



AGENDA

Board of Supervisors Meeting

9:00 AM

October 4, 2022

Opening with Prayer

- A. Call to Order and Pledge of Allegiance of the United States of America
- B. Adoption of Agenda – Additions or Deletions
- C. Public Comment Period (60 Minute Time Limit)
- D. Report from the Virginia Department of Transportation (VDOT) – Ed Carter
- E. Reports – Board Members, County Administrator, County Attorney
- F. Approval of Minutes – Regular Meeting of August 16, 2022

UNFINISHED BUSINESS

- G. Authorization to Advertise for Public Hearing – Z2022-05-01, Ordinance to Amend Warren County Code Sections 180-8, 180-28, 180-28.1 & 180-43.3 re: Light Industrial (LI) Zoning District and Data Centers – Matt Wendling

NEW BUSINESS

- H. Consent Agenda
 - 1. Refund Request, Erroneous Real Estate Tax Assessment of Warren Memorial Hospital Inc. c/o Shenandoah Realty Holdings, LLC – Sherry Sours
 - 2. Use of Courthouse Grounds for the Veterans Day Presentation, American Legion Post 53 – Adjutant David Kaplan/Emily Ciarrocchi
 - 3. Proposed Meetings Schedule for FY 2023-2024 Budget and Preliminary FY 2024-2025 Budget – Matt Robertson
 - 4. Agreement with the Town of Front Royal and Discover Front Royal for Destination Marketing Organization Services – Taryn Logan/Caitlin Jordan
 - 5. Amendment to the Sale of County-Owned Property Located at 30 E Jackson Street – Alisa Scott
 - 6. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-01, Gillian Greenfield and Richard Butcher for a Short-Term Tourist Rental – Chase Lenz
 - 7. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-02, Elizabeth Saman for a Short-Term Tourist Rental – Matt Wendling
 - 8. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-03, Stacy Lockhart for Private Use Camping (Non-Commercial) – Chase Lenz

9. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-04, Jaden and Tori Walter for a Short-Term Tourist Rental – Matt Wendling
10. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-05, Vesta Property Management for a Short-Term Tourist Rental – Chase Lenz
11. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-06, Vesta Property Management for a Short-Term Tourist Rental – Chase Lenz
12. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-07, Jeffrey Steven Taylor for Private Use Camping (Non-Commercial) – Matt Wendling
- I. Closed Session – Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act Consultation with Legal Counsel Pertaining to Actual or Probable Litigation and for the Provision of Legal Advice
- J. Additional New Business (If needed)
- K. Adjournment

Immediately following the regular meeting, the Board of Supervisors will hold a Strategic Advance Follow-Up Session with its facilitators.

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on August 16, 2022 at 6:00 PM.

Present: Cheryl L. Cullers, Chair (South River District); Delores R. Oates, Vice Chair (North River District); Jerome K. Butler (Happy Creek District); Victoria L. Cook (Fork District); Walter J. Mabe (Shenandoah District); also present were Edwin C. Daley, County Administrator; Taryn G. Logan, Deputy County Administrator; Jason J. Ham, County Attorney; Mike Berry, Public Works Director; Michael Coffelt, Deputy Director of Public Works; Matt Robertson, Finance Director; Alisa Scott, Deputy Finance Director; Matt Wendling, Planning Director; Emily Ciarrocchi, Deputy Clerk of the Board; and Roger Bianchini, Royal Examiner

Closed Session – Virginia Freedom of Information Act

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors entered into a closed meeting under the provisions of Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act for consultation with legal counsel pertaining to actual or probable litigation and the provision of legal advice regarding the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia (the “EDA”), the Town of Front Royal, the *EDA vs. Jennifer McDonald, et al.*, the *Town of Front Royal vs. the EDA, et al.*, the *EDA vs. the Town of Front Royal*, other potential claims and litigation relating to other possible liabilities of the EDA, the recovery of EDA funds and assets, and the outstanding indebtedness of the EDA:

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

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors certified to the best of each member’s knowledge only public business matters lawfully exempted from open meeting requirements under Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the public body:

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

There were no motions to come out of this closed session.

Pastor Bobby Stepp opened the evening with a prayer.

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

Adoption of Agenda – Additions or Deletions

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors adopted the agenda as amended with the addition of item B-1 (Resolution Appropriating Funds to Warren County Public Schools for Instruction):

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

Resolution Appropriating Funds to Warren County Public Schools for Instruction

Mrs. Cullers read the proposed resolution into the record.

On a motion by Mrs. Cook, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors adopted the Resolution Appropriating Funds to Warren County Public Schools for Instruction as proposed:

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF WARREN COUNTY APPROPRIATING FUNDS TO WARREN COUNTY PUBLIC SCHOOLS FOR INSTRUCTION

WHEREAS, the Warren County School Board (the “School Board”) has announced that it is unable to fund the following six items (the “Supplemental Appropriation Items”) due to budget shortfalls:

1.	Cost of 5% Salary Increases	\$ 2,324,206
2.	Cost of \$1,000 December Bonus	\$ 864,430
3.	Cost of extra-curricular Events and Athletics	\$ 1,040,782
4.	Cost of all remaining Supplements	\$ 160,878
5.	Cost of three Professional Development Days	\$ 727,317
6.	Cost of filling eight vacant teacher positions	<u>\$ 596,928</u>
	Total budget shortfall	\$ 5,714,541

WHEREAS, the School Board has requested that the Board of Supervisors of Warren County, Virginia (the “Board of Supervisors”) fund the Supplemental Appropriation Items; and

WHEREAS, the Board of Supervisors wants to fund the Supplemental Appropriation Items.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors amends the Fiscal Year 2022-2023 Budget (the “Budget”) by appropriating \$5,714,541 to the School Board to the instruction major classification per Code of Virginia § 22.1-94 and § 22.1-115(i) to fund the Supplemental Appropriation Items, that such funds shall be transferred from the Budget item entitled Non-Departmental, and that the total instruction classification in the school division portion of the Budget is amended from \$49,004,417 to \$54,718,958.

Public Comment Period (60 Minute Time Limit)

The following individuals spoke in favor of fully funding Warren County Public Schools for FY 2022-2023:

- Amy Flora
- Susan Lewis
- Noel Williams
- Stephen Harvey
- Rebecca Hutson-Hodge
- Judith Lamont
- Todd Tennant
- Meredith Parnes
- Brenda Cromer
- Beth Whitney
- Bob Hill

The following individuals spoke about the ongoing uncertainty between the County and the Property Owners of Shenandoah Farms, Inc. (POSF):

- Gloria Suliin
- Ryan Messinger
- Tracie Lane
- Brenda Cromer

Jessica Forbes of Bentonville said she was confused about the resolution adopted by the Board and asked if the funding was coming from something already in the budget or if it was new money coming from the County.

There were no further comments from the public.

Reports – Board Members, County Administrator, County Attorney

Mr. Butler reported he and Mrs. Cook are making considerable headway at the Front Royal-Warren County Airport and are pleased with the way things are going.

Mrs. Cook reported the following:

- Attended the Warren County Finance/Audit Committee and the joint School Board/Board of Supervisors Finance Subcommittee meetings
- The Airport Commission has established an Events Subcommittee to discuss promoting the Airport

- Thanked the Warren County departments that have supported her in the past several weeks, giving a special shoutout to Michael Coffelt, Deputy Director of Public Works

Mr. Mabe had nothing to report.

Mrs. Oates had nothing to report.

Mrs. Cullers reported the following:

- Echoed the compliments given by Mrs. Cook to the Public Works Department
- Gave a statement to the citizens in attendance regarding the rumors that had swirled around social media about the Board taking away the salary increases of teachers; she said it was never a consideration and is completely untrue, voicing her confusion how the rumor was started. She has complete respect for teachers, having worked alongside them for many years, having sent her children to Warren County Public Schools, and having grandchildren currently attending Warren County Public Schools. She stated the Board categorizes the budget in order to ensure the money is kept where it is placed and is spent on what it was originally proposed to be spent on.

Dr. Daley reported the following:

- Responded to the public question of whether the adopted resolution appropriated new money; this was money that the Board of Supervisors was going to use to fund Warren County Public Schools (WCPS), so the monies were put in reserve. The adopted resolution moved the funds from the County's Non-Departmental budget to the WCPS budget. With the adoption of the resolution, \$1.5 million of State money is released to WCPS as well. Compared to the WCPS adopted budget for FY 2021-2022, \$2 million was added for capital projects with an additional \$1 million surplus transfer. Overall, the FY 2022-2023 budget for WCPS is approximately \$3.2 million greater than the adopted WCPS budget for FY 2021-2022.
- He asked County Attorney Jason Ham to speak about POSF alleging it is a Property Owners Association (POA). Mr. Ham referred to the 1995 case of *Matlack v. Property Owners of Shenandoah Farms, Inc.* ("Matlack"), which is still the presiding case law in this matter. In order to be considered a POA, any person, by virtue of ownership of a lot, is a member of the association. This requirement was analyzed in Matlack, and the judge in the case ruled that POSF was not a POA because the Articles of Incorporation state that to be a member of the association, the lot owner must *make application* to be included. Mr. Ham has reviewed the memorandum provided by the POSF attorney, which argues that the judge's 1995 opinion is incorrect, and though he has contacted the attorney to discuss this memorandum, to-date he has not heard back. To that end, Matlack still is the presiding case in this matter, and it has not been appealed, nor has the definition of a POA changed. The only situation that would allow POSF to become/be considered a POA is if the law changes, which it has not.

- Dr. Daley then responded to the public question of why the County would send a notice to POSF regarding the return of surplus funds; he sent the notice to POSF because the management agreement that was terminated effective July 1, 2022 included a stipulation that if and when the agreement was terminated, POSF would return unused surplus funds to the Sanitary District. Because the agreement is now terminated, the County needs to clear the books and have the money returned to the Sanitary District.
- Responded to the public question of why the Board is still considering Old Oak Lane, Phases IV and V, for funding through the Virginia Department of Transportation's (VDOT's) Revenue Sharing program; the Board was given information by the Shenandoah Farms Sanitary District Advisory Committee at a work session on August 9th where it was mentioned there are only eight (8) homes on the stretch of road proposed to be upgraded. After consulting with staff, it was determined there is a large number of Shenandoah Farms residents who use Old Oak Lane as egress, which makes it a major throughfare for the Sanitary District. He said while the Board waits for the most current project cost estimates to be completed by mid-September, staff will be conducting traffic counts to determine the latest number of vehicles that use the road each day.
- Attended the Drug Court meeting on August 15th; the committee has completed the draft of its policy guide and is now working on the participant handbook. The committee will next meet on Monday, September 12th at 5:00 PM. Dr. Daley also thanked Tim Coyne, long-time chief Public Defender for the region, for his efforts in getting the Drug Court established and his work in the area. Dr. Daley wished Mr. Coyne luck in his new position of deputy executive director of the Virginia Indigent Defense Commission in Richmond, Virginia.
- Brandon Davis with the Northern Shenandoah Valley Regional Commission will deliver a presentation to the Board at its meeting on September 6th providing an update to the status of the regional broadband initiative; the contracts have been finalized and executed, and the project is moving into the engineering phase. There will likely be limited work done in the winter, which means the company will move full steam ahead in the spring.
- Reminded everyone of the annual Household Hazardous Waste Collection Day and Residential Clean-Up Day, both on Saturday, September 10th from 8:00 AM – 2:00 PM
- Requested the Board members provide him with available dates over the next few months to hold a vision retreat
- Building Inspections Statistics for July

New Home Starts

County	Town	Total	# in July 2021
8	3	11	24

Permits Issued

2022	2021	Difference
218	265	-47 (-21.6%)

Inspections Completed

2022	2021	Difference
824	986	-162 (-19.7%)

- Parks and Recreation

- The Claude A. Stokes Jr. Community Swimming Pool will be CLOSED during the week beginning August 8, 2022, (Many of our guards are students and school has begun). Operating hours for the weekends will be:

Saturdays, August 20th, 27th and September 3rd from Noon - 6:00 p.m.

Sundays, August 21st, 28th and September 4th from Noon - 6:00 p.m.

- Exciting news! The Rockland Park basketball court project is completed and is open for use for the public. The Avtex Retirees Community Shelter picnic tables and litter containers have been installed, and it is open for use by the public.

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

- 140 SNAP Applications
- 108 Medicaid Applications
- 28 TANF Applications
- 18 Child Care Applications
- 23 Cooling Applications
- 1,025 Lobby Visits
- 1,261 Phone Calls

On the Services side, for the month of July:

- 42 CPS referrals received
- 23 APS referrals received
- Used \$779.08 from the Ministerial Fund
- Took in \$1,207 to the Ministerial Fund
- Provided food to 13 individuals
- 127 EBT cards given

Job development:

- New client/referrals in July – 6
- Total clients to-date – 88
- Total businesses contacted to-date – 73

- Department of Fire and Rescue Services

- The Department has promoted three part-time staff members to full-time employees, filling its new full-time positions!
- The Department has placed the 1997 Seagrave Fire Engine in-service at Linden Fire Station #4 which will replace the volunteer-owned unit. Special thanks to Captain Michael Sirna and the staff that worked diligently in making this project successful.

- Personnel responded to over 20 calls for service during a flash flooding event on July 17th, including multiple victims trapped by flood waters, two reported house fires, and a multitude more of varying emergencies.
- Personnel from multiple stations attended the 2022 National Night Out event hosted by The Town of Front Royal. Crews set up multiple pieces of fire apparatus and toured them with the attendees!
- Chief Bonzano is pleased to announce that the Organization is hosting an Officer level 1 course with seven employees enrolled.
- Fire Chief Bonzano and Captain Gerry Maiatico recognized two Town of Front Royal Police officers for their life-saving actions at a house fire in July.
- The seven students participating in the paramedic program have completed all in-classroom activities and have completed several benchmark testing processes. These students will be completing their capstone requirements and then their final testing process.
- Public Works
 - August 3rd letter received from Harold Shrewsberry, County citizen: “At least once a week I take my trash to the Route 340 South trash disposal station, and often take solid waste to the Bentonville Transfer Station. I want to thank you for keeping those locations neat, clean, and well maintained. It is amazing that trash disposal locations present such a nice appearance. It is appealing to know that my county government takes the time and effort to provide nice locations to empty my trash. I want to thank Mr. Berry and his staff for this outstanding work. This makes me proud to be a citizen of Warren County.”
- Voter Registration Software
 - The Board approved an award to Civix for a new ePollTAB poll book deployment, which was signed on August 15, 2022 in the amount of \$32,638.00. The Board approved an interfund budget transfer for said purchase, which was necessary for the County to be able to meet new election security standards required by legislation enacted by the General Assembly.
- Planning and Development
 - Tourism Committee – The Destination Marketing Tourism Board has formally been established. The Board has five voting members – two appointed by the County, two appointed by the Town, and one appointed jointly by the County and Town. The Board had their first meeting on August 2nd at 9:00 AM. They are working on establishing by-laws, a meeting schedule, and bank options.
 - Development Review Committee – The Development Review Committee met on July 27, 2022 and discussed the following projects:

Discussion of County Projects

- Planning Commission/BOS Applications
 - Commercial Outdoor Recreation Operation – Text Amendment/CUP
 - Self-Realization Fellowship Church – CUP
 - Class B Subdivision – Strawberry Fields Farm LLC – Nine (9) lots
 - Numerous Short-Term Tourist Rentals in CUP process
 - Data Center and Light Industrial Text Amendments still in process
- Update on ongoing projects
 - Boat Landings – Bear-proof trash cans installed at Morgan Ford and Catlett Ford Road Boat Landings
 - Health and Human Services Complex renovations for Senior Center
 - Warren County Government Center Administration office ceiling tile replacement
 - Sheetz Site Plan Review (Linden)
 - Christendom College – Madonna Hall Expansion and Christ the King Chapel Plaza site plans

Discussion of Town Projects

- Hang Ten Carwash site plans approved by the Town Planning Commission
- Three (3) Short-Term Tourist Rental Applications
- Townhomes on Virginia Avenue
- Town and County will be meeting about paving of trails along E. Criser Road
- Town and County Comprehensive Plan Reviews – meeting of Planning Commissions
- Status of Wright/Vaught properties on South Royal Avenue
- Status of approval for Town homeless shelter on Laurel Avenue

Route 340/522 Corridor Projects

- Proposed Orange Warehouse Facility – no movement recently
- Front Royal Self-Storage – worked out the water line
- Equus Warehouse Facility – nearly ready for final Building and Zoning inspections; needs Department of Environmental Quality (DEQ) sign-off
- McKay Springs – McKay family has contacted Town about possible acquisition and preservation of old house site
- Interchange, Phase II – permits approved by Building Inspections
- Terra Site Constructors – working on VDOT and DEQ items for site plan and permits
- Shahi Foods – approval of CUP for Food Processing Facility granted by Warren County Board of Supervisors

The Committee will meet again on August 24, 2022, at 10:00 AM.

- Commercial/Industrial Projects – Work continues on the following projects:
 - Interchange warehouse (340/522 and Toray Drive) continues to progress with all aspects of the construction.
 - Storage facility on 340/522 continues site work and building plans are in the process of being released.
 - New trucking facility on Winners Court is continuing with site work, has started building construction and submitted plans for trade permits.

Mr. Ham reported that the County's attorney for the lawsuit filed by Nicolas Chaillan and One Team Flight, LLC was successful in winning the case. No appeal has been filed.

Appropriations and Transfers

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

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

Department/Fund	Transfer/Appr.	Description	Amount
Sheriff's Office	Appr.	To appropriate extradition reimbursements from travel expenses incurred to pick up fugitives	\$3,334
Sheriff's Office	Appr.	To appropriate reimbursement from VDEM Grant	\$457
Clerk/Circuit Court	Transfer/Appr	Appropriation of Circuit Court Technology Trust Funds and Library of VA Grant	\$36,491
Board of Supervisors	Transfer	Transfer from Technology Board Asset Replacement Fund to cover the cost of CivicPlus Agenda and Minutes Management as approved by Board of Supervisors	\$7,110
Building Inspections	Appr.	To appropriate fees collected on behalf of Middle Department Inspection Agency	\$73,859
Building Inspections	Appr.	To appropriate Fees collected for State Levy	\$8,063
Commissioner of Revenue	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$6,359
Planning & Zoning	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$4,270
County Attorney	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$150
Board of Supervisors/ County Administration	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$16,822
VPI Extension	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$349
Elections	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$1,319

Front Royal-Warren County Airport	Transfer/Appr	Appropriation of additional revenue and transfer within department budget to balance all line items at the end of FY 21-22	\$10,465
Public Works - Refuse Disposal	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$26,096
Public Works - Refuse Collection	Transfer	Appropriation of additional revenue and transfer within department budget to balance all line items at the end of FY 21-22	\$215,428
Public Works - Transfer Station	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$10,387
Public Works - Sanitary Districts	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$1,934
Public Works - Streets/Highways	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$8,446
Public Works - Maintenance of Building and Grounds	Transfer/Appr	Appropriation of additional revenue and transfer within overall budget to balance all line items at the end of FY 21-22	\$426,820
Building Inspections	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$1,901
Building Inspections	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$3,502
Building Inspections	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$1,213
Commonwealth's Attorney	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$3,897
Parks and Recreation Maintenance	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$75,665
Parks and Recreation Programs	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$11,383
Parks and Recreation Administration	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$21,964
Magistrates	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$911
Treasurer	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$15,990
Juvenile & Domestic Court	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$572
Finance	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$56,542
Shenandoah Farms Sanitary District	Transfer/Appr	Appropriation of additional revenue and transfer within department budget to balance all line items at the end of FY 21-22	\$332,728
Lake Front Royal Sanitary District	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$15,557
Linden Heights Sanitary District	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$4,081

Osprey Lane Sanitary District	Transfer/Appr	Transfer within department budget to balance all line items at the end of FY 21-22	\$4,376
Shannon Woods Sanitary District	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$2,014
Wildcat Drive Sanitary District	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$6,492
Economic Development	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$267,267
Reassessment	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$863
Cost Recovery	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$24,287
Fire & Rescue	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$22,282
Animal Control	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$6,970
School Resource	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$731
E911	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$83,239
Court Services	Transfer	Transfer within department budget to balance all line items at the end of FY 21-22	\$6,605
Sheriff's Office	Transfer/Appr	Appropriation of additional revenue and transfer from within department budget to balance all line items at the end of FY21-22	\$280,611

Approval of Accounts

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

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

Approval of Minutes

On a motion by Mrs. Oates, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors approved the minutes of its regular meeting on August 2, 2022:

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

Unfinished Business – Request for Conditional Use Permit 2022-05-08, Self-Realization Fellowship Church for a Church – Matt Wendling

Matt Wendling, Planning Director, reported at the Board of Supervisors special meeting on July 26, 2022, this application was tabled for further consideration until such time as the

Virginia Department of Transportation (VDOT) could provide comments on the request. VDOT has submitted its comments to the Planning Department, and as a result, staff is proposing a fourth condition be added to the permit, if approved, that was not included in the conditions recommended by the Planning Commission:

4. The applicant shall meet all permitting requirements and complete the necessary entrance improvements as identified and recommended by VDOT prior to receiving a Certificate of Occupancy for the structure from the Building Official.

On a motion by Mrs. Cook, seconded by Mr. Butler, and by the following vote, the Board of Supervisors approved the conditional use permit request of Self-Realization Fellowship Church for a Church with the conditions as recommended by the Planning Commission and staff and listed below:

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

1. The chapel occupancy shall not exceed the number of occupants to be determined by the VA Uniform Statewide Building Code and VA Dept. of Health approval for an approved on-site sewage system.
2. The applicant shall comply with all Warren County Building Inspections, Virginia Department of Transportation (VDOT) and Warren County Health Department regulations and requirements. These include Building Code requirements for a smoke and fire detector system and change of use and occupancy to the authorized use group.
3. The applicants shall meet the requirements for Code Sections §180-15 for Off-Street parking for a church which requires one (1) parking space per four (4) fixed seats and §180-49.2 for outdoor lighting.
4. The applicant shall meet all permitting requirements and complete the necessary entrance improvements as identified and recommended by VDOT prior to receiving a Certificate of Occupancy for the structure from the Building Official.

Unfinished Business – Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-06-09, Cole and Danielle Haase for a Commercial Outdoor Recreation Operation – Matt Wendling

Mr. Wendling reported at its regular meeting on August 2, 2022, the Board of Supervisors postponed the public hearing for this conditional use permit request to its special public hearing date on Tuesday, September 27, 2022 beginning at 6:00 PM. However, as part of the same motion, the Board also “tabled the request to authorize for advertisement of a public hearing the proposed conditional use permit request for a Commercial Outdoor Recreation Operation until agency comments are received”. At this time, staff is requesting that the Board authorize the advertisement of a public hearing for this conditional use permit request on the date and at the time proposed.

On a motion by Mrs. Cook, seconded by Mr. Butler, and by the following vote, the Board of Supervisors reconsidered the prior motion made on August 2, 2022 regarding scheduling the public hearing of the conditional use permit request of Cole and Danielle Haase for a commercial outdoor recreation operation (the “CUP Request”) and authorized the advertisement of a public hearing to be held on Tuesday, September 27, 2022 for the CUP Request:

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

Consent Agenda

1. Removed for further discussion
2. Amendments to the Purchase Agreement for 30 E Jackson Street – Alisa Scott

Mrs. Cullers requested the removal of item 1 for further discussion.

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

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

Purchase Order Issuance Request of Warren County Public Schools for School Buses – Dr. Chris Ballenger

Mrs. Cullers requested the removal of this item because the amounts as indicated on the pricing sheets for both proposals total \$1,031,202, a different figure than the \$903,693 being requested. Dr. Chris Ballenger, Superintendent for Warren County Public Schools, stated they reduced the number of 77-passenger buses being requested from seven (7) to six (6). At its regular meeting on April 6, 2021, the Board of Supervisors established a School Transportation Fund in the amount of \$1,000,000 for the replacement of school buses, and this purchase request has been reduced to not go over this amount of available funds. The final proposed purchase is for a total of seven (7) buses – six (6) 77-passenger buses and one (1) special education bus.

On a motion by Mrs. Cook, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the payment and appropriation of \$903,693.00 to Sonny Merryman, Inc, for seven school buses and that upon delivery such buses be titled to the Warren County School Board and further authorized the Chair and County Administrator, either of whom may act, to execute all necessary documents that have been approved by the County Attorney or the Assistant County Attorney on behalf of the County:

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

Adjournment

Mrs. Cullers adjourned the meeting at 8:21 PM.



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
10/04/2022	G	Zoning Text Amendment Z2022-05-01 <i>A request to amend Chapter 180 of the Warren County Code (Zoning Ordinance) to add Light Industrial (LI) Zoning District; to add the definition of "Data center"; to add "Data center" as a use allowed by right in the Industrial (I) zoning district and Light Industrial (LI) Zoning District; and to supplemental regulations for data centers.</i>	1 of 1

EXPLANATION & SUMMARY:

The requested amendments and additions are to update Warren County's Zoning Ordinance to be economically competitive and proactive. The concept of Data Centers has been a discussion point for many years in our area and has most recently come up in Comprehensive Plan review sessions. In addition to the proposed changes to the Warren County Code, the Town of Front Royal is proposing similar code language so that both jurisdictions can be consistent with our approach to this ever-growing industry.

Planning Commission Status:

On Wednesday, September 14, 2022, the Planning Commissions voted on the application since it was postponed at the July 13th meeting since only two Planning Commissioners were in attendance to vote on the application since the Chairman abstained due to a conflict of interest. The public hearing had been held at the June 8th meeting and the Planning Commission tabled the text amendment in order for staff to do research on who was liable for the cost of the infrastructure for Data Centers. At the September 6th Board of Supervisors meeting the application was tabled until the Planning Commission could make their recommendation prior to authorizing advertisement for the public hearing.

PLANNING COMMISSION MOVE TO APPROVE:

At the September 14th, 2022, meeting Mrs. Richardson moved to forward the text amendment request to the Board of Supervisors, recommending approval, the motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 3-1. Mr. Myers abstained because of what he thought could be a conflict of interest, so his non-vote was counted as a nay.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed zoning ordinance amendment for advertisement for a public hearing.

SUBMITTED BY: Matt Wendling CFM <i>MPW</i> Planning Director County Floodplain Manager	DISPOSITION OF COMMISSION: ☐ APPROVED ☐ OTHER (Describe)	PROCESSED BY:
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ORDINANCE TO AMEND CHAPTER 180 OF THE WARREN COUNTY CODE (ZONING ORDINANCE) TO ADD LIGHT INDUSTRIAL (LI) ZONING DISTRICT; ADD THE DEFINITION OF DATA CENTER; ADD DATA CENTER AS A USE PERMITTED BY RIGHT IN THE INDUSTRIAL (I) AND LIGHT INDUSTRIAL (LI) ZONING DISTRICTS; AND TO ADD SUPPLEMENTAL REGULATIONS FOR DATA CENTERS.

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Sections 180-8, 180-20, 180-28, 180-28.1 and 180-45.1 of the Warren County Code (Zoning Ordinance) be amended, added, 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:

...

DATA CENTER

A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations, which may also include other associated utility infrastructure to support sustained operations.

[Added 9-27-2022]

Article IV. District Regulations

§ 180-20 Districts created, enumerated.

[Amended 6-16-1998; 2-5-2002; **9-27-2022**]

The following districts are established:

Agricultural (A)

Residential - 1 (R-1)

Residential - 2 (R-2)

Rural Residential (RR)

Village Residential (VR)

Suburban Residential (SR)

Commercial (C)

Industrial (I)

Light Industrial (LI)

Airport Overlay (AO)

Highway Corridor Overlay (HC)

§ 180-28 Industrial (I) District.

- A. Statement of intent. This district is for a variety of industrial uses which, with appropriate screening and without the emission of noise, dust, smoke, odor, toxic gases or hazardous substances, can be conducted in such a manner as to not adversely affect nearby properties.
- B. Uses permitted by right. Subject to the requirements and limitations of these regulations, any of the following uses is permitted as a matter of right on each lot:
[Amended 12-21-1992; 8-16-1994; 5-16-1995; 5-30-1995; 12-17-1996; 2-17-1998; 7-21-1998; 8-4-1998; 8-18-1998; 3-21-2000; 4-18-2006; 8-15-2006; 9-27-2022]

...

(22) Data Center
[Added 9-27-2022]

§ 180-28.1 Light Industrial (LI) District.

- A. Statement of intent. This district is for a variety of light industrial uses which, with appropriate screening and without the emission of noise, dust, smoke, odor, toxic gases, hazardous substances, or increase the volume of heavy traffic, can be conducted in such a manner as to not adversely affect nearby properties.**
- B. Uses permitted by right. Subject to the requirements and limitations of these regulations, any of the following uses is permitted as a matter of right on each lot.**
 - (1) Offices for executive administrative and data processing activities.**
 - (2) Educational or training institutions.**
 - (3) Warehousing and distribution facilities less than 10,000 square feet.**
 - (4) Commercial nurseries, greenhouses and garden centers.**
 - (5) Day-care or nursery facility.**
 - (6) Public protection facilities: fire departments, rescue squads, police stations or substations.**
 - (7) Technology businesses, including:**
 - (a) Internet service providers.**
 - (b) Software design and development.**
 - (c) Content developers.**
 - (d) Internet-based sales and service.**
 - (e) Telecommunications-based video service providers.**
 - (f) Outbound or inbound call centers.**
 - (8) Buildings used primarily for federal, state, County, or local government purposes.**
 - (9) Data Center**

- C. Accessory uses permitted by right. Accessory uses permitted by right shall be as follows:**
- (1) Day-care or nursery facility.**
 - (2) Types of accessory buildings permitted: garage, tool storage building, shed, portable storage container and/or guardhouse.**
 - (3) Wind energy system, private use.**
 - (4) Solar energy system, private use.**
- D. Uses permitted by conditional use permit. The following named uses may be permitted upon issuance of a conditional use permit by the Board of Supervisors.**
- (1) Dwelling for guard or caretaker.**
 - (2) Radio, television, microwave towers and similar communications structures.**
 - (3) Yard for storage of building materials or contractors' equipment.**
- E. Minimum lot area shall be one acre.**
- F. Minimum lot width shall be 150 feet.**
- G. Maximum length/width ratio shall be 4 to 1.**
- H. Minimum yard depth shall be as follows:**
- (1) Front: 50 feet.**
 - (2) Rear: 15 feet for a principal structure; 10 feet for an accessory structure.**
 - (3) Side: 15 feet for a principal structure; 10 feet for an accessory structure.**
- I. Utility requirement for water and sewer shall be individual, public or approved private.**

Article V. Supplementary Regulations

§ 180-45.1 Data Centers

- A. Statement of intent. These requirements are intended to ensure that the development of data centers, where allowed, is consistent with the goals of the Comprehensive Plan; promote public health, safety and welfare by improving air quality and reducing dust, glare and noise; promote traffic safety by defining circulation patterns; and provide for the protection of the appearance and value of neighboring properties.**
- B. Development standards. All facilities shall be subject to the use limitations and development standards set forth in the underlying land use district; in addition, shall be subject to the following supplemental regulations:**
- (1) Access and internal circulation.**
 - (a) Access and internal circulation shall be designed so as not to impede traffic on a public street. Access by the following means may be approved:**

- [1] Provision of shared entrances, interparcel connection and travelways, or on-site service drives connecting adjacent properties.
 - [2] Access from a secondary public street as opposed to the corridor highway.
 - [3] Access points, for lots located at an intersection, shall be located the maximum distance possible from existing or proposed intersections.
 - [4] The internal streets of a commercial, office, or industrial complex.
- (2) Setbacks and height.**
 - (a) Setbacks. Minimum yard depth shall be as follows:**
 - [1] Front: 100 feet for structures; 50 feet for parking lots. Reductions to required minimum yard depth may be granted by the Warren County Board of Supervisors and/or Planning Commission, as applicable, during the by-right or conditional use permit approval process where, on account of topographical, depth of lot, or other circumstances applicable to the subject property, without such relief use of the subject property would be effectively prohibited or unreasonably restricted.
 - [2] Rear and side: 50 feet for structures; 25 feet for parking lots.
 - (b) Uses and structures permitted in yards. The following uses and structures shall be permitted in the front, side and rear yards subject to the visibility requirements of § 180-12B(5):**
 - [1] Walls, hedges, vegetative plantings, service roads, stormwater management facilities and permitted signs and fences.
 - (c) Building height. All buildings shall be subject to the height limitations set forth in the underlying land use district.**
- (3) Parking and landscaping.**
 - (a) Landscaping and parking lots shall be installed in accordance with § 180-49.1 of this chapter.**
 - (b) Parking areas shall be located to the rear or side of the structure(s) or building(s) they are intended to serve whenever possible. Where parking is designed to be located in the front yard setback of the corridor highway, a three-foot berm or wall shall be utilized with a designated street buffer. Where a wall is used, it shall be placed adjacent to the parking areas.**
- (4) Service areas.**
 - (a) Loading and service bays. Loading areas, service entrances and service bays shall be oriented and/or screened so as not to be visible from the public right-of-way.**
 - (b) Waste disposal areas. Dumpster and other waste disposal areas shall be completely screened from the public view by means of a board-on-board fence and landscaping, or similar opaque material.**

- (c) Fences. Chain-link fences, including those with slats, are discouraged, particularly where visible from a public right-of-way. No chain-link fences shall be permitted in the front yard.
 - (d) Mechanical equipment. Mechanical equipment shall be shielded and screened from the public view and designed to be perceived as an integral part of the building.
- (5) Building location and treatment.
 - (a) Integrated development. All buildings within a property shall be developed as a cohesive entity, ensuring that building placement, architectural treatment, vehicular and pedestrian circulation and other development elements work together functionally and aesthetically. Architectural treatment shall be designed so that all building facades of the same building (whether front, side or rear) that are visible from the public right-of-way, shall consist of similar architectural treatment in terms of materials, quality, appearance and detail.
 - (b) Orientation. Building facades and entrances should be oriented in a manner toward the primary means of vehicular access.
 - (c) Floor Area: The Floor Area Ratio (total building floor area/total lot area) shall not exceed 0.5.
 - (d) Building bulk and mass. All buildings and parking areas should be designed with treatments to break up the mass and bulk. The treatment of buildings shall include vertical architectural treatment at least every 50 feet to break down the scale of the building into smaller components. Any facade with a blank wall must be screened in a manner approved by the Zoning Administrator to comply with applicable provisions of the Warren County Code. Architectural details shall continue on all facades visible from the public right-of-way.
 - (e) Materials. Building materials should be typical of those prevalent in Warren County, including stucco, brick, architectural block, wood siding, and standing seam metal roofs. Inappropriate materials include reflective glass and metal wall panels. No facade visible from adjoining property or the public right-of-way shall be constructed of unadorned cinder block, corrugated metal or sheet metal.
 - (f) Color. The permanent color of building materials (to be left unpainted) should resemble the predominant tones, primarily earthen tones, along the corridor. Garish and striking colors should be avoided.
 - (g) Adjoining historic properties. New construction on properties that adjoin designated historic properties should seek to incorporate the scale, massing and treatment of the historic property into the new construction. Efforts should be made to relate to the building height, when in proximity to the principal historic structure. New construction should not overshadow the adjoining historic property.

