

# Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

At a regular meeting of the Planning Commission of Warren County held in the Warren County Government Center on July 14<sup>th</sup>, 2021, 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); Caitlin Jordan, Assistant County Attorney also, present Joe Petty, Planning Director; Matt Wendling, Deputy Planning Director; and Natalie Lentz, Administrative Assistant

## **Adoption of Agenda:**

On a motion by Mr. Henry, seconded by, Mr. Kersjes 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. Henry and by the following vote, the Planning Commission approved the minutes 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:**

CUP2021-06-01 – John Suh-

A request for a conditional use permit for a short-term tourist rental. The property is located at 515 Corron Drive and identified on tax map 19, lot 83F. The property is zoned Agricultural (A) and located in the Fork Magisterial District.

Mr. Wendling shared that 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.

## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

In the statement of justification, the applicant states request to operate a short-term tourist rental to offset his expenses for his single-family dwelling. He plans to live in the dwelling full time but will rent it when he is out of town. He states there is sufficient parking for three vehicles. The property is located off a private road and this subdivision does not have a POA/HOA. This property does meet the required setbacks to adjoining property owners. In review of early Health Department requirements, the structure is a two-bedroom dwelling which allows an occupancy of four persons. 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.

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 as determined according to the Health Department operational permit for a two-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

Mr. Henry added that he has spoke with some of the adjacent property owners and they feel that a condition should be added to prohibit the use of ATV's and firearms to guest during their stay.

Mr. Wendling shared that staff can add conditions to prohibit the use of ATV'S and firearms.

Chairman Myers addressed Mr. Suh to ensure that he is okay with adding these conditions. Mr. Suh shared that he is okay with the additional conditions.

Chairman Myers opened the public hearing and asked anyone wishing to speak for or against this matter to come forward; no one came forward. Chairman Myers closed the public hearing.

## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

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 Suh for a Short-Term Tourist Rental with the conditions as recommended by staff.

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

Ayes: Myers, Henry, Kersjes, Longo, Richardson

### CUP2021-06-02 – Neal Sutliff-

A request for a conditional use permit for a short-term tourist rental. The property is located at 1720 Khyber Pass Road and identified on tax map 23A, section 9, block 35, lot 47A. The property is zoned Residential-One (R-1) and located in the Happy Creek Magisterial District.

Mr. Wendling shared that the applicant is requesting a conditional use permit for a short-term tourist rental to rent the single-family dwelling for less than thirty days to offset his expenses for construction of a new structure. The demolished “cabin” was derelict, and Mr. Sutliff decided to replace it with a new structure to improve the property. His intent is to use it for both a weekend retreat for his family and as a short-term tourist rental due to its proximity to local tourist destinations and family friendly activities. The property is listed as being owned by NJS Land, LLC of which the applicant is a member and manager as stated in his application. He plans to complete construction by August 2021 as it is currently under construction. He is currently researching local companies or individuals that can be retained as a property manager to oversee the use. The property is located within the Skyland Estates Subdivision and the applicant has notified them of his intended use for the property, The Planning Department has also notified the POA as well. The applicant was issued an OSE Construction permit for a residential septic system and drainfield for a three-bedroom dwelling. The property does meet the required setbacks and the applicant currently has all the permits required by the Building Department. Mr. Wendling shared that staff is recommending the following conditions if the Planning Commission chooses to approve of this request.

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.



## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

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.

Mr. Wendling stated that this property has been properly advertised, adjacent property owners have been notified, and he would be happy to answer any questions and the applicant is present to answer any questions as well.

Chairman Myers asked if there were any questions.

Mr. Wendling stated that Planning staff did receive a letter from Daffojean Diehl (1693 Khyber Pass Road) who spoke in opposition to this conditional use permit.

Mr. Wendling also read an email Planning staff received from Gary and Shannon Gallier (1754 Khyber Pass Road) which stated while the applicant was clearing his property there were some issues with debris from a burn pile blowing onto the Gallier's property therefore they were opposed to this use.

Chairman Myers thanked Mr. Wendling and asked Mr. Sutliff if he had anything he would like to add at this time.

