

Gary F. Snellings, Chairman
L. Mark Dudenhefer, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Thomas C. Coen
Wendy E. Maurer
Cindy C. Shelton

Thomas C. Foley
County Administrator

May 23, 2019

Mr. John Rust
921 Brent Point Road
Stafford, VA 22554

SUBJECT: *Application 19152680; Tax Map Parcel No. 41-1A; Zoning Administrator Determination*

Dear Mr. Rust:

This letter is in response to your request for a Zoning Administrator Determination dated March 13, 2019 to confirm whether the use of a retreat for young adults undergoing cancer treatment as proposed by you for Tax Map Parcel No. 41-1A ("the Property") would be considered a "campground" pursuant to the definition in the Stafford County Zoning Ordinance. Specifically, you request an interpretation with respect to Stafford County Code Sections 28-25, "Definitions of specific terms" and 28-35, Table 3.1, "District Uses and Standards" as to whether such retreat, as described by you, falls within the definition of "campground," which is a by-right use in the A-1 Agricultural Zoning District.

You provided the following description of the proposed use on the Property:

The proposed use of the property is for a campground and one residential dwelling. The one residential dwelling will be our private residence or, in the future, that of the manager/caretaker of the campground. The campground ultimately managed by and as a nonprofit entity, will be operated as a retreat for young adults undergoing cancer treatment. The camp may be used by the general public only as a means to raise funds for its primary function as a nonprofit organization. This proposed use of the campground will conform to the definition of a "campground" as described in the Stafford County Zoning Ordinances. The camp is intended for short-term, overnight or multi-night stays and campers will not be permitted to stay more than a maximum of 90 days. While the camp will be affiliated with local hospitals and other similar organizations for the use by individuals or small groups, there will be no on-site medical treatment or counseling services that require state licensing.

The Camp will have tent platforms and cabins. Guest trailers and RV's will not be utilized.

In conjunction with Cancer Treatment Centers, young adults undergoing cancer treatment will stay as campers for a short time between treatments. It has been established persons in their upper teens through the upper thirties undergoing

cancer treatment have special treatment needs that are not being met. This age group tends to prefer to be with family and friends within a peaceful relaxing environment and trends away from large organized groups. The primary function of this Camp is to provide convenient and comfortable access to such an environment. These short-term stays are intended to be times of rest and recuperation for patients and their guests during periods in which these young adults do not require active medical attention for their treatment. The Camp will not provide on-site medical treatments or counseling services requiring a State Licensing. The young adults' family, friends, and guests will serve in the patient-caregiver role if one is required. The Camp will be open to people outside this stated constituency on a limited basis for a fee. Any funds raised by the nonprofit organization, including those fees paid by non-patients, will go toward offsetting the expenses for our main constituency: young adults undergoing cancer treatment. The property is comprised of 10 acres which adjoin the 1,000 acre Widewater State Park with marsh land on one side and the Potomac River on the other; it offers a unique opportunity as a Camp for guests to stay a few nights in a tent or a cabin to relax, enjoy nature, and recharge.

In addition, you provided that sanitary and water facilities will be provided "...to the extent allowed by the Stafford County Health Department for well and septic systems" and that the facility would be open twelve months a year, "but primarily Spring, Summer and Fall." The Property is zoned A-1, Agricultural and consists of 10 acres. It is located on the Potomac River and is adjacent to the Widewater State Park. A "campground" is a permitted by-right use in the A-1, Agricultural Zoning District pursuant to the Stafford County Zoning Ordinance, Sec. 28-35, and is defined in the Stafford County Zoning Ordinance, Sec. 28-25 as follows:

A plot of ground that includes, but is not limited to, a travel trailer camp, recreation camp, family campground, camping resort, camping community, or any other area, place, parcel or tract of land, by whatever name called, on which two (2) or more campsites are occupied or intended for occupancy, or facilities are established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer, whether the use of the campsites and facilities is granted gratuitously, or by rental fee, lease, or conditional sale, or by covenants, restrictions and easements. A campground does not include a facility for the parking or keeping of recreational vehicles, summer camp, migrant labor camp, or park for mobile homes as defined in Code of Virginia, §§32.1-203 and 36-71, or a construction camp, storage area for unoccupied camping units, or land upon which the landowner may choose to camp and not be prohibited or encumbered by covenants, restrictions, and conditions from providing his sanitary facilities within his property lines.

A "camping unit" is defined in the Zoning Ordinance Sec. 28-25 as follows:

any tent, pop-up trailer, cabin, lean-to, or similar structure established or maintained and operated as temporary living quarters for recreation, education or vacation purposes.

and a "campsite" is defined in the Zoning Ordinance Sec. 28-25 as follows:

Letter to: Mr. John Rust

May 23, 2019

Page 3 of 3

any plot of ground within a campground intended for the exclusive occupancy by a camping unit or units under the control of a camper."

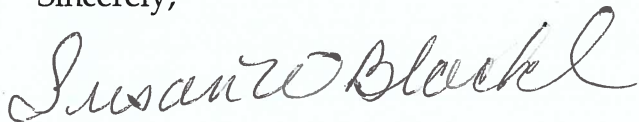
The information included in the request states the proposed use of the Property is to be a "campground" providing for rest and recuperation for cancer patients in addition to the general public. The patients will be staying at the Property between their active cancer treatments. The facility will not provide any medical treatment or counseling for the campers. The proposed sleeping facilities will consist of platform tents and cabins which will need to be constructed. The stay is intended to be short-term, overnight or multi-night stays, but no longer than 90 days. Camping trailers and Recreational Vehicles (RV) will not be utilized. The proposed facility is expected to be open 12 months a year.

The proposed use, as described, meets the definition of a "campground." However, approval of the use, as described, does not guarantee approval of the development of the Property. The development of the Property shall comply with any applicable county, federal, or state code, law, ordinance, or regulation.

This determination may be appealed to the Board of Zoning Appeals within thirty (30) days from receipt of this letter, in accordance with 15.2-2311 of the Code of Virginia, or this decision shall be final and un-appealable. You may obtain the BZA appeal application at www.staffordcountyva.gov.

If you have any questions or comments, I can be reached by email at sblackburn@staffordcountyva.gov or by phone at 540-658-8668.

Sincerely,



Susan W. Blackburn
Zoning Administrator

SWB:dk