(6) Lighting.

(a) Lighting shall be installed in accordance with § 180-49.2 of this ordinance.

DRAFT

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN
SHERRY T. SOURS
COMMISSIONER OF THE REVENUE
P.O. BOX 1775, FRONT ROYAL, VA 22630-0038
PHONE: 540-635-2651 FAX 540-636-8280
E-MAIL: ssours@warrencountyva.gov

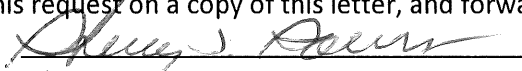
September 26, 2022
Warren County Board of Supervisors
Front Royal, VA 22630

Dear Chairman Cheryl Cullers:

An assessment for real estate taxes for January 1, 2022 through December 31, 2022 in the name of Warren Memorial Hospital Inc c/o Shenandoah Realty Holdings, LLC. Is erroneous. This property was purchased by Shenandoah Realty Holdings, LLC from Warren Memorial Hospital Inc by deed recorded February 23, 2022. The original assessment was \$28,747,600. The correct assessment for this parcel is \$20,400,000.

Under Section 58.1-3981(A) of the Code of Virginia and Section 160-62 of the Code of Warren County, it will be necessary to have the approval of the Board of Supervisors for a refund in the amount of \$18,225.59 plus penalty and interest if applicable, for the months of March through June, 2022 payable to Shenandoah Realty Holdings, LLC, 1007 Broadway, Woodmere, NY 11598.

In order that the Treasurer may have in her files evidence of authority to make this refund, I would appreciate your acknowledgement of this request on a copy of this letter, and forwarding it to her.



Sherry T. Sours, MCR
Commissioner of the Revenue

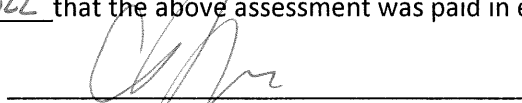
STS:lf

I, Jamie L. Spiker, Treasurer of Warren County, certify on this 26th day of September, 2022 that the above taxes were paid.



Jamie L. Spiker, Treasurer

I, Caitlin Jordan, Assistant County Attorney for the County of Warren, do consent on this 28th day of September, 2022 that the above assessment was paid in error.



Caitlin Jordan, Sr. Assistant County Attorney

Approved by the Warren County Board of Supervisors on this _____ day of _____, _____.

Dr. Edwin Daley, County Administrator



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF
October 4, 2022	H-2	Use of Courthouse Grounds – Veterans Day Ceremony – American Legion Post 53	
<u>EXPLANATION & SUMMARY:</u> Please see attached correspondence from Adjutant David A. Kaplan with American Legion Post 53 to hold its annual Veterans Day Ceremony on Friday, November 11 th beginning at 11:00 AM on the Courthouse lawn. The Board has traditionally approved this request. <u>COST & FINANCING:</u> N/A <u>PROPOSED OR SUGGESTED MOTION:</u> I move that the Board of Supervisors authorize American Legion Post 53 to use the Warren County Courthouse lawn beginning at 11:00 AM on Friday, November 11 th to host its annual Veterans Day Ceremony.			
SUBMITTED BY: Emily M. Ciarrocchi, Deputy Clerk of the Board	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)		PROCESSED BY:

Emily Ciarrocchi

From: Adjutant ALVAPost53 <adjutant.alvapost53@gmail.com>
Sent: Monday, September 26, 2022 7:14 AM
To: Tina Presley; Emily Ciarrocchi; Edwin Daley
Subject: Special Event Permit Request for Veterans Day Gathering for American Legion
Attachments: Sketch of Main St. by Courthouse for ALVA53 Veterans Day Event.PNG; Special-Event-Permit-Request-American Legion-Veterans Day.pdf

Good morning. I am starting the planning for Veterans Day activities earlier this year in hopes the planning and execution is smoother. I'd like to request use of the Courthouse Lawn and close streets similarly to how we did it last year. I'm submitting both requests concurrently since I saw how the County and Town both have input and approvals required for this event.

Last year I needed to submit a permit to the Town of Front Royal because of the street closures that were requested.

Please see the attached sketch using google maps and snip-it. I am requesting that everything inside the redbox on Main Street immediately adjacent to the courthouse is closed to vehicle traffic only. Pedestrians would be allowed access because we want the general public to be able to attend our event. The closure would last from 1000am thru approximately 1230pm for a Veteran Day Commemoration and Ceremony that Giles B. Cook - American Legion Post 53 is hosting. The Veterans of Foreign Wars Post 1860 will be supporting our event. The Elks may also be in support.

The street closure is to allow sufficient space for the bands from Warren County High School, Skyline High School and Randolph-Macon Academy to play music for our event. Thanks for your assistance. At the time I filed the application, I was unsure if the bands would be in attendance but they recently confirmed they would be able to.

Respectfully,

David A. Kaplan
Adjutant
Giles B. Cook - American Legion Post 53
Front Royal, VA
Ph: 540.905.1505

Special Events Application

All requests must be submitted to the office of the Town Manager or Designee for review. The information requested on the application will be used to determine your eligibility for the special event permit request through an established matrix approved by Town Council. The event will not be considered for approval until the entire application is complete. Applications are due to the Town Manager or Designee, no later than established by the Policy and Procedures. Parades, Processions, Walks, Races or similar require a separate application. Submit completed applications to:

Special Events Coordinator
Attn: Elizabeth Lewis
102 E. Main Street (P.O. Box 1560)
Front Royal, VA 22630
elewis@frontroyalva.com

PLEASE PRINT

EVENT	Veterans Day gathering for the members of Giles B. Cook, American Legion Post 53. The public is invited to attend.	
DATE	11 November 2022	
TIME	FROM: 1100 EST	TO: 1200 EST
	Setup Start Time: 1000 EST	Cleanup End Time: 1230 EST
LOCATION	Courtyard of the Warren County Courthouse 1 E. Main Street Front Royal, VA 22630	
ANTICIPATED ATTENDANCE	Participants: 20	Spectators: 50

EVENT ORGANIZERS' CONTACT INFORMATION

Sponsoring Organization Individuals cannot sponsor an event	Giles B. Cook Post 53 American Legion	
Primary:	Name David A. Kaplan	Cell Phone (540) 905-1505
	Address 22 W. 8th Street Front Royal, VA 22630	Home Phone
	Email Adjutant.ALVAPost53@gmail.com	Work Phone
Secondary:	Name	Cell Phone
	Address	Home Phone
	Email	Work Phone

GENERAL EVENT INFORMATION

Complete the following questions. Please provide additional information as needed.

Describe your event, including decorations and planned activities in detail. Site plan/sketch required.

The Giles B. Cook, American Legion Post 53 wants to have a small gathering honoring the service of all military veterans on Veterans Day. It is anticipated that a podium with a microphone and amplified speakers will be set-up so all in the courtyard of the Warren County Courthouse can hear. It is not our desire to be so loud as to make it so all of Main Street can hear us. A speaker or multiple speakers will introduce the event, say a prayer, discuss the significance of Veterans Day, honor military veterans, provide a closing prayer and provide closing remarks. It is anticipated that folding chairs may be setup so anyone in attendance is able to sit if needed. It is anticipated a small crowd consisting mostly of members of the Giles B. Cook, American Legion Post 53, members of Veterans of Foreign Wars Post 1860 will be in attendance with small numbers of members of the general public. Members of the Giles B. Cook, American Legion Post 53 will conduct all setup and cleanup operations. Setup and cleanup will consist of chairs and a sound system only. No materials are required, no food or beverages are being provided at the Courthouse. The general public will be invited to attend a luncheon after the event at the Giles B. Cook, American Legion Post 53 post home.

Has your organization held this event in the past? Where and when?

This event has been held on Veterans Day in previous years using the same setup at the same time and in the same location.

Is this event a fundraiser for your organization?

No fundraising or solicitation of donations will be conducted at this event.

Are there multiple businesses/vendors participating in your event? If so, how many?

This will be led predominantly by the Giles B. Cook, American Legion Post 53. Veterans of Foreign Wars Post 1860 will also be supporting this event.

Will you have volunteers/support staff assisting you with your event? If so, how many?

It is anticipated that approximately 3 - 4 volunteers will assist with this event.

What is your estimated budget for the event?

There is no significant budget for the event because there are minimal costs.

Will alcohol be served?

Event must obtain and submit a VA ABC Permit 30 days before the event. Must also comply with state code and local ordinances and have additional security. Armbands are required for age-appropriate attendees

No

Will food and drinks be sold/served?

Event must obtain and submit a permit from the local Health Department and attach a vendor list 30 days before the event. It is requested that the Fire Marshall's Office be contacted for fire safety guidelines for all vendors/exhibitors.

No

Will there be music? Please list the names of bands, individuals, DJ, or similar.

Yes: The bands from R-MA, WCHS and SHS are being invited to play music for this event.

Will there be animals? Type and quantity.

Areas must be cleaned up of all animal waste. Selling and/or Adopting is not allowed

No

Will there be tents, mechanical rides, bouncy houses or other similar structures? Please List.

Building Permit and/or Planning Zoning Permits may be required from Town and/or County of Warren. Fire Marshall's Office shall be contacted for safety guidelines for all vendors/exhibitors.

No

Electricity requested? Fees may apply. *Electrical Cords must be secured to avoid tripping*

Electricity is required to provide power to the microphone and sound system components.

Water requested? Fees may apply. *Hoses must be secured to avoid tripping*

No

Trash Collection requested? Fees may apply

No

Will you be requesting assistance from the Police Department? In what capacity?

If you have hired private security, please list the name(s)

Yes, we would like to have the Police Department block streets similarly to how they have previously.

Will items be left overnight? Please list those items and who will be in attendance to monitor. Tents, mechanical rides, bouncy house, etc. require a permit and must be adequately anchored for safety.

No

Portable restrooms? If so, how many?

The estimated # of people expected to attend the event will determine the # of portable restrooms needed. Virginia Department of Health requires one portable restroom and one hand-washing station per 100 people. Please include the restrooms located at the pavilion in your total

No

Will the event require closing surrounding streets/alley/parking lots, etc.? If yes, please provide the details below. Fees may apply.

Blocked Street	From	To	Day/Time Closed	Day/Time Reopened
See the attached sketch	1030	1230	11 November 2022	11 November 2022

ATTACHMENTS REQUIRED

Detailed map or sketch of closures requested

Copies of all permits related to but not limited to Selling Alcohol, Health Department, Planning/Zoning, Building Inspections Office, and Fire Marshall

Receipts of all fees paid

Certificate of Liability Insurance

Applicant's Signature David Andrew Kaplan Date: 25 September 2022

OFFICE USE ONLY

Comments

Town Manager/Designee Signature _____ Date: _____

SPECIAL EVENT PERMIT
AGREEMENT TO NOTIFY ALL ADJACENT
BUSINESSES AND RESIDENTS

Upon approval of my Special Event Permit, I understand and acknowledge that I am responsible for notifying all adjacent businesses and residents who may be affected by my event including but not limited to the closing of the street(s) or parking lot(s) for such event. I understand that if notification is not performed the ability to schedule an event in subsequent years may be hindered.

Signed (Event Organizer) _____ Date: _____

Print _____

Individual/Group/Organization _____

HELPFUL GUIDELINES

- Permits are granted based on the information in the application.
- No event organizer shall advertise their event without written approval of the event.
- Picnic tables are not to be removed from the pavilion
- Barricades and bollards are put in place by the Police Department and Town Staff and must not be removed for any reason. Unloading and loading must take place before the barricades and bollards are placed. Please call the Police Department at (540)635-2111 if other arrangements must be made.
- All areas are to be left clean and tidy immediately upon termination of the event.
- Shall not trespass on private property without written consent from the property owner
- Event Organizers are responsible for notifying all adjacent property and business owners if their event closes the Town Commons Parking Lot and/or Main and Chester Streets. This shall be accomplished in any way the event organizer sees fit. A template is provided with the application.
- Templates are provided with the application.
- Pets are required to be under control at all times and excrement removed and placed in trash receptacles.
- Event Organizers are responsible for all damage to public facilities occurring during their event
- Fire hydrants shall not be blocked
- The Town is not responsible for conduct of participants, guests or attendees for events that are not Town-sponsored or co-sponsored.
- All personal property shall be removed from Town property at the conclusion of the event. The Town is not responsible for stolen or damaged property that is not part of a Town-sponsored or co-sponsored event.
- The placement of tents, inflatables or other structures shall be disclosed in the application
- All decorations are to be confined to the reserved area and not result in damage to Town structures, trees, bushes or similar; and must be identified on the application. All decorations must be removed after the event. The following decorations are prohibited:
 - o Candles and open flames under all shelters, including but not limited to the pavilion and gazebo
 - o Paint, glitter, confetti, and glue
 - o Release of balloons, birds, insects, or any other wildlife
 - o Anything similar to the above
- Certificate of Liability Insurance information is available upon request through the Virginia Risk Sharing Association (TULIP – Tenant Use Liability Insurance Program)
- The After-Action Report shall be completed by the Event Organizer and submitted to the Town Manager's Office no later than two weeks after the conclusion of the event. This form is provided with the application.

Please report any issues or concerns to the Town Manager or Designee during normal business hours Monday – Friday, (540)635-8007 or the Police Department after hours and on weekends and holidays at (540)635-2111.

Date: _____

Dear Property Owner/Resident:

You are invited to attend a special event on _____ from _____ in the
Downtown Area. The streets in the area will begin closing at _____ and
remained closed until _____.

We understand you or your customers may have vehicles parked in these areas and wanted to give you
ample time to move them if necessary.

We apologize for any inconvenience this may cause. Please do not hesitate to contact me with any
questions or concerns you may have.

Sincerely,

Event Organizer:

Phone#:

Email:

Chapter 72SPECIAL EVENTS HELD ON TOWN STREETS AND PUBLIC PROPERTY**72-1 PURPOSE OF CHAPTER****72-2 TOWN STREETS AND PUBLIC PROPERTY REQUESTED FOR USE****72-3 APPLICATION, POLICY AND PROCEDURES AND PERMIT****72-4 PERMIT EXCEPTIONS****72-5 PERMIT REVOCATIONS/SUSPENSION****72-6 PROVISIONS OF THIS CHAPTER****72-7 VIOLATIONS OF THIS CHAPTER****72-8 APPEALS**

Adopted by the Town Council of the Town of Front Royal 3-11-85 (*formerly adopted 11-26-73. Section 72-8 added at time of adoption of Code.* Amended 3-13-06, 8-27-07 AND 1-14-10. Entire Chapter was amended 1-23-12 (*formerly Entertainment Festival*).; Revised/Reorganized Content and Added Subsections 1-14-19. Amended in its entirety 6-1-21 to remove reference to policy and procedures. Other amendments noted where applicable.

72-1 PURPOSE OF CHAPTER

The purpose of this chapter is to accommodate competing demands for the public use of Town streets, and public property that are requested to be used for a special event. Policy and Procedures regulating these areas of demand is necessary to maintain public peace, safety, acceptable conditions of traffic flow and prevention of any illegal or unlawful activity.

72-2 TOWN STREETS AND PUBLIC PROPERTY REQUESTED FOR USE

Town streets and public property may be requested for public use in the following areas.

1. Downtown Area that includes Main Street, Chester Street, Crescent Street, Peyton Street, Laura Virginia Hale, High Street, Kidd Lane, Water Street, Jackson Street and portions of Church Street and Blue Ridge Avenue. This area also includes the Town Commons Area that includes the Gazebo, Pavilion, Parking Lot and Visitor Center.

2. All Other Areas that are not included in the Downtown Area mentioned in 72.2.1 but are Town Streets or a public place.

72-3 APPLICATION, POLICY AND PROCEDURES AND PERMIT

No special events shall be held on Town streets and public property without an authorized permit from the Town Manager or his designee. Policy and Procedures including the application shall be found in the Town Manager's Office or on the Town's website.

72-4 PERMIT EXCEPTIONS

This Chapter shall not apply to:

1. Gatherings or events on private property;
2. Gatherings or events on Warren County owned property located within the Town's corporate limits;
3. Gatherings or events on public or privately owned school property;
4. Activities the Town Manager or his designee deem acceptable as an exception.

72-5 PERMIT REVOCATIONS/SUSPENSION

The Town Manager or his designee shall be authorized to revoke or suspend any permit previously granted:

1. For violation of any provisions of this Chapter;
2. For any material misrepresentation, intentional or otherwise, made in connection with the application or the permit;
3. When weather conditions render the subject activity unsafe;
4. When otherwise required in the interest of public health, safety and welfare or environmental considerations.

72-6 PROVISIONS OF THIS CHAPTER

The Town Manager may designate one or more officers and/or employees of the Town to administer the provisions of this Chapter and be the final authority for all events held on Town streets and public property.

72-7 VIOLATIONS OF THIS CHAPTER

Any person who shall violate any provision of this Chapter shall be suspended from having any future events for one year from time of event or as the Town Manager or designee deems appropriate based on the violation.

72-8 APPEALS OF ANY DECISIONS

Appeals of any decisions made by the Town Manager or his designee must be made to the Town Council within thirty days of decision.

(Entire Chapter Amended 6-1-21-Effective Upon Passage)

AFTER-ACTION REPORT

The After-Action Report assists the Town Manager or Designee and the Event Organizer to analyze the previously held event and to determine success of subsequent events. The report shall be completed by the Event Organizer and submitted to the Town Manager's Office no later than two weeks after the conclusion of the event. Reports will be filed to be used for subsequent events by the Event Organizer. The Town Staff reserves the right to include his own comments and observations to this report. Submit reports to:

Special Events Coordinator
Attn: Elizabeth Lewis
102 E. Main Street (P.O. Box 1560)
Front Royal, VA 22630
elewis@frontroyalva.com

PLEASE PRINT

Name of Event		
Event Organizer		
Date of Event		
Time of Event	FROM:	TO:
	Setup Start Time:	Cleanup End Time:
Location of Event		
Attendance	Participants:	Spectators:
Number of Business/Vendors if different than application		
Number of Volunteers if different than application		
Actual funds raised if event was a fundraiser		
Were the Police Called to your event? If so, indicate the nature and outcome of the call if known.		
Was area cleaned in a timely manner after the event, including all decorations?		
Were the policy and procedures followed to the best of your knowledge?		

AFTER-ACTION REPORT CONTINUED

If alcohol was served, did you have any issues with unruliness, drunkenness, etc. that warranted a call to the police?

If music was played, were you ever made aware of it being too loud?

If animals were part of your event, were you made aware of any issues involving them?

If structure such as tents, mechanical rides, bouncy houses or similar, were part of your event, did you have any safety issues that you were made aware of?

If you requested electricity, water, trash collection, did you have any issues that the Town should be made aware of for subsequent events? Please list here.

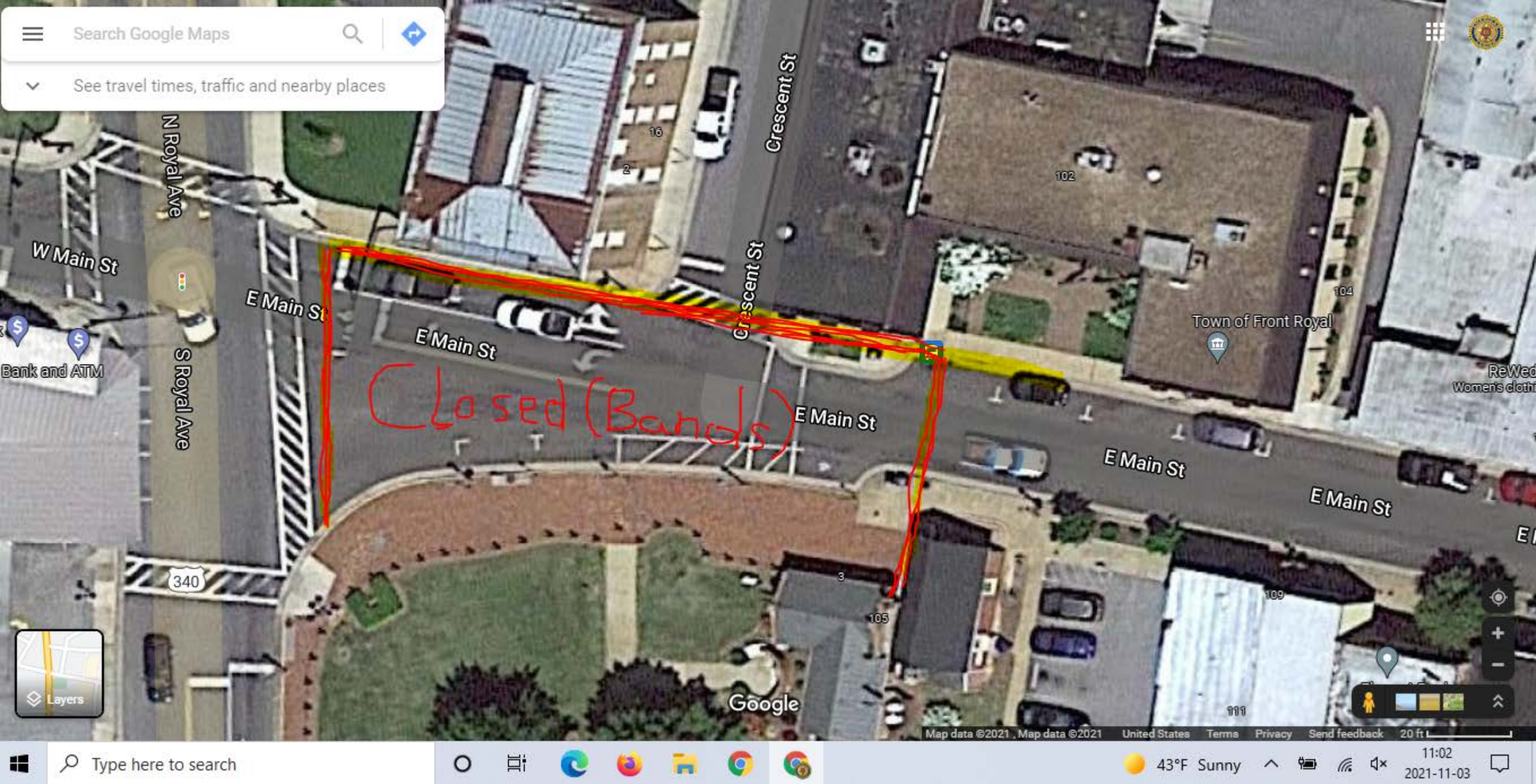
Were there enough restrooms and hand-washing stations for your event?

Did you receive any concerns from adjacent property owners pertaining to your event? If so, please list.

Please list suggestions that could assist the Town in a more successful event for you next year.

Applicant's signature _____ Date: _____

Town Manager/Designee Signature _____ Date: _____



Search Google Maps



See travel times, traffic and nearby places



Type here to search



43°F Sunny



11:02
2021-11-03





COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE October 4, 2022	ITEM H-3	SUBJECT: Proposed Meetings Schedule for FY 2023-2024 Budget and Preliminary FY 2024-2025 Budget	PAGE 1 OF
<u>EXPLANATION & SUMMARY:</u> Attached is the proposed meetings schedule for the FY 2023-2024 budget and the preliminary FY 2024-2025 budget. <u>COST & FINANCING:</u> N/A <u>PROPOSED OR SUGGESTED MOTION:</u> I move that the Board of Supervisors approve the proposed meetings schedule for the FY 2023-2024 Budget and the Preliminary FY 2024-2025 Budget as proposed.			
SUBMITTED BY: Matt Robertson, Finance Director	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)		PROCESSED BY:

MEETINGS SCHEDULE
FY 2023-2024 and Preliminary FY 2024-2025 Budgets

PARTNER AGENCIES BUDGET REQUESTS

October 21, 2022	Mail/E-mail instructions to partner agencies submitting budget requests to the County of Warren for FY 2023-2024.
December 2, 2022	Partner agencies budget requests due.
January 6, 2023	Partner agencies must call the Finance office to be put on the agenda for the work session to be held on February 2 nd or 9 th .

CAPITAL IMPROVEMENT AND ASSET REPLACEMENT REQUESTS

October 17, 2022	Capital Improvement and Asset Replacement folders are opened in the Budget Site for departmental input if applicable. Capital Improvement submissions will mimic those submitted thru the Capital Improvement Planning Process.
November 11, 2022	Capital Improvement and Asset Replacement budget requests due.

ALL COUNTY DEPARTMENT OPERATING BUDGET REQUESTS

October 31, 2022	Department Operating Budget folders are opened in the Budget Site for departmental input.
December 2, 2022	Operating Budget requests are due in Budget Site.
January 9-20, 2023	County Administration to meet with all Departments.

TENTATIVE DATES FOR BOARD OF SUPERVISORS WORK SESSIONS/MEETINGS

February 2 & 9, 2023	6:00 p.m. – GOVERNMENT CENTER BOARD ROOM – Work Sessions Partner Agencies
February 14, 2023	9:00 a.m. – GOVERNMENT CENTER COMMUNITY ROOM – Work Session County Departments and Constitutional Officers
February 23, 2023	6:00 p.m. – GOVERNMENT CENTER BOARD ROOM – Work Session Capital Improvements and Asset Replacements
March 2, 2023	6:00 p.m. - GOVERNMENT CENTER BOARD ROOM – Work Session
March 9, 2023	5:30 p.m. - 7:00 p.m. - GOVERNMENT CENTER COMMUNITY ROOM – Work Session Warren County School Board
March 16, 2023	6:00 p.m. – GOVERNMENT CENTER BOARD ROOM – Work Session (if needed)
March 21, 2023 ¹	7:00 p.m. – GOVERNMENT CENTER BOARD ROOM – Regular Board Meeting Authorization to Advertise for a Public Hearing
April 11, 2023 ¹	7:00 p.m. – GOVERNMENT CENTER BOARD ROOM – Special Board Meeting Public Hearing FY 2023-2024 Budget
April 18, 2023 ¹	7:00 p.m. – GOVERNMENT CENTER BOARD ROOM – Regular Board Meeting Consideration to Approve the Proposed Budget

¹ Dependent upon date of Commonwealth of Virginia Budget Adoption



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:
October 4, 2022	H-4	Agreement with the Town of Front Royal and Discover Front Royal for Destination Marketing Organization Services
<u>EXPLANATION & SUMMARY:</u>		
Since June 21, 1993, the Town had been responsible for funding the Visitor's Center and tourism for the community as the vast majority of beneficiaries were located inside the limits of the Town. In 2017, due to significant growth outside of the Town's limits, the County adopted an ordinance that increased the transient occupancy tax from two percent (2%) to five percent (5%). The County and Town entered into a Memorandum of Agreement dated January 5, 2021 that established the Front Royal-Warren County Joint Tourism Advisory Committee, investing additional resources into branding and marketing the community as a destination, and to enhance the many amenities in the community. The Town and County appointed the Advisory Committee to advise, assist, support, and advocate for tourism policies, program, and activities to market and promote Front Royal-Warren County and its environs, and to serve as the "local tourism industry organization" referred to in Section 58.1-3819 of the Code of Virginia, as amended. The Town and County amended the Advisory Committee's name to "Front Royal Warren County Joint Tourism Committee," and entered into a new Memorandum of Agreement to establish an eleven (11) member committee defining the working relationship between the Town and County for the conduct of work of the Joint Tourism Program. Further the Town and County contributed financially to a Destination Marking Organization (DMO), to provide visitor services, marketing and advertising for the community, research, and more. The DMO was mutually selected to provide oversight for strategic planning and budgeting as well as a partner liaison from a Request For Proposals issued and subsequently contracted by the Town in accordance with the Virginia Public Procurement Act. At a special meeting on March 22, 2022, anticipating the creation of "Discover Front Royal", a 501C6 non-profit organization, the Board of Supervisors approved the Front Royal-Warren County Joint Tourism Agreement, and after concurrent approval by the Town Council of Front Royal, the Agreement was executed on April 6, 2022. As of July 22, 2022, Discover Front Royal filed its Articles of Incorporation and began to operate as a 501C6 organization, and at this time, the County and the Town desire for Discover Front Royal to become the DMO. The attached Memorandum of Agreement will establish the relationship and obligations of the County, Town, and DMO and will dissolve the Front Royal-Warren County Joint Tourism Committee. Further, the previously approved Memoranda of Agreement dated January 5, 2021 and April 6, 2022 will be terminated. The Board is requested to review and approve the agreement as presented, contingent upon Town Council approval.		

COST & FINANCING:

Funding for the County's obligations per this Agreement is available in the FY23 budget. Subsequent funding is contingent upon Board adoption.

PROPOSED OR SUGGESTED MOTION:

I move the Board of Supervisors approve the Memorandum of Agreement of the County of Warren, Virginia; the Town of Front Royal, Virginia; and Discover Front Royal, Inc., as presented. I further move the Board authorize the Chair and County Administrator, either of whom may act, to execute all necessary documents that have been approved by the County Attorney or the Assistant County Attorney.

SUBMITTED BY:

Taryn Logan,
Deputy County
Administrator

DISPOSITION OF BOARD: ☐ **APPROVED** ☐ **OTHER**
(DESCRIBE)**PROCESSED
BY:**

Memorandum of Agreement

*Of the County of Warren, Virginia; the Town of Front Royal, Virginia;
and Discover Front Royal, Inc.*

THIS AGREEMENT (this “Agreement”) is made and entered into as of _____ 2022 (the “Effective Date”), by and between the **TOWN OF FRONT ROYAL, VIRGINIA (“TOWN”)**, the **COUNTY OF WARREN, VIRGINIA (“COUNTY”)**, and **DISCOVER FRONT ROYAL**, a Virginia non-profit corporation (**“CORPORATION”**). TOWN, COUNTY, and CORPORATION are sometimes referred to hereinafter individually as a “Party” and collectively as the “Parties.”