Neal Sutliff (1720 Khyber Pass Road) the applicant came forward to address the concerns that were expressed in the adjoining property owners' letter. Mr. Sutliff shared that he has spoken with the contractor about this issue and there is now a dumpster on the property to store debris.

Chairman Myers thanked Mr. Sutliff 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 Suh for a Short-Term Tourist Rental with the conditions as recommended by staff.



# Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

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

Ayes: Myers, Henry, Kersjes, Long, Richardson

CUP2021-06-03 – Chad & Charleen Backstrom-

A request for a conditional use permit for private use camping. The property is located on Burma Road and identified on tax map 19H, section 1, lots 12 and 13. The property is zoned Residential-One (R-1) and located in the North River Magisterial District.

Mr. Wendling shared that the applicant is requesting a conditional use permit for Private Use Camping on vacant lots in the Man-Da-Lay subdivision which is in the Special Flood Zone Hazard Area (SFHA). The applicants purchased these lots November 2020 and were unaware that a conditional use permit was required for Private Use Camping at the time they tried to apply for an electrical permit. The intent is to use the property for outdoor recreation and overnight camping for friends and family on a non-commercial basis. Mr. Wendling also read the following conditions that have been recommended by staff if approved:

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. 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.

Mr. Wendling shared that this property has been properly advertised, adjacent property owners have been notified, and he would be happy to answer any questions.

Chairman Myers thanked Mr. Wendling and opened the public hearing; no one came forward to speak, so the public hearing was closed.

Chairman Myers if there were any questions; there were none.

Mr. Henry moved that the Planning Commission forward this application to the Board of Supervisors with the recommendation to approve the conditional use permit request

## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

of Chad and Charleen Backstrom for private use camping with the conditions recommended by staff.

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

Ayes: Myers, Henry, Longo, Kersjes, Richardson

CUP2021-06-04 – Shawn & Christine Tsanganelias-

A request for a conditional use permit for private use camping. The property is located on Burma Road and identified on tax map 19H, section 1, lot 2. The property is zoned Residential-One (R-1) and located in the North River Magisterial District.

Mr. Wendling shared that the applicant is requesting a conditional use permit for Private Use Camping on vacant lot in the Man-Da-Lay subdivision which is located in the Special Flood Plain Hazard Area (SFHA). The applicant purchased this lot in February 2019 and was notified in October 2019 and May 2021 by County staff that they would need a conditional use permit in order to keep the accessory structure he built on the property according to the Warren County Code section 180-16 the Floodplain Overlay District. This was done after an inspection was made by the Planning and Zoning Department during our annual review. The applicant intent is to use the property for personal outdoor recreation, overnight camping, barbecuing, and picnicking with family and friends on a non-commercial basis. Mr. Wendling shared the following conditions recommended by staff if:

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. 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.

Mr. Wendling stated that this property has been properly advertised, adjacent property owners have been notified, and he would be happy to answer any questions. He also shared that the applicant is present as well to answer any questions.



## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

Chairman Myers thanked Mr. Wendling and opened the public hearing; no one came forward to speak, the public hearing was closed.

Chairman Myers asked If there were any questions; there were none.

Mr. Henry moved that the Planning Commission forward this application to the Board of Supervisors with the recommendation to approve the conditional use permit request of Shawn and Christine Tsanganelias.

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

Ayes: Myers, Henry, Kersjes, Longo, Richardson

### CUP2021-06-05 – Mountaintop the Church at Skyline-

A request for a conditional use permit for a private school. The property is located at 7655 Stonewall Jackson Highway and identified on tax map 28, lot 45B1. The property is zoned Agricultural (A) and located in the South River Magisterial District.

