



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 February 21, 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
Michael Williams, Commissioner

Staff Present: Lauren Kopishke, Planning Director / Zoning Administrator
John Ware, Deputy Zoning Administrator
George Sonnett, 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

- January 17, 2024 – Regular Meeting

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

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

ROLL CALL



ELECTION OF OFFICERS

- **Chairman** – *(to being serving March 2024)*

Commissioner Williams moved, seconded by Commissioner Wood to elect Daniel Wells to continue as the Chairman.

VOTE: Yes – Williams, Wood, Marshner, Matthiae, Wells

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

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

Commissioner Wood moved, seconded by Commissioner Williams to nominate Connie Marshner as Vice Chairman.

VOTE: Yes – Wood, Wiliams, Matthiae, Marshner, Wells

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

CITIZEN COMMENTS

There were no citizen comments.

PUBLIC HEARING

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

- **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.

Mr. Ware stated this was a request to amend the Zoning Map of the Town of Front Royal to reclassify 1724 N. Royal Avenue from R-1, Residential District to R-1A, Residential District. He noted that the property is located approximately 175 feet south of the intersection of W. 18th Street and N. Royal Avenue.



The Comprehensive Plan calls for this area of Warren Park to be Neighborhood Residential (medium density) with single-family detached, single-family attached, and two-family attached homes. Infill development will match the character of the existing neighborhoods. Mr. Ware stated that no proffers were made by the applicant.

Mr. Ware explained the differences and requirements of the R-1, Residential District vs. the R-1A, Residential District. The proposed new lots would be 13,258 square feet and 30,076 square feet respectively. Interior lots are required to have a minimum lot width of 50 feet. The proposed new lots would be 72.84 and 51.50 feet wide respectively. Lots defined by the Town Code are “a parcel of land situated and having its principal frontage on a public or private street approved by the Town. There is an alleyway on the side of the property line, however the lot has to have its principal frontage on a public or private street. The applicants’ only option is to front on N. Royal Avenue. Their request for this rezoning is essentially to subdivide the lot into two (2) lots and reclassify the lots to R-1A which would allow a reduction of the required road frontage. The applicants propose to construct a single-family home on the new lot.

After questions from Commission members Mr. Ware confirmed the creation of new lots on Town streets would require the installation of curb and gutter.

Commissioner Williams asked how the proposed rezoning fits into the Comprehensive Plan.

Ms. Kopishke stated the rezoning request is in line with the Comprehensive Plan.

The applicant, Fernando Arana Pradel said they had purchased the home with a one-acre lot and would like to subdivide the lot and renovate the existing home to sell and with the profits of that sale build a new single-family dwelling on the newly created lot.

Darryl Merchant, 110 Kerfoot Avenue, Front Royal, VA spoke as a representative for the applicant. As discussed at Planning Commission work sessions for the Comprehensive Plan there are many “infill” lots in the older sections of Town and we need to figure out a way to utilize these lots. Mr. Merchant urged the Planning Commission to approve this request because the proposed development falls well into the category density wise that the Town is looking for in the Comprehensive Plan and gives us a way to use the Town Zoning Ordinance to address these infill lots.

Chairman Wells opened the public hearing.

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

After brief comments from Commissioner Wood the following motion was made.



Commissioner Wood moved, seconded by Commissioner Matthiae to 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.

VOTE: Yes – Marshner, Wells, Williams, Wood, Matthiae

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

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- **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.

Mr. Ware explained this was a request for a short-term rental located at 322 Kerfoot Avenue. The request is for a partial house rental of a single-family dwelling for two (2) bedrooms and four (4) people. The home will be owner occupied. The property is zoned R-1, Residential District.

A site inspection was conducted on January 25, 2024 and was found to be in full compliance with the application. Off-street parking is available in the paved area next to the home offering sufficient parking for the intended use. Mr. Ware gave a virtual presentation showing the home and property.

Co-applicant Samantha Harris said their intention is to rent out a few rooms in the house and still occupy the home.

Commissioner Wood referred to the brochure they provided in the application submission and asked if they had reconsidered the number of people allowed to be in the home visiting individuals staying at the property.

Ms. Harris explained they had brought the number down from 20 to 15. She noted they are considering that when quiet hours start at 10:00 p.m. only the four (4) people staying on the property would be allowed onsite.

Chairman Wells opened the public hearing.

