



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



MEMORANDUM

TO: Augusta County Board of Zoning Appeals
FROM: Sandra K. Bunch, Zoning Administrator *Sandy*
DATE: September 28, 2017
SUBJECT: Regular Meeting and Viewing

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, October 5, 2017, at 1:30 P.M.**, in the Board Meeting Room, Augusta County Government Center, 18 Government Center Lane, Verona, Virginia.

Please meet in the Board of Supervisors Conference Room at the Augusta County Government Center in Verona at **8:00 A.M., Thursday**, for the Staff Briefing prior to going out to view the items on the agenda. Lunch will follow at **Country Cookin at noon**.

Enclosed are the minutes of last month's meeting, the agenda for **Thursday's** meeting, staff reports and site plans on each of the requests.

If you cannot attend this meeting, please notify this office as soon as possible.

SKB/bcw

Enclosures

**ADVANCED
AGENDA**

Regular Meeting of the Augusta County Board of Zoning Appeals

Thursday, October 5, 2017, 1:30 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. MINUTES

Approval of the Called and Regular Meeting of September 7, 2017

4. PUBLIC HEARINGS

- A. A request by Candace M. Wagner, for a Special Use Permit to have a vacation home on property owned by Jerry T. and Candace M. Wagner, Trustees, located at 119 Abner Lane, Waynesboro in the South River District.
- B. A request by Troy A. and Melissa L. Sizer-Lewis, for a Special Use Permit to have weddings and special events on property they own, located at 100 Cider Barn Lane, Stuarts Draft in the Riverheads District.
- C. A request by Elizabeth Tuttle, for a Special Use Permit to have a short term vacation rental on property owned by Laurence D. and Toni P. Sheets, located at 386 Cider Mill Road, Mount Sidney in the North River District.
- D. A request by Kevin Losh, for a Special Use Permit to have outdoor storage of a food truck and picnic tables on property owned by Darrel S. Alexander, located at 2005 Stuarts Draft Highway, Stuarts Draft in the Riverheads District.
- E. A request by Nancy L. Boyd, for a Special Use Permit to have a catering business with outdoor storage of a food trailer on property she owns, located at 506 Avis Road, Greenville in the Riverheads District.
- F. A request by Clinton O. and Margaret C. Webb, for a Special Use Permit to have a woodworking shop and furniture restoration on property they own, located at 3733 Middlebrook Road, Middlebrook in the Riverheads District.
- G. A request by Jon Kirchner, M.S., agent for Sigora Solar, for a Special Use Permit to construct ground mount solar arrays to provide service to adjacent property on property owned by Ronald L. Smith, located at 2957 Deerfield Valley Road, Deerfield in the Pastures District.
- H. A request by John W. Bevins, for a Special Use Permit to have equipment sales and display on property he owns, located at 951 East Side Highway, Waynesboro in the Middle River District.

- I. A request by Joseph A. Murray, agent for Sipapu, LLC, for a Special Use Permit to have a short term and extended stay campground and to have special events on property they own, located at 277 Lake Drive, Greenville in the Riverheads District.
- J. A request by Joseph A. Murray, agent for Sipapu, LLC, for a Special Use Permit to have a short term and extended stay campground and to have special events on property owned by Arthur J. Fisher, III, located on the east side of Lake Road adjacent to Stoney Creek Campground in Greenville in the Riverheads District.
- K. A request by Ed Quillen, agent for Waynesboro Nurseries, Inc., for a Variance from the floodplain district regulations regarding fill in the floodplain on property they own, located on the north side of Mount Torrey Road, east of Commonwealth Drive in the South River District.

5. OLD BUSINESS

- A. A request by William C., Jr., and Sharon B. Woodland, for a Special Use Permit to have a short term rental within the dwelling on property they own, located at 91 Trinity Point Road, Swoope in the Pastures District. – **TABLED AT THE SEPTEMBER 7, 2017 MEETING**
- B. A request by Garland Eutsler, agent for Shen Acres Holding, LLC, for a Special Use Permit to expand the existing campground by adding additional full hookup and seasonal sites on property owned by Shen Acres Realty, LLC, located at 348 and 256 Lake Road, Stuarts Draft, in the South River District. - **CONTINUE PUBLIC HEARING**
- C. A request by Plecker Brothers, Inc., for a Special Use Permit to have outdoor storage of excavating material and equipment on property they own, located on the north side of Sangers Lane at the intersection of Sangers Lane and Balsley Road, Staunton in the Beverley Manor District. – **TABLED AT THE SEPTEMBER 7, 2017 MEETING**

6. MATTERS TO BE PRESENTED BY THE PUBLIC

7. MATTERS TO BE PRESENTED BY THE ZONING ADMINISTRATOR

8. STAFF REPORT

16-45	Sandra T. or Lindsay Caitlin Mahon
16-46	Good Faith, LLC
16-47	Mark L. or Wendy W. Hochstedler

9. ADJOURNMENT

AGENDA ITEM # 4A

Date 10/5/17

PROPERTY OWNER:

Jerry T. and Candace M. Wagner, Trustees

APPLICANT:

Same

LOCATION OF PROPERTY:

119 Abner Lane, Waynesboro in the South River District

SIZE OF PROPERTY:

4.030 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 – Zoned General Agriculture

LAND USE MAPS:

Urban Service Area – Medium Density Residential

UTILITIES:

Private well and septic

APPLICANT'S JUSTIFICATION:

To have a vacation home

PLANNING COMMISSION'S COMMENTS:

No comments

BUILDING INSPECTOR'S COMMENTS:

Upon review, our office has no comments.

HEALTH DEPARTMENT'S COMMENTS:

The existing septic system is approved for a 3-bedroom single family residence and a 1-bedroom garage only. If rented out as a single unit (renter gets the entire structure) no lodging permit is required but the occupancy shall not exceed 8 persons total (no more than 6 in the house and no more than 2 in the garage). A lodging permit would be required if the owner rented more than 1 bedroom out "by the room".

HIGHWAY DEPARTMENT'S COMMENTS:

Abner Lane is a private lane. Abner Lane intersects with Shalom Road; the intersection is adequate for the request.

SERVICE AUTHORITY'S COMMENTS:

There is no public water or sewer available in the area of the subject property.

ENGINEERING'S COMMENTS:

No comments.

SECTION 25-74H - PUBLIC ACCOMMODATION FACILITIES

The business and anticipated enlargements thereof will be appropriate for agriculture areas.

A short term vacation rental should be appropriate for the large lot neighborhood.

The business, taking into account such things as its proposed size, parking facilities, setbacks, and landscaping, will not be out of character with neighboring properties.

A vacation rental is a low impact small scale type use that should not be out of character with neighboring properties.

The permitting of the proposed business, when taking into account the presence of similar businesses in the neighborhood, will not result in such concentration or clustering of businesses as to create an institutional setting or business center or otherwise change the area's character and social structure.

The permitting of a vacation rental should not result in a clustering of similar businesses in the area.

The business shall have direct access on to a state maintained road.

The property has frontage on Abner Lane providing access to Shalom Road which is a State maintained road.

STAFF RECOMMENDATIONS

The applicant is requesting to rent the existing dwelling for short term vacation stays. The applicant currently resides in Arizona and would like to be able to lease the home when she is not here visiting. The applicant stated that she does have a friend in Waynesboro who oversees the rental property and is available when needed. The applicant had been leasing the property and advertising on Airbnb for several months and was not aware that a Special Use Permit was needed until they contacted our office in May of this year. The applicant's son met with Staff at that time and was advised that they needed to make application for the Special Use Permit to continue leasing and advertising the property for vacation rental.

On August 9, 2017, Staff received complaints that the property was still being leased on a regular basis, and they were also allowing parties and weddings on site. After receiving a notice of violation letter on August 11, 2017, the applicant contacted our office and made an appointment for September 8th to make application to continue leasing the home for vacation rentals with no weddings and special events requested, and would not book any reservations until the Board takes action on the application.

The operation of a short term vacation rental is typically considered a low impact use of the property that could benefit tourism in our area, however, Staff is concerned that the

applicant does not reside in the area should an emergency or other concerns need to be addressed, and that they continued to rent out the property without a Special Use Permit after they were informed it was required in May. If the Board feels that the use would be compatible and desires to approve the request, Staff would recommend the following conditions:

Pre-Conditions:

None

Operating Conditions:

