



REGULAR PLANNING COMMISSION MEETING

Wednesday, February 15, 2023 @ 7:00pm

Warren County Government Center

I. CALL TO ORDER

II. ROLL CALL – DETERMINATION OF QUORUM

III. ADDITION/DELETION OF ITEMS FROM THE AGENDA

[Items added will be placed as the last item under Business Items. Unanimous vote is required to add/delete]

IV. APPROVAL OF MINUTES

- January 18, 2023 – Regular Meeting

V. CITIZEN COMMENTS

VI. CONSENT AGENDA (*Consent to Advertise*)

I move that the Planning Commission approve the Consent Agenda as presented. [Items removed for further discussion will be placed as the first item under Business Items. Unanimous vote is not required to move]

- **2300075** – Warren Coalition. A request for a Special Use Permit for a lodging house located at 200 N. Royal Avenue and identified by Tax Map 20A5-13-80-1 & 2. The property is zoned C-2, Downtown Business District and is located in the Historic Overlay District.

VII. PUBLIC HEARING

- **2300021** – Jeffrey Kelble. A request for a Special Use Permit for a commercial outdoor recreation facility located at 1847 N. Royal Avenue and identified by Tax Map 20A3-1-1 & 2. The property is zoned A-1, Agriculture and Open Space Preservation District.

VIII. OLD BUSINESS

- None.

IX. NEW BUSINESS

X. COMMISSION MEMBER REPORTS

XI. PLANNING DIRECTOR REPORT

- January Monthly Report
- 2022 Annual Report

XII. ADJOURNMENT

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 January 18, 2023, at 7:00 PM.

CALL TO ORDER

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

ROLL CALL

Present: Darryl Merchant, Chairman
Connie Marshner, Vice Chairman
Daniel Wells, Commissioner
Glenn Wood, Commissioner

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

There were no additions or deletions.

MINUTES

- December 21, 2022 – Regular Meeting

Commissioner Wood moved, seconded by Commissioner Wells to approve the meeting minute as written.

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

ROLL CALL

CITIZEN COMMENTS

There were no citizen comments.

CONSENT AGENDA

- A. 2300021** – Jeffrey Kelble. A request for a Special Use Permit for a commercial outdoor recreation facility located at 1847 N Royal Avenue and identified by Tax Map 20A3-1-1 & 2. The property is zoned A-1, Agriculture and Open Space Preservation District.

Vice Chairman Marshner moved to accept the consent agenda, seconded by Commissioner Wood.

VOTE: Yes – Marshner, Merchant, Wells, Wood

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

PUBLIC HEARINGS

Chairman Merchant explained the process for speaking at the public hearing. He asked speakers to try and keep their comments to 3 minutes.

- A. 2200494** – Barbara Samuels – A request for a Special Use Permit for a ground floor dwelling unit at 437 S. Royal Avenue identified by tax map 20A7-3-10. The property is zoned C-1, Community Business District.

Mr. Ware reviewed the application request. The property is located near the intersection of S. Royal Avenue and South Street. This building is known as the Sam Snead Realty Building. Included in the staff report was a location map, first floor plan, site pictures and the Special Use Permit application. Currently the parking lot has eight (8) parking spaces defined with concrete wheel stops including once (1) handicap space. Professional offices are located on the first and second floors and they occupy a total of 3,162 square feet. Town Code Section 148-870.A.2 requires one parking space for 300 gross square feet for professional offices which equates to eleven (11) parking spaces. Town Code Section 175-104 requires all new uses for developments and changes of use shall comply with the off-street parking requirements of Chapter 148. The existing dwelling unit on the 2nd floor and the proposed dwelling unit on the 1st floor will require two (2) parking spaces per dwelling unit requiring a total of four (4) parking spaces for the dwelling units. A total of fifteen (15) parking spaces are required for this structure under the current types of use. In addition, Chapter 148-870.A.7 requires with the exception of off-street compact car spaces and off-street parallel spaces, off-street parking spaces shall include an area not less than 162 square feet is a 9 x 18 parking spaces. Compact car spaces shall include an area not less than 144 square feet which is 8 x 18. Currently the site has eight (8) parking spaces with concrete wheel

stops and the uses require fifteen (15). Town Staff recommends approval of the ground floor dwelling unit with the conditions listed in the staff report.

Chairman Merchant opened the public hearing.

There were no speakers. Chairman Merchant closed the public hearing.

Vice Chairman 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 Application #2200494 for one ground floor dwelling unit at 437 S. Royal Avenue with the following conditions:

- 1) This Special Use Permit is only authorized for one (1) ground floor dwelling unit to be located at 437 S. Royal Avenue.***
- 2) The existing parking lot shall be striped to provide the appropriate number of designated parking spaces prior to issuance of final zoning compliance in accordance with Zoning Ordinance Chapters 175-104 and 148-870.A.7.***
- 3) Town Staff shall inspect the property prior to the issuance of final zoning compliance to ensure the construction activities are limited to one ground floor dwelling unit.***
- 4) Upon inspection of the property, if it is found that the property is not in compliance with local regulations, including but not limited to, the conditions of this special use permit, the Town may revoke this special use permit after notice to the applicant and public hearing.***

VOTE: Yes – Marshner, Wood, Merchant, Wells

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

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- B. FY 2024-2028 Capital Improvement Plan (CIP).** Annual review of the draft CIP for conformance with the Comprehensive Plan. The CIP is not a budget, but rather, is a planning and finance tool that identifies needed capital improvement projects for the coming five (5) fiscal years.

Ms. Kopishke gave a brief overview of the FY2024-2028 Capital Improvement Plan (CIP) noting that the proposed CIP Budget is \$3,204,844. A list of projects was included in the staff report.

Chairman Merchant opened the public hearing.

There were no speakers. Chairman Merchant closed the public hearing.

Chairman Merchant explained that the Planning Commission is required by code to review the CIP and submit a recommendation to Town Council on an annual basis. The Planning Commissions involvement is primarily for those future infrastructure improvements located in the Comprehensive Plan as a way to notify Town Council of those projects that are forthcoming. The CIP also includes various department level improvements that they are requesting funding.

Commissioner Wood moved, seconded by Commissioner Wells that the Planning Commission forward the FY24-FY28 Capital Improvement Plan to the Town Council as presented.

VOTE: Yes – Merchant, Wood, Wells, Marshner

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

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- C. 2200385 – Rezoning NVR Ryan Homes** – This application was submitted by NVR Inc., for the conditional rezoning of approximately 43.9 acres from the R-E District to the R1-A District. Proffers and a concept plan have been submitted for the site.

Ms. Kopishke explained that the applicant is proposing to rezone 44 acres located at the southwest intersection of Happy Creek Road and Shenandoah Shores Road from R-E to R1-A. The difference between those zoning districts is that the density would be from one (1) dwelling unit per acre to approximately three (3) dwelling units per acre. The applicant is requesting to create 134 lots which is a reduction from the original plan of 142 lots. At previous work sessions the Planning Commission requested that the applicant resubmit to accommodate comments from Warren County to include walking trails, a connection to the future East-West Connector and the proposed flyover. Ms. Kopishke gave a virtual presentation of the resubmitted plan. The revised plan shows approximately 5.5 acres that provide for the flyover, shows an area for trails, reduced the lots from 142 to 134 and provided a second entrance off of the proposed East-West Connector so there would be 2 entrances. In addition, the proffers were amended to include approximately \$3500 per unit for public schools. Staff recommends approval with the five (5) conditions listed in the staff report.

Chairman Merchant noted that the East-West Connector, the flyover, and Leach Run Parkway Extended are not constructed at this point but are merely shown on the Town transportation plan as future improvements to that area. He then asked the applicant to make a presentation.

Ty Lawson spoke on behalf of the applicant. Mr. Lawson attended two (2) Planning Commission works sessions where they heard the Planning Commissions comments and addressed those comments. The plan is for 134 single-family detached homes as opposed to the 142 at the original submission. The biggest change is the layout to accommodate the future Leach Run Parkway Extended and the modification that when the East-West Connector is built the entrance into the development will be in the green space and the old entrance terminate. They have added 5.5 acres of green space with opportunities for playing fields and walking trails at the request of the County regarding parks and recreation for the community. They have also built into the proffers a mechanism to convey a tract of land for the Leach Run Parkway. The existing connection went

through the traffic study done by Kittelson & Associates, and it works very nicely with the existing road network. Mr. Lawson noted they were able to maintain a level of Service B even after a full buildout. The applicant is proffering to pay for the public streets, sidewalks, and water and sewer connection and will comply with all local ordinances before these items are accepted into the system. Mr. Lawson explained the mathematical equation used to calculate the proffers for each single-family dwelling unit to provide the monetary amount for schools. He noted there are more children generated from townhouse units vs. single-family dwelling detached units.

Chairman Merchant opened the public hearing.

John Lundberg, 203 Peach Tree Court, Front Royal. Mr. Lundberg spoke strongly against approval of the rezoning application. He felt the proposed development would significantly increase the number of vehicles backed up on Shenandoah Shores Road which then cause long backups on Happy Creek Road. These backups pose health, welfare and safety problems for residents, schools and businesses located north of the tracks. Mr. Lundberg expressed that no land in this area should be rezoned that encourages large housing developments until the land-locked status of communities in this area has been resolved.

Steve Cherry, 212 W. Main Street, Front Royal. Mr. Cherry shared his support for the rezoning amendment if access to the Shenandoah Shores Road community is addressed first.

John Stanmeyer, 75 Stonegate Court, Front Royal. Mr. Stanmeyer expressed he was against the proposed rezoning until roads are constructed to access the area properly and noted he is concerned that emergency services will not have appropriate access to the area until new roads are constructed.

Zachary Wendt, 27 Hillvue Street, Front Royal. Mr. Wendt stated he was representing his father-in-law who is against approving the rezoning application until the roads can support the additional traffic.

Ari Henrique, 68 View Drive, Front Royal. Mr. Henrique shared he was opposed to exposing the public to unsafe conditions and is against approval of the rezoning application until the safety of the community is guaranteed.

Stephen Pilon, 1138 Happy Ridge Drive, Front Royal. Mr. Pilon stated he was not against development however the roads need to be addressed first. He questioned how long it would be before the flyover and the East-West Connector would be constructed.

Eileen Hilleary, 1394 Riverview Shores Drive, Front Royal. Ms. Hilleary expressed that she is against approval of the rezoning application noting there should be no construction north of the railroad crossing unless plans and funding is in place to improve the roadway infrastructure. She mentioned that this is already a stressed area and more development without the proper road infrastructure would cause risk to the health and welfare of citizens and potentially impact critical hospital and emergency access along Happy Creek Road.

Gene Kilby, 836 Shenandoah Shores Road, Front Royal. Mr. Kilby agreed that there needs to be development in this area but that it is landlocked. He is for development but not until the East-West Connector and flyover are in place.

Mike Foeckler, 2827 Shenandoah Shores Road, Front Royal. Mr. Foeckler said he was representing Christendom College. The college is not opposed to growth in the area but is opposed to poor planning. The road infrastructure needs to be addressed and planned prudently and properly for the growth.

Jane Elliot, 59 Woodward Court, Front Royal. Ms. Elliot shared that she is against approving the rezoning application. The one-way in and one-way out problem has to be resolved either by a flyover or another way in. She expressed concern that when a train is present on the tracks there is no way in or out to this area which is a safety issue.

Robert MacDougall, 2370 Shenandoah Shores Road, Front Royal. Mr. MacDougall expressed concern of the traffic in the area and noted that he was not against development however the road infrastructure had to be resolved and in place before development occurs.

Jesse Brooks, 82 Overbrook Lane, Front Royal. Mr. Brooks believes there needs to be another entrance and exist into the Shenandoah Shores community. He is not against development but wants things to happen in the correct order. Mr. Brooks noted that he has been impacted by the train crossing many times.

There were no additional speakers. Chairman Merchant closed the public hearing.

Vice Chairman Marshner had questions about parking. Mr. Lawson responded that parking had been discussed in their work session and that the streets will be designed to Town standards and will meet the parking requirements of the Town Ordinance with the dwelling units having 2-car garages and parking in the driveway. The properties are designed to allow parking on-site and street parking. He noted the parking more than meets the ordinance requirements.

Commissioner Wood ask when construction would begin. Mr. Lawson stated that site development would begin in 2025.

Commissioner Wood asked when the East-West Connector would be done.

Ms. Kopishke stated that the initial construction of the East-West Connector was proffered by a landowner in 2012. Staff cannot give an accurate estimate when that will be done.

Commissioner Wood asked how many houses had been approved for that development.

Ms. Kopishke answered that per the proffers of Front Royal Limited Partnership over 300 homes have been approved but that is predicated on construction of the East-West Connector.

Chairman Merchant shared that the issue of the flyover is no longer a Planning Commission issue. They have planned for this since 1978 when it was annexed. Planning Commission and the Town

understood that there has to be a way to get across the railroad or the interchange. The second phase of planning was the execution. He explained that the Planning Commission has no authority for funding or for pushing these projects forward. The Town has to start looking at funding the transportation infrastructure in this area. Either approving or denying this application has no impact on the train and it will still block access moving forward. From what he is hearing from the citizen comments, now is the time for this area to be addressed. This is not a time for division between the Town and the County. The majority of the traffic is coming from the county with Shenandoah Shores becoming a full-time subdivision, Christendom College has grown to 500 plus students and the construction of two (2) chapels. Chairman Merchant encouraged citizens to push Town Council and the Board of Supervisors that it is time for this to be addressed. It was mentioned that there are 500 houses out in this area with only 30 of those house being located within Town limits. The biggest question is who pays for this? He noted that there is no way a developer of 140 acres can build a 33-million-dollar flyover. There has to be collaboration between the Town and the County. As the traffic study indicated the Saddle Crest Development will not lower the level of service at the intersection to lower than B which is a perfect method of effort. The master plan north of the railroad has primarily been designated for residential development. East of Shenandoah Shores Road is primarily industrial, and the majority of the remaining land is for higher density residential as the recent Comprehensive Plan surveys indicated. In 2016 the Town constructed a portion of the Leach Run Parkway from Route 55 John Marshall Highway to Happy Creek Road. It was originally designed to be a flyover at that point and connect into Shenandoah Shores Road further west of where the location is now. He agrees with VDOT that an engineer needs to review this and noted the Town no longer has an engineer on staff. He would recommend to Town Council to fund or look at real cost numbers for these improvements. Chairman Merchant spoke about the money proffered to the schools and referred to an email from the Warren County staff questioning if the contributions are enough. The proposed proffer 5.1 calls for \$3,551.00 to be proffered per lot for schools and apparently the county analysis requests \$4,735.00 for schools and \$4,000.00 for parks for a total of \$8,770.00. Negotiation of proffers are a matter of Town Council and not the Planning Commission. He would recommend to Council that we develop some type of process to negotiate the proffers that is fair and equitable for all parties involved. He expressed concern to how many units would be developed per year and noted that the Planning and Zoning staff has been reduced and does not have enough staff to process the number of proposed units per year and noted he would like to see Council clarify how many houses per year to be developed.

Commissioner Wood stated that currently Mr. Sayre could build thirty houses there by-right without a Special Use Permit. The County has no moratorium on building. Housing is needed in the community however the Town and County need to do it in a smart way. Critical infrastructure is needed, and he will vote no for this rezoning application.

After some additional discussion the following motion was made.

