

**MINUTES**  
**PAGE COUNTY PLANNING COMMISSION**  
**April 25, 2023**

**Members Present**

Catherine Grech, Secretary, District 1  
Jared Burner, Chairman, District 3

Chris Adams, District 2  
William Turner, Vice Chairman, District 5

**Members Absent**

Isaac Smelser, District 4

**Staff Present**

Tracy Clatterbuck

Josh Hahn

**Call to Order**

Chairman Burner called the April 25, 2023 Page County Planning Commission work session to order in the Board of Supervisors (BOS) Room located at the Page County Government Center, 103 S Court Street, Luray, Virginia at 7:00 p.m. The call to order was followed by *The Pledge of Allegiance* and a *Moment of Silence*. Chairman Burner reminded all commissioners and speakers to please turn on and/or speak into the microphones. Ms. Clatterbuck conducted an attendance roll call.

**Adoption of Agenda**

Ms. Grech made a motion to adopt the agenda as presented. Mr. Turner seconded the motion. The motion passed unanimously (4-0).

**New Business**

**A. Jeffery S. Dinges- Special Use Permit**

Ms. Clatterbuck presented the following staff report:

Jeffery S. Dinges has filed an application for a SUP to operate a banquet/event facility located on Honeyville Road, Stanley, VA, and further identified by tax map number 79-(A)-76A. The parcel contains 5.719 acres and is zoned as Agriculture (A-1). The property is improved with an existing barn, an existing poultry house, and an existing litter shed building. The applicant is proposing to use the existing barn (approximately 55x50) that has been converted/remodeled to serve as the proposed banquet/event facility along with designated parking areas. Pursuant to § 125-10 D. (16) of the Page County Zoning Ordinance, banquet facilities and event facilities require a SUP.

The applicant received comments from the following agencies/departments:

**Virginia Department of Transportation (VDOT)** – Per Jeff Nicely with VDOT, “*The property at TM 79-A-76A may be accessed for a wedding venue from the adjacent property, TM 79-A-76C. VDOT has reviewed this property and there is a location along Rt. 638 (Honeyville) that meets VDOT standards for sight distance. The below items are required to be completed prior to beginning operation of the special use and access to Rt. 638 at this location. The existing entrance to the poultry house on 79-A-76A and Maple Road may not be used as access to 79-A-76A for the proposed special use.*

*VDOT Required Items:*

- 1) *A deeded access easement granted from parcel TM 79-A76C to parcel TM 79-A-76A. The width of this easement at Rt. 638 is to be determined based on the approved design of the new commercial entrance.*

- 2) *An engineered set of plans to be submitted to VDOT for the design approval of the required Moderate Volume Commercial Entrance onto Rt. 638 at parcel 79-A-76C.*
- 3) *A VDOT Land Use Permit to construct the proposed commercial entrance and final approval from VDOT that the entrance has been completed per all state standards.”*

Staff recommends that we make the requirements from VDOT a condition of the SUP.

**Health Department**- Per Lynn Strickler with the Page County Health Department, *“This property has a septic permit on file. However, after installation and the required paperwork is submitted, an operation permit will be issued. This Health Department has no objections to the special use permit as long as the above terms are completed.”*

Staff would note that since the above comments were initially provided, further documentation of the operation permit has been received and is included in the packet.

**Building Official**- Per James Campbell, Page County Building Official, *“Engineering will be required, and any applicable permits will be required.”*

Staff recommends that we make the requirements from the Building Official a condition of the SUP.

