

April 3, 2008

PRESENT: S. F. Shreckhise, Chairman  
J. W. Callison, Jr., Vice Chairman  
G. A. Coyner, II  
D. A. Brown  
Pat Morgan, County Attorney  
J. R. Wilkinson, Zoning Administrator & Secretary  
S. K. Shiflett, Zoning Technician I

ABSENT: C. E. Swortzel

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, April 3, 2008, at 9:45 A.M., in the County Government Center, Verona, Virginia.

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**VIEWINGS**

The members of the Board of Zoning Appeals assembled at the Government Center and went as a group to view the following:

- **William Wine, agent for Mt. Pisgah United Methodist Church - Special Use Permit**
- **John J., II or Sharon R. Arbaugh - Special Use Permit**
- **Jeffery Flint - Special Use Permit**
- **William G. or Sharon E. Bibb - Special Use Permit**
- **Timmy W. Plecker - Special Use Permit**
- **Richard D. Crawford, Jr., agent for Mt. Bethel Baptist Church Trustees - Variance**

At each location, the Board observed the site and the premises to be utilized. The Board also viewed the development and the character of the surrounding area.

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Chairman

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Secretary

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PRESENT: S. F. Shreckhise, Chairman  
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 G. A. Coyner, II  
 D. A. Brown  
 Pat Morgan, County Attorney  
 J. R. Wilkinson, Zoning Administrator & Secretary  
 S. K. Shiflett, Zoning Technician I  
 B.B. Cardellicchio-Weber, Administrative Secretary

Absent: C. E. Swortzel

VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, April 3, 2008, at 1:30 P.M., in the County Government Center, Verona, Virginia....

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**MINUTES**

Mr. Coyner moved that the minutes from the March 6, 2008 meeting be approved.

Ms. Brown seconded the motion, which carried unanimously.

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**WILLIAM WINE, AGENT FOR MT. PISGAH UNITED METHODIST CHURCH - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by William Wine, agent for Mt. Pisgah United Methodist Church, for a Special Use Permit to enlarge a non-conforming structure by constructing an addition to the existing church on property they own, located in the southern quadrant of the intersection of Mt. Pisgah Road (Route 742) and Limestone Road (Route 626) in the North River District.

Mr. Wilkinson asked if the addition would be 20' x 60'?

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Mr. William Wine stated that is correct. He stated that there will be a handicapped bathroom, handicapped elevator, a new stairway, new office for the minister, and an enlarged foyer.

Mr. Wilkinson stated that according to the site plan the addition will be no closer to the road than the existing church.

Mr. Wine stated that is correct.

Chairman Shreckhise stated that the Board visited the site today. He asked if there was anyone wishing to speak in favor, or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed.

Mr. Coyner stated that they have always had a nice facility. He stated that they will not be going any closer to the road. He stated that he does not see any problem enlarging the church and it would be in keeping with the character of neighborhood.

Ms. Brown moved that the request be approved with the following conditions:

**Pre-Conditions:**

1. Submit site plan meeting the requirements of Section 25-673 "Site Plan Contents" of the Augusta County Zoning Ordinance to be approved by all appropriate departments and/or agencies.
2. Applicant obtain building permit and provide a copy to Community Development.

**Operating Condition:**

1. The addition be limited to 20' x 60' as shown on the site plan.

Mr. Coyner seconded the motion, which carried unanimously.

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This being the date and time advertised to consider a request by William G. or Sharon E. Bibb, for a Special Use Permit to reconstruct, enlarge, or extend a non-conforming structure and parking lot on property they own, located on the north side of Jefferson Highway (Route 250), just west of the intersection of Jefferson Highway (Route 250) and Old White Bridge Road (Route 640) in the Wayne District.

Mr. Wilkinson stated that they have been in contact with the applicant and staff has instructed him that they are going to re-advertise this request as not only a Special Use Permit but also a Variance due to some parking issues in the rear of the store. He stated that the applicant asked if there was anyone from the public here to speak today that the Board hear them and the applicant requested the Board to table this request to the May 1, 2008 agenda for the continued hearing.

Chairman Shreckhise asked if there was anyone wishing to speak in favor, or in opposition to the request?

Mr. Hollis Hanback, 32 Lancaster Blvd, Waynesboro, stated that his land is right behind this property. He stated that Mr. Bibb would take the trees down and put a fence up which suits him fine. He stated that this request would be fine with him.

Mr. Wilkinson asked if he would prefer a fence or a double row of trees?

Mr. Hanback stated that his preference is the fence. He stated that Mr. Bibb would do either one.

