



AGENDA

Board of Supervisors Meeting

May 17, 2022

6:00 PM

- A. Closed Session – Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act
Personnel re: Warren County Finance/Audit Committee

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. Regular Meeting of May 3, 2022
 - b. Special Meeting of May 10, 2022

NEW BUSINESS

- H. Consent Agenda
 - 1. Festival Permit Request for the Appaloosa Festival – Joe Petty
 - 2. Transfer of \$140,000 and Appropriation of \$260,000 in Children's Services Act (CSA) Funding to the General Fund – Matt Robertson/Jessica Amankrah
 - 3. Memorandum of Understanding for Payroll and Benefits Services Between the County of Warren and Skyline Regional Criminal Justice Academy – Matt Robertson
 - 4. Chester Gap Volunteer Fire Department Continuing Funding Request – Ed Daley
 - 5. Request of the Front Royal Cardinals to Serve Alcohol at Bing Crosby Stadium – Dan Lenz/Donna Settle
 - 6. Authorization to Advertise for Public Hearing – Ordinance to Increase Water Rates in the Shenandoah Shores Sanitary District for FY 2022-2023 – Matt Robertson
 - 7. Authorization to Advertise for Public Hearing – Ordinance to Amend and Re-Ordain Section 6-1 of the Warren County Code re: Airport Commission – Caitlin Jordan

I. Request – Acquisition of Property Located at 124 E 2nd Street – Alisa Scott

7:30 PM

J. Public Hearings

1. Z2022-03-01 – Rivermont Baptist Church – Ordinance to Amend Section 180-8 (Definitions) to Add Correct State Code Section for Licensing and Section 180-21 (Agricultural District) to Add Day- or Child-Care Center (Nursery) as a Use Allowed by Conditional Use Permit – Matt Wendling
2. Conditional Use Permit 2022-03-01, Rivermont Baptist Church for a Day- or Child-Care Center/Nursery Located at 575 Catlett Mountain Road and Identified on Tax Map 19 as Lots 88 and 89A – Matt Wendling
3. Conditional Use Permit 2022-03-02, Solomon Stavis for a Short-Term Tourist Rental Located at 9 Oak Hill Drive and Identified on Tax Map 28P, Section 2, as Lot 6 – Matt Wendling
4. Conditional Use Permit 2022-03-03, Jared Smith for a Short-Term Tourist Rental Located at 31 Henry Way and Identified on Tax Map 24A, Section 2, Block 7, as Lot 313 – Chase Lenz
5. Conditional Use Permit 2022-03-04, James and Jeonghe Lal for a Short-Term Tourist Rental Located at 280 Overbrook Lane and Identified on Tax Map 13C, Section 3, Block 3, as Lot 568 – Matt Wendling
6. Conditional Use Permit 2022-03-05, Rocky Quach for a Short-Term Tourist Rental Located at 524 Freezeland Road and Identified on Tax Map 23F as Lot 2 – Chase Lenz
7. Conditional Use Permit 2022-03-07, Richard Durkee, II for Private Use Camping on Property off Farms River Road and Identified on Tax Map 15B, Section 1, Block 1, as Lots 33 and 34 – Matt Wendling

K. Additional New Business (If needed)

L. 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, specifically in regard to the Warren County Finance/Audit Committee.

- - -

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 Section 2.2-3711(A)(1) 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.

Fiscal Year 2021-2022 Budget Appropriations and Transfers

Submitted for Board of Supervisors Approval on May 17, 2022

	Dept/Fund	Tran/Appr	Description	Amount	Source
1	County Attorney	Transfer	To correct budget line item overage due to the budget decrease and cost increase of the newly installed VOIP office phones	\$1,200	Operating Budget
2	Sheriff	Appr.	To Appropriate Local Law Enforcement Block "LOLE" Grant Program for FY 22	\$1,371	Grant
4	Parks and Rec.	Transfer	Transfer from Uniforms/Wearing Apparel Fund and Operating Supplies Fund to WCPR Avtex Community Shelter Fund to purchase 12 picnic Tables	\$12,414	Operating Budget
5	Fire and Rescue	Transfer	Transfer from Linden VFD Insurance Claims Revenue Code to Linden VFD Vehicle Repair for the balance of a towing invoice	\$1,658	Operating Budget
6	Sheriff	Appr.	To Appropriate a portion of ARPA funding that was allocated for bonuses for Sheriff's Office Deputies approved by the BOS at their NOV 16th meeting	\$201,844	ARPA
7	Elections	Transfer	Transfer from multiple budgeted line items to cover the purchase of Electronic Poll Book Software needed for the current Fiscal Year	\$32,638	Operating Budget
8	Public Works	Appr.	To Appropriate state funding agreed to by the Department of Game and Inland Fisheries to the County of Warren on January 27, 2020 to build improvements to the Morgan Ford Boat Landing	\$100,000	State Funding



Warren County Delinquent Tax Collections Monthly Report

Month: April 2022

<u>Pond Law Group:</u>	\$24,214.48
<u>TACS:</u>	\$3,589.89

TOTAL: **\$27,804.37**

Pond total for 2022:	\$43,644.15
TACS total for 2022:	\$22,759.39

Cumulative total for 2022: **\$66,403.54**

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

Sands Anderson		
Date	Invoice #	Amount
2/4/2019	337902	\$49,781.44
2/28/2019	338916	\$50,559.83
4/1/2019	340092	\$83,053.09
4/29/2019	343613	\$97,993.94
5/30/2019	349027	\$95,751.89
6/24/2019	353542	\$105,677.60
7/25/2019	358087	\$105,344.62
8/15/2019	363141	\$132,559.98
9/10/2019	367746	\$97,055.56
10/7/2019	214020	\$1,485.00
10/16/2019	381643	\$118,603.44
10/31/2019	977717TE1	\$117,023.95
10/31/2019	977717TE2	\$6,565.00
11/25/2019	383016	\$175,313.87
11/30/2019	977842TE1	\$11,124.92
11/30/2019	977842TE2	\$6,340.00
12/18/2019	312341	\$866.25
12/23/2019	387536	\$124,817.89
12/31/2019	977957TE1	\$9,086.18
12/31/2019	977957TE2	\$6,340.00
1/13/2020	392047	\$127,679.15
1/22/2020	315265	\$2,706.17
1/31/2020	978125TE1	\$9,281.19
1/31/2020	978125TE2	\$6,490.00
2/13/2020	318900	\$1,175.25
2/20/2020	369533	\$158,751.64
2/29/2020	978239TE1	\$9,357.94
2/29/2020	978239TE2	\$6,490.00
3/13/2020	401012	\$136,835.52
3/31/2020	978318T	\$452.79
3/31/2020	978318TE1	\$9,102.94
3/31/2020	978318TE2	\$6,490.00
4/14/2020	415506	\$119,235.96
4/15/2020	79425	\$2,400.00
4/30/2020	978401TE	\$10,778.38
5/14/2020	423245	\$135,843.50
5/31/2020	978486TE	\$11,319.00
6/17/2020	427726	\$127,987.84
6/30/2020	978571TE	\$11,067.78
7/16/2020	428985	\$130,183.76
7/20/2020	337536	\$566.18
7/31/2020	978676TE	\$10,298.52
8/7/2020	433530	\$133,312.50

Halasz Reporting & Video

Superior Document Services

Superior Document Services

Superior Document Services

Superior Document Services

Planet Depos

Superior Document Services

Superior Document Services

Planet Depos

Superior Document Services

Superior Document Services

Planet Depos

Superior Document Services

Superior Document Services

Superior Document Services

Superior Document Services

Superior Document Services

Scott Insurance

Superior Document Services

Superior Document Services

Superior Document Services

Planet Depos

Superior Document Services

(Received on 10/13/20)

Sands Anderson				
Date	Invoice #	Amount		
8/15/2020	345192	\$1,120.75	Planet Depos	
8/31/2020	978747	\$9,984.77	Superior Document Services	(Received on 12/9/20)
9/18/2020	442067	\$138,075.97		
9/30/2020	978847	\$9,739.77	Superior Document Services	(Received on 10/27/20)
10/7/2020	356355	\$397.50	Planet Depos	
10/15/2020	443408	\$117,141.00		
10/31/2020	978915	\$9,801.20	Superior Document Services	(Received on 11/20/20)
11/17/2020	448352	\$120,209.55		
11/25/2020	N/A	\$10,000.00	Retainer for Experts for Mediation	
12/7/2020	CINV-011172	\$5,412.68	Mediation Consultant Invoice	(Received on 3/5/21)
12/12/2020	35371	\$706.00	Courier One	
12/14/2020	P0100158271	\$10,166.20	KLDiscovery (formerly Superior Document Services)	
12/17/2020	453266	\$113,966.75		
1/13/2021	457980	\$113,124.75		
1/19/2021	CINV-011784	\$15,481.96	Mediation Consultant Invoice	(Received on 3/5/21)
1/28/2021	DR40982	\$3,651.37	The McCammon Group	(Received on 3/29/21)
2/2/2021	CINV-012445	\$30,542.84	Mediation Consultant Invoice	(Received on 3/5/21)
2/9/2021	339456	\$1,227.05	Planet Depos	
2/9/2021	339457	\$641.50	Planet Depos	
2/17/2021	462742	\$133,253.39		
2/23/2021	387076	\$309.75	Planet Depos	(Received 3/31/21)
3/1/2021	P0100169085	\$9,189.30	KLDiscovery (formerly Superior Document Services)	
3/11/2021	P0100172805	\$9,114.30	KLDiscovery (formerly Superior Document Services)	
3/12/2021	467623	\$130,648.00		(Received 4/15/21)
4/9/2021	P0100176976	\$9,039.30	KLDiscovery (formerly Superior Document Services)	
4/15/2021	472461	\$134,955.15		
4/15/2021	398691	\$1,480.55	Planet Depos	(Received 5/24/21)
4/15/2021	398695	\$918.75	Planet Depos	(Received 5/24/21)
4/22/2021	398718	\$695.60	Planet Depos	
4/22/2021	398721	\$500.00	Planet Depos	
4/22/2021	402022	\$344.50	Planet Depos	
5/5/2021	401658	\$739.05	Planet Depos	
5/6/2021	405174	\$641.50	Planet Depos	
5/10/2021	16260	\$1,034.00	Rudiger, Green & Kerns	(Received 10/13/21)
5/12/2021	P0100183367	\$8,719.30	KLDiscovery (formerly Superior Document Services)	
5/13/2021	407073	\$394.00	Planet Depos	
5/13/2021	404491	\$437.50	Planet Depos	
5/13/2021	404493	\$595.85	Planet Depos	
5/13/2021	477247	\$127,060.37		
5/14/2021	404412	\$1,873.45	Planet Depos	
5/14/2021	404406	\$1,062.50	Planet Depos	
5/14/2021	405166	\$790.00	Planet Depos	
6/4/2021	409309	\$931.25	Planet Depos	

Sands Anderson		
Date	Invoice #	Amount
6/10/2021	P0100188099	\$8,754.30
6/15/2021	482033	\$133,365.05
6/16/2021	N/A	\$52,000.00
7/9/2021	420879	\$350.00
7/15/2021	P0100193199	\$8,679.30
7/22/2021	486778	\$128,239.06
8/6/2021	427284	\$1,561.25
8/6/2021	427280	\$839.50
8/12/2021	P0100197486	\$9,619.30
8/23/2021	P0100198232	\$9,659.30
9/3/2021	432329	\$786.00
9/10/2021	P0100202487	\$8,762.20
9/17/2021	496211	\$120,505.13
10/11/2021	P0100205568	\$9,379.50
10/25/2021	446049	\$1,200.60
10/25/2021	446050	\$641.50
10/26/2021	500972	\$126,954.16
11/1/2021	143233	\$878.00
11/9/2021	P0100211273	\$8,514.50
11/18/2021	505498	\$130,168.18
11/18/2021	451074	\$1,208.95
11/18/2021	451076	\$740.50
12/9/2021	P0100214091	\$8,414.50
12/22/2021	509983	\$115,486.18
1/12/2022	465717	\$442.50
1/13/2022	514569	\$102,870.55
1/24/2022	1025	\$11,550.00
1/25/2022	P0100219963	\$8,414.50
1/25/2022	144545	\$708.00
1/31/2022	469046	\$851.25
2/16/2022	P0100224185	\$8,214.50
2/25/2022	522325	\$103,634.09

KLDiscovery (formerly Superior Document Services)

Payment to MoveOn8, LLC Bankruptcy Trustee

Planet Depos

KLDiscovery (formerly Superior Document Services)

Planet Depos

Planet Depos

KLDiscovery (formerly Superior Document Services)

KLDiscovery (formerly Superior Document Services)

Planet Depos

KLDiscovery (formerly Superior Document Services)

KLDiscovery (formerly Superior Document Services)

Planet Depos

Planet Depos

Planet Depos

Planet Depos

Planet Depos

Casamo Court Reporting

KLDiscovery (formerly Superior Document Services)

Planet Depos

Planet Depos

Planet Depos

KLDiscovery (formerly Superior Document Services)

Planet Depos

Planet Depos

Planet Depos

Commonwealth Power

KLDiscovery (formerly Superior Document Services)

Casamo Court Reporting

Planet Depos

KLDiscovery (formerly Superior Document Services)

Sands Anderson		
Date	Invoice #	Amount

Start of New Billing Process

3/9/2022	523678	\$14,805.25	
3/9/2022	523681	\$19,232.50	
3/9/2022	523682	\$20,481.50	
3/9/2022	523683	\$1,400.50	
3/9/2022	523684	\$447.00	
3/10/2022	P0100228360	\$8,444.50	KLDiscovery
3/17/2022	145439	\$997.25	Casamo Court Reporting
4/4/2022	145399	\$1,052.00	Casamo Court Reporting
4/5/2022	485781	\$395.00	Planet Depos
4/15/2022	532254	\$39,560.00	
4/15/2022	532255	\$876.50	
4/15/2022	532256	\$17,467.50	
4/15/2022	532257	\$162.00	
4/15/2022	532258	\$25,469.49	
4/19/2022	489694	\$1,067.40	Planet Depos
4/27/2022	490141	\$2,009.65	Planet Depos
4/29/2022	492845	\$692.75	Planet Depos
Balance		\$5,127,222.57	

REVENUE REPORT

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	29,736,257	14,188,058	31,183,001	15,256,063	48.92%	1,068,005
11020 Public Service Tax	6,026,139	7,000,793	6,846,454	3,508,218	6,600,000	2,628,969	39.83%	(879,249)
11030 Personal Property Tax	16,855,760	16,475,911	19,025,836	12,779,332	18,408,000	13,565,583	73.69%	786,251
11040 Machinery & Tools Tax	1,734,980	1,575,439	2,201,349	1,294,958	1,809,000	904,631	50.01%	(390,328)
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	788,641	1,000,000	900,776	90.08%	112,135
* SUBTOTAL *	53,935,373	57,994,240	58,794,282	32,560,991	59,003,001	33,259,487	56.37%	698,496
OTHER LOCAL TAXES								
12010 Local Sales, Use, Communications	3,925,330	4,575,698	4,309,845	3,807,307	5,880,000	5,127,765	87.21%	1,320,458
12020 Utility Tax	735,999	741,898	684,710	565,467	760,000	574,551	75.60%	9,084
12030 Business License	830,981	977,124	1,149,077	1,089,884	1,000,000	1,241,003	124.10%	151,119
12040 Recordation Taxes (Grantee)	481,619	650,593	859,490	677,114	740,000	691,037	93.38%	13,923
12050 Motor Vehicle License Tax	895,786	850,319	932,782	256,414	950,000	241,637	25.44%	(14,777)
12070 Recordation (Grantor) Will	135,524	154,419	199,419	153,612	100,000	181,628	181.63%	28,017
12080 Meals and Beverage Tax	1,015,726	898,042	979,542	761,376	1,000,000	917,470	91.75%	156,093
12090 Cigarette Tax	-	-	-	-	100,000	-	0.00%	-
312100 Lodging Tax	193,895	210,189	291,949	220,806	250,000	264,201	105.68%	43,395
* SUBTOTAL *	8,214,861	9,058,282	9,406,814	7,531,980	10,780,000	9,239,292	85.71%	1,707,312
PERMITS, FEES, AND LICENSES								
13010 Animal License Fees	41,877	32,557	37,586	36,160	45,000	33,655	74.79%	(2,505)
13030 Permits & Other Licenses	729,227	714,136	693,161	536,392	802,561	807,831	100.66%	271,439
130325 Waste Permit Decal Fee	2,061	2,405	2,800	2,240	-	2,095	0.00%	(145)
* SUBTOTAL *	773,165	749,098	733,547	574,792	847,561	843,581	99.53%	268,789
FINES AND FORFEITURES								
14010 Court Fines	98,148	65,027	109,310	82,011	90,000	88,538	98.38%	6,527
14020 Other Court Costs	-	-142	723	723	-	(5)	0.00%	(728)
* SUBTOTAL *	98,148	64,885	110,033	82,733	90,000	88,533	98.37%	5,799
USE OF MONEY AND PROPERTY								
15010 Revenue From Use of Money	497,943	432,648	124,732	101,534	250,000	-	0.00%	(101,534)
15020 Revenue From Use of Property	375,835	330,399	310,371	256,505	492,000	278,496	56.60%	21,991
* SUBTOTAL *	873,778	763,047	435,103	358,039	742,000	278,496	37.53%	(79,543)

REVENUE REPORT

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
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	2,366	4,000	2,716	67.90%	350
16050 Charges for Corrections & Det.	73,220	45,530	68,634	53,693	70,000	61,313	87.59%	7,620
16080 Charges for Sanitation & Waste	1,061,121	1,228,912	982,174	803,874	1,300,000	975,445	75.03%	171,571
16160 Sales of Map Survey	12,239	17,649	9,359	5,339	17,000	8,293	0.00%	2,954
16170 Sale of Copies - Comm. Of Rev.	756	880	525	375	4,000	750	0.00%	375
16180 Sales of Copies - Treasurer	-	10	-	-	-	-	0.00%	-
16990 Other Charges for Services	7,500	15,780	50,757	37,527	57,500	62,768	109.16%	25,242
* SUBTOTAL *	1,161,256	1,315,583	1,117,817	905,569	1,454,500	1,111,285	76.40%	205,716
MISCELLANEOUS AND RECOVERED COSTS								
18030 Refunds, Loans, and Fees	1,465,204	649,907	1,283,687	1,191,786	648,000	851,397	131.39%	(340,389)
18990 Miscellaneous and Recovered Costs	1,040,425	647,263	1,152,211	1,486,518	3,492,863	388,615	11.13%	(1,097,903)
19120 Sale of Recyclable Materials	84,095	56,705	118,284	93,329	90,000	108,100	120.11%	14,770
* SUBTOTAL *	2,589,724	1,353,875	2,554,183	2,771,633	4,230,863	1,348,112	31.86%	(1,423,521)
STATE REVENUE								
22010 Non-Categorical Aid	213,493	190,468	30,808	28,012	211,000	27,774	13.16%	(238)
23010 Shared Expenses - Commonwealth's	420,119	488,698	439,640	346,886	517,756	374,212	72.28%	27,326
23020 Shared Expenses - Sheriff	1,703,155	1,751,230	1,532,260	1,276,286	1,838,572	1,622,126	88.23%	345,840
23030 Shared Expenses - Commissioner of	157,015	161,757	148,541	121,090	195,008	145,779	74.76%	24,689
23040 Shared Expenses - Treasurer	117,880	111,920	148,541	83,195	128,601	95,462	74.23%	12,266
23060 Shared Expenses - Registrar	42,436	68,361	47,286	-	40,000	744	1.86%	744
23080 Shared Expenses - Clerk of Court	342,858	333,649	311,625	255,740	354,750	328,280	92.54%	72,540
24010 State VPA/Welfare Reimbursement	1,086,228	1,131,478	1,022,353	929,327	1,432,657	980,433	68.43%	51,106
24020 Categorical Aid	1,014,390	866,288	899,464	444,832	1,050,004	568,141	0.00%	123,309
24040 Other Categorical Aid	1,031,845	1,211,178	438,807	135,401	1,934,452	515,406	26.64%	380,004
* SUBTOTAL *	6,129,420	6,315,027	5,019,325	3,620,771	7,702,800	4,658,357	60.48%	1,037,585
FEDERAL REVENUE								
31010 Revenue from the Federal Governme	1,980,125	2,068,016	4,732,976	3,630,935	2,503,051	1,850,304	73.92%	(1,780,631)
* SUBTOTAL *	1,980,125	2,068,016	4,732,976	3,630,935	2,503,051	1,850,304	73.92%	(1,780,631)
INTERGOVERNMENTAL								
41050 Transfers from Other Funds	5,147,179	5,254,583	1,663,481	1,545,691	2,318,619	459,470	19.82%	(1,086,221)
41900 Use of Fund Balance	0	-	-	-	1,805,177	-	0.00%	-
* SUBTOTAL *	5,147,179	5,254,583	1,663,481	1,545,691	4,123,796	459,470	11.14%	(1,086,221)
TOTAL GENERAL FUND REVENUE	80,903,030	84,936,636	84,567,561	53,583,134	91,477,572	53,136,916	58.09%	(446,219)

REVENUE REPORT

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
** FRONT ROYAL WARREN COUNTY AIRPORT **								
15010 Interest on Bank Deposits	-	-	-	-	-	-	0.00%	-
15020 Hangar Rentals	190,863	192,183	178,607	148,711	220,000	157,797	71.73%	9,086
18990 Miscellaneous Income	1,001	2,000	-	-	-	-	0.00%	-
24040 State Grants	29,408	9,894	4,785	1,365	2,756	104,304	0.00%	102,939
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	154,325	222,756	296,148	132.95%	141,823
** COST RECOVERY **								
Cost Recovery Fees	1,092,766	967,994	997,861	644,480	900,000	811,518	90.17%	167,038
** ECONOMIC DEVELOPMENT AUTHORITY **								
Miscellaneous Income	1,092,766	967,994	1,404,357	1,316,086	1,785,300	1,308,114	73.27%	(7,972)

EXPENDITURE REPORT

DESCRIPTION		FY 2018 - 2019	FY 2019 - 2020	FY 2020 - 2021	PRIOR YEAR ACTUAL TO	FY 2021 - 2022 APPR	FY 2021 - 2022 Y-T-D	% BUDGET	DIFFERENCE CURRENT
		ACTUAL	ACTUAL	ACTUAL	DATE	AMOUNT	AMOUNT	EXPENDED	TO PRIOR YR
GENERAL GOVERNMENT									
11010	Board of Supervisors	919,699	2,404,331	2,160,448	1,402,296	181,500	146,095	80.49%	(1,256,201)
12020	County Administration	700,293	627,554	596,392	491,494	500,000	400,280	80.06%	(91,214)
12030	Human Resources	-	-	1,924	-	169,900	128,308	75.52%	128,308
12040	County Attorney	214,382	168,366	154,390	126,463	344,000	262,613	76.34%	136,150
12060	Information Technology	-	-	-	-	90,844	510,875	562.37%	510,875
12090	Commissioner of the Revenue	635,865	683,315	696,470	581,757	777,000	595,101	76.59%	13,344
12110	Reassessment	286,286	1,881	1,296	823	422,400	181,950	43.08%	181,127
12130	Treasurer	527,612	498,997	535,950	432,554	572,000	442,334	77.33%	9,780
12150	Finance & Purchasing	325,425	296,187	372,293	305,503	499,500	334,610	66.99%	29,107
13000	Elections	202,918	262,463	279,730	217,700	455,458	279,172	61.29%	61,473
* SUBTOTAL *		3,812,480	4,943,094	4,798,893	3,558,588	4,012,602	3,281,338	81.78%	(277,250)
JUDICIAL ADMINISTRATION									
21010	Circuit Court	28,301	35,751	7,133	4,959	65,400	50,110	76.62%	45,151
21020	General District Court	18,888	17,872	24,706	14,301	24,300	15,215	62.61%	914
21030	Magistrates	4,104	4,584	4,536	3,354	5,800	4,541	78.29%	1,187
21050	Juvenile and Domestic Court	17,859	18,468	15,604	9,423	19,000	12,787	67.30%	3,364
21060	Clerk of Circuit Court	591,866	577,068	595,585	495,395	638,600	495,579	77.60%	185
21080	Law Library	47,729	54,092	57,570	47,470	54,300	48,187	88.74%	717
22010	Commonwealth's Attorney	785,036	952,916	1,057,942	875,974	1,103,400	896,821	81.28%	20,847
* SUBTOTAL *		1,493,783	1,660,751	1,763,076	1,450,876	1,910,800	1,523,241	79.72%	72,365
PUBLIC SAFETY									
31020	Sheriff's Department	4,062,799	4,077,795	4,725,508	3,897,967	4,982,083	4,204,900	84.40%	306,932
31040	E-911 System	542,115	622,601	709,678	573,020	956,250	983,296	102.83%	410,277
31050	School Resource	584,491	725,798	826,414	726,157	785,329	469,112	59.73%	(257,045)
32000	Volunteer Fire & Rescue	955,520	1,012,916	1,724,094	1,236,106	1,013,000	512,868	50.63%	(723,238)
33000	Court Services	971,896	960,997	929,591	788,290	998,300	861,816	86.33%	73,526
33030	Probation	63,230	43,332	10,316	3,405	41,000	3,419	8.34%	14
34010	Building Inspections	650,795	669,739	738,866	616,566	618,000	553,771	89.61%	(62,794)
35010	Animal Control	649,641	685,432	573,852	480,697	717,380	505,718	70.50%	25,021
35030	Medical Examiner	740	780	680	200	1,000	500	50.00%	300
35050	Fire & Rescue Department	3,086,725	3,338,898	4,012,144	3,421,822	5,406,828	3,582,183	66.25%	160,361
* SUBTOTAL *		11,567,952	12,138,288	14,251,143	11,744,229	15,519,170	11,677,583	75.25%	(66,646)

EXPENDITURE REPORT

DESCRIPTION		FY 2018 - 2019	FY 2019 - 2020	FY 2020 - 2021	PRIOR YEAR ACTUAL TO DATE	FY 2021 - 2022 APPR AMOUNT	FY 2021 - 2022 Y-T-D AMOUNT	% BUDGET EXPENDED	DIFFERENCE CURRENT TO PRIOR YR
PUBLIC WORKS									
41010	Public Works/Sanitary Districts	389,345	372,848	487,575	346,781	495,624	356,533	71.94%	9,752
41020	Streets and Highways	17,018	17,818	9,499	4,673	20,000	9,317	46.59%	4,644
42030	Refuse Collection	710,782	753,168	796,471	608,034	803,764	712,354	88.63%	104,319
42035	Refuse Collection/Transfer Station	156,669	183,701	210,292	161,017	229,274	164,160	71.60%	3,143
42040	Refuse Disposal	2,414,597	2,695,474	2,546,563	1,960,534	3,491,945	2,144,777	61.42%	184,243
43000	Maintenance of Bldgs. & Grounds	1,223,179	1,484,045	1,769,655	1,374,727	1,421,000	1,417,557	99.76%	42,830
* SUBTOTAL *		4,911,590	5,507,054	5,820,055	4,455,765	6,461,607	4,804,698	74.36%	348,932
HEALTH/WELFARE/PARTNERSHIPS									
51000	Health	355,798	350,963	392,676	296,320	382,412	382,412	100.00%	86,093
52000	Mental Health & Disability	32,500	32,500	32,500	199,693	32,500	115,637	355.80%	(84,057)
53000	Social Services	3,943,902	3,820,576	4,015,443	3,309,232	5,045,779	3,256,315	64.54%	(52,917)
53090	Other Social Services	115,178	115,489	118,289	73,789	110,000	98,300	89.36%	24,511
53500	Comprehensive Services Act	1,731,108	1,678,560	2,026,204	1,256,038	1,785,000	1,398,594	78.35%	142,556
64010	Regional Partnerships	3,607,210	3,653,113	4,390,466	69,656	4,193,850	3,826,422	91.24%	3,756,766
* SUBTOTAL *		9,785,696	9,651,201	10,975,578	5,204,727	11,549,541	9,077,679	78.60%	3,872,952
PARK, REC & CULTURAL									
71010	Parks & Rec - Administration	772,963	792,983	637,928	514,126	898,718	578,428	64.36%	64,302
71020	Parks & Rec - Rec Programs	53,270	45,646	19,566	13,814	52,577	29,797	56.67%	15,984
71030	Parks & Rec - Maintenance	1,464,175	1,386,698	1,440,844	1,124,620	1,555,918	1,204,927	77.44%	80,307
73000	Library, Museums, Cult. Enrich.	994,134	1,006,758	1,018,087	1,013,587	1,018,100	1,013,600	99.56%	13
* SUBTOTAL *		3,284,542	3,232,085	3,116,424	2,666,146	3,525,313	2,826,752	80.18%	160,605
COMMUNITY DEVELOPMENT									
81010	Planning & Zoning Administration	436,799	419,519	388,235	331,625	473,000	345,304	73.00%	13,679
81050	Economic Development	54,117	108,234	302,194	302,194	3,282,400	2,149,632	65.49%	1,847,438
82000	Environmental Management	26,045	18,530	20,500	20,500	18,500	20,010	108.16%	(490)
83000	VPI Extension Service	109,101	114,738	111,998	82,492	121,000	90,309	74.64%	7,817
* SUBTOTAL *		626,062	661,021	822,927	736,811	3,894,900	2,605,255	66.89%	1,868,444
MISCELLANEOUS									
91000	Non-Departmental	982,803	782,300	2,682,925	785,607	1,364,956	770,676	56.46%	(14,932)
92000	Capital Outlay	18,547,831	6,774,261	3,410,276	18,664,923	3,589,412	1,224,347	34.11%	(17,440,576)
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	20,349,861	27,803,020	19,389,573	69.74%	(960,288)
* SUBTOTAL *		46,864,407	45,965,566	46,859,459	39,800,391	44,603,639	28,421,178	63.72%	(11,379,213)
TOTAL GENERAL FUND		82,346,512	83,759,060	88,407,555	69,617,534	91,477,572	64,217,724	70.20%	(5,399,810)

EXPENDITURE REPORT

DESCRIPTION	FY 2018 - 2019	FY 2019 - 2020	FY 2020 - 2021	PRIOR YEAR ACTUAL TO DATE	FY 2021 - 2022 APPR AMOUNT	FY 2021 - 2022 Y-T-D AMOUNT	% BUDGET EXPENDED	DIFFERENCE CURRENT TO PRIOR YR
	ACTUAL	ACTUAL	ACTUAL					
81 AIRPORT FUND								
Operating Expenditures	369,736	226,983	179,874	126,579	222,756	228,375	102.52%	101,796
Transfer to General Fund	21,335	20,105	-	-	-	-	0.00%	-
* SUBTOTAL *	391,071	247,088	179,874	126,579	222,756	228,375	102.52%	101,796
83 COST RECOVERY FUND								
Operating Expenditures	597,225	295,811	797,009	554,122	958,042	216,747	22.62%	(337,375)
94 ECONOMIC DEVELOPMENT AUTHORITY								
Operating Expenditures	-	1,634,541	1,457,290	1,157,306	1,785,300	928,300	52.00%	(229,005)

Warren County Expense Report

Between April 1, 2022 and April 30, 2022

	This Month	Last Month	Difference	Avg. Month	Difference
Full-Time	\$ 10,112,257	\$ 12,673,836	\$ (2,561,579)	\$ 8,667,425	\$ 1,444,832
Part-Time	\$ 195,601	\$ 94,706	\$ 100,895	\$ 134,498	\$ 61,103
Overtime	\$ 186,610	\$ 82,497	\$ 104,113	\$ 119,264	\$ 67,347
Salaries	\$ 10,494,468	\$ 12,851,038	\$ (2,356,570)	\$ 8,921,186	\$ 1,573,282
Health Insurance	\$ 184,532	\$ 184,925	\$ (394)	\$ 169,648	\$ 14,884
VRS	\$ 109,944	\$ 105,120	\$ 4,824	\$ 105,847	\$ 4,097
Other	\$ 242,802	\$ 104,325	\$ 138,477	\$ 134,574	\$ 108,228
Benefits	\$ 537,277	\$ 394,370	\$ 142,907	\$ 410,068	\$ 127,209
Professional Services	\$ 250,623	\$ 187,707	\$ 62,916	\$ 156,222	\$ 94,401
Legal Services	\$ 4,584	\$ 597	\$ 3,987	\$ 8,247	\$ (3,663)
Repairs & Maintenance	\$ 2,149	\$ 611	\$ 1,538	\$ 4,668	\$ (2,520)
Contracts	\$ 51,365	\$ 6,143	\$ 45,222	\$ 52,086	\$ (721)
Other	\$ 257,176	\$ 211,739	\$ 45,438	\$ 307,949	\$ (50,773)
Services	\$ 565,897	\$ 406,797	\$ 159,100	\$ 529,172	\$ 36,725
Electric	\$ 33,635	\$ 41,729	\$ (8,094)	\$ 38,340	\$ (4,705)
Water & Sewer	\$ 5,848	\$ 6,422	\$ (574)	\$ 4,134	\$ 1,714
Fuel	\$ 21,471	\$ 17,954	\$ 3,517	\$ 4,704	\$ 16,768
Cable	\$ 2,578	\$ 16,716	\$ (14,138)	\$ 1,255	\$ 1,323
Telephone	\$ 18,890	\$ 24,096	\$ (5,207)	\$ 17,528	\$ 1,362
Other	\$ 136,346	\$ 158,294	\$ (21,949)	\$ 181,358	\$ (45,012)
Utilities	\$ 218,768	\$ 265,212	\$ (46,444)	\$ 247,319	\$ (28,550)
Office	\$ 11,043	\$ 11,053	\$ (10)	\$ 7,520	\$ 3,523
Repairs & Maintenance	\$ 70,151	\$ 51,692	\$ 18,459	\$ 43,497	\$ 26,654
Motor Vehicles	\$ 43,145	\$ 73,887	\$ (30,742)	\$ 45,891	\$ (2,746)
Internal Projects	\$ 33,165	\$ 235	\$ 32,930	\$ 55,399	\$ (22,234)
Travel, Training, Dues	\$ 6,167	\$ (21,721)	\$ 27,888	\$ 21,725	\$ (15,558)
Other	\$ 716,065	\$ 285,650	\$ 430,415	\$ 600,860	\$ 115,205
Supplies	\$ 879,736	\$ 400,796	\$ 478,941	\$ 774,892	\$ 104,845
Machinery & Equipment	\$ 20,471	\$ 6,990	\$ 13,481	\$ 59,675	\$ (39,204)
Vehicles	\$ -	\$ -	\$ -	\$ 9,960	\$ (9,960)
Computer Equipment	\$ 87,238	\$ 2,498	\$ 84,740	\$ 22,744	\$ 64,494
Other	\$ 115,124	\$ 1,021,887	\$ (906,763)	\$ 515,217	\$ (400,093)
Assets	\$ 222,833	\$ 1,031,375	\$ (808,542)	\$ 607,596	\$ (384,764)
Building Improvements	\$ 3,350	\$ 4,016	\$ (665)	\$ 7,285	\$ (3,935)
Equipment Rental	\$ 6,266	\$ 2,636	\$ 3,631	\$ 4,267	\$ 1,999
Other	\$ 86,853	\$ 93,140	\$ (6,286)	\$ 57,546	\$ 29,307
Debt Principal	\$ -	\$ -	\$ -	\$ 911,600	\$ (911,600)
Debt Interest	\$ -	\$ -	\$ -	\$ 198,917	\$ (198,917)
Capital Projects & Debt	\$ 96,470	\$ 99,791	\$ (3,321)	\$ 1,179,615	\$ (1,083,145)
Total	\$ 13,015,449	\$ 15,449,378	\$ (2,433,929)	\$ 12,669,848	\$ 345,601

Warren County Expense Report

Fiscal Year 2021 - 2022

Month	Salaries	Benefits	Services	Utilities	Supplies	Assets	Capital
July	\$ 3,984,588	\$ 366,898	\$ 40,523	\$ 70,271	\$ 759,284	\$ 1,092,642	\$ (110,866)
August	\$ 9,445,035	\$ 380,131	\$ 699,441	\$ 497,961	\$ 610,501	\$ 204,374	\$ 117,194
September	\$ 9,767,185	\$ 397,383	\$ 803,086	\$ 152,997	\$ 824,775	\$ 1,403,730	\$ 115,181
Quarter 1	\$ 23,196,808	\$ 1,144,412	\$ 1,543,050	\$ 721,228	\$ 2,194,560	\$ 2,700,746	\$ 121,509
October	\$ 10,914,655	\$ 368,651	\$ 536,912	\$ 296,597	\$ 800,162	\$ 114,402	\$ 5,680,098
November	\$ 12,542,465	\$ 392,755	\$ 686,608	\$ 269,658	\$ 472,840	\$ 436,732	\$ 547,228
December	\$ 12,246,910	\$ 394,740	\$ 606,211	\$ 277,730	\$ 448,600	\$ 1,069,881	\$ 267,730
Quarter 2	\$ 35,704,030	\$ 1,156,146	\$ 1,829,731	\$ 843,985	\$ 1,721,602	\$ 1,621,016	\$ 6,495,056
January	\$ 10,614,773	\$ 374,094	\$ 1,111,133	\$ 262,692	\$ 747,320	\$ 499,488	\$ 173,934
February	\$ 12,972,227	\$ 369,784	\$ 398,642	\$ 270,587	\$ 1,088,686	\$ 296,490	\$ 216,243
March	\$ 12,851,038	\$ 394,370	\$ 406,797	\$ 265,212	\$ 400,796	\$ 1,031,375	\$ 99,791
Quarter 3	\$ 36,438,037	\$ 1,138,247	\$ 1,916,571	\$ 798,491	\$ 2,236,802	\$ 1,827,354	\$ 489,968
April	\$ 10,494,468	\$ 537,277	\$ 565,897	\$ 218,768	\$ 879,736	\$ 222,833	\$ 96,470
May							
June							
Quarter 4	\$ 10,494,468	\$ 537,277	\$ 565,897	\$ 218,768	\$ 879,736	\$ 222,833	\$ 96,470
Annual	10494467.88	537277.22	565896.84	218768.15	879736.24	222832.57	96470.06

Comments

Costs in April were on par with prior months with just a small increase in benefit expenses and a decrease in salary. This is due to April being the first month where a biweekly pay schedule was implemented. This caused differences in the timing of payments and when deductions were removed from paychecks. May will likely be higher in salaries as we adjust to a new timing and then even out through the rest of next fiscal year.

