



REGULAR PLANNING COMMISSION MEETING

Wednesday, February 21, 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

- January 17, 2024 – Regular Meeting

V. ELECTION OF OFFICERS

- Chairman *(to begin serving March 2024)*
- Vice Chairman *(to begin serving March 2024)*

VI. CITIZEN COMMENTS

VII. PUBLIC HEARING

- **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 20A12-4-6 from R-1, Residential District to R-3, Residential District.

VIII. COMMISSION MEMBER REPORTS

IX. PLANNING DIRECTOR REPORT

- January Monthly Report

X. ADJOURNMENT

JANUARY 17, 2024
MEETING MINUTES



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 January 17, 2024, 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
Connie Marshner, Vice Chairman
Glenn Wood, Commissioner
Brian Matthiae, Commissioner

Absent: Michael Williams, Commissioner

Staff Present: Lauren Kopishke, Planning Director / Zoning Administrator
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

- December 20, 2023 – Regular Meeting

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

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

ROLL CALL



CITIZEN COMMENTS

There were no citizen comments.

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.

Ms. Kopishke confirmed that the application was complete at the time of submission.

Commissioner Matthiae moved, seconded by Commissioner Wood for consent to advertise.

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

ROLL CALL

- **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.

Ms. Kopishke confirmed that the application was complete at the time of submission.

Commissioner Matthiae moved, seconded by Commissioner Wood for consent to advertise.

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

ROLL CALL

- **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.

Ms. Kopishke confirmed that the application was complete at the time of submission.



Commissioner Matthiae moved, seconded by Commissioner Wood for consent to advertise.

VOTE: Yes – Wells, Marshner, Matthiae, Wood

No – N/A

Abstain – N/A

Absent – Williams

ROLL CALL

COMMISSION MEMBER REPORTS

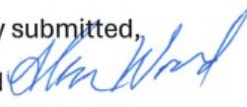
Commissioner Wood read the following statement into the record.

Mr. Chairman and fellow commissioners. I would like to address the recent interest in me continuing to serve out my term on the Planning Commission after being elected to the Town Council. As our town attorney Mr. Sonnet has stated, VA code 15.2-2212 allows one member to serve on both boards. Last summer I completed the recertification class for Commissioners at a cost of well over \$1,000 at the town's expense. My term on this Commission expires this August. After discussing this with all fellow commissioners except Mr. Mathie who has only been here two months, and getting their support, I decided to offer my 10 years of knowledge and experience by serving out this term. As your Commissioner I promise to study all concerns brought before us, perform site visits research, listen to staff and applicant reports, ask questions, as well as listen to the public input in making an decisions.

I also want to point out that since the rezoning request by Mr. Sayre the middle of last year that this Commission has voted unanimously all issues brought before it other than one abstention, on one vote for an ordinance change requested by council. To think I exert any influence over the Commission is just not true.

I am not a developer and the only property I own in town or in the county is our home. I plan to complete my term by serving all citizens faithfully and honestly as your public servant.

Respectfully submitted,

Glenn Wood 



PLANNING DIRECTOR REPORT

Ms. Kopishke reviewed the December monthly report.

Staff are working on the Zoning Ordinance rewrite and the Capital Improvement Plan (CIP) with hopes of bringing them both to the Planning Commission in late summer or early fall.

ADJOURNMENT

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

VOTE: Yes – Wells, Marshner, Matthiae, Wood

No – N/A

Abstain – N/A

Absent – Williams

ROLL CALL

The meeting was adjourned at 7:10 p.m.

Approved by Planning Commission

Date: _____

PUBLIC HEARING
REZONING APPLICATION 2400013
1724 N. ROYAL AVENUE

Town of Front Royal, Virginia

Planning Commission Regular Meeting Agenda

☐ Consent Action ☐ Administrative Action ☒ Public Hearing ☐ Discussion

Agenda Item: Rezoning Application # 2400013

MEETING DATE: February 21, 2024

SUMMARY: The application for review is requesting an amendment of the Zoning Map of the Town of Front Royal to reclassify 1724 N. Royal Avenue, identified by tax map number 20A2-2-11, from R-1, Residential District to R-1A, Residential District.

STAFF RECOMMENDATION: Staff recommends approval of Rezoning Application # 2400013. This rezoning will permit the density that the Comprehensive plan envisions for this area.

DRAFT MOTION: "I move that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Rezoning Application # 2400013 to amend the Zoning Map of the Town of Front Royal to reclassify 1724 N. Royal Avenue, identified by tax map number 20A2-2-11, from R-1, Residential District to R-1A, Residential District.

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

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Wood _____ Williams _____ Wells _____ Marshner _____ Matthiae _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other



TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING

STAFF REPORT - REZONING APPLICATION #2400013
PLANNING COMMISSION REGULAR MEETING – February 21, 2024

APPLICATION #:

Rezoning Application #2400013

APPLICANT:

Fernando Arana Pradel

SUMMARY OF REQUEST:

The application for review is requesting an amendment of the Zoning Map of the Town of Front Royal to reclassify 1724 N. Royal Avenue, identified by tax map number 20A2-2-11, from R-1, Residential District to R-1A, Residential District. The stated purpose of the rezoning request is “to remodel the existing home and sell it and with the profits of such sale, begin the construction of our future home”. The existing lot would be subdivided into two (2) lots.

GENERAL INFORMATION:

<i>Site Addresses</i>	1724 N. Royal Avenue
<i>Property Owner(s)</i>	Miguel A. Balbi/Fernando Arana Pradel/Thays Luigi Jose Cuneo
<i>Existing Zoning</i>	R-1, Residential District
<i>Proposed Zoning</i>	R-1A, Residential District
<i>Tax Identification</i>	20A2-2-11
<i>Location</i>	The property is located south of the intersection of W. 18 th Street and N. Royal Avenue.

VICINITY MAP



AERIAL MAP – ZONING DISTRICTS



INFORMATION ON THE APPLICATION:

Application Documents

ATTACHMENT A: APPLICATION

- **Application Form.** This is the standard application form used to initiate rezoning applications in the Town.
- No proffers were made by the applicant.

ATTACHMENT B: PLAT

- **Plat.** A survey plat of the property showing property lines and proposed improvements thereon.

ATTACHMENT C: LETTER OF STATEMENT OF JUSTIFICATION

"The home is in the R-1 Zone which requires a minimum of 75 feet frontage on a public street for each lot. Een thought 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. Roal 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."

The statements of intent of the two (2) identified zoning districts as set forth in the Front Royal Zoning Ordinance are as follows:

R-1 District, Zoning Ordinance Sec. 175-11.

The R-1 District is composed of quiet, low-density residential areas, plus undeveloped areas where similar residential construction appears likely to occur. The standards set forth for this district are designed to stabilize and protect the essential character of the areas so delineated, to promote and encourage a suitable environment for family life where there are children, to provide areas for suitable expansion of the Town as facilities are provided and to prohibit all commercial activities. Development is, therefore, limited to relatively low concentration, and permitted uses are limited to single-unit dwellings, plus selected additional uses, such as schools, parks, churches and certain public facilities that serve the residents of the district. Mobile homes or rooming houses are prohibited.

