

Warren County Planning Commission Meeting Minutes of January 12th, 2022

At a regular meeting of the Planning Commission of Warren County held in the Warren County Government Center on January 12th, 2022, at 7:00 PM.

Present: Robert Myers, Chairman (Happy Creek District); Hugh Henry, Vice Chairman (Fork District); Scott Kersjes (North River District); Joseph Longo (Shenandoah District); Kaylee Richardson (South River District); also present Caitlin Jordan, Senior Assistant County Attorney; Joe Petty, Planning Director; Matt Wendling, Deputy Planning Director; Chase Lenz, Zoning Officer; and Chloe Phillips, Administrative Assistant

Mr. Petty called the meeting to order at 7:00 PM. The first order of business is the election of officers.

Mr. Petty asked for nominations for Chairman of the Planning Commission. Mr. Henry nominated Mr. Myers for Chairman and Mr. Longo seconded the motion. There were no other nominations. Mr. Myers was unanimously elected as Chairman.

Mr. Petty asked for nominations for Vice-Chairman of the Planning Commission. Mr. Myers nominated Mr. Henry for Vice-Chairman and Mr. Longo seconded the motion. There were no other nominations. Mr. Henry was unanimously elected as Vice-Chairman.

Mr. Petty asked for nominations for Secretary. Ms. Richardson nominated Ms. Phillips for Secretary and Mr. Henry seconded the motion. There were no other nominations. Ms. Phillips was unanimously elected as Secretary.

Mr. Petty invited the newly elected Planning Commissioners to assume the dais.

Adoption of Agenda:

On a motion by Mr. Henry, seconded by, Mrs. Richardson and by the following vote, the Planning Commission adopted the agenda as presented.

Ayes: Myers, Henry, Longo, Kersjes, Richardson

Approval of Minutes:

On a motion by Mr. Kersjes, seconded by Mr. Longo and by the following vote, the Planning Commission approved the minutes from December 8, 2021, as presented:

Ayes: Myers, Henry, Longo, Kersjes, 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; no one came forward, so the public presentation was closed.

Public Hearings:

CUP2021-12-02 – John Lavoie

A request for a conditional use permit for a short-term tourist rental. The property is located at 1196 Old Oak Lane and identified on tax map 7A, section 4, lot 15. The property is zoned Residential-1 (R-1) and located in the Shenandoah Magisterial District.

Mr. Wendling stated the applicant is requesting a conditional use permit for a Short-term Tourist Rental for rental of the single-family dwelling for less than thirty days. The applicant recently purchased the property in January 2021 and would like to be able to offset the costs for maintenance, insurance, and the mortgage by renting short term. The applicant states he plans to operate the rental part-time since she and her family will be using it for their own personal use as a second home to enjoy Warren County and the Shenandoah Valley. They intend to have an active role in managing the rental but have retained an experienced management company, " Stay Bnb DC" which has managed other local properties in the area. The owners plan to make a number of improvements to the current 1 room hunter's cabin and expand it to 2 bedrooms, 2 bath and other living quarters. There also will be improvement to the property grounds by installing landscaping for screening and privacy fencing.

Mr. Wendling stated staff is recommending the following conditions for this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors

The applicants shall comply with all Warren County Health Department regulations and requirements: as it is 270 feet to the nearest dwelling.

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 as determined according to the Health Department operational permit for a three-bedroom dwelling.

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

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

Chairman Myers closed the public hearing.

Mr. Henry moved that the Planning Commission forward this request to the Board of Supervisors with the recommendation to approve the conditional use permit request of John Lavoie for Short-Term Tourist Rental.