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on May 3, 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); 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; Mark Butler, Sheriff; Michael Coffelt, Sanitary District Manager; Todd Jones, Director of Technology; Caitlin Jordan, Senior Assistant County Attorney; Jane Meadows, Human Resources Director; Alisa Scott, Deputy Finance Director; Sherry Sours, Commissioner of the Revenue; Jamie Spiker, Treasurer; Matt Wendling, Deputy Planning Director; and Emily Ciarrocchi, Deputy Clerk of the Board

Absent: Jerome K. Butler (Happy Creek District)

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

Adoption of Agenda – Additions or Deletions

On a motion by Mr. Mabe, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors adopted the agenda as presented:

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

Public Comment Period (60 Minute Time Limit)

Melissa Chappell-White, 140 Dogwood Farm Road, recapped the email she sent to the Board of Supervisors members on May 2nd regarding the petition she has filed with the Warren County General District Court alleging breaches of the Virginia Freedom of Information Act (FOIA) by the Property Owners of Shenandoah Farms, Inc. (POSF). The petition is scheduled to be heard on May 4th at 9:00 AM.

There were no further presentations from the public.

FY 2020-2021 Audit Presentation – Michael Lupton

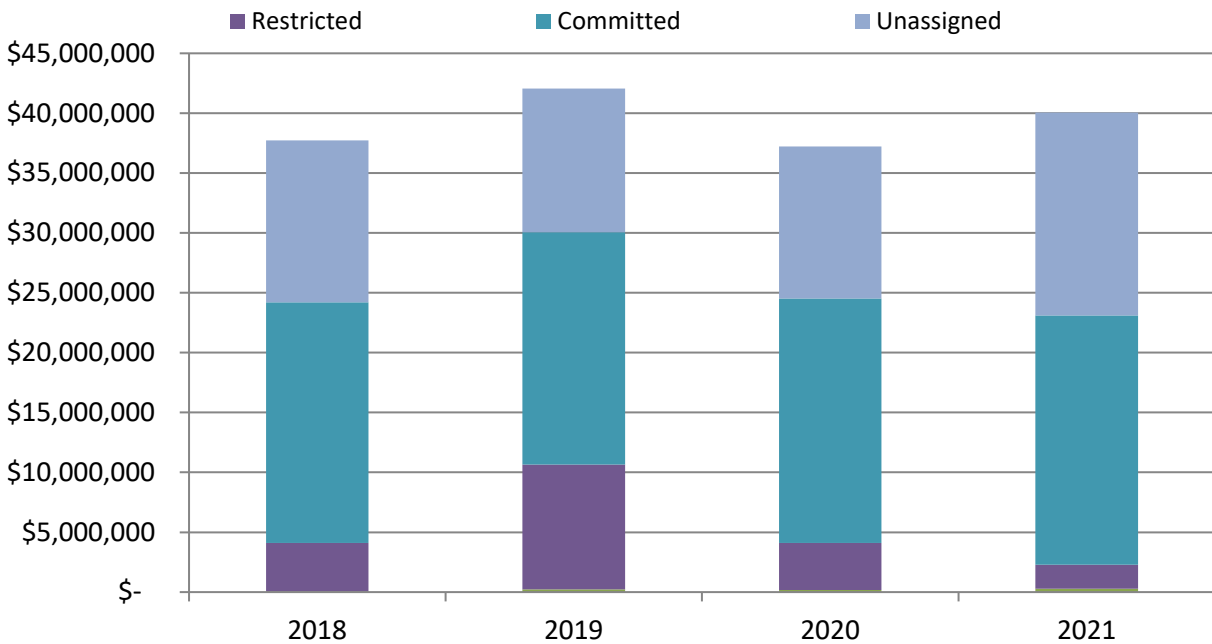
Michael Lupton with Robinson, Farmer, Cox Associates delivered a presentation to the Board overviewing the draft FY 2020-2021 audit for Warren County and highlighting the following points:

Prepared on the modified accrual basis (same basis as County budget)

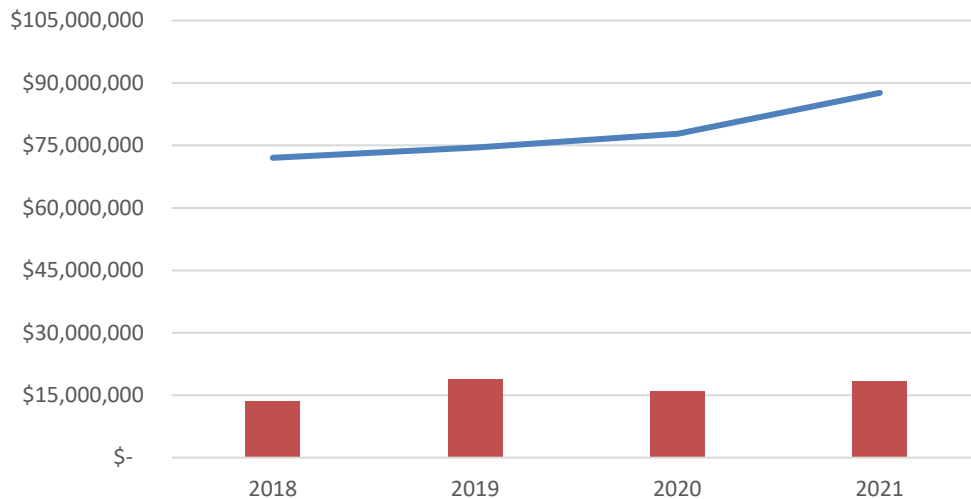
- Combined ending fund balances for governmental funds of \$40.04 million
- General Fund – Fund balance total was \$18.49 million
- Unassigned fund balance was \$16.93 million

- Unassigned and committed accounted for \$37.77 million – both categories available for appropriation at the discretion of the Board of Supervisors
- Combined ending fund balances for governmental funds of \$40.04 million
- General Fund – Fund balance total was \$18.49 million
- Unassigned fund balance was \$16.93 million
- Unassigned and committed accounted for \$37.77 million – both categories available for appropriation at the discretion of the Board of Supervisors

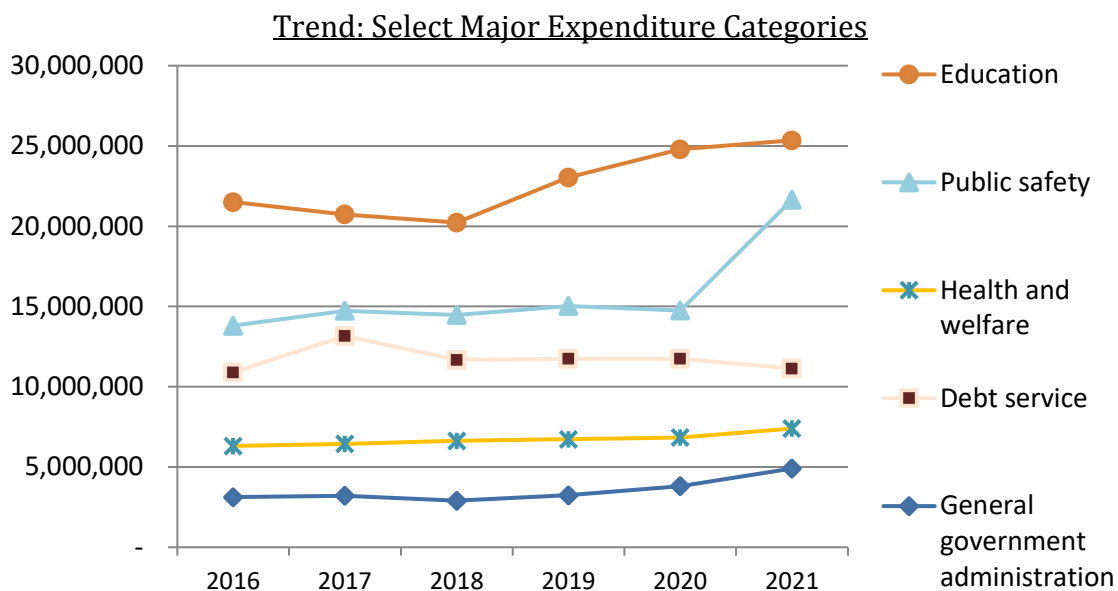
Fund Balance by Type



General Fund Expenditures (excluding capital projects) vs. Fund Balance



- General Fund – Fund Balance as percentage of Expenditures (excluding capital projects):
 - FY 2021 - 21.10%
 - FY 2020 - 20.45%
 - FY 2019 - 25.39%
 - FY 2018 - 18.82%
- General Fund Revenues – current and 3 prior years
 - FY 2021 - \$92,723,532
 - FY 2020 - \$81,639,396
 - FY 2019 - \$77,923,710
 - FY 2018 - \$74,027,820



The consensus of the Board was to place the approval of the FY 2020-2021 audit on the May 17, 2022 agenda, pending the presentation of the final audit, not a draft.

Report on Health and Dental Insurance Rates – Jane Meadows

Jane Meadows, Human Resources Director, delivered a presentation to the Board on the County's health and dental insurance renewal for 2022-2023 and highlighted the following points:

- Current Coverages Available:
 - Health – \$250 and \$1,000 Premium Plans
 - Dental – High and Low Plans
 - Vision – One Plan

- Factors Impacting Renewal Rates, 7/1/22 – 6/30/23:
 - Lack of Experience Rating
 - Experience based on 7/1/21 – 11/30/21 period
 - High dollar claims (over \$150,000)
 - High dollar claims (5) increase PPM
 - Age/Sex Adjustment (12% higher than average)
 - Higher the group age, the higher the premium
- Current United Healthcare Rate Renewal:
 - Reduction renewal to 13.5% (from 15.8%)
 - Offer a Premium Holiday in the amount of \$75,000 to be paid in June (worth approximately 2.3%)
 - Final renewal rate increase will be approximately 11%
 - Staff has budgeted for the initial 15.8% renewal notice, so no additional funding is required to cover the rate increase

Report – Virginia Department of Transportation – Ed Carter

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

Maintenance:

- Mobilized and responded for (hopefully) the last snow event of the season
- Conducted grading and stone application operations on various stabilized roads throughout the County and will continue this month
- Repaired soft spots and prep patching for upcoming resurfacing work on various routes and will continue this month
- Completed sweeping operations on bridges and curb/gutter
- Installed new pipes and flushed existing pipes on various routes
- Will begin first round of mowing on primaries next month

Board Issues:

- New traffic pattern striping at Route 340 and Rivermont Road is scheduled to be completed within the next sixty (60) days; will have a new layout for the Board within the next thirty (30) days

Reports – Board Members, County Administrator, Interim County Attorney

Mrs. Cook reported the following:

- Attended the first annual Valor Awards ceremony on April 21st

Mr. Mabe reported the following:

- This week is Teacher Appreciation Week, and the month of May is Military Appreciation Month
- Samuels Public Library will be holding a Volunteer Fair on Saturday, May 14th

Mrs. Oates reported the following:

- Also attended the Valor Awards ceremony on April 21st
- Attended the Humane Society of Warren County's fundraising event, Barks and Bags, on April 22nd
- Attended the Town's Earth Day and the Department of Social Services' Child Abuse Prevention Jubilee events
- The Visitors Center downtown is getting a makeover, and she encouraged citizens to check it out

Mrs. Cullers reported the following:

- Also attended the Valor Awards ceremony on April 21st and thanked Niki Foster and the Chamber of Commerce for putting on the event
- Also attended the Earth Day and Child Abuse Prevention Jubilee events
- Attended Page County's Future Farmers of America (FFA) dinner on April 23rd
- The week from May 6th through 12th is National Nurses Week

Dr. Daley reported the following:

- Invited Deputy County Administrator Taryn Logan to provide a report; Mrs. Logan announced the appointment of Matt Wendling as Planning Director, effective May 1st, and provided an overview of his service to Warren County over the past 17 years. She also noted Chase Lenz's designation as Zoning Administrator on this agenda and said the Planning Department will be advertising for a part-time Zoning Officer, who will act as more of an on-site inspector for properties with zoning violations.
- Dr. Daley had no new information to report from the State regarding its budget figures and recommended the Board call a special meeting on May 10th, in addition to the regularly scheduled work session, to move forward with certain portions of the proposed FY 2022-2023 budget.
- The Regional Broadband Agreement has been approved by all participating jurisdictions, and the Front Royal Town Council approved the proposed Drug Court funding agreement.

Approval of Minutes

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the minutes of its following meetings:

- Regular Meeting of April 5, 2022
- Special Meeting of April 12, 2022
- Regular Meeting of April 19, 2022

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

Consent Agenda

1. Designation of Chase Lenz as Zoning Administrator – Joe Petty
2. Removed for further discussion
3. Reclassification of Administrative Assistant Positions – Jane Meadows
4. Request of D.R. Horton for Release of Phase 3 Bond for Blue Ridge Shadows Subdivision – Taryn Logan
5. Removed for further discussion
6. Authorization to Advertise for Public Hearing – Z2022-03-01, Rivermont Baptist Church – Ordinance to Amend and Re-Ordain Sections 180-8 and 180-21 of the Warren County Code re: Day- or Child-Care Center (Nursery) – Matt Wendling
7. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-03-01, Rivermont Baptist Church for a Day- or Child-Care Center/Nursery – Matt Wendling
8. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-03-02, Solomon Stavis for a Short-Term Tourist Rental – Matt Wendling
9. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-03-03, Jared Smith for a Short-Term Tourist Rental – Chase Lenz
10. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-03-04, James and Jeonghe Lal for a Short-Term Tourist Rental – Matt Wendling
11. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-03-05, Rocky Quach for a Short-Term Tourist Rental – Chase Lenz
12. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-03-07, Richard Durkee, II for Private Use Camping – Matt Wendling

Mr. Mabe requested the removal of item 5 for further discussion, and Mrs. Cook requested the removal of item 2.

On a motion by Mrs. Cullers, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors approved the Consent Agenda as amended, noting the correction made to condition #2 on the cover sheet for item 10 changing the occupancy limit from 6 to 4:

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

Resolutions of Support to Name the Bridges over the North and South Forks of the Shenandoah River – Ed Daley

Mr. Mabe asked if these resolutions would include the third bridge leading into town as well, the one crossing over Crooked Run, and Dr. Daley responded the resolutions are only for the two major bridges crossing the North and South Forks of the Shenandoah River. The proposed names are a combination of the original names approved by the Board in 2016 and the proposed names approved by the Board in 2021.

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors adopted the proposed resolutions supporting the naming of the bridge over the North Fork of the Shenandoah River to the “General Daniel Morgan Veterans’ Memorial Bridge” and the bridge over the South Fork of the Shenandoah River to the “Major General Dr. Joseph Warren Veterans’ Memorial Bridge”:

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF WARREN COUNTY NAMING THE ROUTE 340/522 BRIDGE OVER THE NORTH FORK OF THE SHENANDOAH BRIDGE IN WARREN COUNTY AS THE “GENERAL DANIEL MORGAN VETERANS’ MEMORIAL BRIDGE”

WHEREAS, the people of this county joined in the fight for American Independence, as evidenced by the numbers of soldiers’ graves marked in our soil by the Col. James Wood II Chapter of the Sons of the American Revolution; and

WHEREAS, among those joining in the fight for American Independence was one General Daniel Morgan of Frederick County, whose grave is in Mt. Hebron Cemetery in Winchester; and

WHEREAS, because the American fight for Independence went on for eight years with many disappointing outcomes that looked bleak for American Forces, General George Washington did Commission General Daniel Morgan, hero at Cowpens, to fortify Massanutten Mountain, an area of present Warren County, where American Forces and its citizens would take a stand if English Forces ultimately prevailed in the northern Colonies and at the Village of York Towne; and

WHEREAS, General Daniel Morgan, a renowned soldier and General whose war tactics that insured a major victory and a turning point at the Battle of Cowpens are taught still today in our war colleges and to our fighting troops, and whose bravery in the face of enemy forces and leadership brought great loyalty among his troops, insuring ultimate victory; and

WHEREAS, Warren County strongly supports the efforts and sacrifices made by all men and women who have served in the United States Armed Forces and recognizes the unselfish dedication and determination demonstrated by these brave patriots; and

WHEREAS, Section 33.2-213 of the Code of Virginia authorizes the Commonwealth Transportation Board (CTB) to give suitable names to state highways, bridges, interchanges, and other transportation facilities and change the names of any highways, bridges, interchanges, or other transportation facilities forming a part of the systems of state highways; and

WHEREAS, Section 33.2-213 provides that the Virginia Department of Transportation shall place and maintain appropriate signs indicating the names of highways, bridges, interchanges, and other transportation facilities named by the CTB and requires that the costs of producing, placing, and maintaining such signs shall be paid by the localities in which they are located.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Warren County, Virginia, in accordance with Section 33.2-213 of the Code of Virginia, does hereby request that the Commonwealth Transportation Board name the bridge on Route 340/522 over the North Fork of the Shenandoah River in Warren County as the "General Daniel Morgan Veterans' Memorial Bridge"; and

BE IT FURTHER RESOLVED, that Warren County agrees to pay the costs of producing, placing, and maintaining the signs calling attention to this naming.

RESOLUTION OF THE BOARD OF SUPERVISORS OF WARREN COUNTY NAMING THE
ROUTE 340/522 BRIDGE OVER THE SOUTH FORK OF THE SHENANDOAH RIVER IN
WARREN COUNTY AS THE "MAJOR GENERAL DR. JOSEPH WARREN VETERANS'
MEMORIAL BRIDGE"

WHEREAS, the County of Warren is named for Major General Dr. Joseph Warren, a Founding Father of the United States of America; and

WHEREAS, Dr. Joseph Warren was martyred at the Battle of Bunker Hill June 17, 1775, by British Forces seeking to silence his voice advocating American Independence; and

WHEREAS, Warren County recognizes Dr. Warren's role as a Founding Father by adopting his name and the lowering of county flags on his birthday, June 11th; and

WHEREAS, the Warren County Board of Education has erected historic plaques in each of our schools educating our youth as to the history of Dr. Joseph Warren; and

WHEREAS, Warren County strongly supports the efforts and sacrifices made by all men and women who have served in the United States Armed Forces and recognizes the unselfish dedication and determination demonstrated by these brave patriots; and

WHEREAS, Section 33.2-213 of the Code of Virginia authorizes the Commonwealth Transportation Board (CTB) to give suitable names to state highways, bridges, interchanges, and other transportation facilities and change the names of any highways, bridges,

interchanges, or other transportation facilities forming a part of the systems of state highways; and

WHEREAS, Section 33.2-213 provides that the Virginia Department of Transportation shall place and maintain appropriate signs indicating the names of highways, bridges, interchanges, and other transportation facilities named by the CTB and requires that the costs of producing, placing, and maintaining such signs shall be paid by the localities in which they are located.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Warren County, Virginia, in accordance with Section 33.2-213 of the Code of Virginia, does hereby request that the Commonwealth Transportation Board name the bridge on Route 340/522 over the South Fork of the Shenandoah River in Warren County as the “Major General Dr. Joseph Warren Veterans’ Memorial Bridge”; and

BE IT FURTHER RESOLVED, that Warren County agrees to pay the costs of producing, placing, and maintaining the signs calling attention to this naming.

Purchase of Certified Elections Software and Budget Transfers – Alisa Scott

Mrs. Cook wanted to know if the purchase of this software was a planned expenditure and for which fiscal year it was planned. Alisa Scott, Deputy Finance Director, replied it was originally a planned expenditure for the Voter Registrar’s proposed FY 2022-2023 budget, but after additional budget discussions, it was determined the software needed to be in place and compliant by July 2022. This request is for the reallocation funds from line items in the current FY 2021-2022 budget to cover the costs of the software.

On a motion by Mrs. Cook, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors authorized the interfund budget transfers totaling \$32,638 and approve the award to DemTech Sales for new ePollTAB poll book deployment for \$32,638 on behalf of Warren County:

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

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)(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, specifically in regard to the Board of Building Code Appeals, the Economic Development Authority Board of Directors, and the Front Royal-Warren County Airport Commission.

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

Finally, the Board entered into a closed meeting under the provisions of Section 2.2-3711(A)(8) for consultation with legal counsel for the provision of legal advice regarding the Shenandoah Farms Sanitary District:

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), 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

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors amended the agenda to add a citizen appointment to the Warren County Building Code Appeals and further appointed Ryan Oakes to fill an unexpired four-year term ending September 30, 2025:

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 of Supervisors amended the agenda and directed the County Administrator to advertise for those to serve on a Shenandoah Farms Sanitary District Advisory Board, to present a proposed number of Board members, and take such other actions necessary to prepare for the constitution and appointment of such Board:

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

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

Adjournment

Mrs. Cullers adjourned the meeting at 12:20 PM.

At a special meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on May 10, 2022 at 6:00 PM.

Present: Cheryl L. Cullers, Chair (South River District); Delores R. Oates, Vice Chair (North River District); Jerome K. Butler (Happy Creek District); Victoria L. Cook (Fork District); and Walter J. Mabe (Shenandoah District); also present Edwin C. Daley, County Administrator; Taryn G. Logan, Deputy County Administrator; Jason Ham, Interim County Attorney; Todd Jones, Director of Technology; Caitlin Jordan, Senior Assistant County Attorney; Joe Petty, Director of Economic Development; Matt Robertson, Finance Director; Alisa Scott, Deputy Finance Director; and Emily Ciarrocchi, Deputy Clerk of the Board

Adoption of Certain Tax Rates for Calendar Year 2022 – Matt Robertson

Matt Robertson, Finance Director, reported staff is recommending the Board adopt the following personal property tax rates for Calendar Year 2022 after the work session held on May 3, 2022:

Tangible Personal Property Tax

\$3.80 per \$100 of assessed value

Tangible Personal Property – Business Furniture & Equipment

\$4.00 per \$100 of assessed value

Tangible Personal Property – Volunteer Fire & Rescue Squad members

\$1.90 per \$100 of assessed value

Tangible Personal Property – Aircraft

\$0.75 per \$100 of assessed value

These proposed rates are at or below the rates that were advertised as part of the FY 2022-2023 budget and are approved with a valuation decrease from “clean” to “average” valuation on all personal property tax categories.

Mrs. Oates asked what sort of relief this would provide on average to the taxpayers, and Mr. Robertson replied the taxpayers will be seeing an average 20% reduction to personal property tax bills, specifically related to vehicles. Mrs. Oates then asked if there will still be some individuals who will see an increase on their tax bills, and Mr. Robertson confirmed there would be due to the vehicle valuations increasing so much. He also noted Warren County is one of the only localities that dropped both the valuation from “clean” to “average” as well as decreased the overall tax rate.

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors adopt the Calendar Year 2022 Personal Property Tax Rates as proposed:

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

Request – Adoption of Resolution to Set Percentage of Tax Relief for Personal Property (Motor Vehicles) for 2022 Tax Year – Sherry Sours

Dr. Daley reported pursuant to Section 160-109 of the Warren County Code, adopted in compliance with the State Appropriations Act, it is necessary for the Board of Supervisors annually to set the percentage of personal property tax relief for motor vehicle owners within the County. This is part of the “no Car Tax” legislation adopted by the General Assembly years ago. The legislature has established a cap on the reimbursements it makes to localities and has required each locality to set this percentage as a means of providing for the reimbursement to the locality for the reduction in this tax.

Sherry Sours, Commissioner of the Revenue, has calculated that the rate for the 2022 tax year should be 34%, and the proposed resolution would set the percentage for the 2022 tax year in nearly identical language to the similar resolution adopted in previous years.

On a motion by Mr. Butler, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors approved and adopted the proposed Resolution to Set a Percentage of Tax Relief for the 2022 Tax Year at a Level of 34% that is Anticipated to Exhaust Personal Property Tax Relief Funds Provided to Warren County by the Commonwealth of Virginia as Authorized by Warren County Code Section 160-109:

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

**RESOLUTION OF THE BOARD OF SUPERVISORS OF WARREN COUNTY TO SET A
PERCENTAGE OF TAX RELIEF FOR THE 2022 TAX YEAR AT A LEVEL THAT IS
ANTICIPATED TO EXHAUST PERSONAL PROPERTY TAX RELIEF FUNDS PROVIDED TO
WARREN COUNTY BY THE COMMONWEALTH OF VIRGINIA AS AUTHORIZED BY WARREN
COUNTY CODE SECTION 160-109**

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code 58.1-3523 et seq. (“PPTRA”), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act, hereinafter cited as the “2005 Appropriations Act”); and

WHEREAS, these legislative enactments require the County of Warren to take affirmative steps to implement these changes, and to provide for the computation and allocation of relief provided pursuant to the Personal Property Tax Relief Act as revised; and

WHEREAS, these legislative enactments provide for the annual appropriation of the County of Warren, of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax on such vehicles, which the County of Warren has authorized to be accomplished by resolution of the Board of Supervisors of Warren County by the enactment of Warren County Code Section 160-109 on April 18, 2006.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that qualifying vehicles obtaining situs within the County of Warren during tax year 2022 shall receive personal property tax relief in the following manner:

Personal use vehicles valued at \$1,000 or less will be eligible for 100% tax relief;

Personal use vehicles valued at \$1,001 to \$20,000 will be eligible for 34% tax relief;

Personal use vehicles valued at \$20,001 or more shall only receive 34% tax relief on the first \$20,000 of value; and

All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.

In accordance with said Item 503. D. 1, the entitlement to personal property tax relief for qualifying vehicles for tax year 2005 and all prior tax years shall expire on September 1, 2006. Supplemental assessments for tax years 2005 and prior that are made on or after September 1, 2006, unless determined to be of no fault of the taxpayer, shall be deemed ‘non-qualifying’ for purposes of state tax relief, and the local share due from the taxpayer shall represent 100% of the tax assessable.

Authorization to Advertise for Public Hearing – Ordinance to Delay Penalties and Interest Upon Certain Local Taxes – Jamie Spiker

Dr. Daley stated the due date for the first half of 2022 taxes will remain the same (June 5th), but due to the late adoption of the personal property tax rates, penalties and interest on personal property, machinery and tools, and vehicle license taxes will not start accruing until June 25th.

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors authorized the advertisement of the proposed ordinance to delay penalties and interest upon certain local taxes until June 25, 2022 for a public hearing to be held on May 24, 2022:

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

Adjournment

Mrs. Cullers adjourned the meeting at 6:22 PM.



COUNTY OF WARREN, VIRGINIA BOARD OF SUPERVISORS AGENDA ITEM

DATE 05/17/2022	ITEM H-1	SUBJECT: Request for Festival Permit Jim Clark <i>Appaloosa Festival</i>
<u>EXPLANATION & SUMMARY:</u> Attached is the festival application from Jim Clark requesting the Board's approval for the Appaloosa Festival to be held on September 2 through 5, 2022, at the Fairgrounds located at 751 Mountain Road, Front Royal, VA 22630. The festival will be held from 12:00 PM - 10:00 PM each day. The maximum number of people expected will be based on local and state guideline. In its 7th year, the event will have live music from Scythian, Yarn, The Gothard Sisters, Marie Miller Band and many more. A request for comments has been sent to VDOT, Fire & Rescue, the Sheriff's Department, and the Building Inspections Department. Received comments will be provided to the event coordinator and have been attached to this report.		
<u>PROPOSED OR SUGGESTED MOTION:</u> I move that the Board of Supervisors approve the festival permit request of Jim Clark for Appaloosa Festival to be held from September 2-5, 2022, at 751 Mountain Road. OR I move that the Board of Supervisors deny the festival permit request of Jim Clark for Appaloosa Festival to be held from September 2-5, 2022, at 751 Mountain Road. (List Reasons)		
SUBMITTED BY: Joseph W. Petty <i>Director of Economic Development</i>	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (Describe)	PROCESSED BY:

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

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

Applicant Information

Name of Applicant: _____ Jim Clark _____

Address of Applicant: _____ 2581 Shenandoah Shores Rd _____

City: _____ Front Royal _____ State: _____ VA _____ Zip Code: _____ 22630 _____

Home Phone #: _____ 540.635.9495 _____ Work Phone #: _____ 540.622.4600 _____

Email Address: _____ exitpremierva@yahoo.com _____

Name of Organization/Promoter(s): _____ Appaloosa Festival LLC _____

Address of Organization/Promoter(s): _____ 204 Salem Ave _____

City: _____ Front Royal _____ State: _____ VA _____ Zip Code: _____ 22630 _____

Festival Information

Name of Festival: _____ Appaloosa Festival _____

Festival Location: _____ 751 Mountain Rd, Front Royal VA _____

Name of property owner(s): _____ Floy Bunning _____

Address of property owner(s): _____ Same as above _____

Date(s) of Festival: _____ September 2nd - 5th _____

Time(s) of Festival: _____ 12 noon - 10 pm _____

Admission Charge (dollars): _____ \$30-\$50 _____

Maximum number of tickets offered per day: _____ TBD based on local and state guidelines _____

Number of people expected per day: _____ TBD based on local and state guidelines _____

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

(1) _____ Scythian _____

(2) _____ Yarn _____

(3) _____ The Gothard Sisters _____

(4) _____ Marie Miller Band _____

Additional Instructions

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

____ Johnny Blue will provide these services, in accordance and permissions from the ____
____ Warren County Health Dept, in conjunction with VDHD guidelines and approval. ____

Approved food trucks will serve food. Lodging is provided by Skyline Ranch resort as a camp ground, as well as their approved lodging, and RV sites.

There will be a 1st Aid tent, with a nurse on site, and a doctor on call.

Local EMS services will be contacted and the festival will comply with all recommended safety procedures and guidelines, per the fire chief.

_____ Skyline Ranch offers 65 acres of land, which is adequate parking. Off duty _____
law enforcement officers will be hired for high egress times. _____

_____ Skyline Ranch provides adequate lighting for most areas. Additional overhead _____
_____ lighting will be rented and brought in by Sun Belt rentals. _____

Yes. Virginia Eagle will provide beer, and Rappahannock Cellars will provide wine
Jim Clark will be the designated ABC manager, and oversee all alcohol sales.

____ Yes. Tents will be rented from Grand Rental Station. No tent over 900 sq ft will be used for the festival.

2

____Speakers, and other musical devices for a music festival. _____

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

____Security will be on-site. Law enforcement will only be needed for high egress times.

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

General Regulations

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

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

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

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

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

____Jim Clark_____
Applicant's Signature

4/4/2022_____
Date

For Official Use Only

Permit____Approved____Denied by Warren County Board of Supervisors on _____

Comments: _____

County Administrator

Date

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

Joe Petty

From: David Beahm
Sent: Tuesday, April 26, 2022 9:21 AM
To: Joe Petty
Subject: RE: Warren County Festival Permit Application - Request for Comments - Appaloosa Music Festival

Joe,

The applicant indicates on the application that no tents will be over 900 square feet and that is the threshold for a permit to be required. That would be my only item from the application.

However, the plan layout that is provided on page 5 indicates something quite different. A VIP Tent that is 40' x 40' (1,600 sf), Workshop/Kids Tent 30' x 60' (1,800 sf) and a Beer Tent 40' x 60' (2,400 sf) all of which will require permits.

Respectfully,

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

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

From: Joe Petty <jpetty@warrencountyva.net>
Sent: Monday, April 4, 2022 3:45 PM
To: James Bonzano <jbonzano@warrencountyfire.com>; Gerry Maiatico <gmaiatico@warrencountyfire.com>; David Beahm <Dbeahm@warrencountyva.net>; Bobby Boyce <bobby.boyce@vdot.virginia.gov>; Rhonda Funkhouser <rhonda.funkhouser@vdot.virginia.gov>; Jim Davis <jim.davis@vdh.virginia.gov>; Greg Smith <gregory.smith@vdh.virginia.gov>; Mark Butler <mbutler@warrencountysheriff.org>; Robbie Seal <rseal@warrencountysheriff.org>
Cc: Matt Wendling <Mwendling@warrencountyva.net>; Chloe Phillips <cphillips@Warrencountyva.net>
Subject: Warren County Festival Permit Application - Request for Comments - Appaloosa Music Festival

Good afternoon:

Please find the attached packet for a recent application to obtain a Festival Permit for the 2022 Appaloosa Music Festival.

The Applicant is requesting to hold a music festival from September 2, 2022, through September 5, 2022. Please review the attached application and provide any appropriate comments regarding the effects on the public health and safety. If you feel that there will be no adverse effects or that no additional conditions should be met, please state this. I have enclosed copies of the applicant's festival application. Your response as soon as possible would be greatly appreciated.

If you need or require hard copies, please let us know and we can have them sent to your office.

Best,

Joseph “Joe” Petty

Director of Economic Development/Interim Planning Director

Warren County Planning Department

220 North Commerce Ave., Suite 400

Front Royal, VA 22630

Phone: (540) 636-3354

Fax: (540) 636-4698

warrencountyva.net

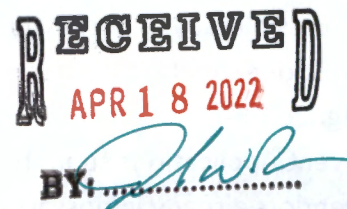
[Warren County Code](#)

[Zoning Setbacks](#)

[Warren GIS](#)

Joe Petty

Warren County Department of Planning
220 N Commerce Avenue, Ste 400
Front Royal, VA 22630



RE: Request for Comments: Request for Festival Permit – Appaloosa Music Festival

Per your written request dated April 4, 2022, I have reviewed the request for comments for a Festival Permit for a music festival event with overnight camping at Skyline Ranch Resort on September 2-5, 2022. The following are considerations regarding the festival permit:

Campground

Skyline Ranch Resort currently holds a VDH permit for a maximum of 136 campsites. Sewage treatment and disposal at the resort is regulated by the Department of Environmental Quality, and there is a current VPDES permit on file for a sewage discharge of up to 10,000gal/day. The resort should be allowed to fill capacity and, once reached, campers should be directed to overflow campgrounds or area hotels and motels.

Swimming Pool

The existing swimming pool is designed for a maximum of 75 swimmers. Festival attendees should be excluded from use of the swimming pool.

Event Coordinator

A representative must submit an event coordinator application for a temporary food event to the Warren County Health Department as soon as possible (30 days in advance is requested). The coordinator must specify the utilities they plan to provide to food vendors. A sketch should be provided showing the festival layout with respect to food vendor locations, available campsites for festival attendees, parking areas, first aid stations, etc. If considered, a rain date for the event should be provided.

Pets

The event coordinator should maintain a log of any festival attendees with pets in the event of an animal bite. The log should include the pet owner's name, address, contact information, and description of the pet. Any pets allowed into the campground should be kept leashed and under control at all times and not be allowed to become a nuisance or public health issue. Owners should pick up after their pets.

Refuse Disposal

Solid waste or garbage and refuse disposal should be handled by a solid waste disposal company. A non-routine trash removal date should be scheduled for immediately after the event. Trash receptacles located around the festival site should be equipped with tight-fitting lids and be emptied on a regular basis.

Food Vendors

Unless already in possession of a current temporary event vendor permit or a mobile food unit permit (i.e. the date of expiration is after 09/05/2022), or has been inspected and permitted by the Virginia Department of Agriculture and Consumer Services (VDACS), all food vendors at the festival must have their Temporary Food Event Applications submitted to the Warren County Health Department within 10 days of the event. All food vendors already in possession of a permit must have the permit present at all times during operation. A few important items to note are:

- Food vendors must have trash receptacles with tight-fitting lids;
- Vendors are responsible for the removal of their own garbage;
- All gray water and sewage must be disposed of via approved wastewater retention tanks that are pumped by a licensed sewage hauler
- Non-mobile food vendors are not to be set up on grass or other bare ground without providing flooring for control of mud and dust. Gravel or paved surfaces are acceptable;
- Vendors should have access to a potable water supply or bring their own potable water;
- Electricity should be made available to vendors, but they are allowed to use generators;
- Tents or canopies shall be provided, or vendors can bring their own overhead protection.

Other necessary provisions can be found in the Temporary Event Application which is available upon request.

Inspection

The Warren County Health Department staff will be available during the event to inspect the temporary food vendors.

If you have any questions or concerns, please contact me at Jeffrey.mason@vdh.virginia.gov. All permit applications can be obtained from the Warren County Health Department office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey Mason', with a stylized flourish at the end.

Jeffrey Mason

Environmental Health Technical Specialist

Joe Petty

From: Arthur Boyce <bobby.boyce@vdot.virginia.gov>
Sent: Monday, April 25, 2022 3:45 PM
To: Joe Petty
Cc: Rhonda Funkhouser; Dean Shillingburg
Subject: Warren-Rte 619-Skyline Ranch Resort-Appaloosa Music Festival September 2-5, 2022

COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION
Staunton/Edinburg Land Development
14031 Old Valley Pike
Edinburg, VA 22824

Dear Mr. Petty:

We have reviewed the above subject Music Festival Application for September 2-5, 2022 and expect that an event as such will have a negative impact to the adjacent roadway. The estimated number of attendees were not provided for this application. We offer the following comments and recommendations based on previous years:

Vehicles entering Skyline Ranch Resort should be required to park before paying to prevent backups out onto a State road.

Since this section of Route 619 has very poor alignment and sight distance, we recommend that portable changeable message sign (PCMS) be posted on Route 619 approximately one mile each side of the festival entrance for the duration of the festival. The VDOT right-of-way on Route 619 is very narrow (15' from centerline) and will not accommodate these large signs. Therefore, the festival will need to obtain permission from adjacent property owners to install the signs on private property as in past events.

Consider posting a PCMS on the Skyline Ranch Resort property in advance of the event to alert local motorists of the upcoming event.

Any necessary flagging on the State's roadways should be performed by uniformed law enforcement officers. However, the event should not be allowed to take up payment at the gate and causing a backup onto a State roadway.

We appreciate the County's efforts to include VDOT in the early planning stages and the opportunity to provide comments on this Special Event Permit. If you have any questions, please do not hesitate to give me a call.

Sincerely,

Bobby Boyce

VDOT- Land Development Engineer
Shenandoah, Frederick, Clarke, & Warren Counties 14031 Old Valley Pike
Edinburg, VA 22824
(540) 534-3211



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE May 17, 2022	ITEM H-2	SUBJECT: Transfer of \$140,000 and Appropriation of \$260,000 in CSA funding to the General Fund	PAGE 1 OF
<u>EXPLANATION & SUMMARY:</u> Warren County has seen a significant increase in children served through CSA services in the past two fiscal years. Due to the increase in caseload, additional funding is needed over what was originally budgeted. Funding is used to pay for necessary treatments of children as determined by the FAPT and CPMT teams – made of leaders in social services in our area. CSA has kept unutilized funding in the Special Projects Fund in prior years to be used in case of increased need. Currently, about \$300,000 of funding is available in the Special Projects Fund identified as a CSA Reserve. It is expected based on current projections that the CSA program will need an additional \$400,000 in funding this fiscal year to maintain the current level of service. The state provides matching funds based on program type which average at a 65% match rate. Therefore, staff recommends transferring \$140,000 from the Special Projects Fund to the General Fund and appropriate \$260,000 in state funding to meet the additional \$400,000 of need in the CSA program. <u>COST & FINANCING:</u> Funding for this purchase is available in the Special Projects Fund under the CSA Reserve. <u>PROPOSED OR SUGGESTED MOTION:</u> I move the Board of Supervisors approve the FY22 budget transfer of \$140,000 in Special Projects Funds and FY22 budget appropriation of \$260,000 in state CSA Funds to the General Fund for use in the CSA Program or I move the Board of Supervisors table the budget transfer and appropriation for the CSA program for further discussion			
SUBMITTED BY: Matt Robertson, Finance Director	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)		PROCESSED BY:

COUNTY OF WARREN



Finance Department
Warren County Government Center
220 North Commerce Avenue, Suite 700
Front Royal, Virginia 22630

Phone: (540) 636-1604
Fax: (540) 636-8163

Matthew J. Robertson
Finance Director

Memorandum

BOARD OF SUPERVISORS

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

TO: Board of Supervisors, Warren County
FROM: Matthew Robertson, Finance Director
Jessica Amankrah, CSA Coordinator
SUBJECT: CSA Funding FY 2021-2022
DATE: May 10, 2022

This memo is to serve as support for the agenda item to transfer \$140,000 of Special Projects Funding to the CSA General Fund and appropriation of \$260,000 of state funding to the CSA General Fund.