Regarding the Page County Comprehensive Plan, according to Volume 1, Section 2.2 of the Comp Plan, *“The purpose of the Agricultural Protection Tier is to protect agricultural uses and preserve the rural lifestyle and sense of community that has long defined Page County. This tier is intended primarily for very low-density residential development, large lot rural development and agricultural uses. Non-residential uses would serve the needs of residents in the surrounding rural areas and generally be limited to agriculture-related businesses. Low-density suburban subdivisions and low intensity employment center may be permitted if access is adequate and the use is compatible with surrounding uses. Levels of service depend on the density/intensity of a development and its location.”* Chapter 3, Goal 3, Section 3.22 states, *“Encourage and support the development and retention of agriculturally-related businesses as a valued element of the Page County economy.”* Chapter 3, Goal 6, Section 6.2 states, *“Encourage economic growth that is compatible with the County’s rural character while generating a positive net cash flow for the County.”* With consideration to the designation, by TLC, who named Luray/Page County the number two of ten beautiful destination wedding locales, Page County has done well in the industry and continues to build momentum and attract tourists.

Ms. Clatterbuck concluded to note that the applicant was present for any questions. She suggested the applicant provide an update on the status of the structural engineering report for the venue. She also noted that she had provided the commissioners with a copy of previous special use permits for venues so that they could get an idea on where to start with the draft special use permit conditions.

Ms. Grech requested that the aerial imagery be pulled up on the overhead screen and requested that the applicant explain the approved entrance location vs the locations that were not approved by VDOT. Mr. Dinges did so. Ms. Grech asked Mr. Dinges how they were going to prevent the guests from using the other two entrances/exits that do not have VDOT approval. Mr. Dinges stated the right-of-way off Maple Road would be chained off and would only be used as a service entrance for deliveries and Holtzman Propane. They would gate it off so that people can’t access it. Ms. Grech asked how he was going to prevent people from using the poultry house entrance. Mr. Dinges noted there were existing trees on site and they already have signs up now at the poultry house entrance. Ms. Grech noted that GPS wasn’t always correct in that it doesn’t always lead people to use the correct entrance. She stated the reason she was asking about the existing entrance at the poultry house was due to concerns related to avian flu, etc. Mr. Dinges said he didn’t want people from out of town

coming past his poultry house. He noted there were already signs up on both sides of the entrance on the poultry house. He noted it did not prevent people from turning around there though. Ms. Grech asked if he had thought of how the two uses were maybe a conflict. Have you thought of people wanting or not wanting to come to the venue where there is a poultry house onsite. She questioned what the distance was from the poultry house to the proposed venue. Mr. Dinges showed on the aerial imagery where there were existing trees. Since they grow organic chickens, the chickens have to have outside access. They have a six-foot fence up that prevents a site line. He noted his poultry house was managed really well so the odor is not as potent as what other people would have, noting where the fans were located in the poultry house. Ms. Grech reminded the commissioners that on a previous special use permit application for a venue, a condition was put on the permit that the owner had to relay to the lessee that there were farming operations nearby. She asked Mr. Dinges if he would agree to a similar condition in which he did. Mr. Dinges stated they were going to try to plan accordingly so that birds weren't going out the same time a wedding was going on. They would also not have a wedding when it is 90+ degrees when he has big chickens with all the fans running. As far as scheduling, they can plan out ahead of time to prevent any issues because they don't want any negative feedback from clients.

Mr. Adams asked about the two residential dwellings (Housden and Cabbage) that were closest to the venue. He was curious if Mr. Dinges had heard anything from them on how they felt about the proposed venue. Mr. Dinges stated he was not aware of how Mr. Cabbage felt as he is Mrs. Dinges cousin. Ms. Housden is Mrs. Dinges aunt and that is who they actually purchased the farm from. He didn't think she had an issue with it. Mr. Adams asked if there were any existing buffering between the residential properties and the venue. Mr. Dinges stated they plan to continue putting up a six-foot fence. They also have green giants planted down the property line. Mr. Dinges stated his daughter was married there, which is how this idea of the venue got started. She wanted everything as nice as possible which is why the trees went in originally.