I. PURPOSE

Since June 21, 1993, the Town had been responsible for funding the Visitor’s Center and tourism for the community as most hotels, motels, and restaurants that benefitted from tourism were located inside the limits of the Town. However, there was significant growth of the lodging industry in the County and outside of the Town’s limits. As a result, the County adopted an ordinance that increased the transient occupancy tax from two percent (2%) to five percent (5%). This increase became effective on July 1, 2017.

Upon the County adopting the ordinance, the Parties entered into a Memorandum of Agreement that established the Front Royal-Warren County “Joint Tourism Advisory Committee”, hereinafter the “Committee”. The Parties wished to put additional resources into branding and marketing the community as a destination and to provide additional support and to enhance the restaurants, lodging establishments, and the many amenities to the community. The Parties appointed the Advisory Committee to advise, assist, support, and advocate for tourism policies, program, and activities to market and promote Front Royal-Warren County and its environs, and to serve as the “local tourism industry organization” referred to in Section 58.1-3819 of the Code of Virginia, as amended.

On January 5, 2021, the County and Town entered into an updated Memorandum of Agreement, tasking the Committee to direct, promote, and manage tourism development in the Front Royal and Warren County community until the Parties mutually selected a tourism marketing firm to serve as a “Destination Marketing Organization” (hereinafter referred to as “DMO”). In accordance with the Virginia Public Procurement Act, the Town solicited and subsequently publicly contracted, with the County’s agreement, with Jones Lang LaSalle (“JLL”) to serve as the tourism marketing firm. While the County was assigned fiscal responsibility, both Parties equally appropriated and contributed to payment upon Committee approval.

On April 6, 2022, the Town and the County entered into a Memorandum of Agreement that provided the Committee and the Parties would maintain their respective responsibilities until a 501(c)(6) non-profit organization titled Discover Front Royal was established. Discover Front Royal shall become the Virginia Tourism Corporation’s “Destination Marketing

Organization” (DMO) for Front Royal and Warren County and shall serve as the sole tourism authority for the Parties, and the Committee would be dissolved. As of July 22, 2022, Discover Front Royal filed its Articles of Incorporation and began to operate as a 501(c)(6) organization, and it is the Parties’ desire that Discover Front Royal become the DMO for both the Town and the County.

This Memorandum of Agreement establishes the terms and conditions for the relationship between the Town and the County with Discover Front Royal as the area’s DMO.

II. DEFINITIONS

Local Lodging Partner – Referred to in Va. Code § 58.1-3819 of the Code of Virginia as amended includes hotels, motels, boarding houses, travel campgrounds, and other facilities offering guest rooms rented out for continuous occupancy for fewer than 30 consecutive days.

Tourism – In accordance with Code of Virginia § 58.1-3819 and the Town of Front Royal Special Event Permit Policies and Procedures, as amended, attracts travelers to the locality, increases occupancy at lodging properties, and generates tourism revenues in the locality.

Community Gathering/Event – Referred to in the Town of Front Royal’s Special Event Permit Policies and Procedures, as amended, draw attendance less than 1,000 people, and are intended, in general to benefit the residents of Front Royal and Warren County.

Plan of Work –

Key Performance Indicators (KPIs) – Specific goals used to evaluate the success of Discover Front Royal’s promotion of the common economic interests of commercial tourism enterprises within the Town and County. These goals will be established annually by Discover Front Royal’s Board of Directors.

III. OBLIGATIONS

Discover Front Royal shall:

1. Promote the common economic interests of all the commercial tourism enterprises in the Town and the County.
2. Be devoted to improving and advancing the growth of the tourism and hospitality industry through uniform marketing and tourism development strategies by (i) focusing on destination tourism development, raising awareness of and supporting cooperation by local tourism enterprises to advance tourist experiences; (ii) educate about and advocate for the local tourism and hospitality industry; and (iii) promote economic development for the entire local economy and the continuous improvement of the local tourism sector.
3. Become the Virginia Tourism Corporation’s (VTC) “Destination Marketing Organization” of record for the Town and the County.
4. Accept transfer from the Town of all assets, social media, and any other content previously created for and associated with “Discover Front Royal”.

5. Have an audit performed annually by a Certified Public Accountant. The audit shall include account records and procedures sufficient to express an informed opinion of Discover Front Royal's financial status. At the conclusion of the audit, Discover Front Royal shall provide the Town and County the auditors letter opinion with a written report setting forth the results of the audit and the auditor's recommendations.
6. Submit and present a proposed fiscal budget by January 1st each year to the Town and County that includes the budget, funding plan, and all grants, donations, and gifts Discover Front Royal expects to receive during the upcoming fiscal year
7. Present an annual Plan of Work, that is supported by the proposed annual budget, that will achieve Key Performance Indicators (KPIs) and the GOALS OF THE PARTIES identified in section IV below. Discover Front Royal will make monthly reports on the Plan of Work to the Board of Directors and will make annual reports on the Plan of Work to the Town and County.
8. Manage the Plan of Work and Visitors Center by directing and promoting tourism in the Front Royal-Warren County community to increase overall tourism revenue.
9. Encourage individuals, businesses and both the Town and the County to achieve "Goals of Parties" outlined in section IV.

The Town of Front Royal shall:

1. Designate one member of Town Council and one member of Town staff to serve as Ex-Officio Directors on the Discover Front Royal Board of Directors.
2. Fund half of the approved budget, along with the County, of Discover Front Royal. Such amount to be funded will be decided by the Town and County each year as part of their respective budget process, provided that such minimum Town funding will be 50%, not to exceed 70% of the 5-year rolling average of actual revenue received from the transient occupancy tax collected by the Town.
3. Lease the Visitors Center to Discover Front Royal for \$1 per year.
4. Transfer the VTC "Destination Marketing Organization" recording and designation to Discover Front Royal within ten (10) days of the execution of this Agreement.
5. Transfer to Discover Front Royal all tourism related licenses, entitlements, and intellectual and personal property, including but not limited to all merchandise, the "Discover Front Royal" slogan, all social media, and any other content previously created for or associated with "Discover Front Royal" or tourism.

The County of Warren, Virginia shall:

1. Designate one member of the Board of Supervisors and one member of County staff to serve as Ex-Officio Directors on the Discover Front Royal Board of Directors.
2. Fund half of the budget, along with the Town, of Discover Front Royal. Such amount to be funded will be decided by the Town and County each year as part of their respective budget process, provided that such minimum County funding will be 50%, not to exceed 70% of the 5-year rolling average of actual revenue received from the transient occupancy tax collected by the Town.

IV. GOALS OF PARTIES

1. *Citizen Understanding* - Increase the economic value of tourism and travel to the Town of Front Royal and County of Warren and its citizens and businesses and encourages inter-community collaboration on all matters relating to tourism development and promotion.
2. *Tourism* - Broaden awareness of the community's existing attractions, both natural and man-made, its heritage and historic sites, and services provided for travelers. This effort shall include awareness within the tourism industry and among the traveling public, with emphasis on regional initiatives whenever possible.
3. *Hospitality* - Ensure that travelers to and through Front Royal-Warren County are served hospitably and have ready access to information on tourist services and points of interest.
4. *Tourism Development* - Pursue with the two Economic Development Authorities of both Parties, an overall economic development program to include the development of additional visitor accommodations such as lodging and conference facilities, restaurants, campgrounds, public parks, and other attractions.
5. *Scenic Beauty* - Encourage programs whose purpose(s) are to preserve and enhance the scenic beauty of the Parties, particularly along its public highways.

V. DISSOLUTION OF THE FRONT ROYAL-WARREN COUNTY JOINT TOURISM COMMITTEE

The County and the Town mutually agree that upon the execution of this Memorandum of Agreement, the Front Royal-Warren County Joint Tourism Committee is hereby dissolved, and the Memorandum of Agreement dated January 5, 2021 and the Memorandum of Agreement dated April 6, 2022 are both terminated.

VI. AMENDMENTS

This Agreement may be amended or altered in whole or in part upon approval by the Front Royal Town Council and the Warren County Board of Supervisors. This Agreement shall continue each fiscal year unless a written notice to terminated is provided by March 1st of any year to the other parties.

[THE REMAINDER OF THIS PAGE WAS LEFT INTENTIONALLY BLANK]

Approved by the County of Warren Board of Supervisors on the ____ day of _____, 2022.

FOR THE COUNTY OF WARREN, VIRGINIA

Cheryl L. Cullers, Chair, Board of Supervisors

Attest:

Dr. Edwin C. Daley, County Administrator

Approved by the Front Royal Town Council on the ____ day of _____, 2022.

FOR THE TOWN OF FRONT ROYAL, VIRGINIA

Chris W. Holloway, Mayor, Town of Front Royal

Attest:

Tina L. Presley, Clerk of Town Council

FOR DISCOVER FRONT ROYAL, INC.

Kerry Barnhart, Board President

Attest:

Stephen Jerome, Joseph F. Silek, Jr., P.C., Outside Counsel

Approved as to form:

Caitlin Jordan, Esq., Senior Assistant County Attorney

George Sonnett, Esq., Town Attorney



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE October 4, 2022	ITEM H-5	SUBJECT: Amendment to the Sale of County Real Property	PAGE 1 OF
<u>EXPLANATION & SUMMARY:</u> At its July Regular Meeting, this Board approved the disposition of 30 E Jackson Street Front Royal, VA 22630 tax map number 20A7 4 39A for the contract price of \$240,000 with Blue Ridge Information Systems after a properly advertised public hearing. On August 16, this Board approved a contract addendum changing the name of the purchaser to Fernhill Property Management LLC. Currently, the County's real estate broker, Adams-Nelson, has provided the County with a third addendum which extends the closing date to no later than November 30, 2022 to secure a survey of the property. There are no other material changes to the contract. <u>COST & FINANCING:</u> Excluding commission and normal closing costs, the County will receive \$240,000 at closing. <u>PROPOSED OR SUGGESTED MOTION:</u> I move the Board of Supervisors approve the amendment to the contract as follows, "Closing date is extended to no later than November 30, 2022 to secure a survey of the property. All other terms and conditions of the contract remain the same". I further move the Board authorize the Chair and County Administrator, either of whom may act, to execute all necessary documents that have been approved by the County Attorney or the Assistant County Attorney. or I move that the Board of Supervisors table this request for further discussion.			
SUBMITTED BY: Alisa Scott, Deputy Finance Director	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)		PROCESSED BY:



VIRGINIA REALTORS®
ADDENDUM TO Contract



This ADDENDUM which is attached to and made a part of the Contract for Purchase
(the "Agreement") dated July 20, 2022, between County of Warren, Virginia
("Seller") and Blue Ridge Information Systems, (Closing as Fernhill Property Management LLC
(Purchaser) for the Property, whose address is: 30 East Jackson Street, Front Royal, VA

This Addendum provides as follows:

Closing date is extended to no later than November 30, 2022 to secure a survey of the property. All other terms and conditions of the contract remain the same.

PURCHASER:

DATE 9/16/22 SIGNATURE [Signature]
Blue Ridge Information Systems

DATE SIGNATURE
(Closing as Fernhill Property Management LLC)

DATE SIGNATURE

DATE SIGNATURE

SELLER:

DATE SIGNATURE
County of Warren, Virginia

DATE SIGNATURE

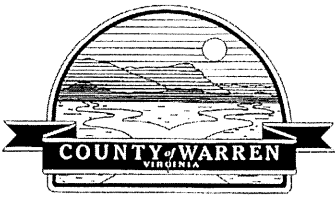
DATE SIGNATURE

DATE SIGNATURE

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VR FORM 1800A Revised 07/17
Reviewed 07/17

PAGE 1 OF 1



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:
10/04/2022	H-6	Conditional Use Permit #2022-08-01 Gillian Greenfield & Richard Butcher <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, September 14, 2022, Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mrs. Richardson and approved by the Planning Commission by a vote of 4-0.

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 two as determined according to the Health Department permit for a one-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 authorize the proposed Conditional Use Permit request for a Short-Term Tourist Rental for advertisement of a public hearing.

SUBMITTED BY:

Chase Lenz, 
Zoning Administrator

DISPOSITION OF BOARD:

☐ APPROVED ☐ OTHER (Describe)

**PROCESSED
BY:**



Conditional Use Permit: 2022-08-01 / Short-Term Tourist Rental

Gillian Greenfield & Richard Butcher, Applicants

2Mexico, LLC & B. Allen Richards, LLC, Current Owners

Prepared: July 22, 2022 Revised: August 31, 2022

Staff Contact: Chase Lenz, Zoning Administrator

Q

SUMMARY OF REQUEST

The applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased in November of 2021. The applicants would like to make the property available for short-term visitations for individuals visiting the Warren County area. Residing in Winchester, VA, the applicants have years of experience operating several short-term tourist rentals in the Shenandoah Valley area. They plan on managing the property themselves with assistance from local professional services for trash disposal, cleaning, and maintenance.

PROPERTY INFORMATION

Property Location: 1164 Riverview Shores Drive

Tax Map ID: 13C--4-4-615 & 617

Magisterial District: Shenandoah

Subdivision: Shenandoah Shores

City: Front Royal

Zoning: Residential-One (R-1)

Acres: 0.46 Acres Total

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: Vacant – Woodlands

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential-One zoning district 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 and record of inspection on file approving two (2) occupants for the dwelling. Warren County Assessment data lists one (1) bedroom 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 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 requested from the Shenandoah Shores 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 155' to the southwest.**

RECOMMENDED CONDITIONS

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

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed two as determined according to the Health Department permit for a one-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: Gillian Greenfield & Richard Butcher – Applicants/Owners of 2Mexico, LLC & B. Allen Richards, LLC

JUNE 16, 2022

TO: WARREN COUNTY PLANNING DIRECTOR/ZONING ADMINISTRATOR

PROPERTY: 1164 RIVERVIEW SHORES DRIVE; TAX ID 13C-4-4-615 & 13C-4-4-617

OWNER: 2MEXICO LLC & B. ALLEN RICHARDS LLC (Gillian Greenfield & Richard Butcher)

RE: STATEMENT OF JUSTIFICATION FOR CUP FOR SHORT TERM RENTAL

Mr. Petty:

This letter shall serve as our Statement of Justification for a CUP for the above referenced property;

Based on the fundamental management plan cited herein, the benefit of tourism, and the continuation of this property being well-maintained as a vacation rental, I am requesting, provided may application is acceptable, for the approval of a Conditional Use Permit for Short Term Rental of 1164 Riverview Shores Drive.

VERIFICATION AND PREQUALIFICATION OF PERSEPECTIVE GUEST PRIOR TO BOOKING APPROVAL:

Keeping the community and property safe is Owner's #1 priority and prescreening before approval includes:

A secure, online platform will prescreen all individuals through 3rd party ID verification;
A second ID picture verification is completed to verify individual's identity against public records
A criminal background check is completed,
The OFAC list is checked, which includes terrorist designations.
The National Sex Offender Registry is checked
Individuals with criminal convictions or disallowed from using online booking platforms.

Host may further qualify guests with minimum age requirements, previous host feedback, limit number of guests, and notice of Host Rules with detail required behavior, activities, and care of Property during a guest's occupancy.

HOUSE RULES FOR GUEST, PROPERTY AND COMMUNITY SAFETY

House Rules are identified in advance of all booking commitments; these include:

- No firearms permitted
- No archery permitted
- No fireworks permitted
- No ATVS
- No archery or range weapons (bows)
- No pets
- 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
- No groups exceeding permitted guest count
- No children
- No unauthorized individuals permitted at any time
- No motorized watercraft
- No trespassing on neighboring properties (property boundaries will be clearly marked)

Guests found in violation of any House Rules may be subject to immediate termination of stay.

24/7 OPERATOR ACCESSABILITY

Owner shall be directly managing property and available onsite on a routine basis to maintain Property in excellent condition and to ensure guests are abiding by all Host Rules. Owner shall be accessible to guests 24/7, before, during and after their stay. Further, neighboring property owners have been provided Owner contact in the event of any issues that Owner needs to address ASAP. Guests found in violation of any House Rules may be subject to immediate termination of stay.

RISK MANAGEMENT

A fire extinguisher is provided and visitable in the kitchen/cooking area and smoke detectors are installed to Uniform Statewide Building Code and a carbon monoxide detector is in each apartment unit.

PARKING

Property provides off street parking for its guests therefore no street parking is utilized.

COMPLIANCE WITH FILING AND TAXATION REQUIREMENTS

Operator agrees to comply with all local and state registration, filing and taxation requirements with the Commissioner of Revenue's and Treasurer's offices.

OPERATOR AND PARTIES RESPONSIBLE FOR PROPERTY

Gillian Greenfield
540-974-3927
Gillian.greenfield@greenfieldcom.com
14 E. Piccadilly Street,
Winchester, VA 22601

Richard Butcher
540-336-8270
Richard.butcher@greenfieldcom.com
14 E. Piccadilly Street,
Winchester, VA 22601

In conclusion, thank you for your consideration of our CUP and this detail shall confirm the Operator's commitment and priority to the health, safety and welfare of all our guests and community.

Respectfully, Gillian Greenfield and Richard Butcher, Owners

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-08-01
 Date Received: 6-22-22
 Fee Amount: \$ 500.00
 Date Paid: 6-22-22

Applicant Information:

Gillian Greenfield and Richard Butcher

Applicant Name

14 East Piccadilly Street

Winchester

VA

22601

Address

City

State

Zip

1164 Riverview Shores Drive, Front Royal, VA

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

540-974-3927 and 540-336-8270

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: 1164 Riverview Shores Drive, Front Royal, VA
- (2) Election District: Shenandoah
- (3) Tax Map Number: 13C-4-4-615 and 13C-4-4-617
- (4) Subdivision Name: SHENANDOAH SHORES
- (5) Total Area of Property (acres): .46
- (6) Total Area to be Used (acres): .46
- (7) Total Road Frontage (feet): _____
- (8) Depth of Property (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: RESIDENTIAL - GOOD
- (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: 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: 2
- (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: 4
- (12) Number of parking spaces to be provided: Regular 2 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? _____
PROPERTY HAS MATURE LANDSCAPING
House is off road

C. Plans Prepared By

Name: _____

Address: _____

Telephone Number: _____

D. Environmental Information

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

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

NO; ALL HOUSEHOLD WASTE WILL BE DISPOSED OF BY OWNER

(less debris generated due to non-full time occupancy)

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

NO

- (4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. NONE

- (5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) NONE

- (6) What will be the impact on traffic? LESS IMPACT THAN FULL TIME RENTAL

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

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

- ☐ **An application fee of \$500.00.**
Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.
- ☐ **A Statement of Justification**
This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 ½ x 11 size paper.
- ☐ **A Site Plan/Survey.**
Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.
- ☐ **Sewage Disposal and Well Site.**
Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.
- ☐ **A copy of the deed to the property verifying the current ownership.**
A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.
- ☐ **A statement verifying that real estate taxes have been paid.**
This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.
- ☐ **Environmental and Community Impact Statements**
The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.
- ☐ **List of chemicals stored on the site**
A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.
- ☐ **Location Map**
A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.
- ☐ **Directions to your property from the Warren County Government Center.**

HAPPY CREEK ROAD TO SHENANDOAH SHORES ROAD

RIGHT ON MULBERRY, RIGHT ON RIVERVIEW SHORES DRIVE

Property on 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.

Applicant Signature



6.13.22

Date

Property Owner Signature



6.13.22

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

PROPERTY MANAGEMENT PLAN
2MEXICO LLC & B ALLEN RICHARD LLC
1164 Riverview Shores Drive, Front Royal, VA 22630
540-974-3927 AND 540-336-8270

Gillian.greenfield@greenfieldandcraun.com AND Richard.Butcher@greenfieldandcraun.com

IN CASE OF AN EMERGENCY

If there is an emergency, or there are questions in regards to the property, please contact Gillian Greenfield at 540-974-3927 or Richard Butcher at 540-336-8270. If the emergency requires immediate assistance place call the following or 911.

Note, Richard Butcher is principal owner in Can Do Property Management, a professional, licensed and insured, property management company based out of Winchester, VA. Both Owners own multiple residential and commercial properties, including multiple, PERMITTED short term rentals, in Winchester City, Frederick County, Shenandoah County, and Warren County. Both Owners are experienced commercial and residential property managers and landlords, both are very experienced short term rental operators.

Owners will have direct management of Property, available 24/7 and is at Property on a weekly, routine basis. Owners' primary residences are 30 and 32 minutes away (Winchester), both Owners share a secondary residence at 1043 Riverview Shores Drive, only 5 minutes away. An example of Host Contact Page is attached.

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: Shenandoah Shores Fire Department, 540-635-7897, located at 533 Mountain View Drive, Front Royal, VA; .06 miles from Property

Warren Memorial Hospital: 540-636-0300 or 911, 351 Valley Health Way, Front Royal, VA, 3.8 miles and 8 minutes away from Property.

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

Emergency Evacuation:

Head northwest on Riverview Shores Drive toward Pine Shores Drive

Turn left onto Pine Shores Drive

Turn right onto Rollason Drive

Turn left onto State Rt 606/Shenandoah Shores Road

Turn right onto Happy Creek Road

Turn left onto Leach Run Pkwy

Turn left onto VA-55 E. to Interstate 66 (Linden, Exit 13)

OCCUPANCY

The Conditional Use Permit and Health Department records limit the occupancy for this short-term rental at (6) People and (3) Bedrooms. Owner will only permit short term rental occupancy for up to 4 people; therefore, occupancy use for Property will be lower than permitted by HD.

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. Occupant will be notified that no amplified music will be permitted outside of Property. Violation of this rule will result in Occupant potentially being immediately vacated from Property. Further, neighbors have Owner's contact information and are instructed to contact Owner in the event of any issue so it may be remedied by Owner ASAP.

PARKING

Parking is limited to (2) cars in the driveway. Under no circumstances should cars park along the roadway. Owner will require all parking to be off street and on driveway of Property only.

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, additionally no outdoor storage of personal property shall be permitted on Property.

CHECK-IN & CHECK-OUT

Keeping the community and property safe is Owner's #1 priority and prescreening before approval includes:

A secure, online platform will prescreen all individuals through 3rd party ID verification;

A second ID picture verification is completed to verify individual's identity against public records

A criminal background check is completed,

The OFAC list is checked, which includes terrorist designations.

The National Sex Offender Registry is checked

Individuals with criminal convictions or disallowed from using online booking platforms.

Host may further qualify guests with minimum age requirements, previous host feedback, limit number of guests, and notice of Host Rules with detail required behavior, activities, and care of Property during a guest's occupancy; once a host accepts a reservation, after passing all the aforementioned criteria, 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 instructs with a temporary code that changes with each guest, and reiterates Host Rules and instructs guest to review the Property Guide Book at Property immediately upon access. Property Guide Book includes Host Rules, Host contact info, emergency contact info, area shopping and restaurant recommendations, internet access, neighborhood rules, area brochures and maps. Example of Host Rules are attached.

WIFI/PHONE/ETC

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

SPECIFIC PROPERTY DETAILS

Outside: In advance of bookings, Property shall cite all of the Specific Property Regulations identified below; this is reiterated at actual time of booking and in Property Guide Book located at Property.

Property corners will be clearly identified and guest have private river access on a lot owned by Owner directly across from Property therefore will have no use of community amenities.

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

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

Property inspections would be completed after every stay by my 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 Class A condition, inside and out.

Cleaning team is a licensed and insured company that has trained its employees on enhanced 'best practices' sanitation procedures and COVID-19 safety practices which are completed and inspected between each guest stay.

AREA ATTRACTIONS

Listing and Guild Book shall promote the Property being a short drive to the Shenandoah National Park, area golf courses, outdoor recreational companies, downtown shopping and restaurants, area grocery stores, drug stores, etc.

Additionally, Host will stock the Guild Book with brochures, maps and guides from Front Royal Visitor's Center.

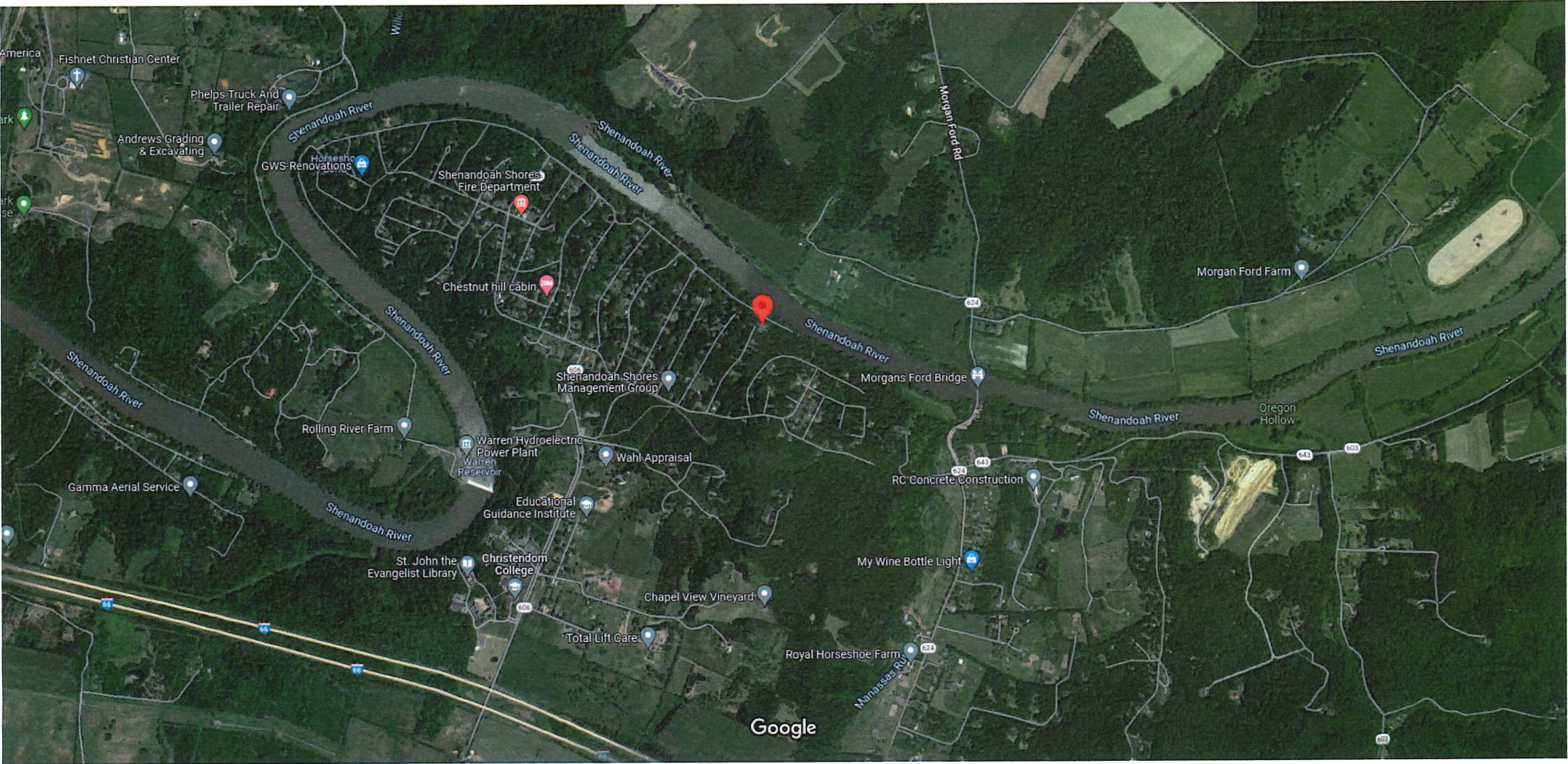
Example of Host Recommendations in the Guild Book, promoting a focus on local businesses, is attached.

SPECIFIC PROPERTY REGULATIONS

- No firearms permitted
- No fireworks permitted
- No ATVS
- No archery or range weapons (bows)
- No pets
- 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
- No groups exceeding permitted guest count
- No children
- No unauthorized individuals permitted at any time
- No motorized watercraft
- No trespassing on neighboring properties (property lines will be clearly marked)

ATTACHMENTS

- Property Map – attached
- Host Contact Page - attached
- Dwelling Evacuation Plan – attached
- Example of Host Rules – attached
- Example of Host Recommendations - attached



Host Contact _____

Please feel free to reach us for any reason, your comfort and safety are our #1 priorities!

Primary Contact:

Gillian Greenfield (Host)

540-974-3927

Gillian.greenfield@greenfieldandcraun.com

Note: Always try to text me first for a prompt reply!

Secondary Contact:

Richard Butcher

540-336-8270

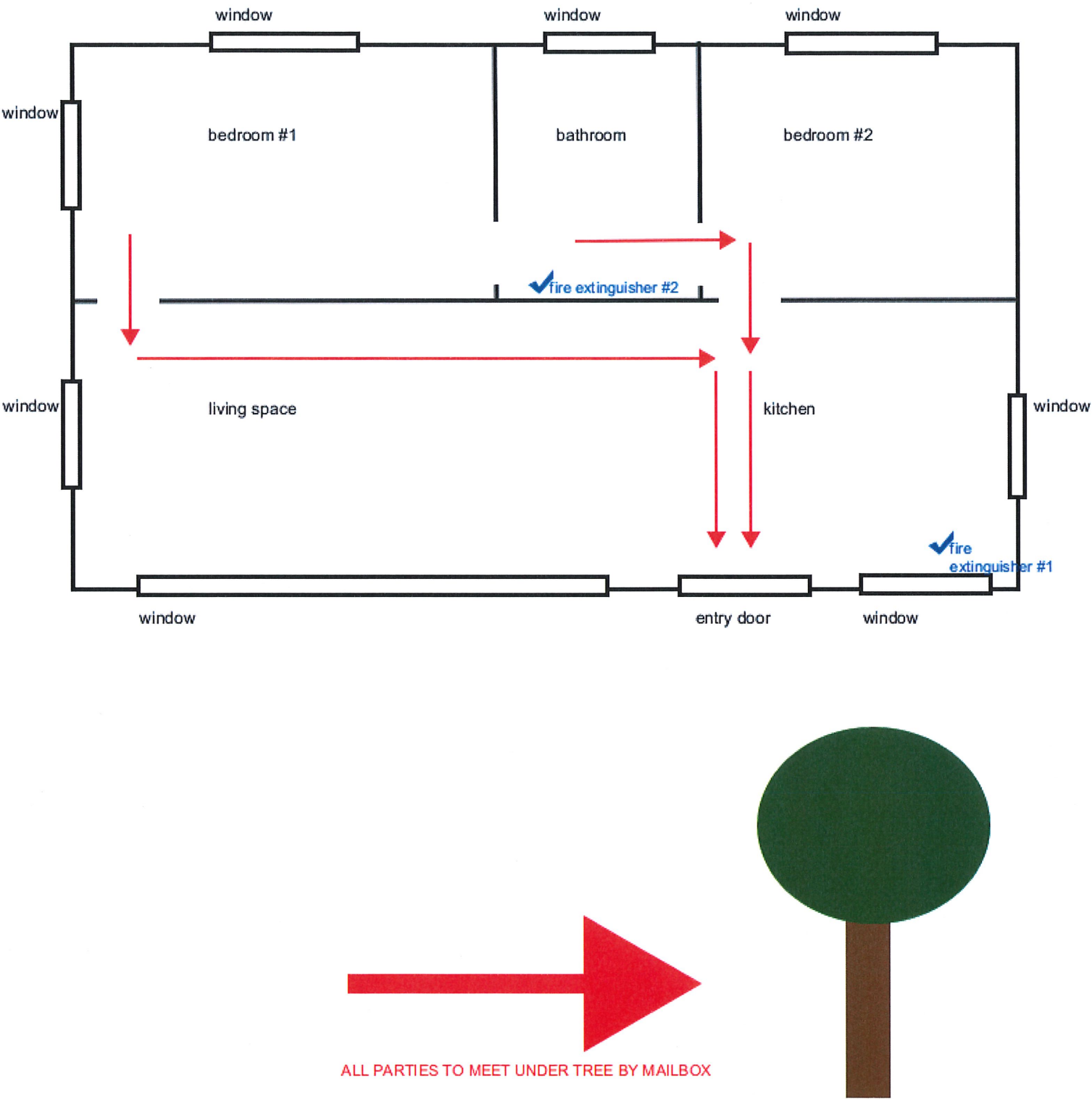
Richard.butcher@greenfieldandcraun.com

Note: Richard's also an owner! Please reach out to him if you don't reach me first 😊

We hope you enjoy your stay and become a repeat guest for every season!

