

At a Public Hearing Meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on November 28, 2023, at 6:00 PM.

Present: Victoria L. Cook, Chair (Fork District); Cheryl L. Cullers, Vice Chair (South River District); Delores R. Oates (North River District); Walter J. Mabe (Shenandoah District); Jerome K. Butler (Happy Creek District); also, Dr. Edwin Daley, County Administrator; Jane Meadows, Deputy County Administrator; Matt Wendling, Planning Director; Chase Lenz, Zoning Administrator; Ashley Woodall, Communications Manager; Zach Henderson, Deputy Clerk of the Board

Call to Order:

Ms. Cook called the meeting to order at 6:03 PM with a moment of silence.

Adoption of Agenda:

On a motion made by Ms. Oates, seconded by Mr. Mabe, and the following vote, the Board moved that the Agenda be approved as amended to reschedule the public hearing currently scheduled for November 2023 regarding Slate Run Farm LLC rezoning A to I and C be postponed for a public meeting no later than November, 2024 per the applicant's request for delay.

Mr. Mabe, Aye; Mrs. Oates, Aye; Mrs. Cook, Aye; Mrs. Cullers, Aye; Mr. Butler, Aye

Public Hearing for R2023-07-01 – Slate Run Farm, LLC - Rezoning A to I and C:

Postponed until no later than November 2024 per the applicant's request.

Ordinance to Amend Chapter 30 of the Warren County Code and to add and ordain Section 30-10:

Ms. Woodall stated that she is asking to Amend Chapter 30 of the Warren County Code to Add an ordained Section 30-10, which is a one-time incentive payment on Fiscal Year 2024 to the Warren County Communication officers, and this will be funded by a Cost Recovery Grant. Furthermore, once the money is paid to the dispatchers, the State will reimburse fully.

Ms. Cook opened the public hearing, and Mr. Mabe then asked how long staff have to be there in order to receive the payment. Ms. Woodall stated that the Grant was written in September and any current Communication officer will receive the payout incentive in November. Any new hires up to 14 full-time and 1 part-time would receive the incentive payout when they become certified and complete all mandatory training.

Ms. Cullers asked for clarification if this was the same Grant that was approved in September. Dr. Daley stated that it was and this was a part of the legal process to amend the Chapter for payment etc.

There were no further comments from the Board or the public and Ms. Cook closed the public hearing.

On a motion by Ms. Oates, seconded by Ms. Cullers, and the following vote, the Board amended Warren County Code Chapter 30 to add a new section 30-10 as presented.

Mr. Butler, Aye; Mrs. Cullers, Aye; Mrs. Cook, Aye; Mrs. Oates, Aye; Mr. Mabe, Aye

R2023-09-01 - Comprehensive Plan Amendment - Future Land Use Map - Jennifer Wynn (Riverside Parcel 1 LLC):

Mr. Lenz stated that the applicant, Jennifer Wynn, on behalf of the Property Owner, Riverside Parcel 1 LLC, had submitted an application requesting a rezoning of property located at 10353 Stonewall Jackson Highway

and identified on Tax Map 28, parcel 124A, from Agricultural to Commercial. The total acreage of the subject property is 1.66 acres and located in the South River Magisterial District. Furthermore, the subject property is adjacent lot 124 on the site of a historic hotel/motel that operated in the county from before 1940 until 1985. When the properties were approved for multifamily apartments, the adjacent lot 124 was designated with commercial zoning on the Warren County Zoning map adopted with the current zoning ordinance of Warren County on August 18th, 1992. In consideration of the multifamily apartments and hotel motel uses, hotel motel is a use permitted by right in the commercial zoning district while multi-family apartments are no longer permitted in any zoning district in the county, although the use extends into lot 124A, the subject property was designated with agricultural zoning. The applicant is proposing the rezoning of lot 124A to match the commercial zoning of the adjacent lot 124.

Ms. Cook opened the public hearing, and the applicant, Jennifer Wynn, was present to answer questions from the Board. Ms. Cullers asked what the intent and duration was for this plan amendment. Ms. Wynn stated that the plan has been changing along the way and will be meeting with Building Inspections to go over a tentative site plan showing where more density will be added and to replace all of the units there due to foundation issues. Furthermore, they have met with VDOT to discuss closing one of the three entrances to address safety concerns on the road with the higher speed limit. Another goal is to grow from 22 properties to 40 and have a more resort style location. There were no further comments from the Board or the public and the public hearing was closed.

On a motion by Mr. Mabe, seconded by Ms. Cullers, and the following vote, the Board approved the proposed Comprehensive Plan amendment to change the future land use map designation for the property identified on tax map 28 as parcel 124a from agricultural to commercial.

