

Mr. Gordon asked if, by changing the ordinance would this be covering RV campsites as well.

Mr. Wendling replied yes.

Mr. Gordon stated that he would be in favor of making the time limit to be on a case-by-case basis.

Mr. Wendling stated that the ordinance could be modified to prohibit the establishment of a residency in a campground.

Mr. Gordon stated that he was not interested in adding that requirement in at the current time.

On a motion made by Mr. Kersjes, seconded by Ms. Richardson, and by the following vote of 4-0, the Planning Commission moved to forward the zoning ordinance amendment to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Kersjes, Richardson, Gordon.

22024-04-02 - Zoning District Regulations - Warren County Planning Staff - A request to amend Chapter 180 of the Warren County Code to amend §180-21 to make Public Schools permissible only by Conditional Use Permit in the Agricultural (A) District, to amend §180-25 to make Store/Dwelling Combination and Library permissible only by Conditional Use Permit in the Village Residential (VR) District, to amend §180-26 to add Church as a use permissible only by Conditional Use Permit in the Suburban Residential (SR) District, and to amend §180-28 to add Church as a use permitted by right in the Industrial (I) District.

Mr. Lenz stated that the zoning text amendment was initiated by the County Attorney, Mr. Bowman after review of the current district regulations under the Warren County zoning ordinance.

Mr. Myers opened the public hearing and, with no one coming forward, the public hearing was closed.

Mr. Gordon stated that it makes a lot of sense for public and private schools to be by conditional use permit in agriculture zoned area.

On a motion made by Mr. Gordon, seconded by Mr. Kersjes, and by the following vote of 4-0, the Planning Commission moved to forward the zoning ordinance amendment to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Kersjes, Richardson, Gordon.

Consent Agenda - Authorization to Advertise for Public Hearing:

On a motion made by Mr. Kersjes, seconded by Ms. Richardson, and by the following vote, the Planning Commission approved the Authorization to Advertise.

Ayes: Myers, Kersjes, Richardson, Gordon.

22024-04-01- Campground - Michaun Pierre - A request to amend Chapter 180 of the Warren County Code to amend §180-8C to add definitions for Camping Unit and Tent, to modify the existing definitions of Commercial Campground and Commercial Camping, and to repeal the existing definitions of Unit Space, Vacation Camp, Day, and Vacation Camp, Overnight; to amend §180-21D to modify the listed Commercial Campground use and to repeal the listed Vacation Camp, Day/Overnight use in the Agricultural District Regulations; to amend §180-27D to modify the listed Commercial Campground use in the Commercial District Regulations; to amend §180-41 to modify the existing supplementary regulations for Commercial Campgrounds; and to amend §180-57 to repeal the existing supplementary regulations for Vacation Camp, Day or Overnight.

Mr. Lenz stated that the amendment is being requested by a property owner who intends to apply for a conditional use permit for a commercial campground to establish a tent only campground with fewer than 10 campsites on their property. The current definition for commercial camp rental only includes recreational vehicle parks and certain supplementary regulations are arguably more appropriate for a recreational vehicle park.

The current definition of commercial camp rental requires a minimum of 10 camping unit spaces and the regulations were adopted to the zoning ordinances back in 1996. The existing definition of commercial campground is inclusive of all campgrounds, regardless of whether a fee is charged for camping and since the use does not distinguish between commercial and non-commercial, Planning Staff is proposing the terms commercial campground and commercial camping be changed to campground and camping.

The proposed text amendment amends the definitions of camping and campground to lower the camping unit, minimum to five to include tent camping units and to add the ability of the board of supervisors to limit or disallow recreational vehicle camping units from a campground through the conditional use permit process. The proposed text amendment also amends the current supplementary regulations for commercial campgrounds to lower certain requirements for campgrounds with 10 camping units only to add new requirements and to reformat certain regulations to improve organization.

Mr. Myers opened the public hearing and, with no one coming forward, the public hearing was closed.

Mr. Kersjes asked if there was a maximum number of days that people could stay.