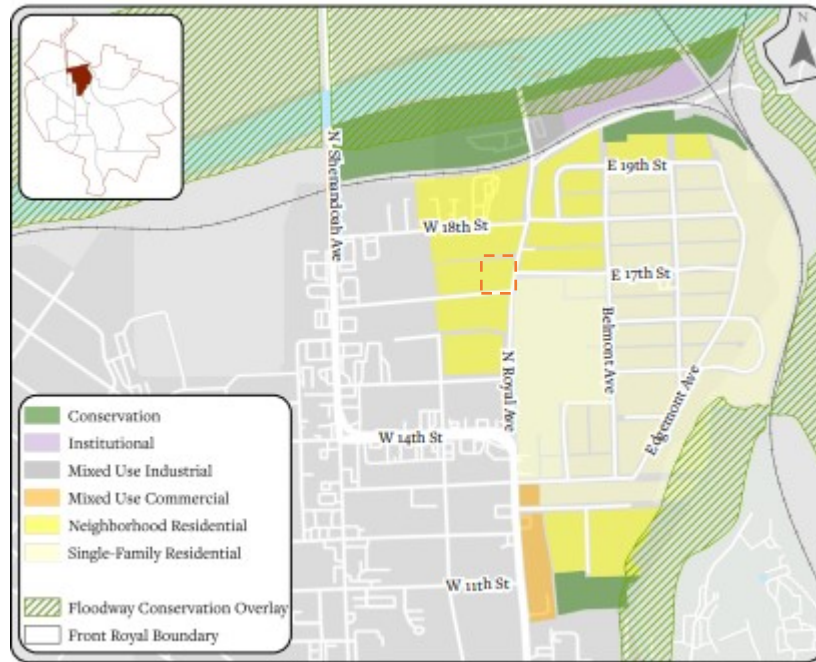
R-1A District, Zoning Ordinance Sec. 175-18.1

The R-1A District is designed to accommodate single-family residential development of a medium density on smaller individual lots. The standards for this district are designed to stabilize and protect the character of the designated areas and to protect and encourage a suitable environment for family life. Optional cluster subdivision standards are included with the intent and purpose of providing greater flexibility for larger development projects. To ensure quality development, the added development flexibility is balanced with requirements that require additional open space and recreational amenities. These additional requirements support a development with higher property values; better preservation of the natural environment; and a more active and healthy community.

Differences between R-1 and R-1A Zoning Districts

The main difference in the two zones is the density. The R-1 district is intended to support single family uses at a lower density. The R1-A option allows for clustering and medium to high density single family residential uses.

Town Comp. Plan



The Town's Comprehensive Plan shows a future land use of Neighborhood residential. The intention of this district is to accommodate higher density and a variety of housing types.

Findings and Analysis & Staff Recommendation

This particular site is one of the larger parcels within the neighborhood. The applicants desire to rezone the site with the intent of eventually subdividing it, is in line with the Town's Comprehensive Plan. This rezoning will permit the density that the Comprehensive Plan envisions for this area. Staff supports this rezoning request. There are no proffers submitted with this rezoning request.

At the time of subdivision, the applicant will have to meet all Town requirements.

Attachments: A. Application and Supporting Documents
B. Plat
C. Letter of Statement of Justification



