

At a regular meeting of the Warren County Planning Commission held in the Warren County Government Center on August 10, 2022, at 7:00 PM.

Present: Robert Myers, Chairman (Happy Creek District); Hugh Henry, Vice Chairman (Fork District); Scott Kersjes (North River District), Kaylee Richardson (South River District) also present; Matt Wendling, Planning Director; Chase Lenz, Zoning Administrator; Veronica Diamond, Clerk to the Planning Commission

Absent: Caitlin Jordan, Senior Assistant County Attorney

Adoption of Agenda:

Mr. Wendling stated that Mr. Michael Merrill has withdrawn his application and asked it to be pulled from the agenda.

Note: Since we won't have the Senior Assistant County Attorney at this meeting, Old Business for the discussion and decision on the text amendments for Data Center and Light Industrial Zoning District has been removed and will be on next month's Planning Commission agenda.

On a motion by Mr. Henry, seconded by Mr. Kersjes, and by the following vote, the Planning Commission adopted the amended agenda as presented:

Ayes: Henry, Kersjes, Myers, Richardson

Approval of Minutes:

On a motion by Mr. Kersjes, seconded by Mr. Henry, and by the following vote of 4-0, the Planning Commission approved the minutes from April 13th, 2022, and July 13, 2022, as presented:

Ayes: Henry, Kersjes, Myers, Richardson

Public Presentations:

Public presentations are limited to issues that are not included on the meeting agenda. It is intended as an opportunity for the public to give input on relevant planning issues, and not intended as a question-and-answer period. Chairman Myers asked if anyone would like to speak on items not on the agenda, they will be timed, you will have 3 minutes? No one came forward, the public presentation was closed.

Public Hearings:

CUP2022-07-01 – Michelle Moriarty – A request for a conditional use permit for a short-term tourist rental. The property is located at 96 Cappy Rd. and identified on tax map 23C, section 2, block 2, lot 29. The property is zoned Residential One (R-1) and located in the Happy Creek Magisterial District.

Mr. Lenz stated that the applicant is requesting a conditional use permit for a short-term tourist rental for the property she recently purchased in April of 2022. The owner would like to help offset the costs of owning a second home by making the property available as a quiet refuge for short-term visitations for guests seeking to disconnect and surround themselves with the natural beauty of the Shenandoah Valley. The applicant will use a local property manager and local professional services for emergencies, maintenance, cleaning, garbage disposal, and guest screening and reservations.

Mr. Lenz stated that the property is in the Shenandoah Farms-Mountain View Subdivision and zoned as Residential-One (R-1). This property has not had any previous Conditional Use Permits issued for uses in the Residential-One zoning district. The dwelling was constructed in 2007 and no zoning violations have been recorded for the property. There is a Health Department permit on file approving six (6) occupants for the dwelling. The applicant has provided documentation requesting a maximum of six (6) occupants. Warren County Assessment data lists three (3) bedrooms in the dwelling. Comments have been received from the Property Owners of Shenandoah Farms stating they have no objections to this request. The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 145' to the northwest.

Mr. Lenz reported Planning Staff is recommending the following conditions be added to this conditional use permit to the Board of Supervisors.

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.

Chairman Myers asked the applicant if there's anything she would like to add about the property before opening to the public? The applicant Michelle Moriarty stated no.

Chairman Myers opened the public hearing, he asked anyone wishing to speak for or against this matter come forward. No one came forward.

Chairman Myers closed the public hearing.

On a motion by Mr. Henry, seconded by Mr. Kersjes, and by the following vote of 4-0, the Planning Commission forwarded the conditional use permit application of Michelle Moriarty for a Short-Term Tourist Rental to the Board of Supervisors with the recommendation to approve the request with conditions as recommended by staff.

Ayes: Henry, Kersjes, Myers, Richardson

CUP2022-07-03 – Kendra Hansen, Kathryn Stuart, Simon Sarver & Michael Cherubin-
A request for a conditional use permit for a short-term tourist rental. The property is located at 97 River Overlook Rd. and identified on tax map 15H, section 1, lot 23A. The property is zoned Residential-One (R-1) and located in the Shenandoah Magisterial District.

Mr. Lenz stated that the applicants are requesting a conditional use permit for a short-term tourist rental for the property they recently purchased in May of 2022. The owners plan to use the property themselves throughout the year, but they would also like to be able to make the property available for short-term lodging for visitors of the Warren County area when they are not occupying it. The applicants will manage the property personally.

