
From: Louis Nicholls, Front Royal Golf Club

Greetings Honorable Board Members:

We are thrilled to be the new caretakers of the Historic Front Royal Golf Club and Recreational Center. Thank you once again for this wonderful opportunity.

We are in receipt of the latest version of the Amended Lease from Jason Ham and we appreciate the work you have done with us on it thus far. I am writing to ask for your additional consideration of the proposed terms for our Public-Private Partnership and wanted to take a minute to give you a perspective on it from our standpoint.

Our basic methodology behind why we are asking for additional consideration from the Board on the new lease is basically this:

- A.) When the Board voted on June 26, 2020 in favor of our taking over the golf course, the “spirit of the agreement” from our point of view was:
 - a.) The Lease would operate like a traditional building lease.
 - b.) The County would cover the Clubhouse and related maintenance and repair expenses (anything they would have to keep in place anyway whether the facility was running as a golf course or not).
 - c.) We would cover anything to do just with golf, (irrigation pump, irrigation system including the PVC pipes and sprinkler heads, mower and greens equipment maintenance, etc. all golf-only related expenses). (Nothing was said about our maintaining the Kitchen Equipment).
- B.) When Mr. Ham came back to us with the revised lease, it was stipulating something different from the above, as the revised lease was specifying that, we would have to take care of the kitchen equipment going forward.

Therefore, our new proposal is this:

We will agree to take care of the Kitchen Equipment going forward if the County will reduce our rent to the nominal \$1 figure from our initial proposal and allow us to pay the rest in an enriched offer of "Trade-Out" Dollars to the County to meet the requirements of the Virginia Statute.

We would ask the Board to consider the original verbal agreement we made from the Board Meeting on June 26, 2020, along with the fact that we are already taking on the burden of so much more in expenses than what we asked for in our original offer. I might add, we haven't taken a dime yet from the operation. Any additional cash flow has been put back into the business to improve the Front Royal Golf Club and Recreational Center. Our only goal all along has been to partner with the County of Warren to save this historic landmark.

So, specifically, in lieu of rent, or for reduced rent to a nominal amount of \$1 a month, our proposal is:

- A.) We will agree to take over the maintenance and repairs of the kitchen equipment as Mr. Ham recently has requested on behalf of the Board .
- B.) The County of Warren will take care of the other Clubhouse and related expenses.
- C.) We will also handle anything strictly golf related, (irrigation pump, irrigation system, (PVC pipes, sprinkler heads, greens, fairways, maintenance of mowers and shop equipment, etc.).
- D.) We will pay the rest of the rent in an enriched and enhanced offer to the County of Warren in "trade-out" dollars to meet the requirements of the Statute.

We have tried to be good stewards of the Historic Front Royal Golf Club and Recreational Center. Our accomplishments thus far include:

- 1.) Hosting two Charity Tournaments for United Way
- 2.) Helping Habitat for Humanity by assisting in the development of a new Tournament as an Annual Fundraiser
- 3.) Hosting the Skyline Baseball Fundraiser
- 4.) Hosting Waggin' for Dragons for their newly schedule upcoming Fall date
- 5.) Creating a "Wall of Honor" for fallen Veteran's as well as POW's and MIA's
- 6.) Creating a "Wall of History" to honor the County of Warren's rich historical legacy and Mr. William E. Carson's original vision for the Recreational Center and Golf Club and his contribution to the State of Virginia and the County of Warren.
- 7.) Becoming members of "Preservation Virginia"
- 8.) Securing nomination by "Preservation Virginia" for "Endangered Historical Landmark Status"
- 9.) Cleaning-up the Walking Trails and Riverbank of nails, broken glass and other debris.
- 10.) Policing the Riverbank and Walking Trails on a regular basis to assist County Law Enforcement in their efforts
- 11.) Working with Virginia Conservation Officers closely to monitor safety of boaters and jet skiers on the Shenandoah River and provided them with their own keys to our Boat Ramp.
- 12.) Working closely with law enforcement in Warren County and the Town of Front Royal to help them police the parking area and keep it drug and alcohol free
- 13.) Providing law enforcement and other first responders an "oasis" to use the employee restrooms and get free sodas, water and Gatorade in the Clubhouse while on duty

- 14.) Contributing \$1,000.00 to Devin Smith's "Reaching Out Now" program to help feed the hungry in the County
- 15.) Continuing to work closely with Devin Smith, Culinary Teacher in the County to give his students and outlet to work and learn Culinary

So, as you can see, we do so much more for the County than just golf.