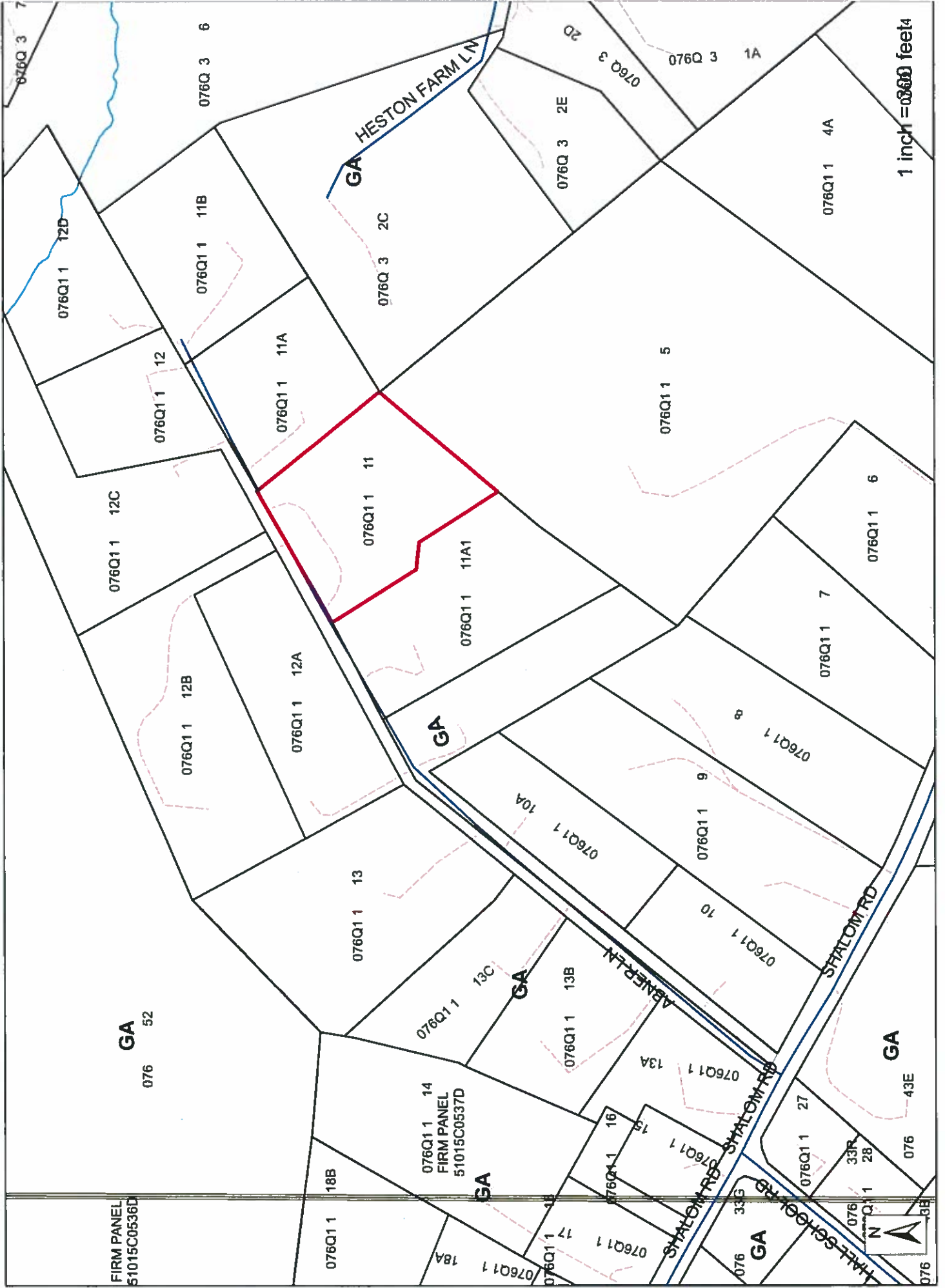
1. Be permitted to rent the entire dwelling for short term vacation rentals, but no more than two (2) weeks per month and no more than (2) weekends per month.
2. Per the Health Department comments, total occupancy not to exceed eight (8) persons maximum. No more than six (6) in the dwelling and no more than two (2) in the garage unless applicant provides Community Development with Health Department approval for more occupants.
3. No weddings, special events, or outdoor amplified music
4. Staff member be on site when property is rented out.
5. Site be kept neat and orderly.



Wagner



Wagner



Wagner



Wagner



1 inch = 100 feet

Date 10/5/17

PROPERTY OWNER:

Troy A. and Melissa L. Sizer-Lewis

APPLICANT:

Same

LOCATION OF PROPERTY:

100 Cider Barn Lane, Stuarts Draft in the Riverheads District

SIZE OF PROPERTY:

11.451 acres

VICINITY ZONING:

General Agriculture surrounds the entire area

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

LAND USE MAPS:

Rural Conservation Area

UTILITIES:

Private well and septic

APPLICANT'S JUSTIFICATION:

To have weddings and special events

PLANNING COMMISSION'S COMMENTS:

No comments

BUILDING INSPECTOR'S COMMENTS:

Upon review, our office has no comments. Accessory to farm use.

HEALTH DEPARTMENT'S COMMENTS:

There are currently no restrooms in the pole barn and sewage disposal would be portable toilets. Portable toilets are allowed for mass gatherings or temporary events and should be provided at a minimum rate of 1 per 100 persons. The applicant indicated that all events would be catered with no food preparation onsite.

HIGHWAY DEPARTMENT'S COMMENTS:

The existing entrance is on a privately maintained gravel roadway (Cedar Barn Lane). Cedar Barn intersects Rt. 842, Horseshoe Circle (portions are gravel or asphalt) which intersects Rt. 608 (Cold Springs Road) in two locations. Both roads are approximately 14' wide. The sight distance at the intersection of Rt. 842 and Rt. 608 (westernly connection) does not meet intersection sight distance. The sight distance at the intersection of Rt. 842 and Rt. 608 (easternly connection) currently does not meet intersection sight distance; it

is blocked by vegetation in both directions. If the vegetation can be removed, the intersection will meet sight distance requirements. The easternly connection has the best sight lines (with vegetation removal) but is the more indirect path for users of the venue. The westernly connection is the more direct path, but utilizes more of the gravel surface. To make the easternly connection the primary route for users, the venue will need to provide written directions from Rt. 608 to the site. VDOT does not expect an increase in maintenance services on the gravel portions of the state maintained roadways due to the increase in traffic generation. Due to the width of the roadways, VDOT recommends a restriction on the promotion of tour buses for the venue.

SERVICE AUTHORITY'S COMMENTS:

There is no public water or sewer available in the area of the subject property.

ENGINEERING'S COMMENTS:

Less than 10,000 square feet. Ok.

SECTION 25-74H - PUBLIC ACCOMMODATION FACILITIES

The business and anticipated enlargements thereof will be appropriate for agriculture areas.

The applicant is proposing to have weddings and special events on the property in the existing barn or tents which should be compatible with the neighboring properties. The proposal is accessory to farm use. No enlargements or expansions are proposed.

The business, taking into account such things as its proposed size, parking facilities, setbacks, and landscaping, will not be out of character with neighboring properties.

The applicant is requesting three (3) events per month from April through October with up to one hundred (100) attendees which may not be out of character with neighboring properties.

The permitting of the proposed business, when taking into account the presence of similar businesses in the neighborhood, will not result in such concentration or clustering of businesses as to create an institutional setting or business center or otherwise change the area's character and social structure.

The permitting of a wedding or special event facility should not result in a clustering of similar businesses in the area.

The business shall have direct access on to a state maintained road.

The property has direct access onto Horseshoe Circle by a private lane.

STAFF RECOMMENDATIONS

The applicant is requesting to host up to twenty (20) events per year. They will be using the existing pole barn and covered extensions for the events. They will have all events catered and no food will be prepared onsite. The applicant is proposing the use of restroom trailers for the events. The applicant resides on the property and will be onsite

during events. Parking will be provided directly behind the barn. All amplified music will be inside the barn. The facility is wheelchair accessible and fire extinguishers are onsite. Staff feels that limited weddings and special events would be compatible with the rural area. The Board has been consistent in requiring septic systems for similar event facilities, therefore, staff would recommend approval of the request with the following conditions:

Pre-Condition:

1. Obtain written approval from VDOT and provide a copy to Community Development.

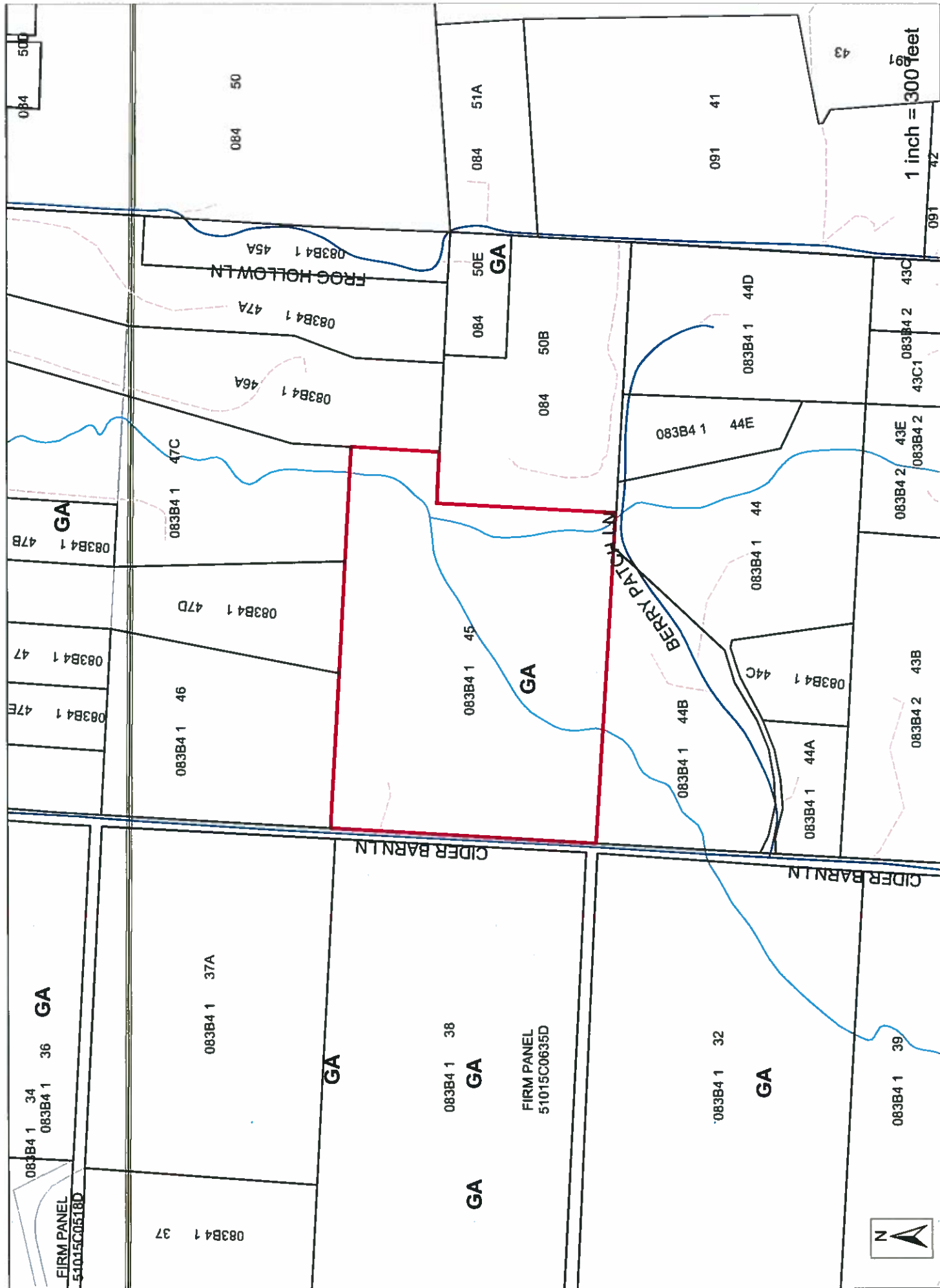
Operating Conditions:

1. Be allowed to use the existing pole barn and covered extension for weddings and special events.
2. Applicant install a sewage treatment system approved by the Health Department within **two (2) years**.
3. Be permitted to operate for **two (2) years** using portable restroom facilities until the septic system is installed.
4. Be limited to twenty (20) events per year but no more than three (3) per month.
5. Be limited to a maximum of one hundred (100) people per event.
6. No outdoor amplified music.
7. Events to cease by 10:30 p.m. and all persons off of the property by 11:00 p.m.
8. Applicants reside on the property.
9. Site be kept neat and orderly.
10. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.



