AGENDA
Board of Supervisors Meeting

February 15, 2022

6:00 PM

A. Closed Session – Virginia Freedom of Information Act
   1. Section 2.2-3711(A)(1) Personnel re: Front Royal-Warren County Airport Commission
   2. Sections 2.2-3711(A)(7) and (A)(8) Consultation with Legal Counsel Pertaining to Actual or Probable Litigation and for the Provision of Legal Advice Relating to Economic Development Authority Matters

7:00 PM

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. Public Comment Period (60 Minute Time Limit)
D. Reports – Board Members, County Administrator, Interim County Attorney
E. Appropriations and Transfers
F. Approval of Accounts
G. Approval of Minutes
   a. Special Meeting of January 11, 2022
   b. Regular Meeting of January 18, 2022
   c. Regular Meeting of February 1, 2022

NEW BUSINESS

H. Consent Agenda
   1. Adoption of Resolution Endorsing DuPont – Waynesboro Natural Resource Damage Assessment and Restoration Settlement Recreational Fishing Access Grant Application – Lisa Salomon
   2. Citizen Appointments to the Warren County Parks and Recreation Commission – Ed Daley/Dan Lenz
   3. Nomination to the Warren County Board of Zoning Appeals – Ed Daley/Joe Petty

4. Agreement with Shenandoah County, Virginia for Joint Funding of a Law Clerk Position – Ed Daley/Jason Ham
5. Conditional Use Permit 2005-04-01, Two-Year Extension Request of Cedarville, LLC – Matt Wendling
6. Modification Request for Conditional Use Permit 2017-05-02 to Change the Name from "Robert & Linda Poe" to "Landing 29 LLC – Kelly Walker" – Matt Wendling
7. Authorization to Advertise for Public Hearing – Ordinance to Repeal Section 66-34 (Bounties for coyotes) of the Warren County Code – Cheryl Cullers/Ed Daley
8. Coyote Bounties – William Atwood (1) – $50.00 Each – Animal Control

7:30 PM

I. Public Hearings

1. Sale of County-Owned Property Located at 30 E Jackson Street, Front Royal – Alisa Scott
2. An Ordinance to Repeal Warren County Code Sections 16-3.1, 16-6.1, and 16-7.1; and to Adopt and Ordain Warren County Code Sections 16-3.2, 16-6.2, and 16-7.2, to Change the Election Districts and Precinct Boundaries of the County of Warren Pursuant to the Decennial Census; and to Change the Polling Places for the Otterburn and Central Absentee Precincts – Joe Petty
3. Conditional Use Permit 2021-11-01, Katherine Stallings for a Short-Term Tourist Rental Located at 377 Brandy Road and Identified on Tax Map 22C as Lot 69 – Matt Wendling
4. Conditional Use Permit 2021-11-02, Dennis Flynn for a Short-Term Tourist Rental Located at 484 Creek Road and Identified on Tax Map 39C, Block B, as Lot 27 – Matt Wendling
5. Conditional Use Permit 2021-11-05, David Kondner for a Short-Term Tourist Rental Located at 153 Beckwith Drive and Identified on Tax Map 21B, Section 1, Block 1, as Lot R – Joe Petty
6. Conditional Use Permit 2021-11-07, Danielle and David Kibiloski for a Bed-and-Breakfast Located at 990 Hillandale Road and Identified on Tax Map 30C, Section 1, Block 5, as Lot 50 – Matt Wendling
7. Conditional Use Permit 2021-12-02, John Lavoie for a Short-Term Tourist Rental Located at 1196 Old Oak Lane and Identified on Tax Map 7A, Section 4, as Lot 15 – Matt Wendling

J. Additional New Business (If needed)

K. Adjournment

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, or resignation of a specific public officer of the public body; I further move that discussion be limited to the Front Royal-Warren County Airport Commission.

I also move the Board enter into a closed meeting under the provisions of Sections 2.2-3711(A)(7) and (A)(8) 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*., the *EDA vs. the Town of Front Royal,* other potential claims and litigation relating to other possible liabilities of the EDA, the recovery of EDA funds and assets, the outstanding indebtedness of the EDA, and FOIA matters.

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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.

COUNTY OF WARREN

County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630
Phone: (540) 636-4600
FAX: (540) 636-6066
Email: edaley@warrencountyva.net

Dr. Edwin C. Daley
County Administrator

BOARD OF SUPERVISORS

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CHAIR
Cheryl L. Cullers
South River District

VICE CHAIR
Delores R. Oates
North River District

Jerome K. Butler
Happy Creek District

Vicky L. Cook
Fork District

Walter J. Mabe
Shenandoah District

*****

Dr. Edwin C. Daley
County Administrator

Memorandum

TO: Chair and Members of the Warren County Board of Supervisors

FROM: Dr. Edwin C. Daley, ICMA-CM, County Administrator

DATE: February 15, 2022

RE: County Administrator's Report

Revenue Updates for January

Sales Tax		
2022	2021	Difference
$475,076.15	$416,225.94	$58,850.20 (14.12%)

Calendar Year 2021 – January through December	
Meals Tax	$1,229,429.63
Lodging Tax	$344,230.28

Year-to-Date for 2022	
Business License Tax	$197,681.56

Wayfinding Signage – VDOT is reviewing the final sign locations and the revised Traffic Engineering (TE). Public Works has been assisting in staking out the proposed locations.

Shenandoah Valley Rail Trail – The Department of Conservation and Recreation (DCR) has released the final feasibility study for the linear park.
https://rga.lis.virginia.gov/Published/2021/RD844/PDF

Building Inspections Statistics for January

New Home Starts			
County	Town	Total	January 2021
11	0	11	23

Permits Issued		
2022	2021	Difference
168	219	-51 (-30.36%)

Inspections Completed		
2022	2021	Difference
820	1,282	-462 (-56.34%)

Parks and Recreation

- Current/Upcoming Programs and Activities:
  - Father-Daughter Dance: The dance will be on Saturday, February 19, 2022 from 6:30 PM – 8:30 PM at the Warren County Community Center.
- Park Facility Projects:
  - Community Shelter Project Update: The contractor completed laying the wire and materials to the floor on January 13th and 14th. The concrete floor is (32' x 54'). The concrete pour was completed on February 10th. Projected completion 30-60 days.
  - Winter Park Maintenance Projects: Mr. Kresge has had maintenance staff complete various projects in preparation of the upcoming spring 2022 season.

Department of Social Services – In the month of January, DSS received:

- 137 SNAP Applications
- 188 Medicaid Applications
- 29 TANF Applications
- 14 Child Care Applications
- 1,047 Lobby Visits
- 1,638 Phone Calls

On the Services side, for the month of January, DSS received:

- 53 CPS referrals
- 17 APS referrals

Services rendered:

- Through the Community Development Block Grant Motel voucher program, the Department assisted 12 people and spent $2,528.81
- Used $508.16 from the Ministerial Fund
- Took in $5,900.88 to the Ministerial Fund
- Provided food to 14 individuals
- 111 EBT cards given

Job development:

- New client/referrals in January – 12
- Total clients to-date – 56
- Clients actively participating in job search in January – 7
- Jobs offered/accepted – 3

Thermal Shelter:

- Housed 35 individuals nightly in January

Department of Fire and Rescue Services

- The Department has ordered the Fire Apparatus (Tanker/Pumper) as approved by the BOS at the last meeting.
- Staff continues to develop the Strategic Plan and Needs Assessment for the Department that also includes revisiting the 2019 Staffing and Implementation Plan. A working copy of the document will be presented and discussed with the Fire Chiefs Advisory Staff and BOS throughout the development phase.
- Staff continues to evaluate the impacts of COVID and impacts to staffing. Pleased to report that at this time, we have no staff positives and/or exposures.

Planning and Development

- *Tourism Committee –* County staff has been working on a timeline for our ARPA funding to submit back to the State. We have also been working on a revised MOA with the Town.
- *Development Review Committee –* The Development Review Committee met on January 26, 2022 and discussed the following projects:
    - Discussion of County Projects
        - Planning Commission/BOS Applications
            - Outdoor Commercial Recreation Facility – 650 Water Plant Road
            - Cluster Housing Developments (47 lots) – Reliance Road
            - Short-Term Tourist Rentals
        - Update on ongoing projects
            - Comprehensive Plan Review Underway
            - Sheetz Site Plan Review (Linden)
    - Route 340/522 Corridor Projects
        - Proposed Warehouse Facility – Corner of Baugh Drive and Fairground Road
        - Enclosed Storage Facilities – Winchester Road (2)
        - Equus Warehouse Facility – Winchester Road
        - McKay Springs – Corner of Winchester Road and Reliance Road
        - Interchange Phase II – Toray Drive

  The Committee will meet again on February 23, 2022, at 10:00 AM.

Commercial/Industrial Projects – Work continues on the following projects:

- The new Warren Memorial Hospital has received a full Certificate of Occupancy at this time. They are still in the process of completing their maintenance building. This was applied for at the County.
- Equus Warehouse facility – The site work continues and building permits have been approved. Tilt-Up walls have been completed and the exterior fire line is underway.
- Review for Erosion and Sediment Control (ESC) for storage facilities on 340/522 has an approval status on the plans, and the owner is in the process of obtaining his Construction General Permit from DEQ.
- New trucking facility will begin shortly on Winner's Court with its approval having been issued.

Upcoming/Ongoing Projects – 2022

Project	Ad/Bid Date	Cost	Estimated Completion Date	Status
Bentonville Boat Landing Grant	2022	$150,000	November 2022	Grant awarded. Applying for additional grant funding.
Morgan Ford Boat Landing	N/A	$100,000	November 2022	100% construction drawings have been received.
Fork District Park	N/A	Estimating	TBD	Ongoing discussions with Rivermont VFD
HHSC Voter Registrar-New Voter Room	Spring 2022	$80,000	Fall 2022	80% construction drawings done. Waiting for the HVAC drawings.
HHSC New Senior Center Bathroom Remodel	Spring 2022	$180,000	Fall 2022	100% construction drawings done. We will bid the project and apply for permits.
Bentonville Landfill Office Building	Spring 2022	$180,000	Fall 2022	100% construction drawings done. Staff is obtaining cost estimates.

Recent Hires

Director of Economic Development	Internal – Joe Petty 2/1
Network Administrator	Danny Melhorn, 2/7

Status of Available County Positions

Position	Department	Status	Target Date
Planning Director	Planning & Zoning	Advertising and accepting applications	ASAP

ECD

Fiscal Year 2021-2022 Budget Appropriations and Transfers

Submitted for Board of Supervisors Approval on February 15, 2022

	Dept/Fund	Tran/App	Description	Amount	Source
1	Sheriff	Transfer	To cover the year 2 cost of upgraded Radio Equipment	$513,229.00	Capital Outlay
2	Finance	Appr.	Funding from Special Projects to pay for the FY20-21 Audit	$51,500	Special Projects
3	Commonwealth's Attorney	Transfer	Transfer to pay for the Court House Wi-Fi	$1,800	General Fund
4	Sheriff	Appr.	Reimbursement towards cost of new CHE call handling equipment	$203,250	Grant

Warren County Delinquent Tax Collections Monthly Report

Month: January 2022

Pond Law Group:	$2,340.73
TACS:	$2,058.69
TOTAL:	**$4,399.42**

Pond total for 2022:	$2,340.73
TACS total for 2022:	$2,058.69
Cumulative total for 2022:	**$4,399.42**

Grand Total for 2016:	$251,948.77
Grand Total for 2017:	$523,039.78
Grand Total for 2018:	$431,438.35
Grand Total for 2019:	$307,386.55
Grand Total for 2020:	$148,238.27
Grand Total for 2021:	$218,732.30

	DESCRIPTION	FY 2018 - 2019 ACTUAL	FY 2019 - 2020 ACTUAL	FY 2020 - 2021 ACTUAL	PRIOR YEAR ACTUAL TO DATE	FY 2021 - 2022 APPR AMOUNT	FY 2021 - 2022 COLLECTED Y-T-D	% FY 2021-22 COLLECTED	DIFFERENCE CURRENT TO PRIOR YR
	** GENERAL FUND **								
	GENERAL PROPERTY TAXES								
11010	Real Estate Taxes	28,409,845	32,067,392	25,002,164	13,760,563	31,183,001	19,517,937	62.59%	5,757,374
11020	Public Service Tax	6,026,139	7,000,793	6,846,454	3,508,943	6,600,000	2,635,831	39.94%	(873,112)
11030	Personal Property Tax	16,855,760	16,475,911	20,407,166	11,332,254	18,408,000	10,413,175	56.57%	(919,079)
11040	Machinery & Tools Tax	1,734,980	1,575,439	2,201,349	1,288,544	1,809,000	902,548	49.89%	(385,996)
11050	Mineral Rights	3,087	3,281	1,783	1,783	3,000	3,464	115.45%	1,681
11060	Penalties and Interest	905,562	871,424	982,603	532,841	1,000,000	549,245	54.92%	16,404
	*** SUBTOTAL ***	**53,935,373**	**57,994,240**	**55,441,519**	**30,424,928**	**59,003,001**	**34,022,200**	**57.66%**	**3,597,272**
	OTHER LOCAL TAXES								
12010	Local Sales, Use, Communications	3,925,330	4,575,698	4,309,845	2,418,796	5,880,000	3,588,652	61.03%	1,169,856
12020	Utility Tax	735,999	741,898	684,710	364,926	760,000	372,143	48.97%	7,217
12030	Business License	830,981	977,124	1,149,077	198,128	1,000,000	280,992	28.10%	82,864
12040	Recordation Taxes (Grantee)	481,619	650,593	859,490	956,123	740,000	480,595	64.95%	(475,528)
12050	Motor Vehicle License Tax	895,786	850,319	932,782	932,782	950,000	174,844	18.40%	(757,939)
12070	Recordation (Grantor) Will	135,524	154,419	199,419	108,649	100,000	123,739	123.74%	15,090
12080	Meals and Beverage Tax	1,015,726	898,042	979,542	504,095	1,000,000	653,968	65.40%	149,873
12090	Cigarette Tax	-	-	-	-	100,000	-	0.00%	-
312100	Lodging Tax	193,895	210,189	291,949	165,536	250,000	211,681	84.67%	46,146
	*** SUBTOTAL ***	**8,214,861**	**9,058,282**	**9,406,814**	**5,649,035**	**10,780,000**	**5,886,616**	**54.61%**	**237,581**
	PERMITS, FEES, AND LICENSES								
13010	Animal License Fees	41,877	32,557	37,586	31,227	45,000	29,081	64.62%	(2,146)
13030	Permits & Other Licenses	729,227	714,136	693,161	383,448	802,561	551,707	68.74%	168,260
130325	Waste Permit Decal Fee	2,061	2,405	2,800	1,055	-	880	0.00%	(175)
	*** SUBTOTAL ***	**773,165**	**749,098**	**733,547**	**415,730**	**847,561**	**581,668**	**68.63%**	**165,939**
	FINES AND FORFEITURES								
14010	Court Fines	98,148	65,027	109,310	44,364	90,000	67,173	74.64%	22,809
14020	Other Court Costs	-	-142	723	723	-	-	0.00%	(723)
	*** SUBTOTAL ***	**98,148**	**64,885**	**110,033**	**45,087**	**90,000**	**67,173**	**74.64%**	**22,086**
	USE OF MONEY AND PROPERTY								
15010	Revenue From Use of Money	497,943	432,648	124,732	139,130	250,000	(86,749)	-34.70%	(225,879)
15020	Revenue From Use of Property	375,835	330,399	310,371	175,545	492,000	203,437	41.35%	27,892
	*** SUBTOTAL ***	**873,778**	**763,047**	**435,103**	**314,675**	**742,000**	**116,688**	**15.73%**	**(197,987)**

	CHARGES FOR SERVICES								
16010	Charges for Services (Sheriff)	2,396	2,396	2,396	2,396	2,000	-	0.00%	(2,396)
16020	Charges for Commonwealth Att.	4,025	4,426	3,971	1,490	4,000	1,780	44.49%	290
16050	Charges for Corrections & Det.	73,220	45,530	68,634	28,929	70,000	41,075	58.68%	12,146
16080	Charges for Sanitation & Waste	1,061,121	1,228,912	982,174	563,760	1,300,000	693,466	53.34%	129,706
16160	Sales of Map Survey	12,239	17,649	9,359	4,914	17,000	5,605	0.00%	691
16170	Sale of Copies - Comm. Of Rev.	756	880	525	250	4,000	375	0.00%	125
16180	Sales of Copies - Treasurer	-	10	-	-	-	-	0.00%	-
16990	Other Charges for Services	7,500	15,780	50,757	27,920	57,500	53,214	92.55%	25,294
	*** SUBTOTAL ***	**1,161,256**	**1,315,583**	**1,117,817**	**629,659**	**1,454,500**	**795,515**	**54.69%**	**165,856**
	MISCELLENAOUS AND RECOVERED COSTS								
18030	Refunds, Loans, and Fees	1,465,204	649,907	1,283,687	217,262	648,000	197,917	30.54%	(19,345)
18990	Miscellaneous and Recovered Costs	1,040,425	647,263	1,152,211	979,572	3,317,775	170,009	5.12%	(809,563)
19120	Sale of Recyclable Materials	84,095	56,705	118,284	53,665	90,000	85,249	94.72%	31,585
	*** SUBTOTAL ***	**2,589,724**	**1,353,875**	**2,554,183**	**1,250,499**	**4,055,775**	**453,175**	**11.17%**	**(797,323)**
	STATE REVENUE								
22010	Non-Categorical Aid	213,493	190,468	30,808	23,828	211,000	20,841	9.88%	(2,987)
23010	Shared Expenses - Commonwealth's	420,119	488,698	439,640	232,340	517,756	248,194	47.94%	15,854
23020	Shared Expenses - Sheriff	1,703,155	1,751,230	1,532,260	843,030	1,838,572	1,163,175	63.27%	320,145
23030	Shared Expenses - Commissioner of	157,015	161,757	148,541	80,374	195,008	96,826	49.65%	16,453
23040	Shared Expenses - Treasurer	117,880	111,920	148,541	54,681	128,601	62,876	48.89%	8,195
23060	Shared Expenses - Registrar	42,436	68,361	47,286	-	40,000	-	0.00%	-
23080	Shared Expenses - Clerk of Court	342,858	333,649	311,625	168,512	354,750	181,663	51.21%	13,151
24010	State VPA/Welfare Reimbursement	1,086,228	1,131,478	1,022,353	687,803	1,432,657	742,302	51.81%	54,499
24020	Categorical Aid	1,014,390	866,288	899,464	444,832	1,050,004	286,201	0.00%	(158,631)
24040	Other Categorical Aid	1,031,845	1,211,178	438,807	87,491	1,689,720	348,703	20.64%	261,212
	*** SUBTOTAL ***	**6,129,420**	**6,315,027**	**5,019,325**	**2,622,891**	**7,458,068**	**3,150,781**	**42.25%**	**527,890**
	FEDERAL REVENUE								
31010	Revenue from the Federal Governme	1,980,125	2,068,016	4,732,976	3,180,739	2,503,051	1,183,746	47.29%	(1,996,993)
	*** SUBTOTAL ***	**1,980,125**	**2,068,016**	**4,732,976**	**3,180,739**	**2,503,051**	**1,183,746**	**47.29%**	**(1,996,993)**
	INTERGOVERNMENTAL								
41050	Transfers from Other Funds	5,147,179	5,254,583	1,663,481	1,545,066	969,329	458,905	47.34%	(1,086,161)
41900	Use of Fund Balance	0	-	-	-	1,638,600	-	0.00%	-
	*** SUBTOTAL ***	**5,147,179**	**5,254,583**	**1,663,481**	**1,545,066**	**2,607,929**	**458,905**	**17.60%**	**(1,086,161)**
TOTAL GENERAL FUND REVENUE		**80,903,030**	**84,936,636**	**81,214,798**	**46,078,308**	**89,541,885**	**46,716,469**	**52.17%**	**638,161**

	** FRONT ROYAL WARREN COUNTY AIRPORT **							
15010	Interest on Bank Deposits	-	-	-	-	-	-	0.00%	-
15020	Hangar Rentals	190,863	192,183	178,607	100,677	220,000	113,406	51.55%	12,728
18990	Miscellaneous Income	1,001	2,000	-	-	-	-	0.00%	-
24040	State Grants	29,408	9,894	4,785	1,365	-	33,896	0.00%	32,531
31020	Federal Grants	156,938	50,615	4,250	4,250	-	34,047	0.00%	29,798
41050	Transfer from Other Funds	-	-	-	-	-	-	0.00%	-
									-
TOTAL AIRPORT FUND		**378,210**	**254,692**	**187,641**	**106,292**	**220,000**	**181,349**	**82.43%**	**75,057**
	** COST RECOVERY **								
	Cost Recovery Fees	**1,092,766**	**967,994**	**695,609**	**385,285**	**900,000**	**513,939**	**57.10%**	**128,654**
	** ECONOMIC DEVELOPMENT AUTHORITY **								
	Miscellaneous Income	**1,092,766**	**967,994**	**695,609**	**946,851**	**1,785,300**	**814,010**	**45.60%**	**(132,841)**

	DESCRIPTION	FY 2018 - 2019 ACTUAL	FY 2019 - 2020 ACTUAL	FY 2020 - 2021 ACTUAL	PRIOR YEAR ACTUAL TO DATE	FY 2021 - 2022 APPR AMOUNT	FY 2021 - 2022 Y-T-D AMOUNT	% BUDGET EXPENDED	DIFFERENCE CURRENT TO PRIOR YR
	GENERAL GOVERNMENT								
11010	Board of Supervisors	919,699	2,404,331	2,160,448	903,269	179,000	109,766	61.32%	(793,503)
12020	County Administration	700,293	627,554	596,392	353,190	500,000	291,268	58.25%	(61,922)
12030	Human Resources	-	-	1,924	-	169,900	88,258	51.95%	88,258
12040	County Attorney	214,382	168,366	154,390	87,354	344,000	177,389	51.57%	90,035
12060	Information Technology	-	-	-	-	89,044	267,530	300.45%	267,530
12090	Commissioner of the Revenue	635,865	683,315	696,470	405,185	777,000	424,078	54.58%	18,893
12110	Reassessment	286,286	1,881	1,296	693	422,400	112,948	26.74%	112,255
12130	Treasurer	527,612	498,997	535,950	306,864	566,000	330,891	58.46%	24,027
12150	Finance & Purchasing	325,425	296,187	372,293	204,816	448,000	227,381	50.75%	22,565
13000	Elections	202,918	262,463	279,730	186,152	441,000	213,635	48.44%	27,483
	*** SUBTOTAL ***	**3,812,480**	**4,943,094**	**4,798,893**	**2,447,523**	**3,936,344**	**2,243,143**	**56.99%**	**(204,380)**
	JUDICIAL ADMINISTRATION								
21010	Circuit Court	28,301	35,751	7,133	5,195	65,400	20,640	31.56%	15,445
21020	General District Court	18,888	17,872	24,706	9,090	24,300	8,266	34.02%	(824)
21030	Magistrates	4,104	4,584	4,536	2,386	5,800	3,101	53.47%	715
21050	Juvenile and Domestic Court	17,859	18,468	15,604	7,588	19,000	9,234	48.60%	1,646
21060	Clerk of Circuit Court	591,866	577,068	595,585	342,140	638,600	362,574	56.78%	20,434
21080	Law Library	47,729	54,092	57,570	33,506	54,300	34,368	63.29%	862
22010	Commonwealth's Attorney	785,036	952,916	1,057,942	603,673	1,105,200	651,153	58.92%	47,480
	*** SUBTOTAL ***	**1,493,783**	**1,660,751**	**1,763,076**	**1,003,579**	**1,912,600**	**1,089,336**	**56.96%**	**85,757**
	PUBLIC SAFETY								
31020	Sheriff's Department	4,062,799	4,077,795	4,725,508	2,726,930	4,953,000	3,080,471	62.19%	353,541
31040	E-911 System	542,115	622,601	709,678	405,331	753,000	822,345	109.21%	417,015
31050	School Resource	584,491	725,798	826,414	550,627	766,800	343,308	44.77%	(207,319)
32000	Volunteer Fire & Rescue	955,520	1,012,916	1,724,094	995,178	940,000	276,752	29.44%	(718,426)
33000	Court Services	971,896	960,997	929,591	555,317	998,300	628,155	62.92%	72,839
33030	Probation	63,230	43,332	10,316	2,350	41,000	2,043	4.98%	(307)
34010	Building Inspections	650,795	669,739	738,866	409,343	618,000	367,481	59.46%	(41,862)
35010	Animal Control	649,641	685,432	573,852	33,573	708,054	365,937	51.68%	332,364
35030	Medical Examiner	740	780	680	200	1,000	280	28.00%	80
35050	Fire & Rescue Department	3,086,725	3,338,898	4,012,144	2,385,961	4,466,000	2,530,747	56.67%	144,787
	*** SUBTOTAL ***	**11,567,952**	**12,138,288**	**14,251,143**	**8,064,808**	**14,245,154**	**8,417,520**	**59.09%**	**352,712**

	PUBLIC WORKS								
41010	Public Works/Sanitary Districts	389,345	372,848	487,575	236,839	428,200	249,471	58.26%	12,632
41020	Streets and Highways	17,018	17,818	9,499	4,673	20,000	7,120	35.60%	2,447
42030	Refuse Collection	710,782	753,168	796,471	421,085	786,000	475,507	60.50%	54,422
42035	Refuse Collection/Transfer Station	156,669	183,701	210,292	109,030	226,000	112,573	49.81%	3,543
42040	Refuse Disposal	2,414,597	2,695,474	2,546,563	1,267,951	3,006,500	1,403,798	46.69%	135,847
43000	Maintenance of Bldgs. & Grounds	1,223,179	1,484,045	1,769,655	944,276	1,421,000	964,568	67.88%	20,291
	*** SUBTOTAL ***	**4,911,590**	**5,507,054**	**5,820,055**	**2,983,855**	**5,887,700**	**3,213,037**	**54.57%**	**229,182**
	HEALTH/WELFARE/PARTNERSHIPS								
51000	Health	355,798	350,963	392,676	296,320	382,412	194,831	50.95%	(101,489)
52000	Mental Health & Disability	32,500	32,500	32,500	116,097	32,500	100,637	309.65%	(15,460)
53000	Social Services	3,943,902	3,820,576	4,015,443	1,184	5,045,779	2,491,295	49.37%	2,490,111
53090	Other Social Services	115,178	115,489	118,289	73,789	110,000	84,800	77.09%	11,011
53500	Comprehensive Services Act	1,731,108	1,678,560	2,026,204	843,392	1,785,000	956,824	53.60%	113,432
64010	Regional Partnerships	3,607,210	3,653,113	4,390,466	69,656	4,193,850	2,757,313	65.75%	2,687,657
	*** SUBTOTAL ***	**9,785,696**	**9,651,201**	**10,975,578**	**1,400,438**	**11,549,541**	**6,585,700**	**57.02%**	**5,185,262**
	PARK, REC & CULTURAL								
71010	Parks & Rec - Administration	772,963	792,983	637,928	377,800	898,718	433,764	0.00%	55,963
71020	Parks & Rec - Rec Programs	53,270	45,646	19,566	5,461	52,500	20,314	38.69%	14,853
71030	Parks & Rec - Maintenance	1,464,175	1,386,698	1,440,844	815,665	1,555,918	863,818	55.52%	48,153
73000	Library, Museums, Cult. Enrich.	994,134	1,006,758	1,018,087	762,815	1,018,100	762,825	74.93%	10
	*** SUBTOTAL ***	**3,284,542**	**3,232,085**	**3,116,424**	**1,961,742**	**3,525,236**	**2,080,721**	**59.02%**	**118,979**
	COMMUNITY DEVELOPMENT								
81010	Planning & Zoning Administration	436,799	419,519	388,235	249,856	473,000	254,523	53.81%	4,667
81050	Economic Development	54,117	108,234	302,194	237,548	3,282,400	1,512,084	46.07%	1,274,536
82000	Environmental Management	26,045	18,530	20,500	20,500	18,500	7,510	40.59%	(12,990)
83000	VPI Extension Service	109,101	114,738	111,998	54,923	121,000	63,945	52.85%	9,023
	*** SUBTOTAL ***	**626,062**	**661,021**	**822,927**	**562,827**	**3,894,900**	**1,838,062**	**47.19%**	**1,275,235**
	MISCELLANEOUS								
91000	Non-Departmental	982,803	782,300	2,682,925	561,821	1,864,956	486,091	26.06%	(75,730)
92000	Capital Outlay	18,547,831	6,774,261	3,410,276	15,790,088	3,076,183	1,133,439	36.85%	(14,656,649)
95000	Debt Service	-	11,351,634	11,686,376	-	11,846,251	7,036,583	59.40%	7,036,583
99010	Transfers to Other Funds	27,333,773	27,057,371	29,079,883	13,915,187	27,803,020	16,474,032	59.25%	2,558,845
	*** SUBTOTAL ***	**46,864,407**	**45,965,566**	**46,859,459**	**30,267,096**	**44,590,410**	**25,130,145**	**56.36%**	**(5,136,952)**
TOTAL GENERAL FUND		**82,346,512**	**83,759,060**	**88,407,555**	**48,691,868**	**89,541,885**	**50,597,664**	**56.51%**	**1,905,796**

81	**AIRPORT FUND**								
	Operating Expenditures	369,736	226,983	179,874	85,303	220,000	158,346	71.98%	73,044
	Transfer to General Fund	21,335	20,105	-	-	-	-	0.00%	-
	*** SUBTOTAL ***	**391,071**	**247,088**	**179,874**	**85,303**	**220,000**	**158,346**	**71.98%**	**73,044**
83	**COST RECOVERY FUND**								
	Operating Expenditures	**597,225**	**295,811**	**797,009**	**467,316**	907,500	**125,348**	**13.81%**	**(341,968)**
94	**ECONOMIC DEVELOPMENT AUTHORITY**								
	Operating Expenditures	**-**	**1,634,541**	**1,457,290**	**926,125**	1,785,300	**646,361**	**36.20%**	**(279,763)**

Cooperative Contracting Listing

PO#	Vendor	Issue Date	G/L Code	Amount	Purchase Description/Project	Cooperative Contract
6614	SHI	1/12/2022	12060-7001	$5,771.36	Hardware Surface	State VA-190822-R-SHI
6616	Sycom	1/24/2022	12060-3002	$11,040.00	Advanced IT Engineering Services	VASCUPP Contract UVA-A-AGR-IT00225
7945	The Garland Company	1/25/2022	4300-7012	$5,000.00	Roof Assessment	OMNIA Partners PW1925
6620	DebtBook	3/1/2022	12150-3002	$9,750.00	Lease and Debt Management Software	NCPA 14-03

Warren County Expense Report

Between December 1, 2021 and December 31, 2021

	This Month	Last Month	Difference	Avg. Month	Difference
Full-Time	$ 11,843,166	$ 12,299,198	$ (456,032)	$ 8,987,113	$ 2,856,053
Part-Time	$ 130,632	$ 138,118	$ (7,486)	$ 120,311	$ 10,321
Overtime	$ 250,260	$ 81,452	$ 168,807	$ 131,993	$ 118,266
Salaries	**$ 12,224,058**	**$ 12,518,768**	**$ (294,710)**	**$ 9,239,417**	**$ 2,984,640**
Health Insurance	$ 168,484	$ 163,606	$ 4,878	$ 163,881	$ 4,603
VRS	$ 103,555	$ 102,859	$ 697	$ 102,311	$ 1,244
Other	$ 117,149	$ 120,782	$ (3,633)	$ 107,103	$ 10,046
Benefits	**$ 389,189**	**$ 387,246**	**$ 1,942**	**$ 373,295**	**$ 15,893**
Professional Services	$ 167,907	$ 161,829	$ 6,079	$ 139,679	$ 28,228
Legal Services	$ 3,352	$ 315	$ 3,036	$ 1,425	$ 1,926
Repairs & Maintenance	$ 9,362	$ 1,904	$ 7,458	$ 6,071	$ 3,291
Contracts	$ 140,012	$ 6,220	$ 133,792	$ 68,487	$ 71,524
Other	$ 270,414	$ 516,226	$ (245,812)	$ 310,154	$ (39,740)
Services	**$ 591,047**	**$ 686,494**	**$ (95,447)**	**$ 525,817**	**$ 65,230**
Electric	$ 48,349	$ 27,758	$ 20,591	$ 39,936	$ 8,413
Water & Sewer	$ 6,819	$ 1,957	$ 4,862	$ 3,715	$ 3,104
Fuel	$ 11,471	$ 2,537	$ 8,934	$ 2,653	$ 8,818
Cable	$ 1,396	$ 3,500	$ (2,104)	$ 1,019	$ 377
Telephone	$ 13,998	$ 15,382	$ (1,384)	$ 15,904	$ (1,907)
Other	$ 189,765	$ 212,660	$ (22,895)	$ 188,746	$ 1,019
Utilities	**$ 271,798**	**$ 263,794**	**$ 8,003**	**$ 251,972**	**$ 19,825**
Office	$ 9,198	$ 10,063	$ (865)	$ 7,099	$ 2,099
Repairs & Maintenance	$ 60,942	$ 47,089	$ 13,853	$ 37,662	$ 23,280
Motor Vehicles	$ 42,464	$ 84,314	$ (41,850)	$ 45,755	$ (3,291)
Internal Projects	$ (22,438)	$ 24,709	$ (47,146)	$ 44,278	$ (66,716)
Travel, Training, Dues	$ 6,580	$ 4,656	$ 1,924	$ 21,401	$ (14,821)
Other	$ 241,324	$ 267,418	$ (26,094)	$ 443,385	$ (202,061)
Supplies	**$ 338,071**	**$ 438,248**	**$ (100,177)**	**$ 599,580**	**$ (261,509)**
Machinery & Equipment	$ 9,953	$ 106,060	$ (96,107)	$ 57,571	$ (47,619)
Vehicles	$ -	$ -	$ -	$ 9,960	$ (9,960)
Computer Equipment	$ 11,136	$ 117,060	$ (105,924)	$ 7,523	$ 3,613
Other	$ 1,028,793	$ 213,613	$ 815,180	$ 697,935	$ 330,858
Assets	**$ 1,049,881**	**$ 436,732**	**$ 613,149**	**$ 772,990**	**$ 276,891**
Building Improvements	$ -	$ 21,905	$ (21,905)	$ 6,615	$ (6,615)
Equipment Rental	$ 1,513	$ 3,583	$ (2,070)	$ 3,281	$ (1,768)
Other	$ 155,944	$ 118,736	$ 37,209	$ 94,327	$ 61,618
Debt Principal	$ -	$ -	$ -	$ 911,600	$ (911,600)
Debt Interest	$ 110,099	$ 402,831	$ (292,732)	$ 220,937	$ (110,838)
Capital Projects & Debt	**$ 267,556**	**$ 547,054**	**$ (279,498)**	**$ 1,236,760**	**$ (969,204)**
Total	**$ 15,131,599**	**$ 15,278,337**	**$ (146,738)**	**$ 12,999,832**	**$ 2,131,767**

Warren County Expense Report

Fiscal Year 2021 - 2022

Month		Salaries	Benefits	Services	Utilities	Supplies	Assets	Capital
	July	$ 3,947,060	$ 355,044	$ 22,127	$ 55,573	$ 685,549	$ 1,092,642	$ 3,947
	August	$ 9,410,138	$ 371,127	$ 698,616	$ 494,070	$ 545,926	$ 204,355	$ 117,194
	September	$ 9,732,175	$ 388,748	$ 801,110	$ 149,404	$ 768,907	$ 1,403,716	$ 115,181
Quarter 1		**$ 23,089,373**	**$ 1,114,920**	**$ 1,521,854**	**$ 699,047**	**$ 2,000,382**	**$ 2,700,713**	**$ 236,322**
	October	$ 10,883,655	$ 362,368	$ 516,185	$ 289,017	$ 659,449	$ 114,355	$ 5,679,923
	November	$ 12,518,768	$ 387,246	$ 686,494	$ 263,794	$ 438,248	$ 436,732	$ 547,054
	December	$ 12,224,058	$ 389,189	$ 591,047	$ 271,798	$ 338,071	$ 1,049,881	$ 267,556
Quarter 2		**$ 35,626,481**	**$ 1,138,803**	**$ 1,793,725**	**$ 824,609**	**$ 1,435,768**	**$ 1,600,969**	**$ 6,494,534**
	January							
	February							
	March							
Quarter 3		**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
	April							
	May							
	June							
Quarter 4		**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
Annual		**0**	**0**	**0**	**0**	**0**	**0**	**0**

Comments

The most significant increases in Warren County's expenses have been in the Salaries categories over the last few months. This is mostly due to filling various positions and the one-time bonus in November. Other operational costs have remained mostly level with a decrease in supplies over the second quarter. The increase in Capital is due mostly to debt payments initiated throughout October and November. Very few debt payments are left for the rest of the fiscal year so significant jumps are not expected. Assets also saw an increase in December due to the year 2 payment for upgraded radio equipment which was unplanned.

At a special meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on January 11, 2022 at 7:00 PM.

Present: Cheryl L. Cullers, Chair (South River District); Vicky L. Cook (Fork District); Jerome K. Butler (Happy Creek District); and Walter J. Mabe (Shenandoah District); also present Edwin C. Daley, County Administrator; Jason J. Ham, Interim County Attorney; Mark Butler, Sheriff; Caitlin Jordan, Senior Assistant County Attorney; Gerry Maiatico, Fire Marshal; Joe Petty, Planning Director; Matt Wendling, Deputy Planning Director; and Emily M. Ciarrocchi, Deputy Clerk of the Board

Absent: Delores R. Oates, Vice Chair (North River District)

Call to Order and the Pledge of Allegiance of the United States of America

Postponement of Conditional Use Permit 2021-10-02, Travis Dodson for a Commercial Outdoor Recreation Operation – Joe Petty

On a motion by Cheryl Cullers, seconded by Walt Mabe, and by the following vote, the Board of Supervisors postponed the public hearing for conditional use permit 2021-10-02, Travis Dodson for a Commercial Outdoor Recreation Operation, from January 18, 2022 to a special meeting on February 22, 2022 beginning at 7:30 PM:

Mabe, Aye; Cook, Aye; Cullers, Aye; Butler, Aye

Public Hearing – Conditional Use Permit 2021-10-01, Carl and Jennifer Ey for a Rural Events Facility Located at 1406 Panhandle Road and Identified on Tax Map 35, as Lots 5-1, 5-2, 5-3, and 5B-1 – Matt Wendling

Matt Wendling, Deputy Planning Director, reported the applicants are requesting a conditional use permit for a Rural Events Facility to allow for events with up to 200 guests. The owners were recently approved for conditional use permits for short-term tourist rentals for their properties located at 1406 Panhandle Road and 1408 Panhandle Road. The properties proposed for the rural events use are currently vacant, approximately 41 acres, located off both Panhandle Road and Oakview Drive, and accessed through 1406 Panhandle Road. The properties are currently used as pastureland and for forestry uses, and the applicants plan to keep the properties in land-use with the Commissioner of the Revenue since only a portion of these lots will be used for the Rural Events Facility. They have discussed the use with the Health Department, had an on-site soil evaluator come to the property, and expect to install a conventional septic system which will serve the Rural Events Facility. The applicants state that they have experience with small event venues for family reunions and business events at short-term tourist rentals they currently own and operate in Page County. They intend to meet all requirements and regulations regarding noise, traffic, outdoor lighting, and any additional supplemental regulations and have retained a local property manager to act as the caretaker of their properties.

The Planning Commission forwarded this application to the Board recommending approval with the following conditions:

1. The applicant shall comply with all Warren County Health Department, Virginia Department of Transportation (VDOT), Warren County Building Inspections, and Warren County Fire and Rescue regulations and requirements.
2. The parking area for the events shall be in a location approved by the Planning Department.
3. The property shall comply with the County's noise ordinance in Warren County Code Section 123.
4. All events must be within the hours of 9:00 AM and 10:00 PM.
5. The access to the property for the events facility shall be off of Panhandle Road and shall have an approved VDOT entrance.
6. Any buildings constructed on the property for the Rural Events Facility shall be cohesive with the agricultural/rural nature of the surrounding areas in their appearance.
7. The total number of guests shall be limited to 200 per event.

Carl Ey, applicant, introduced himself and opened himself up to questions from the Board.

Mrs. Cook asked if he anticipated the use of a commercial bus or other large vehicle to transport guests/attendees to and from the event and has made sure the entrance to the property from the road can accommodate such a vehicle. Mr. Ey replied the proposed entrance for the property is directly off Panhandle Road, which is State-maintained, and he will be working with the Virginia Department of Transportation to ensure the entrance meets their requirements. Also, if the number of vehicles anticipated for an event exceeds a certain amount, he plans to hire someone for traffic mitigation.

Mrs. Cullers opened the public hearing.

Philip Vaught, 124 Luray Avenue, said he would like for Mr. Ey's application to be considered alongside Mr. Wright's applications.

Amber Morris, 20 E 4th Street, said she was in support of this application and loves to see preservation and use of outdoor facilities in the community.

William Barnett, 1115 Buck Mountain Road, stated he has been involved in economic development in Warren County in various capacities for decades. The area has wonderful places to visit and things to do, but few places to stay. He supports this application for a Rural Events Facility as it helps to preserve the rural quality of life by not building a subdivision on agricultural land and allows people from outside the community to enjoy the riches the residents of the community enjoy every day.

Angela Keller, 5671 Gooney Manor Loop, urged the Board to view this permit request separately from Mr. Wright's applications despite the comments of previous speakers.

Mrs. Ciarrocchi read an email from Paul and Jennifer Hill urging the Board to consider the residents of the area who cherish the quieter lifestyle and asked the Board to keep the development of the agricultural parts of the County under tight scrutiny. Mr. and Mrs. Hill also noted the possibility that construction in and near this area may disturb archeology artifacts yet discovered and studied, considering there is a historic site fewer than five miles away from this property.

There being no further comments from the public, Mrs. Cullers closed the public hearing.

Mr. Wendling noted the Thunderbird Archaeological District, which is part of the larger Flint Run Archaeological District, is a significant distance from this property. The property was used for farming purposes for many years prior to this application, and no findings were reported from the farming operations.

Mrs. Cullers asked about the potential for flooding on portions of the land, and Mr. Ey responded any constructed facilities will be above the floodplain areas. He will also be installing a natural septic field for the restrooms that will be able to support the 200-person capacity for the events. Mrs. Cullers voiced concerns regarding impaired driving following any events, and Mr. Ey said there will be onsite staff there for all events who will assist with finding transportation for impaired individuals, should the need arise.

Mrs. Cullers then noted the comments raised in the email from Mr. and Mrs. Hill regarding the potential for historical artifacts and is concerned there has been no archeological study completed. She requested there be a condition added to the permit stipulating comments or a report should be received from the Department of Historic Resources (DHR) prior to the issuance of any building permit. Jason Ham, counsel, said this sort of condition is rather out of the box and seemingly unreasonable considering the County has never required something like this before and the response time from DHR is uncertain. After further discussion, the consensus of the Board was to not include such a condition.

On a motion by Mr. Mabe, seconded by Mr. Butler, and by the following vote, the Board of Supervisors approved the conditional use permit request of Carl and Jennifer Ey for a Rural Events Facility with the conditions as recommended by the Planning Commission and staff and listed below:

Mabe, Aye; Cook, Aye; Cullers, Aye; Butler, Aye

1. The applicant shall comply with all Warren County Health Department, Virginia Department of Transportation (VDOT), Warren County Building Inspections, and Warren County Fire and Rescue regulations and requirements.
2. The parking area for the events shall be in a location approved by the Planning Department.

3. The property shall comply with the County's noise ordinance in Warren County Code Section 123.
4. All events must be within the hours of 9:00 AM and 10:00 PM.
5. The access to the property for the events facility shall be off of Panhandle Road and shall have an approved VDOT entrance.
6. Any buildings constructed on the property for the Rural Events Facility shall be cohesive with the agricultural/rural nature of the surrounding areas in their appearance.
7. The total number of guests shall be limited to 200 per event.

Public Hearing – Conditional Use Permit 2021-10-07, Edwin Wright for a Commercial Campground Located at 2905 Gooney Manor Loop and Identified on Tax Map 47, as Lot 12 – Matt Wendling

Mr. Wendling reported the applicant, Edwin Wright, is requesting a conditional use permit for a Commercial Campground on his family's property in Browntown. The property has been owned by his family since the 1950's, and Mr. Wright will be the acting farm manager of the property and campground. The property is 153+ acres and is currently accessed by Gooney Manor Loop, which is a rural State-maintained road (Route 631). The applicant was originally requesting to have 100 primitive campsites to allow for tents and small campers, but Mr. Wendling met with the applicant on January 10th, and Mr. Wright has requested to reduce his requested number of campsites from 100 to 50. The campers would be owned by the campground and be permanently parked, serviced, and maintained by the property owners. The applicant plans to construct pad sites for camping and to have centrally located portable restrooms and bathing facilities service the campsites with plans to construct a small camping supply store in the future. The applicant is also applying for a Conditional Use Permit for a Rural Events Facility on this property.

Mr. Wendling stated the Warren County Health Department provided the following comments for this application: "All proposed buildings and facilities must be connected to an approved onsite sewage system and water supply. Temporary facilities will not be approved. The applicant should contact Virginia Department of Health Office of Drinking Water, Culpeper Field Office … to inquire about the requirements for developing a public water supply. The applicant should contact a private Onsite Soil Evaluator (OSE) and/or licensed professional engineer (PE) to design an onsite sewage system(s) that can accommodate the projected sewage flow from all proposed facilities"

David Beahm, Building Official, also provided the following comments: "Prior Electrical Meter Replacement that was issued an Agricultural Exemption cannot be used to serve any portion of this activity unless it is fully permitted, reviewed, inspected and approved through the normal processes that are required."

Mr. Wendling also read the following comments from the Virginia Department of Transportation: "Route 631 is a rural rustic road with poor vertical and horizontal alignment

and narrow roadway geometry that carries an average 80 trips per day. Roadway right-of-way and funding are not available to make any improvements to this environmentally sensitive road… We have no daily traffic data for campgrounds but at full capacity (100 sites) the AM and PM peak hours would generate 21 and 27 trips respectfully [*sic*]."

Mr. Wendling reported the Planning Commission forwarded this application to the Board recommending denial due to inadequate infrastructure in place for roads and water.

Edwin Wright introduced himself as the applicant and said his family has had this farm in Browntown for three generations. He moved back eleven (11) years ago specifically to find ways to try and protect the land from becoming a residential subdivision, like so many other farms have. He helped to expand the farming operations from only cattle and hay to include pigs, goats, sheep, and honeybees, but mainline agricultural pursuits only get farmers part of the way to saving their land from residential development. Warren County has been an agricultural community and a tourist destination for a long time, and bringing these two features together for agritourism pursuits is a relatively low-impact way to create success stories by resisting housing development in the agricultural district. Mr. Wright also noted he has reduced the number of requested campsites for this application from 100 to 50.