Warren County has seen a significant increase in CSA caseloads over the past two fiscal years. At this time, 60 children have accessed CSA services this fiscal year. In prior years, only 39 children had done so. Recently, we have also seen an increase in children referred to CSA through the court system which is going to increase these numbers.

Children receive a variety of services including private day schools, residential placements, access to mental health services, and foster care. Below are some of the notable increases we have seen this year in those areas which require additional funding—

- 2 additional children placed in private day schools – \$168,000 annually
- 5 new children into foster care – 2 being so intensive it requires \$192,000 annually
- 3 children whose level of need increased their placement from a Therapeutic Foster Care placement to group home or residential placement that increases spending
- 5% cost of service increases from the majority of providers

The level of need can vary drastically, but these represent just some of the increased cost that Warren County is seeing through CSA services. We have also seen 12 children access mental health services through FAPT for themselves and their families which kept children at home and out of the social service system. It decreases cost and provides a better life for the child and their family.

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

The level of service needed for each case is determined by the Family Assessment and Planning Team (FAPT) which is made up of industry experts in our area. This is overseen by the Community Policy and Management Team (CPMT) who manage cooperative efforts to serve at-risk youth and their families and maximize the use of available resources. Together, these bodies are responsible for the utilization of CSA funding with assistance from the CSA coordinator. This follows the mandated structure by the Commonwealth of Virginia to receive offsetting state funds.

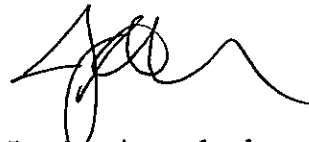
The FAPT, CPMT, and CSA office has determined the increased level of need is likely to continue increasing. To prepare for the increase, we have budgeted an additional \$209,467 in the FY 22-23 Proposed Budget so that future funding transfers are not needed or not as large. Special Projects Funding has been saved from prior years where CSA funding ran under budget in preparation for years where it would be overspent.

CPMT has approved this budget transfer to continue providing services for the most at-risk youth and their families in Warren County. Provision of CSA services is mandated by the State and there is little control for the locality to manage costs. We are making every effort to plan for future costs and not utilize reserve funding in future years.

If you have any questions or concerns, please contact Matt Robertson or Jessica Amankrah for more information.



Matt Robertson
Finance Director



Jessica Amankrah
CSA Coordinator



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF
May 17, 2022	H-3	Memorandum of Understanding for Payroll and Benefits Services between the County of Warren and SRCJA	

EXPLANATION & SUMMARY:

The Skyline Regional Criminal Justice Academy and County of Warren, Virginia currently have a memorandum of understanding for the County to serve as fiscal agent for the Academy. The Academy wishes to update this to include only payroll and benefit services only. The Academy is growing and has initiated contract with an accounting software to manage their own finances outside of payroll and benefits.

Staff supports the Academy's change and is working to ensure a smooth transition. In return for providing payroll and benefit services, the Academy will provide a sum of \$1,500 to the County annually. Funds will also be held in escrow in a County bank account for the purpose of providing payroll, and will be billed monthly to the Academy.

This item allows the County Administrator to approve the final version of the memorandum of understanding between the County and Academy, of which the final draft is attached. All staff, most notably the Director of Finance and Director of Human Resources, are supportive of the change and are working internally to ensure a smooth transition.

COST & FINANCING: \$1,500 from the Academy to the County annually for providing payroll and benefit services.

PROPOSED OR SUGGESTED MOTIONS:

I move the Board of Supervisors authorize the County Administrator to approve the Memorandum of Understanding for Payroll and Benefit Services between the County of Warren and Skyline Regional Criminal Justice Academy.

SUBMITTED BY:	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)	PROCESSED BY:
Matt Robertson Finance Director		

MEMORANDUM OF UNDERSTANDING
FOR PAYROLL AND BENEFITS SERVICES

THIS AGREEMENT (“Agreement”) made and entered into this ____ day of June 2022, by and between the COUNTY OF WARREN, VIRGINIA, a political subdivision of the Commonwealth of Virginia (“County”) and the SKYLINE REGIONAL CRIMINAL JUSTICE ACADEMY, a public body politic and corporate (“Academy”).

WHEREAS, Academy was established in accordance with § 15.2-1747 et. seq. of the Code of Virginia, 1950, as amended, to provide law enforcement training to various localities and other state and federal agencies; and

WHEREAS, the Academy and the County entered into an MOU on April 26, 2017 (“Original MOU”) for the provision of fiscal agency services; and

WHEREAS, the parties desire to amend and replace the Original MOU such that the County act as the Academy’s fiscal agent for purposes of administering the Academy’s payroll and benefits only.; and

WHEREAS, the County of Warren desires to provide the payroll and benefits services as outlined in this Agreement;

W I T N E S S E T H:

NOW, THEREFORE, for and in consideration of the mutual benefits to be derived by both the County and Academy, the parties agree as follows:

SECTION I

PROVISION OF PAYROLL AND BENEFITS SERVICES BY THE COUNTY

The County agrees to provide the following services to the Academy: payroll management and benefits services, including, Health, VRS and the management of sick, annual,

and holiday leave. Such services shall be performed in the “regular course of business” of the County.

On or before July 1, 2022, the County will transfer the fund balance remaining in the Skyline Training Academy Fund to the Academy bank account, minus two months’ worth of Academy salary obligations, to include benefits costs and taxes as applicable (one month to cover the current month’s payroll and the other month to be held in escrow for the succeeding month). This amount will be 16.5% of the total personnel budget from the Skyline Training Academy Adopted Budget. Thereafter, Warren County will invoice the Academy monthly in advance for all costs associated with payroll and benefits. In the event that the monthly amount transferred by the Academy is insufficient to pay for all the costs associated with the payroll, the County may apply any unused funds being held in escrow to pay for unanticipated overages during a particular cycle (e.g. overtime). The monthly cost will be pulled from the funds in escrow and transferred to the County and then billed accordingly to the Academy. Should the funds in escrow not cover the unanticipated overage, the County will bill the amount plus two months’ worth to re-establish the escrow balance. Upon termination of this Agreement, the County shall return all unused funds still remaining in escrow to the Academy.

The County will provide payroll accounting services for the Academy’s employees. However, it is understood that the Academy is an independent public body and that Academy employees are not employees of the County. The Academy will establish its own personnel policies and procedures and is not covered under the policies and procedures established by the County, except that the Academy agrees to follow the payroll calendar of the County. The County will maintain records of hours worked and leave balances based on timesheets provided by the Academy. The County agrees to offer and administer health insurance and other County

employee benefits to the Academy's employees through the County's group health insurance plan.

The County agrees to transact with Virginia Retirement System (VRS) for payroll and reporting purposes on behalf of the Academy in the event that the Academy becomes an independent member of VRS. In the event that the Academy has not yet become an independent member of VRS, the County agrees to cooperate with the Academy to obtain VRS benefits for Academy employees by virtue of the County serving as the Academy's fiscal agent.

The County agrees to submit to the Academy, monthly reports in a mutually agreeable format within 10 work days from the end of the prior month.

SECTION II COMPENSATION

In return for providing the financial services described herein, the Academy agrees to pay to the County the amount of One Thousand Five Hundred Dollars (\$1,500) annually. The Academy agrees to make such payment by December 31st each year.

SECTION III COVENANTS OF ACADEMY

Academy covenants that all of its employees shall cooperate with County officials and employees. Academy further consents that it shall provide the County with appropriate resources, including the time and attention of employees or other resources necessary for the County to perform the financial services provided for herein. Academy shall comply with requests for information or data within time frames set by the County. Academy shall have policies in place that provide for record-keeping and accounting practices in accordance with generally accepted governmental accounting standards.

SECTION IV
TERM

This Agreement shall commence on January 1, 2022 and shall remain in full force and effect for five (5) full fiscal years.

This Agreement may be terminated without cause by either the County or Academy upon written notice of termination given to the other party at least ninety (90) days in advance of the effective date of such termination. Notice of termination shall be mailed, by first-class mail to the address designated below, or to such other address as may be designated by written notice.

If to the County:

With a copy to:

If to Academy:

SECTION V
ENTIRE AGREEMENT, AMENDMENTS TO AGREEMENT

This Agreement contains all of the terms and conditions agreed to between the parties and supersedes and replaces the MOU entered into on April 26, 2017. Except as otherwise specified, this Agreement shall not be amended or altered without the written consent of the parties.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

COUNTY OF WARREN,
A political subdivision of the Commonwealth of
Virginia

By _____

_____, County Administrator

Approved as to form:

Senior Assistant County Attorney

SKYLINE REGIONAL CRIMINAL JUSTICE
ACADEMY

By _____
_____, Executive Director

Approved as to form:

Academy Attorney

Consent to Provision of Services to
Skyline Regional Criminal Justice Academy:

_____, Treasurer, _____ County



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE May 17, 2022	ITEM H-4	SUBJECT: Chester Gap Volunteer Fire Department Funding Request	PAGE 1 OF
<u>EXPLANATION & SUMMARY:</u> In Spring 2020, Chester Gap Volunteer Fire Department (CGVFD) lost volunteer staffing due to COVID-19. A paid BLS position was created and funded by Rappahannock County and Warren County. An ALS provider position at the cost of \$80,000 per jurisdiction was added for FY 2021-2022. This funding was increased to \$5,500 each per month effective July 1, 2022. <u>COST & FINANCING:</u> The estimated cost of the existing program for Warren County for fiscal year 2022-2023 \$ 182,400. Part of this cost may be paid with American Rescue Plan Act funding. <u>PROPOSED OR SUGGESTED MOTION:</u> I move the Warren County Board of Supervisors approve the proposed agreement with Chester Gap Volunteer Fire Department. OR I move the Warren County Board of Supervisors not approve the proposed agreement with Chester Gap Volunteer Fire Department. OR I move the Warren County Board of Supervisors amend the proposed agreement with Chester Gap Volunteer Fire Department as follows: _____			
SUBMITTED BY: Edwin C. Daley, County Administrator	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)		PROCESSED BY:

MEMORANDUM OF AGREEMENT



for Support for the Chester Gap Volunteer Fire Department

WHEREAS the Chester Gap Volunteer Fire Department (CGVFD) is located in Rappahannock County but also provides services to parts of Warren County; and

WHEREAS due to the COVID-19 pandemic, CGVFD hired part-time emergency medical services (EMS) employees to assist with station coverage (the “Program”); and

WHEREAS the additional cost of the Program in FY2021 and FY2022 was reimbursed to CGVFD by both Rappahannock County and Warren County pursuant to agreements adopted by the Board of Supervisors for each County; and

WHEREAS the successful implementation of the Program during the pandemic has shown that it is a cost-efficient and sustainable model capable of providing emergency medical care to the citizens of both Rappahannock County and Warren County; and

WHEREAS the Program consists of the following emergency medical providers stationed at CGVFD providing 24 hours per day coverage, 365 days per year:

- Basic Life Support (BLS) provider at a rate of up to \$132,000/year
- Advanced Life Support (ALS) provider at a rate of up to \$160,000/year; and

WHEREAS workers’ compensation insurance for the Program will be provided by Rappahannock County at a cost of approximately \$12,000 per year, which together with employee pay yields a total Program cost of \$304,000; and

WHEREAS Rappahannock County and Warren County have agreed to share the total costs of the Program proportionate to the relative number of EMS calls in each County, which for FY2023 the counties agree the cost share is 60% Warren County and 40% Rappahannock County; and

WHEREAS the CGVFD agrees to provide a minimum of an engine and ambulance crew through such policy and that the Program will provide personnel to properly staff the apparatus.

NOW THEREFORE IT IS AGREED that the Warren County Board of Supervisors will fund, on a reimbursable basis directly to CGVFD, 60% of the cost of the Program, up to \$182,400 as detailed in the preamble hereto, during FY2023. This shall include reimbursement to Rappahannock County for workers’ compensation; and

IT IS FURTHER AGREED that the above reimbursements shall be subject to submission of a monthly or quarterly statement of expenses by CGVFD; and

IT IS FINALLY AGREED that representatives of CGVFD, Rappahannock County, and Warren County will begin an annual review of the program in January 2023 as input to the decision to continue the program in fiscal year 2024.

DRAFT

Chester Gap Volunteer Fire Department
Call Statistics

Year	2015	2016	2017^	2018	2019	2020	2021	2022*	3 - year Average	3 - year Average	Without Fauquier 3 - year Average
Rappahannock Fire	41	72	37	59	55						
Rappahannock EMS	83	77	93	91	122						
Rappahannock Total	124	149	130	150	177	124	237	39	133.3	38.4%	39.8%
Warren Fire	173	162	182	128	110						
Warren EMS	104	109	116	104	93						
Warren Total	277	271	298	232	203	224	305	75	201.3	58.0%	60.2%
Fauquier Fire	9	7	11	7	7						
Fauquier EMS	2	1	6	4	8						
Fauquier Total	11	8	17	11	15	20	14	3	12.3	3.6%	
Total Fire	223	241	230	194	172	0	0	0			
Total EMS	189	187	215	199	223	0	0	0			
YEARLY TOTAL	412	428	445	393	395	368	556	117	347.0		

* - Part year

^ - Note discrepancy for Fauquier between two sheets that both have 2017 data

Note the paper shows a total of 120 that is inconsistent with subcomponents



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE:	ITEM:	SUBJECT:	PAGE:
May 17, 2022	H-5	Front Royal Cardinals Request to Sell Beer in Bing Crosby Stadium	

EXPLANATION & SUMMARY:

The Front Royal Cardinals Organization representatives, Ms. Donna Settle, President and Mr. Alex Bigles, Vice President came before the Board of Supervisors during a scheduled Work Session on May 10, 2022 to formally request the Front Royal Cardinals Baseball Organization are allowed to Sell Beer in Bing Crosby Stadium During their Home Games for the 2022 Summer Valley Baseball League season.

Prior to the Warren County Parks and Recreation Commission scheduled meeting on March 14, 2022, Dan Lenz, Director of Warren County Parks and Recreation Department requested Ms. Settle to contact the ABC Licensing Board for Virginia requesting information about applying for a permit to sell beer in Bing Crosby Stadium this year. Mr. Lenz also requested that Ms. Settle contact the two Valley League Baseball teams (Covington, Purcellville) who currently sell beer at their facilities to inquire about the steps they had taken to get their permit approved as well as any major incidents that have occurred since the sale of beer began for each organization.

During the Warren County Parks and Recreation Commission meeting, Ms. Settle and Mr. Bigles presented their sales plan verbally and answered questions raised by the members who were present. At the conclusion of their presentation, the commission members endorsed their request by a majority vote.

Mr. Lenz spoke with Dr. Ed Daley, County Administrator about the Cardinals request on March 15, 2022. Mr. Daley advised Mr. Lenz to contact Ms. Settle and explain to her the Cardinal representatives must place their request in writing with all the pertinent information to be reviewed and discussed by the Board of Supervisors in an upcoming scheduled Work Session on May 10, 2022.

Prior to this work session, Mr. Bigles provided a copy of their PowerPoint to the Board of Supervisors for their review. Ms. Settle and Mr. Bigles presented their PowerPoint presentation and answered questions raised by the Board members. Ms. Settle told the Board members as part of the permit process established by the ABC Licensing Board for Virginia; the Cardinals must place an ad in the area newspapers two times for 30 days for a public comment to approve or deny their request to sell beer in Bing Crosby Stadium.

The Board of Supervisors recommended to vote on the Front Royal Cardinals request to sell beer in Bing Crosby Stadium for the 2022 home game to be voted on at their scheduled May 17, 2022 meeting.

COST & FINANCING: None

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve Front Royal Cardinals Baseball Organization request to sell beer in Bing Crosby Stadium during their home games for the 2022 Summer Valley Baseball League season.

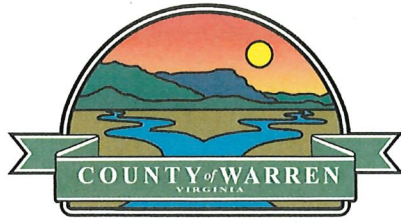
OR

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

OR

I move that the Board of Supervisors not approve the request by the Front Royal Cardinals.

SUBMITTED BY:	DISPOSITION OF BOARD:	PROCESS ED BY:
Daniel P. Lenz, <i>DPL</i> Director	☐ APPROVED ☐ OTHER (DESCRIBE)	



COUNTY OF WARREN

Parks and Recreation Department

200 East 8th Street

Front Royal, Virginia 22630

(540) 635-7750

Daniel P. Lenz, Director

May 10, 2022

Warren County Board of Supervisors

RE: Agenda Item for Work Session:

The Front Royal Cardinals Request to Sell Beer in Bing Crosby Stadium During their Home Games for the 2022 Summer Valley Baseball League:

Prior to the Warren County Parks and Recreation Commission scheduled meeting on March 14, 2022, I requested Donna Settle, Front Royal Cardinal's President contact the ABC Licensing Board for Virginia requesting information about applying for a permit to sell beer in Bing Crosby Stadium this year. I also requested that Ms. Settle contact the two (2) Valley League Baseball teams (Covington, Purcellville) who currently sell beer to inquire about the steps taken to get it approved as well as any major incidents that have occurred since the sale of beer began for each organization.

During the Warren County Parks and Recreation Commission meeting Ms. Settle and Cardinal Representative, Mr. Alex Bigles presented their sales plan verbally and answered questions raised by the members who were present. At the conclusion of their presentation, the commission members endorsed their request by a majority vote.

I spoke with Dr. Daley, County Administrator about the Cardinals request on March 15, 2022. He requested that I contact Ms. Settle and explain to her the Cardinal representatives must place their request in writing with all the pertinent information to be reviewed/discussed by the Board of Supervisors in an upcoming scheduled Work Session on May 10, 2022. Dr. Daley has requested the Cardinal representatives contact Steven Hicks, Town Manager to attend a Town Council Work session and provide the same information for approval of their request to sell beer in Bing Crosby Stadium.

Last week, Ms. Settle, Mr. Bigles and I reviewed their PowerPoint presentation. After contacting Emily Ciarrocchi, Deputy Clerk of the Board, they will speak to the Board of Supervisors at their scheduled May 10th Work Session meeting.



Daniel P. Lenz
Director

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

○ ○ ○ ○

BEER PROPOSAL



FRONT ROYAL CARDINALS

○ ○ ○ ○



**CARDINALS
BASEBALL**

Our Mission

Dedicated to fostering promoting youth baseball and softball, good sportsmanship, education, and civic responsibility

Funded

Originally Funded in
1897 as Charter
Member of the Valley
Baseball League

Financial Status

Non-Profit 501c
Corporation,
Funded in part by Major
League Baseball

Our Goals

Support our Community,
While Providing Families
a Safe and Friendly
Atmosphere

KEY PEOPLE



President
Donna Settle



**Vice President, Community Relations &
Business Development**
Alex Bigles



Vice President, Operations
Bethany Stinson



TBD
Kim Adkins



Treasure
Donna Muller

CARDINALS FACTS



Key milestones

Over 22 Cardinals
Players Have
Continued on to
Play in MLB

Awards

Voted Best
Stadium to Play in
by VBL Coaches &
Players



Season Info

June - July
42 Games Total
(21 Home, 21 Away)

Events

Selected as 2022
All-Star Game Host

New products release

2022 - Introduction
of Beer Sales



Key Activities

Collegiate Baseball
Summer Camps
Family Activities

CARDINALS BASEBALL

Geographical Location (Area of Operation)

County of Warren

- *Front Royal*
- *Bentonville*
- *Linden*
- *Middletown*



CARDINALS BASEBALL SCHEDULE

JUNE 2022

June 3 - Purcellville
June 5 - Mew Market
June 8 - Winchester
June 11 - Woodstock
June 16 - New Market

June 18 - Woodstock
June 19 - Covington
June 23 - Woodstock
June 24 - Strasburg
June 27- Purcellville

JULY 2022

July 2 - Winchester
July 3 - Harrisonburg
July 7 - Winchester
July - 9- Strasburg

July 10 -Charlottesville
July 15 - New Market
July 21 - Purcellville
July 23 - Strasburg

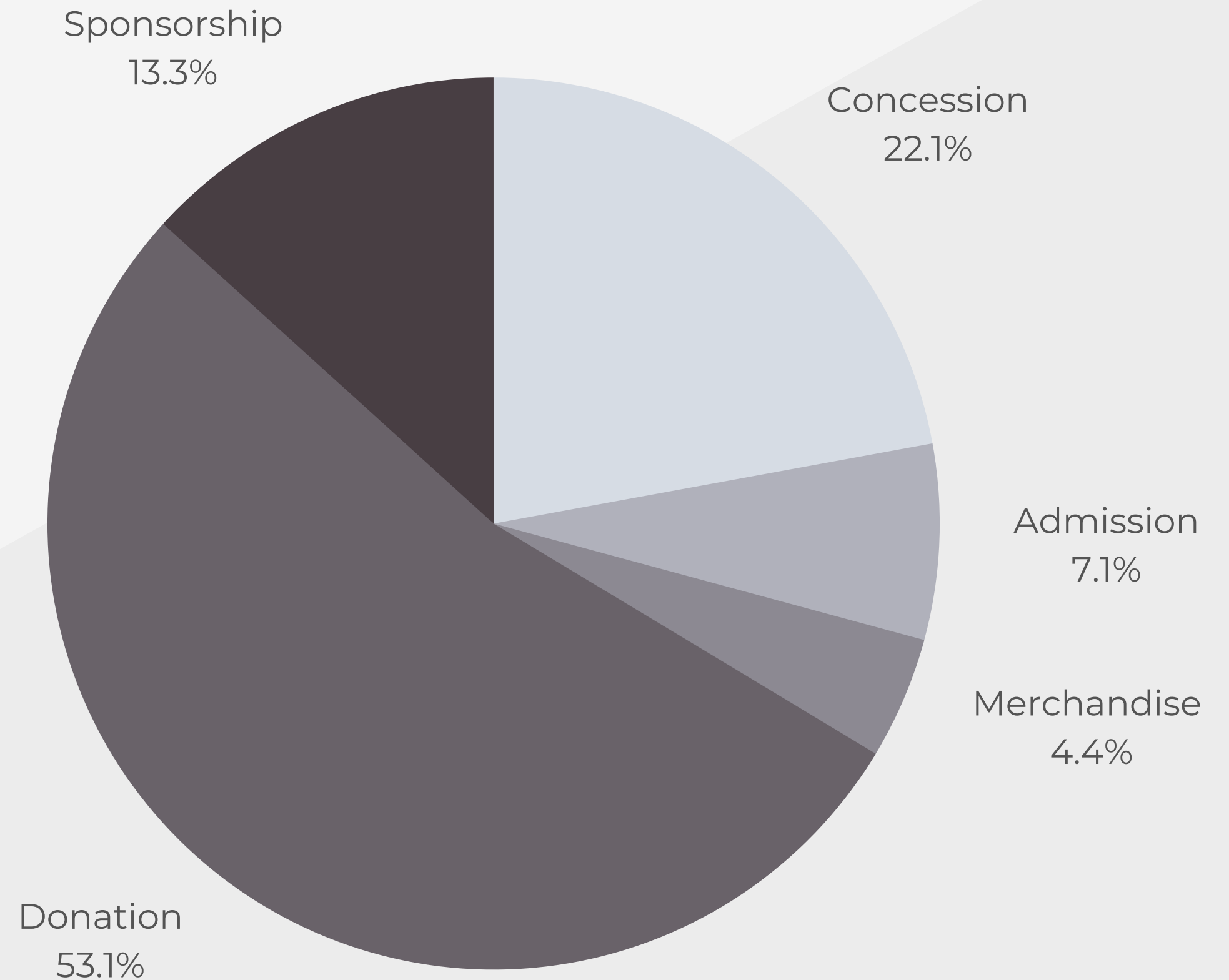
July 17 - ValleyAll-Star Game





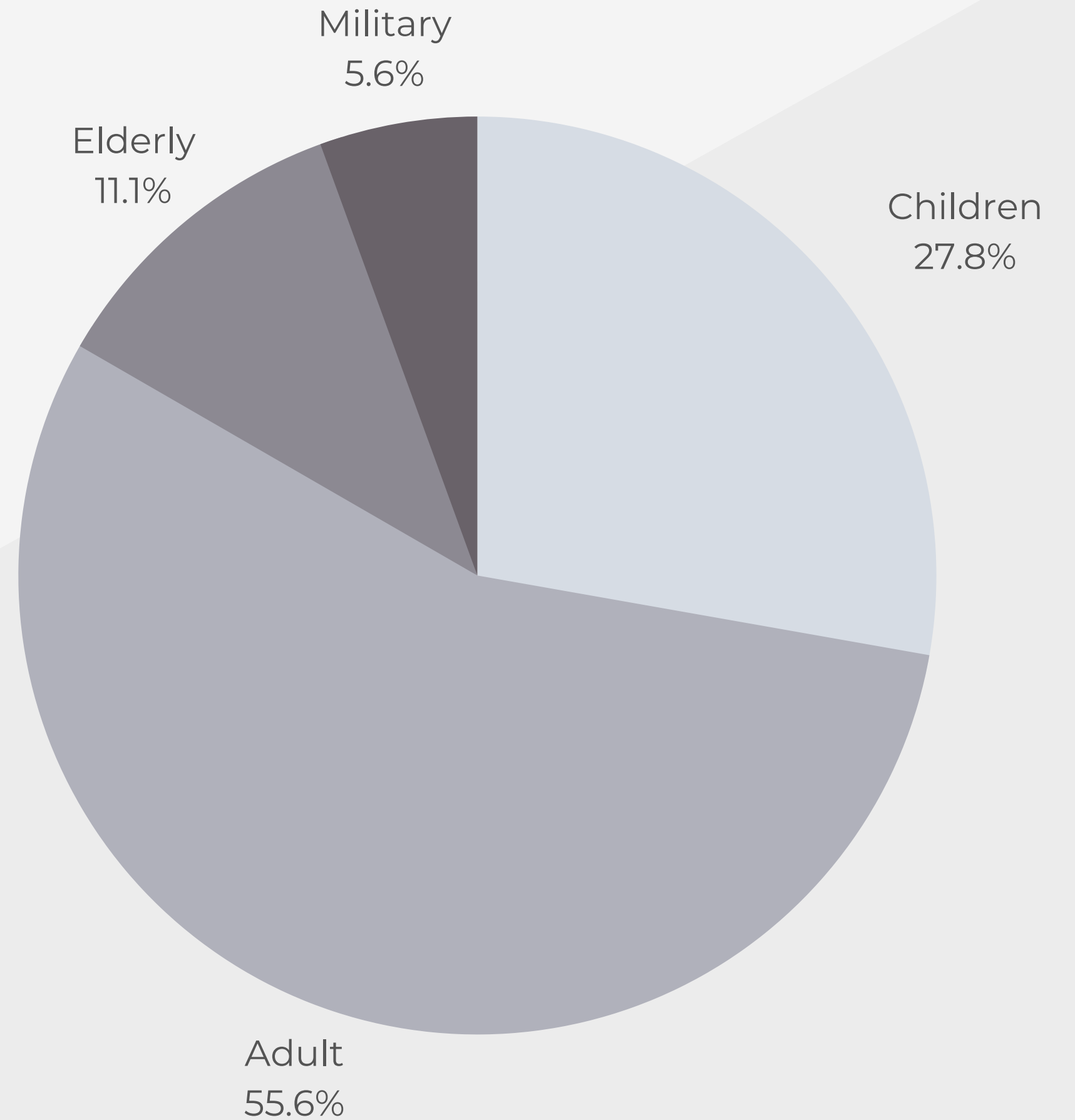
HOW WE ARE FUNDED

- Primarily operate from Donations from Local community and Public Grants
- Admission prices are locked at \$5 to allow maximum attendance
- Concession sells are contribute for the largest portion of our revenue.





DEMOGRAPHICS





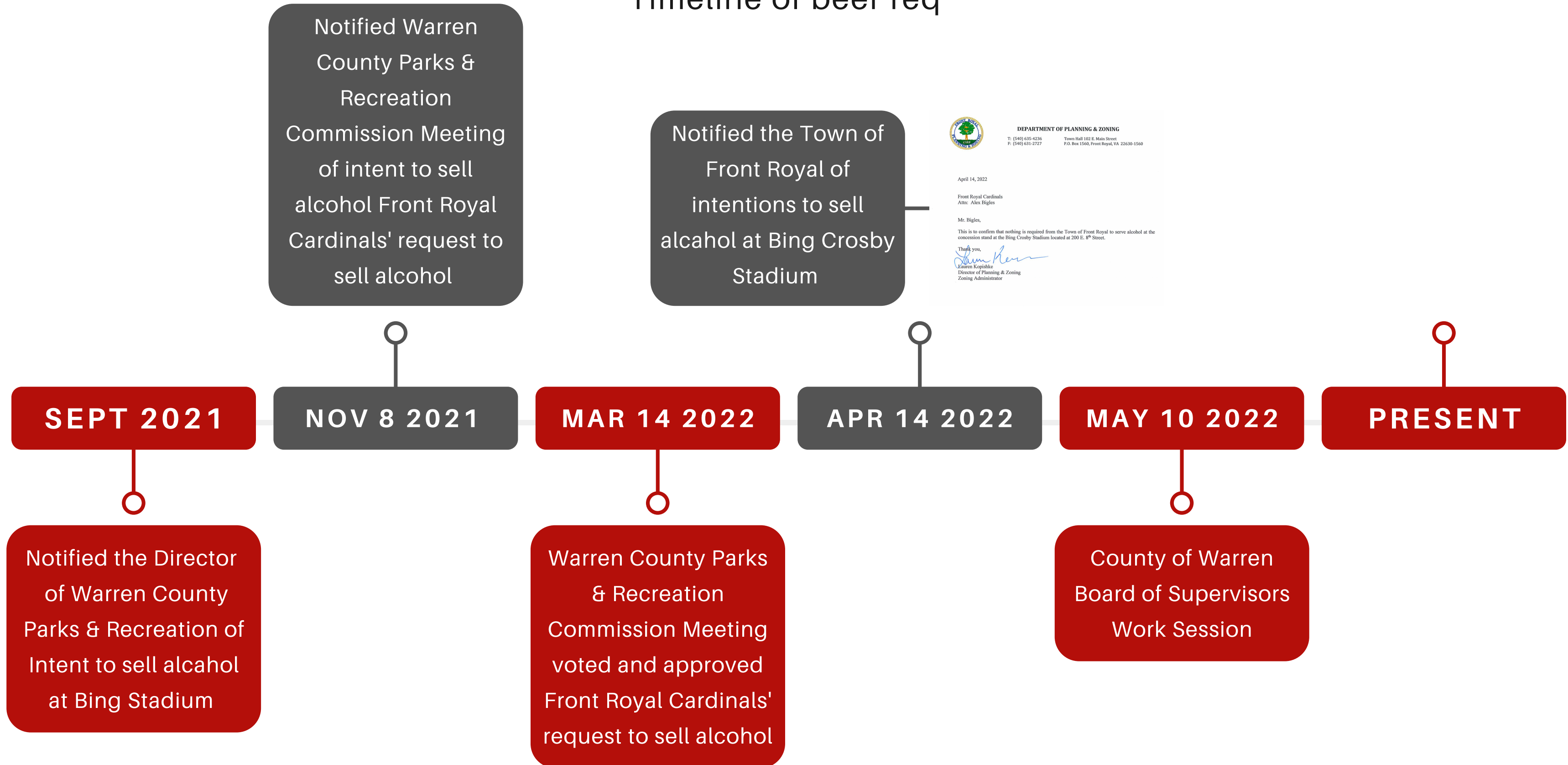
FUTURE PLANS

- In order to better serve our guests and generate revenue for the Organization, we respectfully request this board to consider allowing the Front Royal Cardinal Baseball organization to serve beer at the Bing Crosby Stadium



TIMELINE

Timeline of beer req



DEPARTMENT OF PLANNING & ZONING
T: (540) 635-4236
F: (540) 631-2727
Town Hall 102 E. Main Street
P.O. Box 1560, Front Royal, VA 22630-1560

April 14, 2022

Front Royal Cardinals
Attn: Alex Bigles

Mr. Bigles,

This is to confirm that nothing is required from the Town of Front Royal to serve alcohol at the concession stand at the Bing Crosby Stadium located at 200 E. 8th Street.

Thank you,

Lauren Kopytko
Lauren Kopytko
Director of Planning & Zoning
Zoning Administrator



TOWN OF FRONT ROYAL NOTIFICATION

- On April 14, 2022, Front Royal Cardinals notified the Town of Front Royal of our intentions to sell alcohol inside Bing Crosby Stadium. Town of Front Royal; Planning & Zoning Director provided written verification that no additional approvals are required for alcohol sales in Bing Crosby Stadium.



DEPARTMENT OF PLANNING & ZONING

T: (540) 635-4236
F: (540) 631-2727

Town Hall 102 E. Main Street
P.O. Box 1560, Front Royal, VA 22630-1560

April 14, 2022

Front Royal Cardinals
Attn: Alex Bigles

Mr. Bigles,

This is to confirm that nothing is required from the Town of Front Royal to serve alcohol at the concession stand at the Bing Crosby Stadium located at 200 E. 8th Street.

Thank you,

Lauren Kopishke
Director of Planning & Zoning
Zoning Administrator





WHY SELL BEER

- Number one Requested item by Fans of our Community
- Commonly available at all major sporting events to include Colleges and Universities
- Align concession Sales with other VBL locations (Covington & Purcellville)
- Additional Revenue Stream to Support Organization and Outreach Programs





SECURITY MEASURES

- Specialized equipment & training to provide clear identification of anyone over the age of 21.
- Implementation of Off-Duty Law Enforcement Officer.
- Availability of on-site breathalyzer for public use prior to departure
- DUI Prevention Program - CARDS Ride Home - Partnered with community taxi service
- Many Additional Safety Measures





STAFF TRAINING

- Board Members and Staff will attend recurring training to ensure staff is knowledgeable in 1) Understanding the legal responsibilities; 2) Recognizing legally acceptable Identification; 3) Understanding Alcohols effect on the body; 4) Recognizing signs of intoxicated guests and many more areas;





SERVING CONTROLS

- Age verification station will be set up to check acceptable forms of identification.
- Multiple Color Tyvek wristbands will be used to quickly identify guests over 21 wishing to purchase beer.
- Wrist band color of the day will be chosen randomly prior to the start of the game.
- Alcohol sales will terminate at the end of the 7th inning of play.



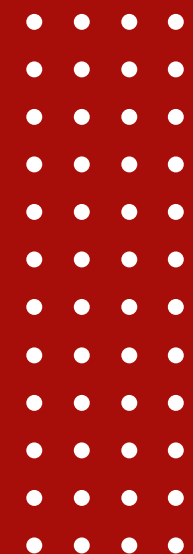


QUESTIONS

Our board members are available to answer any questions that you may have regarding our proposal.

- Mrs. Donna Settle - President
(703) 244-6662
donna.settle@icloud.com
- Mr. Alex Bigles - Director
(305) 333-6950
alexbigles@gmail.com





THANK YOU



(703) 244-6662



www.frontroyalcardinals.org





COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF
May 17, 2022	H-6	Authorization to Advertise for Public Hearing – Ordinance for Approval of Shenandoah Shores Sanitary District Increased Water Rates for FY 2022-2023	

EXPLANATION & SUMMARY:

The Shenandoah Shores Property Owner's Association has voted to approve a 2.5% increase on water rates for Shenandoah Shores residents who are hooked up to the community well. This equates to an average increase of \$11.16 annually per property owner on the water system.

As approved in the 2009 agreement between the Board of Supervisors of Warren County and Shenandoah Shores Cooperative Water Association, all rate and fee schedules are to be adopted by the Governing Body by ordinance after public hearing.

Attached is a budget document for the Shenandoah Shores Cooperative Water Association which highlights the proposed changes. The new rate is expected to generate approximately \$5,000 in new revenue which is necessary for increased cost of repairs and the possibility of new wells being required. Savings cannot be utilized as they are needed for the eventual replacement of the Rollason reservoir which supplies 95% of the water to Shenandoah Shores residents.

The approval of the water rate was voted on by the Shenandoah Shores appointed Board and public notice was provided of the meeting date.

COST & FINANCING: N/A

PROPOSED OR SUGGESTED MOTIONS:

I move the Board of Supervisors authorize the advertisement of the proposed ordinance to approve the Shenandoah Shores Sanitary District Increase Water Rates for FY 2022-2023 for public hearing to be held on June 7, 2022.

SUBMITTED BY:	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)	PROCESSED BY:
Matt Robertson Finance Director		

**AN ORDINANCE SETTING WATER CONSUMPTION RATES FOR THE SHENANDOAH
SHORES SANITARY DISTRICT**

WHEREAS, the Memorandum of Understanding between the Shenandoah Shores Cooperative Water Association (SSCWA) and the Board of Supervisors of Warren County, Virginia dated September 17th of 2009 states: "SSCWA shall, as needed, recommend to the Governing Body an appropriate fee and rate schedule to be adopted by the Governing Body by ordinance, after public hearing, for adequate charges for connection to the system and for monthly usage and consumption..."; and

WHEREAS, on May 2, 2022 the Board of Directors for Shenandoah Shores Cooperative Water Association approved an increase of 2.5% to the water rates to be effective July 1, 2022 and has sent an approved budget to the Warren County Finance Department.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF WARREN COUNTY, VIRGINIA THAT:

1. The rate for usage and consumption for residents connected to the Shenandoah Shores Cooperative Water Association system is \$114.53 per quarter for use of 0-16,000 gallons of water.
2. The rate for usage and consumption for residents connected to the Shenandoah Shores Cooperative Water Association system is \$.0087 per gallon for use of 16,000-26,000 gallons of water.
3. The rate for usage and consumption for residents connected to the Shenandoah Shores Cooperative Water Association system is \$.0098 per gallon for use of 26,000 and over gallons of water.
4. The provisions of this Ordinance shall supersede any prior approved rates to connection and usage of the Shenandoah Shores Cooperative Water Association's system.
5. The passage of this Ordinance shall be effective July 1, 2022.