Mr. Lenz stated the property is in the Shenandoah Farms Subdivision-Camels Back Section and zoned Residential-One (R-1). This property has not had any previous Conditional Use Permits issued for uses in the Residential-One zoning district. The dwelling was constructed in 1976 and no zoning violations have been recorded for the

property. 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 applicant requesting a maximum of six (6) occupants. Warren County Assessment data lists three (3) bedrooms in the dwelling. Comments have been requested from the Property Owners of Shenandoah Farms. The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 276' to the south.

Mr. Lenz stated the Planning Staff is recommending the following conditions be added to this conditional use permit to the Board of Supervisors.

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.

Chairman Myers asked the applicants if there's anything they would like to add about the property before opening to the public? The applicant Mr. Sarver was in attendance for the property. He stated no.

Chairman Myers opened the public hearing, he asked anyone wishing to speak for or against this matter come forward.

Claire Fay 36 River Overlook Rd, Front Royal, VA 22630

She is concerned about the firepits on the property and would like to request they be removed.

Chairman Myers closed the public hearing.

Rebuttal:

Simon Sarver 97 River Overlook Rd, Front Royal, VA 22630

The last owner he purchased the property from had about 5 or 6 firepits. They have removed all but one above ground firepit that they wish to keep for personal use. If there is a condition and it is required to not use it, they will get rid of it. Mr. Sarver said they would store the firepit in the shed while the property is being rented and bring it out for personal use only if allowed.

Chairman Myers questioned if there was some way to lock up the firepit?

Mr. Henry questioned if the applicant could lock it away to restrict guests from using it?

Mr. Kersjes suggested they lock the firepit in the shed on the property.

Mr. Wendling stated it is a challenge to enforce this and it is in the property management plan. As a solution to this particular case, it would be easy enough to contact the property owner if we got a complaint about it. We would give the property owner a call and make sure they were at the property over the weekend of the complaint. If it is a guest, they would be prohibited based on that condition.

Mr. Henry mentioned that it has not happened yet but if we receive enough complaints, you could have your permit taken away.

On a motion by Mr. Henry, seconded by Mr. Kersjes, and by the following vote of 4-0 the Planning Commission forwarded the conditional use permit application of Kendra Hansen, Kathryn Stuart, Simon Sarver & Michael Cherubin for a Short-Term Tourist Rental to the Board of Supervisors with the recommendation to approve the request with conditions as recommended by staff.

Ayes: Henry, Kersjes, Myers, Richardson

CUP2022-07-04 -CAZA Legacy LLC - A request for a conditional use permit for a short-term tourist rental. The property is located at 241 Wildcat Dr. and identified on tax map 22A, section 2, block 2, lot 33. The property is Residential One (R-1) and located in the Shenandoah Magisterial District.

Mr. Wendling stated that the applicants purchased this property as an investment property and currently are renting the property long-term for over 30 days since purchasing it in February 2022. They do intend to use it at time for themselves as a get-away from their homes in Northern Virginia. The applicants are requesting a waiver to the setback requirement of 100' from dwelling to dwelling; the dwelling to the west is 50' and the applicants have submitted a letter from their neighbor giving his support of the application. The applicants will be contracting a local property management company to maintain the property and as realtors they will be marketing and managing the rental.

Mr. Wendling stated the former owner of this property was issued a conditional use permit (2016-04-01 Susan Signorella) for a short-term tourist rental in June of 2016 by the Board of Supervisors. She never established the use and the permit expired after two years. At that time the neighbor provided a letter to the Planning Commission and BOS expressing his support for the land-use request even though it was 50' away. The other property dwelling behind this is about 300' from dwelling to dwelling. That property owner did submit some requests basic concerns that we see with short-term tourist rentals.

Mr. Wendling stated the Planning Staff is recommending the following conditions be added to this conditional use permit to the Board of Supervisors.

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

6. The use of All-Terrain Vehicles (ATVs) by guests on the property and on the subdivision, 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 50' setback to the dwelling west of the subject property.

Chairman Myers asked the applicant if there's anything the applicant for CAZA LEGACY would like to add? He replied no.

Chairman Myers opened the public hearing, he asked anyone wishing to speak for or against this matter come forward.

Chairman Myers closed the public hearing.