Mrs. Cook asked with the reduction of the number of campsites, if the number of requested recreational vehicle (RV) sites would also be reduced. Mr. Wright said the number of RV sites would remain the same, ten (10) out of the fifty (50) requested sites. These ten sites may also be high-end units, such as yurts, the campground owns and rents. Mrs. Cook also asked about prohibiting visiting RVs from the campground and if trailers would be allowed. Mr. Wright replied that trailers up to a certain size, such as teardrop trailers, may be allowed (fewer than 8' in length), but he is skeptical of allowing these trailers because of the existing roadway.

Mr. Mabe asked if there would be a check-in/check-out station for the campground and someone there to staff it, and Mr. Wright responded there would be a station in the same location where the pump house is currently with a full-time campground monitor. Mr. Mabe also asked if there would be a full-service restroom; Mr. Wright replied the Health Department stated it does not want a temporary facility to be used for the campground, so a permanent facility will be installed. After a further question regarding electricity to the campsites, Mr. Wright said while there is water and power running through most of the property due to a soil and water conservation project done with the Lord Fairfax Soil and Water Conservation District (LFSWCD), he does not plan on drawing the power to the campsites. However, since water runs throughout the property, it does alleviate some of the concerns regarding potential fire dangers.

Mr. Mabe also asked if Mr. Wright would be prohibiting the use of firearms and fireworks as well as the consumption of alcohol at the campground. Mr. Wright said the use of firearms and fireworks would be prohibited, but he would not prohibit alcohol at the campground, nor would he be monitoring the use of alcohol at the individual sites.

Mr. Butler said the greatest concern he read from the comments submitted by residents is the increase in traffic on Gooney Manor Loop and asked what the mitigation

strategies were. Mr. Wright said traffic was one of the reasons why he reduced the number of requested sites from 100 to 50. Because the property has significant frontage along the road, he would also be able to increase the number of entrances to the property to reduce congestion.

Mrs. Cook asked if the reduction to 50 sites would be permanent or if he plans to come back before the Board and request an increase to the number of sites. Mr. Wright said he would like to leave open the opportunity to expand the number of sites depending on data gathered over time on the usage for the campground.

Mrs. Cullers commented on the water system Mr. Wright mentioned that was installed in order to keep the cattle out of the stream and asked how old the system was. Mr. Wright said the well was installed in 2018, and the fields fed by the water system have to remain in the agricultural system, which means the view from the road will continue to be the cattle and not campsites. Mrs. Cullers thought the water from this type of system could not be used for fifteen (15) years for anything other than watering the cattle, but Mr. Wright said he had checked with the LFSWCD and that water from this system can be used for by-right agricultural uses or by-permit as approved by the County.

Mr. Mabe asked if there would be any sort of concession-type stand at the campground, and Mr. Wright replied that he plans to have a small store at the check-in station for campers to purchase basic supplies or toiletries and other farm products.

Mrs. Cullers opened the public hearing.

The following individuals appeared in person or submitted comments in opposition to Mr. Wright's conditional use permit application:

- Gary Kushner
- Brian and Margie Conley
- Stacie Mikels
- Jonathan Crichfield
- Jonlaya Haines
- Ken Furlong
- Marianne and Mark Thomas
- Angela, James, and Maddie Keller
- James Keller
- Wells Bill
- Maggie O'Brien
- Kelly Campbell
- Stephanie Pearson
- Anne Brown Boyd Earle
- Ellen Irvine
- Alan Thompson
- Steve and Lisa Merz
- Adina Short
- Ben Short
- Lisa Poths
- Mary McLaughlin
- Dan and Christine Gall
- Hugh and Lauren Forrester
- David and Constance Maxwell
- Cheryl and Jim Baker
- Kelli and Tim Sinnett
- Gretchen Provenzano
- Allan Brockway, Linda Arnold
- Jeff and Pam Parsons
- Jake Horowitz
- Tina and Chris Paulisch
- Ann Shulman
- Terry and Sally Berry
- Stephen Colwell
- Martha Buracker
- Ian Fisher

- Dale Thompson
- Deborah Foster
- Jim and Debbie Sylvester
- Paul and Mary Balserak
- Rob Harding
- George and Diana Hodgkiss
- Anna and Adam Sobotka
- Eric and Bonnie McClafferty
- Eric Cook, Warren County Chapter of the Izaak Walton League
- Mindy Barnhart
- Ron and Nell Miller
- Ralph West, Jr.
- Arthur Woods
- Mark Huddleston
- Alfred Paulisch
- Scott and Pauline Reynolds

The following individuals appeared in person or submitted comments in support of Mr. Wright's conditional use permit application:

- Amber Morris
- Shannon Foeller
- Elizabeth Graham
- Mary Chenery
- William Barnett
- Philip Vaught
- Cheryl Langlais
- Maria Darie
- Michael Williams
- Drs. Simon and Linda Russin
- Amber Wills
- Deena Martinson-Davis
- Rebecca Duncan
- Erica Williams
- Chaise Brown
- Jennifer Carter
- Crystal Laing
- Crystal Cook
- Kerry Barnhart
- Meghan Jackson
- Leroy and Ann Shaffer
- Charlie and Marie Manuel
- Dennis and Carol Gorton
- Wayne Kite
- Holly Goode
- Debra Siksay
- Diana Wright
- Elizabeth Wright

There being no further comments from the public, Mrs. Cullers closed the public hearing.

On a motion by Mrs. Cook, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors denied the conditional use permit request of Edwin Wright for a Commercial Campground:

Butler, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

Public Hearing – Conditional Use Permit 2021-10-08, Edwin Wright for a Rural Events Facility Located at 2905 Gooney Manor Loop and Identified on Tax Map 47, as Lot 12 – Matt Wendling

Mr. Wendling reported Mr. Wright is requesting a conditional use permit for a Rural Events Facility for the same subject property as the previously denied permit for the Commercial Campground. In lieu of exercising his rights to subdivide, as a number of owners of agricultural properties have done in the past ten years, Mr. Wright's family would like to

establish this land-use in order to preserve the rural quality of the property through agritourism, wedding, and outdoor educational events. The applicant plans to use the existing barn and may construct an outdoor pavilion with a primitive amphitheater in the future.

Mr. Wendling referred the Board back to the previously noted comments submitted by the Health Department, Building Inspections Department, and VDOT for this property.

The Planning Commission forwarded this application to the Board recommending denial due to inadequate infrastructure in place for roads and concerns about additional traffic.

Mr. Wright returned to the podium and said this permit application is for the same property as the previously denied application. By-right, he can currently host events with up to one hundred (100) attendees, but he would like to be able to have events with up to two hundred (200) attendees. This conditional use permit would be an expansion of what he already does on this property.

Mrs. Cook asked if he anticipates using the property and the proposed facility for concerts or festivals, and Mr. Wright confirmed he was. She also asked about attendees arriving to the property in a commercial bus or similarly large vehicle and whether Gooney Manor Loop would be able to accommodate that. Mr. Wright responded he should be able to prevent the use of such vehicles for the events and would have staffing for every event.

Mrs. Cullers opened the public hearing.

The following individuals appeared in person to voice their opposition to Mr. Wright's conditional use permit application:

- Maggie O'Brien
- Brian and Margie Conley
- Stacie Mikels
- Gary Kushner
- Jonathan Crichfield
- Jonlaya Haines
- Ken Furlong
- Marianne Thomas
- Angela Keller

The following individuals appeared in person to voice their support of Mr. Wright's conditional use permit application:

- Mary Chenery
- William Barnett
- Philip Vaught
- Shannon Foeller
- Cheryl Langlais

There being no further comments from the public, Mrs. Cullers closed the public hearing.

Mrs. Cullers reported she went out to Gooney Manor Loop and measured the road in multiple locations; the width of the entrance to Mr. Wright's farm is between 10' and 10'4", but there are other areas along the road that are barely 9' wide. She is incredibly concerned about the safety of travelers on the road, which is not to say this application or request cannot be brought back before the Board in the future if the road receives improvements.

On a motion by Mr. Mabe, seconded by Mr. Butler, and by the following vote, the Board of Supervisors denied the conditional use permit request of Edwin Wright for a Rural Events Facility due to concerns about existing road conditions and infrastructure:

Mabe, Aye; Cook, Aye; Cullers, Aye; Butler, Aye

Public Hearing – Conditional Use Permit 2021-10-09, Edwin Wright for a Commercial Campground Located off Wellspring Road and Identified on Tax Map 44, as Lot 25 – Matt Wendling

Mr. Mabe noted the desire of Mr. Wright to table this conditional use permit request, and Mr. Ham said the applicant is welcome to withdraw this application, and the Board can either table it or go ahead and take action tonight. If the application is tabled and brought back before the Board, it would need to be readvertised. Mr. Wendling said the request to table this application and the next application was tied to the comments received from VDOT and the applicant's plans to hire a traffic engineer to address the VDOT comments and perform speed/traffic studies.

Mr. Wright again returned to the podium and thanked the Board for listening to the comments and also thanked the people who came to the meeting. He noted the main problem with this and the next permit applications is that VDOT assumed the speed limit was 35 MPH, but because Wellspring Road does not have a posted speed limit, the speed limit is actually 55 MPH, which doubles the sight distance needed for the proposed entrance. He cannot proceed with what he wants to do on this property without these impact studies.

After additional discussion regarding the best procedure moving forward, Mr. Wright withdrew this conditional use permit request, pending additional information from VDOT.

Public Hearing – Conditional Use Permit 2021-10-10, Edwin Wright for a Rural Events Facility Located off Wellspring Road and Identified on Tax Map 44, as Lot 25 – Matt Wendling

Mr. Wright also withdrew this conditional use permit request, pending additional information from VDOT.

Adjournment

Mrs. Cullers adjourned the meeting at 10:35 PM.

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on January 18, 2022 at 7:00 PM.

Present: Cheryl L. Cullers, Chair (South River District); Delores R. Oates, Vice Chair (North River District); Vicky L. Cook (Fork District); Jerome K. Butler (Happy Creek District); and Walter J. Mabe (Shenandoah District); also present Edwin C. Daley, County Administrator; Jordan Bowman, Legal Counsel; Todd Jones, Director of Technology; Joe Petty, Planning Director; Matt Wendling, Deputy Planning Director; and Emily M. Ciarrocchi, Deputy Clerk of the Board

Call to Order and the Pledge of Allegiance of the United States of America

Adoption of Agenda – Additions or Deletions

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors adopted the agenda as amended with the addition of the following two Additional New Business items: Consideration of the County requesting the extension of water and sewer services to tax parcels 4-41, 12-6, 12-6E, and 12-9 and a Citizen Appointment to the Social Services Advisory Board:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

Public Comment Period (60 Minute Time Limit)

Matt Tederick, 21 Edgewood Street, stated since he was cut off from speaking the last time he came before the Board due to his comments being interpreted as personal attacks, he said he would be thanking people during his comment time instead. He said he is thankful for his attorney providing him with legal counsel regarding his rights and also thanked Mrs. Cullers for preventing him from speaking at the last Board meeting. He is thankful for Stevi Hubbard and Kristen Nelson for their courage to go public and expose what allegedly transpired between Mr. Mabe and Town Planning Commission member Darryl Merchant. He also thanked reporters Roger Bianchini and Norma Jean Shaw with the Royal Examiner as well as the Northern Virginia Daily for not asking the tough questions about a Board of Supervisors member who obtained what was supposed to be a confidential report. Mr. Tederick then thanked the Board for not being transparent and not holding Mr. Mabe accountable and said the members' silence condones what allegedly occurred. He concluded by asking Mr. Mabe to state on the record what he did and urging the Board to hold him accountable for his actions.

There were no further presentations from the public.

Reports – Board Members, County Administrator, Interim County Attorney

Mrs. Oates reported the following:

- She is thankful to live in Warren County and for the people who step up to help each other, such as the citizens who helped shovel out their neighbors with the recent snowfall; she is also thankful for the beauty of the community and for her fellow Board members who maintain professionalism despite being verbally attacked

Mr. Butler reported the following:

- He and Mrs. Cook attended the Front Royal/Warren County Airport Commission and the Winchester Regional Airport Authority meetings on January 13th

Mrs. Cook had nothing to report.

Mr. Mabe reported the following:

- Attended the Shenandoah Shores Property Owners Association meeting on January 3rd
- Visited Cedar Creek and Belle Grove National Historical Park on January 10th regarding the upcoming conditional use permit application by Travis Dodson for a Commercial Outdoor Recreation Operation
- Attended the Planning Commission meeting on January 12th

Mrs. Cullers reported the following:

- Recognized National Law Enforcement Appreciation Day on January 9th and extended a "thank you" to all law enforcement personnel
- Thanked Public Works staff, Parks and Recreation maintenance staff, and Solid Waste staff for working through the recent snowfall
- With more winter weather forecasted this week, she urged people to be prepared and try to stay home, if possible
- Asked for patience, understanding, and kindness at solid waste convenience sites because citizens are not treating staff with respect; the Board is working on solutions for the increasing amounts of waste and would appreciate patience
- A free COVID-19 testing site has been setup in the gymnasium at the Health and Human Services Complex from 1:00 PM – 3:00 PM on Wednesday, January 19th, Wednesday, January 26th, and Wednesday, February 2nd

Dr. Daley reported the following:

- Because of recent and forecasted upcoming winter weather as well as increased COVID-19 case concerns, the Advance with the Board of Supervisors and County staff scheduled for January 19th and the Advance with the Board and Town Council scheduled for January 22nd have been cancelled and will be rescheduled at a later date

- Revenue Updates for December

Sales Tax		
2021	2020	Difference
$471,988.53	$414,795.60	$57,192.93 (13.79%)

Year-to-Date	
Meals Tax	$1,126,569.62
Lodging Tax	$321,641.77
Business License Tax	$1,094,916.43

- Wayfinding Signage – VDOT is reviewing the final sign locations and the revised Traffic Engineering (TE). Public Works has been assisting in staking out the proposed locations.
- Shenandoah Valley Rail Trail – The Department of Conservation and Recreation (DCR) has released the final feasibility study for the linear park. https://rga.lis.virginia.gov/Published/2021/RD844/PDF
- Building Inspections Statistics for December

New Home Starts			
County	Town	Total	December 2020
10	0	10	12

Permits Issued		
2021	2020	Difference
194	187	7 (3.61%)

Inspections Completed		
2021	2020	Difference
990	1,052	-62 (-6.26%)

- Parks and Recreation
  - Current/Upcoming Programs and Activities:
    - The Youth Boys' Basketball League (7-14 years) began on December 4, 2021, through February 12, 2022.
    - The Tiny Tykes Basketball League games are scheduled to begin on Sunday, January 16, 2022, through February 27, 2022.
    - Basic Pistol Shooting Class: This course deals with the basic knowledge, skills, and attitude necessary for owning and handling a firearm safely. Students will firearm parts and operation, ammunition, gun safety, Virginia laws regarding firearms, and shooting fundamentals. This class satisfies all requirements for Virginia Concealed Carry Permit.
    - Ballet I: Participants will learn the basic structure of ballet along with building block movements that are the cornerstone of every dancer's vocabulary.

- Park Facility Projects:
  - Community Shelter Project Update: The concrete floor (32' x 54') will be poured within two (2) weeks weather permitting. Projected completion 30 – 60 days.
  - Story Walk Reading Project Update: The grand opening was held on Saturday, January 8, 2022, from 1:00 PM – 3:00 PM in Eastham Park. Approximately sixty (60) participants were in attendance.
  - Mr. Lenz thanked Brad Kresge and the park crew for their hard work in completing the plowing, clearing, and clean-up of all County facilities in a timely manner.

- Department of Social Services – In the month of December, DSS received:
  - 117 SNAP Applications
  - 139 Medicaid Applications
  - 24 TANF Applications
  - 11 Child Care Applications

  On the Services side, for the month of December, DSS received:
  - 58 CPS referrals
  - 17 APS referrals

  Services rendered:
  - Through the Community Development Block Grant Motel voucher program, the Department assisted 41 people and spent $8,171.39.
  - The Department has used $1,345.40 from the Ministerial Fund
  - Provided food to 19 individuals
  - Provided $60 of gas cards

  Job development:
  - New client/referrals in December – 7
  - Total clients – 4
  - Clients actively participating in job search in December – 5
  - Jobs offered/accepted – 2

  Thermal Shelter:
  - Housed 28 individuals from December 11th through 31st, 22 men and 6 women

  State/Federal:
  - The Virginia State Minimum Wage increased from $9.50 per hour to $11.00 per hour on January 1, 2022

- Department of Fire and Rescue Services
  - The Department is in the process of development of the CY-2021 Annual Report which will highlight a 25% increase in calls for service across the response system. Special thanks to the men and women of the Department for meeting the challenges accompanied with this drastic increase.

- Staff continues to develop the Strategic Plan and Needs Assessment for the Department. A working copy of the document will be presented and discussed with the Fire Chiefs Advisory Staff and BOS throughout the development phase.
- The Department continues development of a comprehensive FY 2022-2023 Budget Request which maintains fiscal accountability to the taxpayer while meeting the needs of the response system. This budget will support the three priorities of the Department: 1) safety through effective staffing, 2) equipment/ apparatus replacement, and 3) safe facilities.
- Captain Kevin Catlett recently completed the Advanced Practice Paramedic Program and Flight paramedic Program. Keep up the great work Captain Catlett!

- Planning and Development
  - Tourism Committee **–** The Governor has allocated ARPA funds to Warren County. as follows: Shenandoah Valley Rail Trail product development; Visitor Center Upgrades, and Visitor Event Development.
  - Development Review Committee **–** The Development Review Committee did not meet in December; its next meeting will be held on January 26, 2022, at 10:00 AM.
- Commercial/Industrial Projects – Work continues on the following projects:
  - The new Warren Memorial Hospital maintains a Temporary Certificate of Occupancy (TCO) until Department of Environmental Quality (DEQ) provides their approval. MRI suite has been completed.
  - Equus Warehouse facility – The site work continues and building permits have been approved. Tilt-Up walls have been completed and the exterior fire line is underway.
  - Review for Erosion and Sediment Control (ESC) for storage facilities on 340/522 has begun and DEQ is reviewing concurrently. No Building plans have been submitted.
  - New trucking facility will begin shortly on Winner's Court with its approval having been issued.

Appropriations and Transfers

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors approved the additional appropriations and transfers as presented and shown below for January 2022:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

APPROPRIATIONS

Fire and Rescue	To appropriate the 2021 SHSP Grant into Cost Recovery account	$9,800
Sheriff	To appropriate VACORP checks to pay for vehicle repairs	$2,436

TRANSFERS

Treasurer	Purchase of shredder to replace current shredder that no longer works	$6,000
Sheriff (Skyline Training)	Transfer from General fund to cover expenses for new carpet, wood flooring, hallway, and classrooms	$20,000

Approval of Accounts

On a motion by Mr. Mabe, seconded by Mr. Butler, and by the following vote, the Board of Supervisors approved the list of January 2022 accounts as presented:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

Consent Agenda

1. 2022 Board and Committee Assignments – Ed Daley
2. Refund Request for Elias & Son Plumbing LLC – Sherry Sours
3. Refund Request for Michael A Manuel Trucking Inc. and Michael A Manuel – Sherry Sours
4. Removed for further discussion
5. Coyote Bounties – $50.00 Each – Animal Control
    a. Gary White (1)
    b. Michael Mitchell (2)

Mrs. Cook requested to pull item 4 for further discussion.

On a motion by Mrs. Oates, seconded by Mr. Butler, and by the following vote, the Board of Supervisors approved the Consent Agenda as amended with the removal of item 4 for further discussion:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

Job Description and Salary Placement for Media Services Specialist – Todd Jones

Mrs. Cook made a motion to refer this item to the Technology Review Committee for further discussion, which Mrs. Oates seconded for further discussion.

Mrs. Oates asked who was on the Committee and when the next meeting is scheduled to happen. Dr. Daley responded Mrs. Cook was appointed as the Board of Supervisors representative on the Committee with other Board members rotating as needed/desired.

Todd Jones, Director of Technology, stated the Technology Review Committee was not intended to be a body that provided advisory opinions to the Board but rather as a users' committee to make sure the people who use the systems have everything they need from a technology standpoint. The first meeting is on January 20th at 10:00 AM, and Mr. Jones plans to hold Committee meetings on the third Thursday of every month.

Mr. Mabe seconded the proposed motion to refer for approval, which passed by the following vote:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

Due to it not yet being the advertised time for the public hearings, the Board of Supervisors unanimously agreed to reorder the agenda to consider the two items added as Additional New Business at this time.

Consideration of County Requesting Water and Sewer Services

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors requested for the Town of Front Royal to extend and provide water and sewer services to Warren County tax parcels 4-41, 12-6, 12-6E, and 12-9 for commercial and industrial uses, further clarifying that this motion does not provide any zoning approval and use of these tax parcels for commercial and industrial purposes is subject to the County's Zoning Ordinance and consideration by the Board, if necessary, of a rezoning request in the future:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

Citizen Appointment to the Social Services Advisory Board

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors appointed Robert Cullers to the Social Services Advisory Board representing the North River Magisterial District to fill an unexpired four-year term ending December 31, 2023:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

At this time, Mrs. Cullers recessed the meeting for five minutes until the public hearings, which were not scheduled to begin until 7:30 PM.

Public Hearing – Conditional Use Permit 2021-11-03, Joshua Branson for a Guesthouse Located off Buck Mountain Road and Identified on Tax Map 37 as Lot 56 – Matt Wendling

Matt Wendling, Deputy Planning Director, reported the applicant is requesting a conditional use permit for a guesthouse. He is requesting this use in order to construct a principal dwelling for his brother and other family members, the guesthouse would be a secondary dwelling to be used by the applicant and family part time. The property is 123+ acres and was purchased in 2019, and the owners, Mr. Branson and his brother, plan to have a family subdivision submitted to the County once the property meets the County's subdivision requirement of being owned for five years. They plan to place the guesthouse in a location that allows for the subdivision to be approved when that time comes. They understand the guesthouse is for non-commercial use and not to be used for full-time occupancy and will be used for family and friends and not as a short-term tourist rental. This will allow for the applicant to have a place to stay when he is in town, and when his mother and relatives come to visit his brother's family who will be full-time residents.

The Planning Commission forwarded this application to the Board recommending approval with the following conditions:

1. The guesthouse shall not be used for full-time occupancy.
2. This accessory dwelling shall not be used for commercial rental or leasing of rooms for compensation of any kind.
3. The applicant shall comply with all Warren County Building Inspections and Warren County Health Department regulations and requirements including Building Code requirements for a smoke and fire detector system.
4. The applicant shall have a condition placed on the deed at the time of trans£ er of the property to a new owner that this is a non-commercial guesthouse and the rental or leasing of the dwelling for monetary compensation is prohibited and that it is limited to part-time occupancy up to six months.
5. After the approval by the County and recordation of a family subdivision of the guesthouse lot this conditional use permit shall become null and void.

Mrs. Cullers opened the public hearing. There being no comments from the public, Mrs. Cullers closed the public hearing.

On a motion by Mr. Mabe, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors approved the conditional use permit request of Joshua Branson for a Guesthouse with the conditions as recommended by the Planning Commission and staff and listed below:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

1. The guesthouse shall not be used for full-time occupancy.
2. This accessory dwelling shall not be used for commercial rental or leasing of rooms for compensation of any kind.

3. The applicant shall comply with all Warren County Building Inspections and Warren County Health Department regulations and requirements including Building Code requirements for a smoke and fire detector system.
4. The applicant shall have a condition placed on the deed at the time of trans£ er of the property to a new owner that this is a non-commercial guesthouse and the rental or leasing of the dwelling for monetary compensation is prohibited and that it is limited to part-time occupancy up to six months.
5. After the approval by the County and recordation of a family subdivision of the guesthouse lot this conditional use permit shall become null and void.

Public Hearing – Conditional Use Permit 2021-11-04, Gillian Greenfield and Richard Butcher for a Short-Term Tourist Rental Located at 1043 Riverview Shores Drive and Identified on Tax Map 13C, Section 4, Block 4, Lot 602 – Matt Wendling

Mr. Wendling reported the applicants are requesting a conditional use permit for a short-term tourist rental for rental of the single-family dwelling on riverfront property for less than thirty days. The applicants have stated they plan to follow a thorough pre-qualification and verification process prior to renting to prospective guests. They feel that this land-use benefits the County in tourism and in providing housing for visitors to the community. They have included an extensive list of house rules in their statement of justification which will also be included in the property management plan. They plan to be the full-time property managers and will have a cleaning service team maintain the property between rentals. The applicants are experienced in the operation and ownership of short-term tourist rentals.

The Planning Commission forwarded this application to the Board recommending approval with the following conditions:

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed four as determined according to the Health Department operational permit for a two-bedroom dwelling.
3. 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.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.

6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.

Gillian Greenfield and Richard Butcher introduced themselves as the applicants for this permit and referred the Board members to the property maintenance plan included in the Board packets.

Mr. Butler said the comments received from the Shenandoah Shores Property Owners Association (POA) indicate the POA Board would prefer to not have this application, nor Mr. Hartson's application, approved; he asked what the implications would be if this application was approved. Ms. Greenfield said her attorneys have reviewed and addressed the covenants of Shenandoah Shores, and short-term rentals are not disallowed as long as they are approved by the Board of Supervisors.

Mrs. Cullers asked if the applicants have had any issues or received any negative comments regarding their conditional use permit that was approved in September 2021. Ms. Greenfield replied that they have received no complaints from any neighbors regarding this or any short-term rental they manage.

Mrs. Cullers opened the public hearing.

Terry Hartson, 1538 Riverview Shores Drive, said he is in favor of what Ms. Greenfield and Mr. Butcher are doing. They have made significant improvements to the neighborhood by fixing up these properties, and he wished them luck on their rentals.

There being no further comments from the public, Mrs. Cullers closed the public hearing.

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors approved the conditional use permit request of Gillian Greenfield and Richard Butcher for a Short-Term Tourist Rental with the conditions as recommended by the Planning Commission and staff and listed below:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed four as determined according to the Health Department operational permit for a two-bedroom dwelling.
3. 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.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by

the Health Department and a copy of the service invoice shall be provided to the Planning Department.

5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.

Public Hearing – Conditional Use Permit 2021-11-06, Terry Hartson for a Short-Term Tourist Rental Located at 1538 Riverview Shores Drive and Identified on Tax Map 13C, Section 4, Block 6, Lot 1044 – Joe Petty

Joe Petty, Planning Director, reported 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 as the property is ideal for tourism given its access to the Shenandoah River. The owner/applicant currently lives in Warren County and plans to clean and maintain the property in between reservations.

The Planning Commission forwarded this application to the Board recommending approval with the following conditions:

1. The applicant shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed four as determined according to the Health Department operational permit for a two-bedroom dwelling.
3. The applicant shall have the well/drinking water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicant shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.

Terry Hartson introduced himself and opened himself up for questions from the Board.

Mrs. Cullers opened the public hearing.

Gillian Greenfield, 1466 Riverview Shores Drive, said she is in support of this application and would like to see Mr. Hartson succeed.

Richard Butcher, 1069 Riverview Shores Drive, said he is behind Mr. Hartson 100% and would love to see the Board approve this conditional use permit application.

There being no further comments from the public, Mrs. Cullers closed the public hearing.

Mr. Butler said with the County's proximity to Washington, D.C., he likes to see the increase in short-term rentals.

On a motion by Mrs. Cook, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the conditional use permit request of Terry Hartson for a Short-Term Tourist Rental with the conditions as recommended by the Planning Commission and staff and listed below:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

1. The applicant shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed four as determined according to the Health Department operational permit for a two-bedroom dwelling.
3. The applicant shall have the well/drinking water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicant shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.

Adjournment

Mrs. Cullers adjourned the meeting at 7:54 PM.

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on February 1, 2022 at 9:00 AM.

Present: Cheryl L. Cullers, Chair (South River District); Delores R. Oates, Vice Chair (North River District); Vicky L. Cook (Fork District); Jerome K. Butler (Happy Creek District); and Walter J. Mabe (Shenandoah District); also present Edwin C. Daley, County Administrator; Taryn G. Logan, Deputy County Administrator; Jason J. Ham, Interim County Attorney; Mike Berry, Public Works Director; Michael Coffelt, Sanitary District Manager; James Bonzano, Fire Chief; Todd Jones, Director of Technology; Caitlin Jordan, Senior Assistant County Attorney; Gerry Maiatico, Fire Marshal; Joe Petty, Planning Director; Matt Robertson, Finance Director; Alisa Scott, Deputy Finance Director; Emily M. Ciarrocchi, Deputy Clerk of the Board; and Roger Bianchini, Royal Examiner

Supervisor Butler participated in this meeting remotely via Microsoft Teams due to testing positive for the Coronavirus (COVID-19) and being instructed to quarantine.

Call to Order and the Pledge of Allegiance of the United States of America

Adoption of Agenda – Additions or Deletions

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors adopted the agenda as amended with the addition of "and FOIA matters" to the closed meeting motion for Sections 2.2-3711(A)(7) and (A)(8):

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

Public Comment Period (60 Minute Time Limit)

There were no presentations from the public.

Report – Virginia Department of Transportation – Ed Carter

Ed Carter, Residency Administrator with the Virginia Department of Transportation (VDOT), presented the following report to the Board:

Maintenance:

- The month of January has been primarily spent addressing weather events and repairing potholes; will continue to address potholes as they arise. The extreme freezing/thawing is creating a significant amount on roadways
- Handled several downed trees as a result of the storms and plan to do brush removal on Route 340 south using contractors and Route 649 using State forces
- Will be installing some pipes on various roads and grading stabilized roads, weather permitting

- Given the current weather cycle, VDOT could be addressing weather events well into February

Board Issues:

- Chairman's request for Morgan Ford documentation will be fulfilled as soon as VDOT gets out of the current weather cycle.
- Meeting on Secondary Six-Year Plan - They do not expect to have the revised budget figures before sometime in March. Mr. Carter can meet at any time to discuss the process, but Finance is currently working on revenues and forecasts, and the data is not yet available.

Mr. Carter then told the Board that, sadly, VDOT lost a crew member earlier this morning on Interstate 81 northbound. The crew member was driving the highway work zone crash truck while other members were setting up cones to establish a work zone on the interstate when the truck was rear-ended by a tractor trailer.

Report – Virginia Cooperative Extension Office – Corey Childs

Corey Childs, Extension Agent, presented the Virginia Cooperative Extension report to the Board, and highlighted the following points:

- Co-facilitated the online and in-person Pesticide License Recertification courses where 118 individuals received pest management training and recertification
- Continues to monitor another invasive species, this one impacting the beef cattle industry, known as the Asian Long-horned Tick; it was first reported in Virginia in 2017 and was found in the County in early 2018
- Provided the Ensuring Safe Drinking Water well water testing program where 212 households had their water tested
- Started a new program in the fall for Learning Kits, which was very successful
- Held the annual 4-H Achievement Banquet for fifty (50) 4-H members and special guests
- Recent winter weather events and sub-freezing temperatures are affecting the agricultural world, and the price of feed and fertilizer are increasing
- Continued to provide the Money Management classes, which saw an increase in participation due recent inflation
- Informed the Board of the recent loss of Tammy Henry, the longtime secretary for the Extension Office, who passed away from cancer in January

Mr. Mabe asked how many young people were served through 4-H, and Mr. Childs said there were two answers to his question. Approximately 230 youth are enrolled 4-H members and participate in year-round programs and clubs, and between 400-500 youth, while not considered members, are impacted annually by one-time programs, like the summer camp.

Report – Warren County Department of Social Services – Jon Martz

Jon Martz, Director of Social Services, stated the Department had received its annual Client Cross Program Locality Yearly Analysis report from the Virginia Case Management System for FY 2020-2021. Clients served by eligibility programs continued to rise, with 5,370 receiving Supplemental Nutrition Assistance Program (SNAP) benefits, 295 receiving Temporary Assistance for Needy Families (TANF) benefits, and 10,091 receiving Medicaid benefits, for a total of 10,643 non-duplicated clients served by benefits through the Department in FY 2020-2021.

According to the 2020 ALICE (Asset Limited, Income Constrained, Employed) Report from the United Way, approximately one-third of the County's population is at or below the poverty level or one bill away from needing benefit services from the Department. 1,351 households (or 9% of the population) are below the poverty level, and 3,415 households (or 24% of the population) are considered ALICE households, working families struggling to meet basic living needs.

Mr. Martz reported in FY 2020-2021, the Department had seventeen (17) children in foster care, and six (6) children found their permanent homes and were adopted out of the foster care system. There were a total of 899 Child Protective Services (CPS) referrals made and 186 Adult Protective Services (APS) referrals made.

The Department is funded 43% by State dollars, 55% by Federal dollars, and 2% from the locality. Of the funds received by the Department, 96.4% is put back into the community through benefit programs, and 3.6% is spent on operations/administration.

Mr. Mabe asked how the Department was faring from a staffing perspective, and Mr. Martz stated as of earlier this morning, there is one vacancy. A foster care worker accepted a position with a neighboring locality, but he reminded the Board that one year ago, the Department had more vacancies than employees. The County has helped tremendously by making sure the Department received pay increases to allow them to compete with neighboring localities, and the Department's cooperation with the County's Administration and Board of Supervisors is key to looking desirable to candidates.

Mrs. Cook wondered if the funding from the State and Federal governments remains constant from year to year, and Mr. Martz replied that while services continue, the number of clients utilizing the services continue to increase, which in turn means the funds from the State and Federal government will also continue to increase. She then asked if Department staffing is adequate for the existing volume of work, which Mr. Martz said was a complicated question. For the number of cases the Department currently has, the staffing is adequate, but he is looking to expand the types of services provided to citizens, such as opening an employment center. Currently, Warren County is the only Department in the northern region of Virginia that has its own Job Developer position.

Mrs. Oates asked if there was anything else that could be done to reduce the number of County citizens receiving benefits or being provided services through the Department. Mr. Martz said the Department has provided parenting classes to try to prevent situations where

CPS or APS would be called, and the State recently started Families First in-home prevention services. The Department also works with the Virginia Cooperative Extension Office to provide clients with money management classes. He said the main goal of the Department is to help clients break the cycle of relying on benefits; education provides this opportunity, and the Department is in the business of providing opportunities. Mrs. Oates suggested the possibility of the Department working with faith-based organizations on parenting classes in the future.

Reports – Board Members, County Administrator, Interim County Attorney

Mrs. Oates reported the following:

- Met with Dr. Chris Ballenger, Superintendent of Warren County Public Schools (WCPS), on January 27th to discuss opportunities to get students outside the walls of the schools and back into activities and programs in the community; one outcome of this meeting was the plan to reinstate/reboot Local Government Day where students in civic or related classes could come and be a government representative or employee for a day
- Attended the tourism meeting on January 26th and thanked Alisa Scott, Deputy Finance Director, for her work on the proposed Memorandum of Agreement to be used with the soon-to-be-formed Joint Tourism Board with the Town
- Highlighted the citizens of the County who organized themselves and collected donations of toys and gift cards for the children in Kentucky who lost their homes to tornados the week before Christmas; these volunteers filled up a trailer and drove it to Kentucky

Mr. Butler had nothing to report.

Mrs. Cook reported the following:

- Attended the first meeting of the Technology Review Committee on January 20th and was encouraged to see the positive dialogue among the participants
- Attended two open houses for the Second Step curriculum at Warren County Middle School and Ressie Jeffries Elementary School on January 26th and thanked staff for hosting these open houses and sharing materials related to the curriculum
- Attended the Samuels Public Library board meeting on January 20th and noted the Library is partnering with Valley Health to be a distribution point for free COVID-19 home tests; the Library is also preparing for its A Taste for Books event
- Interviewed two citizens interested in being appointed to the Front Royal-Warren County Airport Commission with Dr. Daley and Mr. Butler on January 31st
- There are two vacancies on the Economic Development Authority (EDA) Board of Directors and encouraged interested citizens to submit a citizen appointment application if interested in being considered for appointment

Mr. Mabe reported the following:

- Thanked all the Town and County staff for their work on removing snow during the January winter weather events
- Attended the Samuels Public Library board meeting on January 20th
- Attended the Development Review Committee meeting on January 26th
- Attended the RSW Regional Jail meetings on January 27th
- Attended the Social Services Advisory Board meeting on January 20th

Mrs. Cullers reported the following:

- Thanked staff who worked during snow events and emergency services personnel
- Extended her sympathy to the families of the four young men who were involved in the recent boating accident in Chincoteague Bay

Dr. Daley reported the following:

- Reminded the Board of its budget work session at 1:00 PM, which is a continuation of presentations from partner agencies, as well as the budget work session on February 8th beginning at 9:00 AM with all County Departments and Constitutional Offices
- At the last Board meeting, he reported the proposed FY 2022-2023 budget was $1,200,000 out of balance, but following a recent meeting with Dr. Ballenger, the budget is now $1,800,000 away from being balanced
- Announced the appointment of Planning Director Joe Petty as the County's new Director of Economic Development effective today, February 1st, and the subsequent appointment of Deputy Zoning Administrator Chase Lenz as Zoning Administrator

Approval of Minutes

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following votes, the Board of Supervisors approved the minutes of its regular meeting of December 14, 2021:

Aye: Cullers, Mabe, Oates Abstain: Butler, Cook

And its regular meeting of January 4, 2022:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

Consent Agenda

1. Refund Request for UPS Ground Freight Inc – Sherry Sours
2. Acceptance of Dedication of 0.4845 Acre and Deed of Quitclaim from Adam and Shawn Huddleston – Joe Petty

3. Representative Appointment to the Community Policy and Management Team for the Northwestern Community Services Board – Jessica Amankrah
4. Representative Appointment to the Community Policy and Management Team for the Lord Fairfax Health District – Jessica Amankrah
5. Removed for further discussion
6. Annual Term Contract with Syntax Communications, Inc., for IT Networking and Infrastructure Services ending May 1, 2022 – Alisa Scott/Todd Jones
7. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-11-01, Katherine Stallings for a Short-Term Tourist Rental Located at 377 Brandy Road and Identified on Tax Map 22C as Lot 69 – Matt Wendling
8. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-11-02, Dennis Flynn for a Short-Term Tourist Rental Located at 484 Creek Road and Identified on Tax Map 39C, Block B, as Lot 27 – Matt Wendling
9. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-11-05, David Kondner for a Short-Term Tourist Rental Located at 153 Beckwith Drive and Identified on Tax Map 21B, Section 1, Block 1, as Lot R – Joe Petty
10. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-11-07, Danielle and David Kibiloski for a Bed-and-Breakfast Located at 990 Hillandale Road and Identified on Tax Map 30C, Section 1, Block 5, as Lot 50 – Matt Wendling
11. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-12-02, John Lavoie for a Short-Term Tourist Rental Located at 1196 Old Oak Lane and Identified on Tax Map 7A, Section 4, as Lot 15 – Matt Wendling
12. Coyote Bounties – $50.00 Each – Animal Control
    a. Richard Colton (1)
    b. Eugene Keckley, Jr. (2)

Mrs. Cullers requested the removal of item 5 for further discussion.

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the Consent Agenda as amended:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

Purchase of One (1) Bobcat Compact Track Loader for the Public Works Department – Alisa Scott/Mike Berry

Mrs. Cullers pulled this item because she wanted to know if this piece of equipment was replacing one currently in use or if it was an addition to the fleet. Mike Berry, Public Works Director, said this would be a new piece of equipment; the Department does not have a Bobcat and instead rents one annually for road maintenance and snow removal.

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors approved the purchase of one Bobcat Compact Track Loader from Clark Equipment Company doing business as Bobcat Company per the Commonwealth of Virginia's cooperative pricing in the amount of $67,423.34 on behalf of Warren County:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

Purchase of One (1) 2023 Pierce Enforcer Pumper and Budget Transfer – Alisa Scott/ Chief James Bonzano

Alisa Scott, Deputy Finance Director, reported the Finance Department received a request from the Department of Fire and Rescue Services to review a cooperative contract and additionally solicited quotes that supported the purchase of one (1) 2023 Pierce Pumper.

Section 2.2-4604 of the Virginia Public Procurement Act authorizes the County to cooperatively contract with the Houston-Galveston Area Council (HGAC). HGAC competitively solicits goods and services which the County can procure directly from the awarded vendor. Contract F12-19, Fire Service Apparatus (All Types) was awarded to Atlantic Emergency Solutions. In addition, Fire and Rescue personnel sought additional quotes to ensure the HGAC contract was the lowest bid and met all required specifications.

Fire Chief James Bonzano stated the Department of Fire and Rescue Services empaneled a career and volunteer responder workgroup to design a countywide specification for a fire apparatus. The three primary goals of this workgroup were to 1) design a versatile apparatus to meet the various demographic and terrain of the community, 2) increase the wellbeing of County responders through Safety and Protection Features, and 3) design a unit that can serve in multiple functions to reduce the apparatus inventory in the countywide fleet.

The workgroup has custom designed a 2023 Pierce Enforcer Pumper. The pumper/ tanker has a Cummins 500 HP engine with an Allison 3000 transmission. It has an overall length of 31'8" and is 9'10" tall. It is equipped to carry six (6) firefighters and travel at a maximum of 62 MPH, in accordance with the National Fire Protection Association (NFPA) 1901 standard. The pumper is equipped to carry 1,500 gallons of water and has a pump capable of pumping at 1,500 gallons per minute. Pierce Manufacturing offers extraordinary safety equipment to protect the firefighters while riding the apparatus. This proposed vehicle meets all NFPA requirements and has built-in safety features not currently available throughout the current fleet.

Ms. Scott stated the Department has reviewed the HGAC pricing and additionally solicited quotes. Staff recommends the Board approve the Atlantic Emergency Solutions purchase for one (1) 2023 Pierce Pumper. Any additional equipment and attachments will be competitively procured separately. Upon receipt of a Purchase Order, Atlantic will perform the work to deliver one (1) 2023 Pierce Pumper within eighteen (18) months.

Funding for this purchase is available in the Special Projects fund. The Board is requested to approve an FY 2022 interfund budget transfer in the amount of $727,328, which includes a $13,000 discount when $500,000 is paid by July 31, 2022.

Dr. Daley commented how this request was the most important vote the Board would take today. The Department currently has ten (10) pieces of major equipment that need to be replaced immediately; they are working with what they have, but they need upgraded equipment. The Department has been borrowing from other localities to help supplement their apparatus needs.

Mrs. Oates asked if there would be a set-aside fund setup for equipment and apparatus replacements for the Department similar to the bus fund for Warren County Public Schools. Ms. Scott replied the County has established a new capital asset replacement program with the assistance of the Virginia Municipal League/Virginia Association of Counties (VML/VACo). This program is tied to the overall debt management plan for the County.

Chief Bonzano stated a needs assessment was completed of the Department that highlighted needs for personnel, equipment and emergency apparatus, and facilities; he and the other Department leadership are trying to prioritize within these needs. A large contingent of the current apparatus, especially suppression equipment, is volunteer-owned, and instead of having the various volunteer stations replace their own equipment, he is looking at a system-wide approach to replacement.

On a motion by Mrs. Cook, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors authorized the interfund budget transfer of $727,328 from Special Projects to the General Fund and further authorized the County Administrator to approve the purchase of one 2023 Pierce Pumper per the Houston-Galveston Area Council contract pricing in the amount of $727,328 on behalf of Warren County:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

Economic Development Authority Support Agreement Modification – Ed Daley/Jason Ham

Jason Ham, Interim County Attorney, reported on October 19, 2021, the Board of Supervisors approved a Support Agreement providing its moral obligation for the monthly debt service for FY 2021-2022 only for the EDA's loan. Much of this debt service has now been paid as FY 2021-2022 is well underway.

This matter is before the Board of Supervisors for additional approval because the Support Agreement has been modified to allow the County to be reimbursed by the EDA for attorney's fees and other litigation costs expended on behalf of the EDA from litigation recoveries. The change is in Section 7 of the Support Agreement, which incorporates by reference Section 8.16 of the Loan Agreement.

Section 8.16 of the Loan Agreement gives the County the right to be reimbursed up to $2,500,000 from such recoveries and provides that amounts over $2,500,000 will be split 50/50 between the County and the lender, with the lender's portion being used to reduce the EDA's debt. There are various carve outs that allow the County to be reimbursed without splitting funds with the lender. Examples are amounts that are recovered in the EDA v. TLC Settlements, et als, case and amounts recovered in the counterclaim against the Town of Front Royal in the case brought against the EDA by the Town.

With the adoption of the modifications to the Support Agreement, the County will have an agreement with the EDA and the lender to allow the County to be reimbursed for its support to the EDA in payment of legal fees and other litigation expenses.

Mr. Mabe made a motion to approve the proposed Support Agreement, which was seconded by Mrs. Cook for further discussion. Following additional questions posed by Mrs. Oates, it was the recommendation of counsel to discuss this matter in closed session. Mr. Mabe subsequently withdrew his motion to approve the proposed Support Agreement.

Closed Session – Virginia Freedom of Information Act

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board entered into a closed meeting under the provisions of Section 2.2-3711(A)(3) of the Virginia Freedom of Information Act for the discussion or consideration of the acquisition of real property for a public purpose, such property being located in the Fork Magisterial District outside the limits of the Town of Front Royal, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

The Board also entered into a closed meeting under the provisions of Section 2.2-3711(A)(3) for the discussion or consideration of the disposition of publicly held real property, such property being located in the South River Magisterial District within the limits of the Town of Front Royal, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Finally, the Board entered 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*., the *EDA vs. the Town of Front Royal,* other potential claims and litigation relating to other possible liabilities of the EDA, the recovery of EDA funds and assets, the outstanding indebtedness of the EDA, and FOIA matters:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board certified 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)(3),

(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:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors authorized the County Administrator to execute the Support Agreement as presented:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

There were no further motions to come out of this closed meeting.

Adjournment

Mrs. Cullers adjourned the meeting at 12:28 PM.

COUNTY OF WARREN, VIRGINIA
BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
02/15/2022	H-1	Adoption of Resolution Endorsing DuPont – Waynesboro Natural Resource Damage Assessment and Restoration Settlement Recreational Fishing Access Grant Application	1 of 6

EXPLANATION & SUMMARY:

Warren County will be submitting a grant application to the DuPont – Waynesboro Natural Resource Damage Assessment and Restoration (NRDAR) Settlement Recreational Fishing Access Grant Program seeking funding to improve the boating access facility that is located off Indian Hollow Road (Route 613). The purpose of the program is to improve or create access along the South River, South Fork Shenandoah River, North Fork Shenandoah River, Mainstem Shenandoah River, or tributaries to these Rivers. The program guide that was provided by the Virginia Department of Wildlife Resources (DWR) summarizing the requirements for the program has been attached for your reference. As part of the requirements for the grant program Warren County is required to adopt a resolution endorsing the application that is being submitted. A draft resolution has been attached for your review, along with a preliminary concept of the site.