Mr. Mabe, Aye; Mrs. Oates, Aye; Mrs. Cook, Aye; Mrs. Cullers, Aye; Mr. Butler, Aye

R2023-09-01 - Rezoning - Jennifer Wynn (Riverside Parcel 1 LLC):

Mr. Lenz stated that the applicant, Jennifer Wynn, on behalf of the Property Owner, Riverside Parcel 1 LLC submitted a rezoning application requesting to amend the Warren County zoning map to rezone 1.66 acres from Agricultural to Commercial property located at 10353 Stonewall Jackson Highway and identified on tax map 28 of lot 124A. The Board of Supervisors did approve a conditional use permit for multifamily apartments for the adjacent lot 124, which allowed for the long-term rental of the cabin units, and upon adoption of the current Warren County Zoning ordinance in 1992, the use for multi-family cabins became non-conforming. Re-establishing the hotel/motel land use will require the use to be brought into compliance with the Warren County zoning ordinance, including a site plan to be reviewed by State and local agencies and approved by the Planning Commission and staff. The applicant has submitted a revised proffer statement dated September 22nd, 2023, which includes a one-time monetary contribution to Warren County for its Capital Improvement program dedicated to Fire and Rescue services and architectural design building materials and building material color requirements consistent with the regulations of our highway corridor overlay district. The applicant is also voluntarily proffering the closure of the southern entrance of the property to address VDOT's comments and they have placed restrictions on specific listed permitted uses that are allowed in the commercial zoning district.

Ms. Cook opened the public hearing and Ms. Cullers addressed the comments from VDOT pertaining to the three entrance options but none of them have enough site distance. Ms. Wynn stated that there is a "boulder area" nearby where they would have to make a cutback to open a longer distance and put an entrance there in the center. Mr. Wendling stated that there will likely be landscaping done on the north side to give

additional site distance both ways. There were no comments from the public and Ms. Cook then closed the public hearing.

Prior to the motion, Ms. Cullers asked Mr. Wendling if there is a way to impress upon VDOT that the Board wants a turning lane in case that is missing from their specifications. Mr. Wendling stated that it can surely be requested.

On a motion by Ms. Cullers, seconded by Mr. Butler, and the following vote, the Board approved the request to rezone and change the zoning map classification of the property identified on tax map 28, parcel 124A from agricultural to commercial.

Mr. Butler, Aye; Mrs. Cullers, Aye; Mrs. Cook; Aye; Mrs. Oates, Aye; Mr. Mabe, Aye

CUP2023-09-01 - Douglas Salzman conditional use permit request for private use camping:

Mr. Lenz stated that the applicant is requesting a conditional use permit for private use camping on a lot in the Shenandoah River Estate subdivision, which is located mostly within the special flood hazard area. The applicant purchased a lot in November of 2022. The conditional use permit would also 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 and said building would have flood vents and be properly secured.

Ms. Cook opened the public hearing and the applicant spoke on behalf of the CUP and emphasized that it will be used for recreational activities exclusively. There were no comments from the public and the hearing was then closed.

On a motion by Ms. Oates, seconded by Mr. Mabe, and the following vote, the Board approved the conditional use permit request of Douglas Salzman for private use camping with the conditions recommended by the planning commission and staff.

Mr. Mabe, Aye; Mrs. Oates, Aye; Mrs. Cook, Aye; Mrs. Cullers, Aye; Mr. Butler, Aye

CUP 2023-09-02 – Fox & Slate Investments, LLC – Short Term Tourist Rental:

Mr. Lenz stated that the applicant is requesting a conditional use permit for a short-term tourist rental for the property purchased in May of this year. The owner would like to make their property available for short-term lodging for visitors seeking to enjoy Warren County. With experience managing properties in Pennsylvania, the applicant will manage the property personally with assistance from a local property manager and local professional service for cleaning. The property is located in the Shenandoah Farms subdivision and zoned residential one.

Ms. Cook opened the public hearing but the applicant was not present and there were no comments from the public or board and the hearing was closed.

On a motion by Mr. Mabe, seconded by Ms. Cullers, and the following vote, the Board approved the conditional use permit request of Fox and Slate investments, LLC for short-term tourist rental with the conditions as recommended by the planning commission and staff.

Mr. Butler, Aye; Mrs. Cullers, Aye; Mrs. Cook; Aye; Mrs. Oates, Aye; Mr. Mabe, Aye

CUP 2023-09-03 – Adam Graziano – Short Term Tourist Rental:

Mr. Lenz stated that the applicant is requesting a conditional use permit for a short-term tourist rental for a property purchased in June of this year. The owner would like to make his property available for short-term lodging for visitors of the Warren County area when he and his wife are not occupying it. With experience managing multiple rental properties in Virginia the applicant will manage the property personally with assistance from an experienced local Property Manager. The property is located off in the June Wood Estates subdivision of 619.

Ms. Cook opened the public hearing but there were no questions or comments from the Board or public and the hearing was closed.

On a motion by Mr. Butler, seconded by Mr. Mabe, and the following vote, the Board approved the conditional use permit requested by Adam Graziano for a short-term tour rental with the conditions as recommended by the planning commission and staff.