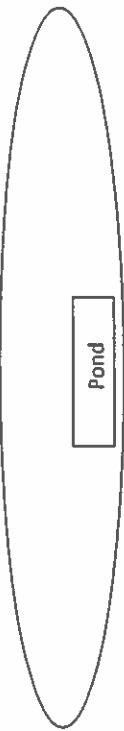
Simon-James

Sizer-Lewis

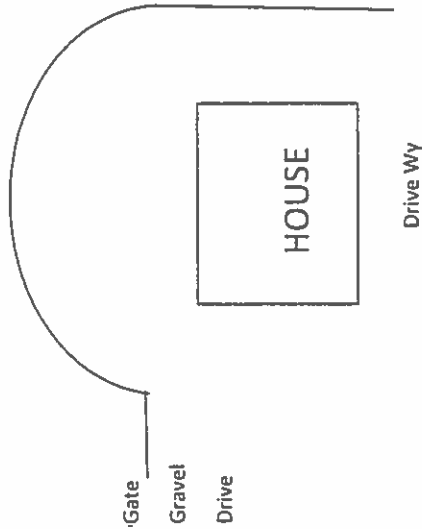


Sizer-Lewis





Pasture/Field for Parking



Gate

Commented [MLS1]:

Melissa Sizer Lewis and Troy A. Lewis, own 11.5 Acres located at 100 Cider Barn Ln, Stuarts Draft, Va 24477. Accessible by a private gravel drive that intersects at Horse Shoe Circle and Cider Barn Ln. The property has two structures. A house and a pole barn. Each structure has a driveway intersecting from Cider Barn Ln.

The home is the current residence of Melissa and Troy Lewis.

The property is divided between pasture and standing trees with a small creek.

The Pole Barn is 1776 sq feet with a concrete floor. Connected is a covered outdoor extension (for animal run in) measuring 576 sq feet with a dirt floor

Barn has two large sliding doors measuring 9 ft 2 in. on each end of the structure along with four windows measuring 3ft by 3ft each. Height is _____

There is no heating system.

There is no septic or bathroom facilities, but there is plenty of pasture space to accommodate portable restroom facilities.

The field directly behind the home and the barn is available for parking. This is accessible by a gravel drive way that runs directly beside the home.

←Horse Shoe Circle

CIDER BARN LANE

Berry Patch↑

Sizer-Lewis

AGENDA ITEM #4C

Date 10/5/19

PROPERTY OWNER:

Laurence D. and Toni P. Sheets

APPLICANT:

Elizabeth Tuttle

LOCATION OF PROPERTY:

386 Cider Mill Road, Mount Sidney in the North River District

SIZE OF PROPERTY:

1.529 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

LAND USE MAPS:

Rural Conservation Area

UTILITIES:

Private well and septic

APPLICANT'S JUSTIFICATION:

To have a short term vacation rental

PLANNING COMMISSION'S COMMENTS:

No comments

BUILDING INSPECTOR'S COMMENTS:

After review, our office has no comments.

HEALTH DEPARTMENT'S COMMENTS:

The existing septic system is approved to serve a 3-bedroom single family residence only. If rented out as a single unit (renter gets the entire house) no lodging permit is required but the occupancy shall not exceed 6 persons total. A lodging permit would be required if the owner rented more than 1 bedroom out "by the room".

HIGHWAY DEPARTMENT'S COMMENTS:

The existing entrance is adequate for the request since it meets low volume commercial entrance requirements and the use will not exceed 50 vehicle trips per day.

SERVICE AUTHORITY'S COMMENTS:

There is no public water or sewer available in the area of the subject property.

ENGINEERING'S COMMENTS:

Less than 10,000 square feet. Ok.

SECTION 25-74H - PUBLIC ACCOMMODATION FACILITIES

The business and anticipated enlargements thereof will be appropriate for agriculture areas.

No enlargements are proposed. The short term rental would be a low impact use and would be compatible with the agricultural area.

The business, taking into account such things as its proposed size, parking facilities, setbacks, and landscaping, will not be out of character with neighboring properties.

The short term rental should not be out of character with neighboring properties.

The permitting of the proposed business, when taking into account the presence of similar businesses in the neighborhood, will not result in such concentration or clustering of businesses as to create an institutional setting or business center or otherwise change the area's character and social structure.

The permitting of a short term rental should not result in the clustering of similar businesses in the area.

The business shall have direct access on to a state maintained road.

The property has frontage on Cider Mill Road with a circular driveway.

STAFF RECOMMENDATIONS

The applicant is requesting to use the dwelling for short term vacation rental. The dwelling consists of three (3) bedrooms, however, only two (2) will be rented. The applicant is the mother of the property owner and will stay with her daughter and son-in-law while the house is rented, which is approximately one (1) mile from the dwelling.

Staff feels this short term vacation rental would be a low impact business and could provide a benefit to tourism in the area. Staff would recommend approval with the following conditions:

Pre-Conditions:

None

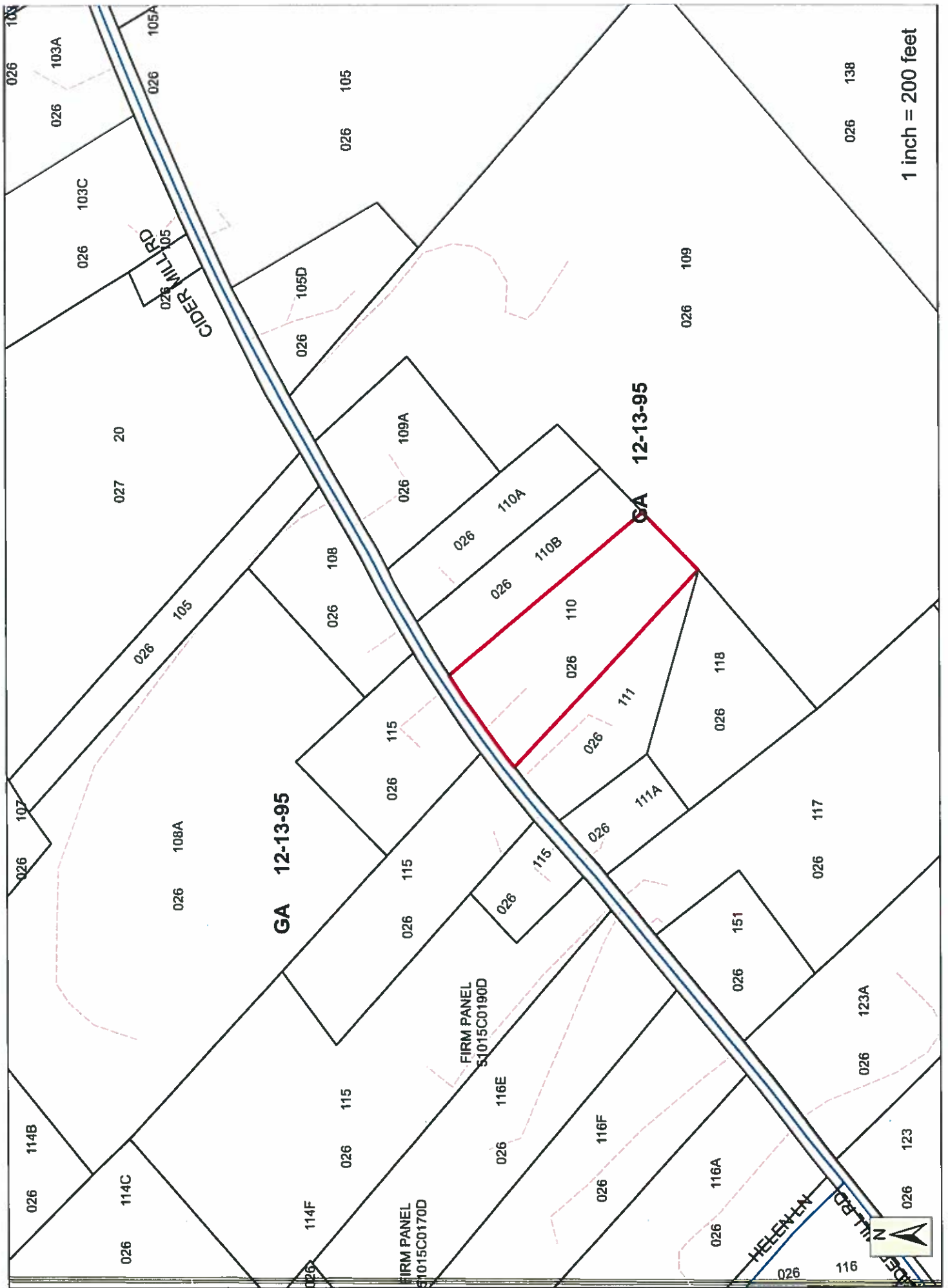
Operating Conditions:

1. Be permitted to rent the entire home and two (2) bedrooms for a short term vacation rental.
2. The occupancy shall not exceed six (6) persons maximum.
3. Site be kept neat and orderly.



Charts

Sheets



1 inch = 200 feet

Sheets



1 inch = 200 feet



Sheets



Date 10/5/17

PROPERTY OWNER:
Darrel S. Alexander

APPLICANT:
Kevin Losh

LOCATION OF PROPERTY:
2005 Stuarts Draft Highway, Stuarts Draft in the Riverheads District

SIZE OF PROPERTY:
1.00 acres

VICINITY ZONING:
General Agriculture to the north, south, and east; General Business to the west

PREVIOUS ZONING OR S.U.P.:
05/88 Zoned General Business

LAND USE MAPS:
Community Development Area – Business

UTILITIES:
Public water, private septic

APPLICANT'S JUSTIFICATION:
To have outdoor storage of a food truck and picnic tables

PLANNING COMMISSION'S COMMENTS:
No comments

BUILDING INSPECTOR'S COMMENTS:
Upon review, our office has no comments.