Mr. Lenz stated that time limits were not included but that it could be added.

Mr. Wendling asked what time limit should be imposed.

Mr. Kersjes stated that 15 days would be a good limit.

Mr. Lenz stated that the Low Water Bridge Campground requested a conditional use permit modification that extended their time limit from 30 days to 90 days. And that, while there had not been a lot of applications for campgrounds, time limits could be generated on a case-by-case basis by putting a condition on each individual permit.

Mrs. Wahl stated that the applicant is requesting a conditional use permit for a short-term tourist rental for the property he purchased in August of 2023. The applicant would like to make the property available for short-term lodging for visitors seeking to experience Warren County. The property will be managed by a local property manager, Thomas Chancey, who will oversee maintenance, cleaning, and the booking of rental requests. Late comments arrived via email and were provided to the Planning Commission. The property meets the setback requirement.

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 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 the system capacity as determined by the Health Department permit per Warren County Code §180-56.4B. The Certificate of Zoning shall only be issued with approved Health Department records.
3. The applicant 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 applicant shall have the septic system 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. Myers opened the public hearing and, with no one coming forward, the public hearing was closed.

Ms. Richardson stated that the primary concern for the neighbor was safety and that guest did not wander onto their property.

Mr. Wendling stated that it could be recommended to the property owner to light the end of the driveway or the address sign so that it would be easier to identify.

Jeremy Brackett, 483 Thompson Hollow Road.

Mr. Brackett is concerned that their neighbor is too close and that the guests would not be respectful for to his property and had concerns about privacy and security for his family.

Mr. Gordon stated that if there were any issues with guests, that they should be reported to the Planning Department.

On a motion made by Mr. Gordon, seconded by Mr. Kersjes, and by the following vote of 4-0, the Planning Commission moved to forward the conditional use permit to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Kersjes, Richardson, Gordon.

Mr. Wendling stated that there is a potential to soften some of the edges of the building itself and to have some additional landscaping in the front, to provide a buffer and soften the look of the structure.

Mr. Kersjes asked if VDOT had seen the application.

Mr. Wendling stated that the modified concept plan was provided to VDOT and they had no issue with a right-turn entrance and an exit on Hospitality Drive. He then invited the applicant to speak.

Mark Hume, Pennoni Inc. Winchester, VA

Mr. Hume stated that they would consider the screening, façade, and the location and accessibility of the dumpster when the site plan was submitted for review.

Mr. Gordon asked the applicant what would change if the conditional use permit was not granted.

Mr. Hume stated that the hotel would lose 24 rooms.

Mr. Kersjes asked if the roof was going to be flat or if there would be a façade to create a pitched roof.

Mr. Hume stated that a pitched roof could be accommodated.

Mr. Kersjes asked if the mechanical screening is included in the building height.

Mr. Wendling stated that it was included in the building height.

Mr. Hume stated that a cavity could be built into the roof to disguise the equipment. He stated that the roof could be built lower than the top of the building as an effort to screen.

Mr. Gordon stated that he has concerns about the distance between the hotel and the road but will vote for it because the Double Tree is already there and taller.

On a motion made by Mr. Kersjes, seconded by Mr. Gordon, and by the following vote of 4-0, the Planning Commission moved to forward the conditional use permit to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Kersjes, Richardson, Gordon.

CUP2024-04-04-William Johnson - A request for a conditional use permit for a Short-Term Tourist Rental. The property is located at 381 Thompson Hollow Road and identified on tax map 42B, section 3, as lot 2. The property is zoned Residential-One (R-1) and located in the Thompson Hollow Acres subdivision in the South River Magisterial District.

district for a proposed building height of 55'. The property is located at (0) Hospitality Dr. and identified on tax map 12J, as lot 2. The property is zoned Commercial (C) and located in the Blue Ridge Shadows subdivision and in the North River Magisterial District.