Adopted this 7th day of June 2022.

Shenandoah Shores Cooperative Water Association
3290 Shenandoah Shores Road
Front Royal, VA 22630

Budget 2022-2023

	0-16,000 gal.	16,001-26,000	26,000 & over
Current water rate:	111.74	0.0085/gal.	.0096/gal.
Requested new water rate:	114.53	0.0087/gal.	.0098/gal.
Number of homes on system	352		
Current savings balance	\$165,282.92		
Anticipated cost for 2022-2023	\$100,000.00	Repairs	
	\$150,000.00	For new well (if needed)	
Anticipated revenue (old rate)	\$175,650.00		
Anticipated revenue (new rate)	\$180,041.69		

Shenandoah Shores Cooperative Water Association is requesting approval to increase our revenue rate by 2 1/2% for the next fiscal year starting July 1, 2022. Our system has quite a bit of age on it and leaks have been occurring more often. The cost of material is continuing to rise and availability still has not improved. This increase will help to offset rising material prices as well as electric and fuel increases. Our end goal is to have one million in reserve to replace the Rollason reservoir with savings should it fail in the future. This, of course, would fall under a catastrophic failure category but that reservoir does supply 95% of our homeowners. The figure is based on an engineering study, all material and labor and the need to supply our homeowners with water, by any means available, until repairs are complete.



DATE	ITEM	SUBJECT:	PAGE 1 OF
May 17, 2022	H-7	Authorization to Advertise for Public Hearing – Ordinance to Amend Section 6-1 of the Warren County Code re: Airport Commission, Membership	
<u>EXPLANATION & SUMMARY:</u>			
In consideration of the nature and purpose of the Warren County Airport Commission, to not only serve Warren County but the entire region, staff recommends removing the residency requirement for membership of the Airport Commission.			
<u>COST & FINANCING:</u> N/A			
<u>PROPOSED OR SUGGESTED MOTIONS:</u>			
I move the Board of Supervisors authorize the advertisement of a public hearing regarding the adoption of the proposed ordinance to amend and re-ordain Section 6-1 of the Warren County Code to remove the residency requirement for membership to the Warren County Airport Commission.			
SUBMITTED BY: Caitlin Jordan Sr Asst Co. Attorney	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)		PROCESSED BY:

ORDINANCE TO AMEND SECTION 6-1 OF THE WARREN COUNTY CODE

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Section 6-1 of the Warren County Code (Membership) be amended and re-ordained as follows:

Chapter 6. Airport Commission

§ 6-1. Membership.

- A. There is hereby established a Warren County Airport Commission, to consist of five members who shall be appointed by the Warren County Board of Supervisors. A member of the Board of Supervisors may serve as a member of the Airport Commission. All members of the Airport Commission **must have** ~~shall be residents of the County, qualified by~~ knowledge and experience to make recommendations and decisions on questions of operating and managing a County-owned airport.
[Amended 7-15-2008; 8-20-2019; **6-7-2022**]
- B. Terms of office.
- (1) Two members, drawn by lot, shall serve an initial term of two years. The remaining members shall serve an initial term of four years. Thereafter, all members shall hold office for a term of four years each, such that the terms of office of the members are staggered. Members shall hold office until the successor has been appointed, which successor shall serve the unexpired remainder of that member's term.
- (2) The term of office shall end on December 31 of the year in which the term expires.
- C. Appointments to fill vacancies shall be only for the unexpired portion of the term.
- D. Members may be reappointed to succeed themselves.
- E. A member whose term expires shall continue to serve until his successor is appointed.
- F. Each member shall serve without compensation, except for reimbursement of expenses incurred in the performance of his duties.

THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION

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



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE May 17, 2022	ITEM I	SUBJECT: Purchase of Real Property Located at 124 East 2 nd Street	PAGE 1 OF
<u>EXPLANATION & SUMMARY:</u> The County intends to purchase real property located at 124 East 2nd Street for sale by owner at a purchase price of \$212,000; also known as Tax Map Parcel 20A5-8-30 in the Town of Front Royal in accordance with the Code of Virginia § 15.2-1800. Purchase, sale, use, etc., of real property. This parcel is adjacent to other County-owned real property. The County will continue to rent and occupy the adjacent properties. If the Board desires to lease this property, a public hearing shall be properly advertised at a later date. <u>COST & FINANCING:</u> Funding for this purchase is available in the Special Projects Fund. The Board is requested to approve the transfer of \$225,000 from the Special Projects Fund to the General Fund for this purchase, which includes the cost of the purchase and broker commission. <u>PROPOSED OR SUGGESTED MOTION:</u> I move the Board of Supervisors approve the transfer of \$225,000 from the Special Projects Fund to the General Fund for the purchase of real property and improvements located at 124 East 2nd Street, Front Royal, Virginia, Tax Map Parcel 20A5-8-30 (the "Property"). I further move the Board authorize the Chair and County Administrator, either of whom may act, to execute all necessary documents that have been approved by the County Attorney or the Assistant County Attorney to purchase the Property for a purchase price of \$212,000 on behalf of the County. Or I move the Board of Supervisors table the purchase of the Property.			
SUBMITTED BY: Alisa Scott, Deputy Finance Director	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)		PROCESSED BY:



VIRGINIA REALTORS®
Commercial Purchase Agreement

Each commercial transaction is different. This form may not address your specific purpose. This is a legally binding document. If not understood, seek competent advice before signing.

This Commercial Purchase Agreement (the "Agreement") is dated May 3, 2022, between Richard D. Labrozzi, Et UX ("Seller") and The County of Warren, Virginia ("Purchaser"). The parties acknowledge that None ("Listing Broker") represents Seller and that Adams-Nelson & Associates, Inc. ("Selling Broker") represents **[select one]**: ☐ Seller ☒ Purchaser. The parties further acknowledge that disclosure of the brokerage relationships was made to them by the real estate licensees involved in this transaction when specific assistance was first rendered and confirmed in writing.

1. **Sale of Property.** Purchaser agrees to buy and Seller agrees to sell the land, all improvements thereon, and all rights and appurtenances thereto belonging, located in the City/County of Warren, Virginia, with a tax parcel no. of 20A5 8 30 and a street address of 124 East 2nd. Street, Front Royal, Virginia. Seller discloses that **[select one]**: ☐ there are no tenants or other parties in possession of the Property OR ☒ there are tenants or persons who are in possession of the Property as set forth on **SCHEDULE A** attached hereto.

2. **Purchase Price.** The purchase price for the Property is Two Hundred Twelve Thousand Dollars (\$ 212,000.00) (the "Purchase Price") and shall be paid to Seller at Settlement, subject to the prorations and adjustments described herein, as follows:

A. **Deposit.** Purchaser shall make a deposit of \$ 2,000.00 to be held by To be named by Purchaser (the "Escrow Agent") in the form of: ☒ check ☐ cash ☐ other (the "Deposit"). Purchaser **[select one]**: ☐ has paid the Deposit to the Escrow Agent OR ☐ will pay the Deposit to the Escrow Agent within 7 days (the "Extended Deposit Date") after the date this Contract is fully executed by the parties. If Purchaser fails to pay the Deposit as set forth herein, then Purchaser shall be in breach of this Contract. At Seller's option and in lieu of all other remedies set forth in this Contract, Seller may terminate this Contract by written notice to Purchaser and neither party shall have any further obligation hereunder.

If the Escrow Agent is a Virginia Real Estate Board ("VREB") licensee, the parties direct the Escrow Agent to place the Deposit in an escrow account by the end of the fifth business banking day following the latter of: (i) the date this Contract is fully executed by the parties, or (ii) the Extended Deposit Date. If the Escrow Agent is not a VREB licensee, the parties direct the Escrow Agent to place the Deposit in an escrow account in conformance with applicable Federal or Virginia law and regulations. The Deposit may be held in an interest bearing account and the parties waive any claim to interest resulting from such Deposit. The Deposit shall not be released by the Escrow Agent until (i) credited toward the purchase price at settlement; (ii) Seller and Purchaser agree in writing as to its disposition; (iii) a court of competent jurisdiction orders a disbursement of the funds; or (iv) disbursed in such manner as authorized by the terms of this Contract or by Virginia law or regulations. Seller and Purchaser agree that Escrow Agent shall have no liability to any party for disbursing the Deposit in accordance with this paragraph, except in the event of Escrow Agent's negligence or willful misconduct.

B. **Balance.** The balance of the Purchase Price shall be paid by Purchaser at Settlement in certified funds or bank wire (inclusive of any loan obtained by Purchaser to purchase the Property).

3. **Settlement.**

A. **Settlement of Property.** Settlement of the purchase and sale of the Property shall be made at To be named by Purchaser on July 29, 2022 ("Settlement"). Possession of the Property shall be delivered to Purchaser at Settlement.

VR Form 700 Revised 07/19
Reviewed 07/19

Page 1 of 10

B. Deliveries by Seller at Settlement. At Settlement, Seller shall deliver to Purchaser the following:

(i) A general warranty deed with full English covenants of title (the "Deed") conveying to the Purchaser good and marketable fee simple title to the Property, free and clear of all liens, encumbrances, conditions and restrictions, except any lien for real estate taxes not yet due and payable, and any Title Objections for which Purchaser has no objection and/or has waived such objection pursuant to Paragraph 5;

(ii) An affidavit for the benefit of Purchaser and its title insurer, satisfactory to Purchaser's title company (the "Affidavit") stating that (i) no right to a mechanic's or materialman's lien has accrued with respect to the Property as a result of any act or omission by the Seller and (ii) there are no outstanding leases or agreements with regard to, or other parties in or entitled to possession of, the Property except as disclosed in **SCHEDULE A** attached hereto;

(iii) A Certificate of Non-Foreign Status as required by Section 1445 of the Internal Revenue Code of 1986 and any other certificates required by any governmental authority or agency;

(iv) If the Property is leased, a tenant estoppel certificate and an assignment of lease (including the transfer of the security deposit at Settlement) for each and every tenant of the Property, in forms acceptable to Purchaser; and

(v) Such other Seller certifications as Purchaser's lender or title company may reasonably require.

C. Costs and Prorations. Seller shall pay the costs of preparing the Deed, the Grantor's tax thereon and any other expenses incurred by Seller. Purchaser shall pay for the title search, title insurance premiums, survey expenses, lender fees, Grantee's tax and all other settlement expenses incurred by Purchaser. Real estate taxes, rent, CAM and assessments, as applicable, shall be prorated between Seller and Purchaser as of the date of the Settlement. Each party shall pay its own legal, accounting and other expenses incurred in connection with this Agreement or Settlement.

D. Condition of Property. Purchaser agrees to accept the Property at Settlement in its physical condition at the time this Agreement is fully executed by all parties, except as otherwise provided herein. Seller agrees to maintain the Property in good condition and repair until Settlement. At Settlement, Seller agrees to transfer to Purchaser all existing warranties, if any, on the Property's roof, structural components, HVAC, mechanical, electrical, security and plumbing systems.

4. Feasibility Period.

A. For a period of Thirty (30) days following execution of this Agreement by all parties (the "Feasibility Period"), Purchaser, its agents and contractors, shall have the right to: (i) enter the Property for the purpose of inspecting the Property and performing tests as are desirable to Purchaser in its sole and absolute discretion; (ii) seek zoning information from the local governing authority concerning Purchaser's intended use of the Property; and/or (iii) apply for lender financing to acquire the Property.

B. Within five (5) days after Seller's receipt of a fully executed copy of this Agreement, if not previously delivered, Seller shall deliver to Purchaser copies of the following materials related to the Property if in Seller's possession: (i) any Phase I or other environmental studies; (ii) a current survey; (iii) the most current owner's title insurance policy; and (iv) all leases and rent rolls for each tenant identified in **SCHEDULE A** (including without limitation, the base monthly rental and all taxes, insurance, and other pass-throughs paid by the tenant), and all contracts affecting the Property that are not terminable at will. Items (i) through (iv) are collectively referred to as the "Materials".

C. If Purchaser is not satisfied in its sole and absolute discretion with all aspects of the Property (including zoning) or the Materials, or has not obtained financing upon terms and conditions satisfactory to Purchaser, then Purchaser shall have the right, upon written notice to Seller prior to the expiration of the Feasibility Period, to terminate this Agreement, in which event the Deposit shall be refunded in full to Purchaser and the parties shall have no further obligation or liability to one another, except for any liability pursuant to the indemnity provisions of Paragraphs 4D., 10 and 11. Purchaser acknowledges that the Feasibility Period will not be extended for any reason, regardless of whether Purchaser has completed its inspections or zoning inquiry, or has obtained financing.

D. If Purchaser fails to acquire the Property, Purchaser agrees: (i) to repair any damage arising as a result of its exercise of the right of access granted in this Paragraph 4; (ii) to indemnify and hold Seller harmless from any and all liability of any kind or nature whatsoever as a result of the exercise of such right of access, other than as a result of Seller's negligence or misconduct or the negligence or misconduct of Seller's agents, employees or contractors; and (iii) upon demand to return the Materials to Seller.

5. Title and Survey Objections. Purchaser may, at its sole expense, obtain a title insurance commitment and a survey for the Property. Prior to the expiration of the Feasibility Period, Purchaser shall notify the Seller in writing as to any title or survey objections regarding the Property that the Purchaser is unwilling to accept (collectively the "Title Objections"). Seller shall advise Purchaser in writing within ten (10) days after receipt of such notice, which if any of the Title Objections will not be cured by Seller at or prior to Settlement. If Seller fails to respond to Purchaser within such ten (10) day period or if Seller's response indicates that it does not intend to cure one or more of the Title Objections, then Purchaser may, at its option either (i) terminate this Agreement by giving written notice to Seller; (ii) cure such Title Objections at its own expense and proceed to Settlement with no reduction in the Purchase Price; or (iii) waive such Title Objections and proceed to Settlement, with no reduction in the Purchase Price. If Purchaser elects to terminate this Agreement, the Deposit shall be refunded in full to Purchaser and the parties shall have no further obligation or liability to one another, except for any liability pursuant to the indemnity provisions of Paragraphs 4D., 10 and 11.

6. Conditions Precedent to Obligation of Purchaser. This Agreement and all of Purchaser's obligations hereunder are further subject to Purchaser determining in its sole and absolute discretion that all of the conditions set forth in this Paragraph 6 have been satisfied or waived in writing by Purchaser. In the event that any of the following conditions are not satisfied or waived by Purchaser, Purchaser may give written notice to Seller terminating this Agreement on or before Settlement, in which event the Deposit shall be refunded in full to Purchaser and the parties shall have no further obligation or liability to one another, except for any liability pursuant to the indemnity provisions of Paragraphs 4D., 10 and 11.

A. Seller's Representations and Warranties. All the representations and warranties of Seller made herein shall have been true when made and shall be true and correct as of Settlement, with no material changes therein.

B. Seller's Deliveries. As of Settlement, Seller shall have taken all action and delivered all documents and materials required by this Agreement.

C. No Litigation. As of Settlement, there shall be no litigation, proceeding or investigation pending, or to the knowledge of Purchaser or Seller threatened, which might prevent or adversely affect the intended use of the Property or which questions the validity of any action taken or to be taken by Seller or Purchaser hereunder, or which threatens the continued operation of the Property for commercial purposes.

7. Representations and Warranties of the Seller. Seller, jointly and severally (if more than one Seller), represents and warrants unto Purchaser as of the date hereof and on the Settlement date that:

A. Authority and Marketable Title. Seller is the owner of the Property, possesses the requisite authority to enter into and perform this Agreement, and has the absolute right to sell, assign, and transfer the Property to Purchaser at Settlement.

B. No Pending Litigation or Bankruptcy. There are no actions, suits or proceedings at law or in equity pending, threatened against, or affecting the Property before or by any federal, state, municipal, or other governmental department, commission, board, bureau, agency, or instrumentality. No bankruptcy or similar action, whether voluntary or involuntary, is pending or is threatened against Seller, and Seller has no intention of filing or commencing any such action within ninety (90) days following Settlement.

C. No Outstanding Purchase Option. No option, right of first refusal or other contractual opportunity to purchase the Property has been granted to, or executed with, a third-party that is enforceable against Seller and/or the Property giving such third-party a right to purchase an interest in the Property or any party thereof.

D. No Notice of Repairs. Seller has received no written notice from any governmental agency that repairs, alterations or corrections that must be made to the Property.

E. Utilities. The Property is connected to **[select one]:** ☒ a municipal water and sewer system and has utility meters installed within the Property **OR** ☐ a well and septic system located on the Property. Seller makes no representation on whether the capacities of such utilities are sufficient for Purchaser's intended use of the Property.

F. Hazardous Materials. To the best of Seller's actual knowledge, no toxic or hazardous materials (as said terms are defined in any applicable federal or state laws) have been used, discharged or stored on or about the Property in violation of said laws, and to the best of Seller's knowledge, no such toxic or hazardous materials are now or will be at Settlement located on or below the surface of the Property. There are no petroleum storage tanks located on or beneath the surface of the Property.

G. Parties in Possession. As of the Settlement date, there will be no adverse or other parties in possession of the Property or any part thereof, nor has any party been granted any license, lease or other right or interest relating to the use or possession of the Property or any part thereof, except for the Leases attached hereto and made a part hereof as **SCHEDULE A**.

H. Other Contracts. Seller is not a party to any contracts relating to the Property that is not terminable at will, except as disclosed on **SCHEDULE B**, which is attached hereto and made a part hereof. Between the date of this Agreement and the Settlement date, Seller will not, without the prior written consent of Purchaser, which consent shall not be unreasonably withheld, enter into any contract relating to the Property that is not terminable at will.

I. No Undisclosed Restrictions. Seller has not, nor to the best of Seller's knowledge or belief has any predecessor in title, executed or caused to be executed any document with or for the benefit of any governmental authority restricting the development, use or occupancy of the Property that has not specifically been disclosed to Purchaser or wouldn't be revealed by a title report.

8. Risk of Loss. The risk of loss or damage to the Property by fire or other casualty prior to Settlement shall be on the Seller. If such loss or damage materially and adversely affects the use of the Property as of Settlement, Purchaser shall be entitled to terminate this Agreement by written notice to Seller, in which event the Deposit shall be refunded in full to Purchaser and the parties shall have no further obligation or liability to one another, except for any liability pursuant to the indemnity provisions of Paragraphs 4D., 10 and 11.

9. Condemnation. If, prior to Settlement, any taking pursuant to the power of eminent domain is proposed or occurs, as to all or any portion of the Property intended to be acquired at Settlement by the Purchaser, or sale occurs in lieu thereof, the Purchaser shall be entitled to terminate this Agreement by written notice to Seller, in which event the Deposit shall be refunded in full to Purchaser and the parties shall have no further obligation or liability to one another, except for any liability pursuant to the indemnity provisions of Paragraphs 4D., 10 and 11.

10. Access/Cooperation. During the term of this Agreement, Purchaser and his duly authorized agents shall be entitled to reasonable access to the Property for the purpose of surveying, appraising and making other findings related to the Property. Purchaser agrees to indemnify and hold the Seller harmless from any and all liability of any kind or nature whatsoever as a result of the exercise of such right of access, other than as a result of the Seller's gross negligence or willful misconduct.

11. Agents and Brokers. Each party represents and warrants that it did not consult or deal with any broker or agent with regard to this Agreement or the transaction contemplated hereby, except for the Listing Broker and the Selling Broker, and each party hereto agrees to indemnify and hold harmless the other party from all liability, expense, loss, cost or damage, including reasonable attorneys' fees, that may arise by reason of any claim, demand or suit of any agent or broker arising out of facts constituting a breach of the foregoing representation and warranty. Listing Broker shall be paid a brokerage fee by Seller of ☐ _____% of the Purchase Price. Selling Broker shall be paid by Seller a fee of ☐ _____% of the Purchase Price. The fees to the Listing Broker and Selling Broker shall be paid in cash at Settlement.

12. Notices. Any notice, request or demand required or permitted to be given pursuant to this Agreement shall be in writing and shall be deemed sufficiently given if, delivered by hand or messenger at the address of the intended recipient, sent prepaid by Federal Express (or a comparable guaranteed overnight delivery service), or deposited in the United States first class mail (registered or certified, postage prepaid, with return receipt requested), addressed to the intended recipient, at the intended recipient's address set forth below, or at such other address as the intended recipient may have specified by written notice to the sender given in accordance with the requirements of this Paragraph. Any such notice, request or demand so given shall be deemed given on the day it is received by the recipient.

For the Seller: 14307 Shelter Lane, Haymarket, Virginia 20269

For Purchaser: 220 North Commerce Avenue, Front Royal, Virginia 22630

13. Default.

A. Default by Purchaser. If Purchaser defaults under this Agreement, the damages suffered by Seller would be difficult to ascertain. **Therefore, Seller and Purchaser agree that, in the event of a default by Purchaser, Seller's sole and exclusive remedy, in lieu of all other remedies, shall be to terminate this Agreement and retain the Deposit as full and complete liquidated damages.** If the deposit is retained as liquidated damages, Seller agrees to

pay one-half of the Deposit to the Listing Broker to compensate Broker for his brokerage services in the transaction. Such payment shall have no effect on the payment due in any subsequent transaction. Seller hereby specifically waives the right to seek specific performance of this Agreement by Purchaser or any other remedy at law or in equity, provided that Seller reserves the right to all remedies available at law and in equity solely in order to enforce the indemnification obligations of Purchaser under Paragraphs 4D., 10 and 11 herein.

B. Default by Seller. If Seller defaults under this Agreement, Purchaser shall have the option to (i) seek specific performance of this Agreement, or (ii) terminate this Agreement, in which event the Deposit shall be promptly refunded to Purchaser. Seller shall be liable for Purchaser's expenses in the filing of any specific performance action, including reasonable attorney's fees and court costs.

C. Right to Cure Default. Prior to any termination of this Agreement as provided in Subparagraphs 13A. and 13B., the non-defaulting party shall provide written notice of any default(s) to the defaulting party (the "Default Notice") permitting the defaulting party ten (10) days to cure any such default(s). If defaulting party does not cure the default(s) or does not respond to the Default Notice, then the non-defaulting party may terminate the Agreement by written notice to the defaulting party. Nothing herein shall prevent either party from seeking a judicial determination regarding any default; provided however, the court shall award the expenses of attorney's fees and court costs to the prevailing party in any such action.

D. Brokerage Fees. Notwithstanding the remedies set forth in Subparagraphs 13A., 13B, and 13C, if either Seller or Purchaser defaults under this Agreement, the defaulting party shall be liable for the full amount of the brokerage fees set forth in Paragraph 11 and any brokerage fees set forth in Seller's listing agreement with the Listing Broker for the Property (which document is hereby incorporated herein by this reference) as if this Agreement and Seller's listing agreement had been performed, and for any damages and all expenses incurred by the Listing Broker and the Selling Broker in connection with this transaction and the enforcement of this Agreement and Seller's listing agreement, including, without limitation, attorney's fees and court costs. Payment of a real estate broker's fee as the result of a transaction relating to the Property which occurs subsequent to a default under this Agreement shall not relieve the defaulting party of liability for any brokerage fees due under this Agreement or Seller's listing agreement.

14. Miscellaneous.

A. Final Agreement. This Agreement contains the entire agreement between the parties hereto relating to the Property and supersedes all prior and contemporaneous negotiations, understandings and agreements, written or oral, between the parties hereto.

B. Virginia Law Applicable. This Agreement shall be construed, performed and enforced in accordance with the laws of the Commonwealth of Virginia and shall not be amended or modified and no waiver of any provision hereof shall be effective unless set forth in a written instrument executed with the same formality as this Agreement.

C. Assignment. This Agreement shall not be assigned by one party without the written consent of the other party, except the assignment of this Agreement to an entity owned by Purchaser or the principals of Purchaser shall not require the consent of Seller, but Purchaser shall provide written notice to Seller of such assignment. This Agreement shall inure to the benefit of the parties hereto and their respective and permitted successors and assigns.

D. Counterparts. This Agreement may be signed in one or more counterparts, each of which is deemed to be an original and all of which shall together constitute the same instrument. The parties agree that a fax of any signed original document shall have the same effect as an original.

E. Tax-Deferred Exchange. Either party may elect to include the conveyance of the Property in an IRS Section 1031 Like Kind Exchange (a tax-deferred exchange). In the event that a party makes such an election, the non-exchanging party agrees to execute such documents necessary to effectuate such an exchange (at no cost to the exchanging party), but in no event shall such exchange affect the terms of the transaction or a party's responsibilities to the other party under this Agreement. The exchanging party shall bear the sole costs of its exchange.

F. **WIRE FRAUD ALERT.** Criminals are hacking email accounts of real estate agents, title companies, settlement attorneys, and others, resulting in fraudulent wire instructions being used to divert funds to the account of the criminal. Owner is advised to not wire any funds without personally speaking with the intended recipient of the wire to confirm the routing number and the account number. Neither Purchaser or Seller should send personal information such as Social Security numbers, bank account numbers, and credit card numbers except through secured email or personal delivery to the intended recipient.

15. Additional Provisions: Contingent on the approval of the Board of Supervisors of Warren County, Virginia.
Commission on the sale is paid to Adams-Nelson & Associates, Inc. by the purchaser under a separate
agreement.

16. Acceptance. To be effective this Agreement must be executed by Purchaser and Seller and an original copy of this Agreement returned to Purchaser no later than 5:00 p.m. on May 13, 2022, or this Purchase Agreement shall be deemed withdrawn.

Each of the parties has executed this Agreement in its name pursuant to due authority as of the dates set forth below.

Purchaser

Printed Name: _____
Title (if applicable): _____
Date: _____

Seller

Printed Name: _____
Title (if applicable): _____
Date: _____

Purchaser

Printed Name: _____
Title (if applicable): _____
Date: _____

Seller

Printed Name: _____
Title (if applicable): _____
Date: _____

Selling Company's Name and Address

Adams-Nelson & Associates, Inc.
303 South Loudoun Street, Winchester, VA 22601

Listing Company's Name and Address

None

Agent's Name Suzanne Conrad

Agent's tel. no. **(540)931-4716**
Fax no. _____
Agent's email **suzanneconrad@adamsnelson.com**

Agent's Name

Agent's tel. no. _____
Fax no. _____
Agent's email _____

COPYRIGHT©2019 by VIRGINIA REALTORS®. All rights reserved. This form may be used only by members in good standing with VIRGINIA REALTORS®. The reproduction of this form, in whole or in part, or the use of the name "VIRGINIA REALTORS®", in connection with any other form, is prohibited without prior written consent from the VIRGINIA REALTORS®. The original form was licensed to Virginia Realtors® ("VR") by Central Virginia Regional MLS, LLC ("CVR MLS") for use by members of VR and may not be otherwise used or duplicated without the written consent of CVR MLS. Seek legal advice if you do not understand any provision of this form.

SCHEDULE A

**LEASES, AGREEMENTS AND CONTRACTS
FOR TENANTS AND OTHER PARTIES
IN POSSESSION OF THE PROPERTY**

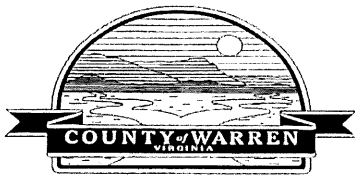
List below each such tenant or other party in possession of the Property, and provide Purchaser with a copy of each lease, license or other agreement. If verbal agreement, summarize terms below.

Also provide Purchaser with any contract affecting the Property that is not terminable at will.

SCHEDULE B

**CONTRACTS RELATING TO THE PROPERTY
(Not terminable at will)**

None



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
5/17/2022	J-1	Zoning Ordinance Amendment - Z2022-03-01 An ordinance to amend Sections §180-8 <i>Definitions</i> to Amend Correct State Code Section for Licensing, and §180-21 <i>Agricultural District</i> , to Add Day- or Child-Care Center (Nursery) as a use allowed by Conditional Use Permit	1 of 1

EXPLANATION & SUMMARY:

The applicant, Pastor Lorne Fyfe representing Rivermont Baptist Church has requested to amend the County zoning ordinance to allow for Day/Child Care Centers in the Agricultural zoning district by Conditional Use Permit. This use is currently allowed by conditional use permit in Residential-One and by-right in the Commercial zoning district. The definition allows for six or more children for this use and currently the County allows for five or less by-right in the residential and Agricultural zoning districts in the form of baby sitting and residential home day care services with a Home Occupation permit.

Rivermont Baptist Church would like to open a Day-Care center to serve the community and their congregation for working families. They would be using their Fellowship Hall located across the road from the church along with a vacant lot adjacent to the building which will be used as a non-commercial playground and recreation area. They feel there is a great need for this in the community for working parents in the Fork magisterial district and this use will also employ one full-time and a number of part-time employees depending on the enrollment.

During review of the Virginia State code for this request County staff noticed that the State code section for licensed summer camps had changed from Title 35; §§35-43 through 35-53 to Title 35.1; §§35.1-18 through 35.1-22. Staff is requesting the definition now reflect those changes made in the State Code.

See attached supplemental regulations, definitions and zoning district land uses.

PROPOSED OR SUGGESTED MOTION:

Finding that the proposed zoning ordinance amendment is appropriate for the public necessity, convenience, and general welfare and good zoning practice, I move that the Board of Supervisors approve the proposed amendment.

OR

Finding that the proposed zoning ordinance amendment is not needed or appropriate for the public necessity, convenience, and general welfare and is not good zoning practice, I move that the Board of Supervisors deny the proposed amendment. (LIST REASONS)

SUBMITTED BY: Matt Wendling CFM Planning Director County Floodplain Manager 	DISPOSITION OF COMMISSION: ☐ APPROVED ☐ OTHER (Describe)	PROCESSED BY:
--	--	----------------------

**Rivermont Baptist Church
575 Catlett Mountain Road
Front Royal, Virginia 22630**

We here at Rivermont Baptist Church request that a text amendment be added regarding using our building as a Daycare facility. We ask that this be added to the conditional use permit. The Church is currently zoned agricultural. Thank you for your consideration.

Pastor Lorne Fyfe

Pastor Tim Dyke

ORDINANCE TO AMEND AND RE-ORDAIN SECTIONS 180-8 AND 180-21 OF THE
WARREN COUNTY CODE

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Sections 180-8 (Definitions) and 180-21 (Agricultural (A) District) be amended and re-ordained as follows:

§ 180-8. Definitions.

- A. General usage.
...
- B. Interpretation by Zoning Administrator...
- C. Definitions of words and terms. As used in this chapter, the following words and terms shall have the meanings indicated:
...

DAY- OR CHILD-CARE CENTER (NURSERY)

Any facility operated for the purpose of providing care, protection and guidance to six or more children separated from their parents or guardian during a part of the day only. Exceptions to this definition are:

- (1) A summer camp licensed under §§ ~~35-43 through 35-53~~ **35.1-18 through 22**, Code of Virginia.
- (2) A public school or a private school unless it is determined that such private school is operating a child-care center outside of regular classes.
- (3) Nursery school. A school designed to provide daytime instruction for six or more children from two to five years of age inclusive and operated on a regular basis.
- (4) A facility which provides child-care on an hourly basis which is contracted for by a parent only occasionally.
- (5) A school conducted by a religious institution or a facility operated by a religious organization where children are cared for or educated during short periods of time while religious services are being conducted.
- (6) Family Day Home

§ 180-21. Agricultural (A) District.

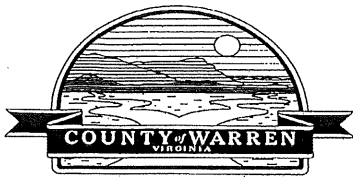
- A. Statement of intent...
- B. Uses permitted by right...
- C. Accessory uses permitted by right...
- D. Uses allowed by conditional use permit. The following named uses may be permitted upon issuance of a conditional use permit by the Board of Supervisors:
...

(44) Day- or child-care center (nursery).

THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION.

Language proposed to be deleted is lined through. ~~Example~~

Language proposed to be added is bolded and underlined. **Example**



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
5/17/2022	J-2	Conditional Use Permit #2022-03-01 Rivermont Baptist Church <i>Day-Child Care Center/Nursery</i>	1 of 2

EXPLANATION & SUMMARY:

See attached application and staff report.

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

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

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

Planning Commission Move to Approve:

Mr. Longo 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 Day- Child Care Center occupancy shall not exceed the number of occupants to be determined by the Virginia Uniform Statewide Building Code for an educational use facility and Health Department approval for the existing on-site sewage system.
2. The applicant shall comply with all Virginia State regulatory authorities for social services and education, Warren County Building Inspections, County Fire Marshal and Warren County Health Department and their respective regulations and requirements.
3. Any food service areas used for the Day- child Care Center shall be inspected to meet the Health Department regulations.
4. The applicants shall meet the requirements for Code Section §180-15 for Off-Street parking for a Day-care (Nursery) which requires one parking space per 10 children plus one per employee.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the conditional use permit request of Rivermont Baptist Church for a Day-Care Center/Nursery 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 Rivermont Baptist Church for a Day-Care Center/Nursery (List reasons).

SUBMITTED BY:

Matt Wendling, CFM
Planning Director 
County Floodplain Manager

DISPOSITION OF BOARD:

☐ **APPROVED** ☐ **OTHER (Describe)**

PROCESSED BY:



Conditional Use Permit: 2022-03-01 / Day- or Child Care Center (Nursery)

Rivermont Baptist Church, *Applicant*

Staff Report for the Planning Commission

Prepared: February 10, 2022 Revised:

Staff Contact: Matt Wendling, Deputy Planning Director/County Floodplain Manager

SUMMARY OF REQUEST

The applicant, Rivermont Baptist Church would like to open a Day- Child Care center to serve the community and their congregation. They would be using their Fellowship Hall located across Catlett Mountain Road from the church along with a vacant lot directly across Figgins Road which will be used as their non-commercial playground and recreation area. They feel there is a great need for this service in the community for working parents in the Fork magisterial district and will also employ one full-time and a number of part-time employees depending on the enrollment. Pastor Lorne Fyfe, their youth pastor will be representing the applicant through the CUP process. This conditional use permit is concurrently going through the process with the text amendment to allow for Day-Child Care Center's in the Agricultural zoning district as a conditional use.

PROPERTY INFORMATION

Property Location: 575 Catlett Mountain Rd.	City: Front Royal
Tax Map ID: #19---88 and 89A	Zoning: Agricultural (A)
Magisterial District: Fork	Acres: 3.36 both lots
Subdivision: Larry Andrews	Existing Land Use: Church Fellowship Hall & Vacant Lot

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)	Use: Single Family Dwelling Wooded
South: Agricultural (A)	Use: Church with Parking Lot
East: Agricultural (A)	Use: Vacant Lot - Partially Wooded
West: Agricultural (A)	Use: Single Family Dwelling

PROPERTY HISTORY

This property and the structure originally served as the chapel for Rivermont Baptist Church and was built in 1954. After the construction of the new church and chapel this building reverted to a Fellowship Hall for bible study, Sunday school, a nursery and administrative offices. The structure has a kitchen, 2 bathrooms, nursery area and a church office.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The request is compatible with the Comprehensive Plan Chapter 4: Section 3 Housing and Community Development and Chapter 6: Economic Development and Growth Management which address housing and employment relating to the work force in the County. The need of child-care for working parents is not clearly identified in those chapters but can be assumed as a key component for the working families of Warren County to have access to affordable child-care.

A text amendment to Code Section §180-21 to allow this land-use as a conditional use in the Agricultural (A) zoning district has been submitted by the applicant and is currently in the planning process.

PROPOSAL

Section §180-8 defines Day- Child Care Center (Nursery) is defined as:

"Any facility operated for the purpose of providing care, protection and guidance to six or more children separated from their parents or guardian during a part of the day only."

SUPPLEMENTARY REGULATIONS FOR DAY- CHILD CARE CENTER (NURSERY)

The following are listed as supplemental regulations in the Warren County Zoning Ordinance for this land-use.

§ 180-44 Day-care center or child-care center (nursery).

- A. No such use shall operate without being licensed by appropriate state agencies as a child-care center or adult day-care center. It shall be the responsibility of the owner/ operator to transmit to the Zoning Administrator a copy of the original license and all renewals thereafter and to notify the Zoning Administrator of any license expiration, suspension or revocation within three days of such event. Failure to do so shall be deemed willful noncompliance with the provisions of this chapter.
- B. Periodic inspection of the premises shall be made by the Warren County Building Official. Failure to promptly admit the Building Official for such inspection shall be deemed willful noncompliance with the provisions of this chapter.
- C. These provisions are supplementary and nothing stated herein shall be deemed to preclude application of the requirements of the Virginia Department of Welfare, Virginia Department of Health, Virginia State Fire Marshal or any other local, state or federal agency.

SEWAGE DISPOSAL

This property received a septic permit July of 1957 and an inspection permit May 1959 for the installed septic system. The septic system has been serviced on a regular basis every five years as recommended in the permit.

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 conditions may be modified and additional conditions may be added after all agency comments have been received.

1. The Day- Child Care Center occupancy shall not exceed the number of occupants to be determined by the Virginia Uniform Statewide Building Code for an educational use facility and Health Department approval for the existing on-site sewage system.
2. The applicant shall comply with all Virginia State regulatory authorities for social services and education, Warren County Building Inspections, County Fire Marshal and Warren County Health Department and their respective regulations and requirements.
3. Any food service areas used for the Day- child Care Center shall be inspected to meet the Health Department regulations.
4. The applicants shall meet the requirements for Code Section §180-15 for Off-Street parking for a Day-care (Nursery) which requires one parking space per 10 children plus one per employee.
5. Signage at the location of road crossing to playground and the church at State roads Rt. 677 Catlett Mountain Rd. and Rt. 700 Figgins Rd. shall be posted according to Virginia Department of Transportation regulations.

Cc: Rivermont Baptist Church, Pastor Lorne Fyfe – *Applicant*

To Warren County Planning Commission:

The property located at 575 Catlett Mountain Road Front Royal, VA 22630- Rivermont Baptist Church fellowship hall is going to be used for Rivermont Daycare. This is a non-profit organization that plans on operating Monday-Friday from 6:00 A.M. to 6:00 P.M. The Daycare will have 1 full-time worker and numerous part-time workers contingent on the ratio needed for kids and how many kids will be attending. We also would like to request that the parcel across from the fellowship hall: Tax map #: 19 parcel#: 89A to be used as a playground. The playground still needs to be constructed at this time but if approved, will be built. We thank you for the time and consideration taken for this.