Mr. Mabe, Aye; Mrs. Oates, Aye; Mrs. Cook, Aye; Mrs. Cullers, Aye; Mr. Butler, Aye

CUP2023-09-04 - Richard & Jennifer Jamieson for a guesthouse:

Mr. Wendling stated that the applicant is requesting a conditional use permit for a guesthouse. The property is located at 0 Knock lane and identified on tax map 10P, section 4, parcel 18, and in the North River magisterial district. The applicants plan to construct a combination of a garage and guest house on the property, the latter primarily used by family and friends.

Ms. Cook opened the public hearing, but there were no comments or questions from the Board or public and the hearing was then closed.

On a motion by Ms. Oates, seconded by Ms. Cullers, and the following vote, the Board approved the conditional use permit request of Richard and Jennifer Jamieson for a guest house with conditions as recommended by the planning commission and staff.

Mr. Butler, Aye; Mrs. Cullers, Aye; Mrs. Cook, Aye; Mrs. Oates, Aye; Mr. Mabe, Aye

CUP 2023-09-05 – Vesta Property Management (Sergio Herrera) – Short Term Tourist Rental:

Mr. Lenz stated that the applicant sought a conditional use permit for a short-term tourist rental on behalf of the owner Sergio Herrera, who purchased the property in August of 2022. The owner would like to make their property available for short-term lodging for visitors of the Warren County area as a local property management company serving the Front Royal/ Warren County area. The applicant will manage the property on behalf of the owner. The property is located in the Shenandoah Farms subdivision.

Ms. Cook opened the public hearing and the property manager introduced herself to the Board to answer questions, but there were none from the Board or the public and the hearing was then closed.

On a motion by Mr. Mabe, seconded by Ms. Cullers, and the following vote, the conditional use permit request for Vista Property Management on behalf of Sergio Herrera with the conditions as recommended by the planning commission and staff.

Mr. Mabe, Aye; Mrs. Oates, Aye; Mrs. Cook, Aye; Mrs. Cullers, Aye; Mr. Butler, Aye

CUP 2023-09-06 – Vesta Property Management (John & Johanna Villalobos) – Short Term Tourist Rental:

Mr. Lenz stated that the applicant is requesting a conditional use permit for a short-term tourist rental on behalf of the owners, John and Johanna Villalobos, who purchased the property in April of this year. The owners would like to make their property available for short-term lodging for visitors of the Warren County area as a local property management company serving the Front Royal/ Warren County area. The applicant will manage the property on behalf of the owners and is located in the Riverview section of the Shenandoah Farms subdivision far above the floodplain in this case. The applicant is requesting a waiver to the 100-foot setback regulation as the dwelling does not meet the required 100-foot setback. The dwelling on the property located to the west is 62 feet from the dwelling on the subject property. The Planning Commission did move this forward with a recommendation of denial referencing the setback as the reason for denial.

Ms. Cook opened the public hearing and Anna Hadley spoke to the Board and spoke out against the CUP primarily due to the 62 feet setback but also a concern over property lines and potential fire hazards. The property manager spoke in defense of the CUP citing their awareness of the concerns and set back regulations and emphasized the push toward tourism that the County is trying to promote. There were no further comments from the public and Ms. Cook closed the public hearing.

On a motion by Mr. Mabe, seconded by Mr. Butler, the Board denied the conditional use permit request for Vesta Property Management of John & Johanna Villalobos.

Mr. Butler, Aye; Mrs. Cullers, Aye; Mrs. Cook; Aye; Mrs. Oates, Aye; Mr. Mabe, Aye

Proposed Lease Agreement – Warren County Health Coalition:

Ms. Meadows asked the Board to delay this item so that it may be properly updated and revised.

On a motion by Mr. Mabe, seconded by Ms. Cullers, and the following vote, the item was tabled until further notice.

Mr. Butler, Aye; Mrs. Cullers, Aye; Mrs. Cook; Aye; Mrs. Oates, Aye; Mr. Mabe, Aye

Warren County Parks and Recreation Lease Agreements - Front Royal Little League use of Champs 53

Field Complex:

Ms. Meadows stated that this is a historical lease that has since expired, and the public hearing is taking place as a legal requirement. Staff are in the process of revising all leases including those upcoming to ensure fairness and consistency.

Ms. Cook opened the public hearing but there were no comments from the public and the hearing was then closed.

On a motion by Ms. Cullers, seconded by Mr. Mabe, and the following vote, the County entered into the lease agreement dated October 12th, 2023, with the Front Royal Little League for lease of Gertrude E Miller Community Park Champions 53 field complex.

Mr. Mabe, Aye; Mrs. Oates, Aye; Mrs. Cook, Aye; Mrs. Cullers, Aye; Mr. Butler, Aye

Adjourned:

On a motion by Ms. Oates, seconded by Ms. Cullers, and the following vote, the meeting adjourned at 7:20 PM

Mr. Mabe, Aye; Mrs. Oates, Aye; Mrs. Cook, Aye; Mrs. Cullers, Aye; Mr. Butler, Aye