If awarded funding through the NRDAR program, the County will be required to execute a Memorandum of Understanding with DWR, the owner of the property where the current landing is located, showing control of the land and establish protective restrictions for public recreation access for the expected life of the project (minimum of 25 years). The County would assume maintenance responsibilities during that time and agree to fund the replacement of any portions of the facility that were constructed utilizing funding from the program that may be damaged. Agreements of this type have been used by the County on similar projects such as the Simpson's Landing boating access facility.

COST & FINANCING:

There is no cost associated with the adoption of this resolution. The County will adjust the scope of the project based on the amount of grant funding awarded and if necessary seek additional funding from supplementary grants.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors adopt the proposed resolution endorsing a grant application to the DuPont – Waynesboro Natural Resource Damage Assessment and Restoration Settlement Recreational Fishing Access Grant Program.

OR

I move that the Board of Supervisors table the request for further discussion.

SUBMITTED BY:	DISPOSITION OF COMMISSION:	PROCESSED BY:
Lisa Salomon Grants and Special Projects Coordinator	☐ APPROVED ☐ OTHER (Describe)	

RESOLUTION

of the Board of Supervisors of Warren County Endorsing the DuPont-Waynesboro Natural Resource Damage Assessment and Restoration Settlement

Recreational Fishing Access Grant Application

WHEREAS, in accordance with the terms of the DuPont - Waynesboro Natural Resource Damage Assessment and Restoration (NRDAR) settlement, the Commonwealth of Virginia, acting through the Virginia Department of Environmental Quality and the United States Department of the Interior acting though the U.S. Fish and Wildlife Service comprise the Trustee Council; and

WHEREAS, the Trustee Council is responsible for the identification, selection, and implementation of projects pursuant to the *DuPont-Waynesboro South River/South Fork Shenandoah River/Shenandoah River Restoration Plan/Environmental Assessment (RP/EA)*; and

WHEREAS, the Trustee Council has asked for project nominations for the portion of the settlement funds set aside for recreational fishing access.

NOW, THEREFORE, BE IT RESOLVED, that Warren County, requests the Trustee Council to provide project funding for improvements to a public boating access facility located off of Indian Hollow Road (Route 613) in Warren County that provides access to the South Fork of the Shenandoah River; and

BE IT FURTHER RESOLVED, that Warren County hereby agrees to enter into a project administration agreement with the Trustee Council and provide the necessary oversight to ensure the project is developed in accordance with all applicable state and federal requirements for design, property acquisition, and construction; and

BE IT FURTHER RESOLVED, that Warren County will be responsible for maintenance and operating costs of any improvement/facility constructed with NRDAR funds unless other arrangements have been made with the Trustee Council; and

BE IT FINALLY RESOLVED, that the Warren County Board of Supervisors hereby grants authority for the County Administrator to execute project agreements for an approved NRDAR project.

Adopted: February 15, 2022

_____
Cheryl L. Cullers, Chair
Warren County Board of Supervisors

ATTEST:

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

Support to Partners – Shenandoah River Watershed
Program Guide

Purpose
To improve or create public access along the South River, South Fork Shenandoah River, North Fork Shenandoah River, Mainstem Shenandoah River, or tributaries to these rivers for the purposes described in the DuPont Waynesboro – South River/South Fork Shenandoah River/Shenandoah River Restoration Plan/Environmental Assessment (RP/EA), which was developed with public input to restore natural resources and the services they provide that were injured by releases of mercury from the DuPont-Waynesboro Site.

The RP/EA identified "recreational fishing access creation/improvement" as a preferred project category that will provide compensation for the injuries to recreational fishing. Possible projects may involve: boating, bank fishing, and/or wading activities, and also swimming and wildlife viewing. Projects may include addition of new locations and/or improvements to existing facilities. Improving boating public access may also include dam removal projects that open stretches of a river to boating and fishing. Additional goals are outlined in the RP/EA (Section 5.3.7).

Background
The United States, the Commonwealth of Virginia, and E.I. du Pont de Nemours and Company (DuPont) lodged a Consent Decree (CD), which included the RP/EA as Appendix B, on December 15, 2016 with the U.S. District Court for the Western District of Virginia, Harrisonburg Division. The Court entered the CD on July 28, 2017.
The purpose of *Support to Partners – Shenandoah River Watershed* announcement is to solicit project recommendations consistent with the terms of the DuPont-Waynesboro Natural Resource Damage Assessment and Restoration (NRDAR) settlement and RP/EA. The recommendations will be provided to the DuPont Waynesboro Trustee Council. The Trustee Council consists of two Trustees: the Secretary of Natural Resources on behalf of the Commonwealth of Virginia and the U.S. Department of the Interior, acting by and through the U.S. Fish and Wildlife Service. The Trustee Council is responsible for the identification, selection, and implementation of projects pursuant to the CD and RP/EA.

Funds for the *Support to Partners – Shenandoah River Watershed* are derived from the DuPont-Waynesboro NRDAR settlement of mercury-related injuries to South River and South Fork Shenandoah River.

Funding Limit
Up to a maximum of $100,000, half paid up front with the balance 30 days after the acquisition or construction is completed to the satisfaction of the Trustees or their representatives. The Trustees, or their representatives, reserve the right to award at higher levels on a case-by-case basis.

Eligibility
Local governments including Augusta, Rockingham, Page, Shenandoah, Clarke, Warren, and Frederick Counties, and cities and towns within these aforementioned counties are eligible and encouraged to apply. Also eligible are state and federal agencies and, non-governmental not-for-profit organizations.

Funding Basis
Funds are awarded on a competitive basis. Partners are reimbursed for the agreed upon project cost with half up-front and the balance once the project is completed to the satisfaction of the Trustees for the Commonwealth of Virginia and the U.S. Fish and Wildlife Service or their representatives. Partners are eligible to apply in successive years. Partners are allowed to apply for more than one project.

Items Covered
Land acquisition, planning, design, historic and environmental review, and construction costs can be covered by the program and must be clearly documented in the application. A new survey of the site must be included along with well-marked property boundaries. Land acquisition must follow the Commonwealth's Department of General Services guidelines. A signed Memorandum of Understanding between parties must be executed before work begins.

Projects proposals will not be considered by the Commonwealth if any of the following situations are true:

- Project is otherwise required by federal, state, or local laws, regulations, permits, or licenses.
- Significant adverse environmental impacts would result from the project, and such impacts are not adequately mitigated.

Potential for significant adverse effects to human health and safety would result from the project, and such effects are not adequately mitigated.

Design Requirements

All facilities must comply with the current Virginia Statewide Uniform Building Code design standards. Drawings must be submitted for approval by the Trustees or their representatives. All facilities shall have the proper construction documents, permits, authorizations and inspections as required by the local jurisdiction, the Commonwealth, and Federal authorities. All facilities shall comply with the U.S. Access Board's Accessible Boating Access Guidelines.
In addition, all successful applicants must conduct certain federal reviews including the Endangered Species Act, Section 7 review, as well as reviews for historic resources. The Trustee Council can assist with these reviews.

Memorandum of Understanding

Includes:

1. Successful applicant's control of the land and establishment of protective restrictions for public recreation access for the expected life of the project (minimum of 25 years). Acquired property for an approved project shall be approved by the Trustees, or their representatives, and shall have perpetuity deed accommodations for long-term public access use. Proposals that provide for permanent protection will receive higher credit in the review process.
2. Maintenance and repair plan to Trustee standards.
3. Construction time limit of 12 months from signing to completion.
4. No fees to utilize the public recreation access areas. State Parks are exceptions.
5. Provide and maintain bilingual signage that recognizes all partners.
6. A resolution of support by the locality.

Selection Process

Proposals are reviewed annually by an oversight team selected by the Trustee Council. Public recreation access site selection will be guided by a selection scoring system developed by the Department of Wildlife Resources, the Department of Environmental Quality, and the Department of Conservation and Recreation and approved by the Trustees.

Deadlines and Notification of Awards

The deadline for submitting proposals is October 1 of any given year and successful applicants will be announced no later than January 31 following the deadline. Projects are subject to the availability of funds.

For More Information: Email SupportToPartners@dwr.virginia.gov

Support to Partners
Shenandoah River Watershed

Bentonville Boat Landing
and River Access Project Proposal

Lisa Salomon
Grants and Special Projects Coordinator
220 N. Commerce Avenue
Front Royal, VA 22630
lsalomon@warrencountyva.net
(540) 636-4600

Project Description – Bentonville Boat Landing and River Access Project

Warren County is applying for a grant facilitated by the Virginia Department of Wildlife Resources (DWR) to improve public access to the Shenandoah River through a program using funds from the DuPont-Waynesboro Natural Resource Damage Assessment and Restoration (NRDAR) settlement.

The existing Bentonville Boat Landing, also referred to as Indian Hollow, is located on a 2.19-acre site owned by DWR along the South Fork of the Shenandoah River. While the site is currently open to the public and heavily used, its usability is not ideal. Currently, the parking area is not large enough to accommodate users which has resulted in vehicles being parked along the roadway leading to and from the facility. The existing ramp is utilized by both people coming off the Shenandoah River, as well as those that are launching watercraft. This has created a danger as river users exiting the water are often walking up the ramp while vehicles and trailers are being backed down it.

In order to address known issues with the landing, Warren County is proposing improvements to include:

- Expand and upgrade the existing parking area
- Upgrade of existing boat landing
- Creation of paved boat landing
- Creation of secondary parking area to include trailer parking
- Creation of new gravel walking path for pedestrian access

Current view of Bentonville Boat Landing



Parking Area



Existing Landing



Existing Signage



Existing Shoreline Access

DUPONT- WAYNESBORO NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION SETTLEMENT
RECREATIONAL FISHING ACCESS GRANT APPLICATION

Whereas, in accordance with the terms of the DuPont - Waynesboro Natural Resource Damage Assessment and Restoration (NRDAR) settlement, the Commonwealth of Virginia, acting through the Virginia Department of Environmental Quality and the United States Department of the Interior acting though the U.S Fish and Wildlife Service comprise the Trustee Council,

And Whereas, the Trustee Council is responsible for the identification, selection, and implementation of projects pursuant to the *DuPont- Waynesboro South River/South Fork Shenandoah River/ Shenandoah River Restoration Plan/Environmental Assessment (RP/EA),*

And Whereas, the Trustee Council has asked for project nominations for the portion of the settlement funds set aside for recreational fishing access.

Now, Therefore, Be It Resolved, that Warren County, requests the Trustee Council to provide project funding for improvements to a public boating access facility located off of Indian Hollow Road (Route 613) in Warren County that provides access to the South Fork of the Shenandoah River,

Be It **Further Resolved,** that Warren County hereby agrees to enter into a project administration agreement with the Trustee Council and provide the necessary oversight to ensure the project is developed in accordance with all applicable state and federal requirements for design, property acquisition, and construction,

Be It **Further Resolved,** that Warren County will be responsible for maintenance and operating costs *of* any improvement/ facility constructed with NRDAR funds unless other arrangements have been made with the Trustee Council,

Be It **Further Resolved,** that the Warren County Board of Supervisors hereby grants authority for the County Administrator to execute project agreements for an approved NRDAR project.

_____

Cheryl L. Cullers, Chairman
Warren County Board of Supervisors

Bentonville Boat Ramp

Warren County, VA
Estimate of Probable Cost **draft 01/07/2022**

Prepared By: Land Planning and Design Associates Inc. Charlottesville, VA

1	Site Preparation	QTY.	UNIT	UNIT PRICE	TOTAL	
	Construction Survey	1	ea	$10,000.00	$ 10,000	
	Mobilization & Permitting	1	LS	$28,000.00	$ 28,000	10% of Overall Subtotal
	EC-2 Stabilization Matting	330	SY	$4.00	$ 1,320	20% of seeded area
	Silt Fence	530	LF	$7.00	$ 3,710	
	Riprap VDOT Class 1	50	TON	$100.00	$ 5,000	
	Tree Protection Fence	720	LF	$5.00	$ 3,600	
	Turbidity Curtain Type 2	2	LS	$3,000.00	$ 6,000	100 LF
	Misc. E&S (Const. Entrance, Check Dams, etc.)	1	LS	$2,000.00	$ 2,000	
	Site Clearing & Grubbing	1	LS	$5,000.00	$ 5,000	
	On-Site Earthwork	865	CY	$7.00	$ 6,055	Looks flat in photos, prob. Need some fill, need to see grading plans.
	Haul Cut Earthwork	370	CY	$40.00	$ 14,800	
				SUBTOTAL	$ 85,485	

2	Hardscape & Drainage	QTY.	UNIT	UNIT PRICE	TOTAL	
	Vehicular Asphalt Surface - 5" Asphalt		SF	$4.50	$ -	Cost includes installation by asphalt company (7730 sf)
	10" Gravel subbase/ leveling course		TON	$50.00	$ -	Cost assumes installation by County
	ADA Parking Surface - 8" Crushed gravel	14	TON	$40.00	$ 560	490 sf - crushed gravel for ADA spaces
	Parking Surface - 8" VDOT 21A	1485	TON	$40.00	$ 59,382	41884.21 sf - for all of the following areas: Upper Parking Lot, Vehicular driveway, and Re-designed lower parking lot
	Geotextile Fabric	4654	SY	$6.00	$ 27,924	incl. parking lot
	Gravel trail - 6" gravel 21-A	23	TON	$40.00	$ 900	900 SF for new trail
	Concrete - Porta Jon pad - 4" thick	80	SF	$12.00	$ 960	
	Concrete stair	75	SF	$7.00	$ 525	
	Concrete - Boat Ramp - 7" thick	4785	SF	$15.00	$ 71,775	Allied Concrete at $116 CY plus 33% markup to get $155/CY
	Non-Woven Geotextile Fabric - Boat Ramp	532	SY	$6.00	$ 3,192	Fabric along with gravel
	VDOT 21A Aggregate - 6"	129	TON	$40.00	$ 5,160	4785 sf under concrete 7" Boat ramp
				SUBTOTAL	$ 170,378	

3	Site Furnishings	QTY.	UNIT	UNIT PRICE	TOTAL	
	Concrete Wheelstops	61	EA	$250.00	$ 15,250	Cost includes installation by asphalt company
	ADA Parking Spaces	2	EA	$1,000.00	$ 2,000	
	Traffic, ADA Pkg., & Directional Signage	5	EA	$250.00	$ 1,250	Installed by County
	Entrance Sign	1	EA	$1,250.00	$ 1,250	Installed by County
	Handrails on steps	2	EA	$2,000.00	$ 4,000	
				SUBTOTAL	$ 23,750	

5	Bioretention offsite credits	QTY.	UNIT	UNIT PRICE	TOTAL	
	One		LS	$70,000.00	$ -	
				SUBTOTAL	$ -	

6	Landscaping	QTY.	UNIT	UNIT PRICE	TOTAL	
	Deciduous Shade Trees		EA	$ 150.00	$ -	
	Evergreen Trees	16	EA	$ 100.00	$ 1,600	Thuja Green Giant
	Large Shrubs		EA	$ 20.00	$ -	
	Permanent Seeding	10,000	SF	$ 0.50	$ 5,000	
	Hardwood Mulch 3" Depth	3	CY	$ 40.00	$ 100	
				SUBTOTAL	$ 6,700	

SUBTOTAL	$	286,313
10% Contingency	$	28,631
TOTAL	$	314,945

*This estimate represents 2021 dollars. Costs will need to be re-examined in subsequent years for increases in material and labor costs and inflation.

Bentonville Boat Landing
Warren County, VA
Project Schedule

Notification of Award	
Month 1	Approval of Cooperative Grant Agreement by Board of Supervisors Finalize and sign scope of work for landscape architect Complete additional survey work as required
Month 2	Update existing historical review Initiate wetlands, historical, and federal reviews as required
Month 3-4	Completion of preliminary construction documents Internal site plan review External site plan review Trustee site plan review Refine construction estimate
Month 5	Revisions to and completion of construction documents
Month 6-10	Construction of project (in-house)
Month 11	Installation of permanent stabilization
Month 12	Monitor and maintain

Statement About Impacts to Wetlands or Forested Streamside Buffers

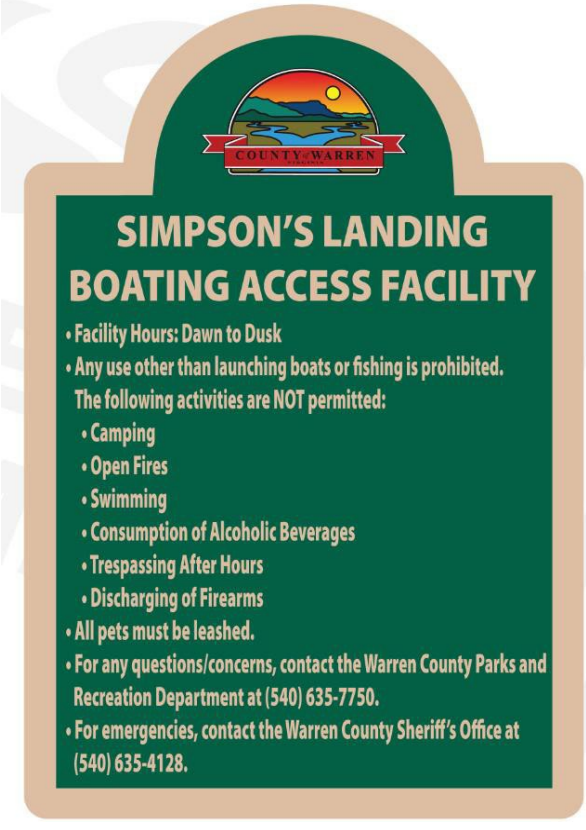
Wetlands and forested streamside buffers have not yet been delineated for this site and are not anticipated to be negatively impacted. The site is currently being utilized as a boating access facility by the Virginia Department of Wildlife Resources.

Statement Showing Land Control

The Bentonville Boat Landing site is owned by the Virginia Department of Wildlife Resources (DWR) and is currently being used as a public boating access facility by that agency. In addition, a portion of the property to be used is owned by the US Department of Forestry. If grant funding is awarded Warren County would execute a Memorandum of Understanding with DWR and Department of Forestry, making Warren County responsible for the maintenance and upkeep of the facility and any improvements that are made utilizing funding from the DuPont-Waynesboro Natural Resource Damage Assessment and Restoration (NRDAR) settlement for a minimum of 25 years. This typeof agreement has been utilized in the past by Warren County and the Virginia Department of Game and Inland Fisheries at similar public boating access facilities.

Statement Indicating Restrictions

The Bentonville Boat Landing facility will have a swing gate installed that will be closed as necessary during flooding conditions or other dangerous site conditions in accordance with the Warren County Department of Parks and Recreation policies. Below is an image of the signage that was included at another boating access facility in Warren County that includes other activities that may be restricted. These activities will be discussed with DWR to determine if any modifications or additions need to be made at the Bentonville site.



Accommodations

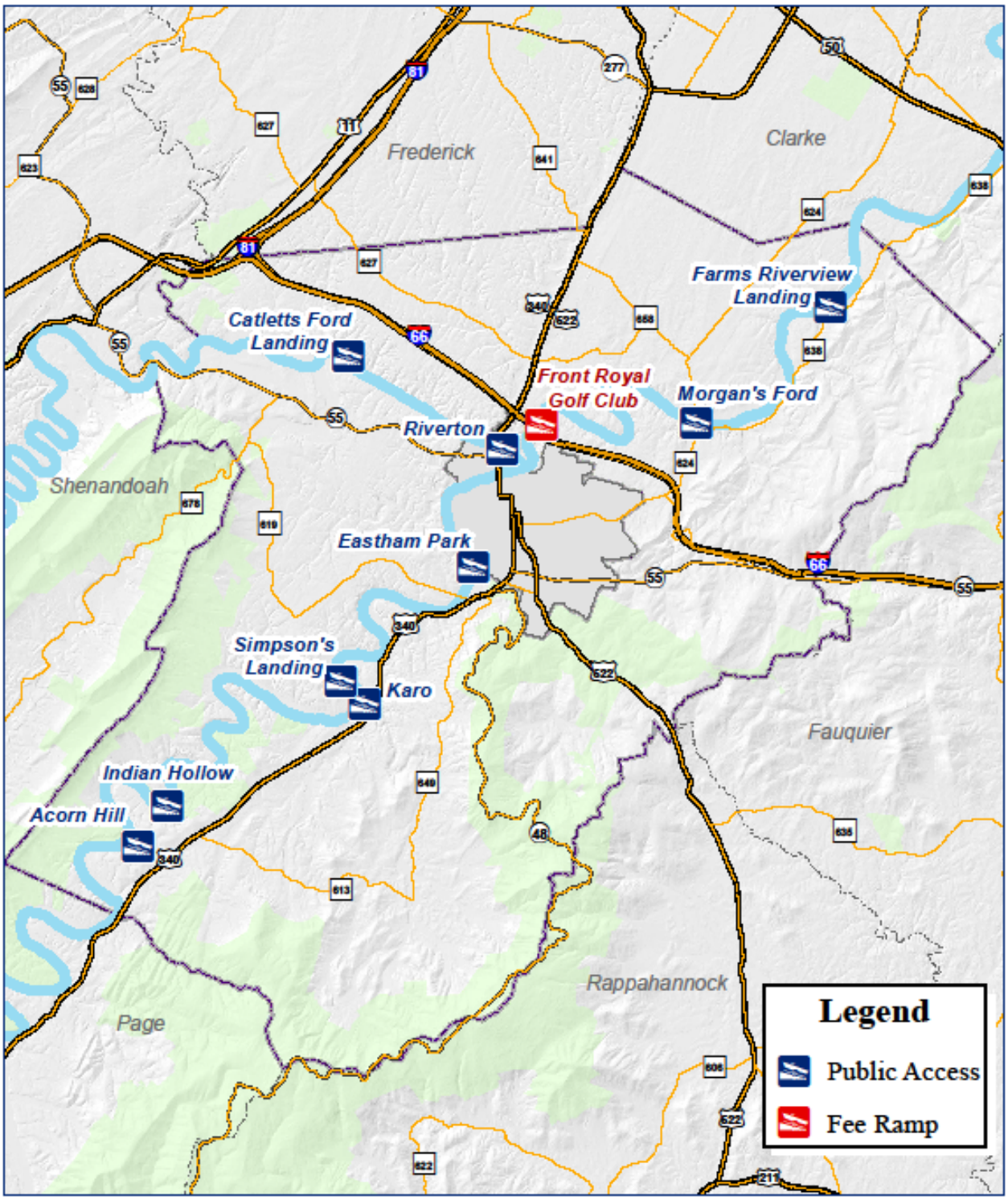
An ADA compliant parking area will be provided and grades throughout the site will be suitable for accessibility. The site will include two ramps for put in and take out of watercraft. As funding allows, items such as benches, wildlife resistant trash receptacles, picnic tables, and interpretive and/or educational signage may be added. The needand appropriateness of each item will be evaluated by Warren County and DWR before they areinstalled.

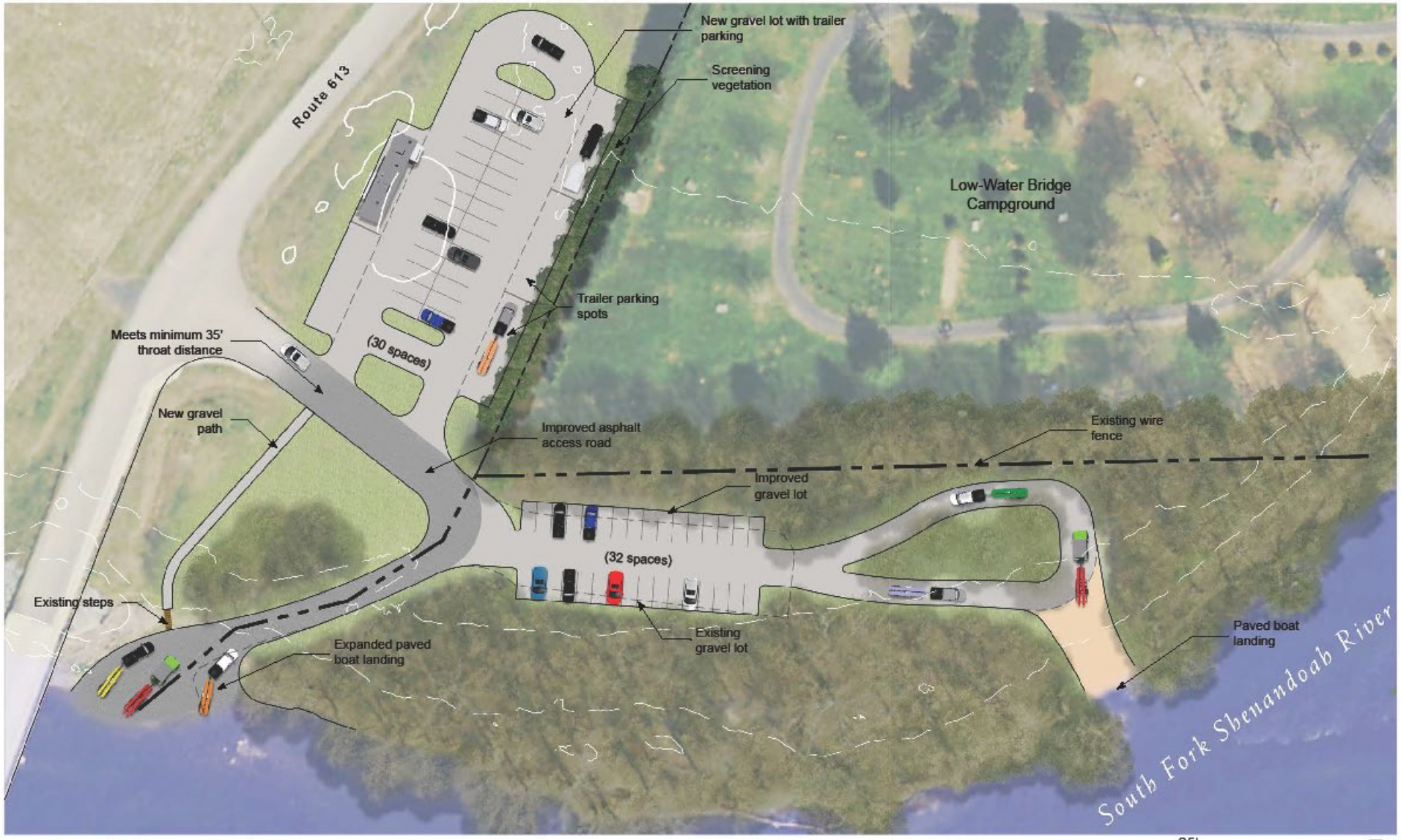
Historic Review

This project has not been submitted to the Department of Historic Resources for review. If funding is awarded, Warren County will submit the project for review during Month 1 of the project schedule.

County of Warren, VA Boat Landings

Map Produced by Warren County, GIS 2016





Boat Launch Concept Rendering

Bentonville Boat Launch

LPDA December 2021

25'

0' 50' 100'

COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF 1
February 15, 2022	H-2	Citizen Appointments to the Warren County Parks and Recreation Commission	

EXPLANATION & SUMMARY:

On March 3, 2020, the Warren County Board of Supervisors appointed Ron Harvey and Steve Brady to respective two-year terms on the Parks and Recreation Commission. These two-year terms will end on February 28, 2022. Mr. Harvey and Mr. Brady have expressed their desire to continue serving on the Parks and Recreation Commission in this capacity for another term. These positions were advertised, and no additional applications were received.

COST & FINANCING: **N/A**

CONSENT AGENDA MOTION:

I move that the Board of Supervisors reappoint Ronald Harvey and Steve Brady to the Warren County Parks and Recreation Commission for respective two-year terms beginning March 1, 2022 and ending February 29, 2024.

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

BY-LAWS OF THE
WARREN COUNTY PARKS AND RECREATION
COMMISSION

ARTICLE 1 – PURPOSE OF COMMISSION

1-1 The Warren County Parks and Recreation Commission (WCPRC) is hereby created to act as an advisory board for the Board of Supervisors of the County of Warren. The primary responsibility of the Commission is to help coordinate, with Parks and Recreation Department staff, user groups and organizations using County Parks and Recreation facilities and other involved parties, in making recommendations concerning the operations, maintenance, planning and financing for the County's parks and recreation facilities.

1-2 The Commission provides input and recommendations to the Board of Supervisors on the following issues:

1-2-1 Facilities.
1-2-2 Planning.
1-2-3 Budgeting.
1-2-4 Usage/Scheduling.
1-2-5 User Fees.
1-2-6 Rules and regulations.
1-2-7 Settling disagreements with the various user groups.
1-2-8 Recommending disciplinary action for persons involved in a violation of facility rules and regulations.

ARTICLE 2 – SELECTION OF DIRECTORS

2-1 The Commission shall have **sixteen (16)** ~~seventeen (17)~~ Directors. The Directors shall be representatives appointed by the County of Warren, including one member of the Board of Supervisors, the Warren County Parks and Recreation Department Director and the Assistant Director, and one (1) representative from each of the following organizations: Front Royal Little League, Warren County Midget Football League, Front Royal Soccer Association, Front Royal Cardinals, Warren County Cheerleading Association, Warren County Girls Softball Association and the Front Royal Travel Football League. The Commission shall include five (5) directors selected at-large by the Warren County Board of Supervisors. The Commission shall also include a director appointed by the Warren County School Board.

2-2 If any of the organizations listed in Section 2-1 is inactive and does not field any teams for a twelve (12) month period of time, the organization will lose its representative on the Commission.

2-3 Any new organization or any organization that lost its representative as described in Section 2-2 may apply to have a representative on the Commission once the organization has operated continuously for three (3) years. The decision on whether to add a representative will be made by the Warren County Board of Supervisors.

2-4 Two (2) at-large Directors, drawn by lot, shall serve an initial term of one (1) year, beginning March 1, 2004. The remaining three (3) at-large Directors shall serve an initial term of two (2) years, beginning March 1, 2004. Thereafter, all at-large Directors shall hold office for a term of two (2) years each, such that the terms of office of the Directors are staggered. Directors shall hold office until the successor has been appointed, which successor shall serve the unexpired remainder of that Director's term.

2-5 If any organization, listed in Section 2-1, does not pays its field user fees on a timely basis, the organization will be placed on probation and will lose all voting rights for a period of one (1) year. The Chairman of the Commission will send out a written notice before such organization is placed on probation

ARTICLE 3 - SELECTION OF OFFICERS

3-1 Officers of the Commission shall consist of a chairman, vice-chairman, and secretary. The chairman shall be the Warren County Parks and Recreation Director and shall be a non-voting member. The vice-chairman shall be elected by the directors. The secretary shall serve at the request of the Commission and may be a director of the Commission, an employee within the Parks and Recreation Department or a citizen volunteer.

3-2 Nomination of officers shall be made from the floor at the beginning of the January meeting for the ensuing year. Election of officers shall follow immediately. A candidate receiving a majority vote of the directors shall be declared elected.

3-3 Terms of office shall be for one year or until a successor takes office. Vacancies shall be filled for an un-expired term by a majority vote of the Commission.

ARTICLE 4 - DUTIES OF OFFICERS

4-1 The chairman shall:

4-1-1 Preside at meetings.

4-1-2 Appoint Commissions.

4-1-3 Rule on procedural questions (subject to reversal by a majority vote of the directors present).

4-1-4 Report official communications at the next regular Commission meeting.

4-1-5 Certify official documents involving the authority of the Commission.

4-1-6 Certify minutes as true and correct copies.

4-1-7 Carry out other duties as assigned by the Commission.

4-2 The vice-chairman shall:

4-2-1 Assume the full powers of the chairman in the absence or inability of the chairman to act.

4-3 The secretary shall:

4-3-1 Record attendance at all meetings.

4-3-2 Record the minutes of the Commission meetings.

4-3-3 Notify directors of all meetings.

4-3-4 Maintain a file of all official Commission records and reports.

4-3-5 Certify maps, records and reports of the Commission.

4-3-6 Give notice and be responsible for publishing public notices of all Commission public hearings and public meetings.

4-3-7 Attend to the correspondence necessary for the execution of the duties and functions of the Commission.

ARTICLE 5 - MEETINGS

5-1 Meetings of the Commission shall be held every other month, with each meeting beginning at 5:30 P.M. The Commission does not meet during the months of February, April, June, July, August, October and December.

5-2 Special meetings may be called by the chairman or by two directors upon written request to the secretary. The secretary, through the Parks and Recreation Department, shall mail a written notice to all directors, at least five days before a special meeting, stating the time, place and purpose of the meeting. Written notice of a special meeting shall not be required if the time of the special meeting has been fixed at a previous regular meeting or if all directors are present at the special meeting or if they filed a written waiver of the required notice.

5-3 All meetings of the Commission shall be open to the public, except as provided for in the Virginia Freedom of Information Act.

5-4 If any At-Large member has three (3) unexcused absences in a calendar year, the member shall be removed from the Commission and another representative shall be appointed by the Board of Supervisors to fill the unexpired term of office.

5-5 If any representative from an organization listed in Section 2-1 misses more than three (3) meetings in a calendar year, ~~the organization shall lose all voting rights for a period of one (1) year.~~ **the organization shall be removed from the Commission and another organization may be appointed by the Board of Supervisors to fill the opening.**

5-6 The directors of organizations and government agencies represented on the Commission may appoint a designee who can attend and vote in his or her absence during a Warren County Parks and Recreation Commission meeting.

ARTICLE 6 - VOTING

6-1 A majority of the directors shall constitute a quorum.

6-2 No action of the Commission shall be valid unless authorized by a majority vote of those present and voting.

ARTICLE 7 - ORDER OF BUSINESS

7-1 The order of business for a regular meeting shall be:

7-1-1 Call to Order.
7-1-2 Roll Call.
7-1-3 Adoption of Agenda.
7-1-4 Approval of Minutes.
7-1-5 Commission Matters.
7-1-6 Adjournment.

7-2 Parliamentary procedure in Commission meetings shall be governed by Robert's Rules of Order.

7-3 The Commission shall keep minutes of each meeting, and these minutes shall become a public record. The chairman shall sign all minutes and they shall be kept in the official minute book.

ARTICLE 8 - AMENDMENTS

8-1 These By-laws may be amended by a majority vote of the Board of Supervisors after thirty days prior notice.

Language proposed to be deleted is ~~lined through~~.
Language proposed to be added is **underlined**.

Revised: April 2, 2019

PARKS & RECREATION COMMISSION
(2-year Terms)

Ronald G. Harvey – Term Expires on 2/28/22

Steve Brady – Term Expires on 2/28/22

Jim Wells - 2/28/23 (appointed 10/19/21)

Carolyn Kissinger - 2/28/23 (reappointed 4/6/21)

Stacy Wilson - 2/28/23 (reappointed 4/6/21)

Jerome K. Butler (Board Representative)

Dan P. Lenz, Parks & Recreation

Robin A. Richardson, Parks & Recreation

Buck Smith, School Board

Todd Holcomb, Front Royal Midget Football

Robert Look, Warren County Girls Little League Softball

Chuck Reinhard, Front Royal Soccer Association

LeAnn Lewis-Haffer, Warren County Youth Cheerleading Association

Roger Smelser, Front Royal Little League

Donna Settle, Front Royal Cardinals Baseball

COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF 1
February 15, 2022	H-3	Citizen Nomination to the Warren County Board of Zoning Appeals	

EXPLANATION & SUMMARY:

On December 13, 2016, the Warren County Board of Supervisors nominated Ronald Weckenman for a five-year term representing the Shenandoah Magisterial District on the Warren County Board of Zoning Appeals, with appointment by the Warren County Circuit Court. This five-year term ended on December 31, 2021. Mr. Weckenman has expressed his desire to continue serving on the BZA in this capacity for another term. This position was advertised, and no additional applications were received.

COST & FINANCING: **N/A**

CONSENT AGENDA MOTION:

I move that the Board of Supervisors nominate Ronald "Ron" Weckenman for appointment by the Warren County Circuit Court to represent the Shenandoah Magisterial District on the Warren County Board of Zoning Appeals.

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

Chapter 180. Zoning

Article VII. Board of Zoning Appeals

§ 180-69. Establishment.

A. The Board of Zoning Appeals is established to perform those duties as set forth in Title 15.2, Chapter 22, Article 7, Zoning, §§ 15.2-2308 through 15.2-2312, Code of Virginia, and those duties as set forth in the provisions of this chapter.
[Amended 10-21-2008]

B. The official title of the Board shall be the "Board of Zoning Appeals of Warren County" and such body shall also be known by the abbreviation "BZA."

§ 180-70. Membership.

The Board of Zoning Appeals shall consist of five members appointed by the Circuit Court of Warren County. One member of the BZA should be a member of the Planning Commission. Terms of office of Board members shall be five years, except that initially one member shall be appointed for five years, one for four years, one for three years, one for two years and one for one year. Members may be reappointed. Vacancies occurring shall be filled by appointment by the Circuit Court for the unexpired portion of the term involved. Any member of the BZA shall be disqualified from acting on any matter before the BZA in which such member or a member of his immediate family has a financial interest. Members of the BZA shall be removable for cause upon written charges after a public hearing by the Circuit Court.

§ 180-71. Powers and duties.

The Board of Zoning Appeals shall have the following powers and duties:

A. Hear and decide appeals from any order, requirement, decision or interpretation made by the Zoning Administrator or his agent in the administration or enforcement of this chapter.

B. Render decisions on specific requests for variance from the terms of this chapter which are not contrary to the public interest and when a literal enforcement of the provisions of this chapter would result in unnecessary hardship, provided that the spirit of this chapter is observed.

C. Hear and decide all other matters referred to it and upon which it is required to act by this chapter.

D. Make, alter and rescind rules and forms for its procedures consistent with this chapter of the County and the laws of the state.

E. Prescribe procedures for the conduct of required public hearings.

F. Employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services within the limits of funds appropriated by the Board of Supervisors.

§ 180-72. Organization and operations.

The BZA shall choose its Chairman and Vice Chairman annually and shall adopt such rules and regulations, consistent with this chapter, necessary to govern the conduct of its business. Meetings of the BZA, held at the call of the Chairman or at such times as the BZA itself shall determine, shall be open to the public. The BZA's minutes shall be available for public inspection in the BZA's office during normal business hours and shall show the vote of each member on all questions considered. The BZA may hold a work or study session, but no official action shall be taken at such meetings. Three members present at a meeting shall constitute a quorum and all decisions shall be by majority vote, except that the favorable vote of at least three members shall be required to approve any variance permit or reverse any prior decision of the BZA or any order, requirement, decision or determination of the administrator. The BZA shall render an annual report of its activities to the governing body as of the close of each calendar year.

§ 180-73. Decisions subject to review.

[Amended 10-21-2008]
All decisions and findings of the BZA shall be final but subject to judicial review in the manner provided by Title 15.2, Chapter 22, Article 7, Zoning, Code of Virginia as amended.

BOARD OF ZONING APPEALS
(Nominated for Appointment by Circuit Court)
(5-Year Terms)

Ronald Weckenman (Shenandoah) Term Ended 12/31/2021

Gary Kushner – 12/31/24 (nominated 4/7/20) (South River)

Marcus Robinson – 12/31/20 (nominated 1/21/20) (North River)

Robert Myers – 12/31/24 (nominated 1/21/20) (Happy Creek)

David E. Feiring - 12/31/22 (nominated 12/12/17) (Fork)

**Mr. Weckenman is interested in being considered for renomination*

COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT	PAGE 1 OF
February 15, 2022	**H-4**	Agreement with Shenandoah County for a Law Clerk	

EXPLANATION & SUMMARY:

In July 2021, Warren County and Shenandoah County jointly authorized the employment of a Law Clerk for the Circuit Court. Shenandoah County has requested an agreement to formalize this action.

COST & FINANCING:

The cost the program was included in the current budget and will be included in the Fiscal Year 2023 proposed budget and the Fiscal Year 2024 preliminary budget.

CONSENT AGENDA MOTION:

I move the Board of Supervisors approve this agreement for the cost wages and benefits for a shared Law Clerk.

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

AGREEMENT REGARDING LAW CLERK FUNDING

This Agreement Regarding Law Clerk Funding (the "Agreement"), is entered by and between the County of Shenandoah, Virginia and the County of Warren, Virginia, both political subdivisions of the Commonwealth of Virginia (referred to collectively as the "Parties"), and is effective as of September 1, 2021.

WHEREAS, the Parties desire to partner in the hiring and retention of a Law Clerk for the Shenandoah and Warren Circuit Courts of the 26th Judicial Circuit;

NOW, THEREFORE, in consideration of the mutual benefits described herein, the adequacy and sufficiency of which is hereby agreed, the Parties hereby agree to the following terms and conditions:

1. The Law Clerk is to be an employee of Shenandoah County with Shenandoah County being the fiscal agent and responsible for payroll and all employment matters.

2. Warren County agrees to reimburse Shenandoah County for half of the Law Clerk's salary and benefits, such reimbursement to be made quarterly.

3. The terms of this Agreement are to renew automatically on an annual basis, subject to appropriation, unless either Party gives notice of termination of the Agreement to the County Administrator or Deputy County Administrator of the other Party no later than March 1.

4. Both Parties acknowledge that they have been represented by the same law firm – Litten & Sipe, LLP – in the drafting of this Agreement and consent to such representation.

Witness the following signatures and seals:

COUNTY OF SHENANDOAH, VIRGINIA

_____(SEAL)
EVAN VASS, COUNTY ADMINISTRATOR,
SHENANDOAH COUNTY, VIRGINIA

AND

COUNTY OF WARREN, VIRGINIA

_____(SEAL)
EDWIN DALEY, COUNTY ADMINISTRATOR
WARREN COUNTY, VIRGINIA

COUNTY OF WARREN, VIRGINIA
BOARD OF SUPERVISORS AGENDA ITEM

DATE:	ITEM:	SUBJECT:	PAGE
2/15/2022	H-5	Two Year Extension Request for: Cedarville, LLC Conditional Use Permit #2005-04-01 *Authorized Use: Shopping Center and Building in excess of 50,000 square feet in the Route 340/522 Highway Corridor Overlay District*	1 of 1

EXPLANATION & SUMMARY:

A conditional use permit for Cedarville, LLC was approved on July 19, 2005 for a shopping center and building in excess of 50,000 square feet to be located in the Route 340/522N Highway Corridor Overlay District. The property itself is located on Winchester Road, Rt. 697 (Rockland Ct.) and Rt. 658 (Rockland Rd.) and is identified on tax map #12 as parcel 32C1, tax map #12A, Section 1, Block 5 as parcel 8, tax map #12A, Section 1, Block 16 as parcels 1 thru 5 and parcel 28. The realignment of Rockland Rd. to Reliance Rd. has split a section of lot 28 which leaves a portion of it to the north of Rockland Rd. The property is zoned Commercial and is located in the North River magisterial district.

Warren County Planning Staff were contacted by the property owner, Ms. Nina Weissberg, CEO of Weissberg Investment Corporation to request an extension of the permit. The last extension for this permit was granted by the Board of Supervisors on February 4th, 2020. Ms. Weissberg has stated in a letter dated February 1st, 2022, that both her company and Rappaport Companies have continued to market the project since the last extension was granted. She states they have had two years of little interest the property but are now having more inquires with most being for industrial type uses. She would like the option to continue marketing it as a shopping center along with other potential commercial or industrial land-uses.

Staff suggests that this request is reasonable based on the applicant actively working to establish this conditional use permit and market the property for commercial use during the past two years due to the reasons referenced above in Ms. Weissberg's letter of request for the extension. See attachments and location map.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the request to extend this Conditional Use Permit (2005-04-01) of Cedarville, LLC for an additional period of two (2) years from the date of this request.

OR

I move that the Board of Supervisors deny the request to extend this Conditional Use Permit (2005-04-01) of Cedarville, LLC for an additional period of two (2) years. (List reasons)

SUBMITTED BY:	DISPOSITION OF BOARD:	PROCESSED BY:
Matt Wendling, CFM *Deputy Planning Director* *County Floodplain Manager*	☐ APPROVED ☐ OTHER (Describe)	

WIC | WEISSBERG INVESTMENT CORP

February 1, 2022

Via E-Mail
Joe Petty, Warren County Director of Economic Development
Matt Wendling, Warren County Deputy Planning Director
Warren County Department of Planning & Zoning
220 North Commerce Avenue, Suite 400
Front Royal, Virginia 22630

Re: Cedarville, LLC – Request for Conditional Use Permit Extension for CUP#2005-04-01

Dear Matt,

On February 21st, 2022, Cedarville, LLC's Conditional Use Permit (Permit No. 2005-04-01) will expire. Weissberg Investment Corp., in conjunction with the Rappaport Companies, continues to market the project. Interest in the property still comes mostly from Industrial users. Both commercial and industrial interest remains limited. To maintain the flexibility of the project, therefore, pursuant to Warren County Code §180-63(H) and on behalf of my clients, I respectfully request an additional two (2) year extension for Cedarville, LLC's conditional use permit.

After two years of low activity, interest in the property is starting to increase. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Nina Weissberg

Nina V. Weissberg
CEO
Weissberg Investment Corp.

COUNTY OF WARREN

County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630
Phone: (540) 636-4600
FAX: (540) 636-6066
Email: dstanley@warrencountyva.net

Douglas P. Stanley
County Administrator

CONDITIONAL USE PERMIT 2005-04-01

BOARD OF SUPERVISORS

*****

CHAIRMAN
Walter J. Mabe
Shenandoah District

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South River District

Tony F. Carter
Happy Creek District

Archie A. Fox
Fork District

Delores R. Oates
North River District

*****

Douglas P. Stanley
County Administrator

NAME: Cedarville, LLC

ADDRESS: c/o Weissberg Investment Corp, 1901 N Moore Street, Suite 803, Arlington, Virginia 22209

PROPERTY DESCRIPTION: Located on Route 340/522 (Winchester Road) and Route 658 (Rockland Road) and is identified on Tax Map 12 as a portion of Parcel 32, Tax Map 12A, Section 1, Block 5 as Parcels 6,7,9 and 18-21, Block 2 as Parcels 10-14 and 24-28, Block 10 as Parcels 1-8 and 19-22, Block 9 as Parcels 5-14 and 22-26, Block 6 as Parcels 16-21 and portions of right-of-way identified in the Cedarville Land Security Subdivision as Lee Avenue, East First Street, Stewart Avenue and Jackson Avenue. Property is zoned Commercial.