Michelle Robledo, 325 S. Shenandoah Avenue shared that she lived behind 322 Kerfoot Avenue. She purchased her home nine (9) years ago with the intention of having a single-family home and having neighbors that would be around more than a month at a time. Ms. Robledo expressed concern for the noise and activity that would be at the home when guests are staying there and



requested that if the application is approved it should be with a condition that a privacy fence be installed.

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

Chairman Wells asked if the applicant would like to rebuttal.

Ms. Harris expressed that she understands Ms. Robledo concerns and that their long-term plan is to erect a privacy fence.

Commissioner Wood asked the applicants if they would be willing to install a privacy fence as a condition of approval.

Ms. Harris explained that it would be difficult with current finances. However, if it is a condition of approval they will have to install a fence.

Commissioner Williams moved, seconded by Commissioner Wood to recommend application # 2400016 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 with the following conditions:

- 1. A privacy fence be erected within one (1) year of starting the short-term rental use.***
- 2. The applicant will not permit more than four overnight guests per stay.***
- 3. The applicant will obtain all necessary Building and Zoning permits prior to issuance of the Special Use Permit.***

VOTE: Yes – Williams, Wood, Marshner, Matthiae, Wells

No – N/A

Abstain – N/A

Absent – N/A

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.

Mr. Ware explained that the application review is for an amendment to the Zoning Map of the Town of Front Royal to reclassify 1324 Old Winchester Pike from the R-1, Residential District to R-3, Residential District. The property is located near the intersection of E. Strasburg Road and Old Winchester Pike.

The Comprehensive Plan calls for this area of Riverton to be mixed use. Intended for a mixture of uses that emulate a small historic village with the primary use for single-family residential, retail and lodging.



No proffers were made by the applicant.

Mr. Ware explained the uses permitted by-right and by Special Use Permit in the R-1 Zoning District vs. uses permitted by-right and by a Special Use Permit in the R-3 Zoning District to include “lodging houses, rooming houses and boarding houses” by Special Use Permit in the R-3 Zoning District.

The applicant came into Planning & Zoning to obtain a business license to operate a bed and breakfast at which time staff determined that a bed and breakfast is not permitted in the current R-1 Zoning District. The previous owner operated a bed and breakfast without a Special Use Permit or approval for a business license. The current owner believed that since the previous owner had operated a bed and breakfast she would obtain a business license to do the same. As staff realized this was not a permitted use when the application was submitted, the applicant changed their plan from operating a bed and breakfast to operating a lodging house. In order to do this, the property would need to be rezoned to R-3.

The applicant, Jenelle Embrey stated she was the founder of the Graceful Abode of Liberation. Ms. Embrey shared that an intellectually challenged cousin had come to live with her about 14 years ago after he had failed three (3) group homes and was sexually and financially exploited as well as beaten up and then living on the streets. Shortly after taking him in, she took his girlfriend in who is also intellectually disabled and had failed two (2) group homes. They were then married. Ms. Embrey’s network holds special education events, and another individual was removed from their abusive relationship and had nowhere to go and came to live with her. In addition, two (2) other individual’s families have reached out to her for residency with her. Ms. Embrey explained she would like to have more of a boarding house for individuals who will have autonomy and make their own decisions. They will have caregivers. In the group homes some of the higher functioning individuals feel like they are in a “prison”. Her goal is to provide a permanent home for them where they will not have so many restrictions. All those that have come to live with her are doing great and she would like to provide more help to others in need. By having the lodging house, she could accomplish that goal.

Commissioner Wood asked how many rooms Ms. Embrey had at the home.

Ms. Embrey stated she had eight (8) bedrooms.

Mr. Ware noted that ten (10) bedrooms was the maximum allowed.

Chairman Wells opened the public hearing.

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



Commissioner Wood moved, seconded by Commissioner Matthiae to 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.

VOTE: Yes – Wells, Marshner, Matthiae, Williams, Wood

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

COMMISSION MEMBER REPORTS

There were no comments.

PLANNING DIRECTOR REPORT

Ms. Kopishke reviewed the January monthly report.

There will be a joint meeting with the Town Council, the Planning Commission and Summit who is the consultant for the Zoning Ordinance rewrite on March 18, 2024. The goal will be to gain an understanding of the direction the Town would like to take with the rewrite of the Zoning Ordinance. Staff have been working with Summit over the last several months to work out some of the administrative details.

ADJOURNMENT

There was no further discussion.

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

VOTE: Yes – Wells, Marshner, Matthiae, Williams, Wood

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

The meeting was adjourned at 7:55 p.m.

Approved by Planning Commission

Date: 3/20/2024