

At a regular meeting of the Warren County Planning Commission held in the Warren County Government Center on January 14th, 2026.

Present: Robert Myers, Chairman (Happy Creek District); Paul Barnhart (Fork District); Scott Kersjes (North River District); Brigitte Miller (South River District); William Gordon (Shenandoah District); also, present; Daniel Rose, of Litten & Sipe LLP, attorney for the County; Chase Lenz, Zoning Administrator; Kelly Wahl, Planner; Allison Mutter, Clerk to the Planning Commission

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

Election of Officers

Mr. Lenz requested nominations for the Chairman.

Mr. Kersjes nominated Mr. Myers, seconded by Mr. Gordon.

With no other nominations, Mr. Myers was elected the Chairman of the Planning Commission by the following vote:

Ayes: Myers, Gordon, Kersjes, Miller, Barnhart.

Mr. Myers requested nominations for the Vice-Chairman.

Mr. Kersjes nominated Mr. Gordon, seconded by Mr. Barnhart.

With no other nominations, Mr. Gordon was elected the Vice-Chairman of the Planning Commission by the following vote:

Ayes: Myers, Gordon, Kersjes, Miller, Barnhart.

Mr. Myers requested nominations for Secretary.

Mr. Gordon nominated Ms. Mutter. Mr. Kersjes seconded.

With no other nominations, Ms. Mutter was elected the Secretary to the Planning Commission by the following vote:

Ayes: Myers, Gordon, Kersjes, Miller, Barnhart.

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, Gordon, Kersjes, Miller, Barnhart.

Adoption of Regular Meeting Minutes

On a motion made by Mr. Kersjes, seconded by Mr. Gordon, and by the following vote, the Planning Commission approved the minutes from December 10, 2025, as presented.

Ayes: Myers, Gordon, Kersjes, Miller, Barnhart.

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.

Kathleen Mancini, 1085 High Top Road

Ms. Mancini requested the County adopt an ordinance that would prohibit construction until proper infrastructure is in place because there are new houses being built on High Top Road and she feels it is unsafe to have the additional traffic on the road.

Public Hearings:

Z2025-09-01 - Zoning Text Amendments for Backyard Beekeeping - An ordinance to amend Chapter 180 of the Warren County Code (zoning ordinance) to amend the district regulations for the Residential-One (R-1) zoning district to add "backyard beekeeping" as an accessory use permitted by right and to add supplementary regulations for "backyard beekeeping."

Mrs. Wahl stated that attached you will find a draft ordinance to enact subsection 180-22C(7) to make backyard beekeeping permissible by right as an accessory use in the Residential-One (R-1) zoning district and to enact section 180-35.3 to add supplementary regulations for backyard beekeeping. These text amendments were requested by Alexander Khmurets, who wishes to pursue this land use in conjunction with the principal dwelling for his property zoned Residential-One (R-1).

The proposed supplementary regulations include a statement of intent, a requirement for the acquisition of honeybees and beehive construction and maintenance in accordance with Title 3.2, Chapter 44 of the Code of VA, a zoning permit requirement to be reviewed annually, and certain physical requirements.

The proposed permit requirements include a limit of no more than two beehives per one-quarter acre, with a maximum of 6 beehives per lot, or no limit on the number of beehives if all beehives are placed at least 200 feet from all property lines, beehives shall be located in the side or rear yards only, and shall be located a minimum of 10 feet from all property lines, a restriction on the onsite sale of goods or services relating to the honeybees, a flyway barrier requirement for beehives that are less than 40 feet from a property line that is no less than six (6) feet in height and is located between the beehive and the property line or elevate the hive entrance no less than six (6) feet above the property line and should be of sufficient density, length, and height. The proposed limitations on number of beehives and setback/barrier requirements are consistent with the best management practices for the keeping of honeybees recommended by the state administrative code under 2VAC5-319-30. A copy of 2VAC5-319-30 has been included in the agenda packet

under this item.

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

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

Ayes: Myers, Gordon, Kersjes, Miller, Barnhart.

CUP2025-12-02 - Short-Term Tourist Rental - 3151 Freezeland Road - A request for a conditional use permit for a short-term tourist rental. The property is located at 3151 Freezeland Road and is identified on tax map 23E, double circle 1, as lot 10B. The property is zoned Residential-One (R-1) and is located in the Shenandoah 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 August of 2021. The owners would like to make the property available for short-term lodging for tourists and visitors of the Warren County area when not using the property as an escape from the hustle and bustle of Washington, DC. The applicants will serve as the primary property manager with assistance from a local property manager and local cleaner and handyman.

There is a Health Department operation permit approving a maximum of six (6) occupants for the three-bedroom dwelling. The PMP has been provided and reviewed by Planning staff. The local point of contact, Renee Hawkins, lives within the required 30-miles distance from the property. The subject property is not located within a subdivision governed by an HOA/POA. The dwelling on the subject property meets the minimum separation required from neighboring residences with the closest dwelling located approximately 110 feet to the west.