AUTHORIZED USE: Shopping Center and Building in Excess of 50,000 square feet in the Route 340/522 Highway Corridor Overlay District

CONDITIONS: Attached – Approved by the Board of Supervisors on July 19, 2005

DATE PERMIT EXPIRES: THIS PERMIT WILL EXPIRE ON FEBRUARY 21, 2020 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:	July 19, 2005
DATE EXTENDED BY BOARD OF SUPERVISORS:	April 15, 2008
DATE EXTENDED BY BOARD OF SUPERVISORS:	March 16, 2010
DATE EXTENDED BY BOARD OF SUPERVISORS:	February 7, 2012
DATE EXTENDED BY BOARD OF SUPERVISORS:	March 18, 2014
DATE EXTENDED BY BOARD OF SUPERVISORS:	March 15, 2016
DATE EXTENDED BY BOARD OF SUPERVISORS:	February 20, 2018
DATE EXTENDED BY BOARD OF SUPERVISORS:	February 4, 2020

DOUGLAS P. STANLEY
COUNTY ADMINISTRATOR

cc: Commissioner of Revenue

CEDARVILLE CENTER DEVELOPMENT CONDITIONS

PROPERTY ID NUMBER

TAX MAP 12 AS A PORTION OF PARCEL 32, TAX MAP 12A, SECTION 1, BLOCK 16 AS PARCELS 28-33, BLOCK 7 AS PARCELS 16-24, BLOCK 5 AS PARCELS 6, 7, 9 AND 18-21, BLOCK 2 AS PARCELS 10-14 AND 24-28, BLOCK 10 AS PARCELS 1-8 AND 19-22, BLOCK 9 AS PARCELS 5-14 AND 22-26, BLOCK 6 AS PARCELS 16-21 AND PORTIONS OF RIGHT-OF-WAY IDENTIFIED IN THE CEDARVILLE LAND SECURITY SUBDIVISION AS LEE AVENUE, EAST FIRST STREET, STEWART AVENUE AND JACKSON AVENUE

Pursuant to Section 180-63 of the Warren County Code (Zoning Ordinance), 1992 as amended, with respect to conditional use permits, the following are development conditions of application #2005-04-01 known as the "Cedarville Center" for a shopping center and a building over 50,000 square feet within the limits of the Route 340/522 Overlay District in the Route 340/522 Overlay District. Development of the subject property shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the applicant and shall be approved by the Warren County Board of Supervisors in accordance with said code and zoning ordinance. These development conditions shall be binding upon the applicant and their legal successors, heirs, or assigns.

"Developer" shall be defined as the developer (Cedarville, LLC), its legal successors, heirs and assigns.

SECTION A: GENERAL

1. Final site plan approval for the shopping center shall be submitted to the Warren County Planning Commission for final review and approval pursuant to Section 180-64 of the Warren County Code (Zoning Ordinance).
2. The developer shall comply with all applicable local, state and federal laws, regulations and policies in the development and operation of the site.
3. The developer shall prohibit overnight parking of trucks carrying goods for delivery and shall take reasonable actions to discourage the overnight parking of any type of recreational vehicle. The developer shall place such signs as may be approved by the County sufficient to give notice of such prohibition.
4. Outdoor storage of box containers and pallets shall be situated at the rear of buildings and shall be appropriately screened.

5. The developer shall prohibit the sale of used passenger vehicles (other than in connection with the operation of an automobile dealership), motor homes, pick-up trucks (other than in connection of the operation of an automobile dealership), tractor trailers and semi-trailers. However, nothing in these development conditions shall be construed to prohibit an automobile dealership from operating on the property..
6. Failure by the developer to comply with all conditions and proffers shall void this conditional use permit if said failure or failures are not corrected or addressed to the satisfaction, not to be unreasonably withheld, of the County within thirty (30) days of written notice from the County.
7. The concepts reflected in the filed conditional use permit plan dated March 25, 2005 are hereby made part of these development conditions.

SECTION B: ROADS

8. All proposed road improvements shall be made pursuant to minimum VDOT standards /specifications and Land Use Permit policies at the time of construction.

9. The applicant shall make the road improvements as identified in the proffer statement dated December 7, 2004, submitted by the developer and approved with the rezoning on April 19, 2005.

10. The applicant shall be liable for the expense for improvements and redesign changes to Route 658/Rockland Road that are directly generated and required by the project If requested by the County, the developer shall pay, within ninety (90) days, to the County an amount equal to the cost of said any design changes to the engineering study entitled, "Design Public Hearing, Route 658/Rockland Road, Warren County, Tuesday, September 30, 2003, Virginia Inland Port Authority, Front Royal, Virginia" that are required to redesign the road improvements to address the traffic impact directly generated and required by the project.

11. If requested by the County, the developer shall pay, within ninety (90) days, to the County an amount equal to the cost of said improvements in Condition #10 to be used in the VDOT Revenue Sharing Program for improvements to Route 658/Rockland Road.

12. The developer shall not utilize existing Route 658/Rockland Road as means of access for the proposed development until Route 658/Rockland Road has been improved to a level to handle the traffic from the project

13. The development will not be allowed more than 1 full access entrance and 1 partial access entrance (right in/right out) on relocated - 2 -Route 658 (Rockland Road). An additional entrance location may be considered in the future by VDOT. All proposed and potential entrances will need to meet current VDOT standards/specifications at the time of construction and will need to adhere to sound access management principles.

14. The development will not be allowed more than 1 full access entrance and 1 partial access entrance (right in/right out) on Route 340/522. All proposed entrances will meet current

VDOT standards/specifications at the time of construction and will need to adhere to sound access management principles.

15. The applicant shall dedicate to the Commonwealth of Virginia a portion of property adjacent to Route 340/522 North sufficient for a third traffic lane and right turn lane. The Applicant shall be responsible for the construction of such improvements from the southern portion of the subject property to the "right in, right out" lanes. In addition, the developer shall pay, within ninety (90) days of a request by the County of Warren , for the cost of constructing the third traffic lane from the "right in, right out" lanes to the northern property boundary (including the frontage of property not under the developer's ownership provided sufficient existing right of way is available to make necessary improvements). The applicant is not obligated to acquire or contribute funds to acquire additional right of way for the third lane construction.

16. If requested by the County, the developer shall pay, within ninety (90) days, to the County an amount equal to the cost of said improvements in Condition #15 to be used in the VDOT Revenue Sharing Program for said improvements and other improvements in the Route 340/522 corridor in the immediate vicinity of said improvements.

17. The developer shall include crosswalks, sidewalks and other means of pedestrian access along Route 340/522 (In accordance with Warren County corridor study), Route 658/Rockland Road and any internal roads in the project for pedestrian access.

18. The developer will be responsible for any required temporary or permanent signalization which is deemed necessary by VDOT as a result of the traffic generated by the proposed development.

19. An interparcel connection will be provided from the southern property boundary of the proposed development to allow for future connection of a collector roadway. The developer agrees to perform a feasibility study and provide a horizontal alignment for a future four lane highway with raised concrete median from the southern property boundary to the intersection of Route 655 which meets VDOT standards/specifications.

SECTION C: ARCHITECTURAL FEATURES

20. All buildings within the development on the property shall be constructed using compatible architectural style and materials, and signage for such buildings shall be of a similar style and materials.

21. All buildings within the development shall include as design elements dryvit, brick façade accents and standing seam metal roofs.

22. All buildings within the property shall be developed as a cohesive entity, ensuring that building placement, architectural treatment, parking lot lighting, landscaping, trash disposal, vehicular and pedestrian circulation and other development elements work together functionally and aesthetically.

SECTION D: LANDSCAPING

23. A landscaping plan, complying with Section 180-49.1 of the Warren County Code (Zoning Ordinance), for the entire site shall be submitted with the final site plan.

24. All landscaping shall be mulched and maintained to the reasonable satisfaction of the Warren County Planning Director. Any vegetation found to be of poor condition shall be replaced and/or improved at the reasonable direction of the Planning Director and/or Zoning Administrator.

25. Existing vegetation on the site shall be kept where possible to assist in screening efforts.

26. The developer shall grind all brush and stumps on-site and dispose of properly. In no case shall the developer or its agents burn any brush or stumps on the site.

SECTION E: WATER RESOURCES

27. The applicant shall provide storm water management per the regulations of the Commonwealth of Virginia and Warren County.

28. The developer shall prepare and submit an erosion and sediment control plan, prepared by qualified engineers in conformance with Chapter 150 of the Warren County Code. No construction activity shall be undertaken on the site until a land disturbance permit has been obtained from the Warren County Building Inspections Department and the approved erosion devices have been installed.

29. The property shall be developed using the Virginia Department of Conservation and Recreation's Technical Bulletin No.2 – Hydrologic Modeling in Karst.

30. The property shall be developed incorporating the following guidelines:

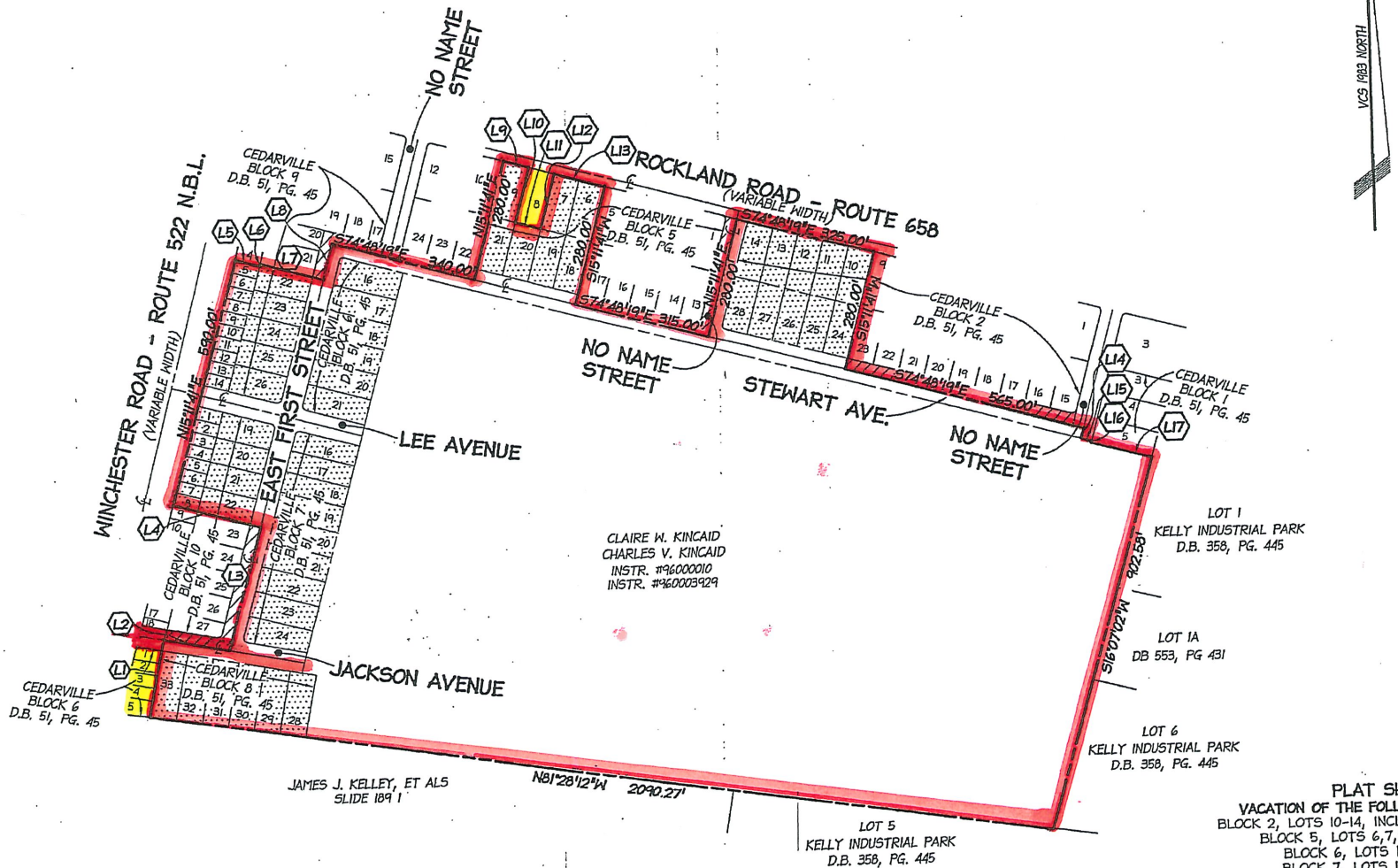
    a. A geophysical/test boring study of the proposed detention area shall be performed to identify subsurface voids.
    b. The basin shall be lined with an impermeable (preferably synthetic) liner.
    c. The basin shall be designed for one-year extended detention.
    d. Water quality best management practices shall be included in the basin design.
    e. A water quality pond forebay shall be incorporated into the design to facilitate ease of inspection and cleanout.

Approved by the Board of Supervisors on the ___ Day of _____, 2005.

_____

Douglas P. Stanley, Clerk of the Board

OVERVIEW OF A PORTION OF THE LANDS OF CLAIRE W. KINCAID AND CHARLES V. KINCAID FOR INFORMATIONAL PURPOSES ONLY



DENOTES LOTS RECORDED IN THE NAME OF CLAIRE W. KINCAID W.B. #WF0200004

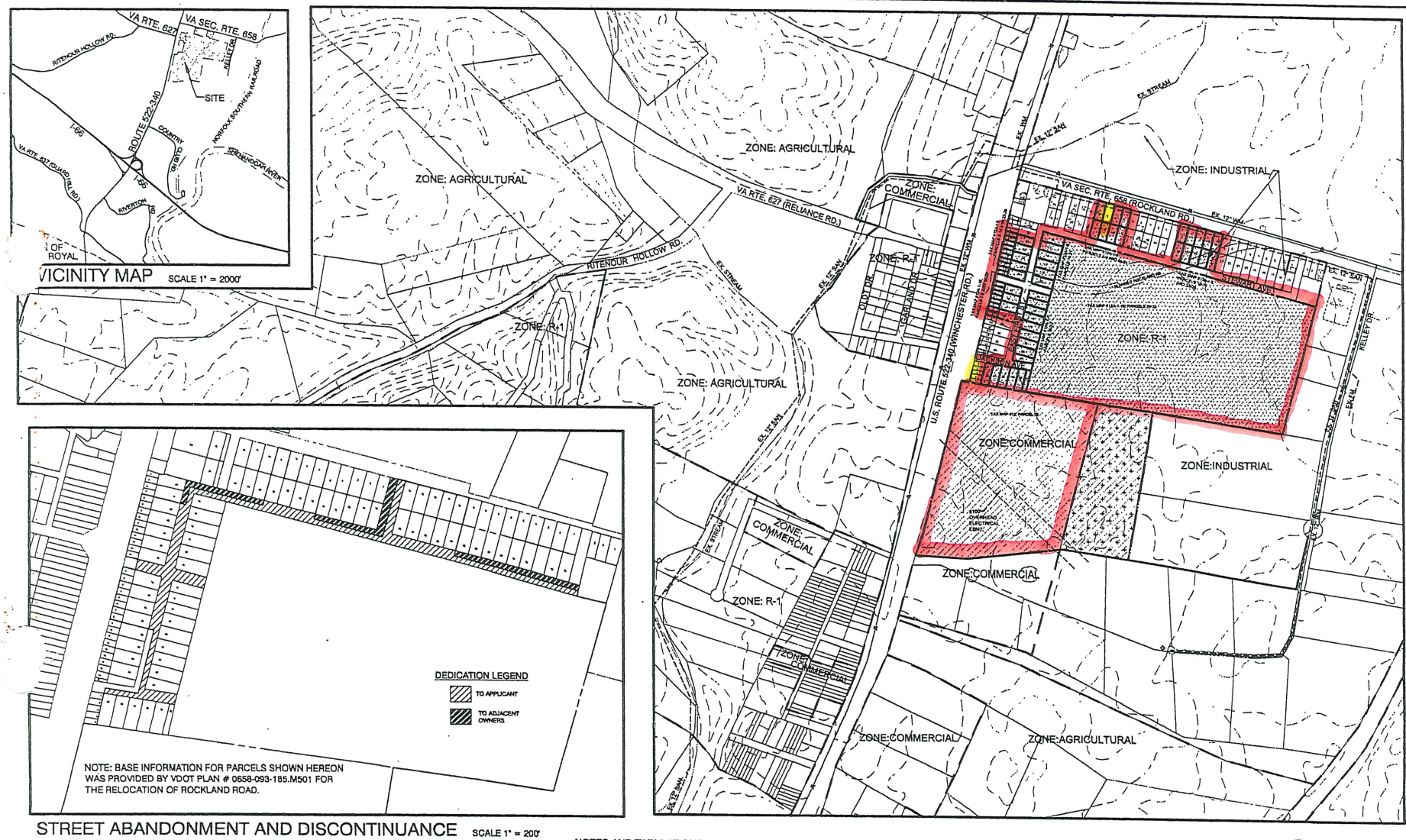
DENOTES PROPOSED VACATION OF RIGHT-OF-WAY TO BE CONVEYED TO THE ADJACENT LOTS AS SHOWN HEREON BY ACTION OF THE WARREN COUNTY BOARD OF COUNTY SUPERVISORS BY A SEPARATE LEGAL DOCUMENT. IT IS UNDERSTOOD THAT VACATION IS TO OCCUR WITH THIS PLAT AND FEE PROPERTY OWNER FOR THE LAND SHOWN HEREON TO 'QUITCLAM' THAT PORTION OF VACATED RIGHT-OF-WAY TO BE CONVEYED TO ADJACENT LOTS.

COMMONWEALTH OF VIRGINIA
PETER G. MOORE
No. 1927
4/11/2005

PLAT SHOWING
VACATION OF THE FOLLOWING LOTS/STREETS
BLOCK 2, LOTS 10-14, INCLUSIVE, 24-28, INCLUSIVE
BLOCK 5, LOTS 6,7,9, 18-21, INCLUSIVE
BLOCK 6, LOTS 16-21, INCLUSIVE
BLOCK 7, LOTS 16-24, INCLUSIVE
BLOCK 8, LOTS 28-33, INCLUSIVE
BLOCK 9, LOTS 5-14, INCLUSIVE, 22-26, INCLUSIVE
BLOCK 10, LOTS 1-8, INCLUSIVE, 19-22, INCLUSIVE
JACKSON AVENUE (PORTION OF), LEE AVENUE (PORTION OF), STEWART AVE, .EAST FIRST STREET AND AN UNKOWN STREET NAMES
BEING A PORTION OF
CEDARVILLE SUBDIVISION
TO BE CONSOLIDATED INTO THE LAND OF CLAIRE W. AND CHARLES V. KINCAID
BEING THE 39.83 ACRE +/- PARCEL OF LAND
AS SHOWN ON PLAT BOOK 1, AT PAGE 87
NORTH RIVER MAGISTERIAL DISTRICT
WARREN COUNTY, VIRGINIA
SCALE: 1" = 200' DATE: APRIL 8, 2005

Dewberry & Davis LLC
A Dewberry Company

VICINITY MAP SCALE 1" = 2000'



STREET ABANDONMENT AND DISCONTINUANCE SCALE 1" = 200'

LEGEND

- EXISTING ZONING LINE
- SUBJECT PROPERTIES
- PROPOSED REZONING (R-1 TO COMMERCIAL)
- PROPOSED REZONING (INDUSTRIAL TO COMMERCIAL)
- EXISTING STREAM

NOTES AND TABULATIONS

1. SITE AREA

TAX MAP 12, PARCEL 32	±35.3 AC.
TAX MAP 12A-1-16, PARCELS 28-33	±37.2 AC.
TAX MAP 12A-1-7, PARCELS 16-24	±1.4 AC.
TAX MAP 12A-1-5, PARCELS 6,7,9 & 18-21	±1.1 AC.
TAX MAP 12A-1-2, PARCELS 10-14 & 24-28	±1.3 AC.
TAX MAP 12A-1-10, PARCELS 1-8 & 19-22	±1.2 AC.
TAX MAP 12A-1-9, PARCELS 5-14 & 22-26	±1.3 AC.
TAX MAP 12A-1-8, PARCELS 16-21	±1.2 AC.
TOTAL AREA:	± 80.0 AC.

NOTE: SITE AREAS ARE APPROXIMATE AND BASED ON WARREN COUNTY GIS DATA.

2. ENTIRE SITE AREA WILL BE ZONED COMMERCIAL UPON COMPLETION OF THIS PROJECT. DETAIL OF AREAS TO BE REZONED ARE AS FOLLOWS:

AREA OF VACATED STREETS (SEE INSERT) TO BE REZONED TO APPLICANT	±3.1 AC.
AREA OF KELLEY TRACT TO BE REZONED (PART OF TAX MAP 12, PARCEL 32)	±10.7 AC.
ALL OTHER PARCELS TO BE REZONED (R1 TO COMMERCIAL)	±44.3 AC.
TOTAL AREA TO BE REZONED:	±58.2 AC.

3. EXISTING WATER AND SANITARY SEWER LOCATIONS AND SIZES BASED ON AVAILABLE TOWN OF FRONT ROYAL RECORDS AND SHOULD BE CONSIDERED APPROXIMATE.

GRAPHIC SCALE
300 0 150 300 600 1200
(IN FEET)
1 inch = 300 ft.

Dewberry
Dewberry & Davis LLC
8401 ARLINGTON BLVD.
FAIRFAX, VA 22031-4666
703 849 0100
FAX 703 849 0041

REZONING PLAN

Cedarville Center
Warren County, Virginia

Plan Number	
Drawn By	SB
Designed By	SB
Checked By	DD
Date	12-10-04 REV. 01-04-05
Scale	1" = 300'
Sheet	1 OF 1
File Number	ZP-111

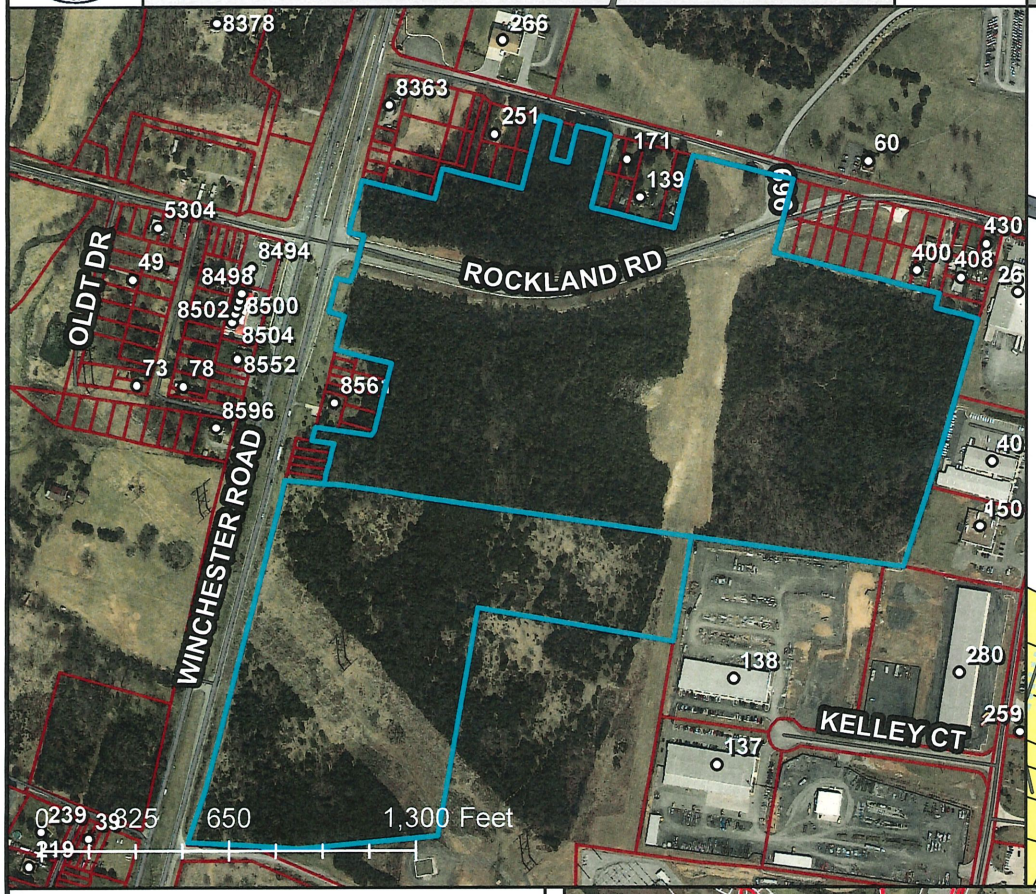
Warren County VA

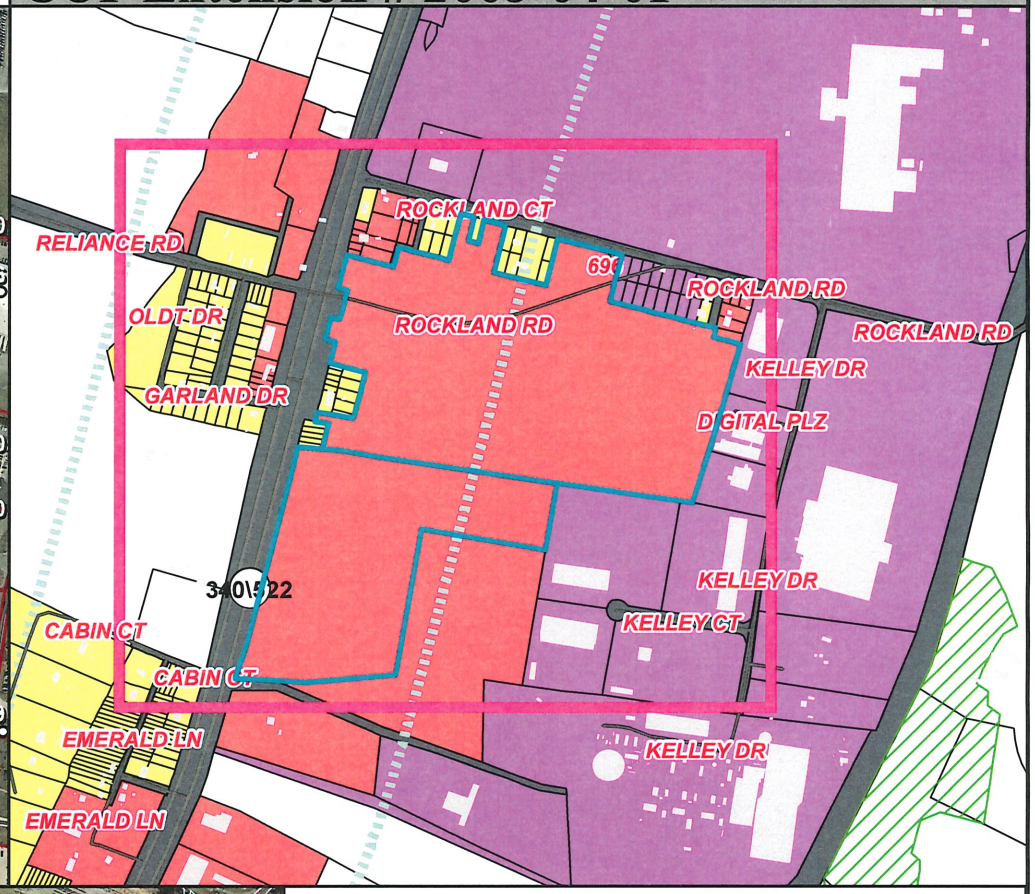
Location Map

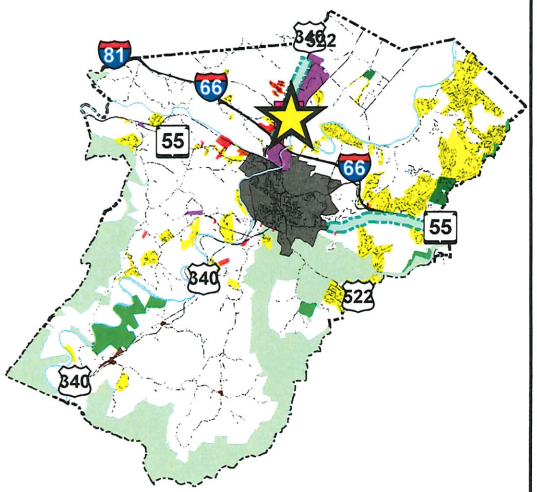
Cedarville, LLC

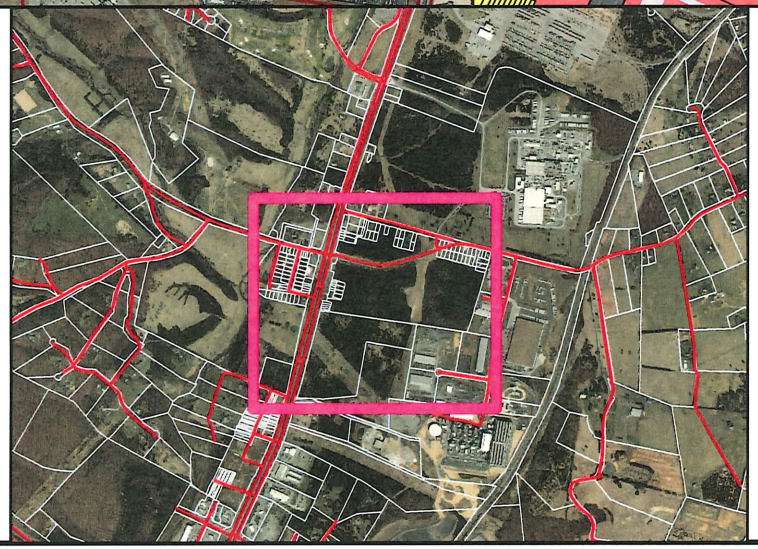
CUP Extension # 2005-04-01

Winchester / Rockland Road









Legend

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

Map produced by
Warren County GIS 2018
Department of Planning

COUNTY OF WARREN, VIRGINIA
BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
2/15/2022	H-6	Conditional Use Permit #2017-05-02 Robert & Linda Poe Modification for Name Change to Landing 29 LLC – Kelly Walker *Private Use Camping (Non-Commercial)*	1 of 1

EXPLANATION & SUMMARY:

The applicant is requesting a name change to the conditional use permit for the property her family purchased from Mr. & Mrs. Robert Poe in 2019. During the recent annual review of these conditional use permits she was notified of the requirement to put the permit in her names as the current owner. The property is located off Farms River Rd. in Shenandoah Farms – River View subdivision in the Shenandoah Magisterial District. It is identified on tax map 15B, section 1, block 1, as parcel 29, and is approximately 1.21 +/- acres. Planning staff has reviewed the conditions of the permit with the applicant, Ms. Walker and she agreed to comply with all conditions and supplemental regulations. The property currently has two non-conforming pavilions which are grandfathered, no further structures shall be allowed per Code Sections §180-16 and §180-79.

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 <u>not</u> of such a nature that it should be treated as a new application. It is also my opinion that the request is <u>not</u> 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 #2017-05-02) to Landing 29 LLC – Kelly Walker for Private Use Camping (Non-Commercial).

SUBMITTED BY:	DISPOSITION OF BOARD:	PROCESSED BY:
Matt Wendling, CFM *Deputy Planning Director* *County Floodplain Manager*	☐ APPROVED ☐ OTHER (Describe)	

COUNTY OF WARREN

County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630
Phone: (540) 636-4600
FAX: (540) 636-6066
Email: dstanley@warrencountyva.net

Douglas P. Stanley
County Administrator

BOARD OF SUPERVISORS

*****

CHAIR
Linda P. Glavis
South River District

VICE-CHAIR
Tony F. Carter
Happy Creek District

Archie A. Fox
Fork District

Daniel J. Murray, Jr.
North River District

Thomas H. Sayre
Shenandoah District

CONDITIONAL USE PERMIT #2017-05-02

NAME: Robert and Linda Poe

ADDRESS: 3246 Browntown Road, Front Royal, VA 22630

PROPERTY DESCRIPTION: Tax Map 15B, Section 1, Block 1, Parcel 29; Farms River Road; Shenandoah District; zoned Residential One (R-1)

AUTHORIZED USE: Private Use Camping (non-commercial)

CONDITIONS:

1. The campers are to be kept in road worthy condition with valid tags and inspection decals.
2. 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.
3. Campers shall be on site fewer than 180 consecutive calendar days in any one year for recreational use of the property.
4. The applicant shall comply with all Warren County Health Department regulations and requirements.
5. 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) property owner.
6. This permit shall be reviewed by the Warren County Planning Staff annually for compliance.
7. The applicant shall comply with Section 180-40.1 of the Warren County Zoning Ordinance regarding non-commercial camping (Private Use Camping).
8. The applicant shall post the property with a lot/parcel number for Fire and Emergency Rescue Services and have an emergency egress plan for removal of the recreational vehicles prior to a predicted flood event.

DATE PERMIT EXPIRES: N/A
DATE APPROVED BY BOARD OF SUPERVISORS: June 20, 2017

Douglas P. Stanley
County Administrator

Lord Fairfax Health District

Warren County Health Department
134 Peyton Street
Front Royal, Virginia 22630
Tel. (540) 635-3159 ~ Fax (540) 635-9698
www.vdh.virginia.gov

VDH VIRGINIA DEPARTMENT OF HEALTH
Protecting You and Your Environment

June 1, 2017
RE: Request for Comments for Private Use Camping
Application # 2017-05-02: Robert & Linda Poe
Health Department i.d.#: 187170126; tax map # 15BD-1-1-29 in Shenandoah Farms subdivision

RECEIVED
JUN 05 2017
WARREN COUNTY
PLANNING DEPARTMENT

Matt Wendling, Planner II
Warren County Dept. of Planning & Zoning
220 N. Commerce Ave.
Suite 400
Front Royal, VA 22630

Dear Taryn Logan,

Per your request, dated 4/17/17, and received by this office on 4/21/17, I have reviewed the request for comments for private use camping # 2017-05-02, for Robert & Linda Poe. The following are considerations which should be made regarding this application.

1) In order to comply with the Sewage Handling & Disposal Regulations, an approved means of sewage disposal must serve this lot, if it is to be used for habitation, including camping. In the letter accompanying the application it is stated that it may be desired to bring a camper to the site, and a port-a-john (old) was observed on-site. If a camper is to be used for sewage disposal it is suggested that, as a condition of any C.U.P. issued, a copy of a current contract to dispose of such sewage, at a facility which is both permitted to and agrees to accept it, or a contract with a licensed sewage handler if the camper is to be pumped out on site, be kept on file with the county. If a port-a-john is used, a valid contract for periodic pumping and hauling by an appropriately licensed entity should be kept on file with the county as a condition of any C.U.P. issued.

2) According to county records, there is a small cabin on the property, and the parcel is served by a well. A site visit was made to the property on 5/31/17. The Health Department recommends that all private well owners have their well tested annually, minimally for total coliform and fecal coliform bacteria, and that appropriate actions be taken if positive results are obtained, and that the well cap be maintained securely on the casing. Additionally, it is advised to also test the well annually for nitrates / nitrites, particularly if there may be infant guests to the property. It is recommended to protect the well head from vehicular traffic.

3) There were no records for this property located in the Health Department files.

4) Due to the proximity of the Shenandoah River, and the potential for the river to rise or flood, the applicant should have a readily available means of removing any recreational vehicle or port-a-john that is located in a flood plain to a safe location prior to a flooding event. This would prevent sewage in the

port-a-john or recreational vehicle from becoming part of the flood waters, and thus an environmental health hazard.

5) The total number of camping units at any given time is limited to a maximum of two. Placement of three units would require that the owner meet all of the requirements of the State of Virginia Campground Regulations. (Note that the State of Virginia considers a tent to be a 'camping unit').

6) Consideration should be given to the water source that the applicant intends to use while camping; only a safe, potable water source should be utilized. This could involve bringing potable water to the site.

7) Consideration should be given to the source of fuel that the applicant intends to use, if any, for cooking, heating, or use of equipment. The storage of gasoline, gas, or other explosive material should be in accordance with local, state or national standards.

8) Safety regarding fires and campfires should be adhered to; the applicant should be aware of pertinent local and state ordinances.

9) Safety regarding the use of electricity should be a priority during any usage of the parcel.

10) The applicant should understand that there should be no trash or other items left on the lot, and that there should not be any activities on the lot which constitute a nuisance for anyone else, including noise.

If you have any questions, or if I can be of further assistance, please let me know.

Respectfully,

Katherine Williamson EHS

Katherine Williamson, EHSS
Environmental Health Specialist Senior
Warren County Health Department

cc: HD file: County Request for Comments: CUP application #2017-05-02, by Robert & Linda Poe
Health Department i.d.#: 187170126; tax map # 15B-1-1-29

kmw: fn = Co comments Robert & Linda Poe pvt camping 2017-05-02

COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT	PAGE
February 15, 2022	H-7	Authorization to Advertise for Public Hearing – Ordinance to Repeal Warren County Code Section 66-34, "Bounties for Coyotes"	

EXPLANATION & SUMMARY:

On May 2, 2000, the Board of Supervisors adopted Section 66-34 of the Warren County Code, which awards a $50 bounty to any person who kills a coyote according to certain criteria set forth in the ordinance. Currently, the ordinance limits the total amount of bounties awarded within a given fiscal year to $3,000.00 minimum, a total of 60 bounties per year.

On July 16, 2019, the Board of Supervisors amended Section 66-34(D) to increase the annual cap from $2,000.00 to $3,000.00 per year to meet increasing coyote boundaries.

In November 2020, the Warren County Sheriff's Office requested that the Board of Supervisors repeal Section 66-34 of the Warren County Code. First, many of the individuals claiming bounties for killing coyotes have already been compensated by the landowners, and most of them live outside of Warren County. Second, the Department of Game and Inland Fisheries have issued a letter explaining that coyote bounties are not an effective tool for population control. The Board of Supervisors held a public hearing on January 19, 2021 to repeal Section 66-34, "Bounties for coyotes", but the Board elected to keep the Code Section in place at that time and directed staff to look into alternative methods to reduce the coyote population in Warren County. The minutes from the January 19, 2021 meeting are attached for reference.

At this time, it is the desire of the Board to reconsider repealing Warren County Code Section 66-34.

The Board of Supervisors must first hold a public hearing before repealing said ordinance.

COST AND FINANCING:

There will be no cost associated; the repeal will in fact void the remaining appropriations for line item 35010-5802: Claims

CONSENT AGENDA MOTION:

I move the Board of Supervisors authorize the advertisement of a public hearing to repeal Warren County Code Section 66-34, "Bounties for coyotes".

SUBMITTED BY:	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)	PROCESSED BY:
Cheryl L. Cullers, Chair, Board of Supervisors		

ORDINANCE TO REPEAL SECTION 66-34 OF THE WARREN COUNTY CODE

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Section 66-34 of the Warren County Code (Bounties for coyotes) be repealed as follows:

Chapter 66. Animals

Article VI. Coyotes

~~§66-34 Bounties for coyotes.~~

~~A. Provided there are still unexpended and unappropriated funds available in any given annual County budget for such purpose, there shall be a bounty in the amount of $50 paid to any person who meets the criteria set forth in this section who applies for such payment to the Board of Supervisors for each coyote killed within the boundaries of Warren County; provided, however, prior to being entitled to such payment, such person shall furnish reasonable proof satisfactory to the Animal Control Officer and to the Board of Supervisors that:~~

~~(1) The animal for which the bounty is claimed is a coyote; and~~

~~(2) Such coyote was killed within 72 hours before the application was made for the bounty; and~~

~~(3) Such coyote was killed in Warren County; and~~

~~(4) Based on a sworn statement on a form furnished by the Animal Control Officer and signed by the applicant and the owner or tenant in possession of the property on which the coyote was killed, such coyote was killed either:~~

~~(a) On the applicant's own property; or~~

~~(b) On property which the applicant is the lawful tenant in possession; or~~

~~(c) On property in which such person has:~~

~~[1] The written permission of the owner or lawful tenant in possession to kill such coyote; and~~

~~[2] Written acknowledgement of the owner or lawful tenant in possession that such coyote was killed on such owner's or tenant in possession's property; and~~

~~(5) That such coyote was killed either:~~

~~(a) By the owner of livestock, as defined in § 66-1 of this Code; or~~

~~(b) By a person who produces written certification that he has completed a coyote educational program approved by resolution of the Board of Supervisors.~~

~~B. The Animal Control Officer shall certify in writing his finding as to being satisfied with such proof to the Board of Supervisors prior to its action on the application for payment of the bounty.~~

~~C. The Animal Control Officer shall keep a written record of all applications made for a bounty, such record to include:~~

~~(1) The name, address, and telephone number of the applicant.~~

~~(2) The type of animal, including a physical description thereof, which was killed.~~

~~(3) The name and address, if known, of the owner of any animal, if not a coyote, killed for which application for a bounty was made.~~

~~D. The total dollar amount of bounties to be paid under the Article VI shall not exceed the sum of $3,000 within a given fiscal year; provided, however, that such limit may be increased in a given year by duly adopted resolution of the Board of Supervisors of Warren County.~~

~~[Amended 8-20-2019]~~

THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION.

Language proposed to be deleted is ~~lined through~~.
Language proposed to be added is **underlined**.

Public Hearing – Ordinance to Repeal Section 66-34 (Bounties for coyotes) of the Warren County Code – Caitlin Jordan

Ms. Jordan and Sgt. Gomez reported on May 2, 2000, the Board of Supervisors adopted Section 66-34 of the Warren County Code, which awards a $50 bounty to any person who kills a coyote according to certain criteria set forth in the ordinance. Currently, the ordinance limits the total amount of bounties awarded within a given fiscal year to $3,000 maximum, a total of sixty (60) bounties per year. Since 2010, the total amount of coyote bounties awarded each year has surpassed the annual cap. On July 16, 2019, the Board of Supervisors amended Section 66-34(D) to increase the annual cap from $2,000 to $3,000 per year to meet increasing coyote bounties.

However, the Warren County Sheriff's Office has requested that the Board of Supervisors repeal Section 66-34 of the Warren County Code. First, many of the individuals claiming bounties for killing coyotes have already been compensated by the landowners, and most of them live outside of Warren County. Second, the Virginia Department of Wildlife Resources (formerly the Department of Game and Inland Fisheries) have issued a letter explaining that coyote bounties are not an effective tool for population control. The letter is attached for your review.

It is the opinion of the Sheriff's Office that Section 66-34, "Bounties for Coyotes" should be repealed due to the increasing cost to the County of Warren and to the little to no impact said bounties have had on the coyote population. Sgt. Gomez also introduced Michael Fies with the Virginia Department of Wildlife Resources to answer any questions the Board members may have regarding this proposed ordinance.

Mrs. Cullers opened the public hearing.

Amos Mitchell, 3637 Mountain Road, said he owns two farms, one where he lives and another on the North Fork of the Shenandoah River. He realizes hunters are not going to kill all the coyotes, but he believes bounties should continue because they are a great incentive for people to hunt coyotes while not being very expensive for the County. He thinks the County and its citizens should work together to lower the coyote population.

There being no further comments from the public, Mrs. Cullers closed the public hearing.

Mr. Fox wondered if increasing the amount of the bounty would help cull the coyote population, and Mr. Mr. Fies replied while that could result in more coyotes being killed, he doubted it would change the end result of the overall coyote population in the County. Over 60% of the total population of coyotes would have to be killed each and every year to have a substantial and lasting effect, and there is a universal lack of support for coyote bounties across the nation.

Mrs. Oates asked if there are other methods that could work in tandem with bounties to reduce the coyote population, and Mr. Fies responded it is an unfortunately futile

endeavor. People simply cannot kill enough coyotes quickly enough to have a lasting impact on the overall population. A targeted approach may work at the farm level but not at the landscape level, such as for a locality.