Mr. Henry questioned the letters from the neighbors.

Mr. Wendling clarified that the letter in favor of the application is the closest to the property. The letter furthest from the property was against it.

Mr. Kersjes asked if anyone knew anything about the owner of 219?

Mr. Wendling said he does not know but he thinks he is there full-time. He has owned that property for a quite a while.

Mr. Wendling asked the property owner to step forward and asked if he knew anything about the neighbor.

Erin Kavanagh 313 Burnleigh Ct. Purcellville, VA 20132

He said he is a realtor and tried to do his due diligence before purchasing the property. Being that the property had a conditional use permit prior to them purchasing it was a determining factor. He really doesn't know if the neighbor closest to him is there full-time or not.

On a motion by Mr. Henry, seconded by Mrs. Richardson, and by the following vote of 4-0, the Planning Commission forwarded the conditional use permit application of CAZA Legacy LLC for a Short-Term Tourist Rental to the Board of Supervisors with the recommendation to approve the request with conditions as recommended by staff.

Ayes: Henry, Kersjes, Myers, Richardson

CUP2022-07-05 – Matthew Williams & Jay Gilbert – A request for a conditional use permit for a short-term tourist rental. The property is located at 244 Delicious Rd. and identified on tax map 22B, block S, lot 42. The property is zoned Residential One (R-1) and located in the Happy Creek Magisterial District.

Mr. Lenz stated that the applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased in April of 2021. The owners would like to help offset the costs of owning a second home by making the property available for short-term visitations for guests seeking to enjoy the wineries, hiking trails, and other natural attractions of the Shenandoah Valley area. The applicants plan to manage the property personally with assistance from local professional services for cleaning and landscaping.

Mr. Lenz stated that the property is zoned Residential-One (R-1) in the Apple Mountain Lake North Subdivision. This property has not had any previous Conditional Use Permits issued for uses in the Residential-One zoning district. The dwelling was constructed in 2004 and no zoning violations have been recorded for the property. There is a Health Department operation permit on file approving 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. Comments have been requested from the Apple Mountain Lake North POA. Mr. Lenz stated he did receive a letter in support of the applicants. The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 119' to the northeast.

Mr. Lenz stated that the Planning Staff is recommending the following conditions be added to this conditional use permit to the Board of Supervisors.

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.

2. The discharge of firearms and hunting on the property by guests shall be prohibited.
3. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
4. Outdoor burning and use of fireworks by guests shall be prohibited.

Chairman Myers asked the applicants if there's anything they would like to add? They replied no.

Chairman Myers opened the public hearing, he asked anyone wishing to speak for or against this matter come forward. No one came forward.

Chairman Myers closed the public hearing.

On a motion by Mr. Henry, seconded by Mr. Kersjes, and by the following vote of 4-0, the Planning Commission forwarded the conditional use permit application of Matthew Williams & Jay Gilbert for a Short-Term Tourist Rental to the Board of Supervisors with the recommendation to approve the request with conditions as recommended by staff.

Ayes: Henry, Kersjes, Myers, Richardson

CUP2022-07-06 - Matthew Williams & Jay Gilbert - A request for a conditional use permit for a short-term tourist rental. The property is located 115 Lonesome Flats Rd. and identified on tax map 19, lot 43. The property is zoned Agricultural (A) and located in the Fork Magisterial District.

Mr. Lenz stated the applicants are requesting a conditional use permit for a short-term tourist rental for the property they recently purchased in March of 2022. The owners would like to make the attached cabin they are in the process of restoring on the property available for short-term visitations for guests seeking to enjoy the wineries, hiking trails, and other natural attractions of the Shenandoah Valley area. The applicants plan to manage the property personally with assistance from local professional services for cleaning and landscaping.

Mr. Lenz stated the property is zoned Agricultural and it is not located in a subdivision. This property has not had any previous Conditional Use Permits issued for uses in the Agricultural zoning district. The dwelling was constructed in 1995 and no zoning violations have been recorded for the property. There is a Health Department operation

permit on file approving 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 four (4) bedrooms in the dwelling. The subject property is not located in a subdivision governed by an HOA/POA. The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 313' to the north. Mr. Lenz stated he received a letter from a neighbor who identifies himself as the homeowner that shares Lonesome Flats Rd. He has some specific concerns that are general to the short-term tourist rentals. His concerns were the impact on the housing market, shooting, ATVs, and road use. Mr. Lenz stated that repeated violations to the use is grounds for revocation of the permit by the Board of Supervisors. If this is something that happens, we will be right back here, and you will have to explain why you should get to keep it.