Mr. Longo seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo, Richardson

Consent Agenda (Authorization to Advertise):

- A. **CUP2022-01-01 - Aaron Hike** - A request for a conditional use permit for a short-term tourist rental. The property is located at 0 Pineview Drive and identified on tax map 21B, section 3, block 6, lot U. The property is zoned Residential-1 (R-1) and located in the Shenandoah Magisterial District.
- B. **CUP2022-01-02 - Jana & Aaron Bricco** - A request for a conditional use permit for a short-term tourist rental. The property is located at 179 Cliff Road and identified on tax map 24A, section 2, block 8A, lot 323. The property is zoned Residential-1 (R-1) and located in the Shenandoah Magisterial District.
- C. **CUP2022-01-03 - Simon Booth & Rachel Ward** - A request for a conditional use permit for a short-term tourist rental. The property is located at 627 Vesey Drive and identified on tax map 7A, section 1, lot 120A.

The property is zoned Residential-1 (R-1) and located in the Shenandoah Magisterial District.

- D. CUP2022-01-04 – Karen Thomson** – A request for a conditional use permit for a short-term tourist rental. The property is located at 535 Sunset Village Road and identified on tax map 27D, section 1, lot 53-3A. The property is zoned Residential-1 (R-1) and located in the Fork Magisterial District.
- E. CUP2022-01-05 – Michael Ney** – A request for a conditional use permit for a short-term tourist rental. The property is located at 207 Riverview Shores Drive and identified on tax map 13C, section 1, block S, lot 15A. The property is zoned Residential-1 (R-1) and located in the Shenandoah Magisterial District.
- F. CUP2022-01-06 – Alvand Khoshgavar** – A request for a conditional use permit for a short-term tourist rental. The property is located at 668 Old Dam Road and identified on tax map 13A, section 5, lot 6. The property is zoned Residential-1 (R-1) and located in the Shenandoah Magisterial District.
- G. CUP2022-01-05 – Jennifer Anderson & Christopher Olszewski** – A request for a conditional use permit for a short-term tourist rental. The property is located at 1240 Downing Farm Road and identified on tax map 36C, section 2, block 4, lot 48. The property is zoned Agricultural (A) and located in the Fork Magisterial District.
- H. Z2022-01-01 – Dawn Sullivan** – An Ordinance to amend sections 180-8 Definitions, 180-21 Agricultural District, 180-22 Residential-1 District, 180-23 Residential-2 District, 180-24 Rural Residential District, 180-25 Village Residential District, 180-26 Suburban Residential District, and add section 180-46.1 Family Day of the Warren County Code.

Mr. Kersjes move that the Planning Commission approve the consent agenda with the removal of CUP2022-01-05 for further discussion.

There was a question regarding setbacks, that was later discussed under Agenda Item VII. Commission Matters.

On a motion by Mr. Henry, seconded by, Mr. Kersjes and by the following vote, Planning Commission authorized Items F & G, the proposed condition use permit requests, for advertisement for their public hearing as presented:

Ayes: Myers, Henry, Longo, Kersjes, Richardson

Commission Matters:

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Mr. Petty stated he appreciated the Planning Commissions time this evening. He said at the next Comprehensive Plan Review meeting, there will be Demographic Information to discuss.

Mr. Kersjes had a question regarding the 100 feet setback requirement.

Mr. Petty referenced the intent behind Warren County Code Section 180-56.4 which was adopted in 2012.

Mr. Longo stated that it is a taxable property that would then not be useful. He asked why is the 100-foot setback requirement so important?

Mr. Petty stated that a lot of homes in Warren County do not meet the 100 feet setback requirement.

Mr. Wendling stated Residential housing is closer, it allows a buffer.

Mr. Myers thanked everyone for his reappointment. Mr. Myers also asked about the Sheetz and Holtzman Oil Sites.

Mr. Henry thanked everyone for his reappointment.

Mr. Petty congratulated Mr. Wendling on his 15 years. He stated that the Sheetz site plans are in review. He also stated that there are no updates regarding Holtzman.

Mr. Wendling stated he is not out in the field as much; Mr. Lenz is handling the Zoning Violations.

Adjournment:

Chairman Myers moved a motion to adjourn; unanimously approved. The meeting was adjourned at 7:39 PM.

Warren County Planning Commission
Chairman