HEALTH DEPARTMENT'S COMMENTS:
Mr. Losh is proposing to operate a Food Truck on the premises of 2005 Stuarts Draft Highway. He stated that he and his workers would use the restroom facilities at 2005 Stuarts Draft Highway. He was advised that the health department would like a letter from the owner of the property agreeing to this. Mr. Losh was also advised that if he was planning on sending patrons of the food truck to the existing building for restroom use then the owner would need to seek the services of a professional engineer to determine if the sewage disposal system could accommodate the waste flows. The applicant will need to remove wastes from the Food Truck according to Regulations (take the vehicle to an approved dump station).

HIGHWAY DEPARTMENT'S COMMENTS:

The dual entrances serving the lot also serves a retail shop (currently an Antique Shop). The sign for the antique shop needs to be relocated off VDOT Right of Way to achieve the required sight distance for each entrance. Otherwise, the entrance(s) are adequate for the proposed use; however, at the time of additional future development (or redevelopment) of the lot, the entrances will be re-evaluated and may require re-configuration to a single commercial entrance.

SERVICE AUTHORITY'S COMMENTS:

1. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
2. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. 2005 Stuarts Draft Highway (Tax Map # 83-77K) is currently a Service Authority water customer. If additional water facilities are added to support the businesses (for restrooms, etc.) a meter sizing form must be completed and submitted to the ACSA Engineering Department for evaluation. If the meter size needs to increase, additional fees would apply.
4. There is no public sewer available in the area of the subject property.

ENGINEERING'S COMMENTS:

Less than 10,000 square feet. Ok.

SECTION 25-304B - GENERAL OUTDOOR STORAGE

A site plan is filed meeting the requirements of division J article LXVII "Site Plan Review", approved and followed which clearly delineates the areas intended for outdoor storage and complies with the requirements of this chapter.

The site plan shows the area for the food truck and five (5) picnic tables.

On-site traffic flow will adequately and safely accommodate all traffic to and from the public highways. Aisleways will be appropriate for the anticipated vehicular and pedestrian traffic.

The food truck and picnic tables are shown in a 60' x 30' area with parking for ten (10) vehicles. It will not interfere with the parking for the existing retail shop.

Outdoor storage areas will not interfere with convenient, easily accessible parking for the public. Areas delineated on the site plan for parking or aiseways may not be used for outdoor storage.

The proposed location will not interfere with the public access to parking. No outdoor storage is proposed in the parking areas.

Outdoor storage areas will be proportionately appropriate in size and scope to the nature of the business. Financial considerations alone will not justify the failure to use inside storage.

The request for the food truck and the five (5) picnic tables is appropriate in size to the nature of this business.

Setbacks for proposed structures and facilities will be sufficient to protect neighboring properties.

The proposed location of the food truck and picnic tables should not have a negative impact on the neighboring businesses or agricultural properties. This proposal would provide a service to the neighboring area.

Items not displayed for sale or lease shall be fully shielded or screened from view unless the board of zoning appeals determines that fully shielding or screening is not necessary. Opaque screening, including fencing and landscaping, shall be appropriate to ensure compatibility with neighboring properties, taking into account the proper location of aiseways and gates and the compatibility of screening materials with the materials utilized in the principal buildings on site. Fencing or screening shall be maintained in a good state of repair. Chain-link fencing with slats inserted is not acceptable for this screening. Gates shall remain closed except when goods are moved to and from the enclosed area.

The proposed outdoor storage would not need to be screened. All items remain on the food truck and the picnic tables will be cleared off at the end of the day.

There is an adequate plan for outdoor lighting showing the location of lights and shielding devices or other equipment to prevent unreasonable glow beyond the site. Any such outdoor lighting shall otherwise comply with the provisions of article VI of division I of this chapter.

No new lighting is requested.

Items to be stored outside may not be items normally and customarily kept inside.

Food trucks and picnic tables are typically stored outside.

STAFF RECOMMENDATIONS

The applicant currently leases an office for his landscaping business and is proposing to operate a food service truck on the property with five (5) picnic tables for public seating. The applicant is proposing to use the grassy area beside the parking lot to store the food truck and provide a 60' x 30' area for picnic tables. No required parking will be used. The property has adequate parking for both the food service truck and the existing antique

shop and his office. Staff feels a food service truck would be a benefit to the antique shop's customers as well as the community and would recommend approval with the following conditions:

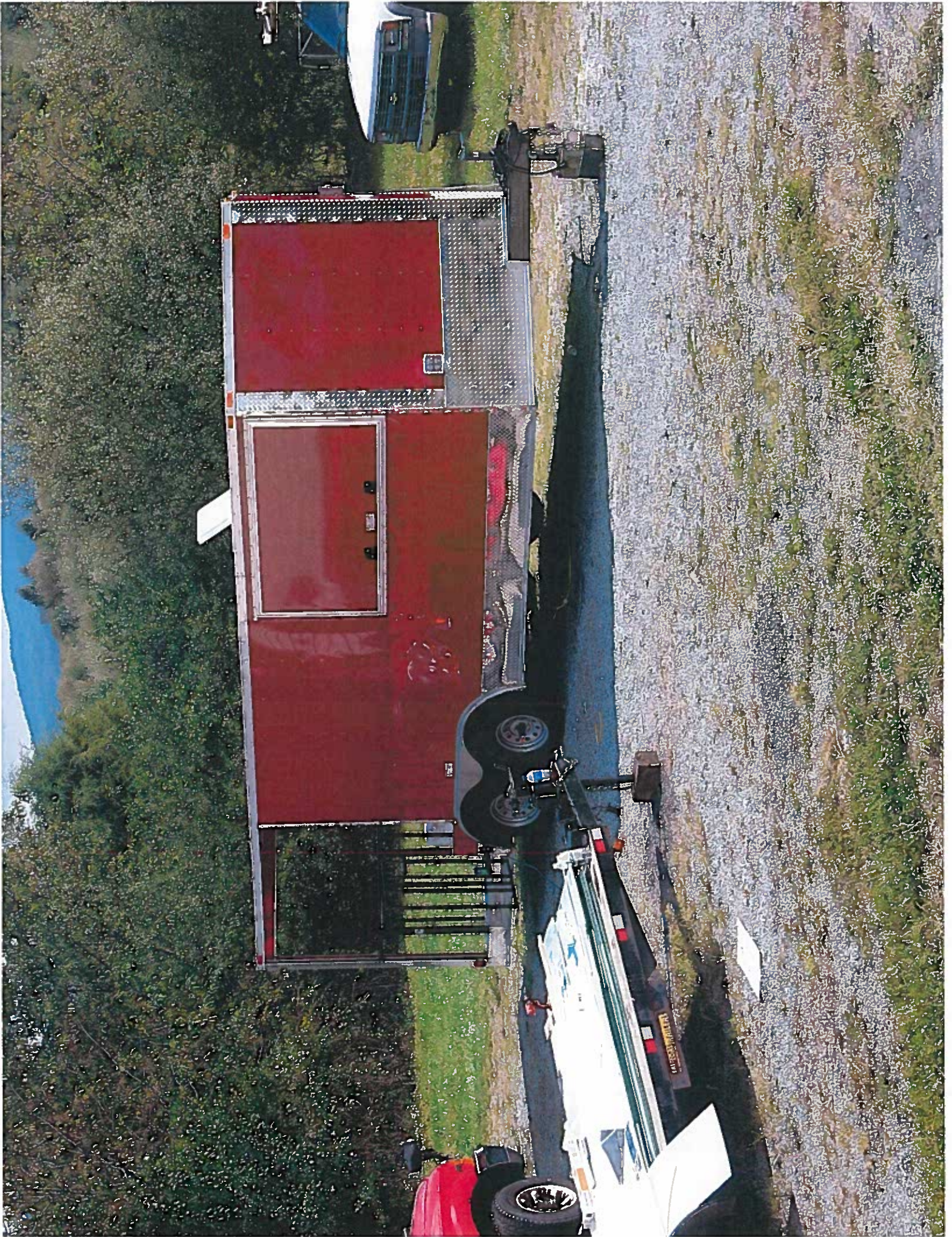
Pre-Condition:

1. Obtain Health Department approval and provide a copy to Community Development.

Operating Conditions:

1. Be permitted to have one (1) food truck and five (5) picnic tables outside and to be kept in the designated area as shown on the site plan with ten (10) parking spaces.
2. The site shall be kept neat and orderly at all times.
3. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.





Alexander



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Alexander

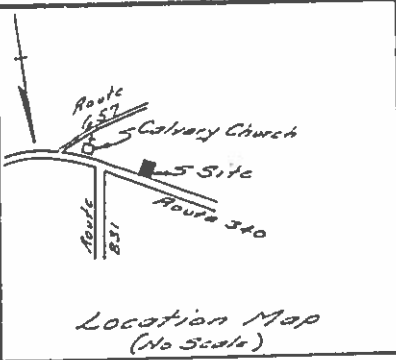


Alexander

The lot shown hereon is a portion of the same last conveyed to D.M. Conner, Inc. by deed of record in D.B. 858, pg. 409, and is a portion of T.M. 83, parcel 779.K

This lot is to be conveyed to Harold P. Alexander.

