



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

DATE: January 25, 2018

SUBJECT: Regular Meeting and Viewing

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, February 1, 2018, 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 **9:00 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, February 1, 2018, 1:30 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. MINUTES

Approval of the Called and Regular Meeting of January 4, 2018

4. PUBLIC HEARINGS

- A. A request by Tejendrakumar Patadia, agent for Five Stars, LLC, for a Special Use Permit to have outdoor storage and display of u-haul vehicles on property they own, located at 1785 Lee Highway, Fort Defiance in the North River District.
- B. A request by Leland Brenneman, agent for Stuarts Draft Christian Home, for a Special Use Permit to construct an addition to the existing facility on property owned by Promised Land of Augusta, LLC, located at 144 Patton Farm Road, Stuarts Draft in the South River District.

5. OLD BUSINESS

- A. A request by Brian Wright and Emmett Toms, agents for Atlantic Coast Pipeline, LLC, for a Special Use Permit to have a contractor storage yard on property owned by Stanley Sheets, Trustees of Elk Meadow Farm, located on the west side of Scenic Highway, opposite the intersection of Union Church Road and Scenic Highway, Churchville in the North River District. – **TABLED AT THE JANUARY 4, 2018 MEETING**

6. MATTERS TO BE PRESENTED BY THE PUBLIC

7. MATTERS TO BE PRESENTED BY THE ZONING ADMINISTRATOR

- A. A request by Dirk Gold, agent for Goldwrench Enterprises, LLC, for a Special Use Permit to construct a larger fenced vehicle storage on property they own, located at 588 East Side Highway, Waynesboro in the Wayne District. – **ONE YEAR EXTENSION OF TIME REQUEST**
- B. A request by Craig Williams, agent for the Churchville Volunteer Fire Department, for a Special Use Permit to enlarge and extend an existing nonconforming structure on property it owns, located at 3829 Churchville Avenue, Churchville, in the Pastures District. - **ONE YEAR EXTENSION OF TIME REQUEST**

C. A request by Rick Shuffield, agent for Love's Travel Stops and Country Stores, Inc., for a Special Use Permit to have a travel plaza and truck stop, tire shop, convenience store, and restaurant on property owned by Augusta County Company, LLC, c/o Ramsey Enterprises, located on the north side of Pilot Truck Drive, in the northwest quadrant of the intersection of Pilot Truck Drive and Lee Jackson Highway (Route 11), in the Riverheads District. - **ONE YEAR EXTENSION OF TIME REQUEST**

D. A request by Jason Almarode, for a Special Use Permit to operate a towing business with outdoor storage on property owned by Almarode, LLC, located at 1989 Mt. Torrey Road, Lyndhurst in the South River District. – **CANCELLATION REQUEST**

8. STAFF REPORT

17-13 Glen-Gary, Inc.

9. ADJOURNMENT

PROPERTY OWNER:
Five Stars, LLC

AGENDA ITEM # 4A
Date 2/1/18

APPLICANT:
Tejendrakumar Patadia, agent for Five Stars, LLC

LOCATION OF PROPERTY:
1785 Lee Highway, Fort Defiance in the North River District

SIZE OF PROPERTY:
2.643 acres

VICINITY ZONING:
Single Family Residential and General Agriculture to the north; Limited Business and General Agriculture to the south; General Agriculture to the east; Single Family Residential to the west

PREVIOUS ZONING OR S.U.P.:
1984 SUP approved to add gas pumps to the existing convenience store and sell antiques and crafts
05/86 SUP approved for offices
12/95 Zoned General Agriculture
08/96 SUP approved for outside storage of construction equipment
01/07 SUP approved for outside storage of equipment and materials in conjunction with a landscape business
03/16 SUP approved to expand the existing nonconforming convenience store, replace and expand an existing nonconforming canopy, and reorient the gas pumps

LAND USE MAPS:
Urban Service Area – Medium Density Residential

UTILITIES:
Public water and sewer

APPLICANT'S JUSTIFICATION:
To have outdoor storage and display of U-Haul vehicles.

PLANNING COMMISSION'S COMMENTS:
No comments.

BUILDING INSPECTOR'S COMMENTS:
After review, our office has no conditions.

HEALTH DEPARTMENT'S COMMENTS:
Existing business with no new buildings being added. Health Department has no issue with request.