Mr. Lenz stated the Planning Staff is recommending the following conditions be added to this conditional use permit to the Board of Supervisors.

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

Chairman Myers asked if the applicants would like to add anything? They replied no.

Chairman Myers opened the public hearing, he asked anyone wishing to speak for or against this matter come forward. No one came forward.

Chairman Myers stated that more than half of the things the guy in the letter is objecting is listed in the special use.

Mr. Kersjes stated his concern is that in the listing it shows four bedrooms and four bathrooms. It is only zoned for a three bedroom and has a septic for a three-bedroom house.

Mr. Lenz stated when they go to do the change of use and submit the plans, they will see they are only approved for three. The applicants will also want to check with the Health Department and try to get a conditional permit that will modify the number of bedrooms without it effecting the number of occupants. It would not affect our condition when they get their conditional permit.

Mr. Henry questioned if they are aware of it?

Mr. Lenz stated they are now.

Chairman Myers closed the public hearing.

On a motion by Mrs. Richardson, seconded by Mr. Kersjes, and by the following vote of 4-0, the Planning Commission forwarded the conditional use permit application of Matthew Williams & Jay Gilbert for a Short-Term Tourist Rental to the Board of Supervisors with the recommendation to approve the request with conditions as recommended by staff.

Ayes: Henry, Kersjes, Myers, Richardson

CUP2022-07-07 – Thomas L. Pigeon – A request for a conditional use permit for a short-term tourist rental. The property is located at 540 Lakeside Dr. and identified on tax map 27H, section 1, block 1, lot 25. The property is zoned Residential One (R-1) and located in the Fork Magisterial District.

Mr. Wendling stated that the applicant purchased this property as a second home in June 2022 and currently lives in Winchester. He and his partner Michelle Korthauer purchase the property as an investment and for use as a second home. The applicant will contract a local property management company, Shenandoah Valley Property Maintenance LLC to manage and maintain the property if the use is approved. The owners plan to manage the rental of the property through Airbnb and will review any renters for a positive on-line ranking.

Mr. Wendling stated he did receive a letter from a neighbor at 644 Lakeside Dr. She has concerns about the number of people exceeding the amount of occupancy. Mr. Wendling stated the applicant has provided Health Department records which allow for a three-bedroom and six-person occupancy for the dwelling. A request for comments was sent to the WC Health Department to verify the septic system and occupancy approved for the dwelling based on their records review and they confirmed it was a three-bedroom system with six-person occupancy. She was also concerned about trash pick-up and animals allowed. Mr. Wendling stated the supplemental regulations have requirements to mark the property boundaries of the property, pets can be allowed but must stay within the property bounds. Typically, the property manager will take care of the garbage pick-up. If the six-person occupancy exceeds then it will be in violation of their permit and subject to revocation. Mr. Wendling did state he received comments from Mr. Beahm, The County Building Official that an outstanding gas appliance permit with the new system will have to be addressed to get approval for this request to be given. That will be required for issuing the certificate of zoning prior to being able to use it. The Health Department had a comment stating the new owner must file a transfer of ownership with the Virginia Department of Environmental Quality Valley Regional Office to obtain a General Permit for the septic system. They have a construction permit on hand from 97-99. The applicant may want to reach out to the Health Department to find out what they need to do on that.

Mr. Wendling stated the Planning Staff is recommending the following conditions be added to this conditional use permit to the Board of Supervisors.

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six (6) as determined according to the Health Department conditional/operational permit which needs to be issued for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

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

Chairman Myers asked if the applicant would like to add anything?

Thomas Pigeon 540 Lakeside Dr., Front Royal, VA 22630

He will make sure the property is set for six, he will reach out to the Health Department about the septic, pets will be allowed and will have a property manager to take care of cleaning and garbage removal. He will add to the plans that there is a leash law.

Mr. Kersjes stated about two years ago Warren County passed a leash law.

Chairman Myers opened the public hearing, he asked anyone wishing to speak for or against this matter come forward.

