



AGENDA

Board of Supervisors Special Meeting

August 23, 2022

6:00 PM

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

Adoption of Agenda – Additions or Deletions

Public Hearings

- A. Ordinance to Add and Ordain Section 30-9 of the Warren County Code to Add a One-Time Incentive Pay for Advanced Level Providers with the Department of Fire and Rescue Services in FY 2021-2022 – Jane Meadows
- B. Conditional Use Permit 2022-06-01, Joseph Muniz for a Short-Term Tourist Rental Located at 499 Rome Beauty Drive and Identified on Tax Map 22B, Block K, Lot 18 – Matt Wendling
- C. Conditional Use Permit 2022-06-02, Yulia Svetlichnaya for a Short-Term Tourist Rental Located at 610 Joans Quadrangle Road and Identified on Tax Map 15E, Section 6, Block 6, Lot 767 – Chase Lenz
- D. Conditional Use Permit 2022-06-03, Thomas Cho for a Short-Term Tourist Rental Located at 4359 Remount Road and Identified on Tax Map 39F, Section 1, Lot 7A – Chase Lenz
- E. Conditional Use Permit 2022-06-04, Andrew Sickie for a Short-Term Tourist Rental Located at 298 Worlds End Lane and Identified on Tax Map 23A, Section 1, Block 2, Lot 51A – Chase Lenz
- F. Conditional Use Permit 2022-06-05, Jennifer Harp for a Short-Term Tourist Rental Located at 608 Venus Branch Road and Identified on Tax Map 15E, Section 4, Block 4, Lot 123A – Matt Wendling
- G. Conditional Use Permit 2022-06-06, Lyndsey DePalma and Amanda Shipe for a Short-Term Tourist Rental Located at 1945 Panhandle Road and Identified on Tax Map 35, Lot 8 – Chase Lenz
- H. Conditional Use Permit 2022-06-07, John Clarke for a Short-Term Tourist Rental Located at 938 Fetchett Road and Identified on Tax Map 44, Lot 35B – Chase Lenz
- I. Conditional Use Permit 2022-06-08, Royal Oak Estates, LLC (Larry Himelright) for a Cluster Housing Development Located at 0 Reliance Road and Identified on Tax Map 11, Lots 8E, 12, 13 and 14 – Matt Wendling
- J. Z2022-06-01 – Cole and Danielle Haase for an Ordinance to Amend and Re-Ordain Sections 180-8 and 180-43 of the Warren County Code re: Commercial Outdoor Recreation Operation – Matt Wendling
- K. Adjournment



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF
August 23, 2022	A	Ordinance to Amend Chapter 30 of the Warren County Code and to add and ordain Section 30-9	

EXPLANATION & SUMMARY:

§ 30-9 Payment of one-time incentive pay in for Advance Level Providers with the Department of Fire and Rescue Services in FY 2021-2022.

This incentive pay is to compensate Advance Level Providers who based upon the FY 2021-2022 pay structure are not compensated for advanced certifications. The incentive is utilized to recognize and reward providers for achieving or maintaining accreditation to perform life-saving procedures in the field. Without incentive pay, there is no compensation for Fire & Rescue staff to put in the hours of study required maintain certification that is necessary for regular operations in Warren County:

- A. Incentive Pay – Authorized to all eligible advance level providers and advanced life support officers within the department:
- (1) Active Employment. Employees must be in an active pay status at the time the payment is made.
 - (2) Employees must not be currently classified as a Firefighter/Paramedic
 - (3) Amount of Payment for Advanced Level Providers - \$3,000
 - (4) Amount of Payment for Intermediate Level Officers - \$4,500
 - (5) Amount of Payment for Paramedic Level Officers - \$6,000
- B. This one-time payment shall be for FY 2021-2022 only.

COST & FINANCING:

The funding for the ordinance will be included in the Carryover package from FY 2021-2022.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors adopt the proposed ordinance to add and ordain Section 30-9 of the Warren County Code.

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

AN ORDINANCE TO AMEND CHAPTER 30 OF THE WARREN COUNTY CODE (OFFICERS AND EMPLOYEES) AND TO ADD AND ORDAIN SECTION 30-9 (PAYMENT OF ONE-TIME INCENTIVE PAY IN FY 2021-2022)

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Warren County Code Section 30-9 be added and ordained as follows:

§ 30-9 Payment of one-time incentive pay in for Advance Level Providers with the Department of Fire and Rescue Services in FY 2021-2022.

This incentive pay is to compensate Advance Level Providers who based upon the FY 2021-2022 pay structure are not compensated for advanced certifications. The incentive is utilized to recognize and reward providers for achieving or maintaining accreditation to perform life-saving procedures in the field. Without incentive pay, there is no compensation for Fire & Rescue staff to put in the hours of study required maintain certification that is necessary for regular operations in Warren County:

A. Incentive Pay – Authorized to all eligible advance level providers and advanced life support officers within the department:

- (1) Active Employment. Employees must be in an active pay status at the time the payment is made.**
- (2) Employees must not be currently classified as a Firefighter/Paramedic**
- (3) Amount of Payment for Advanced Level Providers - \$3,000**
- (4) Amount of Payment for Intermediate Level Officers - \$4,500**
- (5) Amount of Payment for Paramedic Level Officers - \$6,000**

B. This one-time payment shall be for FY 2021-2022 only.

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
8/23/2022	B	Conditional Use Permit #2022-06-01 Joseph Muniz <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 Mr. Kersjes and approved by the Planning Commission by a vote of 3 - 0. Mrs. Richarson 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 six (6) as determined according to the Health Department operational permit for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. A waiver to the required setback of 100' to the adjacent property dwelling shall be granted for the existing 80' and 95' setback to the dwellings east of the subject property.
8. Outdoor burning and the use of fireworks by guests shall be prohibited.

PROPOSED OR SUGGESTED MOTION:

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

SUBMITTED BY:

Matt Wendling, CFM
Planning Director
County Floodplain Manager

DISPOSITION OF BOARD:

☐ **APPROVED** ☐ **OTHER (Describe)**

PROCESSED BY:



Conditional Use Permit: 2022-06-01/ Short Term Tourist Rental

Joseph Muniz, Applicant/ Owners

Staff Report for the Planning Commission

Prepared: June 1, 2022

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

SUMMARY OF REQUEST

The applicant purchased this property as a second home in 2021 and the started renting the property Short-term since shortly after purchasing the property. He also does use it for his own family's use and the being able to rent Short-term will allow him to offset the costs of the second home. The applicant is requesting a waiver to the setback requirement of 100' from dwelling to dwelling; the dwelling to the west is 95' and the one to the east is 80'. The applicant has contracted with waste management, local handyman, pest control and lawncare to maintain the property and he plans to be the property manager at this time.

PROPERTY INFORMATION

Property Location: 499 Rome Beauty Dr.

Tax Map ID: # 22B--K-Parcel 18

Magisterial District: Happy Creek

Subdivision: Apple Mountain Lake

Special Flood Hazard Area: The dwelling is located in a Non-Floodzone "X" area.

Town/Village: Linden

Zoning: Residential One (R-1)

Acres: 1.05

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: Single-Family Dwelling

Use: Single-Family Dwelling

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential One (R-1) zoning district to the property. The County did receive a complaint from a neighbor after a guest of his created a disturbance while renting and Mr. Muniz was sent a notice of violation for not having the conditional use permit. He did cease advertising after by the 30-day deadline and submitted his application shortly afterward.

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 applicant has provided the Health Department records which allow for a 3 bedroom and 6-person occupancy for the dwelling. A request for comments has been sent to the WC Health Department to verify the septic system and occupancy approved for the dwelling based on their records review.**
- C. Parking for the use shall be located in driveways or other designated and approved parking areas. The parking of vehicles is prohibited in or along all right-of-ways and in yards. **There is sufficient parking for five vehicles in the two driveways.**
- 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.**

- 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 Apple Mountain Lake subdivision and a letter has been submitted from Coventry Group Community Management agency stating this doesn't violate the POA guidelines.**
- 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 applicant 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 applicant is requesting a waiver since the dwelling location doesn't meet the setback requirements to adjacent single-family dwellings; the dwelling to the east is 80' and the dwelling to the west is 95'. County Planning staff doesn't support this request for the waiver due to the precedence it would set in the Residential One (R-1) zoning district.**

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 six (6) 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.
7. A waiver to the required setback of 100' to the adjacent property dwelling shall be granted for the existing 80' and 95' setback to the dwellings east of the subject property.

*** Waiver has been requested by the applicant, County Planning staff doesn't support this request.**

Cc: Joey Muniz, Applicant



Figure 1 Joseph Muniz Single-Family Dwelling

Statement of Justification: Short term rental use

Property: 499 Rome Beauty Drive

I am requesting authorization for the use of my 2nd home for short term rental use to recoup costs to own a second home while it is not being used by my family. I have spoken with and validated our neighborhood HOA has no rules against short term rentals and has formally approved the use of my home as a short-term rental (Allen Grimm – agrimm@coventrygrp.com). I have also notified my neighbors with my intent to use my home for short-term rentals.

I will enforce short term rental usage to mimic how the home is used today. This means enforcing a limit on the people permitted to visit and stay at the property, follow all neighborhood and law enforcement noise ordinances along with ensuring safety measures are met. My goal is to not change how the home is used, but simply allow others to use it the same way it has been used by my family.

I will not increase neighborhood related traffic, create waste that will impact the surrounding properties, require additional street parking (I have two driveways with plenty of parking) or resources outside of what I currently have in place. I do not need to make any modifications to my home to accommodate this request. I have contracted waste management, pest control and lawncare professionals to ensure my home remains in pristine condition.

Part of this request is asking for an exception to the 100-foot rule between homes. I have two neighbors, which are located less than 100 feet from our home. I have notified both neighbors and believe there is enough space and objects such as trees to maintain privacy for all parties while my property is used by short term rental guests. I have provided my contact information in the event my neighbors find an issue with how the home is being used and will lead with a neighborhood first approach to managing any identified problems.

Please reach out to me at joeymuniz@microsoft.com or 202.497.8321 for any additional questions or concerns. Thank you

Joey Muniz – Property owner

WCCUP-000184 2022

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-06-01
Date Received: 4-22-2022
Fee Amount: \$ 500.00 OK #1001
Date Paid: 4-22-2022

Applicant Information:

Joseph Muniz

Applicant Name

9175 Woodlake Place New Market MD 21774
Address *City* *State* *Zip*

499 Rome Beauty Dr Linden VA 22642

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

202.497.8321 joeymuniz@microsoft.com send email's
Primary Contact Number *Email*

NA

Property Owner (if same as applicant, leave blank)

NA

NA NA NA NA
Address *City* *State* *Zip*

NA

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: 9715 Rome Beauty Dr Linden VA 22642
- (2) Election District: Warren County Happy Creek
- (3) Tax Map Number: 22B K 18
- (4) Subdivision Name: Apple Mountain Lake
- (5) Total Area of Property (acres): 1.05
- (6) Total Area to be Used (acres): 1.05
- (7) Total Road Frontage (feet): 110 estimated according to platt
- (8) Depth of Property (feet): 310 estimated according to platt
- (9) Present Zoning: residential

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: short term rental use
- (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: NA
- (6) Season, days, and hours of operation: summer and maybe spring or fall
- (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 is our first ask
- (9) Number of full time employees: One (home owner)
- (10) What type of sewage disposal system will be used? ☒ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: 1-5
- (12) Number of parking spaces to be provided: Regular 6 Handicap NA
- (13) What is the proposed landscaping and buffering for this property? There is currently over 50 feet between the two neighbors with nobody behind or in front withing under 100 feet. There are trees, a small fence and other items to keep homes from residential each other.

C. Plans Prepared By

Name: NA

Address: NA

Telephone Number: NA

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. It will be used in a similar manner as my family has used it. No extra waste or impact to the environment.

- (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. _____

NA

- (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 impact outside of what already exists from how our family uses the home. We will limit each stay to under 6 people

- (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 additional lighting outside of what we currently have. Current external lighting uses
uses yellow dim lighting to avoid attracting bugs

**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.

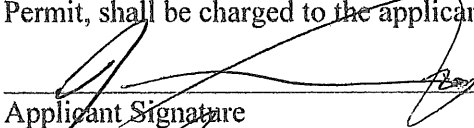
☒ **Location Map**

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.

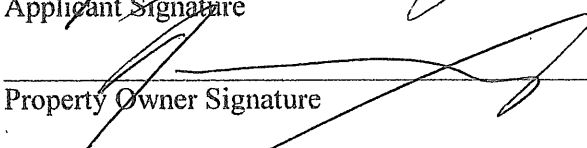
☐ **Directions to your property from the Warren County Government Center.**

Take E 3rd st to N commerce Ave. Take VA-55 E to VA-79 N/Apple Mountain RD. Take
mcIntosh dr and granny smith rd to rome beauty dr. 16 min total drive time or 7.2 miles

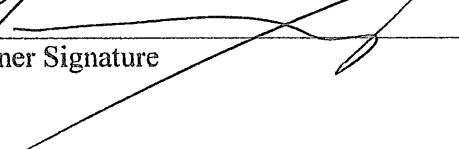
I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance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


Applicant Signature

4-11-22
Date


Property Owner Signature

4-11-22
Date

Accepted by: 

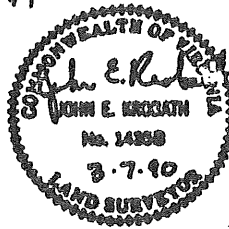
Date: _____

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.

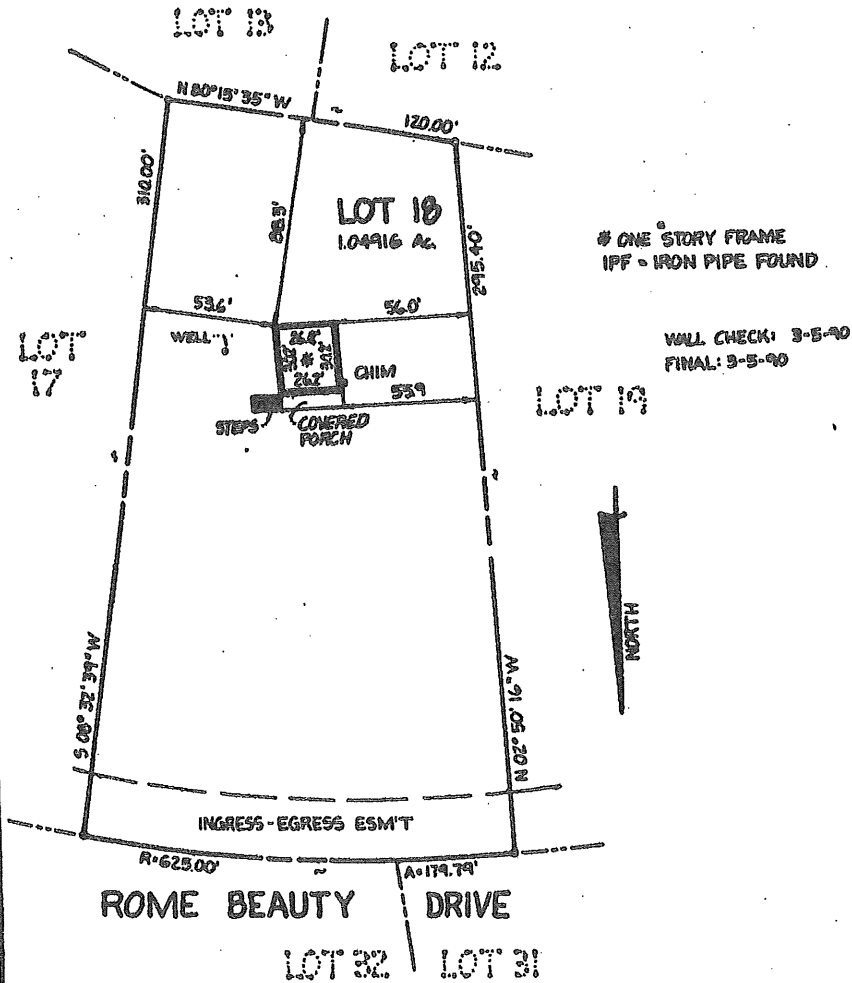
NOTES

HOUSE LOCATION SURVEY
APPLE MOUNTAIN LAKE
 SECTION K
LOT 18
 ROME BEAUTY DRIVE
 WARREN COUNTY, VIRGINIA

DL 423 341



NO TITLE REPORT FURNISHED



THIS PROPERTY DOES NOT LIE
 WITHIN A H.U.D. DESIGNATED
 SPECIAL FLOOD HAZARD AREA.

SURVEYOR'S CERTIFICATE

I hereby certify that the position of
 all existing improvements on the above
 described property has been carefully
 established by a transit-tape survey
 that unless otherwise shown, there are no
 encroachments.



Charles P. Johnson & Associates, P.C.

PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS
 3100 PARKWAY DRIVE • SUITE 210 • FAIRFAX, VIRGINIA • 22030
 (703) 271-1111

Reference	Drn. By: SRC	Chk. By.
QA 179	Date: 12-9-89	File No.
PG 01	Scale: 1"=50'	CA-003-99

Property Management Plan

Home: 499 Rome Beauty Drive, Linden VA 22642

Primary Property Manager: Joseph Muniz 202.497.8321 | Funktribe@gmail.com

Property Services Team

- Property Manger: Anjelica Ruda 607.738.1215
- Cleaning Lead: Jaciel Suarez-Figueroa: 304.995.9934
- Lawn Care: Tyler Wright 540.692.2079
- Local Handy Man: Tyler Wright 540.692.2079
- Pest Control: Best Exterminating Services 540.635.8930

IN CASE OF AN EMERGENCY

If there is an emergency, or there are questions in regards to the property, please contact Joseph Muniz at 202.497.8321 or funktribe@gmail.com. If the emergency requires immediate assistance please call 911. Joseph Muniz is the principal owner and may utilize contractors for specific emergency situations.

- Warren County Sheriff's Department: 540-636-7100, 200 Skyline Vista Drive, Front Royal, VA 22630
- Warren County Fire & Rescue: 540-636-3830 or 911, 200 Skyline Vista Drive, Front Royal, VA 22630
- Neighboring Fire Department: Shenandoah Shores Fire Department, 540-635-7897, located at 533 Mountain View Drive, Front Royal VA. (NEED TO ADD DISTANCE AND CHECK)
- Warren Memorial Hospital: 540-636-0300 or 911, 1000 N Shenandoah Ave, Front Royal, VA 22630
- Electronical outage: Rappahannock Electric Cooperative at 800.552.3904

DIRECTIONS

From 66 take exit toward VA-79/VA-55/Linden/Front Royal. You will want to turn on Apple Mountain road to go up the mountain (left or right depending which way you are coming down 66. If you see gas stations, you turned the wrong way). Drive up until you hit Granny Smith road and turn left. Drive until you hit Rome beauty dr and turn right. The house will be on your left after you pass Stayman Turn Court road via the long driveway.

OCCUPANCY

The Condition use permit and health department records limit the occupancy for this short-term rental at six (6) people and two (3) bedrooms.

Noise

It shall be a violations of the Warren County Code 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 Two (2) 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.

Cleaning Services: Apple Vally Waste

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 detail 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 detail, 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 at Property immediately upon access.

Property Guide Book includes Host Rules, emergency contact info, area detail, local business recommendations, internet access, neighborhood rules and detail, and multiple, local, travel brochures and area guides and maps.

WIFI/PHONE/ETC

Property will have free internet for all guests; Property Guide Book will provide log in information. Wifi and cell service is good at Property.

Provider: Comcast

SPECIFIC PROPERTY DETAILS

Outside: Property corners are clearly identifiable. All railings on single deck are to code; deck and all improvements are in good, well-maintained condition.

Inside: House amenities would include a fully-stocked kitchen, beds with fresh linen service, a washer/dryer, and fully-finished 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/or ownership; inspections include interior and exterior review of Property for general upkeep and routine MEP 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 Courses, 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 Guild Books, promoting local attractions, restaurants, wineries & breweries, is attached.

SPECIFIC PROPERTY REGULATIONS

May be dictated by approved conditions or owner preference, examples below

- No firearms permitted
- No ATVs
- No Pets
- No loud or amplified music
- Parking in designed areas only
- Outdoor burning and use of fireworks by guest shall be prohibited
- No outdoor trash storage
- No candles
- No smoking indoors
- No unauthorized guests
- No Children

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



June 08, 2022

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

RE: Request for Comments (2022-06-01)
Owner: Joseph Muniz

Dear Mr. Wendling,

I have reviewed your request for a CUP for a short term tourist rental at 499 Rome Beauty Dr. Linden, VA (Tax Map# 22B-K-18) and I offer the following comments:

1. There is a Construction Permit, ROI and Operation Permit on file for the referenced property dated 5/18/1989, 12/14/1989 and 3/21/1990 respectively.
2. The dwelling is connected to an approved Conventional Onsite Sewage System (COSS). The COSS is designed for Three (3) Bedrooms, Six (6) Occupants and 450 gallons per day.
3. This property is connected to a Class IIIB private well. A water sample should be collected and tested annually for the presence/absence of Coliform bacteria.
4. All refuse shall be placed in containers with tight-fitting lids.
5. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Davis", is written over the word "Sincerely,".

Jim Davis

Environmental Health Supervisor

Chase Lenz

From: David Beahm
Sent: Thursday, June 9, 2022 11:22 AM
To: Matt Wendling
Cc: Chase Lenz; Paula Fristoe
Subject: Request for Comments 2022-06-01 – Joseph Muniz – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000184-2022

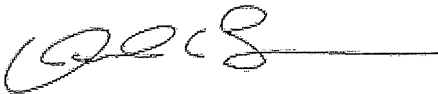
Comments 2022-06-01 – Joseph Muniz – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000184-2022:

- 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(s) for a “short-term rental” would require a building permit to establish it as a transient boarding facility which is the term used by the building code for this type of use. The dwelling would receive a new Certificate of Occupancy designating as a short-term rental.
 - Given the timeframe that the structure was originally built it more than likely will require an Electrical permit to meet the building code requirements for this change.
 - This change requires that smoke detectors are installed as required by the Virginia Residential Building Code.

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

*****Please Note that Warren County is in the transition of moving to a NEW “.gov” Email Address – both email addresses will work during the transition period, but please update our contact information as soon as possible. Additionally, with the transition already moving forward some of your emails may go to our spam folders and some of ours will go to your spam filters. If you are not receiving information that you have expected from us or not gotten a response to something that you may have sent, please contact our office by phone to notify us so that we can attempt to address quickly.*****

Respectfully,



David C. Beahm, CBO
Building Official

dbeahm@warrencountyva.gov

Warren County Building Inspections Of

220 North Commerce Ave
Suite
Front Royal, VA 22

540/636-9

FAX 540/636-4

www.warrencountyva.gov

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: Joey Muniz <funktribe@gmail.com>
Sent: Wednesday, April 6, 2022 1:48 PM
To: Allen Grimm <agrimm@coventrygrp.com>
Subject: Re: Temp Airbnb validation

I, Allen Grimm, CMCA, AMS represent Coventry Group Community Management and the Apple Mountain POA which includes 499 Rome Beauty Drive in Linden, Virginia. I do not see any violation within our POA guidelines for Joey Muniz to use his home for short term rental.

Hope this helps,

Allen Grimm
540 535-5176

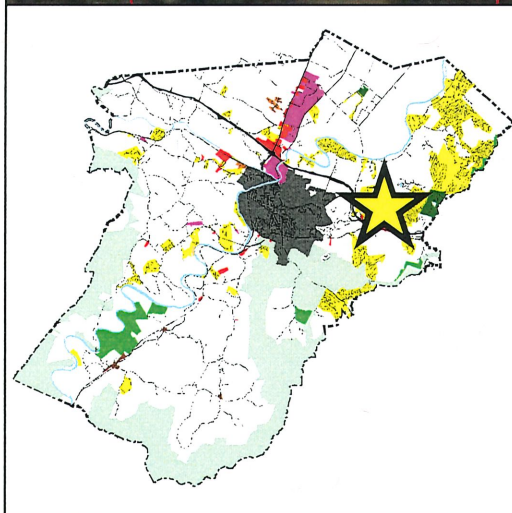
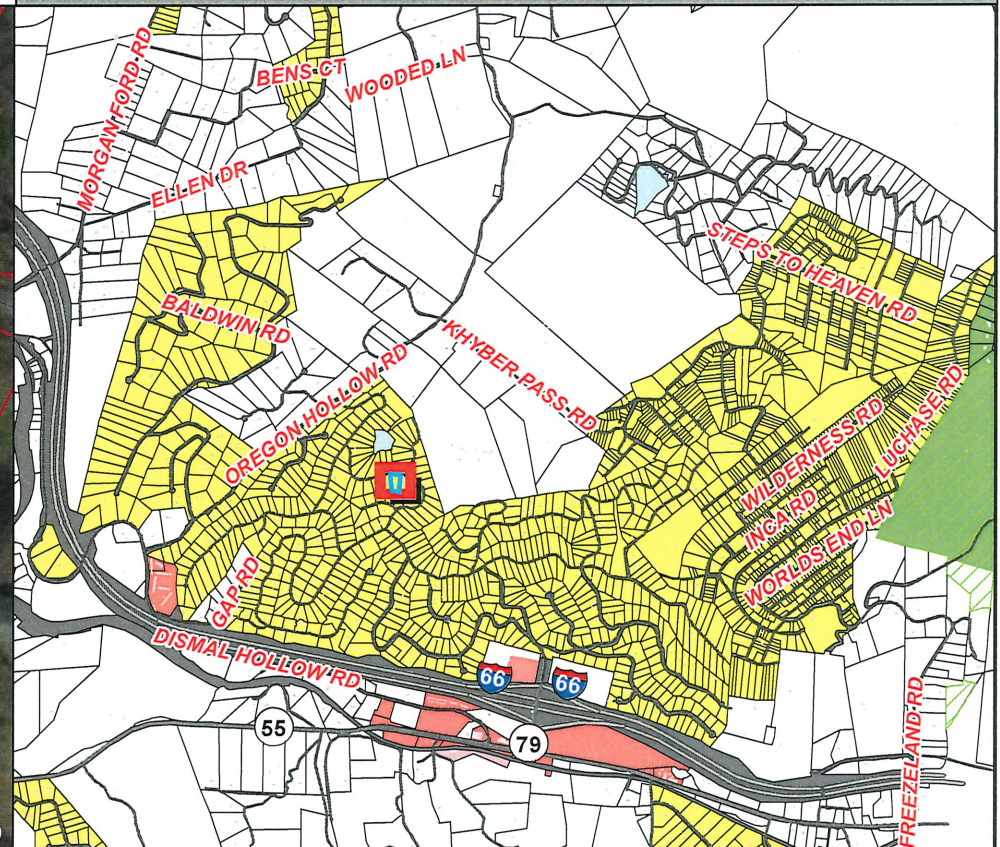
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Joseph Muniz

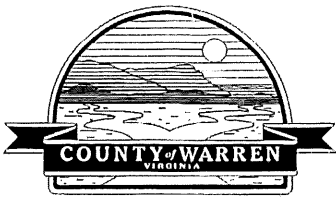
TM 22B---K--18
499 Rome Beauty Dr



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:
08/23/2022	C	Conditional Use Permit #2022-06-02 Yulia Svetlichnaya <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, July 13, 2022, Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 3-0.

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 four as determined according to the Health Department permit for a two-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

PROPOSED OR SUGGESTED MOTION:

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

SUBMITTED BY:

Chase Lenz, 
Zoning Administrator

DISPOSITION OF BOARD:

☐ APPROVED ☐ OTHER (Describe)

**PROCESSED
BY:**



Conditional Use Permit: 2022-06-02 / Short-Term Tourist Rental

Yulia Svetlichnaya, *Current Owner/Applicant*

Prepared: May 31, 2022 Revised: July 25, 2022

Staff Contact: Chase Lenz, Zoning Administrator

g

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a short-term tourist rental for the property she purchased in December of 2021. The applicant would like to make the property available for short-term visitations for guests seeking to enjoy the mountain views and connect with the natural beauty of the Shenandoah National Park and Warren County area. She plans to manage the property personally with assistance from local professional services for cleaning, maintenance, and garbage removal.

PROPERTY INFORMATION

Property Location: 610 Joans Quadrangle Road

Tax Map ID: 15E--6-6-767

Magisterial District: Shenandoah

Subdivision: Shenandoah Farms - Mountain Lake Section

City: Front Royal

Zoning: Residential-One (R-1)

Acres: 0.628 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

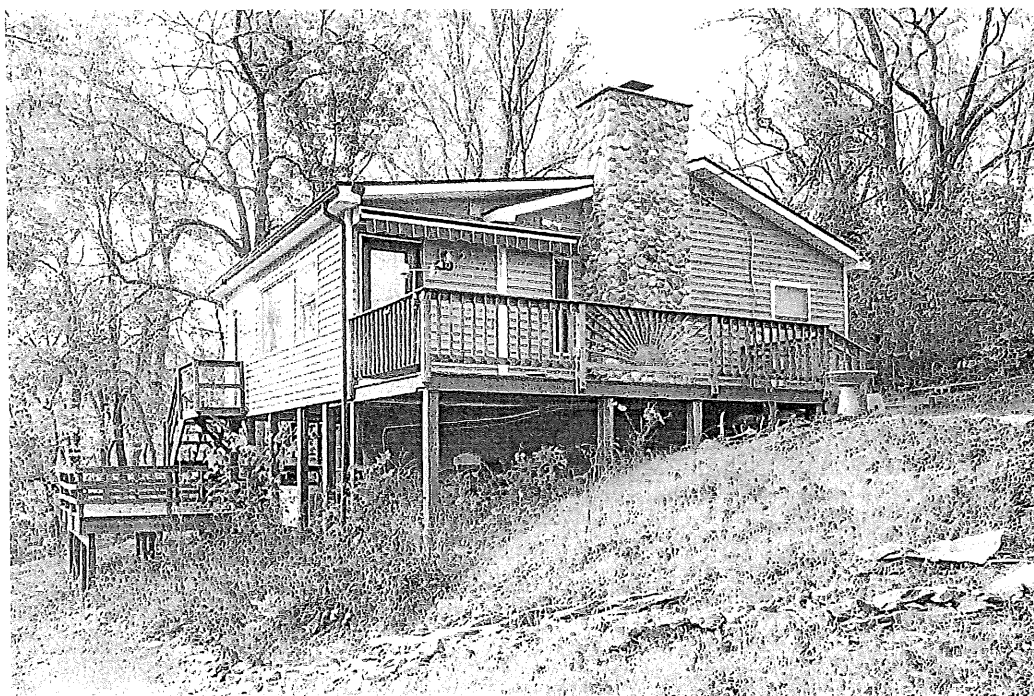
Use: Single Family Dwelling

Use: Vacant - Woodlands

Use: Single Family Dwelling

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential-One zoning district. The dwelling was constructed in 1975 and 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 construction permit on file approving a maximum of four (4) occupants for the dwelling. Warren County Assessment data lists two (2) 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 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. **Existing woodlands partially screen the dwelling on all sides.**
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. **The applicant shall obtain building permits to ensure the dwelling meets the current code requirements for fire protection systems.**
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24-hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. **The PMP will be provided and reviewed by Planning staff prior to issuance of the Certificate of Zoning.**
- 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. **Comments have been received from the Property Owners of Shenandoah Farms stating they have no objections to this 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 152' to the northwest.**

RECOMMENDED CONDITIONS

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

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

Cc: Yulia Svetlichnaya – Owner/Applicant

LETTER OF JUSTIFICATION FOR SHORT-TERM RENTAL PERMIT

To whom it may concern -

Property Address: 610 Joan's Quadrangle Rd Front Royal, VA 22630

I, the homeowner of the above property, request a permit to use this home as a short-term rental at times when I am not using the property myself.

The goal is to provide a quiet cabin for up to six occupants to enjoy the mountain's views and to connect with the natural beauty of the Shenandoah National Park and everything that Front Royal has to offer.

This property will not be used for large gathering and/or special events and shall not exceed the permitted number of occupants of max 6 people. Property has enough parking on the driveway for max of 4 cars and there will be no impact of traffic.

 Yulia Svatkhnova
4/21/2022

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-06-02
 Date Received: 4-22-2022
 Fee Amount: \$ 500.00 CK# 350
 Date Paid: 4-22-2022

Applicant Information:

Yulia Svetlichnaya

Applicant Name

2190 Cartwright Place Reston VA 20191

Address City State Zip

610 Joans Quadrangle Rd Front Royal, VA 22630

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

202-378-3906 yulia-s@live.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: 610 Joans Quadrangle Rd Front Royal VA 22630
- (2) Election District: Shenandoah Election District
- (3) Tax Map Number: 15E 6 6 767
- (4) Subdivision Name: Shenandoah Farms
- (5) Total Area of Property (acres): .628
- (6) Total Area to be Used (acres): .628
- (7) Total Road Frontage (feet): 32'5"
- (8) Depth of Property (feet): 28'2"
- (9) Present Zoning: Residential-one (R-1)

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Short-Term Tourist Rental
- (2) Current land use and condition of site: Residential (Single-Family Dwelling)
- (3) Zoning of surrounding land/property: Residential-One (R-1)
- (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.) n/a
- (9) Number of full time employees: n/a
- (10) What type of sewage disposal system will be used? ☒ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: 6 ppl max
- (12) Number of parking spaces to be provided: Regular 3 Handicap
- (13) What is the proposed landscaping and buffering for this property? Trees around the yard, grass throughout the yard, flowers bed around the house, no fence

C. Plans Prepared By

Name: yulia svetlichnaya

Address: 2190 cartwright place reston va 20191

Telephone Number: 202-378-3906

D. Environmental Information

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

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

No

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

No

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

N/A

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

No

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

no impact

- (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. _____

Typical light on the front and side of the house

**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.**
Take E 3rd St to N Commerce Ave
Head north toward E 3rd St
Turn right onto E 3rd St
Take Happy Creek Rd and State Rte 624 to State Rte 643
Follow State Rte 643, State Rte 603 and State Rte 638 to Joans Quadrangle Rd

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

Applicant Signature

Date

Property Owner Signature

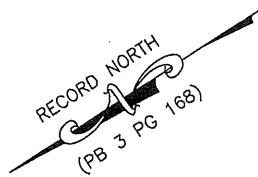
Date

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



JOAN'S QUADRANGLE ROAD
(50' R/W)

LOT 746

S 32°30'00" W ~ 46.50'

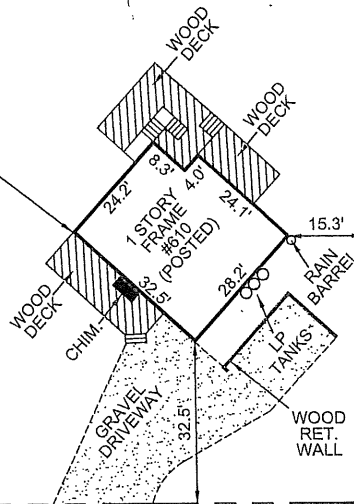
LOT 767
24,650 SQ.FT.

S 20°00'00" E ~ 252.10'

N 57°30'00" W ~ 200.00'

LOT 766

79.3'



N 32°30'00" E ~ 200.00'

@ INTX
HUCK FINN DR

JOAN'S QUADRANGLE ROAD
(50' R/W)

- 1) THIS PROPERTY IS SHOWN ON WARREN COUNTY GPIN NO. 15E-6-6-767.
- 2) THE IMPROVEMENTS DELINEATED HEREON FALL ENTIRELY WITHIN ZONE "X" (AREAS OF MINIMAL FLOOD HAZARD) AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP #51187C-0150C DATED: JUNE 3, 2008.
- 3) THE IMPROVEMENTS SHOWN HEREON HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT SURVEY USING MODERN SURVEY METHODS AND UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.
- 4) FENCES SHOWN, IF ANY, ARE FOR INFORMATION ONLY AND DO NOT REFLECT OWNERSHIP.
- 5) NO TITLE REPORT FURNISHED. EASEMENTS MAY EXIST WHICH ARE NOT SHOWN HEREON.
- 6) IPF ● DENOTES IRON PIN FOUND.

PREPARED FOR

VESTA
SETTLEMENTS

FOR: SVETLICHNAYA

SCALE: 1" = 30'

NOVEMBER 10, 2021

NO TITLE REPORT FURNISHED
THIS IS NOT A BOUNDARY SURVEY

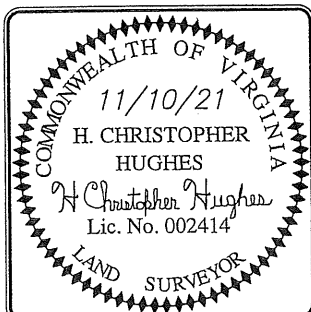
PHYSICAL IMPROVEMENT SURVEY
LOT 767 MOUNTAIN LAKE SECTION 6
SHENANDOAH FARMS
PLAT BOOK 3 PAGE 168
SHENANDOAH FARMS MAGISTERIAL DISTRICT
WARREN COUNTY, VIRGINIA

THIS SHEET IS USED FOR BOTH SURVEY & ARBORIST PURPOSES

BL SURVEY ARBORIST

BLSURVEYARBORIST@GMAIL.COM
GAINESVILLE VA

[PH] 703-624-4821



ISES @ 767-2

Date *8-13-82* Case No. *00033839*

Owner *James Murphy* Address *2132 Freda Dr.* Phone _____
(Mailing Address)
Occupant _____ Address *Vienna, VA 22101* Phone _____
(Mailing Address)
Exact Location of Premises *Lot 717 Mtn. Lake Sec IV Sh. Farms Subd.*
(Subdivision, Street or Road Name, Section or Lot No.)

WATER SUPPLY INSPECTION

Installed according to Permit Design ☒ Yes ☐ No. Distance to nearest House Sewer *50* feet. Distance to nearest Sewage Disposal System *100* feet. (Use Form LHS-143 for Detailed inspection of Water Supply Reference Materials.)