Commissioner Wells moved, seconded by Commissioner Wood that the Planning Commission forward a recommendation of approval to Town Council for Application # 2200385 to reclassify approximately 43.9 acres identified as Tax Map #20A221-3A from Estate Residential District R-E to Residential District R1A with the following conditions:

1. *The applicant will amend the proffer statement to include language addressing their responsibility to expand and install the on-site utility infrastructure in accordance with Town Code Chapter 134.*
2. *The applicant will amend their proffers to include language addressing their responsibility for the cost of installing stormwater facilities on site in compliance with the subdivision ordinance (Ch 148 of Town Code) and the maintenance of the stormwater structures by the HOA.*
3. *The applicant will amend their concept plan to provide the size and location of open space areas.*
4. *The applicant will construct the entrance in accordance with Town and VDOT standards.*
5. *The applicant will amend the proffer statement including the concept plan, to address the comments and concerns raised by the Town's outside counsel to the Town's satisfaction.*

After further discussion the vote was taken.

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

ROLL CALL

Because there was a tie vote the motion died.

Chairman Merchant asked if there were any other motions and there were none.

OLD BUSINESS

None.

NEW BUSINESS

None.

PLANNING DIRECTOR REPORT

Ms. Kopishke reviewed the December monthly report.

COMMISSION MEMBER REPORTS

Vice Chairman Marshner moved, seconded by Commissioner Wood whereas public comment on application # 2200385 has demonstrated serious public safety, health and welfare issues with the transportation infrastructure in the northeast part of town, whereas the Comprehensive Plan states on page 188, 3rd from the bottom future rezoning applications should give consideration,

previous sentence encourage plan development so future uses are compatible with surrounding uses and as transportation infrastructure improves. We have that in our Comprehensive Plan. This is a violation of that principle. This resolution we seek to develop future development as infrastructure improves. Therefore, be it resolved that the Planning Commission urges the Town Council in the strongest possible terms to undertake action with all possible dispatch that will move the East-West Connector or flyover from hypothetical plans to action with a plan or words to that affect.

She expressed that her purpose was to explain to the Planning Commission that we are not antidevelopment, we are not anti-Tom Sayre, we are just public health and safety and this proposed rezoning was not in the interest of public safety. This is the point she is wanting the Planning Commission to convey.

Commissioner Wood asked if the resolution could be drafted and discussed at a work session.

Vice Chairman Marshner agreed and withdrew her motion.

Chairman Merchant stated this will be put on the agenda for a work session

ADJOURNMENT

Commissioner Wood moved, seconded by Vice Chairman Marshner to adjourn the meeting.

VOTE: Yes – Marshner, Merchant, Wells, Wood

No – N/A

Abstain – N/A

Absent – N/A

VOICE VOTE

The meeting adjourned at 9:03 p.m.

Approved by Planning Commission

Date: _____

2300075

2300075



TOWN OF FRONT ROYAL

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
 102 EAST MAIN STREET
 P.O. BOX 1560
 FRONT ROYAL, VA 2263

Main: 540.635.4236
 Fax: 540.631.2727
 www.frontroyalva.com

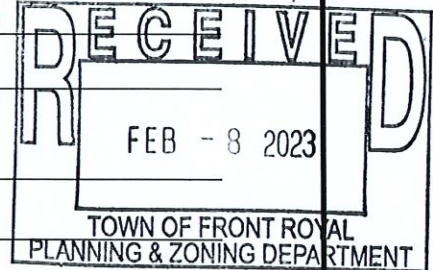
SPECIAL USE PERMIT REQUEST

FRSPU _____

* APPLICANT:

NAME Warren Coalition PHONE 540-636-6385 x 1001ADDRESS 538 Villa Ave. Front Royal, VA 22600E-MAIL Christa.c.warrencoalition.org

* PROPERTY OWNER:

NAME # Vaughn Real Estate, LLC PHONE _____ADDRESS 200 N. Royal Ave. Front Royal, VA 22630E-MAIL philipvaughn@gmail.com

PROPERTY DESCRIPTION

PROPERTY ADDRESS 200 N. Royal Ave. Front Royal, VA 22600TAX MAP 20A5 SECTION 13 BLOCK 80 LOT 1.12SUBDIVISION NAME _____ ACREAGE 15,000 sq ft.

REQUEST

ZONING DISTRICT C2PROPOSED USE OF PROPERTY Lodging Hse

* SPECIFIC SPECIAL USE PERMIT REQUEST Seeking an approval of a
lodging house which was the use of this building from 1989-2019.

ATTACHMENTS --The following must be submitted with the application. Additional information may be required depending on the nature of the request.

1. Survey/Plat of property showing all **existing** improvements.
(10 copies if larger than 11" X 17")
2. Site Plan Application Pd by clc
3. Application Fee of \$400.00 Receipt # _____ Date Paid 2-8-23 CS
4. Additional information as required by the Dept. of Planning & Community Development.

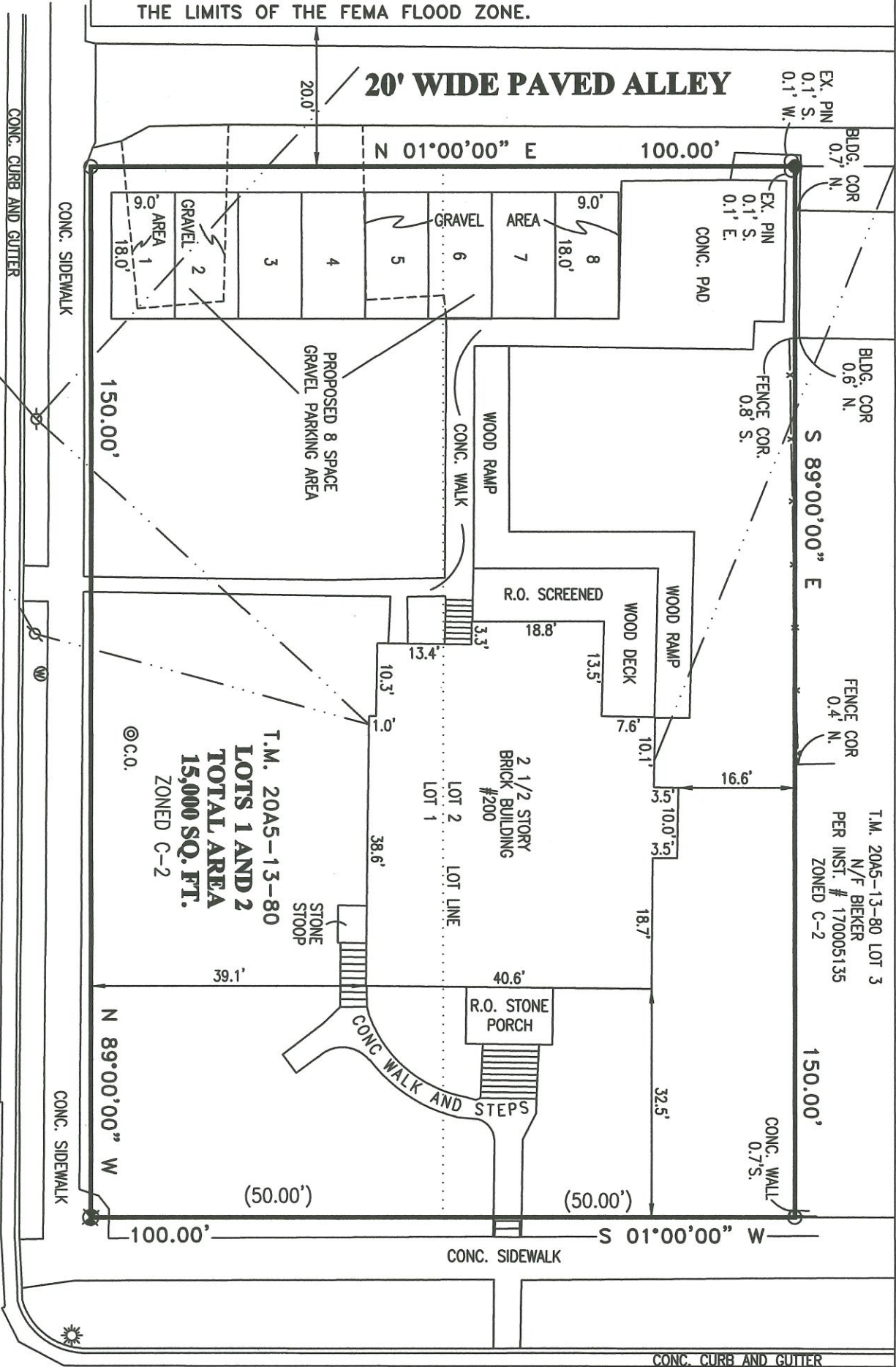
CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge and should the special use permit be granted, the project will comply with the conditions imposed upon it and will be implemented only as approved by Town Council.

Signature (Leasee) Date 2/8/20

By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.

NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.
DERIVATION OF TITLE TO: VAUGHT REAL ESTATE, LLC. PER INST. # 190006706.
PLAT REF: DEED BOOK "X" PAGE 444.
SUBJECT PARCEL SITUATED OUTSIDE THE LIMITS OF THE FEMA FLOOD ZONE.

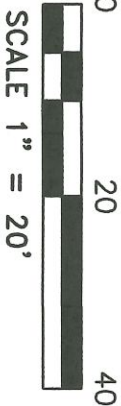


SURVEY OF LOTS 1 AND 2, BLOCK EIGHTY
FRONT ROYAL AND RIVERTON IMPROVEMENT CO.
FORK MAGISTERIAL DISTRICT

TOWN OF FRONT ROYAL
WARREN COUNTY, VA.

W. 2ND ST. 60' WIDE R/W

PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
FEBRUARY 6, 2023



PER D.B. "X"/444

Legend:

- DENOTES DRILL HOLE IN CONC.
- DENOTES LIGHT POLE.
- ⊙ DENOTES WATER METER.
- ⊙ DENOTES PIN FOUND.
- ⊙ DENOTES PIN SET.
- ⊙ DENOTES UTILITY POLE.
- ⊙ DENOTES OVERHEAD WIRES.
- x— DENOTES PRIVACY FENCE LINE.

N. ROYAL AVE
80' WIDE R/W

Town of Front Royal, Virginia

Planning Commission Monthly Meeting Agenda

☐ Consent Action ☐ Administrative Action ☒ Public Hearing ☐ Discussion

Agenda Item: Special Use Permit – 2300021

MEETING DATE: February 15, 2023

SUMMARY: A request for a Special Use Permit to allow for a commercial outdoor recreation facility located at 1847 N. Royal Avenue and identified by Tax Map No 20A3-1-1 & 2. Outdoor recreation facilities are permitted only by Special Use Permit in the A-1 zone.

STAFF RECOMMENDATION: Staff recommends approval of Special Use Permit #2300021 with two (2) conditions.

DRAFT MOTION: "I move that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit Application #2300021 for an outdoor recreation facility located at 1847 N. Royal Avenue with the following conditions:"

1. The applicant shall, comply with all requirements of the Virginia Department of Health and obtain all necessary permits prior to the commencement of the use.
2. The hours of operation for outdoor activities shall be submitted in writing to staff prior to commencement of use per 175-10.10-D-6.

NOTE: This is only a draft motion. Alternative motions are also welcome.

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Wells _____ Wood _____ Merchant _____ Marshner _____ Williams _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other



TOWN OF FRONT ROYAL **DEPARTMENT OF PLANNING & ZONING**

STAFF REPORT FOR THE FEBRUARY 15, 2023, PLANNING COMMISSION MEETING

APPLICATION #:

2300021

APPLICANT:

Jeffrey Kelble

SUMMARY OF REQUEST:

A request for a Special Use Permit to allow for a commercial outdoor recreation facility located at 1847 N. Royal Avenue. Outdoor recreation facilities are permitted only by Special Use Permit in the A-1 zone.

GENERAL INFORMATION:

Site Addresses	1847 N. Royal Avenue
Property Owner(s)	J & J Shores, LLC
Existing Zoning	A-1, Agriculture and Open Space Preservation District
Proposed Use	Outdoor Recreation Facility
Tax Identification	20A3-1-1 & 2
Location	The property is located at 1847 North Royal Avenue and is bordered to the north by the Shenandoah River. The property consists of over 12 acres of floodplain and riparian woodlands with direct access to the river, and proximity to Route 340 and Route 66. The entirety of the property included in this Special Use Permit request is contained within FEMA's "floodway" (about 1/3 of the property) and the flood zone (about 2/3 of the property).

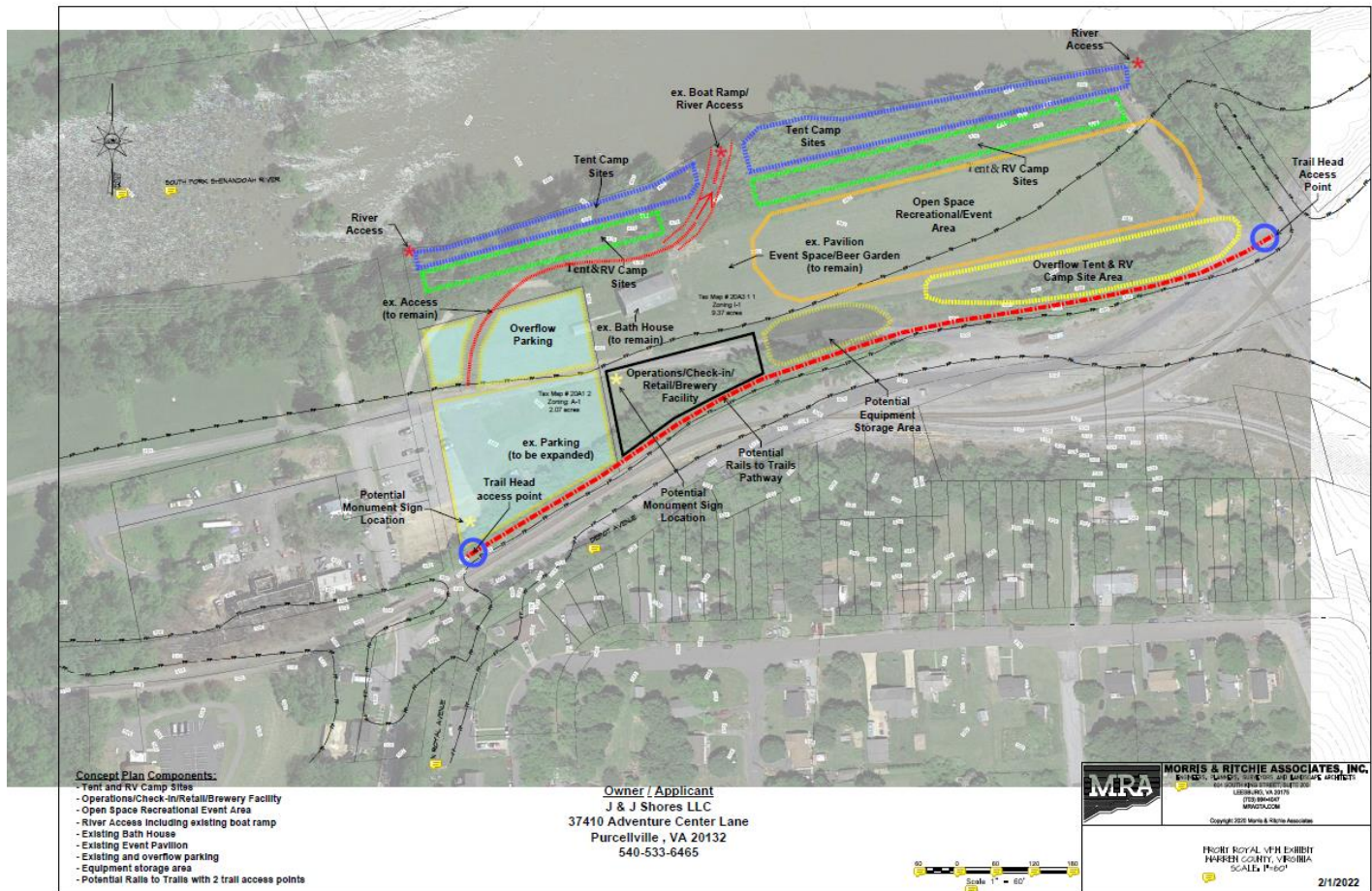
Vicinity Map (Warren County GIS)



Aerial (Warren County GIS)



Site Plan



INFORMATION ON THE APPLICATION:

Project Summary & Staff Recommendation

The applicant is proposing the following activities:

Canoe and Kayak Rentals with Shuttle: “We’d like to rent canoes and kayaks to guests, and include shuttling services upriver to Eastham Park, Karo Public Boat Landing or beyond, so guests can paddle back downriver to the North Royal Avenue Location. “

Canoe, Kayak and SUP Rentals: “During low water levels we’d also like to rent kayaks, canoes, and Stand-Up Paddleboards (SUPS) to be launched at the property for guests to explore downstream backwaters to Warren Dam and return to the launch site.”