HIGHWAY DEPARTMENT'S COMMENTS:

This section of Rt. 11 currently has an AADT of 7,300 vpd and Rt. 616 (Dam Town Road) currently has an AADT of 1,300 vpd. The proposed use is not expected to generate a significant volume or rate of traffic; however, the site poses challenges and the following concerns:

- The previous site-plan and special use required that the entrance closest to the signal be converted to allow one-way in movements only. The pavement markings and/or signage to accomplish this restriction has not been completed.
- It is understood that U-Haul vehicles are proposed to park in three different locations on the parcel: The southern limits in front of the store (1 van). The southern limits behind the store accessed via Dam Town Road (six U-Haul spaces), and the northern limits of the parcel along the guardrail (4 U-Haul spaces). It is essential to maintain the required number of free parking spaces so that patrons of the facility are not encouraged to park in undesirable locations.
- The second, eastern entrance on Rt. 616 behind the store is shown on the previous site plan and sketch accompanying this application as 31' in width; however the actual dimension of the entrance is 50'-60'. If the traffic generation of this entrance is less than 50 vpd, which is the expectation, it can remain a gravel low volume commercial entrance but must be narrowed and better defined geometrically to meet current standards. The proposed parking in this area would be sufficient as shown on the sketch although a site visit unveiled that the vehicles are currently parked in a different configuration.
- The vehicles will not be allowed to be parked on the right of way of any state maintained roadway and must not interfere with sight lines of the entrances. Each existing entrance currently has substandard throat lengths (typically 35'); Parking of vehicles must not interfere with the effective throat of each entrance. In the case of the rear entrance on Rt. 616 mentioned above, the improved geometry will create a better defined entrance throat.

VDOT could support the special use permit if the above concerns are addressed. I am available to answer questions pertaining to this special use permit prior to the hearing upon request.

SERVICE AUTHORITY'S COMMENTS:

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm>.
2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.

3. If additional fire flow/prevention is required by County Ordinance, investigation of available fire flow would be needed 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.
4. 1785 Lee Highway (Tax Map # 37B-(3)-8 & 9) is currently a Service Authority water and sewer customer. If there will be additional employees and/or building expansion, a meter sizing form will be required to check the existing meter size. If a meter changes is needed, additional charges would apply in accordance with the ACSA Rate Schedule.

ENGINEERING'S COMMENTS:

No comments.

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 requesting to have up to eleven (11) U-Haul vehicles.

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 does not live onsite. There is an existing convenience store onsite.

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

Businesses are more appropriate in Business Districts, however, this site has been used for business since 1960.

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 business has direct access to Lee Highway (Route 11). VDOT comments express concerns with previous requirements not being completed.

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

The site has adequately and safely accommodated all traffic since the convenience store was opened in the 1960s.

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 new construction is proposed.

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 requested.

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 business is currently connected to public water and sewer.

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

There are 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.

The trucks will be twenty-five (25') feet from the edge of pavement in front and behind the building.

STAFF RECOMMENDATIONS

The applicant was granted a Special Use Permit in 2016 to continue and expand the existing non-conforming convenience store started in 1960. The applicant is now requesting to display and lease up to eleven (11) U-Haul vehicles at this site. The applicant has been leasing the U-Haul vehicles at this location as was not aware that a Special Use Permit was needed until Staff sent a letter advising him. They are requesting to display five (5) vehicles in front and six (6) vehicles behind the building. The U-Hauls will not be obstructing vehicular traffic and will be setback twenty-five feet (25) from the edge of pavement along all roads. Staff feels that the outdoor display of U-Haul vehicles would not be out of character and would recommend the following conditions:

Pre-Conditions:

None

Operating Conditions:

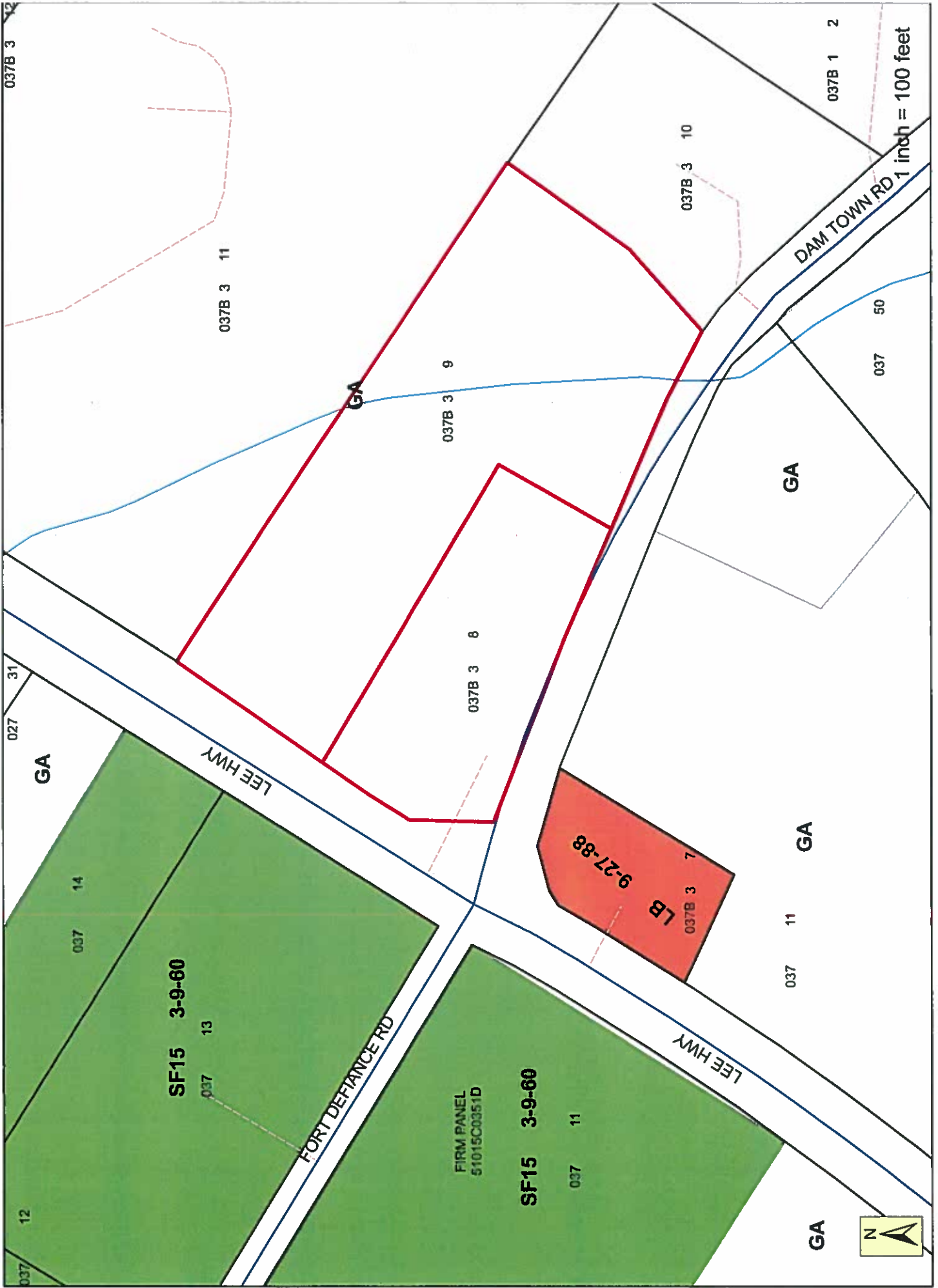
1. Be permitted a maximum of eleven (11) U-Haul vehicles on site.
2. No more than five (5) vehicles in front and six (6) vehicles behind the building as shown on the BZA sketch.
3. Operating conditions of SUP #16-11 remain in effect.