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

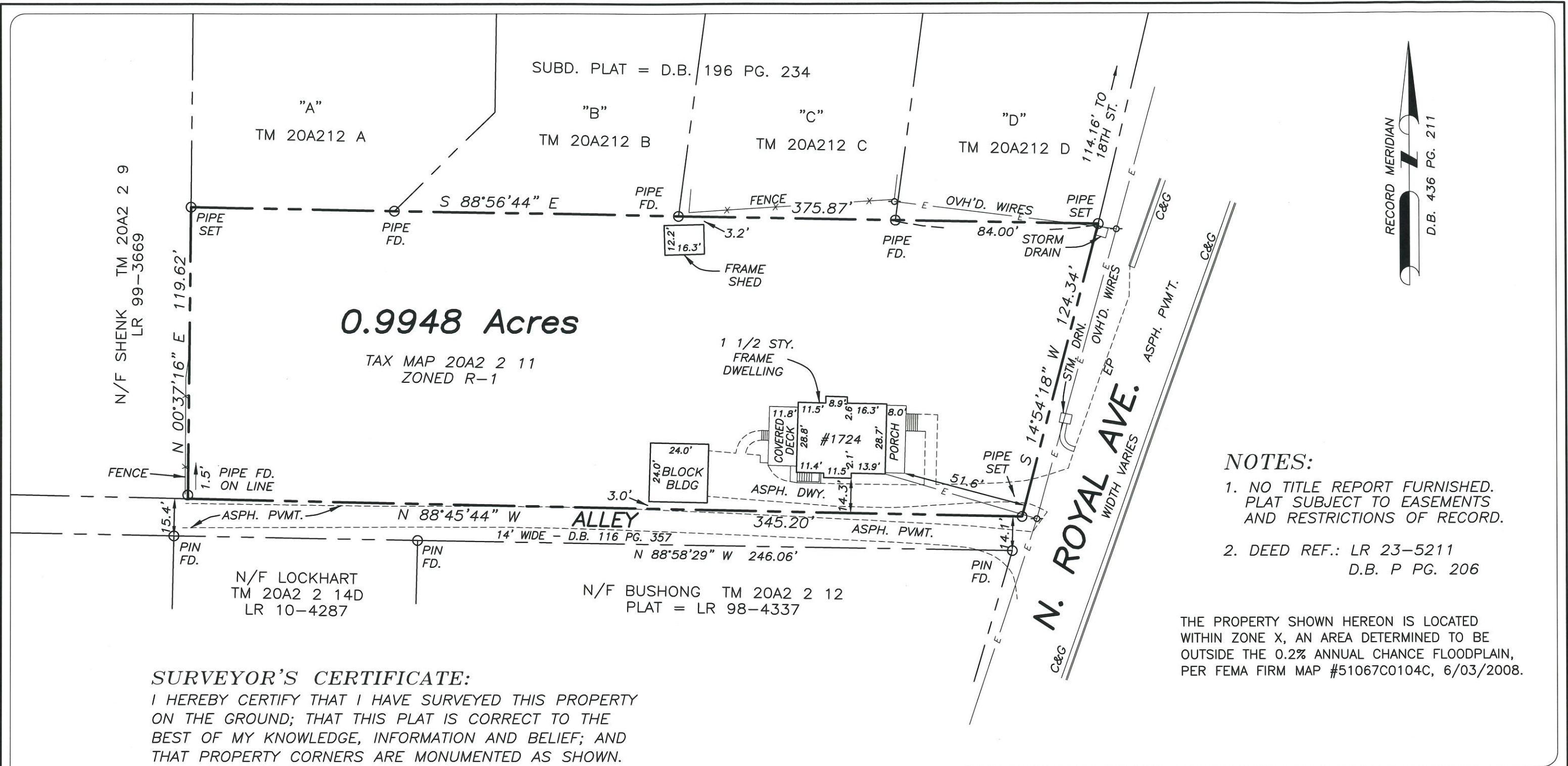
RECEIVED
JAN 4 - 2024

JAN 4 - 2024

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JAN 4 - 2024

JAN 4 - 2024

Front Royal
Planning Department



0.9948 Acres

TAX MAP 20A2 2 11
ZONED R-1

- 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

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23-F136 DWG. No. AM-1845

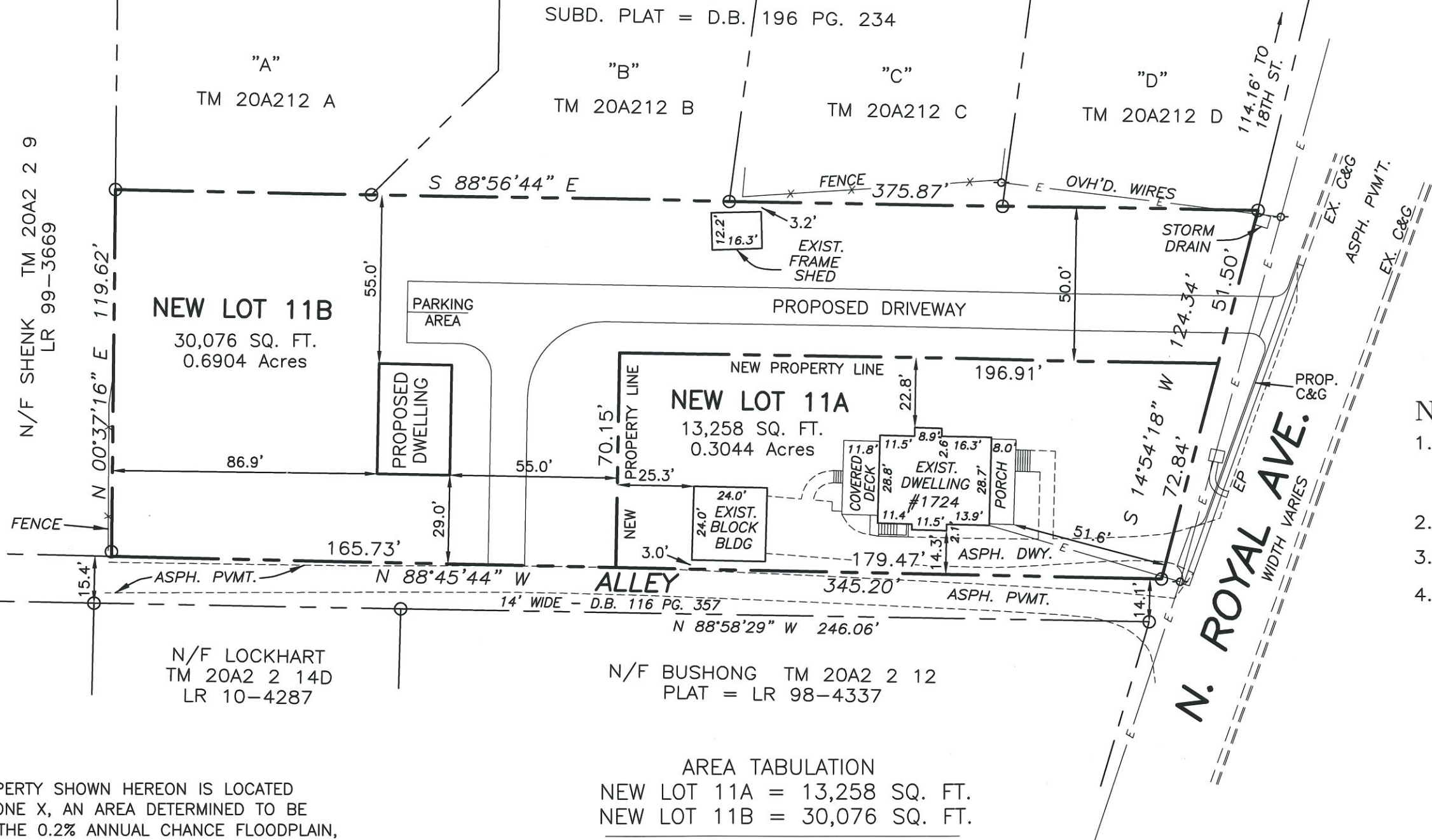


BOUNDARY SURVEY - THE LAND OF

**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'

PUBLIC HEARING

SUP 2400016 – SHORT-TERM RENTAL

322 KERFOOT AVENUE

Town of Front Royal, Virginia

Planning Commission Monthly Meeting Agenda

☐ Consent Action ☐ Administrative Action ☒ Public Hearing ☐ Discussion

Agenda Item: Special Use Permit – Short-Term Rental #2400016

MEETING DATE: February 21, 2024

SUMMARY: A Special Use Permit Application has been submitted for a Short-Term Rental located at 322 Kerfoot Avenue. The applicant intends to rent two (2) rooms and no more than four (4) occupants at a time. Staff conducted an inspection on January 25, 2024 and found the property to be in compliance.

STAFF RECOMMENDATION: Staff recommends approval of Special Use Permit #2400016.

DRAFT MOTION: "I move that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2400016 for a Short-Term Rental located at 322 Kerfoot Avenue with the following conditions:

1. The applicant will not permit more than four overnight guests per stay.
2. The applicant will obtain all necessary Building and Zoning permits prior to issuance of the Special Use Permit.

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

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Matthiae _____ Williams _____ Wells _____ Marshner _____ Wood _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other



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

**Planning Commission Regular Meeting
February 21, 2024**

APPLICATION #:

2400016

APPLICANT:

Jean-David Lejeune and Samantha Harris

APPLICATION SUMMARY:

A Special Use Permit Application has been submitted for a Short-Term Rental located at 322 Kerfoot Avenue. The applicant intends to rent two (2) rooms and no more than four (4) occupants at a time. Staff conducted an inspection on January 25, 2024 and found the property to be in compliance.

GENERAL INFORMATION:

<i>Site Addresses</i>	322 Kerfoot Avenue
<i>Owner(s)</i>	Jean-David J. Lejeune and Samantha Harris
<i>Zoning District</i>	R-1, Residential District
<i>Historic District</i>	No
<i>Tax Identification</i>	Tax Map #20A6-7-10-39, 40, 41, and 42
<i>Request/ Recommendation</i>	The Applicant is requesting to rent two (2) bedrooms and no more than four (4) occupants at a time. Staff received a complaint that renovations had occurred without Town Zoning approval. Town Staff reported the violation to Warren County Building Inspections. The applicant is working to resolve the issue. The property was purchased after the work was completed without knowledge of the lack of permitting. Staff recommends approval of the application with the following conditions: 1. The applicant will not permit more than four overnight guests per stay. 2. The applicant will obtain all necessary Building and Zoning permits prior to issuance of the Special Use Permit.

View of Front Elevation – 322 Kerfoot Avenue



View of Front Right Elevation – 322 Kerfoot Avenue



Aerial Map (Warren County GIS)



Aerial Zoning Map (Warren County GIS)



Attachment: Application and supporting documents.

#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 Hejenc
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 managment 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 managment 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:

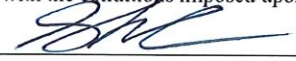
- A. The short-term rental owner of a dwelling unit to be used for a short-term rental shall apply for a Special Use Permit through the Department of Planning and Zoning and receive approval from Town Council prior to utilizing the dwelling unit as a short-term rental. Town Council may impose conditions 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

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.