Barbara Sealock 644 Lakeside Dr., Front Royal, VA 22630

She stated that Mr. Pigeon did answer her question. She wants to make sure he does stay within the six-person occupancy. The septic is located on her property, and it did fail one time before. Ms. Sealock stated she is concerned about the animals running lose on the property, the garbage pick-up, and the traffic going back and forth.

Katsiaryna Holder Lot 24 Lakeside Dr., Front Royal, VA 22630

She is concerned about boundaries and would like have lines properly marked between the lots.

Mr. Wendling stated there is a supplemental regulation to have the property marked so guests do not trespass off the boundary lines of the property. It will need to be done before the certificate of zoning is issued.

Erin Kavanagh 313 Burnleigh Ct. Purcellville, VA 20132

He stated he was the realtor for the applicant and helped them find the property. The septic was inspected and did need some repairs. They are complying with the rules for the septic. They are also in the process of getting a deed for the property behind them. They should be good on the setbacks.

Thomas Pigeon 540 Lakeside Dr., Front Royal, VA 22630

He did attend the last HOA meeting, he will pay his dues, and the septic is getting worked on next week. He was not aware about the easement for the septic so he will check it over.

Chairman Myers closed the public hearing.

Chairman Myers questioned what the setback is between the new house and the property?

Mr. Wendling stated 165' to the southwest and it will have an address.

Mr. Lenz stated the zoning was approved this week for the building permit.

Chairman Myers questioned if it will be in place by the time it gets to the Board of Supervisors?

Mr. Wendling stated if it is not, we can request a waiver.

Mr. Kersjes stated the owner of the lot wasn't opposed of the short-term rental. Her concern was someone coming on her property and the septic. Mr. Kersjes asked the owner if he would agree to put up fencing?

Mrs. Richardson stated it would be ideal so if people bring pets and are out walking the property it kills 2 birds with one stone. It would contain pets and people from wondering on to the adjacent property.

Mr. Kersjes stated he was only suggesting the fencing along the property that is within the 100'.

Mr. Wendling stated this could be added as a condition.

Chairman Myers stated what he would like to see in his plans of dos and don'ts is to add; a note to pick up after your dogs.

Mr. Henry stated he can shed some light over the confusion of the septic. With the information given, it says Alternative Discharge System. It has too have so many feet of runoff for the runoff must be going across her property. With a runoff discharge system, it requires some additional monitoring that has to be looked at two times a year instead of one time. It's important to do that because if your system isn't working properly, it will dump raw sewage on the ground and would be terrible for everyone especially the lady that has the easement on her property. They should get a clean bill from the Health Department before this is issued to make sure they are in complete compliance. We need to make a side note, if it is an Alternative Discharge System it does fall under a completely different set of guidelines. He looked for a set of plans and sees one drawing, he doesn't have enough information there and maybe it is surface discharge it is a different set of rules and a little more maintenance. The Health Department wants to make sure the applicant is 100% aware that he has to have the system monitored and this is done through the state.

Mr. Wendling stated a water quality report is required but, in this case, we may want to add it to our conditions.

Mr. Henry stated maybe at some point if the State doesn't make it a requirement, we may have to add it in our conditions in the future.

Mr. Wendling stated condition #1 is broad but requires Health Department requirements to be met. We will make sure they are doing it and have the proper certificates.

Mr. Kersjes questioned the neighbor that spoke what her lot number is?

Katsiaryna Holder Lot 24 Lakeside Dr., Front Royal, VA 22630

She replied to Mr. Kersjes Lot 24.

On a motion by Mr. Kersjes, seconded by Mr. Henry, and by the following vote of 4-0, the Planning Commission forwarded the conditional use permit application of Thomas L. Pigeon for a Short-Term Tourist Rental to the Board of Supervisors with the recommendation to approve the request with conditions as recommended by staff and with a condition for the installation of a fence along the border of Lot 24.

Chairman Myers asked if the Board is leaving the kind of fence that is installed to the discretion of the applicant?

The Board replied yes.