On a motion by Mr. Mabe, seconded by Mr. Fox, and by the following vote, the Board of Supervisors did not adopt the proposed ordinance to repeal Section 66-34 of the Warren County Code and further requested staff to look into alternative methods to reduce the coyote population in Warren County:

Mabe, Aye; Fox, Aye; Cullers, Aye; Oates, Aye; Carter, Aye

NEW FISCAL YEAR

Colton, James	1	50.00	7/16/2019
Vaught, Matthew	1	50.00	7/16/2019
Colton, James	1	50.00	8/6/2019
Bowers, Donald	3	150.00	8/20/2019
Davison, Benjamin	1	50.00	8/20/2019
Fincham, Jr., James	1	50.00	8/20/2019
Hupman, William	1	50.00	9/3/2019
Bowers, Donald	4	200.00	9/17/2019
Keller, Dennis	1	50.00	9/17/2019
Bowers, Donald	5	250.00	10/1/2019
Thomas, Kevin	3	150.00	10/1/2019
Colton, James	2	100.00	10/15/2019
Davis, Tyler	1	50.00	11/6/2019
Atwood, William	1	50.00	11/19/2019
Colton, James	1	50.00	11/19/2019
Davis, Gail	1	50.00	11/19/2019
Garniger, Kurt	1	50.00	11/19/2019
Jewel, Ryan	1	50.00	11/19/2019
Barbe, Michael	1	50.00	12/10/2019
Beach, George III	3	150.00	12/10/2019
Bowers, Donald	2	100.00	12/10/2019
Brown, Jonathan	1	50.00	12/10/2019
Dove, Jesse	1	50.00	12/10/2019
Drain, Dennis	1	50.00	12/10/2019
Sloat, David Lee	1	50.00	12/10/2019
Bowers, Donald	5	250.00	1/7/2020
Licklider, Michael	1	50.00	1/7/2020
Mitchell, Amos Lee	1	50.00	1/7/2020
Walker, Trevor	1	50.00	1/7/2020
Bowers, Donald	2	100.00	1/21/2020
White, Jeffrey	1	50.00	2/18/2020
Mitchell, Michael Lee	1	50.00	3/3/2020
Grove, Arthur	1	50.00	3/17/2020
Hupman, Robert	1	50.00	5/19/2020
Speelman, Brittany	1	50.00	6/2/2020
Boyd, Douglas	1	50.00	6/16/2020

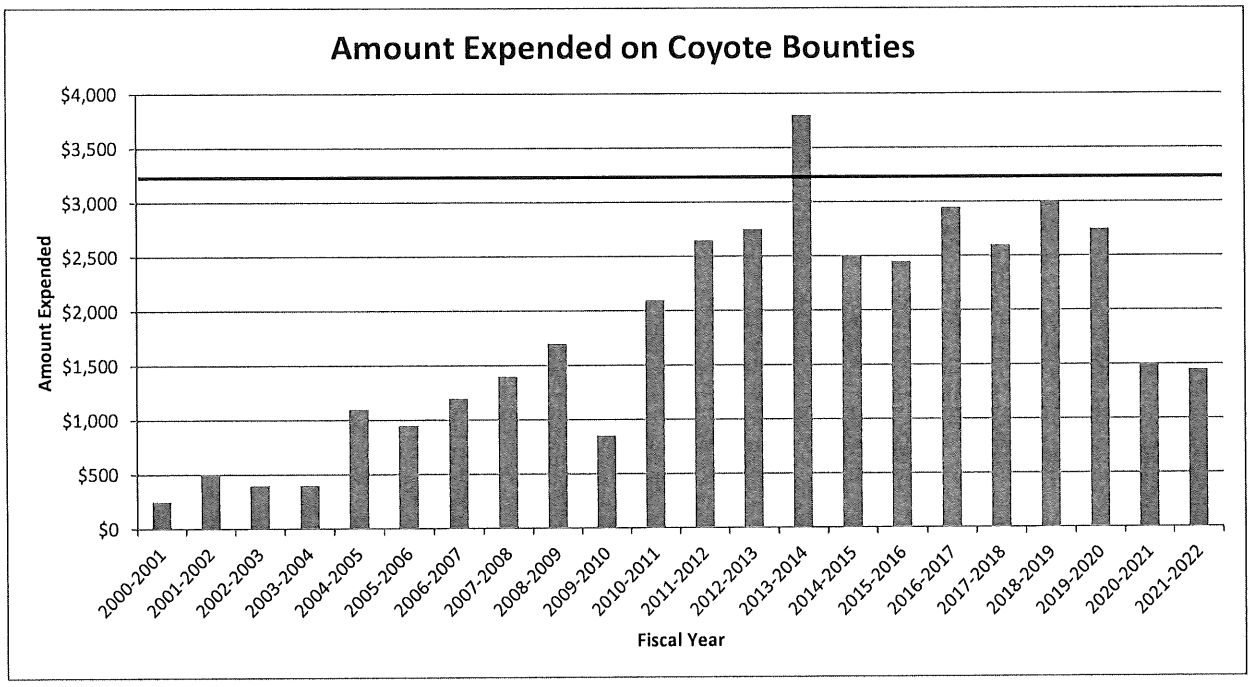
NEW FISCAL YEAR

Atwood, William	1	50.00	8/18/2020
Colton, James	2	100.00	9/1/2020
Grove, Arthur	2	100.00	9/1/2020
Calevro, Mark	1	50.00	9/15/2020
Cullen, Robert	1	50.00	9/15/2020
Boyd, Douglas	1	50.00	10/6/2020
Clem, Colin	1	50.00	10/6/2020
Marshall, Steven	2	100.00	10/6/2020
Vaught, Matthew	1	50.00	10/6/2020
Jenkins, David III	1	50.00	10/20/2020
Grove, Arthur	1	50.00	11/4/2020
Presley, Matthew	1	50.00	12/8/2020
Woodard, Charles	1	50.00	12/8/2020
Boyd, Douglas	2	100.00	1/5/2021
Marshall, Steven	1	50.00	1/5/2021
Mathias, Michael	1	50.00	1/5/2021
Wolf, Cody	1	50.00	1/5/2021
Boyd, Douglas	2	100.00	1/19/2021
Mitchell, Michael	1	50.00	2/2/2021
Poe, Tyler	2	100.00	2/2/2021
Kushner, Gary	1	50.00	2/16/2021
Mitchell, Michael	1	50.00	2/16/2021
Mitchell, Michael	1	50.00	3/16/2021
Boyd, Douglas	1	50.00	4/6/2021

NEW FISCAL YEAR

Burkhart, Katrina	1	50.00	8/3/2021
Jenkins, David	1	50.00	9/7/2021
Atwood, William	1	50.00	9/21/2021
White, Gary	1	50.00	10/5/2021
Bowers, Donald	2	100.00	10/19/2021
Fristoe, Timothy	1	50.00	11/18/2021
Woodard, Charles	1	50.00	11/18/2021
Breeden, Marcia	7	350.00	12/14/2021
Clem, Colin	1	50.00	12/14/2021
Grove, Arthur	1	50.00	12/14/2021
Seekford, David	1	50.00	12/14/2021
Updike, John	1	50.00	12/14/2021
Woodard, Charles	2	100.00	12/14/2021
Presley, Matthew	2	100.00	1/4/2022
White, Gary	1	50.00	1/18/2022
Mitchell, Michael	2	100.00	1/18/2022
Colton, Richard	1	50.00	2/1/2022
Keckley, Eugene	2	100.00	2/1/2022
		0.00	
		0.00	
		0.00	
		0.00	
		0.00	
		0.00	
		0.00	
		0.00	
		0.00	
		0.00	

Fiscal Year	Amount	# of Coyotes
2000-2001	$250	5
2001-2002	$500	10
2002-2003	$400	8
2003-2004	$400	8
2004-2005	$1,100	22
2005-2006	$950	19
2006-2007	$1,200	24
2007-2008	$1,400	28
2008-2009	$1,700	34
2009-2010	$850	17
2010-2011	$2,100	42
2011-2012	$2,650	53
2012-2013	$2,750	55
2013-2014	$3,800	76
2014-2015	$2,500	50
2015-2016	$2,450	49
2016-2017	$2,950	59
2017-2018	$2,600	52
2018-2019	$3,000	60
2019-2020	$2,750	55
2020-2021	$1,500	30
2021-2022	$1,450	29



COUNTY OF WARREN
REPORT OF ANIMAL CONTROL OFFICER
AS TO KILLING OF COYOTES AND BOUNTIES FOR COYOTES

Name of Claimant William A Atwood Phone 540-671-6254

Address 2209 Happy Creek Rd Front Royal Va 22630

Date Reported to Animal Control Officer 1-28-2022 Signed William A Atwood
2 2 #510

Date Killed	Number	Description/Type of Animal	Bounty Per Head	Total Amount Claimed
1-28-2022	1	Coyote	$50	$50

Total amount requested by claimant: $ 50.00

Amount recommended to be paid by Animal Control Officer $ 50.00

Remarks:

COUNTY OF WARREN own property

APPROVAL FOR PAYMENT

I certify that this expenditure is necessary for the operation of this department, that appropriated funds are available for payment and the goods/services have been received in good order.

Signature _____ Claimant William A Atwood Date 1-28-2022

Department _____

Recm'd Budget Code 35010-5802 Animal Control Officer #510 Date 1-28-2022

Comments: _____

FEB 01 2022

The Board, after an examination of the above claim, approves same and allows $_____. Please charge to Animal Control 35010-5802.

Board of Supervisors of Warren County

Date of Action _____ By _____

COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF
February 15, 2022	**I-1**	Public Hearing – Disposition of Publicly Held Real Property	

EXPLANATION & SUMMARY:

The County has determined that its property located at 30 E. Jackson Street Front Royal, VA 22630, further identified as tax map number 20A7 4 39A is surplus property, or of excess need. The potential revenue to be derived from the sale of the property is better use of public funds than to maintain or improve the property. The County has ordered a commercial real estate appraisal and is listing the property for sale. The commercial appraisal shall determine the value of the property and assist in the identification of the highest sales offer.

A commercial appraisal shall be completed within 55 days. Once the value of the property is determined, all offers shall be considered. The County shall sign the purchase agreement that is the highest sale.

In accordance with Va. Code § 15.2-1800, Counties, Cities and Towns, as amended, the County of Warren has properly advertised this public hearing for the disposition of publicly held real property.

COST & FINANCING:

The cost of the sale is a six percent (6%) commission of the total sales price to be paid to Adams-Nelson contingent upon the sale of the property.

PROPOSED OR SUGGESTED MOTION:

I move the Board of Supervisors authorize the County Administrator to, on behalf of the County of Warren, enter into an agreement with the offeror of the highest value to purchase county-owned property located at 30 E Jackson Street Front Royal, VA 22630, further identified as tax map number 20A7 4 39A.

or

I move the Board of Supervisors do not authorize the County Administrator to, on behalf of the County of Warren, enter into an agreement with the offeror of the highest value to purchase county-owned property located at 30 E Jackson Street Front Royal, VA 22630, further identified as tax map number 20A7 4 39A.

SUBMITTED BY:	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)	PROCESSED BY:
Alisa Scott, Deputy Finance Director		

COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:
2/15/2022	**I-2**	Public Hearing – Ordinance to Repeal Warren County Code Sections 16-3.1, 16-6.1, and 16-7.1 and to Adopt and Ordain Warren County Code Sections 16-3.2, 16-6.2, and 16-7.2 to Change the Election Districts and Precinct Boundaries of Warren County Pursuant to the Decennial Census and to Change the Polling Places for the Otterburn and Central Absentee Precincts

EXPLANATION & SUMMARY:

Attached, please find the attached staff report and the proposed Ordinance to repeal Warren County Code Sections 16-3.1, 16-6.1, and 16-7.1; and to adopt and ordain Warren County Code Sections 16-3.2, 16-6.2, and 16-7.2, to change the Election District and Precinct Boundaries of the County of Warren pursuant to the Decennial Census; and to change the Polling Place for the Otterburn Precinct.

Below is a review of the proposed changes:

Current Language in 16-3.1(B): "…thence southwesterly with the center of Howellsville Road until Howellsville Road connects with Oregon Hollow Road, thence southerly with the center of Oregon Hollow Road to its intersection with Dismal Hollow Road, thence westerly with the center of Dismal Hollow Road to where it is crossed by Interstate 66, thence northerly with Interstate 66 to where it crosses over Happy Creek Road/Morgan Ford Road…"

Proposed Language in 16-3.2(B): "thence southwesterly with the center of Howellsville Road until Howellsville Road connects with Morgan Ford Road, thence southerly with the center of Morgan Ford Road to where Interstate 66 crosses over Morgan Ford Road/ Happy Creek Road…"

Current Language in 16-3.1(C): "…thence southwesterly with the center of Howellsville Road until Howellsville Road connects with Oregon Hollow Road, thence southerly with the center of Oregon Hollow Road to its intersection with Dismal Hollow Road, thence westerly with the center of Dismal Hollow Road to where it is crossed by Interstate 66, thence northerly with Interstate 66 to where it crosses over Happy Creek Road/Morgan Ford…"

Proposed Language in 16-3.2(C): "…thence southwesterly with the center of Howellsville Road until it until Howellsville Road connects with Morgan Ford Road, thence southerly with the center of Morgan Ford Road to where Interstate 66 crosses over Morgan Ford Road/ Happy Creek Road…"

Current Language in 16-6.1(A):

Precinct	**Polling Place**
Otterburn	Front Royal - Warren County Airport Terminal Building

Proposed Language in 16-6.2(A):

Precinct	**Polling Place**
Otterburn	Rivermont Fire Department

Current Language in 16-6.1(C):

Precinct	**Polling Place**
Town – North River	Old Warren County Middle School (15th Street)

Proposed Language in 16-6.2(C):

Precinct	**Polling Place**
Town – North River	Health and Human Services Complex

Current Language in 16-6.1(D):

Precinct	**Polling Place**
East Shenandoah	Youth Center

Proposed Language in 16-6.2(D):

Precinct	**Polling Place**
East Shenandoah	Raymond E. Santmyers Youth Center

Current Language in 16-6.1(F): "Central Absentee Precinct. The Central Absentee Voting Precinct, for the purpose of receiving, counting, and recording absentee ballots cast in Warren County for all elections, is established and is to be held at the Warren County Government Center, 220 North Commerce Avenue, Town of Front Royal, County of Warren, Virginia."

Proposed Language in 16-6.2(F): "Central Absentee Precinct. The Central Absentee Voting Precinct, for the purpose of receiving, counting, and recording absentee ballots cast in Warren County for all elections, is established and is to be held at the Warren County Health and Human Services Complex, 465 West 15th Street, Town of Front Royal, County of Warren, Virginia."

Current Language in 16-7.1(B)(2): "…thence southwesterly with the center of Howellsville Road until Howellsville Road connects with Oregon Hollow Road, thence southerly with the center of Oregon Hollow Road to its intersection with Dismal Hollow Road, thence along the Town — Happy Creek Election Precinct line as follows: along the center line of Dismal Hollow Road south and then east-southeast to its intersection with Gore Road…"

Proposed Language in 16-7.2(B)(2): "…thence southwesterly with the center of Howellsville Road until Howellsville Road connects with Morgan Ford Road, thence southerly with the center of Morgan Ford/Happy Creek Road to where it is crossed by Interstate 66, thence along the Town — Happy Creek Election Precinct line as follows: south and east along the center of Interstate 66 to Dismal Hollow Road, thence easterly with the center of Dismal Hollow Road to its intersection with Gore Road…"

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors adopt the Ordinance to Repeal Warren County Code Sections 16-3.1, 16-6.1, and 16-7.1 and to Adopt and Ordain Warren County Code Sections 16-3.2, 16-6.2, and 16-7.2, as proposed.

OR

I move that the Board of Supervisors not adopt the proposed Ordinance.

SUBMITTED BY:	**DISPOSITION OF BOARD:**	**PROCESSED BY:**
Joe Petty, Planning Director	□ APPROVED □ OTHER (Describe)	

2021 Voter Redistricting Ordinance
Prepared: December 29, 2021
Staff Contact: Taryn Logan, Deputy County Administrator
Joe Petty, Planning Director

2020 CENSUS

The 2020 Census states that Warren County's population increased from 37,439 to 40,572; which is an additional 3,133 persons (8.37%). Based on this population, each of the County's five local election districts should have an ideal population of 8,114; or be within plus-or-minus 5% which ranges from 7,708 to 8,502 persons.

CRITERIA

Staff used the same criteria from the County's 2011 Redistricting Plan, which included the following:

- Keep current polling places within their districts.
- Maintain diversity in each district.
- Do not create/use any imaginary lines/use major boundaries.
- Minimize repeat of voter moves.
- Minimize splitting of subdivisions/neighborhoods.
- Maintain balance (to the extent possible) of in-town voters in each district.
- Do not disenfranchise any member of the School Board.
- Do not disenfranchise any member of the Board of Supervisors

PRECINCTS

Each of the County's five election districts is divided into polling precincts. This is done for a few reasons including:

- Virginia Code §24.2-307 requires that no more than 5,000 registered voters shall be assigned to any one precinct. By population, each of our districts would need at least two precincts to meet this requirement based on the population levels.
- Some of the districts, because of travel distance, have historically had additional precincts.

The location of the polling places has changed over the years, primarily due to the need to meet handicapped accessibility requirements including paved parking spaces. For these reasons, public facilities generally served as the best locations when available. The number of existing precincts is as follows:

<u>Fork District</u>

- Fork Town Precinct (Warren County Government Center)
- Otterburn Precinct (~~Front Royal/Warren County Airport~~ **Rivermont Fire Department**)

<u>Happy Creek District</u>

- Happy Creek Precinct (Warren County High School)
- Linden Precinct (Linden Fire Department)

North River District

- Riverton Precinct (North Warren Fire Department)
- North River Town (Warren County Health and Human Services Complex)

Shenandoah District

- Town-West Shenandoah District (Front Royal Fire Department)
- East Shenandoah District (Raymond E. Santmyers Youth Center)

South River District

- South River Town Precinct (Skyline High School)
- Bentonville Precinct (South Warren Fire Department)
- Browntown Precinct (Browntown Community Center)

Central Absentee Precinct

- ~~Warren County Government Center~~ **Warren County Health and Human Services Complex**

ELECTION DISTRICT POPULATION

Election Districts (Includes Town)	Total District Population (2010 Census)	Total District Population (2020 Census)	Adjusted population (2020 Census)	% Change [Adjusted]
Fork	7193	7796	7842	9.02%
Happy Creek	8318	7670	7685	-7.61%
North River	7114	8604	8311	16.83%
Shenandoah	8163	8838	8865	8.60%
South River	6651	7819	7869	18.31%

The Virginia Division of Legislative Services states that, "Equal population is the most fundamental requirement of redistricting for congressional, state legislative, and local election districts, rooted in the Constitution of the United States and the Constitution of Virginia."

It further explains the principals in creating equal population for local election districts in the following text from the Guide to Local Redistricting for 2021.

> The U.S. Supreme Court has held that the substantially equal population requirement of the Equal Protection Clause applies to local election districts, as well. Article VII, Section 5 of the Constitution of Virginia also contains an equal population requirement for local election districts, requiring districts to be constituted to give "as nearly as is practicable, representation in proportion to the population of the district." This requirement is repeated in subsection B of § 24.2-304.1 of the Code of Virginia.
>
> Substantial equality and permitted deviations. The U.S. Supreme Court has held that local election districts are subject to the substantially equal population standard, meaning the populations of local election districts do not have to be precisely equal. With this standard of substantial equality and permitted deviations, the question is, then, how much deviation is permitted and under what circumstances. Case law answering this question has evolved over

the decades and, in 2016, the U.S. Supreme Court provided a clear and concise summation of where the standard stands now:

> *States must draw congressional districts with populations as close to perfect equality as possible. But, when drawing state and local legislative districts, jurisdictions are permitted to deviate somewhat from perfect population equality to accommodate traditional districting objectives, among them, preserving the integrity of political subdivisions, maintaining communities of interest, and creating geographic compactness. When the maximum population deviation between the largest and smallest district is less than 10 percent, the Court has held, a state or local legislative map presumptively complies with the one-person, one-vote rule. Maximum deviations above 10 percent are presumptively impermissible.*

Therefore, the answer to the question is that local election districts should have populations that are substantially equal to each other, with a plus or minus five percent deviation from the ideal district population. For example, if the ideal district population is 1,000 persons, a district may have as many as 1,050 persons or as few as 950 persons in it.

OPTIONS

Option #1

The first option moves the boundary line to follow Morgan Ford Road and Howellsville Road to connect to the existing Shenandoah/Happy Creek boundary. Approximately 565 persons will be added to the Happy Creek Election District from the current Shenandoah Election District. The subdivisions being added include Apple Mountain Lake West, Aspen Hills (Greenfield, Skyview, Section Two), Rockwood, Wildcat Knob, Manassas Run Manor, a portion of Shannon Subdivision, Shannon Woods, Morgans Ridge, Riverton Corp. Property, Land of the Blue Ridge, Ball, and Heater.

Election Districts (Includes Town)	**Adjusted population (2020 Census)**	**Substantial Equality Percentage**	**Updated Pop Option 1 (2020 Adj Pop)**	**Substantial Equality Percentage**
Fork	7842	3.47%	7842	3.47%
Happy Creek	**7685**	**5.59%**	**8250**	**-1.64%**
North River	8311	-2.37%	8311	-2.37%
Shenandoah	**8865**	**-8.47%**	**8300**	**-2.24%**
South River	7869	3.12%	7869	3.12%
TOTAL	40572			
EQUAL POPULATION	8114.4			

Option #2

The second option moves the existing election district boundary line between the Shenandoah and Happy Creek Districts to include a portion of Shenandoah Farms Mountain View subdivision and Linden Heights subdivision. Approximately 494 persons will be added to the Happy Creek Election District from the current Shenandoah Election District.

Election Districts (Includes Town)	Adjusted population (2020 Census)	Substantial Equality Percentage	Updated Pop Option 2 (2020 Adj Pop)	Substantial Equality Percentage
Fork	7842	3.47%	7842	3.47%
Happy Creek	**7685**	**5.59%**	**8179**	**-0.79%**
North River	8311	-2.37%	8311	-2.37%
Shenandoah	**8865**	**-8.47%**	**8371**	**-3.07%**
South River	7869	3.12%	7869	3.12%
TOTAL	40572			
EQUAL POPULATION	8114.4			

Options 1 & 2 Impact on Precincts

The proposed new areas for both options 1 & 2 would be added to the Linden Precinct. The distances between the Happy Creek and Linden polling locations are approximately 5 miles each. Adding this new area to the Linden Precinct equals out the number of potential voters between these precincts.

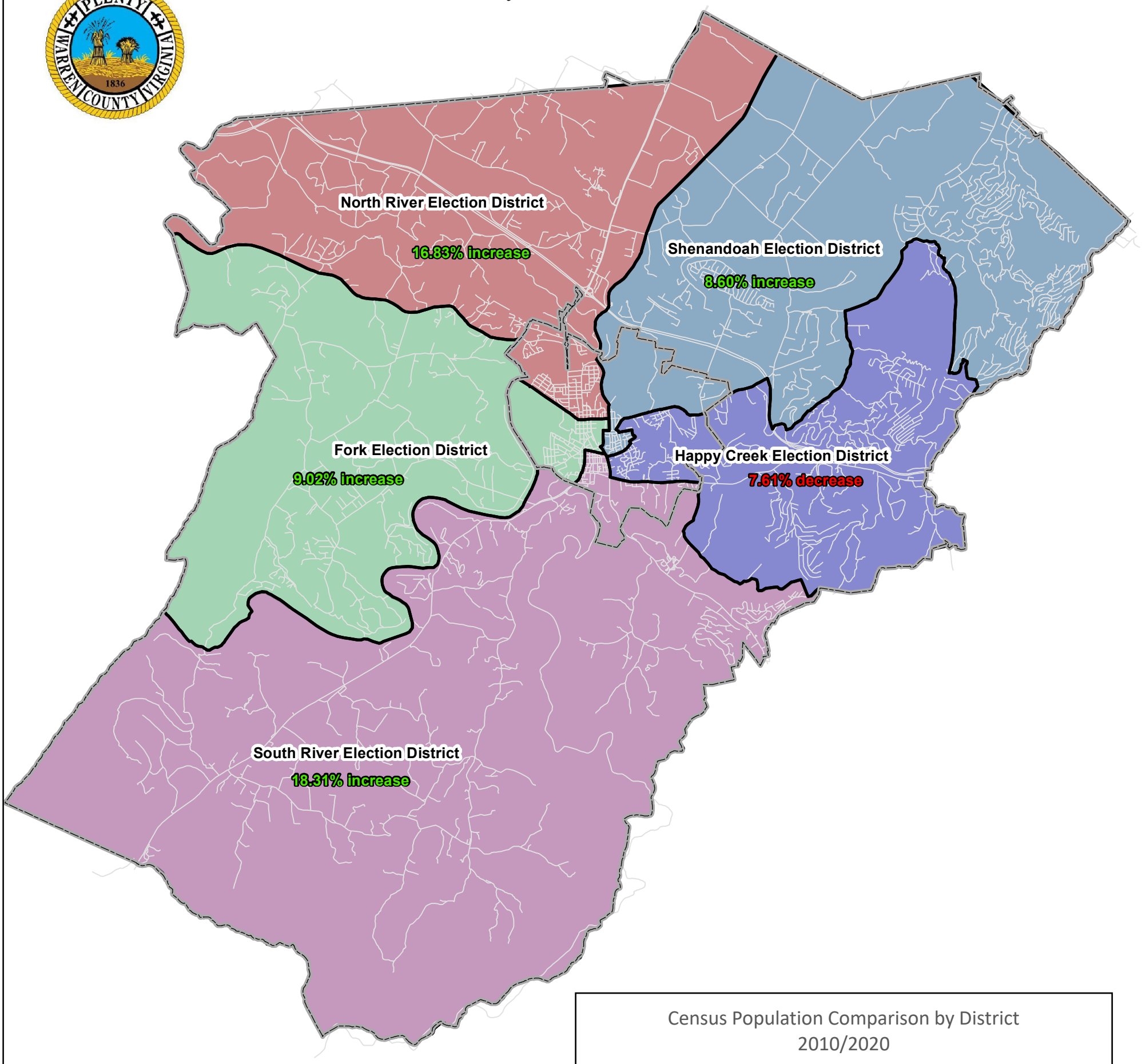
In the future, the Shenandoah Farms Fire Dept (Co. 6) or adjacent community building could potentially be used as a polling location for the Shenandoah District; these facilities are now within Warren County due to the recent Warren/Clarke boundary adjustment.

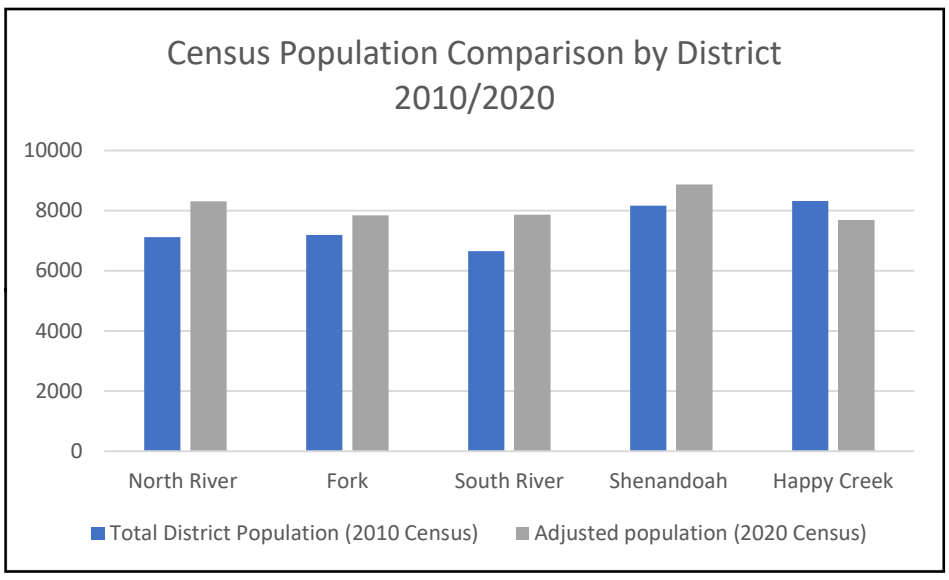
Attachments:

- Redistricting Maps
- Redistricting Demographics
- Draft Ordinance

Warren County Election District Populations

* Includes Town of Front Royal





Legend

- Town/County Boundary

Election Districts

- Fork Election District
- Happy Creek Election District
- North River Election District
- Shenandoah Election District
- South River Election District

Election Districts (Includes Town)	Total District Population (2010 Census)	Total District Population (2020 Census)	Adjusted population (2020 Census)	% Change [Adjusted]
North River	7114	8604	8311	16.83% increase
Fork	7193	7796	7842	9.02% increase
South River	6651	7819	7869	18.31% increase
Shenandoah	8163	8838	8865	8.60% increase
Happy Creek	8318	7670	7685	7.61% decrease
Total County Pop (2010)	37439			
Total County Pop (2020)	40727			
Adj County Pop (2020)	40572			
% Change [Adjusted]	8.34% increase			

Notes:

*2020 population numbers taken from 'ADJPOP' field from U.S. Census Bureau voting district table [Accounts for Prisoner Adjustment]

**2010 population numbers from 2011 redistricting documents

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Created by
Warren County GIS
November 2021

AN ORDINANCE TO REPEAL WARREN COUNTY CODE SECTIONS 16-3.1, 16-6.1, AND 16-7.1; AND TO ADOPT AND ORDAIN WARREN COUNTY CODE SECTIONS 16-3.2, 16-6.2, AND 16-7.2, TO CHANGE THE ELECTION DISTRICTS AND PRECINCT BOUNDARIES OF THE COUNTY OF WARREN PURSUANT TO THE DECENNIAL CENSUS; AND TO CHANGE THE POLLING PLACE FOR THE OTTERBURN AND CENTRAL ABSENTEE PRECINCTS

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Sections 16-3.1, 16-6.1, and 16-7.1 of the Warren County Code are hereby repealed, and Sections 16-3.2, 16-6.2, and 16-7.2 are adopted and ordained to change the Election District and Precinct Boundaries of the County of Warren; and to change the polling place for the Otterburn and Central Absentee Precincts, pursuant to the Decennial Census, and to read as follows:

Chapter 16. Elections

Article I. Districts

~~§ 16-3.1: Boundaries.~~ [REPEALED]

§ 16-3.2: Boundaries. [ADOPTED AND ORDAINED]

The boundaries of the respective election districts are as set forth below:

A. **Fork Election District: Beginning at the point of intersection of Manassas Avenue and 6th Street, such point being at the point of intersection of the Fork Election District, the North River Election District and the Shenandoah Election District, thence with the Shenandoah Election District and the center line of Manassas Avenue due south to the center of Happy Creek Road, thence west with the center of Happy Creek Road to its intersection with Commerce Avenue, thence south along the center line of Commerce Avenue to its intersection with East Main Street, thence westerly along the center line of East Main Street to its intersection with Royal Avenue, thence with the center of South Royal Avenue and the South River Election District south-southwest to the intersection of South Royal Avenue and Criser Road, thence with the center of West Criser Road west-northwest to the intersection of Luray Avenue and West Criser Road, thence with the South River Election District and the center line of Luray Avenue and Luray Avenue extended west to the center of the South Fork of the Shenandoah River, thence with the center line of the meanders of the South Fork of the Shenandoah River up said river southwest for a distance of ten miles to the westernmost point of the third western bend of said river, thence around such bend in a southeasterly direction for a distance of approximately one thousand three hundred feet to a point due north of an unnamed run, thence south to the point where said run enters the South Fork of the Shenandoah River and with the center of said run south then west to the point where it is crossed by Panhandle Road (such point being approximately two and one-tenth road miles north from the center of the Route 613 low-water bridge), thence continuing with the center of said run to the point of its beginning which lies within the George Washington National Forest, thence continuing in a northwesterly direction up the slope of the Massanutten Mountain to the intersection of the Shenandoah County line, thence with the Shenandoah County line northeast and then northwest and over the Massanutten Mountain to the center of State Route 55 (Strasburg Road), at its intersection with the Shenandoah County/Warren County line, thence east-southeastward along the center of State Route 55 (Strasburg Road) to the intersection of State Route 55 (Strasburg Road) and the Town of Front Royal boundary, thence southwesterly with the Town of Front Royal boundary to the center of Punch Run, thence downstream with the center of Punch Run to its confluence with the South Fork of the Shenandoah River, thence westerly with the center line of the South Fork of the Shenandoah River to a point in the center line of Kendrick Lane extended, thence southeasterly with the center line of Kendrick**

Lane extended and then with the center line of Kendrick Lane southeasterly to its intersection with 6th Street, thence with 6th Street easterly to its intersection with Manassas Avenue, the point of beginning.

B. Shenandoah Election District: Beginning at the point of intersection of the center lines of Manassas Avenue and Happy Creek Road, such point being at the point of intersection of the Fork Election District and the Shenandoah Election District, thence northerly with the center line of Manassas Avenue and with the lines of the Fork Election District and the North River Election District to its crossing of the Norfolk and Western Railroad, thence with the North River Election District and with the center line of the Norfolk and Western Railroad in a northern and northeast direction to the Clarke County line, thence with the Clarke County line east to the Fauquier County line, thence with the Fauquier County line southwest to a point where the center line of Freezeland Road crosses the Fauquier County line, such point being approximately one thousand feet southwest of the intersection of Freezeland Road and a subdivision road currently named High Top Road, thence with Freezeland Road and the Happy Creek Election District northeasterly to its intersection with High Top Road, thence with the center line of High Top Road to its intersection with a subdivision road currently known as Crossway Lane, thence westerly with the center line of Crossway Lane, to its intersection with a subdivision road currently known as High Top Road, thence with the center of High Top Road southwesterly to its intersection with a subdivision road currently known as Cappy Road, thence west with the center of Cappy Road approximately three hundred seventy-five feet where it crosses an unnamed stream and drainageway, thence north with the center of the unnamed stream to its confluence with Howellsville Branch, thence westerly with the center of Howellsville Branch to where it is crossed by Howellsville Road, thence southwesterly with the center of Howellsville Road until Howellsville Road connects with Morgan Ford Road, thence southerly with the center of Morgan Ford Road to where Interstate 66 crosses over Morgan Ford Road/ Happy Creek Road, thence westerly with the center of Happy Creek Road to its intersection with Polk Avenue, thence southerly with the center of Polk Avenue to its intersection with Braxton Road, thence easterly with the center line of Braxton Road to its intersection with Leach Street, thence southerly with the center line of Leach Street to its intersection with Horseshoe Drive, thence east, south and west around the curve of Horseshoe Drive and along its center line to its intersection with North Easterly Street, thence south along the center line of North Easterly Street to its intersection with East Stonewall Drive, thence west along the center line of East Stonewall Drive to its intersection with Commerce Avenue, thence north along the center line of Commerce Avenue to its intersection with Happy Creek Road, thence east and north along the center line of Happy Creek Road to its intersection with Manassas Avenue, the point of beginning.

C. Happy Creek Election District: Beginning at a point in the center of Commerce Avenue at its intersection with East Stonewall Drive, thence with the South River Election District south with the center line of Commerce Avenue to its intersection with John Marshall Highway, thence east along the center line of John Marshall Highway to its intersection with ESA Lane, thence south along the center line of ESA Lane and ESA Lane extended to the center line of Longhill Road extended, thence south and southeasterly along the center line of Longhill Road extended and Longhill Road to its intersection with Rivinus Road, thence southeasterly along the center line of Rivinus Road to its intersection with Intake Road, thence east along the center line of Intake Road and Intake Road extended to the Fauquier County line, thence northerly along the Fauquier County line to a point where the center line of Freezeland Road crosses the Fauquier County line, such point being approximately one thousand feet southwest of the intersection of Freezeland Road and a subdivision road currently named High Top Road, thence with Freezeland Road and the Shenandoah Election District northeasterly to its intersection with High Top Road, thence with the center of High Top Road to its intersection with a subdivision road currently known as Crossway Lane, thence westerly with the center of Crossway Lane, to its intersection with a subdivision road currently known as

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High Top Road, thence with the center of High Top Road southwesterly to its intersection with a subdivision road currently known as Cappy Road, thence west with the center of Cappy Road approximately three hundred seventy-five feet where it crosses an unnamed stream and drainageway, thence north with the center of the unnamed stream to its confluence with Howellsville Branch, thence westerly with the center of Howellsville Branch to where it is crossed by Howellsville Road, thence southwesterly with the center of Howellsville Road until it until Howellsville Road connects with Morgan Ford Road, thence southerly with the center of Morgan Ford Road to where Interstate 66 crosses over Morgan Ford Road/ Happy Creek Road, thence westerly with the center of Happy Creek Road to its intersection with Polk Avenue, thence southerly with the center of Polk Avenue to its intersection with Braxton Road, thence easterly with the center line of Braxton Road to its intersection with Leach Street, thence southerly with the center line of Leach Street to its intersection with Horseshoe Drive, thence east, south and west around the curve of Horseshoe Drive and along its center line to its intersection with North Easterly Street, thence south along the center line of North Easterly Street to its intersection with East Stonewall Drive, thence west along the center line of East Stonewall Drive to its intersection with Commerce Avenue, the point of beginning.

D. **South River Election District: Beginning at a point in the center of Commerce Avenue at its intersection with East Main Street, thence with the center line of Commerce Avenue to its intersection with John Marshall Highway, thence east along the center line of John Marshall Highway to its intersection with ESA Lane, thence south along the center line of ESA Lane and ESA Lane extended to the center line of Longhill Road extended, thence south and southeasterly along the center line of Longhill Road extended and Longhill Road to its intersection with Rivinus Road, thence southeasterly along the center line of Rivinus Road to its intersection with Intake Road, thence east along the center line of Intake Road and Intake Road extended to the Fauquier County line, thence southwesterly with the Fauquier County line and the Rappahannock County line to the intersection of the Page County line into the Rappahannock County line, thence with the Page County line northwest to the Shenandoah County line, thence with the Shenandoah County line northeast to the Fork Election District, thence with the Fork Election District southeast with the center of an unnamed run to the point where it is crossed by Panhandle Road (such point being approximately two and one-tenth road miles north from the center of the Route 613 low-water bridge), thence continuing with the center of said run east then north to the point where it enters the South Fork of the Shenandoah River, thence due north to the center of the South Fork of the Shenandoah River, thence with the Fork Election District down the center of the meanders of the South Fork of the Shenandoah River northeast to the center of Luray Avenue extended, thence easterly along the center line of Luray Avenue extended and Luray Avenue and the Fork Election District to the center of West Criser Road, thence east-southeast with the center of West Criser Road and the Fork Election District to the center of South Royal Avenue, thence with the center of South Royal Avenue and with the Fork Election District north-northwest to the center of East Main Street, thence with the center of East Main Street and the Fork Election District east to the intersection of East Main Street and Commerce Avenue, the point of beginning.**

E. **North River Election District: Beginning at the point of intersection of the center lines of 6th Street and Manassas Avenue, such point being at the point of intersection of the Fork Election District, the North River Election District and the Shenandoah Election District, thence northerly with the center line of Manassas Avenue to the crossing of the Norfolk and Western Railroad, thence with the Shenandoah Election District and with the center line of the Norfolk and Western Railroad in a northeast direction to the Clarke County line, thence with the Clarke County line west-northwest to the intersection of the Clarke County line into the Frederick County line, thence with the Frederick County line south-southwest to a point near Nineveh, thence with the Frederick County line west to the intersection of the Frederick County line with the Shenandoah County line, thence**

with the Shenandoah County line to the center line of Strasburg Road, thence east with the center line of Strasburg Road to the overhead electric transmission lines that are the boundary line of the Town of Front Royal, thence southwesterly along the Town of Front Royal boundary line to the center of Punch Run, thence downstream with Punch Run to its confluence with the South Fork of the Shenandoah River, thence westerly with the center line of the South Fork of the Shenandoah River to a point in the center line of Kendrick Lane extended, thence southeasterly with the center line of Kendrick Lane extended, and then with the center line of Kendrick Lane southeasterly to its intersection with Sixth Street, thence with Sixth Street easterly to its intersection with Manassas Avenue, the point of beginning.

Article II. Precincts

~~§ 16-6.1: Enumeration; polling places.~~ [REPEALED]

§ 16-6.2: Enumeration; polling places. [ADOPTED AND ORDAINED]

The precincts for each election district and the polling place for each precinct shall be as set forth below:

A. Fork Election District:

Precinct	Polling Place
Town - Fork	Warren County Government Center
Otterburn	Rivermont Fire Department

B. Happy Creek Election District:

Precinct	Polling Place
Happy Creek and Town - Happy Creek	Warren County High School
Linden	Linden Volunteer Fire Co. Fire Hall

C. North River Election District:

Precinct	Polling Place
Town - North River	Health and Human Services Complex
Riverton	North Warren Volunteer Fire Department

D. Shenandoah Election District:

Precinct	Polling Place
West Shenandoah and Town - West Shenandoah	Front Royal Volunteer Fire Department
East Shenandoah	Raymond E. Santmyers Youth Center

E. South River Election District:

Precinct	Polling Place
Bentonville	South Warren Volunteer Fire Department
Browntown	Browntown Baptist Church Fellowship Hall
South River and Town - South River	Skyline High School

F. Central Absentee Precinct. The Central Absentee Voting Precinct, for the purpose of receiving, counting, and recording absentee ballots cast in Warren County for all elections, is established and is to be held at the Warren County Health and Human Services Complex, 465 West 15th Street, Town of Front Royal, County of Warren, Virginia.

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~~§ 16-7.1: Boundaries.~~ [REPEALED]

§ 16-7.2: Boundaries. [ADOPTED AND ORDAINED]

The boundaries of the respective precincts are as set forth:

A. Fork Election District.

1. **Town - Fork Precinct: All that portion of the Fork Election District that lies within the corporate limits of the Town of Front Royal.**
2. **Otterburn Precinct: All that portion of the Fork Election District that lies outside the corporate limits of the Town of Front Royal.**

B. Happy Creek Election District.

1. **Happy Creek Precinct: All that portion of the Happy Creek Election District lying within the corporate limits of the Town of Front Royal, together with the following portion of the Happy Creek Election District lying outside of the corporate limits of the Town of Front Royal: Beginning at a point on the Fauquier County line where it is intersected by the Town - Happy Creek Election Precinct line being a line extended southeasterly from the southern terminus of Shenandoah Valley Drive, then with the Fauquier County line generally southwestward to a point where Intake Road extended intersects with the Fauquier County line, thence west along the center of Intake Road extended and Intake Road to its intersection with Rivinus Road, thence northwesterly along the center of Rivinus Road to Longhill Road extended, thence northwesterly along the center of Longhill Road extended and Longhill Road to ESA Lane, thence north along the center of ESA Lane and the eastern boundary of the Town of Front Royal to Happy Creek Road, thence east along the center of Happy Creek Road to the point where Interstate 66 passes over Happy Creek Road, thence south and east along the center of Interstate 66 to Dismal Hollow Road, thence easterly with the center of Dismal Hollow Road to Gore Road, thence southwest along the center of Gore Road to its intersection with John Marshall Highway, thence along the center of John Marshall Highway west to its intersection with Massanutten Mountain Drive, thence along the center of Massanutten Mountain Drive southeast and south then southwest to its intersection with Club House Drive, then south along the center of Club House Drive to its intersection with Skyline View Drive, then south along the center of Skyline View Drive to its intersection with the Short Piece Lane, thence east-northeast along the center of Short Piece Lane to its intersection with Shenandoah Valley Drive, then south then southeast along the center of Shenandoah Valley Drive and Shenandoah Valley Drive extended to the Fauquier County line, the point of beginning.**

   For town elections, there shall be an election precinct to be known as the Town of Front Royal - Happy Creek Precinct, which shall consist of that portion of the Happy Creek Election District lying within the corporate limits of the Town of Front Royal.

2. **Linden Precinct: Beginning at a point on the Fauquier County line where it is intersected by the Town - Happy Creek Election Precinct line being a line extended southeasterly from the southern terminus of Shenandoah Valley Drive, then with the Fauquier County line generally eastward and northward to a point where the center line of Freezeland Road crosses the Fauquier County line, such point being approximately one thousand feet southwest of the intersection of Freezeland Road and a subdivision road currently named High Top Road, thence with the Shenandoah Election District as follows: along the center of**

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Freezeland Road northeasterly to its intersection with High Top Road, thence with the center of High Top Road to its intersection with a subdivision road currently known as Crossway Lane, thence westerly with the center of Crossway Lane to its intersection with a subdivision road currently known as Cappy Road, thence west with the center of Cappy Road approximately three hundred seventy-five feet where it crosses an unnamed stream and drainageway, thence north with the center of the unnamed stream to its confluence with Howellsville Branch, thence westerly with the center of Howellsville Branch to where it is crossed by Howellsville Road, thence southwesterly with the center of Howellsville Road until Howellsville Road connects with Morgan Ford Road, thence southerly with the center of Morgan Ford/Happy Creek Road to where it is crossed by Interstate 66, thence along the Town — Happy Creek Election Precinct line as follows: south and east along the center of Interstate 66 to Dismal Hollow Road, thence easterly with the center of Dismal Hollow Road to its intersection with Gore Road, thence southwest along the center of Gore Road to its intersection with John Marshall Highway, thence along the center of John Marshall Highway west to its intersection with Massanutten Mountain Drive, thence along the center of Massanutten Mountain Drive southeast and south then southwest to its intersection with Club House Drive, then south along the center of Club House Drive to its intersection with Skyline View Drive, then south along the center of Skyline View Drive to its intersection with the Short Piece Lane, thence east-northeast along the center of Short Piece Lane to its intersection with Shenandoah Valley Drive, then south then southeast along the center of Shenandoah Valley Drive and Shenandoah Valley Drive extended to the Fauquier County line, the point of beginning.

C. North River Election District.

1. **Town - North River Precinct: All that portion of the North River Election District that lies within the boundary of the Town of Front Royal.**
2. **Riverton Precinct: All that portion of the North River Election District that lies outside the boundary of the Town of Front Royal.**

D. Shenandoah Election District.

1. **West Shenandoah Precinct: All that portion of the Shenandoah Election District lying within the corporate limits of the Town of Front Royal, together with all that portion of the Shenandoah Election District lying outside of the corporate limits of the Town of Front Royal which is west of the Shenandoah River.**
   For Town elections, there shall be an election precinct to be known as the Town - West Shenandoah Precinct, which shall consist of that portion of the Shenandoah Election District lying within the corporate limits of the Town of Front Royal.
2. **East Shenandoah Precinct: All that portion of the Shenandoah Election District lying outside the corporate limits of the Town of Front Royal which is east of the Shenandoah River.**

E. South River Election District:

1. **Bentonville Precinct: Beginning at a point on the South Fork of the Shenandoah River at its intersection with Gooney Creek, thence with the meanders of the Shenandoah River westerly for a distance of three and six-tenths miles to the westernmost point of the first western bend of said river, thence around such bend in a southeasterly direction for a distance of approximately one thousand three hundred feet to a point due north of an unnamed run, thence south to the point where said run enters the South Fork of the Shenandoah River and with the center of said run and the Fork Election District south then west to the point where**

it is crossed by Panhandle Road (such point being approximately two and one-tenth road miles north from the center of the Route 613 low-water bridge), thence continuing with the center of said run to the point of its beginning which lies within the George Washington National Forest, thence continuing in a northwesterly direction up the slope of the Massanutten Mountain to the intersection of the Shenandoah County line, thence with the Shenandoah County line southwest to the point of intersection of the Page County - Warren County boundary line with the Shenandoah County - Warren County boundary line, thence southeasterly with the Page County line to its intersection with Mathews Arm Road, thence northerly with Mathews Arm Road to its intersection with Gimlet Ridge Trail, thence northerly with Gimlet Ridge Trail to the boundary of Shenandoah National Park, thence northerly along an unnamed trail to a point on Bentonville Road approximately 2,000 feet east of its intersection with Jennings Lane, thence easterly on Bentonville Road to its intersection with William Vincent Road, thence northerly with William Vincent Road to its intersection with Buck Mountain Road, thence westerly, then northerly along Buck Mountain Road approximately 4,000 feet to its intersection with Forest Court, thence northerly with Forest Court to its end and then continuing with an unnamed trail to Gooney Creek, thence along Gooney Creek to the South Fork of the Shenandoah River and the place of beginning.

2. **Browntown Precinct: Beginning at a point on Stonewall Jackson Highway (U. S. Route 340) where it crosses over Gooney Creek, a corner to the Bentonville Precinct, thence north along the center line of Stonewall Jackson Highway (U. S. Route 340) to where it crosses Dry Run, thence with Dry Run to a point on Skyline Drive, thence with the line of Skyline Drive in a southerly direction to the Rappahannock County line, thence with the Rappahannock County line southwesterly to the intersection of the Page County line and Rappahannock County line, thence northerly along the Page County line to its intersection with Mathews Arm Road, thence northerly with Mathews Arm Road to its intersection with Gimlet Ridge Trail, thence northerly with Gimlet Ridge Trail to the boundary of Shenandoah National Park, thence northerly along an unnamed trail to a point on Bentonville Road approximately 2,000 feet east of its intersection with Jennings Lane, thence easterly on Bentonville Road to its intersection with William Vincent Road, thence northerly with William Vincent Road to its intersection with Buck Mountain Road, thence westerly, then northerly along Buck Mountain approximately 4,000 feet to its intersection with Forest Court, thence northerly with Forest Court to its end and then continuing with an unnamed trail to Gooney Creek, thence along Gooney Creek to where it crosses Stonewall Jackson Highway (U. S. Route 340), the place of beginning.**

3. **South River Precinct: Beginning at a point in the center of Commerce Avenue at its intersection with East Main Street, thence with the center line of Commerce Avenue to its intersection with John Marshall Highway, thence east along the center line of John Marshall Highway to its intersection with ESA Lane, thence south along the center line of ESA Lane and ESA Lane extended to the center line of Longhill Road extended, thence south and southeasterly along the center line of Longhill Road extended and Longhill Road to its intersection with Rivinus Road, thence southeasterly along the center line of Rivinus Road to its intersection with Intake Road, thence east along the center line of Intake Road and Intake Road extended to the Fauquier County line, thence southwesterly with the Fauquier County line and the Rappahannock County line southwest to its intersection with Skyline Drive, thence northwards along the centerline of Skyline Drive to Dry Run, thence northeasterly downstream along Dry Run to where it crosses under Stonewall Jackson Highway (U. S. Route 340), thence south along the center of Stonewall Jackson Highway (U. S. Route 340) to where it crosses over Gooney Creek, thence west along the center of Gooney**

Creek to the center of the South Fork of the South Fork of the Shenandoah River, thence down the center of the meanders of the South Fork of the Shenandoah River northeast to the center of Luray Avenue extended, thence easterly along the center line of Luray Avenue extended and Luray Avenue and the Fork Election District to the center of West Criser Road, thence east-southeast with the center of West Criser Road and the Fork Election District to the center of South Royal Avenue, thence with the center of South Royal Avenue and with the Fork Election District north-northwest to the center of East Main Street, thence with the center of East Main Street and the Fork Election District east to the intersection of East Main Street and Commerce Avenue, the point of beginning.

