

At a Regular Meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on September 03, 2024, at 7:00 PM.

Present: Cheryl L. Cullers, Chair (South River District); Jerome K. Butler, Vice Chair (Happy Creek District); Victoria L. Cook, (Fork District); Richard A. Jamieson, (North River District); John W. Stanmeyer, (Shenandoah District), also, Jason J. Ham, County Attorney; Edwin C. Daley, County Administrator; Chase Lenz, Zoning Administrator; Zach Henderson, Deputy Clerk of the Board

Call to Order:

Ms. Cullers called the meeting to order at 7:03 PM with an opening prayer from Pastor Bobby Stepp

Adoption of the Agenda:

On a motion by Mr. Butler, seconded by Dr. Jamieson, and the following vote, the Board approved the agenda as presented.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

Public Comment Period: *(below is a list of Citizens who spoke at the Public Comment Period)*

- Jeff Baggary – expressed his concerns about the Sheriff's proposed shooting range, emphasizing the number of rounds projected as well as the proximity of the range to his property line.
- Craig Tabor – expressed his desire for the Board to re-generate the Shenandoah Farms Sanitary District Advisory Committee

Board Reports:

Mr. Stanmeyer reported the following:

- Commented on the ongoing proposals for the Fire Optimization Study
- Addressed Mr. Tabor's comments about the SFSD Advisory Committee stating that the County is in the process of re-establishing that Committee in the near future.

Mr. Butler reported the following:

- Commented on the recent "get together" at the Winchester Airport with all the businesses that are involved in the Airport as part of an overall show and tell.

Ms. Cullers reported the following:

- On August 21st, attended a get together for Dan Lenz's retirement
- On August 28th, attended a Joint School and County Building Committee meeting at E. Wilson Morrison where they are in the process of converting the old auditorium into a gymnasium.
- On August 29th, attended the Ribbon Cutting at the Indian Hollow Boat Landing
- Gave her condolences to the family of Corey Childs who was the County's long time Extension Office Agent.

Dr. Jamieson reported the following:

- *No Report Given*

Ms. Cook reported the following:

- *No Report Given*

Dr. Daley reported the following:

- Congratulated Mr. Chase Lenz on his recent marriage.

Mr. Ham:

- *No Report Given*

Approval of Minutes – August 20th, 2024:

On a motion by Mr. Butler, seconded by Mr. Stanmeyer, and the following vote, the Board approved the minutes for August 20th, 2024, as presented.

Mr. Stanmeyer, Aye; Mr. Butler, Aye; Ms. Cullers, Aye; Dr. Jamieson, Aye; Ms. Cook, Aye

Public Hearings:

CUP2024-07-01 – Johnathan DeHart:

Mr. Lenz stated that the applicant is requesting a conditional use permit for a short-term tourist rental for the property he purchased in June of 2024. The owner would like to make the property available for short-term lodging for those who selflessly serve in the not-for-profit sector and visitors of the Warren County area. The applicant will retain a local property management company to help oversee maintenance, cleaning, and the booking of rental requests.

Ms. Cullers opened the public hearing and the applicant, Johnathan DeHart, spoke to the Board stating that the property is not conducive for long term residents with families due to the terrain of the yard.

Mr. Butler asked if this would be on AIRBNB, and the applicant said that it would be but the biggest intention is for it to be a retreat for people in the non-profit sector.

There were no additional comments from the public or Board and the hearing was then closed.

On a motion by Mr. Stanmeyer, seconded by Mr. Butler, and the following vote, the board approved the conditional use permit request of Jonathan DeHart for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff.

Mr. Stanmeyer, Aye; Mr. Butler, Aye; Ms. Cullers, Aye; Dr. Jamieson, Aye; Ms. Cook, No

Z2024-06-01 – Definition of Fairground:

Mr. Lenz stated that the purpose of the Ordinance is to add a missing definition and to clarify the permitted uses and activities for a fairground. This amendment will help guide both Planning staff and the Warren County Fair Association on the types of events and activities permitted at the Warren County Fairground and any future fairground moving forward. Fairgrounds are currently permitted by conditional use permit in the Commercial (C) zoning district and noncommercial fairgrounds are permitted by right in the Agricultural (A) zoning district. Since a fairground has the potential to be an intense use with many potential impacts, Planning staff is recommending the district regulations for the Agricultural (A) zoning district be amended so that all fairgrounds are permitted by conditional use permit in the Agricultural (A) zoning district.