SEWAGE DISPOSAL SYSTEM INSPECTION

- (1) LOCATION
Allotted Area adequate ☒ Yes ☐ No. Distance from nearest lot lines *75* feet. Trees *2* feet. Water Supplies *7100* feet. Buildings *720* feet.
- (2) INSTALLATION AND DESIGN
Installed according to Permit Design ☒ Yes ☐ No. Have additional Household Appliances been added NOT on Permit: ☐ Automatic Washer ☐ Garbage Disposal ☐ Other _____ (Describe)
- (3) SOIL CONDITION
Are there soil conditions now evident which indicate system may be unsatisfactory as designed: ☐ Yes ☒ No. If Yes, show adjustments required under "Remarks" below.
- (4) HOUSE SEWER LINE
Installed ☒ Yes ☐ No. Type of material *SL40* Size *4* Inches.
- (5) SEPTIC TANK
Constructed of *Concrete* (Kind of Material). Inside Dimensions Length *8* feet. Width *4* feet. Liquid Depth *4 1/4* feet. Depth of Air Space *12* inches. Inside Fittings comply with requirements ☒ Yes ☐ No.
- (6) DISTRIBUTION BOX
Watertight and equal surcharge to each line by Water Test ☒ Yes ☐ No. Distribution Box provided with *2* extra outlets for future use. (Number)
- (7) SUBSURFACE ABSORPTION FIELD
Total Area in bottom of ditches *1200* square feet. Number of ditches *5* Length of ditches *20* feet. Grade of ditches Minimum *2* Inches per 100 feet. Maximum *4* inches per 100 feet. Has system been checked by instruments (Level) ☐ Yes ☐ No. Type aggregate used *crushed stone* Depth of aggregate under Tile *6* inches. Total depth of aggregate *13* inches. Depth of backfill over aggregate *11* inches.
- (8) SURFACE DRAINAGE
Storm Drains from House and Basement flowing away from Subsurface Drainage Field: ☒ Yes ☐ No. Was Surface Drainage required ☐ Yes ☒ No. If Yes, has this been provided ☐ Yes ☐ No. Has area been drained by lowering Ground Water Table: ☐ Yes ☐ No. ☒ Not required.
- (9) Are follow-up inspections necessary ☐ Yes ☒ No.

Septic Tank Contractor: *Albert Wine* Address *P.O. Box 56, Front Royal, Va.* Phone *22630 835-5464*
This Sewage Disposal System (Is) (Is Not) Approved by *Warren County* Health Department
Date *8-13-82* Signed *Walter P. Bridgman Jr.* (Sanitary)
Date _____ Approved _____ (Reviewing Authority)

With proper maintenance, approved Sewage Disposal systems may be expected to function satisfactorily, provided no overloading or physical damage occurs to the system. Remarks: _____

✓

PERMIT TO INSTALL ☒ REPAIR, ☐ REASONS FOR REJECTION ☐ WATER SUPPLY ☐ SEWAGE DISPOSAL ☒ STEM ☐

- (1) Void after (12) twelve months. (2) Automatically cancelled when site conditions are changed from those shown on permit.
 (3) Automatically cancelled should facts later become known that a potential hazard would be created by continuing installation.

Owner James Murphy FHA/VA ☐ Yes ☐ No Date 20 Jan 76 Case No. 767
 Address 2132 Freda Dr (Mailing Address) Phone _____
 Occupant James Murphy Address Vienna VA 22101 Phone _____
 (Mailing Address)
 Exact Location of premises Lot 767 Mt Lake Sec VII Shen Farms Subd.
 (Subdivision, Street or Road Name, Section or Lot No.)

FOR: ☒ Dwelling ☐ Other _____ Automatic Washing Machine ☐ Yes ☐ No Consumption 900 gal. per day
 Actual ☐ Potential ☐ Bedrooms 2 Garbage Disposal Unit ☐ Yes ☒ No (☐ Actual ☐ estimated Water)
 Additional wastes _____

(1) WATER SUPPLY (Existing) Class _____ Approved ☐ Yes ☐ No Other _____
 (To be installed) Class III Cased _____ ft. to be grouted _____ ft.

(Unless supported by positive evidence Class III is to be considered as to be installed.)

SOIL STUDY Naturally drained, suitable by sight ☒ Yes ☐ No Technical Classification Blue sand (if known)
 (2) Estimated Percolation Rate 1-10 ☐ 11-25 ☐ 26-50 ☒ > 51 ☐ Percolation Test Required ☐ Yes ☐ No ☐ None
 (Minutes per inch) (Minutes per inch to nearest 10 minutes)
 Depth to Grey Mottles 230 inches (estimate over 4 ft.) OTHER _____
 Surface drainage required ☒ Yes ☐ No OTHER DRAINAGE _____

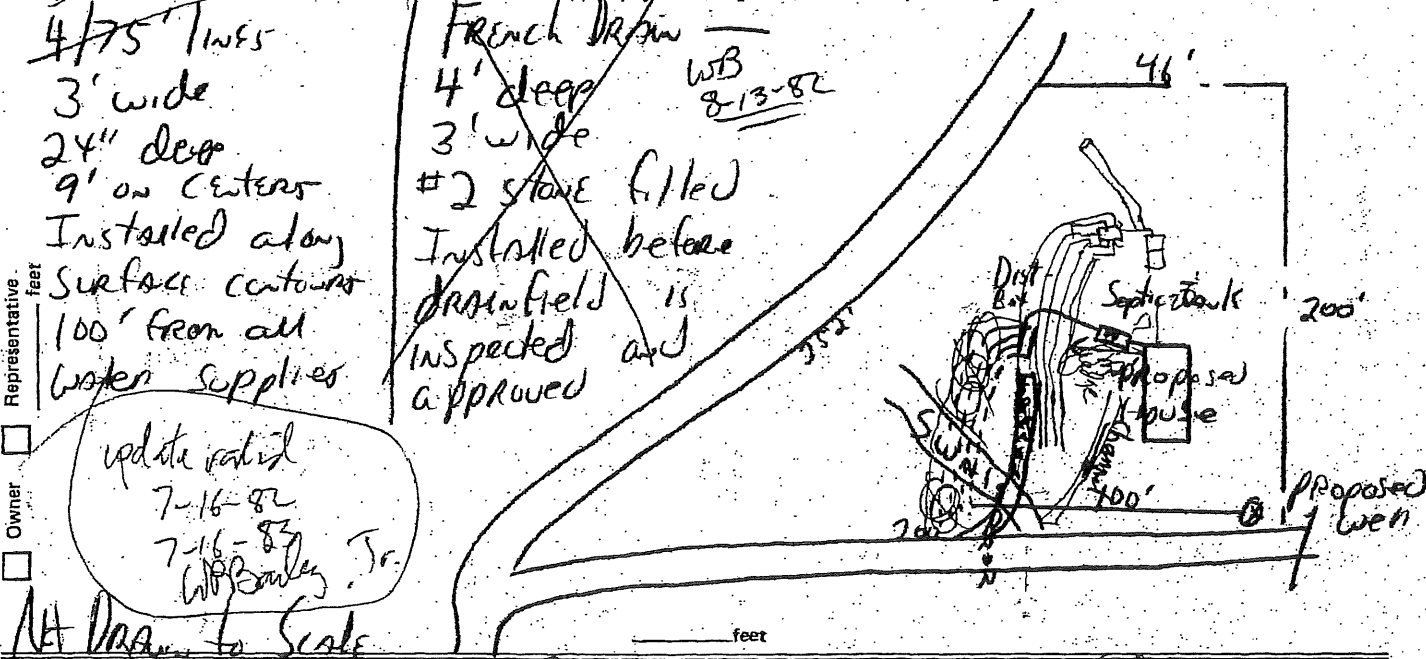
(3) HOUSE SEWER LINE Size 4 inches. Type of material required CI OR comparable material Distance from Water Supply _____ feet.

(4) DETAILS OF CONSTRUCTION: Watertight Septic Tank of pro cat concrete material Liquid Capacity 1000 gallons.
 Inside Dimensions Length 8 feet. Width 4 feet. Liquid Depth 4 1/4 feet. Depth of Air Space 1 feet.

SUBSURFACE ABSORPTION FIELD Number of square feet required 900 Type aggregate required #5 sand

(5) Depth of aggregate from base of tile to bottom of ditches 6 inches. Allowable fall 2 to 4 inches.
 Total aggregate minimum depth 13 inches or more. Depth of drainfield to be 24 inches from surface of original ground.
 Distance from well to septic tank 50 feet; distance from well to drainfield 100 feet.

Rough Sketch of Premises (including adjacent properties if pertinent, Showing Location of Lot Line, Buildings, Water Supplies, Sewage Disposal Systems, Trees, and Other Possible Sources of Contamination of Water Supplies, by Indicating Distances and Slope with regard to one another.



Note: Owner or his agent must notify Warren County Health Department, Phone 635-2725 when installation is ready for inspection. If any Sewage Disposal System, or part thereof, is covered before being inspected by the Health Department, it shall be uncovered at the direction of the Health Director or his agent. CONDITIONS DISCOVERED DURING INSTALLATION MAY REQUIRE ADJUSTMENTS OF SYSTEM DESIGN. Changes from above specifications require Health Department approval before being made.

Based on the above information, the undersigned recommends that this permit be issued.
 Date _____ Approved _____ (Reviewing Authority)
 Date 20 Jan 76 Signed James V. DeBary (Sanitarian or Health Director)

PROPERTY MANAGEMENT PLAN

610 Joans Quadrangle Rd, Front Royal, VA 22630

Prepared and managed by Yulia Svetlichnaya, cell: 2023783906, email: Yulia-s@live.com

THE SPACE:

Property capacity and guest restrictions

The property is best suited for 4 people, as there are 2 bedrooms featuring queen-size bed and full-size bed. However, the house can accommodate up to 6 people, with a queen-size sleeper sofa in the living room. Only guests included in the booking record are allowed on the premises, and violations of this rule will result in the immediate eviction of all visitors **without a refund**. Therefore, it is important to include the correct number of guests in the reservation, so please update accordingly if that number changes after your initial booking. The number of guests is strictly limited to 6.

This property is NOT suitable for:

- a) parties (over 6)
- b) smokers (inside)
- c) kids (under 5). The house is CHILD-FRIENDLY, BUT NOT CHILDPROOF

Pets

Pets are permitted in or around the property with a \$50 fee and pre-approval. Booking is required a photo, age, and relevant details for your pet(s), knowing that all four-legged friends must be always well-trained and **on leash at all times**.

Property quiet hours

Property quiet hours are 10pm to 6am are dictated by county ordinance and enforced by local police. If law enforcement responds to a noise complaint, every individual on the property may face a misdemeanor criminal charge and be subject to a county fine of \$250. Failure to abide by the county noise ordinance will result in the immediate termination of the stay without a refund.

No fireworks

Fireworks are strictly prohibited on the grounds, and guests who violate this rule will be required to vacate the property without a refund and face subsequent fines.

No ATVs

ATVs are strictly prohibited on the grounds, and guests who violate this rule will be required to vacate the property without a refund and face subsequent fines.

No Firearms

The discharge of firearms is absolutely prohibited on this property, and guests who violate this rule will be required to vacate the property without a refund and face subsequent fines.

Trash

A garbage bin enclosure is located outside the property. All trash bags must be left inside the trash bins, and always ensure the garbage bin enclosure is properly locked. Due to abundant wildlife, absolutely no trash should be left anywhere outside.

Parking

Parking is available at the property and limited to 3 cars in the driveway. Under no circumstances should cars park along the roadway. **THERE IS NO RV PARKING AT PROPERTY OR ON ROAD BY PROPERTY.** Guests with RVs will have to make alternative parking arrangements.

WiFi & Cell Service

Property will have free internet for all guests. Cell service is good at the property. Property Guide Book will provide WiFi information

Check in and check out

Self-check in with keyless lock. Passcode will be emailed to the guest for the time of the stay

Security cameras on property

Cameras are located outside to help ensure guest safety. However, please know that there are no cameras inside the house for the guest's privacy.

Smoke alarm

There are two alarms inside the house. One in main bedroom and one in the living/dining room area

Carbon monoxide alarm

There are two alarms inside the house. One in main bedroom and one in the living/dining room area

Other things to note:

There are two Fire extinguishers and First aid kit inside the house.

OTHER PROPERTY DETAILS:

- Guest rules and regulations will be emailed upon booking. Property Guidebook is also located on premises.
- Detailed drive directions will be emailed upon booking.
- House amenities includes a fully stocked-kitchen, beds and fresh linen services, a washer/dryer, wood burning fireplace, and fully furnished living space. AC, electric and all plumbing in good, well-maintained condition.
- Property inspection will be completed after every stay by trained cleaning team
- Routine inspection of the property will be completed on bi-monthly basis and routine maintenance will be done on as needed basis.
- Property Guidebook will list Host's Recommendations promoting local attractions, restaurants, wineries & breweries and local events. This list will also be emailed upon booking

IN CASE OF AN EMERGENCY

If there is an emergency or there are questions in regard to the property, please contact

Yulia Svetlichnaya @2023782906 or Yulia-s@live.com

If the emergency requires immediate assistance, please dial 911

Local emergency departments (also listed in Guest Guide):

Warren County Sheriff's Office: (540) 635-4128 Located at: 200 Skyline Vista Drive, Front Royal, VA 22630

Warren County Fire and Rescue: (549) 636-3830 Located at: 200 Skyline Vista Drive, Front Royal, VA 22630

Warren Memorial Hospital: (540) 636-0300 Located at: 351 Valley Health Way, Front Royal, VA 22630

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



June 08, 2022

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

RECEIVED
JUN 10 2022

BY:

RE: Request for Comments (2022-06-02)
Owner: Yulia Svetlichnaya

Dear Mr. Lenz,

I have reviewed your request for comments for a Short Term Rental at 610 Joans Quadrangle Rd. Front Royal, VA (Tax Map# 15E-6-6-767) and I offer the following comments:

1. There is a Construction Permit and ROI on file for the referenced property dated 1/20/1976 revalidated 7/16/1982 and 8/13/1982 respectively.
2. The dwelling is connected to an approved Conventional Onsite Sewage System (COSS). The COSS is designed for Two (2) Bedrooms, Four (4) Occupants and 400 gallons per day.
3. The dwelling is connected to a Class III private well. A water sample should be collected and tested annually for the presence/absence of Coliform bacteria.
4. All refuse shall be placed in containers with tight-fitting lids.
5. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.

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

Sincerely,

Jim Davis

Environmental Health Supervisor

Chase Lenz

From: David Beahm
Sent: Thursday, June 9, 2022 3:23 PM
To: Chase Lenz
Cc: Veronica Diamond; Paula Fristoe
Subject: Request for Comments 2022-06-02 – Yulia Svetlichnaya – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000186-2022

Comments 2022-06-02 – Yulia Svetlichnaya – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000186-2022:

NOTE: Two outstanding permits will need to be addressed prior to approval for this request can be given. Permit 565-2013 for electrical was never completed and permit 537-2016 for gas work was never completed. Owner/applicant can contact the office to address taking care of this items:

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

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

*****Please Note that Warren County is in the transition of moving to a NEW “.gov” Email Address – both email addresses will work during the transition period, but please update our contact information as soon as possible. Additionally, with the transition already moving forward some of your emails may go to our spam folders and some of ours will go to your spam filters. If you are not receiving information that you have expected from us or not gotten a response to something that you may have sent, please contact our office by phone to notify us so that we can attempt to address quickly.*****

Respectfully,



Warren County Building Inspections Of

David C. Beahm, CBO
Building Official

220 North Commerce Ave
Suite
Front Royal, VA 22

Chase Lenz

From: P.O.S.F BUSINESS <shenandoahfarms@comcast.net>
Sent: Thursday, May 26, 2022 12:09 PM
To: Chase Lenz; Chase Lenz
Subject: 610 Joans Quad

We have no objections to this request.

Respectfully,

Property Owners of Shenandoah Farms

6401 Howellsville Road

Front Royal, VA 22630

(540) 837-2068

PROPERTY MANAGEMENT PLAN

610 Joans Quadrangle Rd, Front Royal, VA 22630

Prepared and managed by Yulia Svetlichnaya, cell: 2023783906, email: Yulia-s@live.com

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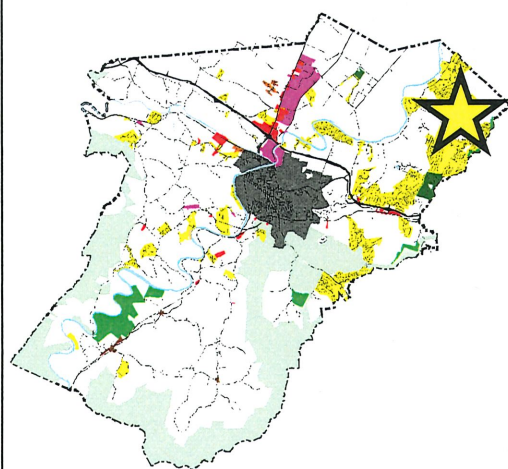
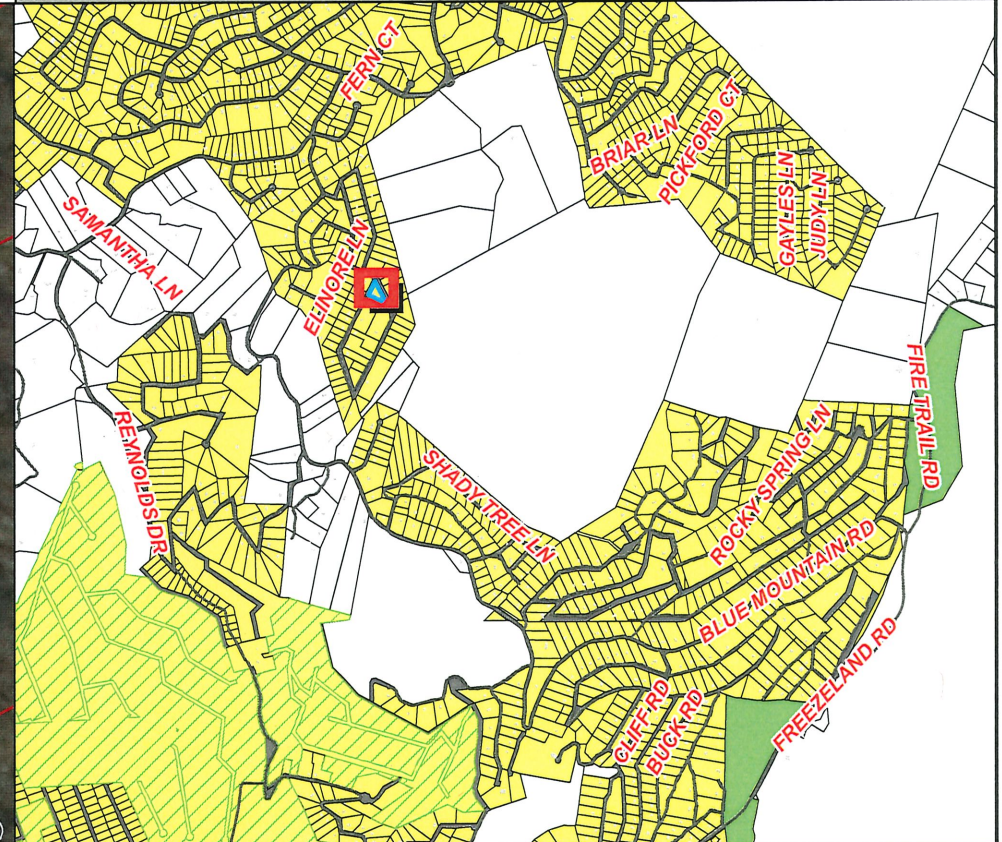
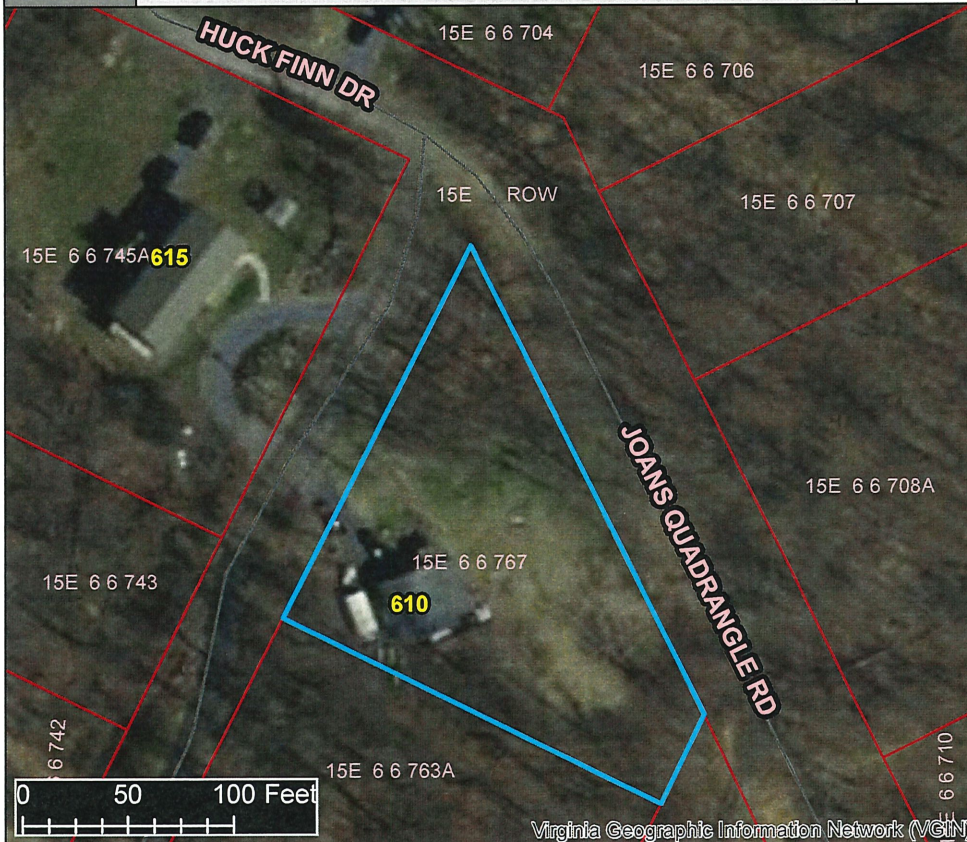
Warren County VA

CUP Location Map



Short Term Tourist Rentals
Applicants: Yulia Svetlichnaya

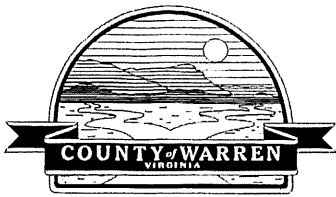
TM 15E--6-6-767
610 Joans Quadrangle Rd



Zoning

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

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE 08/23/2022	ITEM D	SUBJECT: Conditional Use Permit #2022-06-03 Thomas Cho <i>Short-Term Tourist Rental</i>
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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, July 13, 2022, Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 3-0.

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 four-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.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

PROPOSED OR SUGGESTED MOTION:

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

SUBMITTED BY:

Chase Lenz, 
Zoning Administrator

DISPOSITION OF BOARD:

☐ APPROVED ☐ OTHER (Describe)

**PROCESSED
BY:**



Conditional Use Permit: 2022-06-03 / Short-Term Tourist Rental

Thomas Cho, Current Owner/Applicant

Prepared: May 31, 2022 Revised: July 25, 2022

Staff Contact: Chase Lenz, Zoning Administrator

2

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a short-term tourist rental for the property he purchased in March of 2022. The applicant would like to make the property available for short-term visitations for guests of the Shenandoah National Park and Warren County area when he is not hosting his out-of-state family. He plans to manage the property personally.

PROPERTY INFORMATION

Property Location: 4359 Remount Road
Tax Map ID: 39F--1----7A
Magisterial District: South River
Subdivision: Bear Hollow Ridge

City: Front Royal
Zoning: Agricultural (A)
Acres: 1.88 Acres
Existing Land Use: Single Family Dwelling

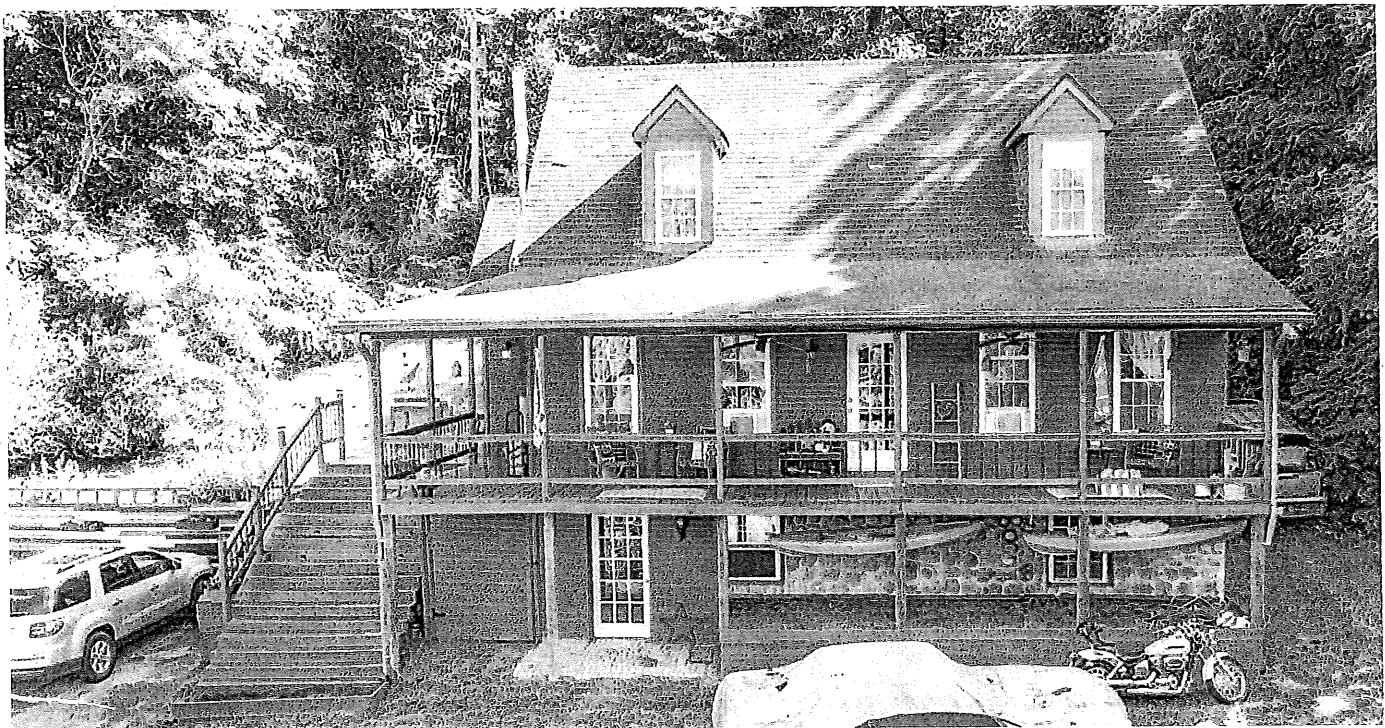
SURROUNDING ZONING DISTRICTS & USES

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

Use: Single Family Dwelling
Use: Single Family Dwelling
Use: Single Family Dwelling
Use: Single Family Dwelling

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Agricultural zoning district. The dwelling was constructed in 1990 and 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 and 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 a maximum of six (6) occupants for the dwelling. Warren County Assessment data lists four (4) 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 six 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. **Existing woodlands partially screen the dwelling on all sides.**
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. **The applicant shall obtain building permits to ensure the dwelling meets the current code requirements for fire protection systems.**
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24-hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. **The PMP will be provided and reviewed by Planning staff prior to issuance of the Certificate of Zoning.**
- 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 subject property is not in a subdivision governed by an HOA/POA.**
- J. The short-term tourist rental shall have a "land-line" with local phone service. The phone number servicing the short-term tourist rental shall be included in the property management plan.
- K. The owners of the tourist rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. **The property shall have the evacuation plan posted in each bedroom and in the guest registration packet.**
- L. A copy of Chapter 123 of the Warren County Code relative to noise must be provided at the short-term tourist dwelling. **The applicant shall have a copy of the ordinance in their guest registration packet and posted in a common area of the dwelling.**
- M. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation as described in §180-63 of the Warren County Zoning Ordinance.

- N. All outdoor burning shall be in compliance with Chapter 92 of the Warren County Code.
- O. There shall be a minimum of 100' from the short-term tourist rental to all neighboring residences. **The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 115' to the southeast.**

RECOMMENDED CONDITIONS

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

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 four-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.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Cc: Thomas Cho – Owner/Applicant

A statement of Justification for Short-Term Tourist Rental

Thomas Cho
4359 Remount Rd.,
Front Royal, VA 20190
green4000@gmail.com
517-802-8813

Dear Planning Commission,

My name is Thomas Cho, the current owner of 4359 Remount Rd, Front Royal, VA 22630.

I have two reasons why I want to use my property as a Short-Term Tourist Rental.

Old Rag trail is my favorite mountain trail in Shenandoah National Park. I've hiked over 50 times and love visiting the park every chance I get. However, when I wanted to visit Shenandoah National Park for longer than a day or two, I had a hard time finding a hotel/motel room that was decently priced during peak time (i.e., fall foliage). Those holiday times seem to be overcrowded and unable to find a place to stay overnight. That's when I thought about using my property as a short-term rental to accommodate someone like my friends and me to provide a place to stay during the busy season.

Also, my family lives in all different states. My parents live in Texas. One of my sisters lives in Colorado Springs, and the other one in Toronto, CA. It's been challenging to find a place to get together and spend quality time as a family. When I moved into this house, I knew this would be where everyone could get together, and it didn't feel like we were cramped in a small place (this property has four bedrooms and 3.5 bathrooms with a finished basement). When my family members are not visiting the house, I plan to rent it out to short-term guests. This will help me offset the cost of my mortgage payment.

If your team can consider my application, it would be greatly appreciated.

Best regards,

**WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION**

Application Number: 2022-06-03 (187-2022)
Date Received: 4-28-2022
Fee Amount: \$ 500.00
Date Paid: 4-28-2022

Applicant Information:

Thomas Cho
Applicant Name

4359 Remount Rd Front Royal VA 22630
Address City State Zip

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

517-802-8813 green4000@gmail.com
Primary Contact Number Email

Property Owner (if same as applicant, leave blank)

Address City State Zip

Same as above
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: 4359 Remount Rd, Front Royal, VA 22630
- (2) Election District: South River
- (3) Tax Map Number: 39F-1-7A
- (4) Subdivision Name: Bear Hollow Ridge
- (5) Total Area of Property (acres): 1.88
- (6) Total Area to be Used (acres): 0.1
- (7) Total Road Frontage (feet): 150.00 ft
- (8) Depth of Property (feet): 202.2 ft away from Remount Rd or 562.98 ft away from Bear Hollow dr.
- (9) Present Zoning: Agricultural

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Short-Term Tourist Rental
- (2) Current land use and condition of site: Residential use Good condition
- (3) Zoning of surrounding land/property: Agricultural
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: 2 months of regular repair
- (6) Season, days, and hours of operation: 4 seasons, 7 days a week and 24 hr per day
- (7) Will there be a sign? ☒ Yes ☐ No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) No
- (9) Number of full time employees: 0
- (10) What type of sewage disposal system will be used? ☒ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: 10
- (12) Number of parking spaces to be provided: Regular 6 Handicap N/A
- (13) What is the proposed landscaping and buffering for this property? _____
Planning on planting green giants/Emerald Green Arborvitae trees against neighboring property lines to prevent
any possible noise, light or other elements. The above proposed trees create natural sound barrier and provide full privacy
of the quality of dense and evergreen shrubs

C. Plans Prepared By

Name: Thomas Cho

Address: 4359 Remount Rd, Front Royal, VA 22630

Telephone Number: 517-802-8813

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, it shouldn't impact the community of the environment as both neighboring houses are at least 150 ft away
House on the right is 226 ft away and left is 150 ft away
Also, this property has it's own septic system and not sharing with any neighboring houses

- (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?) _____

There shouldn't be excessive debris generated from the short-term rental.

All regular trash and recycle will be stored in the designated trash and recycle bin until they get picked up each week for disposal to Front Royal Waste Disposal & Recycling Center (Riverton Rd, Front Royal, VA 22630)

- (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.) _____

There will be absolutely no hazardous substances be used or stored on the property

- (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. 1 Fireplace, 1 enclosed fire pit and propane gas for grilling

- (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.) _____

There will be no electrical or electronic activity that interfere with local communications.

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

No impact on the main road, but the road easement exist with one neighboring house. I will be maintaining the road that is in the easement (sharing about 25 ft long drive way before the split)

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

50 lights (1W per bulb, total of 50 Wattage)

**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.**

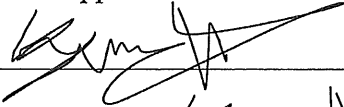
As soon as you exit out of Warren County Govt. Center on N Commerce Ave., you will head south on Commerce Ave.

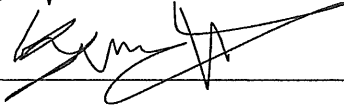
until it turns into Remount Rd (0.4 miles). Continue go south on Remount Rd for about 5 miles until you

see Summit Point Dr on the left side of the road. Once you pass the Summit Point Dr., you are only 0.2 miles away from

the house on the left. It has two red and one blue reflector that indicates the side road to the property

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  4/18/2022
Date

Property Owner Signature  4/18/2022
Date

Accepted by:  Date: 4-28-2022

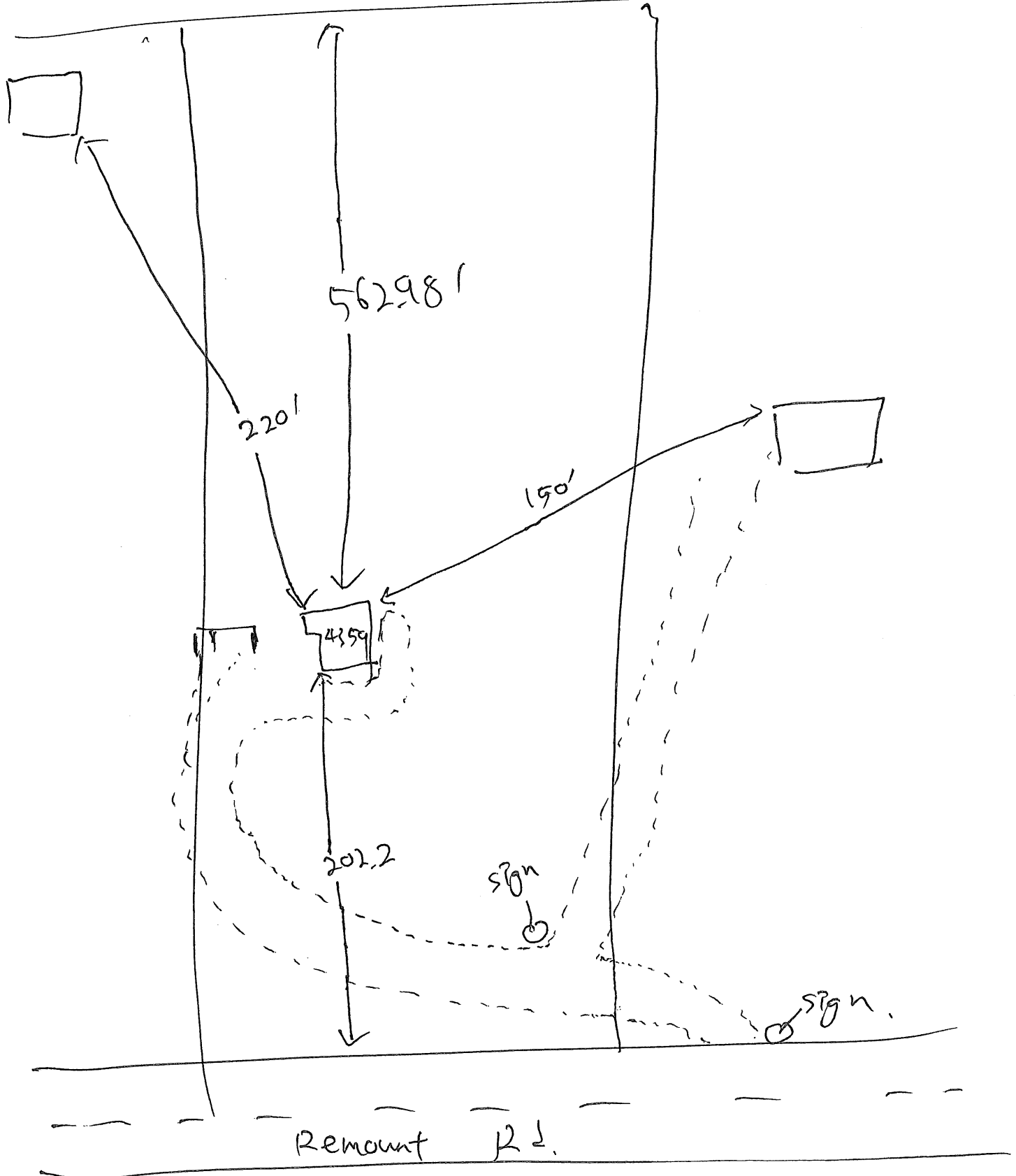
PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

No existing HOA nor POA

Site Plan.

Bear Hollow dr.