Five Stripes



Five Stars, LLC



Five Stars, LLC



1.524 ACRES
PROPOSED

ONE STORY
25' BUILDING HEIGHT
USE GROUP B
TYPE OF CONSTRUCTION
FOUNDATION: CONCRETE
EXT. WALLS: BRICK

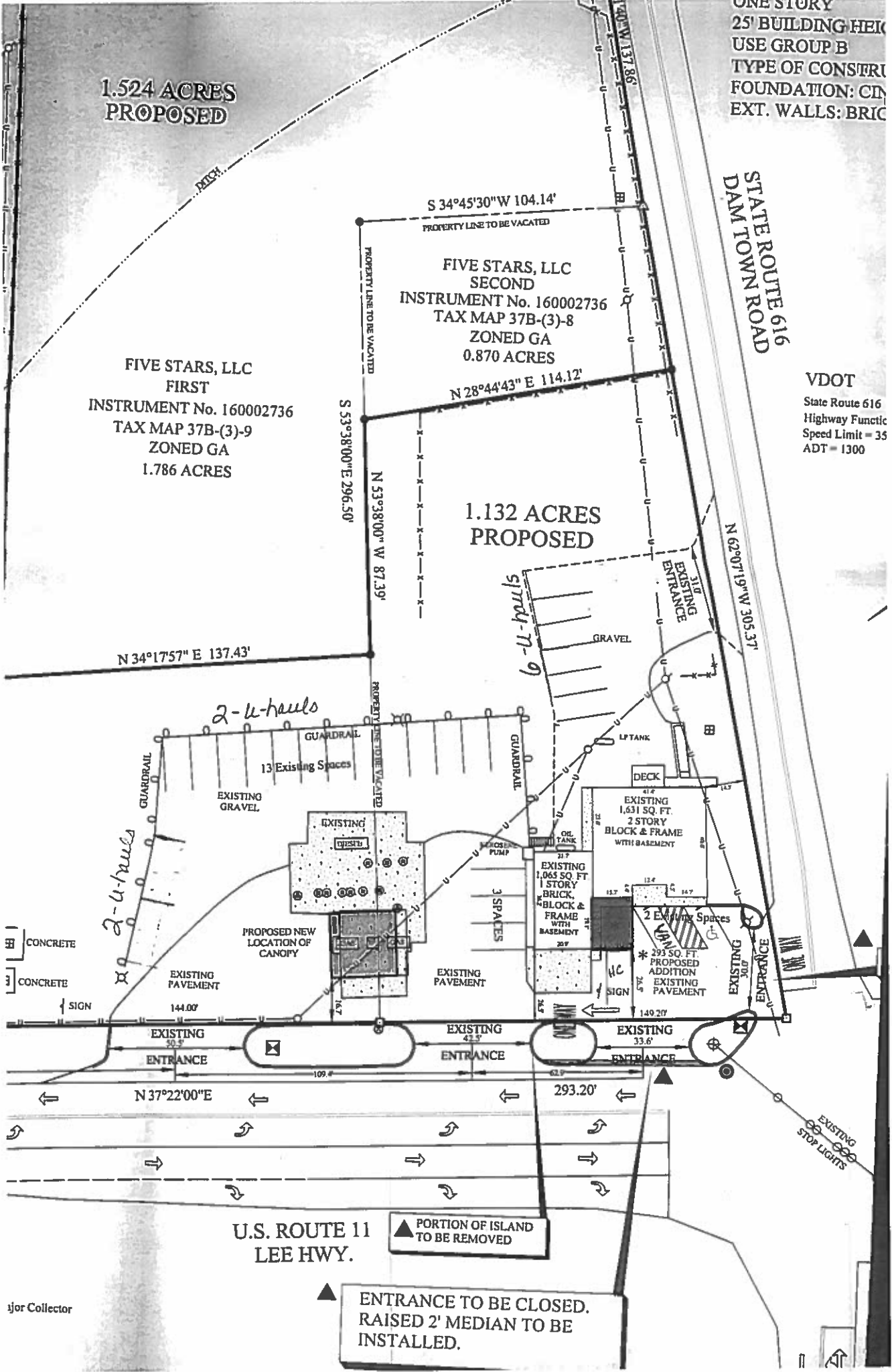
STATE ROUTE 616
DAM TOWN ROAD

FIVE STARS, LLC
SECOND
INSTRUMENT No. 160002736
TAX MAP 37B-(3)-8
ZONED GA
0.870 ACRES

FIVE STARS, LLC
FIRST
INSTRUMENT No. 160002736
TAX MAP 37B-(3)-9
ZONED GA
1.786 ACRES

1.132 ACRES
PROPOSED

VDOT
State Route 616
Highway Function
Speed Limit = 35
ADT = 1300



U.S. ROUTE 11
LEE HWY.

▲ PORTION OF ISLAND
TO BE REMOVED

▲ ENTRANCE TO BE CLOSED.
RAISED 2' MEDIAN TO BE
INSTALLED.

AGENDA ITEM # 4B
Date 2/1/18

PROPERTY OWNER:
Promised Land of Augusta, LLC

APPLICANT:
Leland Brenneman, agent for Stuarts Draft Christian Home

LOCATION OF PROPERTY:
144 Patton Farm Road, Stuarts Draft in the South River District

SIZE OF PROPERTY:
20.010 acres

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

PREVIOUS ZONING OR S.U.P.:
10/00 SUP approved for 10,000 square foot building with up to 24 elderly residents
03/01 Zoned Multi-Family Residential
07/01 SUP approved to increase the building to 12,000 square foot with up to 26 elderly residents
07/08 SUP to construct an addition to the existing facility and increase the number of residents

LAND USE MAPS:
Urban Service Area – Multi-Family Residential

UTILITIES:
Public water and sewer

APPLICANT'S JUSTIFICATION:
To construct an addition to the existing facility

PLANNING COMMISSION'S COMMENTS:
No comments.