Additionally, as shared with the Board in our update back in the Fall, we have:

- a.) Installed a new Ceiling Fan (large, commercial grade with light kit) in Clubhouse Dining Area
- b.) Purchased new tables (Restaurant Style) for Clubhouse Dining area.
- c.) Installed two new Ceiling Fans, (commercial grade), in Banquet Room.
- d.) Installed two new Chandeliers, commercial grade), in Banquet Room.
- e.) Painted the "wainscoting" in Banquet Room along with the Chair Rails and Moldings
- f.) Installed new sconces on walls in Banquet Room
- g.) Installed Automatic Faucets and Sanitary Mats in Men's and Women's Locker Rooms and Men's and Women's Restrooms in Lobby area.
- h.) Implemented new cleanliness protocols throughout the facility.
- i.) Purchased new furniture for Clubhouse Dining Area along with some antiques.
- j.) Purchased and installed a new "state of the art" CRM system as well as a POS system.
- k.) Purchased additional kitchen equipment.
- l.) Installed a Culligan "state of the art" water treatment system.
- m.) Installed additional outdoor lighting in the front and on the sides of building for additional safety.
- n.) Added outdoor seating (8 tables and chairs total), with Umbrellas on the Patio.
- o.) Added plantings and potted flowers on the Patio.
- p.) Purchased new Artwork for Clubhouse and the Dining Area
- q.) Brought a new standard and cleanliness, safety and order to the boat ramp and riverbank area.

And finally, in the future our plans include:

- r.) Adding a Community Garden, (we have already designated an area for this off the 8th Green near the River).
- s.) Partnering with the County of Warren on their efforts to promote historical tourism in the County.

As we know, on June 26th, 2020, the Board of Supervisors voted 4-1 in favor of our Proposal to assume the operation of the Historic Front Royal Golf Club and Recreational Center. The link to the video of the proceedings is below:

<https://www.youtube.com/watch?v=jtnN45g-LeM>

In the Video it can clearly be seen that the Board had agreed that our lease work like a traditional building lease where the County would cover basic upkeep of the Building, A/C, Heat Pump, Hot Water Heater, Well and Septic and Equipment, etc., already in place in the Clubhouse. The video shows clearly that, this was agreed to with the one exception, that, as Supervisor Cullers had requested, we maintain

the Irrigation Pump. We did say that we would agree to do that. (Please play the video if needed as it is very clear)....(Mr. Ham and I can both even be seen outlining some basic examples of how traditional building leases work to make it clear to the Board on what would be covered in our lease.) (Again, nothing was said about us maintaining the kitchen equipment.)

So, from our point of view, we felt that the Board was agreeing to maintain the Clubhouse and Clubhouse Grounds, (Parking Lot, driveways, etc.; anything the County was going to have to keep in place anyway whether or not it was still a golf course, along with the Kitchen Equipment.)

I must say, honestly, based on the financials as we now see them and all of the “value-adds” we are providing the County of Warren (as outlined on page two of this letter), we really should be receiving a Management Fee to operate the Golf Course and Recreational Center. As we all know, the County was losing between \$139 to \$169K per year before. Additionally, the only other bidder was requesting approximately \$100,000 a year in management fees. Even a nominal fee paid to us for \$25,000 a year to operate the course would have alleviated the County’s burden by at least \$100,000.00.

We are not requesting a management fee. We are only asking that the County of Warren work with us going forward so that both parties to our agreement may be successful.

We understand and respect the Board’s sensitivity that they County of Warren not to be viewed as subsidizing a golf course which was the whole premise behind the compromise that the Board skillfully crafted with us to help save this Historic landmark. We also understand the importance of being prudent with taxpayer dollars. We feel we have done a great job of partnering with the Board and the County and have contributed to the County in so many other ways than just golf.