Mr. Coyner asked if Mr. Hanback's house is on the Staunton side of the paved driveway?

Mr. Hanback stated that he is the second house on the left.

Chairman Shreckhise asked if there was anyone else wishing to speak in favor, or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed.

Mr. Coyner moved that the request be tabled until the May 1, 2008 meeting.

Vice Chairman Callison seconded the motion, which carried unanimously.

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**JOHN J., II OR SHARON R. ARBAUGH - SPECIAL USE PERMIT**

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This being the date and time advertised to consider a request by John J., II or Sharon R. Arbaugh, for a Special Use Permit to have a construction business and use an accessory building on property they own, located on the northeast side of Barrenridge Road (Route 642), just north of the intersection of Barrenridge Road (Route 642) and Cricket Road (Route 797) in the Middle River District.

Mr. John Arbaugh, II stated that he would like to store toolboxes and small construction materials in his barn.

Chairman Shreckhise asked if all of the storage would be inside?

Mr. Arbaugh stated that is correct. He stated that his construction business is in northern Virginia and Richmond. He stated that they renovate restaurants so he keeps a few small toolboxes and hand tools inside the building. He stated that he does not have any employees and no construction vehicles except a personal vehicle that he drives to the construction site. He stated that he uses mostly subcontractors for his business.

Ms. Brown asked if his house has an office in it?

Mr. Arbaugh stated that he has a room with a computer in it and he does paperwork in that room. He stated that is where he would do business out of. He stated that no customers or clients ever come to the house.

Mr. Coyner asked what would be stored at the site?

Mr. Arbaugh stated that he would store a couple of tool boxes and boxes of screws and bolts. He stated that he would like to keep a few hand tools. He stated that they do not have construction equipment and they lease what they need at the jobsites.

Mr. Coyner stated that the Board is interested in sites being kept neat and orderly. He stated that the applicant has an accumulation of old RVs, pickup trucks, and old cars which does not say much.

Mr. Arbaugh stated that is unrelated to the business.

Mr. Coyner stated that is usually an indication of perhaps how a person will operate. He stated that it would behoove Mr. Arbaugh to clean the site up.

Mr. Arbaugh stated that he is working on it. He stated that he bought the property with a bunch of junk on it. He stated that he has titles for two (2) vehicles ready to sell. He stated that he has gotten loads of junk that he has been taking off of the property. He

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stated that the go-karts will be removed. He stated that they are working on getting the site cleaned up. He stated that he has been working on hauling the dilapidated barn.

Ms. Brown asked if he planned on keeping any of the RVs?

Mr. Arbaugh stated that they are not his. He stated that the owners will be picking them up.

Mr. Wilkinson stated that there are four (4) or five (5) vehicles down around the barn.

Mr. Arbaugh stated that two (2) of them will stay. He stated that he has a 1948 Chevy Pickup and 1961 Convertible that he would like to restore. He stated that the farm tractor and equipment will stay.

Mr. Wilkinson stated that there was a large truck at the site today. He asked if it is part of his business?

Mr. Arbaugh stated no. He stated that it is a farm truck that they use to take over to the landfill. He stated that the construction sites have their own dumpsters. He stated that the large truck gets three (3) miles to the gallon so it could not make it to northern Virginia.

Chairman Shreckhise asked if there was anyone wishing to speak in favor, or in opposition to the request?

Ms. Nancy Early, 2327 Barrenridge Road, stated that she is the property that is mostly affected by this business. She stated that when the property was sold to the Arbaughs it did not have any vehicles on it. She stated that the previous owner is here today. She stated that all of the vehicles have accumulated since they bought the property. She stated that the vehicles are on the property line where she can see them.

Chairman Shreckhise asked if all of this is in view from her property?

Ms. Early stated yes.

Mr. Coyner asked if she lives in the house where there is a white camper?

Ms. Early stated yes. She stated that the barn that is falling down has a tremendous amount of vehicles there. She stated that she has counted as many as twenty (20) vehicles. She stated that yesterday there were fourteen (14) vehicles at the site. She stated that she is not opposed to him having a business there but the vehicles have to go. She stated that is all that she sees out of her front window. She stated that she has lived

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at this site for fifteen (15) years. She stated that she owned the property originally and then she sold it to his neighbor who is unhappy about the situation too. She stated that she is concerned about the safety and the appearance which has ruined their views from all directions.

Chairman Shreckhise asked if there was anyone else wishing to speak in favor, or in opposition to the request?

There being none, Chairman Shreckhise asked if Mr. Arbaugh would like to speak in rebuttal?