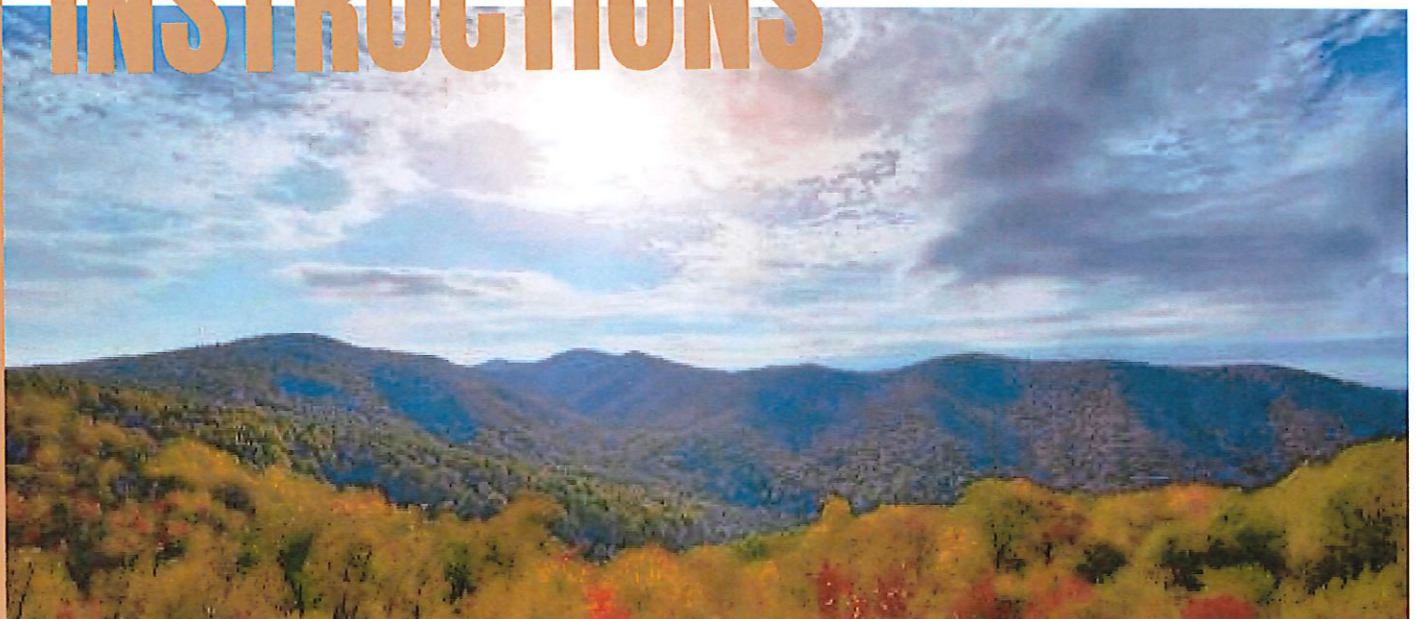
CHECK IN

- 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

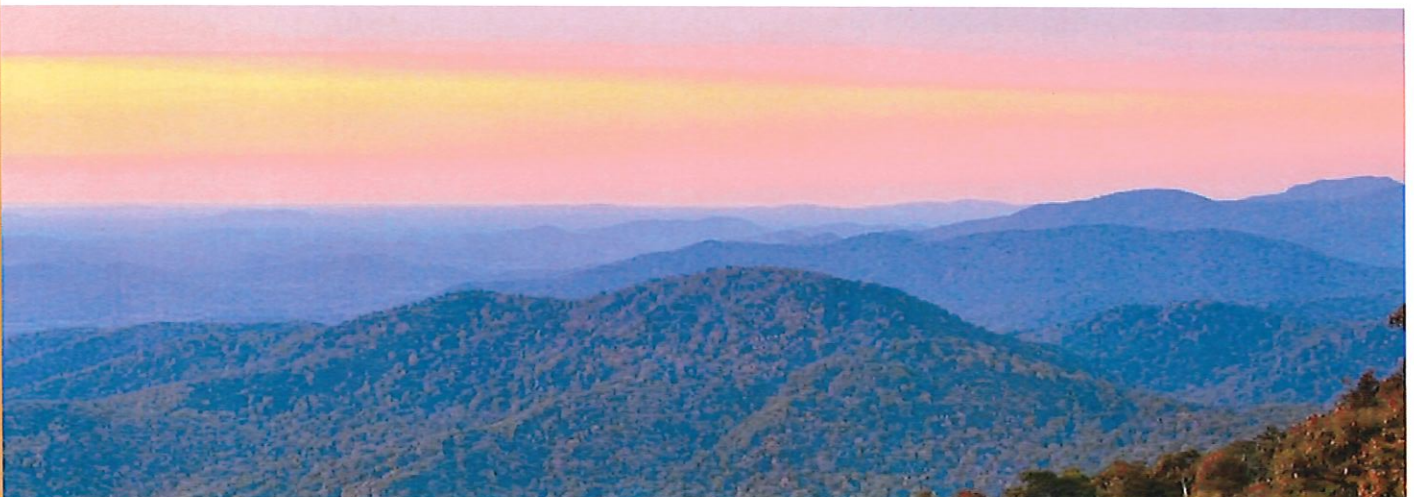
The Special Use Permit limits the occupancy for this short-term rental to 4 people and 2 bedrooms

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

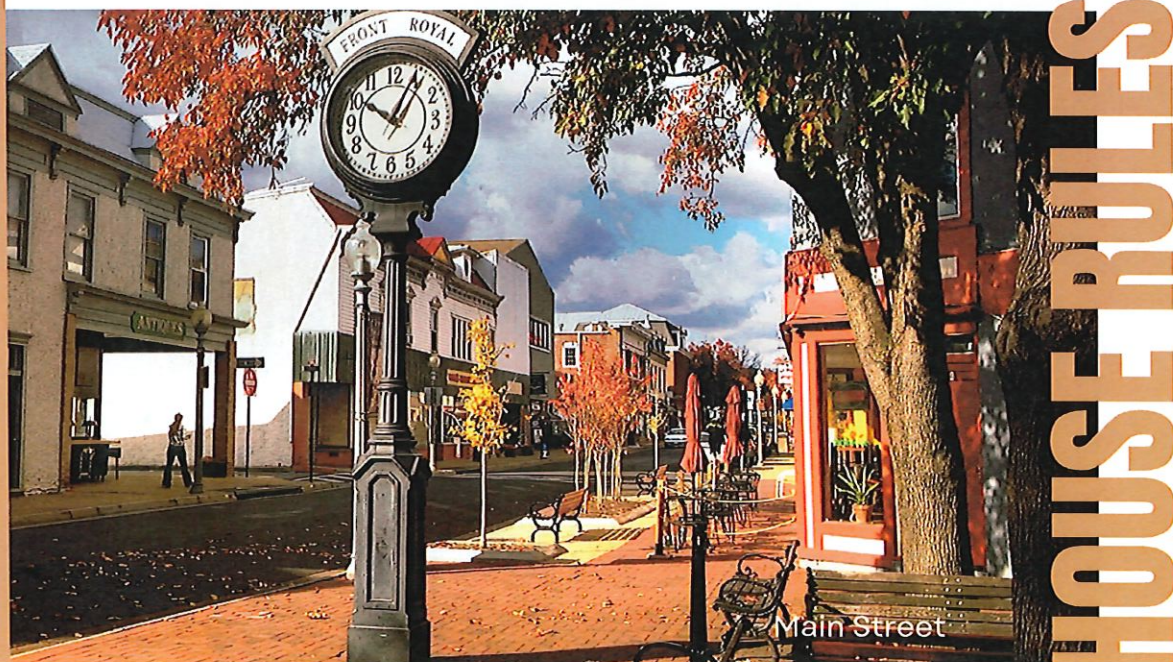
PARKING

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.

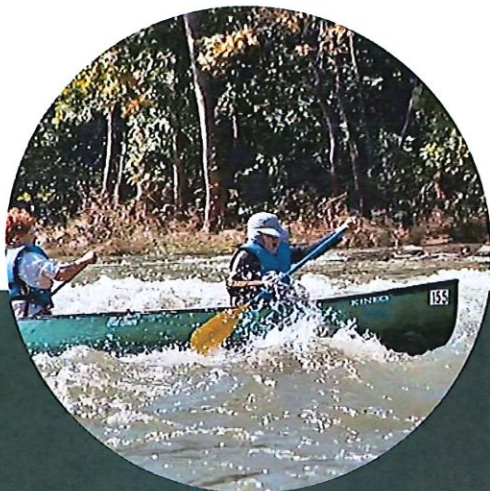
Trash is collected on Tuesday mornings. The container is to be placed on the street, next to the mailbox against the curb



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

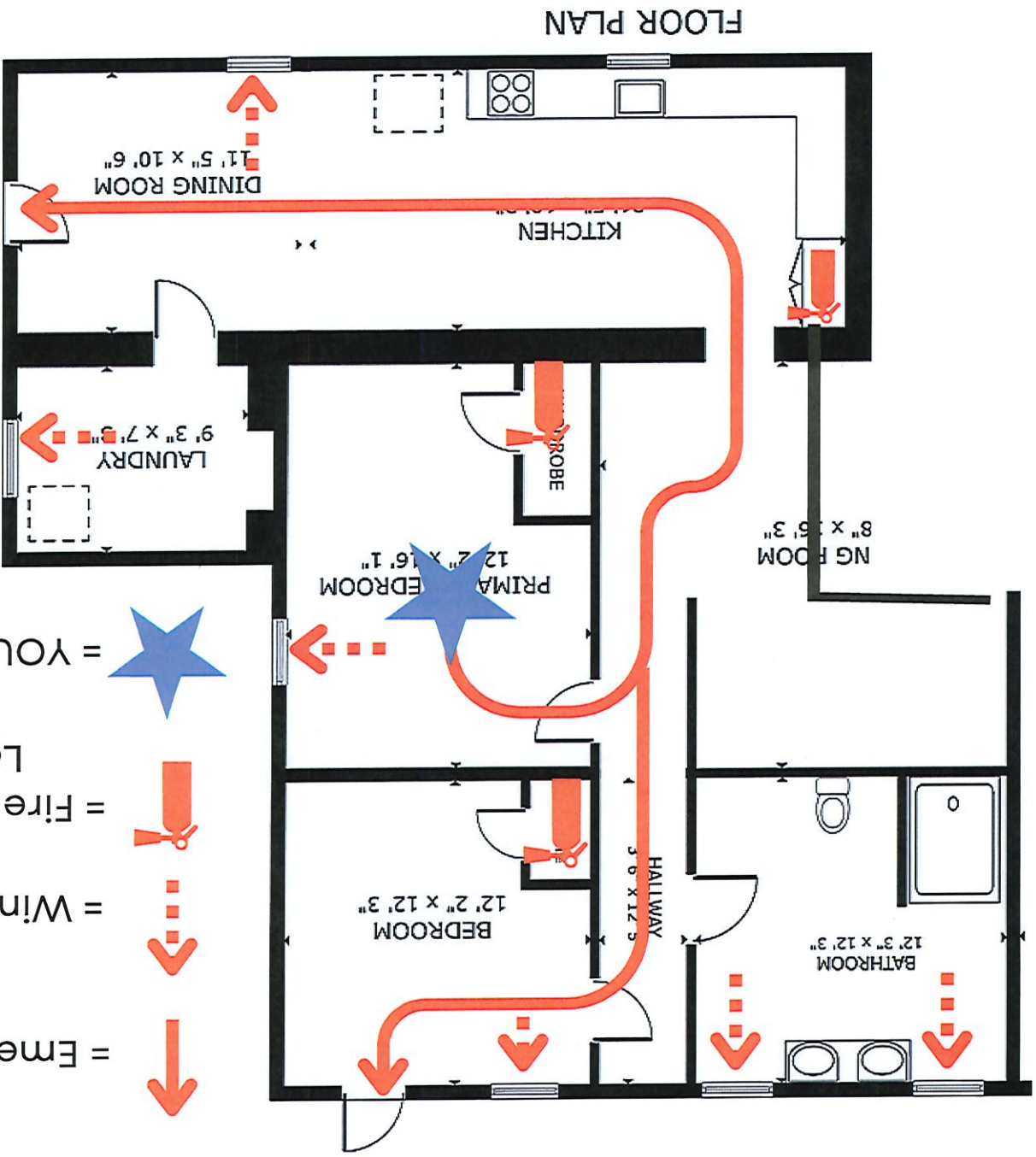
please come again!