**If the emergency requires immediate assistance,
call 911 or Shenandoah Shores Fire Department at (540) 635-7897.**

1146 Riverview Shores Drive Evacuation Plan



IN THE EVENT OF FIRE OR EMERGENCY, DIAL 911 OR SHENANDOAH SHORES FIRE DEPARTMENT 540-635-7897

RULES & REQUESTS -----

Welcome! We hope this is the first of many more amazing riverside stays!

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!

To keep it that way for all our guests, we have the following rules and requests:

****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 run the dishwasher at the end of your stay.

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

*We respectfully request guests not to rearrange the furniture. Please do not take outdoor furniture off the deck.

*Please let us know immediately if something is malfunctioning so it can be fixed or replaced and you can enjoy your stay without interruption!

*Please lock up and turn off lights when away.

*There is no garbage disposal; please do not put anything down the drain.

*There is no public trash pick-up; if you need trash removed during your stay, do not leave it outside, instead, 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).

*Do not bring glassware or bottles into the river or riverside.

***No parties, unregistered guests, or events without receiving pre-approval by Host.** Discovery of extra guests could result in immediate termination of stay without refund, Notice of Violation to Airbnb, and result in extra cleaning fees (\$250 minimum).

***No pets allowed.** Discovery of a pet could result in immediate termination of stay without refund, Notice of Violation to Airbnb, and an extra cleaning fee (\$150 minimum).

***No smoking inside the home.** Discovery of a guest smoking could result in immediate termination of stay without refund, Notice of Violation to Airbnb, and an ozone generator cleaning fee to remove odor and stains may be applied (\$250 minimum).

*Riverhouse will be very clean on your arrival, please help our cleaning staff with a general tidying up on your departure; if an above-average cleaning service is required, an extra fee may be charged (\$50 minimum).

As an additional reminder:

- No firearms permitted
- No fireworks permitted
- No ATVS
- No archery or range weapons (bows)
- No pets
- 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
- No groups exceeding permitted guest count
- No children
- No unauthorized individuals permitted at any time
- No motorized watercraft
- No trespassing on neighboring properties (property lines will be clearly marked)

HOST FAVORITES, LOCAL FOOD AND BEVERAGE _____

Front Royal, located in Warren County, offers a ton of awesome stuff to do for the nature and foodie enthusiast! Though I'm sure you've got your plan made, in the event you want some ideas, I thought I'd share a few of my favorites!

Beverage _____

Wineries (I love em'!)

Glen Manor, named one of the Best Wineries in VA! (20+ minutes away)

Rappahannock Winery, awesome 3rd floor outdoor seating! (20+ minutes away)

Linden Winery, a beautifully-scenic drive! (25+ minutes away)

Chester Gap, amazing views and DE-Lish cheese and charcuterie board! (15 minutes away, great to pair with Rappahannock!)

RdV Winery, must make reservations for these tastings, also considered one of the Best Wineries in VA! (25+ minutes away)

*check out the Wine Maps provided for a million more winery options!!

Breweries (Gotta have em'!)

Vibrissa Brewing, EXCELLENT FOR HOP HEADS! Awesome new brewer, featured in Washington Post and original brewer for Ocelot Brewing in Sterling (tell Mike, Gillian sent you!) PS Great food too! (10 minutes away)

Pen Druid Brewing, a longer drive away but an AMAZING ONE through Rappahannock County! (35 minutes away)

Back Room Brewery, not familiar with these guys but they're new so I like to support them! (20 minutes away)

More Places to Get Drinks.. ('cause, why not?)

Copper Fox Distillery, a beautiful drive to Sperryville with an amazing porch overlooking a babbling brook! (seriously, it's totally babbling) (35+ minutes away and adjacent to Pen Druid)

Filibuster Distillery, what it lacks in ambiance, it makes up for in top quality spirits!

Food

Vibrissa Brewing, (also in the aforementioned page ;) Main Street, Front Royal – Awesome food!

Healthy options like grain bowls but also amazing burgers and a killer Rueben sandwich! Pair it with a phenomenal beer ~ their IPAs are my fav.. (10 minutes away)

Truss'd, Main Street, Front Royal - open for lunch only, 10a - 2p. Beautiful but affordable farm to table dining!

ViNoVA Tapas & Wine Bar, Main Street, Front Royal - the name says it all! Great for late night drinks too!

PaveMint Smokin' Taphouse, Commerce Ave, Front Royal - cool outdoor dining scene, great BBQ!

Melting Pot Pizza, 14th Street, Front Royal. Just cause you eat square pizza, doesn't mean you're a square!!! A Front Royal favorite!

Blue Wing Frog, Chester Street, Front Royal. The owner is right behind the counter, making amazing HUMMUS (my fav) and globally eclectic food plus a good WINE selection ;)

Manor Line Market, Main Street, Front Royal. This hip spot is new, is a great lunch or snack spot and I love their happy hour starting at 4p!

Element, Main Street, Front Royal. A poppin' local fav for cocktails and great dinner! Someone say, martinis???

Thunwa Thai, Commerce Ave, Front Royal. O. M. G. the fresh wraps are amazing! Awesome thai menu!

L'Dees Pancake House, Main Street, Front Royal. Best. Pancakes. Ever. Nuff said.

Vault & Cellar, Main Street, Middletown. Rediculous whiskey selection and cocktails! Romantic spot with great food!

The Inn at Little Washington, Washington, Virginia. There is nothing little about this place (including the bill ;) but you'll have a fine dining experience of a lifetime at this 5 star, 5 diamond restaurant, recognized as one of the top restaurants in the world! Only 35 minutes away!

L'Auberge Provencale, Boyce. Lil' fancy, super romantic + great cocktails! Only 30 minutes away.

For the Chef in You _____

Local Butcher, **Two Fat Butchers** on South Street in Front Royal! Perhaps the most amazing butchery in the Valley! Huge, gorgeous, steaks, sausages, whole duck, buffalo and elk (best buffalo steak I ever bought!). Plus they do amazing sandwiches and BBQ too (pick up a four-pack at Front Royal Brewing and go on a picnic or take it riverside!

Bakery, **Down Home Country Bakery** on Main Street in Front Royal. whoopie pies, pecan sticky bun, old fashion Coke, you name it, they've got your sweet tooth covered!

Farmers Market, **Downtown Front Royal Farmers Market**, Saturdays 8a – 2p, May 7th and running until October 29th. Enjoy fresh produce, baked goods, gluten free items, Kettle corn, flowers, plants, herbs, soy candles, aromatherapy soups and lotions and more!!

Lord Fairfax Health District

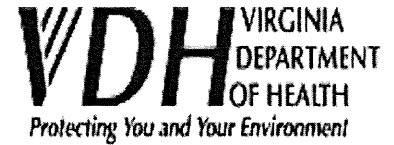
Warren County Health Department

465 West 15th Street, Suite 200

Front Royal, Virginia 22630

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

www.vdh.virginia.gov



June 30, 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 (2022-08-01)

Owner: Gillian Greenfield & Richard Butler

Dear Mr. Wendling,

I have reviewed your request for comments for a CUP for a Short-Term Rental at 1164 Riverview Shores Dr. Front Royal, VA (Tax Map# 13C-4-4-615 & 617) and I offer the following comments:

1. There is a Construction Permit and ROI on file for the referenced property (Lot 617) dated 11/15/1966 & 5/02/1967 respectively.
2. The dwelling is connected to an approved Conventional Onsite Sewage System (COSS). The COSS is designed to accommodate a One (1) Bedroom Cottage, Two (2) Occupants and a daily flow of 140 gallons (no washing machine).
3. The dwelling appears to be connected to the Shenandoah Shores Community Water System.
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

Veronica Diamond

From: David Beahm
Sent: Tuesday, June 28, 2022 9:42 AM
To: Veronica Diamond
Cc: Paula Fristoe
Subject: RE: Request for Comments-Greenfield & Butcher -CUP 2022-08-01 – Gillian Greenfield and Richard Butcher – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000202-2022

Comments 2022-08-01 – Gillian Greenfield and Richard Butcher – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000202-2022:

- 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.

Respectfully,

David C. Beahm, CBO
Building Official
County of Warren
540-636-9973
Fax 540-636-4698
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.

From: Veronica Diamond <vdiamond@warrencountyva.gov>
Sent: Thursday, June 23, 2022 3:32 PM
To: David Beahm <Dbeahm@warrencountyva.gov>; Walker, Ashley <ashley.walker@vdh.virginia.gov>; jim.davis@vdh.virginia.gov; Smith, Gregory <gregory.smith@vdh.virginia.gov>
Subject: Request for Comments-Greenfield & Butcher -CUP 2022-08-01

Good afternoon,

Please see attached documents attached for Greenfield & Butcher.

Warren County VA

CUP Location Map

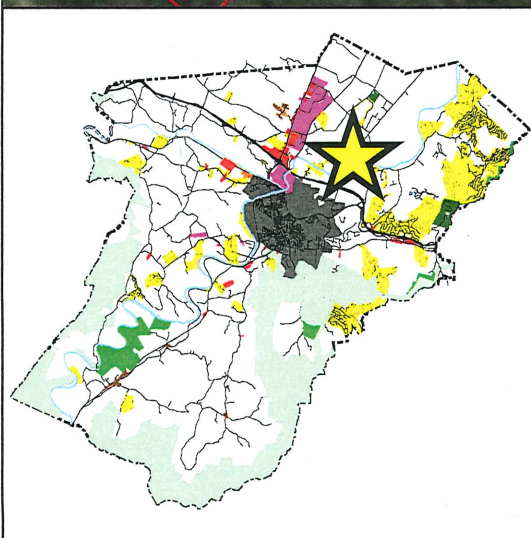
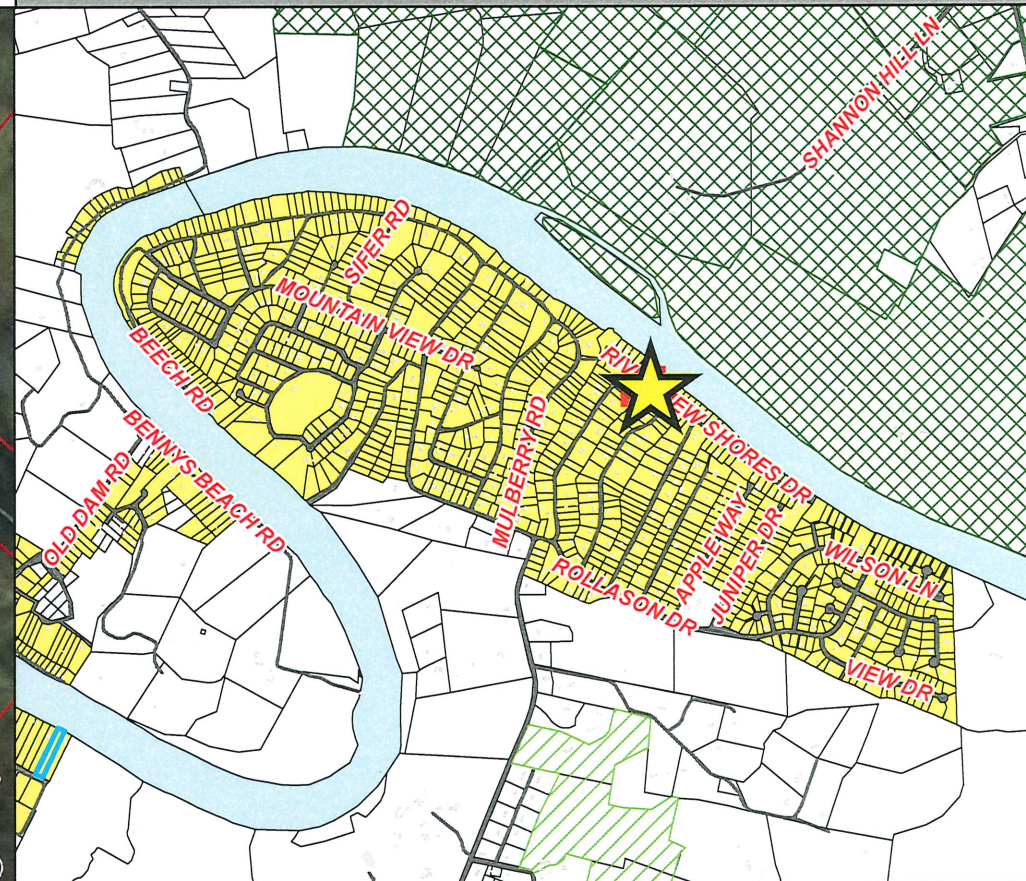
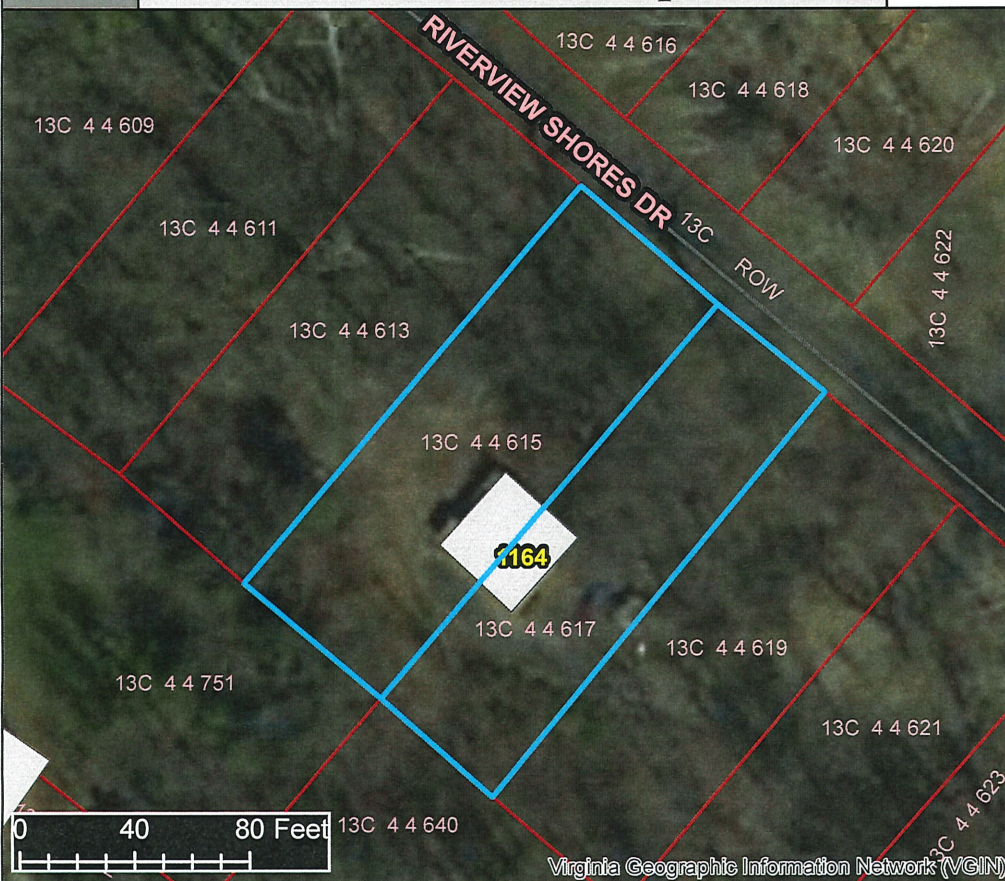


Short Term Tourist Rental

Applicants: Gillian Greenfield & Richard Butcher

TM 13C--4-4-615 & 617

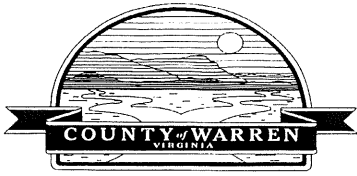
1164 Riverview Shores Dr



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:	PAGE
10/04/2022	H-7	Conditional Use Permit #2022-08-02 Elizabeth A. Saman <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.

Planning Commission Move to Approve:

Mrs. Richardson moved to forward this application to the Board of Supervisors, recommending denial due to reason regarding the setback to adjacent property owners. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 3 – 1. Mr. Henry voted to oppose.

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 five (5) as determined according to the Health Department conditional/operational permit 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. Outdoor burning and the use of fireworks by guests shall be prohibited.
8. *A waiver to the required setback of 100' to the adjacent property dwelling shall be granted for the existing 85' setback to the dwelling northeast of the subject property.

* Waiver has been requested by the applicant.

BOARD OF SUPERVISORS PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize for advertisement of a public hearing the proposed conditional use permit request for a Short-term Tourist Rental.

SUBMITTED BY:

Matt Wendling, CFM
Planning Director
County Floodplain Manager

DISPOSITION OF BOARD:

☐ **APPROVED** ☐ **OTHER (Describe)**

PROCESSED BY:



Conditional Use Permit: 2022-08-02/ Short Term Tourist Rental

Elizabeth A. Saman, Applicant/ Owner

Staff Report for the Planning Commission

Prepared: July 26, 2022

Staff: Matt Wendling, Planning Director/County Floodplain Manager

A handwritten signature in blue ink, appearing to read "MFW", is written over the printed name of Matt Wendling.

SUMMARY OF REQUEST

The applicant purchased this property in 2016 and built her home in 2021 and has lived there since receiving the certificate of occupancy. Due to family health related situation, she is required to be in Northern Virginia for a good part of the week and in lieu of renting long-term of over thirty days has chosen to request that she be allowed to rent as a Short-term tourist rental for less than 30 days. The applicant is requesting a waiver to the setback requirement of 100' from dwelling to dwelling; the dwelling to the northeast is 87' which doesn't meet the required setback. The applicant will be contacting a lawncare to maintain the exterior of the property and she plans to be the primary property manager and will have an emergency contact in case she is not available.

PROPERTY INFORMATION

Property Location: 431 Cindys Way

Tax Map ID: # 15F-1-7-Parcel 19

Magisterial District: Shenandoah

Subdivision: Shenandoah Farms Mountain Lake

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

Town/Village: Front Royal

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: Agricultural (A)

Use: Single-Family Dwelling

Use: Vacant Lot/Wooded

Use: Single-Family Dwelling

Use: Single-Family Dwelling/Wooded

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.

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 5-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 two vehicles in the driveway.**
- D. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times. **The 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 Shenandoah Farms Mountain Lake subdivision and a request for comments has been sent to the POSE.
- 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 northeast is 85'. County Planning staff would support this request for the waiver if the adjacent property owner submitted a letter supporting the application otherwise this would set a precedent for the 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 five (5) as determined according to the Health Department conditional/operational permit which needs to be issued for a three-bedroom dwelling.
- 3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
- 4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
- 5. The discharge of firearms and hunting on the property by guests shall be prohibited.

6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and the use of fireworks by guests shall be prohibited.
8. *A waiver to the required setback of 100' to the adjacent property dwelling shall be granted for the existing 85' setback to the dwellings east of the subject property.

*** Waiver has been requested by the applicant.**

Cc: Elizabeth A. Saman, Applicant

Figure 1 Elizabeth A. Sam Single-Family Dwelling

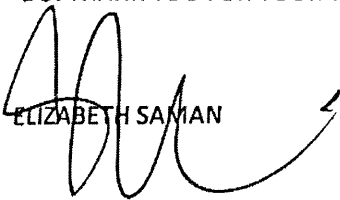
STATEMENT OF JUSTIFICATION

I AM PROPOSING THAT 431 CINDYS WAY BE PERMITTED FOR USE FOR SHORT TERM RENTERS. THIS LOCATION HAS 3 BEDROOMS, AND 2 FULL BATHS AND CAN OFFER COMFORT, CLEANLINESS AND QUIET TO ANY GUEST. THE LOCATION SITS AT THE END OF A CUL DE SAC AND WILL BE MAINTAINED AFTER EACH STAY.

POSITIVE ASPECTS OF THE PLAN:

- INCREASED COMMERCE & REVENUE IN THE TOWN, SURROUNDING AREAS, AND FOR THE COUNTY TREASURER
- A PLACE FOR GUESTS TO RELAX BEFORE GETTING BACK TO THEIR REGULAR SCHEDULES
- AN OPPORTUNITY FOR SOME PEOPLE TO VISIT THE MOUNTAINS & RIVER OF FRONT ROYAL
- INCREASED REVENUE FOR THE LOCAL STORES/SMALL BUSINESSES OF SHENANDOAH FARMS COMMUNITY
- FLEXIBILITY OF DAYS & TIMES OF RENTING
- SHORT TERM RENTING STATISTICALLY RESULTS IN LESS WEAR AND TEAR ON THE HOME
- SOCIAL BENEFITS TO THE NEIGHBORHOOD

I PROPOSE THIS PLAN BECAUSE IT HOLDS GREAT OPPORTUNITY FOR THE COUNTY, I AND FRONT ROYAL IN GENERAL. I HOPE THAT THE PLANNING COMMISSION WILL SEE THIS VISION THE SAME AS I DO. THANK YOU FOR YOUR TIME AND CONSIDERATION.


ELIZABETH SAMAN

STATEMENT OF JUSTIFICATION CONTINUED

While I do not meet the 100 foot setback line with respect to my neighbor at 433 Cindys Way, the design of my home offers much privacy as I cannot see my neighbors home from the porch, and there are also no windows on the side of my home which faces 433 Cindys Way. Moreover, my backyard and deck are also private backing mostly into woods.

My Home is positioned facing the cul de sac which a shorter driveway, while my neighbor's home is facing the cul de sac tucked into the lot with a longer driveway.

There was also a shelf grading done when my home was built and there is a slight hill that wraps around the side of my property, as well as trees and bushes.

FURTHER Justification for short term renting despite the setback shortage

Despite the setback shortage, I would like to justify my use and need or this permit for short term rentals.

Firstly, I care very much for my home and care who stays in my home.

My father fell ill earlier this year with cancer and he requires a lot of care and support as my mom cannot do it all herself. He currently resides in northern Virginia near Fairfax Hospital and the Schar cancer center for treatments, and visits. The effects of chemo and radiation have left him experiencing several effects such as weakness, weight loss, irritability, depression, bleeding, loss of appetite and much more. During this time, my family had to rent my dad a 1 level home without stairs so he can recover and reduce his risk of falling. This has caused an additional expense to me and my siblings. It is our duty to take care of our parents and support them in any way that they need.

A short term rental permit will allow me to make my mortgage and anything extra needed for life's expenses, all while having access to my home sometimes to maintain it and enjoy Front Royal. I have considered a 30+ rental, however, having someone in my home all the time will not allow me to maintain it as I would like. I would like to retain the exclusive right to enjoy my property alone at times.

I built in Front Royal simply because I love it, and I love the peace and quiet. Unfortunately, life changed and I have to roll with it.

I appreciate the Board's consideration in this request.

Elizabeth Saman

Economic Justifications:

As of 7/14/22, the inflation rate has risen to 9.1%. Moreover, current policies in place and the continued shortage in man power and in the supply chain do not show indications of this inflation rate easing up anytime soon. The right to rent my property and earn optimum income on it while having the exclusive right to access and enjoy it at anytime is more vital than ever as the cost of living is soaring and only expected to go up.

WCCUP-000203-2022

WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION

Application Number: CUP-2022-08-02
Date Received: 6-28-22
Fee Amount: \$ 500.00
Date Paid: 7/18/2022 Ch# 684

Applicant Information:

Applicant Name: Elizabeth A. Saman
Address: 5573 Seminary Rd. City: #202 Falls Church VA 22041 State: Zip:
Property Location for conditional use permit if Different than Applicant's Address: 431 Cindy's Way Front Royal VA 22630
Primary Contact Number: 511-340-7080 Email: esaman210@gmail.com

Property Owner (if same as applicant, leave blank)

Address City State Zip

Primary Contact Number

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

A. Property Information:

- (1) Address/Location: 431 Cindy's Way Front Royal VA 22630
- (2) Election District:
- (3) Tax Map Number: 15F-17-19
- (4) Subdivision Name: Lot 19; Skunandoh Farms Mt Lake; Sect. 7
- (5) Total Area of Property (acres): 1.03±
- (6) Total Area to be Used (acres): 1.03±
- (7) Total Road Frontage (feet): 15.35 feet
- (8) Depth of Property (feet): 35 feet
- (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
- (4) Will development be staged? ☐ Yes ☐ No
- (5) Construction Time: Completed
- (6) Season, days, and hours of operation: M-S; Weekends, Holidays
- (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: _____
- (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: up to 5
- (12) Number of parking spaces to be provided: Regular 3-5 Handicap _____
- (13) What is the proposed landscaping and buffering for this property?
Regular yard maintenance, cleanup,
some plants - artificial + real.

C. Plans Prepared By

Name: _____

Address: _____

Telephone Number: _____

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?)
Short term renters are people who live in a residence just like those who live in the surrounding. The only difference is that short term renters consider their stay a getaway or vacation. House rules shall be laid out as far as noise, home care, neighborhood etiquette, and behavior/cleanup, etc.
- 4/3/18

21
CONSTRUCTION
BLOCK
FOUNDATION
WALLS
60° E

(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?) Not that I know of. guests may dump their trash @

Shenandoah Farms dump site as I normally would.

(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.)

None, just 10-15 gallons of paint or wood seal.

(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.

fumes, - I am not aware of any hazardous gasoline at times for any mower

(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? low impact as many tourists stay a short time, then need to get back to their home locations.

(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. possibly low light LED lighting

during the holidays, and a standard 40 watt outdoor porch light at times. Possibly solar lights around the property to give light during the night as it can get pretty dark on the mtn.

CLERK
FOUNDATION

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. ☐

To follow Attached site plan.
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.

Attached site plan
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 *by county (hase)*

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.

Attached hereto.

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

HOA letter: HOA is open on Thursdays. I can request letter

SILGO ESTATES
SECTION 2
LOT "K"
DB 274 PG 458

N 45°20'00" E 305.00'

LOT 19
1.046 AC.

RECORD PERSONAL
DEED BOOK 170 PAGE 84

LOT 20

LOT 18

N 71°43'00" W 283.10'

S 18°35'00" E 297.20'

HOUSE
UNDER
CONSTRUCTION

BLOCK
FOUNDATION
WALLS

13x13
BLOCK
COLUMNS
(TYPICAL)

IRON ROD
FOUND

R=50.00'
A=42.75'

IRON ROD
FOUND

2.1386' TO CENTERLINE
OF VAUGHN DRIVE

CINDY'S WAY
(50' RIGHT OF WAY)

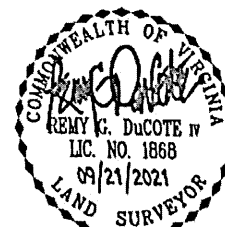
IRON
FOUND

WALL CHECK SURVEY
LOT 19
PART OF SECTION SEVEN
MOUNTAIN LAKE SECTION
SHENANDOAH FARMS

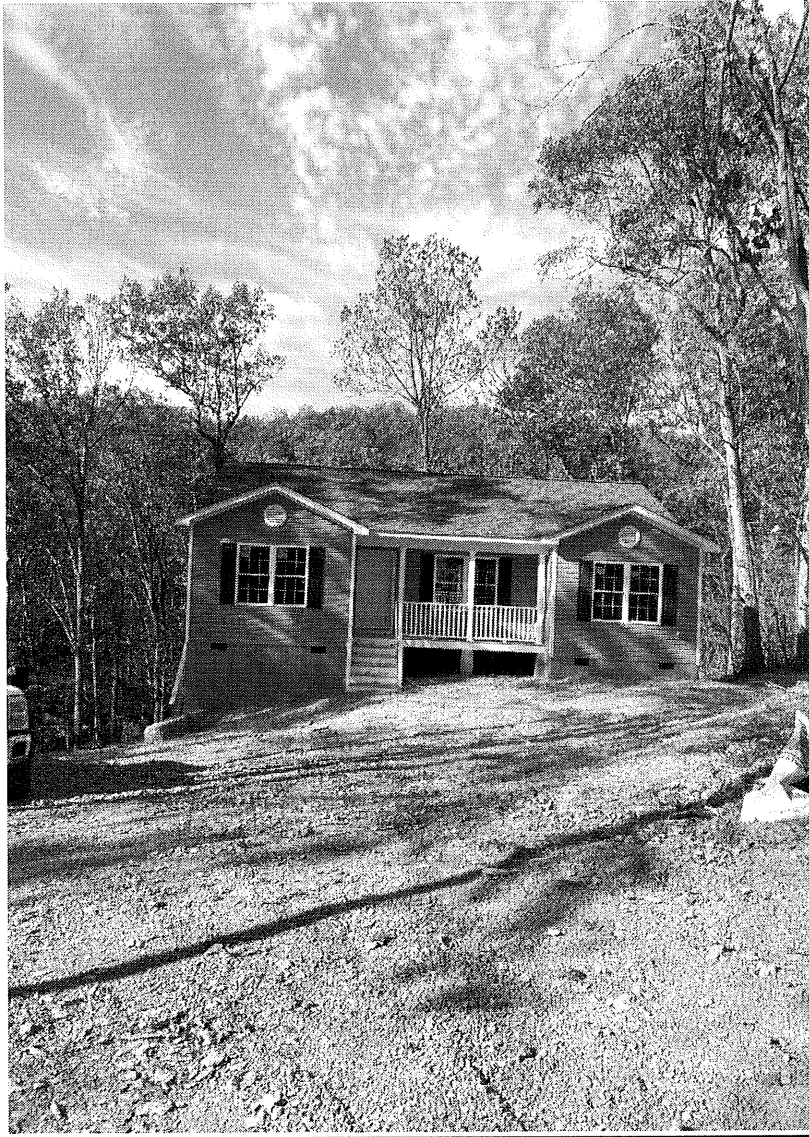
DEED BOOK 170 PAGE 489
SHENANDOAH DISTRICT
WARREN COUNTY, VIRGINIA
DATE: SEPTEMBER 21, 2021 SCALE: 1"=40'

NOTES:

1. THIS SURVEY WAS PREPARED WITHOUT A TITLE REPORT AND MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RESTRICTIONS AND ENCUMBRANCES OF RECORD.
2. THE POSITION OF THE EXISTING IMPROVEMENTS ON THIS SURVEY HAS BEEN CAREFULLY ESTABLISHED BY A FIELD SURVEY AND UNLESS NOTED OR OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.
3. FENCES, IF SHOWN, ARE APPROXIMATE ONLY AND DO NOT CERTIFY OWNERSHIP.
4. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION OF FENCES OR ANY OTHER IMPROVEMENTS.
5. ACCORDING TO FLOOD INSURANCE RATE MAP FOR WARREN COUNTY, VIRGINIA COMMUNITY No. 5187C 0150C, DATED JUNE 03, 2006, THIS PROPERTY LIES IN ZONE "X", "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN"



Remy G. DuCote
LAND SURVEYOR
5503 RAINWOOD DRIVE
FREDERICKSBURG, VIRGINIA 22407
(540) 841-4100



Little Miss Sunshine

431 Cindy's Way Front Royal, VA 22630

Built November 2021

Max Occupancy: 5 persons

Owner: Elizabeth Saman, Ph: 571-340-7080

PROPERTY MANAGEMENT PLAN

Information About Shenandoah Farms

Shenandoah Farms is located at the corners of Clarke, Fauquier, and Warren County and is spread out along the Shenandoah River and on Blue Mountain. It is about 20 minutes from Front Royal, Winchester, Berryville, or Middleburg. It has approximately 2,600 lots in Warren County and over 200 lots in Clarke County. Spread over 7,000 acres, Shenandoah Farms is the second largest community in Virginia. Shenandoah Farms has beautiful mountain views, riverfront properties, two private lakes, and many recreational areas. Fishing, boating, swimming, and hiking are popular pastimes of residents. People who live or vacation here cherish the sound of the woods and the beautiful mountain and river views.

Shenandoah Farms offers you a peaceful rural lifestyle. Shenandoah Farms was originally developed as a weekend community, but now many homes in Shenandoah Farms are full-time residences. There are families, singles, and retirees all drawn To this area by its woodland beauty. Shenandoah Farms is the perfect community to relax, enjoy nature and scenery, and reflect on the many blessings that that surround the community.

Some Information from Shenandoah Farms POA website.

1.) Overview

- Elizabeth Saman owns & manages a 3 bedroom, 2 full bath raised rambler/rancher in Warren County, VA. Home is located at 431 Cindy's Way Front Royal, VA 22630 in the Shenandoah Farms Community.
- The owner proposes to not only supplement Warren County & Front Royal tourism, but also to contribute to the social benefits of Front Royal, VA by offering a short term rental property.
- Positive aspects of the plan include increased commerce to the town of Front Royal, and to the Treasurer, a place for guests to relax before getting back to their regular schedules, a opportunity for some people to visit Front Royal and all it has to offer, Increased revenue for local stores/small businesses within Shenandoah Farms, social benefits to the community generating a unique guests from surrounding cities, etc, and flexibility of days & times of renting whereas short term rentals statistical result in less wear & tear on the home.