Rivermont Baptist Church

575 Catlett Mountain Road

Front Royal, VA 22630

Pastor Lorne Fyfe

814-494-7762

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-03-01Date Received: 1-28-2022Fee Amount: \$ 200.00Date Paid: 2-14-22

CK# 32617

Applicant Information:Rivermont Baptist Church
Applicant Name575 Catlett Mountain Rd. Front Royal VA 22630
Address City State ZipSame

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

814-494-7762 lornefyfe@gmail.com
Primary Contact Number EmailCONTACT: LORNE FYFE
~~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: 575 Catlett Mountain Rd. Front Royal, VA 22630(2) Election District: Fork District(3) Tax Map Number: 19 Parcel: 48 + 89A(4) Subdivision Name: Andrews(5) Total Area of Property (acres): 1.36 + 2.0 = 3.36(6) Total Area to be Used (acres): 1.36 + 0.5 = 1.86(7) Total Road Frontage (feet): 105 - Catlett, 400 ft. along Figgins(8) Depth of Property (feet): 240(9) Present Zoning: Agricultural

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Day Care Center
- (2) Current land use and condition of site: Church
- (3) Zoning of surrounding land/property: Agriculture / Church
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: None
- (6) Season, days, and hours of operation: Mon-Friday 0600-1800
- (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
This site may be unsuitable as this is a church daycare @ a church
- (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 per now
- (12) Number of parking spaces to be provided: Regular 200 Handicap 4
- (13) What is the proposed landscaping and buffering for this property? In place already

C. Plans Prepared By

Name: N/A

Address: _____

Telephone Number: _____

D. Environmental Information

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

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

NO

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

NO

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

NONE

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

NO

- (6) What will be the impact on traffic? _____

NONE

- (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. _____

Nothing needed

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

- ☐ **An application fee of \$500.00.** - wait until after turned in.
Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.
- ☒ **A Statement of Justification**
This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 1/2 x 11 size paper.
- ☐ **A Site Plan/Survey.** - ^{Courthouse} Deed LR 17 000128 - instrument numbers LR 16 0003267
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.** - fill out once drop off at office
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**
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.**
left on South Royal Avenue, right on Rivermont Drive, right on
Cattlet Mountain Rd, destination is on left in 0.6 mile.

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.

Denny T. O'Neil / Pastor 1/22/2022
Applicant Signature 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

Matt Wendling

From: Arthur Boyce <bobby.boyce@vdot.virginia.gov>
Sent: Monday, April 25, 2022 2:51 PM
To: Matt Wendling
Cc: Funkhouser, Rhonda (VDOT)
Subject: Warren-Route 677-Rivermount Baptist Daycare CUP 2022-03-01

<<...>>

DEPARTMENT OF TRANSPORTATION

Staunton/Edinburg Land Development

14031 Old Valley Pike

Edinburg, VA 22824

Dear Mr. Wendling:

We have reviewed the above subject Conditional Use Permit Application dated February 17, 2022 for impacts to the local roadway system. We have no objections to the use of the existing fellowship as 5 child daycare as proposed.

We appreciate the County's efforts to include VDOT in the early planning stages for development and the opportunity to provide comments on this Conditional Use Permit. We ask that you include a copy of this transmittal for official public record. If you have any questions or need further information, please do not hesitate to give me a call.

Sincerely,

Bobby Boyce

VDOT- Land Development Engineer
Shenandoah, Frederick, Clarke, & Warren Counties
14031 Old Valley Pike
Edinburg, VA 22824
(540) 534-3211

Emily Ciarrocchi

From: Matt Wendling
Sent: Wednesday, April 27, 2022 4:29 PM
To: Emily Ciarrocchi
Subject: FW: Request for Comments 2022-03-01 – Rivermont Baptist Church – Conditional Use Permit for Day Care Center – WCCUP-000163-2022

From: David Beahm <Dbeahm@warrencountyva.net>
Sent: Wednesday, April 27, 2022 4:27 PM
To: Matt Wendling <Mwendling@warrencountyva.net>
Cc: Paula Fristoe <Pfristoe@warrencountyva.net>
Subject: Request for Comments 2022-03-01 – Rivermont Baptist Church – Conditional Use Permit for Day Care Center – WCCUP-000163-2022

Comments 2022-03-01 – Rivermont Baptist Church – Conditional Use Permit for Day Care Center – WCCUP-000163-2022:

- 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:
 - This request would require a Change of Use and Occupancy be applied for prior to this activity being approved. The applicant would need to supply detailed information as to the area being used, who will be using, anticipated numbers of individuals using each space and complete details of the entire building to address all code related requirements. The portion of building being used for educational purposes would need to be designed, stamped, sealed and signed by a Virginia Registered Design Professional (RDP).
 - This request would require a building permit for the Change of Use and any work that is required to achieve that. This would possibly include permits for electrical, mechanical, plumbing, etc.

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

Respectfully,



Warren County Building Inspections O

David C. Beahm, CBO
Building Official

220 North Commerce Av
Suite
Front Royal, VA 22630

dbeahm@warrencountyva.net

www.warrencountyva.net

540/636-5
FAX 540/636-4

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.









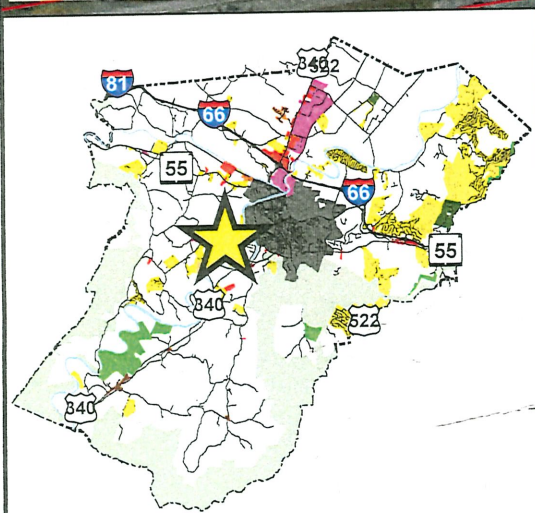
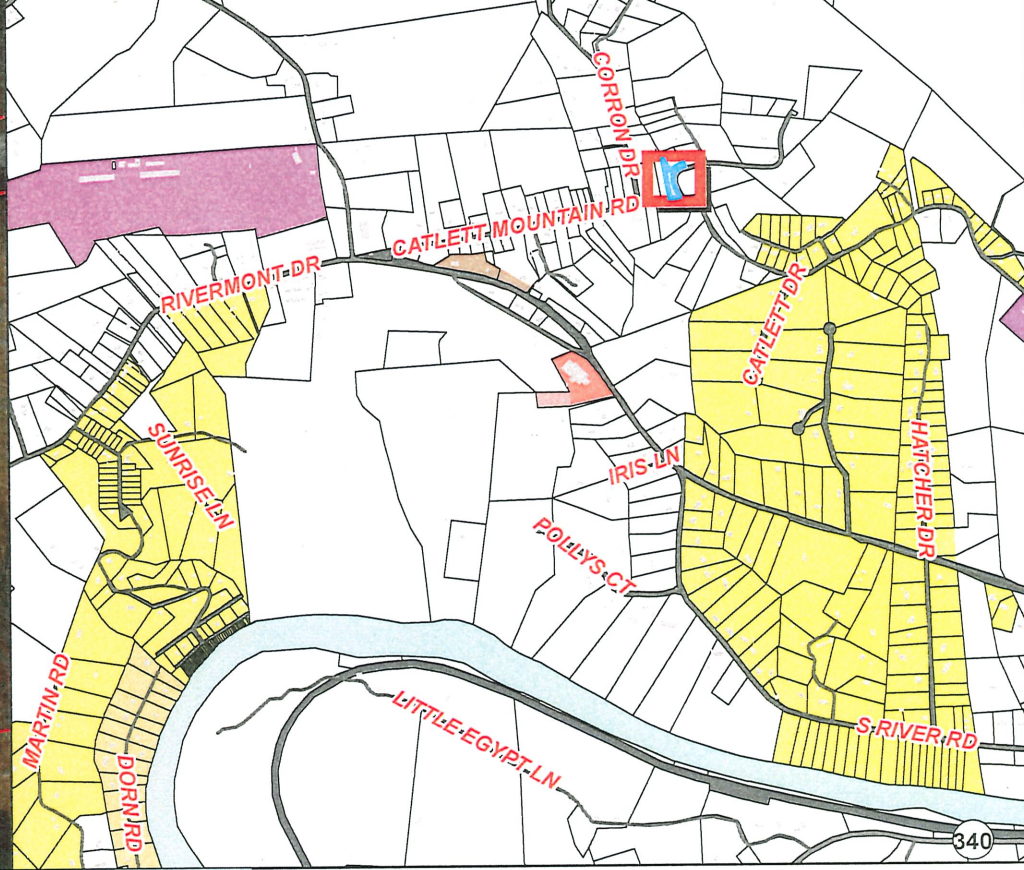
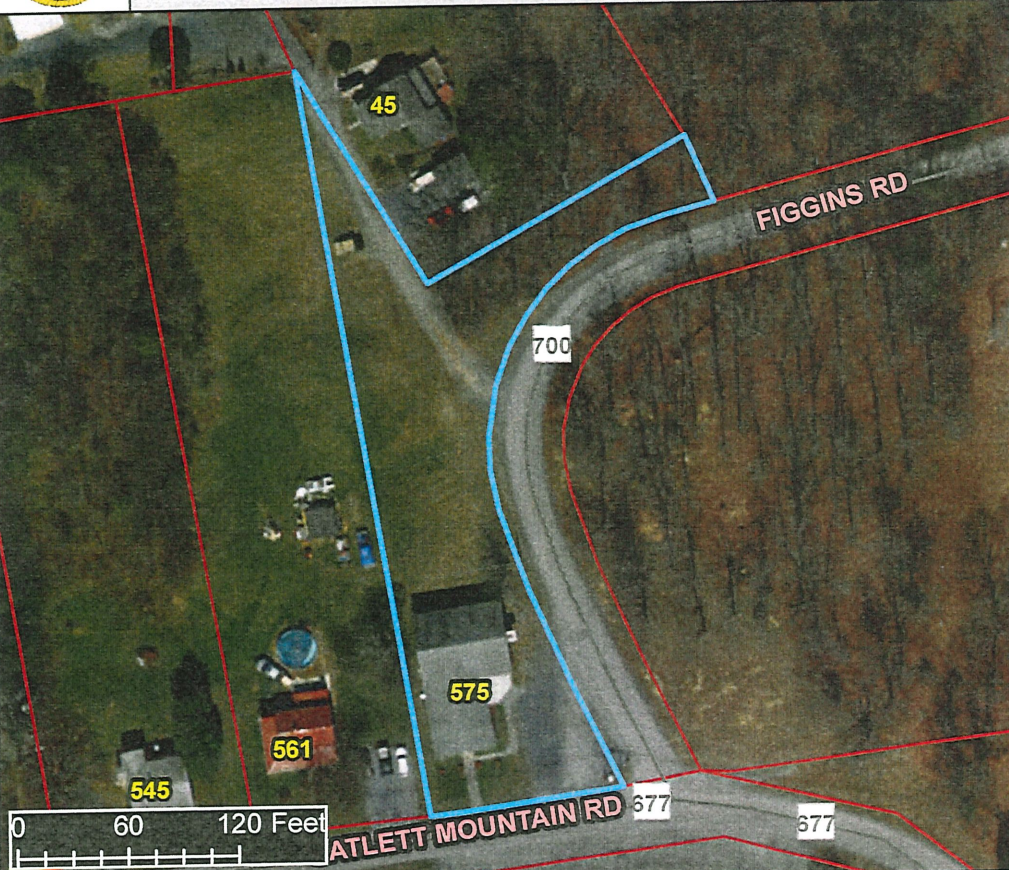
Warren County VA

CUP Location Map



Non-Profit
Applicants: Rivermont Baptist Church

PA 19-----88



Zoning

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

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
5/17/2022	J-3	Conditional Use Permit #2022-03-02 Solomon A. Stavis <i>Short-Term Tourist Rental</i>	1 of 2

EXPLANATION & SUMMARY:

See attached application and staff report.

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

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

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

Planning Commission Move to Approve:

Mr. Longo moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Henry and approved by the Planning Commission by a vote of 5 - 0.

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 six (6) as determined according to the Health Department operational permit for a three-bedroom dwelling.
3. The applicant 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 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.

PROPOSED OR SUGGESTED MOTION:

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

SUBMITTED BY: Matt Wendling, CFM Planning Director <i>MFW</i> County Floodplain Manager	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (Describe)	PROCESSED BY:
---	---	----------------------



Conditional Use Permit: 2022-03-02/ Short Term Tourist Rental

Solomon A. Stavis, *Applicant/ Owner*

Staff Report for the Planning Commission

Prepared: February 15, 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 and his wife recently purchased the property in January 2022 in order to move to the Shenandoah Valley and Warren County and telecommute to Washington, D.C. Their jobs entail a significant amount of travel and they plan to rent the property when they are away. They do intend to manage the rental themselves but will have a property manager and cleaning company which will be available if emergency maintenance is necessary or arises with guests. They are currently researching and interviewing for a locally based manager and management company.

PROPERTY INFORMATION

Property Location: 9 Oak Hill Dr.

Tax Map ID: # 28P-2---6

Magisterial District: South River

Subdivision: Oak Hill Section 2

Special Flood Hazard Area: The property and dwelling are in a Non-Floodzone "X" area.

Town/Village: Front Royal

Zoning: Agricultural (A)

Acres: 2.69

Existing Land Use: Single Family Dwelling

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)

South: Agricultural (A)

East: Agricultural (A)

West: Agricultural (A)

Use: SFD with Woodlands

Use: SFD with Woodlands

Use: SFD with Woodlands

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 or conditional use permits issued to the property. This property is located in a small Agricultural subdivision with single-family dwellings and woodland areas, it shares a common driveway with 2 neighbors which is located off Stonewall Jackson Highway (Rt.340S).

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. 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 once 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 at least three (3) vehicles in the driveway adjacent to 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 to be reviewed and approved by staff. All other requirements will also need to be met prior to a certificate of zoning for the business is issued by the Planning staff.**

- 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 in Oak Hill subdivision which doesn't have a POA/HOA/Road Maintenance committee and the driveway is paved in the shared area.**
- 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 110' to the closest dwelling located to the northeast.**

RECOMMENDED CONDITIONS:

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

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

- 1. The applicant shall comply with all 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 dwelling.
- 3. The applicant 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 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.

Cc: Solomon A. Stavis, Applicant



STATEMENT OF JUSTIFICATION

February 6th, 2022

To Whom it May Concern,

Thank you for your consideration of my conditional use permit for short term rental of my personal residence located at 9 Oak Hill Dr, Front Royal, VA 22630. As a U.S. government employee, my job has provided me the flexibility to work remotely so my wife and I are happy to make the move to Shenandoah where we have wanted to live for many years. However, while we are not home, we would like the opportunity to offer our home to guests when we travel to see family and friends.

We be focusing on quiet renters who will be mindful of the area and the property. We plan to be the full-time property manager's and will make ourselves available to guests 24/7 in order to make sure our neighbors don't have any issues with guests. In addition, we plan to follow a thorough pre-qualification and verification process prior to renting to prospective guests.

Sincerely,

Mr. Solomon & Mrs. Anisa Stavis

**WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION**

Application Number: 2022-03-02
Date Received: 2/9/22
Fee Amount: \$ 500.00
Date Paid: 2/

Applicant Information:Solomon Stavis*Applicant Name*9 Oak Hill Dr, Front Royal, VA 22630*Address**City**State**Zip**Property Location for conditional use permit if Different than Applicant's Address*202 351 1887*Primary Contact Number*solomonstavis26@gmail.com*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: 9 Oak Hill Dr, Front Royal, VA 22630
(2) Election District: 6
(3) Tax Map Number: 28P 2 6
(4) Subdivision Name: OAK HILL
(5) Total Area of Property (acres): 2.69
(6) Total Area to be Used (acres): 2.69
(7) Total Road Frontage (feet): 230
(8) Depth of Property (feet): 564
(9) Present Zoning: A

B. Proposed Use of Property

Short term rental while not living in the house

- (1) State the proposed use(s) for the Conditional Use Permit: _____
- (2) Current land use and condition of site: residential and excellent
- (3) Zoning of surrounding land/property: Residential
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: None
- (6) Season, days, and hours of operation: while not living there but up to 365 days a year
- (7) Will there be a sign? ☐ Yes ☒ No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) 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: 6
- (12) Number of parking spaces to be provided: Regular 2 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? Grass and Trees

C. Plans Prepared By

Name: Solomon Stavis

Address: 9 Oak Hill Dr

Telephone Number: 202 351 1887

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

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

☐ **An application fee of \$500.00.**

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

☐ **A Statement of Justification**

This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 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.**

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.

Solomon Stavis 01/06/2021
Applicant Signature Date

Solomon Stavis 01/06/2021
Property Owner Signature Date

Accepted by: Matt Wendling Date: 2/14/2022

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

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



March 2, 2022

Mr. Matt Wendling, Deputy Planning Director / County Floodplain Manager
Warren County Planning and Zoning
220 N Commerce Avenue, Suite 400
Front Royal, Virginia 22630

RE: Request for comments; 2022-03-02
Owner: Solomon & Anisa Stavis

Dear Mr. Wendling,

I have reviewed the request for comments regarding the property at 9 Oak Hill Dr, Front Royal, Virginia, in Warren County, (property identified on tax map # 28P-2-6), and I offer the following comments:

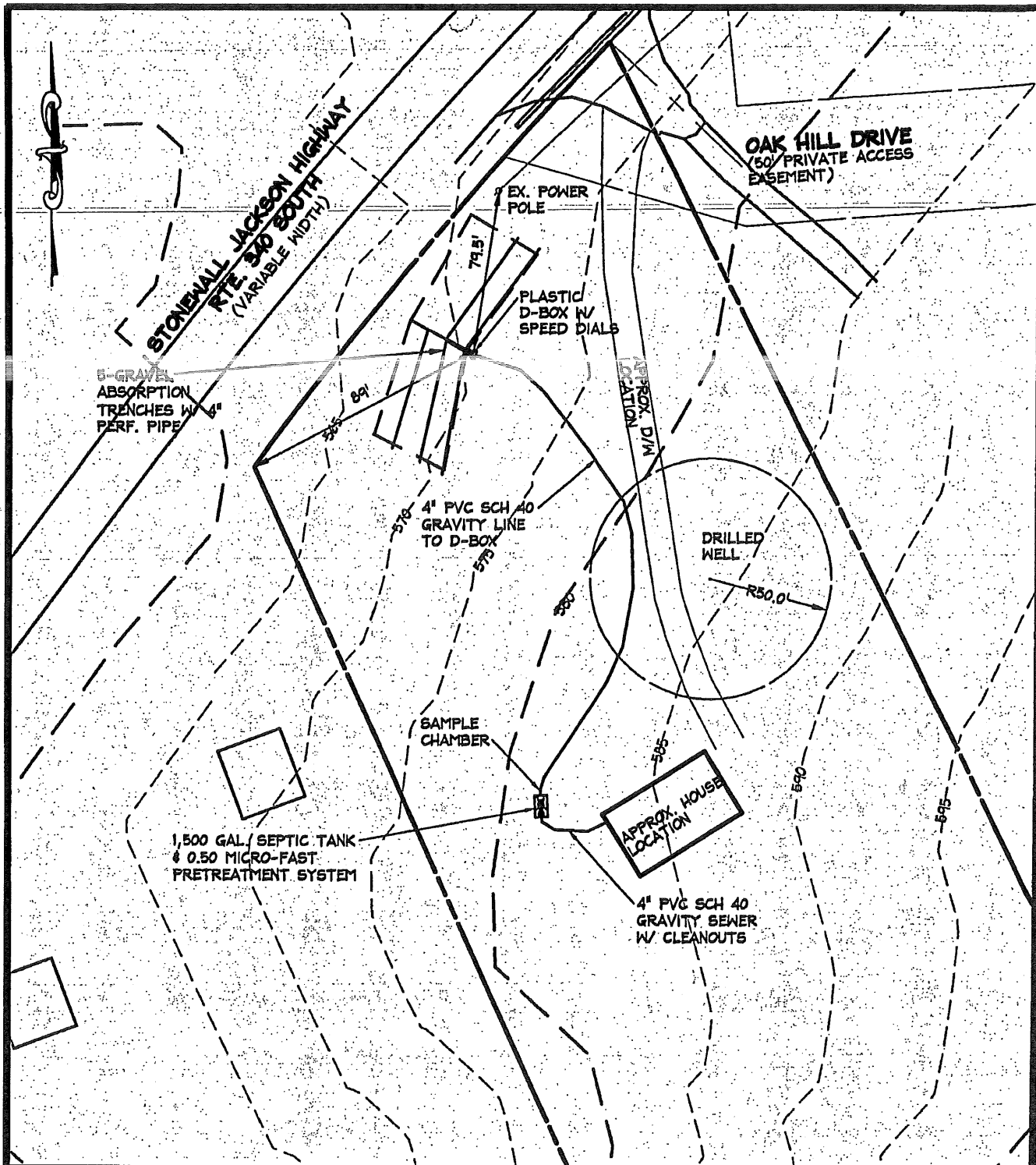
1. The permit for a sewage disposal system was issued on August 25, 2011 with an operation permit issued November 30, 2012. The system is designed to serve a 3 bedroom house with 6 occupants maximum.
2. The property is served by a private well. The well water should be tested for bacteria. If the sample result is positive, steps must be taken to correct the problem and the water should be re-tested.
3. All trash and garbage shall be placed in containers with tight-fitting lids.
4. There shall be no food service provided unless the Virginia Department of Health Food Regulations are met.
5. All Virginia Department of Health Tourist Establishment Regulations shall be met as necessary. The owners can contact our office for further information.
6. The sewage disposal system should be pumped if this has not been done in the last three to five years.
7. Do not connect any hot tub discharge to the sewage disposal system.

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

Sincerely,

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

Greg Smith
Environmental Health Specialist



SYSTEM INSTALLATION PLAN
OAK HILL
SECTION 2, LOT 6
 SOUTH RIVER DISTRICT
 WARREN COUNTY, VIRGINIA

DATE FEB. 2012

SCALE 1" = 60'

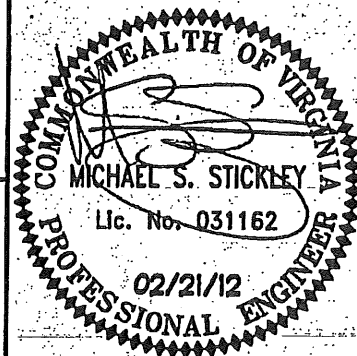
PROJECT NO. 21-9967

SHEET 1 OF 1

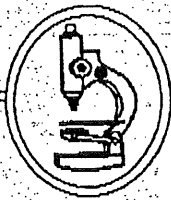


166 WINDY HILL LANE
 WINCHESTER, VA 22602

PHONE: (540) 667-3750
 FAX: (540) 667-3730
 www.ecslimited.com



28P-2-6

**Joiner Micro Laboratories, Inc.**

77 West Lee Street, #202 • Warrenton, Virginia 20186 • 540-347-7212
info@joinermicrolab.com

JML LAB ID # 116625

Page 1 of 1

CERTIFICATE OF ANALYSIS

NAME: Valley Water Solutions
ADDRESS: 1024 Horseshoe Drive
Front Royal, VA 22630

PROPERTY: Doug Saylor
9 Oak Hill Drive
Front Royal, VA 22630
Lot # 6 Oak Hill Subdivision

SAMPLE SOURCE: Well
SAMPLE LOCATION: Bath Tap
DATE AND TIME SAMPLE COLLECTED: 11-20-12/1700
SAMPLE COLLECTED BY: James Dellinger
SAMPLE RECEIVED FROM: JML courier (George O'Connell)
DATE AND TIME SAMPLE RECEIVED IN LAB: 11-21-12/1404
SAMPLE CONTAINER: Sterile Plastic Container supplied by JML
CHLORINE SCREEN: Non Detectable (tested at Lab)
DATE AND TIME OF SAMPLE ANALYSIS: 11-21-12/1407

TESTS REQUESTED: TOTAL COLIFORM BACTERIA

METHOD OF ANALYSIS: ONPG-MUG TEST (SM21:9223)

RESULTS: ABSENT for Total Coliform Bacteria
ABSENT for *E. coli*

This water sample **HAS PASSED** the minimum potable water test requirements established by the Virginia Department of Health.

Certified by: *Robyn Joiner*
Robyn Joiner
Lab Director
November 26, 2012

Reported results relate only to the items tested, as received by the laboratory.
The test results in this report meet all NELAC requirements for accredited parameters, unless otherwise noted in this report.
Pursuant to NELAC, this report may not be reproduced except in full, without written consent from Joiner Micro Laboratories.
For questions please contact the Lab Director at the email address listed on this page.



#460034

Emily Ciarrocchi

From: Matt Wendling
Sent: Wednesday, April 27, 2022 9:43 AM
To: Emily Ciarrocchi
Subject: FW: Request for Comments 2022-03-02 – Solomon Stavis – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000164-2022

From: David Beahm <Dbeahm@warrencountyva.net>
Sent: Wednesday, April 27, 2022 9:36 AM
To: Matt Wendling <Mwendling@warrencountyva.net>
Cc: Paula Fristoe <Pfristoe@warrencountyva.net>
Subject: Request for Comments 2022-03-02 – Solomon Stavis – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000164-2022

Comments 2022-03-02 – Solomon Stavis – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000164-2022:

- 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 “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 it as a short-term rental.
 - Given the timeframe that the structure was originally built it may not 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,



David C. Beahm, CBO
Building Official

dbeahm@warrencountyva.net

Warren County Building Inspections Office

220 North Commerce Avenue
Suite 200
Front Royal, VA 22630

540/636-5555

FAX 540/636-4444

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.

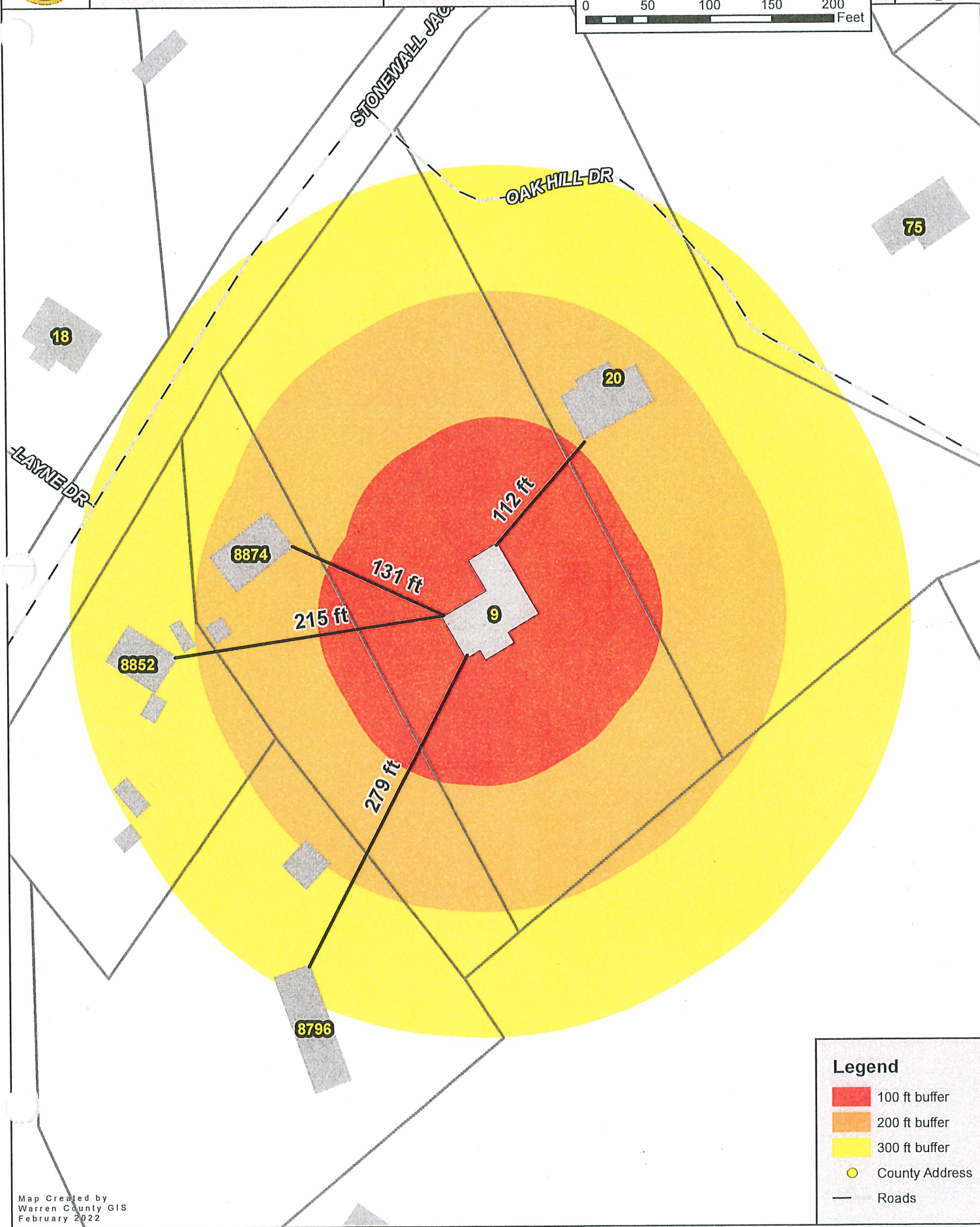
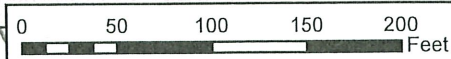


Warren County, VA 2021

9 Oak Hill Drive
TM 28P--2-----6

Distance to Surrounding Homes

1 inch = 100 feet



Legend

- 100 ft buffer
- 200 ft buffer
- 300 ft buffer
- County Address
- Roads



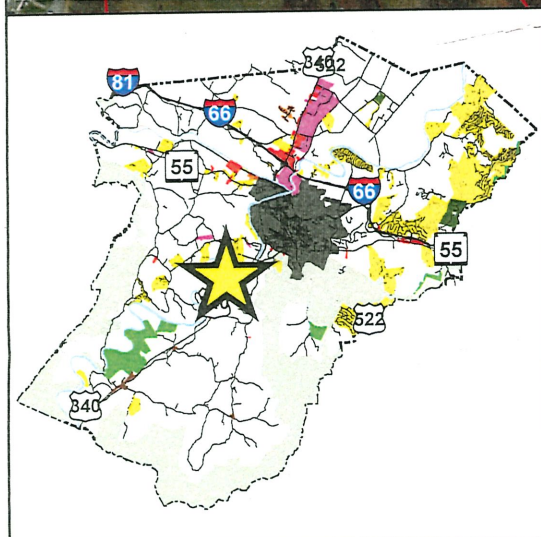
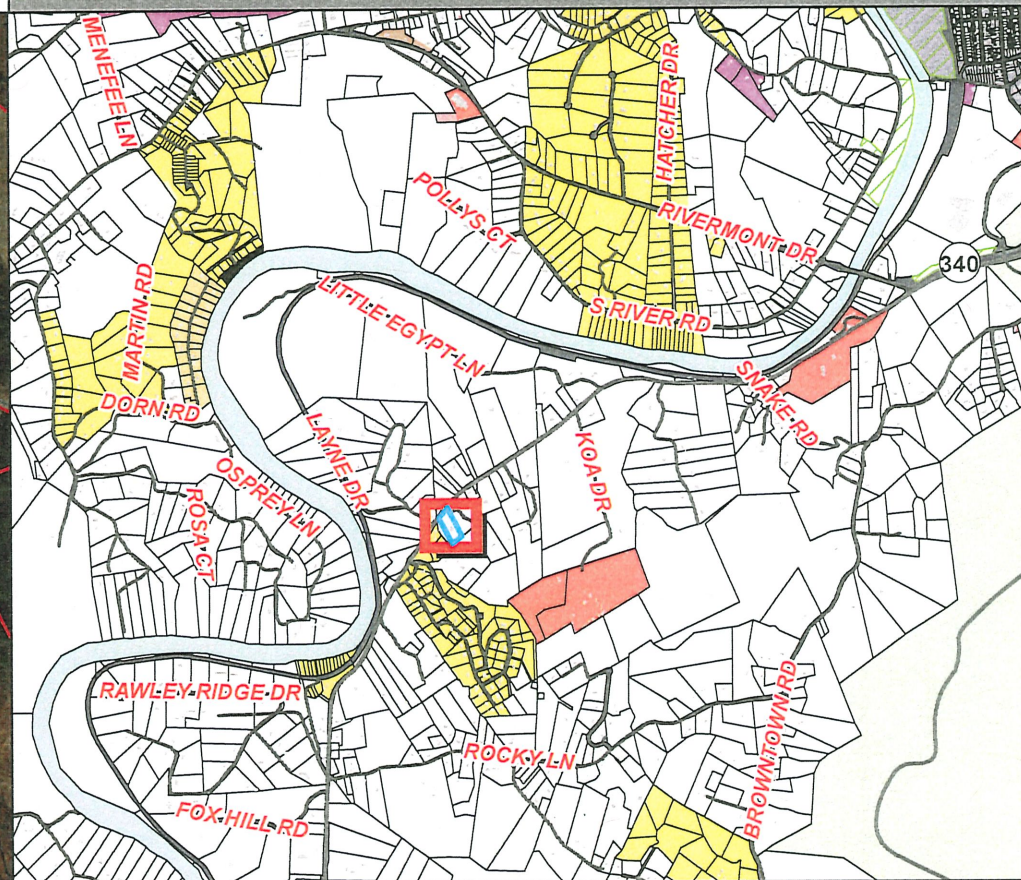
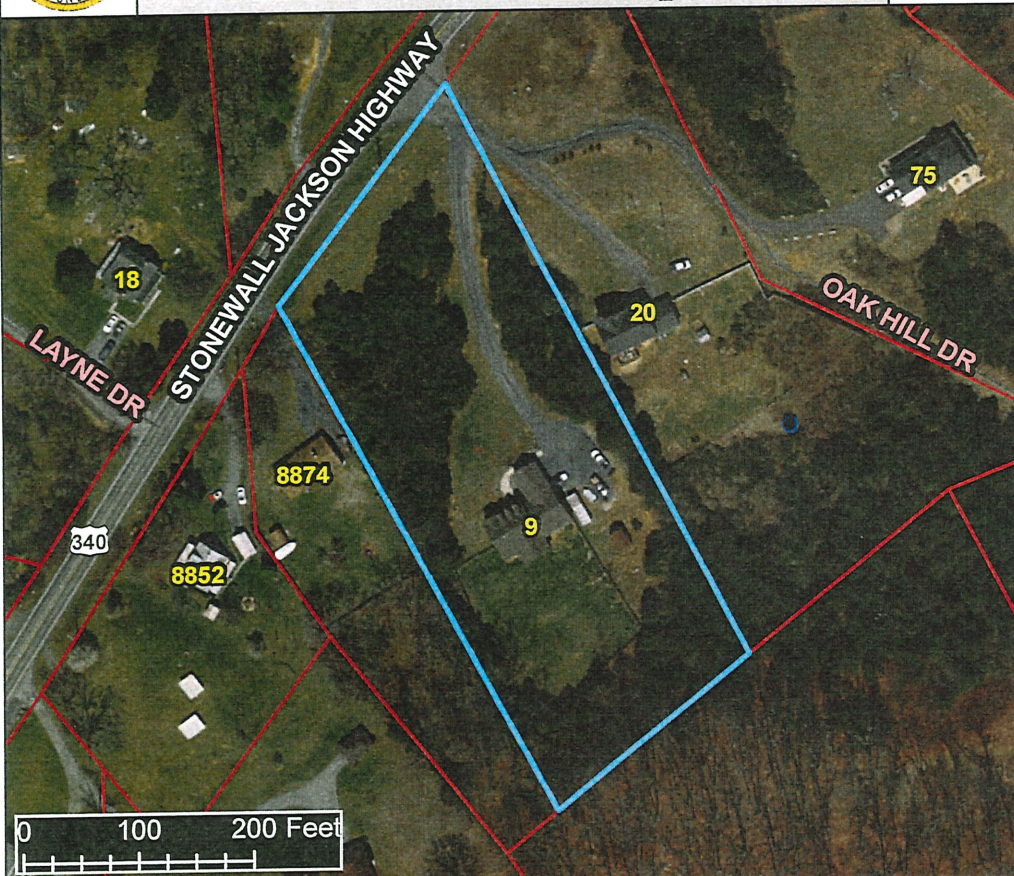
Varren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Solomon Stavis

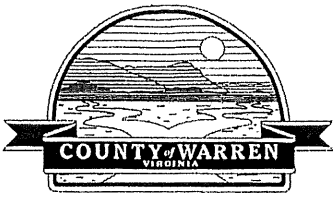
28P-2-----6
Oak Hill Subdivision



Zoning

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

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE 05/17/2022	ITEM J-4	SUBJECT: Conditional Use Permit #2022-03-03 Jared Smith <i>Short-Term Tourist Rental</i>
<u>EXPLANATION & SUMMARY:</u> 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, April 13, 2022, Mrs. Richardson 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.

RECOMMENDED CONDITIONS:

Staff recommends that if the Board of Supervisors is going to approve of this request that the following conditions should be applied:

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

SUBMITTED BY: Chase Lenz,  Zoning Administrator	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (Describe)	PROCESSED BY:
---	---	----------------------



Conditional Use Permit: 2022-03-03 / Short-Term Tourist Rental
Jared Smith, Current Owner/Applicant
Prepared: February 24, 2022
Staff Contact: Chase Lenz, Zoning Administrator

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a short-term tourist rental for the property he recently purchased in December of 2021. The dwelling will be available year-round for short-term rentals for individuals visiting the Warren County area. The owner is currently vetting local property management companies to assist with coordinating professional services for weekly garbage removal, cleaning, and property management. The applicant currently lives in Ashburn and has owned and operated a 5-star rated short-term tourist in Stafford County for the past year.

PROPERTY INFORMATION

Property Location: 31 Henry Way
Tax Map ID: 24A--2-7-313
Magisterial District: Shenandoah
Subdivision: Blue Mountain

City: Linden
Zoning: Residential-One (R-1)
Acres: 1.33 Acres
Existing Land Use: Single Family Dwelling

SURROUNDING ZONING DISTRICTS & USES

North: Residential-One (R-1)
South: Residential-One (R-1)
East: Residential-One (R-1)
West: Residential-One (R-1)

Use: Single Family Dwelling
Use: Single Family Dwelling
Use: Vacant Lot - Woodlands
Use: Vacant Lot - Woodlands

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential-One zoning district. The single-family dwelling was constructed in 2003. The property was used for long-term rentals by the previous owner. No zoning violations have been recorded for 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. A short-term tourist rental is a use allowed by conditional use permit in the Residential-One zoning district and is compatible with the current Warren County Zoning Ordinance.