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

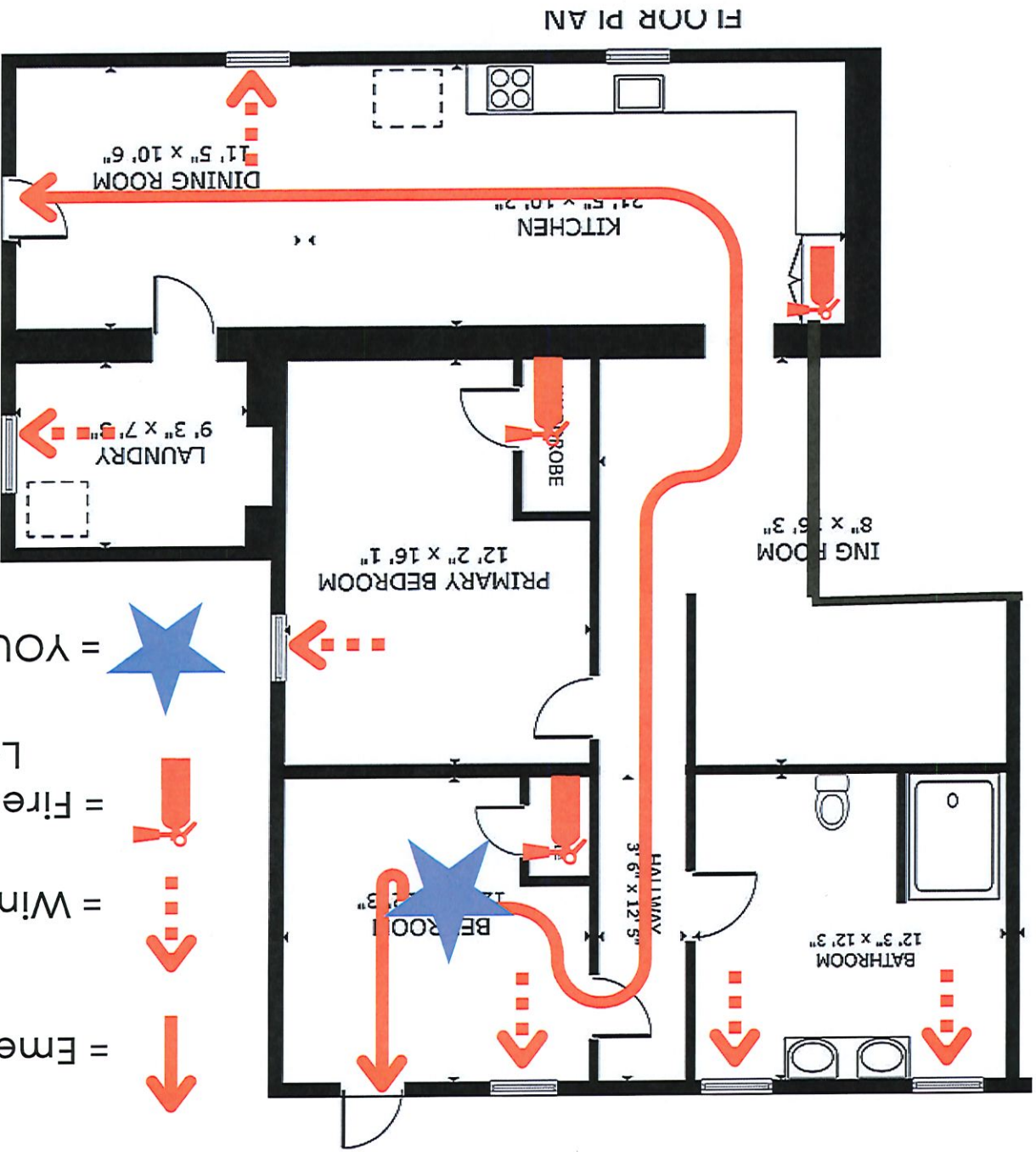
-  = Emergency Exit Paths
-  = Window Exits
-  = Fire Extinguisher Locations
-  = YOU ARE HERE