Inner-tube Rentals: “Nothing says hot summer weather like taking a refreshing float down the Shenandoah in an inner-tube. The section of river from Eastham Park (Luray Avenue) down to North Royal Ave is perfect for early summer inner-tubing. The ledges, riffles and light rapids are sure to keep guests entertained as they enjoy a few hours on the river. We’d also like to develop shorter inner-tubing options for guests who would like a short trip, or when river levels become quite low and slow flowing in the summer, and this will require access to the river through private property. We are already in discussions with landowners between Luray Avenue and the North Royal Avenue properties.”

Camping: “Low impact rustic camping and light Camper camping would give guests the ability to recreate in and explore Front Royal for several days. Campers also feed the seasonal recreational business.

The effective peak season for river activity, from which most vehicle trips will be generated, is Memorial Day to Labor Day, about 15 weeks out of the year.

Campsites will be at least 30’ wide and 1600 square feet as required by code.”

Transportation/Parking: “During peak river activity days, considering the size of the property, and parking we would like to have the capacity to serve about 1000 river users in any one of our various river activities. At the Harpers Ferry Adventure Center our surveys showed that guests averaged about 3 people per



vehicle which in Front Royal, would translate into about 333 vehicles entering, and then 333 vehicles exiting, during our busiest handful of days per year. Those vehicle trips will be spread out between the hours of 8AM and 7PM. Most of the traffic between 8AM and 12 Noon will be incoming, and it switches over organically to most traffic departing between 2PM and 7PM. The facility will accept online reservations which will space out the number of cars entering and exiting the site throughout the day."

STAFF RECOMMENDATION:

Staff recommends approval with the following conditions:

1. The applicant shall, comply with all requirements of the Virginia Department of Health and obtain all necessary permits prior to the commencement of the use.
2. The hours of operation for outdoor activities shall be submitted in writing to staff prior to commencement of use per 175-10.10-D-6.

ATTACHMENTS: A. Application and associated documents from the Applicant
B. Email Communication Between John Ware & the Applicant
C. Email Communication Between Public Works & the Applicant



TOWN OF FRONT ROYAL

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
102 EAST MAIN STREET
P.O. BOX 1560
FRONT ROYAL, VA 2263

Main: 540.635.4236

Fax: 540.631.2727

www.frontroyalva.com

SPECIAL USE PERMIT REQUEST

FRSPU _____

APPLICANT:

NAME Jeffrey Kelble PHONE (540) 533-6465

ADDRESS 3155 Swift Shoals Road, Boyce, VA 22620

E-MAIL jeffcashbygapadventures.com

PROPERTY OWNER:

NAME J&J Shores, LLC PHONE (540) 533-6465

ADDRESS 3155 Swift Shoals Road, Boyce, VA 22620

E-MAIL jeffcashbygapadventures.com

PROPERTY DESCRIPTION

PROPERTY ADDRESS 1847 North Royal Avenue, Front Royal VA 22630

TAX MAP 20 SECTION A3 BLOCK 1 LOT 1 & 2 See Rezoning 5/13/2013

SUBDIVISION NAME _____ ACREAGE 10.66

REQUEST

ZONING DISTRICT A-1

PROPOSED USE OF PROPERTY Commercial outdoor Recreation

SPECIFIC SPECIAL USE PERMIT REQUEST Seasonal recreational facilities for fire "livery" use, i.e. inner tubing, canoe/kayaking, rafting, boat rental and campground

ATTACHMENTS --The following must be submitted with the application. Additional information may be required depending on the nature of the request.

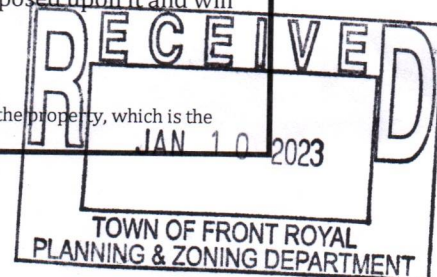
1. Survey/Plat of property showing all **existing** improvements.
(10 copies if larger than 11" X 17")
2. Site Plan Application (Pd)
3. Application Fee of \$400.00 (Pd) Receipt # 01001885407 Date Paid 1-10-23
4. Additional information as required by the Dept. of Planning & Community Development.

CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge and should the special use permit be granted, the project will comply with the conditions imposed upon it and will be implemented only as approved by Town Council.

Signature Jeffrey Kelble Date 01/10/2023

By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.



**J&J Shores Special Use Permit Application-Statement of Justification
To Town Council of Front Royal, VA
Completed: January 10, 2022**

Statement of Justification:

Front Royal is the Canoe Capital of Virginia and is bordered by a lovely piece of the South Fork Shenandoah, nationally recognized for its recreational beauty and fishing. Front Royal enjoys several businesses which cater to the Appalachian Trail and somewhat to river recreation, but doesn't yet have a full-fledged Livery/Outfitting business located on the river.

Our company J&J Shores recently acquired the VFW property and is asking the Town Council to consider, and approve a request for a special use permit to operate a river business at that location. The applicant has nearly three decades of experience in the river business, first starting with the launch and operation of Playing Hookie Guide Service in 1999, and more recently stood up and run Ashby Gap Adventures in 2019, based in Clarke County Virginia, which successfully provides scenic river tours, guided hunting and fishing. From 2021 through 2022 the applicants were also owners of the Harpers Ferry Adventure Center in Loudon County Virginia, which provided rafting, innertubing, kayaking, zip lines and camping to about 20,000 guests per year. It's our hope that the Town Council will view our experience and this site favorably and help us to acquire our special use permit to operate a Seasonal Outdoor Recreational Business.

Location:

For generations the property at 1847 North Royal Avenue along the Shenandoah River has been synonymous with local veterans and the VFW Chapter 1860. The property has been a gathering place and recreational destination for the Front Royal Community and beyond. It seems few people in the area haven't attended an event there in the pavilion, played or attended a football game or paddled and fished the river on the property. And we all mourned the loss of the VFW Chapter House at the hands of an arsonist. But the property is beautiful, we believe it's an asset to the Town of Front Royal and despite any adversity the site has experienced, it is charming.

More recently, as it became clear the veterans would be unable to rebuild their Chapter House, we were honored by their decision to sell their property to us, in order to attempt to establish a river based seasonal recreational business. It's our goal to continue to have the property serve as a gathering place for local residents, and a destination for tourists hoping to spend time in the country, in Front Royal, and on the Shenandoah River. We are also determined to support the VFW and have their ongoing presence on the property.

With over 12 acres of floodplain and riparian woodlands to work with, direct access to the river, and proximity to Route 340 and Route 66, this property appears to be well suited for the establishment of a local business to serve the regional community. As experienced river outfitters and camping managers we also feel we're well suited to quickly build a business that draws tourism and to receive a special use permit to create another outdoor recreational hub of activity that we expect will also support the local hospitality industry, restaurants and shops.

The property has only a single residential neighbors since effectively, it's completely cut off from the town by the Railroad grade and railroad. It's our intention to continue with, and further develop the property to enrich the town's recreational options for tourism related guests and residents alike.

Proposed activities:

Canoe and Kayak Rentals with Shuttle: We'd like to rent canoes and kayaks to guests, and include shuttling services upriver to Eastham Park, Karo Public Boat Landing or beyond, so guests can paddle back downriver to the North Royal Avenue Location.

Canoe, Kayak and SUP Rentals: During low water levels we'd also like to rent kayaks, canoes and Stand Up Paddleboards (SUPS) to be launched at the property for guests to explore downstream backwaters to Warren Dam and return to the launch site.

Inner-tube Rentals: Nothing says hot summer weather like taking a refreshing float down the Shenandoah in an inner-tube. The section of river from Eastham Park (Luray Avenue) down to North Royal Ave is perfect for early summer inner tubing. The ledges, riffles and light rapids are sure to keep guests entertained as they enjoy a few hours on the river. We'd also like to develop shorter inner-tubing options for guests who would like a short trip, or when river levels become quite low and slow flowing in the summer and this will require access to the river through private property. We are already in discussions with landowners between Luray Avenue and the North Royal Avenue properties.

Camping: Low impact rustic camping and light Camper camping would give guests the ability to recreate in and explore Front Royal for several days. Campers also feed the seasonal recreational business.

Potential Future Activities (Not Being Requested In This Application):

Rail To Trail Program: There has been strong progress by conservationists to acquire the Norfolk Southern Railroad line from Front Royal to Broadway VA, with the goal of establishing a Rail To Trails assert. If this project were to receive funding, it is estimated that the trail would see approximately 700,000 users averaging one day of use, per year. We have committed to provide and allow for the public to use this property to access the Rail to Trail assets and have sketched in a potential path through our property for rail to trail guests to use. We've also met often with the Andreae's who own the upstream riparian property, and understand they're working to donate their land so that it can serve the rail to trail project with parking, and an open space park.

Limited Brewery: With 12 acres to play with, we can set aside 50% of the property for open space, grow choice ingredients to be used to brew beer, and build an amazing and unique brewery right near the heart of town, serving guests of our business, guests of the Rail To Trail asset and guests of the Town.

Transportation Needs:

If we are successful obtaining a special use for seasonal recreation, we hope to offer a variety of river recreational options ranging from on-site boat rentals, to offsite rentals/shuttle services for river-inner-tubing, canoeing and rafting. Each of these potential uses requires its own type of transportation in order to service the guests.

On-site boat rentals require no offsite transportation of guests since guests will launch their boats from our private river access point, paddle around in the slow portion of the Shenandoah adjacent to the property, and take out at the same location. This option will be available seasonally during low

water/slow flow conditions. Guests would enter the property, and park in our parking lot or at their campsite using their own vehicle.

Offsite tubing, canoeing and rafting would require transporting guests upstream to a variety of river access points. If the service patterns mirror those we see in our business in Harpers Ferry then we'll be transporting people in buses and vans, and also possibly "hay-wagon" style vehicles if we can establish a short tubing run using our property, and/or the Andreae's upstream property which effectively, has a half mile of river access.

Our buses would be DOT certified and as we grow we'd expect they'd be managed by a Transportation Manager. Our vans are also kept up to date with mechanical and cosmetic repairs. Most of the time buses and vans are pulling trailers behind containing the recreational boat of choice. Guest participating in this business will enter the property and park in our parking lot or at their campsite. Once signed-in, they will load themselves onto the transportation vehicle appropriate to the activity and be taken to the put-in. In almost all cases only **one** transportation event will be required per guest, since guests will navigate the river until they reach our take-out, at which point their trip is over and they are able to leave the property using their own vehicle. An understanding of this scenario is useful in calculating the number of vehicle trips estimated to occur in a day/hour.

Vehicle Trips

In this industry, vehicle trips will fluctuate greatly over the course of the season. The effective peak season for river activity, from which most vehicle trips will be generated, is Memorial Day to Labor Day, about 15 weeks out of the year.

Refining that generalization, Saturday is the busiest day of each week, followed closely by Sunday, and if the same dynamic occurs in Front Royal as has developed in Harpers Ferry, there will be 8-10 busy Saturdays per year, and 8-10 busy Sundays. Weekday traffic is about 1/5 of that on the weekends and will also be heaviest during 8-10 weeks of the year. Innertubing drives the highest volume of business, and innertubing is popular from the third week of June through the third week of August, about 8 weeks.

During peak river activity days, considering the size of the property, and parking we would like to have the capacity to serve about 1000 river users in any one of our various river activities. At the Harpers Ferry Adventure Center our surveys showed that guests averaged about 3 people per vehicle which in Front Royal, would translate into about 333 vehicles entering, and then 333 vehicles exiting, during our busiest handful of days per year. Those vehicle trips will be spread out between the hours of 8AM and 7PM. Most of the traffic between 8AM and 12 Noon will be incoming, and it switches over organically to most traffic departing between 2PM and 7PM. It should also be stated that peak traffic activity occurs between 10AM and 4PM, with very few people (Stragglers on the river) only leaving after 5PM.

Transportation Routes:

We anticipate needing an array of transportation routes to deliver our guests upstream, depending on what river trips become popular and whether the river levels and current flow are high/fast or low/slow. Here is a summary of our anticipated "put-in" locations for upriver trips (See Addendum for proposed/possible transportation routes through town):

A) Private river access on the property upstream of VFW Property, currently owned by the Andreaes. For this put-in we expect to use a hay-wagon trailer pulled by an off-road vehicle, or a “walk and put yourself in the river” option common in state and national parks. We would select the quietest and least intrusive option for this trip (approximately ¾ mile river trip)

B) As yet defined private put-in somewhere between Eastham Park and North Royal Avenue. A Half Way Point if you will (approximately 1.5 mile river trip)

C) Eastham Park/Luray Avenue Boat Ramp (approximately 3 mile river trip)

D) Gooney Creek/Karo, a VA DWR managed public river access (approximately 9.5 mile river trip)

E) Shenandoah River State Park (approximately 15 mile river trip)

F) Bentonville “Low Water Bridge”, Indian Hollow Road (approximately 18 mile river trip)

All of these upriver put in locations except option A require transportation on public roads and we’ve mapped what we feel are the safest and least disruptive routes. All commercial vehicle routes begin by leaving the property into North Royal Avenue heading south, passing under the railroad overpass, proceeding to the intersection of North Royal Avenue and Route 340, turning right (to avoid having to cross) on to route 340 and then proceeding to the subsequent routes serving each put-in. This initial portion of the route avoids the smaller neighborhood roads near our property, and attempts to minimize local disruption, and difficulties getting onto and off of Route 340. We will also attempt to route as many of the trips returning to the the Property so that our vehicles are proceeding northbound on Route 340 and turning right onto North Royal Avenue to again, avoid congestion and the complicated intersection between North Royal Avenue and Route 340.

In order to further concentrate traffic onto North Royal Avenue, we will provide reservation based guests (90% or more of the activities in Harpers Ferry are by reservation) directions which will lead them in and out of our business through the intersection of North Royal Avenue and Route 340, again in an attempt to limit local traffic in the neighborhoods.

Transportation Through the Railroad Underpass

We have been advised to address the one-lane railroad underpass on Royal Avenue which lies between 340 and our proposed place of business, in this special use request. To inform our thinking, and our proposal, we’ve studied a similar (yet more complicated) underpass on Bakerton Road in Bolivar WV. During the summer, three river outfitters, one campground and thousands of residents use a similar one lane underpass to drive their cars through. We estimate that in addition to the residents which are isolated between the railroad and the river, several hundred campers staying at the Harpers Ferry Campground, the three outfitters transport approximately 1000 inner-tubers, and 500 whitewater rafters underneath that single lane overpass between 9AM and 3PM each busy day. Just like would happen in Front Royal, the tubers and rafters are in buses and vans. In over 20 years of operation using this single lane underpass, we haven’t observed a backup of more than three or four cars in any direction, even during peak weekend hours, in this underpass in Bolivar. From that we deduce that we would also not see a backup in the underpass on North Royal Avenue even during our busiest times.