Mr. Arbaugh stated that Ms. Early cannot see the barn from her property at all. He stated that she is talking about the house which regrettably is blocking her view of the mountains. He stated that all of the vehicles that she can see runs and are driven frequently except for an old Volkswagen with antique plates. He stated that they have a large family. He stated that none are broken down. He stated that the broken down vehicles are by the barn and those are the ones that they are getting titles in order to get rid of them.

Mr. Wilkinson stated that the cars that the Board saw today as well as the motorcycles are family personal vehicles.

Mr. Arbaugh stated that is correct. He stated that the Yukon is the only work vehicle.

Ms. Brown asked if construction materials are brought back to the site?

Mr. Arbaugh stated only what he could bring back with the Yukon and placed in the barn. He stated that he brings hand tools, drills, plumbing fittings, etc. He stated that he does not bring trailers full of supplies or construction equipment.

Mr. Coyner asked if material is delivered by truck?

Mr. Arbaugh stated that no material comes to his site.

Chairman Shreckhise declared the public hearing closed.

Mr. Coyner stated that the general appearance usually indicates how people will operate. He stated that he was not impressed with the site. He stated that were the applicant to be able to clean the site up, he would feel more inclined to want to proceed. He stated that he would be willing to table the request to see if the applicant is serious about cleaning the site up.

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Chairman Shreckhise stated that he agrees with Mr. Coyner. He stated that since this is a special use the Board would like some indication that the site will be kept neat and orderly.

Vice Chairman Callison stated that Mr. Arbaugh would have some difficulty removing the vehicles without titles. He stated that it may take some time to get the titles for the vehicles. He stated that he would be in favor of tabling the request for sixty (60) to ninety (90) days.

Chairman Shreckhise asked Mr. Arbaugh to come forward. He stated that the inclination of the Board is to perhaps table the request for a period in order to remove the inoperable vehicles. He asked what timeframe would be appropriate for that? He asked if the applicant would prefer thirty (30), sixty (60), or ninety (90) days?

Mr. Arbaugh stated that it sounds like the Board would prefer that the business be moved to another site.

Chairman Shreckhise stated that the Board would prefer the site to look like it be presentable for a business which means not having a bunch of junk vehicles around.

Mr. Wilkinson stated that the County has an ordinance that regulates inoperable vehicles which means if it does not have a current license or inspection on it, they have a limitation of one (1) per acre up to five (5) vehicles. He stated that the applicant could have five (5) vehicles but they would have to remain either in a building or screened from public view. He stated that they could not be out around the building. He stated that the Board is interested in seeing that part of the property being in compliance before they issue a permit for the business operation. He stated that they want to get all of the zoning issues taken care of.

Chairman Shreckhise stated that they may be inclined to granting the request but they would like to table it so that they make sure the applicant is in compliance with the present regulations. He stated that the Board has the option of looking at everything at the site for compliance. He asked if sixty (60) days would be sufficient?

Mr. Arbaugh stated that he would not be in the United States in sixty (60) days. He stated that he would prefer thirty (30) days.

Mr. Wilkinson stated that by May 1, 2008, the applicant should have up to five (5) vehicles that he would like to keep that are inoperable in the building or build a privacy fence so that the neighbors cannot see them.

Mr. Arbaugh stated that this does not address Ms. Early's comments.



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Chairman Shreckhise stated that the Board cannot do anything about the private vehicles.

Mr. Wilkinson stated that as long as the vehicles are licensed the County cannot do anything about the number of personal vehicles for the family.

Mr. Coyner moved that the request be tabled to the May 1, 2008 meeting.

Ms. Brown seconded the motion, which carried unanimously.

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#### **JEFFERY FLINT - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Jeffery Flint, for a Special Use Permit to use an existing garage and have outdoor storage in conjunction with a logging business on property he owns, located on the south side of Buttermilk Spring Road (Route 703), just west of the intersection of Buttermilk Spring Road (Route 703) and Crossing Lane in the Pastures District.

Mr. Jeffery Flint stated he has two (2) trailers that he will keep behind the garage used to haul equipment back and forth from job to job. He stated that they stay parked at the site until whenever they are needed. He stated that they keep equipment and tools in the storage trailer. He stated that the pickup truck is gone. He stated that the red and white truck is an old antique and is not used for business. He stated that he pulled it out to do body work on but there is nothing else sitting around the site.

Chairman Shreckhise asked that the reason he needs the Special Use Permit is not because he has one (1) tractor and one (1) trailer but because of the two (2) additional trailers?