Mr. Petty shared that the applicant is requesting a conditional use permit (CUP) for a Private School. The church was constructed in 1992 and does not have a CUP as use was permitted by-right in the Agricultural District prior to the adoption of the current ordinance on August 19, 1992. The current code does list a Private School as a use that may be permitted upon issuance of a CUP by the Board of Supervisors. As a response to the many challenges parents and students faced during the COVID-19 Pandemic in 2020, the church began a private school unaware of the CUP requirements. The school would operate from August to May, Monday through Friday, 8:00 AM to 3:30 PM, and would accommodate thirty or less students. This application does not expand/change the existing use of the church; therefore, staff is not requesting any conditions specific to the church use. Mr. Petty shared the following conditions that have been recommended by staff:

1. The applicant shall comply with all Virginia Department of Transportation, Warren County Health Department, Warren County Building Inspections, Warren County Zoning, and Virginia Statewide Fire Prevention Code, and any local, state, and federal regulations and requirements.
2. The maximum number of occupants shall not exceed thirty students, or as determined by the Warren County Health Department.

## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

3. The applicant shall have the well water tested annually and a copy of the results shall be submitted to the Planning Department.

Mr. Petty shared that the applicant is requesting a waiver to the required paved parking space requirement. The existing parking lot has been in place for twenty-five years and is well established. The applicant is aware if the parking lot becomes a concern during the school operation the paved parking may be revisited. At least one handicap space shall be hard surfaced and striped within one year of permit approval in accordance with the Warren County Zoning Ordinance. Mr. Petty stated he would be happy to answer any questions and the applicant is present as well to answer any questions.

Chairman Myers thanked Mr. Petty and asked the applicant if he would like to come forward to speak.

Butch Hammond (1511 Mallard PL) the pastor of the church came forward to thank the Planning Commission and staff for their time. He shared that this is an exciting time for them, and they look forward to being able to provide a place for children to attend school.

Chairman Myers thanked Mr. Hammond and opened the public hearing; no one came forward therefore the public hearing was closed.

Mr. Henry moved to forward this application to the Board of Supervisors with the recommendation to approve the conditional use permit request of Mountaintop the Church at Skyline for a Private School with the conditions as recommended by staff.

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

Ayes: Myers, Henry, Longo, Kersjes, Richardson

CUP2021-06-06 – Melissa Halko-

A request for a conditional use permit for a short-term tourist rental. The property is located at 261 Sunset Village Road and identified on tax map 27B, Section 2, lot 78A1. The property is zoned Residential-One (R-1) and located in the Fork Magisterial District.

Mr. Wendling shared that the applicant is requesting a conditional use permit for a short-term tourist rental to rent the single-family dwelling for less than thirty days in order to offset her expenses for a second home. Ms. Halko is an experienced manager of short-term tourist rentals and owns one in Luray. She has home improvement and maintenance service contacts that will be assisting her to manage the property. She



## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

expects to rent the property from six (6) to nine (9) months out of the year depending on the season and plans to market it to people who want to visit and enjoy the natural resources and attraction the County has to offer. The applicant has provided the Planning Department with a letter from Ms. Cook acknowledging this request, and she stated that there are no restrictions against homeowners at Junewood estates. Mr. Wendling shared that the property does meet all the required setbacks and he will forgo reading the conditions but did share that there is an occupancy limit of six persons as this is a three-bedroom dwelling. Planning Staff is recommending the following conditions if approved.

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-coil 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 services invoice shall be provided to the Planning Department.

Mr. Wendling also shared that he would be happy to answer any questions and the applicant is present as well to answer any questions.

Chairman Myers thanked Mr. Wendling and opened the public hearing, no one came forward therefore the public hearing was closed.

Chairman Myers asked If there were any questions; there were none.

Mr. Henry moved that the Planning Commission forward this application to the Board of Supervisors with the recommendation to approve the conditional use permit request for Melissa Halko for a Short-Term Tourist Rental with the conditions as recommended by staff.

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

Ayes: Myers, Henry, Kersjes, Longo, Richardson

## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

CUP2021-06-07 – Ken Colton/KLC & CO, LLC –

A request for a conditional use permit for the storage of cars, boats, and recreational vehicles. The property is located on Winners Court and identified on tax map 5, lot 11B. The property is zoned Industrial (I) and located in the North River Magisterial District.