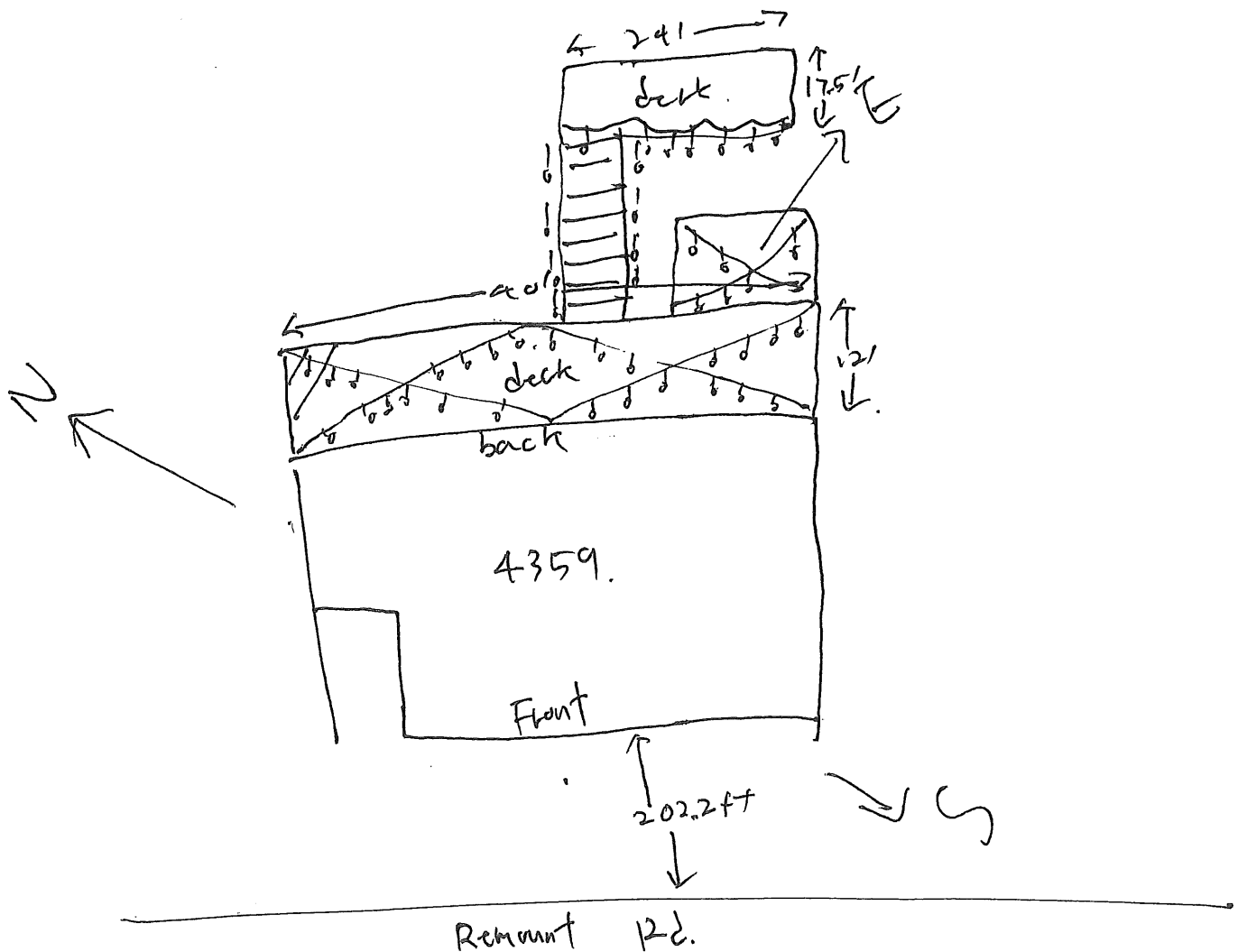


4359 Remount Rd.

Lighting Plan

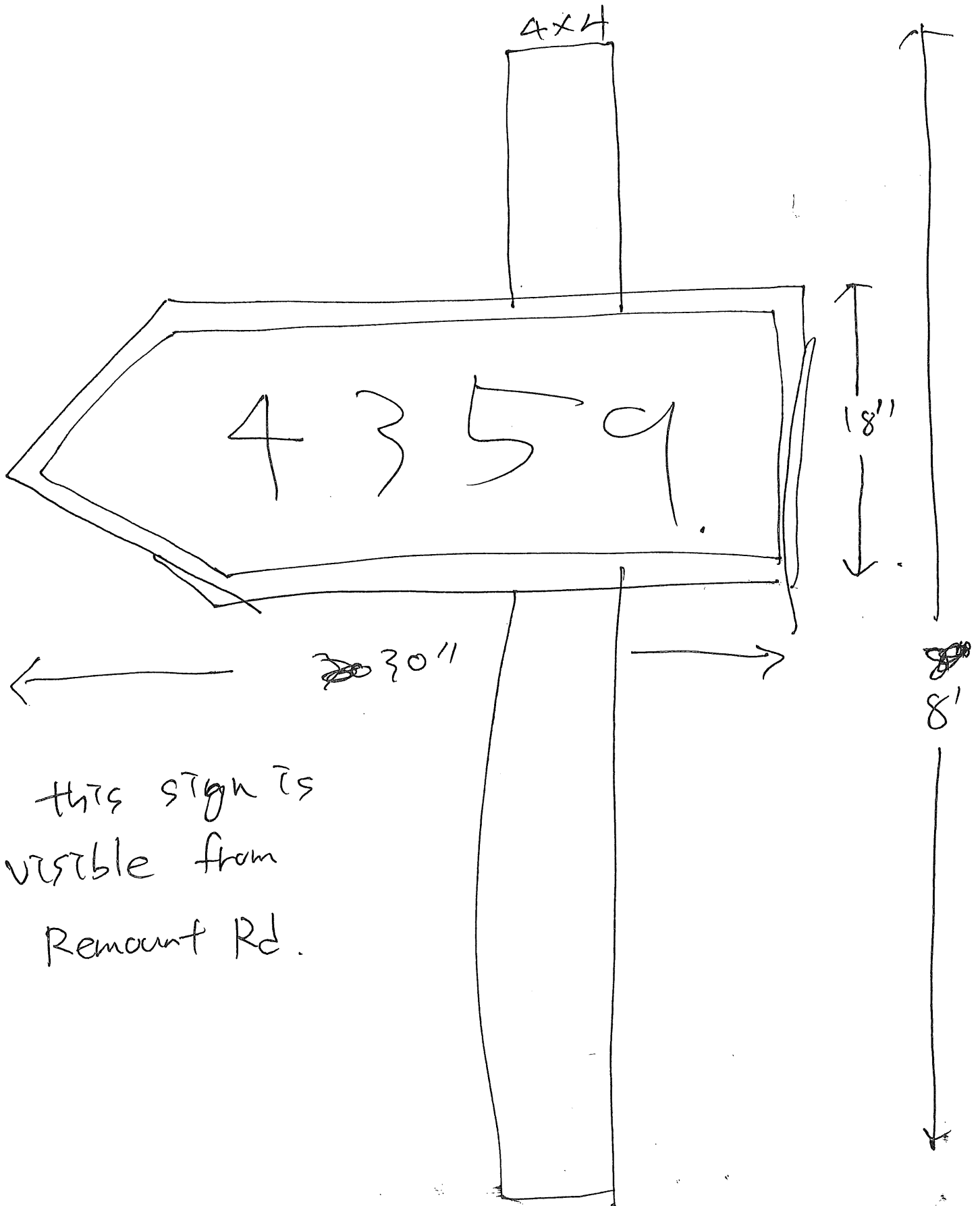
• 50 lights (1W per LED bulb, total of 50 wattage.)

Also, using solar light



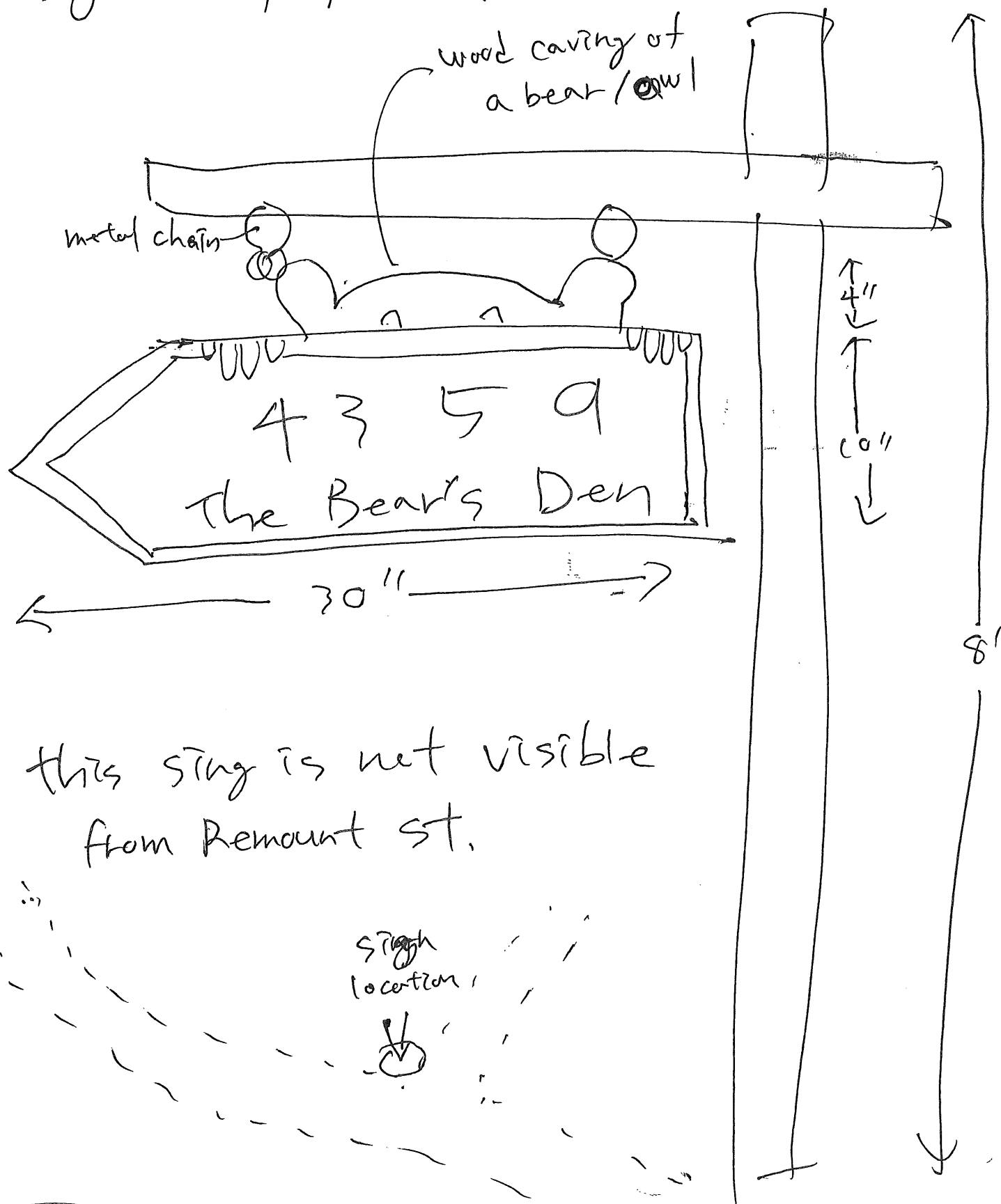
4359 Remount Rd, Front Royal, VA 22630

Sign #1 proposal.



4359 Remount Rd, Front Royal, VA 22630

Sign #2 proposal 1.



Sewage Disposal System Operation Permit

File

Commonwealth of Virginia
Department of Health

Health Department: 98021505
Identification No. SD-88-416
Warren County Health Department



Tax Map No. 5-20 (P-10)

David T. and Hubert H. Marlow, Jr. is Hereby Granted Permission
to Operate a (Type) T Sewage Disposal System Having a Design Capacity of 450 gpd, at
5 miles south on 522 to Chester Gap, left side of road.

SUBDIVISION	SECTION/BLOCK	LOT
Bear Hollow Ridge		7

This permit is Issued in Accordance with the Provisions of 32.1, Chapter 6 of the Code of Virginia as Amended and Section(s)
2.22 of the Sewage Handling and Disposal Regulations of the Virginia Department of Health and
with Previously Issued permits C.H.S. 202-A-8-B

Dated 12/21/88

with the understanding that the Owner and/or any Subsequent Owner will operate the Sewage Disposal System in Accordance
with the Sewage Handling and Disposal Regulations of the Virginia Department of Health and any Variances or Conditions Granted.
Issuance of an Operating Permit does not imply or Guarantee that the Sewage Disposal System will Function for any Specified
Period of Time.

VARIANCES GRANTED
☐ NONE ☐ SEE ATTACHED

SPECIAL CONDITIONS
☐ NONE ☐ SEE ATTACHED

2/21/90

Effective Date

Barry R. Hodley
Recommended (Sanitarian)

[Signature]
Approved (State Health Commissioner)

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



June 08, 2022

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

RE: Request for Comments (2022-06-03)

Owner: Thomas Cho

Dear Mr. Lenz,

I have reviewed your request for comments for a Short Term Rental at 4359 Remount Rd. Front Royal, VA (Tax Map# 39F-1-7A) and I offer the following comments:

1. There is a Construction Permit, ROI and Operation Permit on file for the referenced property dated 12/21/1988, 9/06/1989 and 2/21/1990 respectively.
2. The dwelling is connected to an approved Conventional Onsite Sewage System (COSS). The COSS is designed for Three (3) Bedrooms, Six (6) Occupants and 450 gallons per day.
3. The dwelling is connected to a Class IIIB private well. A water sample should be collected and tested annually for the presence/absence of Coliform bacteria.
4. All refuse shall be placed in containers with tight-fitting lids.
5. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.

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

Sincerely,

Jim Davis

Environmental Health Supervisor

Chase Lenz

From: Davis, Walter <jim.davis@vdh.virginia.gov>
Sent: Thursday, August 18, 2022 11:48 AM
To: Chase Lenz
Cc: Matt Wendling; Walker, Ashley
Subject: Re: 4359 Remount Road - CUP Comments

Hi Mr. Lenz,

I did receive your voice message. I went into our digital files and I found the Conditional Permit dated May 28, 2003. Yes, the conditional permit is still valid for a 4 bedroom dwelling, 6 occupants, 450 gallons per day.

Thanks

Jim

Jim Davis, REHS
Environmental Health Manager
Lord Fairfax Health District
107 N Kent St., Suite 201
Winchester, VA 22601
(540) 771-3020 Direct Line
(540) 722-3480 Office
(540) 722-3479 Fax
jim.davis@vdh.virginia.gov



On Thu, Aug 18, 2022 at 11:39 AM Chase Lenz <clenz@warrencountyva.gov> wrote:

Good morning Jim,

I tried calling you but got your voicemail. We received the attached comments for the proposed short-term tourist rental at 4359 Remount Road. The comments indicate the septic system is designed for 3 bedrooms, 6 occupants maximum; however, the attached conditional permit issued in 2003 appears to amend the approval to a 4-bedroom maximum. Since I was aware of the conditional permit, I missed that your comments indicated a 3-bedroom maximum for the system and drafted a condition for a maximum of 6 occupants for a 4-bedroom dwelling.

Can you confirm if the conditional permit is valid? If so, could you please send revised comments for Mr. Cho's CUP request as soon as possible?

000308 MAY 30 2003

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

May 28, 2003

RE: **CONDITIONAL PERMIT**
Construction Permit with Conditions

Tax Map #: **39F-1-7A**
Subdivision: **Bear Hollow Ridge**
Section: **1** Block: Lot: **7A**
Health Department ID#: **44531**

Josef Davis, Owner
4359 Remount Road
Front Royal, Virginia 22630

Dear Mr. Davis,

Your application for a Conditional Sewage Disposal System Construction Permit that was filed on **May 08, 2003** 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 12 VAC 5-610-250 of the Virginia Sewage Handling and Disposal Regulations (July 2000).

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 letter serves 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 part of the Conditional Sewage Disposal System Construction Permit issued for the above referenced location.
- B. You must furnish to the **Warren** County Health Department certification by the Clerk of the Circuit Court, indicating Deed Book Number and Page Number and/or Instrument 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.

000310 MAY 30 2003

RE: **CONDITIONAL PERMIT**
Construction Permit with Conditions
Health Department ID #: 44531
May 28, 2003
Page 3

Certificate of Acknowledgement
City/County of *Warren*
Commonwealth of Virginia

I certify the information provided herein is true and accurate to the best of my knowledge and belief.

Marla D. Willis
Marla D. Willis, EHS
Environmental Health Specialist

Subscribed and acknowledged before me this 28th day of May,
2003.

Judy Allen
Notary Public

My commission expires October 31, 2004.

Certificate of Acknowledgement
City/County of *Warren*
Commonwealth of Virginia

I authorize that this Construction Permit and Conditional Letter be recorded in the Grantee Index of the Clerk of the Circuit Court of *Warren County* under my name.

[Signature]
Signature

Subscribed and acknowledged before me this 30th day of May, 2003.

Darby S. Yager
Notary Public

My commission expires 01-31-2007.

P.c. **Building Official**
File

CPL-12/27/2002bte

INSTRUMENT #030006036
RECORDED IN THE CLERK'S OFFICE OF
WARREN COUNTY ON
MAY 30, 2003 AT 02:02PM
JENNIFER R. SIMS, CLERK

BY: *[Signature]*

000309 MAY 30 2003

RE: **CONDITIONAL PERMIT**
Construction Permit with Conditions
Health Department ID #: 44531
May 28, 2003
Page 2

The conditions which have been established are listed below, and conform with 12 VAC 5-610-250 J3 a, b, c, and/or d of the Virginia Sewage Handling and Disposal Regulations.

- A. *Four (4)* bedroom house
- B. *450* gallons per day.
- C. *Six (6)* Person Maximum Occupancy
- D. *OTHER*

In accordance with the Virginia Administrative Process Act, the Health Laws of Virginia Section 32.1-164.1 of the Code of Virginia and 12 VAC 5-610-130, 200, 210, 220, and 230 of the Virginia Sewage Handling and Disposal Regulations (July 2000), this letter serves to inform you of your right to appeal to obtain a modification, or elimination, of the conditions established in, and for the issuance of, this Permit.

If you desire to pursue this appeal, you should submit to the **District Health Director, Lord Fairfax Health District, 107 North Kent Street, Suite 201, Winchester, Virginia 22601**, a written request detailing and outlining all the facts, and other such data or other information which forms the basis of your appeal for a review of the decision establishing the conditions outlined above.

If this office can be of further assistance to you, please give us a call at (540) 635-3159.

Sincerely,

Marla D. Willis

Marla D. Willis, EHS
Environmental Health Specialist

Bryan T. Chrisman

Bryan T. Chrisman, REHS
Environmental Health Supervisor

Chase Lenz

From: David Beahm
Sent: Thursday, June 9, 2022 2:41 PM
To: Chase Lenz
Cc: Veronica Diamond; Paula Fristoe
Subject: Request for Comments 2022-06-03 – Thomas Cho – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000187-2022

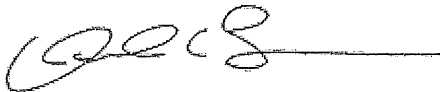
Comments 2022-06-03 – Thomas Cho – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000187-2022:

- 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(s) for a “short-term rental” would require a building permit to establish it as a transient boarding facility which is the term used by the building code for this type of use. The dwelling would receive a new Certificate of Occupancy designating as a short-term rental.
 - Given the timeframe that the structure was originally built it more than likely will require an Electrical permit to meet the building code requirements for this change.
 - This change requires that smoke detectors are installed as required by the Virginia Residential Building Code.

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

*****Please Note that Warren County is in the transition of moving to a NEW “.gov” Email Address – both email addresses will work during the transition period, but please update our contact information as soon as possible. Additionally, with the transition already moving forward some of your emails may go to our spam folders and some of ours will go to your spam filters. If you are not receiving information that you have expected from us or not gotten a response to something that you may have sent, please contact our office by phone to notify us so that we can attempt to address quickly.*****

Respectfully,



Warren County Building Inspections Of

David C. Beahm, CBO
Building Official

220 North Commerce Ave
Suite
Front Royal, VA 22

dbeahm@warrencountyva.gov

www.warrencountyva.gov

540/636-9
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.

July 2022

To: Warren County Planning Commission

Re: Short-Term Tourist Rental at 4359 Remount Road

As owners of neighboring properties to 4359 Remount Road we have some concerns regarding the proposed change of use for this property.

The driveway is very steep and curvy many vehicles have trouble accessing this property especially in bad weather. The driveway entrance is shared with 4365 Remount Road so parking in the driveway and walking to the property is not an option.

Recently there was a terrible accident when the property owner at 4365 Remount Road missed the driveway and wrecked their car in the ditch. This could easily happen again with someone unfamiliar with the area and the driveway (see enclosed article).

Many times the previous owner of the property at 4359 Remount Road would park their vehicles across the road and walk up to their property. Jourdon Brown Lane is directly across the road from this property. Parking vehicles on the road side blocks the line of sight and make it dangerous to pull onto Remount Road (a very busy road) from Jourdon Brown Lane.

Since this property will now become a business enterprise we believe the property owners should be responsible for improvements to make the property accessible and also provide ample parking for an undetermined number of guests. One suggestion would be to access the property from Bear Hollow this would provide safer access and also additional parking to accommodate guests.

As long time residences and property owners of Warren we feel there should be some thought and consideration for everyone well being and safety when considering this request.

Thank you for your time and consideration.

Respectfully,

Alan & Sueann Fox 145 Jourdon Brown Lane

Robbie & Nichole Johns 134 Jourdon Brown

Bruce & Janet Monismith 136 Jourdon Brown

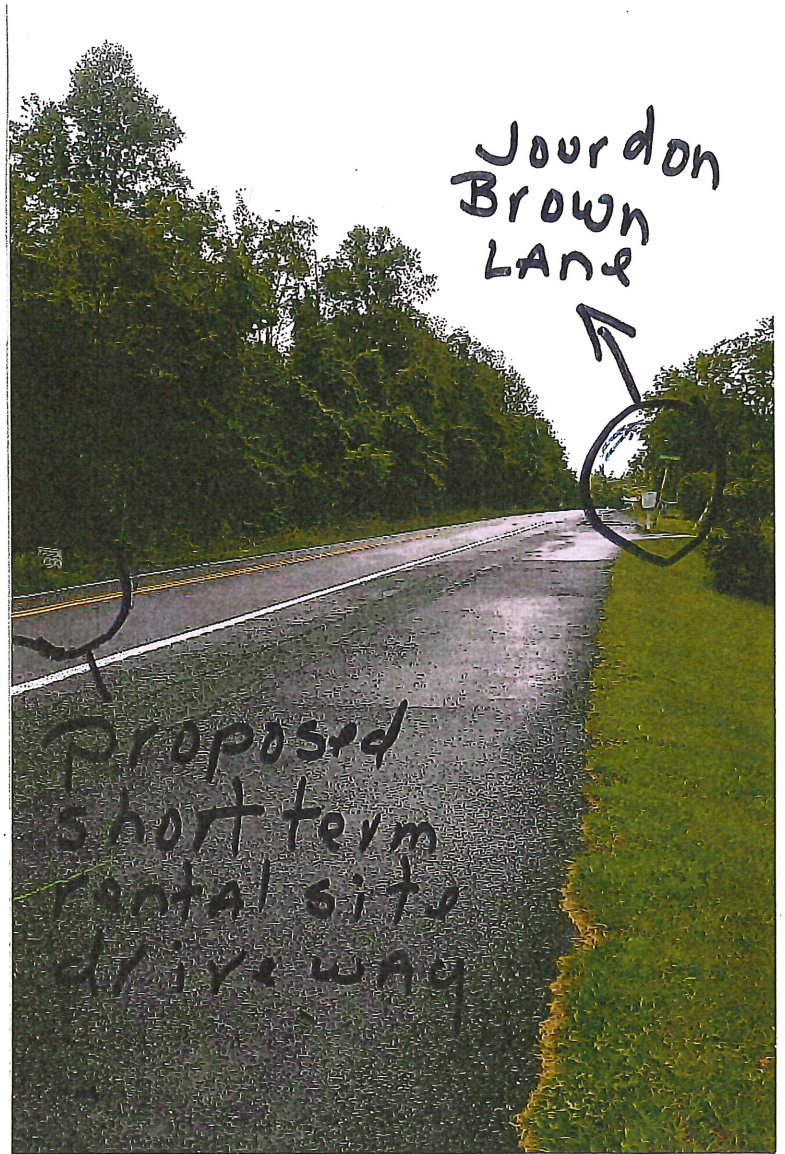
Alan Fox, Glenda Fox & Janet Monismith

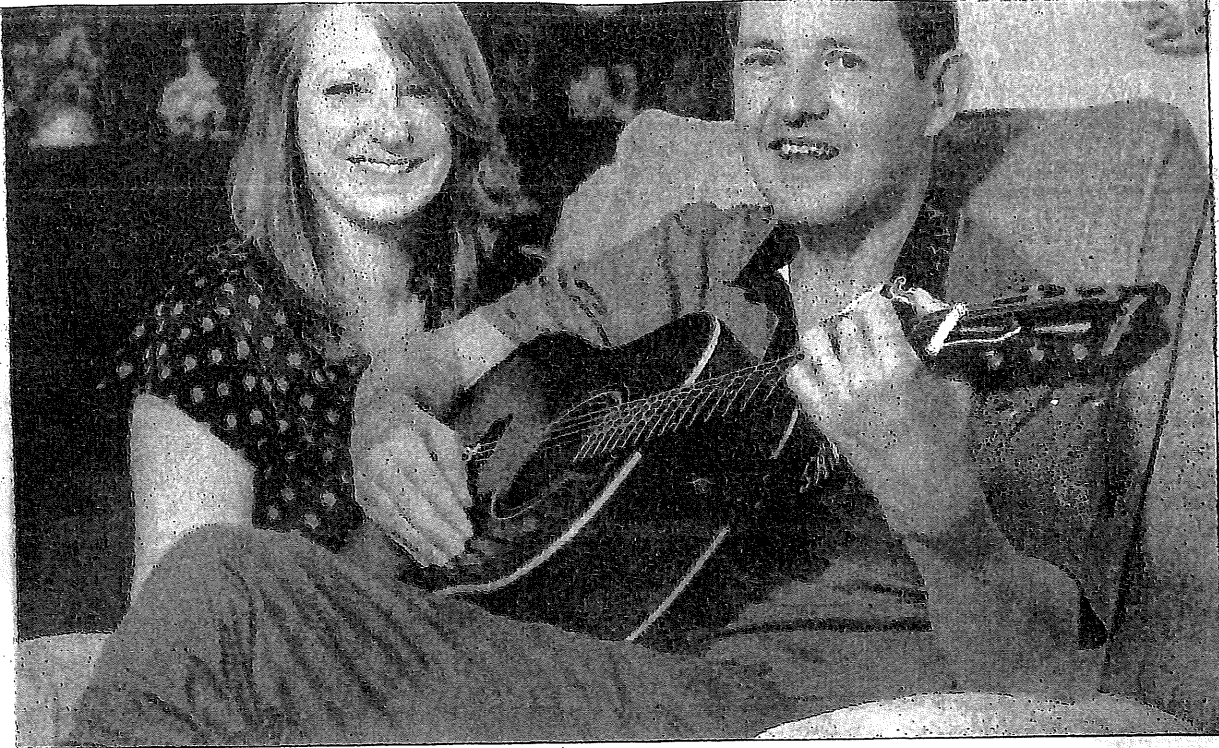
Owners : 4352 Remount Road

Jourdon
Brown
Lane



Proposed
short term
rental site
drive way





By Rich Cooley, for The Warren Sentinel

Alan Fox strums his guitar beside his wife, SueAnn, as the pair sit inside Alan's mother's home on Remount Road in Warren County on Friday June 17. Alan is recovering from a traumatic brain injury, neuropathy, and multiple broken bones after he was struck by a car outside his home on Dec. 17 while trying to help a motorist who crashed their vehicle in a ditch. Alan retired after serving as Warren County's Public Schools Assistant Superintendent of Instruction.

'They tell me it's a miracle': Warren County school administrator improving after being hit by car

By Alex Bridges
for The Warren Sentinel

FRONT ROYAL — Alan Fox says he doesn't remember the Dec. 17 vehicle collision that nearly killed

him.

Fox and his wife, SueAnn, say they do remember the emergency workers who saved his life, the doctors and therapists who aided his recovery, and the community that

continues to help him through it all.

Alan Fox retired as Warren County Public Schools' assistant superintendent. See **MIRACLE**, Page A2

perintendent for instruction on June 13 after 34 years of working in public education. The Foxes talked about his crash and the long recovery recently at his late mother's home on Remount Road — across the street from where the collision occurred.

"After what I've heard I went through, it is a miracle. Every minister I've spoken to, every member of the volunteer fire department, they tell me it's a miracle and so I feel pretty good," Fox said. "Now, I'm not myself. It takes a while and the first few steps are a little rough."

Fox was struck by a car and sent sailing into a tree while trying to help a motorist get a vehicle out of a ditch. Fox said his memory of the accident ends before the collision, shortly after he arrived to help. He regained consciousness days later with no memory of the collision, the resulting injuries, or the first-responders working to save his life. He doesn't remember riding in an ambulance or a helicopter or any of the medical procedures he had to undergo.

"There's no hesitation for me because I don't remember anything," Fox said. "Apparently, that evening, I was having a conversation with the superintendent of schools and the human resources director. We were just having a regular conversation in the superintendent's office."

"So then I come home (to his mother's house). I see this car across the road," Fox said. "And there is a ditch and I'm terrified of the road — had a cousin killed 35 years ago and I've heard that story for forever — so I'm terrified but, hey, I was off the road. I'm off the road. I got no worries."

The motorist appeared to have attempted to enter a driveway but missed. The vehicle ended up in the ditch with the back of it in the road, SueAnn said. Fox saw the motorist across the street and went over to see if he could help push the vehicle out of the ditch. A driver traveled over a hill and failed to see the vehicle in the ditch in the dark until it

was too late, SueAnn said. The oncoming vehicle collided with the vehicle stuck in the ditch. The force of the impact caused the vehicle in the ditch to spin around and hit Fox, sending him 15 feet into a tree, she said.

SueAnn Fox said hearing the news that her husband had been hurt to such an extent "felt like the world had ended."

Emergency medical technicians intubated Fox at the scene — a step that likely saved his life because he never lost oxygen, SueAnn Fox said. Winchester Medical Center staff then had Fox transferred by helicopter to Inova Fairfax. Approximately eight hours passed from the time of the crash to arriving at the Fairfax hospital, SueAnn Fox said.

"It's kind of a surreal feeling," she said. "You don't really feel like you're a part of what's going on ... it's just all happening around you."

Fox regained consciousness about a week later, on Christmas Day.

SueAnn described her husband's injuries: five brain bleeds; a crushed left eye socket that required reconstructive surgery; multiple vertebrae fractures in his neck and spine; 15 broken ribs, pelvis, tailbone and wrist; a punctured lung; and lacerations to a kidney and an ear. The vertebral fractures and the kidney lacerations healed on their own, SueAnn Fox said. Fox underwent two lung surgeries that he said still cause pain. Fox remained in the trauma area of the intensive care unit at the hospital, she said. Doctors upgraded his condition and moved him to the general intensive care unit where he stayed for a week until he fell and rebroke his eye socket, she recalled.

To treat the brain bleeds, surgeons installed a device, called a "bolt," in his skull that monitored pressure on the brain, Fox said. The device would alert doctors if they needed to drill holes in Fox's skull to relieve pressure on the brain.

"We really started receiving blessings from the very second it happened because he never needed to have that done," SueAnn said. "He never had any significant pressure on the brain. You lived and died by looking at that monitor to see what his pressure was and what his air level was."

"Our daughter said that he looked like a Teletubbie" because of the bolt sticking from his head, SueAnn recalled. She started to take photographs of her husband a week later — images the couple say help see his progress.

"It's good for me, too, 'cause ... it helps me put things in perspective, 'cause I'm still not happy with things that I can't do," Fox said.

The former football player said he lacked the coordination he needed to catch balls the therapists tossed to him during a rehabilitation exercise.

"I'm regaining some of the ability," Fox said. "But, again, seeing that picture helps put things in perspective 'cause ... coming from where I was just to be able to walk through those doors and open the doors — wow, what a difference that is," Fox said.

praised the facility and its staff for the work they did to help him get back up on his feet. Fox had not walked in about seven weeks since the crash. Therapists had him walking as soon as he arrived, she said.

"I hope that word gets out because it would help families so much," SueAnn Fox said of Sheltering Arms. "They not only just take care of a patient, they're so good to the families."

Friends and members of the Warren County community raised money for the Foxes. Friend Danny Yates set up a GoFundMe page and he and other donors made it possible for the family to stay in a hotel close to the rehabilitation center, Fox said.

The Foxes kept all the cards they received from the community. Students at each county school wrote him cards and held fundraisers for the family, SueAnn said. She received gift cards that covered her gasoline for months.

"Of course that was so helpful but just the thought behind all of that was just — you know, we knew that people were supporting us and caring and praying," SueAnn said. "It's amazing."

Alan Fox chimed in.

"My life was set on pause for months, but their life was set on pause, too," Fox said. "But they figured it out."

Fox continues to undergo occupational, physical and speech therapy. Speech therapy has focused on his problem-solving abilities — a primary part of his job in the school system, Fox said. He also undergoes treatment for nerve damage.

Fox has also had to relearn how to play the guitar and the keyboard. He said he looks forward to playing in front of audiences again, especially in the band The Administration that includes his colleagues in the Warren County Public Schools administration office.

"Alan first is a great friend and a great co-worker," said Director of Special Services Michael Hirsch. "Alan's commitment and dedication to the students of Warren County over the last 30-years-plus has been ... a joy to watch. His commitment is one of his strongest assets, let's put it that way."

"It was sad to see him, of course, have an accident but his recovery is happening and he's getting better and better every day and I look forward to spending a lot of time with Alan in the future."

Even though he's retired, Fox said he's interested in working part-time for the school system once he's healed and well enough. Fox said "to be around kids, in my opinion, you gotta be 100% of yourself." The doctors and therapists say he needs about a year to continue healing.

"In fairness to everybody, I want to make sure — for me, I wanna make sure that he has the opportunity to get the best he can be, and he just needs that time," SueAnn said.

He added: "I want to protect the kids and I want to protect my bosses, too, 'cause they put somebody in there, they expect somebody to be ready to go."

"And I've said this to SueAnn: I feel



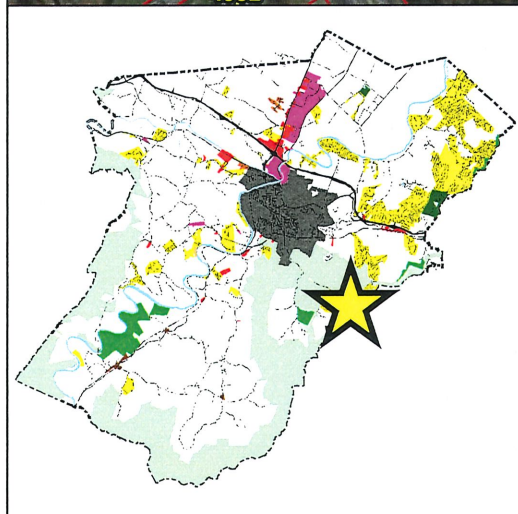
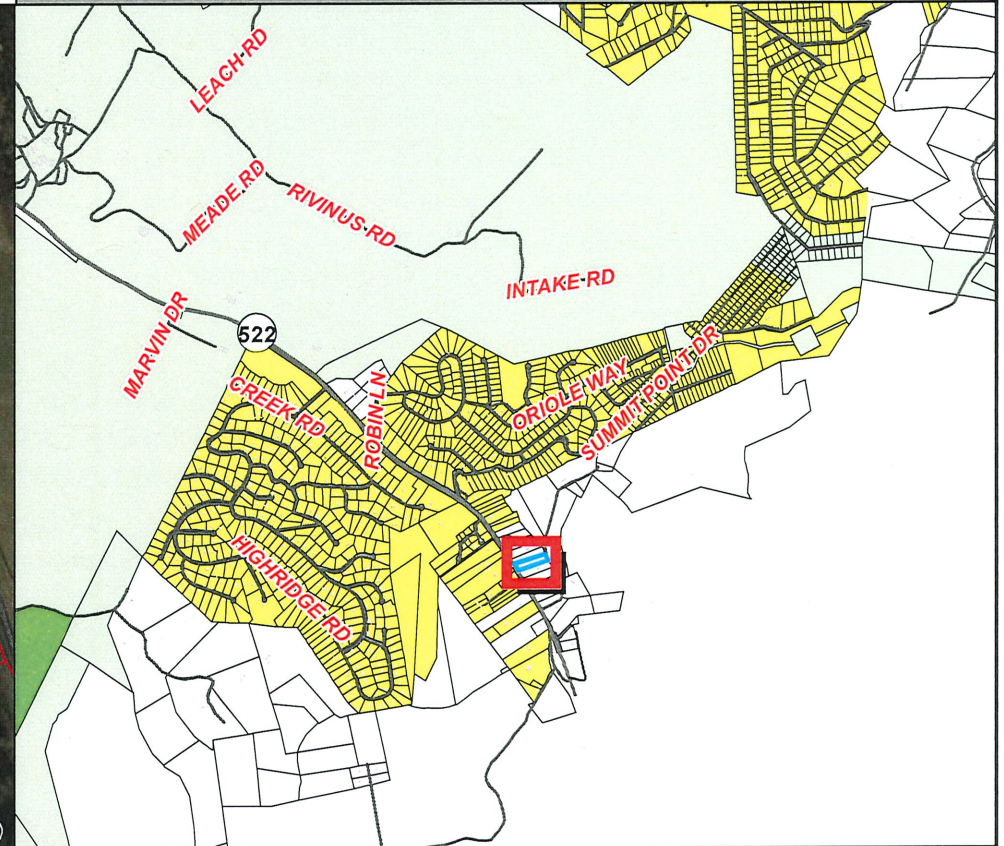
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Thomas Cho

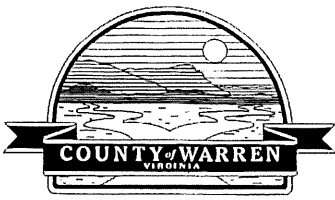
TM 39F--1-----7A
4359 Remount Rd



Zoning

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

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE 08/23/2022	ITEM E	SUBJECT: Conditional Use Permit #2022-06-04 Andrew Sickle <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, July 13, 2022, Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 3-0.