2.) The Home

- Owner desires to rent the 3 bedroom home to short terms renters
- The owner will market the property online, available to up to 5 guests at a time.
- The Home sits at the end of the cul de sac of Cindy's Way, and is on about 1.05 acres of land, with bushes and trees surrounding the sides of the property.
- The home is equipped with smoke detectors, a fire extinguisher, & security system/alarm. Home is also fully furnished, and includes kitchen amenities.

3.) Operations

- The owners intend to manage all aspects of operations, including responding to complaints, garbage clean up, management of unruly tenants, and utility issues.
- The owner will offer insights on local attractions, and businesses via QR Code in the House Manual/Welcome Pkt.

4.) Marketing Plan

- Owner will advertise home on AirBNB, and VRBO and accept rental bookings from guests who display communication, and responsibility.
- Rental Fees vary based on website, season, and demand in the area, etc.

5.) Contact Information

- Elizabeth Saman 571-340-7080 esaman2300@gmail.com

6.) Emergency Evacuation Plan

- Home consists of 3 exits; Front door, side door, and rear deck exit.

6a.) Emergency Information

Warren Memorial Hospital (15-18 minutes away)
351 Valley Health Way,
Front Royal, VA 22630
(540) 636-0300

Directions: Follow State Rte 638, State Rte 603 and State Rte 643 to State Rte 624; Continue on State Rte 624 to Front Royal Continue on Leach Run Pkwy. Drive to Valley Health Way

Winchester Medical Center (43 minutes away)

1840 Amherst Street

Winchester, Va. 22601
540) 536-8000

Directions: Head south on Cindy's Way toward Vaught Dr., Slight right to stay on Cindy's Way, Turn right onto State Rte 638, Turn left onto State Rte 603, Continue onto State Rte 643, Turn right onto State Rte 624, Turn left onto State Rte 661, Turn right onto US-340 N/US-522, Continue to follow US-522 N, Turn left onto Tasker Rd, Turn left onto Virginia Rte 37 N, Take the U.S. 50 ramp to Winchester/Romney, Turn right onto US-50 E/Amherst St, Pass by McDonald's (on the right), Turn left onto Hospital Rd, Continue straight, Destination will be on the right to 1840 Amherst St, Winchester, VA 22601

Valley Health Urgent Care (23 minutes)

65 Riverton Commons Drive

Front Royal, VA., 22630
(540) 635-0700

Directions: Follow State Rte 638, State Rte 603 and State Rte 643 to State Rte 624 9 min (5.0 mi); Continue on State Rte 624. Take State Rte 658 to Country Club Rd; 12 min (6.7 mi); Continue on Country Club Rd to your destination; 2 min (0.2 mi)

Local Fire Dept.

Shenandoah Farms Volunteer Fire Department
6363 Howellsville Rd,
Front Royal, VA 22630
(540) 837-1290

Please Dial 911 to reach fire & emergency services

7.) Other Contacts & Service Providers

- Front Royal Police Department (540) 635-2111
- Rappahannock Electric Coop. (800) 552-3904
- XFINITY Wifi Service 1-800-934-6489
- Jimmy Fix-it Handyman Services 540-216-8919
- B W Handyman Services 540-683-0374
- DCW Custom Carpentry (Repairs) 540-660-2858
- HighTop Landscaping & Lawn Care (Mike Olsen) 571-438-9266

SERVICE PROVIDERS*

Electrical: McGee Electric: (540) 847-0438

Plumbing: GLS Plumbing: (540) 667-5632

HVAC: Davis HVAC: (540) 898-9090

8.) WIFI

- Complimentary Wifi will be provided to all guests
- WiFi name: 2 Yutes ; Password: 2Yutes431

9.) Parking

- Parking is available on the gravel driveway

10.) Garbage

- Trash is dumped about 1.9 miles away at Shenandoah Farms Grocery (at the Y intersection). They are closed on Wednesdays.

11.) Access

- Access to the home will be via front door keypad & will be provided to guests prior to their check in date/time. Extra Keys are in a lockbox on the side door with the stairs in the event they are needed.

12.) ATTRACTIONS

- Top Attractions



DISCOVER FRONT ROYAL



BOOK "Little Miss Sunshine" AGAIN



13.) **HOUSE MANUAL**

Address:

431 Cindys Way

Front Royal, VA 22630

Directions from 66W, Exit 13 towards Linden:

Turn Left at the light of exit 13 towards the Exxon station. Turn Right at light across from the Exxon station. Bare right onto Dismal Hollow Dr. Continue for 2.9 miles until the road ends at a large gravel hill. Turn Right onto what will become Morgan Ford Rd. Continue for 3 miles. Turn right onto Rt 638 just passed the horse pasture. Continue for 5.5 miles to Shenandoah Farms ZGrocery Store. Bare right at the Y intersection of the Store onto Blue Mountain Rd. Continue for 1.9 miles and turn left onto Cindy's Way. Go to the end of Cindy's Way which is a cul de sac. Home is a raised green rambler at the end of the cul de sac to the right.

Cindy's Way is a gravel road, and can be bumpy. Please use care and caution while driving in the neighborhood.

ARRIVING

When you arrive, the keypad code is ____.

All sheets, towels, blankets, and pillow cases have been washed and are ready to use. Please feel free to use any extras in the home, as needed. Cleaning products are under the kitchen sink, and basic spices are located in the top, left cabinet above the stove. Kitchen also includes a toaster, coffee machine, food processor, and can opener for your cooking needs. Pots and skillets are located in the cabinet just below the utensils. Bathrooms are equipped with basic soaps, and shampoos.

TV is equipped with YouTube, Hulu, Netflix, and Roku, including other streaming services. Feel free to login to your account or you can use mine ☺ You may text

me at 571-340-7080 if you need anything/have questions. PLEASE Dump trash in a timely manner as trash can attract animals and other insects on the mountain.

Below are a few more quirks to remember...

Welcome to my little home in the country. As you may have noticed that the house is brand new. I hope that you enjoy your stay and ask that you keep the following close at hand & practice;

1.) Please place all toilet paper in the bathroom trash cans. There are extra grocery bags under the kitchen sink. Please also use the kitchen trash can for kitchen waste. The disposal is for liquids only.

2.) The blinds work best by opening & closing them using the inner strings. I've noticed that they are a bit tough to pull them up / down. The sliding door with the screen is a great way to get some fresh air in the mornings, etc.

3.) Please lock all doors and turn off all lights & appliances when leaving the home for your peace of mind & safety.

4.) The home has an alarm and can be armed anytime you'd like by texting 571-340-7080. Please keep in mind that when the home is armed, the alarm will go off when windows & doors are opened.

5.) Cleaning products and items are under the kitchen sink if you decide to tidy anything up.

6.) The First Aid Kit is on the laundry room shelf.

7.) Trash is dumped about 1.9 miles away at Shenandoah Farms Grocery (at the Y intersection). You can't miss the dumpster on the side of the store. They are closed on Wednesdays. PLEASE DUMP ALL TRASH IN A TIMELY MANNER AS TRASH CAN ATTRACT ANIMALS, AND INSECTS.

8.) Please maintain quiet living. The neighborhood is relatively quiet and residents value the peace that it offers.

(It shall be unlawful for any person to create, assist in creating, permit, continue or permit the continuance of any unreasonably loud or disturbing sound of such character, intensity, volume, carrying power or duration as to disturb the comfort, repose, health or safety or any individual unless the sound is made in an activity conducted for the protection or preservation of the health, safety or life of some person. Disturbing is defined as an actual or imminent

interference to peace or good order or a noise which endangers or injures the health or safety of humans or animals or which annoys or disturbs a reasonable person of normal sensibilities).

9.) Please refrain from using candles as they can be a hazard.

10.) No smoking is allowed inside the home.

11.) NO ATV's are allowed in Shenandoah Farms

12.) **I can be reached at 571-340-7080 or via the airBNB or VRBO app anytime.**

13.) Enjoy your stay & Thank you for staying.

14.) WiFi is available: **Network Name: 2 YUTES Password: 2YUTES123**

Checking Out

When you are ready to check out, please be sure all lights, ovens, and appliances are turned off. Please be sure that the door locks when you exit the home. The deadbolt is on auto-lock, and should lock within 10 seconds of closing the front door. If you remember to text me when checking out, it helps a lot 😊 Please take all trash with you upon checking out.

SUPPLEMENTAL PROPERTY MANAGEMENT INFORMATION.

1.) Locating and Qualifying a Tenant

Property shall be advertised on sites such as Vrbo, and AirBNB. Whereas most tenants on these sites have used on the platform before, and have reviews of their prior stays. Property shall be made available to rent no sooner than 2 days after a booking to allow time to prepare the premises for short-term tenancy. Some bookings may require the owner's approval depending on the dates, timeframe of tenancy and lead time to rent.

2.) Leasing to a Short Term Tenant

An executed lease shall not be required in most cases as specified in state law (55.1-1204, C2). However, house rules shall be applicable and displayed in the home and in some cases, provided prior to the tenants' arrival on the advertising website as described above. House Rules are attached hereto and made a part hereof for further reference. The basics shall be provided in the home, such as toilet paper, paper towels, cleaning products, towels, blankets, pillows, and kitchen appliances as well. Depending on the length of the stay, a tenant may be required to fulfill a security deposit which may be held by the advertising website or the owner, Elizabeth Saman. At this time, no pets shall be allowed in the home. It is at the owners' discretion to change this rule, and if so, may require a deposit to allow a pet to stay.

3.) Delivery of Premises to a Tenant

In most cases, tenants shall be given a keypad code to enter the premises or self check in. In rare cases, the owner or an owner's representative may check in guests to be sure that they are able to use the keypad correctly, and answer any questions the guests may have. This would happen only in rare cases, and is included in here to incorporate all forms of possible check in.

4.) Maintenance and Property Inspections

Cleaning, sanitizing and laundry shall be done before and after each guest stay. In the event that a guest needs a repair or has any issues, they may phone any of the handymen vendors attached to this proposal. Emergency Contacts, electric service, HVAC service, and internet providers contact phone numbers shall be displayed inside the home for the tenants use, if necessary.

Owner and/or owners representative reserves the right to inspect the property at anytime, and shall give tenants notice prior to inspections. Inspections may occur weekly or biweekly depending on the guests stay. Exterior cameras are set up for guest and owner safety. Security system may be triggered in the event that an emergency occurs, etc.

Yard work shall be completed regularly, as necessary by an outside vendor located in Linden, VA.

Owner reserves the right to change vendors, and/or add vendors at anytime as property maintenance needs may change etc. Home was built in Nov. 2021, and all major functions such as roofing, HVAC, Water Heater, etc, are dated at that time.

5.) Disputes

In most cases, the advertising sites do assist with disputes, and/or refunds, if necessary. However, owners phone #, email and instant messaging will be available to all tenants for easy contact.

6.) Eviction

Tenants who repeatedly break house rules, cause a disturbance, &/or commit an unlawful act will be subject to eviction from the premises.

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



August 02, 2022

Matt Wendling, Planning Director
220 N Commerce Ave., Suite 400
Front Royal, Virginia 22630

RECEIVED
AUG 08 2022

BY:

RE: Request for Comments (2022-08-02)
Owner: Elizabeth A. Saman

Dear Mr. Wendling,

I have reviewed your request for comments for a CUP for a Short-Term Rental at 431 Cindy's Way. Front Royal, VA (Tax Map# 15F-1-7-19) and I offer the following comments:

1. There is a Construction Permit, ROI and Operation Permit on file for the subject property dated 4/19/2021, 11/02/2021 & 11/19/2021 respectively.
2. The dwelling is connected to an approved Alternative Onsite Sewage System (AOSS). The AOSS is designed to accommodate Three (3) Bedrooms, Conditional to Five (5) Occupants and a daily flow of 375 gallons.
3. The owner should be aware that an AOSS is required to be operated and maintained by a licensed operator at least annually.
4. The dwelling is connected to a private well. A water sample should be collected and analyzed by a state approved laboratory at least 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 Manager

Veronica Diamond

From: David Beahm
Sent: Wednesday, August 3, 2022 12:28 PM
To: Veronica Diamond
Cc: Paula Fristoe
Subject: RE: Request for Comments-CUP 2022-08-02 - WCCUP-203-2022

Comments 2022-08-02 – Elizabeth Saman – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000203-2022:

- 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 that this was just built it would not require an Electrical permit to meet the building code requirements for this change.

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

Respectfully,

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

From: Veronica Diamond <vdiamond@warrencountyva.gov>
Sent: Tuesday, July 26, 2022 1:44 PM
To: David Beahm <Dbeahm@warrencountyva.gov>; Ashley Walker <ashley.walker@vdh.virginia.gov>; Jim Davis <jim.davis@vdh.virginia.gov>; Smith, Gregory <gregory.smith@vdh.virginia.gov>; P.O.S.F BUSINESS <shenandoahfarms@comcast.net>
Subject: Request for Comments-CUP 2022-08-02

Good afternoon,

Please see documents attached for request for comments for Elizabeth Saman.

CUP-2022-08-02
WCCUP-000203-2022

Veronica Diamond

From: P.O.S.F BUSINESS <shenandoahfarms@comcast.net>
Sent: Thursday, August 4, 2022 11:06 AM
To: Veronica Diamond; David Beahm; Ashley Walker; Jim Davis; Smith, Gregory
Subject: Re: Request for Comments-CUP 2022-08-02

POSF Inc. has no issues with requested CUP.

Respectfully,

Property Owners of Shenandoah Farms

6401 Howellsville Road

Front Royal, VA 22630

(540) 837-2068

On 07/26/2022 1:43 PM Veronica Diamond <vdiamond@warrencountyva.gov> wrote:

Good afternoon,

Please see documents attached for request for comments for Elizabeth Saman.

CUP-2022-08-02

WCCUP-000203-2022

Thank you,

Veronica Diamond

Office Manager

Planning Department

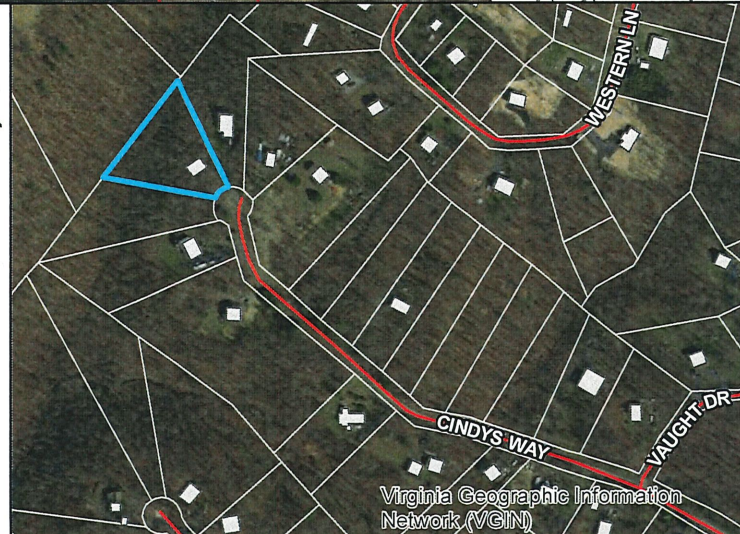
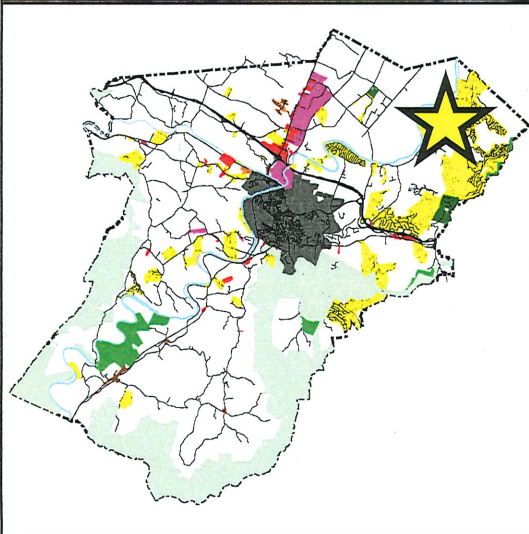
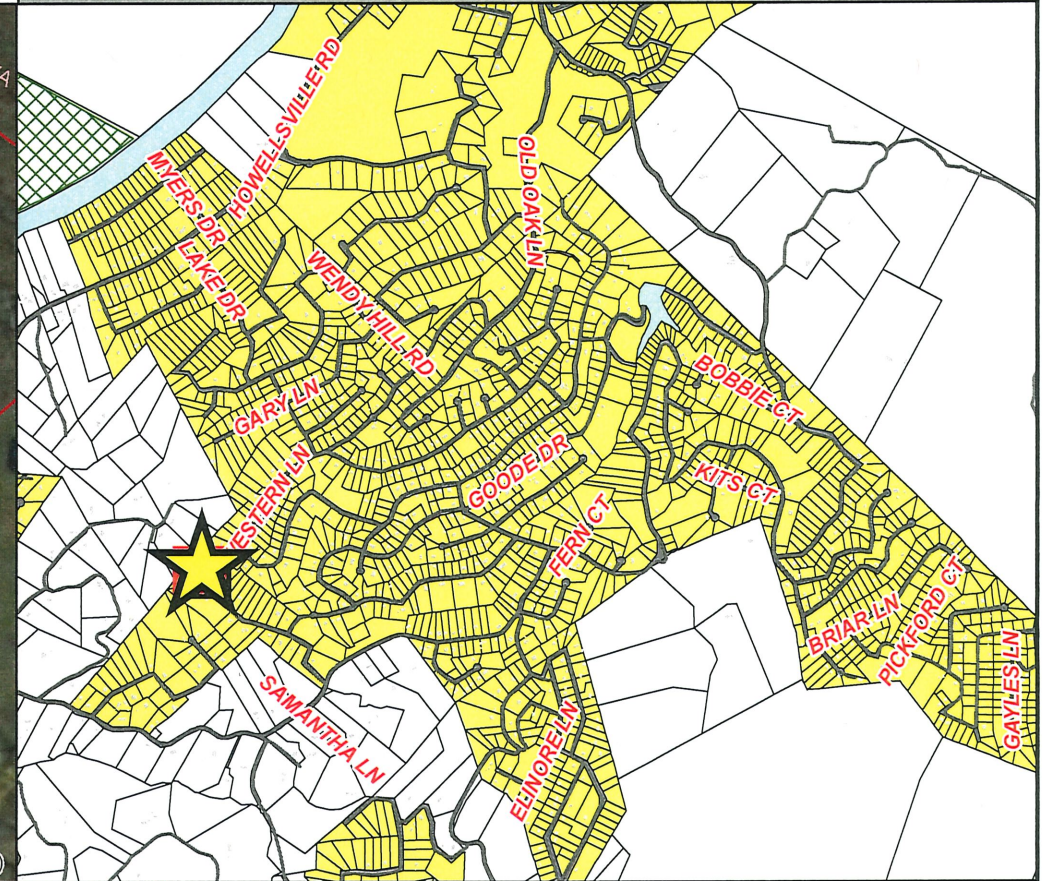
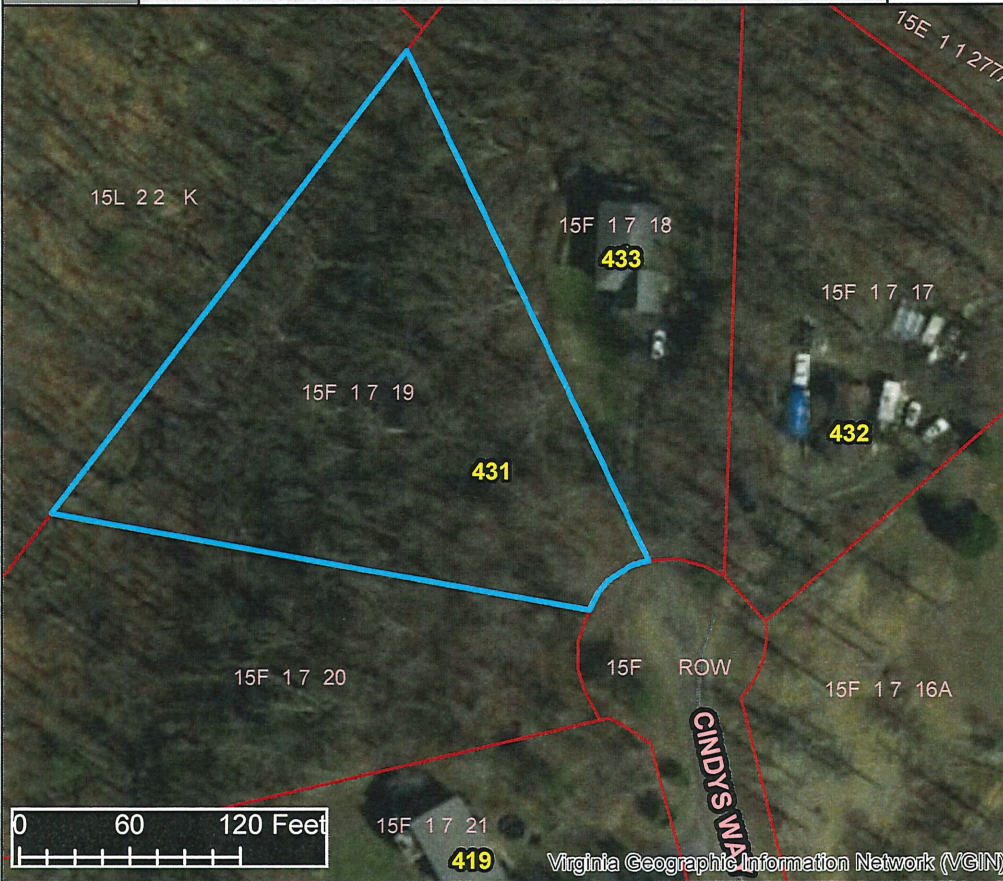
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Elizabeth Saman

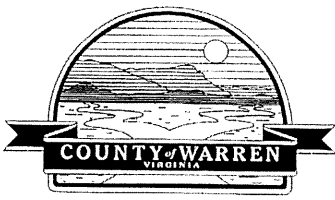
TM 15F--1-7--19
431 Cindys Way



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 10/04/2022	ITEM H-8	SUBJECT: Conditional Use Permit #2022-08-03 Stacey L. Lockhart <i>Private Use Camping (Non-Commercial)</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, September 14, 2022, Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mrs. Richardson and approved by the Planning Commission by a vote of 4-0.

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 regulations and requirements.
2. Materials associated with the campers are to be stored in a neat and orderly fashion during the time of use and are to be removed from the site when not in use.
3. Any development, structure or fencing shall require a building and zoning permit.
4. The applicant shall post the property with a lot/parcel number for Fire and Emergency Rescue Services and have an emergency egress plan for removal of the recreational vehicles and portable commode prior to a predicted flood event.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed Conditional Use Permit request for Private Use Camping (Non-Commercial) for advertisement of a public hearing.

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

The applicant is requesting a conditional use permit for Private Use Camping on a lot in the Bolling-Poe-Manganaro Tract subdivision which is located in the Special Flood Hazard Area (SFHA). The applicant purchased the lot in July of 2014. The vacant lot is mostly cleared with a wooded portion toward the front of the property near Harris Drive. The applicant currently has a recreational camper parked on the property (see Property History section below). This conditional use permit would allow the owner to erect a single accessory structure up to 200 square feet in size for storage of recreational and property maintenance equipment upon issuance of a building permit.

PROPERTY INFORMATION

Property Location: Harris Drive	City: Front Royal
Tax Map ID: 21C--3----2	Zoning: Residential One (R-1)
Magisterial District: Shenandoah	Acres: 0.96 Acres
Subdivision: Bolling-Poe-Manganaro Tract	Existing Land Use: Vacant Lot

All lots in the Bolling-Poe-Manganaro Tract subdivision are located entirely within the Special Flood Hazard Area, Zone AE. A portion of the subdivision is located within the Regulatory Floodway.

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)	Use: Single-Family Dwelling, Shenandoah River
South: Residential One (R-1)	Use: Vacant Lot - Woodlands
East: Residential One (R-1)	Use: Single-Family Dwelling
West: Residential One (R-1)	Use: Single-Family Dwelling

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential One (R-1) zoning district. A Notice of Inspection was issued to the property owner in 2015 and a Notice of Violation was issued in October of 2021 regarding use of the property for Private Use Camping without an approved Conditional Use Permit and storage of a recreational vehicle in the Special Flood Hazard Area. The owner communicated with Planning staff and applied for this Conditional Use Permit to bring the property into compliance with the Warren County Zoning Ordinance.

Of the 11 lots in the Bolling-Poe-Manganaro Tract subdivision, 3 lots have been developed with single-family dwellings and 1 lot has a Conditional Use Permit for Private Use Camping issued in 2021. Residential development is challenging in this subdivision because it is restricted in the Regulatory Floodway and there are required 50-foot setbacks from the edge of the Regulatory Floodway and platted right-of-way.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

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

PROPOSAL:

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

SUPPLEMENTARY REGULATIONS FOR MAJOR RECREATIONAL VEHICLES AND EQUIPMENT

§ 180-40.1 Major recreational vehicles and equipment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

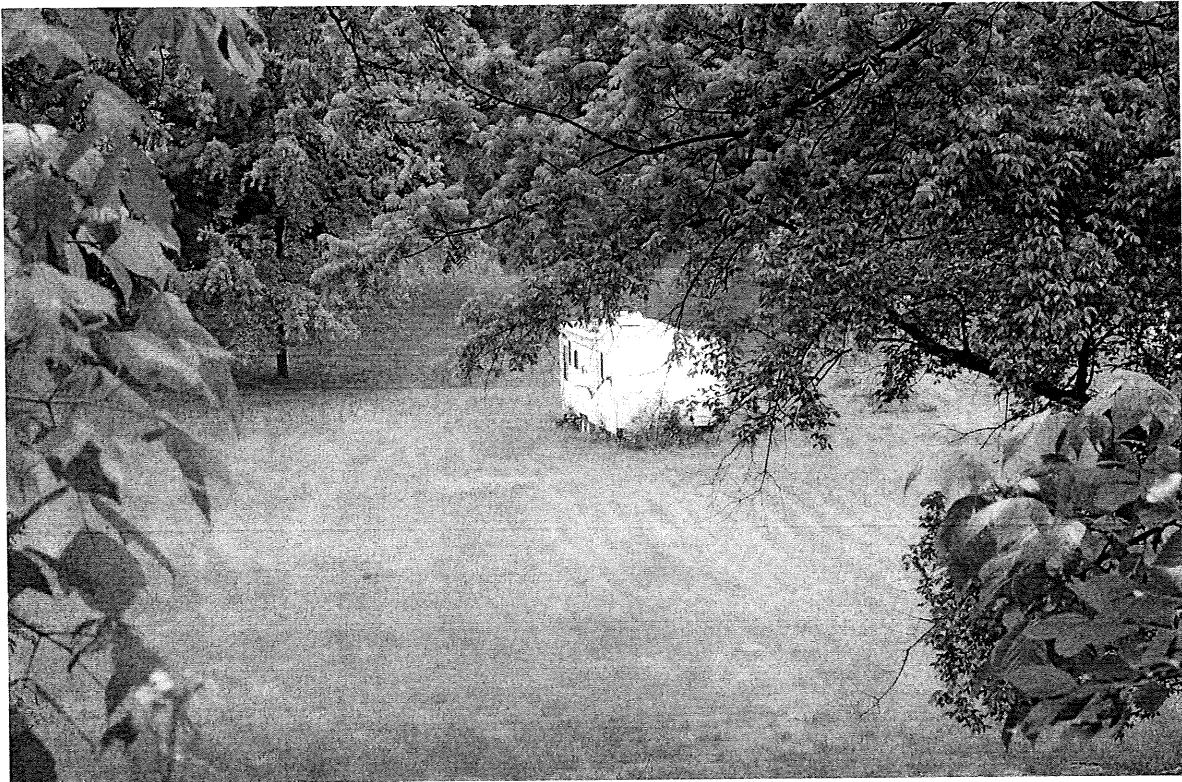
(3) The parking and storage of inoperative major recreational equipment shall be prohibited.

RECOMMENDED CONDITIONS

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

1. The applicant shall comply with all Warren County Health Department regulations and requirements.
2. Materials associated with the campers are to be stored in a neat and orderly fashion during the time of use and are to be removed from the site when not in use.
3. Any development, structure or fencing shall require a building and zoning permit.
4. The applicant shall post the property with a lot/parcel number for Fire and Emergency Rescue Services and have an emergency egress plan for removal of the recreational vehicles and portable commode prior to a predicted flood event.

Cc: Stacy L. Lockhart – *Owner/Applicant*



Warren County
Planning Commission

I would like to have this for recreational purposes only.

Thanks:

Stacy L. Lockhart

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-08-03
 Date Received: 7/8/2022
 Fee Amount: \$ 200.00 (Non-Profit)
 Date Paid: 7/8/2022 (Cash)

Applicant Information:

Stacy L Lockhart
 Applicant Name

488 Broad Run Bentonville VA 22610
 Address City State Zip

Harris Dr Bolling Poe Mangano 21E-3-2
 Property Location for conditional use permit if Different than Applicant's Address

540-660-6112 lockhart6583@outlook.com
 Primary Contact Number Email

Property Owner (if same as applicant, leave blank)

Address City State Zip

Primary Contact Number

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

A. Property Information:

- (1) Address/Location: Harris Drive
- (2) Election District: Shenandoah
- (3) Tax Map Number: 21E-3-2
- (4) Subdivision Name: Bolling Poe Mangano Tract Subdivision
- (5) Total Area of Property (acres): 0.96
- (6) Total Area to be Used (acres): 0.96
- (7) Total Road Frontage (feet): 80'
- (8) Depth of Property (feet): 530'
- (9) Present Zoning: R-1

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: PRIVATE Use CAMPING
- (2) Current land use and condition of site: VACANT Lot (NON-COMMERCIAL)
- (3) Zoning of surrounding land/property: 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 N/A
(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
PORTABLE
- (11) Number of persons to be served by the sewage disposal system: N/A
- (12) Number of parking spaces to be provided: Regular N/A Handicap N/A
- (13) What is the proposed landscaping and buffering for this property? N/A

C. Plans Prepared By

Name: STEVE LOCKHART

Address: 488 Broad Run Road Bontonnville

Telephone Number: _____

D. Environmental Information

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

- (2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) if there is it will be put in a trash bag & taken to transfer station
- (3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) NO
- (4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. smoke from grill or campfire
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
- (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. A lantern if cat fishing

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

- ☐ An application fee of \$500.00. *\$200.00*
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 *~ LETTER*
This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 1/2 x 11 size paper.
- ☐ A Site Plan/Survey. *(PLAT)*
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. *(WC HEALTH DEPT.)*
Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.
- ☐ A copy of the deed to the property verifying the current ownership.
A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.
- ☐ A statement verifying that real estate taxes have been paid.
STAFF This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.
- ☐ Environmental and Community Impact Statements
N/A The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.
- ☐ List of chemicals stored on the site
N/A A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.
- ☐ Location Map
N/A A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.
- ☐ Directions to your property from the Warren County Government Center.

*TAKC Bypass To Happy creek Road make left
ON Marys Shady Lane, make Right on
Harris Dr. make left onto 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.

* Greg L Lockhart
Applicant Signature

07/07/22
Date

* Andy L Lockhart
Property Owner Signature

July 07 2022
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.

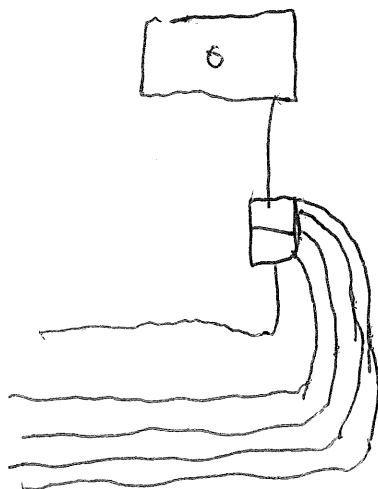
NOTES

Harris Drive

80'

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0.96
Acres

530'
~~530'~~
To River

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L

Veronica Diamond

From: Kevin der Kinderen <kkinderen@gmail.com>
Sent: Tuesday, August 30, 2022 8:45 PM
To: Veronica Diamond
Cc: Chase Lenz
Subject: Re: Comments Concerning Stacy L. Lockhart's Request

(resent with corrected email address)

On Tue, Aug 30, 2022 at 8:42 PM Kevin der Kinderen <kkinderen@gmail.com> wrote:

Dear Veronica Diamond that the Department of Planning:

I received your letter dated August 25, 2022 concerning Mr. Lockhart's request for a Conditional Use Permit for the property on Harris Drive. This property is adjacent to mine at 731 Harris Dr, Front Royal, VA 22630.