For your consideration, our newly enriched offer of Trade-Out Dollars to the County of Warren, is as follows:

- Expand the complimentary meeting room rental offer made earlier for up to \$1,500.00 per Month for the Board to, not only the County of Warren Board of Supervisors but rather to ALL Departments affiliated with the County. This would include but not be limited to: County of Warren Public Schools, County of Warren School Board, Sherriff’s Dept., Treasurers Office, Regional Jail, Parks and Recreation, Fire and Rescue, etc., and this benefit would be available to all of the Government Center Departments so that the County of Warren can take full advantage of this. (I know the Board was concerned that this benefit when presented before would be underutilized, so to solve for that, we have opened it up to the entire cadre’ of county offices and entities.) (As a matter of fact, we have already hosted several offsites for various County entities and Departments, so, now that this offer is not just limited to the Board, it will truly be utilized by the County going forward.) (Value, \$1500.00 per month)
- Provide Complimentary Gift Certificates for the County offices to provide to their associates on an ongoing basis for special incentives and awards for service up the amount of \$100 per month). (Value, \$100 per month)
- Provide Complimentary Golf for the High School Golf team members to practice as needed. (Conservatively \$600 per month/\$150 per week Value based on four walking players practicing weekdays, nine holes each). (This could go up and down based on usage by the team members and the kids would not be limited in how much they can play after school on the weekdays.) (Value, \$600.00 per month)

Provide Complimentary Catering for up to two Board of Supervisors meetings per month for up to 10 people. (Value, \$200 per month)

TOTAL VALUE OF OUR ENRICHED OFFER TO COUNTY OF WARREN = \$2,400.00 PER MONTH

Of course, this only works, if the Board can see their way fit to approve the rent reduction to the nominal \$1 per month figure mentioned earlier or no rent and accept the rest in Trade-Out Dollars vs. Hard Dollars. From a fiscal standpoint for us, we are making things “pencil-out” by reducing expenses, (especially manhours) and finding new revenue streams to create more “top-line” for the operation. If the Board could see their way fit to accept our enriched offer and partner with us by working on a “Trade-Out” basis going forward vs. strictly a “Cash Basis”, it would be a tremendous help in our mutual endeavors to continue to make things work.

Our goal is that we set each other up for success as any good business arrangement does. In a good business deal, one party should not be more advantaged than the other. That is to say, if the goal of both parties is to achieve long-term and lasting success, then the deal has to be good for everybody. Also, a business deal should be collaborative and not adversarial. In our view, both parties to our arrangement will have a better opportunity to achieve sustained success, if we continue to partner together on this meaningful and historic Public-Private Partnership. In other words, instead of “trying to decide who gets the larger slice of the pie”, “let’s bake a bigger and better pie”, together.

As a side note, there are some other things that happened which I won’t go into in this letter. There were some aspects about the way the building was turned over to us and the manner in which we had to sign the lease which really weren’t handled properly. I’m just “writing that off” in good faith to the fact that we all had to move so quickly to keep the operation from shutting down when the new fiscal year began on July 1 that we ALL just missed some things. However, it is worth noting that there were “hard-costs” to us in repairs and cleaning that we had to absorb as well as some opportunity costs incurred due to the way the building was turned over. The condition of the club house was quite dismal. The previous Club House attendant admitted to us that he had not cleaned the bathrooms for three months. Also, the kitchen, was quite dirty and required about \$2,000.00 in cleaning. Again, I’m just “writing that off” to the fact that we were all moving so quickly. I sincerely feel that the hearts of all parties have been in the right place from the start in our arrangement and will continue to be as we move forward. Also, I’ve always felt there has been a lot of goodwill on both sides.

Thanks so much for hearing me out. I wanted to come before you in person in closed session but I understand there are rules against that. So, please forgive the lengthily note. I have attached a markup of how we would like to move forward with the amended lease. Once again, I feel if we can all work together on this and set each other up for success, it will be a great “story” and a “feather in all of our caps” to show what can be accomplished by some “out of the box” thinking by a predominately newly elected Country Board of Supervisors, along with some creative ideas from some citizens, all working together in a Public-Private Partnership. Again, many thanks for your consideration.

Sincerely,

Louis

Louis Nicholls
Front Royal Golf Club

**AMENDMENT TO THE LEASE BETWEEN THE
COUNTY OF WARREN, VIRGINIA AND VA. GOLF, LLC**

This Amendment to the Lease between the County of Warren, Virginia a political subdivision of the Commonwealth of Virginia, (the "County") and VA. Golf, LLC (the "Tenant") is made and entered into this ___ day of _____, 2021 ~~— (the "Amendment").~~

WHEREAS, on the 30th day of June, 2020 the County and the Tenant entered into a Lease concerning the Front Royal Golf Club (the "Lease"); and

WHEREAS, the County and Tenant now wish to amend the Lease pursuant to this Amendment ~~to the Lease (the "Amendment").~~

**NOW THEREFORE THE PARTIES HERETO DO HEREBY AGREE THAT THE
LEASE IS AMENDED AS FOLLOWS:**

- 1.) Tenant will keep irrigation pump in good repair and working order.
- 2.) Tenant will keep remainder of golf course irrigation system, (pipes, valves, fittings, sprinkler heads, etc.), in good repair and working order.
- 3.) Tenant will continue to keep mowers and tools that were received by Tenant in good repair and working order in same good repair and working order.