To understand this capacity, we filmed the Bolivar underpass during busy hours. The Bolivar underpass is more complicated than the North Royal Avenue underpass because the Bolivar underpass meshes

traffic from three directions. Northbound traffic drives straight through, while southbound traffic is made up of east and west bound traffic that mesh at a stop sign, then drive south. Further complicating things, due to approach angle everyone is “blind” going through the underpass and instead of relying on visual line of site cues for when drivers can proceed, they use a system of mirrors and signals. Even with these complications, we observed vehicles moving through the underpass at a rate of between 4 and 10 cars per minute, which translates to 240 to 600 cars per hour in capacity. The differences depended on whether cars were driving in a “train” formation following each other in one direction through the underpass, or whether they had to alternate between northbound and southbound travel for each car.

Using those numbers, if the business operating on the J&J Shores property were to experience heavy periods of use, and even if the rail-to-trail system became a reality, we can’t contemplate how the underpass would exceed the need to accommodate more than 240 cars per hour, which was the low number we observed passing unaided through the Bolivar underpass. In our experience at the Harpers Ferry Adventure Center business, each car that comes to participate in one of our activities holds an average of 3 recreational guest users. So in essence the bridge underpass would be able to serve no fewer than 720 (240 cars x 3 people per car) recreational users guests per hour, or nearly 6,000 users in an 8 hour day, far and away exceeding even our proposed maximum parking capacity of our river business.

Transportation Conclusion:

We performed these somewhat extensive traffic analyses in order to anticipate and address what would be natural concerns over traffic issues associated with:

- 1) traffic backups at the underpass
- 2) traffic through the small neighborhood side roads
- 3) guests cars being “trapped” between the railroad and the river in the event of flooding.

We remain open to constructive feedback on how we might even better address these three traffic concerns.

Flooding Potential:

The entirety of the property included in this special use permit is contained within FEMA’s “floodway” (about 1/3 of the property) and the flood zone (about 2/3 of the property).

Minor Flooding. Based on statistical analysis of historic flooding on the South Fork Shenandoah, we are planning for the property to experience minor floodwater encroachment as frequently as once per year. At these levels the “lower” half of the property closest to the river would be covered in several feet of water. The primary action to be taken during minor flooding is to remove any mobile business equipment within the lower floodway, alert guests of the pending river rise, and remove campers from the small camping areas set aside along the river.

Moderate to Major flooding. Defined as a 100 year flood, would inundate the entire property with water over 10 feet high. This is the scenario which requires the greatest level of action. The last 100 year flood was 1996 in which case the water rose to reach what would be the pavilions ceiling level and in 100 years we’ve reached this approximate level three times, 1996, 1985, and 1942. All of these events would require removing guests and their vehicles and gear. Using all of the information recorded and analyzed by the National Weather Service ([This Link Provides the Entire National Weather Service Analysis](#)) around the 1996 Hurricane Fran flooding, we learned that residents and river users had between 38 and 50 hours of warning between when peak rains occurred and peak

flooding was reach. For a Seasonal Recreation Business, we would have been watching Hurricane Fran and changing business operations nearly a week out.

This Quote Is Pulled From the Page Linked above, from the National Weather Service Analysis of the Flooding from 1996 Hurricane Fran.

Predictability

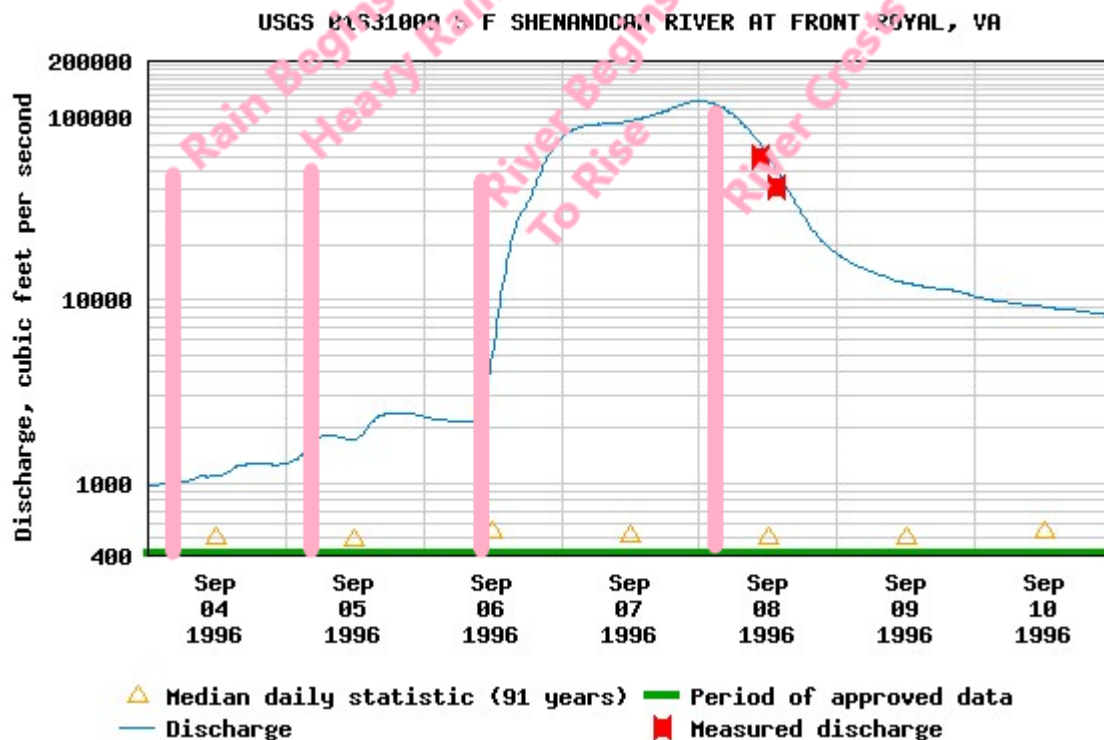
A full 24 hours before flooding began in Virginia, the Sterling NWS office issued an updated flood watch with strongly worded information, stating:

“Even heavier rains are likely later tonight and Friday as the remnants of Hurricane Fran approach the region. This may result in catastrophic flooding in some locations . . . particularly over the Piedmont and mountains of West Virginia.”

Warnings for the Potomac River were very timely, providing more than 12 hours lead time before flood stage was reached, and between 38 and 50 hours lead time prior to the peak level. This afforded people in Point of Rocks enough time to rent trucks and trailers to move belongings from the flood plain before flooding occurred.

Rains began falling in the Shenandoah on Wednesday September 4th, and the heaviest rains came Thursday September 5th and Friday September 6th. The strongly worded flood warning quoted above was issued Thursday afternoon September 5th, fully 24 hours before the river even began to rise, 36 hours before flood stage was reached and more than 48 hours before the river crested.

Furthermore, the South Fork Shenandoah River is a main stem river, not a tributary and so it is not subject to meaningful flash flooding, certainly not to the extent that would inundate the grassy areas of the property requiring evacuation. The river will conceivably always have 24 or more hours of warning before a flood event occurs, in this area. We provided the USGS graph of the river flow on the South Fork Shenandoah at Front Royal in the days leading up to the flooding form Hurricane Fran (as discussed) in 1996 to provide a visual representation of the rise in water level more than 24 hours after heavy rains set in.



For temporary evacuation and storage of vehicles there are many dozen on street parking options in the network or roads directly in the vicinity of the property, which remain unused at all times, according to dozens of observations over a 15 month period. Parking in these locations due to flooding would be a “once in a decade” event, and would be for 24 hours or less. In the unlikely event the on-street parking option doesn’t work, the Walmart business within two miles has an enormous excess of parking spots available and they famously allow RV overnight parking, and will be our back-up contingency. Outside of those two options the applicant owns private property in Clarke County Virginia within 20 minutes where dozens of vehicles could be parked.

Waste Disposal

The property and buildings are blessed to already be served by public water and sewer. There is currently existing a bath house with 4 toilets and two urinals within a bath house style building. Short of any infrastructural issues with water or sewer service experienced by the Town, we don’t expect issues with sanitary waste disposal. It is our intention to augment our bath house toilet facilities with portable units during the peak season.

For trash, the property owner J&J Shores, LLC currently has an account with the town for municipal waste disposal. If this proves to be insufficient in quantity or timing of pickup, we will contract with a company to have a commercial dumpster and removal services (like we do at the Harpers Ferry Adventure Center)

Preserving Views from Route 340

Front Royal is developing very nicely as a tourist destination and it’s important to preserve views and appearances. The drive on Route 340 South over the North and South Forks of the Shenandoah are a wonderful and beautiful entrance to Front Royal, and is worth preserving. Our property is approximately a quarter mile from 340, and lies on the South bank of the South Fork Shenandoah. From the bridge, while entering the town, if you look left (East) at the very last minute you can catch a very glimpse of portions of the property we are proposing to use for river activities. Much of the view is blocked by the mature line of trees that literally runs 50-100 feet deep along the entire South Fork. Additionally there are several large mature trees on the West side of the property that diminishes the view from the bridge.

However, for portions of the site that are in view, our plans for the site are such that we aren’t proposing any large lit signs or large buildings, but instead propose a short, modest sized sign in the range of 6-10 feet wide and no more than 10 feet off the ground, that we don’t believe are going to be visible from Route 340. Additionally, we expect to store boats neatly on trailers or in containers at all times. Our property is vast compared to the area we may develop and the extent of view effects will come from parked cars and/or one or two event style tents set up for shade and rain protection of guests.

Daily Operation, Flood Action Plan

Again, we rely on the Harpers Ferry Adventure Center to inform us how to best operate at this Front Royal Location. HFAC directs half of It’s tubing business in the summer to an off-site location in Millville West Virginia, a satellite location if you will. During the summer Millville serves up to 1000 tubers. It is this Millville location that we will emulate in Front Royal.

Our experience running the Millville flatwater tubing operation applies here because Millville is entirely in the Shenandoah’s Floodway, and we run the entire Millville operation out of mobile trailers, mobile

containers, and a few shade tents, as we're proposing to do in Front Royal. With over 90% of guests reserving their activity at least by the day before, this allows us to efficiently process guests through check-in and check-out, provide equipment and transport guests to and from their activities efficiently without being slowed down or without needing interior office space to process reservations. The Front Royal site has a distinct advantage over Millville in that the amount of property is much greater, it has a bath house (which Millville does not) and there is a 40' by 80' covered pavilion that can serve several hundred guests comfortably in the event of poor weather or hot sun.

Additionally, by having our business assets in mobile vehicles, we are always in the position to protect our business assets in anticipation of flooding.

Flood Action Plan

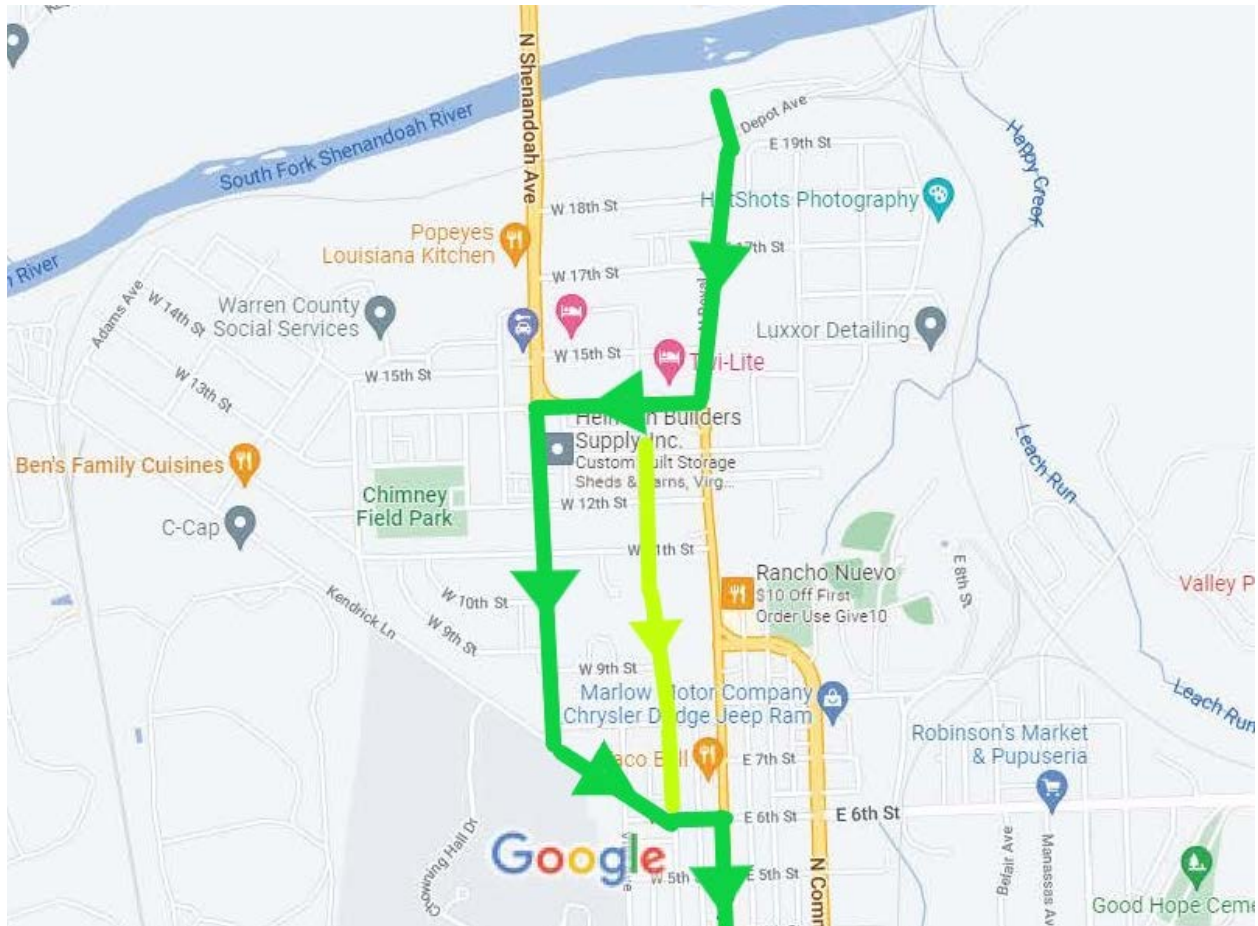
In the event of flooding we will initiate our flood action plan which involves the following steps

- Identify the location of all guests on the river and on the property in order to provide instructions for ending their activity, and leaving the property, according to the type of activity they are involved in
- Guests on the river will need to complete their activity by finishing their trip to the property, or stop and take out at an intermediary river access point as they pass them.. Then they will be instructed to depart from the property within a given time frame.
- Camping or on-site guests will be informed of the risk of flood and given a window of time to get their gear in order and to leave the property until flooding risk passes.
- Staff will scour the entire property including all areas along the river to make sure we've found and connected with all guests, and communicate the above evacuation request. Parking lot will be monitored as indication of guests not yet found or evacuated
- If there are more than 100 cars on property then staff will position themselves at the railroad underpass in order to direct traffic one way exiting the floodplain area.
- Mobile business assets at risk of being flooded will be relocated to high ground near where the original VFW headquarters was positioned, or nearby pre-determined parking lot in the event of a major flood.
- If necessary first responders will be contacted in the event assistance is needed to find guests or evacuate.
- It should be noted that it's highly unlikely that we'll have guests on the river during a main stem river flooding event. These events are normally associated with snow melt (not likely during the season) or tropical low systems that we would be tracking vigilantly and nearly constantly. During the season, we are monitoring water levels, and weather, always on a daily basis, often on an hourly basis. As shown earlier in our application, flood waters take at least 24 hours from peak rains to reach Front Royal and none of our proposed river activities take more than 6 hours to complete. During periods where heavy rains are predicted, we are very used to moderating or curtailing the length of activities our guests participate in. And so while not impossible, it's highly unlikely that with multiple redundant precautionary systems in place that guests will be on the river during river flooding. It is our goal for that never to happen and in 25 years of operation in Harpers Ferry there hasn't been a single occurrence.