For Town elections, there shall be an election precinct to be known as the Town - South River Precinct, which shall consist of that portion of the South River Election District lying within the corporate limits of the Town of Front Royal.

The provisions of these Sections 16-3.2, 16-6.2, and 16-7.2 shall not be given effect until the Attorney General has issued a certification of no objection as defined in Va. Code § 24.2-129(D).

Language proposed to be deleted is ~~lined through~~.
Language proposed to be added is **underlined**.

Adopted: February 15, 2022

_____
Emily M. Ciarrocchi, Deputy Clerk
Warren County Board of Supervisors

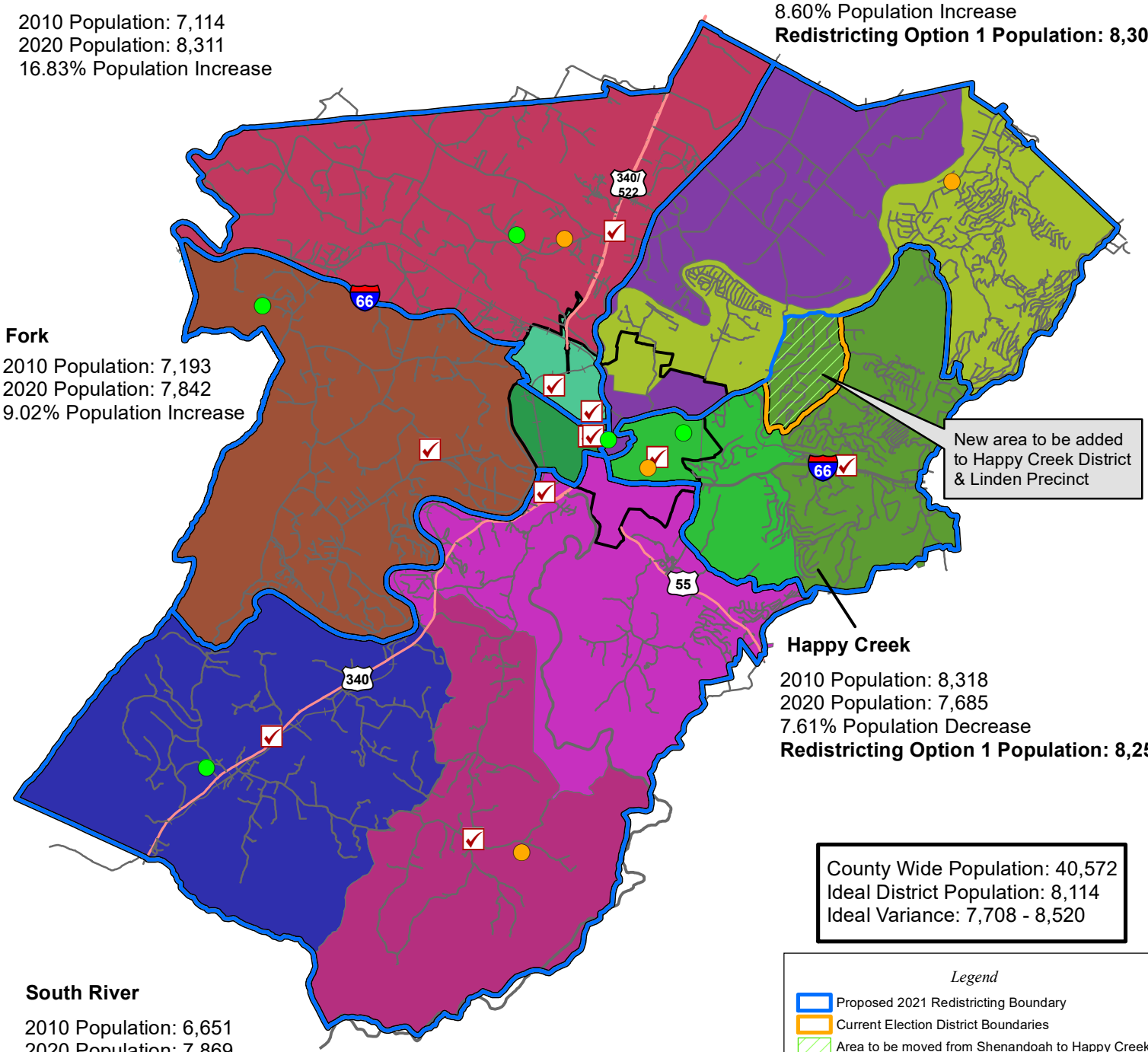
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Warren County, VA

2021 Redistricting: Option 1

Shenandoah
2010 Population: 8,163
2020 Population: 8,865
8.60% Population Increase
Redistricting Option 1 Population: 8,300

North River
2010 Population: 7,114
2020 Population: 8,311
16.83% Population Increase



Fork
2010 Population: 7,193
2020 Population: 7,842
9.02% Population Increase

New area to be added to Happy Creek District & Linden Precinct

Happy Creek
2010 Population: 8,318
2020 Population: 7,685
7.61% Population Decrease
Redistricting Option 1 Population: 8,250

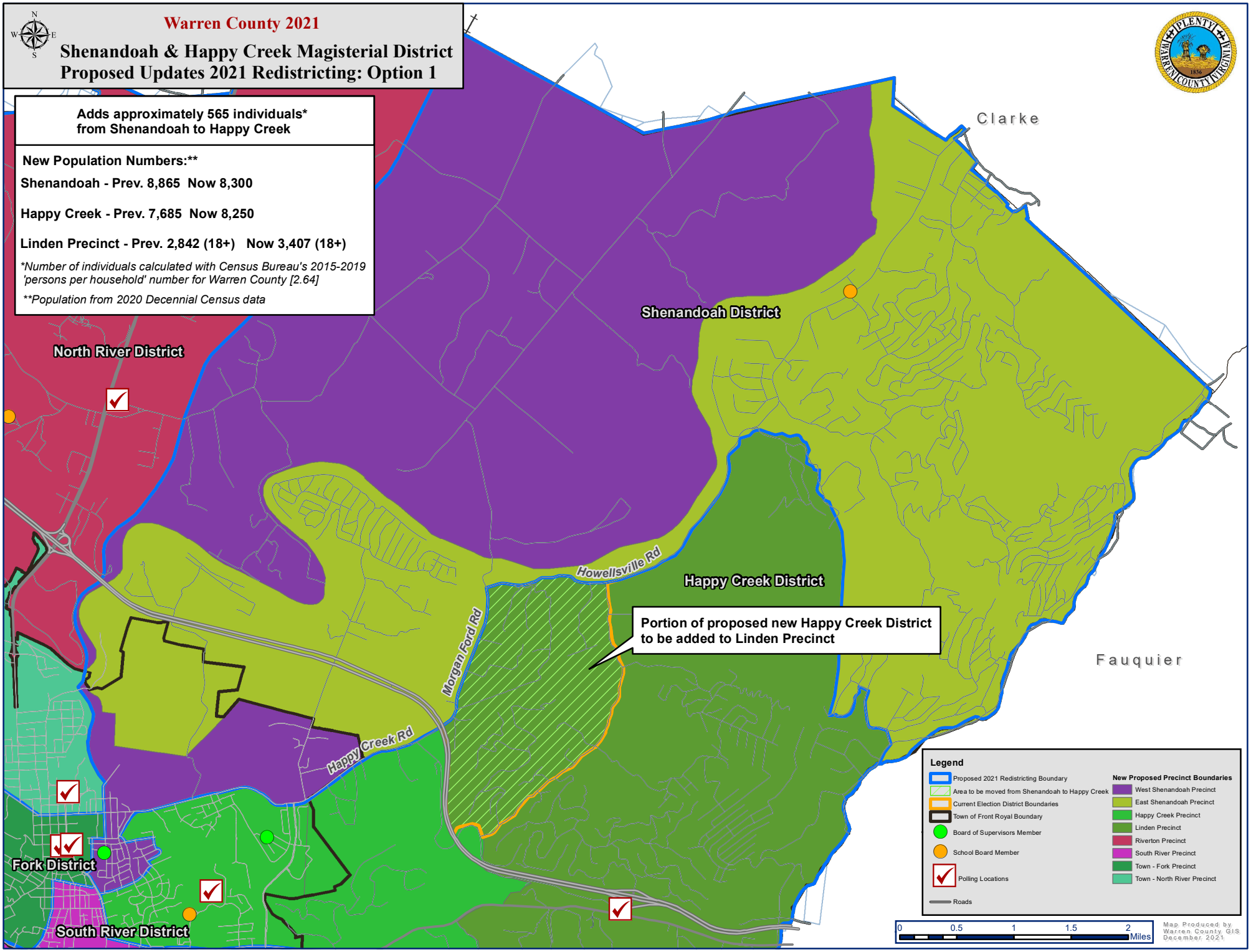
South River
2010 Population: 6,651
2020 Population: 7,869
18.31% Population Increase

County Wide Population: 40,572
Ideal District Population: 8,114
Ideal Variance: 7,708 - 8,520

Legend
- Proposed 2021 Redistricting Boundary
- Current Election District Boundaries
- Area to be moved from Shenandoah to Happy Creek
- Front Royal Boundary
- County Boundary
- Polling Locations
- School Board Member
- Board of Supervisors Member
- Interstate
- Highways
- County Roads
- Railroad

0 3 6 9 12
Miles

Created by: Warren County GIS Office
December 2021


Warren County 2021
Shenandoah & Happy Creek Magisterial District
Proposed Updates 2021 Redistricting: Option 1
Adds approximately 565 individuals* from Shenandoah to Happy Creek
New Population Numbers:**
Shenandoah - Prev. 8,865 Now 8,300
Happy Creek - Prev. 7,685 Now 8,250
Linden Precinct - Prev. 2,842 (18+) Now 3,407 (18+)
*Number of individuals calculated with Census Bureau's 2015-2019 'persons per household' number for Warren County [2.64]
**Population from 2020 Decennial Census data
Clarke
Shenandoah District
North River District
Howellsville Rd
Happy Creek District
Morgan Ford Rd
Portion of proposed new Happy Creek District to be added to Linden Precinct
Fauquier
Happy Creek Rd
Fork District
South River District
Legend
Proposed 2021 Redistricting Boundary
Area to be moved from Shenandoah to Happy Creek
Current Election District Boundaries
Town of Front Royal Boundary
Board of Supervisors Member
School Board Member
Polling Locations
Roads
New Proposed Precinct Boundaries
West Shenandoah Precinct
East Shenandoah Precinct
Happy Creek Precinct
Linden Precinct
Riverton Precinct
South River Precinct
Town - Fork Precinct
Town - North River Precinct
0 0.5 1 1.5 2 Miles
Map Produced by Warren County GIS December 2021

COUNTY OF WARREN, VIRGINIA
BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
2/15/2022	I-3	Conditional Use Permit #2021-11-01 Katherine Stallings *Short-Term Tourist Rental*	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:

Planning Commission Move 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 5 – 0.

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.

2. The maximum number of occupants shall not exceed six (6) as determined according to the Health Department operational permit for a three-bedroom for the single-family dwelling.

3. 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.

4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

5. The discharge of firearms and hunting on the property by guests shall be prohibited.

6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the conditional use permit request of Katherine Stallings 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 Katherine Stallings for a Short-term Tourist Rental (List reasons).

SUBMITTED BY:	**DISPOSITION OF BOARD:**	**PROCESSED BY:**
Matt Wendling, CFM MW *Deputy Planning Director* *County Floodplain Manager*	☐ **APPROVED** ☐ **OTHER (Describe)**	

Conditional Use Permit: 2021-11-01/ Short Term Tourist Rental
Katherine Stallings, *Applicant/ Owner*
Staff Report for the Planning Commission
Prepared: October 12th, 2021
Staff: Matt Wendling, Deputy Planning Director/County Floodplain Manager MPW

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a Short-term Tourist Rental for rental of the single-family dwelling for less than thirty days. The applicant recently purchased the property in February 2021 and would like to be able to offset the costs for maintenance, insurance and the mortgage by renting short term. In her statement of justification, the applicant states she plans to operate the rental part-time since she and her family will be using it for their own personal use as a second home. The do intend to manage the rental themselves but have retained a booking company and an individual who will be doing the cleaning and will be available if emergency maintenance is necessary.

PROPERTY INFORMATION

Property Location: 377 Brandy Rd.
Tax Map ID: # 22C---69
Magisterial District: Shenandoah
Subdivision: Apple Mountain West
Town/Village: Front Royal
Zoning: Residential One (R-1)
Acres: 3.559
Existing Land Use: Single Family Dwelling
Special Flood Hazard Area: The property and dwelling are in a Non-Floodzone "X" area.

SURROUNDING ZONING DISTRICTS & USES

North:	Residential One (R-1)	Use: Vacant Lot with Woodlands
South:	Residential One (R-1)	Use: SFD with Woodlands
East:	Residential One (R-1)	Use: SFD with Woodlands
West:	Residential One (R-1)	Use: Vacant Lot with Woodlands

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential One (R-1) zoning district and has no previous zoning violations or conditional use permits issued to the property.

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 in the Warren County Zoning Ordinance Section §180-21. This property is located in an isolated Agricultural area composed of pasture and woodland areas, is off a private road and has views of the river. 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. **Staff has submitted a request for septic system information for the property for the septic system operational permit to WCHD. The tax records state the structure is three-bedroom dwelling which would allow for an occupancy of 6 persons. Staff will provide additional comments, if necessary, comments have 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 five (5) vehicles in the driveway in 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 boundary lines shall be marked according to location shown on the survey.**

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 for a transient boarding facility 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 Property Management Plan needs to be submitted and 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. Teanna Harrigan will be the acting property and ground manager.**

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 that is served by Apple Mountain Lake West and a copy of the application will be sent to the POA/HOA.**

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 have it 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 comply 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 dwelling meets the setback requirements to adjacent single-family dwellings which is 240' to the closest dwelling located to the east.**

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 and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.

2. The maximum number of occupants shall not exceed six as determined according to the Health Department operational permit for a three-bedroom dwelling.

3. 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.

4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

5. The discharge of firearms and hunting on the property by guests shall be prohibited.

6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.

Cc: Katherine Stallings, Applicant



Statement of Justification

9/24/21

To the Warren Country Planning Commission:

This is a statement of justification for the use of my property, located in Warren County, VA, as a short-term rental property. My husband and I intend to rent out the property in its current condition, and are not planning any additional construction/landscaping at this time. We intend to also use the property for our own personal use when it is not being rented.

My husband and I will manage the property ourselves, with the help of Evolve Short-Term Rental management to manage pricing, guest bookings, and listings. In addition, we have contracted with a cleaning crew to also be the local guest contacts in the event they need any assistance and my husband or I is unable to get to the property. The cleaning crew is managed by Teanna Harrigan – 202-306-6688.

We intend to collect 10.3% lodge tax and will file our taxes on a quarterly basis beginning in the fourth quarter of 2021.

Please let me know if you need any additional information.

Thank you,

Katherine Stallings

WARREN COUNTY WCCUP-000141-2021
CONDITIONAL USE PERMIT APPLICATION

Application Number: 2021-11-01
Date Received: 9-24-2021
Fee Amount: $ 500 CK# 1341
Date Paid: 9-24-2021

Applicant Information:

Katherine Stallings
Applicant Name

1006 Ellison Square | Falls Church | VA | 22046
Address | *City* | *State* | *Zip*

377 Brandy Road | Front Royal | VA | 22630
Property Location for conditional use permit if Different than Applicant's Address

703-508-2542 | kstallvt@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: 377 Brandy Road, Front Royal, VA 22630
(2) Election District: Shenandoah
(3) Tax Map Number: 22C-------69
(4) Subdivision Name: Apple manhin west
(5) Total Area of Property (acres): 3.559 acres
(6) Total Area to be Used (acres): 3.559 acres
(7) Total Road Frontage (feet): 50
(8) Depth of Property (feet):
(9) Present Zoning: Residential

B. Proposed Use of Property

(1) State the proposed use(s) for the Conditional Use Permit: Short-term rentals

(2) Current land use and condition of site: Residential home

(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: N/A

(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: 0

(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: 10

(12) Number of parking spaces to be provided: Regular 5 Handicap _____

(13) What is the proposed landscaping and buffering for this property? Current landscaping will not be altered

C. Plans Prepared By

Name: Katherine Shillings

Address: 1006 Ellison Square, Falls Church, VA 22046

Telephone Number: 703-508-2542

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. No

(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? Minimal - we have set a maximum of 5 cars

(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 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. Note: I called the Treasurer's office and they said usually the planning commission directly requests this

☐ **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. N/A

☐ **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. See Plat – surrounding area is residential

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

From district court: R on E 6th St, in 3.4 miles, turn R on state route 647, in 1.6 miles, sharp left on St Rte 603. In 0.2 miles L on Appleseed Rd, 0.6 miles, R on Applewood Dr, 0.6 miles, L on Baldwin Rd, 0.6 miles, R on Brandy road, 0.2 miles, destination on Left.

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 9/24/21 Date

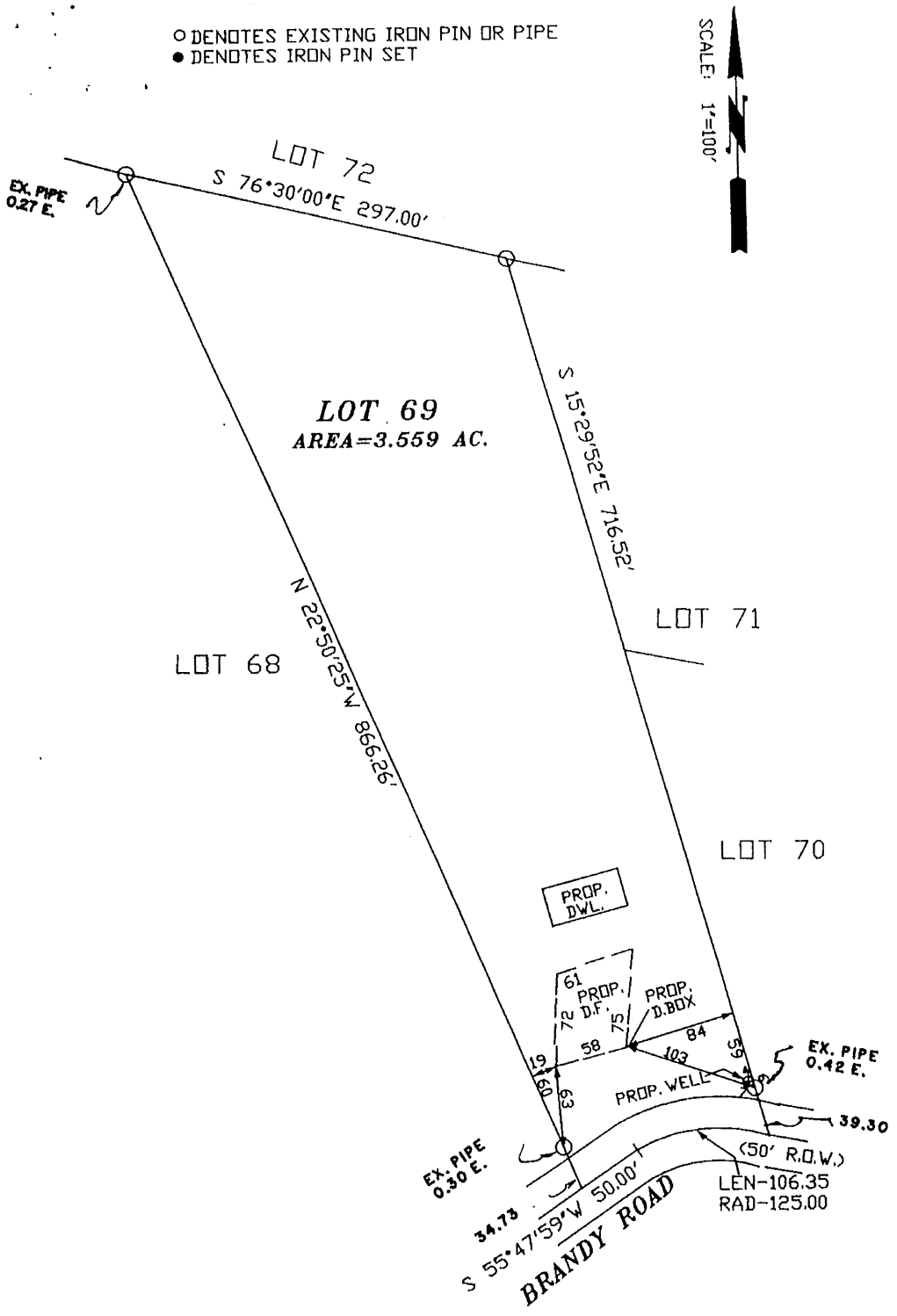
Property Owner Signature Date

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

000136 JUN-58



SURVEY OF LOT 69, APPLE MOUNTAIN WEST, RECORDED IN D.B. 194, PG. 522, AND PG. 523.

SHENANDOAH MAGISTERIAL DISTRICT

WARREN COUNTY, VIRGINIA

PREPARED BY:

LARRY C. HIMELRIGHT, P.C.
PROFESSIONAL LAND SURVEYOR
694 RED BUD RD., STRASBURG, VA
PHONE: 465-8767

MAY 8, 2003

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

RECEIVED
DEC 30 2021
WARREN COUNTY
PLANNING DEPARTMENT

December 27, 2021

Matt Wendling, Deputy Planning Director
Warren County Planning and Zoning
220 N Commerce Ave., Suite 400
Front Royal, Virginia 22630

RE: Request for Comments (2021-11-01)
Owner: Katherine Stallings

Dear Mr. Wendling,

I have reviewed your request for comments regarding the property at 377 Brandy Rd. Linden, VA (Tax Map# 22C-69) and I offer the following comments:

1. **There is a Construction Permit, ROI and Operation Permit on file for the referenced property dated 7/29/2003, 4/30/2004 and 5/21/2004 respectively.**
2. **The dwelling is served by an Alternative Onsite Sewage System (AOSS). The AOSS is designed for Three (3) Bedrooms, Six (6) Occupants and 450 gallons per day.**
3. **The owner should be aware the AOSS must inspected by a licensed operator at least annually.**
4. **The dwelling is served by a private Class IIIB Well. A sample of the water should be collected and tested by a state approved lab at least annually.**
5. **All refuse shall be placed in containers with tight-fitting lids.**
6. **Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.**

Please contact me at (540) 635-3159 should you have any questions.

Sincerely,

Jim Davis
Environmental Health Supervisor

From: David Beahm
To: Chloe Phillips
Cc: Joe Petty; Paula Fristoe
Subject: Request for Comments 2021-11-01 – Katherine Stallings – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000141-2021
Date: Friday, October 8, 2021 2:28:00 PM
Attachments: image001.png
image004.png

Comments 2021-11-01 – Katherine Stallings – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000141-2021:

- Erosion and Sediment Control Items:
  - There does not appear to be any land disturbance at this time and therefore nothing would be required. If this is not the case, the normal submission process 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 Office

David C. Beahm, CBO
Building Official

220 North Commerce Avenue
Suite 400
Front Royal, VA 22630

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.

Matt Wendling

From: jsmith jeffreysworldevents.com <jsmith@jeffreysworldevents.com>
Sent: Monday, December 13, 2021 3:27 PM
To: Matt Wendling
Subject: QQ

Hi,

Do you know if the POA can actually do this, should the Board decide to approve this?

Cheers,
Jeffrey



John Morgan ▶ Apple Mountain Wes

3h ·

In regards to short term rentals and the ongoin
We have put in place bylaws in regards to shor
subdivision.
Regardless of what the county or state have in
allow rentals less than 30 days and all rentals r
forth in AMWPOA bylaws.

We have come to an arrangement with the owr
rental going on.
In short, they will NOT be running any short ter
community after the first of the year. Simply pu
miscommunication and lack of information whe
We have come to an agreement that they will c
Any other rentals from here on out will be finec
actions will be taken to cease and desist.
If anyone requires any more information you ca
we are happy to discuss this with you.

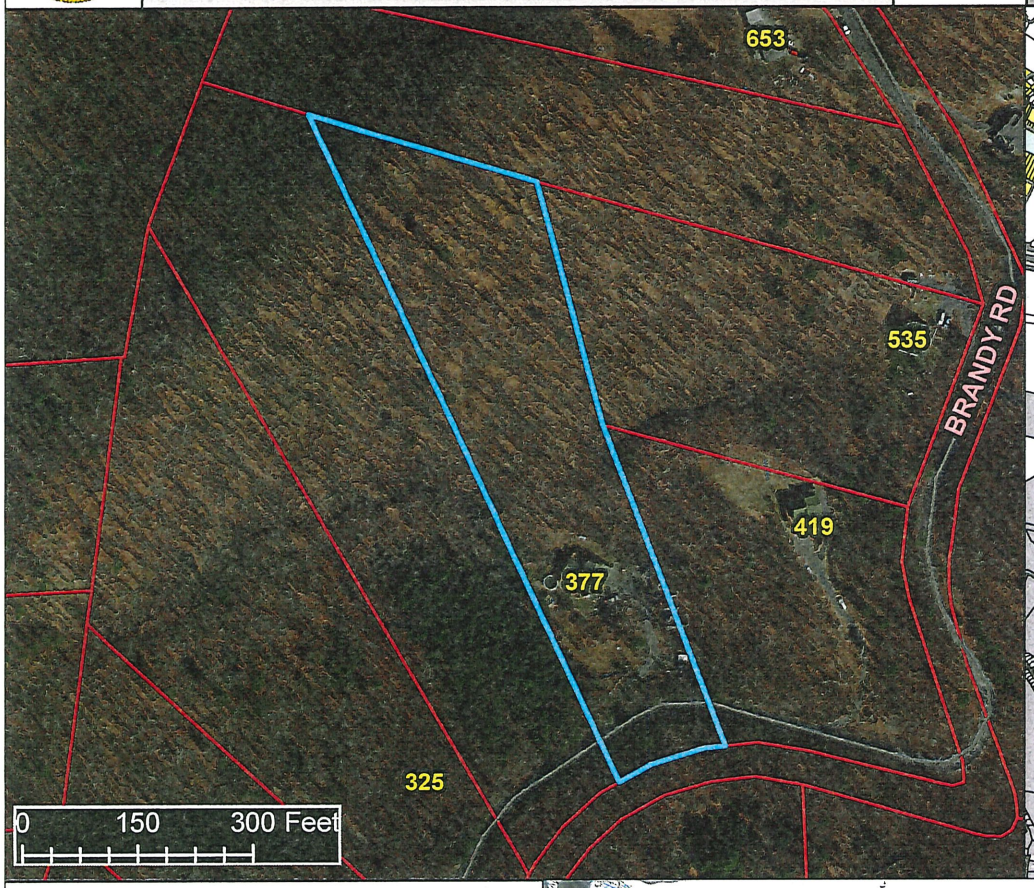
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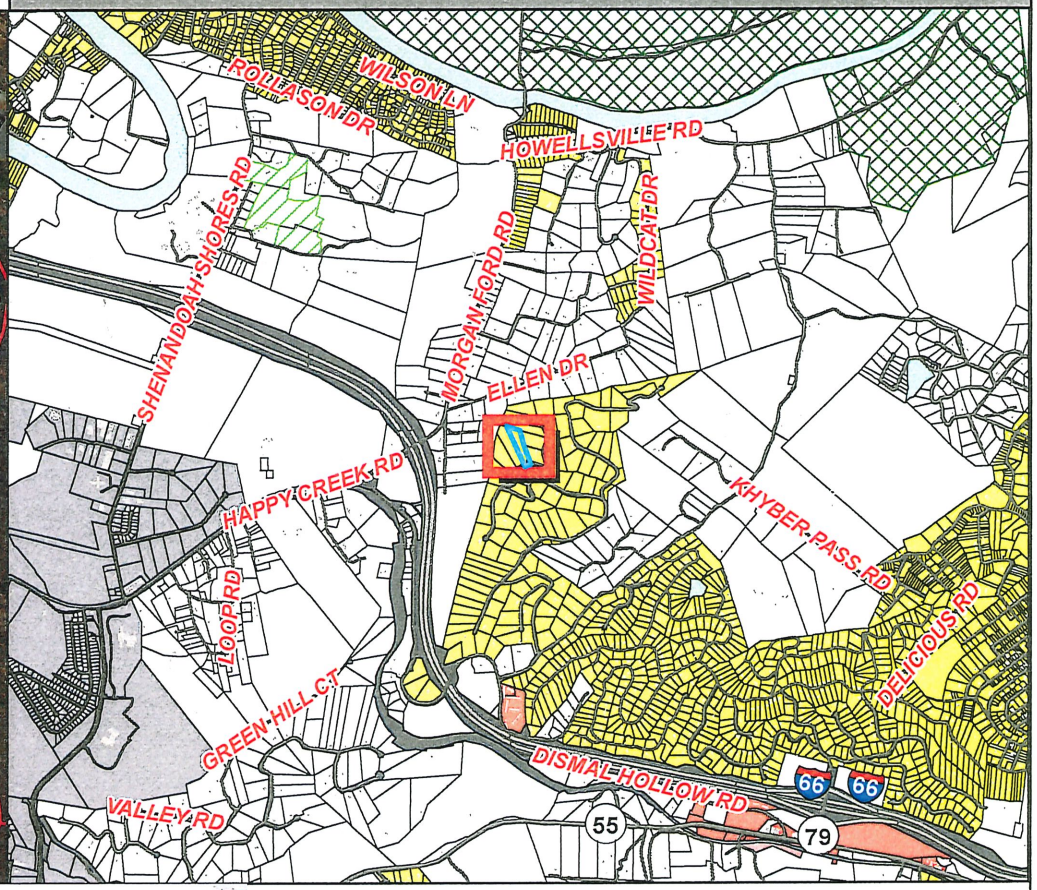
Warren County VA

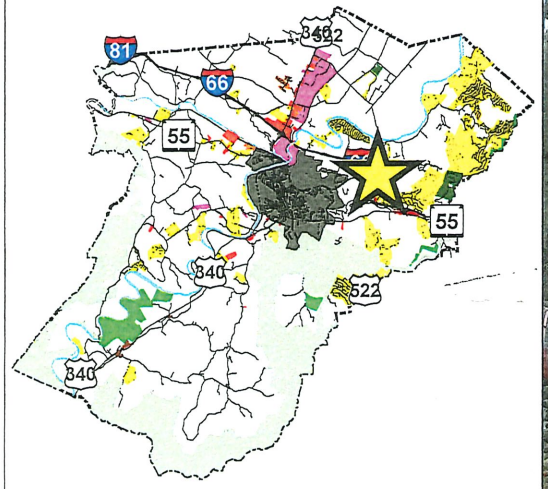
CUP Location Map

Short Term Tourist Rental
Applicants: Katherine Stallings

T[illegible]2C-------69
Apple Mountain Lake West









Zoning

- Agricultural
- Commercial
- Industrial
- Residential One
- Residential Two
- Suburban Residential
- Village Residential
- Rural Residential
- Right of Way
- Front Royal
- Federal Land
- State Land
- Water
- 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
2/15/2022	I-4	Conditional Use Permit #2021-11-02 Dennis Flynn *Short-Term Tourist Rental*	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:

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(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:

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PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the conditional use permit request of Dennis Flynn 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 Dennis Flynn for a Short-term Tourist Rental (List reasons).

SUBMITTED BY:	**DISPOSITION OF BOARD:**	**PROCESSED BY:**
Matt Wendling, CFM *Deputy Planning Director* *County Floodplain Manager*	☐ **APPROVED** ☐ **OTHER (Describe)**	

Conditional Use Permit: 2021-11-02/ Short Term Tourist Rental
Dennis J. Flynn, *Applicant/ Owner*
Staff Report for the Planning Commission
Prepared: October 12th, 2021 **Revised: November 10th, 2021**
Staff: Matt Wendling, Deputy Planning Director/County Floodplain Manager

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SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a Short-term Tourist Rental for rental of the single-family dwelling for less than thirty days. The applicant has stated he would like to rent the lower portion of his house as a short-term tourist rental from Spring through the Fall from Thursdays through Sunday. He is primarily targeting users of the Appalachian Trail and those wanting to visit Shenandoah National Park and Skyline Drive. He plans to shuttle guests to the Town if necessary when they have no other options for transportation.

PROPERTY INFORMATION

Property Location: 484 Creek Rd.
Tax Map ID: # 39C – B-27
Magisterial District: South River
Subdivision: Lake Front Royal
Town/Village: Front Royal
Zoning: Residential One (R-1)
Acres: 1.12
Existing Land Use: Single Family Dwelling
Special Flood Hazard Area: The property and dwelling are in a Non-Floodzone "X" area.

SURROUNDING ZONING DISTRICTS & USES

North:	Residential One (R-1)	Use: Vacant Lot & Single Family Dwelling
South:	Residential One (R-1)	Use: Vacant Lot & Single Family Dwelling
East:	Residential One (R-1)	Use: Single Family Dwelling
West:	Residential One (R-1)	Use: Single Family Dwelling

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential One (R-1) zoning district and has no previous zoning violations or conditional use permits issued to the property.

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 in the Warren County Zoning Ordinance Section §180-21. This property is located in a residential community located off Remount Road in which the trailhead to the Appalachian Trail is a short distance away. 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. **Staff has submitted a request for septic system information for the property for the septic system operational permit to WCHD. The tax records state the structure is three-bedroom dwelling which would allow for an occupancy of 6 persons. Staff will provide additional comments, if necessary, comments have 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 five (5) vehicles in the driveway in 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 boundary lines shall be marked according to location shown on the survey.**

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 for a transient boarding facility 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 Property Management Plan needs to be submitted and 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 applicant and his wife will be the acting property and ground managers.**

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 that is served by Lake Front Royal and a copy of the application was sent to the POA/HOA. The Lake Front Royal POA has submitted comments requesting the denial of the application due to issues of speed on roads, additional water usage for the well, monitoring of the property for compliance and setting a precedence for the first Short-term Tourist Rental in the subdivision.**

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 have it 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 comply 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 dwelling meets the setback requirements to adjacent single-family dwellings which is 102' to the closest dwelling located to the northwest.**

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 and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.

2. The maximum number of occupants shall not exceed six as determined according to the Health Department operational permit for a three-bedroom dwelling.

3. 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.

4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

5. The discharge of firearms and hunting on the property by guests shall be prohibited.

6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.

Cc: Dennis J. Flynn, Applicant



Dennis J. Flynn, dba "ShortStops"

484 Creek Rd.
Front Royal, VA 22630
Office (703) 431-8210 Fax (540) 636-1232

October 6, 2021

Warren County Planning Commission

220 North Commerce Avenue

Suite 400

Front Royal, VA 22630,

Dear Commissioners;

This request is being made for a "Conditional Use Permit" so the owners (Dennis & Gail Flynn can utilize the lower portion of the dwelling as an "Air B&B" sanctioned facility for 3 seasons of the year (Spring, Summer & Fall), operating only on Thursdays through Sunday.

- County and State Taxes are paid directly from "Air B&B".
- Liability insurance is also covered by "Air B&B".
- The location of the property is conveniently located to the town of Front Royal and offer customers an easy access via local, regional transit
- To the businesses and services provided by the town of Front Royal and Warren County. Restaurants, sightseeing, Sections of Virginia "Wine Country", shopping and Historical information,
- Equally important, is an easy access to the very popular "Appalachian Trail", which has 2 different entrances (within 0.3 miles of the property).

Sincerely,

Dennis J. Flynn

WCCUP-000142-2021

WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION

Application Number: 2021-11-02
Date Received: 10-7-2021
Fee Amount: $ 500.00 CK# 7563
Date Paid: 10-7-2021

Applicant Information:

Dennis Flynn
Applicant Name

484 Creek Rd.	Front Royal	Virginia	22630
Address	*City*	*State*	*Zip*

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

(540) 636-7915	dennis@settermountain.com
Primary Contact Number	*Email*

Property Owner (if same as applicant, leave blank)

Address	*City*	*State*	*Zip*

(540) 636-7915
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: 484 Creek Rd. Front Royal, VA 22630
(2) Election District: Cong, 06: Sen, 026: HSE, 018
(3) Tax Map Number: 39C B 27
(4) Subdivision Name: Lake Front Royal
(5) Total Area of Property (acres): 1.1
(6) Total Area to be Used (acres): 2000 square ft.
(7) Total Road Frontage (feet): 137.67 ft.
(8) Depth of Property (feet): 355.24ft.
(9) Present Zoning: Residental 1

B. Proposed Use of Property

(1) State the proposed use(s) for the Conditional Use Permit: Seasonal Air B&B

(2) Current land use and condition of site: Fully Developed, Family Home

(3) Zoning of surrounding land/property: Residental

(4) Will development be staged? ☐ Yes ☒ No

(5) Construction Time: N/A

(6) Season, days, and hours of operation: Spring, Summer, Fall; Thurs. - Sun., as required

(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: 1

(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: 5

(12) Number of parking spaces to be provided: Regular 3 Handicap 1

(13) What is the proposed landscaping and buffering for this property? Maintained and groomed front and back yards.

C. Plans Prepared By

Name: Dennis Flynn

Address: 484 Creek Rd. Front Royal, VA 22630

Telephone Number: (540) 636-7915

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. 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 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.

☒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.

☒N/A **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.**

Route 522 South (Commerce Ave) approximately 4.5 mi. to "Lake Front Rd" (turn right).

At the "T" intersection, turn left on to "Creek Rd.". (route 717).

Approximately 0.1 mi., turn right into drive way (484 Creek Rd.)

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.

Dennis Flynn — Sept. 30, 2021

Applicant Signature — Date

Dennis Flynn — Sept. 30, 2021

Property Owner Signature — Date

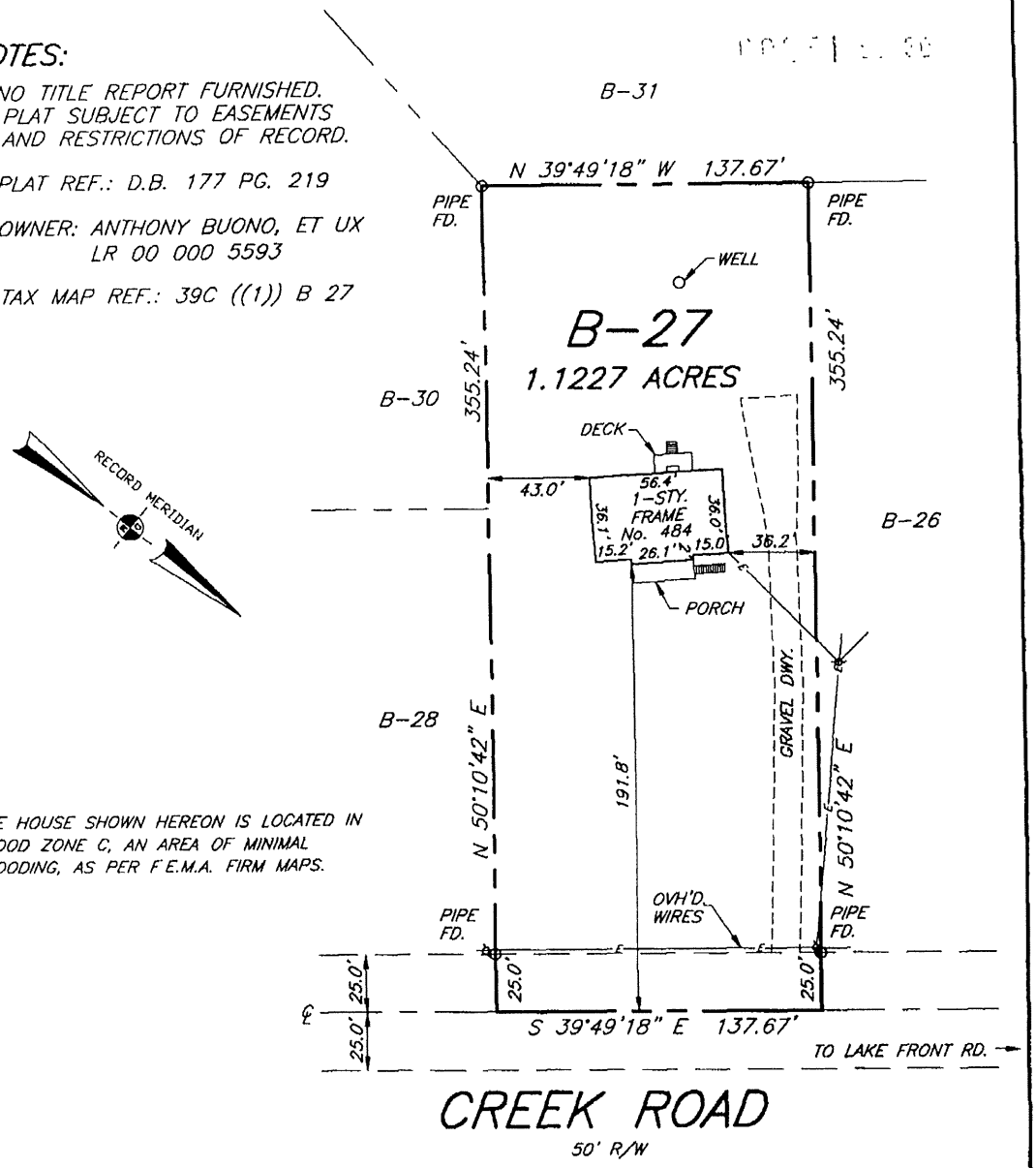
Accepted by: _____ Date: _____

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

NOTES:

1. NO TITLE REPORT FURNISHED. PLAT SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
2. PLAT REF.: D.B. 177 PG. 219
3. OWNER: ANTHONY BUONO, ET UX LR 00 000 5593
4. TAX MAP REF.: 39C ((1)) B 27



THE HOUSE SHOWN HEREON IS LOCATED IN FLOOD ZONE C, AN AREA OF MINIMAL FLOODING, AS PER F.E.M.A. FIRM MAPS.

CREEK ROAD

50' R/W

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE SURVEYED THIS PROPERTY ON THE GROUND; THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF; AND THAT THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES EXCEPT AS SHOWN.

COMMONWEALTH OF VIRGINIA
9-30-04
DARRYL G. MERCHANT
No. 001606
LAND SURVEYOR

DARRYL G. MERCHANT
CONSULTING LAND SURVEYOR
P.O. BOX 1508
FRONT ROYAL, VA 22630
540-636-4949

HOUSE LOCATION SURVEY

LOT B-27

SECTION "B"

LAKE FRONT ROYAL

HAPPY CREEK DISTRICT
WARREN COUNTY, VIRGINIA

DATE: 30 SEPTEMBER 2004 SCALE: 1" = 60'

04-F099 DWG. NO. AM-95R DM

Lord Fairfax Health District

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

VDH VIRGINIA DEPARTMENT OF HEALTH
Protecting You and Your Environment

December 27, 2021

Matt Wendling, Deputy Planning Director
Warren County Planning and Zoning
220 N Commerce Ave., Suite 400
Front Royal, Virginia 22630

RE: Request for Comments (2021-11-02)
Owner: Dennis Flynn

Dear Mr. Wendling,

I have reviewed your request for comments regarding the property at 484 Creek Rd. Front Royal, VA (Tax Map# 39C-B-27) and I offer the following comments:

1. There is a Construction Permit, ROI and Operation Permit on file for the referenced property dated 10/23/1989, 6/07/1990 and 7/23/1990 respectively.
2. The dwelling is served by a conventional septic system designed for Three (3) Bedrooms, Six (6) Occupants and 450 gallons per day.
3. The dwelling is served by a private Class IIIB Well. A sample of the water should be collected and tested by a state approved lab at least annually.
4. All refuse shall be placed in containers with tight-fitting lids.
5. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.

Please contact me at (540) 635-3159 should you have any questions.

Sincerely,

Jim Davis
Environmental Health Supervisor

Chloe Phillips

From: David Beahm
Sent: Tuesday, October 12, 2021 2:51 PM
To: Chloe Phillips
Cc: Joe Petty; Paula Fristoe
Subject: Request for Comments R2021-11-02 – Dennis Flynn – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000142-2021

Comments R2021-11-02 – Dennis Flynn – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000142-2021:

- Erosion and Sediment Control Items:
  - There does not appear to be any land disturbance at this time and therefore nothing would be required. If this is not the case, the normal submission process 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

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.

Lake Front Royal Property Owners Association

115 Lake Front Rd., Front Royal, VA 22630

Comment on Short Term Tourist Rental

Dennis Flynn

484 Creek Rd.

Tax map 39c---B—27

Date: November 9, 2021

To: Matt Wendling

Warren County Department of Planning

From: Lake Front Royal Property Owners Association

Subject: Comment on Short Term Rental

The Lake Front Property Owners Association follows Warren County Supplemental Regulation § 180-56.4 Short-Term Tourist Rentals and we do not authorize short term rentals In accordance with paragraph I.:

[Added 4-17-2012]

We are a residential community, not a business community.

We have many reasons for not authorizing Short Term Rentals.

Just a few are:

1. We have no full-time employees to monitor ~~weather~~ whether all regulatory requirements are met. We would have to hire employees and increase the dues to all of our property owners.

2. Our roads are narrow, and we currently have issues with speeding and the difficulty of enforcing speed limits.

3. Several property owners have had issues with their wells and additional pressure on the aufer could cause wells to dry up.

4. We have received 15 or more requests for short term rentals in the past month, If we allow one we would have to allow all. This would drastically affect the face and safety of our community.