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, closed the public hearing.

On a motion made by Mr. Barnhart, seconded by Mr. Kersjes, and by the following vote, the Planning Commission moved to forward the conditional use permit for a short-term tourist rental to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Gordon, Kersjes, Miller, Barnhart.

CUP2025-12-03 - Building Service Establishment - 0 Strasburg Road (TM #10L--2---2) - A request for a conditional use permit for a building service establishment. The property is located at (0) Strasburg Road and is identified on tax map 10L, section 2, as lot 2. The property is zoned Agricultural (A) and is located in the North River Magisterial District.

Mr. Lenz stated that applicant is requesting a conditional use permit for a building service establishment for the property he purchased in April of 2024. The applicant, the president of a residential telecommunication installation company, Multitec, LLC, would like to use the property as a materials and equipment storage and staging area for when his business has work in the area. The business has a principal base of operations in Manassas, but the applicant indicated they frequently have work in the Strasburg area and would like to work in the Warren County area in the future. If the conditional use permit is approved, the applicant has agreed to install a solid fence along the rear of the storage area to connect the existing fence along the property lines and he has agreed to maintain the existing tree line along Strasburg Road as a buffer and screening from the roadway.

Warren County Code §180-8C defines building service establishment as, *"A facility providing services for residential, commercial, institutional, or light industrial structures such as exterminator, plumber, decorator, electrician or heating, ventilation and air conditioning (HVAC) or other appliance service and related equipment storage, staging and repairs. This use shall comply with the supplementary regulations set forth in § 180-36.1 of this chapter."*

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 Virginia Department of Transportation, Warren County Building Inspections, Warren County Fire & Rescue Services, Warren

County Health Department, and any other applicable agency regulations and requirements.

2. Use of the existing structure on the property shall be limited to storage only unless the structure is approved for a change of use and occupancy through Warren County Building Inspections.
3. If the existing structure on the property is to be used for the building service establishment, the number of employees onsite shall not exceed the maximum occupancy as determined by the certificate of occupancy issued for the building or the operation permit issued for the onsite sewage disposal system, whichever is lesser.
4. Onsite customer service and retail sales shall be prohibited.
5. The applicant shall submit an illustrative development plan including schematic details on ingress/egress, building locations, off-street parking, storage/staging areas with setback distances to property lines labeled, screening, landscaping, outdoor lighting, and signage. Planning staff shall review and approve the illustrative development plan prior to issuance of a certificate of zoning.
6. Areas used for outdoor storage or staging of equipment shall be fully screened from view and shall be set back a minimum of twenty-five feet (25') from all adjacent property lines.
7. The applicant shall install a solid fence along the rear of the storage area prior to issuance of a certificate of zoning.
8. The applicant shall maintain the existing tree line along Strasburg Road as a buffer and screening from the roadway.
9. The hours of operation shall be between 7:00 AM and 6:00 PM, Monday through Saturday.

A letter of correspondence with VDOT has been provided showing the existing driveway that had been installed by a previous owner had not been permitted and the applicant would need to get an approved entrance permit from VDOT should the application move forward.

Mr. Myers opened the public hearing.

Frank Welsh, 73 Cedar Crossing Lane

Mr. Welsh stated that there have been disturbances committed by people on the Applicant's lot and is concerned about further disturbances. He is also concerned about the environmental impact of the Applicant's business. And that there are by-laws that are being violated.

Mr. Welsh's concerns were concurred by:
Elizabeth Fox, 97 Cedar Crossing Lane
Alvin Dellinger, 4095 Strasburg Road
Pat Callihan, 90 Cedar Crossing Lane
Kathleen Mancini, 1085 High Top Road

Mr. Myers closed the public hearing and invited the applicant to speak.

Edson Rivera, 7928 Brighton Way.

Mr. Rivera stated that he is not trying to cause a disturbance and only wants to be able to operate his business.

Mr. Myers stated that the County could not enforce the covenants and asked if any of the neighbors had spoken with each other?

One of the homeowners stated that she had spoken with Mr. Rivera and that he had been dismissive.

Mr. Myers stated that if there are disturbances, then the Sheriff's Office should be contacted.

Mr. Barnhart had concerns about the applicant remaining in compliance with the conditional use permit when they had previously shown that they were not willing to remain in compliance with the ordinance as written.

Mr. Kersjes stated that, according to the state law, there was not a valid HOA and that their covenants could not be enforced.

Mr. Gordon stated that he does not believe that this would be a good use for the particular lot.

Mrs. Miller stated that she has concerns with the road usage and the issues with VDOT.

On a motion made by Mr. Barnhart, seconded by Mr. Gordon, and by the following vote, the Planning Commission moved to forward the conditional use permit for a building services establishment to the Board of Supervisors with the recommendation of denial.

Ayes: Myers, Gordon, Kersjes, Miller, Barnhart.