Ms. Grech asked if they were anticipating any opposition from the neighbors. Mr. Dinges noted that Mr. Earl Dovel didn't have any issues with it. There are a couple neighbors that have caused issues from the beginning. Mr. Adams asked him to elaborate. Mr. Dinges stated that no one knew that Ms. Housden had given them the right-of-way off Maple Road. Jerry Dovel, who adjoins on the right side of Maple Road, had to sign for them to have a right-of-way, and he did. The one that will likely give them the most trouble is Dennis Dovel. He has never had any issues with him. When his daughter got married, they used the right-of-way to come out onto Maple Road. Monday morning, they lit the county phones up with opposition to it. Ms. Grech asked if the opposition was mainly over the right-of-way onto Maple Road, and Mr. Dinges confirmed. They can't complain about them using Maple Road if they are not using Maple Road. Mr. Dinges noted that this had been a very complicated process in getting things approved with VDOT.

Ms. Grech stated that he had previously mentioned that the barn sits on higher ground than the poultry house. She noted she likes to drive by and asked where would she get the best view of the property. Mr. Dinges stated if you come down Honeyville Road and look to the right, you will be able to see the barn sitting back there.

Mr. Dinges stated regarding the structural engineering, he had called them (Racey Engineering) today. They told him they would get back with him on a quote. He also reached out to Coleman Engineering, in which they did give him a quote, but he is waiting to hear back from Racey with a quote as well. Ms. Clatterbuck pointed out that in the supplemental

regulations for banquet/event facilities, we need that occupancy number to be able to list it as a condition of the permit. Without that, we really can't schedule the public hearing yet. The building official also needs that information. Ms. Grech asked how many people were at his daughter's wedding and he noted it was under 100 guests.

Ms. Grech asked if the litter shed was enclosed, and Mr. Dinges noted only on three sides. He also stated he does not keep litter in it. They have other farms where they store it. He only uses the litter shed for storage.

Chairman Burner stated they couldn't schedule the public hearing without the occupant load numbers. Mr. Dinges stated he would continue working on obtaining that information.

**B. Margaret Osborne- Special Use Permit**

Ms. Clatterbuck presented the following staff report:

Margaret L. Osborne has filed an application for a SUP to operate a dog breeding business located at 460 Lake Arrowhead Road, Luray, VA. The parcel is identified by tax map number 54-A-54I, contains 28.17 acres, and is currently zoned as Woodland-Conservation (W-C). The property is improved with multiple single-family detached dwellings, numerous farm buildings, and an existing 15x30 dog kennel. Pursuant to § 125-4 of the Page County Zoning Ordinance, *Pet Grooming, Boarding and Breeding*, is defined as:

*"A commercial facility where a pet animal may be cleaned, styled or have its appearance maintained, that cares for or houses pet animals in the absence of the owner, or that engages in the vocation of mating carefully selected specimens of the same breed to reproduce specific, consistently replicable qualities and characteristics."*

Under § 125-9.D(10) of the Page County Zoning Ordinance, *Veterinarian clinics, pet grooming, boarding and breeding of animals as defined in § 125-4* is only permitted by special use permit.

The applicant received comments from the following agencies/departments:

**Virginia Department of Transportation (VDOT)** – Per Jeff Nicely with VDOT, *"VDOT has no issues with the special use permit request. The property is located on a private lane which is adequate for the proposed use."*

**Health Department**- Per Lynn Strickler with the Health Department, *"This office has no objections to requested special use."*

**Building Official**- Per James Campbell, Page County Building Official, *"No objection."*

This property falls within the *"Agricultural Protection Tier"* and into the designation of *"Prime Farmland"* and *"Moderate Farmland"*. Chapter 3, Goal 6, Section 6.2 states, *"Encourage economic growth that is compatible with the County's rural character while generating a positive net cash flow for the county."*

Ms. Clatterbuck noted that the applicant was present for any questions.

Ms. Osborne stated she had seven breeding dogs. They are AKC registered miniature schnauzers. She breeds each dog once or twice a year, as it all depends on the number of puppies they have. The most in one year is fourteen puppies but that never happens because they skip a year in between. Ms. Clatterbuck showed on the aerial where the existing kennel was located on the property. She also noted that was an enclosed area in front of the kennel where she allows the dogs out for exercise but they are contained to that enclosure. Ms. Clatterbuck shared that during a site visit to the property the area appeared to be very well maintained. Ms. Grech asked if she planned to offer boarding and she said not at this time.