Mr. Wilkinson stated that Mr. Flint has a Home Occupation Permit and under his permit he is permitted one (1) commercial vehicle. He stated that the applicant is requesting the Special Use Permit because he has a skidder in the building, two (2) additional flatbeds, and a semi-trailer around the back that he has tools in.

Chairman Shreckhise asked if the applicant had another place to keep his two (2) trailers parked?

Mr. Flint stated no.

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Mr. Wilkinson asked if he would have any employees?

Mr. Flint stated no just him and his brother work together.

Chairman Shreckhise asked if the trailers are stored at this site all of the time?

Mr. Flint stated yes they stay there until they are moved to another job.

Chairman Shreckhise asked if the equipment could be kept on the job?

Mr. Flint stated no because of vandalism or they could possibly get stolen.

Mr. Coyner stated that the Board visited the site this morning. He stated that the site is neat and orderly and well cared for.

Vice Chairman Callison stated that the applicant does keep it that way all of the time.

Chairman Shreckhise asked if there was anyone wishing to speak in favor, or in opposition to the request?

Mr. Mike Maddox, 865 Buttermilk Spring Road, Staunton, stated that he has known Mr. Flint since they moved in. He stated that Mr. Flint keeps his place and his trucks immaculate all of the time. He stated that his yard is well maintained. He stated that the site is neat and orderly.

Chairman Shreckhise asked if there was anyone else wishing to speak in favor, or in opposition to the request?

Mr. Richard Magnifico, 76 Crossing Lane, stated that Mr. Flint is a long time resident of Augusta County and knows the zoning codes quite well. He stated that he purchased a home in a clearly residential neighborhood with no prior trucking operations. He stated that he violated the area zoning regulations by bringing three (3) very large vehicles to his residential property and was advised by an Augusta County zoning official and cited for an obvious zoning violation and then Mr. Flint made his case to the Augusta County Planning Commission and was advised that due to the size of the property that there was no outside storage. He stated that this is a spot zoning issue and the Board has two (2) additional related operations with 922 and 908 Buttermilk Spring Road. He stated that the Board should protect the rural character of the County and reject turning a residential neighborhood with additional buildings, blacktop, bulldozers, and blight. He stated that he has lived in this location for ten (10) years and is opposed to the issuance of the Special Use Permit. He stated that this request does not conform to the County's adopted 2007 Comprehensive Plan. He stated that on page four of the plan it reads that neighborhoods

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will be places with beauty, charm, and where citizens are proud to call home. He stated that the scenic beauty and natural environment will be preserved to define the landscape and the rural areas. He stated that the Future Land Uses on page seven has eleven categories. He stated that number two is quite distinct from number eight a low density residential area based on 1.5 and 1 dwelling unit per acre. He stated that he also reviewed the Comprehensive Plan identified on page eight and to identify the concerns, needs, aspirations of local citizens for the quality of life in the community that they live. He stated that any future planning should conform to establish development patterns in the community. He stated that this is a residential area not a business area. He stated that there are two (2) schools adjacent to the property. He stated that a vehicle of this size both lanes of traffic will be crossed. He stated that vehicles entering and exiting from three (3) different locations would be a concern from both vehicles and students. He stated that on page 66 the County is required to ensure that new and existing residential areas are protected from conflicts with incompatible land uses. He stated that this is not compatible with residential and this would be a development of strip business because three (3) different businesses would access the same Buttermilk Spring Road. He stated that this would change the rural character completely. He stated that the scenic character would be changed and altered. He stated that with both maintenance of the vehicles internal and external the adjacent waterway will be affected. He stated that in summary the Board should deny the request preventing scattered or strip development incompatible with adjoining existing residential uses; and, furthermore, support the Planning Commission's recommendation that due to the size of the property that there be no outside storage and the number of business vehicles be limited to insure compatibility with the residential character. He stated that per Section 25-74 the permit should not be issued because the proposal will have an undue adverse impact on the rural environment of the surrounding neighborhood reducing residential property values. He stated that the Board should deny the request for the additional pieces of equipment that had been there for several months and only after the applicant was cited did this issue come before the Board. He stated that this was placed there without any concern of the neighbors.

Chairman Shreckhise asked if there was anyone else wishing to speak in favor, or in opposition to the request?

Mr. Ronald Kovatch, 139 Crossing Lane, Staunton, stated that he does not feel the request will be in compliance with the plan that has been presented and the residential and agricultural community. He stated that there is a safety concern about visibility as well as the additional contracting vehicles that would be on the site. He stated that this will create a problem for the schools and buses in the area. He stated that this is not compatible with the area and they should not be making exceptions based on that.