Mr. Petty shared the applicant is requesting a conditional use permit for storage of cars, boats, and recreational vehicles. The property is located on Winners Court in the North River Magisterial District. The proposed facility will have enclosed storage buildings which is a by-right use and an area for outdoor storage of vehicles. The project is not within the overlay district though it must meet supplemental regulations for enclosed storage and landscaping. A conditional use permit was issued in 2017 for a Contractors Storage Yard but it was never established. The applicant will need to submit a formal site plan to the county prior to the issuance of a building permit. The applicant is aware of the landscaping and screening requirements for this property. Planning Staff is recommending the following conditions if approved:

1. The applicant shall comply with all Virginia Department of Transportation, Town of Front Royal Public Works Department, Warren County Building Inspections, and environmental regulations and requirements.
2. The applicant shall submit formal site plan to the county prior to the issuance of a building permit.
3. The area on the property for the storage of RVs, boats, and cars shall be adequately landscaped and screened as required in Warren County Code §180-49.1 and approved by the Warren County Planning Department.
4. All vehicles shall have valid tags and inspection while stored on the site.

Mr. Petty shared that he would be happy to answer any questions and the applicant is present as well to answer any questions.

Chairman Myers thanks Mr. Petty and asked Mr. Colton if he had anything to add. Mr. Colton stated he had nothing to add at this time.

Chairman Myers opened the public hearing; no one came forward therefore the public hearing was closed.



## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

Mr. Henry moved that the Planning Commission forward this application to the Board of Supervisors with the recommendation to approve the conditional use permit request of Ken Colton/KLC & CO,LLC for the storage of cars, boats, and recreational vehicles with the conditions as recommended by staff.

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

Ayes: Myers, Henry, Kersjes, Longo, Richardson

CUP2021-06-08 – James Humphrey –

A request for a conditional use permit for private use camping. The property is located on Burma Road and identified on tax map 19H, section 1, lot 1. The property is zoned Residential-One (R-1) and located in the North River Magisterial District.

Mr. Wendling shared that the applicant is requesting a conditional use permit for Private Use Camping on a vacant lot in the Man-Da-Lay subdivision which is located in the Special Flood Hazard Area (SFHA). The applicant was gifted this lot in August 2018, and it was subject to some flooding during the 2018 moderate flood events. County staff observed an abandoned boat and trailer with other items such as picnic table on this lot after the flooding. This was done after inspections were made by the Planning and Zoning Department during the annual reviews in 2019 and 2021. These have since been removed as of the date of this application. The applicant intent is to use the property for personal outdoor recreation and overnight camping. This request is in the same subdivision as two other private use camping sites on the agenda. Planning Staff is recommending the following conditions if approved:

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. 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.

Mr. Wendling shared that he would be happy to answer any questions.

## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

Chairman Myers thanked Mr. Wendling and opened the public hearing; no one came forward therefore the public hearing was closed.

Mr. Henry moved that the Planning Commission forward this application to the Board of Supervisors with the recommendation to approve the conditional use permit request of James Humphrey for private use camping with conditions as recommended by staff.

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

Ayes: Myers, Henry, Longo, Kersjes, Richardson

### CUP2021-06-09 – Kimberly Countryman –

A request for a conditional use permit for a country general store. The property is located at 4536 Strasburg Road and identified on tax map 10, lot 92A. The property is zoned Agricultural (A) and located in the North River Magisterial District.

Mr. Petty shared that the applicant is requesting a conditional use permit for a Country General Store. A conditional use permit for a Grocery & Restaurant was approved by the Board of Supervisors in 1992 for this property, it was modified in 2006, and was last extended on October 21, 2014. The property was purchased by the applicants, Kimberly Countryman/Universal Millennium Investments Inc. in 2004 and they operated the Store/Pizza shop thereafter. However, Planning Department determined the permit expired in 2018 given there was no established use in the structure. On January 7, 2021, the Board of Zoning Appeals upheld the decision that the CUP had expired. This request is to reestablish the use of the store which was in operation prior to July 1, 2018. The property will need to meet the current supplemental regulations as stated below, and meet any requirements provided by outside agencies. Given current information provided by the Virginia Department of Transportation (VDOT), our office is recommending denial of the conditional use permit application, unless the applicant can obtain approval from VDOT. This is based off the recommendation from VDOT that the property cannot meet the required sight distance which poses a safety risk to those entering, exiting, and passing the proposed store.