FLOOR PLAN

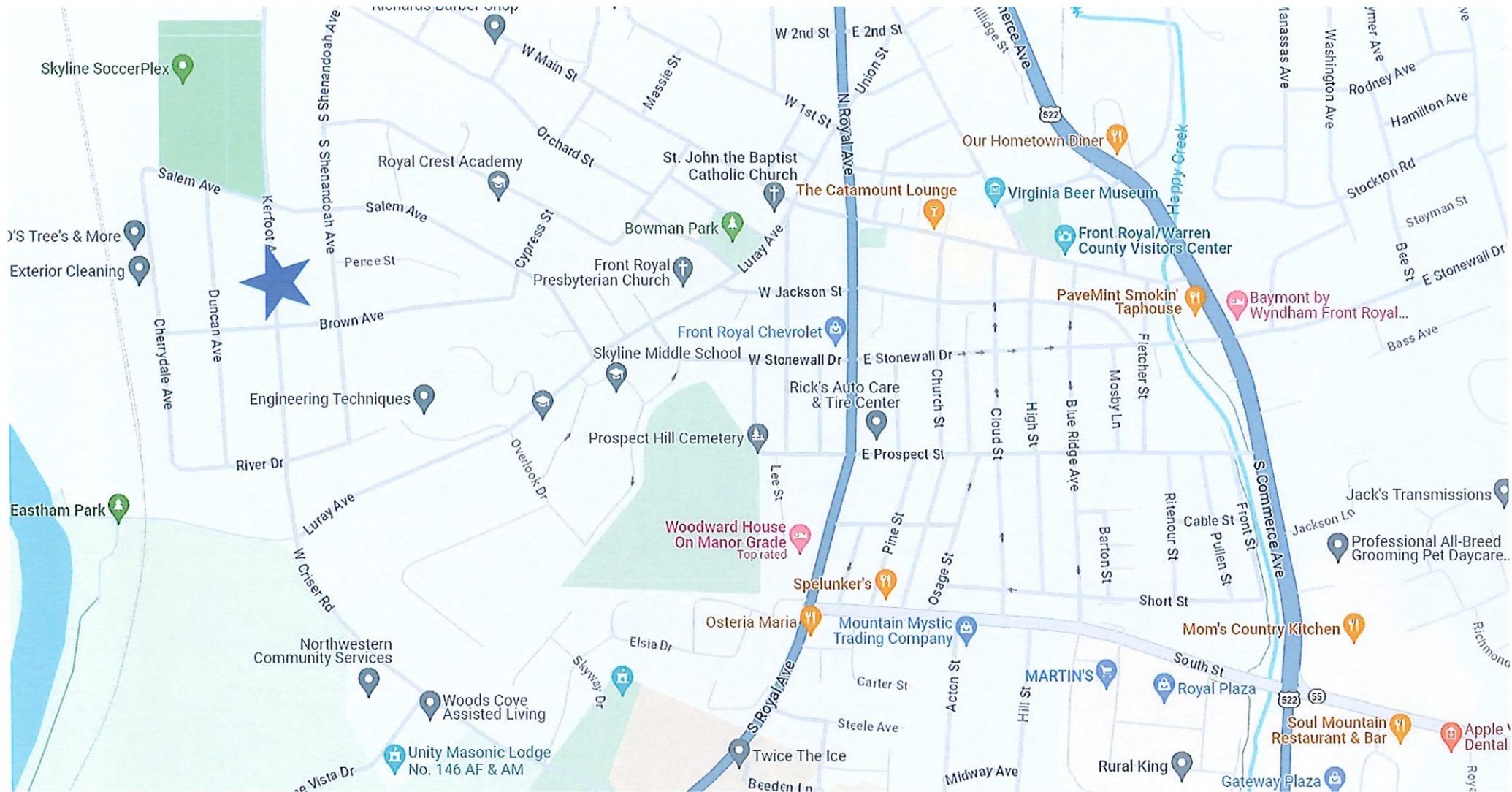
EMERGENCY EXIT PLAN

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

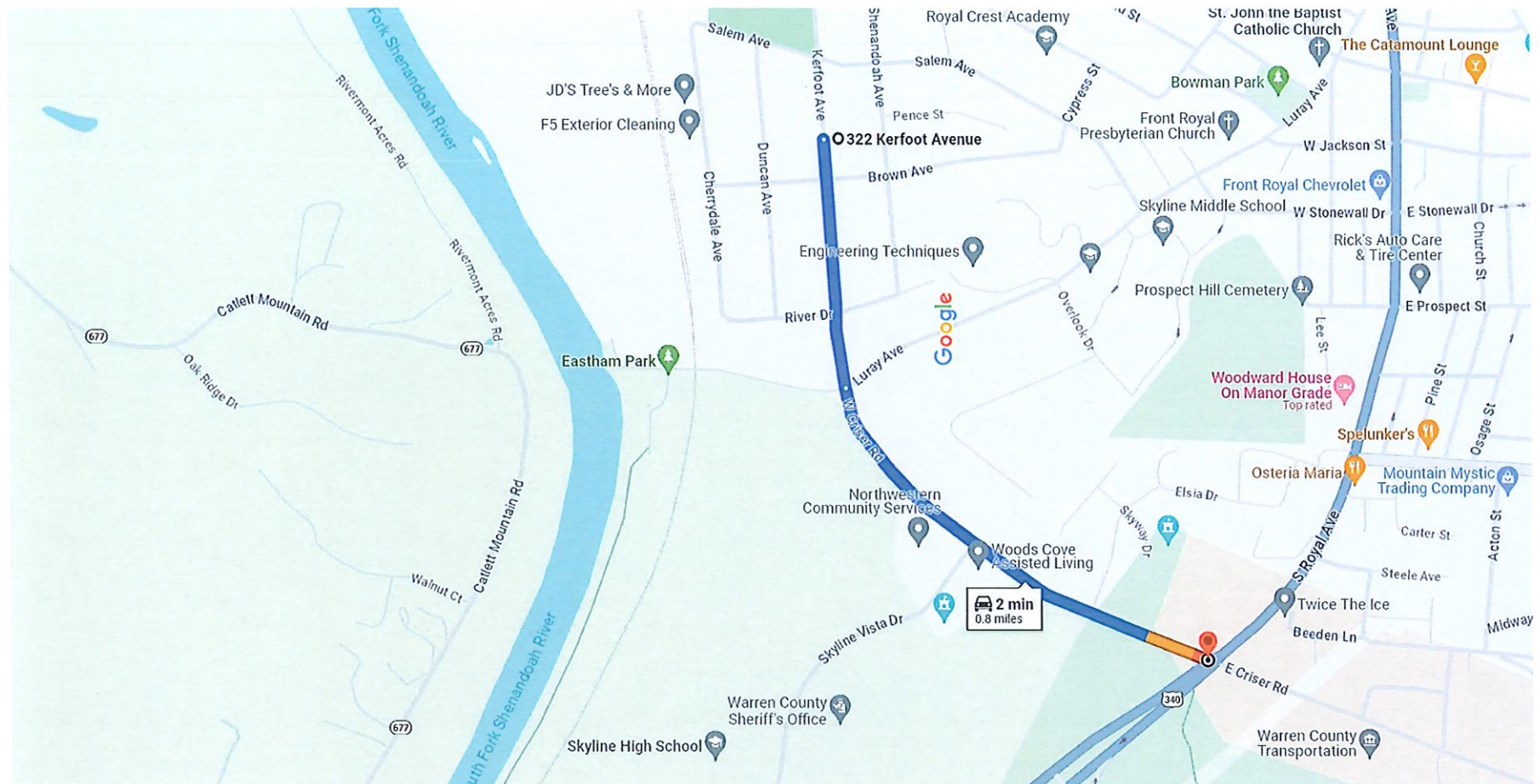


FLOOR PLAN

Map of Nearby attractions and accommodations



 = Rental Location



Neighborhood Evacuation to Highway 340

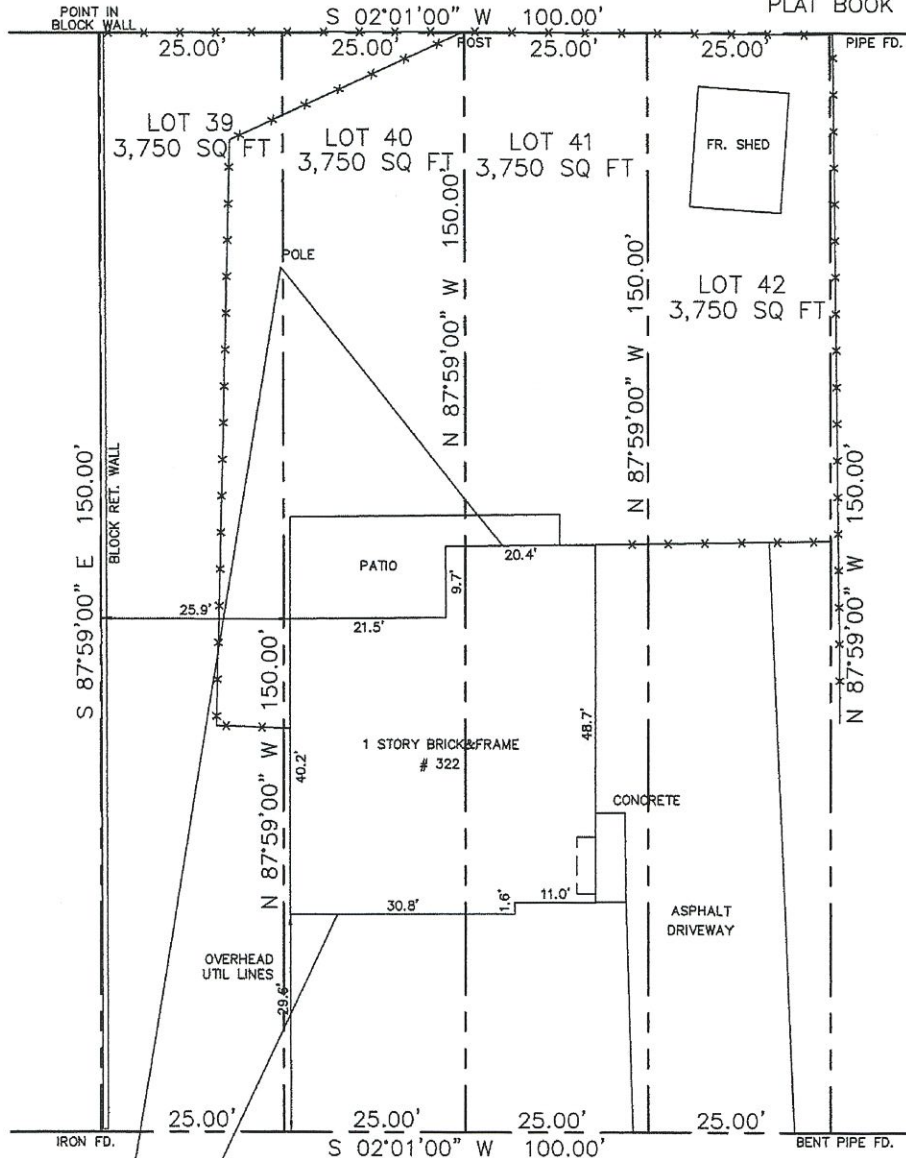
NOTES:

- 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.