Robert Roush

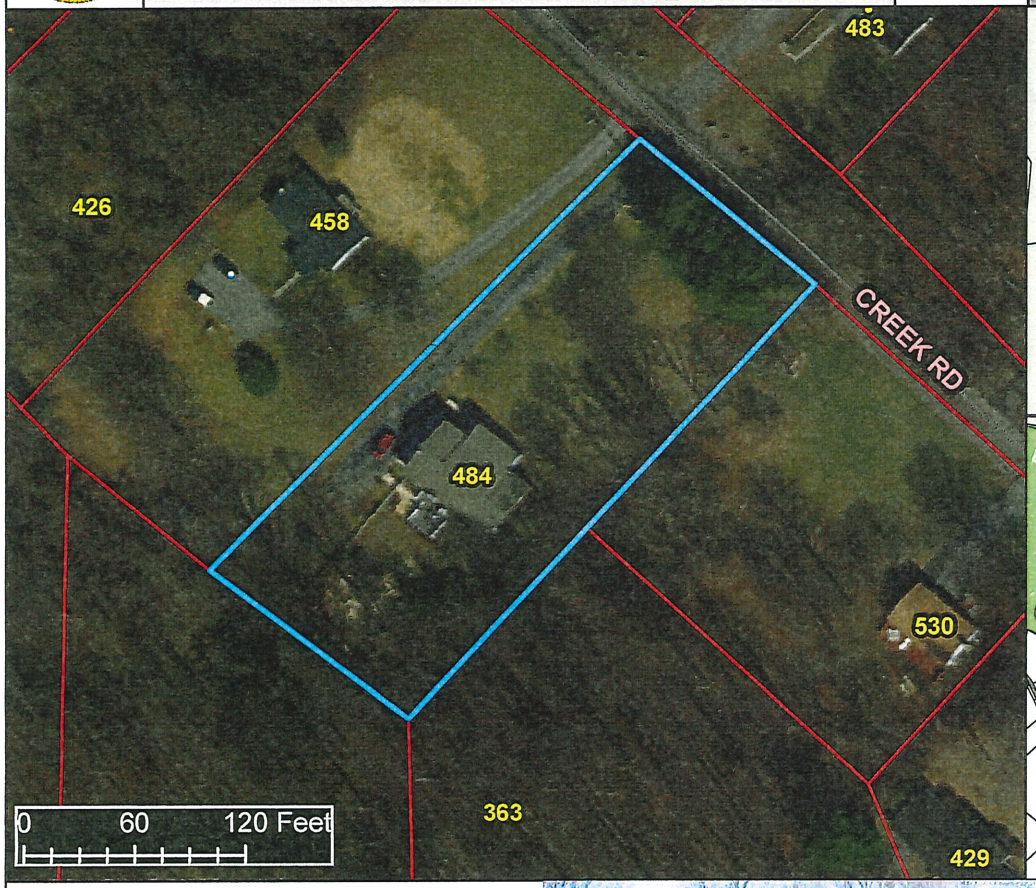
President – Lake Front Royal Property Owners Association.

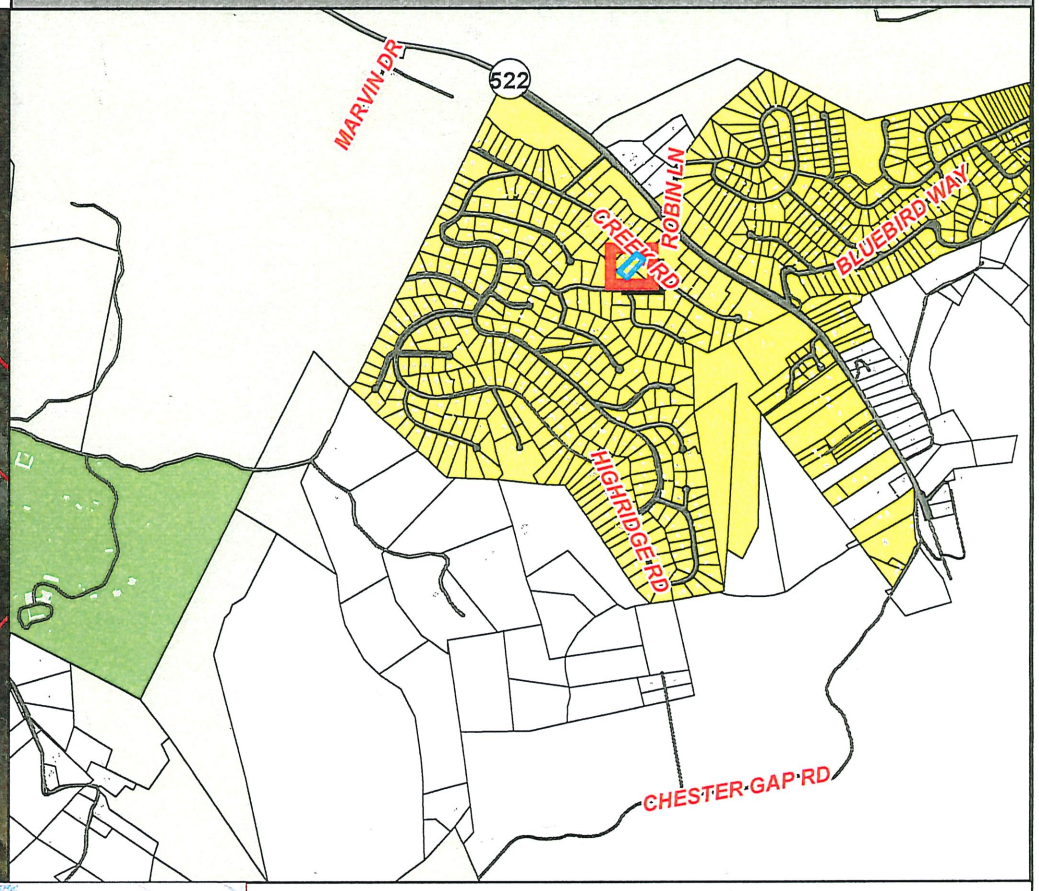
Warren County VA

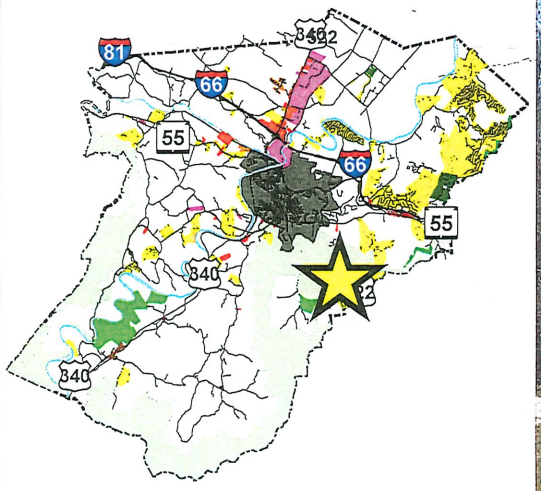
CUP Location Map

Short Term Tourist Rental
Applicants: Dennis Flynn

TL PC---B--27
Lake Front Royal Subdivision









Zoning

- Agricultural
- Commercial
- Industrial
- Residential One
- Residential Two
- Suburban Residential
- Village Residential
- Rural Residential
- Right of Way
- Front Royal
- Federal Land
- State Land
- Water
- 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:
2/15/2022	I-5	Conditional Use Permit #2021-11-05 David Kondner *Short-Term Tourist Rental*

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.

PLANNING COMMISSION STATUS:

On Wednesday, December 8, 2021, Mr. Henry moved to forward this application to the Board of Supervisors, recommending denial. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 4-1.

RECOMMENDED CONDITIONS:

The Planning Commission and staff is recommending the following conditions be added to this conditional use permit.

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed four as determined according to the Health Department operational permit for a two-bedroom dwelling.
3. The applicants shall have the well/drinking water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. A waiver to the required setback of 100′ to the adjacent property dwelling shall be granted for the existing 30′ and 88′ setback to the dwellings east of the subject property.
   * **Waiver has been requested by the applicant**

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the conditional use permit request of David Kondner 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 David Kondner for a Short-Term Tourist Rental. (LIST REASONS)

SUBMITTED BY:	**DISPOSITION OF BOARD:**	**PROCESSED BY:**
Joseph Petty, Planning Director	☐ APPROVED ☐ OTHER (Describe)	

Conditional Use Permit 2021-11-05: Short-Term Tourist Rental
Owner/Applicant: David W. Kondner
Prepared: November 1, 2021
Staff Contact: Joseph Petty, Planning Director

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 as the property is ideal for tourism given its access to the Shenandoah River. The owner/applicant currently lives in Warren County and plans to clean and maintain the property in between reservations. The applicant currently owns the adjoining property to the east located 167 Beckwith Drive.

The subject property does not meet the required setback of 100′ from the neighboring dwelling (owned by the applicant) which is approximately 30′ away. The subject property also does not meet the required setback of 100′ from the dwelling two parcels east which is approximately 88′ away. After the initial adoption of the short-term tourist rental ordinance the Board of Supervisor granted very few waivers to the 100′ setback, however most recently the Board has not approved any waivers to the setback regulation.

Given the recent amount of short-term rental applications and approvals that are able to meet Warren County Code §180-56.4.O requiring the 100′ setback, staff cannot support approval of this application given the Code as written and possible precedent that may be created.

PROPERTY INFORMATION

Property Location: 153 Beckwith Drive
Tax Map ID: 21B--1-1---R
Magisterial District: Shenandoah
Subdivision: Megeath
City: Front Royal
Zoning: Residential-One (R-1)
Acres: 0.2 Acres
Existing Land Use: Single-Family Dwelling

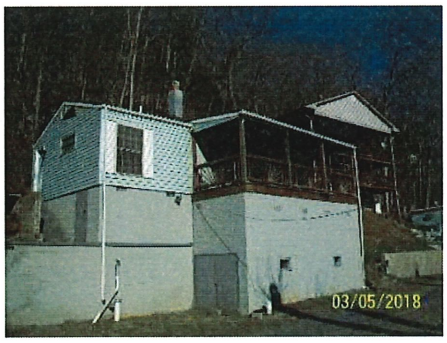
This property is in flood zone AE of the Special Flood Hazard Area (SFHA)

SURROUNDING ZONING DISTRICTS & USES

North: Residential-1 (R-1) — Use: Single-Family Dwelling
South: Shenandoah River — Use: Shenandoah River
East: Residential-1 (R-1) — Use: Single-Family Dwelling
West: Residential-1 (R-1) — Use: Vacant Lot

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential-1 zoning district. The property was subject to a zoning violation for operating without a conditional use permit, which has prompted the current request.



ATTACHMENTS

- ☒ Agency Comments
- ☒ Location Map
- ☒ Application
- ☒ Public Comments
- ☒ Health Permit
- ☐ Submitted Plans
- ☒ Letter from Applicant
- ☐ Other: _____

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for residential land uses. A short-term tourist rental is a use allowed by conditional use permit in the Residential-1 zoning district and is compatible with the current Warren County Zoning Ordinance.

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. **Our office is awaiting the response from the Health Department. The applicants have provided documents requesting a one-bedroom with a two-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 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 three sides bordering adjacent properties; two of which contain single-family dwellings. Most of the surrounding area is wooded land. The Shenandoah River is on the southern border of the property.**

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 will be provided.**

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 and 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 not meet the setback requirement to adjacent single-family dwellings. The closest dwelling is 30′ to the east, with the next dwelling 88′ to the east.**

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 applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed four as determined according to the Health Department operational permit for a two-bedroom dwelling.
3. The applicants shall have the well/drinking water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. A waiver to the required setback of 100′ to the adjacent property dwelling shall be granted for the existing 30′ and 88′ setback to the dwellings east of the subject property.
   **** Waiver has been requested by the applicant***

Cc: David Kondner – Owner/Applicant

Regarding the Conditional Use Permit Application (CUP)
Submitted by David Kondner, Sr.
Feb., 2, 2022

WHEREAS, the Board of Supervisors (BOS) will meet on February 15th, 2022, to make a final decision on the Short-Term Tourist Rental CUP application (#2021-11-05) at 153 Beckwith Drive, Front Royal, VA 22630 in the Shenandoah Magisterial District.

WHEREAS, at the December 8th, 2021, at the public hearing of the Warren County Planning Commission, the commission voted to recommend "denial" for the CUP application. The reasons cited for the non-unanimous decision were:

1. Parking issues cited by community residents.
2. The 100-foot setback rule required between adjoining properties.

WHEREAS, pictures submitted to the Planning Commission, subsequent to the commission's 12/8/2021 meeting clearly show that there is adequate parking on the street to accommodate at least 3 parking spaces for the 1-bedroom cottage. This first issue cited by the commission should be set aside as mute.

WHEREAS the 100-foot setback rule is apparently an arbitrary number set by the BOS without regard to specific property or community considerations, that precedents for waiving this requirement have been made in the past for previous CUP applications and considering the important considerations that apply to the property cited below, the BOS should waive this setback objection.

1. Discussions with Mr. Matt Wendling of the Planning confirmed that very few, if any, of the properties along that stretch of the Shenandoah River could probably meet the 100-foot setback rule because they were built before the days of regulation. If the 100-foot rule were strictly enforced in this community, very few if any of the existing properties along the Shenandoah River, many of which are already vacation homes and seasonal residences, could qualify as Short-Term Rentals. Given that many properties are already occupied on a short-term basis by existing owners, denying short-term rentals seems incongruent.
2. Given the water and natural resources found along the Shenandoah River and the desirability of staying at properties in this area, the county should encourage this area for tourism.
3. Property values (and county property taxes) should benefit substantially if the area were opened-up for short-term rentals. Not only would there be more incentives for residents to tidy-up their properties for short-term rental opportunities, but local home values would rise to reflect the "highest use" potential for these properties.

WHEREAS, the Planning Commission rightfully considers community concerns in determining most CUP applications, but in this instance the resident's concerns given (speeding, parking, trespassing, litter, road dues, crime and strangers) were disingenuous when considered along with the racial concerns expressed. In referring to short-term rentals, the resident Mr. Keys expressed (and apparently represented other white residents), they have had "past Mexican problems that were resolved" and that they "do not want to see these problems come back". Overt racist objections may underlie the other stated objections from the residents and the Planning commission should have censored Mr. Keys, but instead choose to support resident opposition to the CUP application. People are entitled to hold racist opinions if they so choose, but not at the expense of other property owners or minorities that might otherwise benefit from county resources. Consider:

1. Does Warren County really want to encourage tourism, even if this offends white community residents?
2. How might a Federal Judge see the 100-foot setback enforcement. Could this be considered the "plausible deniability" outlined in the 1983 Statute outlawing racial discrimination?

IN CONCLUSION, the property owner asks that the BOS consider all the right reasons and approve the CUP application.

153 Beckwith
Parking #1, 2, 3, 4 & 5

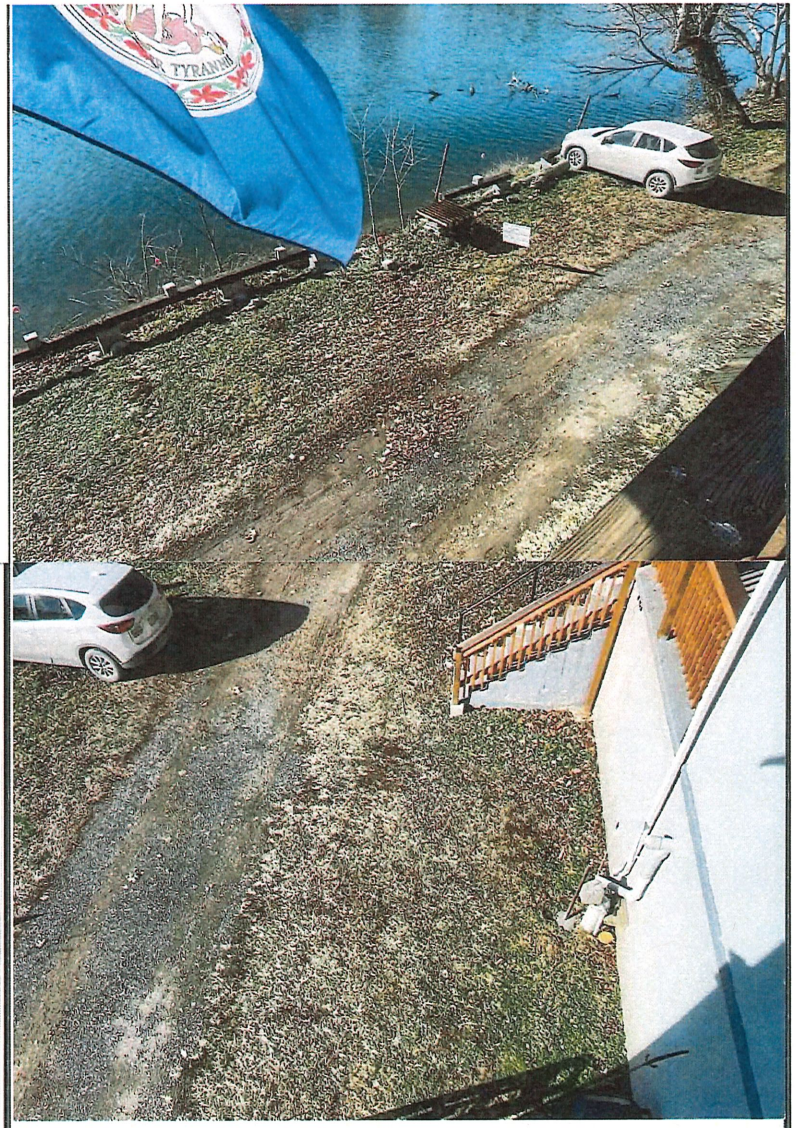
Parking5
Ordered at Shutterfly

#1

153 Beckwith
Parking #6

Parking1
Ordered at Shutterfly

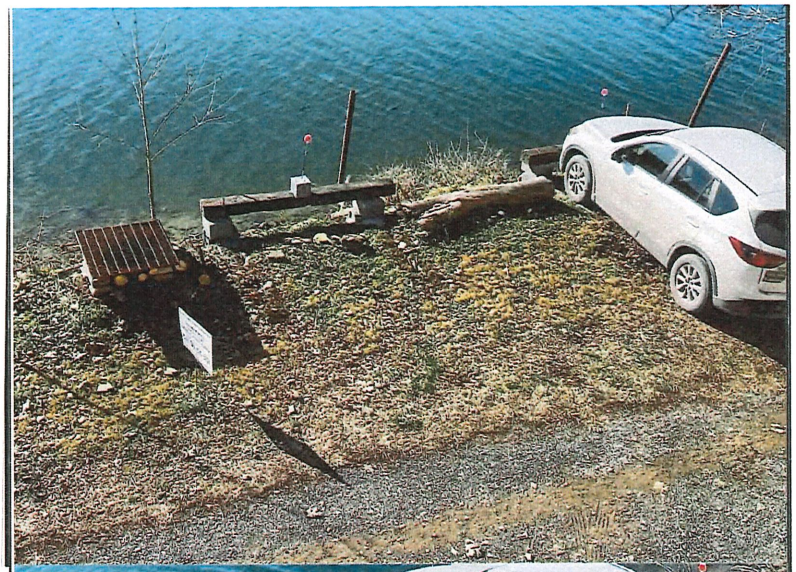
#2



153 Beckwith
Parking #4&5

Parking4
Ordered at Shutterfly

#3



153 Beckwith
Parking #4,5

Parking3
Ordered at Shutterfly

#4



PARKING NEXT DOOR
AT 167 BECKWITH

Parking2
Ordered at Shutterfly



#5

#3 MESS ~~ON~~ BECKWITH

Keys Property2
Ordered at Shutterfly



#6

MESS #2 - BECK WITH RESIDENT
(NOTE - FLUSH OUTHOUSE!)

Keys Property1
Ordered at Shutterfly

#7



MESS #1 - BECK WITH RES. DENT

Keys Property3
Ordered at Shutterfly

#8



Supplemental information accompanying the "Warren County Conditional Use Permit Application" submitted by David Kondner, Sr

for property 153 Beckwith Dr., Front Royal, VA 22630

Statement of Justification:

I am seeking permission for the continued use of 153 Beckwith Drive as a "Short-Term Tourist Rental". As a short-term rental, the property facilitates tourism in the Front Royal area (hiking, fishing, downtown, historic). The property is located toward the end of a dead-end street and is flanked by a vacant lot ("Lot Q" to the left) and another property I own ("Lot S" on the right). The only real neighbor in proximity is at 179 Beckwith (Lot T), and the owner has verbally indicated his support for usage as an AirBnB in the past.

Site Plan Survey: Submitted with Application

Sewage Disposal and Well Site: Marked on Survey

Copy of Deed: Submitted with Application

Proof that Real Estate Taxes Paid: Submitted with Application

Environmental/Community Impact Statement: Minimal if any.

List of Chemical stored Onsite: None.

Location Map: See submitted Survey Map

Directions to property: See application.

WCCUP.000145.2021

WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION

Application Number: 2021.11.05
Date Received: 10.18.21
Fee Amount: $ 500.00 #1126
Date Paid: 10.18.21

Applicant Information:

DAVID W KONDNER, SR.
Applicant Name

999 OSPREY LANE, FRONT ROYAL, VA 22630
Address *City* *State* *Zip*

153 BECKWITH DRIVE, FRONT ROYAL, VA 22630
Property Location for conditional use permit if Different than Applicant's Address

571-488-4449 david@MSGF1.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: 153 BECKWITH DR., FRONT ROYAL, VA 22630
(2) Election District: SHENANDOAH
(3) Tax Map Number: 21 B 11 R
(4) Subdivision Name: BENNY MEGEATH
(5) Total Area of Property (acres): .2
(6) Total Area to be Used (acres): .2
(7) Total Road Frontage (feet): 55.59 ft
(8) Depth of Property (feet): 120.34 ft
(9) Present Zoning: R

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: RESIDENTIAL

(3) Zoning of surrounding land/property: R1

(4) Will development be staged? ☐ Yes ☐ No N/A

(5) Construction Time: N/A

(6) Season, days, and hours of operation: YEAR-ROUND, BUT MAINLY SUMMER

(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: 2 (1 BEDROOM HOUSE)

(12) Number of parking spaces to be provided: Regular 4 Handicap _____

(13) What is the proposed landscaping and buffering for this property? N/A

C. Plans Prepared By

Name: DAVID KONDNER, SR.

Address: 999 OSPREY LANE, FRONT ROYAL, VA 22630

Telephone Number: 571-488-4449

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. NO

(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? MINIMAL TO NONE

(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 SOLAR LIGHTS (3) TO LIGHT STAIRS GO THE PROPERTY.

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.**

RT 340 NORTH, PAST WALMART/LOWES
RIGHT ON ROCKLAND RD
RIGHT ON BENNY BENCH RD
RIGHT ON OLD DAM RD.
LEFT ON BECKWITH, PROPERTY IS THE NEXT-TO-LAST ON BECKWITH

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.

David Wm Kondes, Sr. 10/12/21

Applicant Signature Date

David Wm Kondes, Sr. 10/12/21

Property Owner Signature Date

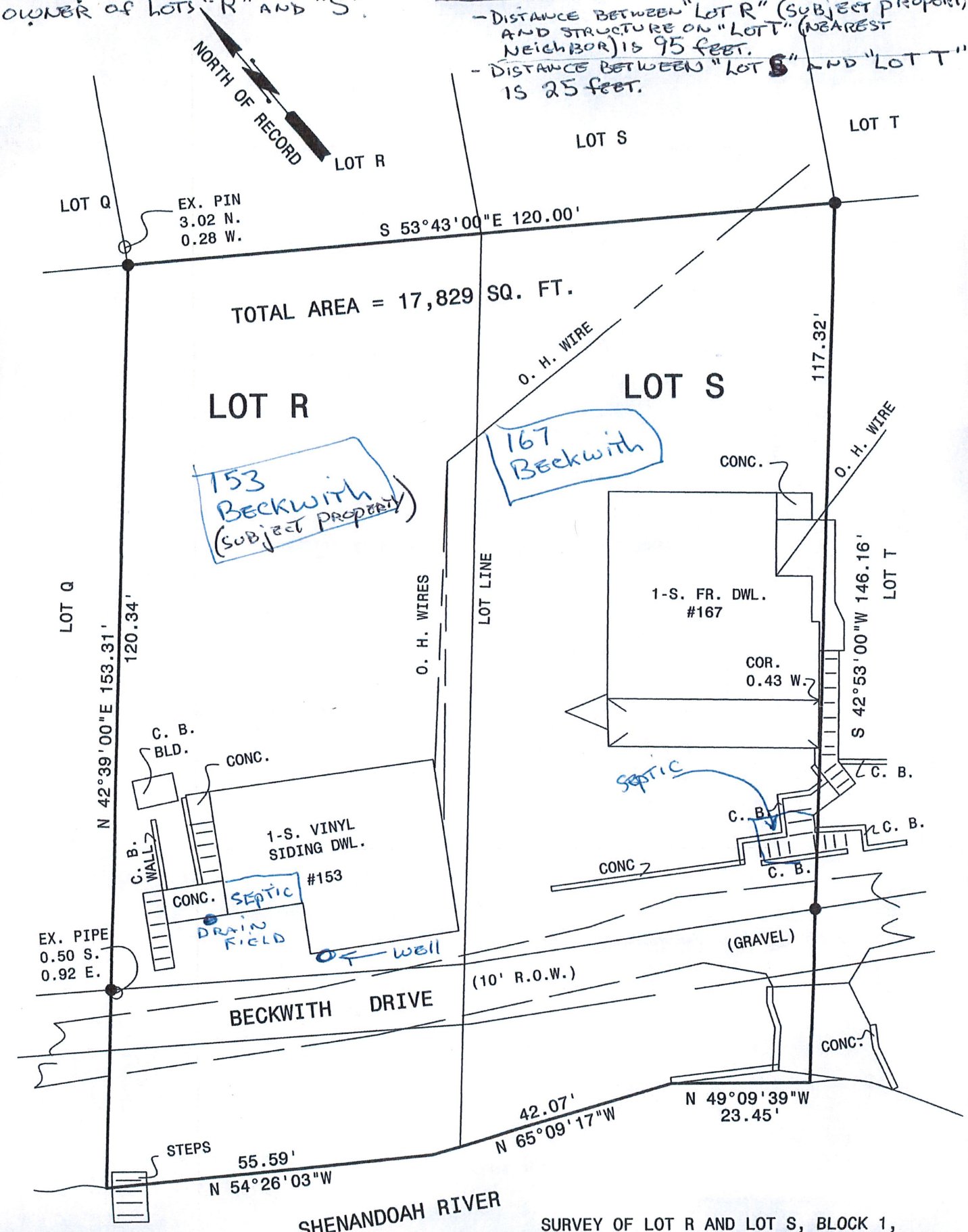
Accepted by: _____ Date: _____

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

DAVID KONDNER IS THE OWNER OF LOTS "R" AND "S".

DISTANCES BETWEEN STRUCTURES:
- DISTANCE BETWEEN "LOT R" (SUBJECT PROPERTY) AND STRUCTURE ON "LOT T" (NEAREST NEIGHBOR) IS 95 FEET.
- DISTANCE BETWEEN "LOT S" AND "LOT T" IS 25 FEET.



● DENOTES IRON PIN SET
○ DENOTES EXISTING PIN OR PIPE
NOTE -SUBJECT TO FLOODING.

SURVEY OF LOT R AND LOT S, BLOCK 1, BENNY MEGEATH LOTS RECORDED IN P. B. 1, PG. 169.

SHENANDOAH MAGISTERIAL DISTRICT

WARREN COUNTY, VIRGINIA

Joe Petty

From: David Beahm
Sent: Thursday, October 28, 2021 11:20 AM
To: Chloe Phillips
Cc: Joe Petty; Paula Fristoe
Subject: Request for Comments 2021-11-05 – David Kondner, Sr. – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000145-2021

Comments 2021-11-05 – David Kondner, Sr. – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000145-2021:

- Erosion and Sediment Control Items:
  - There does not appear to be any land disturbance at this time and therefore nothing would be required. If this is not the case, the normal submission process 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 Of

David C. Beahm, CBO
Building Official

220 North Commerce Ave
Suite
Front Royal, VA 22

540/636-9
FAX 540/636-4

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.

Joe Petty

From: [redacted]
Sent: Friday, December 3, 2021 4:38 PM
To: Joe Petty
Subject: public hearing

public hearing'''' on 153 beckwith front royal va. on dec 8th

Four close neighbors talked about the public hearing on dec 8th.Dave has been renting #153 properety almost all summer. The things we have observed over the summer.Trespassing due too parking fishing and walking on land not belonging to dave. speeding a big safety concern. we all have seen this many times.theft is a big concern also. we had some items missing which has never happened in the past 30 years.Also keeping the right a way open on the road This is a community maintained rd .Which Dave has not contributed any money too the road fund.Most of the neighbors due not want to come to the hearing because of retaliation.

Any questions

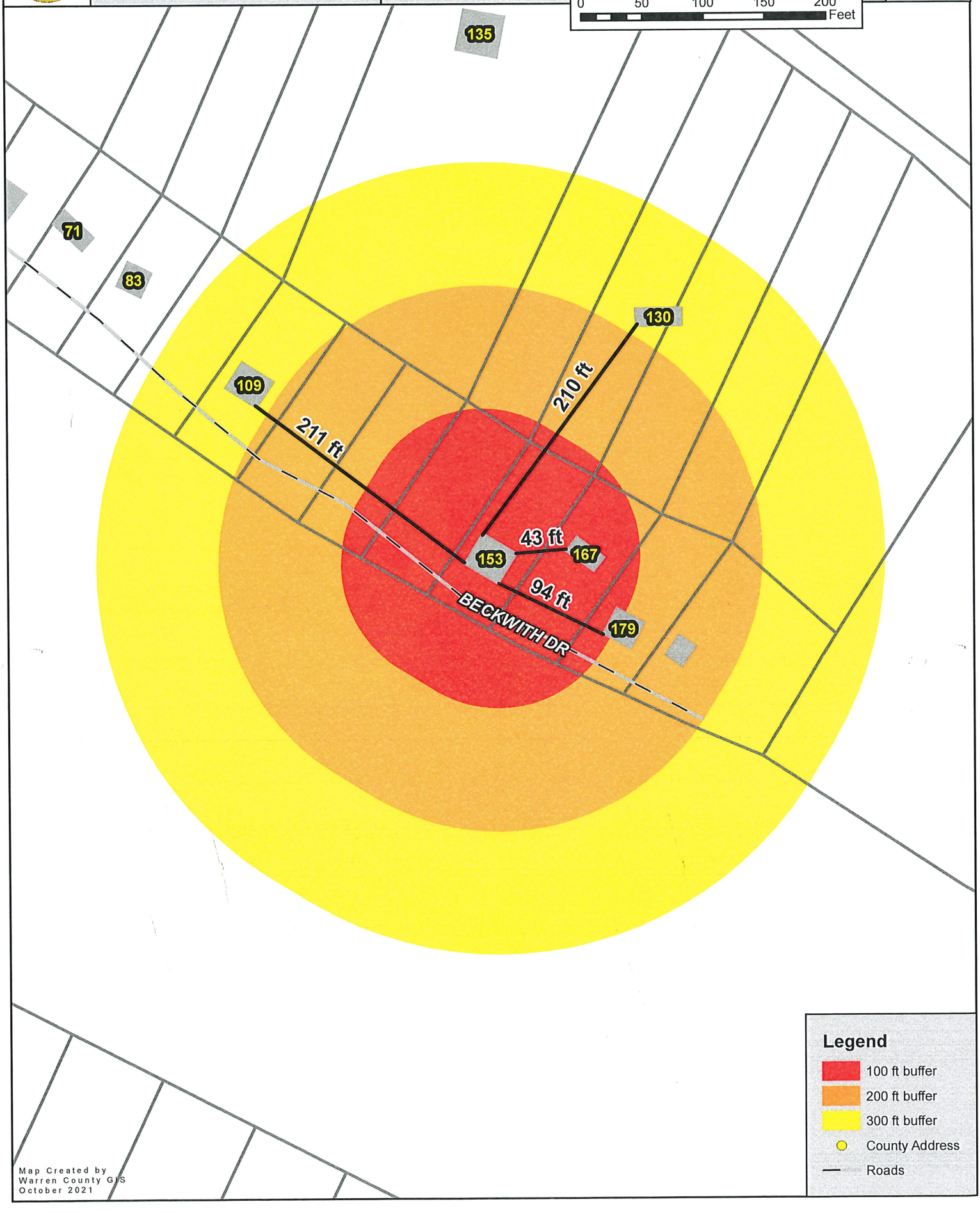
you can call [redacted] at [redacted].....

Warren County, VA
2021

153 Beckwith Drive
TM 21B--1-1---R

Distance to Surrounding Homes
1 inch = 100 feet

0 50 100 150 200 Feet



Map Created by
Warren County GIS
October 2021

153 Beckwith Road



October 19, 2021

1:1,128

0 40 80 160 ft

0 12.5 25 50 m

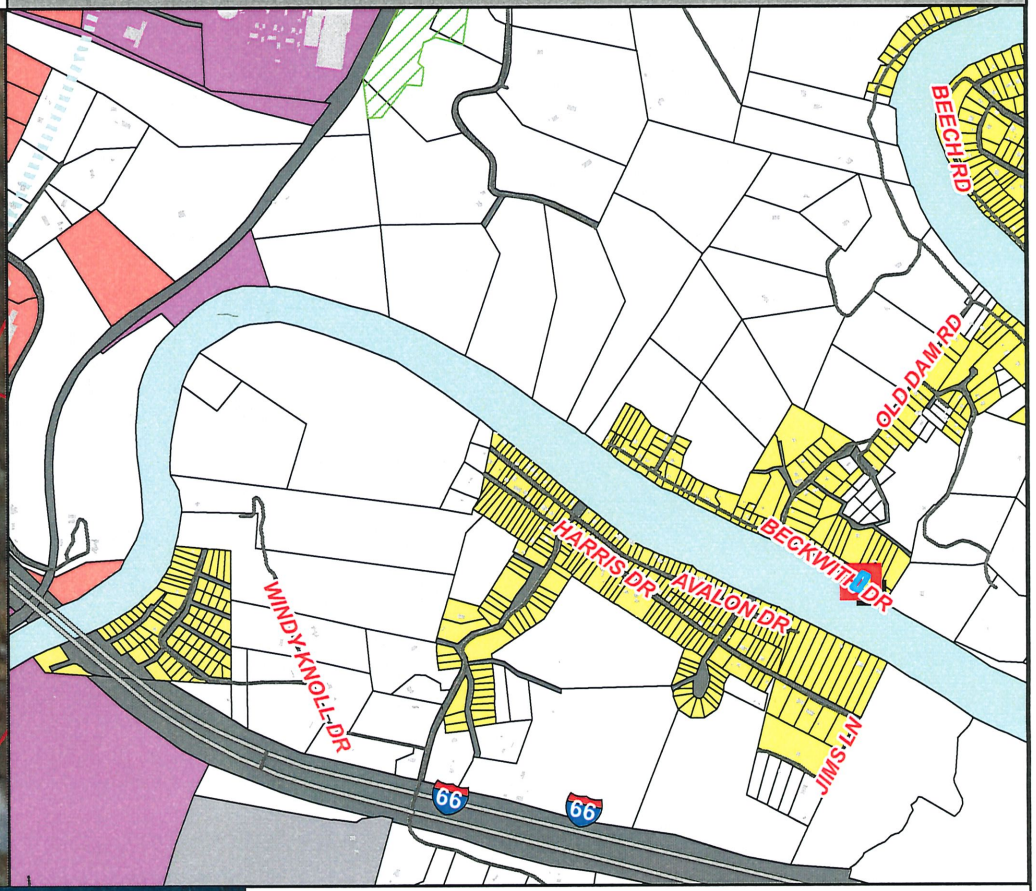
Virginia Geographic Information Network (VGIN)

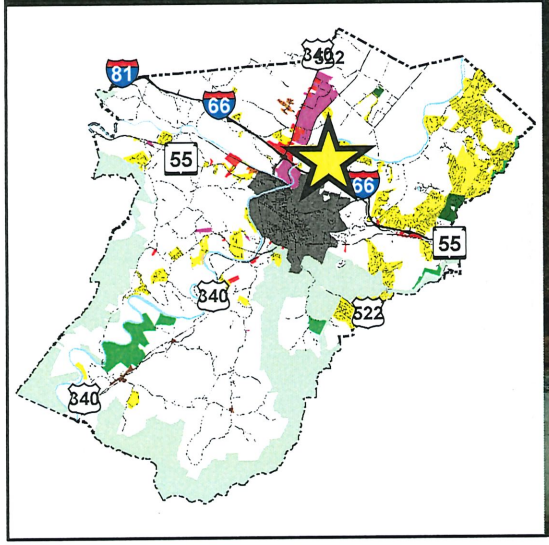
Warren County VA
CUP Location Map

Short-Term Tourist Rental
Applicants: David Kondner

TM 21B--1-1---R









Zoning

- Agricultural
- Commercial
- Industrial
- Residential One
- Residential Two
- Suburban Residential
- Village Residential
- Rural Residential
- Right of Way
- Front Royal
- Federal Land
- State Land
- Water
- 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
2/15/2022	I-6	Conditional Use Permit #2021-11-07 Danielle & David Kibiloski *Bed & Breakfast*	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:

Planning Commission Move to Approve:

Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval The motion was seconded by Mrs. Richardson and approved by the Planning Commission by a vote of 5 – 0.

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.

2. The maximum number of occupants shall not exceed eight (8) as determined according to the Health Department operational permit for a four-bedroom dwelling and septic system.

3. 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.

4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

5. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times.

6. The property owner shall provide transportation for guests to and from the property.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the conditional use permit request of Danielle & David Kibiloski for a Bed & Breakfast 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 Danielle & David Kibiloski for a Bed & Breakfast (List reasons).

SUBMITTED BY:	**DISPOSITION OF BOARD:**	**PROCESSED BY:**
Matt Wendling, CFM *Deputy Planning Director* *County Floodplain Manager*	☐ **APPROVED** ☐ **OTHER (Describe)**	

Conditional Use Permit: 2021-11-07/ Bed & Breakfast
Danielle & David Kibiloski, *Applicants/ Owners*
Staff Report for the Planning Commission
Prepared: October 20, 2021, **Revised: December 13, 2021**
Staff: Matt Wendling, Deputy Planning Director/County Floodplain Manager MW

SUMMARY OF REQUEST

The applicants are requesting a conditional use permit for a "Bed and Breakfast" for rental of rooms in their single-family dwelling for less 14 days or less. In the statement of justification, the applicants state that their B&B will serve the through hikers on the Appalachian Trail from April through July. They plan to have a transport service to pick up the hikers at the trailhead and bring them to both the residence and the downtown area for shopping and dining at some of the local eateries. This would allow their guests to replenish their supplies and food for the continuation of there journey. They will offer, hot showers, a warm bed and a hearty breakfast to get them on their way. The applicants feel that the A.T. is an important resource for both local hikers and through hikers and also an economic resource for the community businesses and tourism venues. They have designated the business as a 401-3c in order to make contributions of some of their profits to the Northern Virginia 4-H Center Endowment fund to benefit youth campers coming to the 4-H Center.

PROPERTY INFORMATION

Property Location: 990 Hillandale Rd.
Tax Map ID: # 30C-1-5-50
Magisterial District: South River
Subdivision: Green Hill Forest
Town/Village: Front Royal
Zoning: Agricultural (A)
Acres: 5.01
Existing Land Use: Single Family Dwelling
Special Flood Hazard Area: The property and dwelling are in a Non-Floodzone "X" area.

SURROUNDING ZONING DISTRICTS & USES

North:	Agricultural (A)	Use: SFD with Woodlands
South:	Agricultural (A)	Use: SFD with Woodlands
East:	Agricultural (A)	Use: SFD with Woodlands
West:	Agricultural (A)	Use: SFD with Woodlands

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.

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 Bed and Breakfast by conditional use permit in the Warren County Zoning Ordinance Section §180-21. This property is located in an area with single family dwellings and forest and is in a subdivision served by private roads. Bed and Breakfast establishments 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 Bed and Breakfast is defined by the Warren County Zoning Ordinance as, *"An establishment operated for the purpose of providing overnight accommodations for no more than 20 transient guests staying no more than 14 days, with common rooms (living, dining, etc.) available for use by the guests, a complimentary breakfast included and the owner or manager living on the premises."*

THERE ARE NO SUPPLEMENTARY REGULATIONS FOR BED AND BREAKFAST ESTABLISHMENTS

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 and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.

2. **The maximum number of occupants shall not exceed eight (8) as determined according to the Health Department operational permit for a four-bedroom dwelling and septic system.**

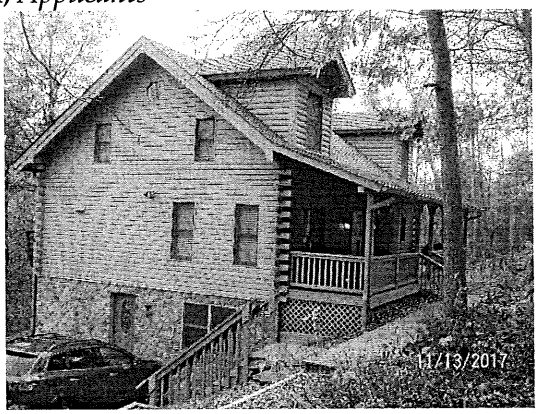
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.

4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

5. **Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times.**

6. **The property owner shall provide transportation for guests to and from the property.**

Cc: Danielle & David Kibiloski, *Applicants*



Warren County Planning Commission

October 19, 2021

Dear Commission Members,

My wife, Danielle, and I would like to obtain a Bed and Breakfast permit in order to live a lifelong dream—giving back to the Appalachian Trail Community. Our Bed and Breakfast will cater mainly to hikers from April to July as it is the busiest time for the trail and allows us to live a "normal" life outside of this timeframe.

Our mission is to promote the outdoors as a singular way to improve the lives of children. Some of the profits and all donations will go to this end. This past year we had several hikers stay with us free of charge and received $1,000 in donations for the cause. The donated money will go to the 4-H Center's emerging J. Vincent and Evelyn R. Stanton Northern Virginia 4-H Center Endowment. Proceeds from the endowment will go directly towards subsidizing the cost of 4-H Camp for youth throughout Northern Virginia. This is consistent with our mission.

We are also passionate about the community we live in. The abundance of locally owned businesses makes "showing off" the town to hikers so easy. We transport the hikers to town every afternoon where they eat at the many fine restaurants (Spelunkers is raved about), replace gear at Mountain Trails Outfitter, purchase food for their hike, and generally enjoy being off the trail.

We look forward to working with the Commission to make this dream a reality. Thank you for your kind consideration.

Warm Regards,

David and Danielle Kibiloski
CEO

WCCUP-000147-2021

WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION

Application Number: 2021-11-07
Date Received: 10/19/2021
Fee Amount: $ 500.00
Date Paid: 10/19/2021 CK# 1429

Applicant Information:

Danielle + David Kibiloski
Applicant Name

990 Hillandale Road | Front Royal | VA | 22630
Address | *City* | *State* | *Zip*

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

703-470-1654 | david.kibiloski@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: 990 Hillandale Rd. Front Royal, VA 22630
(2) Election District: 201
(3) Tax Map Number: 30C-1-5-50
(4) Subdivision Name: Green Hill Forest
(5) Total Area of Property (acres): 5.01
(6) Total Area to be Used (acres): ≤ 1 ACRE
(7) Total Road Frontage (feet): 200
(8) Depth of Property (feet): 1000
(9) Present Zoning: Agricultural

B. Proposed Use of Property

(1) State the proposed use(s) for the Conditional Use Permit: Bed and Breakfast

(2) Current land use and condition of site: RESIDENTIAL

(3) Zoning of surrounding land/property: AGRICULTURE

(4) Will development be staged? ☐ Yes ☒ No

(5) Construction Time: N/A

(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: 1

(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: 10

(12) Number of parking spaces to be provided: Regular 1 Handicap 1

(13) What is the proposed landscaping and buffering for this property? NONE. NATURAL BOUNDARY OF TREES SURROUND 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?) _____

(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?) _____

(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.) _____

(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. _____

(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.) _____

(6) What will be the impact on traffic? _____

(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. _____

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.** PLAT

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**

N/A 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**

N/A 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**

N/A 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.**

SOUTH ON COMMERCE. LEFT ON JOHN MARSHALL HIGHWAY. LEFT ON HILLANDALE RD. RIGHT @ 990 HILLANDALE RD.

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 — October 19, 2021 — Date

Property Owner Signature — October 19, 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

DRAINFIELD LOCATION SURVEY
LOT 50, SECTION 5,
GREEN HILL FOREST,
DEED BOOK 202 PAGE 617,
HAPPY CREEK DISTRICT,
WARREN COUNTY, VIRGINIA

SCALE:	DATE:	PREPARED BY:
1" = 60'	JANUARY 25, 2021	PIONEER LAND SURVEYS PLC P.O. BOX 1012, FRONT ROYAL, VA 22630 PH 540 631-0700
JOB: W21-13	PAPER SIZE: 18" X 24"	

DRAWING FILE: 990 HILLANDALE RD SURVEY.dwg

SHEET: 1 OF 1

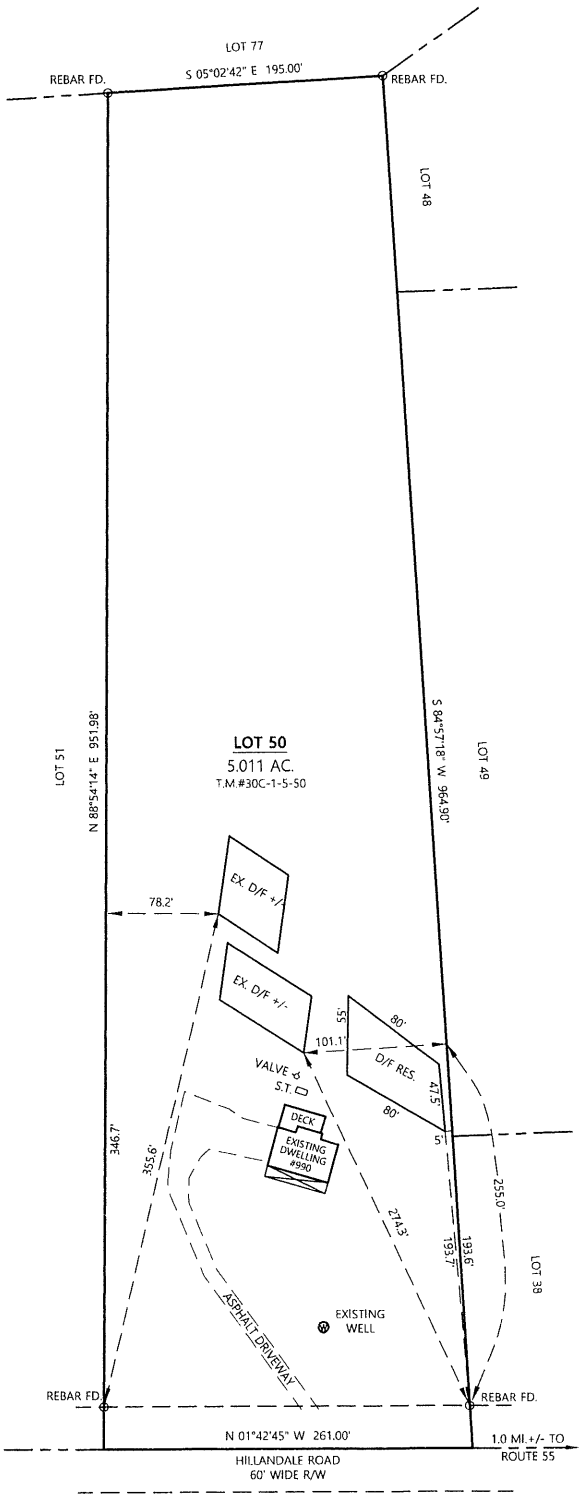
CURRENT OWNER: DAVID & DANIELLE KIBILOSKI INST.#200004968

NOTES:
1 THE LAND BOUNDARY SHOWN HEREON WAS TAKEN FROM SURVEY OF RECORD PERFORMED BY JOSEPH BROGAN, SR. RECORDED IN DEED BOOK 202 PAGE 617 AND ROTATED TO NAD 83 GRID NORTH. A CURRENT LAND BOUNDARY SURVEY WAS NOT PERFORMED BY THIS OFFICE ON THE ENTIRE PARCEL.
2. THIS PROPERTY IS SUBJECT TO ANY ADDITIONAL EASEMENTS THAT MAY NOT BE SHOWN HEREON.
3. ZONED: AGRICULTURAL

COMMONWEALTH OF VIRGINIA
01/25/21
PRESTON M. HUMPHREYS
Lic. No. 3232
LAND SURVEYOR

NAD83 GRID NORTH

0 60 120 180



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

LORD FAIRFAX HEALTH DISTRICT

VDH VIRGINIA DEPARTMENT OF HEALTH
Protecting You and Your Environment

December 28, 2021

Matt Wendling, Deputy Planning Director
Warren County Planning and Zoning
220 N Commerce Ave., Suite 400
Front Royal, Virginia 22630

RE: Request for Comments (2021-11-07)
Owner: Danielle & David Kibiloski

Dear Mr. Wendling,

I have reviewed your request for comments regarding the property at 990 Hillandale Rd. Front Royal, VA (Tax Map# 30C-1-5-50) and I offer the following comments:

1. **There is a Construction Permit, ROI and Operation Permit on file for the referenced property dated 4/26/1990, 4/02/1991 and 9/23/1991 respectively. A Repair Permit was issued on 10/29/1992 to install additional trenching and a ROI dated 5/14/1993 is on file. A Repair Permit was issued on 4/21/2014 to replace a distribution box and that was inspected.**
2. **The dwelling is served by a Conventional Onsite Sewage System (COSS). The COSS is designed for Two (2) Bedrooms, Four (4) Occupants and 300 gallons per day. A Conditional Permit was issued on 9/11/2013 that allowed for Four (4) Bedrooms, Four (4) Occupants, 300 gallons per day.**
3. **A Construction Permit was issued on March 24, 2021 that allows for the COSS to be converted to an Alternative Onsite Sewage System (AOSS) that would accommodate a Five (5) Bedroom dwelling with Ten (10) occupants and a design flow of 750 gallons per day. There is no documentation indicating the upgrades have been made. This permit will expire on 9/25/2022.**
4. **The dwelling is served by a private Class IIIB Well. A sample of the water should be collected and tested by a state approved lab at least annually.**
5. **In order to operate a Bed & Breakfast, the applicant will need to have a Food Service Permit issued by this office.**
6. **Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.**

Please contact me at (540) 635-3159 should you have any questions.

