



REGULAR PLANNING COMMISSION MEETING

Wednesday, January 17, 2024 @ 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

- December 20, 2023 – Regular Meeting

V. CITIZEN COMMENTS

VI. CONSENT TO ADVERTISE

- **2400013** – A Rezoning Application submitted by Fernando Arana Pradel requesting an amendment to the zoning map to reclassify 1724 N. Royal Avenue, identified by Tax Map 20A2-2-11 from R-1, Residential District to R-1A, Residential District.
- **2400016** – A Special Use Permit Application submitted by Jean-David Lejeune and Samantha Harris to allow a short-term rental located at 322 Kerfoot Avenue, identified by Tax Map 20A6-7-10-39, 40, 41, 42. The property is zoned R-1, Residential District.
- **2400018** – A Rezoning Application submitted by Graceful Abode of Liberation requesting an amendment to the zoning map to reclassify 1324 Old Winchester Pike, identified by Tax Map 2012-4-6 from R-1, Residential District to R-3, Residential District.

VII. COMMISSION MEMBER REPORTS

VIII. PLANNING DIRECTOR REPORT

- December Monthly Report

IX. ADJOURNMENT

MEETING MINUTES
DECEMBER 20, 2023



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 for a limited time.

The Planning Commission meeting of the Town of Front Royal, Virginia was held on December 20, 2023, at 7:00 PM at the Warren County Government Center.

CALL TO ORDER

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

ROLL CALL

Present: Daniel Wells, Chairman
Glenn Wood, Commissioner
Michael Williams, Commissioner
Brian Matthiae, Commissioner

Absent: Connie Marshner, Vice Chairman

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

ADDITION/DELETION OF ITEMS FROM THE AGENDA

There were no changes to the agenda.

APPROVAL OF MINUTES

- November 15, 2023 – Regular Meeting

Commissioner Williams moved, seconded by Commissioner Wood to approve the meeting minutes as written.

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

ROLL CALL



CITIZEN COMMENTS

There were no citizen comments.

PUBLIC HEARINGS

Chairman Wells reviewed the guidelines for speaking at the public hearing.

- **2300695** – Warren Coalition. A request for a Special Use Permit for a lodging house located at 501 S. Royal Avenue, identified by Tax Map 20A7-8-1. The property is zoned C-1, Community Business District and is located in the Entrance Corridor.

Mr. Ware presented an overview of the application. Application number 2300695 is a request for a lodging house at 501 S. Royal Avenue. The property is located in the C-1, Community Business District, and the Entrance Corridor near the intersection of S. Royal Avenue and Ay View Drive. Town Code Chapter 148-870.A.2 requires one (1) parking space per room and two (2) parking spaces for employees. The application has listed eight (8) rooms thus requiring a total of ten (10) parking spaces. Currently the parking lot does not have adequate parking for the lodging house. Mr. Ware gave a power point presentation showing site photographs and the revised survey plat showing proposed parking. Lodging houses are permitted by Special Use Permit in the C-1, Community Business District.

Commissioner Wood asked if the parking lot would be gravel or pavement. He also had questions regarding the adjacent alley.

Mr. Ware explained that parking lots less than 4500 square feet can be gravel noting that this site meets that threshold. The applicant can ask for the parking lot to be gravel vs. asphalt or concrete. He confirmed that the adjacent alley is a Town alley.

Commissioner Williams asked if the building has been used as a residence in the past and if the proposed use would be in line with the Comprehensive Plan.

Mr. Ware stated that to his knowledge the property had not been used as a residence. He confirmed that the use would fall in line with the updated Comprehensive Plan.

The applicant Christa Shifflett, Executive Director of the Warren Coalition, 305 Hunters Ridge Road, Winchester, VA mentioned they currently have a men's recovery residence on Royal Avenue called "The Landing" that has been open since May 2022. That house was filled very quickly. The lodging house in question will allow more beds thinking they will have fifteen (15) beds. The Landing will be used as a residence for females and the new location at 501 S. Royal Avenue will be used as a residence for men. She noted they do not provide meals to the residents. An onsite house manager will be present. Ms. Shifflett shared they had good reports from the Town



police and probation and hoped that the Planning Commission would vote favorably on the application noting that the need is huge in this area.

Commissioner Wood asked Ms. Shifflett to speak about The Landing on Royal Avenue that was previously approved by the Commission and Town Council.

Ms. Shifflett shared that it had gone as they would predict. People come and go for different reasons. Some have relapsed. If that is the case the individual is given three (3) choices: 1) inpatient treatment; 2) outpatient treatment; or 3) would you like to pack and leave the next morning. The house manager is very good at getting them into treatment. As long as the residents are following the rules they will be welcomed back in the future. Probation can show up whenever they want to inspect. Neighbors who originally shared concerns at the first public hearing have since become friends with the residents in the house and have even brought meals over.

Chairman Wells opened the public hearing.

Barbara Samuels, 400 E. Jackson Street, Front Royal, VA. Ms. Samuels expressed that her concern is the location and she felt that the commercial area around this potential location would be devalued. Landlords may have trouble attracting new tenants and local businesses losing clientele. She owns the adjacent property and has concerns about the parking at the lodging house and any overflow parking ending up in her parking lot. At no time will vehicles be allowed to park on her property and the property will be properly posted. Ms. Samuels encouraged the Planning Commission to deny the application.

Drew Bacallao, 200 N. Royal Avenue. Mr. Bacallao said he had been at The Landing for the past seven (7) months, and it had been a great experience noting he has remained sober. The Landing provides coping mechanisms and accountability. He has been able to get a great paying job through their resources and spoke in favor of approving the application.

Commissioner Wood asked Mr. Bacallao if he had a car. Mr. Bacallao said that one of the staff members is letting him borrow a car.

Hunter Sibert, 200 N. Royal Avenue. Mr. Sibert said he had been at The Landing since October 10, 2023 and it had been a great resource in his recovery. Because of their resources he has also obtained a good job at Sysco.

Commissioner Wood asked if Mr. Sibert had a car and Mr. Sibert answered no.

Michael Hall, 413 W. Sprint Street, Woodstock, VA. Mr. Hall explained he is a Peer Recovery Specialist with the Warren Coalition. He said that the most important things about these homes is that they provide a place of safety. A lot of the time when people get clean they don't have a safe place to lay their head. Mr. Hall said they listen to their problems, help them find jobs, and we care. He stated that we need people to look at us with the potential we have noting that they had



done wrong, but they step up and admit it when they have a place like this to go. Mr. Hall said they become people the community can be proud of.

Commissioner Wood asked how many folks typically have cars. He also mentioned that one of the concerns was visitors hanging around outside and asked Mr. Hall to address that concern.

Mr. Hall said that most of the clients don't have cars and don't have a driver's license. The residents are not allowed to have visitors every day and they are not allowed to stay overnight. Parking hasn't been an issue at The Landing. To his knowledge the parking lot has never been full.

Commissioner Wood asked if the police or rescue squad had been there.

Mr. Hall believed there had been two (2) phone calls to the police. Once the police came looking for an individual who had already been asked to leave and the other time probation came by to check rooms. There have been no problems and no rescue squad calls.

Commissioner Wood said that neighbors who spoke at the previous public hearing for The Landing expressed concern of the potential for drug dealings and asked how the neighbors have responded at that location.

Mr. Hall shared that some of the men have offered to help neighbors with projects. Some of the neighbors have brought meals over. They have never had any problems with noise or rowdiness. Group meetings are held inside most of the time. The men go to work, come home, grocery shop, etc. None of the neighbors have had any problems with what has gone on at the house.

Katie Brumett, 1154 Happy Ridge Drive, Front Royal, VA. Ms. Brumett spoke in favor of the application. She is a woman in recovery and has been sober for about 3-1/2 years. Ms. Brumett said that she had to go to Roanoke during her recovery. She is a Peer Recovery Specialist with the Northwestern Community Services for their Drug Court Program. Because there needs to be a house in the area for females she was in favor of approving the application.

Kristy Harlow, 5338 Main Street, Apartment 4, Stephens City, VA. Ms. Harlow shared she came out of prison in August 2023 and went directly to a sober living home and that had provided a structuring and nurturing environment for stability, growth, and reintroduction into society.

James Funkhouser, 200 N. Royal Avenue, Front Royal, VA. Mr. Funkhouser said he is a Peer Recovery Specialist and the house manager at The Landing. He shared that the biggest challenge is when individuals come home from treatment. Their options are going back to the same environment they came from or go out of the area to a Sober Living location. Currently locations for women are Winchester, Arlington, and Roanoke. He spoke to the issue of parking noting that only one (1) client came into the house from the start with a vehicle and one has been able to acquire his license and obtain a vehicle since he's been there. Visitors are sporadic. The main vehicles at the house are his and one vehicle for residents to use to go to work. At most there are four (4) vehicles in the parking area at one time. He noted that The Landing lends out parking to



the adjacent church, so they don't have to park on the street. In order to give back to the community, residents at the house volunteer at community events. Mr. Funkhouser stated that three (3) of the housing residents work at local businesses.

Commissioner Wood asked how many people at the house are working.

Mr. Funkhouser said there are seven (7) men in the house and all but two (2) are working and those two (2) individuals have only been at the house for a week.

Commissioner Williams asked what their relationships were with the people in the community that had shared concerns at the previous public hearing.

Mr. Funkhouser shared that at first the people right beside the house were standoffish, however now they bring food over for the guys. Referencing the house on Virginia Avenue that had concerns about their kids there has been no issues and those kids wave when they're outside.

Commissioner Williams mentioned the concerns that are already expressed at the BP Station across the street from the proposed new house location.

Mr. Funkhouser said he had already had conversations with probation and the activities that go on at that location. Because it is a high traffic area it is very well watched. Any of their house residents that would be seen there would be reported to probation.

Philip Vaught, 1042 Harmony Hollow Road, Front Royal, VA. Mr. Vaught said that the Sober Living House at 200 N. Royal Avenue has been a positive experience. As concerned citizens we speak a lot about what Front Royal needs, and he can't think of anything more needed than a second recovery house. This is an essential service we need in our community. Substance abuse is one of the biggest challenges in our area wreaking havoc in our schools, work force, the local economy, our families and in our homes. This property will provide a safe regulated home for fifteen (15) participants whose lives can be forever changed by this recovery program. If you seek to change Front Royal's future for the better your support for the Warren Coalition and this program is a way to do that. With regard to the location. He believes it is a dangerous misconception that this property will not be maintained, and he thinks this is the unfair stigma associated with the wrong attitude about those who are in recovery. Mr. Vaught asked if not here then where? The Landing is a place of help and healing. In the absence of these programs that is where you see real sadness materialize and homelessness. The Landing has been a success, and he is confident this location will be as well.

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

Commissioner Wood moved, seconded by Commissioner Williams to approve the Special Use Permit give that we enforce the staff recommendations:



-
- 1. The total number of lodging rooms shall not exceed eight (8).**
 - 2. Applicant to provide parking to accommodate ten (10) spaces.**

VOTE: Yes – Wells, Williams, Wood, Matthiae

No – N/A

Abstain – N/A

Absent – Marshner

ROLL CALL

-
- **2300700** – A Rezoning Application submitted by Skyline Realty Investments, LLC for a request to rezone 29 W. Duck Street, identified by Tax Map 20A12-3-25 & 28 from C-1, Community Business District to R-3, Residential District.

Mr. Ware stated that the applicant is requesting an amendment to the zoning map of the Town of Front Royal to reclassify 29 W. Duck Street and the adjoining vacant property from C-1, Community Business District to R-3, Residential District. One lot has a structure on it and the adjacent parcel is vacant. The Comprehensive Plan calls for this area to be commercial and of mixed use in the adjacent areas. No proffers were made by the applicant.

Commissioner Wood asked if the intent to change it from commercial to R-3 was for townhouses noting that there is a need for affordable housing. He asked if curb, gutter, and sidewalk would be required and should that be proffered.

Mr. Ware explained that site development requires curb and gutter. The applicant can ask for a waiver of the requirement from the Town Council. Curb and gutter would be required on the street frontage.

The applicant Chris Holloway said the existing house is falling apart. He said the property is too narrow there to do any commercial development. With the close proximity of I-66 and shopping they would like to rezone the property to R-3 in order to build townhomes. He does not believe there is enough room for sidewalks and on-street parking.

Commissioner Wood stated he would like to see sidewalks on the street frontage.

After some additional comments regarding curb, gutter and sidewalks Chairman Wells opened the public hearing.

There were no speakers present. Chairman Wells closed the public hearing.

Commissioner Matthiae moved, seconded by Commissioner Wood to forward a recommendation of approval to the Front Royal Town Council for Rezoning Application number 2300700 to amend the zoning map of the Town of Front Royal to reclassify 29 W. Duck Street, identified by tax map 20A12-3-25 and adjoining property identified by tax map 20A12-3-28 from C-1, Community Business District to R-3, Residential District.