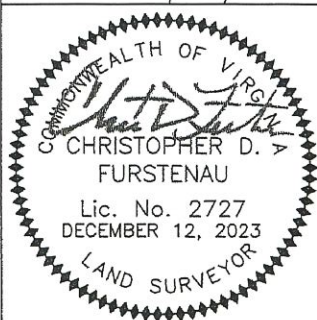
HOUSE LOCATION SURVEY
LOTS 39-42 BLOCK 10
VISCOSE CITY
TOWN OF FRONT ROYAL
WARREN COUNTY, VIRGINIA



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)

PUBLIC HEARING
REZONING APPLICATION 2400018
1324 OLD WINCHESTER PIKE

Town of Front Royal, Virginia

Planning Commission Regular Meeting Agenda

☐ Consent Action ☐ Administrative Action ☒ Public Hearing ☐ Discussion

Agenda Item: Rezoning Application # 2400018

MEETING DATE: February 21, 2024

SUMMARY: The application for review is requesting an amendment of the Zoning Map of the Town of Front Royal to reclassify 1324 Old Winchester Pike, identified by tax map number 20A12-4-6, from R-1, Residential District to R-3, Residential District. The stated purpose of the rezoning request is to use as a “Nonprofit Boarding House for people of different abilities and their caregivers”.

STAFF RECOMMENDATION: Staff recommends approval of Rezoning Application # 2400018. This rezoning request is in line with the Comprehensive Plan.

DRAFT MOTION: “I move that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Rezoning Application # 2400018 to amend the Zoning Map of the Town of Front Royal to reclassify 1324 Old Winchester Pike, identified by tax map number 20A12-4-6, from R-1, Residential District to R-3, Residential District.

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

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Wood _____ Williams _____ Wells _____ Marshner _____ Matthiae _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other



TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING

STAFF REPORT - REZONING APPLICATION #2400018
PLANNING COMMISSION REGULAR MEETING – February 21, 2024

APPLICATION #:

Rezoning Application #2400018

APPLICANT:

Graceful Abode of Liberation

SUMMARY OF REQUEST:

The application for review is requesting an amendment of the Zoning Map of the Town of Front Royal to reclassify 1324 Old Winchester Pike, identified by tax map number 20A12-4-6, from R-1, Residential District to R-3, Residential District. The stated purpose of the rezoning request is to use as a “Nonprofit Boarding House for people of different abilities and their caregivers”.

GENERAL INFORMATION:

<i>Site Addresses</i>	1324 Old Winchester Pike
<i>Property Owner(s)</i>	Jenelle Embrey
<i>Existing Zoning</i>	R-1, Residential District
<i>Proposed Zoning</i>	R-3, Residential District
<i>Tax Identification</i>	20A12-4-6
<i>Location</i>	The property is located south of Crisman Drive and North of Riverside Drive.

AERIAL VICINITY MAP – (Warren County GIS)



AERIAL MAP – ZONING DISTRICTS



INFORMATION ON THE APPLICATION:

Application Documents

ATTACHMENT A: APPLICATION

- **Application Form.** This is the standard application form used to initiate rezoning applications in the Town.
- No proffers were made by the applicant.

ATTACHMENT B: PLAT

- **Plat.** A survey plat of the property showing property lines and proposed improvements thereon.

ATTACHMENT C: LETTER OF STATEMENT OF JUSTIFICATION

"I've owned my 8br home for over there 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 form 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 Olumpics, I would also like the boarder house to be a nonprofit and have started that process."

The statements of intent of the two (2) identified zoning districts as set forth in the Front Royal Zoning Ordinance are as follows:

R-1 District, Zoning Ordinance Sec. 175-11.

The R-1 District is composed of quiet, low-density residential areas, plus undeveloped areas where similar residential construction appears likely to occur. The standards set forth for this district are designed to stabilize and protect the essential character of the areas so delineated, to promote and encourage a suitable environment for family life where there are children, to provide areas for suitable expansion of the Town as facilities are provided and to prohibit all commercial activities. Development is, therefore, limited to relatively low concentration, and permitted uses are limited to single-unit dwellings, plus selected additional uses, such as schools, parks, churches and certain public facilities that serve the residents of the district. Mobile homes or rooming houses are prohibited.

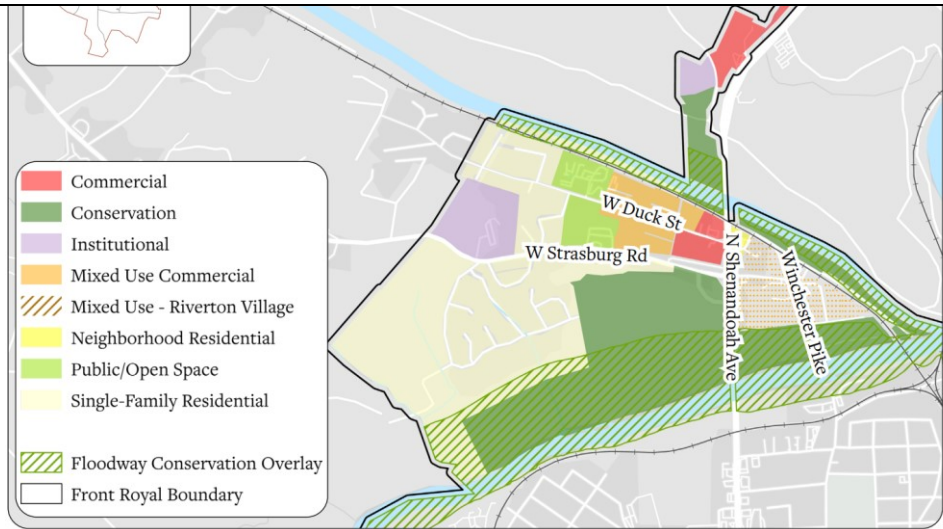
R-3 District, Zoning Ordinance Sec. 175-28

The R-3 Residential District is composed of medium-to-high density concentrations of residential uses. The standards for this district are designed to stabilize and protect the essential character of the area so designated and to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for families desiring the amenities of apartment living and the convenience of being closest to shopping, employment centers and other community facilities. Development is, therefore, limited to medium- to high-density concentration, and permitted uses are limited to single-family, two-family and multifamily dwellings, plus selected additional uses, such as schools, parks, churches and certain public facilities. Home occupations, as defined by this chapter, are permitted. Mobile homes are prohibited.

Differences between R-1 and R-3 Zoning Districts

The major difference between these two zones is the proposed density of the uses. The R-1 zone is intended for low density, single family development. The R-3 on the other hand, is intended to provide for a variety of housing types at a higher density. This is more characteristic of older development. The Towns historic district is developed at approx 4 to 6 units per acre.

Town Comp. Plan



The Town's Comprehensive Plan calls for this area to be used as Mixed Use Riverton Village. This use is characterised by a variety of uses to emulate a historic village.

Findings and Analysis & Staff Recommendation

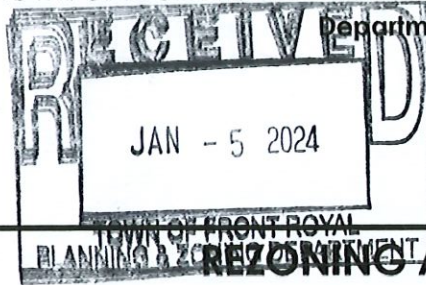
The applicant is undertaking a two-part process to establish their lodging house use. The first step is rezoning to permit the possibility of a lodging house. That is the stated purpose of this application. Staff believes the rezoning is appropriate for the Riverton historic area as there is already a mixture of uses. Staff believes this rezoning is in compliance with the Future Land Use Map.