Sincerely,

Jim Davis
Environmental Health Supervisor

Chloe Phillips

From: David Beahm
Sent: Wednesday, October 20, 2021 3:03 PM
To: Chloe Phillips
Cc: Joe Petty; Paula Fristoe
Subject: Request for Comments 2021-11-07 – Danielle & David Kibiloski – Conditional Use Permit for Bed & Breakfast – WCCUP-000147-2021

Comments 2021-11-07 – Danielle & David Kibiloski – Conditional Use Permit for Bed & Breakfast – WCCUP-000147-2021:

- Erosion and Sediment Control Items:
  - There does not appear to be any land disturbance at this time and therefore nothing would be required. If this is not the case, the normal submission process would be required.

- Building Inspections Items:
  - The use of the existing dwelling for a "Bed & Breakfast" 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 it as a Bed & Breakfast.
  - 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

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.



Scott and Lisa Jenkins
Anything's Possible, LLC
3471 Remount Road
Front Royal, VA 22630
(540) 692-6198

April 18, 2021

TO: Warren County Board of Supervisors
RE: Support for David and Danielle Kibiloski's application to operate Stumble Inn Bed & Breakfast

We write to you today to express our support for David and Danielle Kibiloski's submission to operate a Bed & Breakfast at their residence, 990 Hillandale Road, Front Royal, VA 22630. During the course of 2020, we had a chance to get to know David and Danielle and found that we share a passion for hiking, spending time in the mountains, and supporting Appalachian Trail hikers. As they described their experience as seasoned thru-hikers and explained their vision for a hiker-focused B&B in Warren County, we heard echoes of the same enthusiasm we felt in 2012/2013 as we embarked on establishing Mountain Home B&B. Since we began operations in 2014, our enthusiasm has only grown. Our commitment to making Warren County a preferred destination for hikers and other outdoor enthusiasts is stronger than ever, and we see Stumble Inn as an excellent complement to the services we offer here at Mountain Home.

Not only is there room in Warren County for another hiker-focused B&B, there is an overriding need. When we first started operation, there was a hostel operating a couple of miles away, just over the Rappahannock/Warren County line. We were able to work together to take care of hikers and make sure they had a place to stay and a ride into town for resupply/meals. That hostel closed in 2019 and last year, even with pandemic-induced reductions in hiker volume, we found ourselves having to turn away hikers when we reached full capacity. Many of those turned away decided to hike on, foregoing a night's stay in County lodging and missing out on the pleasure of dining in one of our community's many fine restaurants. Each hiker spends money, easily $50-$100/day, when they stay overnight in Warren County, and in a normal year, we are likely to see thousands of hikers. This translates into customers for local businesses and tax revenue for our community. The scarcity of hiker-focused lodging hurts Warren County's

economy. The Kibiloski's B&B will help fill this gap in hiker services, benefitting hikers and the local economy.

Since 2012, Warren County has been an official Appalachian Trail Community. More than 20 local businesses are official AT Community Supporters. These are businesses that recognize the value AT hikers bring to Warren County and that pledge to support the hiking community in a variety of ways. David and Danielle have joined our AT Community as Supporters. They have come to Warren County to set down roots and to contribute to the vitality that makes this a great place to live (and visit). They recently renovated their residence, specifically to facilitate a safe, warm, and welcoming environment for overnight guests. Their property's location is well-suited for the services they seek to offer. We urge the Warren County Board of Supervisors to approve their request to open a Bed & Breakfast.

Regards,

Scott and Lisa Jenkins
Mountain Home Bed & Breakfast
3471 Remount Rd.
Front Royal, VA 22630

Susan J. Tschirhart
327 Skyline Place
Front Royal, VA 22630
703-907-9662

April 17, 2021

County of Warren
220 N. Commerce Avenue
Front Royal, VA 22630

Re: Stumble Inn
Owners/Operators: David and Danielle Kibiloski
Address: 990 Hillandale Avenue
Front Royal, VA

To Whom It May Concern:

Please accept this letter in support of the application of David and Danielle Kibiloski relative to their new bed-n-breakfast business, Stumble Inn, located at the above Address.

I had the distinct pleasure of welcoming David and Danielle to the local Appalachian Trail Community during a tour of the Stumble Inn property and hear of their vision and desire to be engaged, collaborative partners in our community. The care they took in developing their property shows a good understanding of the lodging industry as well as the specific and unique needs of the hiking community. Their choice to establish their business here proves that there is much opportunity when we harness our local natural assets for economic development.

What a wonderful addition to our community and I hope you approve their application with great confidence that they will be good busines owners, partners and neighbors.

Respectfully,

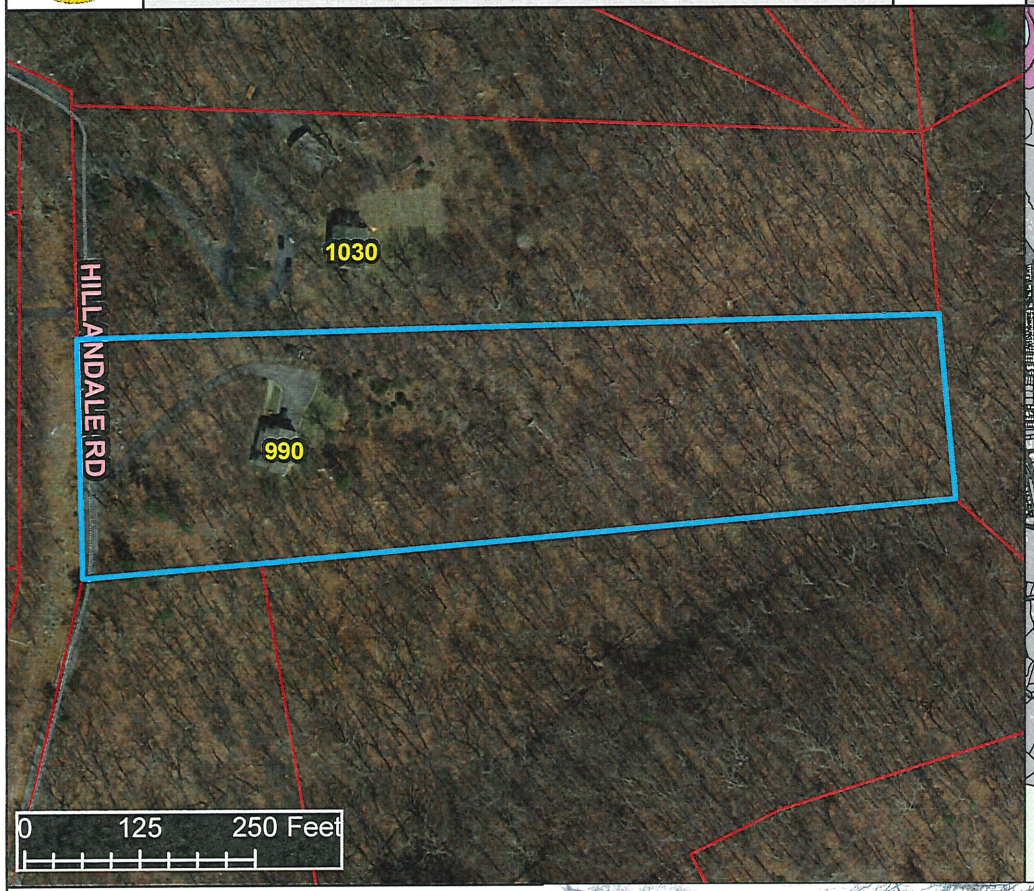
Susan J. Tschirhart

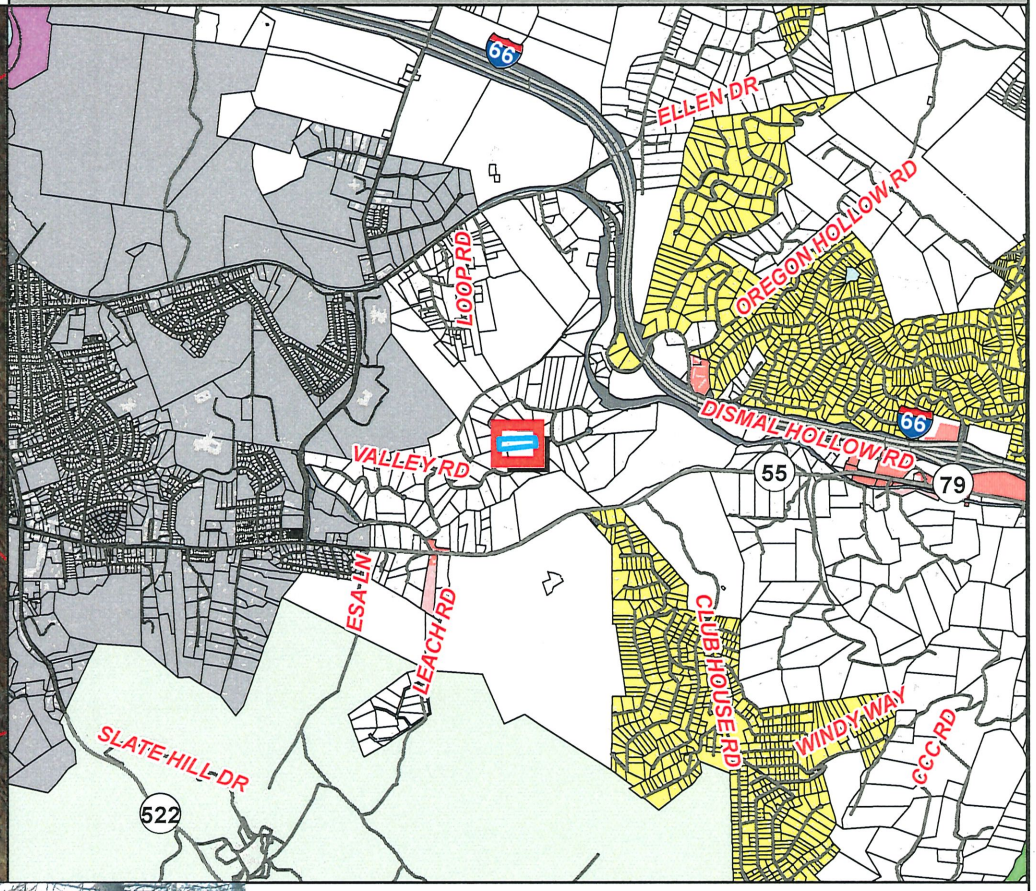
Chair: Front Royal-Warren County Appalachian Trail Community
Principal/Guide: Next Bend Adventures, LLC
Advisor: Venturing Crew 247
Host: Third Thursdays, Exploring the Outdoors

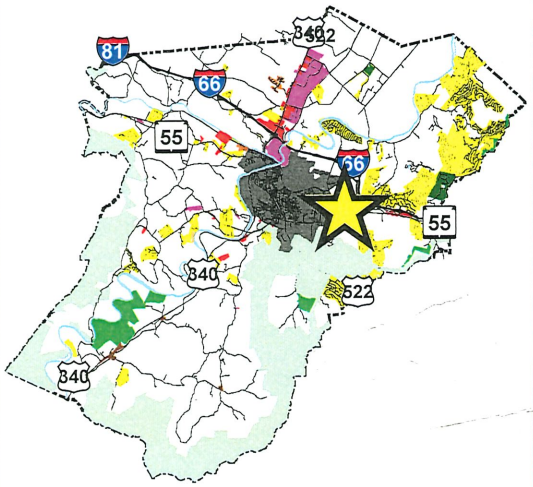
Warren County VA
CUP Location Map

ed and Breakfast
Applicants: David Kibiloski

TM C--1-5--50
Green Hill Forest Subdivision









Zoning

- Agricultural
- Commercial
- Industrial
- Residential One
- Residential Two
- Suburban Residential
- Village Residential
- Rural Residential
- Right of Way
- Front Royal
- Federal Land
- State Land
- Water
- 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
2/15/2022	I-7	Conditional Use Permit #2021-12-02 John Lavoie *Short-Term Tourist Rental*	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:

Planning Commission Move 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 5 – 0.

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.

2. The maximum number of occupants shall not exceed six (6) as determined according to the Health Department operational permit for a three-bedroom for the single-family dwelling.

3. 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.

4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

5. The discharge of firearms and hunting on the property by guests shall be prohibited.

6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.

PROPOSED OR SUGGESTED MOTION:

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

SUBMITTED BY:	**DISPOSITION OF BOARD:**	**PROCESSED BY:**
Matt Wendling, CFM *Deputy Planning Director* *County Floodplain Manager*	☐ **APPROVED** ☐ **OTHER (Describe)**	

Conditional Use Permit: 2021-12-02/ Short Term Tourist Rental
John Lavoie, *Applicant/ Owner*
Staff Report for the Planning Commission
Prepared: November 23rd, 2021 **Revised: January 12, 2022**
Staff: Matt Wendling, *Deputy Planning Director/County Floodplain Manager*

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a Short-term Tourist Rental for rental of the single-family dwelling for less than thirty days. The applicant recently purchased the property in January 2021 and would like to be able to offset the costs for maintenance, insurance and the mortgage by renting short term. The applicant states he plans to operate the rental part-time since he and his family will be using it for their own personal use as a second home to enjoy Warren County and the Shenandoah Valley. He intends to have an active role in managing the rental but has retained an experienced management company, "Stay Bnb DC" which has managed other local properties in the area. The owner plan to make a number of improvements to the current 1 room hunter's cabin and expand it to 2 bedrooms, 2 bath and other living quarters. There also will be improvement to the property grounds by installing landscaping for screening and privacy fencing.

PROPERTY INFORMATION

Property Location: 1196 Old Oak Ln.
Tax Map ID: # 7A-4--15
Magisterial District: Shenandoah
Subdivision: Shenandoah Farms
Town/Village: Front Royal
Zoning: Residential One (R-1)
Acres: 1.108
Existing Land Use: Single Family Dwelling
Special Flood Hazard Area: The property and dwelling are in a Non-Floodzone "X" area.

SURROUNDING ZONING DISTRICTS & USES

North:	Residential One (R-1)	Use: Vacant Lot with Woodlands
South:	Residential One (R-1)	Use: SFD with Woodlands
East:	Residential One (R-1)	Use: Vacant Lot with Woodlands
West:	Residential One (R-1)	Use: Single-Family Dwelling with Pasture

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PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential One (R-1) zoning district and has no previous zoning violations or conditional use permits issued to the property.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for residential land uses which allows for a Short-term Tourist Rental by conditional use permit in the Warren County Zoning Ordinance Section §180-22. 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. **Staff has submitted a request for septic system information for the property for the septic system operational permit to WCHD. Staff will provide additional comments, if necessary, comments have 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. **The applicant shall provide drawing of the location for parking in the property management plan.**

D. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times. **The boundary lines shall be marked according to location shown on the survey.**

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 for a transient boarding facility 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 Property Management Plan needs to be submitted and 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. Stay BnB DC is the company that will be the acting property manager and the applicant will be available also.**

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 Shenandoah Farms subdivision and a copy of the application will be sent to their POA/HOA.**

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 have it 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 comply 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 dwelling meets the setback requirements to adjacent single-family dwellings which is 270′ to the closest dwelling located to the south.**

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 and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.

2. The maximum number of occupants shall not exceed six as determined according to the Health Department operational permit for a three-bedroom dwelling.

3. 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.

4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

5. The discharge of firearms and hunting on the property by guests shall be prohibited.

6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.

Cc: John Lavoie, Applicant



Statement of Justification
John Lavoie, Property Owner/Manager - *Integrity Homes and Properties*
Application for Conditional Use Permit to Establish a Short-term Tourist Rental

This application is a request for Conditional Use Permit (CUP) approval to establish a short-term tourist rental use at 1196 Old Oak Lane in Shenandoah Farms. The property is identified as Warren County Tax Map #7A-4-15 and is 1.108 acres in size. The property is zoned Residential-1 (R-1) District.

Our intention is to provide a quiet cabin of refuge for up to six occupants (subject to final Occupancy Permit Approval) who are searching to connect with the natural beauty of the Shenandoah Valley and Front Royal, in particular. We intend to create this experience through deep ties to the local community. The property is currently developed with an existing 1 room hunter's cabin totaling approximately 480 square feet with no running water. We plan to renovate the cabin into a luxurious single-family dwelling consisting of 2 bedrooms, 2 bathrooms, and 2-car garage, with amenities including a hot tub, skylights, and screened-in-porch. These improvements represent a multiple six-figure investment into the property, and will be completed using a local builder, local craftsman, and local design professionals. The rental operation will further be supported by a locally based property management company and local cleaning crews. Additionally, guests will be encouraged to make use of local state parks and visit nearby restaurants, wineries, and attractions.

Our primary reason for offering the cabin as a short term rental is our own family's interest in spending more time in the area. We have personally visited the property (often accompanied by our 3 and 6 year old children) to clear brush, landscape, and chop and stack firewood. We regularly visit the Shenandoah Valley to "escape" from the bustle of daily life in Fairfax County and see this as an opportunity to fund our own time spent in the area as well as giving others a chance to get out to the country.

Management and Maintenance
As the property owner, we will play an active role in management of the proposed short-term tourist rental. That said, we recognize the advantage of having a professional team supporting our efforts, both to ensure a superior guest experience and provide the most rapid response possible should an issue arise. To that end, we have contracted with Stay BnB DC to serve as our professional property manager. Possessing 10 years of experience in the short term rental market, Stay BnB DC has a portfolio of over 39 AirBnB Properties under management in the DC Metro Area, and has been operating in the Shenandoah Valley region for the past 3 years. Of particular relevance, Stay BnB DC currently manages another short term tourist rental in the Shenandoah Farms neighborhood located at 186 Reid Drive. After speaking with the Shenandoah Farms POA, we can confirm they have received no complaints from neighbors over the past year of its management. In short, we are confident that Stay BnB DC is the ideal partner in managing our short term rental in a manner that will ensure compatibility with the surrounding neighborhood.

To complement Stay BnB DC's management services, we will be personally available for guests and neighbors to contact in the event of an issue or concern. Such accessibility and responsiveness will provide further assurance of the property's upkeep and long-term compatibility with the surrounding neighborhood. Indeed, while the first point of contact will be Stay BnB DC, we want the neighborhood to have confidence that anyone who has any issue with the property will be dealt with swiftly and completely. The principal owner contact, John Lavoie, resides only 50 minutes from the cabin and has a flexible employment situation, and will be available "24/7" to be on site should the need arise.

Impact Mitigation

The property is located on Old Oak Lane with roughly 300 feet of road frontage, and the cabin is elevated approximately 30 feet above the road surface due to the lot being located at the base of the hill. The topography of the property creates a degree of separation for the cabin that promotes the privacy of guests and neighboring residents alike, and we plan to plant trees and other landscaping near the front of the property to enhance such separation. Our intention is to use the natural elements of topography and vegetation to maximize privacy and minimize any indication that a short term tourist rental operates on the property. In short, we are committed to maintaining the existing residential character of the neighborhood.

We believe that the combination of all the above factors will result in the creation and operation of an experience that benefits the local economy, improves the value of the property, and allows our family to personally experience all the beauty that Front Royal has to offer. Our desire is to respect and contribute to this community in economic, sustainable, and neighborly ways. Thank you for your consideration.

John Lavoie
Manager - Integrity Homes and Properties LLC
703-615-8571

WCCUP-000150-2021

WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION

Application Number: 2021-12-02
Date Received: 11/16/2021
Fee Amount: $ 500.00 Check #109
Date Paid: 11/16/2021

Applicant Information:

John Lavoie
Applicant Name

5700 Harrison House Ct | Centreville | VA | 20120
Address | *City* | *State* | *Zip*

1196 Old Oak Lane Front Royal, VA 22630
Property Location for conditional use permit if Different than Applicant's Address

703-615-8571 | Integrity.Homes.4@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: 1196 Old Oak Lane Front Royal, VA 22630
(2) Election District: Shenandoah Election District
(3) Tax Map Number: 7A 4 15
(4) Subdivision Name: Shenandoah Farms
(5) Total Area of Property (acres): 1.108 Acres
(6) Total Area to be Used (acres): 1.108 Acres
(7) Total Road Frontage (feet): 302 Feet
(8) Depth of Property (feet): 287 Feet
(9) Present Zoning: Residential One (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: Single-Family Dwelling (Built/Developed)

(3) Zoning of surrounding land/property: R-1

(4) Will development be staged? ☐ Yes ■ No

(5) Construction Time: 4-6 Months

(6) Season, days, and hours of operation: Availalbe for rental year-round

(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 on site; owner and property manager to be available 24/7

(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 6 Handicap _____

(13) What is the proposed landscaping and buffering for this property? Privacy fencing in rear of property, 15+ privacy trees - all described in greater detail within Attachment A of the Property Management Plan.

C. Plans Prepared By

Name: John Lavoie

Address: 5700 Harrison House Ct Centreville, VA 20120

Telephone Number: 703-615-8571

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, we do not anticipate any adverse impact on the environment. We address potential community impact in the attached Community Impact statement.

(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?) Trash that is generated by guests will be removed from the premises by a professional cleaning team after each guest checks out from the property.

(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.) N/A

(6) What will be the impact on traffic? Minimal, equivalent to single family dwelling when occupied; due to the reality of property vacancy we expect there to be less traffic than if a permanent resident lived at 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. 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 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.**

1. Take E 3rd St to Commerce Ave.
2. Turn left onto Commerce Ave.
3. Turn Right onto E 6th street.
4. Follow Happy Creek Rd to 643.
5. Turn right onto 643 Howellsville Rd.
6. 643 becomes 603 becomes 638
7. Turn right onto Manor Rd
8. Turn right onto Old Oak Ln
9. Property on left

*Note: there are two driveway entrances.

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 — Date: 11/16/2021

Property Owner Signature — Date: 11/16/2021

Accepted by: Chase Lewis — Date: 11/16/2021

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

Community Impact Statement: Landscaping Privacy Design Images:

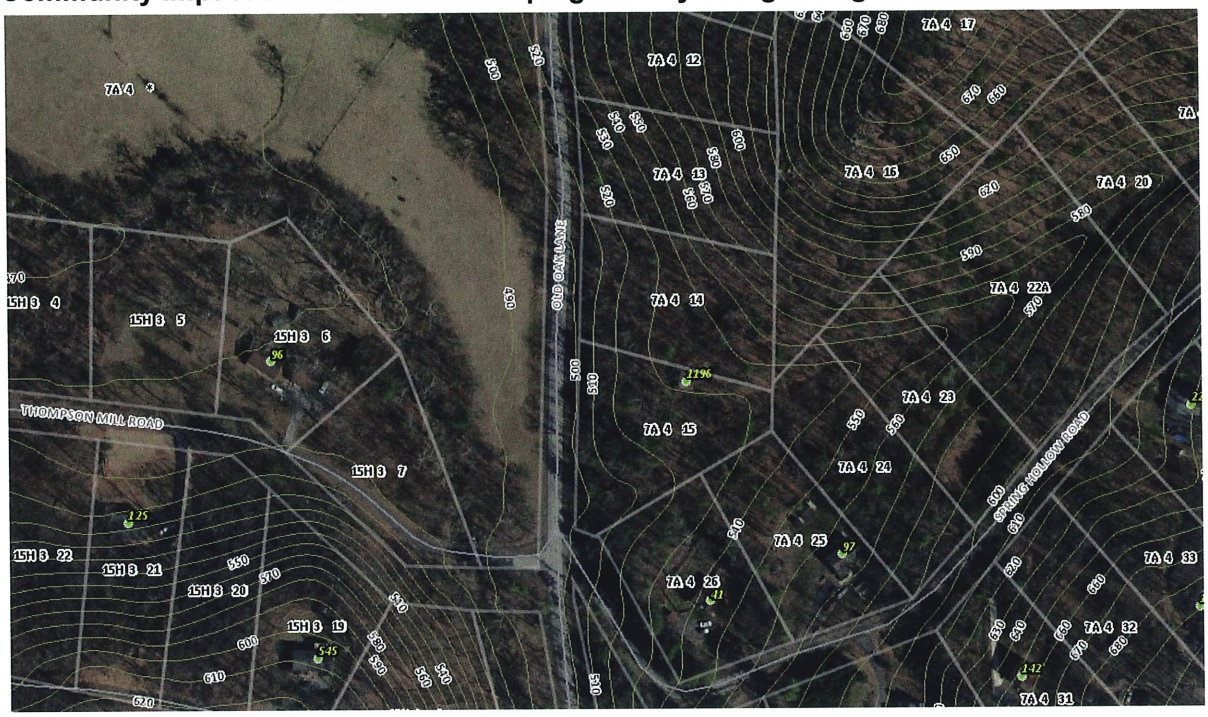


**Figure 1: Warren County GIS Map view, visible nearby neighbors are 41 and 97 Spring Hollow Road, and 96 Thompson Mill Road. All adjacent neighbors are greater than 100 feet from the property.*

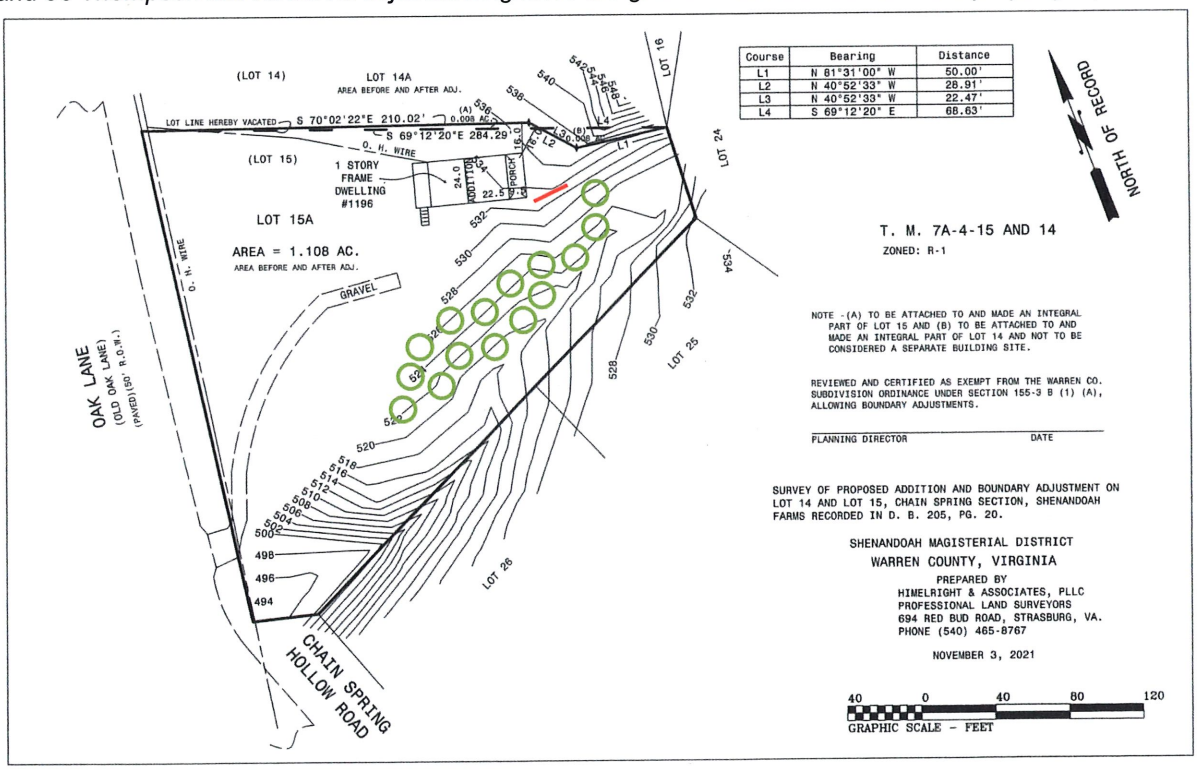


**Figure 2: Lot 15 Contour design showing proposed building addition approximate location of privacy fencing (marked red) and privacy trees (marked green).*

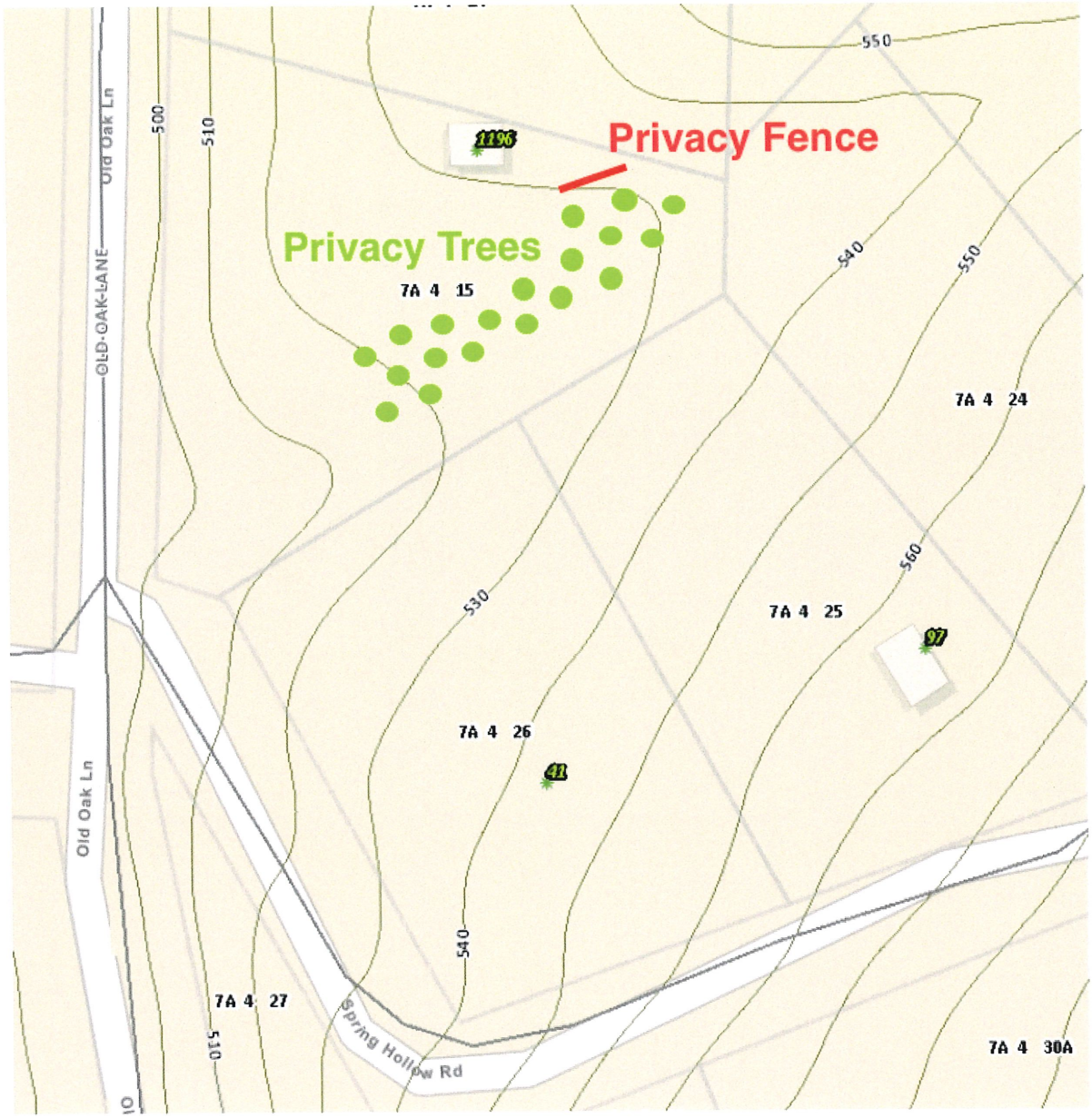


**Figure 3: Warren County GIS: Angled view of where privacy fence and landscaping (marked red) will create privacy between guests and neighbors.*

Community Impact Statement
John Lavoie, Manager - *Integrity Homes and Properties*
Application for Conditional Use Permit to Establish a Short-term Tourist Rental

The proposed short-term tourist rental use will involve impacts that are equivalent to, if not less than, what is typical for a single family dwelling, which is the prior established use of the property and surrounding properties. Notably, traffic generation will be less than what is customary for a single family dwelling, as guest occupancy will not occur on a daily basis, but will instead be intermittent. Moreover, due to the occupancy limit of six (6) guests, the size of and configuration of the property is adequate to accommodate all aspects of the proposed short-term tourist rental without any visual impact on surrounding properties. In short, the proposed short-term tourist rental use will operate in a manner that is compatible with and complementary to the established residential character of the neighborhood.

Impact Mitigation Commitments
To ensure the impacts of the proposed short-term tourist rental use are effectively mitigated, we are committed to the following actions:

Exterior Remote Audio and Video noise monitoring devices. The property will be equipped with exterior (driveway facing) video monitors as well as decibel noise level monitoring sensors to ensure that property management and/or the owner is notified in the event that a guest is consistently creating noise levels beyond that which is allowed by local laws/ordinances. The sound monitoring systems utilized are Minut and NoiseAware. Stay BnB DC's operations team is automatically notified in the event of a decibel noise threshold being exceeded for more than 15 minutes. The noise threshold is set lower at night to ensure guests do not disturb neighbors. These devices are advertised as part of the listing and guests agree to their presence (outside the home) on the property. Guests will be well-informed of the existence and location of these devices during the booking process and will acknowledge in their lease.

Landscaping privacy. Our intention is to plant a minimum of 15 large privacy trees located on the southern side of the property to create a visual barrier between our home and the two neighbors who are next door. (see Landscaping Privacy Design Images, Page 3 onward)

Privacy fencing. We will create a large 8 foot high by 18 foot long privacy fence located directly behind the extension of the cabin. This will provide a visual and sound buffer to create a private backyard space for guests as well as to protect the privacy of nearby homes. (see Landscaping Privacy Design Images, Page 3 onward)

Sound privacy. We are including no portable or wired audio speakers in the home beyond anything physically bolted to indoor televisions. The goal is to minimize the risk of any guest playing loud music outside the home.

Occupancy limitations. We will allow a maximum of 6 guests at a time in compliance with state and local occupancy permitting. We do not yet have an occupancy permit because the building renovations are not yet completed.

House Rules. Along with the Emergency Evacuation Plan, emergency assistance numbers, and Chapter 123 of the Warren County Code pertaining to noise we will place prominently in the living room a copy of the house rules. House Rules are described in detail on page 2-3 above.

Neighborhood and Guest Complaints and Emergencies. The property management company, Stay BnB DC, will be available for immediate response. Property Owner, John Lavoie, will also be personally available for contact "24/7" if a guest or neighboring owner is somehow unable to be assisted by Stay BnB DC. We do not anticipate any scenario where the property management company will not be accessible/responsive, but want to provide an extraordinary level of assistance in the event it is necessary. John is located 50 minutes away in Centreville and has a flexible work from home schedule that enables him to be on-site should circumstances dictate.

Current State - no neighborhood complaints. As of the date of this permit application, neither the Shenandoah Farms POA or Stay BnB DC has received no complaints from surrounding neighbors about guests at a nearby short-term tourist rental it manages, and the Shenandoah Farms HOA has confirmed that no complaints have been received regarding Stay BnB DC's management of the property.

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

LORD FAIRFAX HEALTH DISTRICT

VDH VIRGINIA DEPARTMENT OF HEALTH
Protecting You and Your Environment

December 30, 2021

Matt Wendling, Deputy Planning Director
Warren County Planning and Zoning
220 N Commerce Ave., Suite 400
Front Royal, Virginia 22630

RE: Request for Comments (2021-12-02)
Owner: John Lavoie

Dear Mr. Wendling,

I have reviewed your request for comments regarding the property at 1196 Old Oak Ln. Front Royal, VA (Tax Map# 7A-4-15) and I offer the following comments:

1. The dwelling is not currently connected to an approved sewage system. A construction permit has been issued by this office to install an alternative discharging sewage treatment system and Class IIIB private well. The alternative discharging sewage treatment system is designed to accommodate a Three (3) Bedroom dwelling, Six (6) occupants, 450 gallons per day. It does not appear the alternative discharging sewage treatment system or private well has been installed. No operation permit has been issued. The construction permits expire on 12/29/2022.
2. The owner should be aware the alternative discharging sewage treatment system must be sampled, inspected and maintained at the frequency described under the VPDES General Permit.
3. The dwelling is to be served by a private Class IIIB Well. A sample of the water should be collected and tested by a state approved lab at least annually.
4. All refuse shall be placed in containers with tight-fitting lids.
5. Do not connect any Jacuzzi or hot tub discharge to the alternative discharging sewage treatment system.

Please contact me at (540) 635-3159 should you have any questions.

Sincerely,

Jim Davis
Environmental Health Supervisor

Chloe Phillips

From: David Beahm
Sent: Wednesday, December 15, 2021 4:51 PM
To: Chloe Phillips
Cc: Joe Petty; Paula Fristoe
Subject: Request for Comments 2021-12-02 – John Lavoie – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000150-2021

Comments 2021-12-02 – John Lavoie – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000150-2021:

- Erosion and Sediment Control Items:
  - There does not appear to be any land disturbance at this time and therefore nothing would be required. If this is not the case, the normal submission process 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

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.

Matt Wendling

From: P.O.S.F BUSINESS <shenandoahfarms@comcast.net>
Sent: Thursday, December 2, 2021 12:57 PM
To: Matt Wendling
Subject: permit 2021-12-02 1196 OLD OAK LN.
John Lavoie

Property Owners of Shenandoah Farms Inc has no objections to this permit.

Respectfully,

Property Owners of Shenandoah Farms

6401 Howellsville Road

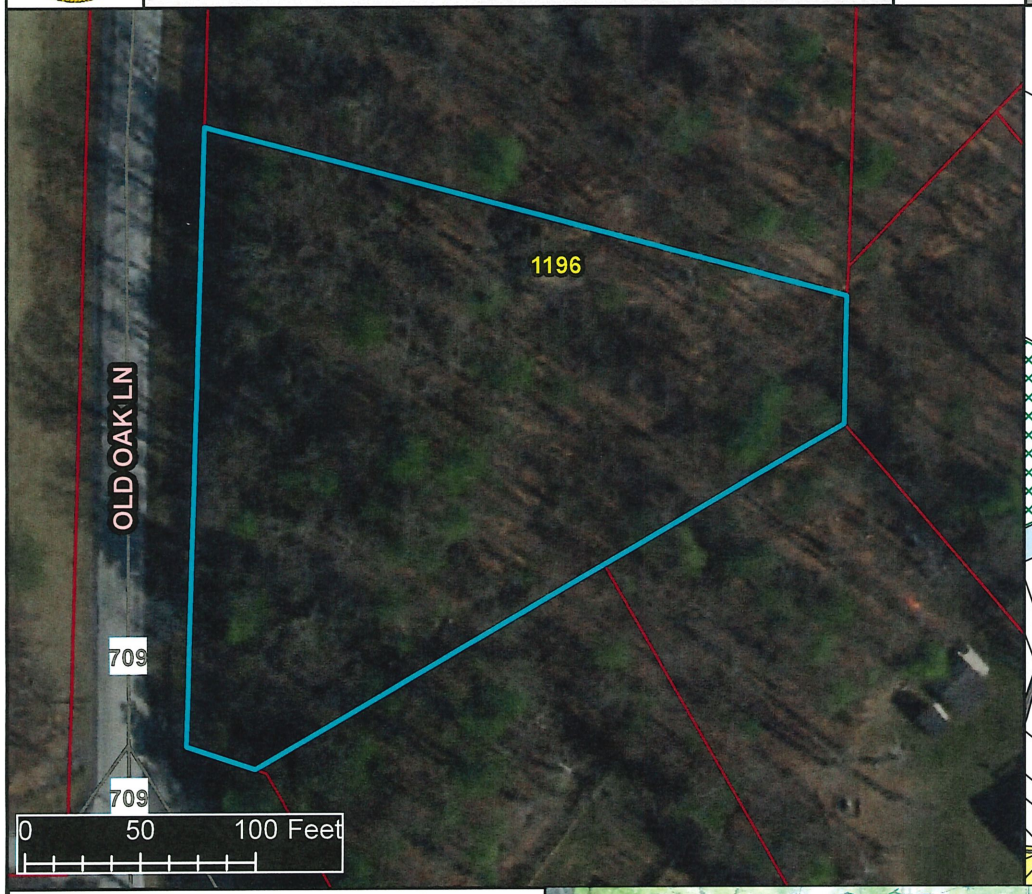
Front Royal, VA 22630

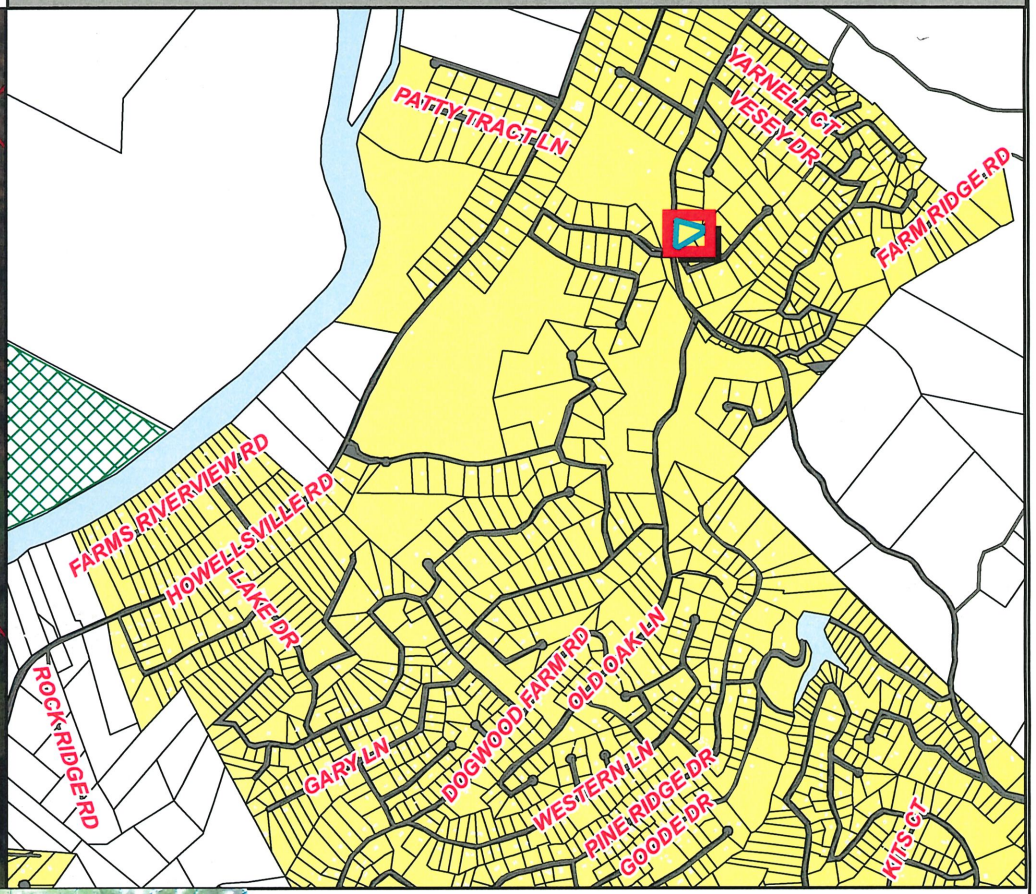
(540) 837-2068

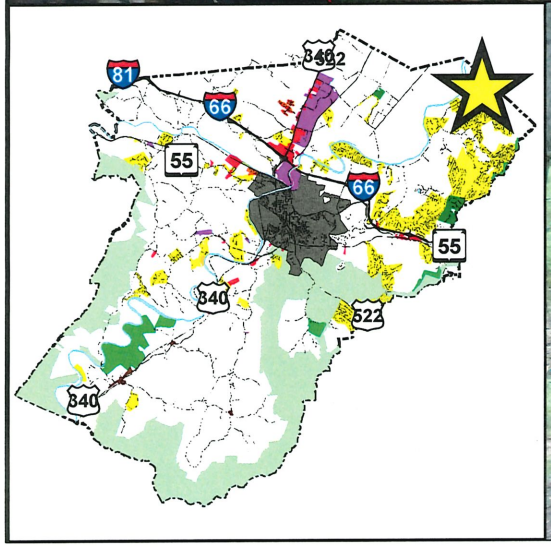
Warren County VA
CUP Location Map

Short Term Tourist Rental
Applicants: John Lavoie

TM 7A--4----15
Shenandoah Farms Subdivision









Zoning

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

Map produced by
Warren County GIS 2021
Department of Planning