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. **There is a Health Department permit on file approving six (6) occupants for the dwelling. The applicant has provided documentation requesting a maximum of six (6) occupants. Warren County Assessment data lists three (3) bedrooms in the dwelling.**
- 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 rights-of-way and in yards. **There is sufficient parking for at least four (4) 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. **Wooded areas on the property partially screen the dwelling from all adjacent property boundaries. The adjacent parcels to the east and west are undeveloped lots with native vegetation. The nearest properties to the north and south are separated by New Dominion Way and by Henry Way, respectively.**
- 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 has been provided and shall be reviewed by Planning staff.**
- 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. **The Blue Mountain Owners' Board of Directors has submitted comments stating they have no objection to the request.**

- 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. **The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 170' to the southwest.**

RECOMMENDED CONDITIONS

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

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

Statement of Justification

To: Warren County Planning Commission

Summary of Proposed Use: As the new owner of 31 Henry Way as of December 2021, and member of the Blue Mountain community, I am seeking the approval of a conditional use permit to convert this property to a short-term rental. For the last five years this property has been utilized as a long-term rental, with little to no routine property maintenance, and the exterior was strewn with trash from careless tenants. My plan for this property is to renovate the interior, and rehabilitate the exterior environment by keeping the yard cut weekly, trash & debris removed weekly, and the property professionally cleaned on a weekly basis.

As a Superhost of a 5-Star rated short-term rental located at 303 King Street, Falmouth, VA in Stafford County, I feel equipped to own and operate this short-term rental property with a high level of professionalism, and with a focus on limiting the impact to the neighborhood. I have never had a complaint from a neighbor on my other rental properties, and I intend to keep it that way with this property.

We are currently vetting Property Management Companies in the area to assist with coordinating services for garbage removal, maid service, and preventative maintenance. The Property Management Company will provide a 24x7 emergency phone number that will be provided to guests in case of emergency.

If a permit is approved, I will make every guest I host aware of the rules and regulations of the permit, and covenants of the BMPOA as directed, and uphold the character and establish pattern of the community.

I look forward to your review and feedback of my Conditional Use Permit request.

Best Regards,

Jared Smith
412-400-0474
jared@landsmithusa.com

WCCUP-000165-2022
WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-03-03

Date Received: 2-11-22

Fee Amount: \$ 500.00

Date Paid: 2-11-22

CK# 1093

Applicant Information:

Jared Smith

Applicant Name

44374 Apache Circle, Ashburn, VA 20147

Address

City

State

Zip

31 Henry Way, Linden, VA 22642

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

202-577-7427

jared_smith@outlook.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: **31 Henry Way, Linden, VA 22642**
- (2) Election District: **Blue Mountain Sanitary District**
- (3) Tax Map Number: **24A 2 7 313**
- (4) Subdivision Name: **Blue Mountain Property Owners Association - BMPOA**
- (5) Total Area of Property (acres): **1.33 acres**
- (6) Total Area to be Used (acres): **0.6 acres**
- (7) Total Road Frontage (feet): **246 feet on Henry Way, 231 feet on Cliff Road (corner lot)**
- (8) Depth of Property (feet): **255 feet**
- (9) Present Zoning: **Residential R1**

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Short-term Rental
- (2) Current land use and condition of site: Residential
- (3) Zoning of surrounding land/property: Residential R1
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: NA
- (6) Season, days, and hours of operation: Construction is NA - Short Term Rental is 24/7
- (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: 6
- (12) Number of parking spaces to be provided: Regular 4 Handicap 0
- (13) What is the proposed landscaping and buffering for this property? _____

Private corner lot with no direct view into the property other than the driveway only from the neighbor at 28 Henry Way

All usable area including deck and yard are behind the house and surrounded completely by trees, not visible by neighbors.

Landscaping will maintain the natural environment of grass and trees with no additional man made structures other than existing shed

C. Plans Prepared By

Name: Jared Smith

Address: 44374 Apache Circle, Ashburn, VA 20147

Telephone Number: 202-577-7427

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 impact of visibility, quiet hours from 10pm to 9am, minimal traffic increase from a maximum of 6 guests at one time.

- (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?) _____

Garbage will be collected and hauled away. No other debris anticipated.

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

NO

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

None - House does not have fireplace and yard does not have fire pit.

- (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.) _____

None.

- (6) What will be the impact on traffic? _____

The short term rental will be occupied at most 80% of the year (likely much less) with a maximum of four cars, which decreases the impact on traffic compared to the long-term rental format from the last 5 years of the Seller's tenants which had 4 cars coming and going from this property daily.

- (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. _____

2 motion activated flood lights over the driveway - 80 watt each

1 front door entry light - 65 watt

4 back door entry lights (2 upstairs, 2 downstairs) - 65 watt each

**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.**

Right on N. Commerce Ave > Left on South Street Route 55

Left on Freezeland Road Route 638 > Left on Blue Mountain Road Route 638

Left on Cliff Road > Left on Henry Way > First house on the 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.

Jack Smith
Applicant Signature

2/11/22
Date

Jack Smith
Property Owner Signature

2/11/22
Date

Accepted by: Matt

Date: 2/11/2022

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

HenryHouse
PROPERTY MANAGEMENT PLAN
Address: 31 Henry Way, Linden, VA 22642

IN CASE OF EMERGENCY

If there is an emergency, or there are questions in regards to the property, please contact **Jared Smith** at **412-400-0474** & jared@landsmithusa.com, or at **Property Mgmt Co (TBD)** at **PHONE #**. If the emergency requires immediate assistance, call the following or 911.

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

Linden Volunteer Fire & Rescue: 540-636-3830 or 911, 4561 John Marshall Hwy, Linden, VA 22642

Warren Memorial Hospital: 540-636-0300 or 911, 351 Valley Health Way, Front Royal, VA 22630

Electrical Outage: Rappahannock Electric Cooperative at 800-552-3904.

Emergency Evacuation:

Head East (uphill) on Henry Way
Turn right onto Rocky Mt. Road
Turn left onto Old Logging Rd
Turn right onto Freezeland Rd (Rt 638)
Turn right on John Marshall Hwy (Rt 55)
Turn right on Apple Mountain Rd (Rt 79)
Turn left onto interstate 66 to head west, or turn right on interstate 66 to head east

OCCUPANCY

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

NOISE

Quiet hours are from 10pm to 9am daily. It shall be a violation of the Warren County Code Chapter 123 for any person, without compelling reason, to make noise that by reason of its volume, pitch, duration, or repetition, considering the time of day, is likely to disturb the rest of any person of ordinary sensibilities or interfere with such person's lawful and peaceful enjoyment of property owned or rented by him.

PARKING

Parking is limited to six (6) cars in the driveway. Under no circumstances should cars park along the roadway.

TRASH AND RECYCLING

All trash and recycling shall be placed in containers provided by the owner. Owner and cleaning team to pick up guests' trash on a routine basis; no outdoor trash will be permitted.

CHECK-IN & CHECK -OUT

An online platform will be used which prescreens all guests through 3rd party ID verification; host may further qualify guests with minimum age requirements, previous host feedback, limit number of guests, and notice of Host Rules which details expected behavior and care of Property during a guest's occupancy. Once a host accepts a reservation, guests are sent a greeting that includes host's full contact details, property address, and reiterates Host Rules. A second welcome message is sent just prior to the day of check in with lockbox code instructions and reiterates Host's Rules and instructs guests to review Property Guide Book the property immediately upon access. Property

Guide Book includes Host's Rules, emergency contact info, area detail, local business recommendations, internet access, neighborhood rules and details, and multiple, local, travel brochures and area guide and maps (and example of House Rules is attached)

WIFI/PHONE/ETC

Property will have landline as required, as well as free internet for all guests. The property Guide Book will provide login information.

SPECIFIC PROPERTY DETAILS

Outside: In advance of bookings, Property shall cite all of the specific property regulations identified below. This would be reiterated at actual time of booking and in Property Guide Book located on premises too.

Property corners are clearly identifiable; on the other side the lot is vacant. All railings on single deck are to code; deck and all improvements are in good, well-maintained condition.

Inside: In advance of bookings, Property shall cite all of the specific property regulations identified below. This would be reiterated at actual time of booking and in property Guide Book located on premises.

House amenities would include a fully-stocked kitchen, beds with fresh linen service, a washer/dryer, and fully-furnished living spaces. HVAC, electric and all plumbing in good, well-maintained condition. All windows are in working order and are sized according to code for emergency ingress/egress. House is equipped with smoke detectors, Carbon monoxide alarm, and two fire extinguishers.

Property inspections would be completed after every stay by a trained cleaning team and when necessary the Owners will inspect as well. Inspections include interior and exterior review of Property for general upkeep and routine maintenance as needed to keep Property in excellent condition.

AREA ATTRACTIONS

List area attractions and distance to location. Example provided below:

- Listing and Guide Book shall promote the Property being a short drive to the Shenandoah National Park, Golf Course, Canoe Companies, downtown shopping and restaurants, grocery stores, drug stores, etc. Additionally, Host will also stock the Guide Book with brochures, maps and guides from Front Royal Visitor's Center.
- An example of Host's Recommendations in the Guide Books, promoting local attractions, restaurants, wineries & breweries, is attached.

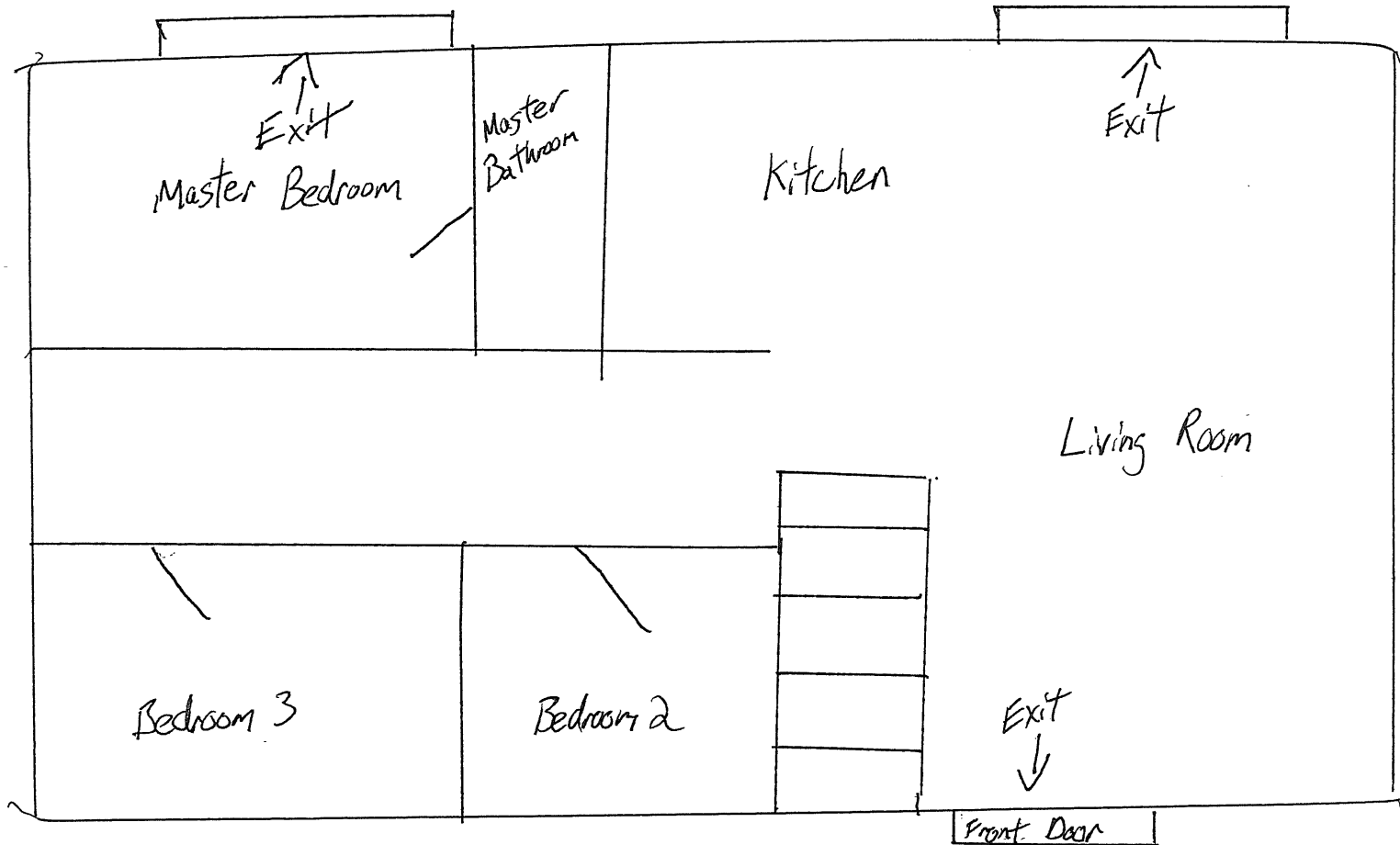
SPECIFIC PROPERTY REGULATIONS

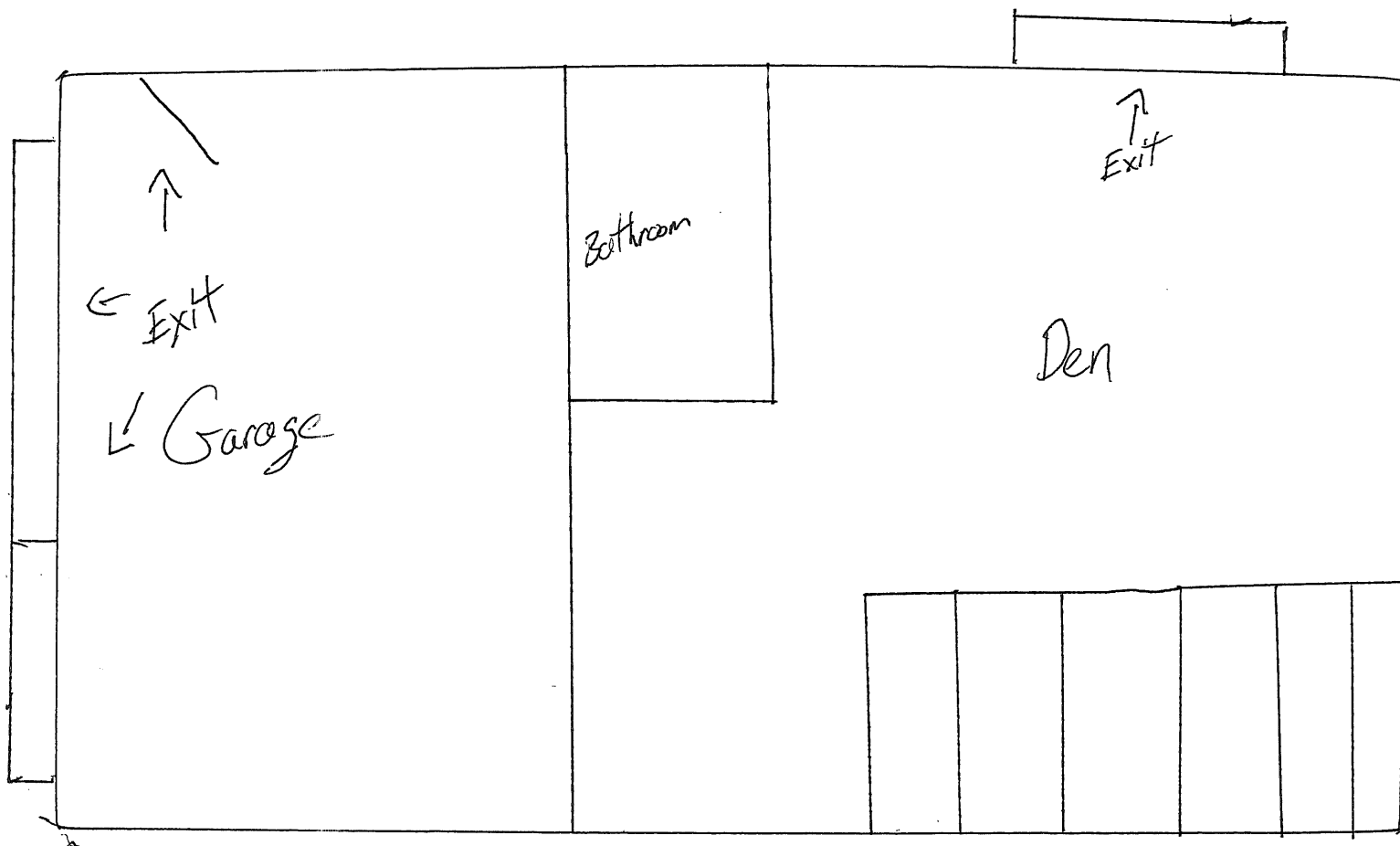
May be dictated by approved conditions or owner preference, example below:

- No firearms permitted
- No fireworks
- No pets
- No loud or amplified music
- Parking in designated areas only
- No fires
- No outdoor trash storage
- No candles
- No smoking indoors
- No unauthorized guests

ATTACHMENTS

- Property Map
- Dwelling Evacuation Plan





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



March 2, 2022

Mr. Chase Lenz, Zoning Officer
Warren County Planning and Zoning
220 N Commerce Avenue, Suite 400
Front Royal, Virginia 22630

RE: Request for comments; 2022-03-03
Owner: Jared Smith

Dear Mr. Lenz,

I have reviewed the request for comments regarding the property at 31 Henry Way, Linden, Virginia, in Warren County, (property identified on tax map # 24A-2-7-313), and I offer the following comments:

1. The construction permit for a sewage disposal system was issued on August 02, 2001 with an operation permit issued September 30, 2002. The system is designed to serve a 3 bedroom house with 6 occupants maximum.
2. The property is served by a private well. The well water should be tested for bacteria. If the sample result is positive, steps must be taken to correct the problem and the water should be re-tested.
3. All trash and garbage shall be placed in containers with tight-fitting lids.
4. There shall be no food service provided unless the Virginia Department of Health Food Regulations are met.
5. All Virginia Department of Health Tourist Establishment Regulations shall be met as necessary. The owners can contact our office for further information.
6. The sewage disposal system should be pumped if this has not been done in the last three to five years.
7. Do not connect any hot tub discharge to the sewage disposal system.

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

Sincerely,

Greg Smith
Environmental Health Specialist

WARREN COUNTY HEALTH DEPARTMENT

134 PEYTON STREET

P. O. BOX 1318

FRONT ROYAL, VA 22630

IN COOPERATION WITH THE
STATE DEPARTMENT OF HEALTH

540-635-3159
FAX # 540-635-9698

8/1/01

RE: APPLICATION--CONSTRUCTION PERMIT
WITH CONDITIONS

Location: Henry Way

Subdivision: Blue Mountain

Sect.: 7 Block: Lot: 313

ID# 37318

Tax Map: 24A-7-313

Peter Chi

14821 Mockingbird Drive
Darnestown, Md., 20874

Dear Mr. Chi:

Your application for a conditional sewage disposal system construction permit filed on 5/18/01 with the Warren County Health Department has been evaluated in accordance with the requirements contained in the Code of Virginia, Section 32.1-164.1 and Section 2.13 of the Sewage Handling and Disposal Regulations, 5-89.

Based on the information filed with your application, soil and site evaluations conducted by the Department's representatives, and review and study of all data presented and available, this is to inform you that your application for a conditional sewage disposal system construction permit is hereby approved. All items listed below are a part of the permit and the conditions that are and have been applied to the approval, installation and use of the sewage disposal system.

- A. This letter is a part of the conditional sewage disposal system construction permit issued for the above referenced location.
- B. The permit shall be recorded and indexed in the grantee index under your name in the land records of the Clerk of the Court of Warren County.
- C. You must furnish to the Warren County Health Department certification, by the Clerk of the Circuit Court, indicating the deed book number and page number upon which the permit and all conditions have been recorded. A copy of the certification shall be attached to all copies of the permit prior to giving validation to the building official for issuance of a building permit.



PERMIT

COMMONWEALTH OF VIRGINIA DEPARTMENT OF HEALTH

IDENTIFICATION # 41206 / 37316

DATE OF ISSUE: September 30, 2002

TAX MAP # 24A-7-313

SUBDIVISION: Blue Mountain;
Sec. 7; Lot 313

OPERATOR: Homestead Builders
ADDRESS: P.O. Box 341
Front Royal, VA 22630

*The above operator has made application and in accordance with the regulations of the **BOARD OF HEALTH OF THE COMMONWEALTH OF VIRGINIA** is authorized by the **WARREN COUNTY HEALTH DEPARTMENT** to operate the following:*

- ☒ **ON-SITE SEWAGE DISPOSAL SYSTEM**
SYSTEM TYPE: I / BEDROOMS IN STRUCTURE: 3
DESIGN CAPACITY: 450 gpd / MAXIMUM OCCUPANCY: 6
OTHER:
- ☒ **PRIVATE WATER SUPPLY SYSTEM**
Class of non-public water well: IIIB
Based on the inspection of this water supply system, the information contained on the water completion report and the sample results, this water supply meets the requirements of the **PRIVATE WELL REGULATIONS**. ☒

An "X" in the ☒ indicates the system approval for which this permit has been issued.

The issuance of an operation permit does not denote or imply any guarantee by the Virginia Department of Health that the sewage disposal system will function, as designed, for any specified period of time. It shall be the responsibility of the owner or any subsequent owner to maintain, repair, or replace any sewage disposal system that ceases to operate as defined in the operation permit and in 12 VAC 5-610-350.

If a conditional permit has been issued, the owner or any subsequent owner is advised to review the conditions that have been imposed on the operation of this sewage disposal system.

This permit not valid unless affixed with the embossed seal of the Lord Fairfax Health District.

Walter P. Bailey Jr.
HEALTH OFFICIAL

10/1/02
DATE

VDH VIRGINIA
DEPARTMENT
OF HEALTH
Protecting You and Your Environment

Homestead Builders

Blue Mountain, Section 7, Lot 313

Health Department
Identification Number

41208

37318

Schematic drawing of sewage disposal and/or water supply system and topographic features.

Show the lot lines of the building site, sketch of property showing any topographic features which may impact on the design of the well or sewage disposal system, including existing and/or proposed structures and sewage disposal systems and wells within 200 feet. The schematic drawing of the well site or area and/or sewage disposal system shall show sewer lines, pretreatment unit, pump station, conveyance system, and subsurface soil absorption system, reserve area, etc. When a nonpublic drinking water supply is to be permitted, show all sources of pollution within 200 feet.

- ☐ The information required above has been drawn on the attached copy of the sketch submitted with the application. Attach additional sheets as necessary to illustrate the design.

15-100' lines.
13' wide.
9' centers.
19" deep
Install along contour.

Reserve Area
100% Low Pressure Required.
60' lines.
2' wide
9' centers.
9" deep.
Engineered plans are required.

Chapter 179 - Warren County Code requires:
100% Reserve Area
Class III B well
100' separation between wells and wells and septic tanks and drainfields

THIS PERMIT IS NOT
TRANSFERABLE AND IS
ONLY VALID TO THE OWNER
INDICATED ON THIS PERMIT.

This sewage disposal system and/or water supply is to be constructed as specified by the permit ☒ or attached plans and specifications.

This sewage disposal system and/or well construction permit is null and void if (a) conditions are changed from those shown on the application (b) conditions are changed from those shown on the construction permit.

No part of any installation shall be covered or used until inspected, corrections made if necessary, and approved, by the local health department or unless expressly authorized by the local health dept. Any part of any installation which has been covered prior to approval shall be uncovered, if necessary, upon the direction of the Department.

Date: 8/1/01 Issued by: Walter P. Bailey, Jr., EHSS, A05E
Date: 8/2/01 Reviewed by: Benjamin T. Cernanman
9/24/02 (BR) Supervisory Sanitarian

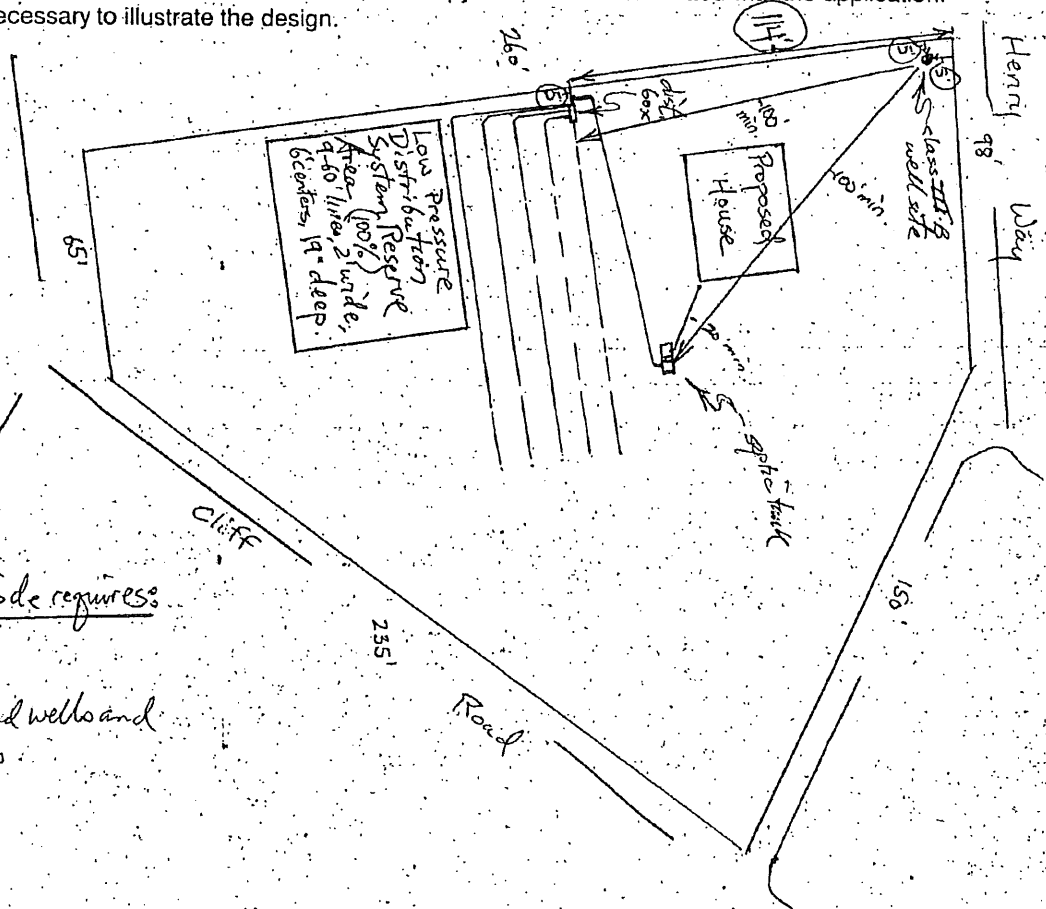
This Construction Permit Valid until
2/1/03

If FHA or VA financing

Reviewed by Date _____ Date _____
Supervisory Sanitarian Regional Sanitarian

C.H.S. 202B

ISSUED UNDER 2000 REGULATIONS



Chloe Phillips

From: David Beahm
Sent: Monday, February 14, 2022 10:37 AM
To: Chloe Phillips
Cc: Joe Petty; Paula Fristoe
Subject: Request for Comments 2022-03-03 – Jared Smith – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000165-2022

Comments 2022-03-03 – Jared Smith – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000165-2022:

NOTE: Prior to giving approval for this request, outstanding permits would need to be addressed and completed.

- 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 “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 it as a short-term rental.
 - Given the timeframe that the structure was originally built it may not 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,



David C. Beahm, CBO
Building Official

dbeahm@warrencountyva.net

Warren County Building Inspections

220 North Commerce

Sui
Front Royal, VA

540/636

FAX 540/636

www.warrencountyva.net

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

RE: Conditional Use Permit

Matt Wendling <Mwendling@warrencountyva.net>

Thu 3/24/2022 2:30 PM

To: Mike Veasey <mike_veasey@yahoo.com>

Cc: Chase Lenz <clenz@Warrencountyva.net>

Thank Mike,

I'm forwarding this to Chase Lenz, our Zoning Administrator, he's taking this one through the process.

Regards,

Matt

Matt Wendling

Warren County Planning Department

Deputy Planning Director / County Floodplain Manager

220 N. Commerce Ave., Suite 400

Front Royal, VA 22630

(540)-636-3354

www.warrencountyva.net

<http://ecode360.com/9745479>

www.warrengis.org

From: Mike Veasey <mike_veasey@yahoo.com>

Sent: Thursday, March 24, 2022 2:16 PM

To: Matt Wendling <Mwendling@warrencountyva.net>

Subject: Conditional Use Permit

Matt,

I can't find any record of where we closed the loop with you on the short term rental request of Jared Smith, 2022-03-03.

The Blue Mountain Property Owners' Board of Directors has considered the request and has no objection to it.

Mike Veasey

Treasurer

"To Change You, It Has To Cost You."

April 5, 2022

Chase Lenz, Zoning Administrator
County of Warren
Department of Planning
Warren County Government Center
220 North Commerce Avenue, Suite 400
Front Royal, VA 22630

Mr. Lenz

We are responding to Letter from your office regarding Public Hearing for Jared Smith requesting Conditional Use Permit for a Short-term Tourist Rental located at 31 Henry Way Linden VA 22642.

We, Patrick Darrow and Bobby Edwards are adjacent property owners to subject property at 75 Henry Way. We have previously attended a hearing for Hot Tub Heaven Properties to agree with their intended use. We agree with the owners that they should be able to use their property in the prescribed way, however we as neighbors still want to protect the environment from excessive noise and unintended use and for all applicable laws and rules of our Blue Mountain Association and county laws and regulations to be maintained by the Owners and Guests of Property. We believe a noise curfew after 11:00 PM is reasonable and standard. Our stated rules governing Blue Mountain Properties of note are no ATV vehicles allowed on roads which are constantly and consistently violated, No excessive tree removal, rather keeping trees that are not a danger to be left alone, etc.

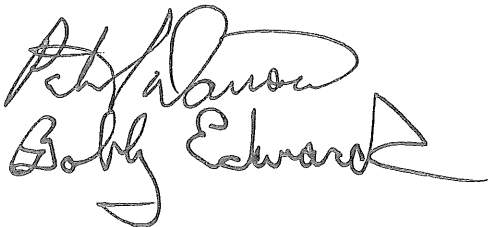
We have general concerns as would most neighbors to maintain a calm quiet mountain living lifestyle and that seems to be stretched as more land is used to build yet another house and clear cut to build the house and then the barking dogs, the designs of the housing that doesn't fit in, yard fencing, the list is endless turning a mountain into a suburb housing development is not the ideal most people want when they move here.

We too own another property in another county and use it as a short stay rental, but our guests follow a list of rules and agree to it before we allow them to rent and for several years we have had no issues with the short stay property or with neighbors dealing with our guests.

Please use this as our formal review of the situation and maintain for us our stated concerns.

Thank you and Best Regards,

Patrick Darrow and Bobby Edwards

Handwritten signatures of Patrick Darrow and Bobby Edwards. The signature for Patrick Darrow is written above the signature for Bobby Edwards. Both signatures are in cursive and appear to be in black ink.

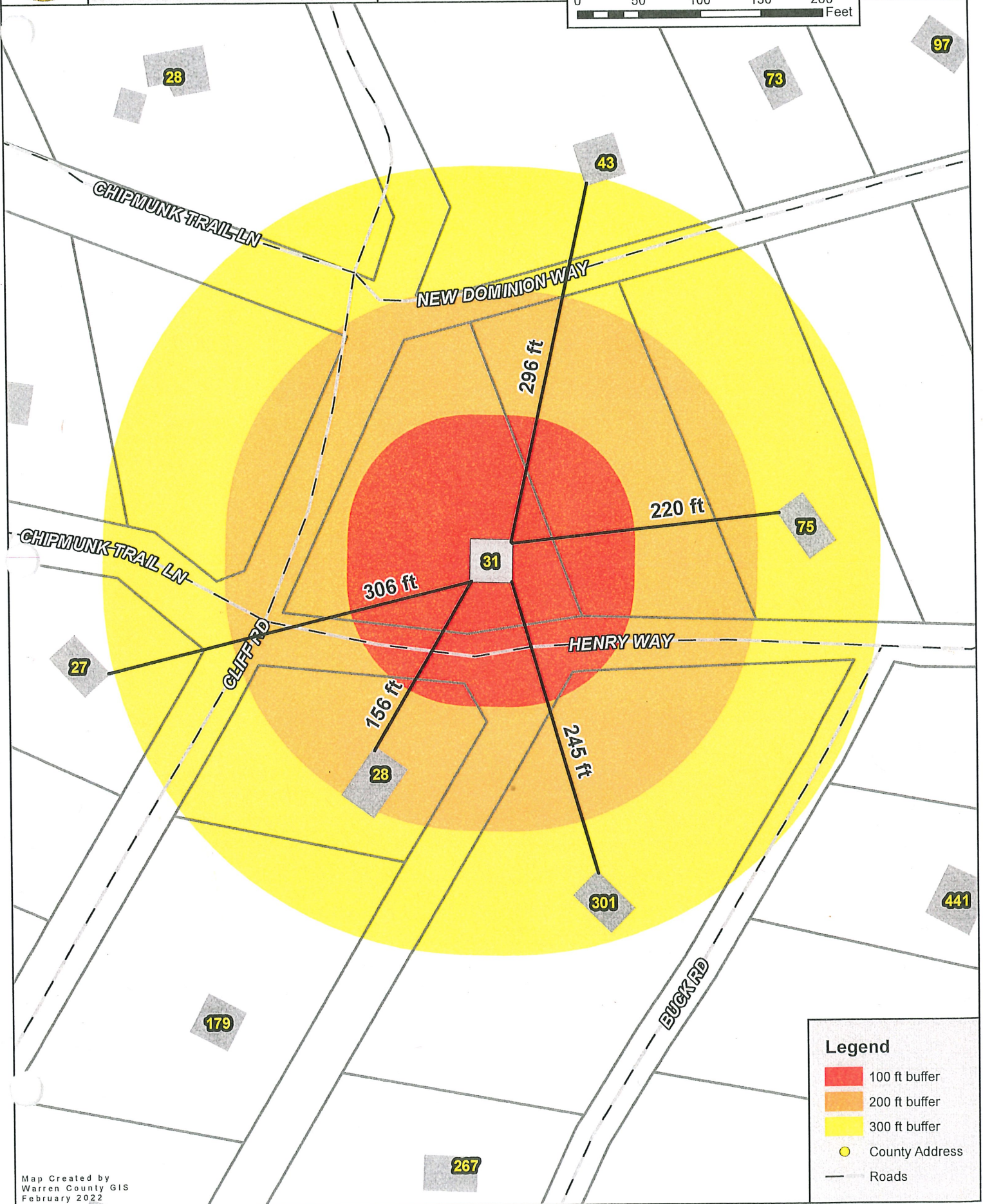
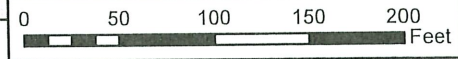


Warren County, VA 2021

31 Henry Way
TM 24A--2-7-313

Distance to Surrounding Homes

1 inch = 100 feet



Legend

- 100 ft buffer
- 200 ft buffer
- 300 ft buffer
- County Address
- Roads



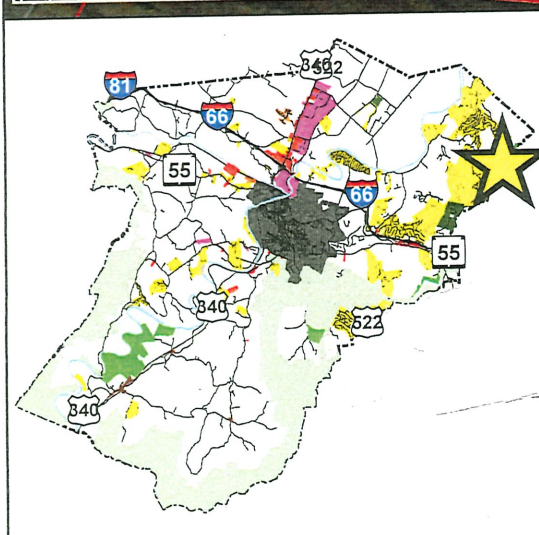
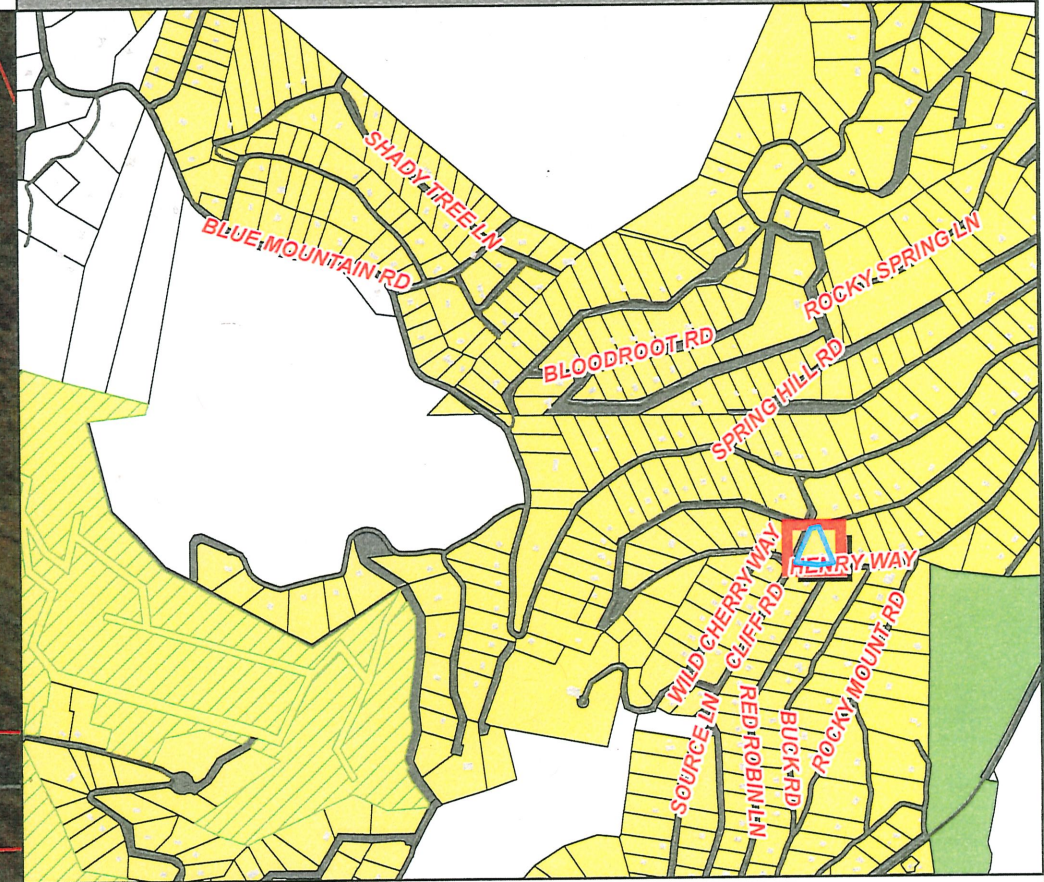
Varren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Jared Smith

T 4A--2-7-313
Blue Mountain Subdivision



Zoning

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

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
5/17/2022	J-5	Conditional Use Permit #2022-03-04 James B. & Jeonghe C. Lal <i>Short-Term Tourist Rental</i>	1 of 2

EXPLANATION & SUMMARY:

See attached application and staff report.

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

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

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

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 4 - 0. Mr. Kersjes was absent.