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 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.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

PROPOSED OR SUGGESTED MOTION:

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

SUBMITTED BY:

Chase Lenz, 
Zoning Administrator

DISPOSITION OF BOARD:

☐ APPROVED ☐ OTHER (Describe)

**PROCESSED
BY:**



Conditional Use Permit: 2022-06-04 / Short-Term Tourist Rental

Andrew Sickle, *Applicant*

Charles Steininger IV, *Current Owner*

Prepared: May 31, 2022 Revised: July 25, 2022

Staff Contact: Chase Lenz, Zoning Administrator

CL

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a short-term tourist rental for the property his partner purchased in April of 2022. The applicant and his management partners would like to make the property available for short-term visitations for guests seeking a quiet escape while exploring the Shenandoah National Park, local wineries, and all the Warren County area has to offer. The applicant and his management partners plan to manage the property with assistance from local professional services for cleaning, maintenance, and garbage removal.

PROPERTY INFORMATION

Property Location: 298 Worlds End Lane
Tax Map ID: 23A--1-2--51A
Magisterial District: Happy Creek
Subdivision: Skyland Estates

City: Linden
Zoning: Residential-One (R-1)
Acres: 0.8264 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: Vacant - Woodlands
Use: Single Family Dwelling
Use: Vacant - Woodlands
Use: Vacant - Woodlands

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential-One zoning district. The dwelling was constructed in 1991 and 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 operation permit on file approving a maximum of six (6) occupants for the dwelling. 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 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. **Existing woodlands partially screen the dwelling from the rear and side property boundaries.**
- 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 will be reviewed by Planning staff prior to issuance of the Certificate of Zoning.**
- 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. **Comments have been received from the Skyland Community Corporation stating they do not approve of the proposed use.**
- 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 165' to the northeast. The property is surrounded by vacant, undeveloped lots to the north, east, and west.**

RECOMMENDED CONDITIONS

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

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

Cc: Andrew Sickle – Applicant

Warren County Planning Department
220 N Commerce Ave, Suite 400, Front Royal, VA 22630

Statement of Justification

Warren County Conditional Use Permit for Charlie Steininger

Application #:

Property Address: 298 Worlds End Lane, Linden, VA 22642

Description of proposed use/request:

My name is Charles Steininger, the owner of the 298 World End Lane, Linden, VA property. My partners (Andrew Sickle and Jin Zhang) and I are applying for a Conditional Use Permit which would permit us to use this property as a short term rental.

This permit would allow us to provide a quiet cabin escape for guests who are looking to explore the National Park, wineries, and all that Warren County and the surrounding area has to offer. We intend to create an experience that promotes guests to explore and support the local community.

Description and location of the subject property:

This home has 3 levels that include 3 bedrooms and 3 bathrooms with a loft overlooking the main level. The main level has 2 bedrooms, 2 bathrooms, and an open-concept living space with a lofted ceiling. Upstairs there is a bedroom, 1 bathroom, and an office. The finished basement includes a movie and game room. Outside there is a covered side porch that leads onto a large private rear deck with mountain views. The property is located on blacktop road just 10 minutes from I-66.

Description of each Short Term Rental required finding:

These required findings are from the Warren County General Legislation/Zoning that the property will abide by:

- The maximum number of occupants in the dwelling unit shall be 6. This is based off of the Warren county health department
- Parking for the use shall be located in the driveway of the property. Parking will be clearly stated in the property management plan for our guests.
- Property boundaries will be clearly marked at all times for our guests. We will provide the site plan for our guests in the property management plan.
- A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors and carbon monoxide detectors will be closely monitored by our staff
- The county shall have permission to inspect the dwelling to ascertain compliance with all the above performance standards upon a twenty-four-hour notice.

- The short term rental shall have a property management plan demonstrating how the tourist will be managed and how the impact on neighboring properties will be minimized.
- The short term rental will have a landline with the local phone service
- The short term rental shall provide an emergency evacuation plan for the dwelling and the neighborhood
- The short term rental will have a copy of Chapter 123 of the Warren County Code relative to noise at the dwelling for tourists
- If there is any outdoor burning, all tourists and land owners shall be compliant with Chapter 92 of the Warren County Code -The property meets the minimum of 100 feet from the short-term rental to all neighboring residences.

Summary/conclusion of request:

This short term rental property is inspired to create a safe and quiet place for our guests as they visit the Shenandoah Valley area. We are focused on allowing our tourists to enjoy their time in this beautiful area, all while remaining compliant with the Warren County legislation guidelines. My partners and I are excited to open this short term rental, and we hope that you will consider approving our application to make this property a place for many tourists to enjoy and make memories.

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

Charles Steininger

570-556-0348

steiningeriv@gmail.com

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

RECEIVED
MAY 02 2022

Application Number: CUP2022-06-04
Date Received: 5/2/2022
Fee Amount: \$ 500.00
Date Paid: 5/2/2022 Check # 002

BY: g

Applicant Information:

Andrew Sickle

Applicant Name

307 Augusta Drive Selinsgrove PA 17870
Address *City* *State* *Zip*

298 Worlds End Ln Linden, VA 22642
Property Location for conditional use permit if Different than Applicant's Address

570-850-4329 sickleandrew@gmail.com
Primary Contact Number *Email*

Charlie Steininger

Property Owner (if same as applicant, leave blank)

215 Midpenn Drive Selinsgrove PA 17870
Address *City* *State* *Zip*

570-556-0348
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: 298 Worlds End Ln Linden, VA 22642
- (2) Election District: Happy Creek Election District
- (3) Tax Map Number: 23A 1 2 51A
- (4) Subdivision Name: Skyland Estates
- (5) Total Area of Property (acres): .8264 acres
- (6) Total Area to be Used (acres): .8264 acres
- (7) Total Road Frontage (feet): 180 Feet along Worlds End Ln/ 120 Feet along Parnassus Rd.
- (8) Depth of Property (feet): 240 Feet
- (9) Present Zoning: Residential One

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: single-family dwelling (residential)
- (3) Zoning of surrounding land/property: residential-one (R-1)
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: N.A
- (6) Season, days, and hours of operation: N.A
- (7) Will there be a sign? ☐ Yes ☒ No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) No
- (9) Number of full time employees: 0
- (10) What type of sewage disposal system will be used? ☒ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: 6 People
- (12) Number of parking spaces to be provided: Regular 3 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? _____
The planned scope of work for the property's landscaping is a light touch up around the property. Landscaping renovations to include general bed maintenance/detailing, spring/fall clean-up, pruning/hedging, landscape plant protect and feed, mulching, and lawn mowing

C. Plans Prepared By

Name: Andrew Sickle

Address: 307 Augusta Selinsgrove, PA 17870

Telephone Number: 570-850-4329

D. Environmental Information

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

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

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

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

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

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

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

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

☒ **An application fee of \$500.00.**

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

☒ **A Statement of Justification**

This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 ½ x 11 size paper.

☒ **A Site Plan/Survey.**

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

☒ **Sewage Disposal and Well Site.**

Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.

☒ **A copy of the deed to the property verifying the current ownership.**

A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.

☒ **A statement verifying that real estate taxes have been paid.**

This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center. Zoning department will call Treasury Department

☒ **Environmental and Community Impact Statements** (Not Required)

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** (Not Required)

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.**

Starting on the Warren County Government Center, turn right onto E 3rd Street. When you come to intersection, turn right on N Commerce Ave for .9 miles. Then you will turn left onto VA-55 E for 6 miles. Then you will turn left onto State RTE 638 and continue for 1.1 miles. From there, you will turn onto Bifrost Way for .5 miles and then eventually leading you to turn right on Worlds End Ln. From there, you go .3 miles and you will have arrived at 298 Worlds End Ln Linden, VA 22642.

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.

Andrew Sickle

4/27/2022

Applicant Signature

Date

Charlie Steininger

4/27/2022

Property Owner Signature

Date

Accepted by: Chase Lenny

Date: 5/2/2022

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

Property management plan

Property Owner: Charles Steininger

298 Worlds End Lane Linden, VA 22642

Shenandoah Mountain Retreat

Emergency contact information

If there is any emergency or questions regarding the property, please contact Charlie Steininger at 570-556-0348, Andrew Sickle at 570-850-4329, or Jin Zhang at 570-556-0836. If the emergency requires immediate assistance, call the following or 911. An example of the Host Contact page is attached. Note, Charlie Steininger is the principal owner, Andrew Sickle and Jin Zhang are business management partners.

Warren County Sheriff's Department: 560-636-7100 or 911, 200 Skyline Vista Drive, Front Royal VA 22630

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

Neighboring Fire Department: Shenandoah Shores Fire Department, 540-635-7897, located at 533 Mountain View Drive, Front Royal, VA: XX miles from Subject Property

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

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

Emergency Local Contact: Dante Didigu at 540-305-7858

Emergency Evacuation

Head southwest on Worlds End Lane towards Bilfrost Way .3 miles

Turn left onto Bilfrost Way .1 miles

Turn left to stay on Bilfrost Way .4 miles

Turn right onto State Rt 6368

First Aid Kit

The emergency first aid kit will be located in the laundry closet located on the first floor of the property.

****Please note that all of these local emergency contacts will be shared with the guests.****

Property management team

Property managers

The property managers oversee guest booking & communications, quarterly property inspections, and vendor management (including cleaners, landscapers, contractors, and others).

- Charlie Steininger
- Jin Zhang
- Andrew Sickle

Local point-of-contact

The local point-of-contact is there in the event a guest, neighbor, or other community member needs immediate assistance related to the property.

- Dante Didigu

Cleaning professionals

The cleaning professionals clean, restock, and inspect the property after every guest stay. In the event of a repair or replacement need, they will immediately notify the property managers of the issue, who will then address the situation.

- Majic Cleaning

Landscaper

The landscaper handles regular lawn maintenance, bi-annual landscaping maintenance, and snow plowing.

- Jacob Woodson

Handyman/contractor

The property managers have a network of handymen and contractors available to call in the event something at the property needs repaired or replaced.

Occupancy

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

Noise

It shall be a violation of the Warren County Code for any person, without compelling reason, to make noise that by reasons 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. Noise that interferes with any person of ordinary sensibilities **will not be tolerated**. Noise that interferes with any person may result in the guests evacuating the property along with being responsible

for any payment of noise fines issued by Warren County. Additionally, guests are notified to respect quiet hours from 10 pm - 7 am. As a further measure, guests are restricted from having parties, events, or any large gathering on the property. This is based on regulations from the property, Warren County, and short term rental platforms.

Parking

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

Traffic

To protect the safety of the surrounding community, families, and children, we have outlined a series of steps to help ensure guests are responsible when driving through Skyland Estates.

- A series of "CHILDREN AT PLAY" signs will be placed along the Worlds End Lane road in order to make guests aware and cautious of possible children at play along the road.
- Prior to guest check-in, guests will be messaged to drive responsibly and be cautious of children at play in the neighborhood and local wildlife near the road.

Insurance

The property has property and liability insurance coverage of sufficient amounts; policy details can be provided upon request. As a secondary measure, the Airbnb booking platform provides \$1,000,000 in host-liability coverage.

Booking & check-in process

An online platform will be used to prescreen all guests through 3rd party ID verification. The property managers may further qualify guests with minimum age requirements, previous host feedback, a limit to number of guests, and notice of rules which detail expected behavior and care of property & neighborhood during a guest's occupancy. If a guests reservation request is accepted, guests are sent a greeting that includes the hosts contact details and property & neighborhood rules. A second message is sent just prior to the day of check-in with the property address, keypad instructions, property & neighborhood rules, and a link to the property guidebook. This message will explicitly include the following: "When driving through the local neighborhood, we ask that you drive responsibly and be cautious of any children that might be at play in the neighborhood."

Check-out process

See guidebook.

Internet access

Property will have free internet for all guests; the property guidebook will provide login information.

Specific property details

Outside:

In advance of bookings, property shall cite all of the specific property rules identified below. This would be reiterated at the actual time of booking and in the property guidebook located on the premises too.

Property corners are clearly identifiable and sufficient to 100ft spacing between neighboring property, marked off with wooded areas

Inside:

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

House's amenities will include a stocked kitchen, beds with fresh linen service, a washer/dryer, and a fully furnished living space. HVAC, electrical, 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, a carbon monoxide alarm, and two fire extinguishers.

Property inspections will be completed after every stay by a trained cleaning and maintenance team; inspections include interior and exterior of Property for general upkeep and routine MEP maintenance as needed to keep property in excellent condition.

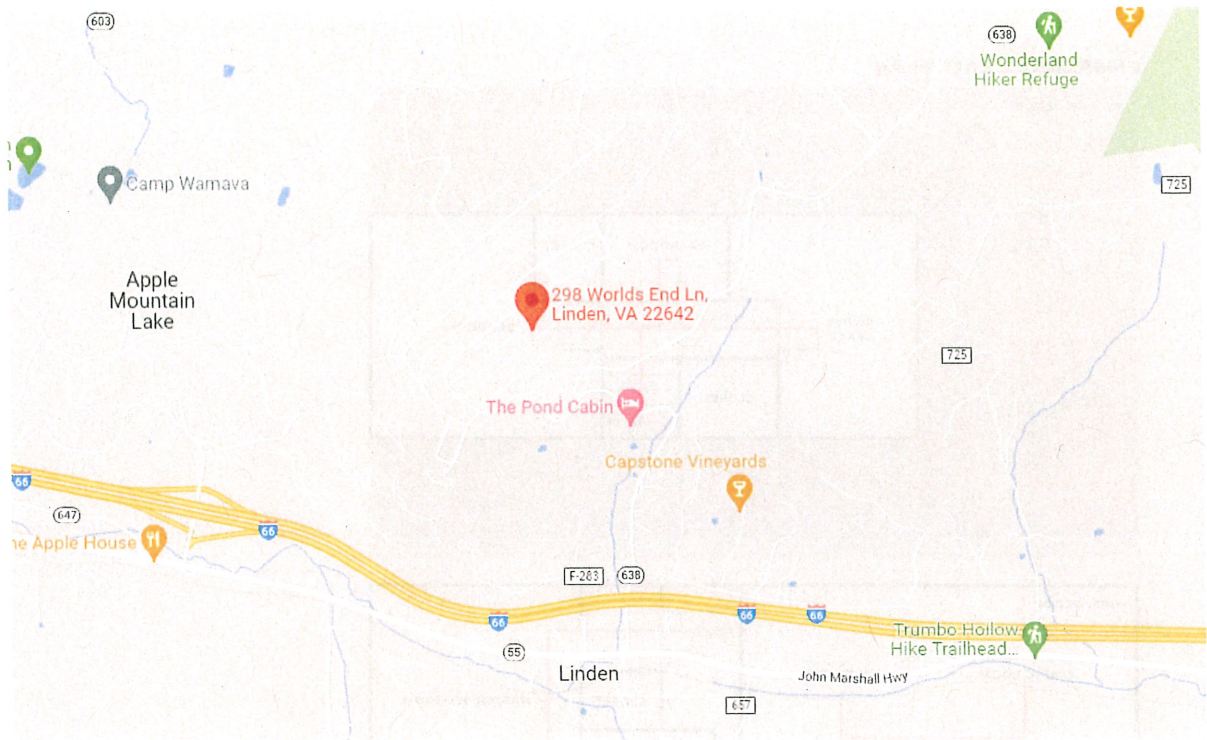
Property rules

See guidebook.

Area attractions

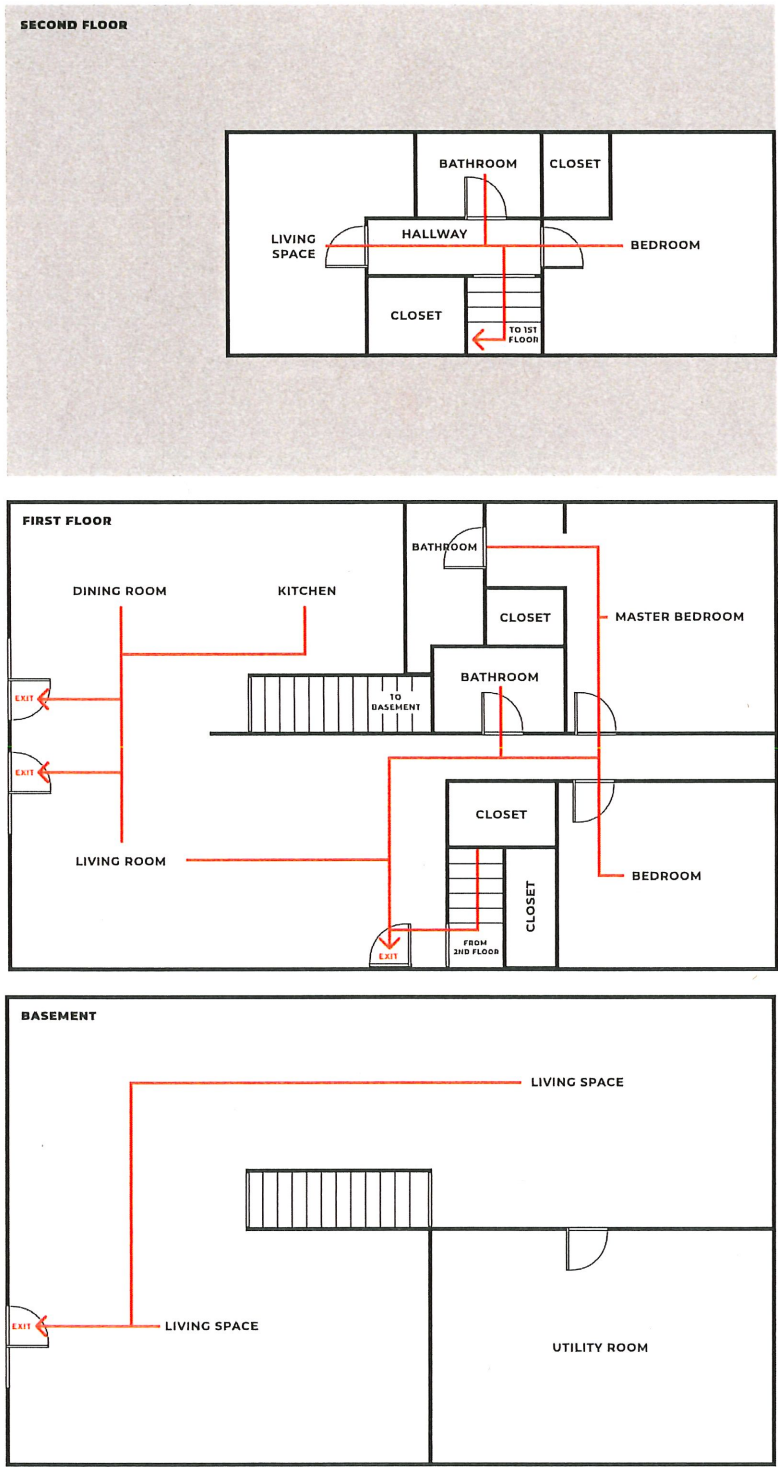
See guidebook.

Property map



Dwelling evacuation plan

EMERGENCY EXIT PLAN



Shenandoah Mountain Retreat listing description

About the space

Welcome to the Shenandoah Mountain Retreat! This 2,300 sq. ft. mountain home is the perfect place to relax and enjoy all the Shenandoah valley has to offer. Featuring a modern, cozy & open-concept interior with 3 bedrooms, 3 baths, 4 beds, a movie & game room, 2 fireplaces, an office & reading loft, and a large wrap-around porch with a dining set & grill overlooking the serene Shenandoah mountains – you'll find yourself not wanting to leave!

This place is perfect for couples, families, and friends to gather and enjoy nature!

Currently offered with 2-night minimums.

The space

The main level features a master bedroom (king bed) & second bedroom (queen bed), two full bathrooms (one attached to master), washer & dryer closet, and an open-concept living space that includes a kitchen, living, and dining room with lofted ceilings. Inside the kitchen you'll find silverware, dishware, pots, pans, a single serve K-cup pod & pot coffee maker, tea kettle, dishwasher, cooking utensils, and other necessities that you're used to at home. The living room includes plenty of comfy seating to sit and relax on while you enjoy the comforts of the fireplace and a nice movie on Netflix! The dining room features a large dining table to seat your crew for a nice dinner, and a bar cart available to make your favorite cocktails!

Upstairs you'll find another bedroom (two twin beds), a full bathroom, and a loft overlooking the main level that is furnished with a desk for anyone who needs to work-from-home and a reading nook where you can sit and enjoy a nice book and coffee!

The basement includes a movie room with a couch, a pool table, and a dart board for your entertainment!

Outside you'll enjoy the wrap-around deck that includes a grill, dining set, and a serene view of the Shenandoah mountains.

Amenities: We've got you covered with things like wi-fi, an iron & ironing board, laundry detergent, blow dryer, soap, lotion, towels, paper towels, toilet paper, trash bags, and more.

Parking: Up to 3 cars.

Notice: We have video surveillance of the front porch.

Guest access

Your stay at Shenandoah Mountain Retreat will be exclusive to you and your guests only. You'll have access to the entire home, including the private backyard and deck.

Lord Fairfax Health District

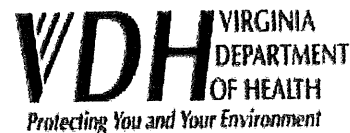
Warren County Health Department

465 West 15th Street, Suite 200

Front Royal, Virginia 22630

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

www.vdh.virginia.gov



June 08, 2022

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

RE: Request for Comments (2022-06-04)

Owner: Andrew Sickle

Dear Mr. Lenz,

I have reviewed your request for comments for a Short Term Rental at 298 Worlds End Ln. Linden, VA (Tax Map# 23A-1-2-51A) and I offer the following comments:

1. There is a Construction Permit, ROI and Operation Permit on file for the referenced property dated 10/17/1989, 3/13/1990 and 5/25/1990 respectively.
2. The dwelling is connected to an approved Conventional Onsite Sewage System (COSS). The COSS is designed for Three (3) Bedrooms, Six (6) Occupants and 450 gallons per day.
3. The dwelling is connected to a Class IIIB private well. A water sample should be collected and tested annually for the presence/absence of Coliform bacteria.
4. All refuse shall be placed in containers with tight-fitting lids.
5. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.

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

Sincerely,

Jim Davis

Environmental Health Supervisor

Chase Lenz

From: David Beahm
Sent: Thursday, June 9, 2022 3:02 PM
To: Matt Wendling
Cc: Chase Lenz; Veronica Diamond; Paula Fristoe
Subject: Request for Comments 2022-06-04 – Andrew Sickle – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000188-2022

Comments 2022-06-04 – Andrew Sickle – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000188-2022:

- 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(s) for a “short-term rental” would require a building permit to establish it as a transient boarding facility which is the term used by the building code for this type of use. The dwelling would receive a new Certificate of Occupancy designating as a short-term rental.
 - Given the timeframe that the structure was originally built it more than likely will require an Electrical permit to meet the building code requirements for this change.
 - This change requires that smoke detectors are installed as required by the Virginia Residential Building Code.

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

*****Please Note that Warren County is in the transition of moving to a NEW “.gov” Email Address – both email addresses will work during the transition period, but please update our contact information as soon as possible. Additionally, with the transition already moving forward some of your emails may go to our spam folders and some of ours will go to your spam filters. If you are not receiving information that you have expected from us or not gotten a response to something that you may have sent, please contact our office by phone to notify us so that we can attempt to address quickly.*****

Respectfully,



Warren County Building Inspections Of

David C. Beahm, CBO
Building Official

220 North Commerce Ave
Suite
Front Royal, VA 22

dbeahm@warrencountyva.gov

www.warrencountyva.gov

540/636-9
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.

July 11, 2022

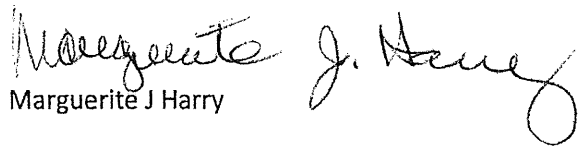
RE: Short Term Rental of 298 Worlds End Lane, Linden, VA 22642

My name is Marguerite J. Harry and I'm the property owner of 104 Worlds End Lane, Linden, VA 22642.

I'm extremely against any short-term rental on Worlds End Lane in Linden, VA. The owner of this property lives in Pennsylvania and will not oversee the property. People who will rent property will not care about the property. They trash the area, speed up and down the roads, and have outdoor fires and don't care if they burn down the mountain. Plus, who knows who's coming and going or what they're doing on the mountain. Also, commercial real estate brings down property values.

I would have attended this meeting but I'm on vacation. If you have any questions, please don't hesitate to call me at 571-213-5674.

Thank you,


Marguerite J Harry

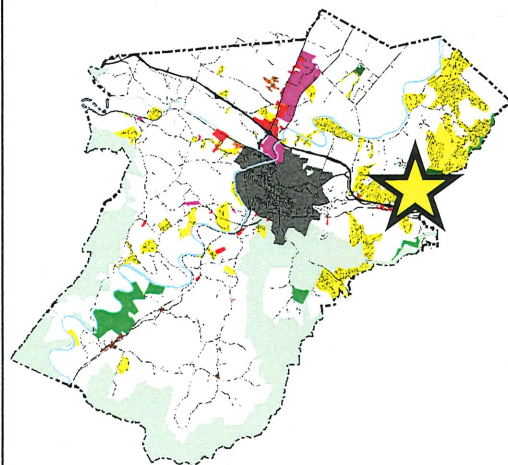
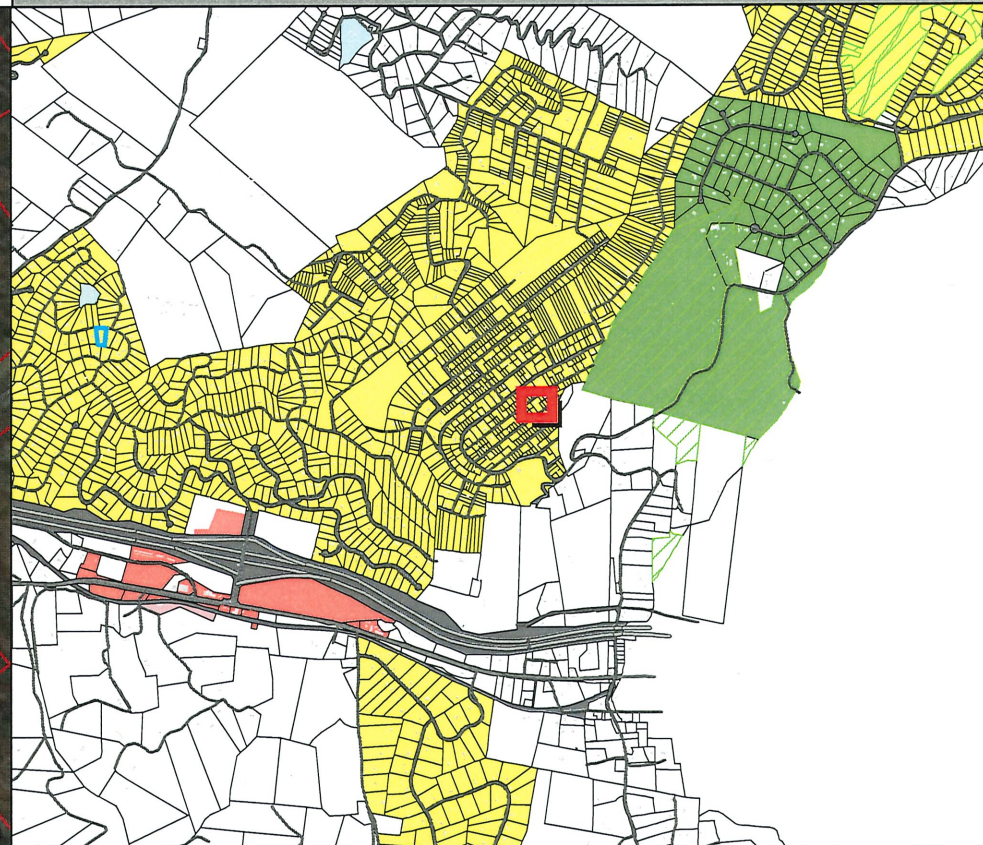
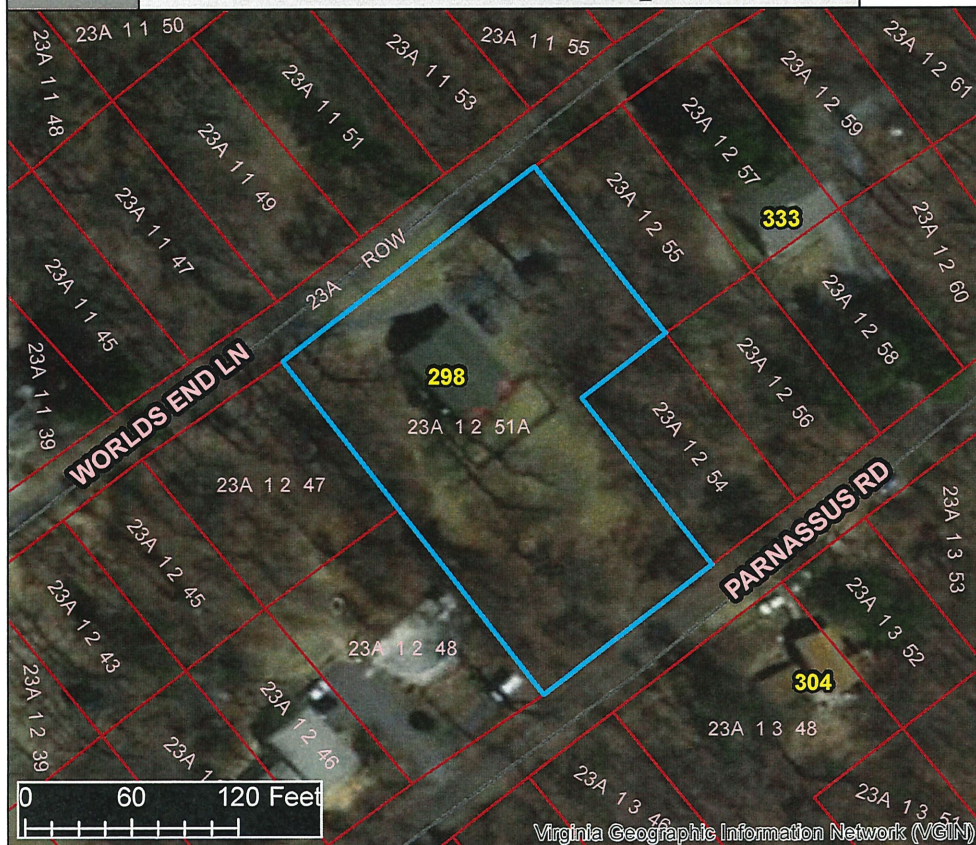
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Andrew Sickle

TM 23A--1-2--51A
298 Worlds End Ln



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
8/23/2022	F	Conditional Use Permit #2022-06-05 Jennifer Harp <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 Mr. Kersjes and approved by the Planning Commission by a vote of 3 - 0. Mrs. Richardson 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 six (6) as determined according to the Health Department operational permit for a four-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.
7. Outdoor burning and the use of fireworks by guests shall be prohibited.

PROPOSED OR SUGGESTED MOTION:

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

SUBMITTED BY:

Matt Wendling, CFM
Planning Director
County Floodplain Manager

DISPOSITION OF BOARD:

☐ **APPROVED** ☐ **OTHER (Describe)**

PROCESSED BY:



Conditional Use Permit: 2022-06-05 / Short-Term Tourist Rental

Jennifer Harp, Current Owner/Applicant

Prepared: June 1, 2022 Revised: August 09, 2022

Staff Contact: Matt Wendling, Planning Director

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a short-term tourist rental for the property she purchased in May of 2022. The applicant would like to make the property available for short-term visitations for guests seeking to enjoy all the Warren County area has to offer when her family is not enjoying the property themselves. She plans to manage the property personally with assistance from local professional services for cleaning, maintenance, and garbage removal.

PROPERTY INFORMATION

Property Location: 608 Venus Branch Road

Tax Map ID: 15E--4-4-123A

Magisterial District: Shenandoah

Subdivision: Shenandoah Farms - Mountain Lake Section

City: Front Royal

Zoning: Residential-One (R-1)

Acres: 1.2303 Acres

Existing Land Use: Single Family Dwelling

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)

South: Residential-One (R-1)

East: Agricultural (A)

West: Residential-One (R-1)

Use: Vacant Lot - Woodlands

Use: Vacant Lot - Woodlands

Use: Single Family Dwelling

Use: Single Family Dwelling

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential-One zoning district. The dwelling was constructed in 2012 and 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. **The approved occupancy submitted in comments from the Health Department documentation is a maximum of six (6) occupants for a four (4) bedroom dwelling. The applicant has upgraded and expanded the existing septic system since this application was submitted. The new drain field and septic system was installed this month and has received an operational permit 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 rights-of-way and in yards. **There is sufficient parking for at least 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. **Existing woodlands partially screen the dwelling on all sides.**
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. **The applicant shall obtain building permits to ensure the dwelling meets the current code requirements for fire protection systems.**
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24-hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. **The PMP will be provided.**
- I. If the property is located within a subdivision governed by a Homeowners 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. **Comments have been requested from the Property Owners of Shenandoah Farms.**
- 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 177' to the northwest.**

RECOMMENDED CONDITIONS

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

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 (6) as determined according to the Health Department operational permit for a four-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.
7. Outdoor burning and the use of fireworks by guests shall be prohibited.

Cc: Jennifer Harp – Owner/Applicant

Statement of Justification for Conditional Use Permit
Attn: Warren County Planning Commission
Re: 608 Venus Branch Rd. Front Royal, VA 22630

To whom it may concern:

I am submitting the attached application for a Conditional Use Permit to request authorization to utilize the residence at 608 Venus Branch Rd. as a short-term rental via websites such as AirBnB and VRBO. The settlement date for my husband and me to purchase the home is scheduled for May 5, 2022. We plan on splitting our time between Front Royal and our other residence in Washington, DC, depending on work commitments. When we are not at the Front Royal home, we'd like to make it available as a short-term rental so other families can enjoy all the activities the community has to offer.

We request authorization to list the home as a 4-bedroom with 6-person occupancy. Per the Warren County tax information, it is described as a 4-bed, 3-bath, 3,007 sq ft home. Once we close, we plan on working with Greenway Engineering and Martin's Pumping to upgrade the septic system. Greenway will assist us in requesting from the Health Department a new conditional permit for the home. We also plan on making some cosmetic improvements to the interior (such as new paint and an upgraded fireplace mantle), as well as the exterior (such as additional landscaping and a fire pit and/or hot tub).

We are eager to meet our new neighbors and ensure a positive relationship with them. We will have a security system on the home, along with smart smoke detectors, a landline, and all additional required safety measures. We also intend on securing local staff to manage the home's cleaning, driveway shoveling, and maintenance. We are also happy to work with the County to establish any noise mitigation measures or line-of-sight measures it deems necessary.

I have discussed this application with Matt Wendling of the Planning Department, who is aware that it is not fully complete at the time of filing. I will supplement this application with all necessary documentation as it becomes available to me after our settlement date on May 5, 2022.

Thank you for your consideration,

A handwritten signature in cursive script, appearing to read "Jenny Harp".

Jennifer Harp

**WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION**

WCCUP-000189-2022
Application Number: 2022-06-05
Date Received: 4/20/2022
Fee Amount: \$ 500
Date Paid: 4/20/2022

Applicant Information:

Jennifer Harp
Applicant Name

10016 Maryland Ave. NE Washington DC 20002
Address City State Zip

608 Venus Branch Rd. Front Royal, VA 22630

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

cell: (734-417-3325) work: (202-514-8460) jcharp@gmail.com
Primary Contact Number Email

[current owner is Brandon Spooner, closing May 5, 2022]
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: 608 Venus Branch Rd Front Royal, VA 22630
- (2) Election District: Shenandoah
- (3) Tax Map Number: 15 E 44 123A
- (4) Subdivision Name: Shenandoah Farms Mountain Lake
- (5) Total Area of Property (acres): 1.23 acres
- (6) Total Area to be Used (acres): 1.23 acres
- (7) Total Road Frontage (feet): 280'
- (8) Depth of Property (feet): 229'
- (9) Present Zoning: Residential

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, Vacant "farm" land
- (4) Will development be staged? ☐ Yes ☐ No N/A
- (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: 0
- (10) What type of sewage disposal system will be used? ☒ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: 6
- (12) Number of parking spaces to be provided: Regular 3 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? shrubs, trees

C. Plans Prepared By

Name: Jennifer Harp

Address: 1006 Maryland Ave NE Washington, DC 20002

Telephone Number: 734-417-3325

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, just residential pathway lights

**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. **Mailed**

☒ **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. **Mailed**

☐ **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. **To be supplemented after May 5**

☐ **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. **To be supplemented after May 5**

☐ **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. **To be supplemented after May 5**

N/A ☐ **Environmental and Community Impact Statements**

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

N/A ☐ **List of chemicals stored on the site**

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

N/A ☐ **Location Map**

A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.

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

~~State Rt~~

E 3rd St to N Commerce Ave, Happy Creek / State Rte 624
to State Rte 643, State Rte 603 / 638 to Venus Branch Rd.