Mr. Wendling stated that property is located at (0) Hospitality Drive in Front Royal, VA, and identified on tax map 12J as lot 2. The property is located in the North River Magisterial District. The subject property is located in part in the Highway Corridor Overlay District adjacent to the Double Tree by Hilton hotel off Shadows Drive and Hospitality Drive. The applicant plans to develop a hotel/motel as a by-right use but the County Zoning Ordinance section §180-13.G ordinance requires that any structure above the maximum height of 40' that is allowed in the Commercial zoning district must have a conditional use permit. The proposed hotel/motel is designed to be 53' and the applicant is asking for an additional 2' as a buffer for a total height of 55'. A concept plan has been submitted.

The Future Land Use Map in the existing Comprehensive Plan identifies this area to be used for Commercial land use. (The proposed use of the property would be considered in conformance with the Future Land Use Map as a hotel. This is a permitted use by-right in the Commercial (C) zoning district.) All outside agency comments have been received.

Staff recommends that if the Planning Commission is going to approve of this request that the following conditions should be applied: (additional conditions may be added once agency comments are received including any related transportation conditions.

1. The hotel shall not exceed 55 feet in height.
2. The exterior façade of the hotel shall include stone or faux stone façade accents.
3. Architectural renderings of the hotel must be submitted to the Planning Commission during the final site plan approval process and approved by the Planning Commission for compliance with County ordinances.
4. All mechanical equipment shall be shielded and screened from public view and designed to be perceived as an integral part of the building.
5. The applicant shall comply with Virginia Department of Transportation, Warren County Building Inspections, and Warren County Health Department applicable regulations and requirements.
6. Dumpster/trash collection areas shall be screened from view as required by the zoning ordinance with materials cohesive with the building.
7. All corridors used to access hotel rooms shall be interior to the hotel building.

Mr. Myers opened the public hearing and, with no one coming forward, the public hearing was closed.

Mr. Gordon asked how tall the adjacent hotel is.

Mr. Wendling stated that it is 48 feet tall, but that the lot is lower than the lot on the application.

Mr. Gordon stated that this hotel sits closer to the road than the Double Tree and feels closer to the road.

CUP2024-04-02 - Fred & Christine Andreae (Lynx Properties, LLC) - A request for a conditional use permit for a Short-Term Tourist Rental. The property is located at 6331 Page Valley Road and identified on tax map 41 as lot 46. The property is zoned Agricultural (A) and located in the South River 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 2006. The owners would like to make their property available for short-term lodging for weekenders looking for an escape from their lives in crowded urban areas. The property will be managed by a local property manager, who will oversee maintenance, cleaning, and the booking of rental requests.

Mr. Lenz stated that he would read the new conditions that would be applied to the application and that, spurred by comments from the Health Department, the applicants' well and septic systems would now need to be serviced every 3 to 5 years on conventional systems and annually for alternative systems.

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, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed the system capacity as determined by the Health Department permit per Warren County Code §180-56.4B. The Certificate of Zoning shall only be issued with approved Health Department records.
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 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. Myers opened the public hearing and, with no one coming forward, the public hearing was closed.

On a motion made by Mr. Kersjes, seconded by Ms. Richardson, and by the following vote of 4-0, the Planning Commission moved to forward the conditional use permit to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Kersjes, Richardson, Gordon.

CUP2024-04-03 - Pennoni, Inc. - Mike Artz - A request for a conditional use permit for a Building Height in Excess of 40' within the Highway Corridor Overlay District and Commercial zoning

Mr. Lenz noted that the short-term tourist rental ordinance has been amended, thus the staff report is in a new format and there are fewer conditions being applied because the standard conditions are now a part of the ordinance.

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 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 the system capacity as determined by the Health Department permit per Warren County Code §180-56.4B. The Certificate of Zoning shall only be issued with approved Health Department records.
3. The applicant 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 applicant shall have the septic system maintained annually by a licensed operator as required for an alternative onsite sewage disposal system. The applicant shall also have the septic system pumped every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. A waiver to the required setback of 100' to neighboring dwellings shall be granted for the existing 35' setback to dwelling west of the subject property.