Mr. Coyner asked where Mr. Kovatch lives?

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Mr. Kovatch stated that he lives behind the property across from the railroad tracks.

Mr. Coyner asked how long has he lived there?

Mr. Kovatch stated three (3) years.

Chairman Shreckhise asked if there was anyone else wishing to speak in favor, or in opposition to the request?

Ms. Joanna Gerringer, 141 Crossing Lane, PO Box 3062, Staunton, stated that her property backs up to this property. She is concerned about the property values. She is a real estate agent and she also has a house listed on Crossing Lane and she is concerned that this will de-value the homes. She stated that a commercial business is not compatible with the rural residential area. She stated that she would like the Board to turn down this request. She stated that there are too many trucks there now and she sees them on a daily basis. She stated that she does not want anymore trucks kept at the site.

Chairman Shreckhise stated that the applicant is allowed to have one (1) truck and one (1) trailer under the Home Occupation Permit. He asked if there was anyone else wishing to speak in favor, or in opposition to the request?

Ms. Peggy Flint, 908 Buttermilk Spring Road, stated that they had to put in a special entrance. She stated that the highway department looked at the school entrance and they issued a permit for them to put in the road. She stated that this does not have anything to do with the safety of the school. She stated that they go the opposite way of the school. She stated that all of the roads are narrow but they are country roads. She stated that they got permits in order to put up the building. She stated that it is a nice building. She stated that they do have a loader. She stated that Mr. Magnifico complained when they had a big trailer there and she told Mr. Wilkinson that the trailer was for storage of building materials and as soon as they finished the garage, they would remove it and they did. She stated that they try to keep the property neat and clean. She stated that the trailer on Jeff Flint's place only goes out once every three (3) or six (6) months. She stated that since they are so close to the crossing it would better benefit us to sit them at Jeff Flint's place to keep the neighbors from complaining because they would be in plain site of their home.

Chairman Shreckhise asked if there was anyone else wishing to speak in favor, or in opposition to the request?

Mr. Wilkinson stated that the Board received two (2) letters. He stated that one letter was from Mr. Kovatch which the Board heard from today and the other is from Kenneth and

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Phyllis Wiseman. He stated that they live across the street and they are in support of the request and they state that the Flints are good neighbors. They stated that the Flints maintain their property.

There being no one else wishing to speak, Chairman Shreckhise asked if Mr. Flint would like to speak in rebuttal?

Mr. Flint stated that on Buttermilk the neighbors cannot see them at the site. He stated that the only way Mr. Magnifico can see them is when he walks up to the railroad tracks with a pair of binoculars and looks at the building. He stated they do not go on the school's lot. He stated that they have their own entrance. He stated that they go around Cedar Green Road.

Chairman Shreckhise stated that there would be no other outside storage other than the trailers. He stated that the piece of machinery was just for temporary use.

Mr. Flint stated that is correct. He stated that the storage trailer is gone.

Mr. Wilkinson stated that the applicant will have the semi-trailer for tool storage behind the building as well.

Mr. Flint stated that is correct.

Ms. Joanna Geringer stated that her property is directly behind his property. She stated that she sees the total view of the property. She stated that her property backs up to the railroad track and that will be in plain view of her property.

Mr. Wilkinson stated that Ms. Geringer's property is located directly behind Mr. Flint's property.

Mr. Flint stated that he thought she lived down across the tracks.

Chairman Shreckhise declared the public hearing closed.

Mr. Coyner stated that the Board visited the site today and the track is elevated. He stated that the flatbed trailer is down below the level of the track. He stated that the property is well cared for.

Vice Chairman Callison stated that the railroad track is the most significant thing out there and the right-of-way is all grown out. He stated that the applicant keeps the property looking nice all of the time. He stated that he knows the previous locations that they have

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been at and they keep their property looking like this all of the time. He moved that the request be approved with the following conditions:

**Pre-Conditions:**

None

**Operating Conditions:**

1. Be limited to two (2) flatbed trailers and one (1) semi-trailer to be kept behind the garage, in addition to the tractor and trailer at the site.
2. All other equipment, machinery, materials, and tools for the business be kept inside the garage.
3. Site be kept neat and orderly.
4. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
5. No employees other than family members to come to the site.

Mr. Coyner seconded the motion, which carried unanimously.

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**TIMMY W. PLECKER - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Timmy W. Plecker, for a Special Use Permit to have outdoor storage of excavating equipment, vehicles, and materials on property he owns, located on the south side of Parkersburg Turnpike (Route 254), just east of the intersection of Parkersburg Turnpike (Route 254) and Cedar Green Road (Route 693) in the Pastures District.