VOTE: Yes – Williams, Wood, Matthiae, Wells

No – N/A

Abstain – N/A

Absent – Marshner

ROLL CALL

- **2300736** – A Rezoning Application submitted by Cook Realty, LLC for a request to rezone 1121, 1125 and 1135 John Marshall Highway, identified by Tax Map 20A10-3-8, 8A and 9A from R-1, Residential District to C-1, Community Business District. District.

Mr. Ware explained the application was a request to reclassify 1121, 1125 and 1135 John Marshall Highway. The property is located east of the intersection of Hillvue Street and John Marshall Highway. The subject properties were previously approved for short-term rentals and noted that the Special Use Permits for those have not yet been issued. The Comprehensive Plan calls for this area to be zoned medium density mixed use which allows for office, commercial, residential and hotels.

Chairman Wells asked if the applicant had met the conditions of the previous applications.

Mr. Ware said the conditions of the Special Use Permits have not been met, which is why they have not been issued.

Commissioner Wood asked if the rezoning of the property would make the conditions go away.

Mr. Ware said that the Special Use Permit runs with the property and not the owner. Whether or not the owner uses the Special Use Permit, it is still valid for the property.

Commissioner Wood restated his question that if the property is rezoned to commercial will the conditions the applicant has not met with the Special Use Permit still be a valid concern if rezoned.

Mr. Ware explained that if the owner is operating with the Special Use Permit the conditions are required. They could potentially change the use of the ones listed; however, the Special Use Permit is for the property.

Town Attorney, George Sonnett explained that the Special Use Permit is for a tourist home, short-term rentals. He asked if the property is rezoned to C-1 would it become a by-right use.

Mr. Ware said a Special Use Permit is required in all zoning districts to operate a short-term rental.

The applicant, Shelly Cook resides at 65 Lee Burke Road, Front Royal, VA. The one condition that hasn't been met is a roof on top of the gazebo that ties the two (2) buildings together on the second parcel. She mentioned she is a Class A contractor. Ms. Cook thought it a little ridiculous to her because when you tie a building together the gazebo joins them and makes it one building. She will be putting the roof on it when the weather permits. She noted all other conditions have



been met. If the rezoning is approved there are other uses she can apply for that would allow her to not keep it only as a short-term rental and that is her intention moving forward. Ms. Cook believes that a hotel/motel in that district would be a better use for this location. She shared that the property has been sought after by the public noting there had been quite a few open houses, baby showers, professional meetings in the evenings, and fundraisers.

Commissioner Wood asked Mr. Ware to address a couple of police reports that were included in their meeting packet.

Mr. Ware said there were police reports, letters and emails received from concerned residents that were included in the meeting packet the director thought pertinent for review of this rezoning application.

Ms. Cook explained that the second event at the property was a wedding. A call was made to the Police Department, and they were not issued a citation. The police report showed the guests were not doing anything wrong. To the right of the property there was a concerned citizen complaining there was too much bass in the music. She noted there was a letter of support from the church across the street in the meeting packet stating they had no problems. There's going to be music and cookouts. Ms. Cook believes she will have more control when you have a hotel, motel, or Airbnb because you can actually tell the occupants you have to abide by such and such or you can't stay at the property.

Commissioner Matthiae asked how much parking is available at the venue and what is available for overflow.

Ms. Cook said that other than the two (2) events that were opened to the public they didn't have to use overflow parking. There are twenty-seven (27) spots for parking which have always been more than ample.

Commissioner Matthiae asked what the venue stipulates regarding the hours of loud music.

Ms. Cook explained that each room has a packet of information which includes the Town Ordinance and states they are to abide by the ordinance. In their contract they stipulate that the music cannot go beyond a certain decibel. Prior to a gentleman calling the police, that decibel requirement was not included in the contract. It has been added to the contract that guests are required to sign. The contract also states that the music has to be lowered at 8 p.m., lowered at 9 p.m. and off by 10 p.m.

Chairman Wells opened the public hearing.

There were no speakers present. Chairman Wells closed the public hearing.



Commissioner Williams moved, seconded by Commissioner Matthiae that the Planning Commission forward a recommendation of approval to Front Royal Town Council for Rezoning Application 2300736 to amend the zoning map of the Town of Front Royal to reclassify 1121, 1125 and 1135 John Marshall Highway, identified by tax map 20A10-3-8, 8A and 9A from R-1, Residential District to C-1, Community Business District. District.

VOTE: Yes – Wells, Matthiae, Williams, Wood

No – N/A

Abstain – N/A

Absent – Marshner

ROLL CALL

COMMISSION MEMBER REPORTS

There were no comments by Commissioner members.

PLANNING DIRECTOR REPORT

Mr. Ware reviewed the November monthly report.

Staff continue to have weekly meetings with Summit on the Zoning Ordinance and Subdivision Ordinance rewrite. In addition, staff are working on the Capital Improvement Plan (CIP) for 2025 – 2029.

ADJOURNMENT

Commissioner Williams moved, seconded by Commissioner Wood to adjourn the meeting.

VOTE: Yes – Wells, Matthiae, Williams, Wood

No – N/A

Abstain – N/A

Absent – Marshner

ROLL CALL

The meeting was adjourned at 8:27 p.m.

Approved by Planning Commission

Date: _____

CONSENT TO ADVERTISE
REZONING APPLICATION 2400013
1724 N. ROYAL AVENUE



TOWN OF FRONT ROYAL ~102 East Main Street, Front Royal, Va. 22630 ~ 540-635-4236
Department of Planning & Zoning

FRREZON #2400013

RECEIVED

REZONING APPLICATION

JAN 4 2024

APPLICANT

Town of Front Royal
Planning & Zoning Department

Name Fernando Arana Pradel Phone (571) 327-736

Address 11640A Cavalier Landing Ct, Fairfax VA 22030

E-mail aranapradel@gmail.com

PROPERTY OWNER OF RECORD

Name Fernando Arana Pradel, Miguel A. Balbi and Luis Jose Cuneo Thays Phone (571) 327-736

Address 11640A Cavalier Landing Ct, Fairfax VA 22030

PROPERTY DESCRIPTION

Location/Street Address 1724 N Royal Ave, Front Royal Virginia 22630

Number of lots: 2 Total Acreage 0.9948

Tax Map Identification for each parcel (Map, Section, Block, & Lot):

TAX MAP: 20A2 2 11

Subdivision Name (if applicable) _____

REQUEST

Existing Zoning R-1 Proposed Zoning R-1A

Existing Use RESIDENTIAL Proposed Use RESIDENTIAL

ATTACHMENTS

The following should be submitted with a completed copy of this application. Additional information may be determined necessary depending on the nature of the request.

1. Application Fee (Checks should be made out to the Town of Front Royal. Fees are as follows: 1 acre or less = \$500, over 1 acre = \$500 + \$100 per acre after 1st acre, Downzoning = \$400)
2. Survey/Plat of the property with metes and bounds descriptions for all existing and proposed property lines and zoning district boundaries (8 copies and a digital copy).
3. Environmental Site Assessment Phase I and Phase II (unless waived by Director).
4. Traffic Impact Analysis (if required)
5. Written proffers. Proffers are voluntary but should be submitted in a written format approved by the Director.
6. Statement of Justification. As a separate document, provide a statement or statements that explain why you believe the property should be rezoned.

CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge. The proffering system has been explained to me and I have read Sections 175-149 and 175-150 of the Town of Front Royal Zoning Ordinance pertaining to conditional zoning and proffering.



Signature of Property Owner



Signature of Property Owner



Signature of Property Owner

Signature of Applicant (if different)

City/County of Fairfax RH Front Royal, Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 4 day of January, 2024 by

Rafael Hernandez
(Name of person seeking acknowledgement)

Notary Public

Notary registration number: 7968916 My commission expires: 8/31/2025

Rafael Eduardo Hernandez Villegas
Notary Public
Reg #7968916
Commonwealth of Virginia
My Commission Expires 8/31/2025

NOTICES

- Staff will notify adjacent property owners of the rezoning request and the scheduled public hearing dates with the Planning Commission and Town Council.
- Town Staff will place an advertisement in the local newspaper as required under Virginia Code §15.2-2204.
- Town Staff will place a public hearing sign(s) at the location of the proposed rezoning.
- Submission of this application does not establish a vested right as outlined under Virginia Code §15.2-2307.
- By submitting this application, the applicant grants permission to the 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.
- When the applicant is different than the fee simple property owner, the signature by the fee simple property owner on this application shall be considered as authorization for the applicant to act as an agent for matters concerning this application.

OFFICE USE ONLY

Receipt # _____ Date Paid 1-4-24 Pd \$500.00 by c/c
Planning Commission Hearing Date: _____ Recommendation: _____
Town Council Hearing Date: _____ Date Sent to Clerk: _____

January 2019

Taxes Due

Fernando Arana
11640A Cavalier Landing Court
Fairfax, VA 22030
3 January 2024

Front Royal Town Hall
Arbitrage Financial
102 E Main Street
Front Royal, VA 22630

Dear Recipient Name:

The purpose of this letter is to petition the rezoning of my lot located at 1724 N. Royal Avenue Front Royal, VA 22630 from R-1 to R-1A.

My wife and I have been considering moving to Front Royal for a couple of years now and build our dream home for our family. We have been waiting for an opportunity ever since and we recently found it. We were lucky enough to purchase a home sitting on a 1-acre lot. Our plan is to remodel the existing home and sell it and with the profits of such sale, begin the construction of our future home.

The home is in the R-1 zone which requires a minimum of 75 feet frontage on a public street for each lot. Even though I also have frontage on an alley, an alley is not considered a street for subdivision purposes. Per the deed, my lot only has a frontage of 123 feet on N. Royal Avenue and I will need a total of 150 feet. I was advised the best way to proceed is to rezone to R-1A which requires 50 feet per lot allowing us to build a driveway for our future home in the back.

Thank you in advance for your time and consideration on this matter. If you need further details do not hesitate to contact me.

Sincerely,

Fernando Arana

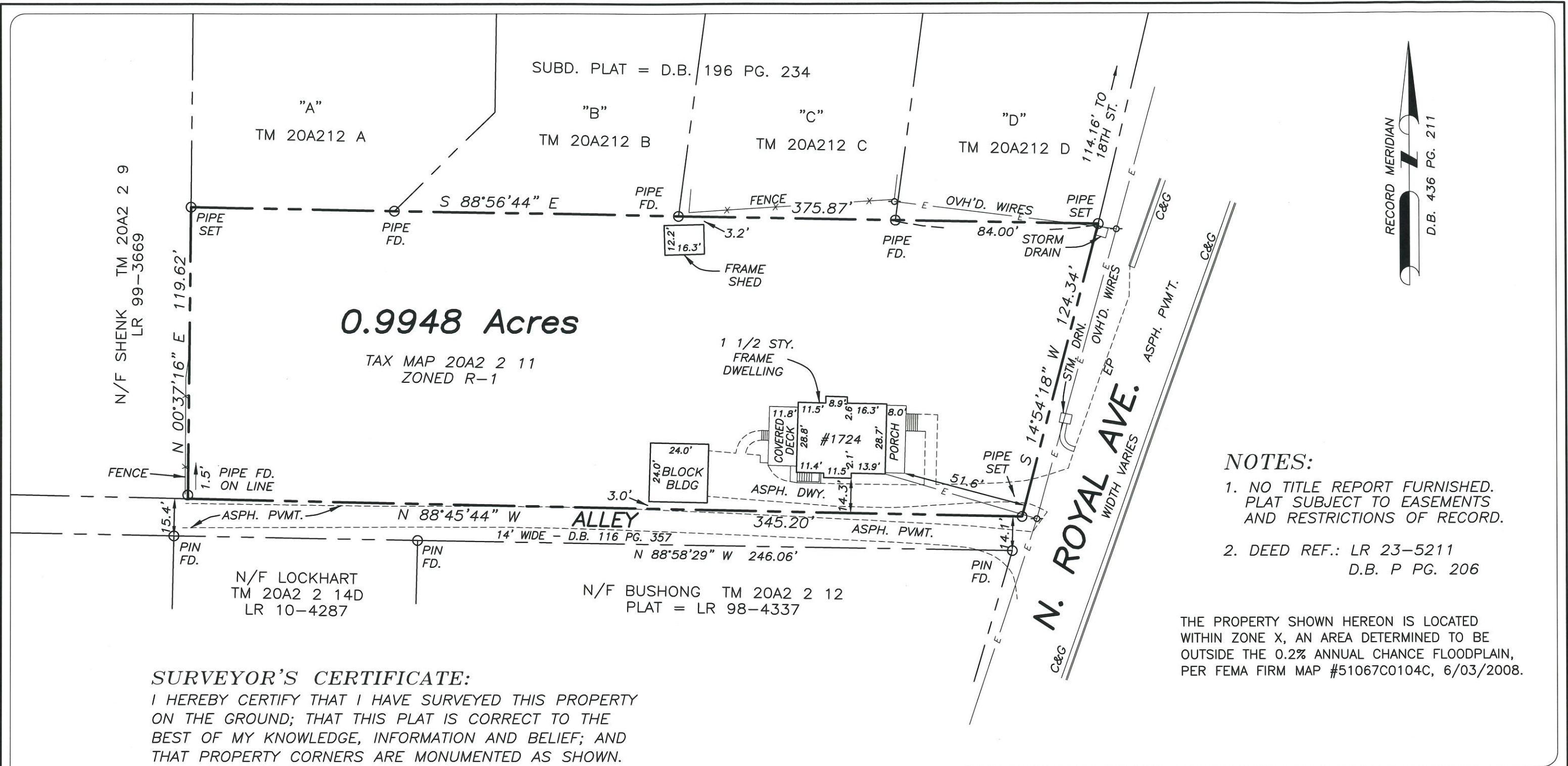
RECEIVED
JAN 4 - 2024

JAN 4 - 2024

RECEIVED
JAN 4 - 2024

JAN 4 - 2024

Front Royal
Planning Department



- NOTES:**
1. NO TITLE REPORT FURNISHED. PLAT SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
 2. DEED REF.: LR 23-5211
D.B. P PG. 206

THE PROPERTY SHOWN HEREON IS LOCATED WITHIN ZONE X, AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEMA FIRM MAP #51067C0104C, 6/03/2008.

SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT I HAVE SURVEYED THIS PROPERTY ON THE GROUND; THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF; AND THAT PROPERTY CORNERS ARE MONUMENTED AS SHOWN.

survey@measure-map.com
540-636-4949

Darryl G. Merchant
Consulting Land Surveyor
P.O. BOX 1508
FRONT ROYAL, VA 22630

DGM

COPYRIGHT D.G. MERCHANT, L.S. NOT TO BE COPIED, REPRODUCED OR ALTERED WITHOUT PERMISSION.

23-F136 DWG. No. AM-1845



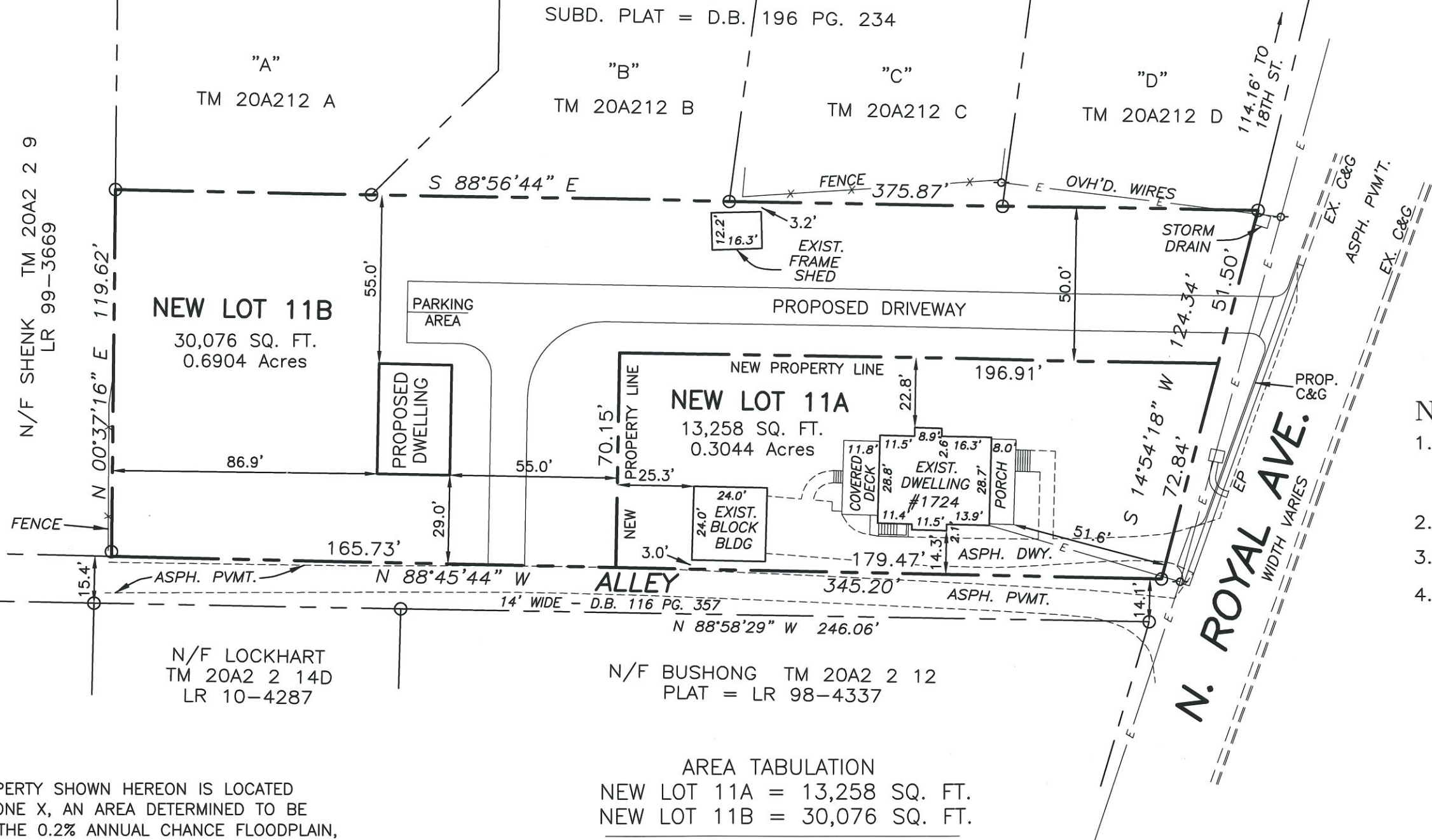
BOUNDARY SURVEY - THE LAND OF

**MIGUEL A. BALBI, FERNANDO ARANA PRADEL
AND LUIGI JOSE CUNEO THAYS**

LR 23-5211

TOWN OF FRONT ROYAL - WARREN COUNTY, VIRGINIA

DATE: 12 DECEMBER 2023 SCALE: 1" = 40'



- NOTES:**
1. NO TITLE REPORT FURNISHED. PLAT SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
 2. DEED REF.: LR 23-5211
 3. TAX MAP 20A2 2 11
 4. EXISTING ZONING = R-1
PROPOSED ZONING = R-1A

SETBACKS R-1A
 FRONT = 25'
 SIDE = 7'
 REAR = 25'

AREA TABULATION
 NEW LOT 11A = 13,258 SQ. FT.
 NEW LOT 11B = 30,076 SQ. FT.
 TOTAL AREA = 43,334 SQ. FT.
 (0.9948 AC.)

THE PROPERTY SHOWN HEREON IS LOCATED WITHIN ZONE X, AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEMA FIRM MAP #51067C0104C, 6/03/2008.

survey@measure-map.com
 540-636-4949
Darryl G. Merchant
 Consulting Land Surveyor
 P.O. BOX 1508
 FRONT ROYAL, VA 22630



SKETCH PLAT TO ACCOMPANY REZONING REQUEST
 PROPOSED DIVISION OF THE LAND OF
**MIGUEL A. BALBI, FERNANDO ARANA PRADEL
 AND LUIGI JOSE CUNEO THAYS**
LR 23-5211
 TOWN OF FRONT ROYAL - WARREN COUNTY, VIRGINIA
 DATE: 27 DECEMBER 2023
 SCALE: 1" = 40'

CONSENT TO ADVERTISE

SUP 2400016 – SHORT-TERM RENTAL

322 KERFOOT AVENUE

#2400016



Town of Front Royal
Department of Planning and Zoning
102 East Main Street
PO Box 1560
Front Royal, VA 22630

Main: 540-635-4236
Fax: 540-631-2727
www.frontroyalva.com
planning@frontroyalva.com

RECEIVED

JAN 4 - 2024

SPECIAL USE PERMIT REQUEST FOR SHORT TERM RENTAL

APPLICANT: Jean-David Lejeune

Town of Front Royal
Planning & Zoning Department

NAME: Samantha Harris PHONE: 314-974-1694

ADDRESS 322 Kerfoot Ave Front Royal, VA 22630

E-MAIL samharris2525@gmail.com

PROPERTY OWNER:

NAME: Jean-David Lejeune & Samantha Harris

PHONE: "

ADDRESS "

E-MAIL "

PROPERTY DESCRIPTION:

PROPERTY ADDRESS 322 Kerfoot Ave

TAX MAP 20A6 SECTION 7 BLOCK 10 LOT 39-42

SUBDIVISION NAME _____

ZONING DISTRICT R-1 residential low density ACREAGE 0.34 acres

SPECIFIC SPECIAL USE PERMIT REQUEST use for air BnB / VRBO - type short-term rental

☐ Whole house rental

☒ Partial rental, # of rooms rented 2

☐ Primary Residence

☐ Secondary Residence

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

☒ Survey plat or sketch to scale of property showing all **existing** improvements, parking and refuse area and property boundaries.

☒ Provide a map of area attractions

N/A ☐ Provide proof that notification to operate was sent to the HOA, if applicable.

☒ Complete management plan.

☒ Written consent given to the Town to inspect for compliance.

☒ Emergency dwelling evacuation diagram (posted in each bedroom)

☐ Application fee of \$400.00

Receipt # 01001970557 Date Paid 1-4-24

IN CASE OF AN EMERGENCY

Pd \$400.00 by c/c

Revised 12/21/2022

If there is an emergency, or there are questions in regard to the property, please contact (owner) Sean-David Hege
at (phone number) 703-200-3109 or (property manager) Samantha Harris
at (phone number) ~~314-999-2687~~ 314-974-1644

If the emergency requires immediate assistance, please call the following or 911.

Front Royal Police Department: 540-635-2111 or 911, 900 Monroe Ave, Front Royal, VA 22630

Front Royal Volunteer Fire & Rescue: 540-635-2540 or 911, 221 N Commerce Ave, Front Royal, VA 22630

Warren Memorial Hospital: 540-636-0300 or 911, 351 Valley Health Way, Front Royal, VA 22630 ✓

Electrical Outage: 540-635-3027, 1101 Manassas Avenue, Front Royal, VA 22630. Outages may be reported online at <https://www.frontroyalva.com/FormCenter/Energy-Services-6/Report-Electric-Problem-46>.

Emergency/afterhours 540-635-2111

OCCUPANCY ✓

The Special Use Permit limits the occupancy for this short-term rental at _____ People and _____ Bedrooms.

NOISE ✓

It shall be a violation of Chapter 106 of the Front Royal Town Code for any person, without compelling reason, to make noise that by reason of its volume, pitch, duration, or repetition, considering the time of day, is likely to disturb the rest of any person of ordinary sensibilities or interfere with such person's lawful and peaceful enjoyment of property owned or rented by him.

PARKING ✓

Minimum available parking is 6 vehicle(s) in the driveway.

TRASH AND RECYCLING ✓

All trash and recycling shall be placed in containers provided by the owner.

- Trash receptacles are located (Clarify location of trash bags and receptacles)

see management plan

- Trash is collected (State the day of the week trash is picked up by the Town and where the container is to be placed on trash day) ✓

see management plan

CHECK-IN & CHECK-OUT ✓

Provide details

see managment plan

WIFI/PHONE/ETC

Provide details for special amenities if available ✓

\\

11

SPECIFIC PROPERTY DETAILS

Provide details regarding acreage, landscape, property boundaries (no trespassing notice), unique characteristic, warnings, kitchen use, house amenities, HVAC, etc. ✓

\\

11

AREA ATTRACTIONS

Provide a map of area attractions

- Attractions: i.e., Shenandoah National Park, Shenandoah River State Park, Skyline Caverns, Golf Courses, Canoe Companies
- Groceries & Convenience: i.e., Walmart, Target, Martins, CVS
- Restaurants ✓
- Wineries & Breweries

SPECIFIC PROPERTY REGULATIONS

May be dictated by approved conditions or owner preference, examples below

- No shooting of firearms ✓
- No outdoor fire burning
- No fireworks

\\

11

As per 175-3

Revised 12/21/2022

Short-term rental- means the provision of a room or space that is suitable for, intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy. Any residential use that falls within the definition of short-term rental as defined in § 15.2-983, as amended, of Virginia State Code.

Short-term rental facility – A building or accessory structure, other than a hotel, motel, or bed-and-breakfast home, where lodging is provided for compensation on a short-term basis, and open to the public or transient guests. The maximum number of occupants shall not exceed ten (10) unless determined appropriate by Town Council.

