

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com.

The Planning Commission meeting of the Town of Front Royal, Virginia was held on October 19, 2022, at 7:00 PM.

CALL TO ORDER

Vice Chairman Gordon called the meeting of the Planning Commission to order at 7:00 pm.

ROLL CALL

Present: Vice Chairman William Gordon, Commissioner Connie Marshner, Commissioner Joshua Ingram, Commissioner Daniel Wells

Absent: Chairman Darryl Merchant

Staff Present: Lauren Kopishke, Planning Director/Zoning Administrator
George Sonnett, Assistant Town Attorney
John Ware, Deputy Zoning Administrator
Connie L. Potter, Executive Assistant, Clerk of the Planning Commission

ADDITION/DELETION OF ITEMS FROM THE AGENDA

Commissioner Ingram moved, seconded by Commissioner Wells to add the Staff Report dated October 19, 2022, Board of Zoning Appeals meeting for application #2200398, applicant is Property Connection, LLC.

VOTE: Yes – Marshner, Ingram, Wells, Gordon

No – N/A

Abstain – N/A

Absent – Merchant

ROLL CALL

Item will be discussed at the “New Business” portion of the agenda.

MINUTES

- September 21, 2022 – Regular Meeting

Commissioner Ingram moved, seconded by Commissioner Wells to approve the meeting minutes of September 21, 2022, as written.

VOTE: Yes – Ingram, Marshner, Gordon, Wells
No – N/A
Abstain – N/A
Absent – Merchant

ROLL CALL

CITIZEN COMMENTS

There were no citizen comments.

CONSENT AGENDA

The following application is on the consent agenda to readvertise for public hearing at the November 16, 2022, regular meeting.

- **2200349 – Aaron Hike** – A request for a Special Use Permit to allow a short-term rental located at 1116 N. Royal Avenue and identified by Tax Map 20A2-443-2, 3, 4, 5 & 6. The property is zoned C-1 and is located in the Entrance Corridor Overlay District.

Commissioner Ingram moved, seconded by Commissioner Marshner to readvertise Special Use Permit #2200349 submitted by Aaron Hike.

VOTE: Yes – Ingram, Wells, Marshner, Gordon
No – N/A
Abstain – N/A
Absent – Merchant

VOICE VOTE

PUBLIC HEARINGS

- **2200352 – Life Point Church** – A request for a Special Use Permit to allow for a daycare to be located within the church located at 1111 N Shenandoah Avenue and identified by tax map 20A2-444-12A, 13, 14, 15, 16 & 17. The property is zoned C-1.

Mr. Ware presented a brief summary of the application request.

Vice Chairman Gordon opened the public hearing.

Representing the applicant, Sherée Jennings shared they would like to offer a service to the community by offering a loving and safe place for children to attend daycare.

As there were no other speakers Vice Chairman Gordon closed the public hearing.

After a brief discussion Commission members believed this would be a welcome addition to the community.

Commissioner Ingram moved, seconded by Commissioner Marshner to forward a recommendation of approval to the Front Royal Town Council for Special Use Permit Application #2200352 for a daycare located on the 1st floor within the church at 1111 N Shenandoah Avenue with the following conditions:

- 1) This Special Use Permit is authorized for a daycare to be located at 1111 N Shenandoah Ave.
- 2) The applicant will adhere to all licensing requirements stipulated by DPOR.
- 3) The applicant shall obtain any necessary permits from Warren County prior to commencing the use.
- 4) The applicant will provide staff with hours of operation and a traffic flow diagram prior to commencement of the use.

VOTE: Yes – Ingram, Marshner, Gordon, Wells

No – N/A

Abstain – N/A

Absent – Merchant

ROLL CALL

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- **2200367 – The Minick Group LLC** – A request for a Special Use Permit to allow a short-term rental located at 206 Lee Street and identified by tax map 20A7-4-91A. The property is zoned R-3 and is located in the Historic Overlay District.

Vice Chairman Gordon stated he also operated a Short-Term Rental in town limits, and he did not believe that would preclude him from voting on the application and he would have an objective opinion.

Mr. Ware gave a brief summary of the application request. The request is for a whole house rental with three (3) bedrooms and six (6) people.

Vice Chairman Gordon opened the public hearing.

There were no speakers. Vice Chairman Gordon closed the public hearing.

Commission members and staff held a brief discussion regarding parking at the location. It was noted that the applicant will not be installing the driveway unless the application is recommended for approval by the Planning Commission and approved by Town Council. If the application is

approved by Town Council staff will conduct an inspection prior to the issuance of the Special Use Permit. The Special Use Permit will not be approved until the driveway is installed.

Commissioner Marshner moved, seconded by Commissioner Wells that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2200367 for a Short-Term Rental located at 206 Lee Street conditional upon approval from the Town Council and the installation of the driveway with three (3) parking spaces.

VOTE: Yes – Gordon, Marshner, Wells, Ingram

No – N/A

Abstain – N/A

Absent – Merchant

ROLL CALL

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- **2200348 – Douglas Ichiuji** – A request for a Special Use Permit to allow a short-term rental located at 200 E. Main Street and identified by tax map 20A8-4-33. The property is zoned C-2 and is located in the Historic Overlay District.

Mr. Ware gave a summary of the Special Use Permit application. The applicant is requesting to rent two (2) units totaling three (3) rooms to no more than six (6) occupants on the upper floor of the building as a Short-Term Rental. There are six (6) parking spaces available.

Vice Chairman Gordon opened the public hearing.

There were no speakers and Vice Chairman Gordon closed the public.