Mr. Timmy Plecker stated that he would like to be able to park some trucks and equipment there. He stated that they have been parking them there since the forest service building was built in 1992.

Mr. Wilkinson asked if the applicant thought further of how the materials will be screened?

Mr. Plecker showed the Board a site sketch of the proposed screening for the site.

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Mr. Wilkinson stated that the applicant is proposing an eight (8') foot high opaque fence down the property line adjoining the residential house. He stated that towards Route 254 and Route 262 there will be a tree buffer on those two sides but open to the back.

Mr. Plecker stated that is correct.

Mr. Wilkinson stated that there is a house that sits back there as well as additional residentially zoned property which Mr. Plecker owns.

Mr. Plecker stated that is correct.

Mr. Coyner asked if the view from the rear is Mr. Plecker's property?

Mr. Wilkinson stated that there is a dwelling in the back that belongs to him.

Mr. Plecker stated that is rental property.

Mr. Wilkinson stated that the parcel behind that is vacant now but it is zoned single family residential. He asked how large is that property?

Mr. Plecker stated that it is forty-five (45) acres.

Mr. Wilkinson stated that they are proposing trees down the side adjacent to the loop and trees across the front facing Route 254 and an eight (8') foot high privacy fence along the side where the neighbor's home is real close to the property.

Ms. Brown asked about the back side?

Mr. Wilkinson stated that he is proposing right now that it remain open.

Mr. Plecker stated that no one will see it except for the renters.

Chairman Shreckhise stated that is the applicant's property. He asked how close will the fence be to their property line?

Mr. Plecker stated that they will build the fence a foot off the property line.

Chairman Shreckhise asked if there would be any problem with that?

Mr. Wilkinson stated that it is fine if the fence is one (1') foot from the line. He stated that the ordinance requires that he not keep any materials in the twenty-five (25') foot buffer area.

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Mr. Coyner stated that from his property line twenty-five (25') feet over, the applicant could not park anything.

Mr. Wilkinson stated that the setback area needs to be a buffer area.

Mr. Coyner stated that the fence would be next to the rocks but on the house side.

Mr. Plecker stated that is correct.

Ms. Brown asked what type of fence would be placed on the property?

Mr. Plecker stated a board fence.

Mr. Wilkinson stated that the applicant is proposing an eight (8') foot high fence.

Mr. Plecker stated that the fence would be vertical board.

Mr. Coyner stated that it would be the applicant's responsibility to maintain the fence. He asked how tall are the trees on the other side of the property?

Mr. Wilkinson stated that the plan states a minimum of three (3') feet but the Board usually requires a minimum of six (6') foot high trees planted ten (10') foot on center.

Chairman Shreckhise asked what would be stored in this area?

Mr. Plecker stated bulldozers, dump trucks, and trailers.

Mr. Coyner stated that the applicant had some items stored at the site this morning. He stated that the applicant might bring in other equipment between jobs.

Mr. Plecker stated that they had a box trailer, tanker trailer, and a couple office trailers.

Mr. Coyner stated that the equipment comes in until it is needed for the next job.

Mr. Plecker stated that is correct or they can drive it around back of their shop. He stated that they just don't have enough storage area.

Mr. Coyner stated that a piece of equipment can be onsite for a short period of time or a long period of time.

Mr. Wilkinson stated that the applicant will also have rock and gravel at the site.



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Ms. Brown asked if the building next to the site is now vacant?

Mr. Wilkinson stated that it is the old forestry service office.

Mr. Plecker stated that is owned by him also.

Mr. Coyner stated that the applicant will then use that building for something else.

Mr. Plecker stated that there is another federal agency looking at the site. He asked if it would be fine if he built a two (2') foot high berm and then placed the trees on that berm to raise them up? He stated that the ground is not suitable for growing trees directly in the ground.

Mr. Wilkinson asked if the applicant would need to do that with the six (6') foot tree also? He stated that if the trees die the applicant would need to replace them.

Mr. Coyner stated that it sounds like there needs to be topsoil no matter what gets planted. He stated that if two (2') feet of that is the berm they would still want to include a total height in the motion.

Chairman Shreckhise stated that they would want the equivalent of a six (6') foot tree. He stated that if there is a three (3') foot berm than there would need to be a three (3') foot tree or a two (2') foot berm with a four (4') foot tree.

Mr. Coyner stated that it would need to be six (6') feet above normal grade.

Mr. Plecker stated that is fine with him.