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 (4) as determined according to the Health Department conditional/operational permit which needs to be issued 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.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the conditional use permit request of James B. & Jeonghe C. Lal 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 James B. & Jeonghe C. Lal for a Short-term Tourist Rental (List reasons).

SUBMITTED BY:	DISPOSITION OF BOARD:	PROCESSED BY:
Matt Wendling, CFM Planning Director <i>MW</i> County Floodplain Manager	☐ APPROVED ☐ OTHER (Describe)	



Conditional Use Permit: 2022-03-04/ Short Term Tourist Rental

James B. & Jeonghe C. Lal, *Applicants/ Owners*

Staff Report for the Planning Commission

Prepared: February 16th, 2022 Revised: May 3, 2022

Staff: Matt Wendling, *Deputy Planning Director/County Floodplain Manager* 

SUMMARY OF REQUEST

The applicants constructed their home in 2018 after being granted a variance to the front setback by the Warren County Board of Zoning Appeals and have used this as their primary residence since then. They are requesting this conditional use permit because their work as Christian missionaries to Malawi, Africa take them out of the country for long periods of time and they would like to rent the property short term during that time. They would like to rent it less than 30 days in order to supplement their income to pay for the mortgage, taxes, insurance and the upkeep of the property. This also allows them the flexibility of scheduling renters when they return from their mission trip instead of having the property occupied by long term renters.

PROPERTY INFORMATION

Property Location: 280 Overbook Ln.

Town/Village: Front Royal

Tax Map ID: # 13C-3-3-Parcel 568

Zoning: Residential One (R-1)

Magisterial District: Shenandoah

Acres: 2.028

Subdivision: Shenandoah Shores

Existing Land Use: SFD with Woodlands, Riverfront

Special Flood Hazard Area: The dwelling is located in a Non-Floodzone "X" area and a narrow portion of the property is located in the SFHA.

SURROUNDING ZONING DISTRICTS & USES

North: Residential One (R-1)

Use: SFD with Woodlands

South: Residential One (R-1)

Use: Shenandoah River and SFD

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. In May 2017 the Warren County Board of Zoning Appeals approved a request for a fifteen foot variance to the front setback requirement for fifty feet. The owner was able to show a hardship due to topography and drainfield location after exercising all options to resolve the matter.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for Residential One (R-1) land uses which allows for a Short-term Tourist Rental by conditional use permit in the Warren County Zoning Ordinance Section §180-23. Short-term Tourist Rentals provide transient-lodging taxes to the County and are typically used by tourists visiting the area. This use complies with Chapter 6: Economic Development chapter, Goal V and the promotion of tourism objectives of the comprehensive plan.

PROPOSAL:

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

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

These regulations are as follows:

- A. The owner of a dwelling unit to be used for a short-term tourist rental shall apply and receive a zoning permit and/or a conditional use permit from the Planning Department prior to utilizing the dwelling unit as a short-term rental. The permit shall be reviewed by planning staff on an annual basis to ensure compliance with the performance standards listed in this section, along with all conditions placed on the conditional use permit, if applicable. Warren County may revoke a permit for repeated noncompliance with these performance standards.
- B. The maximum number of occupants in the dwelling unit shall be determined according to permit approval received by the Warren County Health Department; however, the maximum number of occupants shall not exceed 10. The WC Health Department has submitted comments for the property stating the operation permit was issued November 20, 2018 for a system to serve a three bedroom house limited to 4 occupants 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 three 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 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 will need to be submitted and will be reviewed and approved by staff with all other requirements shall need to be met prior to a certificate of zoning for the business being issued. The applicant lives in Luray and will be acting as the property manager as he lives about 30 minutes away.

- 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 in the Shenandoah Shores subdivision and a request for comments have been sent to their property owners association.
- 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 applicants 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. The dwelling location meets the setback requirements to adjacent single-family dwellings, which is approximately 280' to the closest dwellings located to the east and west.

RECOMMENDED CONDITIONS:

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 **four (4)** as determined according to the Health Department conditional/operational permit which needs to be issued 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 on the State road shall be prohibited.

Cc: James & Jeonghe Lal, Applicants



Figure 1 James & Jeonghe Lal Single-Family Dwelling

Statement of Justification

Reference: Zoning Permit and/or Dwelling Unit for Short term Tourist Rental

In accordance with Warren County, Virginia Code 180-22.D(14), we, as the owners of 280 Overbrook Lane in Front Royal, Warren County, Virginia are applying for a short term tourist rental zoning permit and/or a conditional use permit from the Planning Department prior to utilizing the dwelling unit as a short term rental.

I am a partially disable, retired military veteran with 25 years in the United States Air Force, and I also worked for the Circuit Court for Prince George's County, Maryland for almost 20 years. My wife and I are christian missionaries in Malawi, Africa. We returned from Malawi because of the covid pandemic and are planning to return very soon.

The short term rental zoning permit and/or a conditional use permit will allow us:

- (1) To provide us supplemental income to enable us to pay the monthly mortgage.
- (2) To generate income for the county from taxes.
- (3) To have less wear and tear on the property compared to long term rental/lease.

We greatly appreciaate all the assistance provided in obtaining the permit.

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-03-04Date Received: 2-15-22Fee Amount: \$500.00Date Paid: 2-15-22

CK# 1021

Applicant Information:JAMES B. & JEONGHE C. LAL

Applicant Name

4358 SUTLER HILL SQ, FAIRFAX VA 22033

Address

City

State

Zip

280 OVERBROOK LN. FRONT ROYAL VA 22630

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

703-201-1414

Primary Contact Number

JBLAL1950@gmail.com

Email

Property Owner (if same as applicant, leave blank)

Address

City

State

Zip

703-201-1414

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: 280 OVERBROOK LN. FRONT ROYAL, VA(2) Election District: SHENANDOAH DISTRICT - PRECINCT: 401(3) Tax Map Number: 13C 33 568(4) Subdivision Name: SHENANDOAH SHORES(5) Total Area of Property (acres): 2.03(6) Total Area to be Used (acres): DWELLING AND DRIVEWAY(7) Total Road Frontage (feet): TO BE PROVIDED BY ZONING OFFICE(8) Depth of Property (feet): TO BE PROVIDED BY COUNTY GIS COORDINATOR(9) Present Zoning: RESIDENTIAL

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: RESIDENTIAL
- (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: 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: 8 INCORRECT MPW
- (12) Number of parking spaces to be provided: Regular 6 Handicap 0
- (13) What is the proposed landscaping and buffering for this property? N/A

C. Plans Prepared By

Name: N/A

Address: _____

Telephone Number: _____

D. Environmental Information

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

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

HOUSEHOLD TRASH - DISPOSED AT COUNTY TRASH/
RECYCLE COLLECTION STATION

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

NO

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

NONE

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

NONE

- (6) What will be the impact on traffic?

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.)

NONE

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

☒ An application fee of \$500.00.

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

☒ A Statement of Justification

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

☐ A Site Plan/Survey. *PLAT - DITTO*

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. *LOOK IN BZA PACKET 2018 LAL*

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.

STAFF 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.

TAKE N. COMMERCE AVE. RIGHT ON 6TH ST/HAPPY CREEK RD. LEFT ON ROUTE 606/SHERANDOAH SHORES RD. LEFT ON MOUNTAIN VIEW RD. LEFT ON WOODWARD LN. RIGHT ON OVERBROOK LN.

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.

James B. Lal
Applicant Signature

02/15/22
Date

George C. Lal
Property Owner Signature

02/15/22
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

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



March 02, 2022

Mr. Matt Wendling, Deputy Planning Director / County Floodplain Manager
Warren County Planning and Zoning
220 N Commerce Avenue, Suite 400
Front Royal, Virginia 22630

RE: Request for comments; 2022-03-04
Owner: James B & Jeonghe C Lal

Dear Mr. Wendling,

I have reviewed the request for comments regarding the property at 280 Overbrook Ln, Front Royal, Virginia, in Warren County, (property identified on tax map # 13C-3-3-568), and I offer the following comments:

1. The permit for a sewage disposal system was issued on March 16, 2017 and the operation permit was issued on November 20, 2018. The system is designed to serve a 3 bedroom house **limited to 4 occupants maximum**. This is an alternative sewage disposal system that requires yearly maintenance inspections. The owners can contact our office for further information.
2. The property is served by a central water source.
3. All trash and garbage shall be placed in containers with tight-fitting lids.
4. There shall be no food service provided unless the Virginia Department of Health Food Regulations are met.
5. All Virginia Department of Health Tourist Establishment Regulations shall be met as necessary. The owners can contact our office for further information.
6. The sewage disposal system should be pumped if this has not been done in the last three to five years.
7. Do not connect any hot tub discharge to the sewage disposal system.

Lord Fairfax Health District



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



Lal
March 02, 2022
Page 2

The applicant has requested no more than eight occupants at a time. This will **NOT** be possible. The system is designed for a maximum of four people. The Warren County Health Department would have no objection to this request as long as the comments above are complied with, and the design flow of the sewage disposal system is not exceeded. There are to be no more than **FOUR** occupants. If the system malfunctions, immediate pump and haul will be required, and the system will need to be repaired or replaced if possible.

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

Sincerely,

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

Greg Smith
Environmental Health Specialist



Warren County Health Department
465 W 15th St. Ste 200
Front Royal, VA 22630
(540) 635-3159 Voice
(540) 635-9698 Fax

Sewage Disposal System Operation Permit

Property Owner

James B Lal
9922 Coffey Woods Rd.
Burke, VA 22015
Phone: (540)

Health Dept. ID: 187-17-0054
Tax Map/GPIN: 13C-3-3-568
Locality: Warren County

Property Location

Property Address: 280 Overbrook Ln.
Front Royal, VA 22630
Subdivision: Shenandoah Shores Section: 3 Lot: 568

James B Lal is hereby granted permission to operate a Residential Alternative Onsite Sewage System at the above referenced location, under the following parameters:

Daily Flow: 300 gallons

Number of Bedrooms: 3

Occupancy Limit: 4 maximum

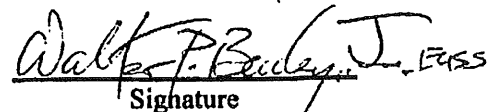
Conditions: Limitations on the number of persons occupying the dwelling or using the facility.

This permit is issued in accordance with the provisions of Title 32.1, Chapter 6 of the Code of Virginia as Amended, and Section 12VAC 5-610-340 of the Sewage Handling and Disposal Regulations of the Virginia Department of Health. The issuance of an operation permit does not denote or imply any guarantee by the department that the sewage disposal system will function for any specified period of time. It shall be the responsibility of the owner or any subsequent owner to maintain, repair, or replace any sewage disposal system that ceases to operate in accordance with the regulations.

The continued validity of this permit is contingent upon compliance with the operation and maintenance requirements contained in the Owner's Operation and Maintenance Manual and Regulations for Alternative Onsite Sewage Systems of the Virginia Department of Health (12VAC5-613-100 et seq.). Owners are advised to be aware of the operation and maintenance instructions for their alternative onsite sewage system and to follow them. Copies of the operation and maintenance instructions can be found by contacting the local health department for the locality where the onsite sewage disposal system is located.

November 20, 2018
Effective Date

Walter P. Bailey, Jr.
Environmental Health Specialist Senior


Signature



Warren County Health Department
465 W 15th St. Ste 200
Front Royal, VA 22630
(540) 635-3159 Voice
(540) 635-9698 Fax

Construction Permit

Well and Sewage Contractors: Please notify Health Department and OSE or PE 48 hours prior to installation to arrange for inspection

March 16, 2017

James B Lal
9922 Coffer Woods Rd.
Burke, VA 22015

RE: Overbrook Dr., Front Royal, VA 22630
Tax Map/GPIN: 13C-3-3-568 (Warren County)
HDID: 187-17-0054 Reserve: 50% reserve area provided
System Capacity: Residential, Conditional to 300 gallons per day
Occupancy Limit: 4 persons maximum

Dear James B Lal :

This letter and the attached drawings, specifications, and calculations (9 pages) dated February 14, 2017 and revised March 13, 2017, constitute your permit to install a sewage disposal system and well if applicable on the property referenced above. Your application for a permit was submitted pursuant to §32.1-163.5 of the Code of Virginia, which requires the Health Department to accept private soil evaluations and designs from an Onsite Soil Evaluator (OSE) or a Professional Engineer working in consultation with an OSE for residential development. VDH is not required to perform a field check to verify the private evaluations of OSEs or PEs and such a field check may not have been conducted for the issuance of this permit.

The soil absorption area ("site"), sewage system design, and the well location and construction if applicable were certified by Stickley, Scott M. PE as substantially complying with the Board of Health's regulations (and local ordinances if the locality has authorized the local health department to accept private evaluations for compliance with local ordinances). This permit is issued in reliance upon that certification. VDH hereby recognizes that the soil and site conditions acknowledged by this permit are suitable for the installation of an onsite sewage system. The attached plat shows the approved area for the sewage disposal system; there are additional records on file with the Warren County Health Department pertaining to this permit, including the Site and Soil Evaluation Report. This construction permit is null and void if any substantial physical change in the soil or site conditions occurs where a sewage disposal system is to be located.

If modifications or revisions are necessary between now and when you construct your dwelling, please contact the OSE/PE who performed the evaluation and design on which this permit is based. Should revisions be necessary during construction, your contractor should consult with the OSE/PE that submitted the site evaluation or site evaluation and design. The OSE/PE is authorized to make minor adjustments in the location or design of the system at the time of construction provided adequate documentation is provided to the Warren County Health Department.

The OSE/PE that submitted the certified design for this permit is required to conduct a final inspection of this sewage system when it is installed and to submit an inspection report and completion statement. As the owner, you are responsible for giving reasonable notice to the OSE/PE of the need for a final inspection. If the designer is unable to perform the required inspection, you may provide an inspection report and

completion statement executed by another OSE/PE. The Warren County Health Department is not required to inspect the installation but may perform an inspection at its sole discretion. No part of this installation shall be covered until it has been inspected by the OSE/PE as noted herein. The sewage system may not be placed into operation until you have obtained an Operation Permit from the Warren County Health Department.

This Construction Permit is null and void if conditions are changed from those shown on your application or if conditions are changed from those shown on the Site and Soil Evaluation Report and the attached construction drawings, specifications, and calculations. VDH may revoke or modify any permit if, at a later date, it finds that the site and soil conditions and/or design do not substantially comply with the Sewage Handling and Disposal Regulations, 12 VAC 5-610-20 et seq., or if the system would threaten public health or the environment.

This permit approval has been issued in accordance with applicable regulations based on the information and materials provided at the time of application. There may be other local, state, or federal laws or regulations that apply to the proposed construction of this onsite sewage system. The owner is responsible at all times for complying with all applicable local, state, and federal laws and regulations. If you have any questions, please contact me.

This permit expires: **September 15, 2018**. This permit is not transferable to another owner or location.

Sincerely,



Walter P. Bailey, Jr., EHSS
Environmental Health Specialist Senior
Warren County Health Department 50

CC: Stickley, Scott M. PE

Chloe Phillips

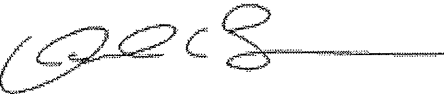
From: David Beahm
Sent: Monday, March 28, 2022 12:16 PM
To: Chloe Phillips
Cc: Joe Petty; Paula Fristoe
Subject: Request for Comments 2022-03-04 – James B. and Jeonghe C. Lal – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000166-2022

Comments 2022-03-04 – James B. & Jeonghe C. Lal – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000166-2022:

- 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 “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 it as a short-term rental.
 - Given the timeframe that the structure was originally built it should not 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 Inspection

David C. Beahm, CBO
Building Official

220 North Commerce

Su
Front Royal, VA

540/63

FAX 540/63

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.

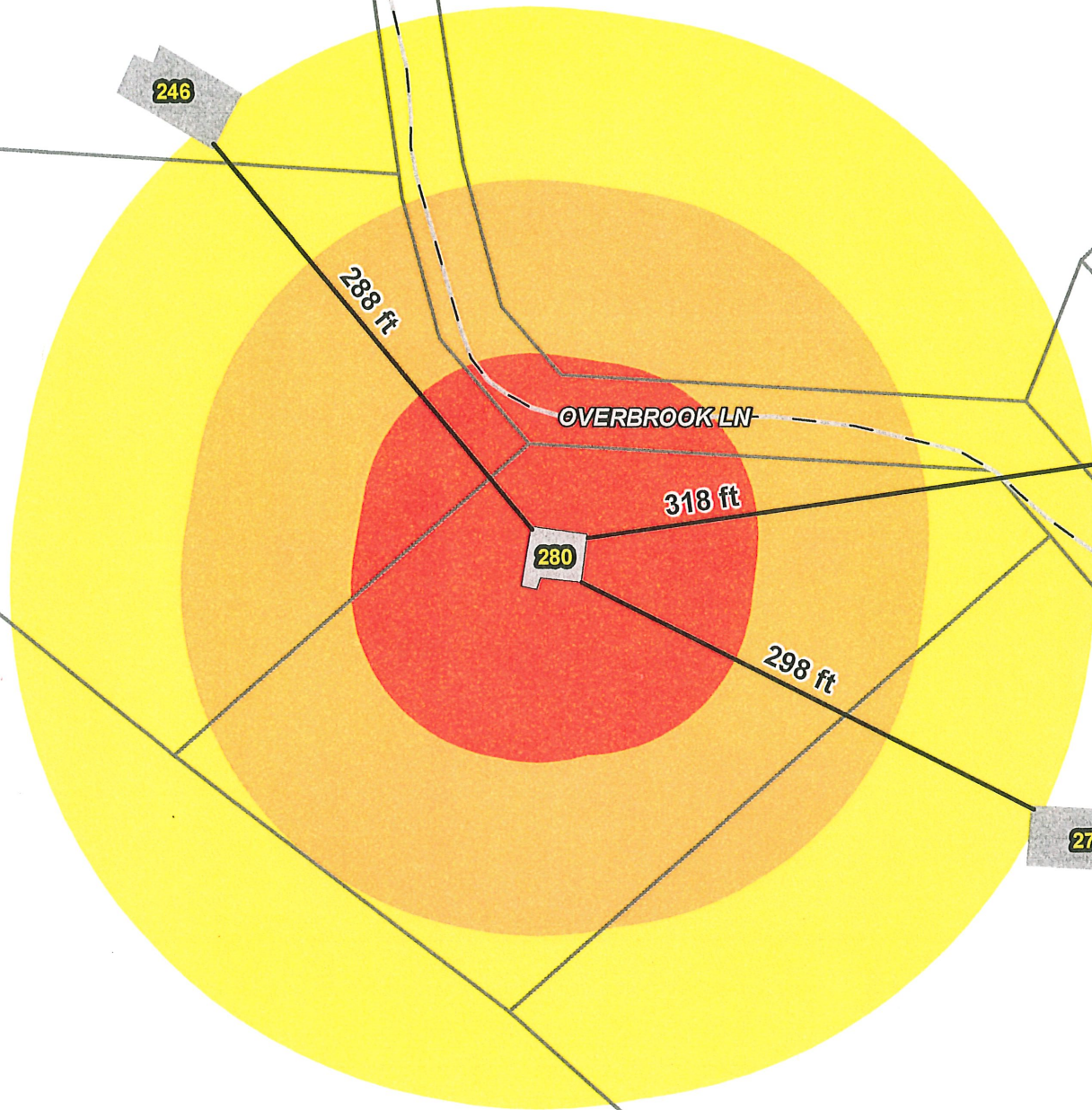
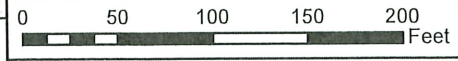


Warren County, VA 2021

280 Overbrook Ln
TM 13C--3-3-568

Distance to Surrounding Homes

1 inch = 100 feet



Legend

- 100 ft buffer
- 200 ft buffer
- 300 ft buffer
- County Address
- Roads



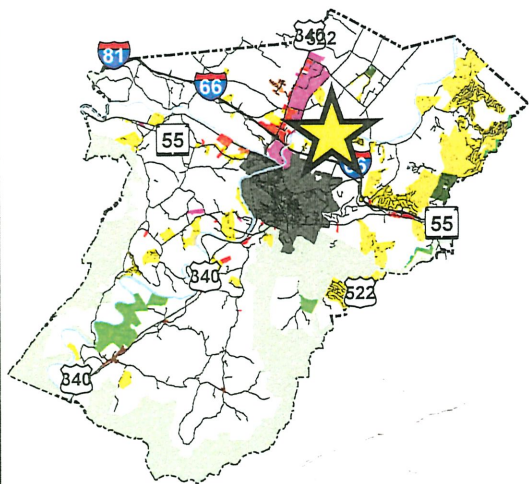
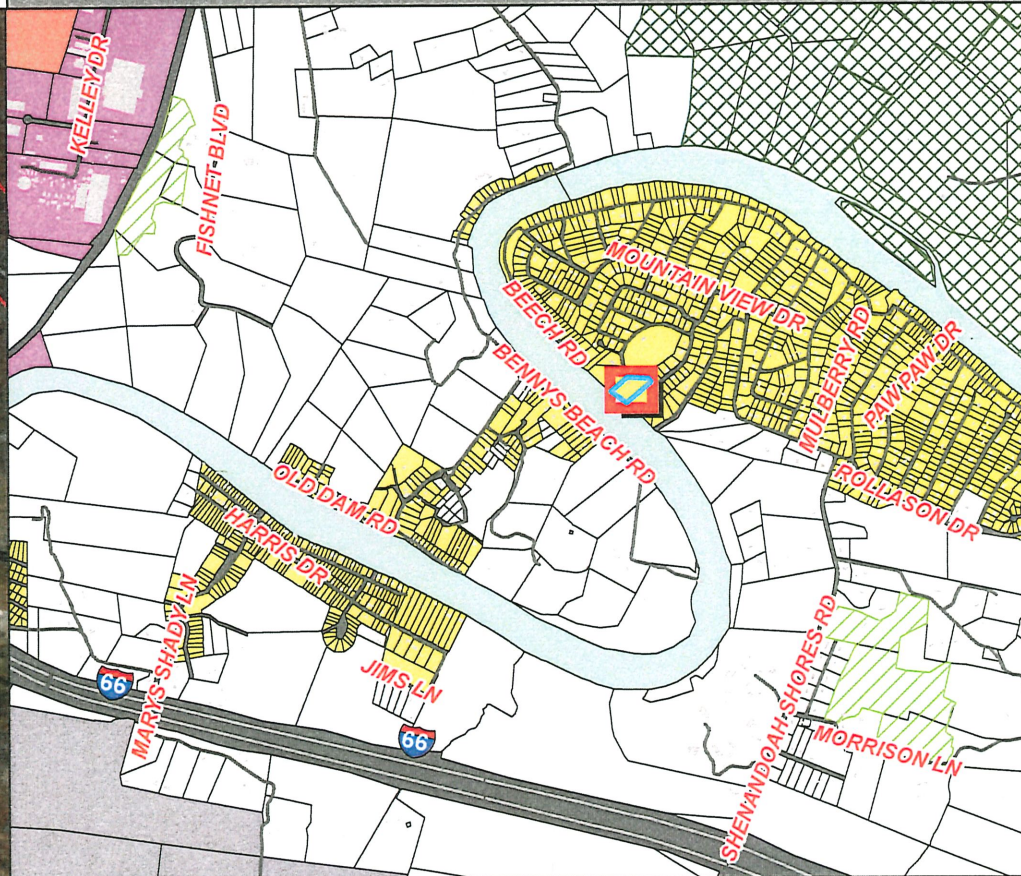
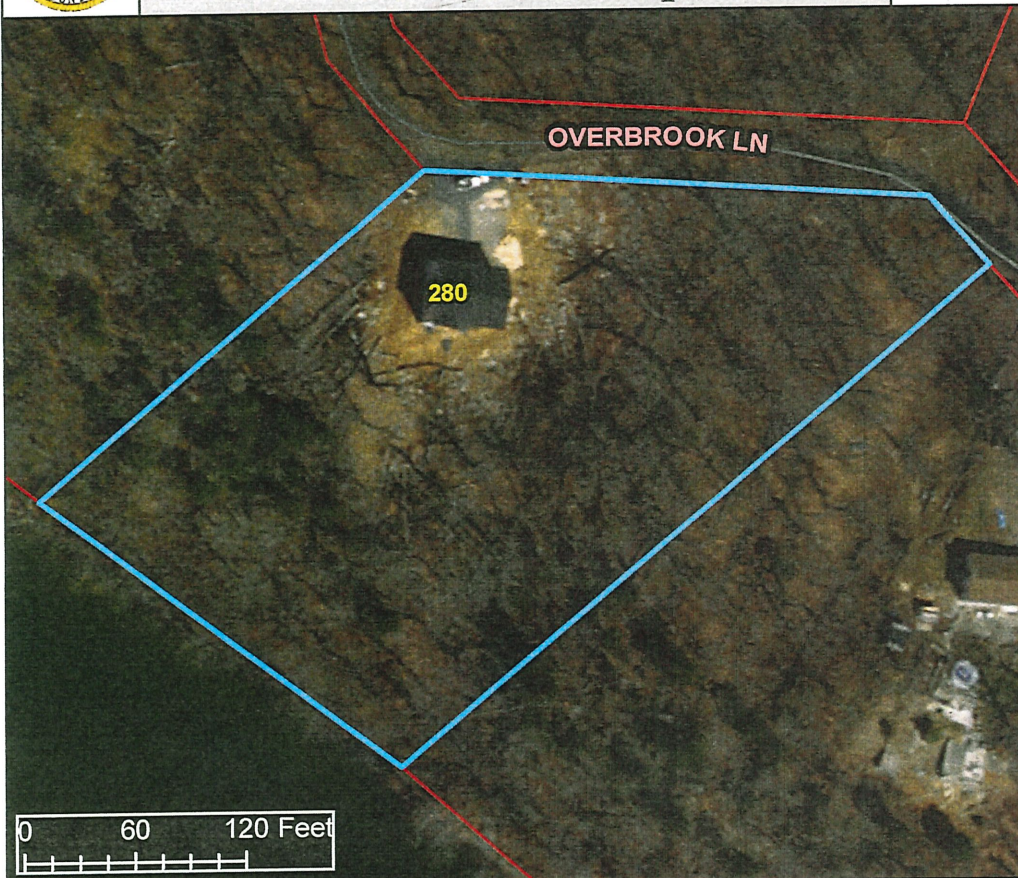
Narren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: James Lal

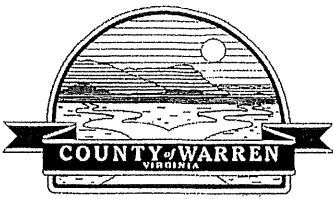
T 3C--3-3-568
Shenandoah Farms - Mountain Lake Section



Zoning

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

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:
05/17/2022	J-6	Conditional Use Permit #2022-03-05 Rocky Quach <i>Short-Term Tourist Rental</i>
EXPLANATION & SUMMARY: See attached application and staff report. General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards: 1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan. 2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations. 3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. 4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area. 5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. 6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that: a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties. b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion. c) Provide for adequate parking and ingress and egress to public streets or roads. d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property. e) Prevent such use from changing the character and established pattern of development of the community.		

PLANNING COMMISSION STATUS:

On Wednesday, April 13, 2022, 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.

RECOMMENDED CONDITIONS:

Staff recommends that if the Board of Supervisors is going to approve of this request that the following conditions should be applied:

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

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the conditional use permit request of Rocky Quach 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 Rocky Quach for a Short-Term Tourist Rental.

SUBMITTED BY:

Chase Lenz, 
Zoning Administrator

DISPOSITION OF BOARD:

☐ APPROVED ☐ OTHER (Describe)

**PROCESSED
BY:**



Conditional Use Permit: 2022-03-05 / Short-Term Tourist Rental
Rocky Quach, *Current Owner/Applicant*
Prepared: February 24, 2022
Staff Contact: Chase Lenz, Zoning Administrator

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a short-term tourist rental for the property he recently purchased in February of 2022. The dwelling will be available year-round for short-term rentals for families visiting the Warren County area. The applicant currently resides in San Jose, California. He will hire a local property management company to manage the operation of the short-term rental and property maintenance. In an effort to promote rentals from families primarily, the applicant will provide additional amenities for infants, including high-chairs and a portable travel crib.

PROPERTY INFORMATION

Property Location: 524 Freezeland Road
Tax Map ID: 23F-----2
Magisterial District: Happy Creek
Subdivision: Cherry Ridge

City: Linden
Zoning: Agricultural (A)
Acres: 2.56 Acres
Existing Land Use: Single Family Dwelling

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)
South: Agricultural (A)
East: Agricultural (A)
West: Agricultural (A)

Use: Single Family Dwelling
Use: Single Family Dwelling
Use: Vacant Lot - Woodlands
Use: Vacant Lot - Woodlands

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Agricultural zoning district. The single-family dwelling was constructed in 1997. No zoning violations have been recorded for the property.



COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for agricultural/residential land uses. A short-term tourist rental is a use allowed by conditional use permit in the Agricultural 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. There is a Health Department operation permit on file approving six (6) occupants for the dwelling. The applicant has provided documentation requesting a maximum of six (6) occupants. Warren County Assessment data lists three (3) bedrooms in the dwelling.
- 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 rights-of-way and in yards. There is sufficient parking for at least four (4) 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 dwelling is fully screened from the rear property boundary by existing wooded areas. The dwelling is set back approximately 415' from the edge of the platted right-of-way for Freezeland Road. There is a fence along the property boundary with the adjacent property to the south.
- 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 has been provided and shall be reviewed by Planning staff.
- 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. There is no record of an HOA or POA for the Cherry Ridge 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 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. **The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwellings are 120' to the southwest and 130' to the northwest, respectively.**

RECOMMENDED CONDITIONS

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

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

Cc: Rocky Quach – Owner/Applicant

Statement of Justification

Short-Term Tourist Rental Permit

February 14th 2022

The property owners of Single Family Residential Unit 524 Freezeland Rd, Linden, Virginia, 22642 seek approval of a Short-Term Tourist Rental Permit to allow future rental uses for less than 30 days.

Proposal

We're seeking families as our primary guests by providing high chairs and pack'n play/travel crib. The maximum number of guests will not exceed 10.

We will be hiring a professional property management company to manage any short-term rental related matters, include but not limited to:

- Guests screening before accepting bookings to prioritize safety.
- Communication team available 24/7 for guests: answering questions, and providing support before, during, and after their stays.
- A professional cleaning team maintains the same property condition after every checkout, covering both inside and outside of the property, to include trash pickup.
- Collecting and managing/paying lodge tax properly.
- Septic maintenance: pumping annually.

Home Safety

In the property, we provide emergency contact information for any emergency needs – phone numbers of local guest contact and local police department. Safety amenities include smoke alarm, carbon monoxide alarm, fire extinguisher, and first aid kit. A Ring doorbell security camera, located next to the front door facing out, and also multiple security Ring cameras monitoring the exterior, would be used for safety.

House Rules for Guests

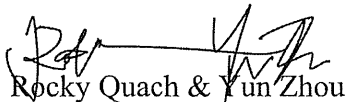
- No smoking, events, parties or large gatherings to limit noise pollution/disturbances on neighboring properties.
- Guests be at least 25 years old to book, and photo ID may be required upon check-in for neighborhood safety.
- A copy of chapter 123 of the Warren County Code related to Noise will be provided at the property.
- No outdoor fire pits.

Liability

Property owners will purchase Short-Term Rental liability insurance for the guests, and the service partners provide liability insurance for the service crews for on-site jobs.

In summary, the proposed property short term rental prioritizes safety, limiting impact on neighboring properties, and being good hosts. We still intend to occupy this property when work/time permits.

Thank you for your consideration.


Rocky Quach & Yun Zhou
2/14/22

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-03-05
 Date Received: 2-15-2022
 Fee Amount: \$ 500.00
 Date Paid: 2-15-2022 credit

Applicant Information:

Rocky Quach

Applicant Name

1496 Hillsdale Ave San Jose CA 95118
Address City State Zip

524 Freezeland Rd Linden VA 22642

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

858-212-3327 rkquach@yahoo.com
Primary Contact Number Email

Rocky Quach and/or Yun Zhou

Property Owner (if same as applicant, leave blank)

524 Freezeland Rd Linden VA 22642
Address City State Zip

858-212-3327

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: 524 Freezeland Rd, Linden VA 22642
- (2) Election District: Happy creek
- (3) Tax Map Number: 23F---2
- (4) Subdivision Name: Cherry Ridge
- (5) Total Area of Property (acres): 2.56
- (6) Total Area to be Used (acres): 2.56
- (7) Total Road Frontage (feet): _____
- (8) Depth of Property (feet): _____
- (9) Present Zoning: A

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: Residential
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: N/A
- (6) Season, days, and hours of operation: 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: Hiring a professional management company
- (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 4 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? N/A

C. Plans Prepared By

Name: Rocky Quach

Address: 1496 Hillsdale Ave San Jose CA 95118

Telephone Number: 858-212-3327

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.
- _____
- _____
- _____
- (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. (3) Waterproof string lights sets around the house: 100 watts per set
- _____
- _____

**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.**

Head toward E 3rd St

Right on E 3rd St

Right on N Commerce Ave

Left on VA-55 E and Left on State Route 638

Turn right on 3rd driveway and then left at fork

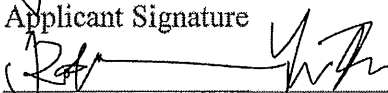
I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance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



Applicant Signature

2/14/22

Date



Property Owner Signature

2/14/22

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

Attached Septic Sewage Permit Documents.

Lord Fairfax Health District

Warren County Health Department

465 West 15th Street, Suite 200

Front Royal, Virginia 22630

Tel. (540) 635-3159 ~ Fax (540) 635-9698

www.vdh.virginia.gov



April 13, 2022

Mr. Chase Lenz, Zoning Administrator
Warren County Planning and Zoning
220 N Commerce Avenue, Suite 400
Front Royal, Virginia 22630

RE: Request for comments; 2022-03-05
Owner: Rocky Quach

Dear Mr. Lenz,

I have reviewed the request for comments regarding the property at 524 Freezeland Rd, Linden, Virginia, in Warren County, (property identified on tax map # 23F-2), and I offer the following comments:

1. The construction permit for a sewage disposal system was issued on February 5, 1997 and the operation permit was issued September 4, 1997. The system is designed to serve a 3-bedroom home with 6 occupants maximum.
2. The property is served by a private well. The well water should be tested for bacteria. If the sample result is positive, steps must be taken to correct the problem and the water should be re-tested.
3. All trash and garbage shall be placed in containers with tight-fitting lids.
4. There shall be no food service provided unless the Virginia Department of Health Food Regulations are met.
5. All Virginia Department of Health Tourist Establishment Regulations shall be met as necessary. The owners can contact our office for further information.
6. The sewage disposal system should be pumped if this has not been done in the last three to five years.
7. Do not connect any hot tub discharge to the sewage disposal system.

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

Sincerely,

Greg Smith
Environmental Health Specialist

97016941

No. 97016941
TAX MAP #23-12-34

PERMIT

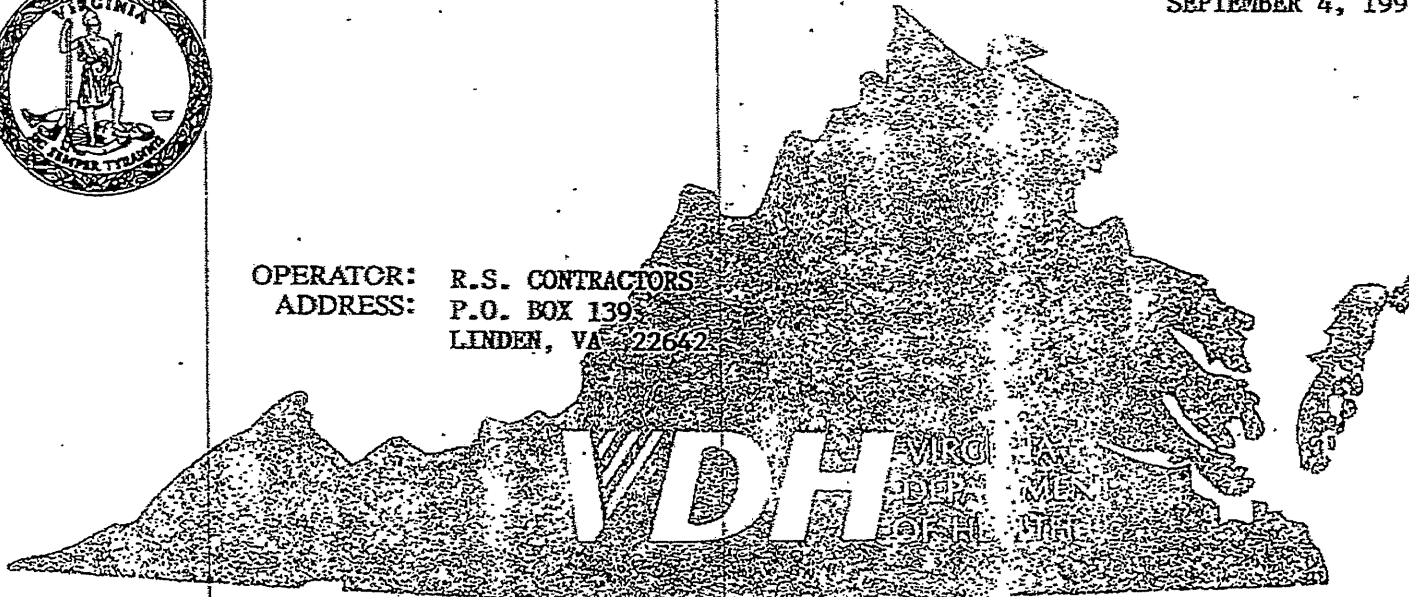
~~EXPIRATION~~
~~EXPIRATION~~

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HEALTH

DATE OF ISSUE
SEPTEMBER 4, 1997



OPERATOR: R.S. CONTRACTORS
ADDRESS: P.O. BOX 139
LINDEN, VA 22642



The above operator has made application and in accordance with the regulations of the Board of Health of the Commonwealth of Virginia is authorized by the WARREN COUNTY Health Department to operate a TYPE I SEWAGE DISPOSAL SYSTEM W/450 GPD (3 BR, 6 PERSON MAX. OCC.) AT CHERRY RIDGE; LOT 2.