Short-term rental:

§ 175.151 Short-term rentals.

Short-term rentals shall be permitted in all Zoning Districts by Special Use Permit and shall at a minimum meet the following requirements:

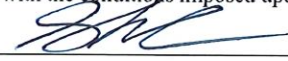
- A. The short-term rental owner of a dwelling unit to be used for a short-term rental shall apply for a Special Use Permit through the Department of Planning and Zoning and receive approval from Town Council prior to utilizing the dwelling unit as a short-term rental. Town Council may impose conditions necessary to mitigate adverse effects of the use on neighboring properties.
- B. The one-time application fee shall be \$400.00.
- C. Staff will conduct an inspection prior to the issuance of the Special Use Permit approval. Additional inspections will be conducted on a complaint basis to ensure compliance with the performance standards listed in this section, along with any additional conditions imposed by Town Council, if applicable.
- D. The maximum number of occupants in the dwelling unit shall be determined by the number of bedrooms; there shall be no more than two (2) adults per bedroom. However, the maximum number of occupants shall not exceed 10 people unless approved by Council.
- E. Parking for the use shall be located in driveways or other designated and approved parking areas.
- F. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- G. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the 2015 or 2018 Uniform Statewide Building Code (2018 Version required usage beginning July 1, 2022); and a carbon monoxide detector must be installed on each floor in every dwelling.
- H. The owner of the dwelling used for short-term rentals shall give the Town written consent to inspect any dwelling used for short-term rental to ascertain compliance with all the above performance standards upon a twenty-four-hour notice.
- I. A property management plan demonstrating how the short-term rental will be managed and how the impact on neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants and utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to Town staff, public safety officials and, if applicable, the HOA of the subdivision. The plan must be provided as part of the rental contract.

- J. If the property is located within a subdivision governed by a homeowners' association, the Planning Department must receive proof that a notification to operate the short-term rental was sent to the HOA.
- K. The owners of the rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. ✓
- L. A copy of Chapter 106 of the Town of Front Royal Code relative to noise must be provided at the short-term dwelling. ✓
- M. All outdoor burning shall be in compliance with Chapter 78 of the Town of Front Royal Code. ✓
- N. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation by the Zoning Administrator at any time. ✓

Property Owner's Signature: 

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  Date 1/2/24

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.



**Lejeune
Properties**

Welcome to Your Skyline Drive Retreat

This booklet serves as a guide which includes house rules, emergency contacts, and key features to explore.

Have a great stay!



Sam: 314-974-1694
JD: 703-200-3109

JD Lejeune & Sam Harris

ABOUT THE PROPERTY

Discover a Front Royal gem! This renovated retreat boasts 4 beds and 1 bath with a stylish roll-in shower. The fenced property is <1 mile from the Shenandoah River, 1 mile Shenandoah National Park, and the vibrant Main Street. The kitchen features sleek quartz countertops, and both the kitchen and master bathroom showcase elegant porcelain flooring. With its modern luxury, proximity to nature, and space for up to 4 guests, this Front Royal haven is an ideal blend of comfort and sophistication.

This property was previously used as a Church, explaining its unique exterior. With its one-of-a-kind history nestled in a small beautiful town, we are sure you will find the peaceful adventure you want, right here.

WIFI INFORMATION

Network: Sam&JD

Password: AMDG2024



about your stay

DETAILS

Discover a Front Royal gem! This renovated retreat boasts 4 beds and 1 bath with a stylish roll-in shower. The fenced property is <1 mile from the Shenandoah River, 1 mile Shenandoah National Park, and the vibrant Main Street.



MEET THE HOSTS

HEY! WE ARE SAM AND JD!

We are engaged and excited to get married in Spring 2024! We moved to Front Royal right after graduating college and fell in love with the town! From attempting to convince all our friends and family to move here, to trying almost every restaurant in town, we decided to share our passion for Front Royal by showing guests our favorite little piece of earth, the Shenandoah Valley. We hope you enjoy this Shenandoah experience as much as we do!

CONTACT INFO

322 Kerfoot Ave Front Royal, VA
22630

Sam: 314-974-1694

JD: 703-200-3109

lejeuneproperties@gmail.com

COMMUNICATION

Our philosophy is to let our guests guide the amount of interaction that is wanted. So whether it is a remote check-in and a quiet stay, or if you want to knock on our door for recommendations on our favorite places in town, we are happy to accommodate!

IMPORTANT INFORMATION

Please note that your hosts are living on the other side of this duplex with a hypoallergenic dog.

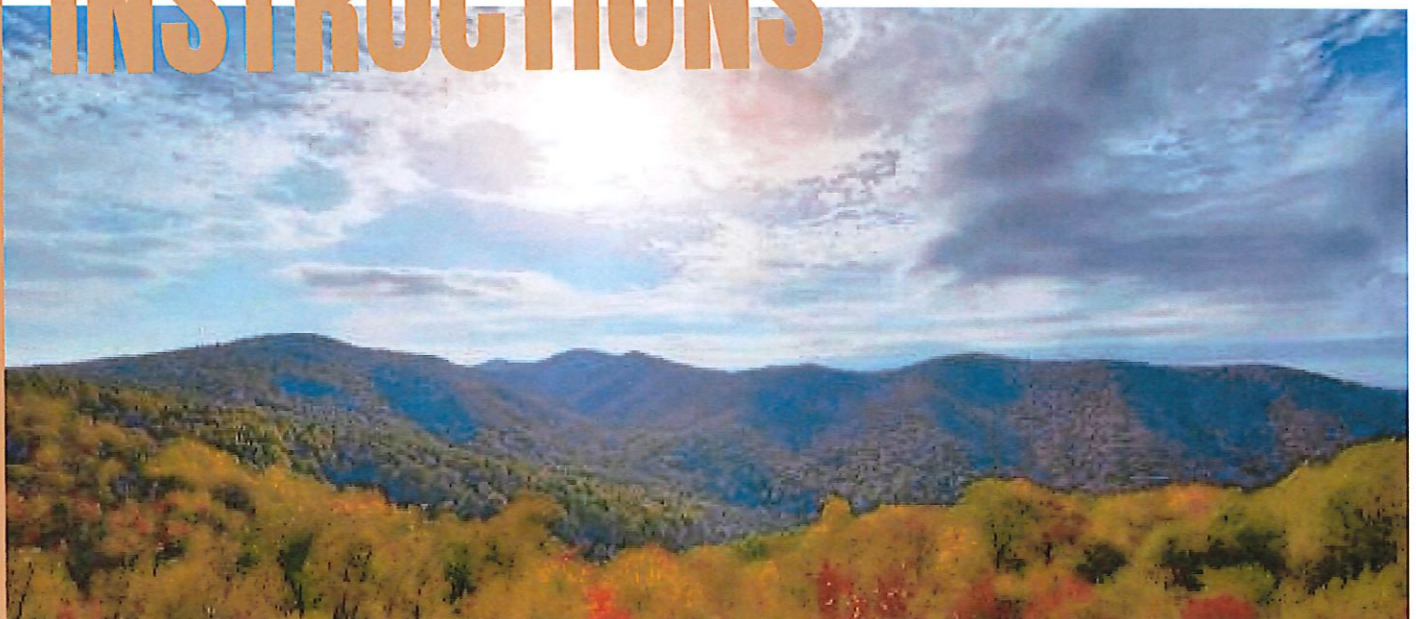
CHECK IN

- Entry
 - The Guest Entrance is equipped with an electronic combo lock for security. Access information has been provided to you during booking confirmation
- Take a look around and familiarize yourself with the emergency exits and safety information provided in this manual
- Reach out to us, your hosts, if anything is not to your liking and we will do everything we can to accommodate you to assure you have the best stay possible

CHECK OUT

- All trash shall be emptied and deposited in provided trash bins outdoors
- All dishes shall be washed, dried, and returned to their respective storage areas
- All bedsheets and pillow cases (not mattress protectors) are to be removed and placed in the laundry room
- All lights and appliances are to be turned off before check out
- Double check that all doors and windows closed and locked
- Leave us a review about your stay! We'd love to keep in touch and have you back when you return to the Shenandoah Valley!

INSTRUCTIONS



*Kick-start your luxury stay by learning
about our*

IN-HOME AMENITIES

100% Handicap Accessible and Step-free Interior

- 1 Fishing Kayak with pole-holders and 2 fishing poles for an additional price
 - Life jackets MUST be worn at all times when in the water or on the kayak
- 2 Twin-over-twin bunkbed that sleeps two with a weight limit of 400lbs
- washer and dryer for your convenience located in the mud room
- Fully renovated kitchen completed with fridge, kitchen table, conduction stove, dishwasher, sink, and Keurig machine with complimentary pods
- 4K 65 in. TV complete with Netflix, Hulu, Disney+, and many more entertainment options

EMERGENCY INFORMATION

EMERGENCY CONTACT INFORMATION

In the event of an emergency, call 911

For non-emergencies, please contact your hosts at 703-200-3109 or 314-974-1694

If you cannot reach us and you have an emergency involving your electric, water, or sewer service after hours, weekend of holidays, please contact the Front Royal Police Department at their non-emergency phone number (540) 635-2111.

Front Royal Police Department: 540-635-2111, 900 Monroe Ave, Front Royal, VA 22630

Front Royal Volunteer Fire & Rescue: 540-635-2540, 221 N Commerce Ave, Front Royal, VA 22630

Warren Memorial Hospital: 540-636-0300, 351 Valley Health Way Front Royal, VA 22630

Electrical Outage: 540-635-3027, 1101 Manassas Ave, Front Royal, VA 22630

IN CASE OF EMERGENCY

Carefully Review Exit Routes

- Located in each bedroom and included in this manual

Exit Emergency Guidance

- Stop what you are doing and leave the building immediately, closing doors behind you, if it is safe to do so

Area Primary Shelters

- Skyline High School, 151 Skyline Vista Dr., Front Royal, VA 22630
- Warren County Middle School, 522 Heritage Drive, Front Royal, VA 22630
- South Warren Fire Dept., 3330 Stonewall Jackson Hwy, Front Royal, VA 22630

just a few things to remember

HOUSE RULES

SMOKING INDOORS IS PROHIBITED

Including cigarettes, vapes, hookahs, pens, bonges, pipes, etc...

Any smoking conducted indoors will require a penalty fee at the owner's discretion to cover cleaning

PETS

All pets are prohibited except service animals. Emotional support animals ARE NOT considered service animals. If you have a service animal, please contact the Hosts to discuss an animal staying on the premises in accordance to FHA and ADA regulations.

OCCUPANCY

No more than 20 people shall be in the home at any one time

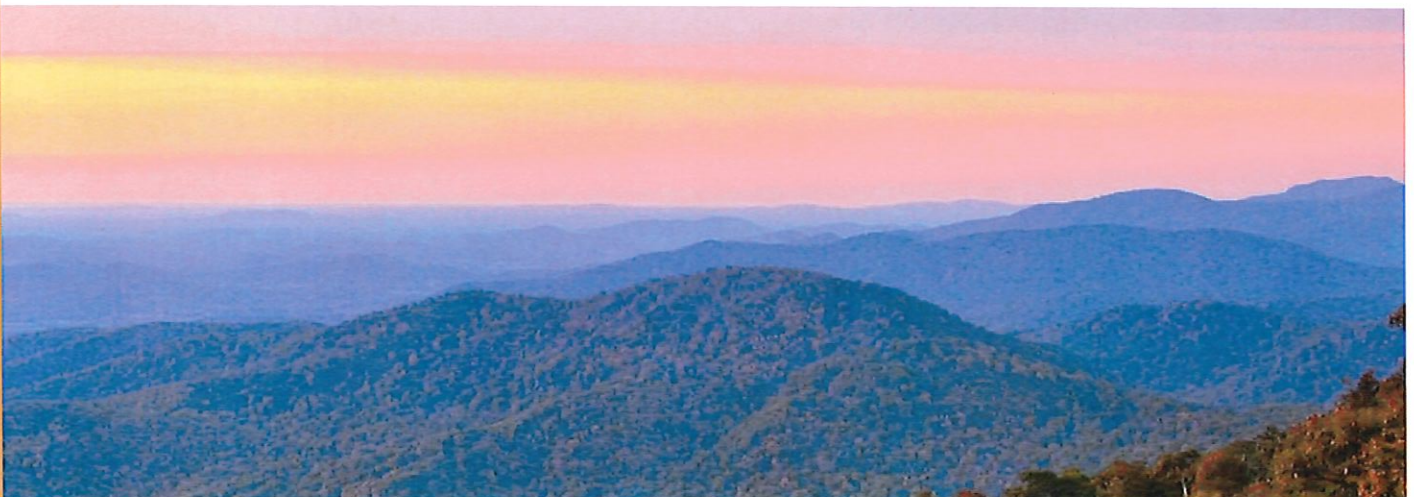
The Special Use Permit limits the occupancy for this short-term rental to 4 people and 2 bedrooms

QUIET HOURS

Out of consideration of the neighbors and the community, quiet hours are from 10pm to 7am

LAUNDRY

Please ensure that all clothes are free from excessive debris before putting in the washer.