Chairman Shreckhise stated that the main thing is that once the trees are planted they need to be properly maintained. He stated that the Board would look unfavorably on it if the trees are not cared for.

Mr. Coyner asked how long would it take to put the fence and berm in?

Mr. Plecker stated that he would like to have ninety (90) days.

Chairman Shreckhise asked if there was anyone wishing to speak in favor, or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed.

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Mr. Coyner stated that he realizes why the applicant does not want to do trees on the other side. He stated that the key is that it all gets maintained.

Mr. Wilkinson stated that there are no houses in the rear currently but if the ordinance requirement to be screened from public view remains and is not changed and ten (10) years from now houses start to be built on the site, at that time the applicant would need to close in the area in order to maintain the screening. He stated that the ordinance states screened from public view. He stated that staff is recommending screening the entire area but Mr. Plecker stated that the property is his and is rented. He stated that should the property develop in the future, it would be an ordinance requirement to screen the area.

Chairman Shreckhise stated it should be included if the request is approved that additional screening would be necessary if additional development were to occur.

Mr. Coyner stated that the Board has been to the site several times. He moved that the request be approved with the following conditions:

**Pre-Conditions:**

1. Submit site plan designating the specific storage area and meeting the requirements of Section 25-673 "Site Plan Contents" of the Augusta County Zoning Ordinance to be approved by all appropriate departments and/or agencies.
2. The site be screened with an eight (8') foot high opaque fence down the property line adjoining the residential house within ninety (90) days.
3. The double row of staggered pine trees be at least six (6') feet above grade (combined of berm and/or tree height) and planted ten (10') feet on center towards Route 254 and Route 262 within ninety (90) days.

**Operating Conditions:**

1. All equipment, machinery, vehicles, and materials for the business be kept inside the screened outside storage area at all times.
2. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside the storage area.
3. Site be kept neat and orderly.
4. The fence and trees be maintained at all times.

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- 5. Should the property to the rear be developed, additional trees would need to be planted across the rear line of the storage area in order to provide the appropriate screening.

Ms. Brown seconded the motion, which carried unanimously.

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**RICHARD D. CRAWFORD, JR., AGENT FOR MT. BETHEL BAPTIST CHURCH TRUSTEES - VARIANCE**

This being the date and time advertised to consider a request by Richard D. Crawford, Jr., agent for Mt. Bethel Baptist Church Trustees, for a Variance from the front yard and setback requirements in order to enlarge the existing church on property they own, located in the southeast quadrant of the intersection of Round Hill School Road (Route 617) and Pine Bluff Road (Route 784) in the Middle River District.

Mr. Richard Crawford, Jr. stated that he is representing Mt. Bethel Baptist Church. He stated that their request today is similar to two (2) previous requests in trying to keep up with the needs of their church. He stated that they have spent a lot of time to plan and to also meet the needs of their church in the future. He stated that they would like to include a larger kitchen, larger dining and fellowship hall, handicapped bathroom, and a larger men and ladies restroom. He stated that they have a large crowd during special events and that is why they are here today. He stated that to take care of those days the church needs the larger bathroom, food preparation area, and the larger dining and fellowship area. He stated that they have people standing in line waiting to go to the bathroom. He stated that they only have one way of getting to the fellowship hall. He stated that if the weather is bad they come through the sanctuary which then interrupts their service. He stated that they need the 3.5' in the front because they have no other way to go. He stated that they cannot expand to the right because there is the cemetery and the septic system. He stated that to the left is the required parking area. He stated that they hope the Board considers this request. He stated that the 3.5' will allow the church to have a hallway and install additional bathrooms. He stated that if anyone has to go to the fellowship hall they can do it without going through the main part of the sanctuary.

Mr. Coyner asked how long has the church building been at the site?

Mr. Wilkinson stated that the church was built in 1886.

Mr. Coyner stated that the property is always well maintained.

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Mr. Wilkinson stated that the 3.5' for the porch is from the building plans. He asked if the property has been surveyed?

Mr. Crawford stated that they had an architect draw up the plans. He stated that they spoke with the Virginia Department of Transportation and the Health Department and they said that they have no concerns.

Chairman Shreckhise asked if there was anyone wishing to speak in favor, or in opposition to the request?

Mr. Rodney Robinson, Jr. stated that he is the trustee of Mt. Bethel. He stated that in order to put in a handicapped ramp they will need the additional 3.5' to come out to the front of the church. He stated that the fellowship hall will move toward the parking lot. He stated that they will be adding a handicapped bathroom.

Chairman Shreckhise asked if there was anyone else wishing to speak in favor, or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed.