I support my neighbor Stacy's request for Private Use Camping and ask that the Commission consider granting his request.

Thank you for reaching out and offering me the opportunity to support my neighbor.

Regards,
Kevin der Kinderen
Front Royal, VA

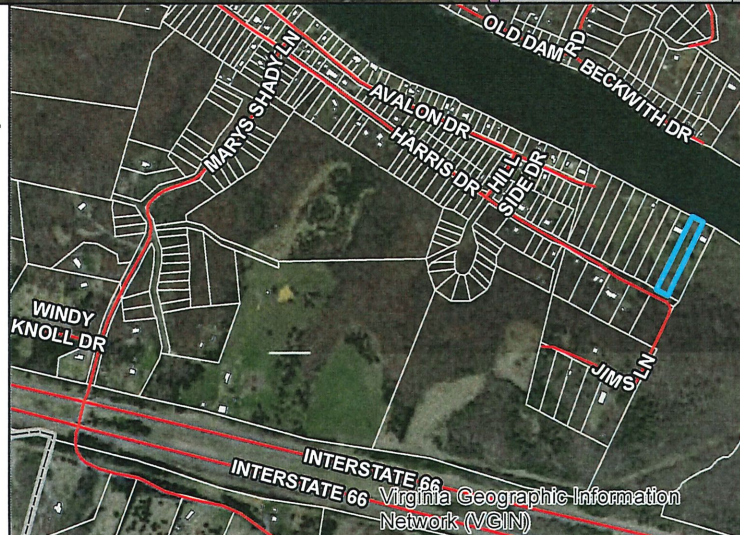
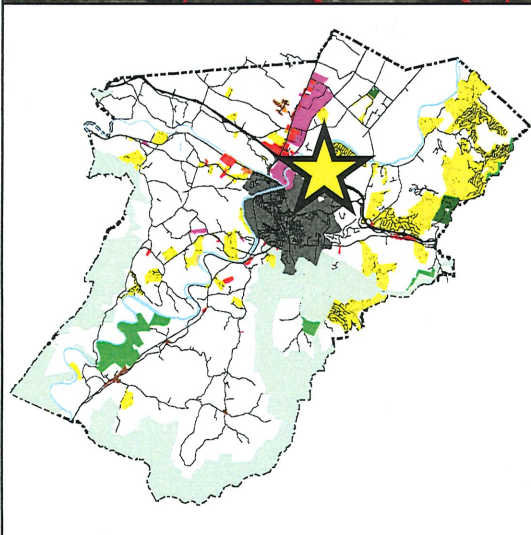
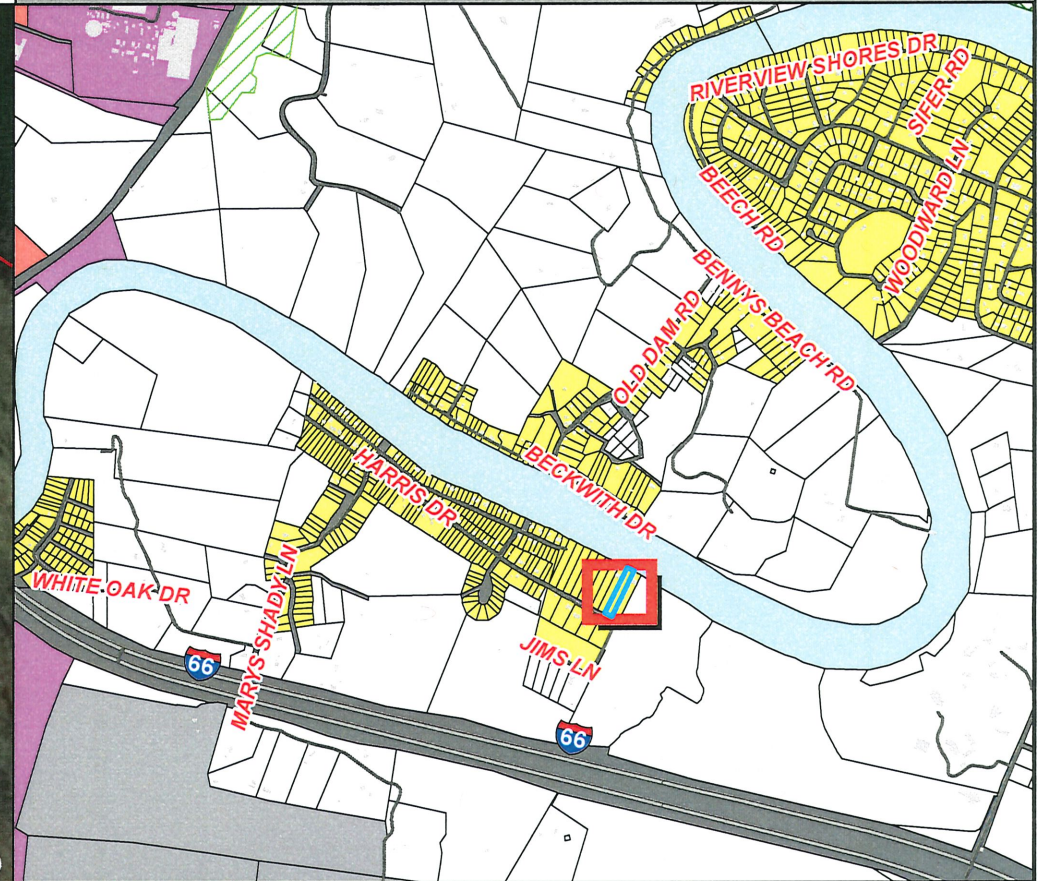
Warren County VA

CUP Location Map



Private Use Camping
Applicants: Stacy Lockhart

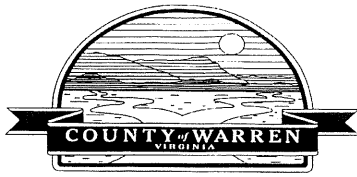
TM 21C--3----2



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
10/04/2022	H-9	Conditional Use Permit #2022-08-04 Jaden & Tori Walter <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.

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 4- 0.

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

BOARD OF SUPERVISORS PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize for advertisement of a public hearing the proposed conditional use permit request for a Short-term Tourist Rental.

SUBMITTED BY:

Matt Wendling, CFM
Planning Director
County Floodplain Manager

DISPOSITION OF BOARD:

☐ **APPROVED** ☐ **OTHER (Describe)**

PROCESSED BY:



Conditional Use Permit: 2022-08-04/ Short Term Tourist Rental

Jaden & Tori Walter, Applicants/ Owners

Staff Report for the Planning Commission

Prepared: July 13, 2022

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

A handwritten signature in blue ink, likely of Matt Wendling, the Planning Director.

SUMMARY OF REQUEST

The applicant purchased this property as an investment as a second home and for use as a Short-Term Tourist Rental in June 2022. The property owners have contracted cleaning service and property management company and provided contact information for local contact in case of emergency. They planned to be involved with the management of the property also and will oversee who will be renting the property along with the on-line rental service they choose to use.

PROPERTY INFORMATION

Property Location: 80 River Oak Dr.

Tax Map ID: # 35B-1 – K

Magisterial District: South River

Subdivision: River Oak HOA

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

Town/Village: Bentonville

Zoning: Agricultural (A)

Acres: 2.19

Existing Land Use: Single-Family Dwelling

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)

South: Agricultural (A)

East: Agricultural (A)

West: Federal - GWNF

Use: Single-Family Dwelling - Wooded

Use: Vacant lot - Wooded

Use: Single-Family Dwelling - Wooded

Use: National Park -Forest

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Agricultural (A) zoning district to the property.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

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

PROPOSAL:

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

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

These regulations are as follows:

- A. The owner of a dwelling unit to be used for a short-term tourist rental shall apply and receive a zoning permit and/or a conditional use permit from the Planning Department prior to utilizing the dwelling unit as a short-term rental. The permit shall be reviewed by planning staff on an annual basis to ensure compliance with the performance standards listed in this section, along with all conditions placed on the conditional use permit, if applicable. Warren County may revoke a permit for repeated noncompliance with these performance standards.
- B. The maximum number of occupants in the dwelling unit shall be determined according to permit approval received by the Warren County Health Department; however, the maximum number of occupants shall not exceed 10. **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 3 to 4 vehicles in the driveway.**
- D. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times. **The 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 River Oak subdivision and a letter has been submitted contact for the POA of this subdivision for comments.**
- 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 proposed dwelling location meets the setback requirements to adjacent single-family dwellings, it is approximately 375' to the closest dwelling located to the northeast.**

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

Cc: Jaden & Tori Walter, Applicant

Figure 1 Jaden & Tori Walter Single-Family Dwelling

Jaden & Tori Walter

July 2th, 2022

To the Warren County Planning Commission,

We're requesting the use of our vacation home to be listed as a vacation rental (B&B) in the months we are not visiting. We can ensure our subdivision will not be disrupted for the following reasons.

The minimal amount of trash accumulated by guests will be disposed of by Freedom Disposal Services LLC weekly. Noise pollution will not be a problem, as our house is over 300 feet from the nearest neighbor and we would be enforcing a no party policy. Chemicals stored on site will be nothing more than household cleaning supplies (window cleaner, detergent, bleach, etc.) We are aiming to manage the property between ourselves and our chosen cleaning company. We are in contact with Alpha Team Cleaning and Domestic Services, they offer cleaning, yard maintenance, and handyman services. To further establish a safe and responsible vacation rental we will provide two local points of contact in case of emergencies. The first being Christopher Morrison +1 (252) 558 8912, The second would be Alpha Team Cleaning or an alternative management company (To be determined). In addition, our internet service (ViaSat) offers VoIP so guests will have access to a home phone.

On our property you will find gravel parking spaces for 3 to 4 vehicles. We have been working on meeting our new neighbors and informing them of the permit process so that they are not surprised by it. Thank you for your consideration.

Jaden & Tori Walter

(509) 581-9144

Jadenwalter8@gmail.com

Toriwalterbackup@gmail.com

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-08-04
 Date Received: 7-11-22
 Fee Amount: \$ 500.00
 Date Paid: 7-11-22
Cash

Applicant Information:

Jaden & Tori Walter
 Applicant Name

110209 E Wind Ward Ln Kennewick WA 99338
 Address City State Zip

80 River Oak Dr Bentonville VA 22610
 Property Location for conditional use permit if Different than Applicant's Address

(509) 581 9144 JadenWalter8@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: 80 River Oak Dr Bentonville VA, 22610
- (2) Election District: SOUTH RIVER
- (3) Tax Map Number: 35B 1 K
- (4) Subdivision Name: River Oak
- (5) Total Area of Property (acres): 2.19
- (6) Total Area to be Used (acres): 2.19
- (7) Total Road Frontage (feet): ≈ 547
- (8) Depth of Property (feet): N/A
- (9) Present Zoning: Agricultural

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: STTR
- (2) Current land use and condition of site: Single family dwelling
- (3) Zoning of surrounding land/property: Agricultural
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: N/A
- (6) Season, days, and hours of operation: TBD
- (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 6 Handicap
- (13) What is the proposed landscaping and buffering for this property? Existing, we
will leave wood land buffer.

C. Plans Prepared By

Name: N/A

Address: N/A

Telephone Number: N/A

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?) Common household accumulated trash. It will be disposed of in a 96 gal. trash bin & collected every Monday by Freedom Disposal Services.
- (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? Parking Spaces
All parking will be located within property lines.
- (7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. NO

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



An application fee of \$500.00.

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



A Statement of Justification

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



A Site Plan/Survey.

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



Sewage Disposal and Well Site.

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



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

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



A statement verifying that real estate taxes have been paid.

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



Environmental and Community Impact Statements

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



List of chemicals stored on the site

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



Location Map

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



Directions to your property from the Warren County Government Center.

From Front Royal take Rt. 340 S to Bentonville. Turn R on Indian Hollow Rd crossing over the Shenandoah River & then take a R onto Pan-handle Rd. In 1.5 miles turn R onto River Oak Dr. Take 1st driveway on the right, the house is on the R side.

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

7/11/2022
Date


Property Owner Signature

7/11/2022
Date

Accepted by: _____

Date: _____

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

NOTES

Lord Fairfax Health District



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



July 20, 2022

Matt Wendling, Planning Director
220 N Commerce Ave., Suite 400
Front Royal, Virginia 22630

RE: Request for Comments (2022-08-04)
Owner: Jaden & Tori Walter

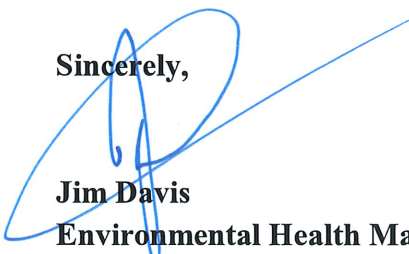
Dear Mr. Wendling,

I have reviewed your request for comments for a CUP for a Short-Term Rental at 80 River Oak Dr. Bentonville, VA (Tax Map# 35B-1-K) and I offer the following comments:

1. There is a Construction Permit, ROI and Operation Permit on file for the referenced property dated 8/23/2021, 3/04/2022 & 6/01/2022 respectively.
2. The dwelling is connected to an approved Conventional Onsite Sewage System (COSS). The COSS is designed to accommodate Three (3) Bedrooms, Six (6) Occupants and a daily flow of 450 gallons.
3. The dwelling is connected to a Class IIIB private well. A water sample should be collected and analyzed by a state approved laboratory at least 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 Manager

Sewage Disposal System Operation Permit

Property Owner

Ben and Adina Short
60 Gooney Run Ln
Bentonville, VA 22610
Phone: (540) 622-6181

Health Dept. ID: **187-21-304**
Tax Map/GPIN: **35B-1-K**
Locality: **Warren County**

Property Location

Property Address: Panhandle Rd
Bentonville, VA 22610

Ben and Adina Short is hereby granted permission to operate a **Residential Conventional Onsite Sewage System** at the above referenced location, under the following parameters:

Daily Flow: 450 gallons
Number of Bedrooms: 3
Occupancy Limit: 6 maximum

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

June 01, 2022
Effective Date

Greg Smith
Environmental Health Specialist



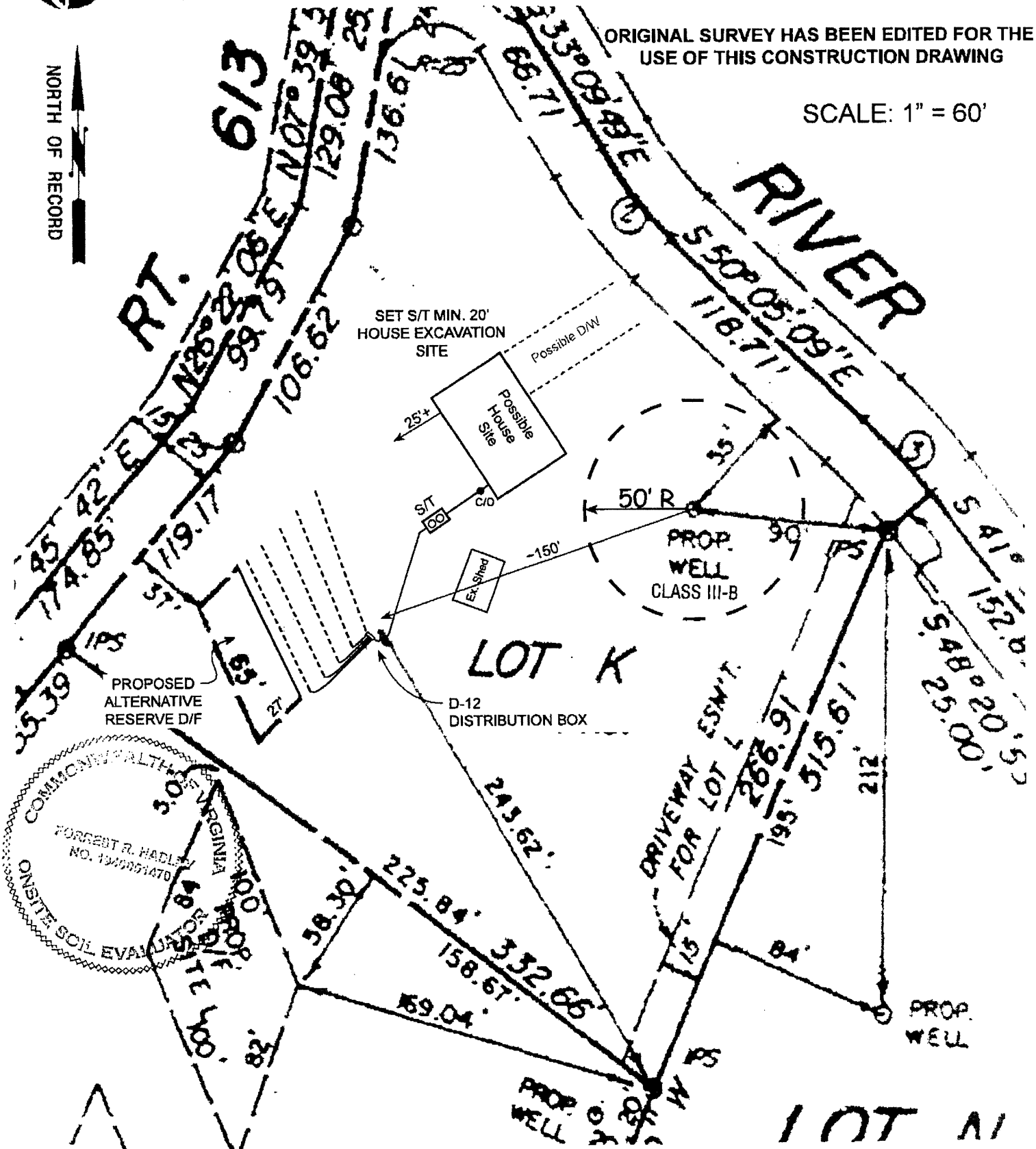
Signature



ORIGINAL SURVEY HAS BEEN EDITED FOR THE
USE OF THIS CONSTRUCTION DRAWING

SCALE: 1" = 60'

NORTH OF RECORD



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

Veronica Diamond

From: David Beahm
Sent: Monday, July 25, 2022 3:30 PM
To: Veronica Diamond
Cc: Paula Fristoe
Subject: RE: Request for Comments-CUP 2022-08-04 - WCCUP-000205-2022

Comments 2022-08-04 – Jaden & Tori Walter – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000205-2022:

- 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 that this was just built it would not require an Electrical permit to meet the building code requirements for this change.

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

Respectfully,

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

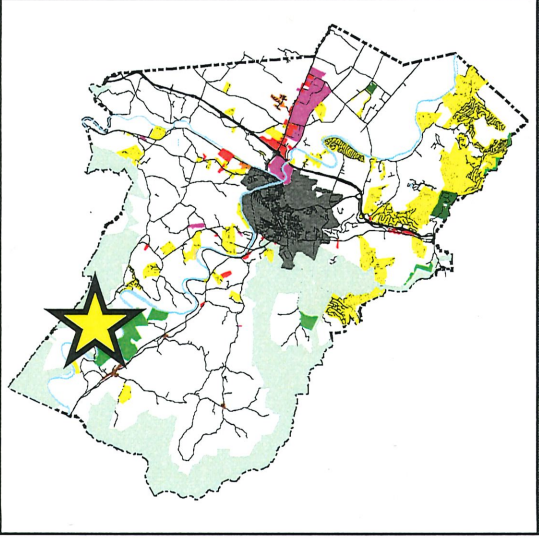
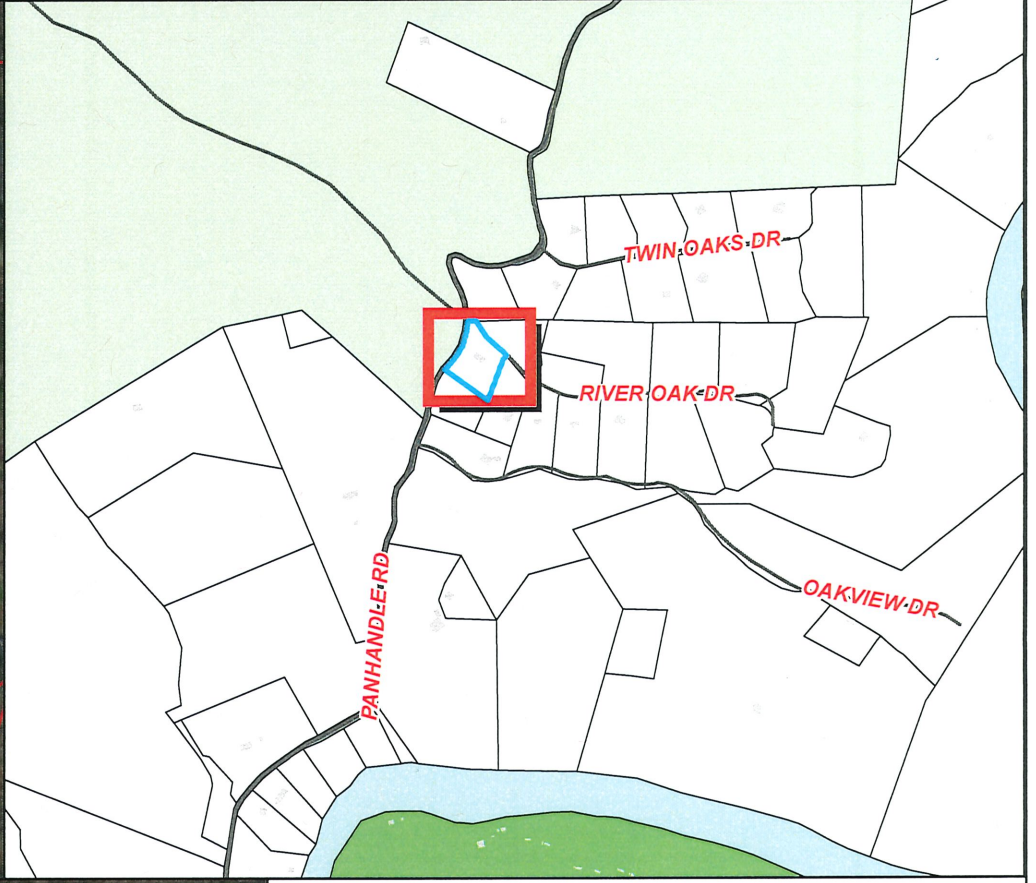
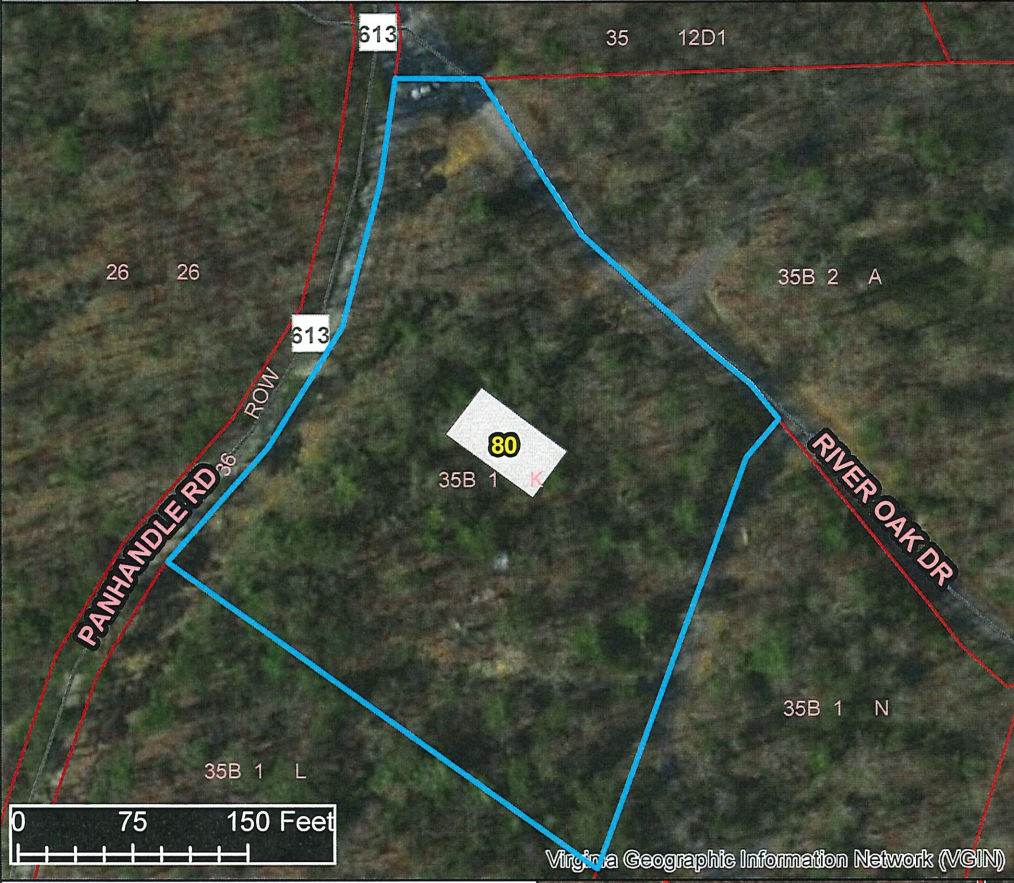
THIS MESSAGE IS INTENDED SOLELY FOR THE INDIVIDUAL(S) NAMED IN THE HEADER. THIS MESSAGE MAY CONTAIN MATERIAL THAT IS PRIVILEGED OR CONFIDENTIAL. IF YOU ARE NOT ONE OF THE INTENDED RECIPIENTS, PLEASE DO NOT READ, COPY, USE, OR DISCLOSE THIS MESSAGE TO OTHERS; PLEASE NOTIFY THE SENDER BY REPLYING TO THIS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

From: Veronica Diamond <vdiamond@warrencountyva.gov>
Sent: Wednesday, July 13, 2022 2:18 PM
To: David Beahm <Dbeahm@warrencountyva.gov>; riveroakhoa@outlook.com
Subject: Request for Comments-CUP 2022-08-04

Good afternoon,

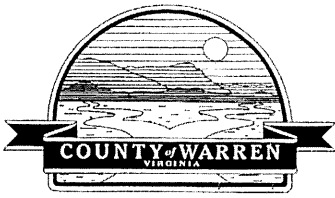
Please see documents attached for Jaden & Tori Walter.

CUP-2022-08-04
WCCUP-000205-2022



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 |



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE 10/04/2022	ITEM H-10	SUBJECT: Conditional Use Permit #2022-08-05 Vesta Property Management <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, September 14, 2022, Mrs. Richardson moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Henry and approved by the Planning Commission by a vote of 4-0.

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 authorize the proposed Conditional Use Permit request for a Short-Term Tourist Rental for advertisement of a public hearing.

SUBMITTED BY:

Chase Lenz, 
Zoning Administrator

DISPOSITION OF BOARD:

☐ APPROVED ☐ OTHER (Describe)

**PROCESSED
BY:**



Conditional Use Permit: 2022-08-05 / Short-Term Tourist Rental

Vesta Property Management, Applicant

Dorotea Rutherford, Current Owner

Prepared: July 22, 2022 Revised: August 31, 2022

Staff Contact: Chase Lenz, Zoning Administrator

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a short-term tourist rental for the property on behalf of the owner, who purchased the property in September of 2021. The owner would like to make the property available for short-term stays for individuals visiting the Warren County area. The applicant provides property management and handyman services for rental properties throughout the Shenandoah Valley area and will serve as the property manager for this short-term tourist rental.

PROPERTY INFORMATION

Property Location: 194 Venus Branch Road

Tax Map ID: 15E--4-4-144

Magisterial District: Shenandoah

Subdivision: Shenandoah Farms – Mountain Lake Section

City: Front Royal

Zoning: Residential-One (R-1)

Acres: 0.37 Acres Total

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: Vacant - Woodlands

Use: Vacant - Woodlands

Use: Vacant - Woodlands, Pond

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 1968 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. Documentation has been provided by the applicant requesting a maximum of six (6) occupants. Warren County Assessment data lists three (3) bedrooms in the dwelling.**
- C. Parking for the use shall be located in driveways or other designated and approved parking areas. The parking of vehicles is prohibited in or along all rights-of-way and in yards. **There is sufficient parking for at least 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. All adjacent lots are vacant and undeveloped.**
- 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 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 165' to the southwest.**

RECOMMENDED CONDITIONS

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

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department 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: Vesta Property Management, Applicant; Dorotea Rutherford, Owner

Jul 13, 2022

Warren County Planning and Zoning
220 N Commerce Ave Ste 400,
Front Royal, VA 22630



Dear Planning Commission,

As the Property Manager(applicant) of *194 Venus Branch Road* representing Dori Greco Rutherford (property owner). This Conditional Use Permit would allow us to manage and maintain the property as a Short-Term Tourist Rental.

My passion is to help local property owners such as Dori Rutherford enjoy their stay and open their home to travelers coming from all over the world. The property owners purchased this property as a second home in September of 2021. The supplemental income provided by short term guests would support costs associated with maintaining the physical and financial aspects of the property. The permit would allow them to share their love for the property.

In my experience, Short-Term Rentals provide so much more than a vacation spot. They provide a home for traveling nurses, a change of scenery for the remote professional, or even a sanitary escape from a viral outbreak.

The evidence of my guest's graciousness is in their feedback. They consistently proclaim their appreciation for a clean, sanitized, safe and private space, where they can enjoy peace and quiet or go out to explore the local businesses using the guide book provided.

Thank you in advance for your review of our application. We look forward to answering any further questions that you or the public may have.

Very Truly Yours,

Chloe Phillips

Director of Property Management

Contact Information

(703) 867-2140

Chloe@vesta-now.com

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: CUP2022-08-05Date Received: 7/20/2022Fee Amount: \$ 500.00Date Paid: 7/20/2022 (CC)**Applicant Information:**

Vesta Property Management

Applicant Name

20 E 8th Street, Suite 4, Front Royal, VA 22630

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

194 Venus Branch Road, Front Royal, VA 22630

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

703-867-2140

Chloe @vesta-now.com

*Primary Contact Number**Email*

Dorotea Rutherford

Property Owner (if same as applicant, leave blank)

194 Venus Branch Rd, Front Royal, Va. 22630

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

202-255-8588

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: 194 Venus Branch Rd, Front Royal, VA 22630
- (2) Election District: Shenandoah
- (3) Tax Map Number: 15E 4 4 144
- (4) Subdivision Name: Shenandoah Farms San Dist
- (5) Total Area of Property (acres): .37
- (6) Total Area to be Used (acres): .37
- (7) Total Road Frontage (feet): 103 Feet
- (8) Depth of Property (feet): 190 Feet
- (9) Present Zoning: R-1

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Short Term Vacation Rental
- (2) Current land use and condition of site: Residential Dwelling
- (3) Zoning of surrounding land/property: R1
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: 0
- (6) Season, days, and hours of operation: 365 Days
- (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 6 Handicap 2
- (13) What is the proposed landscaping and buffering for this property? none

C. Plans Prepared By

Name: _____

Address: _____

Telephone Number: _____

D. Environmental Information

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

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

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

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

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

(6) What will be the impact on traffic? Public access road to the property. _____

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

**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.**

Depart and head south on US-522 S / N Commerce Ave, Turn left onto US-522 N / N Commerce Ave, then immediately turn left onto US-522 N / N Commerce Ave, Turn right onto E 6th St / VA-647, Keep straight to get onto E 6th St., Keep straight to get onto Happy Creek Rd., Road name changes to Morgan Ford Rd / VA-624, Turn right onto Howellsville Rd / VA-638, Bear right onto Howellsville Rd, then immediately bear right onto Blue Mountain Rd., Keep left to stay on Blue Mountain Rd., Bear left onto Mountain Lake Dr., Turn right onto Drummer Hill Rd., Turn left onto Venus Branch Rd., Arrive at 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.