[illegible]

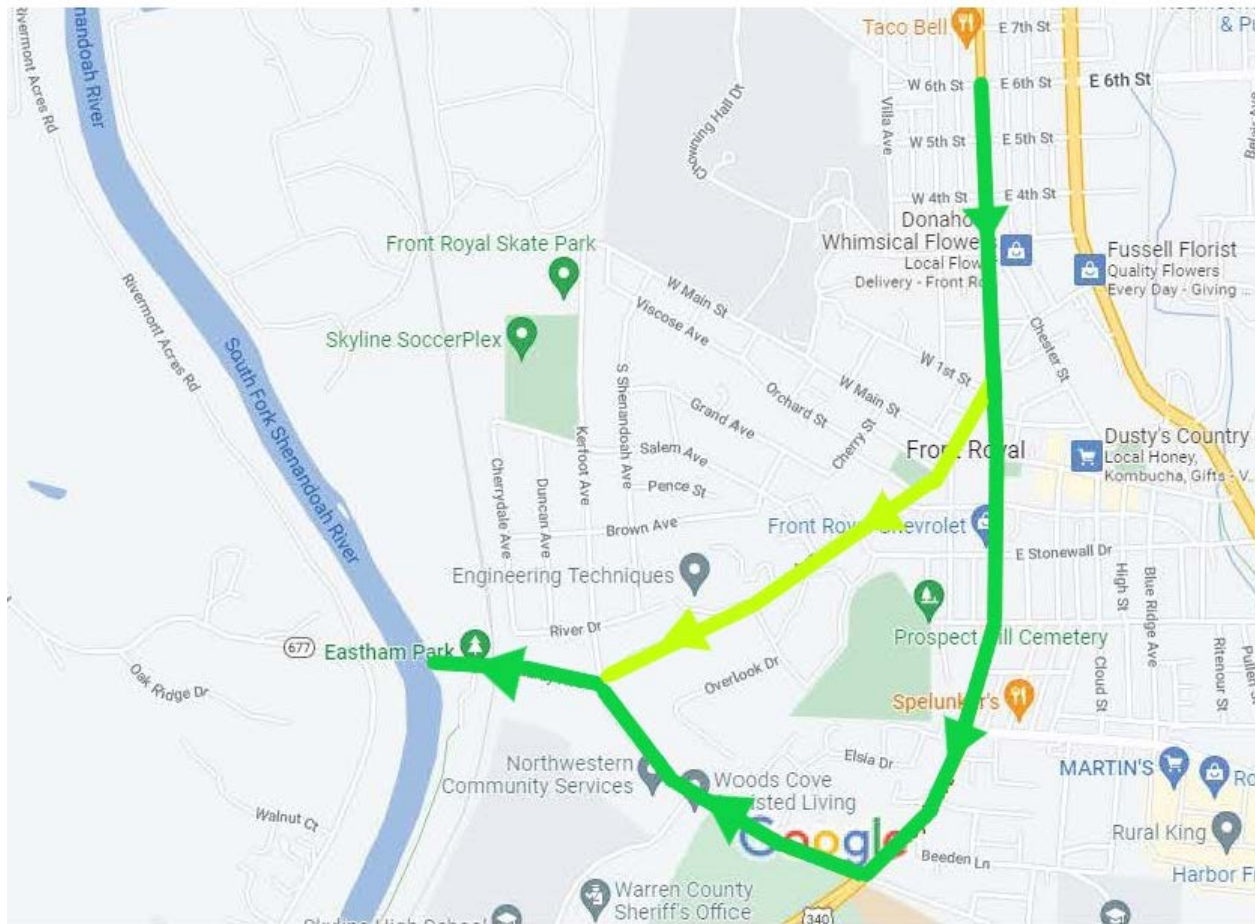
Map Of Entire Route to Luray Avenue/Eastham Park River Access

- Dark Green Route is Proposed
- Light Green Route is Optional
- Red Route Continues to Upriver Access Points: Karo, Shenandoah State Park, Bentonville etc.



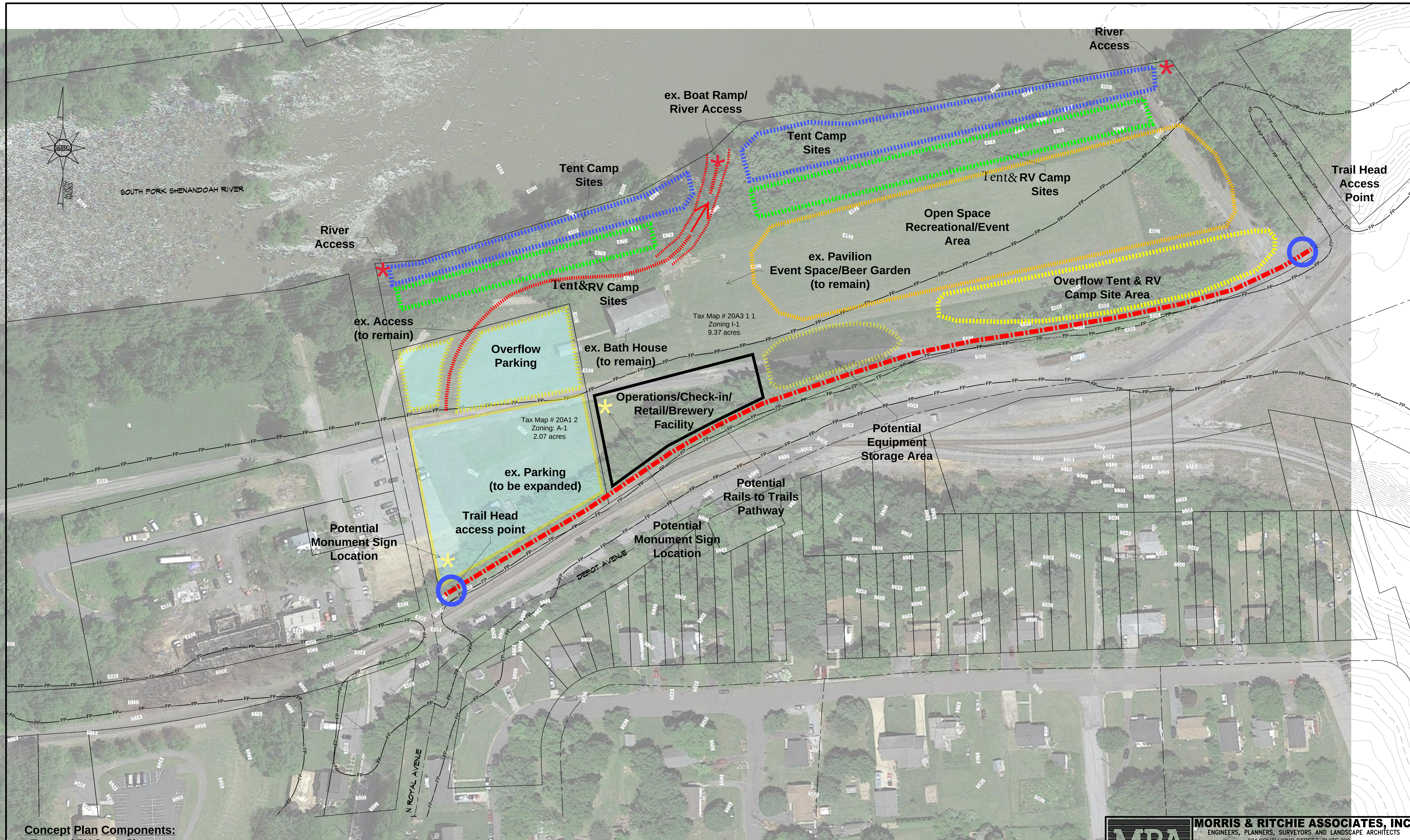
(Closeup) Map Of First Part Of The Route to Luray Avenue/Eastham Park River Access

- **Dark Green Route is Proposed**
- **Light Green Route is Optional**



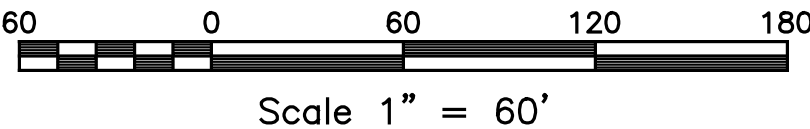
(Closeup) Map Of 2nd Portion of The Route to Luray Avenue/Eastham Park Access

- **Dark Green Route is Proposed**
- **Light Green Route is Optional**



- Concept Plan Components:**
- Tent and RV Camp Sites
 - Operations/Check-in/Retail/Brewery Facility
 - Open Space Recreational Event Area
 - River Access including existing boat ramp
 - Existing Bath House
 - Existing Event Pavilion
 - Existing and overflow parking
 - Equipment storage area
 - Potential Rails to Trails with 2 trail access points

Owner / Applicant
J & J Shores LLC
 37410 Adventure Center Lane
 Purcellville , VA 20132
 540-533-6465



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 MRAGTA.COM

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FRONT ROYAL VFW EXHIBIT
 WARREN COUNTY, VIRGINIA
 SCALE: 1"=60'

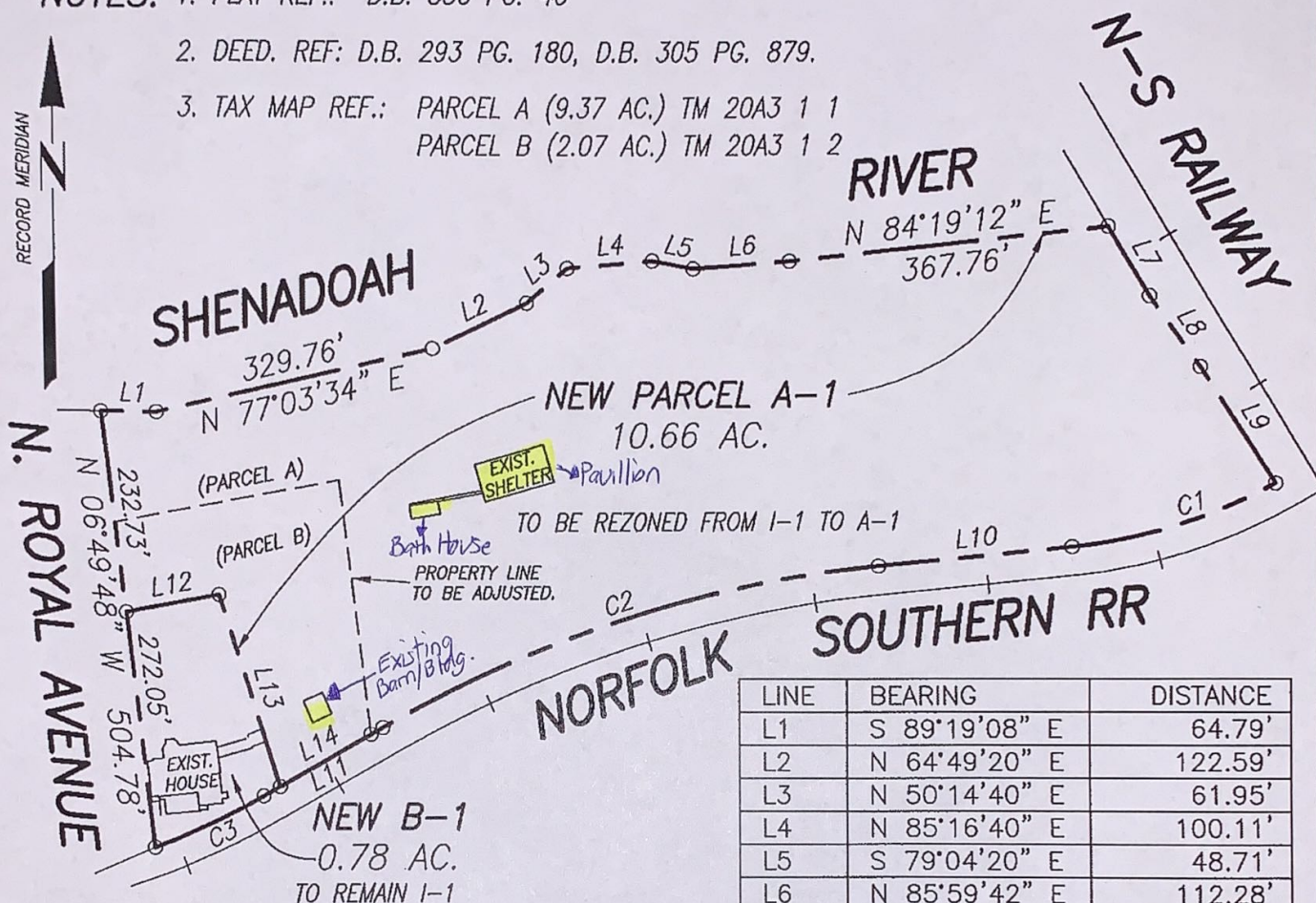
2/1/2022

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	604.27'	244.22'	242.56'	S 72°51'30" W	23°09'23"
C2	1465.69'	613.95'	609.47'	S 72°26'56" W	24°00'00"
C3	848.95'	139.79'	139.64'	S 65°09'06" W	09°26'05"

NOTES: 1. PLAT REF.: D.B. 336 PG. 46

2. DEED. REF.: D.B. 293 PG. 180, D.B. 305 PG. 879.

3. TAX MAP REF.: PARCEL A (9.37 AC.) TM 20A3 1 1
PARCEL B (2.07 AC.) TM 20A3 1 2



METES AND BOUNDS SHOWN HEREON
BASED ON DEEDS OF RECORD AND IS
NOT THE RESULT OF A CURRENT
BOUNDARY SURVEY.



LINE	BEARING	DISTANCE
L1	S 89°19'08" E	64.79'
L2	N 64°49'20" E	122.59'
L3	N 50°14'40" E	61.95'
L4	N 85°16'40" E	100.11'
L5	S 79°04'20" E	48.71'
L6	N 85°59'42" E	112.28'
L7	S 30°50'48" E	92.21'
L8	S 35°08'10" E	100.28'
L9	S 32°33'54" E	158.99'
L10	S 84°26'10" W	224.00'
L11	N 60°26'10" E	143.28'
L12	N 79°37'12" E	110.10'
L13	S 17°34'38" E	231.26'
L14	N 60°26'10" E	121.35'

ZONING PLAT

COL. SAMUEL R. MILLAR
POST 1860, INC., VFW

TOWN OF FRONT ROYAL
WARREN COUNTY, VIRGINIA

DATE: 20 FEBRUARY 2013

SCALE: 1" = 200'

0' 200' 400' 600'



From: [Lauren Kopishke](#)
To: [Connie Potter](#)
Subject: FW: J&J Shores Campground
Date: Thursday, February 9, 2023 12:58:34 PM
Attachments: [Campgrounds.pdf](#)

We need to include this in the PC packets

From: Jeff Kelble <jeff@ashbygapadventures.com>
Sent: Thursday, February 9, 2023 11:09 AM
To: John Ware <jware@frontroyalva.com>
Cc: Lauren Kopishke <lkopishke@frontroyalva.com>
Subject: Re: J&J Shores Campground

Yes John, simple answer. Naturally all acquire all permits and licenses and inspections necessary to meet state health codes. I'm quite familiar with them.

Campsites will be at least 30' wide and 1600 square feet as required. I haven't decided if they're all going to be completely primitive/rustic or if a portion will be rented and advertised as having access to the bath house, but a sinks and showers are not required for primitive/rustic sites, just toilets, and they provide a ratio chart to guide campground owners as part of the permit.