After a question regarding trash pickup, Mr. Ichiuji confirmed to Commission members that trash is placed near the street and picked up by the Town of Front Royal.

Mr. Ichiuji confirmed there are signs posted stating that the parking is strictly for tenants of the building parking only.

Commission Ingram moved, seconded by Commissioner Wells to forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2200348 for a Short-Term Rental located at 200 E. Main Street.

VOTE: Yes – Ingram, Marshner, Gordon, Wells

No – N/A

Abstain – N/A

Absent – Merchant

ROLL CALL

- **2200386 – Leandra Justice** – A Special Exception from the parking requirements of 175-151 pursuant to 148-870.18 & 148-211. A.1. for the property located at 12 Chester Street and identified by Tax Map 20A8-4-43. The property is zoned C-2 and is located in the Historic Overlay District.

Planning Director Lauren Kopishke explained that the applicant wishes to operate a Short-Term Rental at 12 Chester Street, and they do not have parking within 300' of the property which satisfies the parking requirements of Chapter 175-151. Without the Special Exception the Short-Term Rental Special Use Permit that the Planning Commission had previously recommended approval of at the September Planning Commission meeting can not move forward for approval. To remedy the problem a Special Exception would need to be granted.

Vice Chairman Gordon opened the public hearing.

The applicant, Leandra Justice stated she was present to answer any questions Commission members had.

There were no additional speakers and Vice Chairman Gordon closed the public hearing.

Commission members agreed that the Special Exception is warranted for this area of Chester Street and that special exceptions are to be considered by the Planning Commission on a case-by-case basis and granting them would not be a concern with setting a precedent.

Commissioner Wells moved, seconded by Commissioner Marshner to forward a recommendation of approval to the Front Royal Town Council for Special Exception Permit #2200386

VOTE: Yes – Gordon, Marshner, Wells, Ingram

No – N/A

Abstain – N/A

Absent – Merchant

ROLL CALL

OLD BUSINESS

There were no items for old business.

NEW BUSINESS

- **Variance Application 2200398** submitted by Property Connection LLC for multiple variances from the zoning regulations of Town Code Chapter 175. The purpose of the variances is to subdivide a single parcel, upon which two existing detached single-family dwellings are located into two parcels. Each dwelling will be located on its own individual lot. The property is zoned C-1 (Community Business District) and is

identified as Tax Map #20A4-4-3 with the two dwellings located thereon addressed as 225 East 7th Street and 631 Kibler Street, Front Royal, VA.

The following variances are requested from the requirements of the Zoning Ordinance C-1 Zoning District, Chapter 175-38:

- i. The proposed lot upon which the dwelling identified as 225 E 7th Street will be granted a 3,460 square foot variance from the minimum 7,500 square foot lot area requirement of Town Code Chapter 175-40.A.2.
- ii. A 15.5-foot variance from the minimum 90-foot lot width for corner lots required by Town Code Chapter 175-40.D.2.
- iii. Said dwelling be granted a 0.3-foot variance from the minimum 15-foot corner lot side yard setback requirement of Town Code Chapter 175-42.A.4.
- iv. Said dwelling be granted a 6.2-foot variance from the minimum 15-foot rear yard setback requirement of Town Code Chapter 175-42.A.3.
- v. Said dwelling be granted a 5.5-foot variance from the minimum 15-foot front porch to the front property line requirements of Town Code Chapter 175-3.
- vi. Said dwelling be granted a 13.2-foot variance from the minimum 15-foot rear porch to the rear property line requirement of Town Code Chapter 175-3.

Mr. Ware gave a summary of the variance application and explained that per State Code all Board of Zoning Appeals Variance requests are to be presented to the Planning Commission for an opportunity to comment/make a recommendation or make no comment.

After a lengthy discussion the following motion was made:

Commissioner Marshner moved, seconded by Commissioner Ingram that the Planning Commission will make a recommendation to the Board of Zoning Appeals (BZA) on this matter and be placed on the agenda for the next work session.

VOTE: Yes – Gordon, Marshner, Wells, Ingram

No – N/A

Abstain – N/A

Absent – Merchant

ROLL CALL

COMMISSION MEMBER REPORTS

Vice Chairman Gordon stated he was resigning from the Planning Commission because he would no longer be a Town resident. His resignation was submitted to Chairman Merchant and the resignation was accepted by Chairman Merchant. Vice Chairman Gordon asked if there were any objections to his resignation effective at the end of the meeting. There were no objections and Commission members stated they enjoyed working with him on the Planning Commission.

PLANNING DIRECTOR REPORT

Ms. Kopishke reviewed the September monthly report.

Staff is still reviewing edits of the Draft Comprehensive Plan and is anticipating a final draft between October 27th and 28th. On November 2nd at 6:15 p.m. there will be a joint work session with the Town Planning Commission and the Warren County Planning Commission to discuss the Comprehensive Plan Draft, transportation issues, and planning at the borders of the Town and County to make sure that what the Town Comprehensive Plan states similarly lines up with what Warren County's goals are.

COMMISSION MEMBER REPORTS

Commissioner Ingram thanked Vice Chairman Gordon for his service and that he had learned a lot from him.

ADJOURNMENT

Commissioner Ingram moved, seconded by Commissioner Marshner to adjourn the meeting.

VOTE: Yes – Gordon, Wells, Ingram, Gordon

No – N/A

Abstain – N/A

Absent – Merchant

VOICE VOTE

The meeting adjourned at 7:51 p.m.

Approved by Planning Commission

Date: 11/16/2022