

**RESOLUTION OF THE
BOARD OF SUPERVISORS OF CULPEPER COUNTY, VIRGINIA**

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT IN

CASE # U-2212-18-1

Robert Rook & Mark Jenkins

Tax Map/Parcel No. 60-28

WHEREAS, the Applicant and/or Property Owner(s), **Robert Rook & Mark Jenkins**, have filed an application for a conditional use permit to operate an assisted living facility in accordance with Article 4-2-2.1 and Article 17 of the Zoning Ordinance, specifically with occupancy in excess of eight (8) individuals. The property is located on Route 648 (Cedar Ridge Rd) in the Cedar Mountain Magisterial District and contains 38.90 acres. Tax Map Parcel No. 60-28.

WHEREAS, the Conditional Use Permit Application and documents in support, including conditions as proposed by the Applicant, have been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, the staff has filed a detailed report, and public comment was invited; and

WHEREAS, after due consideration, the Board has determined that (i) the foregoing and (ii) any other available information indicate compliance with the general standards as set forth in Article 4-2-2.1 (referring to Article 3-2-2.3) of the Zoning Ordinance in the County's Code of Ordinances and Virginia Code Ann., §15.2-2291; and

WHEREAS, the Board of Supervisors finds that the general standards of Article 17 of the Zoning Ordinance are met in this Application and documents in support, including conditions as proposed by the Applicant, and specifically finds that the proposed use will not affect adversely the goals and intent as established in Article 17 of the Zoning Ordinance; and

WHEREAS, the Culpeper County Planning Commission (i) considered the Conditional Use Permit Application and documents in support, including conditions as proposed by the Applicant in writing, (ii) held a public hearing on December 12, 2018 on this use permit request, and (iii) recommended approval, by way of 8 approving votes and 1 dissenting votes;

NOW, THEREFORE, BE IT RESOLVED by the Culpeper County Board of Supervisors that the Conditional Use Permit Application, Case No. U-2212-18-1 of the Applicant be, and hereby is, approved, subject to the following conditions:

1. The facility must be certified with the VARR (Virginia Association of Recovery Residences) under the NARR (National Alliance for Recovery Residences) regulations, as amended;
2. To the extent permitted by law and as proposed by the Applicant, no alcohol, illegal drugs, or narcotics will be permitted on the campus. Of course, over the counter (OTC) medication and non-narcotic prescription medication shall be permitted on the campus;

3. To the extent permitted by law and as proposed by the Applicant, individual residents that are in the recovery program will not leave the facility/campus at any time during their stay unless accompanied by a counselor or for purposes of maintaining outside employment, as approved by and under policies set by the operator of the facility/campus;
4. To the extent permitted by law and as proposed by the Applicant, individual residents that are in the recovery program will only be permitted to have visitors upon prior scheduling and approval by the facility operator. At no time will those receiving visitors outnumber the number of paid or volunteer staff available on the premises for supervision. An exception to this condition may occur for special occasions such as graduation from the facility, baptisms, and other special services which may occasionally occur, or as may be provided for by law;
5. The number of individual program residents at this location/campus shall not exceed thirteen (13) at any time, not including staff;
6. The Applicant/facility during the first year of operation monthly will provide to the County through its Planning and Zoning Office, a list of its staff members, and individual information regarding staff members' education, training, and experience. Thereafter the first year of operation, the above-referenced reporting/information shall be submitted annually;
7. The Applicant/facility during the first year of operation monthly will provide to the County through its Planning and Zoning Office, a list of its permitted medications kept on campus/at the facility. Thereafter the first year of operation, the above-referenced reporting/information shall be submitted annually;
8. The campus/facility operator's name (the individual who will be in charge of managing the facility/campus) and his/her contact information shall be reported to the County and kept current through the Planning and Zoning office, at all times. (This person will be in charge of documenting and administering the conditions listed above and coordinating with the County in responding to any concerns that are raised in regards to this conditional use permit); and,

9. Any future additional lighting on site shall comply with Appendix A, Article 32.

Done the 2nd day of January 2, 2019.


VOTING AYE: CHASE, FRAZIER, FRITZ, HANSOHN, ROSENBERGER

VOTING NAY: NONE

ABSTAINING: NONE


ABSENT: WALKER

BOARD OF SUPERVISORS OF CULPEPER
COUNTY, VIRGINIA



Brad C. Rosenberger, Chairman

ATTEST:



John C. Egertson, County Administrator