Attachments: A. Application and Supporting Documents
B. Plat
C. Letter of Statement of Justification



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: _____

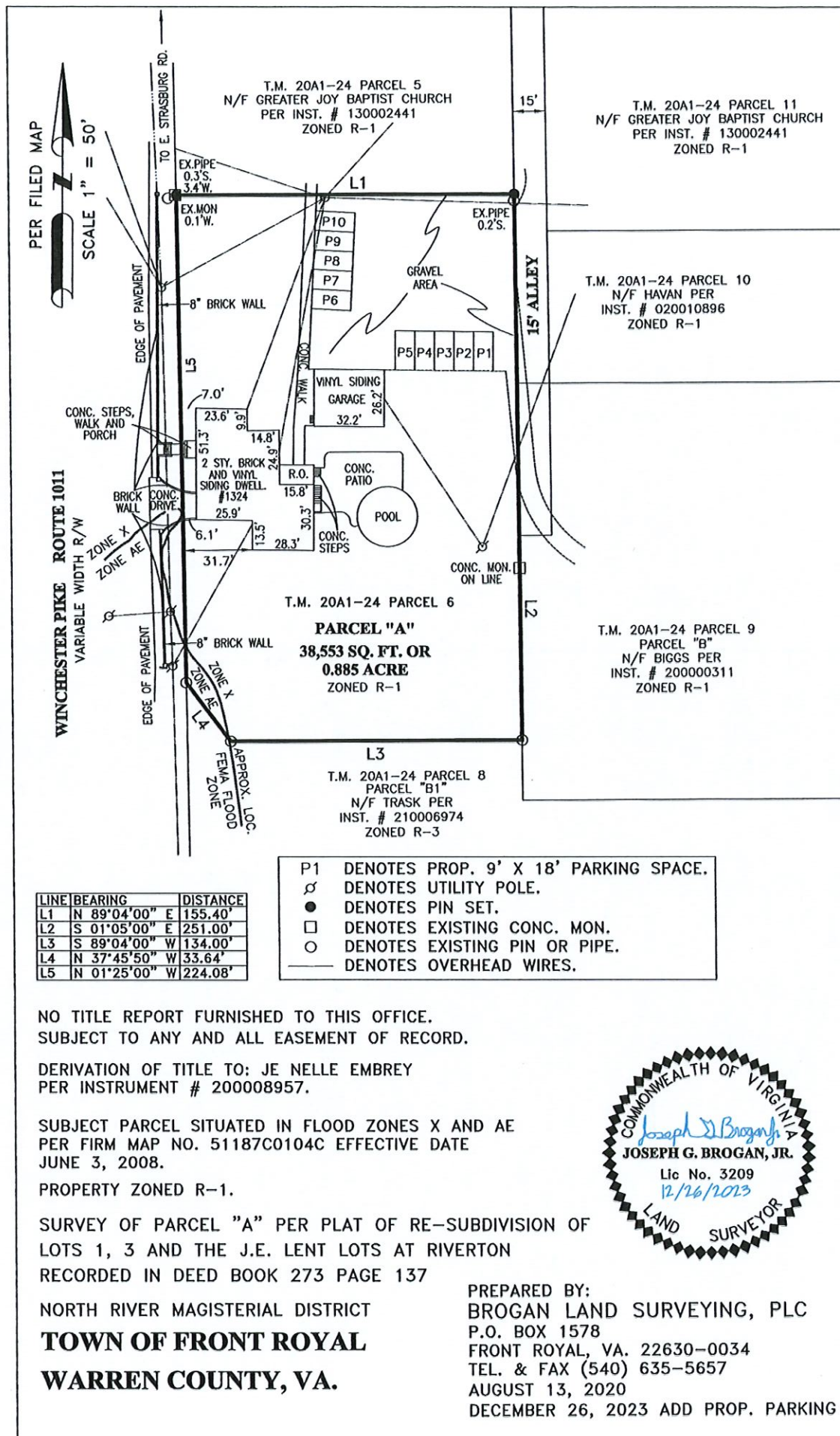
Town Council Hearing Date: _____ Date Sent to Clerk: _____

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.

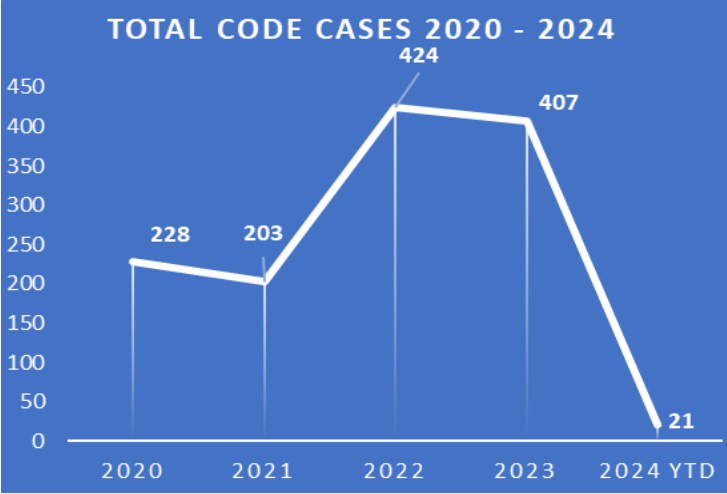
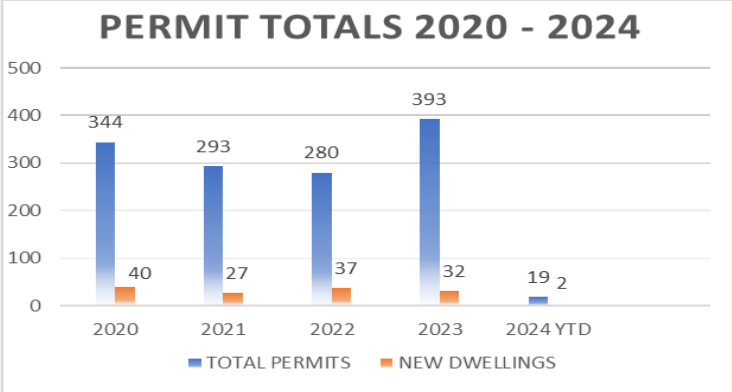
Since 3 of the residents have intellectual disabilities, and I am an advocate for them as well as our friends in Special Olympics, I would also like the boarder house to be a nonprofit and have started that process.



JANUARY 2024
MONTHLY REPORT

GENERAL INDICATORS

	2020	2021	2022	2023	2024 YTD	JANUARY
Zoning Permits	344	293	280	393	19	19
Code Enforcement Cases	228	203	424	407	21	21
Code Enforcement Inspections	--	--	--	--	20	20
Code Enforcement Re-Inspections	--	--	--	--	46	46
Property Maintenance Inspections	--	--	--	--	1	1
Property Maintenance Re-Inspections	--	--	--	--	1	1
Land Use Applications	26	29	56	36	6	6
Code Amendments	1	7	2	4	--	--
Sign Permits	39	47	41	62	6	6
Business Licenses	151	172	155	148	18	18
Short-Term Rentals	--	1	13	5	1	1
Administrative Variance	--	--	--	4	--	--
COA Administrative Review	--	--	--	39	1	1
COA Board Review	--	--	--	11	1	1
Solicitor/Itinerant Merchant	--	--	--	10	--	--
Urban Agriculture	--	--	--	18	2	2
Alley Vacation	--	--	--	5	--	--
Right of Way Utilization Permits				46	3	3
Walk-Ins to Planning & Zoning	--	--	--	--	218	218



SPECIAL PROJECTS UPDATES/NEWS

- **Chapter 175 and 148 Rewrite:** Staff is currently working through the administrative aspects of the Code and focusing on the Sign section.
- **Capital Improvement Plan (CIP):** Work has begun on the 2025-2029 CIP.
- Staff is beginning to review application forms; the goal is to roll out new forms with the new ordinance.

- **BAR** – The Board of Architectural Review held one (1) regular meeting in January. The BAR approved one (1) Certificate of Appropriateness Application to place a granite memorial bench, two monuments, an access walkway to the bench and landscaping for the site for the Revolutionary War Soldiers Memorial Project to be located at the Warren County Courthouse, 1 E. Main Street
- **BZA** - The Board of Zoning Appeals did not hold a meeting in January.

- **PC** – In January the Planning Commission (PC) held one (1) regular meeting. At their regular meeting the PC approved two (2) Rezoning Applications and one (1) Special Use Permit Application for a Short-Term Rental to be advertised for a public hearing at their regular meeting in February.