PARTIES AND EVENTS

There shall be no parties, events or unregistered gatherings of over 20 individuals unless the host has approved. Feel free to contact the hosts about hosting large events.

FOOD AND DRINK

No food or drink in the bedrooms

NO UNREGISTERED GUESTS

Unregistered guests are not covered by insurance and thus cannot be covered in case of physical injury or litigation.

NOISE

It shall be a violation of Chapter 106 of the Front Royal Town Code for any person, without compelling reason, to make noise that by reason of its volume, pitch, duration, or repetition, considering the time of day, is likely to disturb the rest of any person of ordinary sensibilities or interfere with such person's lawful and peaceful enjoyment of property owned or rented by him

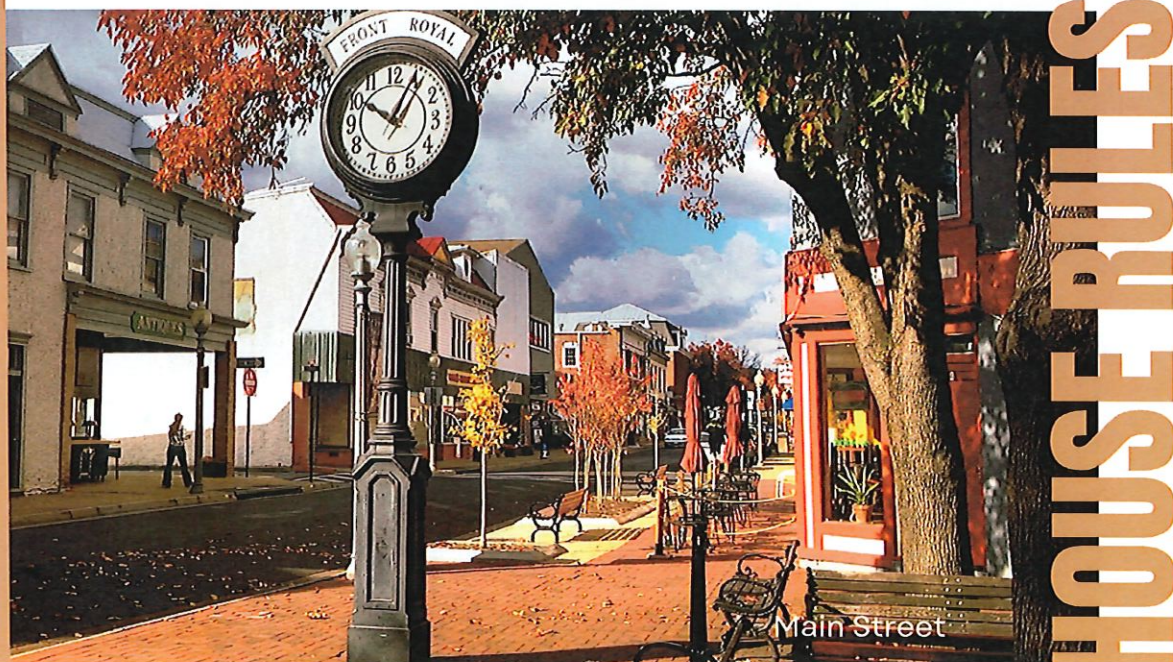
PARKING

Minimum available parking is 6 vehicles in the driveway

TRASH AND RECYCLING

All trash and recycling shall be placed in containers provided by the owner- trash receptacle is located on driveway.

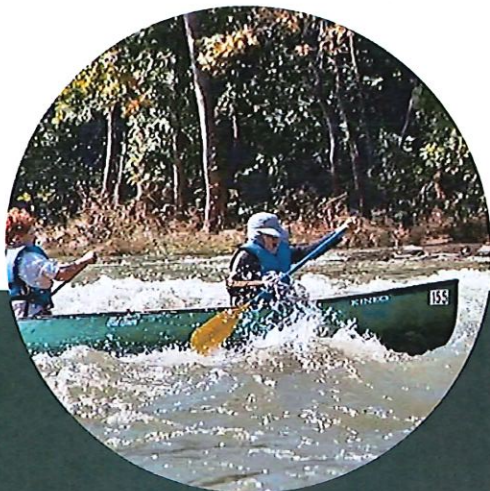
Trash is collected on Tuesday mornings. The container is to be placed on the street, next to the mailbox against the curb



HOUSE RULES

local attractions

THINGS TO DO



GETTING AROUND

Front Royal is a small town with almost everything within some biking or walking distance. If driving, please note that all roads in and around the main street are 25 MPH and the authorities are strict about it!

PUBLIC TRANSPORTATION

The Front Royal Trolley stops just outside the house at the corner of Kerfoot and Brown Ave. For 50 cents, you can ride into and around town. Schedule: AM 37-min past the hour. PM 7-min past the hour.

RIGHT OUT YOUR FRONT DOOR

Try walking to Eastham Park for River access, a beautiful river-side trail, and the only dog park in Front Royal (~5 minute walk), or about a minute walk to the Skyline SoccerPlex with spacious fields, a skate park, and stunning views of the mountains!

LOCAL THINGS TO DO

SIGHT-SEEING & ATTRACTIONS

Front Royal is known for its proximity to nature, but also for some renown restaurants and activities. Some of the more famous activities include:

- Skyline Drive (Shenandoah National Park)
- Museums
- Bike riding tours
- Historical museums
- Luray Caverns
- Restaurants
- Cafes
- Skyline Caverns
- River Adventures with canoeing, kayaking, even rafting!

Wake up to coffee shops and bakeries in Front Royal that rival the best in the surrounding cities without the long lines. After you explore the Blue Ridge Mountains, Shenandoah National Park, Shenandoah Valley, Skyline Drive, Luray Caverns or Skyline Caverns, relax at some of the best wineries, breweries, and bars Virginia has to offer. Don't have a reservation? No problem. These family-owned restaurants provide a wide variety of home cooking you won't get in the city!

places to eat and drink

FOOD & DRINK

Front Royal has a plethora of food and drink for everyone. Some of the more famous ones include:

- Rappahannock Cellars
- Honey and Hops Meadery
- The Apple House
- Vibrissa Brewery
- Virginia Beer Museum
- Soul Mountain Restaurant and Bar
- Melting Pot Pizza
- Knotty Pine Restaurant

YOUR HOSTS' FAVORITES

THAI

Try Thai

INDIAN

Royal Spice

PIZZA

Anthony's Pizza

ITALIAN

Osteria Maria

SUSHI

Mikado Japanese Steak House

MEXICAN

Los Potrillos

BBQ

Pavemint Smokin' Taphouse

DINER

L'Dee's Pancake House

SPORTS BAR

On Cue Sports Bar

NEW IN TOWN

The Catamount Lounge



The Catamount Lounge

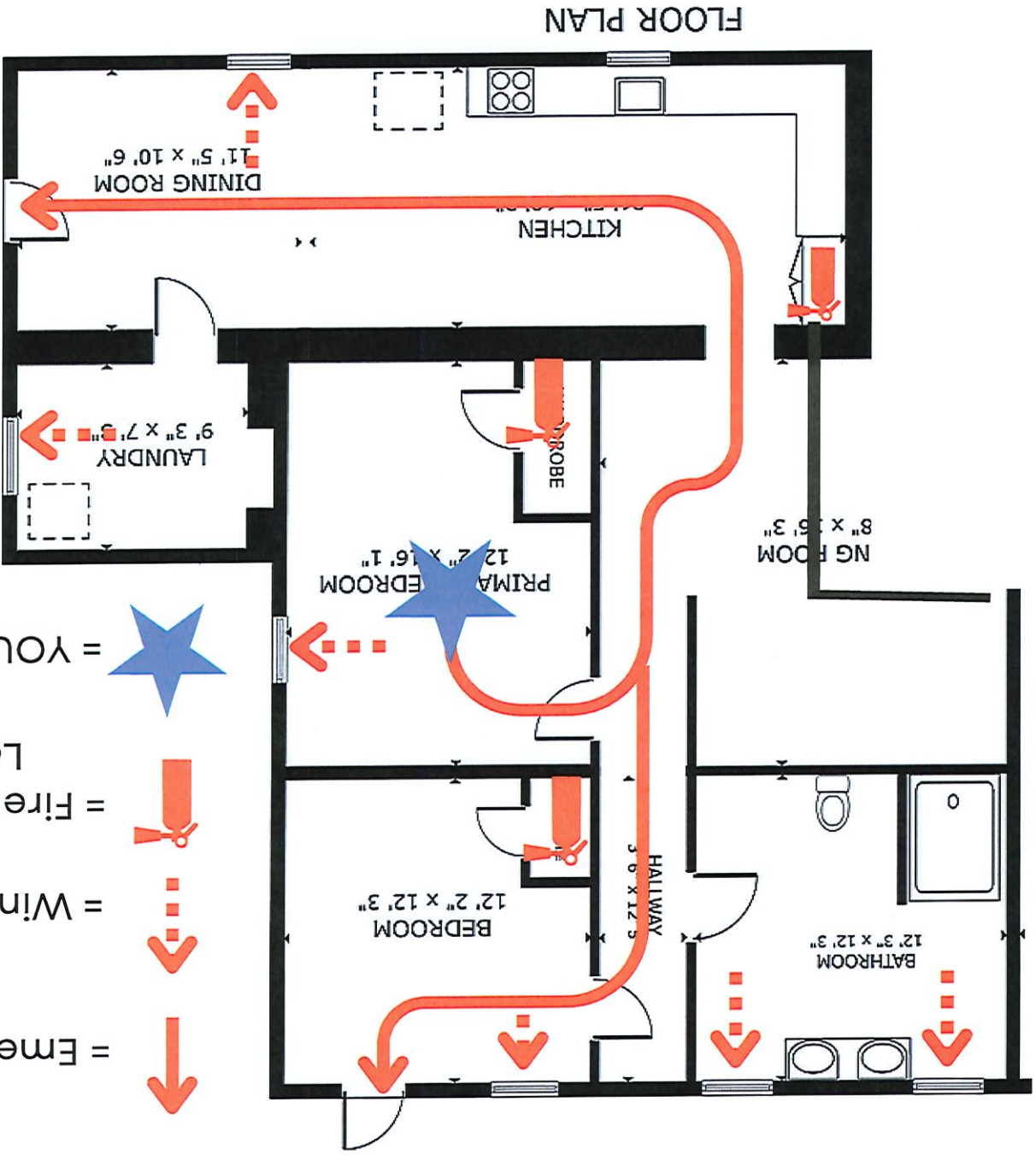
please come again!

THANK YOU!

Don't forget to leave us a review on your booking
website and we can't wait for your next visit to the
Shenandoah Valley!