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

Jerry Hays
Applicant Signature

4/20/2022
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

Application to be supplemented with mailing attn: Matt



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

PE Construction Permit

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

August 01, 2022

Craig Fitzpatrick
608 Venus Branch Rd
Front Royal, VA 22630

RE: 608 Venus Branch Rd, Front Royal, VA 22630
Tax Map/GPIN: 15E-4-4-123A (Warren County)
HDID: 187-22-0263 **Reserve:** 100% reserve area provided
System Capacity: Residential 4 bedroom, **Conditional** to 450 gallons per day
Occupancy Limit: 6 persons maximum

Dear Craig Fitzpatrick:

This letter and the attached drawings, specifications, and calculations (10 pages) dated May 27, 2022, constitute your permit to install a sewage disposal system 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"), and the sewage system design, were certified by Kepler, Randy 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: **February 01, 2024**

Sincerely,



Greg Smith
Environmental Health Specialist
Warren County Health Department

CC: Kepler, Randy PE

WHAT YOU WILL NEED TO GET YOUR SEPTIC SYSTEM OPERATION PERMIT

- Your system must have a **satisfactory inspection** at the time of installation. This will be done by either a representative of the local Health Department, a private OSE, or a PE, depending on the designer of your permitted system. If your system is designed/inspected by an OSE or PE, they must submit a copy of the inspection results, complete with an as-built diagram, to the Health Department.
- Please ensure that your contractor turns in a **Completion Statement** to the local Health Department after installation.
- If your permit is for an alternative system, you must sign, have notarized, and record the attached **Notice of Recordation** in your locality's land records. Please bring proof of this recordation to the local Health Department
- If you have a **conditional permit** then you must sign, have notarized, and record the permit in your locality's land records. Please bring proof of this recordation to the Health Department.

Allow 5 business days after the last piece of documentation is received for the Operation Permit to be issued. To avoid delays, clearly label each piece of documentation with the property Tax Map/GPIN number and HDID number shown above and on your construction permit. *Please note that due to the individual circumstances of your permit there may be additional required items not covered by this checklist.*

If you have any questions about any of the items on this list, please do not hesitate to contact the Warren County Health Department at (540) 635-3159.

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



June 08, 2022

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

RE: Request for Comments (2022-06-05)
Owner: Jennifer Harp

Dear Mr. Wendling,

I have reviewed your request for a CUP for a short term rental at 608 Venus Branch Rd. Front Royal, VA (Tax Map# 15E-4-4-123A) and I offer the following comments:

- 1. There is a Construction Permit, ROI and Operation Permit on file for the referenced property The permit is dated 3/08/2011, 2/16/2012 and 3/20/2012 respectively.**
- 2. The dwelling is connected to an approved Alternative Onsite Sewage System (AOSS). The AOSS is designed for Three (3) Bedrooms Conditional to Four (4) Occupants and 300 gallons per day. To date our office has not received an application for a construction permit or engineered plans to increase the design capacity.**
- 3. The owner should be aware this is an AOSS and annual Operation and Maintenance must be performed by a licensed AOSS Operator.**
- 4. This property is connected to a Class IIIB private well. A water sample should be collected and tested annually for the presence/absence of Coliform bacteria.**
- 5. All refuse shall be placed in containers with tight-fitting lids.**
- 6. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.**

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

Sincerely,

Jim Davis
Environmental Health Supervisor

Chase Lenz

From: David Beahm
Sent: Thursday, June 9, 2022 4:27 PM
To: Matt Wendling
Cc: Chase Lenz; Veronica Diamond; Paula Fristoe
Subject: Request for Comments 2022-06-05 – Jennifer Harp – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000189-2022

Comments 2022-06-05 – Jennifer Harp – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000189-2022:

- 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.

*****Please Note that Warren County is in the transition of moving to a NEW “.gov” Email Address – both email addresses will work during the transition period, but please update our contact information as soon as possible. Additionally, with the transition already moving forward some of your emails may go to our spam folders and some of ours will go to your spam filters. If you are not receiving information that you have expected from us or not gotten a response to something that you may have sent, please contact our office by phone to notify us so that we can attempt to address quickly.*****

Respectfully,



Warren County Building Inspections Of

David C. Beahm, CBO
Building Official

220 North Commerce Ave
Suite
Front Royal, VA 22

dbeahm@warrencountyva.gov

www.warrencountyva.gov

540/636-9
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.

Veronica Diamond

From: P.O.S.F BUSINESS <shenandoahfarms@comcast.net>
Sent: Thursday, June 9, 2022 11:02 AM
To: Veronica Diamond
Subject: Re: CUP- 2022-06-05 Short Term Tourist Rental- Harp, Jennifer

POSF Inc has no dispute to the issuance of this permit.

Respectfully,

Property Owners of Shenandoah Farms

6401 Howellsville Road

Front Royal, VA 22630

(540) 837-2068

On 06/07/2022 11:01 AM Veronica Diamond <vdiamond@warrencountyva.gov> wrote:

Good morning,

Please see attached docs.

Thank you,

Veronica Diamond

Office Manager

Planning Department

220 N. Commerce Ave., Ste. 400

Front Royal, VA 22630

540-636-3354

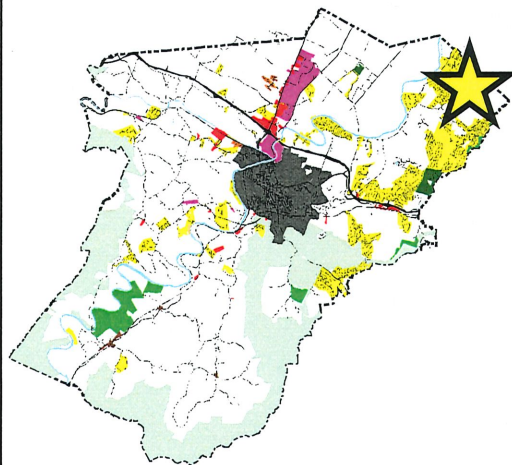
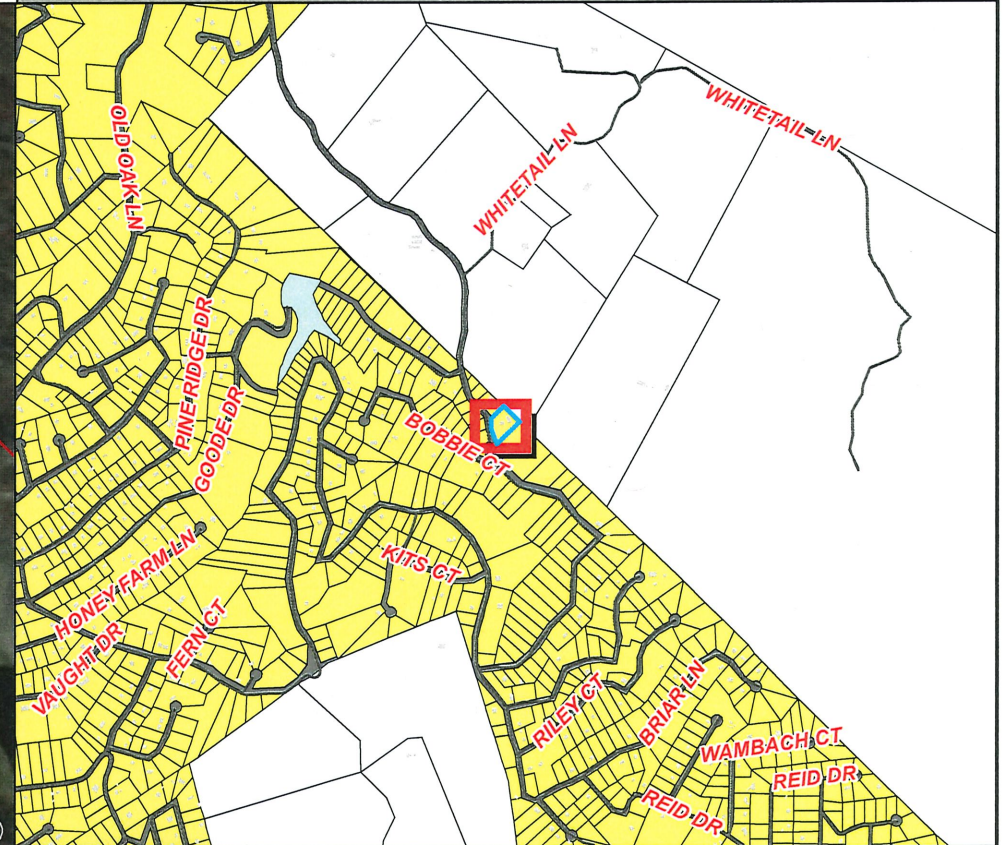
Warren County VA

CUP Location Map



Short Term Tourist Rentals
Applicants: Jennifer Harp

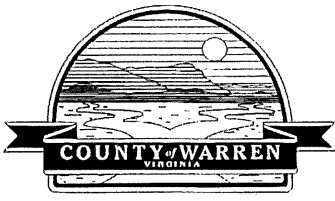
TM 15E--4-4-123A
608 Venus Branch Road



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:
08/23/2022	G	Conditional Use Permit #2022-06-06 Lyndsey DePalma & Amanda Shipe <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, July 13, 2022, Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 3-0.

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 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.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the conditional use permit request of Lyndsey DePalma & Amanda Shipe 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 Lyndsey DePalma & Amanda Shipe for a Short-Term Tourist Rental.

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



GL

SUMMARY OF REQUEST

The applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased in April of 2022. The applicants would like to share the natural beauty of the Warren County area by making the property available for short-term visitations for guests when they are not enjoying the property themselves. The applicants will manage the property personally.

PROPERTY INFORMATION

Property Location: 1945 Panhandle Road
Tax Map ID: 35-----8
Magisterial District: Fork
Subdivision: N/A

City: Bentonville
Zoning: Agricultural (A)
Acres: 10.63 Acres
Existing Land Use: Single Family Dwelling

SURROUNDING ZONING DISTRICTS & USES

North: Federal
South: Federal
East: Federal
West: Federal

Use: George Washington National Forest
Use: George Washington National Forest
Use: George Washington National Forest
Use: George Washington National Forest

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Agricultural zoning district. The dwelling was constructed in 2001 and 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 and 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 construction permit on file approving a maximum of six (6) occupants for the dwelling. 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 five 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. **Existing woodlands fully screen the dwelling on all sides.**
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. **The applicant shall obtain building permits to ensure the dwelling meets the current code requirements for fire protection systems.**
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24-hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. **The PMP will be provided and reviewed by Planning staff prior to issuance of the Certificate of Zoning.**
- 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 subject property is not located in a subdivision governed by an HOA/POA.**
- J. The short-term tourist rental shall have a "land-line" with local phone service. The phone number servicing the short-term tourist rental shall be included in the property management plan.
- K. The owners of the tourist rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. **The property shall have the evacuation plan posted in each bedroom and in the guest registration packet.**
- L. A copy of Chapter 123 of the Warren County Code relative to noise must be provided at the short-term tourist dwelling. **The applicant shall have a copy of the ordinance in their guest registration packet and posted in a common area of the dwelling.**
- M. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation as described in §180-63 of the Warren County Zoning Ordinance.

- N. All outdoor burning shall be in compliance with Chapter 92 of the Warren County Code.
- O. There shall be a minimum of 100' from the short-term tourist rental to all neighboring residences. **The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 1500' to the southeast. The property is surrounded by the George Washington National Forest.**

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 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.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Cc: Lyndsey DePalma & Amanda Shipe – Owners/Applicants

May 5, 2022

Warren County Planning Commission
220 N Commerce Ave #400
Front Royal, VA 22630

Statement of Justification

To Whom It May Concern:

This letter is to adhere to the requirements in submitting our application for Short Term Tourist Rentals / Conditional Use Permit. We are eager to share the beauty of the area with guests when we are not enjoying the property ourselves.

Should you have any questions, please reach out to Lyndsey DePalma at 703-966-2822 or lyndseydc@gmail.com, or Amanda Shipe, 703-447-6309 or alshipe10@gmail.com.

Kind regards,

Lyndsey DePalma

WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION

WCCUP-000190-2022
Application Number: 2022-06-06
Date Received: 5/5/2022
Fee Amount: \$ 500.00
Date Paid: 5/5/2022

Applicant Information:

Lyndsey DePalma & Amanda Shippe
Applicant Name

6803 Kincaid Ave Falls Church VA 22042
Address City State Zip

1945 Panhandle Rd Bentonville VA 22610
Property Location for conditional use permit if Different than Applicant's Address

703 966 2822 lyndseydc@gmail.com
Primary Contact Number Email

Property Owner (if same as applicant, leave blank)

Address City State Zip

Primary Contact Number

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

A. Property Information:

- (1) Address/Location: 1945 Panhandle Rd Bentonville VA 22042
- (2) Election District: Fork
- (3) Tax Map Number: Parcel #358
- (4) Subdivision Name: N/A
- (5) Total Area of Property (acres): 10.63
- (6) Total Area to be Used (acres): < 1
- (7) Total Road Frontage (feet): 450 ft
- (8) Depth of Property (feet): 1056 ft & 1038 = average 1045
- (9) Present Zoning: A

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Short term rentals - tourist
- (2) Current land use and condition of site: Single family dwelling
- (3) Zoning of surrounding land/property: Federal
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: N/A
- (6) Season, days, and hours of operation: all season, as months predicted are Feb - Nov
- (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 (just owners and contracted cleaning)
- (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-
- (12) Number of parking spaces to be provided: Regular 4-5 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? landscape
is just next to home - nature will be surrounding areas, within
property boundaries.

C. Plans Prepared By

Name: Lyndsey DePalma

Address: 6803 Kincaid Ave Falls Church VA 22042

Telephone Number: 703 966 2822

D. Environmental Information

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

- (2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) No.
- (3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) No.
- (4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. N/A
- (5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) No.
- (6) What will be the impact on traffic? None - no major events allowed.
- (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 beyond decorative sconces on the property to illuminate sidewalk/door areas

**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.**

1. Take E 2nd St to US340 S / N Royal Ave for 3 miles
2. Take State Rd 609 to State Rd 608 for 6.9 miles
3. Drive to State Road 613 for 4 miles
- 1945 Pinhandle Rd is on your right

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.

Jynder DeLeon 5/5/22
Applicant Signature Date

Jynder DeLeon 5/5/22
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

warrengis.org/#/mwl?location=-78.327008_38.865947&zoom=17

Apps Managed Bookmarks Trust Technology...



Warren County

List View



Map View



Help



1945 PANHANDLE RD

Search by Land Owner

Search by Account Number

Default

Advanced

Search

Select Parcels

Go To X,Y

Print PDF

Bookmarks

Draw Tools



Basemaps

100m
300ft

X,Y -78.337125, 38.869022

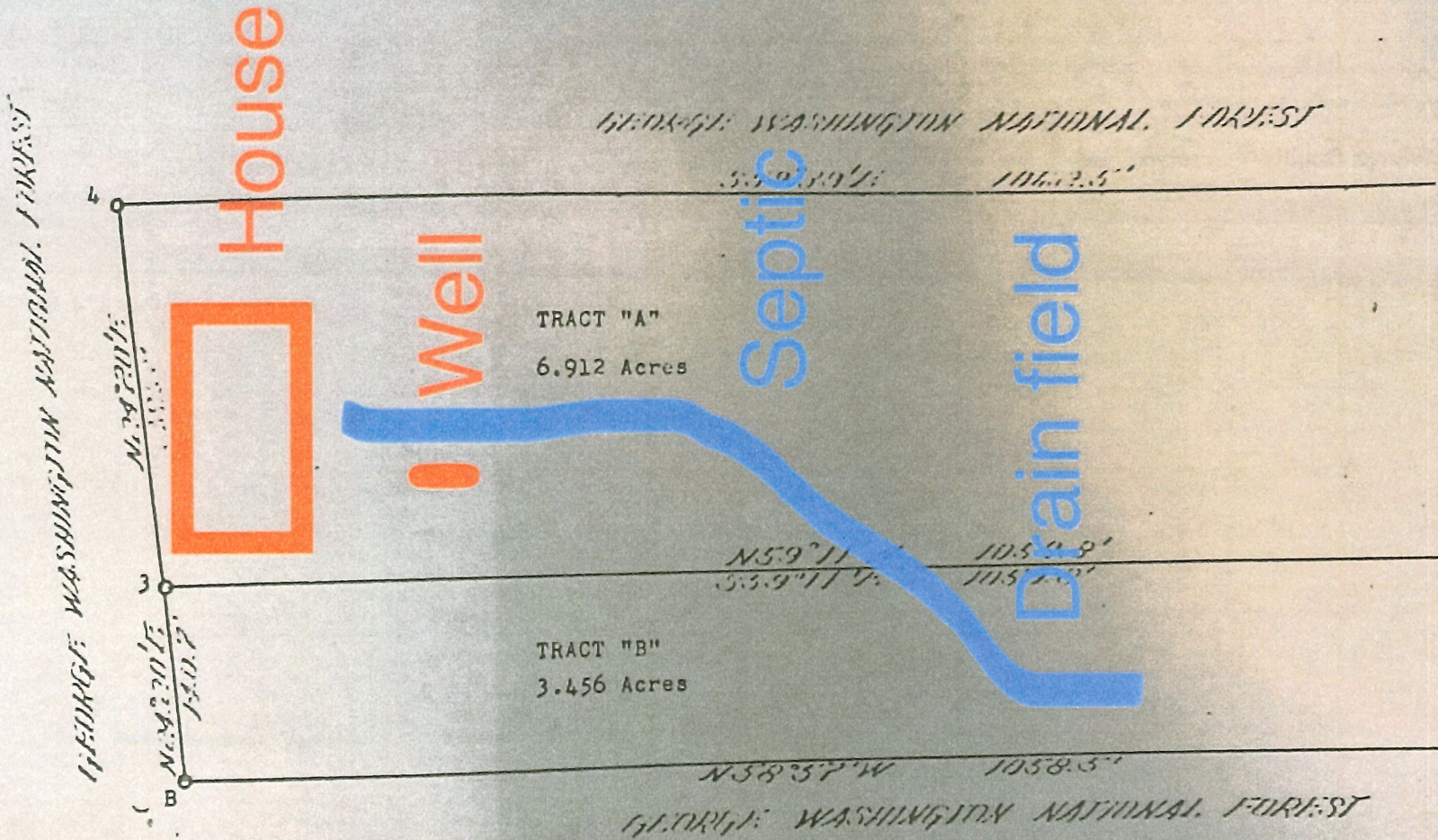
1945 Panhandle Rd

TWIN OAKS DRIVE

Use of surrounding properties is National Forest

Charles H. Bradshaw et ux TO DEED Alton W. Mathews, Inc.

Deed Book 144; Page 168



LAND OF CHARLES BRADSHAW and ALTON W. MATHEWS 10.368 Acres

LOCATED ON THE WEST SIDE OF ROAD NO. 613, ABOUT 5 MILES NORTH OF BENTONVILLE, A
FORK MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA.

Richard U
RICHARD U
CERTIFIED:
MARCH 19,

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



June 08, 2022

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

RE: Request for Comments (2022-06-06)
Owner: Lyndsey DePalma & Amanda Shipe

Dear Mr. Lenz,

I have reviewed your request for comments for a Short Term Rental at 1945 Panhandle Rd. Front Royal, VA (Tax Map# 35-8) and I offer the following comments:

1. There is a Construction Permit and ROI on file for the referenced property dated 5/08/1997 and 6/1998 respectively.
2. The dwelling is connected to an approved Conventional Onsite Sewage System (COSS). The COSS is designed for Three (3) Bedrooms, Six (6) Occupants and 450 gallons per day.
3. The dwelling is connected to a Class IIIB private well. A water sample should be collected and tested annually for the presence/absence of Coliform bacteria.
4. All refuse shall be placed in containers with tight-fitting lids.
5. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Davis".

Jim Davis

Environmental Health Supervisor

Chase Lenz

From: David Beahm
Sent: Thursday, June 9, 2022 11:38 AM
To: Chase Lenz
Cc: Paula Fristoe
Subject: Request for Comments 2022-06-06 – Lyndsey DePalma & Amanda Shipe – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000190-2022

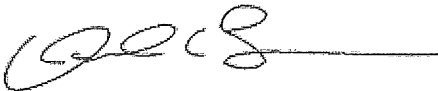
Comments 2022-06-06 – Lyndsey DePalma & Amanda Shipe – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000190-2022:

- 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(s) for a “short-term rental” would require a building permit to establish it as a transient boarding facility which is the term used by the building code for this type of use. The dwelling would receive a new Certificate of Occupancy designating as a short-term rental.
 - Given the timeframe that the structure was originally built it more than likely will require an Electrical permit to meet the building code requirements for this change.
 - This change requires that smoke detectors are installed as required by the Virginia Residential Building Code.

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

*****Please Note that Warren County is in the transition of moving to a NEW “.gov” Email Address – both email addresses will work during the transition period, but please update our contact information as soon as possible. Additionally, with the transition already moving forward some of your emails may go to our spam folders and some of ours will go to your spam filters. If you are not receiving information that you have expected from us or not gotten a response to something that you may have sent, please contact our office by phone to notify us so that we can attempt to address quickly.*****

Respectfully,



Warren County Building Inspections Of

David C. Beahm, CBO
Building Official

220 North Commerce Ave
Suite
Front Royal, VA 22

dbeahm@warrencountyva.gov

www.warrencountyva.gov

540/636-9
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

PROPERTY MANAGEMENT PLAN
1945 Panhandle Rd, Bentonville VA 22602
Lyndsey DePalma & Amanda Shipe
540-218-6167

IN CASE OF AN EMERGENCY

If there is an emergency, or there are questions in regards to the property, please contact Lyndsey DePalma or Amanda Shipe at chateausolace@gmail.com. If the emergency is of medical, fire or physical harm, please call 911 first.

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

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

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

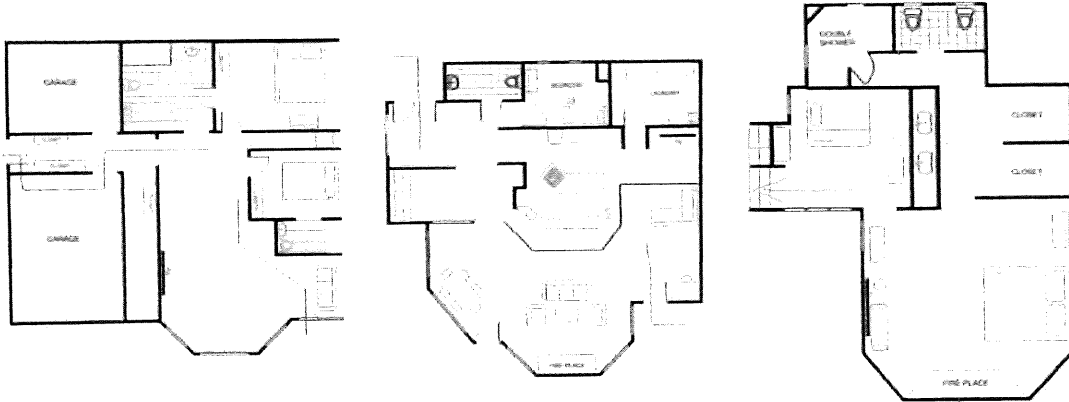
Electrical Outage: Shenandoah Valley Electric Cooperative at 800-234-7832

Emergency Evacuation:

From the basement bedrooms, head the glass door and exit the property by unlocking the door. You can also exit from the garage - middle door. From the main and top floors, proceed to the back door and down the stairs to the driveway. If you happen to exit through one of the front doors in the main floor, you can also take the stairs from the front deck to the ground and exit through the driveway. Follow the drive way down the hill. Head north on State Rte 613 (Panhandle Road) for 3.6 miles. Turn right onto State Rte 608 for half a mile and then right on to State Rte 619 for 5.2 miles. Turn left on US-340 North for 1.1 mile. Turn right onto VA-55 E/South St and continue for 15 miles. Turn left to follow signs to interstate 66.

Within each bedroom there are maps pertaining to the nearest exit and include this

information as well.



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

It shall be a violation of the Warren County Code 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 Five (5) 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 detail 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 detail, 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 at Property immediately upon access. Property Guide Book includes Host Rules, emergency contact info, area detail, local business recommendations, internet access, neighborhood rules and detail, and multiple, local, travel brochures and area guides and maps (an example of House Rules is attached).

WIFI/PHONE/ETC

Property will have free internet for all guests; Property Guide Book will provide log in 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 and is surrounded by National Forest. All railings on 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 too. House amenities would include a fully functional kitchen, beds with fresh linens, 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 a fire extinguisher. Property inspections would be completed after every stay by a trained cleaning team and Ownership; inspections include interior and exterior review of Property for general upkeep and routine MEP maintenance as needed to keep Property in excellent condition.

AREA ATTRACTIONS

Listing and Guide Book shall promote the Property being a short drive to National Parks, caverns, Canoe Companies, Golf Courses, 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.

SPECIFIC PROPERTY REGULATIONS

May be dictated by approved conditions or owner preference:

- No firearms permitted
- No fireworks
- No ATVs
- Pets only by approval
- No loud or amplified music
- Parking in designated areas only
- No unattended fires
- No outdoor trash storage
- No candles
- No smoking indoors
- No unauthorized guests

ATTACHMENTS

- Property Map Dwelling
- Evacuation Plan

CHATEAU SOLACE RULES & REQUESTS

Welcome to Chateau Solace! We hope this is a first of many more amazing stays here!

Please contact your Host right away if there are any issues so I can fix these for you ASAP and you can get back to enjoying your stay! Everything is new/updated at Chateau Solace so rest assured, it should be amazing!

To keep it that way for all our guests, we offer the following tips:

****Top Priority:** Please be careful with any outdoor campfires and NEVER leave a campfire unattended.

*If you break or damage something, please let me know and arrange for its replacement or repair.

*Do not leave any food out that will attract uninvited pests (inside or out)

*We kindly request shoes to be removed within the house.

*Please use the dishwasher.

*Occasionally, we may leave consumables such as condiments or snacks left behind by previous guests. Help yourself to these!

*We respectfully request guests not rearrange the furniture at Chateau Solace. Same goes for pillows and blankets among the rooms.

*Please let us know immediately if something is malfunctioning so it can be fixed or replaced. Note that we will arrange for repair swiftly, however if parts or service availability are limited, we cannot refund portions of stays. We will work diligently to remedy situations, however some may be out of our control and appreciate your understanding should something unforeseeable arise.

*Please lock up and turn off lights at Chateau Solace when away. Handles on glass doors must be firmly pulled up in order to be able to lock.

*There is no public trash pick-up; if you need trash removed during your stay, please contact the Host and we can come by and remove it. Otherwise all trash will be collected at the end of your stay. Excess trash may be subject to fees (\$25 minimum).

*No parties, unregistered guests, or events without receiving pre approval by Host. Discovery of unauthorized parties, additional guests or events could result in extra cleaning fees, and potential immediate termination of stay (\$250 minimum).

*No pets allowed without receiving pre approval by Host. Discovery of a pet could result in an extra cleaning fee (\$150 minimum).

*There shall not be smoking inside the home. An ozone generator cleaning fee to remove odor and stains may be applied (\$250 minimum).

*Chateau Solace will be very clean on your arrival, and we ask that you please help our cleaning staff with a general tidying up on your departure; if a greater cleaning service is required, an extra fee may be charged (\$50 minimum).

Email Example

Thank you for booking with us! We hope you're looking forward to some beautiful scenery and some relaxing vibes. The welcome guide has all the information you'll need but here are the particulars:

Chateau Solace Host Contact info: Amanda Shipe or Lyndsey DePalma. Our number is 540-218-6167 or email is chateausolace@gmail.com. If you have an emergency, call 911 or the Warren County Fire Department. 540-218-6167

The address is 1945 Panhandle Road, Bentonville, VA 22610. The lockbox code is XXX.

We hope you enjoy your stay at Chateau Solace and become a repeat guest for every season! Feel free to tag us in Instagram @chateausolace!

About this space

Great for anyone who loves to cook, write, read, relax.... Completely updated with mid century modern decor influences, the space is stocked with cozy blankets and thoughtful, well-appointed touches. Only 5 minutes to public boat landing on the

Shenandoah River where you can kayak, canoe, SUP or tube float right down to Shenandoah River State Park! Treat yourself to the stargazing from every oversized window, scenic viewing level in this property. There are 65" or 55" TVs on each level.

Step outdoors in the landscaped patio and enjoy bird calls and zero automobile noise. Take in the tree top canopy from the brand new hot tub. Take advantage of the nearby wineries or caverns. Or explore the numerous hiking trails or even bike or hike the property itself. There's flat and sloped topography for yard games or even just relaxing by the fire pit (plan to stay near per house rules on unattended fires).

Well behaved pets are welcomed with a pet fee. The back and side yards are fenced but please do pick up after pet waste and keep the gates closed to prevent unwanted wildlife wandering in.

WIFI is free however in mountains the options are limited and can be slow for streaming (gaming is not an option). DVD and Blu-ray player with videos are available. Oversized smart TVs are yours for the watching. We recommend using your NETFLIX, Hulu or Prime accounts or bringing DVD/blu-ray movies or game consoles. The best mobile service is AT&T or Sprint/T-Mobile. Verizon cellular gets only 1-2 bars of service.

Guest access

All spaces accessible to guests, except a few owner lockups.

Other things to note

There is an additional pet fee (not deposit). The fee per pet is \$50/pet per day for any length of stay up to 7 days. That fee is payable to the owner after booking.

There are great restaurants and wineries/breweries in the area - a welcome guide is available after booking.

The home is on well water and may have a sulfur smell. All water is safe to drink, bathe and enjoy the hot tub as the house is on a full house filtration and softener. The faucet in the kitchen has a reverse osmosis water system for optimal drinking water. Guests may choose to bring bottled water but not necessary.

The hot tub is maintained weekly and ready for you to use; please shower before entering the tub and there is no glass allowed near or in the tub. The hot tub is open all year long.

Smoking is not permitted. You may smoke outdoors with an ashtray only. Please pick up your cigarette or cigar butts.

Trash is picked up AFTER you depart. There are cans provided outside to put your bagged trash; please save those cans for the trash that may have food in it. Trash with cans, bottles and recyclables should be tied up tight and placed NEXT to the cans when you depart.

As a reminder, if the hot tub or key appliance becomes inoperable during your stay, the repair person may not be available to make a service call during your stay. In the event of inconvenience, we cannot offer refunds.

Many guests will visit the river and some may decide to swim. The owners require you bring your own life jackets and safety equipment and remind guests that they swim at their own risk. River access is provided and instructions to access the river are in the home and in your check in/out instructions.

Nothing is to be flushed except provided toilet paper as the house is on septic. It is very delicate. Any misuse and costs for damages/repairs due to flushing wipes, feminine hygiene products, etc are guests' responsibility.

The house is welcoming, and because we are in the woods, there will be insects and critters hoping to get in as well. Consider insect and tick repellent and wear appropriate footwear if you enjoy the outdoors.

Addendum: Noise Requirements

Source: <https://ecode360.com/9744063>

Chapter 123 NOISE [HISTORY: Adopted by the Board of Supervisors of Warren County 5-7-1990; amended in its entirety 9-21-2010.

Subsequent amendments noted where applicable.] GENERAL

REFERENCES Musical or entertainment festivals — See Ch. 63, Art. II. Animals — See Ch. 66. Fireworks — See Ch. 96. § 123-1.

Definitions. For purposes of this chapter, unless otherwise required by the context, the following words and phrases shall have the meanings respectively ascribed to them by this section: A-WEIGHTED SOUND

PRESSURE LEVEL — The sound pressure level as measured on a sound level meter using the A-weighted scale and programmed to slow response. The level so read shall be designated dB(A) or dBA.

dBA — The sound pressure level as measured on a sound meter set to slow response and to the A-weighted scale to approximate the frequency response of the human auditory system. DEVICE — Any

mechanism which is intended to produce or which actually produces noise when operated or handled. LAV (dBA) — The average

A-weighted sound pressure level measured over a reasonable period not less than five minutes. NOISE — Any sound which may cause or

tend to cause an adverse psychological or physiological effect on

human beings. NOISE SOURCE — Any equipment, motor vehicle,

motorcycle or facility, fixed or movable, capable of emitting sound

beyond the property boundary of the property on which the equipment

is used, but not including motor vehicles or motorcycles operated on

public rights-of-way. SOUND — A temporal and spatial oscillation in

pressure, or other physical quantity, in a medium with internal forces

that causes compression and rarefaction of that medium, and which

propagates at finite speed to distant points. SOUND LEVEL METER

— An instrument to measure sound pressure levels which shall meet

or exceed performance standards for a Type 2 meter as specified by

the American National Standards Institute. **SOUND PRESSURE —**

The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space. § 123-2.

Prohibited noise generally. 123:1 § 123-3. Specific acts as noise disturbances. The following acts, among others, are declared to be noise disturbances in violation of this chapter, but said enumeration shall not be deemed to be exclusive, namely: A. It shall be a violation of this chapter 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. B. No person shall be charged with a violation of this section unless that person has received verbal, electronic or written notice from any law enforcement officer of Warren County that he is violating or has violated the

provisions of this chapter and had an opportunity to abate the noise disturbance. A. Blowing horns: to sound any horn or signal device in any other manner or circumstances or for any other purpose than required by the laws of the state. B. Racing engine: to race the engine of any motor or all-terrain or motorcycle vehicle while such vehicle is not in motion, except when necessary to do so in the course of repairing, adjusting or testing the same, between the hours of 10:00 p.m. and 7:00 a.m. C. Use of vehicle: operating any motor vehicle,

including any all-terrain vehicle or motorcycle or engine, stationary or moving instrument, whether on public or private property, not meeting the standards of Title 46.2 of the Code of Virginia pertaining to mufflers and exhaust systems. D. It shall be unlawful for any person to use any device for the production or reproduction of sound which is cast upon public streets or lands for the purpose of commercial advertising. E. Radios, phonographs, etc. The using or operating of, or permitting to be placed, used or operated, whether in a building, structure, motor vehicle or otherwise, any radio receiving set, musical

instrument, phonograph or other machine or device for the producing or reproducing of sound in such a manner as to be plainly audible at a distance of the greater of either the property line of the property on which such set, etc., is being operated or used or 50 feet from said set, instrument, phonograph, machine or device, if not located in a building, structure or vehicle or 50 feet from the building, structure or vehicle in which it is located or through partitions common to two persons within a building shall be a violation of this chapter. F. Exhaust noises: the discharge into the open air of the exhaust of any steam engine, stationary or moving, or internal combustion engine, motorboat or motor vehicle, except through a muffler or other device which will effectively prevent unreasonably loud or explosive noises therefrom. For purposes of this section, "muffler" is defined as an apparatus consisting of a series of chambers or baffle plates designed for the purpose of transmitting gases while effectively reducing sound emanating from such apparatus to a reasonable level. G. Construction or repairing of buildings: the erection, including excavating, § 123-2 WARREN COUNTY CODE § 123-3 123:2 § 123-4. Maximum permissible sound pressure levels from noise sources. It shall be unlawful for any person to operate, or permit to be operated, any noise source in such a manner that the noise source emits a sound pressure level which exceeds the limits set forth below when measured on property other than that on which the noise source is located. The category of applicable sound pressure limits shall be determined by the zoning district classification of the property on which the noise is measured, not the property on which the noise is produced. Land Use Designation Where Noise is Measured Maximum LAV (dBA) 7:00 a.m. – 10:00 p.m. Maximum LAV (dBA) 10:00 p.m. – 7:00 a.m. Agricultural and Residential 62 57 Commercial 67 62 Industrial 77 77 § 123-5. Exemptions. demolition, alteration or repair, of any building or structure between the hours of 10:00 p.m. and 6:00 a.m., except in case of urgent necessity in the interest of public health and safety, and

then only with a permit from the Building Official, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues. [Amended 4-17-2012] H. Pets: allowing an animal to create howling, barking, whining, meowing, squawking or other such noises which are plainly audible across a property boundary or through partitions common to two residences within a building and that take place continuously or repeatedly during a period of at least 15 minutes in duration between 7:00 a.m. and 10:00 p.m. or during a period of at least 10 minutes in duration between 10:00 p.m. and 7:00 a.m.; provided, however, that animal noises on property subject to a conditional use permit for a kennel shall be governed exclusively by § 180-49 of the Warren County Code. [Amended 12-20-2011] A. Bona fide agricultural activities, practices, tilling, orcharding, raising of livestock or poultry and farming, including but not limited to bona fide agricultural exhibitions and fairs open to the general public whether for an admission fee or otherwise, and the operation of equipment, machinery, tools, devices or apparatus in connection with such activities, practices, etc., are hereby expressly exempted from the provisions of this chapter. B. The provisions of this chapter shall not apply to activities or uses permitted under the provisions of issued conditional use permits in force and effect where the noises and sounds generated by such activities or uses are addressed and controlled by the provisions of said conditional use permits. Before any conditional use permit shall be issued concerning a use or activity creating or causing such a noise or noises as would cause such use or activity to be in violation of this chapter were it not for the provisions of said permit, the Board of Supervisors shall make a determination that the potential danger or disturbance to the community is outweighed by the benefit to the public interest by permitting such use or activity. § 123-3 NOISE § 123-5 123:3 § 123-6. Administration and

enforcement. C. The provisions of this chapter shall not apply to activities or uses conducted within the corporate limits of the Town of Front Royal. D. The provisions of this chapter shall not apply to the emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work. E. The provisions of this chapter shall not apply to noise caused by or arising out of activities related to repair, maintenance, replacement or alteration of public utility systems, public drainage systems, or street or highways, and appurtenances thereto, where such activity is reasonably necessary to further a public safety interest and/ or to minimize disruption in the provision of public services. F. The provisions of this chapter shall not apply to noise, between the hours of 6:00 a.m. and 10:00 p.m., emitted from activities related to the construction, repair, maintenance, remodeling or demolition, grading or other improvement of real property, which noise is customarily emitted from such activities. [Added 4-17-2012] G. The provisions of this chapter shall not apply to the following matters during the daytime (7:00 a.m. to 10:00 p.m.): [Amended 4-17-2012] (1) Noise emitted from gardening, lawn care, tree maintenance or removal and other landscaping, which noise is customarily emitted from such activities. (2) Noise emitted by an activity at a school, church or park, which activity has been conducted with permission of the persons lawfully in charge of such school, church or park, which noise is customarily emitted from such activity. A. The Sheriff of Warren County or his deputies or other duly empowered law enforcement officers, including the Animal Warden where the alleged violation of this chapter is due to noise generated by an animal, shall administer and enforce this chapter with all the rights and authority provided for in this chapter. Any said officers shall have the authority to make any necessary inspection, with the consent of the owner, occupant, operator or agent, to enforce any provisions of this chapter, whenever any such officer has reasonable cause to believe that there

is a violation of this section. If any owner, occupant, operator or agent fails to allow or refuses free access and entry to the premises where a noise source is located, or any part thereof, with respect to which an inspection authorized by this chapter is sought to be made, any such officer or the County Administrator or his duly authorized agent may, upon a showing of probable cause to believe a violation of this chapter is being or has been committed, secure a search warrant or petition and obtain from a court of competent jurisdiction an order authorizing such inspection.