Occasionally, she will get a call from one of her customers asking but that isn't regular or often. Ms. Grech asked how she disposed of the waste, and Ms. Osborne replied that they scoop, mop, bag, and then it goes in the dumpster onsite. Ms. Grech asked if she anticipated any concerns from neighbors and Ms. Osborne replied not that she was aware of. Ms. Clatterbuck noted because of the size of this tract of land and the fact that it is bordered by a lot of smaller parcels with residential dwellings that are not very close, there will be a lot of adjoining landowner notices going out.

Chairman Burner asked how the commission wanted to proceed. He recommended staff bring a draft of proposed conditions to the next meeting to review and discuss. Mr. Turner made a motion to send this to public hearing on May 23, 2023. The motion was seconded by Ms. Grech. The motion passed unanimously (4-0).

**C. Zoning Ordinance Amendment- Self-storage facilities**

Ms. Clatterbuck reminded the commission that she had briefly mentioned this issue related to supplemental regulations for self-storage facilities at the last commission meeting during her clerk's report. Now, she is requesting that they consider a code amendment to this section as provided in their packets and labeled as Draft 4/20/2023. She requested feedback from them.

Chairman Burner stated that if they allow the fence to sit on the property line and remove the setback, then the next statement regarding landscaping being required in such setback area is an issue as the setback area would no longer exist. The landscaping language will need to be changed to match that. The assumption is that the landscaping will then go on the inside of the fence. Chairman Burner questioned if landscaping was necessary for these facilities in the commercial zoning district. He could see landscaping in the Agriculture and Woodland-Conservation zoning districts, that being a consideration condition of the special use permit, but to him it wasn't needed in the Commercial or Industrial zoning districts. Ms. Grech asked what the purpose of striking the fence requirement off the property line was. Ms. Clatterbuck stated that we do not have current regulations related to fencing for anything else unless it has been in special use permit conditions. She stated these facilities are structures, not open entertainment, etc. Requiring a fence to be six-feet off the line is going to require the owner to go outside the fence to maintain that fence line, which could cause issues. Also, the misconception that the fence is the property line could cause unfriendly neighbor disputes. Ms. Grech wondered why they would keep the fencing regulation at all in the supplemental regulations, and Ms. Clatterbuck agreed. She didn't see a purpose of the fence related to zoning. Chairman Burner stated the only thing he could think of would be security of the facility. Ms. Clatterbuck stated the security of the facility should not be the county's responsibility. That is up to the owner of the facility, and Chairman Burner agreed. He stated he didn't want to remove fencing and landscaping completely because of the two districts that only allow these facilities by special use permit, but he didn't feel it was necessary in Commercial and Industrial districts where they are permitted by-right. After further discussion, the commission recommended that the language be revised based on the discussion tonight. Ms. Clatterbuck asked if they would consider scheduling the public hearing. Mr. Turner made a motion to schedule the amendment for public hearing on May 23, 2023. The motion was seconded by Mr. Adams. The motion passed unanimously (4-0).

**Unfinished Business**

**A. Campground Subcommittee Report**

Ms. Grech stated the committee was nearing the end of their review process of the draft ordinance. They are finishing up landscaping, consistency in the draft, etc. Hopefully, the last meeting of the subcommittee will be on May 3, 2023.

**B. Review and discuss updates to the Page County Zoning Ordinance (Chapter 125)**

The commission discussed and reviewed the proposed use matrix provided by the Berkley Group dated November 3, 2021.

**Adjourn**

Ms. Grech made a motion to adjourn. The motion was seconded by Mr. Turner. The motion passed unanimously (4-0). The meeting was adjourned at 9:02 p.m.

  
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Jared Burner, Chairman