EMERGENCY EXIT PLAN

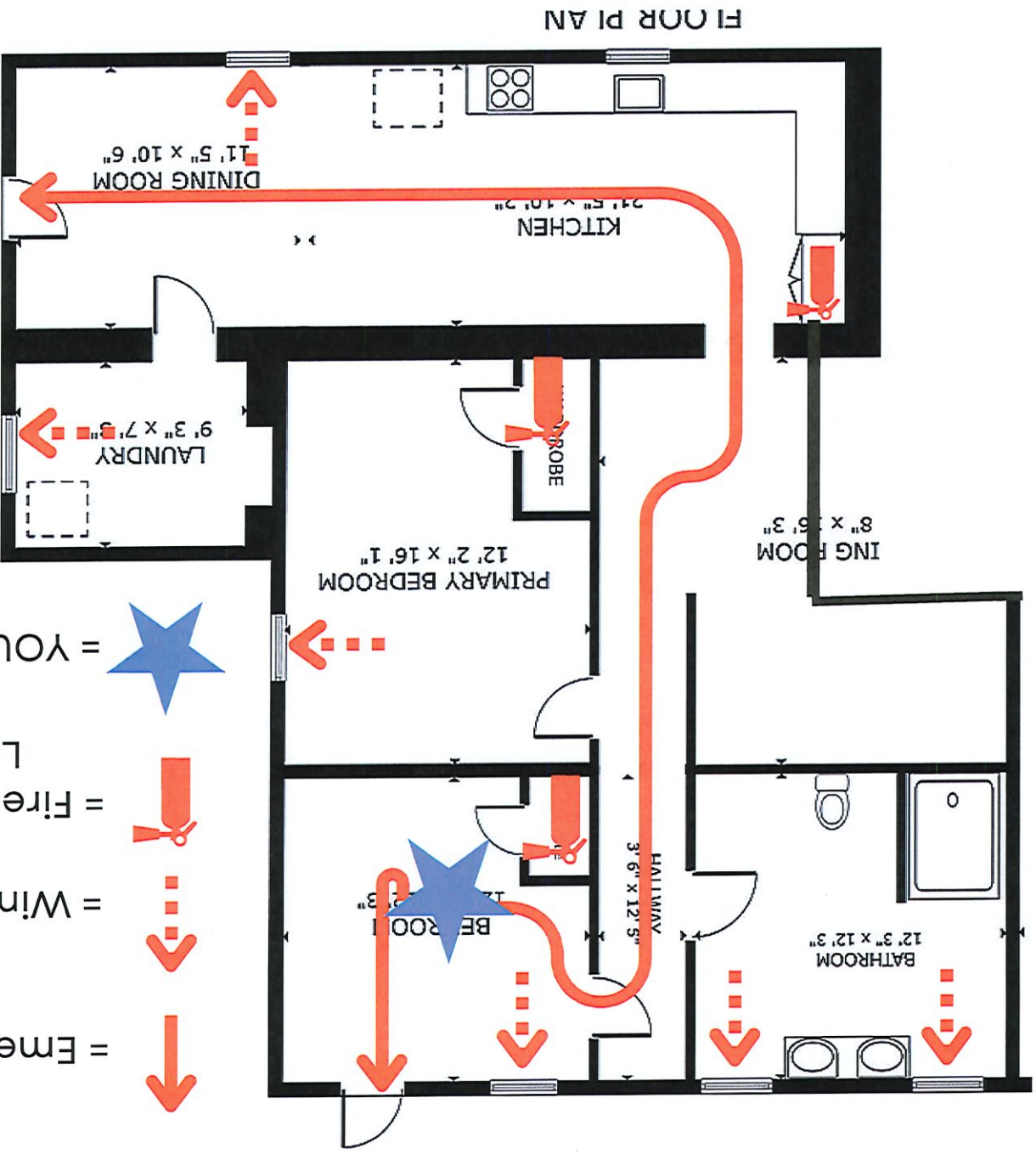
-  = Emergency Exit Paths
-  = Window Exits
-  = Fire Extinguisher Locations
-  = YOU ARE HERE



FLOOR PLAN

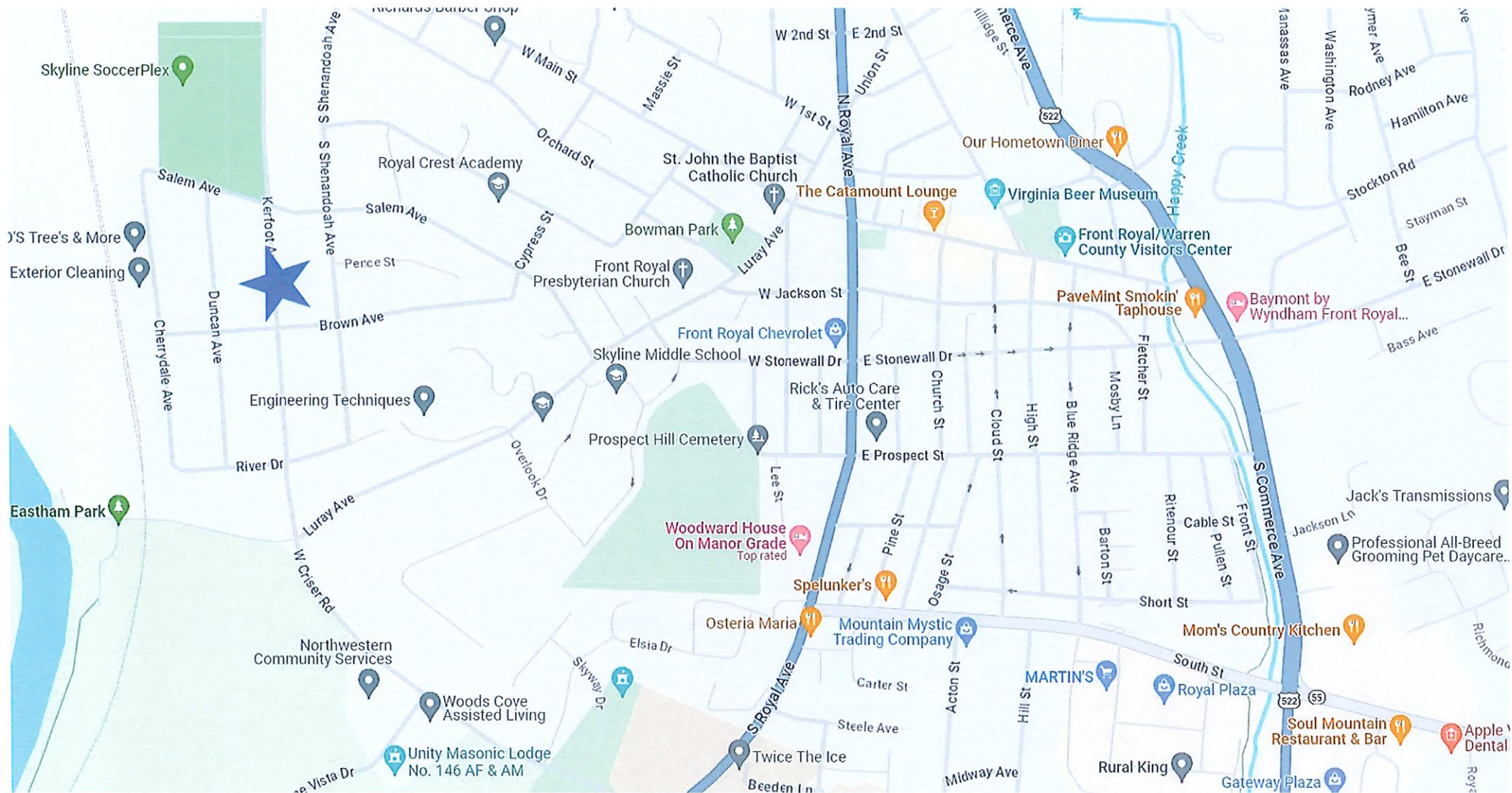
EMERGENCY EXIT PLAN

- = Emergency Exit Paths
- = Window Exits
- = Fire Extinguisher Locations
- ★ = YOU ARE HERE

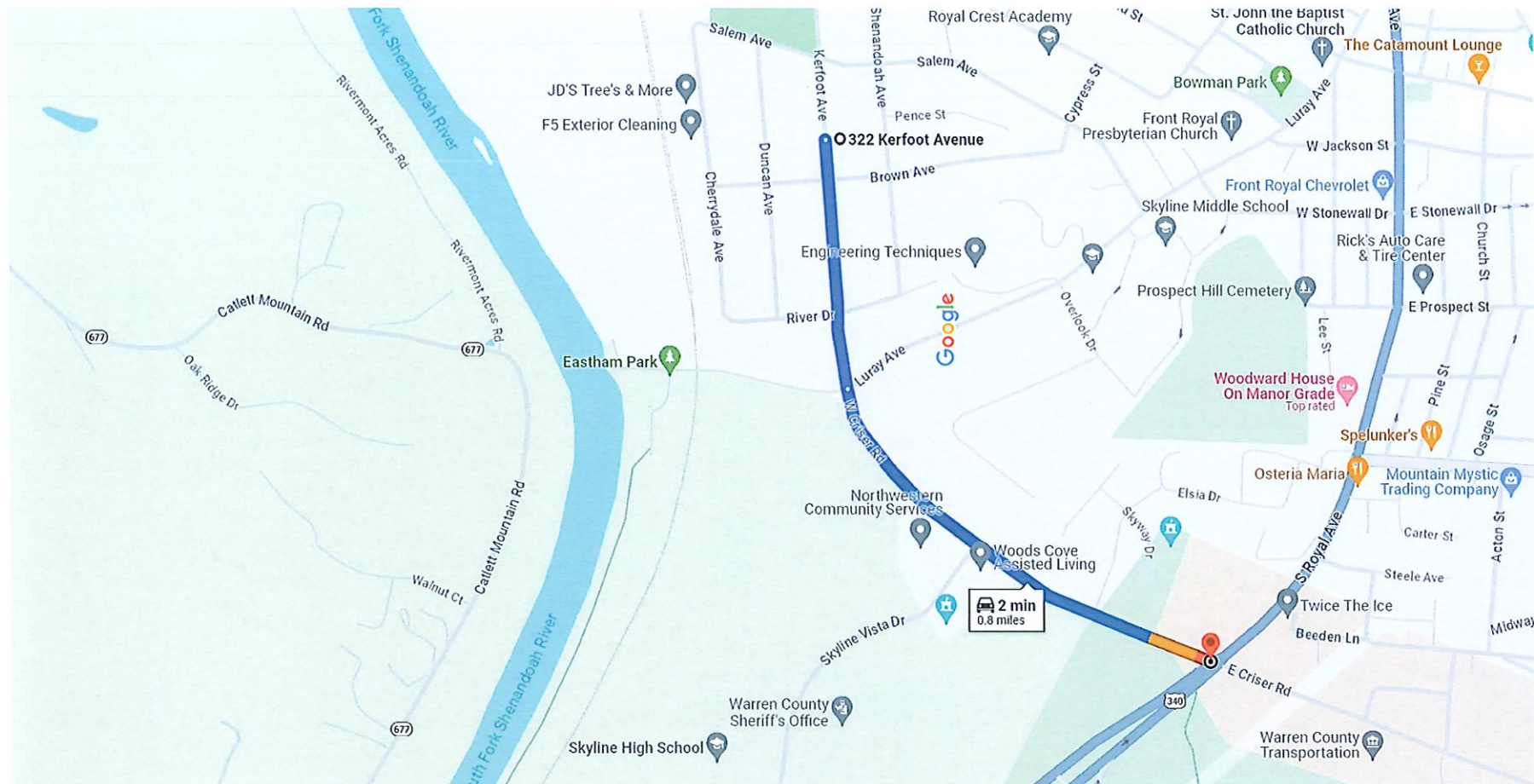


FLOOR PLAN

Map of Nearby attractions and accommodations



= Rental Location



Neighborhood Evacuation to Highway 340

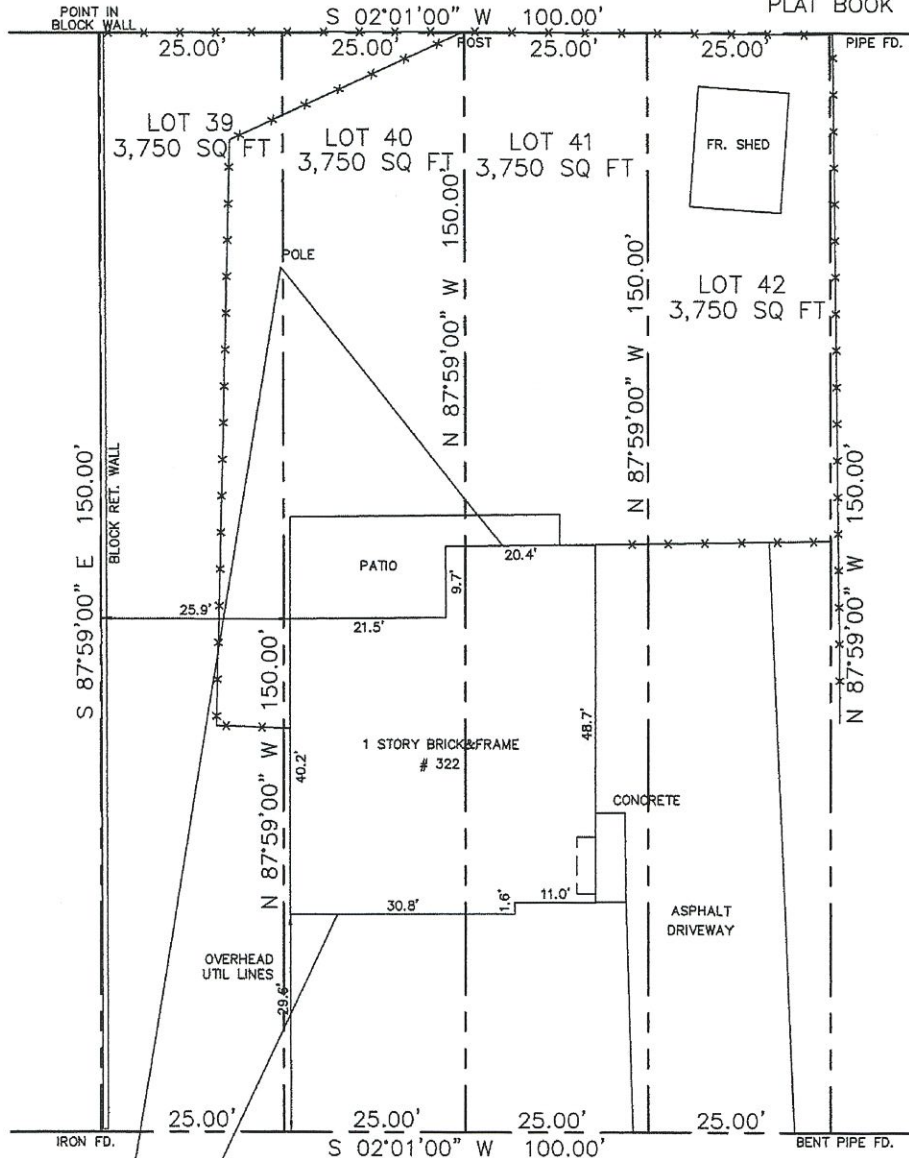
NOTES:

- 1) THIS IS TO CERTIFY THAT ON DECEMBER 12, 2023 I MADE AN ACCURATE SURVEY OF THE PREMISES SHOWN HEREON AND THAT THERE ARE NO EASEMENTS OR ENCROACHMENTS VISIBLE ON THE GROUND OTHER THAN SHOWN HEREON.
- 2) TAX MAP PARCEL: 20A6-7-10-(39-42)
- 3) SELLER: ALVAREZ PANOZO
PURCHASER: LEJEUNE
- 4) DEED REFERENCE: INST. 22-7104
- 5) FLOOD ZONE: X COMMUNITY/PANEL: 51187C0112C
EFF. DATE: 6-3-2008
- 6) NO TITLE REPORT FURNISHED, EASEMENTS OTHER THAN THOSE SHOWN HEREON MAY EXIST.