ALL RIGHTS RESERVED



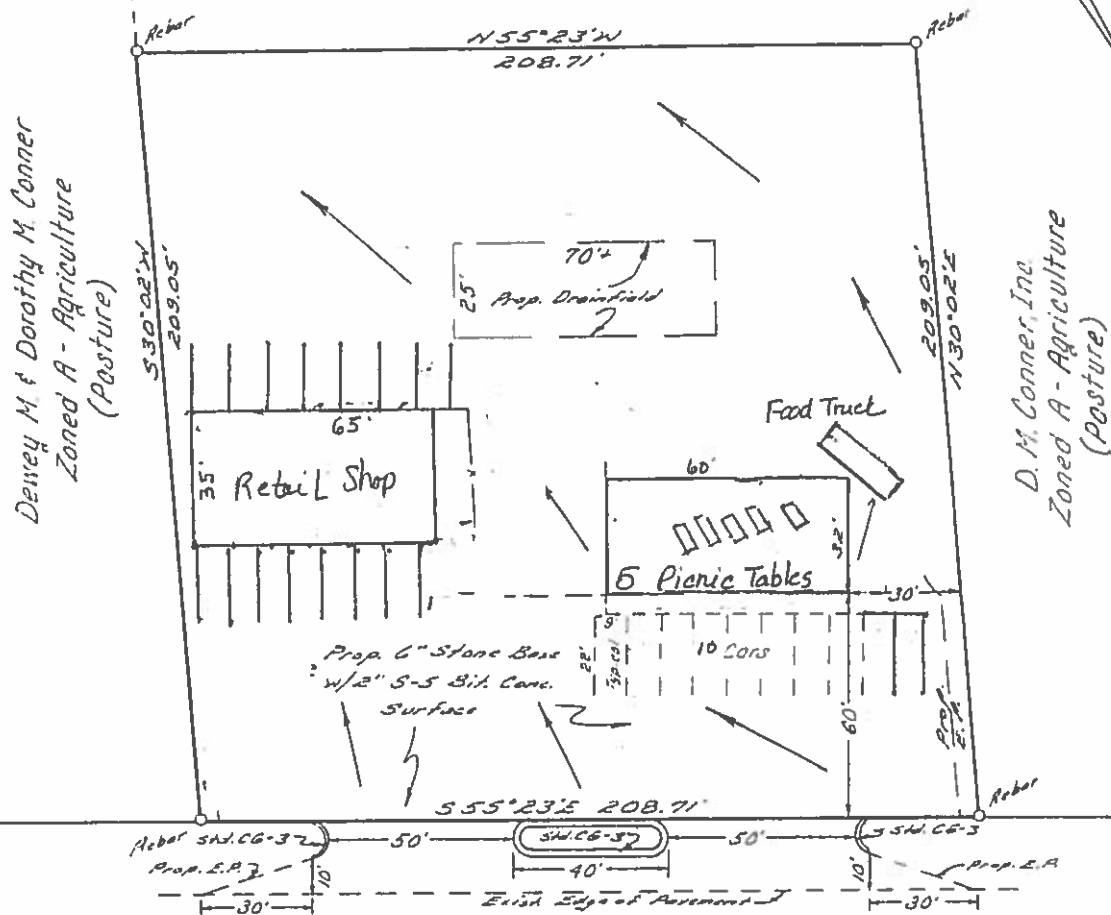
Service Authority
 Health Department
 County Engineer
 Zoning Department
 W.D.H.S.F.

Approved Signatures

Date

[Signatures]
 6-2-1988
 6-2-1988
 6-2-1988

NAME OF FINAL APPLICANT:
 D.M. Conner, Inc.
 Zoned A-Agriculture
 (Pasture)



To Stuarts Draft

U.S. Route 340



Site Plan for
 Augusta Rental & Sales
 Riverheads District, Augusta Co., Va.
 Scale: 1" = 40' Apr. 6, 1988
 J.W. Harris, L.S. - Stuarts Draft, Va.

AGENDA ITEM # 4E

Date 10/5/17

PROPERTY OWNER:

Nancy L. Boyd

APPLICANT:

Same

LOCATION OF PROPERTY:

506 Avis Road, Greenville in the Riverheads District

SIZE OF PROPERTY:

0.500 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Business

LAND USE MAPS:

Rural Conservation Area

UTILITIES:

Private well and septic

APPLICANT'S JUSTIFICATION:

To have a catering business with outdoor storage of a food trailer

PLANNING COMMISSION'S COMMENTS:

No comments

BUILDING INSPECTOR'S COMMENTS:

After review, our office has no conditions.

HEALTH DEPARTMENT'S COMMENTS:

The applicant is in the process of obtaining a food permit from the health department. The health department has no concerns with parking the unit on site.

HIGHWAY DEPARTMENT'S COMMENTS:

It is VDOT's understanding that this location will only be used for storage of the food trailer, no employees will be utilizing the entrance to park and no sales will take place at this location. The entrance does not meet commercial entrance requirements for sight distance, but is adequate for the proposed use of storage accessory to the residence.

SERVICE AUTHORITY'S COMMENTS:

There is no public water or sewer available in the area of the subject property.

ENGINEERING'S COMMENTS:

Less than 10,000 square feet. Ok.

SECTION 25-74I - LIMITED BUSINESSES AND INDUSTRIES IN AGRICULTURE ZONES

Where outside storage is not prohibited, all outside storage areas will be adequately shielded or screened from view.

The proposed 8' x 16' food trailer will be parked to the side of the house, where there is a wooded area in behind. The trailer would not be visible to adjoining neighbors or the public road.

The operator will be a resident on the premises unless the board of zoning appeals determines that such residency is not appropriate in the specific case, taking into account the nature of the business and the character of the neighboring properties.

The applicant resides on the property.

The business and anticipated enlargements thereof will be appropriate for agriculture areas.

No enlargements are proposed. The food is prepared onsite and taken offsite to the event.

The business shall have direct access on to a state maintained road and approval by the Virginia Department of Transportation or the expected traffic on a private road or easement can be accommodated by the access proposed.

The proposed operation has direct access to Avis Road which is a state maintained road. The trailer is sometimes taken to the site but all food would be prepared and served from the trailer.

On-site traffic flow will adequately and safely accommodate all traffic to and from the public highways.

There is an existing driveway onsite which will safely accommodate the trailer's trips.

Only pre-existing structures will be utilized unless the board of zoning appeals finds that proposed new construction will be not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.

No structures are requested for the business use.

Reasonable limitations are imposed on the enlargement or expansion of the business. Business structures larger than four thousand (4,000) square feet or accumulated expansions by more than fifty percent (50%) shall not be permitted unless the board finds that a larger structure or expansion is not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.

No permanent business structure is proposed.

Evidence that the business will be connected to public sewer or that an onsite sewage disposal system can be approved for the business use.

The trailer is a self-contained unit and all waste water is dumped at Stoney Creek Campground. No restroom facilities are in the trailer.

There are adequate provisions set forth for the protection of fire, environmental and other hazards.

A fire extinguisher is in the trailer.

All items displayed for sale or stored on site shall be set back at least twenty-five feet (25') from the edge of the pavement of any adjoining roads, and in no case shall a display or storage area be within the right-of-way of any road.

The food trailer is contracted to special events offsite. No items are displayed for sale. All food is pre-ordered and catered on private sites.

STAFF RECOMMENDATIONS

The applicant is requesting to have a catering business with outdoor storage of the 8' x 16' food trailer onsite. No events are proposed at the property. There will be no customers and no employees coming to the site. The applicant will be catering special events and all food will be served offsite from the trailer. The food trailer is self-contained and all waste water will be dumped at Stoney Creek Campground in the designated dumping area.

Staff feels that the storage of a food trailer without customer traffic would be compatible with the neighboring properties and recommends approval with the following conditions:

Pre-Conditions:

None

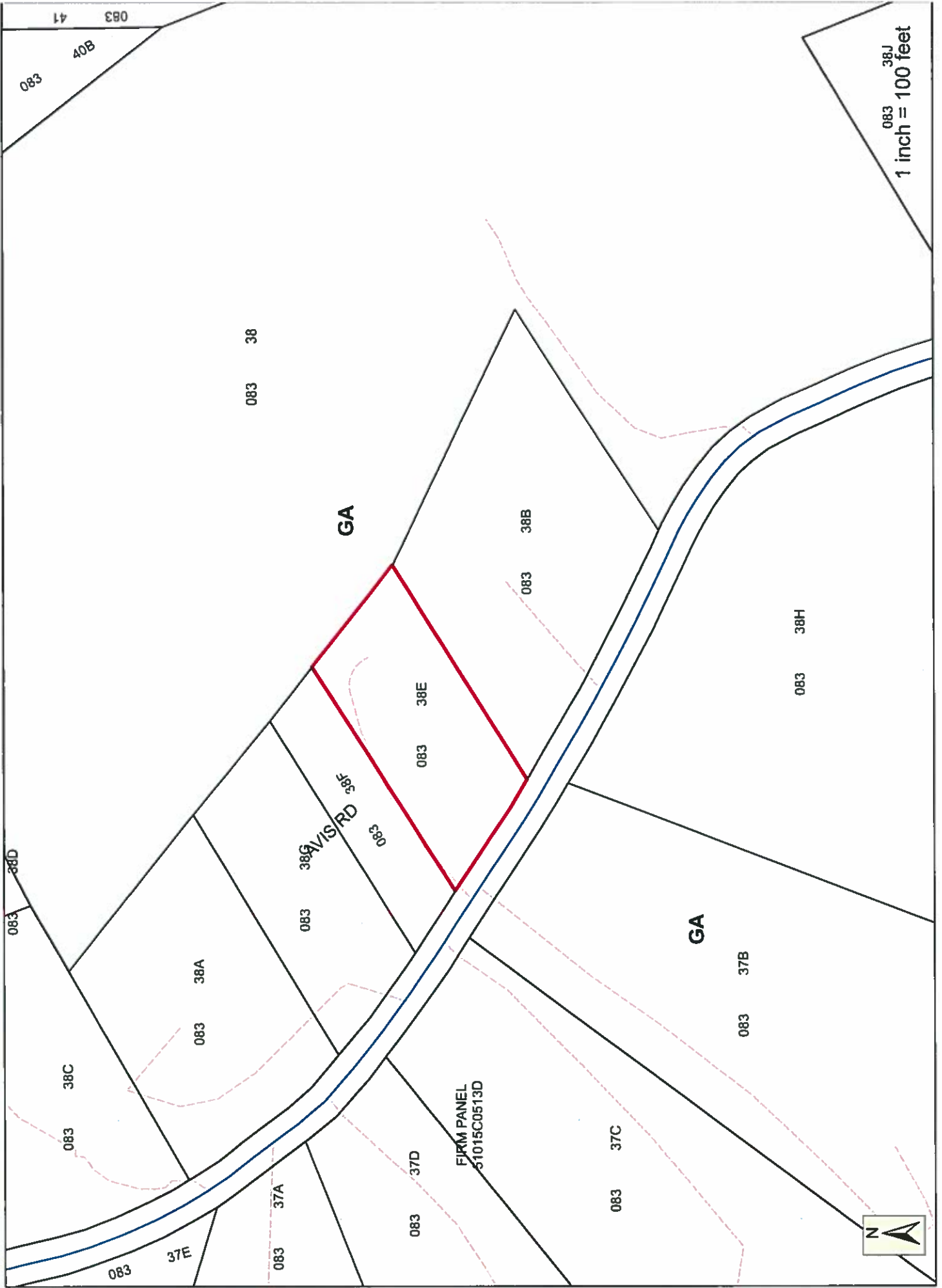
Operating Conditions:

1. Be allowed to store the 8' x 16' food trailer onsite as shown on the BZA sketch.
2. Site shall be kept neat and orderly.
3. No events, customers, or seating at the property.
4. No employees other than family members.