Walter P. Bailey, Jr.
HEALTH OFFICIAL

Water Supply and/or Sewage Disposal System Construction Permit

Commonwealth of Virginia
Department of Health

Warren County Health Department

Health Department

Identification Number

Map Reference

97016941

CS-97-031-2

23-12-31

General Information

Water Supply System: New ☒ Repair ☐ Public ☐ FHA ☐ VA ☐ Case No.
Sewage Disposal System: New ☒ Repair ☐ Expanded ☐ Conditional ☐ Public ☐
Based on the application for a sewage disposal system construction permit filed in accordance with Section 2.13 E, of the Sewage Handling and Disposal Regulations and/or Section 2.13 of the Private Well Regulations a construction permit is hereby issued to:
Owner R.S. Contractors Telephone 636-7400
Address P.O. Box 134, Linden, VA 22642 For a Type I Sewage Disposal System or Well to be constructed on/at Rt. 638
Subdivision Cherry Ridge Section/Block Lot 2 Actual or estimated water use 450 gpd

DESIGN 3BR. 160cc. MAX.

NOTE: SEWAGE DISPOSAL SYSTEM INSPECTION RESULTS

Water supply, existing: (describe)

Water supply location: Satisfactory yes ☒ no ☐
comments Installed, need to mark property lines so

To be installed: class III-B
cased 50' grouted 50'

Completion Report location can be checked!
G. W. 2 Received: yes ☒ no ☐ not applicable ☐

Building sewer: 4" I.D. PVC Schedule 40, or equivalent.
Slope 1.25" per 10' (minimum).
☐ Other

Building sewer: yes ☒ no ☐ comments
Satisfactory.

Septic tank: Capacity 1000 gals. (minimum).
☐ Other

Pretreatment unit: yes ☐ no ☒ comments
Satisfactory.

Inlet-outlet structure: THIS PERMIT IS NOT TRANSFERABLE AND IS ONLY VALID TO THE OWNER INDICATED ON THIS PERMIT
PVC Schedule 40, 4" tees or equivalent.
☐ Other

Inlet-outlet structure: yes ☒ no ☐ comments
Satisfactory

Pump and pump station:
No ☒ Yes ☐ describe and show design.
If yes:

Pump & pump station: yes ☐ no ☒ comments
Satisfactory n/a

Gravity mains: 4" or larger I.D., minimum 6" fall per 100', 1500 lb. crush strength or equivalent.
☒ Other

Conveyance method: yes ☒ no ☐ comments.
Satisfactory

Distribution box: 1-master-6port, 2-d.b.s - 2-b.p.s.
Precast concrete with 2-d.b.s - 2-b.p.s.
☒ Other install concrete pad under boxes

Distribution box: yes ☒ no ☐ comments.
Satisfactory

Header lines:
Material: 4" I.D. 1500 lb. crush strength plastic or equivalent from distribution box to 2' into absorption trench. Slope 2" minimum.
☐ Other

Header lines: 4" 1" 2" 3" 4" 5" 6" 7" 8" yes ☒ no ☐ comments
Satisfactory

Percolation lines:
Gravity 4" plastic 1000 lb. per foot bearing load or equivalent, slope 2" 4" (min. max.) per 100'.
☐ Other

Percolation lines: yes ☒ no ☐ comments
Satisfactory
74" 81" 91" 113" 123" 146" 161" 127"
75" 82" 98" 114" 124" 147" 161" 128"
77" 84" 99" 116" 126" 149" 163" 126"

Absorption trenches:
Square ft. required 1800 depth from ground surface to bottom of trench 21" aggregate size 1/2-1 1/2"
Trench bottom slope 2-4" / 100'
center to center spacing 9' trench width 3'
Depth of aggregate 13"
Trench length 15' Number of trenches 8

Absorption trenches: yes ☒ no ☐ comments
Satisfactory

Date 5/22/97 Inspected and approved by: AB

Sanitarian



Joiner Micro Laboratories, Inc.

77-F West Lee Street • Warrenton, Virginia 20186 • (540) 347-7212

CERTIFICATE OF ANALYSIS

LAB ID: #19473

NAME: R.S. Contractors, Inc.
ADDRESS: P.O. Box 139
Linden, VA 22642

PROPERTY: R.S. Contractors/Parr
CS-97-031-2
Cherry Ridge, Lot 2

SAMPLE SOURCE: Well

SAMPLE LOCATION: Kitchen Tap

SAMPLE RECEIVED FROM: Roger

DATE AND TIME SAMPLE COLLECTED: 9-3-97/11030

DATE AND TIME SAMPLE RECEIVED IN LAB: 9-3-97/11120

SAMPLE COLLECTED BY: Shelley

SAMPLE CONTAINER: Sterile Plastic Container supplied by JML

CHLORINE RESIDUAL: Non Detectable (tested at Lab)

TESTS REQUESTED: TOTAL COLIFORM BACTERIA

METHOD OF ANALYSIS: ONPG-MUG TEST

RESULTS: ABSENT FOR TOTAL COLIFORM BACTERIA

This water sample **HAS PASSED** the minimum potable water test requirements established by the Virginia Department of Health.

Certified by


Robyn Joiner/Biologist
September 4, 1997

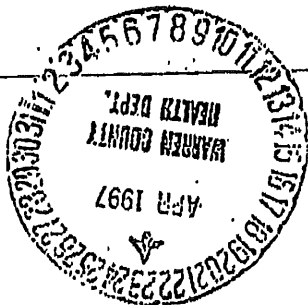
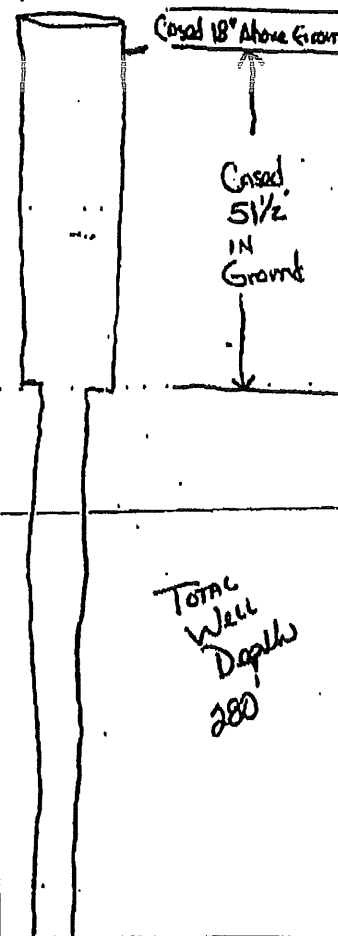
Owner _____

BWCM No. _____

9. State law requires submitting to the Virginia State Water Control Board information about groundwater and wells for every well made in the state intended for water, or any other non-exempt well. This information must be submitted whether the well is completed, on standby, or abandoned. Information required includes: an accurately and completely prepared water well completion report, full data from any aquifer pumping tests, drill cuttings taken at ten foot intervals (unless exemption is secured), the results of any chemical analysis, and copies of any geophysical logs. Quarterly pumpage and use reports are required from owners of public supply and industrial wells. County or State permits to drill may be required in some parts of the state. Some counties require submission of a water well completion report. The Virginia State Health Department requires a water well completion report for public supply wells.

10. DRILLERS LOG (use additional sheets if necessary)

DEPTH (feet)		TYPE OF ROCK OR SOIL (color, material, fossils, hardness etc.)	REMARKS (water, casing, cavities, broken, core, shot, etc.)
From	To		
0	3'	Overburden	Soft
3	264'	Gray shale	Hard
264	270'	Gray shale/Quartz	med
270	280'	Gray shale 1'	Hard

11.
Drilling
Time
(Min.)12. DIAGRAM OF WELL
CONSTRUCTION
(with dimensions)

State Water Control Board Regional Offices

Valley Reg. Off.
116 North Main Street
P.O. Box 268
Bridgewater, Va. 22812
703-828-2595

Piedmont Reg. Off.
4010 West Broad Street
P.O. Box 6616
Richmond, Va. 23230
804-257-1006

Southwest Reg. Off.
408 East Main Street
P.O. Box 476
Abington, Va. 24210
703-829-5183

Tidewater Reg. Off.
287 Pembroke Office Park
Suite 310 Pembroke No. 2
Va. Beach, Va. 23462
804-499-8742

West Central Reg. Off.
Executive Park
5312 Peters Creek Road
Roanoke, Va. 24019
703-882-7432

Northern Virginia Reg. Off.
5515 Cherokee Avenue
Suite 404
Alexandria, Va. 22312
703-750-9111

13. Well lot dedicated? _____ Size _____ ft. x _____ ft. Well house? _____
Distance to nearest pollutant source _____ ft. Type _____
Distance to nearest property line _____ ft. Building _____ ft.

14. WATER SERVICE PIPE: Checked under _____ P.S.I. for _____
minutes: Pipe size _____ inches, Material _____
Installer _____
Date _____

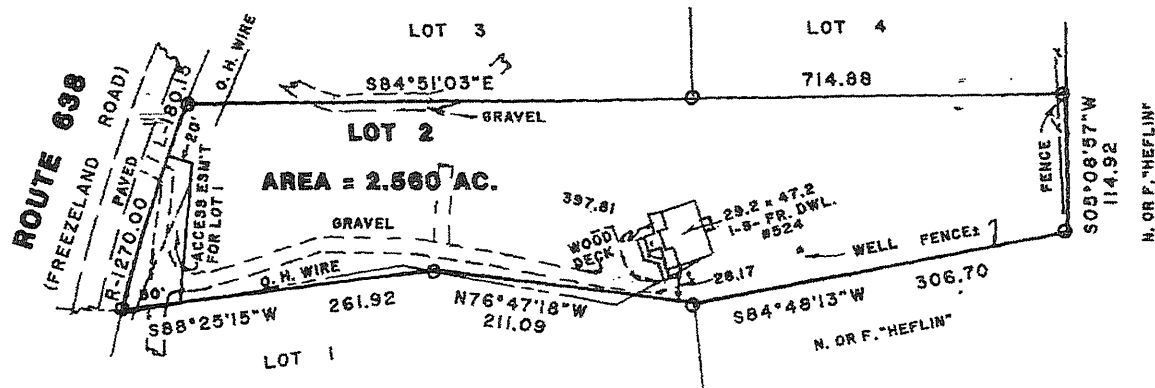
15. I certify that the information contained herein is true and correct and that this well and/or system has been installed and constructed in accordance with the requirements for well construction as specified in compliance with appropriate county or independent city ordinances and the laws and rules of the Commonwealth of Virginia.

Signature _____ (Well driller or authorized person) (Seal) Date 4-10-97

License No. 015640

WARREN COUNTY, VIRGINIA
LAND RECORDS

000116 JUN -96



- DENOTES IRON PIN SET
- DENOTES EXISTING PIN OR PIPE
- NOTE - PARCEL IN FLOOD ZONE C PER HUD MAPS.

DERIVATION OF TITLE - STEVEN R. AND
CYNTHIA L. PARR INSTRUMENT
#970004767.

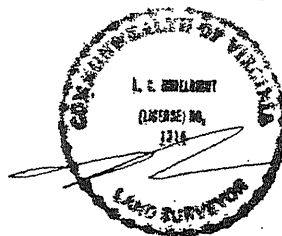
SURVEY OF LOT 2, CHERRY RIDGE SUBDIVISION
RECORDED IN INSTRUMENT # 970000349.

SHENANDOAH MAGISTERIAL DISTRICT
WARREN COUNTY, VIRGINIA

PREPARED BY

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

JUNE 1, 1999



Request for Comments 2022-03-05 – Rocky Quach – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000167-2022

David Beahm <Dbeahm@warrencountyva.net>

Mon 3/28/2022 1:33 PM

To: Chloe Phillips <cphillips@Warrencountyva.net>

Cc: Chase Lenz <clenz@Warrencountyva.net>; Paula Fristoe <Pfristoe@warrencountyva.net>

Comments 2022-03-05 – Rocky Quach – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000167-2022:

- 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 “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 it as a short-term rental.
 - Given the timeframe that the structure was originally built it may not 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,



David C. Beahm, CBO
Building Official

dbeahm@warrencountyva.net

Warren County Building Inspections Office

220 North Commerce Avenue

Suite 400

Front Royal, VA 22630

540/636-9973

FAX 540/636-4698

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.

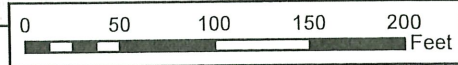


Warren County, VA 2021

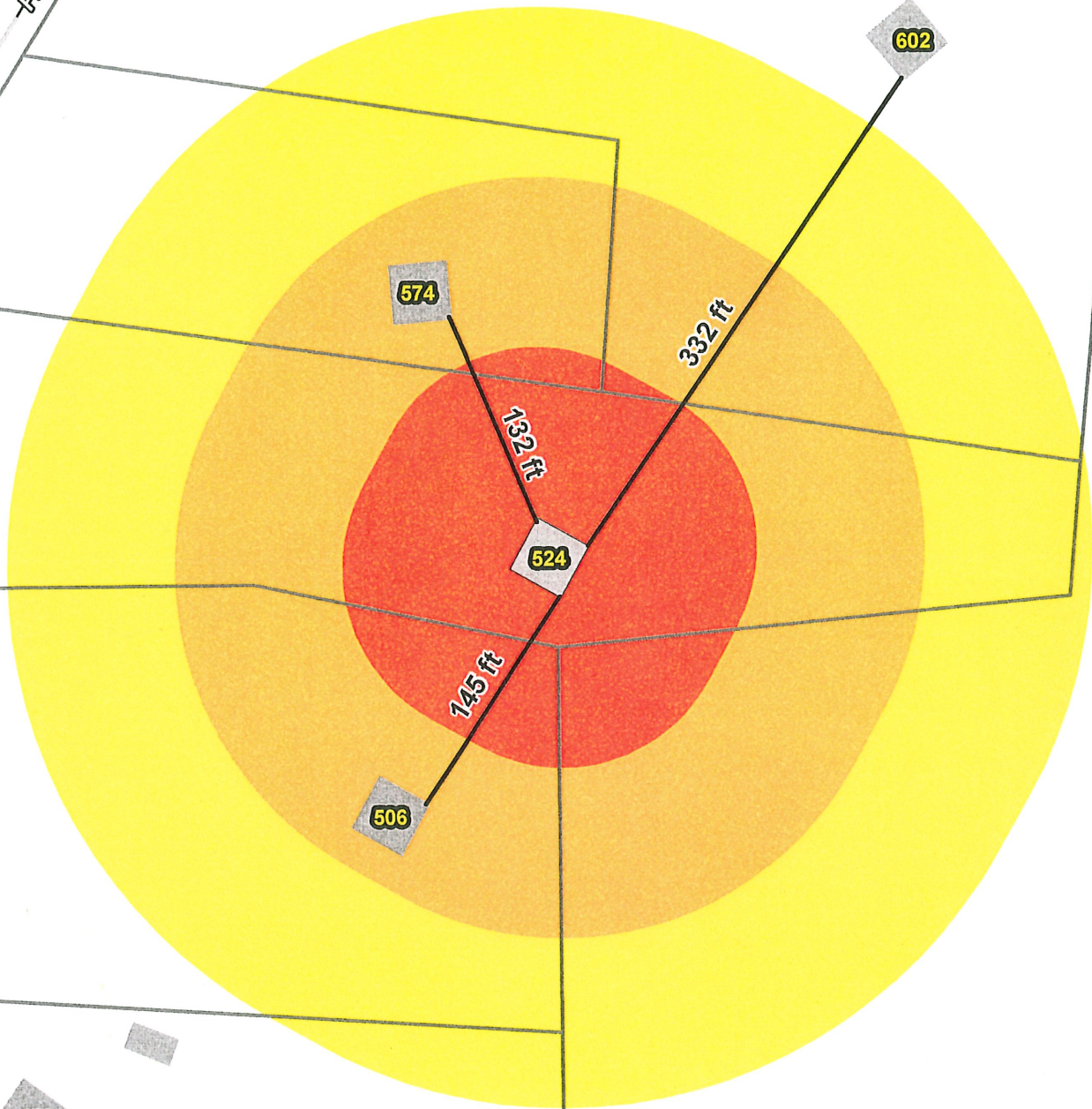
524 Freezeland Rd
TM 23F-----2

Distance to Surrounding Homes

1 inch = 100 feet



FREEZELAND RD



Legend

- 100 ft buffer
- 200 ft buffer
- 300 ft buffer
- County Address
- Roads



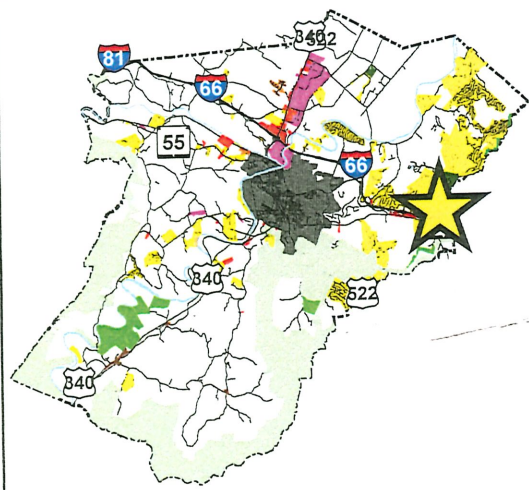
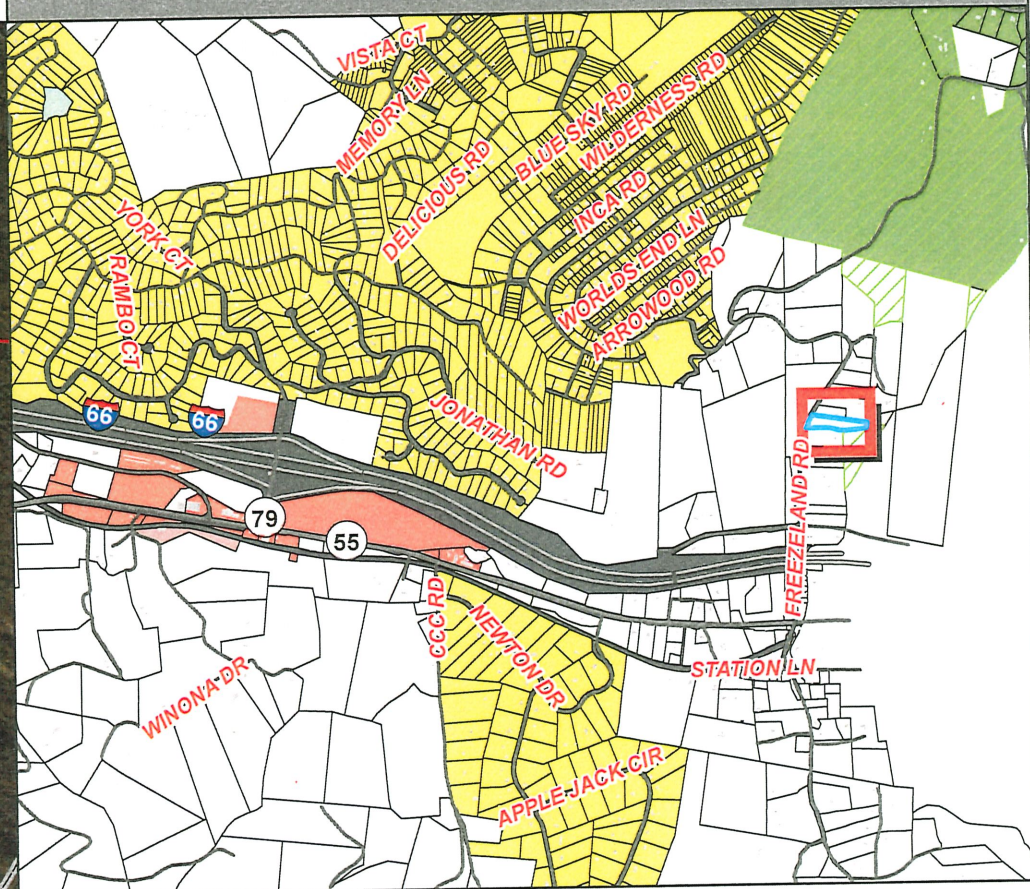
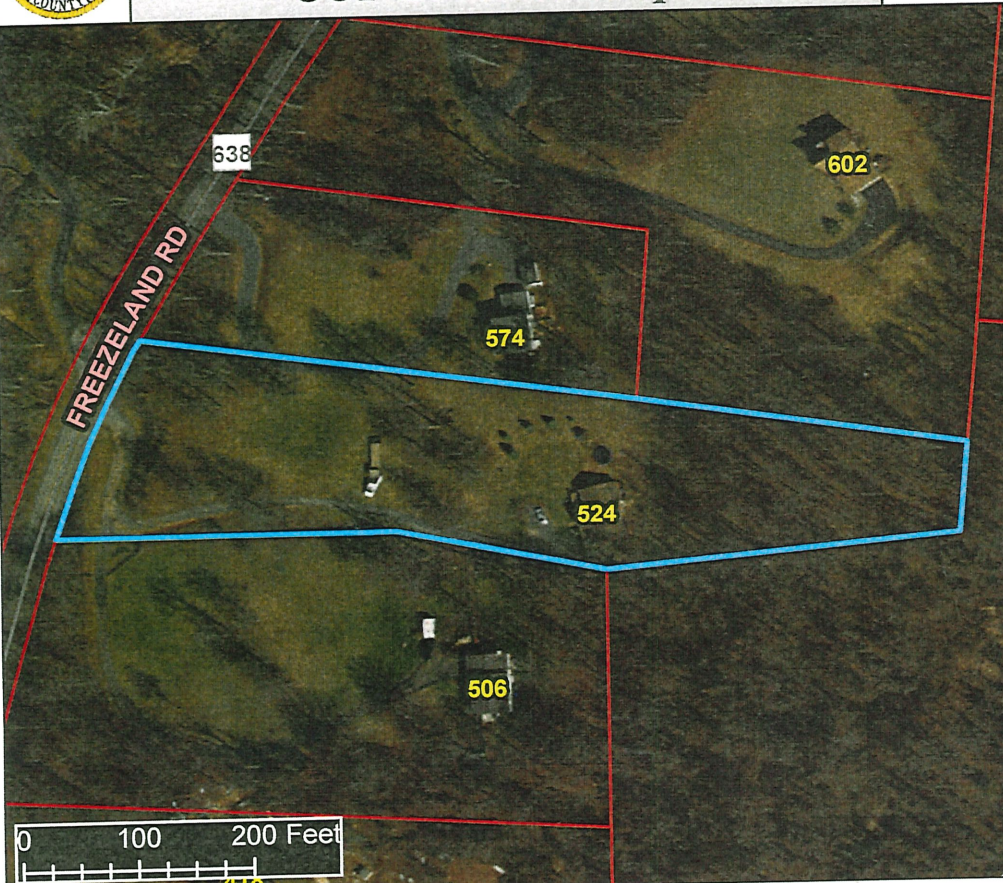
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Rocky Quach

23F-----2
Cherry Ridge Subdivision



Zoning

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

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE:	ITEM:	SUBJECT:	PAGE
5/17/2022	J-7	Conditional Use Permit #2022-03-07 Richard W. Durkee <i>Private Use Camping (Non-Commercial)</i>	1 of 2

EXPLANATION & SUMMARY:

See attached application and staff report.

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

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

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

1. The applicant shall comply with all Warren County Health Department regulations and requirements.
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. Any development, structure or fencing shall require a building and zoning permit.
4. 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 and portable commode prior to a predicted flood event.

Motion to Approve:

Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval with the conditions listed above. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 5 to 0.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the conditional use permit request of Richard W. Durkee for Private Use (non-commercial) Camping 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 Richard W. Durkee for Private Use Camping (List reasons).

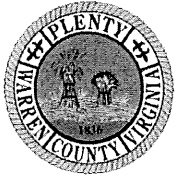
SUBMITTED BY:

Matt Wendling, CFM
Planning Director
County Floodplain Manager

DISPOSITION OF BOARD:

☐ **APPROVED** ☐ **OTHER (Describe)**

PROCESSED BY:



Conditional Use Permit: 2022-03-07 / Private Use Camping (Non-Commercial)

Richard W. Durkee, Current Owner/Applicant

Staff Report for the Planning Commission

Prepared: March 9, 2022

Staff Contact: Matt Wendling, Deputy Planning Director/County Floodplain Manager

A handwritten signature in black ink, appearing to read "MW", located to the right of the staff contact information.

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for Private Use Camping on two vacant lots in the Shenandoah Farms – Riverview Section of the subdivision which are located in the Special Flood Hazard Area (SFHA). The applicant's family has owned the lots since the 1960's. The original retreat home was substantially damaged by Hurricane Agnes in June of 1972 and was removed from the property shortly afterward. https://en.wikipedia.org/wiki/Hurricane_Agnes

The CUP would also allow him to erect a single accessory structure up to 160 sq. ft. for storage of recreational and property maintenance equipment with the issuance of a building permit. The applicant plans to have a recreational vehicle and utilize a port-o-john for seasonal use while staying on the property.

PROPERTY INFORMATION

Property Location: Farms River Rd.

Tax Map ID: #15B-1-1 Parcels 33 & 34

Magisterial District: Shenandoah

Subdivision: Shenandoah Farms - Riverview

City: Front Royal

Zoning: Residential One (R-1)

Acres: 2.63 accumulative

Existing Land Use: Outdoor Recreational Use

SURROUNDING ZONING DISTRICTS & USES

North: Residential One (R-1)

South: Residential One (R-1)

East: Residential One (R-1)

West: Agricultural (A)

Use: Vacant Lot in SFHA - Recreational Use

Use: Vacant Lot in SFHA - Recreational Use

Use: Vacant Lot & Single Family Dwelling Lot

Use: Shenandoah River – Woodlands in SFHA

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential One (R-1) zoning district. There are a number of properties on this road which have been issued Conditional Use Permits for this use.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for residential land uses. Private Use (Non-commercial) Camping is a use allowed by conditional use permit in the Residential One (R-1) zoning district and is compatible with the current Warren County Zoning Ordinance Section §180-22.

PROPOSAL:

Private Use Camping (non-commercial) 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."

SUPPLEMENTARY REGULATIONS FOR MAJOR RECREATIONAL VEHICLES AND EQUIPMENT

§ 180-40.1 Major recreational vehicles and equipment.

[Added 1-16-1996; amended 10-18-2011; 8-18-2020]

A. Statement of intent. These provisions are intended to ensure that camping in major recreational vehicles and the parking, storage and use of major recreational equipment is conducted in a safe and healthful manner.

B. For the purposes of this section, the term "major recreational equipment" shall include "major recreational vehicles."

C. Parking, storage and use of major recreational equipment in residential districts. The following regulations shall apply to major recreational equipment in residential districts:

(1) No major recreational equipment shall be used for living, sleeping or other occupancy when parked or stored on a residential lot or in any other location not approved for such use.

(2) Major recreational equipment not parked or stored in a garage, carport or other building. All major recreational equipment shall be located at least three feet from all buildings and shall not be located in any front yard, except in a driveway, perpendicular to the street and a minimum of 10 feet from the right-of-way.

D. Limitation on parking and storage of inoperative major recreational equipment. No more than one inoperative major recreational equipment item shall be parked or stored outdoors on any lot or combination of contiguous lots under one ownership.

E. Use and location of major recreational vehicles where permitted.

(1) The placement of major recreational vehicles on vacant lots shall comply with the established setbacks of the respective zoning district.

(2) Major recreational vehicles shall not be used as a permanent dwelling but as temporary living quarters for recreational camping, travel or seasonal use.

(3) Major recreational vehicles shall not be used for storage facilities.

F. Parking, storage and use of major recreational equipment within the special flood hazard area (SFHA). The following regulations shall apply to major recreational equipment within the SFHA:

(1) Be on site for less than 180 consecutive calendar days in any one year; be fully licensed and ready for highway use.

(2) The major recreational equipment is ready for highway use if it is on its wheels or jacking system, attached to the site by only quick disconnect-type utilities and securities and has no permanently attached additions.

(3) The parking and storage of inoperative major recreational equipment shall be prohibited.

RECOMMENDED CONDITIONS

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

1. The applicant shall comply with all Warren County Health Department regulations and requirements.
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. Any development, structure or fencing shall require a building and zoning permit.
4. 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 and portable commode prior to a predicted flood event.

Cc: Richard W. Durkee – *Owner/Applicant*

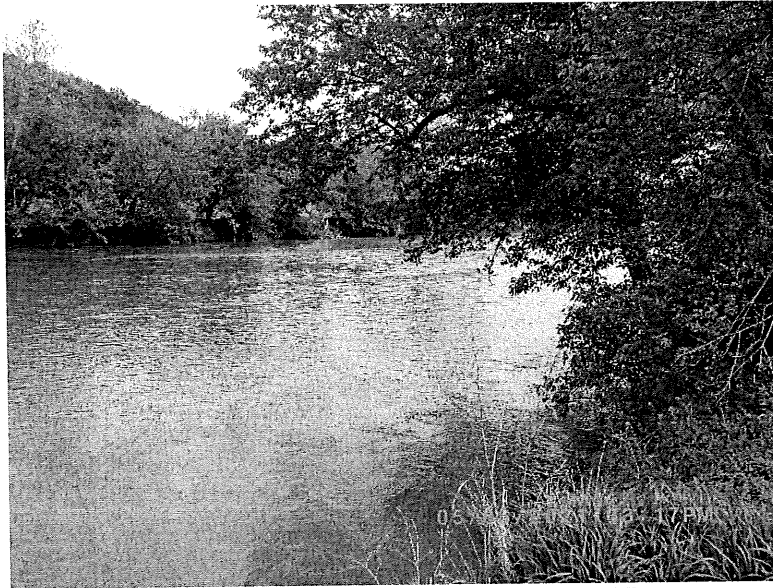


Figure 1 Subject Shenandoah Farms River View

Date: November 30, 2021

To: Warren County Planning Commission

From: Richard Durkee

Subj: Statement of Justification – Private Camping

The property has been in my family since the 1960's. As a child I spent many summers living and working in Shenandoah Farms.

I would like to be able to spend time on the property. Although zoned as R1, I am unable to build a permanent structure due to periodic flooding. My father lost his original summer home there in the '70s when hurricane Agnus passed through.

As such, I am requesting a variance to allow the temporary and periodic use of a Recreational Vehicle on the property.

WCCUP. 169. 2022

WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-03-07
Date Received: 2-17-2022
Fee Amount: \$ 200.00
Date Paid: 2-17-2022 CK# 1106

Applicant Information:

Richard William Durkee

Applicant Name

897 Gallant Fox Ln Davidsonville, Maryland 20135

Address City State Zip

L33 & L34 Shen Farms Riverview (Property ID# 15B 1 1 33 & 15B 1 1 34)

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

410 271-1117

rwdurkee@yahoo.com

Primary Contact Number

Email

Property Owner (if same as applicant, leave blank)

Address City State Zip

Primary Contact Number

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

A. Property Information:

- (1) Address/Location: L33 & L34 Shen Farms Riverview
- (2) Election District: _____
- (3) Tax Map Number: 15B 1 1 33 & 15B 1 1 34
- (4) Subdivision Name: Shenandoah Farms
- (5) Total Area of Property (acres): 2.63
- (6) Total Area to be Used (acres): 2.63
- (7) Total Road Frontage (feet): 160
- (8) Depth of Property (feet): 640
- (9) Present Zoning: R1

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Private Recreational Camping
- (2) Current land use and condition of site: Undeveloped with driveway
- (3) Zoning of surrounding land/property: R1
- (4) Will development be staged? ☐ Yes ☐ No
- (5) Construction Time: N/A
- (6) Season, days, and hours of operation: As desired
- (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: n/A
- (10) What type of sewage disposal system will be used? ☒ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: N/A
- (12) Number of parking spaces to be provided: Regular N/A Handicap _____
- (13) What is the proposed landscaping and buffering for this property? N/A

C. Plans Prepared By

Name: N/A

Address: _____

Telephone Number: _____

D. Environmental Information

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

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

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

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

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

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

☒ **An application fee of \$500.00.**

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

☒ **A Statement of Justification**

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

☒ **A Site Plan/Survey.**

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

☐ **Sewage Disposal and Well Site.**

Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.

☒ **A copy of the deed to the property verifying the current ownership.**

A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.

☒ **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**

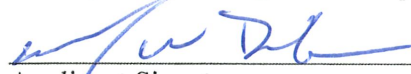
A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.

☒ **Location Map**

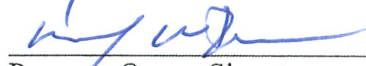
A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.

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

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


Applicant Signature

2/14/22
Date


Property Owner Signature

2/14/22
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

Lord Fairfax Health District

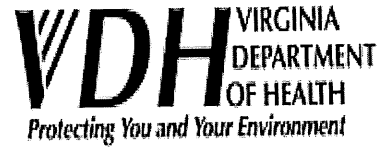
Warren County Health Department

465 West 15th Street, Suite 200

Front Royal, Virginia 22630

Tel. (540) 635-3159 ~ Fax (540) 635-9698

www.vdh.virginia.gov



March 02, 2022

Mr. Matt Wendling, Deputy Planning Director / County Floodplain Manager
County of Warren, Department of Planning and Zoning
220 N Commerce Ave, Suite 400
Front Royal, VA 22630

RE: Request for Comments; # 2022-03-07

Dear Matt,

I have reviewed the request for comments regarding the property on Farms River Rd, Front Royal, VA in Warren County, (property identified on tax map # 15B-1-1-33, 34.), and I offer the following comments:

1. If a camper is placed on the lot, it must have a sealed leak proof self-contained wastewater disposal system to prevent odors or leakage onto the ground. This tank is to be emptied at an approved dump station.
2. The camper must have a potable water tank or bottled water can be used.
3. There is to be no connection of pipes or drainlines to the camper, and there is to be no discharge of any type of wastewater onto the ground or into the waters of the Commonwealth.
4. No drainfield or water supply can be installed at this lot without proper application, evaluation, permitting, and inspection of the installation by this department.
5. There is to be no trash or junk disposed of on the lot.

Sincerely,

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

Greg Smith,
Environmental Health Specialist



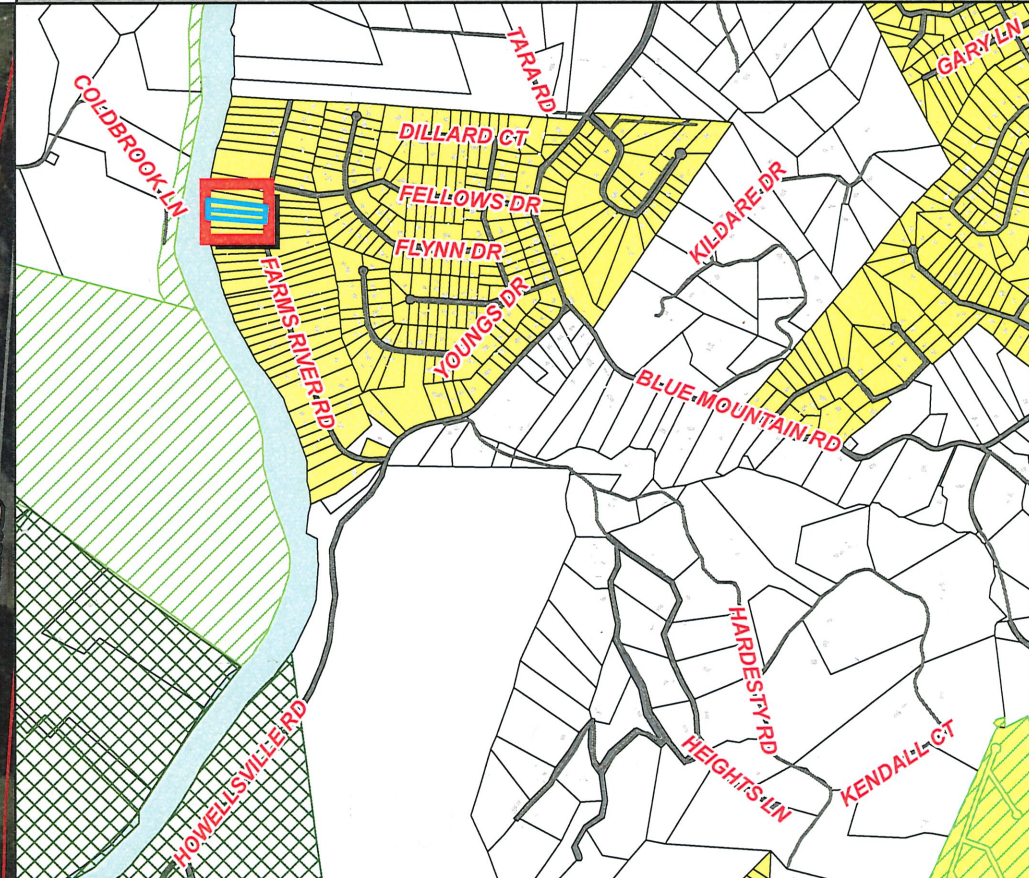
Warren County VA

CUP Location Map

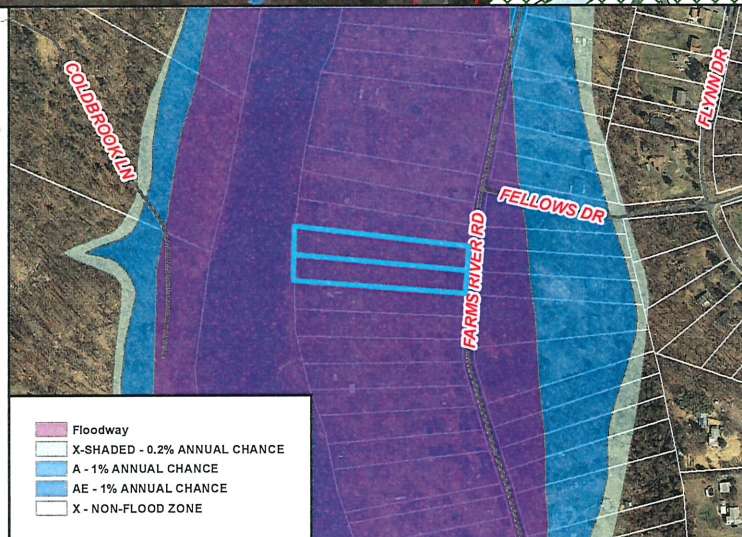
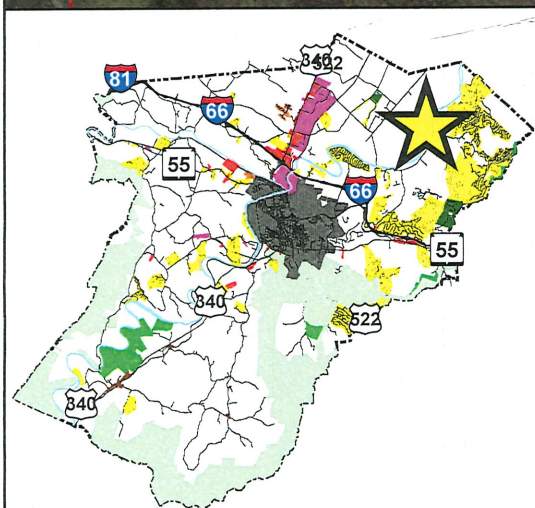


Private Use Camping
Applicants: Richard Durkee

TM -1-1--33, 34
Shenandoah Farms - River View Section



0 75 150 Feet



Zoning

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

Map produced by
Warren County GIS 2022
Department of Planning