Mr. Myers invited the applicant to speak.

Andres Barkil-Oteo, 630 14th Street, Washington, D.C.

Mr. Barkil-Oteo stated that this would be their second home and wanted to rent it when it is not in use. They have spoken with a landscaper to create a barrier between the properties.

Mr. Myers opened the public hearing and, with no one coming forward, the public hearing was closed.

Mr. Kersjes asked the applicant if he was the builder or if he was buying it from the builder.

Mr. Barkil-Oteo stated that he purchased the home from the builder.

Ms. Richardson stated that she is concerned about the next-door neighbor and approving a setback waiver before a neighbor takes possession of the home.

On a motion made by Ms. Richardson, seconded by Mr. Kersjes, and by the following vote of 4-0, the Planning Commission moved to forward the conditional use permit to the Board of Supervisors with the recommendation of denial.

Ayes: Myers, Kersjes, Richardson, Gordon.

At a regular meeting of the Warren County Planning Commission held in the Warren County Government Center on May 8th, 2024.

Present: Robert Myers, Chairman (Happy Creek District); Scott Kersjes (North River District); Kaylee Richardson (South River District); William Gordon (Shenandoah District); and Jordan Bowman, of Litten & Sipe LLP, attorney for the County; also, present; Matt Wendling, Planning Director; Chase Lenz, Zoning Administrator; Kelly Wahl, Planner; Allison Mutter, Clerk to the Planning Commission

Absent: Hugh Henry, Vice-Chairman (Fork District)

Call to order and Pledge of Allegiance of the United States of America

Adoption of the Agenda

On a motion made by Mr. Kersjes, seconded by Mr. Gordon, and by the following vote, the Planning Commission approved the Adoption of the Agenda.

Ayes: Myers, Kersjes, Richardson, Gordon.

Adoption of Regular Meeting Minutes

On a motion made by Mr. Kersjes, seconded by Ms. Richardson, and by the following vote, the Planning Commission approved the minutes from April 10, 2024, as presented.

Ayes: Myers, Kersjes, Richardson, Gordon.

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.

Public Hearings:

CUP2024-04-01 - Andres Barkil-Oteo - A request for a conditional use permit for a Short-Term Tourist Rental. The property is located at 351 Donna Court and identified on tax map 150, section 2, block 5, as lot 282A. The property is zoned Residential-One (R-1) and located in the Shenandoah Farms - Riverview subdivision in the Shenandoah Magisterial District.

Mr. Lenz stated that the applicant is requesting a conditional use permit for a short-term tourist rental for the property he purchased in April of 2024. The owner would like to make the property available for short-term lodging for tourists and visitors of the Warren County area. The applicant will retain a local property manager to help oversee maintenance, cleaning, and the booking of rental requests. A request for comments was sent to the Board of Property Owners of Shenandoah Farms and, while they had no objections to the application, advised that four-wheel drive vehicles or chains be recommended to guests. The applicant is requesting a waiver to the 100-foot setback requirement. The nearest neighboring residence is located approximately 35 feet to the west of the dwelling on the subject property.

Commission Matters:

Planning Director:

Mr. Wendling thanked Ms. Wahl and Ms. Mutter for the work on the Comprehensive Plan and planned to review Chapter 4 and 6 at the next work session. He had submitted 5 projects to VDOT SMART Scale program and they are currently being reviewed.

Attorney for the County:

Mr. Bowman had nothing to add.

Commission Members:

Mr. Myers wished all a Happy Mother's Day and Happy Memorial Day.

Zoning Administrator:

Mr. Lenz stated that he participated in the local Earth Day event with the Front Royal-Warren County Anti-Litter Council and that it was a success.

Planner:

Mrs. Wahl had nothing to add.

Adjournment:

On a motion made by Ms. Richardson and the following vote, the meeting was adjourned at 8:06 PM.

Ayes: Myers, Kersjes, Richardson, Gordon.



Warren County Planning Commission Chairman