1. The applicant shall comply with all Virginia Department of Transportation, Warren County Health Department, Warren County Building Inspections, Warren County Zoning, and Virginia Statewide Fire Prevention Code regulations and requirements.



## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

2. The applicant shall be limited to no more than 15 seats for on-site food consumption as recommended by the Warren County Health Department.
3. The applicant shall have the well water tested annually and a copy of the results shall be submitted to the Planning Department.
4. The parking lot shall be hard surfaced and striped within one year of permit approval in accordance with the Warren County Zoning Ordinance.

Mr. Petty shared that he would be happy to answer any questions and the applicant is present as well to answer questions.

Chairman Myers thanked Mr. Petty and asked Ms. Countryman if she would like to come forward to share anything.

Kimberly Countryman (8730 Meetze Rd) came forward to share that she has owned this property for over ten years as an investment property. She ran a successful business for a few years out of this building but due to unfortunate circumstances she had to close her store. She explained that she is willing to work with Planning Staff and the necessary agencies to make sure she is compliant. She also shared that she is planning to meet with Bobby Boyce from the Virginia Department of Transportation to see what needs to be done to get their approval.

Chairman Myers thanked Ms. Countryman and opened the public hearing; no one came forward therefore the public hearing was closed.

Mr. Henry questioned if there is a history of any accidents on this property.

Mr. Petty shared that he is not aware of any accidents on this location. VDOT is recommending tabling or denial of this conditional use permit. The sign will need to be moved off State property and the existing entrance will need to be relocated and it cannot be relocated without intruding onto the adjoining property.

Mr. Henry shared that he feels that the applicant needs more time to address VDOT comments and become compliant.

Chairman Myer asked if there were any further questions; there were none.

Mr. Henry moved that the Planning Commission table the proposed conditional use permit request for further discussion at the August 11<sup>th</sup>, 2021, Planning Commission Meeting.

# Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

Mr. Kersjes seconded this motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo, Richardson

CUP2021-06-10 – Randall Lewis & Monica Stover –

A request for a conditional use permit for private use camping. The property is located on Farms Riverview Road and identified on tax map 15D, section 1, block 3, lot 24. The property is zoned Residential-One (R-1) and located in the Shenandoah Magisterial District.

Mr. Wendling shared that the applicant is requesting a conditional use permit for Private Use Camping on vacant lot in the Shenandoah Farms subdivision Riverview section which is in the Special Flood Hazard Area (SFHA). The applicants recently purchased this property in November 2020 and were informed by County staff that they required a Conditional Use Permit for private use camping. The applicant's son and daughter-in-law own a recreational lot on Farms Riverview Road, and he would like to spend time with his grandchildren camping, fishing, and having fun. The applicant may build a house on the lot later since a portion of the lot is out of the floodplain in non-flood zone "X". Mr. Wendling has been working with the applicant to make sure they are compliant. If the Planning Commission chooses to recommend approval staff is recommending the following conditions:

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. 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.

Mr. Wendling shared that he would be happy to answer any questions.

Chairman Myers thanked Mr. Wendling and asked if there were any questions; there were none.



## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

Chairman Myers opened the public hearing; no one came forward there the public hearing was closed.

Mr. Henry moved that the Planning Commission forward this application to the Board of Supervisors with the recommendation to approve the request of Randall Lewis and Monica Stover for private use camping with the conditions as recommended by staff.

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

Ayes: Myers, Henry, Kersjes, Longo, Richardson

### **Authorization to Advertise:**

CUP2021-07-01 – Bruce & Betty Parady –

A request for a conditional use permit for private use camping when more than two major recreational vehicles are to be used. The property is located on T-Bird Drive and identified on tax map 36C, section 1, block, 2, lot 16. The property is zoned Agricultural (A) and located in the Fork Magisterial District.