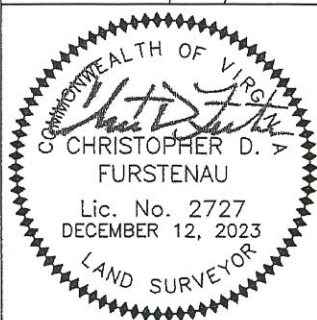
HOUSE LOCATION SURVEY
LOTS 39-42 BLOCK 10
VISCOSE CITY
TOWN OF FRONT ROYAL
WARREN COUNTY, VIRGINIA



RECORD PLAT
 PLAT BOOK 1 PG. 1



KERFOOT AVENUE
 50' R/W



DATE: DECEMBER 12, 2023 SCALE: 1"= 20'

1520 COMMERCE
STREET, #309
WINCHESTER, VIRGINIA
22601
540 974-4268
christopher@cdfsurveying.com



Chapter 106**NOISE****Sections:**

- 106-1 THROUGH 106-4 (RESERVED)**
- 106-5 DECLARATION OF FINDINGS AND POLICY**
- 106-6 DEFINITIONS**
- 106-7 ADMINISTRATION AND ENFORCEMENT**
- 106-8 PROHIBITED NOISE**
- 106-9 MAXIMUM PERMISSIBLE SOUND LEVELS FROM NOISE SOURCES**
- 106-10 OPERATOR OF SOUND-PRODUCING DEVICES IN PLACE OF PUBLIC ENTERTAINMENT OR ASSEMBLY**
- 106-11 USE OF LOUDSPEAKERS FOR ADVERTISING PURPOSES**
- 106-12 PROHIBITED NOISE FROM MOTOR VEHICLE SOUND SYSTEM**
- 106-13 RESPONSIBILITY OF THE PROPERTY OWNER**
- 106-14 EXCEPTIONS FROM CHAPTER**
- 106-15 BUILDING, UTILITY, ROAD CONSTRUCTION AND EXCAVATION OPERATIONS**
- 106-16 TESTING OF METERING DEVICES**
- 106-17 PENALTIES**
- 106-18 SEPARABILITY**

Adopted by the Town Council of the Town of Front Royal 3-11-85. 106-1 through 106-4 were repealed by Ordinance No. 12-04 on 10-11-04. Amendments noted where applicable.

106-1 THROUGH 106-4 (RESERVED)

(Ord. No. 12-04 Repealed 10-11-04-Effective Upon Passage)

106-5 DECLARATION OF FINDINGS AND POLICY

The Town Council hereby finds and declares that excessive sound is a serious hazard to the public health, welfare, peace, safety, and the quality of life; that a substantial body of science and technology exists by which excessive sound may be substantially abated; that the people have a right to and should be ensured an environment free from excessive sound that may jeopardize the public health, welfare, peace, and safety or degrade the quality of life; and that it is the policy of the Town of Front Royal to prevent such excessive sound.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-6 DEFINITIONS

For the purposes of this ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this subsection.

A. **A-WEIGHTED SOUND LEVEL.** The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB(a) or dBA.

B. **DAYTIME** The local time of day between the hours of 7:00 A.M. and 10:00 P.M..

C. **DECIBEL (dB).** A unit for measuring the volume of a sound equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals (twenty micronewtons per square meter).

D. **dBA** shall mean the sound pressure level as measured on a sound meter set to slow response to the A-weighted scale to approximate the frequency response of the human auditory system.

E. **EMERGENCY WORK** shall mean work made necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from immediate exposure to danger, including work performed by public service companies when emergency inspection, repair of facilities or restoration of services is required for the immediate health, safety or welfare of the community.

F. **NIGHTTIME.** The local time between the hours of 10:00 P.M. and 7:00 A.M.

G. **NOISE** shall mean any sound which may cause or tend to cause an adverse psychological or physiological effect on human beings.

H. **NOISE SOURCE** shall mean any equipment, motor vehicle, motorcycle or facility, fixed or movable, capable of emitting sound beyond the property boundary of the property on which the equipment is used, but not including motor vehicles or motorcycles operated on public rights-of-way.

I. **SOUND.** An oscillation in pressure, particle displacement, particle velocity or other physical parameter in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristic of such sound including duration, intensity, and frequency.

J. **SOUND LEVEL.** The weighted sound pressure level obtained by the use of an approved sound level meter and the A-frequency weighting network, as specified in American National Standards Institute specifications for sound level meters.

K. **SOUND LEVEL METER** shall mean an instrument to measure sound pressure levels which shall meet or exceed performance standards for a "type two" meter as specified by the American National Standards Institute.

L. **SOUND PRESSURE** shall mean the instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-7 ADMINISTRATION AND ENFORCEMENT

The noise control program established by this section shall be enforced and administered by the Chief of Police with the assistance of other Town departments as required.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-8 PROHIBITED NOISE

A. Generally. It shall be unlawful for any person to create any unreasonably loud, disturbing and unnecessary noise. Noise of such character, intensity and duration as to be detrimental to the life or health of any person or unreasonably to disturb or annoy the quiet, comfort or repose of any person is hereby prohibited.

B. Specific Acts as Noise Disturbances.

The following acts are declared to be noise disturbances in violation of this Chapter, provided that the acts so specified shall not be deemed to be an exclusive enumeration of those acts which may constitute a noise disturbance under Section 106-8(A):

1. Operating or causing to be operated any equipment used in construction, repair, alteration or demolition work on buildings, structures, streets, alleys, drainage or public utility systems or parts thereof, and appurtenances thereto in the outdoors between the hours of 9:00 p.m. and 7:00 a.m. the following day, except as provided in Section 106-15.
2. Repairing, rebuilding or modifying any motor vehicle or other mechanical device in residential use districts between the hours of 9:00 p.m. and 7:00 a.m. the following day.
3. The collection of trash or refuse in residential use districts between the hours of 9:00 p.m. and 7:00 a.m. the following day.
4. Loading or unloading trucks in the outdoors within one hundred (100) yards of a residence between the hours of 9:00 p.m. and 7:00 a.m. the following day; provided that this subsection shall not apply to any business that has been in operation at its current location since prior to January 1, 1980.

(Ord. No. 01-06 amended 1-23-06-Effective Upon Passage)

5. Sounding the horn or warning device of a vehicle, except when necessary as a warning during the operation of the vehicle. Sounding of such horn or other device more than once every two (2) minutes in any one town block and with a duration of more than five (5) seconds for any single emission shall be *prima face* evidence of violation of this section.
6. Operating or permitting the use or operation of any radio receiving set, musical instrument, television, phonograph or any other device for the production of sound, between the hours of

10:00 p.m. and 8:00 a.m. the following day, in such a manner as to be plainly audible across property boundaries or through partitions common to two (2) residences within a building

7. Operating or permitting the operation of any radio, tape player, compact disc player or other device for the production of sound on a public right-of-way or in a public place in such a way that the sound is plainly audible at a distance of fifty (50) feet from such device, whether or not the device is situated within a motor vehicle.

8. Owning, keeping, possessing or harboring any animal which frequently or habitually howls, barks, meows, squawks or makes such other noise as is plainly audible across property boundaries or through partitions common to two (2) residences within a building.

9. The use of any automobile, motorcycle or vehicle so out of repair, so loaded or operated in such a manner as to create loud and unnecessary grating, grinding, rattling or other noises.

10. The discharge of the exhaust of any internal combustion engine into the open air except through a device which will effectively prohibit loud and explosive noises.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-9 MAXIMUM PERMISSIBLE SOUND LEVELS FROM NOISE SOURCES

It shall be unlawful for any person to operate, or permit to be operated, any noise source in such a manner that the noise source emits a sound pressure level which exceeds the limits set forth below when measured on property other than that on which the noise source is located. The category of applicable sound pressure limits shall be determined by the zoning district classification of the property on which the noise is produced. Property which has been specifically determined by the Planning Commission to be within an area designated on the Comprehensive Plan for industrial use shall be deemed to fall into the industrial classification for the purposes of this ordinance, even if the property has not yet been re-zoned.

(Ord. 01-06 Amended 1-23-06-Effective Upon Passage)

Land Use Designation Where Noise is Measured.	Maximum Allowed Noise in Daytime (in dBA)	Maximum Allowed Noise in Nighttime (in dBA)
Agricultural & Residential Zones, A-1,R-1,R1-A,R-2,R-3	60	50
Commercial Zones C-1, C-2, C-3	70	65
Industrial Zones 1-1,1-2	80	80

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-10 OPERATOR OF SOUND-PRODUCING DEVICES IN PLACES OF PUBLIC ENTERTAINMENT OR ASSEMBLY.

It shall be unlawful for any person to operate, or permit to be operated, any loudspeaker or other device for the production of sound in any place of public entertainment or other place of public assembly which produces sound measure levels of ninety (90) dBA of greater at any point that is normally occupied by a person, unless conspicuous and legible signs are located outside such place, near the entrance, stating "WARNING, EXPOSURE TO SOUND ENVIRONMENT WITHIN MAY CAUSE HEARING IMPAIRMENT."

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-11 USE OF LOUDSPEAKERS FOR ADVERTISING PURPOSES

It shall be unlawful for any person to operate for commercial advertising purposes any loudspeaker or other like device or mechanism used to emit sound of any kind, which loudspeaker or other like device or mechanism is attached to or installed in any vehicle, when the vehicle is being driven, drawn, or parked along or upon the streets of the Town.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-12 PROHIBITED NOISE FROM MOTOR VEHICLE SOUND SYSTEM

No person within the Town limits shall operate or permit the use or operation of any radio, tape player, compact disc player, or any other device which produces, reproduces, or amplifies sound in a motor vehicle, in such a manner that the sound can be heard more than fifty (50) feet from the motor vehicle.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-13 RESPONSIBILITY OF THE PROPERTY OWNER

It shall be unlawful for a property owner knowingly to allow the creation of noise prohibited by this Chapter, within the boundaries of his or her property.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-14 EXCEPTIONS FROM CHAPTER

The provisions of this Chapter shall not apply to the following activities:

1. The emission of sound for the purpose of alerting persons to the existence of an emergency or to the emission of sound in the performance of emergency work;
2. Noise caused by or arising out of activities related to repair, maintenance, replacement or alteration of public utility systems or parts thereof, public drainage systems or parts thereof, or streets and highways or parts thereof, and appurtenances thereto, where such activity is

reasonably necessary to further a public safety interest and/or to minimize disruption in the provision of public services, e.g., water, sewer and electric service; or

3. Parades, fireworks displays, and other organized public activities authorized by permit issued by an official of the Town.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-15 BUILDING, UTILITY, ROADCONSTRUCTION AND EXCAVATION OPERATIONS.

A. The erection, including excavation, demolition, alteration or repair of any building in a residential or business district, the performance of any work on a public utility, the performance of any work relating to road construction, and any excavation work on January 1st (New Year's Day), the last Monday in May (Memorial Day), July 4th (Independence Day), the first Monday in September (Labor Day), the fourth Thursday in November (Thanksgiving Day), and December 25th (Christmas Day), or other than between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday, is prohibited, except in cases of necessity in the interest, public health, safety and welfare, and then only with a permit from the Town Manager or his designee. This prohibition does not apply to Town employees or to contractors performing work in compliance with the terms and requirements of a Town contract.