BUILDING INSPECTOR'S COMMENTS:
Obtain all necessary permits and inspections in accordance with the Uniform Statewide Building Code.

HEALTH DEPARTMENT'S COMMENTS:
Health Department has no comment. Public water and sewer to serve.

HIGHWAY DEPARTMENT'S COMMENTS:
The existing commercial entrance is adequate for the request. During construction, ensure construction traffic does not track mud or debris onto Route 634.

SERVICE AUTHORITY'S COMMENTS:

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm>.
2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. If additional fire flow/protection is required by County Ordinance, investigation of available fire flow would be needed 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.
4. 144 Patton Farm Road (one of the addressed buildings on Tax Map # 84-109A) is currently a Service Authority water and sewer customer. Given the existing meter size, the proposed addition is insignificant. No additional information is required for this proposed expansion.

ENGINEERING'S COMMENTS:

No comments.

STAFF RECOMMENDATIONS

The applicants are requesting to construct a 33' x 62' addition to the existing assisted living facility. They will be adding four (4) additional rooms, but they will not exceed thirty-four (34) residents as originally approved. The applicants have provided a needed service to the community for many years. Staff feels the request is compatible and recommends approval 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.

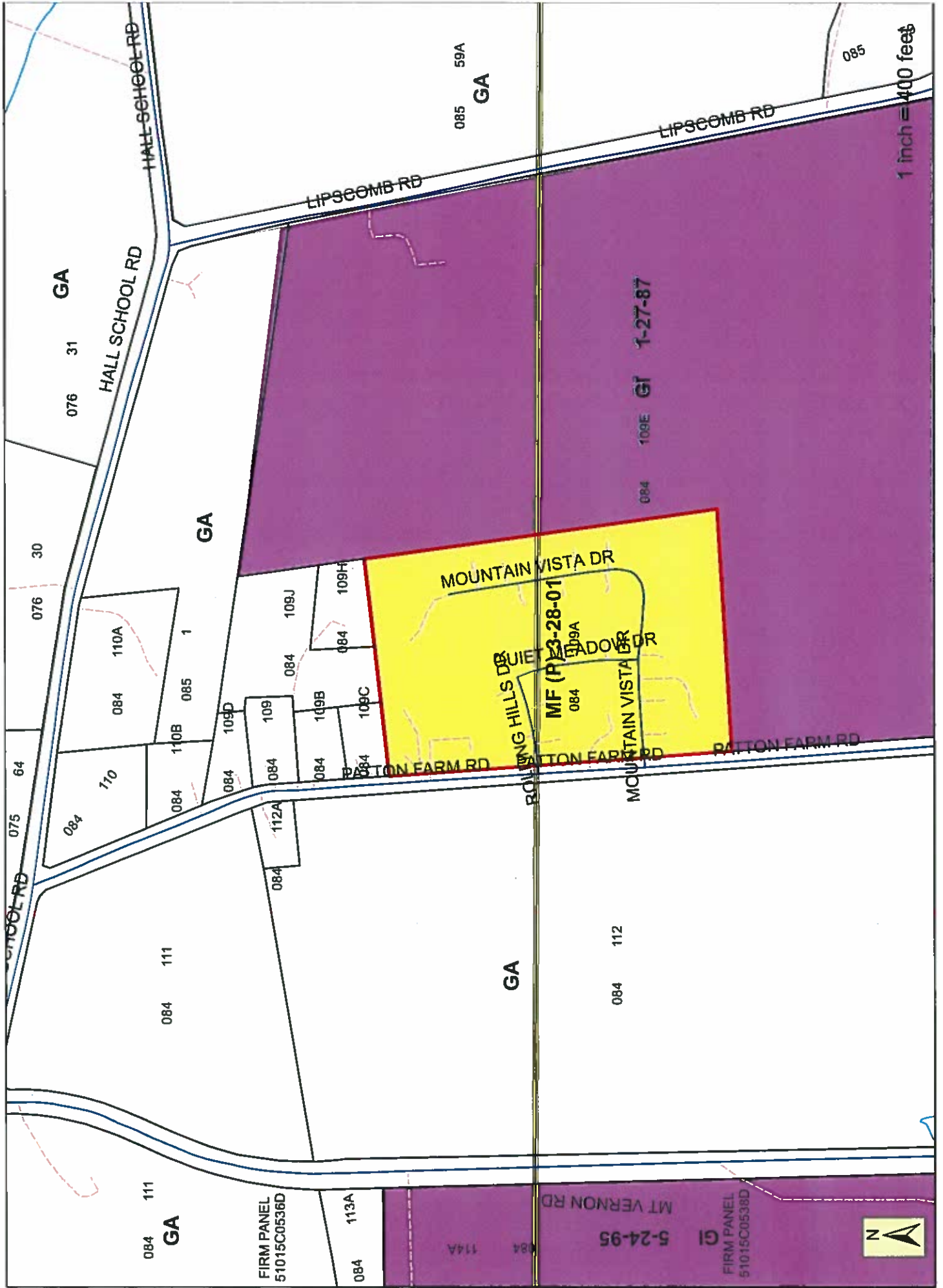
Operating Conditions:

1. Be limited to the requested 33' x 62' addition.
2. Be permitted to have up to thirty-four (34) residents in this facility.



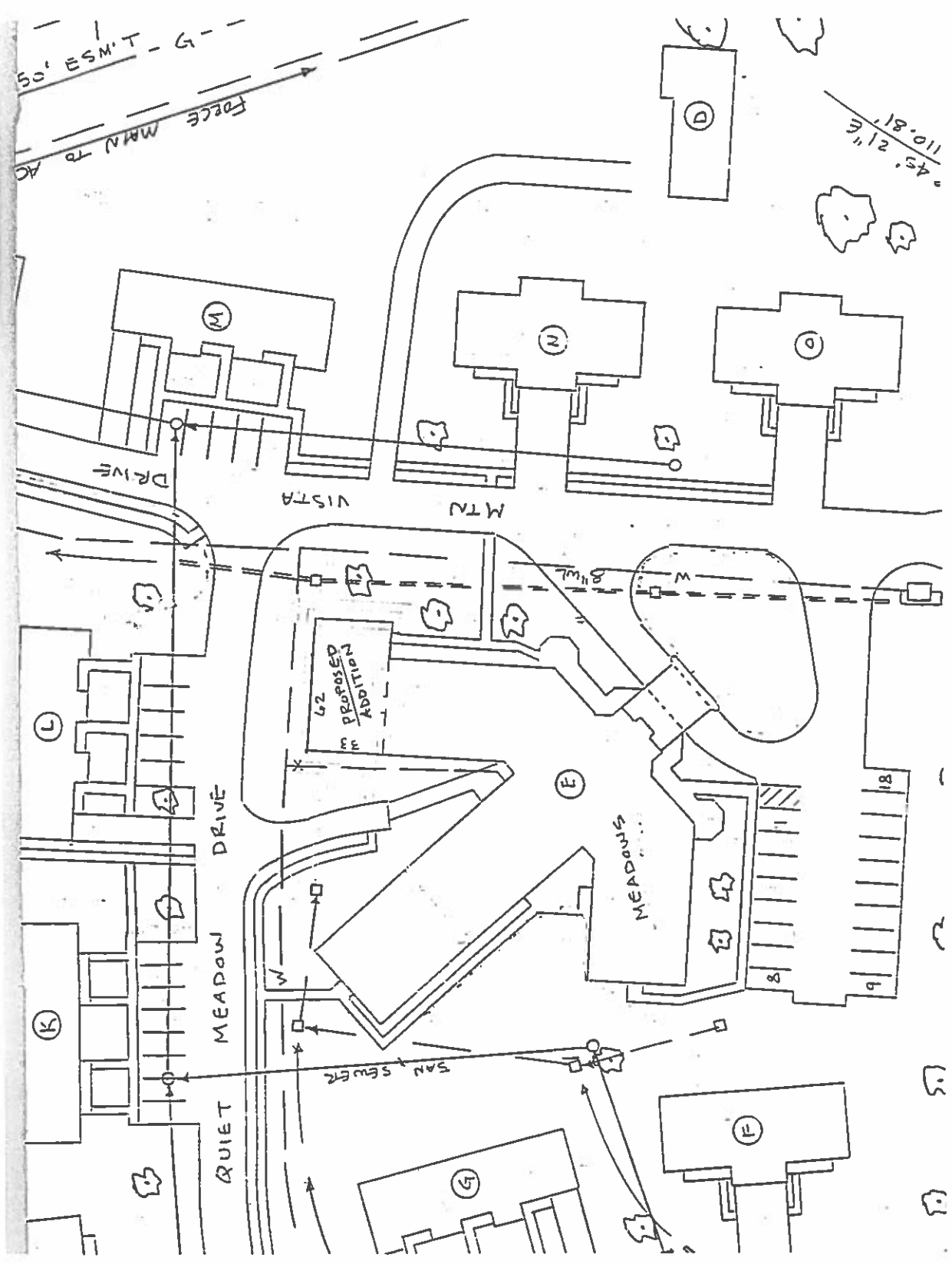
Promised Land

Promised Land of Augusta, LLC



Promised Land of Augusta, LLC





promised land

TABLED

Date 2/1/18

PROPERTY OWNER:
Stanley Sheets, Trustees of Elk Meadow Farm

APPLICANT:
Brian Wright and Emmett Toms, agents for Atlantic Coast Pipeline, LLC

LOCATION OF PROPERTY:
On the west side of Scenic Highway, opposite the intersection of Union Church Road and Scenic Highway, Churchville in the North River District