On thing that I want fo be clear is that parking for the rustic sites may or may not be near or next to the campsites. If parking is near it will likely be in the areas outlined as potential RV reserve. The campsites will mostly likely all be along the river front or on the edge of the wood line.

Jeff

Sent from my iPhone

On Feb 7, 2023, at 12:15 PM, John Ware <jware@frontroyalva.com> wrote:

Jeff,

The Special Use Permit for the Seasonal Recreational Facilities are subject to section 175-10.10.B of the Town Code (see attached). Under Section 175-10.10.B.5, it states that "Campgrounds, and similar facilities, shall comply with all the requirements of the Virginia Department of Health". The Planning Commission is questioning the size of campsites, parking availability and other requirements of the VDH.

I'm assuming you will apply to the VDH for the valid permit after approval of the SUP?

*John M. Ware, ESCA0307, SWPA0226, CZO
Deputy Zoning Administrator / Town Planner I*

From: [Robbie Boyer](#)
To: [Jeff Kelble](#); [Carol Buffa](#)
Cc: [Connie Potter](#); [Karen Williams](#)
Subject: RE: Public Works Information Request
Date: Thursday, February 9, 2023 8:57:37 AM
Attachments: [image001.png](#)

Jeff,

I responded below to each comment if you have any other questions or need anything else just let me know.

Thanks,

Robert B. Boyer
Director of Public Works
Town of Front Royal Public Works
PO Box 1560
800 Crosby Rd-Extended
Front Royal, VA 22630
540-635-7819 (P)
rboyer@frontroyalva.com
www.frontroyalva.com

From: Jeff Kelble <jeff@ashbygapadventures.com>
Sent: Friday, February 3, 2023 4:26 PM
To: Carol Buffa <cbuffa@frontroyalva.com>
Cc: Robbie Boyer <rboyer@frontroyalva.com>; Connie Potter <cpotter@frontroyalva.com>
Subject: Re: Public Works Information Request

Hi Robbie,

I'm sorry I missed you by phone earlier today. I called because I sat down to answer your questions and wanted to make sure my answers were most useful and most accurate to help your department with planning. I have preliminary thoughts but would find it helpful to talk so I can be sure I'm answering the questions properly. Until then here are my thoughts:

Will there be any changes to the existing utilities to meet new utility demands?

[My answer to this question may be uncertain due to unknown and un-anticipatable future business needs, and I'd hate to say I'm never going to need to change anything. That being said, for the purposed of this application I plan to make use of, and make due with, the existing water, sewer and electrical infrastructure. The existing infrastructure is what made this property desirable to purchase in the first place, which appears "out of the box" to be able to support the seasonal recreational uses I'm seeking permission to conduct".](#)

We were just curious if the existing 1" domestic water service would be enough to cover the demand, if there's any changes to the utility tap size then a In-town utility application would be needed.

Will the RV campsites have water and sewer connections or be dry camping only?

To be clear, I'm not proposing to create an RV park like the property recently rezoned for Mr. Poe, upriver next to the old Avtex property . My interests in outlining areas for RV's is that in my experience, we will receive requests from people on the road in RV's who want to be able to park their RV's and stay a few nights, while they participated in the recreational activities, and I'd like to be able to accommodate them. So I'm proposing dry camping at this time, with no development of decentralized water or sewer hookups. Naturally, we want to be able to make our bath house facilities accessible to anyone using the property which would include use of water through the faucets or a spigot/hose.

That's what we wanted to confirm that there won't be RV's connecting to the existing utility services there at this time because of the of existing utilities there.

Will the bath house be expanded to meet the new usage on site and will there be any other on site bathrooms?

[I am not proposing to expand the bath house at this time. I am also not proposing to build any other bathrooms on the site at this time. However I do anticipate the potential need to utilize portable bathroom facilities to accommodate peak usage periods on the property, to reduce the reliance on the bathhouse and to serve guests who might be camping further from the bathhouse than is convenient to walk at night.](#)

That sounds good, we just want to make sure the existing utilities on site can handle the demand of what's purposed, the existing utilities used to run the bath house and the main building that used to be there.

The underpass to access this property is only 12' wide under the railroad Trussell and is the only way to access the property currently.

[Well understood. I have experience operating a river outfitting business that relies on passing under a very similar underpass on Bakerton Road in Bolivar WV \(Harpers Ferry Area\). In my special use permit request I articulated a study that I performed of the Bakerton Road underpass making note of and traffic patterns and capacities. Even during my peak few days of the year, my anticipated traffic levels are at maximum, about 25% of what the underpass can accommodate without any form of traffic monitoring or a person conducting traffic.](#)

We mentioned the 12" access width because we know the Fire Marshall normally requires 16' if possible, I know with the trussell there it's very limiting.

Jeff

On Wed, Feb 1, 2023 at 8:37 AM Carol Buffa <cbuffa@frontroyalva.com> wrote:

Good morning,

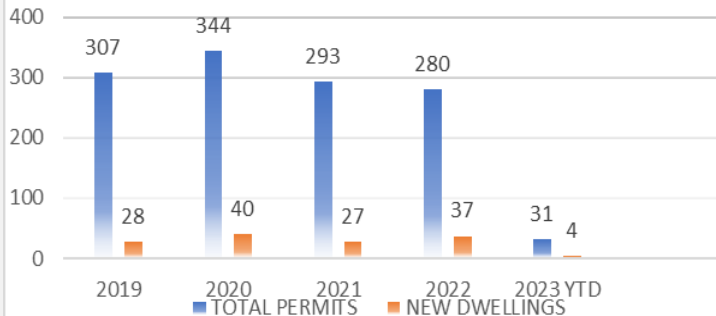
I am forwarding you comments and questions from our Public Works Department regarding your Special Use permit. Please respond accordingly. You can reach Public Works at (540) 635-7819 if you have any questions or concerns.

PLANNING/ZONING DEPARTMENT - JANUARY 2023

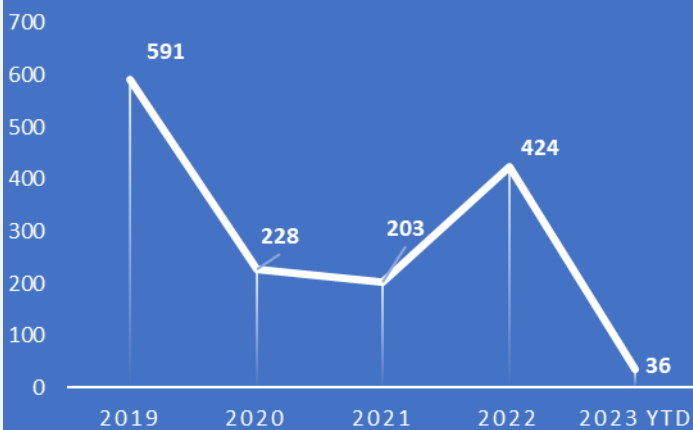
● GENERAL INDICATORS

	2019	2020	2021	2022	2023 YTD	January
Zoning Permits	307	344	293	280	31	31
Code Enforcement Cases	591	228	203	424	26	26
Land Use Applications	19	26	29	56	3	3
Code Amendments	1	1	7	2	0	0
Sign Permits	52	39	47	41	10	10
Business Licenses	186	151	172	155	14	14
Short-Term Rentals	N/A	N/A	1	13	0	0

PERMIT TOTALS 2019 - 2023



TOTAL CODE CASES 2019 - 2023



SPECIAL PROJECTS UPDATES/NEWS

- **Comprehensive Plan Rewrite:** Summit provided a Final Version of the Comprehensive Plan on November 30, 2022. The Planning Commission held a Public Hearing on December 21, 2022, and the PC voted to take it back to a work session on January 4, 2023.
- **FRZORDAM-003111-2022:** Data Center Text Amendment is currently on hold.
- **Chapter 175 and 148 Rewrite:** Discussion held with summit regarding the rewrite.
- **Capital Improvement Plan (CIP)** – At their regular meeting on January 18, 2023, the PC forwarded a recommendation of approval to Town Council.

- **BAR** – The Board of Architectural Review met for one (1) regular meeting and one (1) on-site meeting in January for a partial demolition at 415 E. Main Street. The application was approved for a partial demolition by the BAR.
- **BZA** - The Board of Zoning Appeals did not meet in January.

- **PC** – In January the Planning Commission (PC) held one regular meeting and one work session. At their regular meeting the PC recommended approval of one (1) Special Use Permit for a ground floor dwelling unit at 437 S. Royal Avenue. There was a tie vote on a Rezoning Application for the conditional rezoning of approximately 43.9 acres from the R-E District to the R1-A District located at 835 Shenandoah Shores Road, therefore the motion died and was forwarded to Town Council without a recommendation. In addition the PC forwarded a recommendation of approval to Town Council for the 2024-2028 Capital Improvement Plan. The PC approved one (1) agenda item to be advertised for public hearing in February. Discussion at the work session was for one (1) Special Use Permit Application, one (1) Rezoning Application, the Capital Improvement Plan (CIP) and the Comprehensive Plan Rewrite.

TOWN OF FRONT ROYAL

DEPARTMENT OF PLANNING & ZONING



2022

ANNUAL REPORT

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PLANNING STAFF

Lauren Kopishke
Director of Planning and Zoning
August 2, 2021 – Current

John Ware
Deputy Zoning Administrator/Planner I
November 15, 2021 - Current

Monica McClure
Property Maintenance Official/Code Enforcement
December 20, 2021 - Current

Connie L. Potter
Executive Assistant/Board and Commissions Clerk
January 17, 2006 - Current

Carol Buffa
Planning Technician
October 3, 2022

TOWN OF FRONT ROYAL PLANNING COMMISSION

The Planning Commission is established in accordance with an ordinance adopted by the Front Royal, Virginia Town Council on October 8, 1934, and in accordance with Title 15.2, Chapter 22, Article 2, Code of Virginia (1950), as amended.

The purpose of the commission is to serve in an advisory capacity to the Front Royal Town Council on all matters relative to the growth and development of the Town of Front Royal.

In 2022, the Planning Commission held eleven (11) regular meetings, fifteen (15) work sessions and two (2) joint work sessions, and one (1) special meeting. The following pages list applications reviewed by the Planning Commission in 2022.

Douglas Jones.....Term Expires August 31, 2022
Appointed September 22, 2008
Chairman April 15, 2020 – February 16, 2022

Connie Marshner.....Term Expires August 31, 2023
Appointed March 28, 2016
Vice Chairman February 17, 2022 – Current

Darry G. Merchant.....Term Expires August 31, 2023
Appointed June 11, 2018
Chairman February 16, 2022 – Current

William C. Gordon, Vice Chairman.....Term Expires August 31, 2024
Appointed January 14, 2019
Resigned October 21, 2022

Joshua IngramTerm Expires August 31, 2025
Appointed February 22, 2021
Resigned December 30, 2022

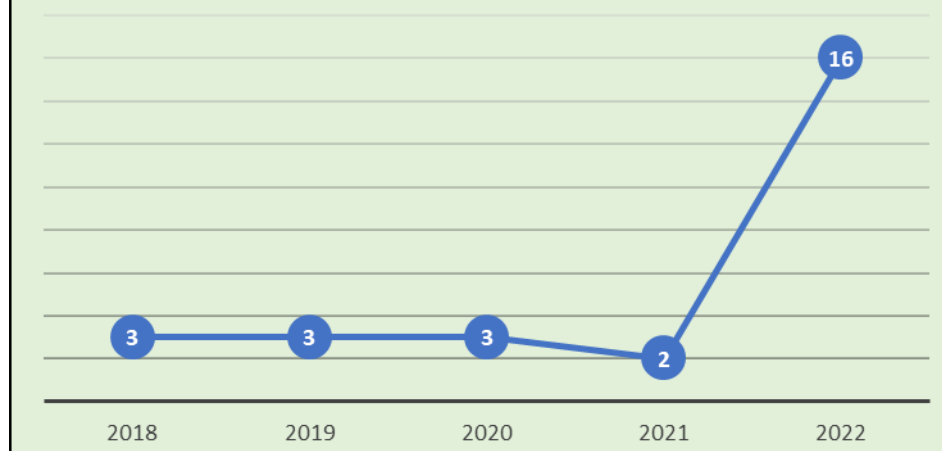
Daniel S. WellsTerm Expires August 31, 2026
Appointed August 29, 2022
Filled Douglas Jones Vacancy

Glenn E. Wood.....Term Expires August 31, 2024
Appointed December 12, 2022
Filled Unexpired Term of William C. Gordon Appointed 12-12-2022

2022 SPECIAL USE PERMITS REVIEWED BY PLANNING COMMISSION		
DATE OF MEETING	APPLICANT	STATUS
February 16, 2022	FRSPU3016-2021, A Special Use Permit application submitted by Poe's River Edge, LLC requesting permission to operate a commercial recreation facility identified by Tax Map 20A1-3-5A1.	Recommendation of Approval w/ Conditions.
June 15, 2022	FRSPU3087-2022, A Special Use Permit application to allow a Short-Term Rental located at 201 E. Main Street and identified by Tax Map 20A8-10-5. The property is zoned C-1.	Recommendation of Approval w/ Conditions.
	FRSPU3069-2022, A Special Use Permit application to allow a Short-Term Rental located at 108 Virginia Avenue and identified by Tax Map 20A5-13-134-4. The property is zoned R-3.	Recommendation of Approval.
July 20, 2022	2200101, Ramzi Beidas, MZF, LLC – A Special Use Permit for dwelling units to be located on the ground floor at 650 W. 11 th Street and identified by Tax Map 20A1-2-3-7, 8, & 9. The property is zoned C-1.	Recommendation of Approval w/ Conditions.
	2200105, A Special Use Permit application submitted by Joy L. Allen & Patrick Masch to allow a Short-Term Rental located at 425 N. Royal Avenue and identified by Tax Map 20A5-6-13-10. The property is zoned C-1.	Recommendation of Approval.
	2200106, A Special Use Permit application submitted by Jerry & Martha Britton to allow a Short-Term Rental located at 18 E. Stonewall Drive and identified by Tax Map 20A7-4-42. The property is zoned C-2.	Recommendation of Approval.
August 17, 2022	2200225, A Special Use Permit application submitted by William & Melissa Gordon to allow a Short-Term Rental located at 107 Highfield Lane and identified by Tax Map 20A10-8-2-7. The property is zoned R-1.	Recommendation of Approval.
	2200230, A Special Use Permit application submitted by Lea Justice to allow a Short-Term Rental located at 12 Chester Street and identified by Tax Map 20A8-4-43. The property is zoned C-2.	Recommendation of Approval w/ Conditions.
	2200238, A Special Use Permit application submitted by Philip Vaught, Vaught Real Estate LLC to allow a Short-Term Rental located at 124 Luray Avenue and identified by Tax Map 20A7-4-74. The property is zoned R-3.	Recommendation of Approval.

2022 – CONTINUED SPECIAL USE PERMITS REVIEWED BY PLANNING COMMISSION		
DATE OF MEETING	APPLICANT	STATUS
September 21, 2022	2200287, A Special Use Permit application submitted by Vesta Property Management to allow a Short-Term Rental located at 30 Fairview Avenue and identified by Tax Map 20A3-5-49 & 50. The property is zoned R-1.	Recommendation of Approval.
October 19, 2022	2200352, A Special Use Permit application submitted by Life Point Church to allow 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.	Recommendation of Approval w/ Conditions.
	2200367, A Special Use Permit application submitted by The Minick Group, LLC 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 District.	Recommendation of Approval w/ Conditions.
	2200348, A Special Use Permit application submitted by Douglas Ichiuji 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 District.	Recommendation of Approval.
November 16, 2022	2200349, A Special Use Permit application submitted by Aaron Hike 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 B-1 and is located in the Entrance Corridor Overlay District.	Postponed Ongoing. Applicant w/drew application 12/21/2022.
December 21, 2022	2200444, A Special Use Permit application submitted by Yaohua Gu to allow a Short-Term Rental located at 309 E. Prospect Street and identified by Tax Map 20A8-13-5A. The property is zoned R-3 and is located in the Historic District.	Recommendation of Approval.
	2200454, A Special Use Permit application submitted by Tabatha Luskey to allow a Short-Term Rental located at 302 Blue Ridge Avenue and identified by Tax Map 20A8-14-1-18. The property is zoned R-3 and is located in the Historic District.	Recommendation of Approval.