David

Boyd



Boyd



Boyd



1 inch = 50 feet

AGENDA ITEM # 4F

Date 10/5/17

PROPERTY OWNER:

Clinton O. and Margaret C. Webb

APPLICANT:

Same

LOCATION OF PROPERTY:

3733 Middlebrook Road, Middlebrook in the Riverheads District

SIZE OF PROPERTY:

0.212 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

LAND USE MAPS:

Community Development Area – Village Mixed Use

UTILITIES:

Private septic and Public Water

APPLICANT'S JUSTIFICATION:

To have a woodworking shop and furniture restoration

PLANNING COMMISSION'S COMMENTS:

No comments

BUILDING INSPECTOR'S COMMENTS:

Upon review, our office has no comments.

HEALTH DEPARTMENT'S COMMENTS:

The health department has no concerns provided the applicant resides at the residence and will have no employees.

HIGHWAY DEPARTMENT'S COMMENTS:

The site is served by an existing commercial entrance adequate for the proposed use. It is VDOT's understanding that no sales will take place at the site, and no employees will be coming from off the site.

SERVICE AUTHORITY'S COMMENTS:

1. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
2. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. 3733 Middlebrook Village Road (Tax Map # 72A-(1)-11) is currently a Service Authority water customer. If additional water facilities are added to support the businesses (for restrooms, etc.) a meter sizing form must be completed and submitted to the ACSA Engineering Department for evaluation. If the meter size needs to increase, additional fees would apply.
4. There is no public sewer available in the area of the subject property.

ENGINEERING'S COMMENTS:

Less than 10,000 square feet. Ok.

SECTION 25-74I - LIMITED BUSINESSES AND INDUSTRIES IN AGRICULTURE ZONES

Where outside storage is not prohibited, all outside storage areas will be adequately shielded or screened from view.

Some pallets stored in the back of the property not visible from the public road. All other wood and majority of pallets will be stored within the 10' x 20' enclosed carport.

The operator will be a resident on the premises unless the board of zoning appeals determines that such residency is not appropriate in the specific case, taking into account the nature of the business and the character of the neighboring properties.

The owner resides on the property.

The business and anticipated enlargements thereof will be appropriate for agriculture areas.

The woodworking shop is a low impact business. No enlargements are proposed, using existing 17' x 22' shop area.

The business shall have direct access on to a state maintained road and approval by the Virginia Department of Transportation or the expected traffic on a private road or easement can be accommodated by the access proposed.

The property has direct access to Middlebrook Road which is a state maintained road.

On-site traffic flow will adequately and safely accommodate all traffic to and from the public highways.

There is an existing driveway onsite. No customer traffic, delivers items to them. No employees other than the owner. All sales are offsite, possibly online in the future.

Only pre-existing structures will be utilized unless the board of zoning appeals finds that proposed new construction will be not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.

Applicant is proposing to use existing structure and carport.

Reasonable limitations are imposed on the enlargement or expansion of the business. Business structures larger than four thousand (4,000) square feet or accumulated expansions by more than fifty percent (50%) shall not be permitted unless the board finds that a larger structure or expansion is not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.

No expansions are proposed.

Evidence that the business will be connected to public sewer or that an onsite sewage disposal system can be approved for the business use.

Has existing public water and onsite septic system.

There are adequate provisions set forth for the protection of fire, environmental and other hazards.

Two (2) fire extinguishers are in the shop.

All items displayed for sale or stored on site shall be set back at least twenty-five feet (25') from the edge of the pavement of any adjoining roads, and in no case shall a display or storage area be within the right-of-way of any road.

No items are for sale or displayed onsite.

STAFF RECOMMENDATIONS

The applicant is requesting to operate a woodworking shop and furniture restoration business within the existing structure. The shop area will be 17' x 22' and all materials will be stored in there or a 10' x 20' enclosed carport. No customers or employees will come to this site. Owner resides on the property and is the only employee. Items are delivered to customers. Staff feels this is a low impact business and it is compatible to the rural character of the area and recommends approval with the following conditions:

Pre-Conditions:

None

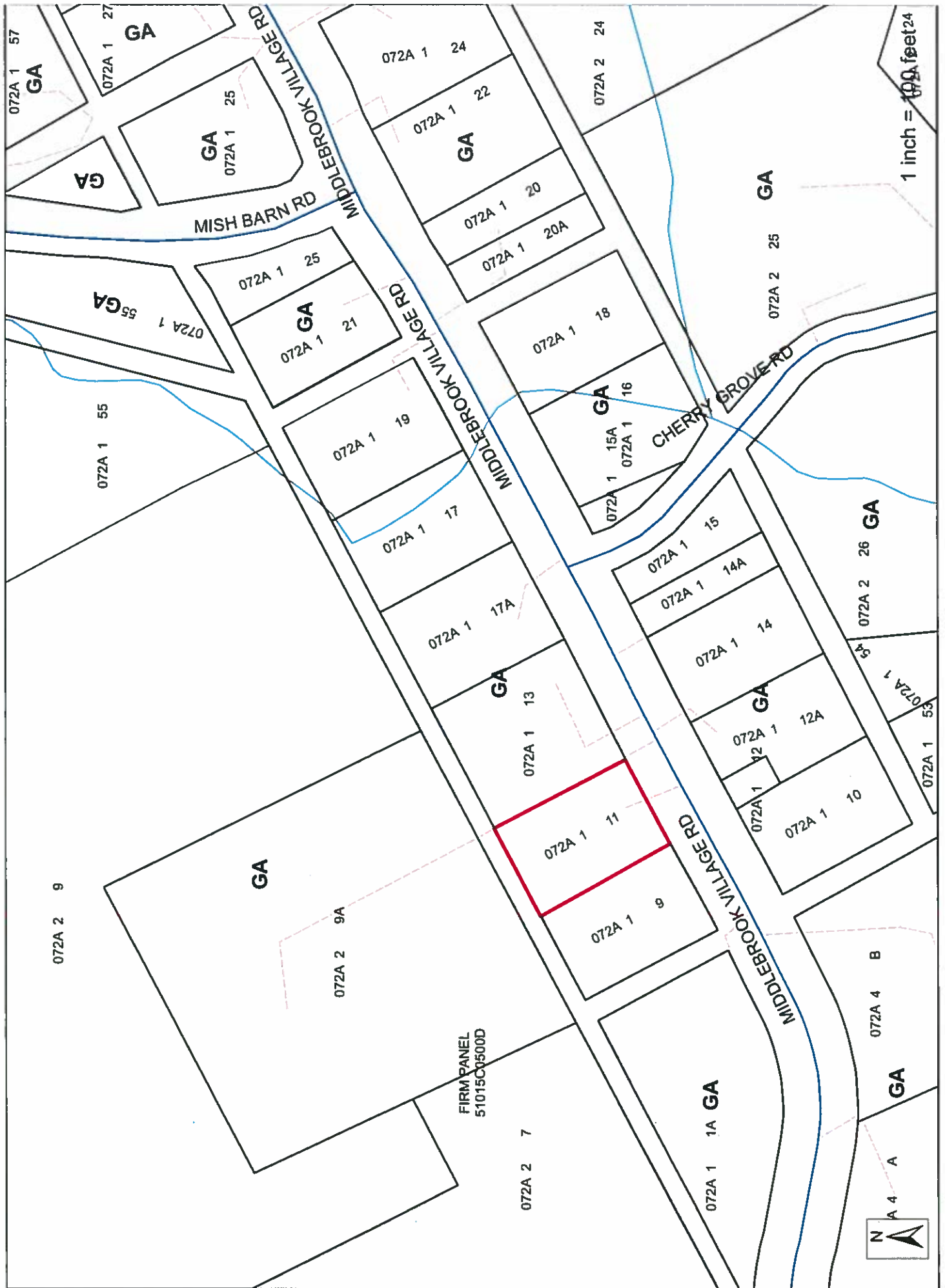
Operating Conditions:

1. Wood and pallets shall be stored in the 10' x 20' enclosed carport.
2. No customers to come to the property.
3. Site be kept neat and orderly.
4. No Sunday work.



We bh

Webb



Webb



Webb



1 inch = 50 feet

AGENDA ITEM # 46

Date 10/5/17

PROPERTY OWNER:

Ronald L. Smith

APPLICANT:

Jon Kirchner, M.S., agent for Sigora Solar

LOCATION OF PROPERTY:

2957 Deerfield Valley Road, Deerfield in the Pastures District

SIZE OF PROPERTY:

0.948 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

LAND USE MAPS:

Community Development Area – Low Density Residential

UTILITIES:

None

APPLICANT'S JUSTIFICATION:

To construct ground mount solar arrays to provide service to adjacent property

PLANNING COMMISSION'S COMMENTS:

No comments

BUILDING INSPECTOR'S COMMENTS:

Obtain all necessary permits and inspections to comply to the Uniform Statewide Building Code.

HEALTH DEPARTMENT'S COMMENTS:

There is a DEQ discharge permit for a sewage system on this property. The applicant is advised to consult with DEQ to verify the planned location of the solar panels does not interfere with the sewage system components.

HIGHWAY DEPARTMENT'S COMMENTS:

VDOT has no objection to the request. If a temporary construction entrance is required, it will be permitted through our office. Once construction is complete, the temporary construction entrance shall be eradicated. The temporary construction entrance shall meet all requirements per the Road & Bridge Standards and the Road Design Manual. The location of the entrance shall be located in such a way to achieve sight distance onto Rt. 629.

If a temporary construction entrance is not required for construction, no VDOT permit will be needed.

SERVICE AUTHORITY'S COMMENTS:

There is no public water or sewer available in the area of the subject property.

ENGINEERING'S COMMENTS:

Less than 10,000 square feet. Ok.

SECTION 25-741 - LIMITED BUSINESSES AND INDUSTRIES IN AGRICULTURE ZONES

Where outside storage is not prohibited, all outside storage areas will be adequately shielded or screened from view.

Solar arrays are normally located outside and not screened from view.

The operator will be a resident on the premises unless the board of zoning appeals determines that such residency is not appropriate in the specific case, taking into account the nature of the business and the character of the neighboring properties.

The solar arrays are located behind an existing business.

The business and anticipated enlargements thereof will be appropriate for agriculture areas.

Solar arrays should be appropriate for agriculture areas.

The business shall have direct access on to a state maintained road and approval by the Virginia Department of Transportation or the expected traffic on a private road or easement can be accommodated by the access proposed.