~~— Effective on the 1st of the next month after the execution of this Amendment, rent shall be reduced to \$1.00 per month. 000 per month.~~

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- 4.) ~~In lieu of cash rent, Tenant will provide the County of Warren with the following:~~
~~In lieu of cash rent, Tenant will provide the County with the following:~~

a.) Tenant will take on the responsibility of keeping all "moveable" kitchen equipment in good working order, (Oven, Stove, Deep Fryer, Work Tables, Refrigerator Unit and Freezer Unit). ~~(This Equipment will become an asset of the Tenant.) (This does not include the Exhaust Fan Unit and associated Fire Safety Equipment which is not "moveable", and will remain an asset of the County, and continue to be maintained by the County.)~~

b.) Tenant will provide complimentary meeting room rental up to \$1,500.00 per month o the County of Warren Board of Supervisors along with ALL County of

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Warren Departments. This would include but not be limited County of Warren Public Schools, County of Warren School Board, Sherriff's Dept., Treasurers Office, Regional Jail, Parks and Recreation, Fire and Rescue, etc., and this benefit would be available to all of the Government Center Departments so that the County of Warren.

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c.) Tenant will provide complimentary gift certificates for the County offices to provide to their associates on an ongoing basis for special incentives and awards for service up the amount of \$100 per month).

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d.) Tenant will provide complimentary golf for the County High School golf team members to practice as needed, walking, after school hours on weekdays.

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a.) e.) Tenant's Chef will provide the County ongoing and complimentary "off-site" Catering up to twice a month for up to ten people for the Warren County Board of Supervisors monthly meetings or work sessions.

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b.) Tenant will provide the County with up to \$1500.00 per month in complimentary Banquet/Meeting Space Rentals in their existing Banquet Room/Meeting Space and adjoining outdoor patio space, (with tables and umbrellas purchased by Tenant.)

e.) Tenant's Chef will provide the County ongoing and complimentary "off site" Catering up to twice once a month for up to ten people, for the Warren County Board of Supervisors monthly meetings or work sessions.

d.) f.) The County will maintain the Clubhouse building and Clubhouse grounds, (A/C, Plumbing, HVAC, Clubhouse well-pump, Clubhouse well(s), Clubhouse Roof, Windows, Carpet, Tiles, Flooring, Parking Lot, Walkways, (excluding new Ceiling Fans, Revolving Pie Refrigerator Display Unit and Culligan Water System Unit which will be maintained by Tenant and remain an asset of Tenant). The County will not maintain the golf course.

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e.) g.) The County will provide the Tenant with two trash receptacles, (similar to their residential unit receptacles), and add these to their regular and ongoing Monday morning pickup

schedule, (already in place at the trash receptacle currently located at the foot of the Country's "Carson Trail" entrance.)

- 5.) Tenant agrees that if any of the ~~maintenance~~^{above} expenses incurred by the County or the Tenant exceed \$10,000 per ~~year~~^{month}, the County or Tenant will have the option to cancel the Lease with 60 days' notice.
- 6.) All other terms of the Lease, as modified by this Amendment, shall remain in full force and effect.

COUNTY OF WARREN, VIRGINIA:	VA. GOLF, LLC:
By: _____ Cheryl L. Cullers <u>Walter "Walt" Mabe</u>	By: _____ Louis Nicholls
Title: Chairman, Board of Supervisors of Warren County, Virginia	Title: _____
Address: 220 North Commerce Avenue Suite 100 Front Royal, Virginia 22630	Address: 3608 North Red Oak Lane Delaplane, Virginia 20144
Phone No.: (540) 692-5801	Phone No.: (540) 219-9063
Fax No.: (540) 636-6066	Fax No.: (540) 364-3603
Email: wmabe@warrencountyva.net	Email: louisnicholls@outlook.com
Date: _____, 202 <u>1</u>	Date: _____, 202 <u>1</u>