B. Responsible person. The person operating or controlling a noise source shall be guilty of any violation caused by that source. If that cannot be determined, any owner, tenant, resident or manager physically present on the property where the violation is occurring is rebuttably presumed to be operating or controlling the noise.

1. Editor's Note: This ordinance also redesignated former Subsection F as Subsection G.

§ 123-5 WARREN COUNTY CODE § 123-6

123:4 § 123-7. Violations and penalties.

source. C. Abatement of violation: If the violation is uncorrected at the time of a finding of liability on a civil summons or conviction on a criminal summons, the court shall order the violator to abate or remedy the violation in compliance with this chapter. Failure to remove or abate a violation within the specified time period shall constitute a separate Class 3 misdemeanor, and such failure during any succeeding ten-day period shall constitute a separate Class 3 misdemeanor offense for each ten-day period.

D. Injunctive relief. In addition to and not in lieu of the penalties prescribed in this section, the County may apply to the Circuit Court for an injunction against the continuing violation of any of the provisions of this chapter and may seek any other remedy or relief authorized by law.

A. Civil penalties. The provisions of this chapter may be enforced by the law enforcement officers designated in § 123-6 through the issuance of civil summonses assessing civil penalties which shall not exceed \$250 for each first offense and \$500 for each subsequent offense, each day of violation constituting a

separate offense; provided, however, that civil penalties shall not be assessed in connection with business being performed on industrial property or the operation of railroads. B. Criminal penalties. The provisions of this chapter may be enforced by the law enforcement officers designated in § 123-6 through the issuance of criminal summonses; provided that no officer shall seek both a civil and a criminal summons for any violation of this chapter. Any person found guilty of violating any provision of this chapter shall be convicted of a Class 3 misdemeanor with a fine up to \$500.



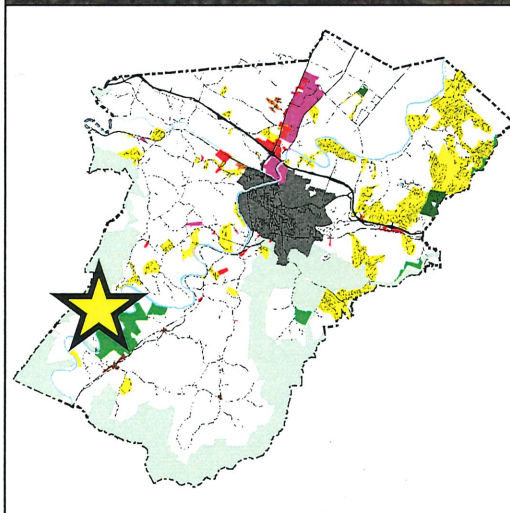
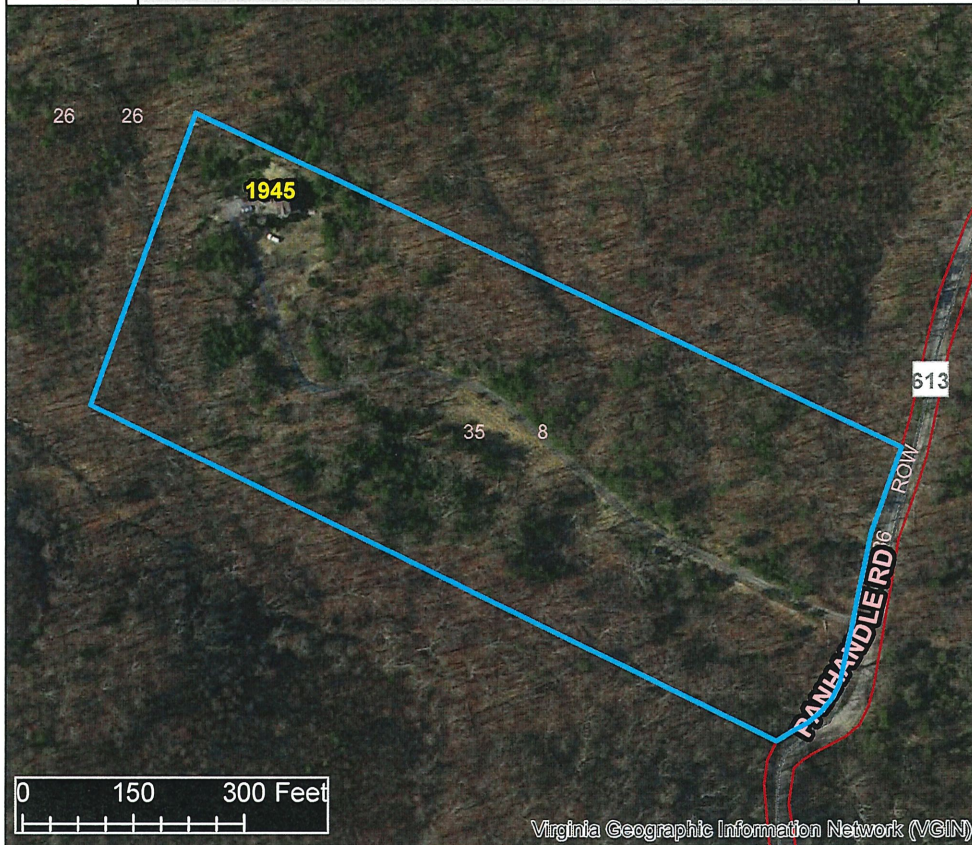
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Lyndsey DePalma & Amanda Shipe

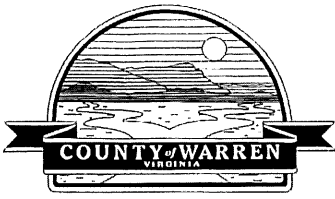
TM 35-----8
1945 Panhandle Rd



Zoning

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

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:
08/23/2022	H	Conditional Use Permit #2022-06-07 John Clarke <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, July 13, 2022, Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 3-0.

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 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.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

PROPOSED OR SUGGESTED MOTION:

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

OR

I move that the Board of Supervisors deny the conditional use permit request of John Clarke for a Short-Term Tourist Rental.

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



Conditional Use Permit: 2022-06-07 / Short-Term Tourist Rental

John Clarke, Applicant/Current Owner

Prepared: May 31, 2022 Revised: July 25, 2022

Staff Contact: Chase Lenz, Zoning Administrator

g

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a short-term tourist rental for the property he purchased in August of 2021. The applicant would like to share the beauty of the Shenandoah Valley and offset costs related to the property by making the property available for short-term visitations for guests when he and his family are not enjoying the property themselves. The owner will manage the property personally with assistance from a nearby experienced professional property manager.

PROPERTY INFORMATION

Property Location: 938 Fetchett Road
Tax Map ID: 44-----35B
Magisterial District: South River
Subdivision: N/A

City: Bentonville
Zoning: Agricultural (A)
Acres: 2.03 Acres
Existing Land Use: Single Family Dwelling

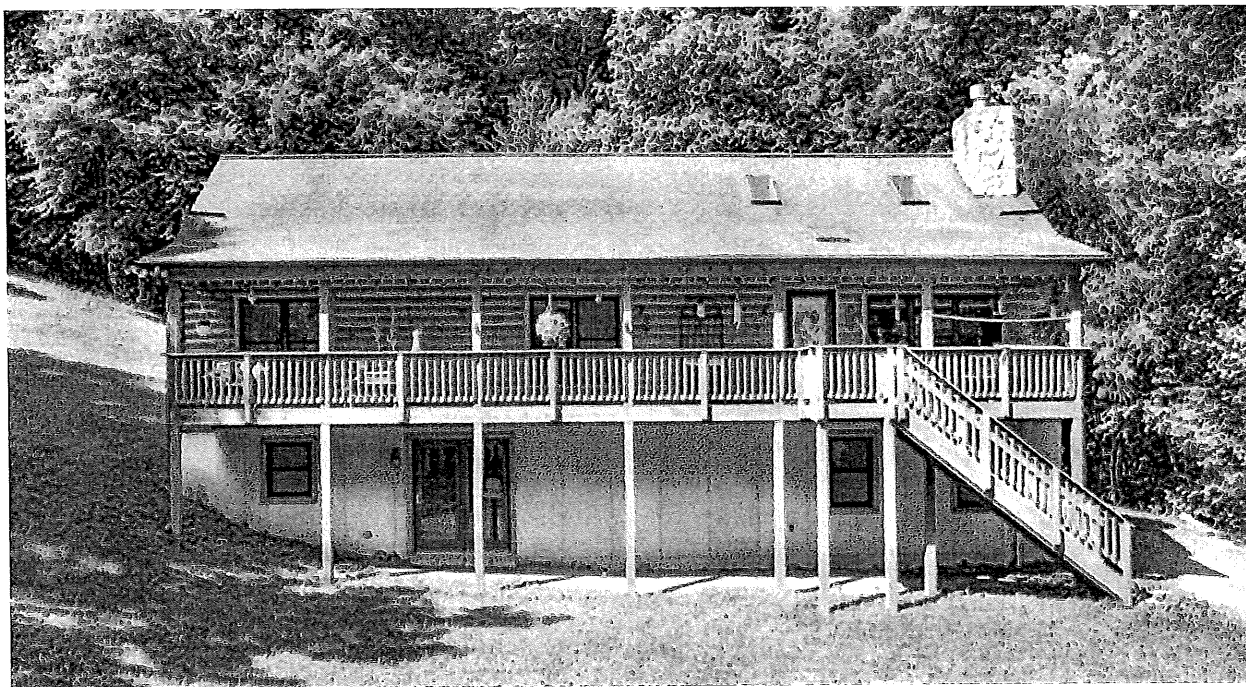
SURROUNDING ZONING DISTRICTS & USES

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

Use: Vacant Lot - Woodlands
Use: Single Family Dwelling
Use: Single Family Dwelling
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 dwelling was constructed in 2006 and 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 and 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 a maximum of six (6) occupants for the dwelling. 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 two vehicles in the driveway.**
- D. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times. **Existing woodlands partially screen the dwelling on all sides.**
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. **The applicant shall obtain building permits to ensure the dwelling meets the current code requirements for fire protection systems.**
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24-hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. **The PMP will be provided and reviewed by Planning staff prior to issuance of the Certificate of Zoning.**
- 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 subject property is not located in a subdivision governed by an HOA/POA.**
- J. The short-term tourist rental shall have a "land-line" with local phone service. The phone number servicing the short-term tourist rental shall be included in the property management plan.
- K. The owners of the tourist rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. **The property shall have the evacuation plan posted in each bedroom and in the guest registration packet.**
- L. A copy of Chapter 123 of the Warren County Code relative to noise must be provided at the short-term tourist dwelling. **The applicant shall have a copy of the ordinance in their guest registration packet and posted in a common area of the dwelling.**
- M. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation as described in §180-63 of the Warren County Zoning Ordinance.

- N. All outdoor burning shall be in compliance with Chapter 92 of the Warren County Code.
- O. There shall be a minimum of 100' from the short-term tourist rental to all neighboring residences. **The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 400' to the southeast.**

RECOMMENDED CONDITIONS

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

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 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.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Cc: John Clarke – Owner/Applicant

Statement of Justification

John Clarke
938 Fetchett Rd.
Bentonville, VA 22610

May 14, 2022

To whom it may concern:

I am applying for a Conditional Use Permit to use my family's Bentonville home as a short-term rental. The home is a log cabin built in 2006, sitting on 2 acres with plenty of space between our home and the nearest neighbors.

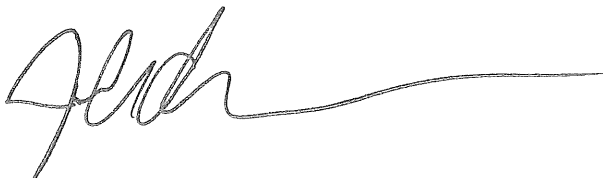
As a Roanoke native, my vision is for my family to enjoy the beauty of the Shenandoah Valley and to allow others the same enjoyment, along with covering the cost of the property and associated taxes. These guests will also bring revenue into the community.

Our guests are entirely our responsibility. We have an experienced, professional property manager who lives nearby and is available to immediately address any issues with our short-term guests.

We authorize Warren County officials to inspect the short-term rental for compliance with the performance standards contained in Chapter 180- 56. 4 upon a 24- hour notice.

Thank you kindly for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Clarke', followed by a long, horizontal, slightly wavy line that extends to the right.

John Clarke

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-06-07Date Received: 5/17/2022Fee Amount: \$ 500.00Date Paid: 5/17/2022 Ch#208**Applicant Information:**

John Clarke

Applicant Name

2022 23rd Ave.

San Francisco

CA 94116

*Address**City**State**Zip*

938 Fetchett Rd. Bentonville, VA 22610

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

(540)798-3956

follyenterprisesllc@gmail.com

*Primary Contact Number**Email**Property Owner (if same as applicant, leave blank)**Address**City**State**Zip**Primary Contact Number*

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

A. Property Information:(1) Address/Location: 938 Fetchett Rd. Bentonville, VA 22610(2) Election District: South River Magisterial District(3) Tax Map Number: TAX MAP 35 PARCEL 44B(4) Subdivision Name: None(5) Total Area of Property (acres): 2.0291 acres(6) Total Area to be Used (acres): 2.0291 acres(7) Total Road Frontage (feet): 426.64 ft(8) Depth of Property (feet): 209.93 ft(9) Present Zoning: Agricultural

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, good condition
- (3) Zoning of surrounding land/property: Agricultural
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: No construction planned
- (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: 0
- (10) What type of sewage disposal system will be used? ☒ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: 6
- (12) Number of parking spaces to be provided: Regular 2 Handicap 0
- (13) What is the proposed landscaping and buffering for this property? N/A

C. Plans Prepared By

Name: Joseph B. Brogan, Jr.

Address: PO Box 1578 Front Royal VA 22630

Telephone Number: (540)635-5657

D. Environmental Information

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

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

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

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

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

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

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

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

☒ **An application fee of \$500.00.**

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

☒ **A Statement of Justification**

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

☒ **A Site Plan/Survey.**

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

☒ **Sewage Disposal and Well Site.**

Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.

☒ **A copy of the deed to the property verifying the current ownership.**

A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.

☒ **A statement verifying that real estate taxes have been paid.**

This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.

N/A ☐ **Environmental and Community Impact Statements**

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

N/A ☐ **List of chemicals stored on the site**

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

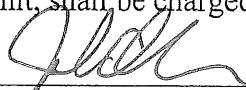
☒ **Location Map**

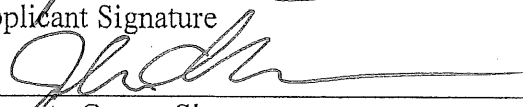
A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.

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

Take E 2nd St to US-340 S/N Royal Ave. Turn left onto US-340 S/N Royal Ave.
Continue on State Rte 649. Drive to State Rte 632 in Bentonville. Arrive at 938 Fetchett Rd.

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


Applicant Signature 5/14/22
Date

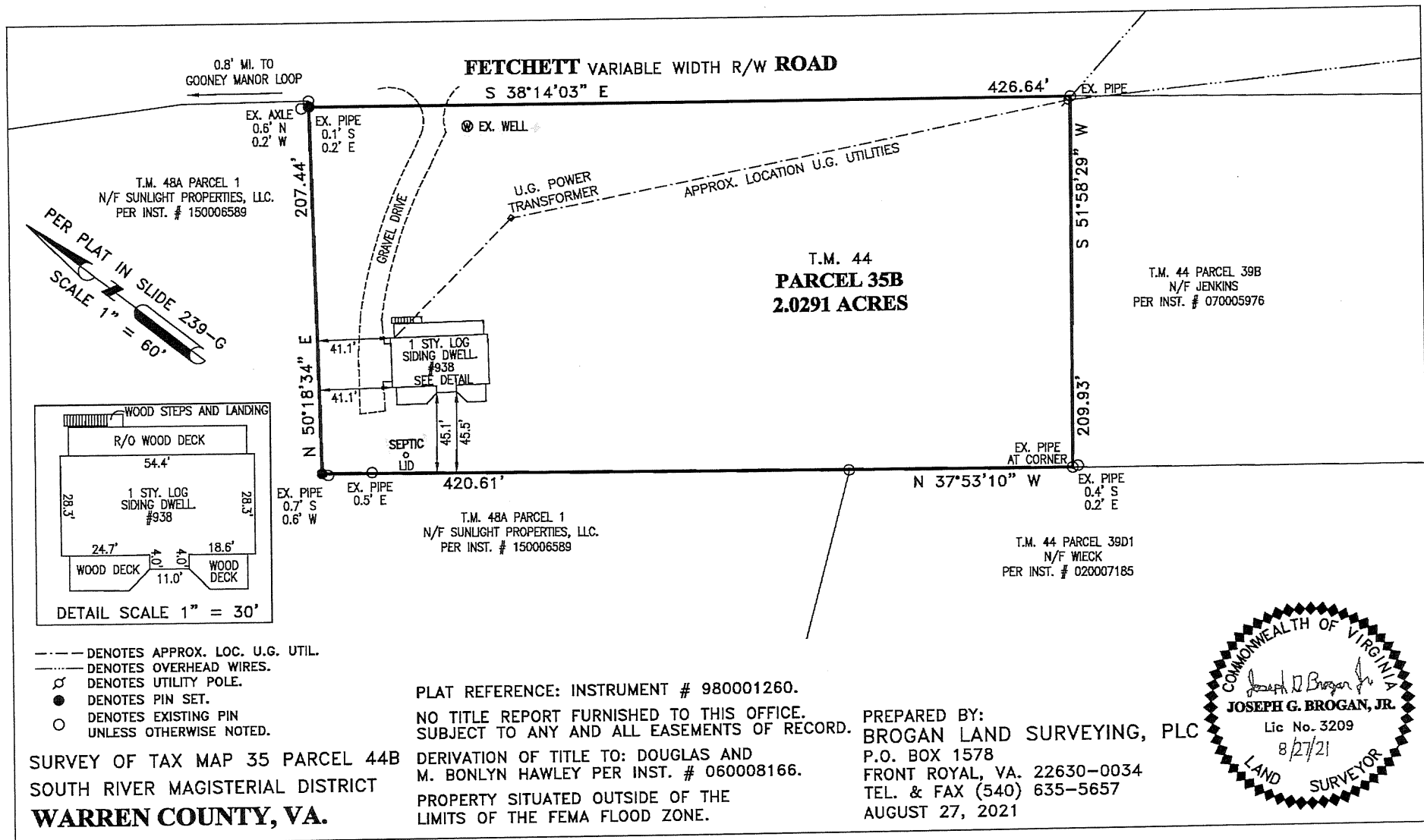

Property Owner Signature 5/14/22
Date

Accepted by: Chase Leng Date: 5/17/2022

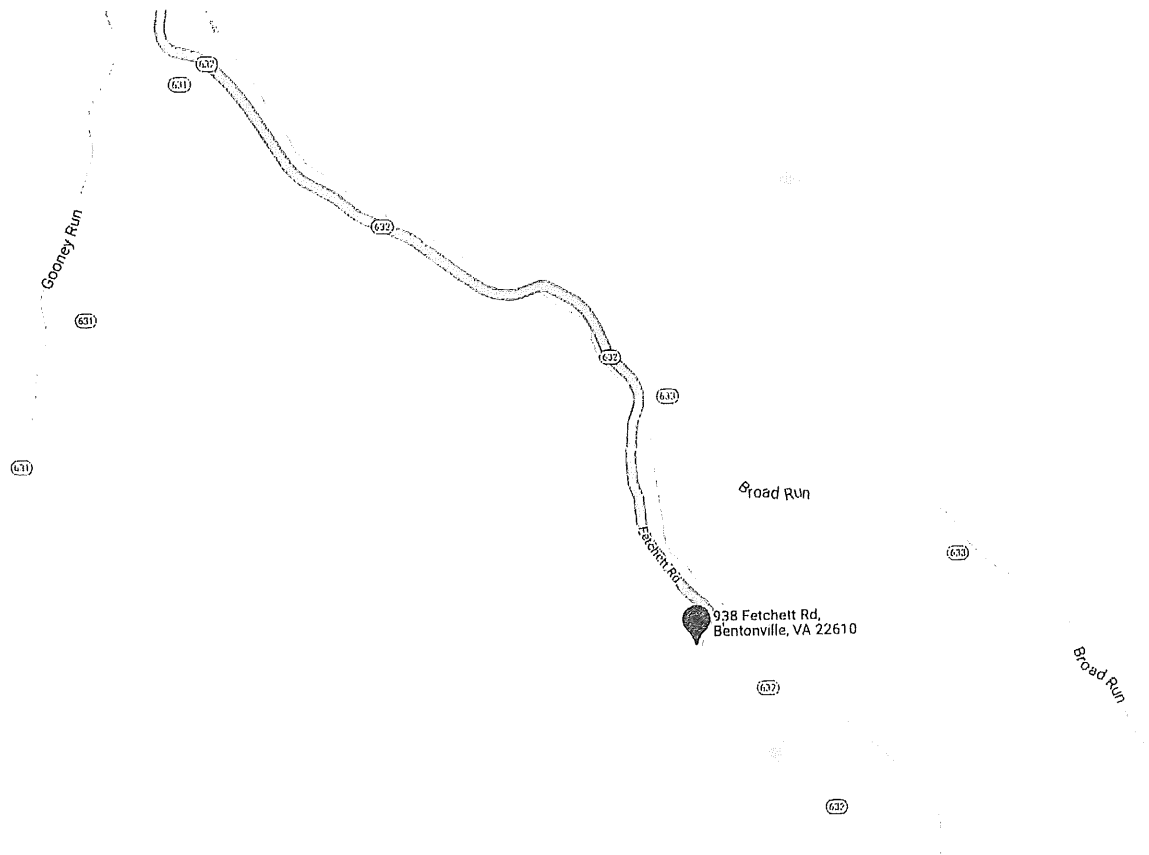
PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

Sewage & Well sites



Location Map



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



June 08, 2022

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

RECEIVED
JUN 10 2022

BY:

RE: Request for Comments (2022-06-07)
Owner: John Clarke

Dear Mr. Lenz,

I have reviewed your request for comments for a Short Term Rental at 610 938 Fetchett Rd. Bentonville, VA (Tax Map# 44-35B) and I offer the following comments:

1. There is a Construction Permit, ROI and Operation Permit on file for the referenced property dated 5/18/2005, 7/18/2006 and 7/20/2006 respectively.
2. The dwelling is connected to an approved Conventional Onsite Sewage System (COSS). The COSS is designed for Three (3) Bedrooms, Six (6) Occupants and 450 gallons per day.
3. The dwelling is connected to a Class IIIB private well. A water sample should be collected and tested annually for the presence/absence of Coliform bacteria.
4. All refuse shall be placed in containers with tight-fitting lids.
5. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.

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

Sincerely,

Jim Davis
Environmental Health Supervisor

Chase Lenz

From: David Beahm
Sent: Thursday, June 9, 2022 2:52 PM
To: Chase Lenz
Cc: Veronica Diamond; Paula Fristoe
Subject: Request for Comments 2022-06-07 – John Clarke – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000191-2022

Comments 2022-06-07 – John Clarke – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000191-2022:

- 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.

*****Please Note that Warren County is in the transition of moving to a NEW “.gov” Email Address – both email addresses will work during the transition period, but please update our contact information as soon as possible. Additionally, with the transition already moving forward some of your emails may go to our spam folders and some of ours will go to your spam filters. If you are not receiving information that you have expected from us or not gotten a response to something that you may have sent, please contact our office by phone to notify us so that we can attempt to address quickly.*****

Respectfully,



Warren County Building Inspections Of

David C. Beahm, CBO
Building Official

220 North Commerce Ave
Suite
Front Royal, VA 22
540/636-9
FAX 540/636-4

dbeahm@warrencountyva.gov

www.warrencountyva.gov

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.

PROPERTY MANAGEMENT PLAN

John Clarke and Catalina Fries
938 Fetchett Rd.
Bentonville, VA 22610
follyenterprisesllc@gmail.com

IN CASE OF AN EMERGENCY

If there is an emergency, or there are issues or questions in regards to the property, please contact our local property manager:

Jimmy Cunningham
(540)216-8919

There is no cell phone service at the property. Please take note of, and share with any important people in regards to your stay, the landline phone number for the property:

540-631-0060

If the emergency requires immediate assistance, please call 911 or one of the following numbers:

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

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

Neighboring Fire Department: South Warren Fire Company #3, 540-635-7453, 3330 Stonewall Jackson Highway Bentonville, VA 22610

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

Electrical Outage: 800-552-3904, Rappahannock Electric Cooperative 137 Kelley Court, Front Royal, VA, 22630

Emergency Evacuation:

Head northwest on State Rte 632 toward State Rte 633 for .9 miles

Continue onto State Rte 631 for .5 miles

Continue onto State Rte 649 for 7.4 miles

Turn right onto US-340 N, and continue until you reach Front Royal

OCCUPANCY

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

NOISE

It shall be a violation of the Warren County Code 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 3 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. Indoor trash and recycling bins can be found in the cabinets under the kitchen island, and an outdoor trash can is located near the garage door. All bathrooms also have small trash cans.

CHECK-IN & CHECK-OUT INSTRUCTIONS

Check-in: 4pm (unless otherwise coordinated with owner)

- Host will send you a digital code to unlock the front door
- Back up lock box is available for when the digital lock is not responding
- If anything is missing or out of order please contact the host or cleaner immediately so we may fix the issue

Check-out: 11am (unless otherwise coordinated with owner)

- Strip all bed sheets and linens and leave them on the floor in each room
- Place all used dishes in the dishwasher
- Check all windows are closed and all side doors are locked
- Check all bedrooms and other living spaces for personal belongings
- Turn off all the lights and AC
- All full trash bags should be placed in the trash bins outside

Amenities

- Three fully furnished bedrooms and two full baths
- Fully stocked kitchen
- Washer and dryer
- HVAC

- Living room space with fireplace
- High definition TV with streaming services
- Plenty of outdoor lounging space on the 3 decks

Disclosures

- For your safety and ours, we have 2 outdoor security cameras on the property that only record short videos when movement is detected.
- The area surrounding the property has little to no cell phone service, but we have provided a dedicated landline phone for your convenience.
- The property's WiFi is relatively low bandwidth and has frequent outages. Instructions are provided near the living room TV on how to reset the router if an outage occurs, and please utilize the landline phone should an emergency occur during a WiFi outage.

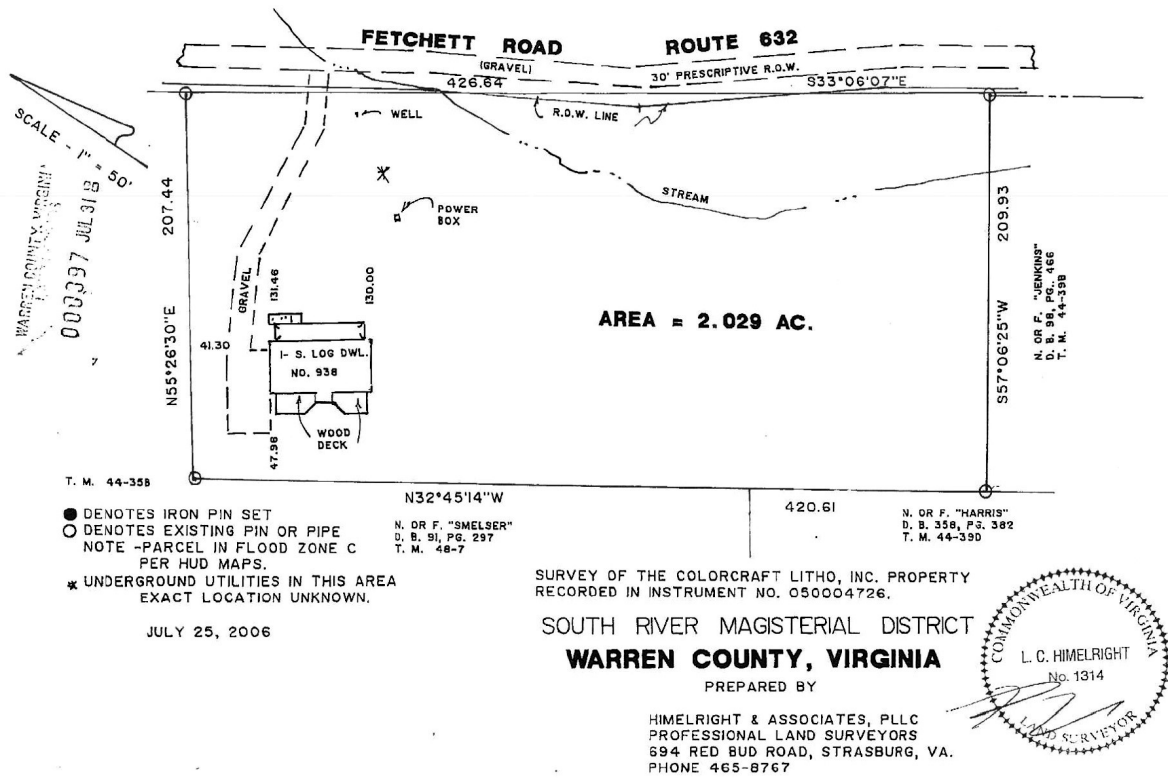
SPECIFIC PROPERTY REGULATIONS

- No parties
- No pets allowed
- No shooting of firearms
- No outdoor fire burning
- No glassware outside
- No fireworks
- No ATVs

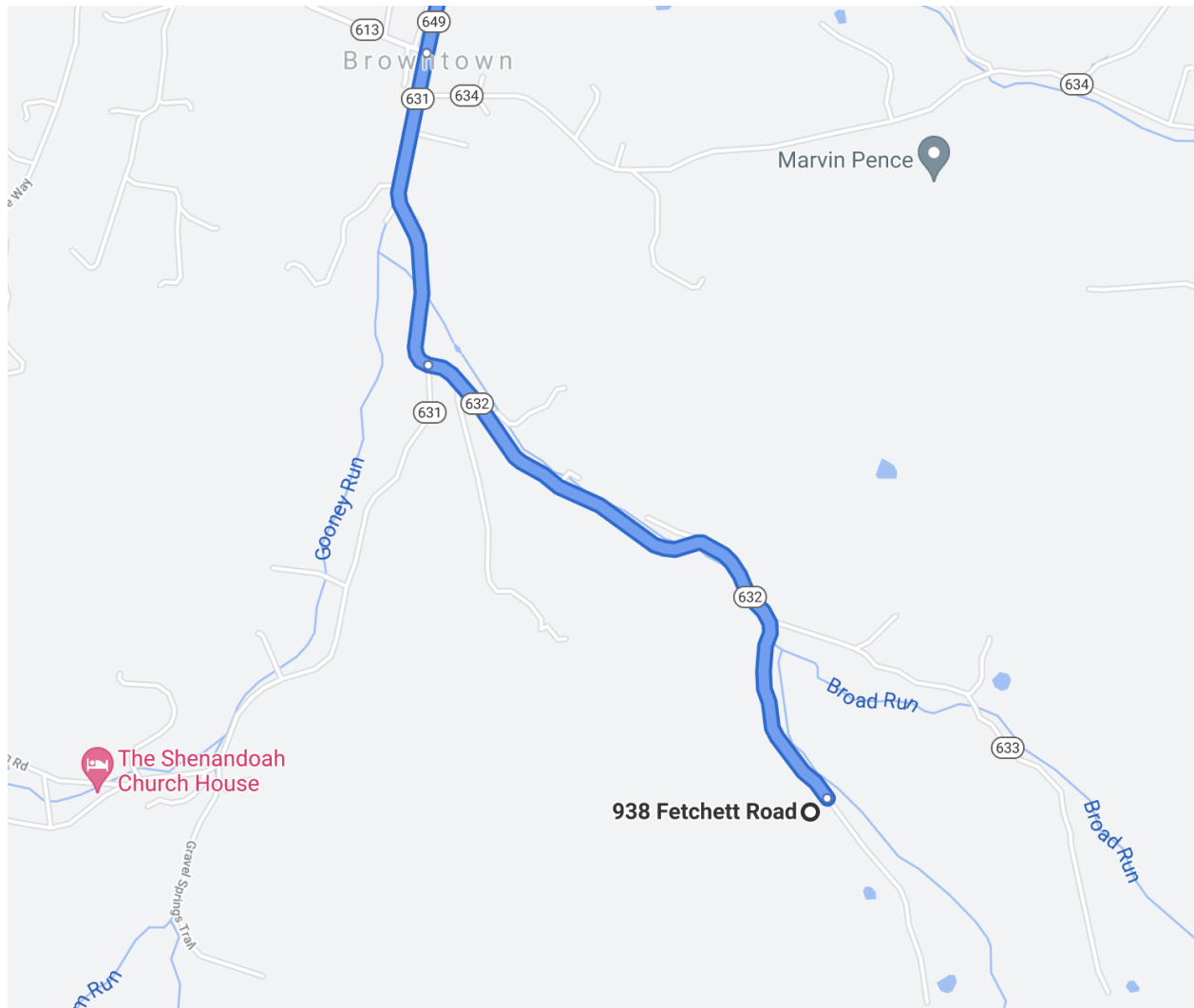
ATTACHMENTS

- Property map (Site plan/survey) including location of well

Site plan/survey:



Location map:





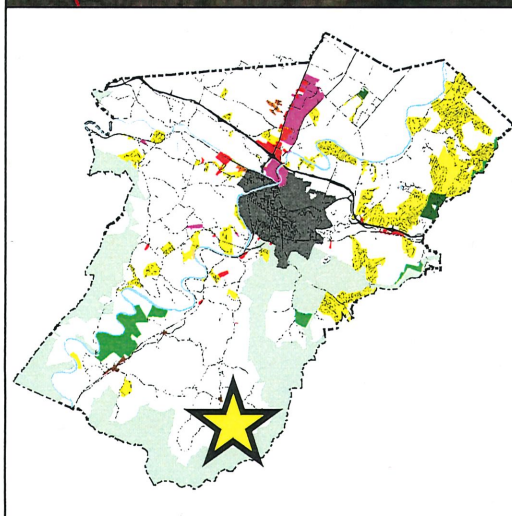
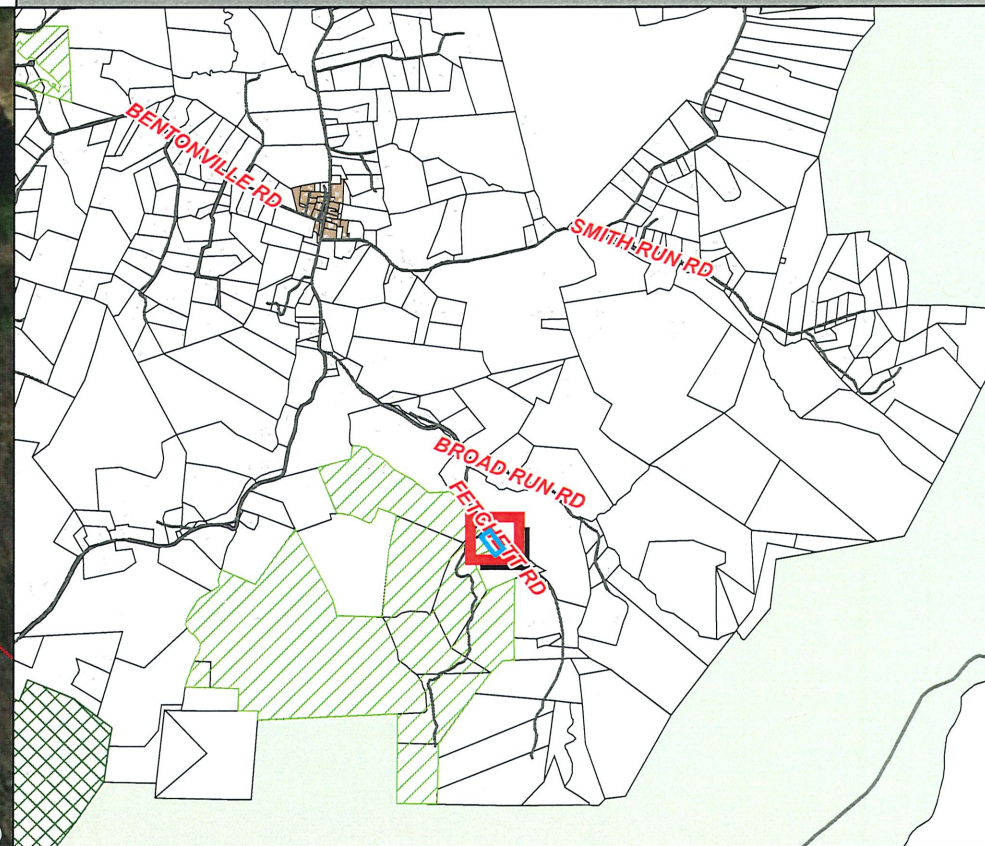
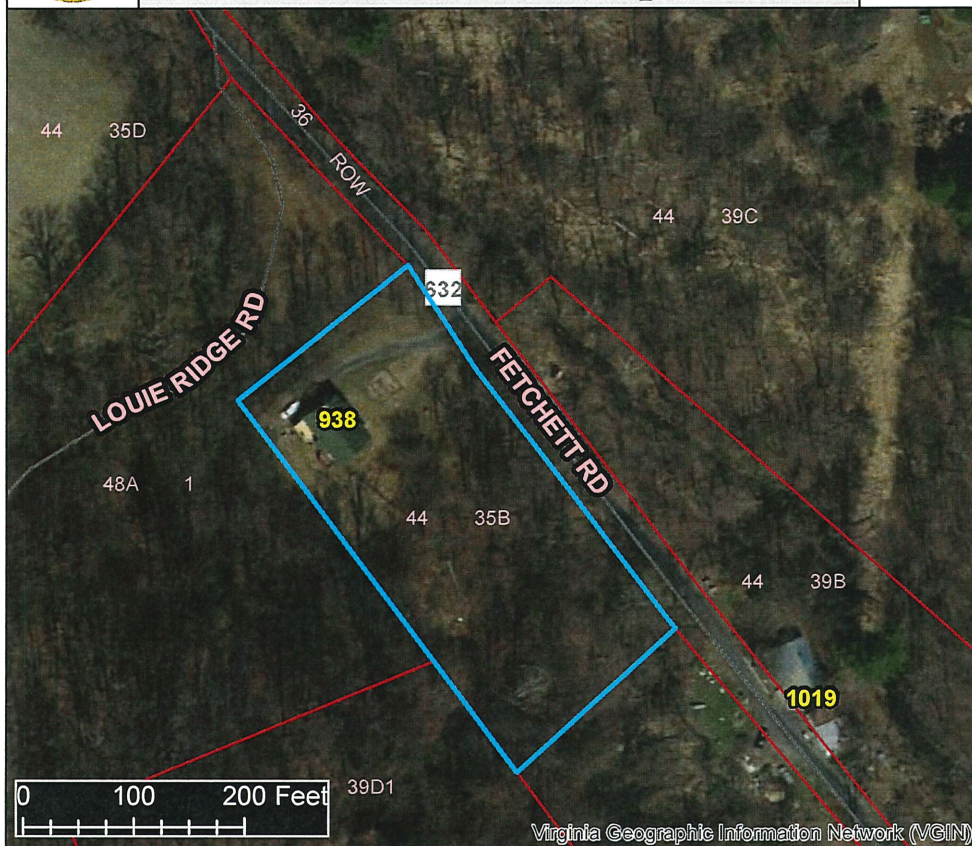
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: John Clarke

TM 44-----35B
938 Fetchett Rd



Zoning

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

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA BOARD OF SUPERVISORS AGENDA ITEM

DATE: 8/23/2022	ITEM: I	SUBJECT: Conditional Use Permit #2022-06-08 Royal Oak Estates, LLC (Larry Himelright) <i>Cluster Housing Development</i>	PAGE 1 of 2
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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, July 13th, 2022, Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval with the attached conditions. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 3-0. Mrs. Richardson was absent.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the conditional use permit request of Royal Oak Estates LLC for a Cluster Housing Development 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 Royal Oak Estates, LLC for a Cluster Housing Development (List reasons).