Mr. Coyner stated that this congregation has been part of the community for a long time and it is great that they have maintained it like they have. He stated that they are looking towards the future. He moved that the request be approved with the following condition and the addition extend no farther out than four (4') feet:

**Pre-Condition:**

1. Submit site plan meeting the requirements of Section 25-673 "Site Plan Contents" of the Augusta County Zoning Ordinance to be approved by all appropriate departments and/or agencies.

Ms. Brown seconded the motion, which carried unanimously.

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**MATTERS TO BE PRESENTED BY THE ZONING ADMINISTRATOR**

**MISTY D. AND CHRISTOPHER M. HILLIARD - ONE YEAR EXTENSION OF TIME REQUEST**

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A request by Misty D. and Christopher M. Hilliard, for a Special Use Permit to have a dog kennel on property they own, located on the east end of Carwash Lane, approximately .1 of a mile east of the intersection of Carwash Lane and Calf Mountain Road (Route 611) in the Wayne District.

Mr. Wilkinson stated that the applicant has had to have surgery which has delayed the kennel. He stated that she has not increased the dogs since she has not built the kennel.

Mr. Coyner moved that the one (1) year Extension of Time be approved.

Ms. Brown seconded the motion, which carried unanimously.

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**PAULA LINK, AGENT FOR FALLING WATERS, INC., TRADING AS SHENANDOAH VALLEY KOA - TWO YEAR EXTENSION OF TIME REQUEST**

A request by Paula Link, agent for Falling Waters, Inc., trading as Shenandoah Valley KOA, for a Special Use Permit to add camping cabins on property owned by Joan M. Riner, located on the west side of Bald Rock Road (Route 781), at the intersection of Bald Rock Road (Route 781) and Riner Lane in the North River District.

Mr. Wilkinson stated that the applicant is ready to start adding those cabins. He stated that Ms. Link is here if the Board has any questions. He stated that Ms. Link will come before the Board next month to ask for another Special Use Permit for some additional cabins. He stated that the cabins look very nice.

Mr. Coyner stated that it is taking a little bit longer to get everything in place.

Ms. Paula Link stated that they need more time to get the cabins in.

Mr. Coyner asked if the cabins would be done in increments or all at one time?

Ms. Link stated probably in increments.

Mr. Wilkinson stated that this request was for nine (9) cabins.

Mr. Coyner stated that it looks like they are doing a good job at the site.

Ms. Brown moved that the two (2) year Extension of Time be approved.

Vice Chairman Callison seconded the motion, which carried unanimously.

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**CYNTHIA A. JOHNSON - ONE YEAR EXTENSION OF TIME REQUEST**

A request by Cynthia A. Johnson, for a Special Use Permit to increase the number of dogs and structures at the existing kennel on property owned by Cynthia A. or Robert E. Yancey, located on the east side of Forest Creek Lane, approximately .2 of a mile southeast of the intersection of Forest Creek Lane and Dooms Crossing Road (Route 611) in the Wayne District.

Mr. Wilkinson stated that Board did not grant any increase in the number of dogs. He stated that the applicant asked for more but after the Board viewed the site, the Board thought that forty (40) dogs was plenty. He stated that they did ask for a larger kennel structure. He stated that they have installed their privacy fence. He stated that the extension will give them another year to complete the construction of the kennel. He stated that before the end of the year staff will go out and inspect the property. He stated that staff inspects the site two (2) or three (3) months ahead of time so that a letter can be sent asking the applicant if they need an Extension of Time. He stated that usually the first time staff can explain the reason why the applicants need the Extension of Time but any other time after that the applicant will need to come before the Board. He stated that they asked for a 40' x 40' kennel but they do need more time.

Mr. Coyner moved that the one (1) year Extension of Time be approved.

Ms. Brown seconded the motion, which carried unanimously.

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**STAFF REPORT**

- 07-40 Bruce W. or Tammy S. Crow
- 07-41 Daniel S. or Gwendolyn S. Horning
- 07-42 Verna Doyle or James Davis
- 07-43 Fredrick L. Wood – **Cancelled 1/15/08**
- 07-44 James M. Dooms
- 07-45 Franklin H. or Patricia R. Dooms
- 07-46 Ethel M. Baber

Mr. Wilkinson stated that SUP#07-40 and SUP#07-41 are both in compliance. He stated that the applicant was given three (3) years to install the septic system for

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SUP#07-42. He stated that SUP#07-44, SUP#07-45, and SUP#07-46 are all in compliance.

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There being no further business to come before the Board, the meeting was adjourned.

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Chairman

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Secretary