Chloe Phillips

7/13/2022

Applicant Signature

Date

Doretha Ruthford

7/12/2022

Property Owner Signature

Date

Accepted by: Chase Lenny

Date: 7/20/2022

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

BK 557 PG 770 (VENUS BRANCH ROAD)

WARREN CO, VIRGINIA
LAND RECORDS

LAKE VIEW ROAD

(GRAVEL)

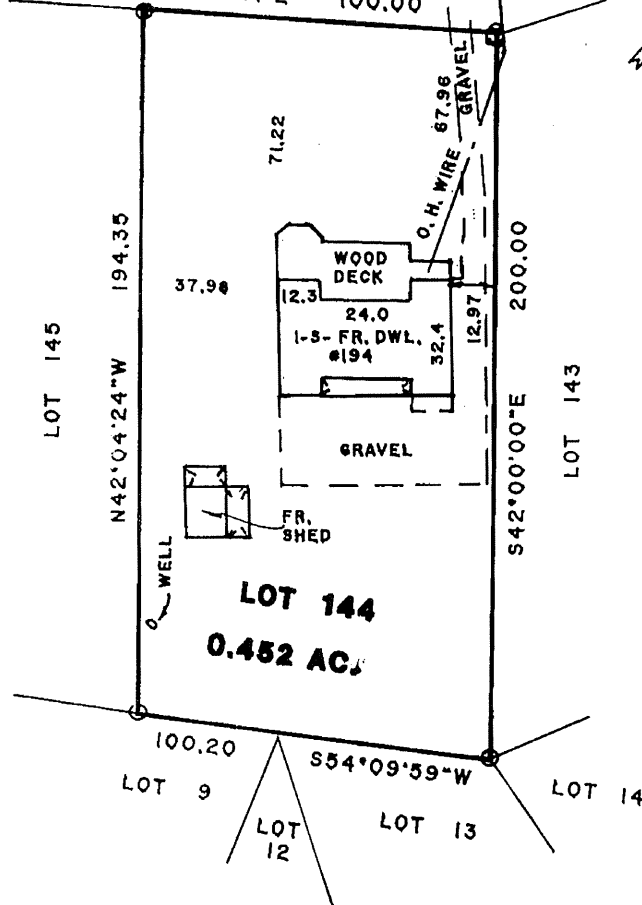
000022 JUL 19 1995

0.2 MI. TO DRUMMER'S
HILL ROAD

N50°55'51"E

100.00

SCALE - 1" = 40'



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

DERIVATION OF TITLE - GLEN BODIE HOLCOMB
AND CHARLENE ANN HOLCOMB D. B. 323,
PAGE 726.

SURVEY OF LOT 144, SHENANDOAH FARMS, MOUNTAIN
LAKE SECTION, PART FOUR RECORDED IN D. B. 145,
PAGE 501.

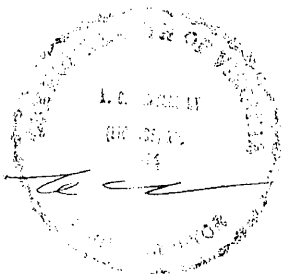
SHENANDOAH MAGISTERIAL DISTRICT

WARREN COUNTY, VIRGINIA

PREPARED BY

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

JULY 12, 1995



Property Management
&
Evacuation Plan
194 Venus Branch

This property will be managed by Vesta Property Management, property manager will be Chloe Phillips who is reachable by email at chloe@vesta-now.com and (703) 867- 2140.

The Conditional Use Permit and Health Department records limit Maximum Occupancy for this short- term rental at six **(6)** people.

In case of an emergency, you can reach the Property Manager Chloe.

For specific emergencies you can reach:

Warren County Sheriff's Office
Address:

(540) 635-4128 or dial 911
200 Skyline Vista Drive
Front Royal, VA 22630

Linden Volunteer Fire Department
Address:

(540) 636- 3473
4561 John Marshall Hwy
Linden, VA 22642

Warren Memorial Hospital(LOCAL)
Address:

(540) 636- 0300
351 Valley Health Way
Front Royal, VA 22630

Valley Health Urgent Care
Address:

(540) 635- 0700
65 Riverton Commons Plz
Front Royal, VA 22630

Poison Control

(800) 222-1222

Power Outage

Rappahannock Electric
Cooperative
(800) 552- 3904

Chloe(Property Manager)

Chloe@vesta-now.com
(703)867-2140

Please do not light candles, flashlights are located in closets of each room.

Two gallons of drinking water are in the dwelling in case of emergency.

EXIT THE DWELLING USING THE FRONT DOOR, BACK DOOR, or BASEMENT DOOR ON LOWER LEVEL.

EMERGENCY EVACUATION

From Property Address 194 Venus Branch to Front Royal, VA
Head southwest on Venus Branch Rd toward Drummer Hill Rd.
Turn right onto Drummer Hill Rd.
Turn left onto Mountain Lake Dr.
Bear right onto Blue Mountain Rd.
Bear left onto Howellsville Rd, then immediately bear left onto Howellsville Rd/ VA -638
Turn left onto Morgan Ford Rd.
Road name changes to Happy Creek Rd.
Keep right to get onto E 6th St / VA-647
Arrive at E 6th St / VA-647

Wifi

Property has free internet for all guests; Property Guide Book will provide login information. Wifi and Cell service is good at property.

Smart Tv available for use, please remember to log out of all apps.

Keys

Keys will be located in a lockbox as the basement door.

Noise Ordinance

It shall be a violation of 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, it likely to disturb the rest of any person of ordinary sensibilities or interfere with such person's lawful and peaceful enjoyment of property owner or rented by them.

Parking

Parking is limited to 4 cars in the driveway parking area. Under no circumstances should cars park on Venus Branch Road.

Garbage

All garbage should be placed in plastic bags provided by the owners. Upon leaving the residence the garbage should be placed in the lidded heavy duty plastic garbage can on the right side of the house by the basement door. The cleaning team will pick up guests' trash on a routine basis.

Property Boundaries

The property boundaries are clearly defined and guests shall remain within the property of 194 Venus Branch Rd., unless walking across the street to the neighborhood lake. We respect our neighbors right of privacy and ask that you as guests do so also and should expect the same from them.

Attached is a plat

Amenities

- AC/ Electric Heat
- Ceiling Fans
- Wifi, Secured
- Games
- Sheets, Pillows, Pillow Cases, Blankets, Comforters, Throws
- Bath Towels, Hand Towels, Washcloths, Kitchen Towels
- Bath Soap, Shampoo and Conditioner
- Blowdryer
- Carbon Monoxide Detector

Kitchen

- Refrigerator
- Electric stove
- Microwave
- Oven
- Fire Extinguisher

Kitchen continued

- Coffee maker
- Toaster

- BBQ Grill

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

Septic

No flushing non-biodegradable or food waste down the toilet. Please dispose of cooking oils and grease in can provided.

Specific Property Regulations

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

NO FIREWORKS

NO CANDLES

NO SMOKING INDOORS

NO UNAUTHORIZED GUESTS

SMOKING IS NOT ALLOWED

NO SHOOTING FIREARMS

NO RIDING ATV

Check-In Policy

An online platform will be used which prescreens all guests through a 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 reiterated Host Rules. A second welcome message is sent just prior to the day of check in with lockbox code instructions and reiterated 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 details, and multiple, local, travel brochures and area guides and maps. (Example of House Rules is attached).

Check-Out Policy

We hope you have enjoyed your stay at 194 Venus Branch Rd. Please note that checkout time is at 10:00 AM on the designated date of checkout.

Before you leave, we just ask a couple of favors to help prepare for our next guests.

- Please remove all the food and trash from the dwelling. Place garbage/ trash in plastic bags provided, tie securely and place in the outdoor trash bin to be removed by owners.
- Make sure all dishes, utensils, glassware and cookware are clean. If BBQ grill was used please scrape with the wire brush.
- Please place all dirty, used towels in the shower.
- Please place all bedding in the bathroom.
- Turn the AC back to 78 F or heat to 55 F.
- Due to unexpected rain showers please close all windows and doors before leaving the property.
- Check that all personal belongings have been removed.
- Please return keys to the Lock Box at the basement door - A fee may be charged for lost keys.

If you choose, we would appreciate an entry in our guestbook.

Thank you for staying with us, have a safe journey home! We hope to see you again.

House Rules

Welcome to 194 Venus Branch! We hope this is a first of many more amazing stays here!

Please contact your Host right away if there are any issues so we can fix these for you ASAP and you can get back to enjoying your stay!

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.

*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. Please do not take outdoor furniture off the deck.

*Please let us know immediately if something is malfunctioning so it can be fixed or replaced and you can enjoy your stay without interruption!

*Please lock up and turn off lights when away.

*Please do not put anything down the drain.

*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 the 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 the 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).

*524 Freezeland will be very clean on your arrival, 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).

Please contact your host with your planned arrival time & if you have any special check in needs. I will always try to accommodate guests whenever possible!

Wineries (I love em'!)

Glen Manor, named one of the Best Wineries in VA! (20+ minutes away)

Rappahannock Winery, awesome 3rd floor outdoor seating! (20+ minutes away)

Linden Winery, a beautifully-scenic drive! (25+ minutes away)

*check out the Wine Maps provided for a million more winery options!!

Breweries (Gotta have em'!!)

Pen Druid Brewing, a longer drive away but an AMAZING ONE through Rappahannock County! (35 minutes away)

Back Room Brewery, not familiar with these guys but they're new so I like to support them! (20 minutes away)

More Places to Get Drinks.. ('cause, why not?)

Copper Fox Distillery, a beautiful drive to Sperryville with an amazing porch overlooking a babbling brook! (seriously, it's totally babbling) (35+ minutes away and adjacent to Pen Druid)

Filibuster Distillery, what it lacks in ambiance, it makes up for in top quality spirits!

Food

ViNOVA Tapas & Wine Bar, Main Street, Front Royal - the name says it all! Great for late night drinks too!

PaveMint Smokin' Taphouse, Commerce Ave, Front Royal - cool outdoor dining scene, great BBQ!

Melting Pot Pizza, 14th Street, Front Royal. Just cause you eat square pizza, doesn't mean you're a square!!! A Front Royal favorite!

Blue Wing Frog, Chester Street, Front Royal. The owner is right behind the counter, making amazing HUMMUS (my fav) and globally eclectic food plus a good WINE selection ;)

Manor Line Market, Main Street, Front Royal. This hip spot is new, and is a great lunch or snack spot.

Element, Main Street, Front Royal. A poppin' local fav for cocktails and great dinner!

L'Dees Pancake House, Main Street, Front Royal. Best. Pancakes. Ever.

The Inn at Little Washington, Washington, Virginia. There is nothing little about this place (including the bill ;) but you'll have a fine dining experience of a lifetime at this 5 star, 5 diamond restaurant, recognized as one of the top restaurants in the world! Only 35 minutes away!

L'Auberge Provencale, Boyce. Lil' fancy, super romantic + great cocktails! Only 30

minutes away.

For the Chef in You

Local Butcher, Two Fat Butchers on South Street in Front Royal! Perhaps the most amazing butchery in the Valley! Huge, gorgeous, steaks, sausages, whole duck, buffalo and elk (best buffalo steak lever bought!). Plus they do amazing sandwiches and BBQ too (pick up a four-pack and go on a picnic or take it riverside!

Bakery, Down Home Country Bakery on Main Street in Front Royal, whoopie pies, pecan sticky bun, old fashion Coke, you name it, they've got your sweet tooth covered!

Farmers Market, Downtown Front Royal Farmers Market, Saturdays 8a - 2p, May 7th and running until October 29th. Enjoy fresh produce, baked goods, gluten free items, Kettle corn, flowers, plants, herbs, soy candles, aromatherapy soaps and lotions and more!!

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



August 02, 2022

Matt Wendling, Planning Director
220 N Commerce Ave., Suite 400
Front Royal, Virginia 22630

RECEIVED
AUG 08 2022

BY:

RE: Request for Comments (2022-08-05)

Owner: Dorotea Rutherford (Vesta Property Management)

Dear Mr. Wendling,

I have reviewed your request for comments for a CUP for a Short-Term Rental at 194 Venus Branch Rd. Front Royal, VA (Tax Map# 15E-4-4-144) and I offer the following comments:

1. There is a Construction Permit, ROI and Operation Permit on file for the referenced property dated 5/28/1986, 6/26/1986 & 6/30/1986 respectively.
2. The dwelling is connected to an approved Conventional Onsite Sewage System (COSS). The COSS is designed to accommodate Three (3) Bedrooms, Six (6) Occupants and a daily flow of 450 gallons.
3. The dwelling is connected to a private well. A water sample should be collected and analyzed by a state approved laboratory at least 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 blue ink signature of Jim Davis, consisting of a stylized 'J' and 'D' intertwined.

Jim Davis

Environmental Health Manager

Veronica Diamond

From: David Beahm
Sent: Wednesday, August 3, 2022 11:31 AM
To: Veronica Diamond
Cc: Paula Fristoe
Subject: RE: Request for Comments-CUP 2022-08-05 - WCCUP-000206-2022

Comments 2022-08-05 – Vesta Property Management – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000206-2022:

Note: Existing open permits will need to be completed during the process through the building department.

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

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

Respectfully,

David C. Beahm, CBO
Building Official
County of Warren
540-636-9973
Fax 540-636-4698
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.

From: Veronica Diamond <vdiamond@warrencountyva.gov>
Sent: Monday, July 25, 2022 10:17 AM
To: David Beahm <Dbeahm@warrencountyva.gov>; Ashley Walker <ashley.walker@vdh.virginia.gov>; Smith, Gregory <gregory.smith@vdh.virginia.gov>; Jim Davis <jim.davis@vdh.virginia.gov>; P.O.S.F BUSINESS <shenandoahfarms@comcast.net>
Subject: Request for Comments-CUP 2022-08-05

Good morning,

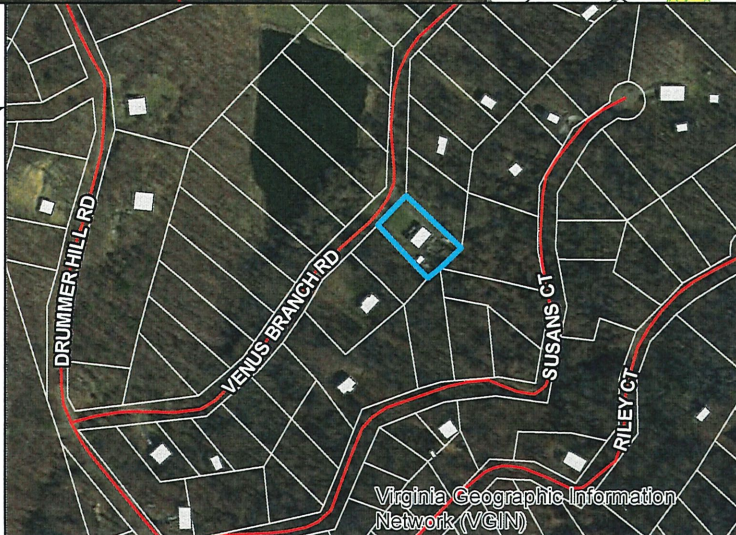
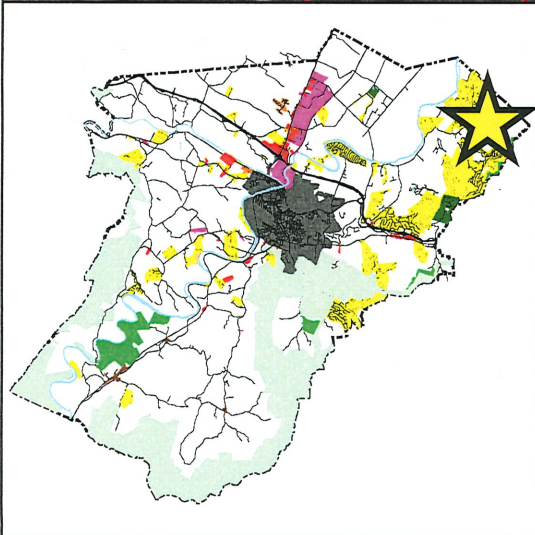
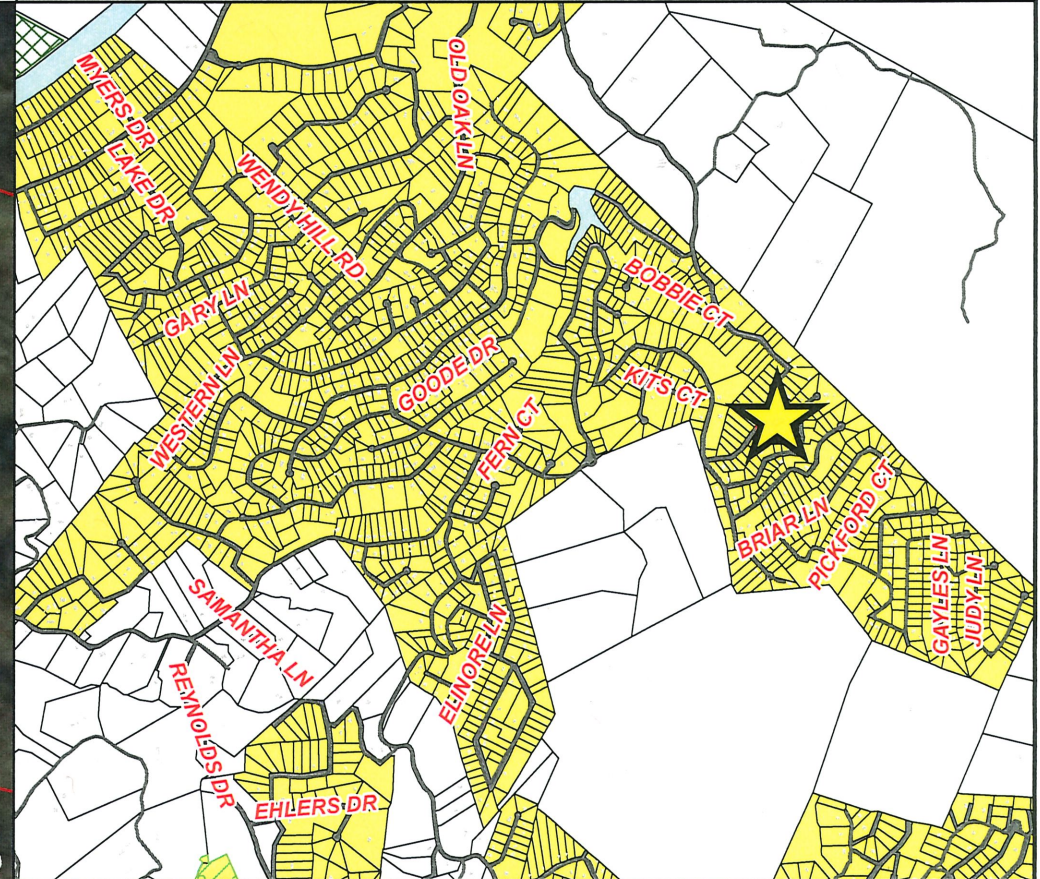
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Vesta Property Management &
Dorotea Rutherford

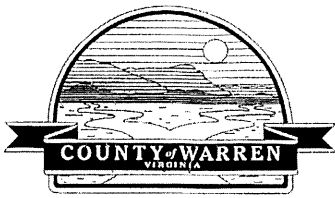
TM 15E--4-4-144
194 Venus Branch Rd



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:
10/04/2022	H-11	Conditional Use Permit #2022-08-06 Vesta Property Management <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, September 14, 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 4-0.

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 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 authorize the proposed Conditional Use Permit request for a Short-Term Tourist Rental for advertisement of a public hearing.

SUBMITTED BY:

Chase Lenz, 
Zoning Administrator

DISPOSITION OF BOARD:

☐ APPROVED ☐ OTHER (Describe)

**PROCESSED
BY:**



Conditional Use Permit: 2022-08-06 / Short-Term Tourist Rental

Vesta Property Management, Applicant

Chad & Donna Anthony, Current Owners

Prepared: July 22, 2022 Revised: August 31, 2022

Staff Contact: Chase Lenz, Zoning Administrator

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a short-term tourist rental for the property on behalf of the owners, who purchased the property in August of 2017. The owners would like to make the property available for short-term stays for individuals visiting the Warren County area. The applicant provides property management and handyman services for rental properties throughout the Shenandoah Valley area and will serve as the property manager for this short-term tourist rental.

PROPERTY INFORMATION

Property Location: 86 McCoys Ford Road

Tax Map ID: 36C--1-3--29 & 30

Magisterial District: Fork

Subdivision: Haynes-Anderson (Thunderbird)

City: Front Royal

Zoning: Agricultural (A)

Acres: 10.36 Acres Total

Existing Land Use: Single Family Dwelling

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)

South: Agricultural (A)

East: Agricultural (A)

West: Agricultural (A)

Use: Single Family Dwelling

Use: Single Family Dwelling

Use: Vacant - Woodlands

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 1983 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 and record of inspection on file approving a maximum of six (6) occupants for the dwelling. Documentation has been provided by the occupant requesting a maximum of six (6) occupants. Warren County Assessment data lists three (3) bedrooms in the dwelling.**
- C. Parking for the use shall be located in driveways or other designated and approved parking areas. The parking of vehicles is prohibited in or along all rights-of-way and in yards. **There is sufficient parking for at least four 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. All adjacent lots are vacant and undeveloped.**
- 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 Thunderbird Farms POA indicating the Board of Directors has no opinion for or against 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 268' 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 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 within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Cc: Vesta Property Management, Applicant; Chad & Donna Anthony, Owners

Jul 19, 2022

**Warren County Planning and Zoning
220 N Commerce Ave Ste 400,
Front Royal, VA 22630**



Dear Planning Commission,

As the Property Manager (applicant) of 86 Mccoys Ford Road representing Anthony Chad Mitchell & Donna Marie (property owner). This Conditional Use Permit would allow us to manage and maintain the property as a Short-Term Tourist Rental.

My passion is to help local property owners such as Anthony Chad Mitchell & Donna Marie enjoy their stay and open their home to travelers coming from all over the world. The property owners purchased this property as a second home in August of 2017. The supplemental income provided by short term guests would support costs associated with maintaining the physical and financial aspects of the property. The permit would allow them to share their love for the property.

In my experience, Short-Term Rentals provide so much more than a vacation spot. They provide a home for traveling nurses, a change of scenery for the remote professional, or even a sanitary escape from a viral outbreak.

The evidence of my guest's graciousness is in their feedback. They consistently proclaim their appreciation for a clean, sanitized, safe and private space, where they can enjoy peace and quiet or go out to explore the local businesses using the guide book provided.

Thank you in advance for your review of our application. We look forward to answering any further questions that you or the public may have.

Very Truly Yours,

Chloe Phillips

Director of Property Management

Contact Information

(703) 867-2140

Chloe@vesta-now.com

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: CUP2022-08-06Date Received: 7/20/2022Fee Amount: \$ 500.00Date Paid: 7/20/2022 (LC)**Applicant Information:**

Vesta Property Management

Applicant Name

20 E 8th Street, Suite 4, Front Royal, VA 22630

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

86 McCoys Ford Road

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

(703)867-2140

Chloe@vesta-now.com

*Primary Contact Number**Email*

Chad M. and Donna M. Anthony

Property Owner (if same as applicant, leave blank)

86 McCoys Ford Road

Front Royal

VA

22630

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

(202) 321-6058

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: 86 McCoys Ford Road(2) Election District: Fork Election District(3) Tax Map Number: 36C 1 3 30 &(4) Subdivision Name: Thunderbird(5) Total Area of Property (acres): Lot 30 =5.36 Lot 29=5.00(6) Total Area to be Used (acres): 10.36(7) Total Road Frontage (feet): 700 Feet(8) Depth of Property (feet): End of Property 330 Feet, Middle 80 Feet(9) Present Zoning: Agriculture

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 Home
- (3) Zoning of surrounding land/property: A
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: none
- (6) Season, days, and hours of operation: 365 Days
- (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 4 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? _____
Wooded

C. Plans Prepared By

Name: _____

Address: _____

Telephone Number: _____

D. Environmental Information

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

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

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

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

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

(6) What will be the impact on traffic? Minimal use on a public road.

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

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

- ☒ **An application fee of \$500.00.**
Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.
- ☒ **A Statement of Justification**
This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 ½ x 11 size paper.
- ☒ **A Site Plan/Survey.**
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.**
~~Depart and head south on US-522 S / N Commerce Ave., Turn right onto E 2nd St.,~~
~~Keep right to stay on E 2nd St., Turn left onto US-340 S / VA-55 / N Royal Ave.,~~
~~Bear right onto Rivermont Dr / VA-619., Keep straight to get onto Rivermont Dr.,~~
~~Keep straight to get onto Rivermont Dr / VA-619, Keep straight to get onto Rivermont~~
~~Dr., Keep straight to get onto Rivermont Dr / VA-619, Keep straight to get onto~~
~~Rivermont Dr., Keep straight to get onto Rivermont Dr / VA-619, Road name~~
4/3/18 changes to McCoys Ford Rd / VA-673, Keep straight to get onto McCoys Ford Rd.,
Arrive at McCoys Ford 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.

Chloe Phillips

7/20/2022

Applicant Signature

Date

Chad Anthony

7/19/2022

Property Owner Signature

Date

Accepted by: Chase Lenny

Date: 7/20/2022

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.

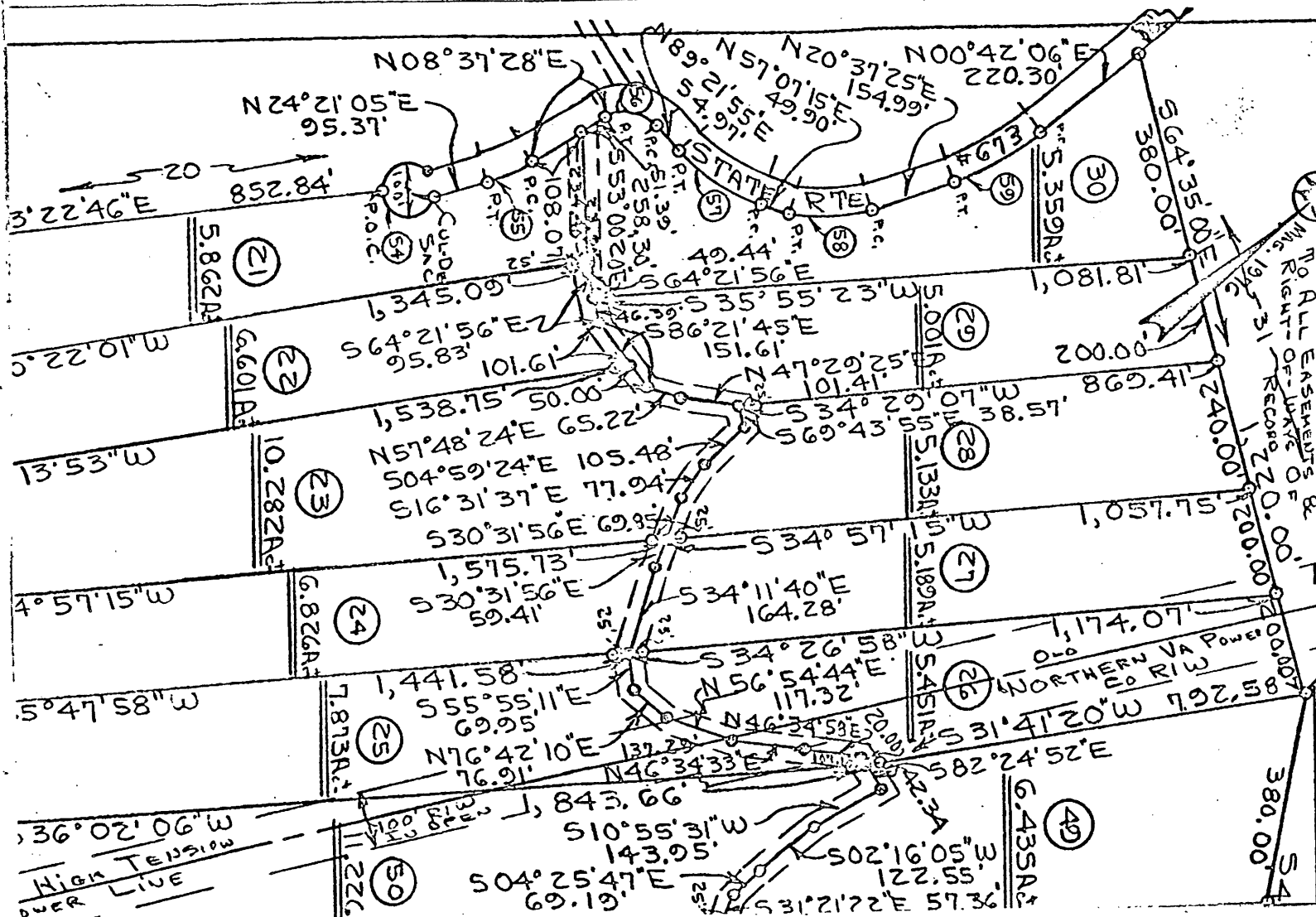
NOTES

① = Iron. Pin SET

Q = Point
This Survey Is Subject

150' RW In Woods

HAYNES-ANNE
FRUST PER
SECT. 1 B





Property Management
&
Evacuation Plan
86 Mccoys Ford Road

This property will be managed by Vesta Property Management, property manager will be Chloe Phillips who is reachable by email at chloe@vesta-now.com and (703) 867- 2140.

The Conditional Use Permit and Health Department records limit Maximum Occupancy for this short- term rental at six **(6)** people.

In case of an emergency, you can reach the Property Manager Chloe.

For specific emergencies you can reach:

Warren County Sheriff's Office
Address:

(540) 635-4128 or dial 911
200 Skyline Vista Drive
Front Royal, VA 22630

Warren County Fire Station 2- Rivermont
Address:

50 Stokes Airport Road
Front Royal, VA 22630

Warren Memorial Hospital(LOCAL)
Address:

(540) 636- 0300
351 Valley Health Way
Front Royal, VA 22630

Valley Health Urgent Care
Address:

(540) 635- 0700
65 Riverton Commons Plz
Front Royal, VA 22630

Poison Control

(800) 222-1222

Power Outage

Rappahannock Electric
Cooperative
(800) 552- 3904

Chloe(Property Manager)

Chloe@vesta-now.com
(703)867-2140

Please do not light candles, flashlights are located in closets of each room.

Two gallons of drinking water are in the dwelling in case of emergency.

EXIT THE DWELLING USING THE FRONT DOOR, BACK DOOR, or BASEMENT DOOR ON LOWER LEVEL.

EMERGENCY EVACUATION

From Property Address 194 Venus Branch to Front Royal, VA
Head northeast on McCoys Ford Rd toward Powell Ln
Keep straight to get onto McCoys Ford Rd / VA-673
Keep straight to get onto Rivermont Dr
Bear left onto US-340 N / Stonewall Jackson Hwy
Leads right into the Town of Front Royal

Wifi

Property has free internet for all guests; Property Guide Book will provide login information. Wifi and Cell service is good at property.

Smart Tv available for use, please remember to log out of all apps.

Keys

Keys will be located in a lockbox as the basement door.

Noise Ordinance

It shall be a violation of 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, it likely to disturb the rest of any person of ordinary sensibilities or interfere with such person's lawful and peaceful enjoyment of property owner or rented by them.

Parking

Parking is limited to 4 cars in the driveway parking area. Under no circumstances should cars park on McCoys Ford Road.

Garbage

All garbage should be placed in plastic bags provided by the owners. Upon leaving the residence the garbage should be placed in the lidded heavy duty plastic garbage can on the right side of the house by the basement door. The cleaning team will pick up guests' trash on a routine basis.

Property Boundaries

The property boundaries are clearly defined and guests shall remain within the property of 86 McCoys Ford Road, unless walking across the street to the neighborhood lake. We respect our neighbors right of privacy and ask that you as guests do so also and should expect the same from them.

Attached is a plat

Amenities

- AC/ Electric Heat
- Ceiling Fans
- Wifi, Secured
- Games
- Sheets, Pillows, Pillow Cases, Blankets, Comforters, Throws
- Bath Towels, Hand Towels, Washcloths, Kitchen Towels
- Bath Soap, Shampoo and Conditioner
- Blowdryer
- Carbon Monoxide Detector

Kitchen

- Refrigerator
- Electric stove
- Microwave
- Oven
- Fire Extinguisher

Kitchen continued

- Coffee maker
- Toaster
- BBQ Grill

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

Septic

No flushing non-biodegradable or food waste down the toilet. Please dispose of cooking oils and grease in can provided.