The property has an approved entrance and frontage along Deerfield Road.

On-site traffic flow will adequately and safely accommodate all traffic to and from the public highways.

The approved entrance has adequately and safely accommodated traffic to and from the public highway.

Only pre-existing structures will be utilized unless the board of zoning appeals finds that proposed new construction will be not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.

Constructing six (6) new solar arrays.

Reasonable limitations are imposed on the enlargement or expansion of the business. Business structures larger than four thousand (4,000) square feet or accumulated expansions by more than fifty percent (50%) shall not be permitted unless the board finds that a larger structure or expansion is not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.

Total square footage is three thousand five hundred seventy (3,570) square feet.

Evidence that the business will be connected to public sewer or that an onsite sewage disposal system can be approved for the business use.

No existing septic onsite.

There are adequate provisions set forth for the protection of fire, environmental and other hazards.

Outdoor storage only requested.

All items displayed for sale or stored on site shall be set back at least twenty-five feet (25') from the edge of the pavement of any adjoining roads, and in no case shall a display or storage area be within the right-of-way of any road.

No items are displayed for sale.

STAFF RECOMMENDATIONS

The applicants are requesting to construct six (6) solar arrays to provide service to the adjacent property owned by Mountain Grove Williamsville Telephone Co., Inc. The applicants are proposing a total of one hundred-ninety two (192) modules and the largest structure will total six hundred thirty-two (632) square feet. Staff feels that the construction of solar panels located behind the existing business would not be out of character and recommend approval with the following conditions:

Pre-Conditions:

None

Operating Conditions:

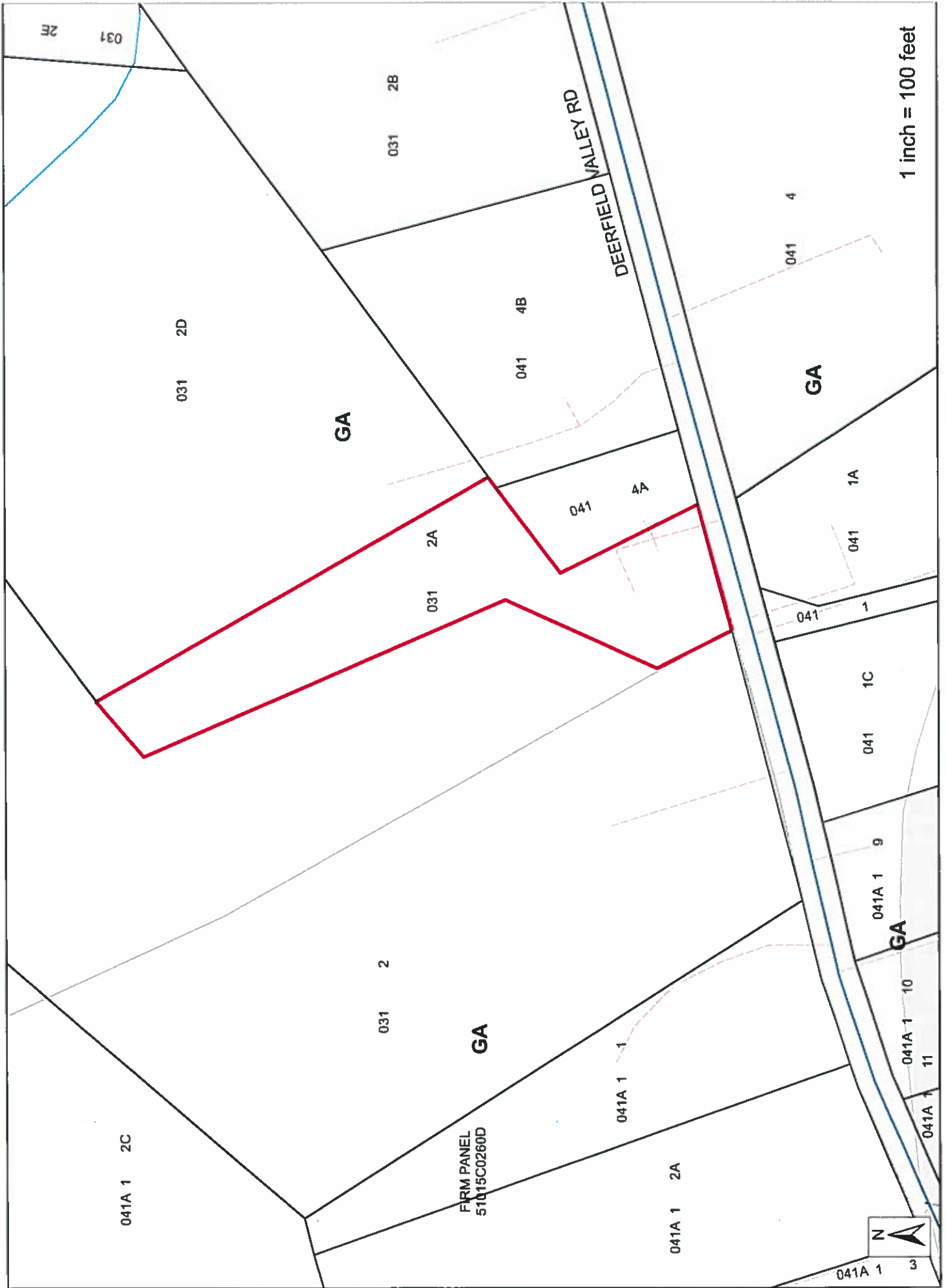
1. Be allowed to construct solar array panels to provide service to adjacent property.
2. Obtain all necessary permits and inspections.
3. Structures not to exceed six hundred thirty-two (632) square feet.



Smith



Smith



Smith



1 inch = 100 feet



Smith



AGENDA ITEM # 44

Date 10/5/17

PROPERTY OWNER:

John W. Bevins

APPLICANT:

Same

LOCATION OF PROPERTY:

951 East Side Highway, Waynesboro in the Middle River District

SIZE OF PROPERTY:

3.341 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

LAND USE MAPS:

Community Development Area – Low Density Residential

UTILITIES:

Public water and Private Septic

APPLICANT'S JUSTIFICATION:

To have equipment sales and display

PLANNING COMMISSION'S COMMENTS:

No comments

BUILDING INSPECTOR'S COMMENTS:

Upon review, our office has no comments.

HEALTH DEPARTMENT'S COMMENTS:

Provided the only employee(s) are residents of the existing house and that no public restrooms are offered the health department has no concern. The applicant will need to keep all traffic & equipment off of approved/proposed sewage disposal system(s).

HIGHWAY DEPARTMENT'S COMMENTS:

The existing entrance is adequate to serve up to 50 vehicle trips per day (entering + exiting). VDOT understands that the expected customers will be well below this threshold. Parking or loading/unloading of equipment or material shall not be within VDOT's right-of-way. This may require the homeowner to provide additional space within his lot for a turnaround for larger vehicles.

SERVICE AUTHORITY'S COMMENTS:

1. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
2. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. 951 East Side Highway (Tax Map # 59-55K) is currently a Service Authority water customer. If additional water facilities are added to support the businesses (for restrooms, etc.) a meter sizing form must be completed and submitted to the ACSA Engineering Department for evaluation. If the meter size needs to increase, additional fees would apply.
4. There is no public sewer available in the area of the subject property.

ENGINEERING'S COMMENTS:

Less than 10,000 square feet. Ok.

SECTION 25-74I - LIMITED BUSINESSES AND INDUSTRIES IN AGRICULTURE ZONES

Where outside storage is not prohibited, all outside storage areas will be adequately shielded or screened from view.

The applicant is proposing a 40'x 20' area in the front yard to display no more than five (5) pieces of farm equipment for sale to the public.

The operator will be a resident on the premises unless the board of zoning appeals determines that such residency is not appropriate in the specific case, taking into account the nature of the business and the character of the neighboring properties.

The applicant resides at the property.

The business and anticipated enlargements thereof will be appropriate for agriculture areas.

The proposed display and sales of farm equipment is appropriate for this area. The applicant has online sales through Craigslist, Ebay, etc.

The business shall have direct access on to a state maintained road and approval by the Virginia Department of Transportation or the expected traffic on a private road or easement can be accommodated by the access proposed.

The property has direct access onto East Side Highway.

On-site traffic flow will adequately and safely accommodate all traffic to and from the public highways.

The expected traffic is minimal and there is an onsite existing driveway that can accommodate the proposed business use.

Only pre-existing structures will be utilized unless the board of zoning appeals finds that proposed new construction will be not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.

The existing shed on the property will be used to store equipment, if over five (5) items.

Reasonable limitations are imposed on the enlargement or expansion of the business. Business structures larger than four thousand (4,000) square feet or accumulated expansions by more than fifty percent (50%) shall not be permitted unless the board finds that a larger structure or expansion is not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.

No expansions are proposed.

Evidence that the business will be connected to public sewer or that an onsite sewage disposal system can be approved for the business use.

Existing onsite public water and septic system.

There are adequate provisions set forth for the protection of fire, environmental and other hazards.

Fire extinguishers onsite.

All items displayed for sale or stored on site shall be set back at least twenty-five feet (25') from the edge of the pavement of any adjoining roads, and in no case shall a display or storage area be within the right-of-way of any road.

All display equipment will be located forty (40') feet from the edge of pavement within the designated 40' x 20' area.

STAFF RECOMMENDATIONS

The applicant is requesting to have outdoor display of equipment for sale on the property where he lives. He has designated a 40' x 20' area to display no more than five (5) pieces of equipment for sale. The type of equipment are tractors, excavators, skid steers, dingos, lifts, etc. No motor vehicles. No employees. Any other equipment over the five (5) will be stored in the existing shed.