Special Use Permits Reviewed by Planning Commission 2018 - 2022

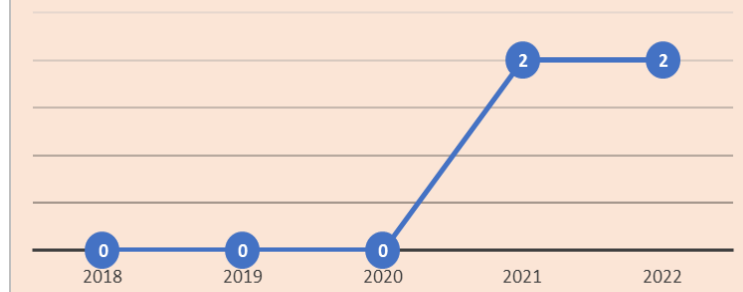


2022

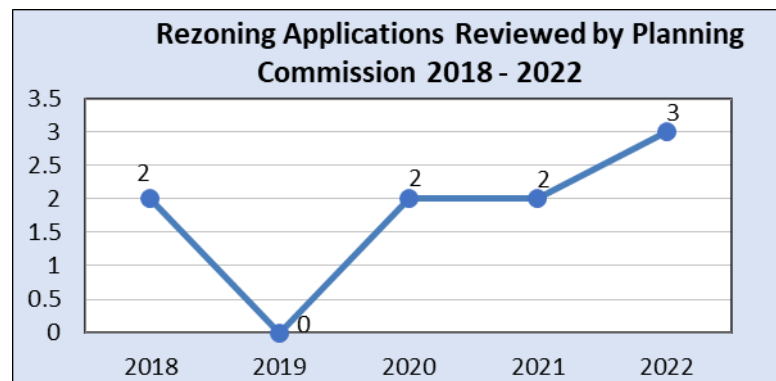
SPECIAL EXCEPTION REQUESTS REVIEWED BY PLANNING COMMISSION

DATE OF MEETING	APPLICANT	STATUS
August 17, 2022	2200113, A Special Exception application submitted by Poe's River Edge LLC and Eagle Sky Industrial Park, LLC for a new proposed private street to improve traffic flow through parcels located at 508 Kenrick Lane and identified by Tax Map 20A1-3-4 and 5A2. The property is zoned I-2.	Recommendation of Approval w/ Conditions.
October 19, 2022	2200386, A Special Exception submitted by Leandra Justice from the parking requirements of 175-51 pursuant to Chapters 148-870.18 & 148-211.A.1 for the property located at 12 Chester Street and identified by Tax Map 20A9-4-43. The property is zoned C-2 and is located in the Historic District.	Recommendation of Approval.

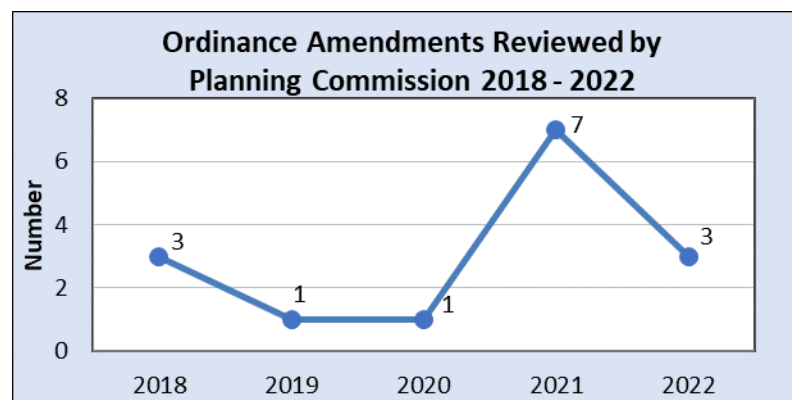
Special Exception Applications Reviewed by Planning Commission 2018-2022



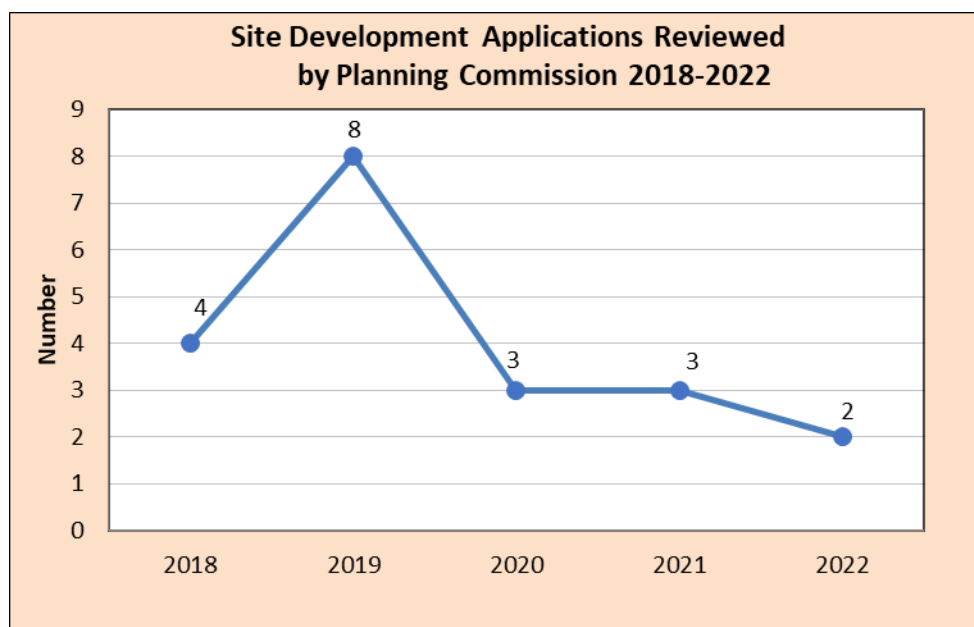
2022 REZONING APPLICATIONS REVIEWED BY PLANNING COMMISSION		
DATE OF MEETING	APPLICANT	STATUS
November 30, 2022	2200468 – Submitted by Chris Holloway Construction, LLC on behalf of Randolph Macon Academy requesting an amendment of the Zoning Map of the Town of Front Royal to reclassify a portion of Tax Map #20A5-14-4 from Residential District R-1 to Residential District R-3. The identified property is an undeveloped 6.239-acre portion of the parcel located adjacent to W. Main Street and north of Shenandoah Avenue, Garrison Street and Viscose Avenue. The Ordinance identifies the R-1 District as a low-density residential area with the R-3 District as being a medium-to-high density residential area.	Postponed. Applicant w/drew application December 2022.
December 21, 2022	2200422 – Joseph F. Silek, JR on behalf of Heptad, LLC - A request to amend the previously approved proffers for the subdivision entitled ANNA SWAN EST identified on Tax Parcels #20-A21-2-1 and Tax Parcel # 20A20-2-11. The proposed changes include modifications of the monetary proffers.	Recommendation of Approval w/ conditions.



2022 ORDINANCE AMENDMENTS REVIEWED BY PLANNING COMMISSION		
DATE OF MEETING	APPLICANT	STATUS
February 16, 2022	<u>FRZORDAM-2976-2021</u> – An ordinance amendment to Town Code Chapter 175 ZONING pursuant to the action by the Front Royal Town Council on November 22, 2021, for short-term rentals.	Recommendation of Approval.
June 15, 2022	FRZORDAM-003111-2022 - An amendment to Chapter 175 of the Town of Front Royal Zoning Ordinance to add the definition of “Data Center”, “Green Roof”, “Solar Roof”, and “Vegetative Roof” to Chapter 175-3; add “Data Center” as a use permitted by right in the Industrial Employment District (I-2), revise permitted uses in the Industrial Employment District (I-2), Chapter 175-65; and to add supplemental regulations for “Data Centers” to Chapter 175-152.	Recommendation of Approval.
July 20, 2022	FRZORDAM-003111-2022 - An amendment to Chapter 175 of the Town of Front Royal Zoning Ordinance to add the definition of “Data Center”, “Green Roof”, “Solar Roof”, and “Vegetative Roof” to Chapter 175-3; add “Data Center” as a use permitted by Special Use Permit in the Industrial Employment District (I-2), revise permitted uses in the Industrial Employment District (I-2), Chapter 175-65; and to add supplemental regulations for “Data Centers” to Chapter 175-152.	Recommendation of Approval. This supersedes the previous recommendation on June 15, 2022, as requested by Town Council to be use permitted by Special Use Permit.



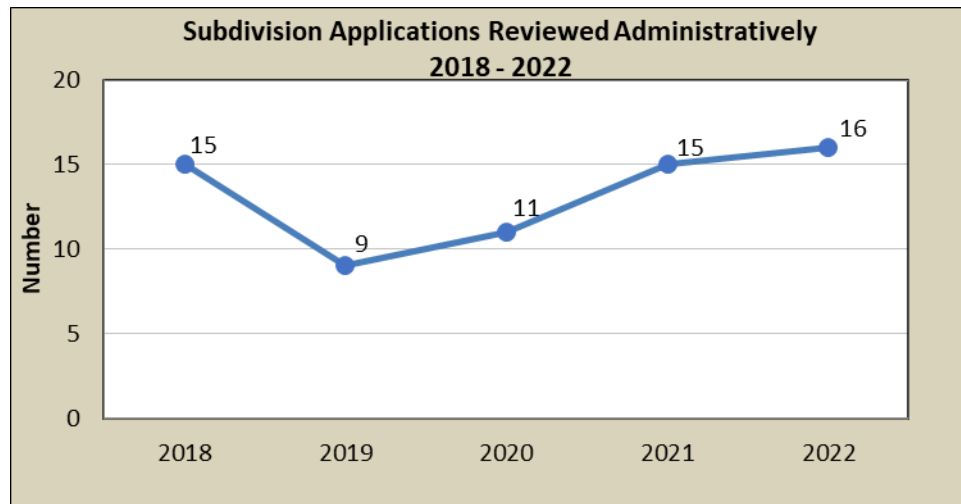
2022 SITE DEVELOPMENT PLANS REVIEWED BY PLANNING COMMISSION		
DATE OF MEETING	APPLICANT	STATUS
June 15, 2022	Permit # 2200117 – Site Plan Application for an addition located in the Entrance Corridor, located at 1500 N. Shenandoah Avenue. Application submitted by Long, Joseph/RAC Company of Maryland (Enterprise Rent-A-Car).	Approved.
July 20, 2022	Permit #2200134 – Site Plan Application for an automated car wash facility (Hang 10 Car Wash) located in the Entrance Corridor at 1303 N. Royal Avenue. Application submitted by Seth Roderick, PE Monteverde Engineering and Design Studio of Harrisonburg, VA. The property is identified by Tax Map #20A3-4-55-1, 2, 3 & 4 and is zoned C-1.	Approved.



SUBDIVISION APPLICATIONS REVIEWED BY THE PLANNING COMMISSION - 2022		
DATE OF MEETING	APPLICANT	STATUS
	There were no subdivision Plans reviewed by the Planning Commission in 2022.	

2022 SUBDIVISION APPLICATIONS REVIEWED ADMINISTRATIVELY		
SUBMITTAL DATE	APPLICANT	STATUS
January 26, 2022	2200021, 1 lot into 3, 628 Villa Avenue, 20A515 2A.	Approved
March 4, 2022	2200075, 2 lots into 1, 319 Peakova Lane, 20A6 8 A	Approved
June 30, 2022	2200217, 3 lots into 1, 1350 Progress Drive, 20A221 1B3	Approved

July 21, 2022	2200261, 3 lots into 5, Virginia Avenue, 20A5 338 9	Approved
July 26, 2022	2200268, 1 lot into 2, 36 Mt Vernon Court, 20A20 3 65A	Approved
August 1, 2022	2200277, Boundary Line Adjustment, 331 W. 10 th Street, 20A5 242 21	Approved
August 9, 2022	2200298, 2 lots into 1, 331 W. 10 th Street, 20A5 242 21	Approved
August 12, 2022	2200314, 2 lots into 1, 502 Warren Avenue, 20A5 619 25	Approved
August 18, 2022	2200316, Boundary Line Adjustment, 508 Kendrick Lane, 20A1 3 4	Approved
September 7, 2022	2200354, 2 lots into 3, 206 & 210 E. 4 th Street, 20A410 17	Approved
September 19, 2022	2200382, 4 lots into 1, 138 W. 14 th Street, 20A2 457 13	Approved
September 19, 2022	2200384, 2 lots into 3, 713 Crosby Road, 20A4 1124 10	Approved
October 13, 2022	2200434, 1 lot into 3, N. Royal Avenue, 20A5 3 B	On Hold
October 21, 2022	2200450, 2 lots into 4, Acton Street, 20A7 18 3	Approved
November 22, 2022	2200495, 4 lots into 1, 1303 N. Royal Avenue, 20A3 455 1	In Review
December 27, 2022	2200546, 2 lots into 3, 1121 John Marshall Highway, 20A103 8 and 20A103 9	Approved



2022 ADDITIONAL ITEMS REVIEWED BY PLANNING COMMISSION		
DATE OF MEETING	APPLICANT	STATUS
January 19, 2022	Town of Front Royal Capital Improvement Program (CIP) FY 23-27.	Recommendation for Approval
December 21, 2022	Comprehensive Plan - Certification and recommendation of the new Comprehensive Plan document which shall update and supersede the Front Royal Comprehensive Plan, adopted March 23, 1998. Chapter 22, Article 3: §15.2-2223 through §15.2-2232 of the Code of Virginia outlines the legal authority and requirement that all localities prepare, recommend, and adopt a Comprehensive Plan.	Postponed - Ongoing

BOARDS AND COMMISSIONS MEMBER MEETING ATTENDANCE 2022

Board of Zoning Appeals

NAME	MEETINGS PRESENT	# OF MEETINGS
Cody Taylor	4	5 (80%)
Michael Sean Williams	5	5 (100%)
Christine Erin	4	5 (80%)
Amanda J. McCarthy	4	5 (80%)
Andi A. Robinson	3	4 (75%)
R. Wayne Sealock	1	1 (100%)

Board of Architectural Review

NAME	MEETINGS PRESENT	# OF MEETINGS / WORK SESSIONS
Angela Toler	5	6 (83%)
Gary Vaughan	3	6 (50%)
Holly Rhodenhizer	6	6 (100%)
Katherine Snyder	6	6 (100%)
Collin Waters	5	6 (83%)

Planning Commission - Regular Meetings & Special Meetings

NAME	MEETINGS PRESENT	# OF MEETINGS
Doug Jones	8	9 (89%)
William C. Gordon	10	10 (100%)
Darryl G. Merchant	12	13 (92%)
Connie Marshner	12	13 (92%)
Joshua Ingram "Josh"	13	13 (100%)
Daniel S. Wells	5	5 (100%)
Glenn E. Wood	1	1 (100%)

Planning Commission - Work Sessions

NAME	MEETINGS PRESENT	# OF WORK SESSIONS
Doug Jones	8	9 (89%)
William C. Gordon "Will"	11	11 (100%)
Darryl G. Merchant	14	14 (100%)
Connie Marshner	13	14 (93%)
Joshua Ingram "Josh"	13	14 (93%)
Daniel S. Wells	4	4 (100%)
Glenn E. Wood	1	1 (100%)

BOARD OF ZONING APPEALS 2022

The Code of Virginia requires all jurisdictions with a Zoning Ordinance to have a Board of Zoning Appeals. The Board of Zoning Appeals is a five-member board of citizens appointed by the Circuit Court. The Board hears variance requests from the requirements of the Zoning Ordinance and appeals of decisions made by the Zoning Administrator. All variance requests and appeals require a public hearing. Appeal and variance requests are discretionary decisions; although case law does provide guidance as to what the courts consider a hardship which is required for a variance approval.