Ayes: Henry, Kersjes, Myers, Richardson

Consent Agenda – Authorization to Advertise for Public Hearing:

- A. CUP2022-08-01 – Gillian Greenfield & Richard Butcher** – A request for a conditional use permit for a short-term tourist rental. The property is located at 1164 Riverview Shores Dr. and identified on tax map 13C, section 4, block 4, lot 615 & 617. The property is zoned Residential One (R-1) and located in the Shenandoah Magisterial District.
- B. CUP2022-08-02 – Elizabeth A. Saman** – A request for a conditional use permit for a short-term tourist rental. The property is located at 431 Cindys Way. and identified on tax map 15F, section 1, block 7, lot 19. The property is zoned Residential One (R-1) and located in the Shenandoah Magisterial District.
- C. CUP2022-08-03 – Stacy L. Lockhart** A request for a conditional use permit for Private Use Camping (non-commercial). The property is located at Harris Drive and identified on tax map 21C, section 3, lot 2. The property is zoned Residential One (R-1) and located in the Shenandoah Magisterial District.

- D. CUP2022-08-04 –Jaden & Tori Walter** – A request for a conditional use permit for a short-term tourist rental. The property is located at 80 River Oak Dr. and identified on tax map 35B, section 1, lot K. The property is Agricultural (A) and located in the South River Magisterial District.
- E. CUP2022-08-05 – Vesta Property Management-** A request for a conditional use permit for a short-term tourist rental. The property is located at 194 Venus Branch Rd. and identified on tax map 15E, section 4, block 4, lot 144. The property is zoned Residential -One (R-1) and located in the Shenandoah Magisterial District.
- F. CUP2022-08-06 – Vesta Property Management** – A request for a conditional use permit for a short-term tourist rental. The property is located 86 McCoys Ford Rd. and identified on tax 36C, section 1, block 3, lots 29 & 30. The property is zoned Agricultural (A) and located in the Fork Magisterial District.
- G. CUP2022-08-07 – Jeffrey Steven Taylor** – A request for a conditional use permit for Private Use Camping (non-commercial). The property is a vacant lot located on Howellsville Rd. and identified on tax map 15H, section 5, lots 10 & 11. The property is zoned Residential One (R-1) and located in the Shenandoah Magisterial District.

On a motion by Mr. Kersjes, seconded by Mr. Henry, and by the following vote of 4-0, the Planning Commission authorized items A-G, the proposed condition use permit requests, for advertisement for their public hearing as presented:

Ayes: Henry, Kersjes, Myers, Richardson

Commission Matters:

- A. Planning Director - Comprehensive Plan Update, County Commercial & Industrial Development Projects update.**
Mr. Wendling stated the Economic Development is at Chapter 6, he will reach out to Mr. Petty to see what he can get for us and see what we are looking out for the next ten years. He is going to reach out to the Town Planning Director and schedule a joint work session to review the Comp. Plans with the Town's Planning Commission to see what they are doing.
Terra Site- has an approved site plan. They are working with DEQ to get the storm water approval.
Equus- Mr. Lenz and Mr. Brock went out a did a site visit, we will do one more site visit to make sure it is compliant with the approved site plan.
Front Royal Self Storage- building plans are in review by Chase, and it is close to being approved and getting the project off the ground.
Sheetz- VDOT submitted comments, Warren County Health Department confirmed the well did meet setbacks.
Mr. Wendling introduced Mary Powers Ryan she may be the next member for the Shenandoah District. She is an architect and has worked for Frederick Andrea Architects from 2004-present. She received a bachelor's degree in Science

and Architecture from the University of Virginia. She then went on to receive her Master of Architecture at Virginia Polytechnic Institute and State University. She and her family are from the Rockland area.

B. Commission Members

Mr. Kersjes had nothing to report

Chairman Myers wished everyone a Happy Labor Day

Mrs. Richardson had nothing to report

Mr. Henry had nothing to report

C. Senior Assistant County Attorney, Caitlin Jordan

Absent

D. Planning Department Staff; Chase Lenz, Zoning Administrator – Zoning Building Permits, and Short-Term Tourist Rental CUP process review.

Mr. Lenz stated the software we use has been upgraded, working through the kinks, he is a little behind because of that. He has been busy going over Building Permits, and applications that are coming in steady and constant. With the help from Chris Brock, we can get more of the CUPs reviewed consistently. He will be out next month trying to earn his certification to be Zoning Administrator. Matt will be presenting for him at the Planning Commission meeting.

Adjournment:

On motion by Mr. Henry, seconded by Mr. Kersjes, and by the following vote of 4-0, the Planning Commission meeting to be adjourned.

Ayes: Henry, Kersjes, Myers, Richardson

Chairman Myers adjourned the meeting at 8:01 PM.

Warren County Planning Commission
Chairman