SUBMITTED BY:

Matt Wendling, CFM 
Planning Director
County Floodplain Manager

DISPOSITION OF COMMISSION:☐**APPROVED**☐**OTHER (Describe)****PROCESSED BY:**



Conditional Use Permit 2022-06-08: Cluster Housing Development

Larry Himelright, Applicant & Royal Oak Estates, LLC, Current Owner

Prepared: June 2nd, 2022 Revised: June 10th, 2022

Staff Contact: Matt Wendling, Planning Director

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a Cluster Housing Development, which would consist of 40 lots under ten acres in size (average one acre) and 7 lots greater than ten acres in size and an open space lot of 64.616 acres. Lots within the development will be served by a newly dedicated street that meets the standards for acceptance in the state highway system. A minimum of 60% development shall either be preserved in open space, or subject to a perpetual easement preserving it in agricultural and/or forestal uses. Such perpetual easement shall be deeded to Warren County and shall prevent future development of the property for other than nonstructural agricultural and forestal uses. These numbers are 60% = 110.16 acres in open space and 40% = 73.44 acres in development.

PROPERTY INFORMATION

Property Location: 0 Reliance Road
Tax Map ID: 11-----8E, 12, 13 & 14
Magisterial District: North River
Subdivision: N/A

City: Middletown
Zoning: Agricultural
Acres: 183.6 total acres
Existing Land Use: Vacant Woodland

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)
South: Agricultural (A) and Right-of-Way
East: Agricultural (A)
West: Agricultural (A)

Use: Single-Family Dwellings
Use: Interstate 66
Use: Golf Course, Woodland & Pastures
Use: Vacant Woodland & Pasture

PROPERTY HISTORY

This property has not had any previous conditional use permits issued for uses in the Agricultural zoning district. However, there was a similar application submitted in 2007 and 2021 and each were withdrawn prior to the Planning Commission public hearings.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Warren County Comprehensive Plan, Chapter 4, Section 1 (Growth Management and Land Use Issues) states the following as goals and objectives for growth management of the County. (4-6)

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

Objectives:

- A. Direct County development to areas contiguous with Front Royal or villages that are served or will be served with adequate public facilities such as roads, sewer, and water.

The development is not contiguous with Rural Village of Reliance or Town of Front Royal. The proposal is for private well and sewage disposal systems.

- B. Limit future suburban sprawl in rural or agricultural areas where adequate public facilities do not exist or where their provision would not be cost-efficient.

ATTACHMENTS

☐ Agency Comments
☐ Location Map

☐ Application
☐ Public Comments

☐ Health Permit
☐ Submitted Plans

☐ Letter from Applicant
☐ Other: _____

Public facilities do not currently exist in this agricultural area.

- C. Develop incentives to preserve farmland, battlefield land, forested areas, open space, and rural character. Explore the use of conservation easements, purchase and transfer of development rights, and other similar programs for the funding of open space preservation.
Warren County Code § 180-40.5E(1) requires a minimum of 60% of the land shall either be preserved in open space, or subject to a perpetual easement preserving it in agricultural and/or forestal uses.
- D. Discourage growth in environmentally sensitive areas that have natural development constraints, such as wetlands, steep slopes, floodplains and karst terrain features such as sinkholes and caves.
The proposed development has been designed to preserve steep slope areas and to be buffered from Molly Campbell Run. The applicant is required to provide an environmental impact statement.
- E. Discourage strip development along County roads and highways for traffic safety, access management, and aesthetic reasons.
- F. Locate industrial and commercial development in defined areas
- G. Require that developers pay a fair share of the associated costs for additional public facilities and services generated by the development. In addition, maintain the County's proffer system which shall ensure that adequate public facilities are in place or proposed before development is approved.
The Fiscal Impact Model shall reflect the net capital cost per household to the County caused by this development; said cost shall be a recommended condition that is required to be paid per dwelling. Staff is working with the applicant on additional details to run the model.
- H. Develop a preservation plan that identifies and protects Civil War Battlefield sites, historically significant areas, sites, and properties.
The Warren County Historic Survey does not identify any historic resources on the site or on adjacent properties.
- I. Coordinate the County's and the Town of Front Royal's growth management plans.
- J. Maintain the County's rural character.
- K. All future private access easements serving three or more residential dwelling units should be designed with a slope no greater than 15%.
- L. Develop land use policies and implement land use decisions in such a manner as to limit average residential growth to no more than 3% per year, measured in new residential building permits. Encourage developments to be phased in so as to not exceed the County's vision of maintaining a 2% to 3% annual growth rate.

The Warren County Comprehensive Plan, Chapter 4, Section 4 (Rural Character and Agricultural Preservation) states the following as goals and objectives for growth management of the County. (4-19)

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

Objectives:

- A. Maintain land use classifications in the taxing of agricultural and forestal properties.
- B. Encourage cluster development in rural areas to preserve open space, to increase road safety, and to preserve rural character. The remaining land shall be kept undeveloped. Increases in housing density within the cluster or other incentives should be considered in return for preserving open space.
Warren County Code § 180-40.5E(1) requires a minimum of 60% of the land shall either be preserved in open space, or subject to a perpetual easement preserving it in agricultural and/or forestal uses.
- C. Develop buffer zones to reduce potential conflicts between cluster developments and non-compatible uses such as farming and large commercial or industrial development.
The proposed development does not provide buffering between the development and farmlands to the northwest or northeast.
- D. Access to cluster developments shall be limited to those necessary for safe ingress and egress of residents and emergency vehicles.
The proposed development only has one access point onto Reliance Road (State Route 627).
- E. Utilize natural topographic features and/or planting screens to shield development from public roads and adjoining properties, thereby preserving scenic vistas and rural character.

- F. Avoid significant modification of the existing terrain and prohibit development of environmentally sensitive areas, such as floodplains and steep slopes.
The proposed development has been designed to preserve steep slope areas and to be buffered from Molly Campbell Run. As part of the recommended conditions, the Developer shall provide storm water management per the regulations of the Commonwealth of Virginia and Warren County.
- G. Designate some of the most scenic roads in the County as Scenic Highways and Byways, thereby preserving scenic rural views and vistas. The State has designated Route 55 East as a Scenic Highway. Other possible candidates include: Route 340 South, Route 522 South, Browntown Road, Morgan's Ford Road/Milldale Road, Rivermont Road, and Reliance Road.
Reliance Road (State Route 627) is not designated as a scenic byway.
- H. Provide strict controls to limit access along major highways, such as Routes 55, 340, and 522, to preserve roadway capacity, decrease congestion, and improve safety.
The location is located on Reliance Road and approximately 2.8 miles from RT340/522.
- I. Maintain the Highway Corridor Overlay District to address architectural and aesthetic controls as well as creating interparcel connections, limited access, and buffering requirements along the County's major entrances.
-

POTENTIAL IMPACTS

Transportation:

The site is situated on Reliance Road (State Route 627) which is a two-laned hard surfaced road. The development of 47 single-family dwellings will have an impact on traffic as they generate approximately ten vehicle trips per day **per dwelling and thus** would generate an increase of approximately 470 total vehicle trips per day **for the development**. The Annual Average Daily Traffic (AADT) for Reliance Road is 2,000-2,700 per day. VDOT has been asked to review the proposed development and make any other suggested improvements.

Adjoining Properties:

The surrounding properties are predominately agricultural/forestall uses with scattered residences. Interstate 66 is located to the immediate South. Southeast of the property is the Sly Fox Golf Club that surrounds the Jackson Meadow Estates subdivision; of which consists of forty-two single-family dwellings.

Environmental:

An environmental impact statement has been requested to determine the development's impact on the environment, which shall be provided to the Planning Department prior to the public hearing. Virginia DEQ has been asked to review the proposed development and make any other suggested comments.

Community:

A community impact statement has been requested to determine the development's impact on the community, which shall be provided to the Planning Department prior to the public hearing. A Fiscal Impact Model will also be examined prior to the public hearing to reflect the net capital cost per household to the County caused by this development. Warren County Public Schools and Warren County Emergency Services has been asked to review the proposed development and make any other suggested comments.

SUPPLEMENTARY REGULATIONS

§ 180-40.5. Cluster housing developments.

[Added 1-20-1998; amended 3-21-2006]

The regulations established in this section are intended to permit greater flexibility and consequently more creative and imaginative designs for the development of detached, single-family dwellings in the Agricultural District. The following standards are required for cluster housing developments in the A-1 District:

- A. Cluster housing development shall be designed in accordance with the purpose and intent of the Zoning Ordinance as outlined in § 180-2.
- B. The minimum area required for the creation of a cluster housing development shall be 10 contiguous acres.
- C. Lots in cluster housing developments shall be served by a newly dedicated street designed to meet the standards for acceptance in the state highway system or meeting the standards for acceptance into such system. In no instance shall lots in a cluster housing development have direct access to or from an existing road in the state highway system.
- D. Area, frontage and yard requirements are permitted to be modified as follows:
 1. Agricultural (A) District.
 - a. Minimum lot area shall be one acre.
 - b. Minimum lot width shall be 150 feet.
 2. Residential One (R-1) District.
 - a. Minimum lot area shall be 21,780 square feet (0.5 acre). The average development density in the cluster housing development shall not be more than one lot per gross acre.
 - b. Minimum lot width shall be 90 feet.
- E. A certain amount of the cluster housing development shall either be preserved in open space, as defined in § 180-8C of this chapter, or subject to a perpetual easement preserving it in agricultural and/or forestal uses. Such perpetual easement shall be deeded to Warren County and shall prevent future development of the property for other than nonstructural agricultural and forestal uses. Nothing in this section shall preclude the construction of best management practices installed pursuant to a farm plan prepared by the Natural Resources Conservation Service, any Virginia state agency or the Lord Fairfax Soil and Water Conservation District. Specific requirements are as follows:
 1. Agricultural (A) District: minimum of 60%.
 2. Residential One (R-1) District: minimum of 30%.
- F. Management of open space.
 1. All open space shall be preserved for its intended purpose as expressed on the plat.
 2. When a property owners' association is to administer open space and other facilities through an association, nonprofit corporation, trust or foundation, said organization shall conform to the following requirements:
 - a. The developer must establish the organization in accordance with law, and such organization shall be in good standing prior to the sale of any property and shall remain in good standing thereafter.
 - b. Membership in the organization shall be mandatory for all residential property owners, present or future, within the development.
 - c. The organization shall manage all open space and recreational and cultural facilities; shall provide for the maintenance, administration and operation of said land and improvements and any other land within the development; and shall secure adequate liability insurance on the land.
 - d. The organization shall conform to the Virginia Property Owners' Association Act, Code of Virginia (1950), as amended.

PLANNING STAFF COMMENTS

The follow are comments that the Planning Department has communicated to the applicant that shall be addressed in the development application are:

- Compatibility to Warren County's Comprehensive Plan.
- Proposed design in relation to Warren County Code Chapter 155: Subdivision of Land.
- Capacity of existing Reliance Road (State Route 627) to handle additional traffic impact.
- Impact on the Warren County Public School System and other government services.
- The property can be subdivided into twenty-four cluster development lots as a matter of right.

RECOMMENDED CONDITIONS

Planning Staff is recommending the attached 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.*

See attached condition document.

Cc: Larry Himelright, Applicant
Royal Oak Estates, LLC, Owner

ROYAL OAK ESTATES, LLC - LARRY HIMELRIGHT
CLUSTER HOUSING DEVELOPMENT CONDITIONS
TAX MAP 11, PARCELS 8E, 12, 13 & 14

Pursuant to Section §180-63 of the Warren County Code (Zoning Ordinance), 1992 as amended with respect to conditional use permits the following are development conditions for application CUP2022-06-08 for a cluster housing development. Development of the subject properties listed above (the "Property") shall be done in conformity with the terms and conditions set forth herein except to the extent that such terms and conditions may be subsequently amended or revised by the applicant and shall be approved by the Warren County Board of Supervisors in accordance with said code and zoning ordinance. These development conditions shall be binding upon the applicant and their legal successors heirs or assigns.

"Developer" shall be defined as the developer Royal Oak Estates, LLC its legal successors, heirs, and assigns.

SECTION A: GENERAL

1. The Developer shall comply with all Virginia Department of Transportation (VDOT), Warren County Building Inspections, Warren County Health Department, Virginia Department of Environmental Quality, and applicable environmental regulations and requirements.
2. A site plan shall be prepared and approved by the Warren County Planning Department prior to the issuance of any building permits. The site plan shall include dwelling elevation drawings, roadways, outdoor lighting, landscaping, signage, and other applicable zoning requirements. **The site plan shall be substantially in conformance with the sketch survey from Himelright & Associates, PLLC submitted by the applicant and dated February 25, 2016.**
3. All utilities including electric, telephone, and cable shall be located underground.
4. All light fixtures shall be full cut-off fixtures and comply with the Zoning Ordinance requirements.
5. Before each Certificate of Occupancy is issued for each of the 47 dwellings as part of the Cluster Housing Development by CUP and additional ten acre lots, the sum of \$2,986.00 shall be paid to the County of Warren to offset the net capital cost per household to the County caused by this development as outlined in the Fiscal Impact Model at the time the building permits are issued.

SECTION B: ROADS

6. The Developer shall comply with all Virginia Department of Transportation (VDOT) regulations and requirements set forth in letter dated, June 28, 2022.
7. Provide sidewalk connections along roadways containing dwellings including pedestrian crossings at all intersections. ~~Provide a sidewalk connection running north/south along the collector road as shown on the preliminary site plan in appendix A.~~

SECTION C: TYPE AND SIZE OF HOMES

8. All dwellings shall be detached single-family dwellings as defined in the Warren County Zoning Ordinance.
9. The minimum square footage for a one-story single family detached dwelling shall be 1,500 square feet. The minimum square footage for a single family detached dwelling of two or more stories shall be 2,400 square feet cumulative. The above restrictions shall exclude garage space, porches, decks, or basements.

SECTION D: ARCHITECTURAL FEATURES

10. All dwellings within the development shall include design elements in which the foundation is *stone-to-grade* or *brick-to-grade* on all elevations.

11. All buildings within the development shall be constructed using compatible architectural style and materials for such buildings that shall be of a similar style and aesthetic.

SECTION E: LANDSCAPING

12. Existing vegetation on the site shall be kept where possible to maintain original agricultural and woodland state.
13. All homesites shall be required to plant two trees in the front yard at least 1.5 inches in diameter.

SECTION F: OPEN SPACE AND AGRICULTURAL & FORESTAL EASEMENTS

14. No structures shall be placed within the "Open Space" boundaries without approval from the Warren County Planning Department. Such structures shall be cohesive with the agricultural/rural nature of the surrounding area in their appearance and used for recreation or maintenance of the open space. The open space area is reserved for use by all residents of the development, and not dedicated as public lands.
15. No structures shall be placed within the "Agricultural & Forestal Easement" boundaries. These easements are reserved for nonstructural agricultural and forestal uses only.

SECTION G: WATER RESOURCES

16. The Developer shall comply with all Warren County Health Department regulations and requirements set forth in letter dated, June 27, 2022.
17. The Developer shall provide storm water management per the regulations of the Commonwealth of Virginia and Warren County.
18. The storm water management areas shall be as generally depicted on the Generalized Development Plan subject to final engineering.
19. The Developer shall prepare and submit an erosion and sediment control plan prepared by qualified engineers in conformance with Chapter 150 of the Warren County Code for erosion and settlement control. No construction activity shall be undertaken on the site until a land disturbance permit has been obtained from the Warren County Building Inspections Department and the approved erosion devices have been installed.

APPENDIX A

[INSERT FINAL PRELIMINARY PLAN HERE]

DRAFT

May 17, 2022

Warren County Planning Commission Members
Warren County Government Center
Planning Department
220 North Commerce Avenue
Suite 400
Front Royal, VA 22630

RE: Royal Oaks Estates
Conditional Use Permit

Dear Planning Commission Members:

Our site is zoned agricultural which allows 6 lots under 10 acres in a cluster development. This tract has 4 parent tracts for a total of 24 lots, with a conditional use permit it can be expanded to 10 lots under 10 acres for a total of 40 lots. The additional 16 lots is what we are asking for. In trying to market this parcel, I have found that 24 lots is too small for a developer that has the capital to do a project this size. To my knowledge there is no similar project in Warren County and not everyone wants to live on a small town lot. I am presently paying \$488 per year in taxes. I estimate that at Buildout this property and improvements will be valued at \$4,695,000 for land and \$21,600,000 for improvements for a total of \$26,295,000 and taxes at 0.66 per \$100 will generate \$173,547 per year.

We appreciate your consideration of this project.

Very Truly Yours,

A handwritten signature in dark ink, appearing to be 'C. C. R.', is written over the closing text.

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-06-08
 Date Received: 5/18/2022
 Fee Amount: \$ 500.00
 Date Paid: 5/18/2022 Cnt# 1148

Applicant Information:

Larry Himelright
Applicant Name

694 Red Bud Road Strasburg Va. 22657
Address *City* *State* *Zip*

Tax Map 11-8E, 11-12, 11-13, 11-14 Reliance Road
Property Location for conditional use permit if Different than Applicant's Address

1-540-758-3360 HIMLR@SHENTEL.NET
Primary Contact Number *Email*

Royal Oak Estates, LLC
Property Owner (if same as applicant, leave blank)

694 Red Bud Road Strasburg Va. 22657
Address *City* *State* *Zip*

1-540-758-3360
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: Parcels located on Reliance Road
- (2) Election District: North River
- (3) Tax Map Number: Tax Map 11, parcels 8E, 12, 13, 14
- (4) Subdivision Name: Royal Oak Estates, LLC
- (5) Total Area of Property (acres): 183.6 Ac.
- (6) Total Area to be Used (acres): 183.6 Ac.
- (7) Total Road Frontage (feet): 991
- (8) Depth of Property (feet): 3,810
- (9) Present Zoning: Agricultural

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Single Family Detached
- (2) Current land use and condition of site: Agriculture -undeveloped
- (3) Zoning of surrounding land/property: Agricultural
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: NA
- (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: NA
- (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: 48 Residence
- (12) Number of parking spaces to be provided: Regular NA Handicap NA
- (13) What is the proposed landscaping and buffering for this property? Existing tree cover to be maintained where possible.

C. Plans Prepared By

Name: NA

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?) 60% open space and 50' drainage preservation easement and 30' drainage easement on any other fulltime streams.

(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?) _____
Yes, we will provide on-site dumpsters during construction.

(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

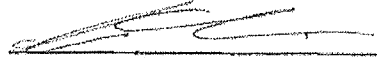
(4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. _____
NA

(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

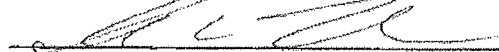
(6) What will be the impact on traffic? 47 Single family detached homes
which will generate 470 vehicles per day

(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 lighting is proposed.

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

5-18-22
Date


Property Owner Signature

5-18-22
Date

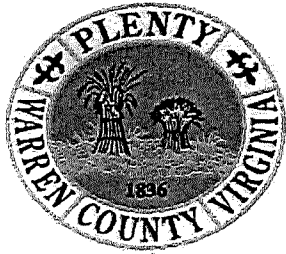
Accepted by: 

Date: 5/18/2022

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

This property has a by-right to 24 lots less than 10ac.. The additional 16 lots are by conditional use permit. No rezoning is required, so no impact or proffers fees can be required.



Warren County Fiscal Impact Model

*CUP- Aaron Ritenour Cluster Housing Development Residential 2022
Residential Project Phase 1*

Development Name:

CUP- Aaron Ritenour Cluster Housing Development

Developer Name:

Aaron Ritenour/NVR, Inc.

Summary Revenues & Expenditures

One-Time Capital Cost per Unit:	\$8,770
Annual Revenue per Unit:	\$3,467
Annual Expenditures per Unit:	\$4,118

Break-Even Value/Unit: \$360,500

Zoning: Agricultural

Sanitary District: None

Fire & Rescue: Co. 12: Middletown

Phase 1

Development Year:	2022		
Land Area:	183.6 acres		
Housing Type:	Single Family		
Units:	40	County Persons/Household	2.69
Assessed Value/Unit:	\$409,450	Additional Residents:	108

Phase 1 One-Time Capital Costs - Based on a 20 year outlook impact on the County

	Capital Cost Per Unit
Schools:	\$4,735
Parks & Recreation:	\$4,035

Total One-Time Capital Costs per Unit: \$8,770

Recurring Revenues Related to Residential Development**Personal Property Taxes:**

Revenue per Unit: \$284 /capita
Annual Revenue Per Unit: \$765 /year

Real Estate Taxes:

Assessed Value per Unit: \$409,450
Annual Real Estate Revenue Per Unit: \$2,702 /year (Tax Rate \$0.66 per \$100)

Total Annual Revenue per Unit: \$3,467 /year

Recurring Expenditures Related to Residential Development**Department County Expenditures:**

	Per Capita Rate	Per Unit Rate
Parks & Recreation:	\$90	\$241
Public Works:	\$123	\$330
Judicial Administration:	\$61	\$164
Public Safety:	\$379	\$1,019
Health & Welfare Services:	\$170	\$457
General Administration:	\$82	\$220
Planning and Community Development:	\$24	\$65

Estimated Department Expenditures: \$2,496 Per Unit/Per Year

Educational Expenditures:

	Units	Student/Unit	New Students
A.S. Rhodes Elementary School	40	0.152	6
Skyline Middle School	40	0.090	4
Skyline High School	40	0.122	5
			15 additional students
Education Expense per Student:		\$4,454 /student	
Education Expenditure per Unit:		\$1,621 /unit/year	

Total Phase 1 Expenditures: \$4,118 Per Unit/Per Year

Educational Demographics

School Name	Educational Capacity	Current Enrolled	Additional Students	Projected Enrollment	Information and Alerts
A.S. Rhodes Elementary School	260	267	6	273	<i>The school capacity is exceeded.</i>
Skyline Middle School	800	599	4	603	<i>School within capacity limits.</i>
Skyline High School	1,100	858	5	863	<i>School within capacity limits.</i>

School Name	Classroom Teachers	Students per Teacher Ratio	Target Ratio	Information and Alerts
A.S. Rhodes Elementary School	18	15	20	<i>The student\teacher ratio is within limits.</i>
Skyline Middle School	47	13	23	<i>The student\teacher ratio is within limits.</i>
Skyline High School	56	15	23	<i>The student\teacher ratio is within limits.</i>

County Bus Capacity	Current Bus Capacity	Current Bus Riders	Additional Bus Riders	New Bus Capacity	Information and Alerts
All Schools included:	3,828	2,530	15	2,545	<i>Bus capacity is within limits.</i>

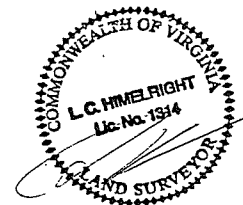
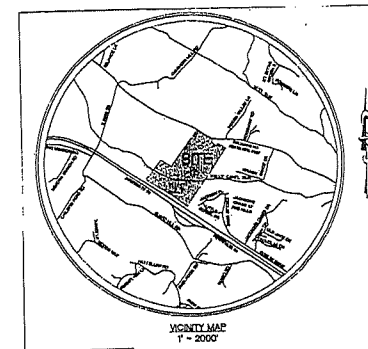
SURVEY OF THE ROYAL OAK ESTATES, LLC PROPERTY
RECORDED IN INSTRUMENT #130005587.

NORTH RIVER MAGISTERIAL DISTRICT

WARREN COUNTY, VIRGINIA

PREPARED BY
HIMELRIGHT & ASSOCIATES, PLLC
PROFESSIONAL LAND SURVEYORS
694 RED BUD ROAD, STRASBURG, VA.
PHONE 465-8767

JUNE 23, 2014



RELIANCE ROAD
(40' R.O.W.)

N. OR F. "LINARES"
T. M. 11-8D
N 44°29'49"E
1334.56'

N. OR F. "THOMAS"
T. M. 11-8



T.M. 11 PARCEL 8E

PARCEL LINE

N. OR F. "GRUVER"
T. M. 11-4A

N 41°26'46"E 2429.92'

Arc 322.64'
Rad 3805.85'

PARCEL LINE

T.M. 11

PARCEL 14

S 48°24'42"E

316.17'

Arc 353.36'

Rad 3977.00'

S 19°53'57"W

218.74'

S 49°38'00"E
344.15'

N. OR F. "RADOMSKY"
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N. OR F. "RADOMSKY"
T. M. 11-15A1

N 16°09'49"E
138.57'

N 36°05'06"E

10.03'

S 49°14'51"E

356.62'

S 49°38'00"E

141.82'

N. OR F. "SECHRIST"

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S 38°40'55"W 1001.30'

N. OR F. "SARGENT"
T. M. 11-27

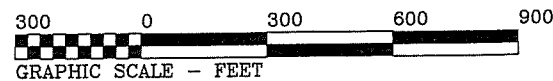
S 41°03'28"W

2809.47'

N. OR F. "RUNYON GOLF ENTERPRISES, LLC"
T. M. 11-29

AREA = 183.615 AC.

T. M. 11-12, 13, 14, & 18E



T.M. 11 PARCEL 12

PARCEL LINE

N 49°44'15"W 1828.51'

N 44°03'18"W 812.77'

INTERSTATE 66

N. OR F. "LIBRARY" T. N. 11-22

N. OR F. "THOMAS" T. N. 11-2

SKETCH OF POSSIBLE DIVISION OF THE ROVAL
DAK ESTATES, LLC. PROPERTY.

NORTH RIVER MAGISTERIAL DISTRICT
WARREN COUNTY, VIRGINIA

PREPARED BY
KIMELIGHT & ASSOCIATES, PLLC
PROFESSIONAL LAND SURVEYORS
604 RED OAK ROAD, STRASBURG, VA.
PHONE 465-8787

FEBRUARY 25, 2016

T. N. 11-12, 13, 14, & 18E



N. OR F. "BIRCH" T. N. 11-4A

INTERSTATE ROUTE 68

TRACT "H"
64.615 AC.

TRACT "C"
10.000 AC.

TRACT "D"
10.000 AC.

TRACT "A"
10.000 AC.

ROUTE 627
RELIANCE ROAD
(60' R.O.W.)

PROPOSED BY PRIVATE ACQUIRED EASEMENT

TRACT "G"
10.000 AC.

TRACT "F"
10.000 AC.

TRACT "E"
10.000 AC.

TRACT "B"
10.064 AC.

N. OR F. "MIDYON GOLF ENTERPRISES, LLC" T. N. 11-23

N. OR F. "DOLAN" T. N. 11-25E1

N. OR F. "MARGENT" T. N. 11-27

N. OR F. "MARGENT" T. N. 11-13A-1
N. OR F. "MARGENT" T. N. 11-13A-2
N. OR F. "MARGENT" T. N. 11-13A-3

N. OR F. "MARGENT" T. N. 11-13A

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PIN OAK LANE

BLACK OAK COURT

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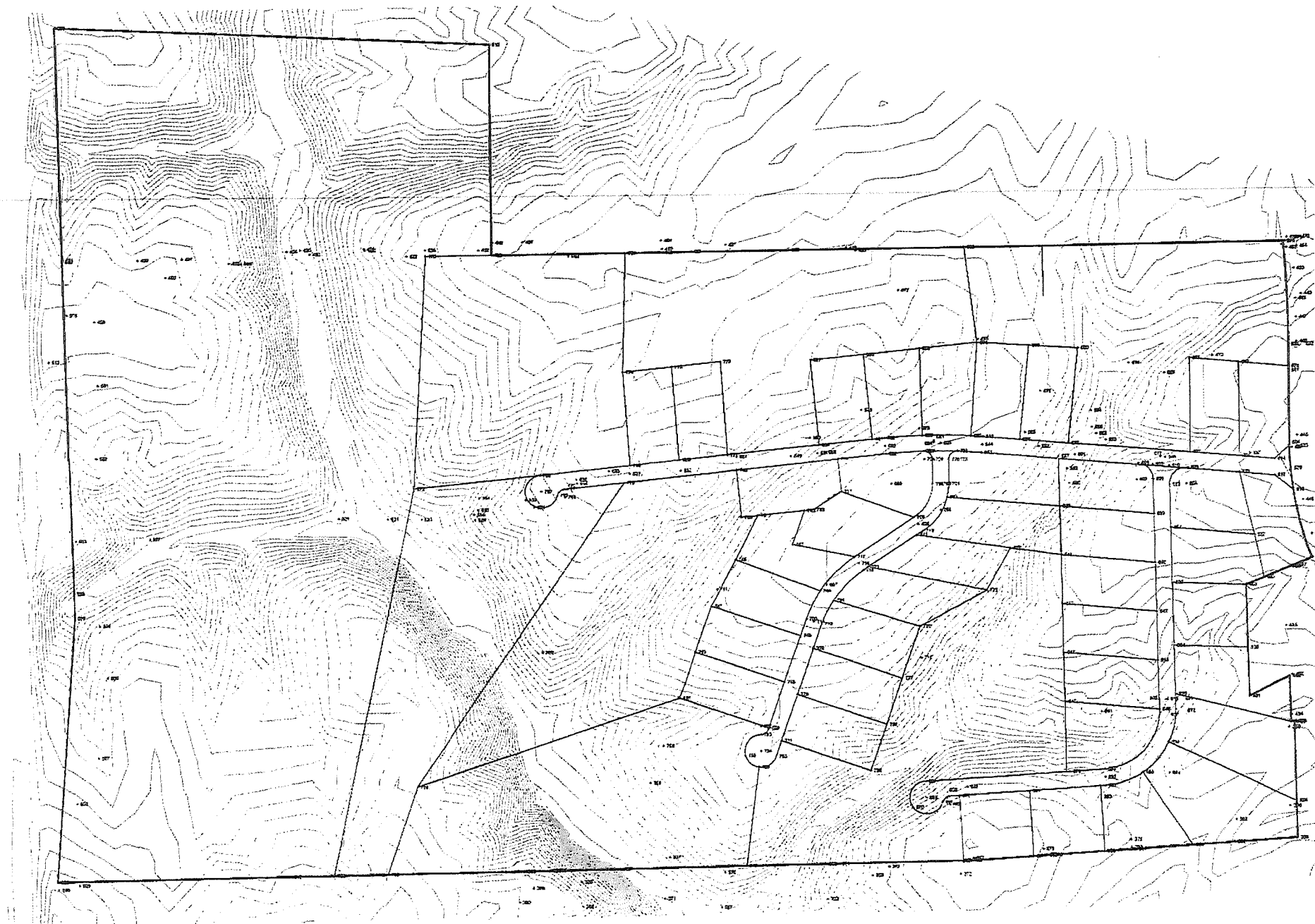
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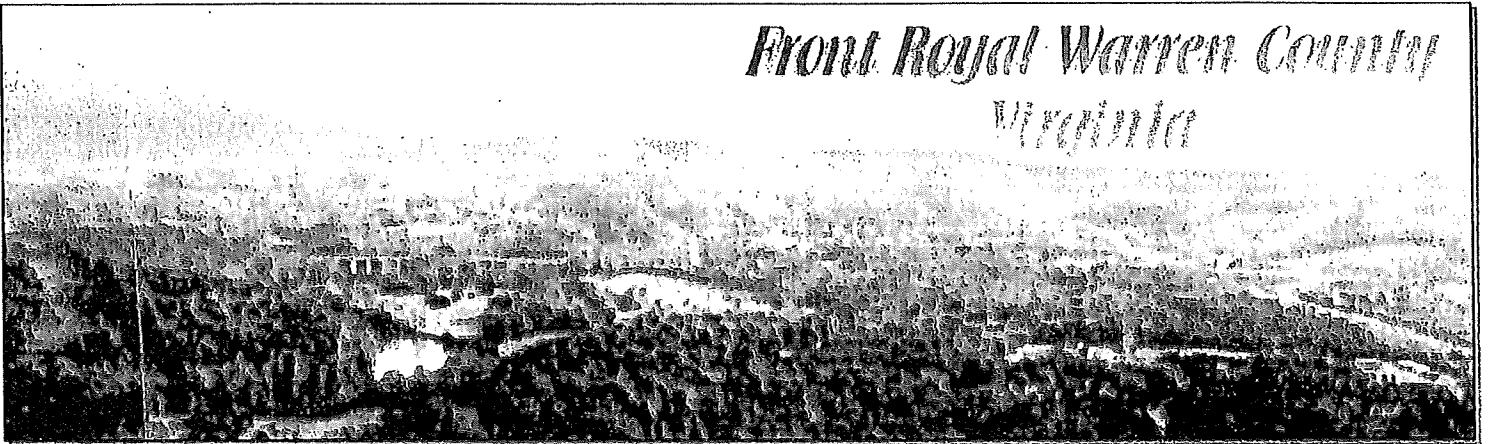
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HYDROGEOLOGIC STUDY JACKSON'S MEADOW SUBDIVISION FRONT ROYAL, WARREN COUNTY, VIRGINIA

*Front Royal Warren County
Virginia*



Prepared for:

**Pine Hills Golf Club LC
65 Jackson's Chase Drive
Front Royal, Virginia 22630**

August 2005



Science Applications International Corporation
1129 Business Parkway, S., Suite 10 Westminster, MD 21157
Ph: (410) 876-0280 Fax (410) 857-5535

**HYDROGEOLOGIC STUDY
JACKSON'S MEADOW SUBDIVISION
FRONT ROYAL, WARREN COUNTY, VIRGINIA**

Prepared for:

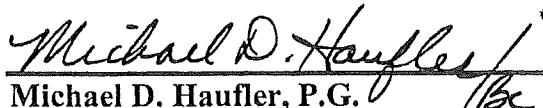
**Pine Hills Golf Club LC
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Prepared by:

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August 2005

Reviewed by:



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Senior Technical Manager

Submitted by:



Eric S. Andreus, P.G.
Project Manager/Geologist

INTRODUCTION

Science Applications International Corporation (SAIC) was retained by Pine Hills Golf Club, LC, owners of the Jackson's Chase Golf Club and subdivision, to perform a hydrogeological study for the proposed subdivision expansion. The 180-acre property proposed for the expansion is adjacent and located on the west side of the 320-acre property containing the existing 18-hole golf course and 48-lot subdivision. The properties are located approximately five miles northwest of Front Royal and are in the North River Election District of Warren County, Virginia (Figure 1). A total of 130 additional single-family home lots are planned for the Jackson's Meadow community and would be served by the Pine Hills Water Supply Company. The 180-acre property is undeveloped and is primarily wooded, while the surrounding land use is primarily agricultural and residential.

Purpose and Scope

The purpose of this hydrogeologic study is to evaluate the feasibility of developing additional groundwater sources for the Jackson's Meadow community supply system and assess the potential impacts on the aquifer and adjacent users. The scope of the study included preliminary geologic evaluations and fracture trace analysis, local well inventory, water demand analysis, groundwater recharge analysis, and water balance. The results of this study are presented and discussed in this report.

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HYDROGEOLOGIC EVALUATIONS

The preliminary hydrogeologic evaluation included the following tasks:

- Analysis of regional topography and drainage patterns using the USGS 7.5 minute Front Royal, Virginia quadrangle.
- Review of published geologic reports and mapping applicable to the site location.
- Delineation of significant hydrogeologic features, such as watershed divides and perennial streams.
- Identification of potential earth fracture zones using stereographic analysis of aerial photography covering the site.
- Locating potential high-capacity well sites based on the preliminary hydrogeologic evaluations.