Staff feels this request could provide a service to the area and should be compatible with this agricultural area. Staff would recommend approval with the following conditions:

Pre-Conditions:

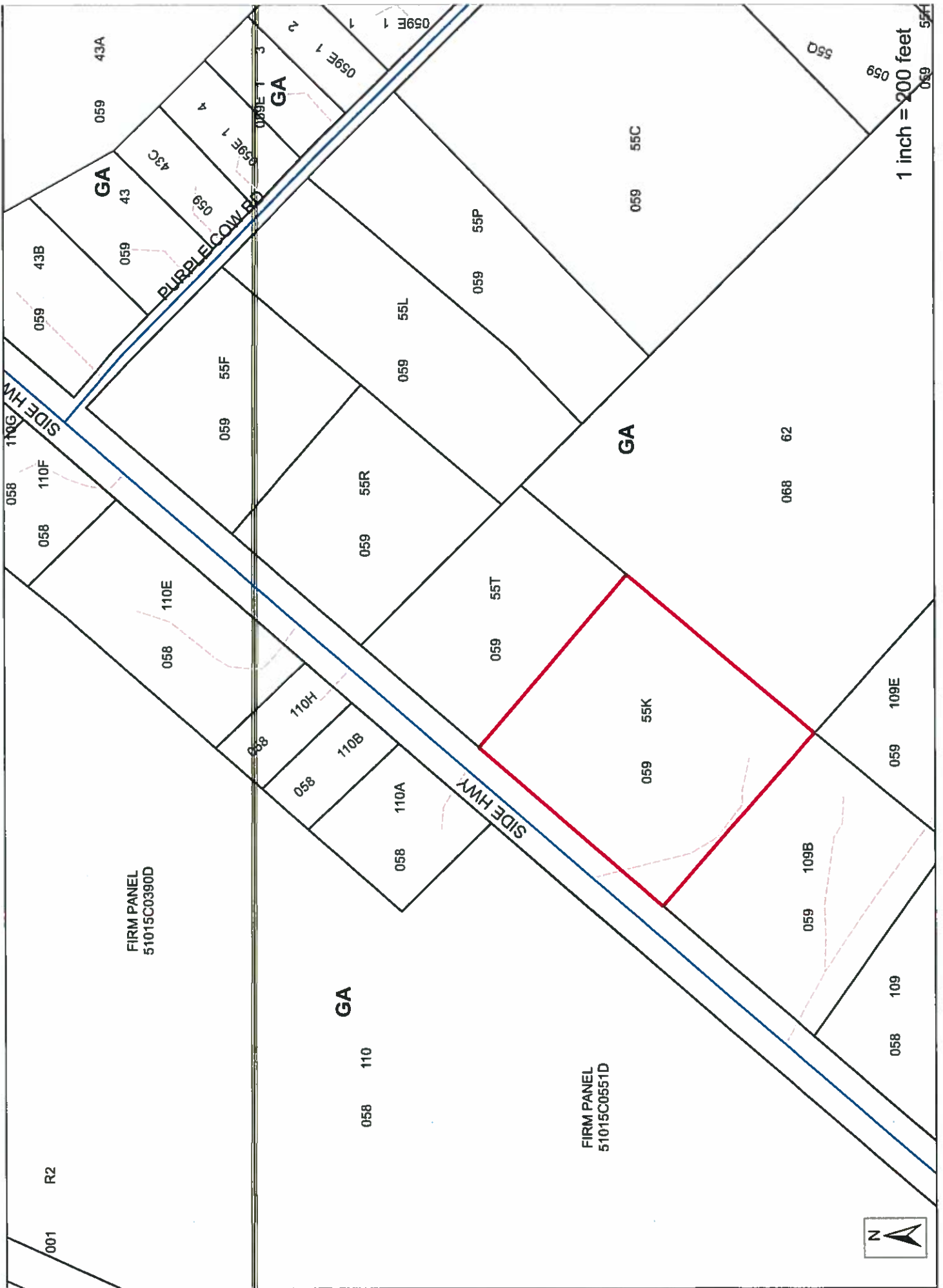
None

Operating Conditions:

1. All outdoor storage be kept in the designated areas shown on the site plan.
2. No more than five (5) pieces of equipment on display at any time.
3. No motor vehicle sales.
4. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
5. Site be kept neat and orderly.



Bevins



1 inch = 200 feet



Bevins



Bevins



1 inch = 100 feet

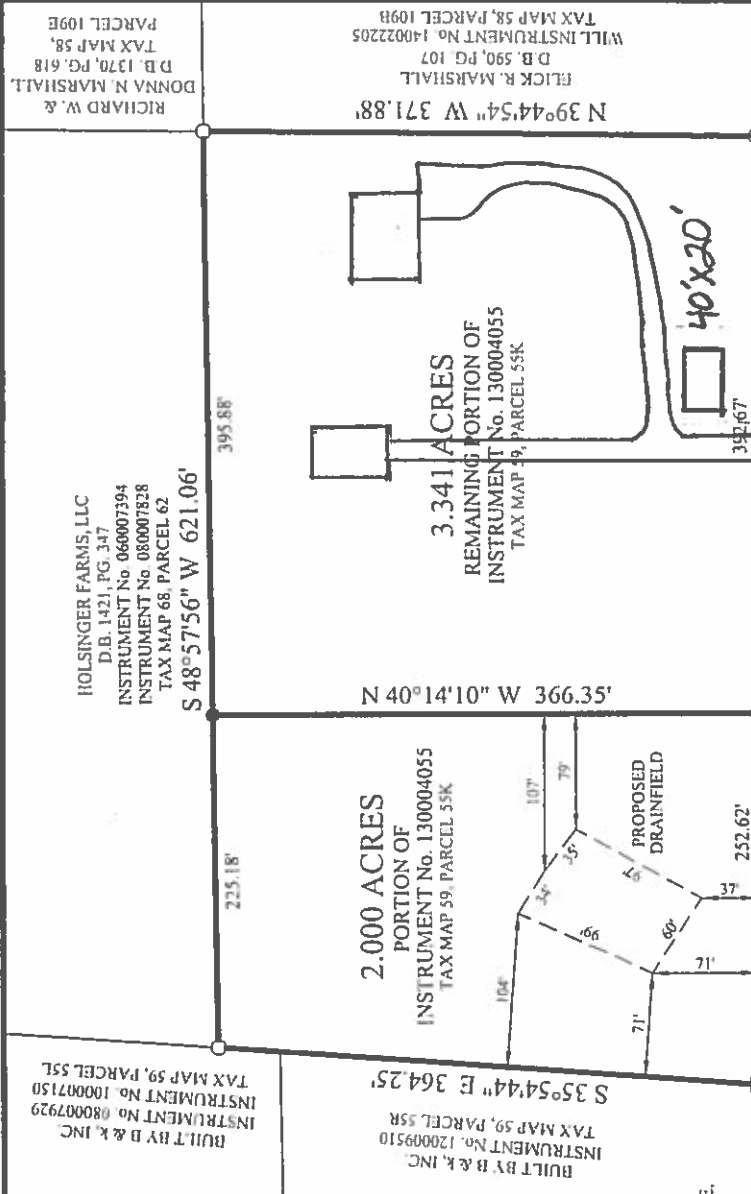
NOTES:

1. DATUM AS SHOWN HEREON IS ACCORDING TO RECORDED INFORMATION AND A CURRENT FIELD SURVEY.
2. BEARINGS ARE ROTATED TO PLAT RECORDED AT INSTRUMENT NUMBER 060016705.
3. ANY EASEMENT SHOWN HEREON IS BASED ON RECORDED INFORMATION. THIS PROPERTY MAY BE EXPRESSLY SUBJECT TO EASEMENTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS CONTAINED IN DULY RECORDED DEEDS, PLATS AND OTHER INSTRUMENTS CONSTITUTING CONSTRUCTIVE NOTICE IN THE CHAIN OF TITLE TO THE PROPERTY HEREBY SURVEYED THAT ARE NOT SHOWN. THIS PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS NOT OF PUBLIC RECORD.
4. NO TITLE REPORT HAS BEEN FURNISHED.
5. THE 3.341 ACRES AS SHOWN HEREON HAS AN EXISTING DWELLING, SEPTIC SYSTEM, AND HIGHWAY ENTRANCE PERMIT WHICH IS NOT AFFECTED BY THIS DIVISION.
6. THERE WAS NO EVIDENCE OF ANY GRAVE, OBJECT OR STRUCTURE MARKING A PLACE OF BURIAL OBSERVED.
7. THE LOTS AS SHOWN HEREON ARE IN COMPLIANCE WITH THE PROVISIONS OF CHAPTER 25 APPLICABLE TO FRONTAGE, WIDTH AND AREA.

PLAT SHOWING A DIVISION OF 5.341 ACRES OF LAND PRESENTLY IN THE NAME OF JOHN W. BEVINS

MIDDLE RIVER DISTRICT,
AUGUSTA COUNTY, VIRGINIA

SCALE 1" = 100'
JANUARY 1, 2014
REVISED: MARCH 26, 2015 (NEW DATE)



STATE ROUTE 619
PURPLE COW ROAD
N 49°45'50" E 645.29'
U.S. ROUTE 340
EAST SIDE HIGHWAY
(VARIABLE WIDTH RIGHT-OF-WAY)

STATE ROUTE 611
DOONIS CROSSING ROAD
N 39°44'54" W 371.88'

1.2 MILES TO
STATE ROUTE 611
DOONIS CROSSING ROAD

FLICK R. MARSHALL
D.B. 590, PG. 107
WILL INSTRUMENT No. 14002205
TAX MAP 58, PARCEL 109B

RICHARD W. &
DONNA N. MARSHALL
D.B. 1370, PG. 618
TAX MAP 58,
PARCEL 109E

HOLSINGER FARMS, LLC
D.B. 1421, PG. 347
INSTRUMENT No. 060007394
INSTRUMENT No. 080007828
TAX MAP 68, PARCEL 62
S 48°57'56" W 621.06'

2.000 ACRES
PORTION OF
INSTRUMENT No. 130004055
TAX MAP 59, PARCEL 55K

3.341 ACRES
REMAINING PORTION OF
INSTRUMENT No. 130004055
TAX MAP 59, PARCEL 55K

BUILT BY B & K, INC
INSTRUMENT No. 080007929
INSTRUMENT No. 100007150
TAX MAP 59, PARCEL 55L

BUILT BY B & K, INC
INSTRUMENT No. 120009510
TAX MAP 59, PARCEL 55R
S 35°54'44" E 364.25'

PROPOSED DRAINFIELD

40'x20'

LEGEND
● IRON PIN SET
○ IRON PIN FOUND
■ POST

19
Lotts & Associates, P.C.

Land Surveying - Land Planning
21 Cambridge Drive * P.O. Box 1167
Suans Draft, Virginia 24477
Phone (540) 337-0012 Fax (540) 337-1455

COMMONWEALTH OF VIRGINIA
BARRY E. LOTTES
Lic. No. 001628-B
03/26/2015
LAND SURVEYOR

SHEET 2 OF 2

JOB No. 13-6793 PLOT: REVISED6793PLAT.DWG S:PROJECTS