Mr. Wendling shared that the applicants are requesting a conditional use permit for Private Use Camping on a vacant lot in the Haynes-Anderson subdivision a portion of which is located in the Special Flood Hazard Area (SFHA). The applicants were notified that if they had more than two campers on the recreational lot in the Agricultural zoning district, they would be required to apply for a CUP. They have had family members camping on the lot with them since purchasing it in 2019 and have two RV/Campers parked on the lot. They currently have an accessory structure located out of the floodplain and used for maintenance equipment for the property and two located in the floodplain, one of which will be anchored or removed, the other, a pavilion will require the appropriate building and zoning permits in order to be compliant. The additional port-a-johns, generator enclosure and children's ground fort are portable and will not require permits. The applicants have allowed County staff on the property to complete a site visit and the property was kept very neat and orderly. The applicants do have intentions to build a cabin on the property in the next couple of years as a weekend retreat.

Chairman Myers asked If there were any questions; there were none.

## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

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

Ayes: Myers, Henry, Kersjes, Longo, Richardson

CUP2021-07-02 – Hilda Dorothea Keister –

A request for a conditional use permit for a short-term tourist rental. The property is located at 7610 Strasburg Road and identified on tax map 9, lot 52A. The property is zoned Agricultural (A) and located in the North River Magisterial District.

Mr. Wendling shared that the applicant is requesting a conditional use permit for a Short-Term Tourist Rental for a structure historically referred to as Signal Knob Retreat Center Buttonwood Lodge. The retreat center was established in the early 1980's on the Keister family farm for use by the Evangelical Lutheran Church in America and leased to the Caroline Furnace Lutheran Camp and Retreat Center until 2020. The property has 10 bedrooms and six and one-half baths which allows for up to 20 persons at any one time. The applicants are requesting a waiver to the supplemental regulations which allow for a maximum of 10 per dwelling if approved by the Health Department. The use as a retreat center was grandfathered and would no longer be utilized for that use if the conditional use permit is approved. The applicants would like to establish this land-use as a secondary use to their working farm to provide additional income in lieu of renting the property full-time. Mr. Dennis Baker, a relative of Ms. Keister lives across the road (Rt.55W) and would be the acting property manager since that is his permanent residence. Mr. Wendling shared that Planning staff did receive comments from Mr. Beahm regarding the waiver that the applicant is requesting and some concerns that this may pose.

Mr. Henry questioned if the Planning Commission will be able to view the comments received from Mr. Beahm and the Warren County Health Department at the meeting next month.

Mr. Wendling replied that they will be provided to them next month.

Mr. Kersjes questioned how many rooms are considered a motel.



## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

Mr. Wendling shared that anything over ten bedrooms is considered a motel and ten is okay per the zoning ordinance, but things may be different as far as the building code goes.

Chairman Myers asked If there were any questions; there were none.

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

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

Ayes: Myers, Henry, Kersjes, Longo, Richardson

### CUP2021-07-03 – 2 Mexico, LLC & B. Allen Richards, LLC –

A request for a conditional use permit for a short-term tourist rental. The property is located at 1115 Riverview Shores Drive and identified on tax map 13C, section 4, block 4, lot 612. The property is zoned Residential-One (R-1) and located in the Shenandoah Magisterial District.

Mr. Petty shared the applicant is requesting a conditional use permit for a short-term tourist rental. The rental will be available for short-term visitations for individuals who will be visiting the Warren County area. The owners currently live in Winchester, VA and will have the home professionally cleaned and maintained in between reservations. They have years of experience owning/operating short-term rentals in the Shenandoah Valley area. Mr. Petty also shared that Planning Staff did receive a letter from the Shenandoah Shores POA stating that this use is against their covenants and covenants cannot be enforced by the county.

Chairman Myers asked If there were any questions; there were none.

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

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

Ayes: Myers, Henry, Kersjes, Longo, Richardson

## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

### CUP2021-07-04 – Rachelle Hill & Don Beavers –

A request for a conditional use permit for a short-term tourist rental. The property is located at 185 Rocky Spring Lane and identified on tax map 24B, section 1, block 22, lot 636. The property is zoned Residential-One (R-1) and located in the Shenandoah Magisterial District.

Mr. Petty shared that the applicant is requesting a conditional use permit for a short-term tourist rental. The rental will be available for short-term visitations for individuals who will be visiting the Warren County area. The owners currently live in Reston, VA and plan to clean and maintain the property in between reservations. They also currently own the adjoining property to the west located 153 Rocky Spring Lane.