Specific Property Regulations

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

NO FIREWORKS

NO CANDLES

NO SMOKING INDOORS

NO UNAUTHORIZED GUESTS

SMOKING IS NOT ALLOWED

NO SHOOTING FIREARMS

NO RIDING ATV

Check-In Policy

An online platform will be used which prescreens all guests through a 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 reiterated Host Rules. A second welcome message is sent just prior to the day of check in with lockbox code instructions and reiterated 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 details, and multiple, local, travel brochures and area guides and maps. (Example of House Rules is attached).

Check-Out Policy

We hope you have enjoyed your stay at 86 Mccoys Ford Road. Please note that checkout time is at 10:00 AM on the designated date of checkout.

Before you leave, we just ask a couple of favors to help prepare for our next guests.

- Please remove all the food and trash from the dwelling. Place garbage/ trash in plastic bags provided, tie securely and place in the outdoor trash bin to be removed by owners.
- Make sure all dishes, utensils, glassware and cookware are clean. If BBQ grill was used please scrape with the wire brush.
- Please place all dirty, used towels in the shower.
- Please place all bedding in the bathroom.
- Turn the AC back to 78 F or heat to 55 F.
- Due to unexpected rain showers please close all windows and doors before leaving the property.
- Check that all personal belongings have been removed.
- Please return keys to the Lock Box at the basement door - A fee may be charged for lost keys.

If you choose, we would appreciate an entry in our guestbook.

Thank you for staying with us, have a safe journey home! We hope to see you again.

House Rules

Welcome to 86 Mccoys Ford! We hope this is a first of many more amazing stays here!

Please contact your Host right away if there are any issues so we can fix these for you ASAP and you can get back to enjoying your stay!

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.

*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. Please do not take outdoor furniture off the deck.

*Please let us know immediately if something is malfunctioning so it can be fixed or replaced and you can enjoy your stay without interruption!

*Please lock up and turn off lights when away.

*Please do not put anything down the drain.

*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 the 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 the 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).

*524 Freezeland will be very clean on your arrival, 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).

Please contact your host with your planned arrival time & if you have any special check in needs. I will always try to accommodate guests whenever possible!

Wineries (I love em'!)

Glen Manor, named one of the Best Wineries in VA! (20+ minutes away)

Rappahannock Winery, awesome 3rd floor outdoor seating! (20+ minutes away)

Linden Winery, a beautifully-scenic drive! (25+ minutes away)

*check out the Wine Maps provided for a million more winery options!!

Breweries (Gotta have em'!)

Pen Druid Brewing, a longer drive away but an AMAZING ONE through Rappahannock County! (35 minutes away)

Back Room Brewery, not familiar with these guys but they're new so I like to support them! (20 minutes away)

More Places to Get Drinks.. ('cause, why not?)

Copper Fox Distillery, a beautiful drive to Sperryville with an amazing porch overlooking a babbling brook! (seriously, it's totally babbling) (35+ minutes away and adjacent to Pen Druid)

Filibuster Distillery, what it lacks in ambiance, it makes up for in top quality spirits!

Food

ViNOVA Tapas & Wine Bar, Main Street, Front Royal - the name says it all! Great for late night drinks too!

PaveMint Smokin' Taphouse, Commerce Ave, Front Royal - cool outdoor dining scene, great BBQ!

Melting Pot Pizza, 14th Street, Front Royal. Just cause you eat square pizza, doesn't mean you're a square!!! A Front Royal favorite!

Blue Wing Frog, Chester Street, Front Royal. The owner is right behind the counter, making amazing HUMMUS (my fav) and globally eclectic food plus a good WINE selection ;)

Manor Line Market, Main Street, Front Royal. This hip spot is new, and is a great lunch or snack spot.

Element, Main Street, Front Royal. A poppin' local fav for cocktails and great dinner!

L'Dees Pancake House, Main Street, Front Royal. Best. Pancakes. Ever.

The Inn at Little Washington, Washington, Virginia. There is nothing little about this place (including the bill ;) but you'll have a fine dining experience of a lifetime at this 5 star, 5 diamond restaurant, recognized as one of the top restaurants in the world! Only 35 minutes away!

L'Auberge Provencale, Boyce. Lil' fancy, super romantic + great cocktails! Only 30 minutes away.

For the Chef in You

Local Butcher, Two Fat Butchers on South Street in Front Royal! Perhaps the most amazing butchery in the Valley! Huge, gorgeous, steaks, sausages, whole duck, buffalo and elk (best buffalo steak lever bought!). Plus they do amazing sandwiches and BBQ too (pick up a four-pack and go on a picnic or take it riverside!

Bakery, Down Home Country Bakery on Main Street in Front Royal, whoopie pies, pecan sticky bun, old fashion Coke, you name it, they've got your sweet tooth covered!

Farmers Market, Downtown Front Royal Farmers Market, Saturdays 8a - 2p, May 7th and running until October 29th. Enjoy fresh produce, baked goods, gluten free items, Kettle corn, flowers, plants, herbs, soy candles, aromatherapy soaps and lotions and more!!

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



August 02, 2022

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

RECEIVED
AUG 08 2022

BY:

RE: Request for Comments (2022-08-06)

Owner: Chad M. & Donna M. Anthony (Vesta Property Management)

Dear Mr. Lenz,

I have reviewed your request for comments for a CUP for a Short-Term Rental at 86 McCoys Ford Rd. Front Royal, VA (Tax Map# 36C-1-3-29 & 30) and I offer the following comments:

1. There is a Construction Permit and ROI on file for Lot 30 dated 10/06/1980 & 5/04/1981 respectively.
2. The dwelling is connected to an approved Conventional Onsite Sewage System (COSS). The COSS is designed to accommodate Three (3) Bedrooms, Six (6) Occupants and a daily flow of 600 gallons.
3. The dwelling is connected to a private well. A water sample should be collected and analyzed by a state approved laboratory at least 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 Manager

Veronica Diamond

From: David Beahm
Sent: Wednesday, August 3, 2022 11:42 AM
To: Veronica Diamond
Cc: Paula Fristoe
Subject: RE: Request for Comments-CUP 2022-08-06 - WCCUP-000207-2022

Comments 2022-08-06 – Vesta Property Management – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000207-2022:

- 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.

Respectfully,

David C. Beahm, CBO
Building Official
County of Warren
540-636-9973
Fax 540-636-4698
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.

From: Veronica Diamond <vdiamond@warrencountyva.gov>
Sent: Monday, July 25, 2022 10:22 AM
To: David Beahm <Dbeahm@warrencountyva.gov>; Ashley Walker <ashley.walker@vdh.virginia.gov>; Smith, Gregory <gregory.smith@vdh.virginia.gov>; Jim Davis <jim.davis@vdh.virginia.gov>; tbfpoa@gmail.com; eric654@icloud.com
Subject: Request for Comments-CUP 2022-08-06

Good morning,

Please see documents attached for request for comments for Vesta Property Management.

CUP-2022-08-06

Veronica Diamond

From: Chase Lenz
Sent: Wednesday, July 27, 2022 4:19 PM
To: president@thunderbirdfarms.org
Cc: Veronica Diamond
Subject: RE: Request for Comments-CUP 2022-08-06

Good afternoon Mr. Peterson,

Thank you for submitting comments for the proposed conditional use permit in your subdivision. This response will be included in the meeting packets to be delivered to the Planning Commission members and Board of Supervisors.

For your awareness, we verify taxes with the Warren County Treasurer for all conditional use permit applications. Taxes must be up-to-date in order to begin processing the conditional use permit application.

Regards,

Chase Lenz
Zoning Administrator
Warren County Planning Department
220 North Commerce Ave., Suite 400
Front Royal, VA 22630
Phone: (540) 636-3354
Fax: (540) 636-4698
www.warrencountyva.net
Warren County Zoning Code
Zoning Setbacks
Warren County GIS

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

From: Veronica Diamond <vdiamond@warrencountyva.gov>
Sent: Wednesday, July 27, 2022 4:09 PM
To: Chase Lenz <clenz@warrencountyva.gov>
Subject: FW: Request for Comments-CUP 2022-08-06

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

From: president@thunderbirdfarms.org <president@thunderbirdfarms.org>
Sent: Wednesday, July 27, 2022 3:34 PM
To: Veronica Diamond <vdiamond@warrencountyva.gov>
Cc: David Beahm <Dbeahm@warrencountyva.gov>; Ashley Walker <ashley.walker@vdh.virginia.gov>; Smith, Gregory <gregory.smith@vdh.virginia.gov>; Jim Davis <jim.davis@vdh.virginia.gov>; Sherre Christiansen <vp@thunderbirdfarms.org>
Subject: Re: Request for Comments-CUP 2022-08-06

Dear Ms Diamond,

A few days ago the Thunderbird Farms Board of Directors received a request for comments for:

CUP-2022-08-06
WCCUP-000207-2022

That is a conditional use permit application to use the property at 86 McCoys Ford Road for short term tourism rentals. The Thunderbird Farms Board recently held a vote to add a covenant to prohibit such short term rentals. Although a majority of owners voted to add the covenant, the votes to add the covenant did not meet the 2/3rds threshold to add that covenant. Therefore the board has no opinion for or against the application.

We noted in the permit application the added conditions of no discharge of firearms, no use of ATVs and no outdoor burning. Those are some of the concerns of association members and we appreciate that those conditions were added to the application. We would also like you to consider one more condition for these types of permits:

"The property owner be current on County taxes and in good standing with any POA/HOA"

This would give associations like ours a little bit of leverage with collections rather than our current expensive legal process.

Thank you.

Eric Peterson
President
Thunderbird Farms Property Owners Association

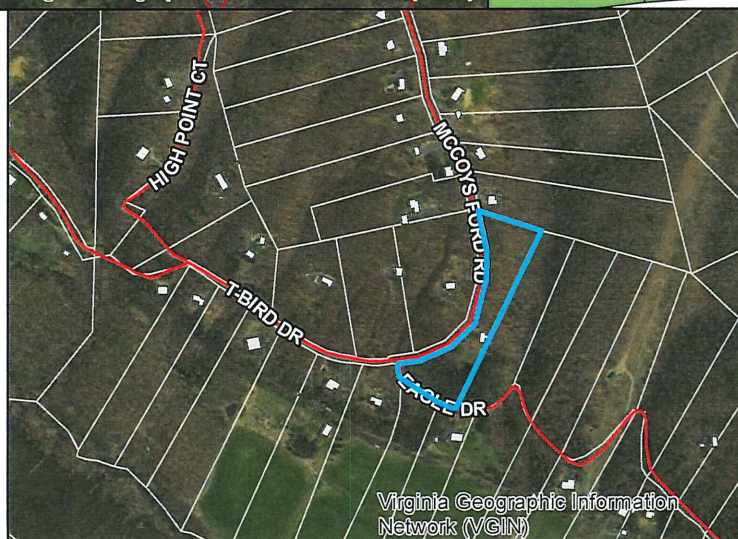
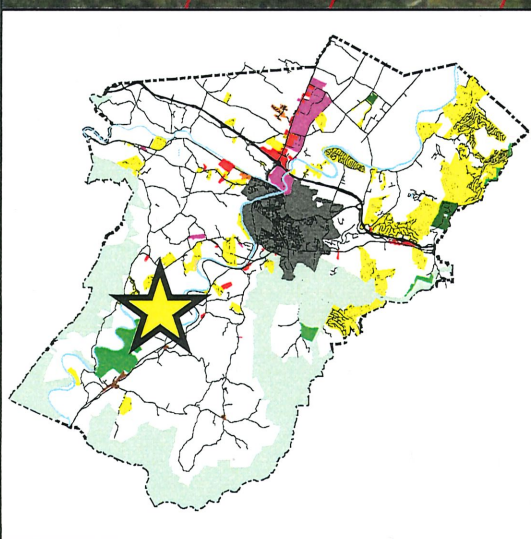
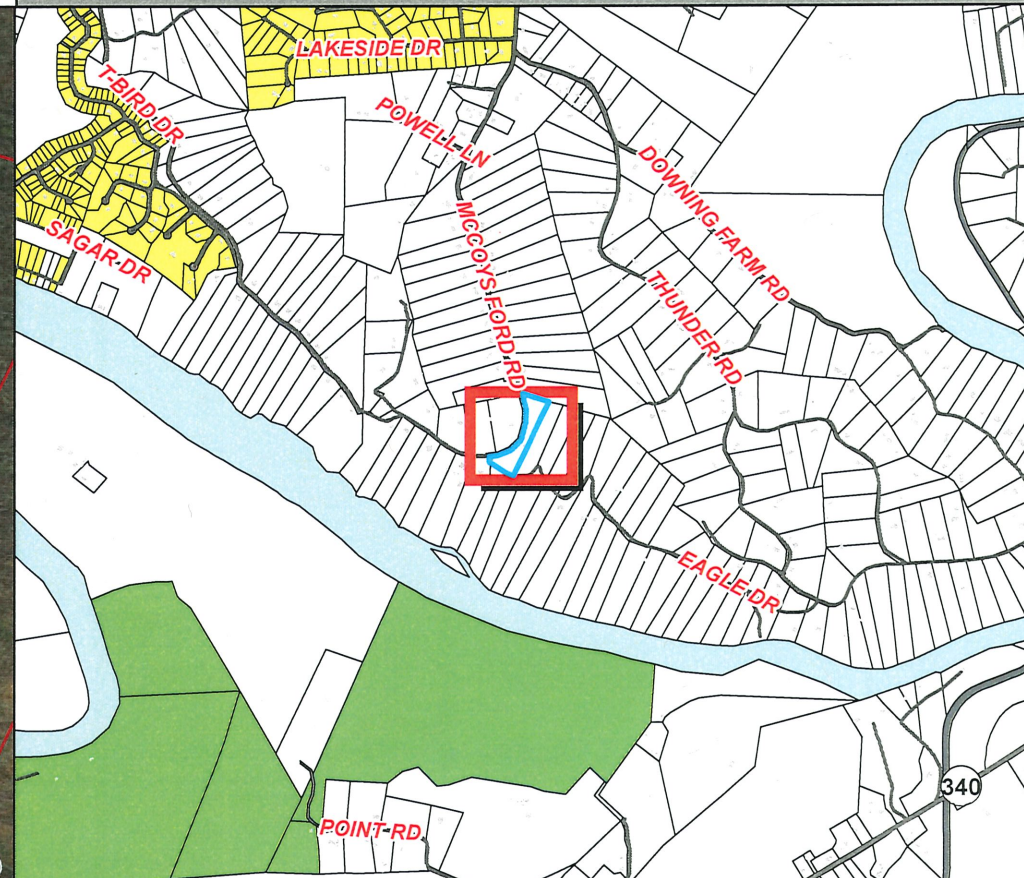
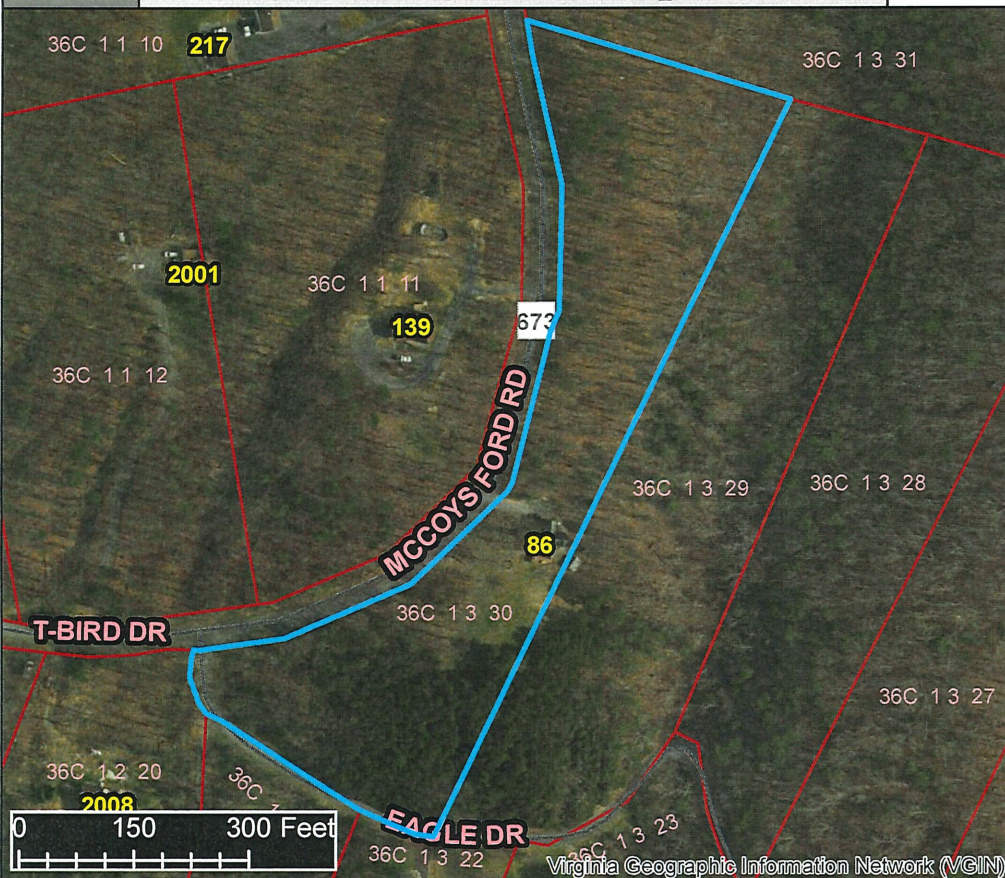
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Vesta Property Management &
Chad Anthony

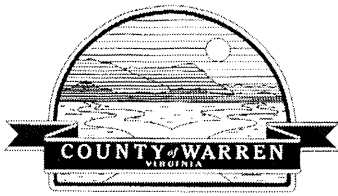
TM 36C--1-3--30
86 McCoys Ford Rd



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: 10/04/2022	ITEM: H-12	SUBJECT: Conditional Use Permit #2022-08-07 Jeffrey Steven Taylor <i>Private Use Camping (Non-Commercial)</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, September 14th, 2022, Mr. Kersjes moved to forward this application to the Board of Supervisors, recommending denial for the reason being the community is more than 50% built-out and there are no other campers in the immediate area of this lot. The motion was seconded by Mrs. Richardson and approved by the Planning Commission by a vote of 4-0.

RECOMMENDED CONDITIONS:

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

1. The applicants shall comply with all Warren County Health Department regulations and requirements.
2. Materials associated with the campers are to be stored in a neat and orderly fashion during the time of use and are to be removed from the site when not in use.
3. Any development, structure or fencing shall require a building and zoning permit.
4. The applicant shall post the property with a lot/parcel number for Fire and Emergency Rescue Services and have an emergency egress plan for removal of the recreational vehicles and portable commode prior to a predicted flood event.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed Conditional Use Permit request for Private Use Camping for advertisement of a public hearing.

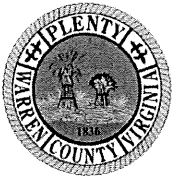
SUBMITTED BY:

Matt Wendling, CFM
*Planning Director
County Floodplain Manager*

DISPOSITION OF BOARD:

☐ APPROVED ☐ OTHER (Describe)

**PROCESSED
BY:**



Conditional Use Permit: 2022-08-07 / Private Use Camping (Non-Commercial)

Jeffrey Steven Taylor, Current Owner/Applicant

Staff Report for the Planning Commission

Prepared: August 10th, 2022

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

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for Private Use Camping on a lot in the Shenandoah Farms subdivision which is located in the Special Flood Hazard Area (SFHA). The applicants purchased the lot in June 2021 for use as a recreational lot for camping near the river on a property that is mostly wooded. The CUP would also allow the applicant to bring in electric service for his camper and to erect a single accessory structure up to 200 sq. ft. for storage of recreational and property maintenance equipment with the issuance of a building permit.

PROPERTY INFORMATION

Property Location: Howellsville Rd.

Tax Map ID: #15H-5 – Parcels 10 & 11

Magisterial District: Shenandoah

Subdivision: Shenandoah Farms River Park Sec.

This subdivision is completely located within the Special Flood Hazard Area; Flood zone "A" with a 1% Annual Chance of Flooding

City: Front Royal

Zoning: Residential One (R-1)

Acres: 2 Acres

Existing Land Use: Vacant Lots

SURROUNDING ZONING DISTRICTS & USES

North: Residential One (R-1)

Use: Single Family Dwelling and Vacant Lot

South: Residential One (R-1)

Use: Single Family Dwelling

East: Residential One (R-1)

Use: Single Family Dwelling

West: Residential One (R-1)

Use: Vacant Lot – POSF owned - Wooded

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential One (R-1) zoning district. The has had his camper parked on the lot since he purchased it and maintains the lots neatly, he submitted this request after trying to apply for an electric permit for a pole for electric service for his camper.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

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

PROPOSAL:

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

SUPPLEMENTARY REGULATIONS FOR MAJOR RECREATIONAL VEHICLES AND EQUIPMENT

§ 180-40.1 Major recreational vehicles and equipment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RECOMMENDED CONDITIONS

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

1. The applicants shall comply with all Warren County Health Department regulations and requirements.
2. Materials associated with the campers are to be stored in a neat and orderly fashion during the time of use and are to be removed from the site when not in use.
3. Any development, structure or fencing shall require a building and zoning permit.
4. The applicant shall post the property with a lot/parcel number for Fire and Emergency Rescue Services and have an emergency egress plan for removal of the recreational vehicles and portable commode prior to a predicted flood event.

Cc: Jeffrey Steven Taylor – *Owner/Applicant*

JEFF TAYLOR
540-931-7216

CAMPING IN SELF
CONTAINED RV

WARREN COUNTY PLANNING COMM
& BOARD OF SUPERVISORS

I WANT TO PARK AN RV
ON THE PROPERTY FOR OCCASIONAL
CAMPING & RECREATIONAL
ACTIVITIES. I WILL BE
TAKING THE RV TO HOUSTON
TEXAS FROM 12/1 TO 3/1
EVERY YEAR. I'VE
BEEN INFORMED THIS WILL
ALLOW ME TO HAVE A SMALL
SHED & BRING ELECTRICITY
TO THE PROPERTY

Jeff Taylor

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: CUP-2022-08-07
 Date Received: 7/20/2022
 Fee Amount: \$ 206.00 check 1056
 Date Paid: 7/20/2022

Applicant Information:

JEFFREY STEVEN TAYLOR
 Applicant Name

119 SOVEREIGN COURT WINCHESTER VA 22602
 Address City State Zip

LOT 15 H510 & 15H511 HOWELLSVILLE RD
 Property Location for conditional use permit if Different than Applicant's Address

540-931-7212 APEUNIT@ME.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: HOWELLSVILLE RD
- (2) Election District: 15H-5--10 & 11
- (3) Tax Map Number: SHENANDOAH ~~PAR~~
- (4) Subdivision Name: SHENANDOAH FARMS RIVER PARK
- (5) Total Area of Property (acres): 2
- (6) Total Area to be Used (acres): 1
- (7) Total Road Frontage (feet): 322 WIDE BOTH LOTS
- (8) Depth of Property (feet): 326 DEEP
- (9) Present Zoning: RES 4

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: PRIVATE USE CAMPING
- (2) Current land use and condition of site: VACANT LOT
- (3) Zoning of surrounding land/property: MOSTLY WOODED RESIDENTIAL I
- (4) Will development be staged? ☐ Yes ☐ No
- (5) Construction Time: _____
- (6) Season, days, and hours of operation: _____
- (7) Will there be a sign? ☐ Yes ☐ No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) _____

- (9) Number of full time employees: _____
- (10) What type of sewage disposal system will be used? ☐ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: _____
- (12) Number of parking spaces to be provided: Regular _____ Handicap _____
- (13) What is the proposed landscaping and buffering for this property? _____

C. Plans Prepared By

Name: _____

Address: _____

Telephone Number: _____

D. Environmental Information

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

(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. _____

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

(6) What will be the impact on traffic? NO

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

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

☒ **An application fee of \$500.00.**

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

☒ **A Statement of Justification**

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

☒ **A Site Plan/Survey.**

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

☒ **Sewage Disposal and Well Site.** *NOT AVAILABLE*

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

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

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

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

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

☐ **Environmental and Community Impact Statements**

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

☐ **List of chemicals stored on the site**

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

☐ **Location Map**

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

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

*COMMERCE AVE RT ON 6TH ST TO
MORGAN FORD RD THEN RIGHT ON
HOWELLSVILLE. PROPERTY 200' BEFORE
PATTY TRACT RD*

N 37 00 40 E

05.161

131.50

90.30

N 68 21 47 W

170.23

PLAT 2 PATTY TRACT
SECTION

OCCASIONAL FLOOD
1.0254 AC.

S-53 18 08-E
324.44

11
1.0010 AC.

S-52 42 42-E
390.31

12
1.0466 AC.

200.00

135.00

142.25

N 34 31 04 E

ROUTE 638 50 R/W

N 34 31 04 E

145.00

147.95

10' = 370' DRAINAGE BASINEMENT

140.00

100.00

N 69

Veronica Diamond

From: Lisa S lamendola <osmilley@hotmail.com>
Sent: Tuesday, September 13, 2022 11:02 AM
To: Veronica Diamond
Subject: Conditional use permit-Jeffrey Taylor/tax map 15H section 5 lots 1&2

Morning

I am reaching out in reference to a notification letter mailed to us, Vincent and Lisa Lamendola at 37 Patty tract Lane Front Royal va on the property located directly behind us on which the owner has filed for the zoning to go from residential to conditional use for camping. Mr. Taylor purchased this property(howellsville road lots) about 3 years ago with the hopes he could build but has pretty much just used it as a storage area for his belongings. Last year he even had a recliner lights sofa all outside his already in place travel trailer. This has set up a perfect environment for rodents to take up residency. We have lived here for 24 years and never had a rodent problem in our yard until things started pulling up just across the creek.

The issues I have with this turning into a full time camping lot is

-where are the sanitation facilities ?

-who or how will it be controlled in the amount of campers or tents are there on property on a regular basis?

-what about noise control? As in a private campground there are quiet hours this would not be the same on one's own property.

- we have a creek that's run along the border of our backyard and his side yard which a direct flow to the Shenandoah River which we all know is a part of the Chesapeake Bay water shed . If the creek is used for cleaning it can be contaminated

-where does it stop? If we let one owner change the zone from residence what's going to stop other undeveloped lots from doing the same?

We do not agree with changing the zoning, we purchased and lived in a residential area and hope it remains residential. A house would be a much better alternative than a camper to look at.

Thank you

Lisa Lamendola

Get [Outlook for iOS](#)

Item: VI-G
CUP-2022-08-07-Jeffrey Steven Taylor



Item: VI-G
CUP-2022-08-07-Jeffrey Steven Taylor



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CUP-2022-08-07-Jeffrey Steven Taylor



Item: VI-G
CUP-2022-08-07-Jeffrey Steven Taylor



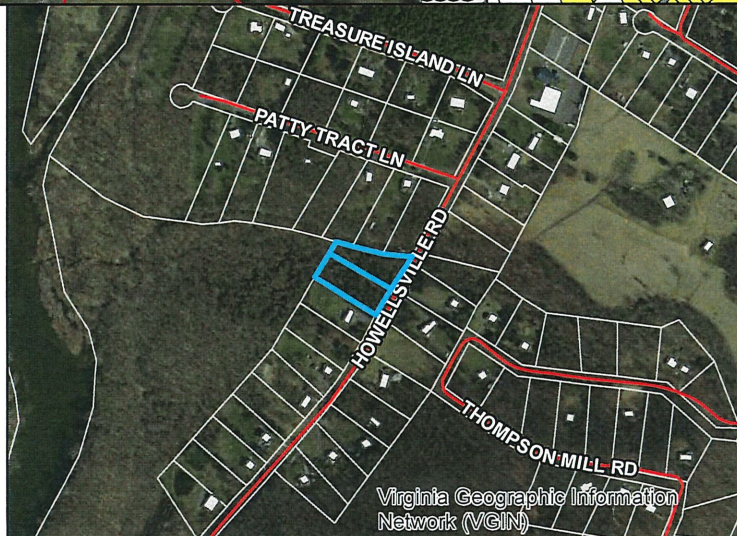
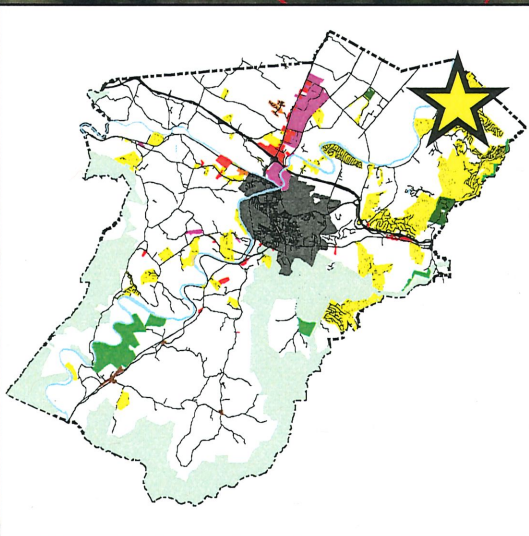
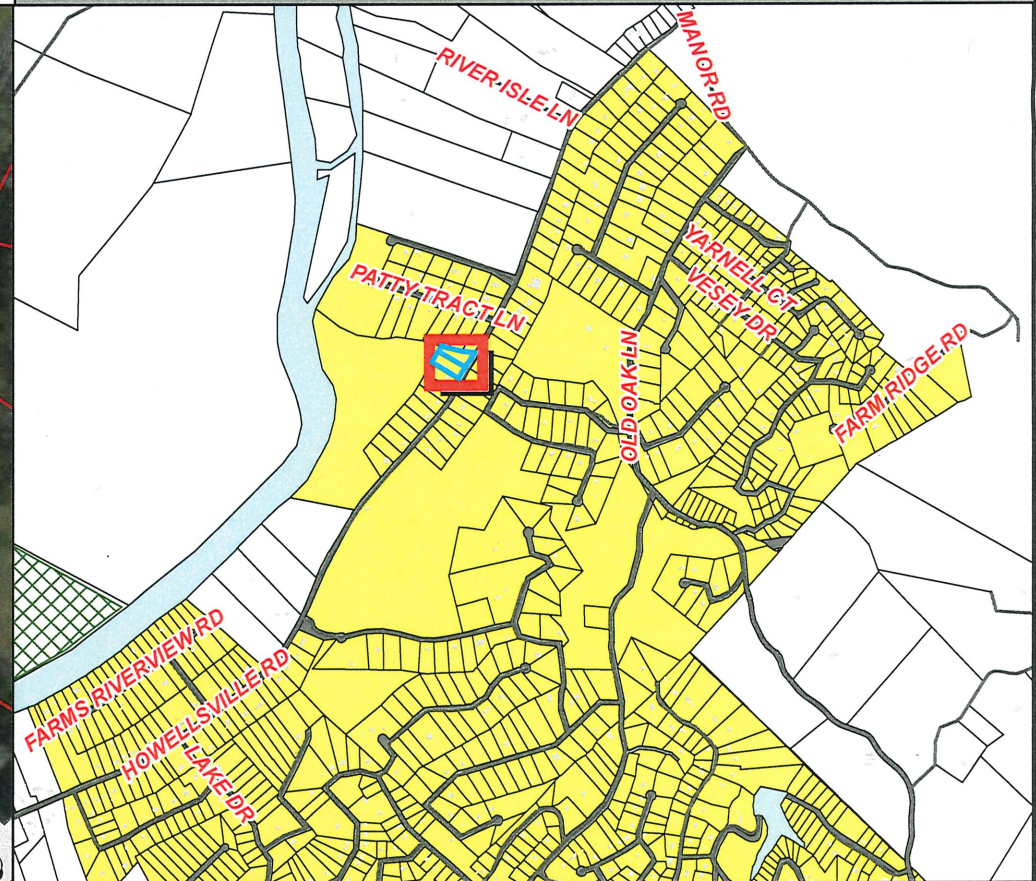
Warren County VA

CUP Location Map



Private Use Camping
Applicants: Jeffrey Taylor

TM 15H--5---10 & 11



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

Motion to be Made Going into Closed Meeting

I move the Board enter into a closed meeting under the provisions of Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act for consultation with legal counsel pertaining to actual or probable litigation and the provision of legal advice regarding the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia (the “EDA”), the Town of Front Royal, the *EDA vs. Jennifer McDonald, et al.*, the *Town of Front Royal vs. the EDA, et al.*, the *EDA vs. the Town of Front Royal*, other potential claims and litigation relating to other possible liabilities of the EDA, the recovery of EDA funds and assets, and the outstanding indebtedness of the EDA.

- - -

Motion to be Made Coming out of Closed Meeting

I move that the Board certifies to the best of each member’s knowledge only public business matters lawfully exempted from open meeting requirements under Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the public body.