2022 BZA MEMBERS

R. Wayne Sealock, Chairman.....Term Expires May 1, 2022 Appointed May 7, 2007
 David GedneyTerm Expires May 1, 2024 Appointed June 29, 2009
 Cody Taylor.....Term Expires May 1, 2027 Appointed November 22, 2021
 Christine ErinTerm Expires May 1, 2025 Appointed January 24, 2022
 Michael Sean WilliamsTerm Expires May 1, 2024 Appointed January 24, 2022
 Amanda J. McCarthy.....Term Expires May 1, 2023 Appointed February 28, 2022
 Andi A. Robinson.....Term Expires May 1, 2027 Appointed April 25, 2022

- *Christine Erin filled the unexpired term of Edwin Hensley who resigned March 2021
- * Michael S. Williams filled the unexpired term of David Gedney who resigned January 2022
- * Amanda J. McCarthy filled the unexpired term of Ronald Flores who resigned October 2021
- * Andi A. Robinson filled the vacancy of R. Wayne Sealock's expired term

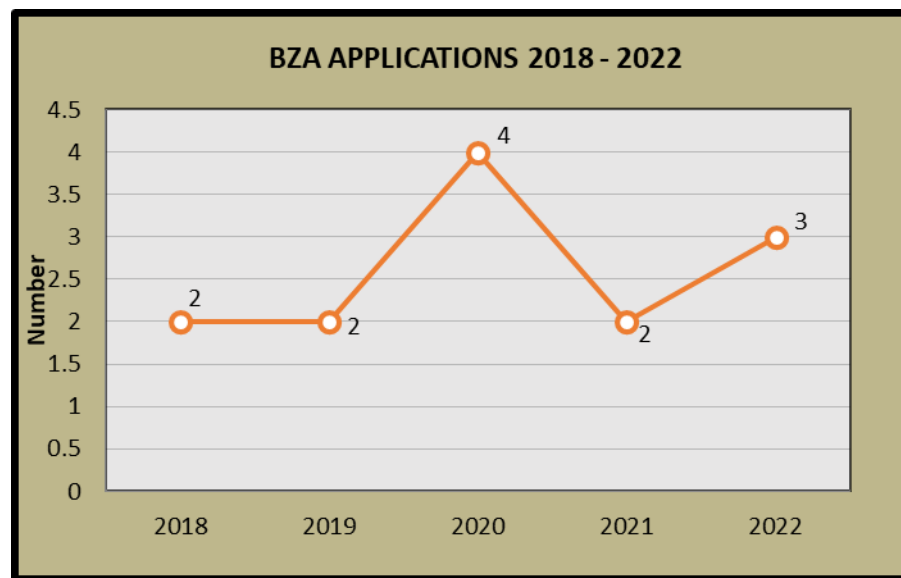
BZA ANNUAL REPORT 2022		
DATE OF MEETING	APPLICANT	ATTENDANCE
March 15, 2022	The BZA met to elect officers, approve meeting minutes, and review the BZA By-Laws.	Present: R. Wayne Sealock Cody Taylor Michael S. Williams Christine Erin Amanda McCarthy
June 21, 2022	2200143 Variance of 175-44.C.1 of the Town of Front Royal Zoning Ordinance submitted by RK Holdings d/b/a Rural King Front Royal to permit an above ground propane storage tank. <i>Status: Vice Chairman Williams moved, seconded by Ms. Robinson to deny application 2200143 after due notice and hearing as required by the Code of Virginia 15.2-2204 and Section 175.139 of the Town of Front Royal Zoning Ordinance based on the following Board findings. The strict application of the terms of the chapter does not effectively prohibit or unreasonably restrict the use of the property.</i>	Present: Christine Erin Amanda McCarthy Andi Robinson Michael S. Williams Absent: Cody Taylor Denied: 4-0 Absent: 1

October 18, 2022	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. <i>Status: Chairman McCarthy moved, seconded by Mr. Taylor to postpone a decision until the next meeting in order for the applicant to provide additional information regarding the Variance application.</i>	Present: Christine Erin Amanda McCarthy Andi Robinson Michael S. Williams Cody Taylor Postponed: 5-0
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November 15, 2022	Continuance of 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. Status: <i>Mr. Taylor moved, seconded by Ms. Robinson to deny based on the fact that the hardship is self-created.</i> <i>Continue to page 16</i>	Present: Andi Robinson Michael S. Williams Cody Taylor Absent: Amanda McCarthy Christine Erin Deny Yes: 2 No: 1 Absent: 2 McCarthy, Erin Application continued due to lack of a majority vote of 3 out of 5 members.
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November 15, 2022 - Continued	Variance Application 2200442 submitted by Angela Baker for a variance from Town Code Chapter 175-14 pertaining to the front yard setback for property located at 1015 Wine Street and is identified by Tax Map #20A9-4-26. The property is located in the R-1, Residential Zoning District. The variance would effectively allow the applicant a front yard setback of eighteen feet (18'). The required front yard setback is thirty-five feet (35') and the applicant has a front yard setback of twenty-five feet (25'). The variance requested by the applicant is to allow the addition of a front porch. <i>Status: Ms. Robinson moved, seconded by Mr. Taylor to deny the variance due to the fact this does not constitute a hardship because there is another option of a fence and also properties in the area are all of like kind with like stoops and to allow one would allow all potentially.</i>	Deny Yes: 3 No: 0 Absent: 2
December 20, 2022	The public hearing was closed at the November 15, 2022, BZA meeting. This is a continuation of the discussion for 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	Present: Michael S. Williams Cody Taylor Amanda McCarthy Christine Erin Absent: Andi Robinson

December 20, 2022 - Continued	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. Status: There was a motion to approve Variance Application 2200398, however there was not a second. The Variance Application therefore dies and was denied because there was not a majority vote to approve.	Denied for lack of a second and there was not a majority vote to approve.
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BOARD OF ARCHITECTURAL REVIEW 2022

The Board of Architectural Review (BAR) consists of five (5) voting members who are appointed by the Town Council. The intent of the BAR is to promote and protect the health, safety, comfort, recreation, prosperity, and general welfare of the community through the identification, preservation and enhancement of buildings, structures, neighborhoods, landscapes, places, and areas which have special historical, cultural, artistic, architectural, or archaeological significance as provided by Section 15.1-503.2 of the Code of Virginia, as amended.

In 2022, the Board of Architectural Review held five (5) regular meetings, and one (1) on-site tour. The BAR heard eight (8) application requests. The chart below shows the actions taken by the BAR in 2022.

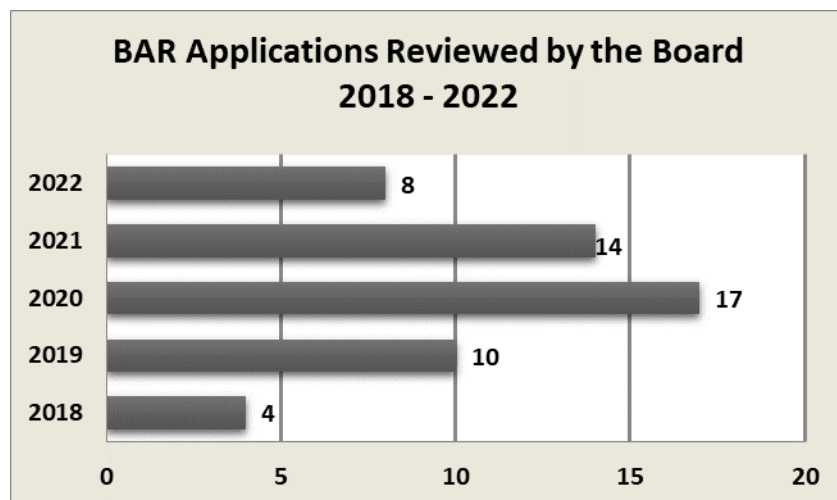
2022 BAR MEMBERS

Angela Toler Term Expires November 13, 2023Appointed July 25, 2011
 Gary Duane Vaughan..... Term Expires November 13, 2025Appointed December 21, 2009
 Katherine Snyder Term Expires November 13, 2025Appointed October 28, 2021
 Collin Waters Term Expires November 13, 2025Appointed February 22, 2021
 Holly Rhodenhizer Term Expires November 13, 2024Appointed August 2, 2021

BAR ANNUAL REPORT 2022		
DATE OF MEETING	APPLICANT	STATUS
January 11, 2022	FRCOA-3018-2021. A Certificate of Appropriateness application submitted by Shelly Cook to place stone veneer and a canopy on the front façade of the building located at 201 S. Royal Avenue. Status: Ms. Rhodenhizer moved, seconded by Mr. Waters to approve the black canopy for the florist shop, approve the siding but applicant will drop off a piece for administrative approval, not approving stone veneer on the front, applicant will replace brick for brick for the front of the building. Doors will be salvaged.	Present: Angela Toler Collin Waters Holly Rhodenhizer Katherine Snyder Absent: Dewey Vaughan Approved: 4-0 Absent: 1
May 10, 2023	FRCOA-3066-2022, A Certificate of Appropriateness Application submitted by Quality Title, LLC to erect a ground mounted double post sign at 109 Chester Street. The proposed sign will be illuminated. Status: Ms. Rhodenhizer moved, seconded by Mr. Waters to approve the double post 4 x 4 sign with landscape lighting to illuminate the sign.	Present: Angela Toler Collin Waters Holly Rhodenhizer Katherine Snyder Absent: Dewey Vaughan Approved: 4-0 Absent: 1

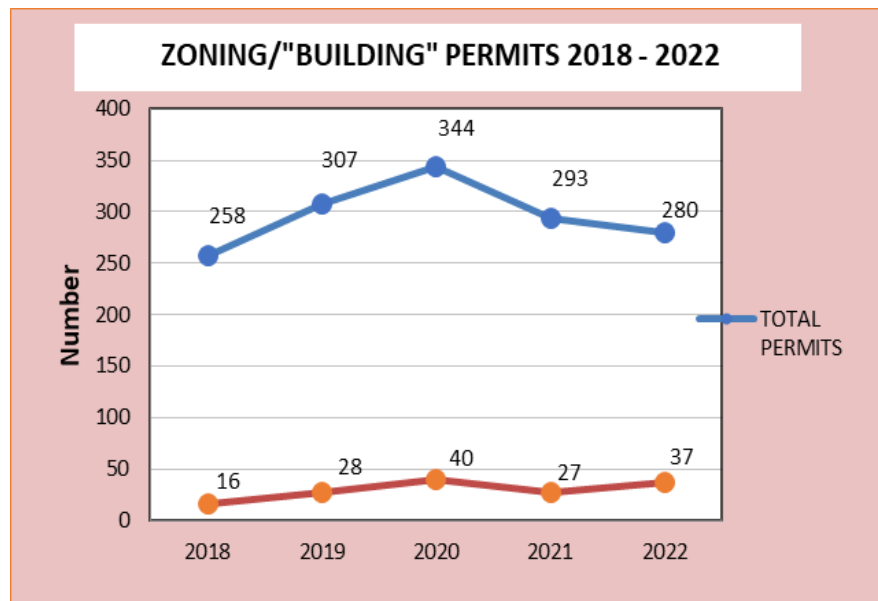
May 10, 2022 - Continued	FRCOA-3080-2022, A Certificate of Appropriateness Application has been submitted by Pablo Gutierrez and Scott Shutt for exterior renovations to the contributing structure at 233 Blue Ridge Avenue. The proposed renovations include the replacement of existing windows. Status: <i>Ms. Rhodenhizer moved, seconded by Mr. Waters to deny the application for Aluminum Clad windows.</i>	Denied: 4-0 Absent: 1
September 20, 2022	Application 2200303 – A Certificate of Appropriateness application submitted by Shelly Cook to replace the existing fiberglass single front door to a fiberglass double front door at 201 S. Royal Avenue. Work is complete. Status: <i>Ms. Rhodenhizer moved, seconded by Mr. Vaughan to approve the alteration of the front door from single to double due to termite infestation and unreliable wood for 201 S. Royal Avenue.</i> Application 2200296 – A Certificate of Appropriateness application submitted by Buracker Construction on behalf of Arnold & Nancie Williams to remove existing 8' x 28' rear porch and construct a new 10' x 28' porch using the same foundation footprint and to add a 12' x 16' rear deck located at 118 Luray Avenue. Status: <i>Ms. Rhodenhizer moved, seconded by Mr. Vaughan to approve the proposed renovations including removing the existing 18' x 20' rear enclosed porch and construct a new 10' x 28' enclosed porch and add a 12' x 16' rear deck for 118 Luray Avenue as presented.</i> Application 2200327 – A Certificate of Appropriateness application submitted by Arnold Williams to replace the existing wood decking on the front porch with “Trex” decking at 118 Luray Avenue. Work is complete. Status: <i>Mr. Vaughan moved, seconded by Ms. Rhodenhizer to approve the application as submitted.</i>	Present: Angela Toler Dewey Vaughan Holly Rhodenhizer Katherine Snyder Absent: Waters Approved: 4-0 Absent: 1 Approved: 4-0 Absent: 1 Approved: 4-0 Absent: 1

November 8, 2022	Application 2200380 - A Certificate of Appropriateness (COA) Application submitted by Buracker Construction on behalf of David and Rhonda McDaniel for exterior renovations to remove and replace the existing black iron staircase with pressure treated wood stairs, partially remove vinyl siding around staircase to locate and repair the leak area and install new vinyl siding to match as close as possible due to age at 301 E . Main Street. Status: <i>Vice Chairman Rhodenhizer moved, seconded by Ms. Snyder to approve replacing the metal stairs with wood stairs, pulling back the siding and fixing the leak and replace the siding.</i>	Present: Collin Waters Holly Rhodenhizer Katherine Snyder Absent: Angela Toler Dewey Vaughan Approved: 3-0 Absent: 2
December 9, 2022 On-Site Tour	Application 2200483 – SEESUU, LLC. This is an application for a Certificate of Appropriateness to demolish and remove a portion of a contributing structure on a property within the Town of Front Royal Historic District located at 131 E. Main Street. The property is zoned C-2, Downtown Business District, and is identified as Tax Map 20A7, Section 4, Parcel 37.	Present: Dewey Vaughan Angela Toler Holly Rhodenhizer Katherine Snyder Collin Waters
December 13, 2022	Application 2200483 – SEESUU, LLC. This is an application for a Certificate of Appropriateness to demolish and remove a portion of a contributing structure on a property within the Town of Front Royal Historic District located at 131 E. Main Street. The property is zoned C-2, Downtown Business District, and is identified as Tax Map 20A7, Section 4, Parcel 37. Status: <i>Chairman Waters moved, seconded by Ms. Snyder to deny the application because they do not have enough information to justify demolition.</i>	Present: Dewey Vaughan Angela Toler Holly Rhodenhizer Katherine Snyder Collin Waters Denied: 4-1



PLANNING & ZONING DEPARTMENT ACTIVITY 2018 - 2022

	2018	2019	2020	2021	2022
Zoning Permits	258	307	344	293	280
Code Enforcement Cases	712	591	228	203	424
Land Use Applications	25	19	26	29	56
Short-Term Rentals	N/A	N/A	N/A	1	13
Code Amendments	3	1	1	7	2
Sign Permits	44	52	39	47	41
Business Licenses	151	186	151	172	155
Single Family Dwellings	16	28	40	27	37



CODE VIOLATIONS 2018 - 2022