B. When one of the regular holidays mentioned in Subsection (a) of this section falls on a Saturday, the preceding Friday shall be declared the holiday. When one of the regular holidays falls on a Sunday, the following Monday shall be declared the holiday.

C. Construction. Notwithstanding any other provision in this Chapter, between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday, construction, alteration or repair activities that are authorized by a valid Town permit shall be allowed if they meet at least one of the following noise limitations:

1. No individual piece of equipment shall produce a noise level exceeding 85 dB(A) at a distance of twenty-five (25) feet. If the device is housed within a structure on property, the measurement shall be made outside the structure at a distance as close to twenty-five (25) feet from the equipment as possible.

2. The noise level at any point outside of the property planes of the project shall not exceed 90 dBA.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

16-16 TESTING OF METERING DEVICES

In order to implement and enforce this section effectively, the Chief of Police shall, within a reasonable time after the effective date of same, develop and promulgate standards and procedures for testing and validating sound level meters used in enforcement of this section.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-17 PENALTIES

A. Any person who violates any provision of this Chapter shall be deemed to be guilty of a Class III misdemeanor.

B. Each violation and/or day of violation of any provision of this section shall constitute a separate offense.

C. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-18 SEVERABILITY

If any provision of this Chapter should be determined by a court of competent jurisdiction to be invalid, such determination shall not affect the validity of the remaining provisions of this Chapter.

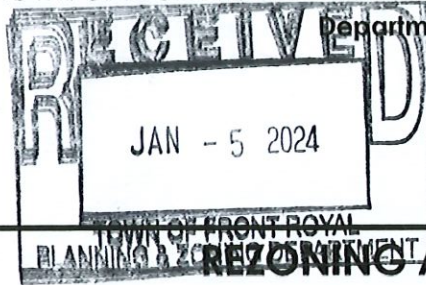
(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

CONSENT TO ADVERTISE
REZONING APPLICATION 2400018
1324 OLD WINCHESTER PIKE



TOWN OF FRONT ROYAL ~102 East Main Street, Front Royal, Va. 22630 ~ 540-635-4236

Department of Planning & Zoning



FRREZON

2400018

REZONING APPLICATION

APPLICANT

Name Graceful Abode of Liberation Phone 540.454.2161

Address 1324 Old Winchester Pike, Front Royal, VA 22630

E-mail AbodeOfLiberation@gmail.com

PROPERTY OWNER OF RECORD

Name Jenelle Embrey Phone 540.454.2161

Address 1324 Old Winchester Pike, Front Royal, VA 22630

PROPERTY DESCRIPTION

Location/Street Address 1324 Old Winchester Pike, Front Royal, VA 22630

Number of lots: 1 Total Acreage .89

Tax Map Identification for each parcel (Map, Section, Block, & Lot):

20A124 6

Subdivision Name (if applicable) _____

REQUEST

Existing Zoning R-1

Proposed Zoning Residential R-3 which permits a
Lodging House to operate with a SUP

Existing Use Boarding House

Proposed Use Nonprofit Boarding House for
people of different abilities and
their caregivers

ATTACHMENTS

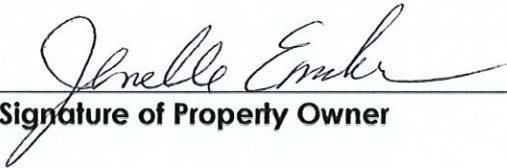
The following should be submitted with a completed copy of this application. Additional information may be determined necessary depending on the nature of the request.

1. Application Fee (Checks should be made out to the Town of Front Royal. Fees are as follows: 1 acre or less = \$500, over 1 acre = \$500 + \$100 per acre after 1st acre, Downzoning = \$400)
2. Survey/Plat of the property with metes and bounds descriptions for all existing and proposed property lines and zoning district boundaries (8 copies and a digital copy).
3. Environmental Site Assessment Phase I and Phase II (unless waived by Director).
4. Traffic Impact Analysis (if required)
5. Written proffers. Proffers are voluntary but should be submitted in a written format approved by the Director.
6. Statement of Justification. As a separate document, provide a statement or statements that explain why you believe the property should be rezoned.

CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge. The proffering system has been explained to me and I have read Sections 175-149 and 175-150 of the Town of Front Royal Zoning Ordinance pertaining to conditional zoning and proffering.



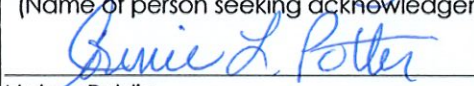

Signature of Property Owner

Signature of Applicant (if different)

City/County of WARREN, Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 5 day of January, 2024 by

Jenelle Embrey
(Name of person seeking acknowledgement)


Notary Public

Notary registration number: 7076929 My commission expires: 08/31/2027

NOTICES

- Staff will notify adjacent property owners of the rezoning request and the scheduled public hearing dates with the Planning Commission and Town Council.
- Town Staff will place an advertisement in the local newspaper as required under Virginia Code §15.2-2204.
- Town Staff will place a public hearing sign(s) at the location of the proposed rezoning.
- Submission of this application does not establish a vested right as outlined under Virginia Code §15.2-2307.
- By submitting this application, the applicant grants permission to the 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.
- When the applicant is different than the fee simple property owner, the signature by the fee simple property owner on this application shall be considered as authorization for the applicant to act as an agent for matters concerning this application.

OFFICE USE ONLY

Receipt # 31071 Date Paid 1-5-2024 \$500.00

Planning Commission Hearing Date: _____ Recommendation: _____

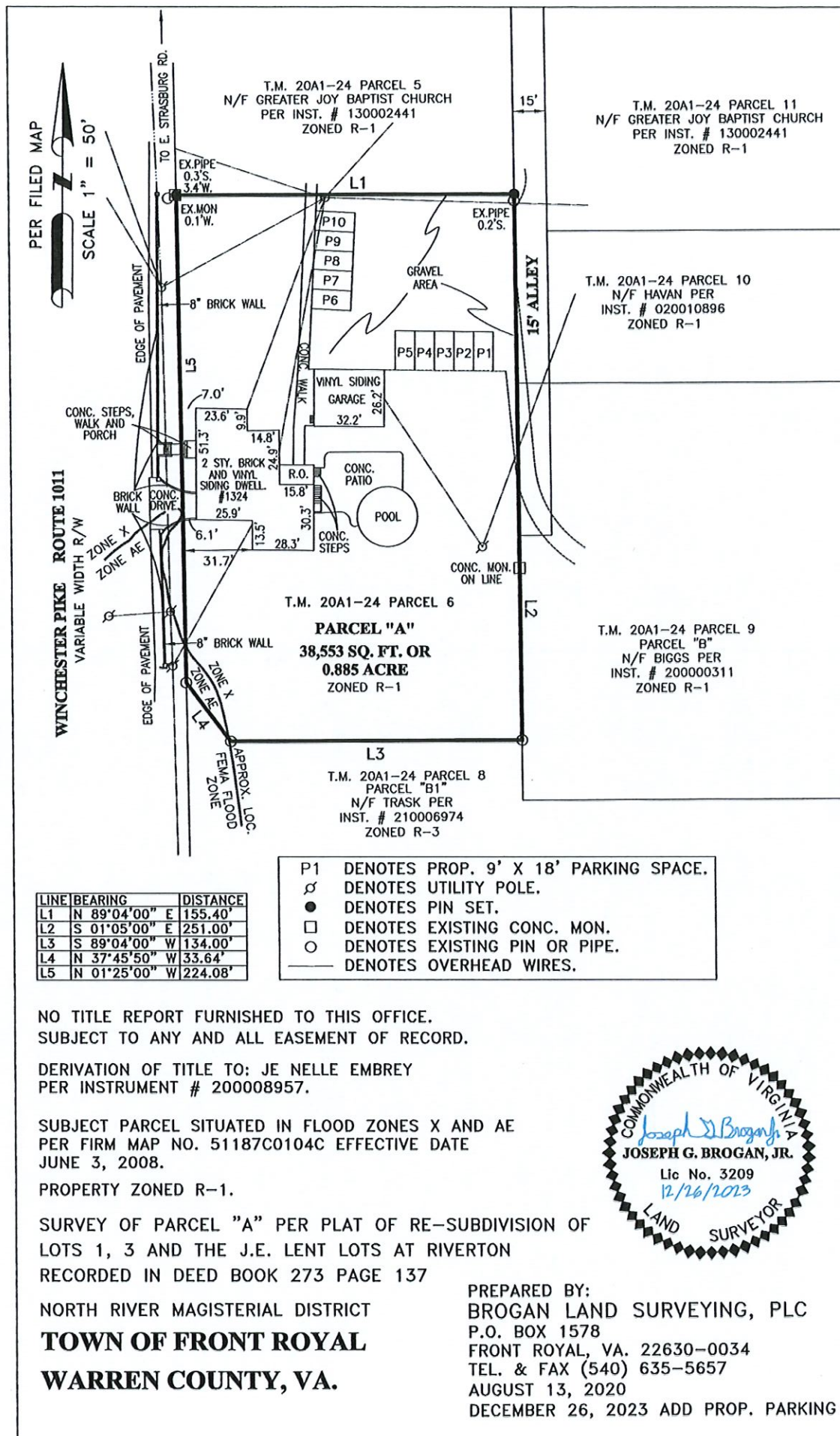
Town Council Hearing Date: _____ Date Sent to Clerk: _____

Statement of Justification

12/25/2023

I've owned my 8br home for over three years. One by one, I've leased out my bedrooms to family members, on a permanent basis. The most recent resident who moved in a few months ago is not a family member, which makes it start feeling like a boarder house. I'd like the proper permits. To do so, I have to start with the proper Zoning from R1 to R3. The adjoining property is zoned R3 as the previous owner ran a B&B there, The Four Winds.

Since 3 of the residents have intellectual disabilities, and I am an advocate for them as well as our friends in Special Olympics, I would also like the boarder house to be a nonprofit and have started that process.



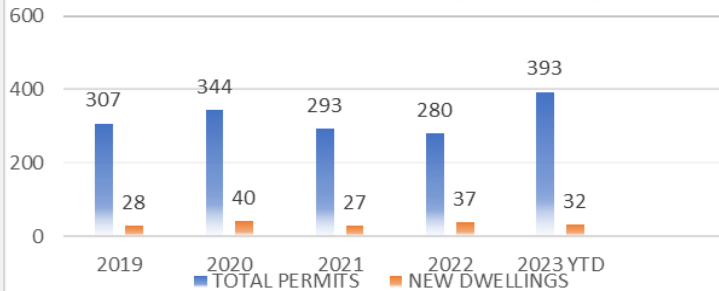
DECEMBER 2023
MONTHLY REPORT

PLANNING/ZONING DEPARTMENT - DECEMBER 2023

● GENERAL INDICATORS

	2019	2020	2021	2022	2023 YTD	DECEMBER
Zoning Permits	307	344	293	280	393	8
Code Enforcement Cases	591	228	203	424	407	26
Land Use Applications	19	26	29	56	36	1
Code Amendments	1	1	7	2	4	0
Sign Permits	52	39	47	41	62	0
Business Licenses	186	151	172	155	148	5
Short-Term Rentals	--	--	1	13	5	0
Administrative Variance	--	--	--	--	4	0
COA Administrative Review	--	--	--	--	39	0
COA Board Review	--	--	--	--	11	1
Solicitor/Itinerant Merchant	--	--	--	--	10	0
Urban Agriculture	--	--	--	--	18	0
Alley Vacation	--	--	--	--	5	1
Right of Way Utilization Permits					46	4

PERMIT TOTALS 2019 - 2023



TOTAL CODE CASES 2019 - 2023



SPECIAL PROJECTS UPDATES/NEWS

- **Chapter 175 and 148 Rewrite:** Discussions have been held with Summit regarding the rewrite.
- **Capital Improvement Plan (CIP):** Work has begun on the 2025-2029 CIP.

- **BAR** – The Board of Architectural Review held one (1) regular meeting in December. The BAR approved three (3) Certificate of Appropriateness Applications for exterior renovations at 131 E. Main Street, 415 E. Main Street, and 32 N. Royal Avenue.
- **BZA** - The Board of Zoning Appeals held one (1) regular meeting in December for a Variance Application requesting a variance from the side yard setback at 219 E. 7th Street. The variance application was denied by the BZA.

- **PC** – In December the Planning Commission (PC) held one (1) regular meeting and one (1) work session. At their regular meeting the PC recommended approval of a Special Use Permit Application for a Lodging House at 501 S. Royal Avenue, a Rezoning Application to rezone 29 W. Duck from C-1, Community Business District to R-3, Residential District, and a Rezoning Application to rezone 1121, 1125, and 1135 John Marshall Highway from R-1, Residential District to C-1, Community Business District. Discussion at the work session included three (3) applications that went to public hearing at the regular December meeting mentioned above.