CUP2025-12-04 - Short-Term Tourist Rental - 48 Pineview Drive - A request for a conditional use permit for a short-term tourist rental. The property is located at 48 Pineview Drive and is identified on tax map 13A, section 4, block 7 as lot 3. The property is zoned Agricultural (A) and is located in the Shenandoah Magisterial District.

Mrs. Wahl stated that the applicant is requesting a conditional use permit for a short-term

tourist rental for the property she purchased in August of 2024. The owner would like to make the property available for short-term lodging as a peaceful retreat for tourists and visitors of the Warren County area seeking to engage with the Shenandoah River and enjoy the abundant recreational opportunities the area has to offer. The applicant will serve as the primary property manager with assistance from a local property manager.

No previous conditional use permits have been applied for nor approved for the subject property. The dwelling was constructed in 1965. There is a Health Department repair permit approving a maximum of two (2) occupants for the two-bedroom dwelling. The local point of contact, Joseph Guilbert, lives within the required 30-miles distance from the property. The subject property is not located within a subdivision governed by an HOA/POA. The dwelling on the subject property meets the minimum separation required from neighboring residences with the closest dwelling located approximately 180 feet to the east.

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, closed the public hearing.

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

Ayes: Myers, Gordon, Kersjes, Miller, Barnhart.

Z2025-12-01 - Zoning Text Amendments to Modify Front Setback Requirements in

the Residential-One (R-1) and Residential-Two (R-2) Zoning Districts - An ordinance to amend Chapter 180 of the Warren County Code to amend the yard requirements for corner lots and accessory structures and to amend the zoning district regulations for the Residential-One (R-1) and Residential-Two (R-2) zoning districts to modify the front yard setback requirements.

Mr. Lenz stated that these amendments are being requested by Planning staff at the direction of the Board of Supervisors. Evaluating the potential reduction of the front yard setback requirement in the Residential-One (R-1) zoning district is a Board of Supervisors goal for this year.

The Planning Commission held a work session for this item on October 8th, 2025 where Planning staff presented a potential text amendment to change the front yard setback requirement for structures in the Residential-One (R-1) zoning district from 50 feet to 35 feet. The Planning Commission identified there are several VDOT-maintained roadways, like Howellsville Road and Strasburg Road, with higher speed limits where a setback of 50 feet is more appropriate. From this discussion, Planning staff drafted a text amendment proposing a front yard setback of 50 feet from state routes and 35 feet from non-state routes. Planning staff also incorporated the same front yard setback format for the Residential-Two (R-2) zoning district, since the statement of intent indicates a higher density of residential development than the Residential-One (R-1) district, and it would not make sense for a higher-density zoning district to have more restrictive setback requirements.

The amendments also modify existing language to the yard requirements for corner lots and a provision to allow for an accessory structure in the front yard for lots affected by severe elevation change. These subsections specifically identify a front setback requirement of 50 feet and the proposed amendments change the specific setback requirements to more general language, "applicable front yard setback requirement." With these amendments, the front yard setback requirement for corner lots and the accessory structure provision, would defer to the front yard setback requirement specified in the zoning district regulations set forth in Article IV of the zoning ordinance.

Mr. Myers opened the public hearing.

Kathleen Mancini, 1085 High Top Road

Ms. Mancini stated she believes the reason for the amendment is to build bigger houses on smaller lots and that those lots should not be built upon.

Mr. Myers closed the public hearing. He then stated that, based on his time on the Board of Zoning Appeals, the issue isn't to build bigger houses, but to make lots that have topographical difficulties buildable.

Mr. Barnhart stated that for subdivisions with a lower speed, there is no reason the front setback shouldn't be 35 feet.

Mr. Kersjes stated that the well and septic setbacks are also going to restrict the size and location of the house.

Mr. Gordon asked Staff how they would handle new developments where a state maintained road would be put in, but hadn't been established at the time of building?

Mr. Lenz stated that, as a part of the subdivision process, there would be steps that could be taken to assure that the setbacks would be appropriately met.

On a motion made by Mrs. Miller, seconded by Mr. Barnhart, and by the following vote, the Planning Commission moved to forward the zoning text amendment to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Gordon, Kersjes, Miller, Barnhart.

Consent Agenda – Authorization to Advertise for Public Hearing:

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

Ayes: Myers, Gordon, Kersjes, Miller, Barnhart.

Commission Matters:

Attorney for the County:

Mr. Rose had nothing to add.

Commission Members:

The Planning Commissioners had nothing to add.

Zoning Administrator:

Mr. Lenz had nothing to add.

Planner:

Mrs. Wahl stated that the short-term tourist rental study had been updated and would be provided to them.

Clerk to the Planning Commission:

Ms. Mutter stated that she would be signing up Mrs. Miller and Mr. Barnhart for Planning Commissioner training.

Adjournment:

On a motion made by Mr. Kersjes and the following vote, the meeting was adjourned at 7:55 PM.

Ayes: Myers, Gordon, Kersjes, Miller, Barnhart.



Warren County Planning Commission Chairman