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*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](http://www.frontroyalva.com) for a limited time.*

The Planning Commission meeting of the Town of Front Royal, Virginia was held on June 21, 2023, at 7:00 PM in the Warren County Government Center

### **CALL TO ORDER**

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

### **ROLL CALL**

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

**Staff Present:** Lauren Kopishke, Planning Director/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 additions or deletions to the agenda.

### **MINUTES**

- May 17, 2023 – Regular Meeting

*Commissioner Williams moved, seconded by Commissioner Marshner to approve the minutes as written.*

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

ROLL CALL



- June 7, 2023 – Special Meeting

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

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

ROLL CALL

### **CITIZEN COMMENTS**

There were no citizen comments.

### **CONSENT AGENDA**

- **2300330 – Joseph Chetupuzha** – A request for a Special Use Permit to allow a short-term rental located at 912 Virginia Avenue, identified on tax map 20A5-3-38-6A1. The property is zoned R-3, Residential District.
- **2300381 – Independence Realty LLC** – A request for a Special Use Permit for two (2) apartments to be located on the ground floor at 1127 N. Royal Avenue, identified on tax map 20A3-5-24 & 25. The property is zoned C-1, Community Business District and is located in the Entrance Corridor Overlay District.
- **2300387 – Mesa Rose Coral** – A request for a Special Use Permit to allow a short-term rental located at 417 Kerfoot Avenue, identified on tax map 20A6-7-41 & 42. The property is zoned R-1, Residential District.

***Commissioner Marshner moved, second by Vice Chairman Wells to approve the consent agenda as presented.***

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

ROLL CALL

These items will be moved forward to a Planning Commission public hearing on June 19, 2023.



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## **PUBLIC HEARINGS**

Chairman Merchant explained the public hearing process.

- **2300225 Rezoning Application – Ramsey Inc.** An application request to rezone 1.2837 acres located at 10160 Winchester Road from C-3, Highway Corridor Business District to R-2, Residential District. The property is identified by tax map 20A24-1-7.

Ms. Kopishke stated that the applicant Ramsey Inc. has requested to rezone from the current zoning of C-3 to R-2. Currently the applicant has approval for a lodging house on the site. The rezoning would allow for a multifamily dwelling. Should the rezoning be approved the applicant will be required to resubmit a Zoning Permit application for a multifamily dwelling. The site is approximately 1.28 acres and adjacent to the Town of Front Royal's pump station, north of the intersection of Guard Hill Road and Winchester Road.

In this area the current land use is commercial. The new Comprehensive Plan designates it as commercial. The difference between the current C-3 district and R-2 is that the C-3 district excludes residential uses. In the new Comprehensive Plan, it does permit multifamily uses in the commercial district. In that sense it still fits even though it shows a future land use of commercial.

The applicant Chris Ramsey, 508 N Commerce Avenue. Mr. Ramsey explained he submitted the application in order to utilize a very challenging piece of property. With commercial zoning it would be very difficult to get very many parking spaces on the site. He is asking to do a two-family undivided residence. There will be no stairway between the 1<sup>st</sup> and 2<sup>nd</sup> level. His goal is to provide housing for a disabled son who he will take care of for many years in the future. Mr. Ramsey said he can make it work as a lodging house, but it would be a better use as a two-family dwelling. He noted the property cannot be further subdivided.

Chairman Merchant opened the public hearing.

Hearing no speakers Chairman Merchant closed the public hearing.

Commissioner Williams referred to the pump house at the end of the road and said his only concern was that there would be no interference with those needing to get to the pump house.

Mr. Ramsey explained that the Town controls that access and his property is joining into that existing access. They would have no right or reason to obstruct access but would only enhance and improve the access.

Commissioner Wood asked if the rezoning was approved would it allow Mr. Ramsey to use the Town access to and from his property.



Mr. Sonnett explained that the Town has not conducted a title exam as far determining what legal access there is to the parcel in question. The deed in which the Town acquired the parcel on which the pump station is located from the estate of Mr. Cooley, Deed Book 274, page 678, states “a right of ingress and egress is hereby reserved for the grantor its agents and assigns over such roadways and drives as may hereafter be constructed upon the aforesaid parcel of land”. The aforesaid parcel of land being that which was conveyed to the Town. Based on that description the easement would be in the location of wherever the Town constructed such roadway or drive. Looking at the plat submitted with the application he does not see where the roadway that the Town apparently constructed is connected to or adjacent to the subject parcel in question. The access to the subject parcel is not apparent to him.

Commissioner Wood expressed concern that there is no turnaround at the bottom of the road where the pump house is located.

Discussion ensued regarding the parking requirements for the lodging house vs. a two-family dwelling. Two spaces per dwelling unit is required. Planning Commission members expressed concern with limited parking availability at the location.

Mr. Ramsey said the current approved plan for the lodging house includes five (5) required parking spaces whereas under the R-2 zoning district he would be required to provide four (4) parking spaces for a two-family dwelling.

Chairman Merchant clarified that this parcel does not front directly on 522. The road does not have curb and gutter but does have guardrails. He asked who would maintain the road such as paving and removing snow, and emergency vehicle access.

Mr. Ramsey said that there is more than adequate turn-around space adjacent to the Town right-of-way on the parcel property. He noted he would be happy to invest in the maintenance of the access way. The parking lot will be hard surfaced.

***Commissioner Williams moved, seconded by Commissioner Wood to forward a recommendation of approval to Town Council for Application # 2300225 to rezone the 1.2837 site as shown on the submitted plat from Highway Corridor Business District, C-3 to Residential District, R-2.***

Chairman Merchant expressed that this is not in conformance with the Comprehensive Plan and by introducing a residential component to a commercial corridor he was not sure would be appropriate in this area.

Commissioner Wood shared that he cannot imagine any commercial business on this site and doesn't see another use for this property.

After these comments a roll call vote was taken.



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

ROLL CALL

**COMMISSION MEMBER REPORTS**

Commissioner Williams noted that he and Commissioner Wood would be attending the upcoming Certified Planning Commissioners training.

**PLANNING DIRECTOR REPORT**

- May Monthly Report

Ms. Kopishke reviewed the May monthly report noting there had been an uptick in permits. She acknowledged and commended staff noting that the Code Enforcement officer had been out for 2 weeks in the month of May and still issued 91 violations.

**ADJOURNMENT**

There was no additional discussion.

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

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

VOICE VOTE

The meeting adjourned at 7:32 p.m.

Approved by Planning Commission  
Date: 7/19/2023