SIZE OF PROPERTY:
34.0 acre portion of approximately 133 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:
12/95 Zoned General Agriculture

LAND USE MAPS:
Agriculture Conservation Area

UTILITIES:
None

APPLICANT'S JUSTIFICATION:
To have a contractor storage yard

INDIVIDUAL PLANNING COMMISSION'S COMMENTS:
No comments.

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

HEALTH DEPARTMENT'S COMMENTS:
The Health Department has no issues however it would be advised the portable toilets be placed on the yard for use by workers.

HIGHWAY DEPARTMENT'S COMMENTS:
The proposed storage yard entrance does not meet VDOT's sight distance requirements. A storage yard for the expected volume of traffic must meet intersection sight distance requirements. VDOT has preliminarily evaluated the remaining frontage and there does not appear to be a location that meets the sight distance requirements. VDOT is available

to meet with the engineer/consultant to verify this assessment. VDOT does not recommend approval of the special use permit if an adequate entrance is not feasible.

If/when an entrance that meets requirements is found, the entrance should be paved and allow tractor trailers, with pipe material and equipment necessary for the Atlantic Coast Pipeline operation, to enter and exit the property. An auto turn analysis using a WB-67 will be required. The approved entrance shall be the only entrance utilized by the ACP traffic. The entrance serving TM 24-159 shall serve the needs of the homeowner only. Once the storage yard is no longer in use by the ACP, the entrance shall be restored to its original condition (as close as possible).

1/4/18 - HIGHWAY DEPARTMENT'S REVISED COMMENTS:

The previous VDOT comments provided on December 21, 2017 are amended as follows:

After working with the Engineer, Thompson & Litton, an entrance location along Rt. 42 is available that meets intersection sight distance requirements per surveyed sight lines and profiles. The entrance will also be verified in the field upon issuance of a VDOT land use permit.

The entrance should be paved and allow tractor trailers, with pipe material and equipment necessary for the Atlantic Coast Pipeline operation, to enter and exit the property. An auto turn analysis using a WB-67 will be required. The approved entrance shall be the only entrance utilized by the ACP traffic. The entrance serving TM 24-159 shall serve the needs of the homeowner only. Once the storage yard is no longer in use by the ACP, the entrance shall be restored to its original condition. Alternatively, the entrance may be converted to a field entrance under a separate permit with the Owner.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

A full site plan is required with Stormwater Management and Erosion and Sediment Control.

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 requesting to have a laydown yard for equipment, materials, and office trailers for the Atlantic Coast Pipeline Project. There is no natural screening.

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 operator does not reside on premise.

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

The request is for a thirty-four (34) acre material laydown yard to provide materials and equipment for construction of the Atlantic Coast Pipeline in this 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 Scenic Highway, but an entrance has not been approved by VDOT at this time.

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

The thirty-four (34) acre portion of the property should adequately and safely accommodate all traffic onsite. The entrance location will be determined by VDOT.

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 new construction is requested. The applicant will be utilizing office trailers. The site will be used as a material storage area.

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 structures are requested. This will be a thirty-four (34) acre storage yard.

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 connections are required for construction laydown yards.

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

The vehicles and trailers will be equipped with fire extinguishers and the applicant has DEQ permits.

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 storage area is approximately two hundred thirty-three (233') feet from Scenic Highway (Route 42).

STAFF RECOMMENDATIONS

The applicants are requesting to utilize approximately thirty-four (34) acres of the one hundred thirty-three acre site to have a laydown storage yard for equipment, pipe, office trailers, and materials to be used in the construction of the Atlantic Coast Pipeline Project. The site will be used for pipeline construction within a twenty-nine (29) mile area for approximately two (2) years.

Atlantic Coast Pipeline will comply with all local, state, and federal regulations. The proposed laydown area is open and provides no natural screening which could visually impact the neighboring properties. Therefore, the Board may want to consider some sort of screening along the road to lessen the visual impact.