Chairman Myers asked If there were any questions; there were none.

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

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

Ayes: Myers, Henry, Kersjes, Longo, Richardson

### CUP2021-07-05 – George & Michele Kopcsak –

A request for a conditional use permit for a short-term tourist rental. The property is located at 3609 Buck Mountain Road and identified on tax map 37, lot 66A. The property is zoned Agricultural (A) and located in the South River Magisterial District.

Mr. Wendling shared that the applicant is requesting a conditional use permit for a short-term tourist rental for rental of an accessory studio apartment for less than thirty days. The applicants renovated a barn on their property into a one-bedroom studio apartment after they experienced a devastating fire to the main dwelling on the property in February of 2018. They lived in the dwelling during the restoration for sixteen months which was approved by Zoning and Building inspections through the permitting process. The applicant's initial intent was not to use it for a short-term tourist rental but after moving back into the principle dwelling thought it would be something that they could do to recoup their costs and generate supplemental income for the maintenance of their property. The owner's live in the principle structure full-time and will be the property managers.



## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

Chairman Myers asked If there were any questions; there were none.

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

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

Ayes: Myers, Henry, Kersjes, Longo, Richardson

### CUP2021-07-06 – Jesse McClain –

A request for a conditional use permit for a short-term tourist rental. The property is located at 894 Blue Mountain Road and identified on tax map 15, lot 35A1. The property is zoned Agricultural (A) and located in the Shenandoah Magisterial District.

Mr. Wendling shared that the applicant is requesting a conditional use permit for a short-term tourist rental to promote and market Warren County and the Northern Shenandoah Valley's natural resources to visitors to the area. They would like to create an oasis for people to enjoy the outdoors and environmental assets of their property. They also hope to offset costs for their principle dwelling and possibly purchase adjacent lots for conservation and open space preservation. She hopes to provide an alternative to the traditional hotel-motel lodging experience. Mr. Wendling shared that he would be happy to answer any questions and the applicants are present as well to answer any questions.

Chairman Myers ask the applicants if they would like to come forward.

Jesse and Damian McClain (894 Blue Mountain Road) came forward to share that they will be using this conditional use permit to offset some of the cost for this property. They themselves have traveled and stayed in short term tourist rentals before and feel that their home would offer a great place for travelers to relax and take in the beauty of the area.

Chairman Myers thanked Mr. and Mrs. McClain and asked if there were any questions.

Mr. Henry questioned if the applicants will be staying in their home while guests are there.

Jesse McClain replied that they will still be staying in their home while guests are there.

Chairman Myers thanked Jesse and Damian McClain and asked if there were any additional questions; there were none.

## Warren County Planning Commission Meeting Minutes of July 14<sup>th</sup>, 2021

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

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

Ayes: Myers, Henry, Kersjes, Longo, Richardson

### **Commission Matters:**

Mr. Petty shared that the plan for staff and the Planning Commission is to continue reviewing the comprehensive plan next month. There is a tentative meeting set for August 5<sup>th</sup> for staff and the Planning Commission to meet and review capital improvement plan projects. He also shared that he will be meeting with Ms. Countryman and Bobby Boyce to address the Virginia Department of Transportation's comments.

Chairman Myers shared that he is happy to see the new Warren Memorial Hospital open and running.

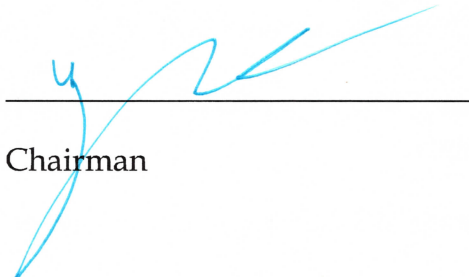
Mr. Henry shared that he is also happy to see the new hospital open.

Mr. Wendling shared that Planning department is receiving many inquiries about private use camping and short-term tourist rentals.

Mr. Kersjes, Mr. Longo, Ms. Richardson, and Ms. Jordan had nothing to share.

### **Adjournment:**

Mr. Henry moved, and Ms. Richardson seconded a motion to adjourn; unanimously approved. The meeting was adjourned at 8:17 pm.



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Chairman