The results of these evaluations are discussed below and presented on Figures 2 and 3.

Geology

The site is located within the Valley and Ridge Physiographic Province. The Valley and Ridge Physiographic province is composed of folded and faulted rocks that form a series of northeast-trending mountains and valleys. The structural geology of the Valley and Ridge is complex with extensive thrust faults and folds that contribute to the repetition of all the rock formations.

The site lies in the Great Valley portion of the Valley and Ridge Physiographic Province, which covers an approximately 20 mile wide belt west of the Blue Ridge Mountains. This relatively flat, agriculturally rich region is composed of complexly folded and faulted Cambrian and Ordovician limestone and dolomite with one prominent shale formation, the Martinsburg Shale. The entire study area is underlain by the Martinsburg Shale, which is described as a broad northeastward-trending belt consisting of thin layers of alternating olive-green to gray shale (Rader and Biggs, 1975).

Groundwater

Groundwater within the bedrock aquifer slowly migrates through joints, fractures and bedding planes in the subsurface. Groundwater flow tends to mirror topography, flowing from higher elevations to lower elevations and discharging to waterways. Water supply wells in the Martinsburg Formation in Warren County have reported yields ranging from 1 to 120 gallons per minute (gpm), with a median yield of 30 gpm (Rader and Biggs, 1975). Water-bearing zones in the shale are generally shallow, many less than 100 feet and few greater than 300 feet deep. A well intercepting a fracture system may present the best opportunity to locate and construct a moderate water source for a community supply.

Fracture Trace Analysis

Fracture zones are discernible on high-altitude aerial photography using photogeologic fracture trace analysis. Fracture traces are the linear surface manifestations of deeper subsurface fracturing, as evident by alignment of stream valleys and swales, soil tone contrasts, wetlands, springs and seeps, and distinctive vegetational changes. Wells drilled on or at the intersection of fracture traces may yield significantly more water than those randomly drilled (Lattman and Parizek, 1964). There is also a greater potential for wells located along fracture traces to interfere with each other.

A fracture trace analysis was performed to assist in locating potential supply wells. As a result, nine potential fracture zones were identified transecting the property (Figure 2). Three of the nine potential fracture traces cross the local geologic trend (strike) in a perpendicular or oblique pattern. Fracture traces with this orientation are typically more favorable than features oriented parallel to strike.

Potential Well Locations

SAIC identified five potential well sites in the western portion of the property (Figure 3). The potential well sites represent the best available sites for water supply development on this property. The well sites were selected to intercept possible fracture zones in the bedrock as indicated by the identification of fracture traces.

Well Inventory

A well inventory was conducted to locate all on-site wells and off-site wells within 1,000 feet of the property boundary. The 30 wells located are plotted on the hydrogeologic base map, although the locations were not field-verified (Figure 3). Currently, the nearest off-site well is located about 2,000 feet from the existing community supply wells. Two off-site wells appear to be located within 1,000 feet of the existing irrigation wells. No well interference issues have been identified. There are no off-site wells within 1,000 feet of the potential well locations.

SAIC conducted a study in 1999 to evaluate the potential impacts to offsite wells within a few thousand feet of the Jackson's Chase Golf Course irrigation wells. The study indicated that there was no water level drawdown in the monitored offsite wells as a result of pumping the irrigation wells.

GROUNDWATER BALANCE

In order to assess the reasonableness of the proposed groundwater withdrawal on the water resources available in this area, the proposed withdrawal (demand) of the subdivision was compared to the estimated groundwater recharge (supply) to the area. This task included the following:

- Estimating the water demands for the existing and proposed water uses.
- Selecting unit groundwater recharge rates for this hydrogeologic setting using baseflow studies of USGS gauging station records for the Smith Creek watershed (USGS Gauging Station 01632900), which is primarily underlain by the Martinsburg Formation.
- Calculating the groundwater available in the local watershed and on the property itself using the respective areas and estimated groundwater recharge rates.
- Comparing the groundwater available to the proposed withdrawal in a water balance for both normal and drought conditions.

Water Demand

The water demand of the Jackson's Chase Golf Course (which is also proposed to expand from 18 to 27 holes) must also be considered to determine the total water demand at the Pine Hills Golf Club property. This section addresses the demand of the various uses.

Jackson's Meadow Subdivision – The Jackson's Meadow Water Supply System records for the period of April 2004 through May 2005 indicate that the average dwelling used approximately 200 gpd. This water use rate is typical for single-family dwellings during normal climatic conditions, which occurred during the period of record for the water system data. Water use rates often increase as much as 30 percent during drought climatic conditions (see attached Table 1).

The Virginia Department of Health (VDH) Waterworks Regulations states that the capacity of waterworks shall exceed the maximum daily demand of the system. The VDH regulations state that the annual average daily water demand for a dwelling is 100 gallons per person. Using an average of three persons per dwelling, the average daily demand of a dwelling is approximately 300 gallons, or 150% of the recorded average. The proposed and existing subdivision would contain about 178 single-family residence lots resulting in an average demand of 53,400 gpd (37 gpm). The water

demand during drought conditions is expected to be approximately 69,400 gpd (30% increase). Based on the historical records, the actual demand will likely be lower.

It should be noted that waterworks relying on wells as the sole source of supply are required by VDH to provide a minimum of 0.5 gpm per dwelling, which in this scenario would be 89 gpm (128,200 gpd). The minimum supply requirement for waterworks provides conservatism in the system and does not represent the actual demand.

I-66 Rest Area – The Pine Hills Golf Club and Warren County have discussed the possibility of the water supply system providing water to the I-66 rest area, located south of Jackson's Meadow. The demand of the rest area is anticipated to be approximately 15,000 gpd (10 gpm), which is based on water use data for a similar rest area located along I-81 in Frederick County. Drought conditions are not expected to increase the water demand of the rest area.

Jackson's Chase Golf Course – The primary water supply for golf course irrigation is surface water captured in an impoundment on a tributary to Molly Camel Run. The irrigation system water use is not metered and there are no historical data for water use. Typical 18-hole golf courses use approximately 50,000 gpd on an annual average, with peak uses up to 150,000 gpd during dry periods in the summer (based on Hammond and McKinney, 1992 water use rates for Golf Courses). As a result, the golf course can be expected to use an annual average of approximately 75,000 gpd once expanded to include 27 holes.

Three wells reported to have a combined yield of approximately 40 gpm (57,600 gpd) provide a supplemental irrigation water supply when the surface water supply and storage is not adequate to meet the irrigation demand (Maddox, 2005). The wells are typically only operated as needed during the months of May through September. During drought conditions the wells become the primary supply for the irrigation system.

The groundwater use component of the total irrigation demand should be included in a groundwater balance. Since no water use records are available, it was assumed that during normal hydrologic conditions that the wells are used 50 percent of the time from May through September resulting in a total groundwater withdrawal of 4.4 million gallons (12,055 gpd annual average). Assuming the

wells are pumped continuously between May and September during drought hydrologic conditions, the total groundwater withdrawal would be 8.8 million gallons (24,110 gpd annual average).

Combined Water Demand – The annual average groundwater demand for Jackson's Meadow, the I-66 Rest Area, and the Jackson's Chase Golf Course is expected to be approximately 80,400 gpd (55.8 gpm) during normal hydrologic conditions, as shown in the following table. The demand is estimated to be 108,400 gpd during drought hydrologic conditions.

	Average Conditions	Drought Conditions
Jackson's Meadow	53,400 gpd	69,400 gpd
I-66 Rest Area	15,000 gpd	15,000 gpd
Golf Course Irrigation Wells	12,000 gpd	24,000 gpd
Total Groundwater Demand	80,400 gpd	108,400 gpd

It should be noted that this water demand estimate is intended to be conservative for planning purposes and therefore does not necessarily represent actual water use expected.

Groundwater Recharge Rates

Net changes in groundwater storage can be considered negligible over a period of at least a year, therefore long-term groundwater discharge to streams (baseflow) is approximately equal to long-term groundwater recharge within the upgradient watershed. The relative quantity of baseflow is controlled primarily by climate, geology, topography, and land cover.

The USGS has developed mean base flow rates using data collected at continuous-record stream flow gauging stations in watersheds throughout Virginia. The nearest gauged watershed that is primarily underlain by the Martinsburg Formation is Smith Creek near New Market, Virginia (USGS Station 01632900). The reported mean base flow rate for Smith Creek is reported to be 0.59 cubic feet per second (cfs) per square mile (Nelms, Harlow, and Hayes, 1997), which is equivalent to an effective recharge rate of 8.04 in per year (in/yr).

As a result, the average (1-year-in-2) groundwater recharge rate for the Martinsburg Formation is estimated to be 8.0 in/yr (595 gpd/acre). Assuming that drought (1-year-in-10) groundwater

recharge rates are approximately 60 percent of average rates, the drought groundwater recharge rate is estimated to be 4.8 in/yr (357 gpd/acre). These recharge rates are applicable to the subject property since it is located in a watershed where factors such as topography, geology, climate, and land use are similar to Smith Creek.

Groundwater Availability

Groundwater on the site is primarily recharged by precipitation infiltrating directly on the property. In addition, since the water table is generally a subdued replica of ground surface topography, a portion of the groundwater flowing through the property can originate from groundwater recharge in up-gradient areas. Groundwater availability in the study area was estimated by using both the property area (500 acres) and topographic watershed area (1,710 acres) as a guide. The unit groundwater recharge rates were applied to these respective areas to estimate the total recharge during average and drought conditions.

Area	Average Recharge	Drought Recharge
Pine Hills G.C. Property	297,500 gpd	178,500 gpd
Topographic Watershed	1,017,000 gpd	610,000 gpd

Groundwater Balance

A groundwater balance analysis is used to evaluate the feasibility of developing a water supply to meet the anticipated demand without adversely impacting the resource. The table below shows the groundwater recharge, demand, and balance for both average and drought conditions.

	Average Conditions	Drought Conditions
Water Recharge	+297,500 gpd	+178,500 gpd
Water Demand (all uses)	-80,400 gpd	-108,400 gpd
Water Balance	+217,100 gpd	+70,100 gpd

During average conditions and during the irrigation season, the groundwater recharge on the property is expected to exceed the withdrawal by about 217,000 gpd. In addition, groundwater recharge should exceed withdrawal by about 70,000 gpd during drought conditions. In looking at the watershed as a whole, the water balance is even more favorable. Based on these estimates and given the size of the watershed (1,710 acres), the proposed withdrawal will have a negligible impact to the base flow of Molly Camel Run.

GROUNDWATER DEVELOPMENT FOR A COMMUNITY SUPPLY

In evaluating the groundwater development potential for the Pine Hills Golf Club property, SAIC considered the critical factors affecting individual well yields in the context of the basic hydrogeologic framework and overall water budget for the area. The yield of a well in a given aquifer is dependent upon four variables, each of which is as important as the other in determining its reliable yield:

- Available drawdown in the well,
- Well efficiency,
- Ability of the surrounding aquifer to store and transmit water, and
- Groundwater recharge available to the well.

Available drawdown is the difference between the static (pre-pumping) water level and the depth of major water-bearing zones in a well. These zones, through which groundwater enters the well, are the effective lower limit to pumping water levels. Available drawdown can be determined by careful well logging and water level measurement.

Well efficiency describes the effectiveness of a well at withdrawing water from the surrounding aquifer. When a well is pumped, the flow of water in the aquifer is restrained by the low degree of "openness" of the water-bearing zones relative to the well bore. This may result in a pumping water level that is significantly deeper than that actually occurring in the surrounding aquifer. Most wells are generally between 25 and 75 percent efficient, depending upon pumping rate. Well efficiency may be determined through analysis of controlled step-drawdown and pumping test recovery data. By carefully determining the appropriate pumping rate of a production well, excessive electrical costs for inefficient pumping can be avoided.

The third factor affecting overall well performance is the ability of the surrounding aquifer to store and transmit groundwater. A well in a highly transmissive aquifer may draw from a large area, and will create a relatively shallow and broad water table depression. A well in an aquifer of low transmissivity may only draw from a limited area, and will have a relatively deep and localized area of influence. The rate at which the water table depression may expand is governed in a large part by aquifer storativity. This describes the capacity of an aquifer to store and re-

lease-recharging infiltration, a factor that enables groundwater to be withdrawn from an aquifer continuously during periods of drought. The most effective method of determining aquifer transmissivity and storativity is by constant rate aquifer pumping tests and monitoring water levels in several nearby observation wells.

The rate of groundwater recharge is the fourth factor influencing sustainable well yield. Recharge is the portion of precipitation that infiltrates to become groundwater. Typically, the withdrawal of groundwater within the rate of natural recharge will not cause excessive stream flow depletion. Groundwater within the pumping-induced capture zone (approximate area of influence) will flow towards the well. The total recharge area to the well is constituted by this area, plus upgradient portions of a watershed from which groundwater may move.

Test Drilling and Well Construction

Test well drilling at approved locations, confirms subsurface fracturing, and provides a basis for design of a permanent well. Key steps are as follows:

- Obtain a sanitary site inspection for each potential well site.
- Coordinate scheduling with a qualified licensed well driller and mobilize appropriate field equipment and personnel to the test sites.
- Direct the drilling of nominal 10-inch diameter test holes into competent bedrock and install a 6-inch diameter casing. It is estimated that 20 to 40 feet of 6-inch diameter casing will be required at each site.
- Direct the drilling of a 6-inch diameter open rock test hole to an estimated completion depth of 400 feet, depending upon aquifer conditions as encountered during the drilling process.
- Perform pneumatic development to obtain a maximum well yield.
- Record the blown well yield and depths of water-bearing zones during drilling, basic water quality as determined in the field, and static water level each day before drilling, and prepare an accurate field log of the test well.

- Provide appropriate design criteria for conversion of a successful test well and construct the well as a permanent production well.
- Maintain constant supervision by a project geologist in order to provide proper well logging, well construction, and well development.

Test Potential High Yield Wells

In order to comply with DEP regulations and to adequately stress the well and aquifer system, a pumping test must be conducted on each production well. This will determine the potential impact on local production and domestic wells, detect subsurface aquifer boundary conditions, and allow representative sampling of the groundwater for analyses of new source parameters. Key steps are as follows:

- Install an appropriate size test pump in the production well and conduct a step-drawdown test by increasing the pumping rate incrementally over one-hour time periods to assess the maximum yield potential of the test well and to remove remnant sand, silt, and clay particles.
- Continue step-drawdown testing into a long-term, continuous-pumping test at a pumping rate determined by the step-drawdown test and of minimum 48-hour duration.
- Continuously monitor water levels in the pumped well and in nearby wells.
- Provide water quality analyses in the field for pH specific conductivity, temperature, nitrate-nitrogen, iron, and hardness.
- Sample the pumped water after a minimum of 48 hours of pumping for laboratory analysis of VDH required parameters.
- Monitor aquifer recovery for a minimum period of 24 hours following test pumping.

CONCLUSIONS

Based on the results of this study, we make the following conclusions:

- The average daily water demand of the 178-lot subdivision at full build-out will be approximately 53,400 gallons.
- The analyses indicate that the subdivision, rest area, and golf course demand is less than the estimated groundwater availability producing a positive water balance.
- The geologic evaluation and fracture trace analysis resulted in the identification of five potential well sites.
- New supply wells will require a rigorous aquifer testing and monitoring program to ensure that water quantity and quality are reliable and will not adversely impact the resource or other users of the resource.

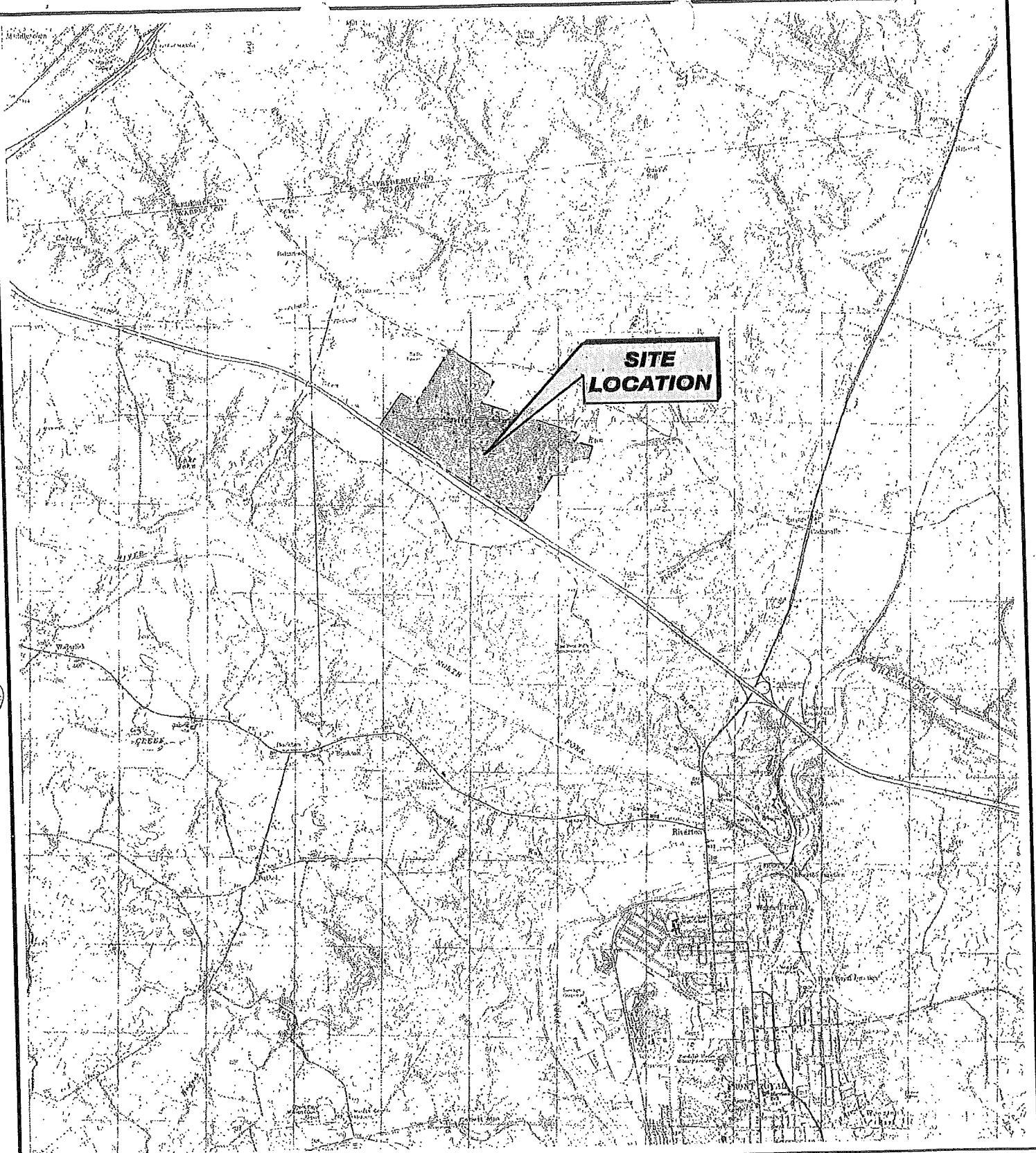
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- USGS, Front Royal, VA 7.5 Minute Quadrangle Topographic Map, 1967, photo-revised in 1986
- Virginia Department of Health-Office of Drinking Water, 2005, Waterworks Regulations, Part III Manual of Practice for Waterworks Design.

Table 1
Water Use Data
Jackson's Meadow, Front Royal, Virginia

LOT #	5/4/2005	7/4/2005	9/4/2005	11/4/2005	1/5/2005	3/5/2005	5/5/2005	TOTAL (gallons)	Days Use	Avg Daily Use (gpd)
1		12,870	23,630	8,500	550	23,450	15,240	84,240	360	234
10			6,790	6,450	5,150	4,220	6,400	29,010	300	97
11	15,620	36,860	13,410	9,050	9,240	6,490	8,500	99,170	420	236
12	10,340	42,220	13,300	9,810	9,030	7,170	8,220	100,090	420	238
13	14,700	14,420	15,140	13,110	9,720	6,990	13,960	88,040	420	210
14			5,450	4,270	3,170	530	5,720	19,140	300	64
21					8,220	6,610	44,360	59,190	180	329
25				6,610	5,430	4,660	42,980	59,680	240	249
32	10,800	7,810	9,320	11,220	12,780	11,480	8,510	71,920	420	171
33	12,550	5,110	6,510	7,430	9,710	6,370	7,000	54,680	420	130
34	5,120	13,990	7,190	4,620	6,620	3,870	10,390	51,800	420	123
35							26,410	26,410	60	440
36	23,410	10,610	27,740	14,920	19,040	17,080	21,480	134,280	420	320
37						6,370	26,440	32,810	120	273
42				2,280	7,770	4,780	7,030	21,860	360	61
43							15,111	15,111	60	252
44						2,460	23,310	25,770	120	215
45				22,320	16,860	10,300	12,200	61,680	240	257
	92,540	143,890	128,480	120,590	123,290	122,830	303,261	1,034,881	5,280	196

Data table provided by Mr. Chuck Maddox (Pine Hills W.S.C., LC)



NOTE: BASE MAP IS FROM THE USGS 7.5 MIN. TOPOGRAPHIC QUADRANGLE OF FRONT ROYAL, VIRGINIA (1996)
AS COMPILED BY NATIONAL GEOGRAPHIC'S TOPOI SOFTWARE VERSION 6.2.4.

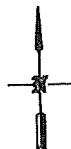
LEGEND



APPROXIMATE
PROPERTY
BOUNDARY



QUADRANGLE LOCATION



5,000' 0 5,000'
SCALE IN FEET



JACKSON'S MEADOW SUBDIVISION
PINE HILLS GOLF CLUB
FRONT ROYAL, VIRGINIA

SITE LOCATION MAP

drawn	MDS	checked	ASA	approved	MDL	figure no.
date	07/08/05	date	07/19/05	date	07/27/05	1
job no.	01-1833-00-9462-000	file no.	9462-001.dwg			

SAIC Science Applications
International Corporation
From Science to Solutions

Matt Wendling

From: Arthur Boyce <bobby.boyce@vdot.virginia.gov>
Sent: Tuesday, June 28, 2022 8:54 AM
To: Matt Wendling
Cc: Funkhouser, Rhonda (VDOT)
Subject: Warren-Rte 627-Royal Oak Estates-Cluster Housing CUP

<<...>>

DEPARTMENT OF TRANSPORTATION

Staunton/Edinburg Land Development

14031 Old Valley Pike

Edinburg, VA 22824

Dear Mr. Wendling:

We have reviewed the above subject sketch plat and application dated February 25, 2016 and May 18, 2022 for impacts to the local roadway system. Route 627 is a rural collector roadway with poor geometry carrying 2700 trips per day. This application is for the construction of 45 single-family dwellings which will generate an additional 450 trips per day for which the streets will be constructed in accordance with VDOT's *2011 Subdivision Street Acceptance Requirements*. Our comments are as follows:

- We have safety concerns with the entrance location meeting the State's minimum required intersection and stopping sight distance. A detailed sight distance plan and profile should be submitted to this office for review and approval prior to subdivision. The plan should be 1"= 40' scale or less and include existing and proposed contours, intersection sight distance for vehicles exiting Pin Oak Lane, and stopping sight distance for vehicles entering the subdivision from Route 627. The center of the entrance will need to be marked for field verification. This information was requested from the previous application but was never received.
- Any grading along Route 627 to obtain sight distance should not create a run off the roadway safety hazard for motorist but should allow for 18 inches of summer vegetation growth.
- The subdivision street layout will need to meet VDOT's connectivity requirements for "Multiple connections in multiple directions standard." The streets within a network addition may be accepted into the secondary system of state highways if the network addition provides at least two external connections, one of which must be to a publicly maintained highway (Route 627) and the other providing a connection to a different highway or a stub out to an adjoining property. Stub outs must be constructed to the property line. This should be shown on a revised sketch plat.
- Access to all lots should be required from the proposed internal roadways and not Route 627.
- The proposed street geometry should be shown to meet VDOT's current *2011 Subdivision Street Acceptance Requirements* and *Road Design Manual, Appendix B(1)*. The geometric design will need to adhere to the projected traffic volume for each street.

We appreciate the County's efforts to include VDOT in the early planning stages for development and the opportunity to provide comments on this application. 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 contact me.

Sincerely,

Bobby Boyce

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

Veronica Diamond

From: David Keller <dkeller@myrec.coop>
Sent: Tuesday, June 14, 2022 10:52 AM
To: Veronica Diamond
Subject: RE: Royal Oak Estates, LLC

Veronica,

I see no adverse effects with the cluster house project located along Reliance Rd.

Thanks,
Dave

Dave Keller
Supervisor Distribution Design
Rappahannock Electric Cooperative
137 Kelley Court
Front Royal, VA 22630
540-622-5124

From: Veronica Diamond <vdiamond@warrencountyva.gov>
Sent: Monday, June 13, 2022 8:38 AM
To: David Keller <dkeller@myrec.coop>
Subject: [EXT] FW: Royal Oak Estates, LLC

[EXT] Verify links & attachments.

Good morning,

Please see documents attached for Royal Oak Estates, LLC.

Thank you,

Veronica Diamond

From: Veronica Diamond
Sent: Friday, June 10, 2022 4:21 PM
To: Gerry Maiatico <gmaiatico@warrencountyfire.com>; jhinson@myrec.coop; Walker, Ashley <ashley.walker@vdh.virginia.gov>; jim.davis@vdh.virginia.gov; Smith, Gregory <gregory.smith@vdh.virginia.gov>; bobby.boyce@VDOT.Virginia.gov; cballenger@wcps.k.12.va.us
Subject: Royal Oak Estates, LLC

Good afternoon,

Please see attached documents for Royal Oak Estates, LLC.

Thank you,

Veronica Diamond
Office Manager
Planning Department
220 N. Commerce Ave., Ste. 400
Front Royal, VA 22630
540-636-3354
vdiamond@warrencountyva.gov

-Rappahannock Electric Cooperative Legal Disclaimer-

This message may contain confidential and/or proprietary information, and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.

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



June 27, 2022

RECEIVED
JUN 30 2022

Matt Wendling, Planning Director
County of Warren - Department of Planning
220 North Commerce Avenue, Suite 400
Front Royal, Virginia 22630

BY:

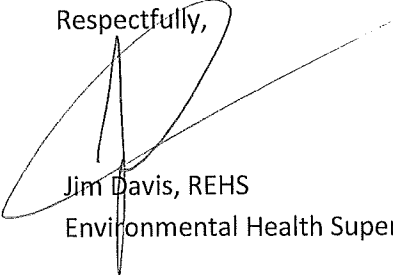
RE: Request for comments for Conditional Use Permit for a Cluster Housing Development – 2022-06-08
Reliance Rd.
Tax Map# 11-8E, 12, 13, & 14

Dear Mr. Wendling,

I have reviewed your request for comments for CUP for a Cluster Housing Development for the referenced property and offer the following comments;

This office would have no objections provided the proposed dwellings are connected to a state approved sewage system and water supply.

Respectfully,


Jim Davis, REHS
Environmental Health Supervisor



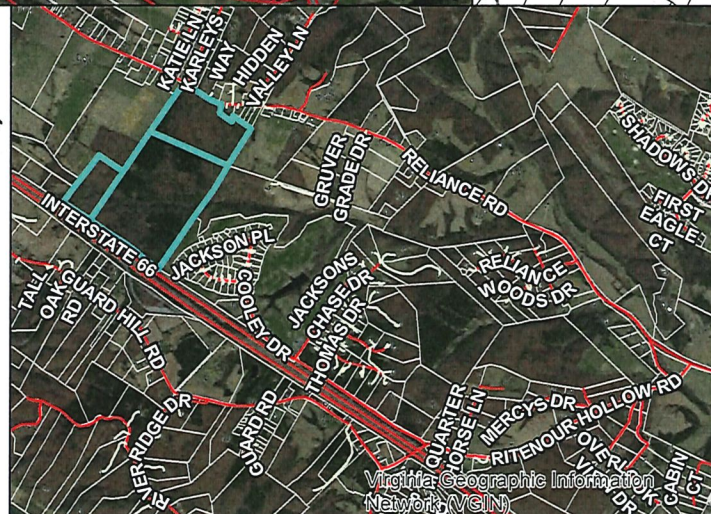
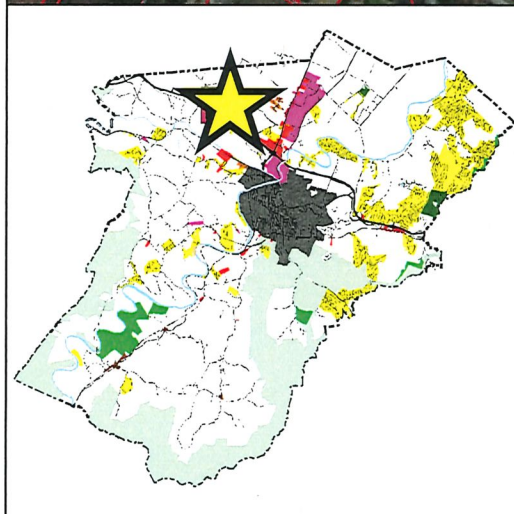
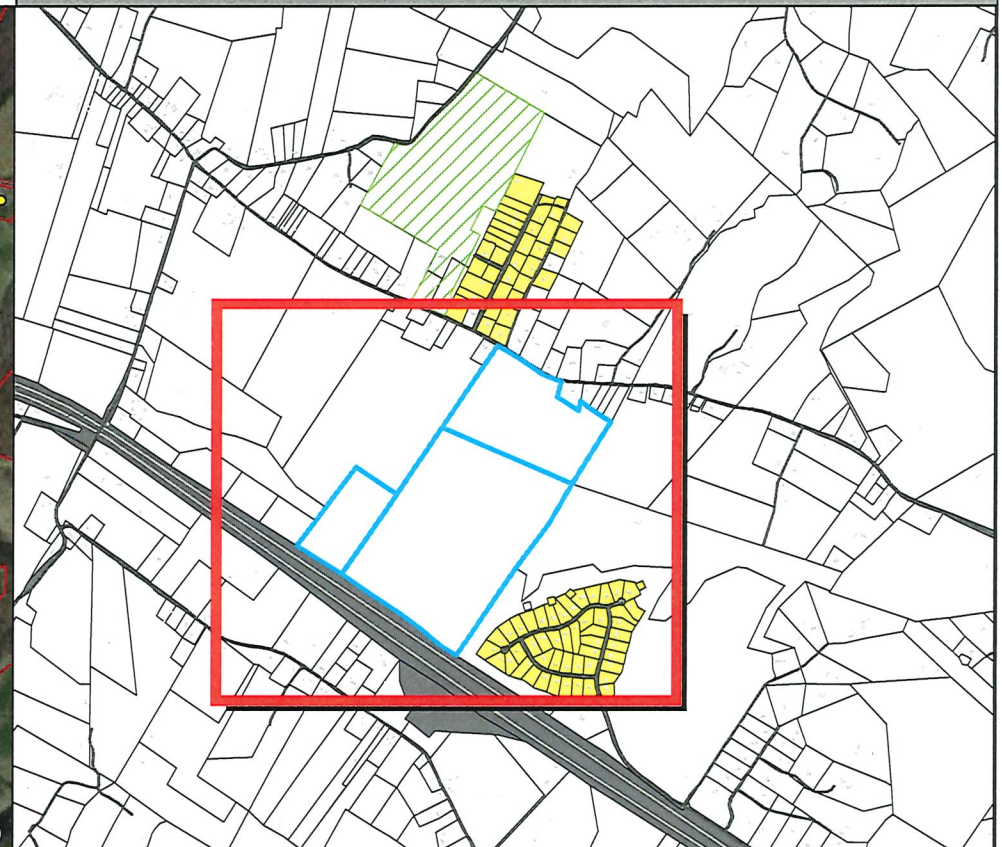
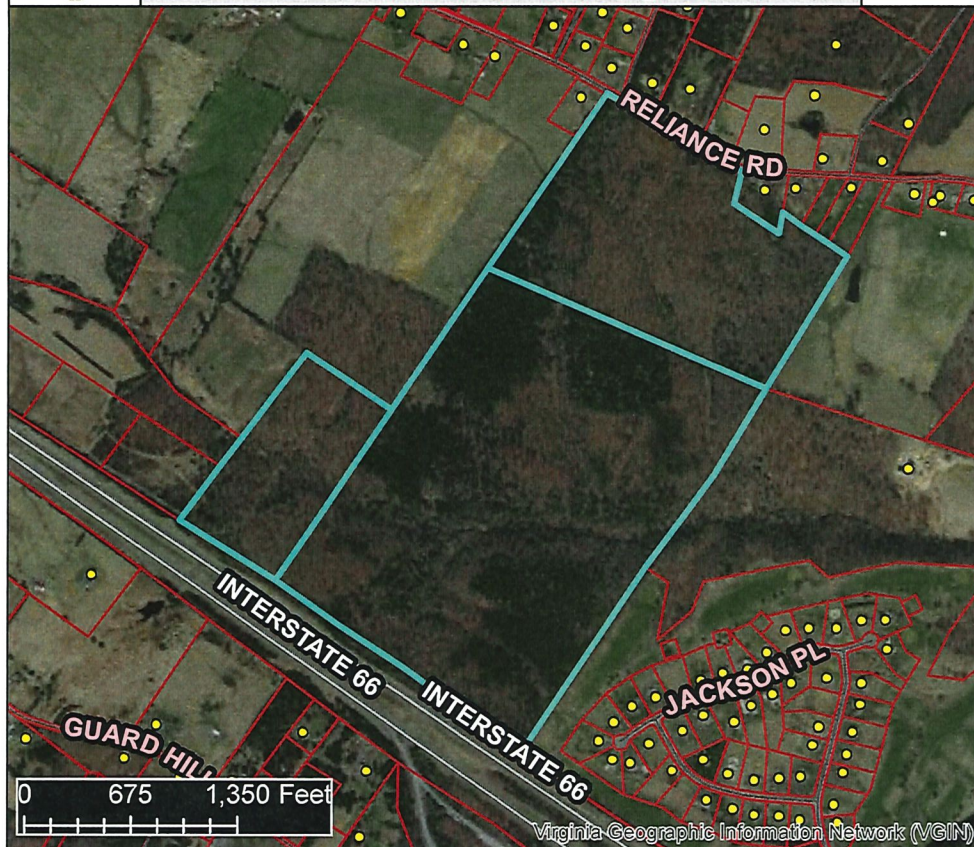
Warren County VA

CUP Location Map



Cluster Housing Development
Applicants: Larry Himelright

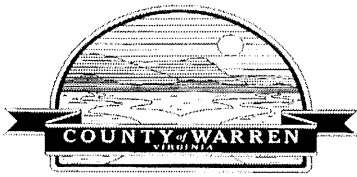
TM 11-----12, 13 & 8E



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:
8/23/2022	J	Zoning Text Amendment Z2022-06-01 Cole & Danielle Haase <i>An ordinance to amend Chapter 180 of the Warren County Code (Zoning Ordinance) to amend the definition of "Commercial Outdoor Recreation Operation" and to amend the supplementary regulations for Commercial Recreational Structures and Uses.</i>

EXPLANATION & SUMMARY:

Attached, please find a proposed amendments and additions to Chapter 180: Zoning Ordinance of the Warren County Code. The applicants are requesting a text amendment to allow for an indoor facility accessory to a Commercial Outdoor Recreation Operation. Commercial Outdoor Recreation Operation is a use currently allowed by conditional use permit in the Agricultural, Rural Residential, and Commercial zoning districts; however, the current definition of Commercial Outdoor Recreation Operation from the Zoning Ordinance does not allow for an indoor component to the use.

The proposed amendments would allow for an indoor recreation component to be included as an accessory use to an outdoor recreation operation, provided that the indoor activity is the same use as the outdoor activity and the indoor facility does not exceed a cumulative 10,000 square feet in size.

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 for a Commercial Outdoor Recreation Operation.

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 amendment. (List Reasons)

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

ORDINANCE TO AMEND AND RE-ORDAIN SECTIONS 180-8, 180-21, AND 180-43 OF THE
WARREN COUNTY CODE TO AMEND THE DEFINITION OF "COMMERCIAL OUTDOOR
RECREATION OPERATION" AND TO AMEND THE SUPPLEMENTARY REQUIREMENTS
RELATED TO THE SAME

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Sections 180-8 (Definitions), 180-21 (Agricultural (A) District), and 180-43 (Commercial recreational structures and uses) of the Warren County Code be amended and re-ordained as follows:

Chapter 180. Zoning

Article II. Application

§ 180-8. Definitions.

- C. Definitions of words and terms. As used in this chapter, the following words and terms shall have the meanings indicated:

...

COMMERCIAL OUTDOOR RECREATION OPERATION

A private, fee-supported, outdoor activity using or not using tangible facilities, involving or not involving athletic training, mastered skills, innate or acquired talents, requiring or not requiring athletic or recreational supervision. **An indoor recreation component may be included as an accessory use to the outdoor recreation operation, provided that the indoor activity is the same use as the outdoor activity and the indoor facility does not exceed a cumulative 10,000 square feet in size. This use shall meet the supplemental regulations in Section 180-43.**

[Added 1-17-1995, **Amended 8-23-2022**]

Article IV. District Regulations

§ 180-21. Agricultural (A) District.

- 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:

...

- (29) Commercial outdoor ~~recreational~~ **recreation** operation.

[Added 1-17-1995, **Amended 8-23-2022**]

Article V. Supplementary Regulations

§ 180-43. Commercial ~~recreational structures and uses~~ **outdoor recreation operation**.

[Amended 1-17-1995, **Amended 8-23-2022**]

...

- G. The hours of operation and frequency of operation shall be proposed by the Planning Commission and set by the Board of Supervisors.
- H. **As an accessory use to an outdoor recreation operation, an indoor component may be permitted, provided that the indoor activity is the same use as the outdoor activity and the indoor facility does not exceed a cumulative 10,000 square feet in size.**

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**