Ms. Cullers opened the public hearing and Ms. Cook asked if this would change the Festival Permits themselves. Mr. Lenz stated that it does not modify the permits or the requirements.

Ms. Cook then asked about the boundaries the County has in place for security and safety. Mr. Lenz stated that for the festival permit, the County typically requests comments from both Fire and Rescue and the Sheriff's Office for recommendations, and VDOT for any potential traffic impacts.

Robin Lloyd stated that the Fairground gets numerous requests for events throughout the year, but it is difficult to approve some of them because there is nothing written in any of the code books about what is allowed and what isn't.

There were no additional comments from the public or Board and the hearing was then closed.

On a motion by Mr. Butler, seconded by Dr. Jamieson, and the following vote, the Board approved the proposed amendment.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

Z2024-05-02 – Rural Resort Center – Jennifer Wynn:

Mr. Lenz stated that the proposed definition for rural resort center is a facility, located on a parcel of land fifteen (15) acres or greater in size, utilized for hospitality and recreational purposes, including temporary lodging, meals, entertainment and recreational activities such as picnicking, boating, fishing, swimming, hiking, playgrounds, indoor games, outdoor games and other sports and activities. The facility and lodging unit accommodations shall comply with the supplementary regulations set forth in § 180-55.4 of this chapter.

The proposed supplementary regulations for rural resort center include a state-maintained road frontage and access requirement, an illustrative development plan requirement, a 100-foot setback requirement for any building from adjacent property lines, parking requirements, and an option to specify an occupancy limit via the conditional use permit process. The proposed supplementary regulations also include requirements and standards for lodging unit accommodation. These proposed standards include density standards allowing no more than 25 lodging units on lots 15 to 30 acres in size and no more than 50 lodging units on lots greater than 30 acres in size. Also included are proximity standards requiring 20 feet of separation between lodging units and design standards limiting lodging units to a size range of 250 to 1000 square feet. The proposed supplementary regulations include restrictions on the use of lodging units as permanent living quarters and camping unless permitted as a campground through the conditional use permit process.

Ms. Cullers opened the public hearing and Ms. Cook asked how a restaurant differs from a Rural Event or being Commercial. Mr. Lenz stated that under commercial zoning, a restaurant is allowed by right, but under a Rural Resort center it would have to be a conditional use permit.

Ms. Cullers asked about the 15 acres and if that is standard acreage for Event Centers like this. Mr. Lenz stated that in his research there is a wide range of acreage from 10-40 acres, and the County has a 10-acre minimum for commercial campgrounds and can include multiple parcels.

The applicant, Jennifer Wynn, spoke to the Board stating that the indented location for the lodging will be on the Riverside across from Skyline Caverns and use the other location adjacent to the Caverns for more of the common area and event center for people on the Southern part of the Town and County.

There were no additional comments from the Board or public and the hearing was then closed.

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board approved the proposed amendment.

Mr. Stanmeyer, Aye; Mr. Butler, Aye; Ms. Cullers, No; Dr. Jamieson, Aye; Ms. Cook, Aye

New Business:

Consent Agenda:

1. Authorization to Advertise for Public Hearing – CUP2024-08-03 – Adres Barki-Oteo
2. Authorization to Advertise for Public Hearing – CUP2024-08-01 – Caroline Hersh & Brian
3. Authorization to Advertise for Public Hearing – CUP2024-08-02 – John Myers & Helen Park
4. Citizen Appointment – Shannon Woods Sanitary District Advisory Board
5. Christendom College – Formal Request for Access to Town Wastewater Treatment Plan
6. FY25 Grant Award/Acceptance DCJS Victim Witness Program
7. Statement of Grant Award – Grant Extension LE ARPA -Law Enforcement Equipment Grant
8. Statement of Grant Award – FY25 Virginia Sexual and Domestic Violence Victim Fund Grant Program

On a motion by Dr. Jamieson, seconded by Mr. Stanmeyer, and the following vote, the Board approved the Consent Agenda as presented.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

Adjournment:

On a motion by Dr. Jamieson, seconded by Mr. Stanmeyer, and the following vote, the meeting adjourned at 8:05 PM