If the Board feels the request is compatible and desires to approve the Special Use Permit, staff would recommend the following:

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. Obtain VDOT entrance permit and provide a copy to Community Development.

Operating Conditions:

1. Obtain placement permits for office trailers.
2. All equipment, materials, pipes, and trailers be kept in the designated areas on the site plan.
3. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
4. Permit be issued for **two (2) years**.

FEBRUARY 1, 2018 STAFF RECOMMENDATIONS

1/4/18 - HIGHWAY DEPARTMENT'S REVISED COMMENTS:

The previous VDOT comments provided on December 21, 2017 are amended as follows:

After working with the Engineer, Thompson & Litton, an entrance location along Rt. 42 is available that meets intersection sight distance requirements per surveyed sight lines and profiles. The entrance will also be verified in the field upon issuance of a VDOT land use permit.

The entrance should be paved and allow tractor trailers, with pipe material and equipment necessary for the Atlantic Coast Pipeline operation, to enter and exit the property. An auto turn analysis using a WB-67 will be required. The approved entrance shall be the only entrance utilized by the ACP traffic. The entrance serving TM 24-159 shall serve the needs of the homeowner only. Once the storage yard is no longer in use by the ACP, the entrance shall be restored to its original condition. Alternatively, the entrance may be converted to a field entrance under a separate permit with the Owner.

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 requesting to have a laydown yard for equipment, materials, and office trailers for the Atlantic Coast Pipeline Project. There is no natural screening. However, the storage yard is for a two (2) year time period to supply support for construction of the Atlantic Coast Pipeline which will cross Route 42 approximately one (1) mile from this site.

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 operator does not reside on premise. However, Dominion Energy will provide twenty-four (24) hour security on site.

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

The request is for a thirty-four (34) acre material laydown yard to provide materials and equipment for construction of the Atlantic Coast Pipeline in this area. The request would not be appropriate in a residentially zoned area and there are no large industrial zoned parcels in the vicinity.

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 Scenic Highway, but an entrance has not been approved by VDOT at this time. 1/4/18 Revised VDOT Comments state that site

distance requirements have been met and this site qualifies for a VDOT Lane Use Permit.

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

The thirty-four (34) acre portion of the property should adequately and safely accommodate all traffic onsite. The entrance location will be determined by VDOT.

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 new construction is requested. The applicant will be utilizing office trailers. The site will be used as a material storage area.

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 structures are requested. This will be a thirty-four (34) acre temporary storage for two (2) years.

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 connections are required for construction laydown yards. Public sewer is not available to this site. Portable toilets will be utilized.

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

The vehicles and trailers will be equipped with fire extinguishers and the applicant has DEQ permits. The Churchville Volunteer Fire Department is located approximately four (4) miles from this site.

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 storage area is approximately two hundred thirty-three (233') feet from Scenic Highway (Route 42).

The Board tabled the request at the January hearing in order to obtain additional information from the applicant to address concerns presented by the public including erosion and sediment control, stormwater run-off, road maintenance agreements with VDOT, examples of reclaimed laydown yard sites, reclamation bond, and adjacent landowner agreements. The attached email and pictures were submitted by the applicant to address the issues regarding a road maintenance bond and entrance permits, pictures

of previous yard sites before and after construction, bonds for reclamation, and land owner agreements. The applicant will be providing letters of support from adjacent landowners at the meeting on February 1st. Staff has a local contractor preparing an estimate for reclamation of the site in order to provide a bond estimate for the Board.

If the request is granted, the applicant will be required to submit a Site Plan meeting the ordinance requirements of Section 25-673, which will include Erosion and Sediment Control and Stormwater Management plans as required by the Code of Virginia and Chapter 9 of the Environmental Ordinance.

If the Board is satisfied that the request will not have an adverse impact on surrounding properties and desires to approve the Special Use Permit, Staff would recommend 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. Obtain VDOT entrance permit and provide a copy to Community Development.
3. Submit Reclamation Bond.

Operating Conditions:

1. Obtain placement permits for office trailers.
2. All equipment, materials, pipes, and trailers be kept in the designated areas on the site plan.
3. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
4. Permit be issued for **two (2) years**.
5. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.

Sandy Bunch

From: Emmett Toms <emmett.toms@dominionenergy.com>
Sent: Thursday, January 25, 2018 3:04 PM
To: Sandy Bunch; John Wilkinson
Cc: Gregory A Supey; Ronald M Baker; Andrew C Harris
Subject: Update on ACP site in Churchville for BZA
Attachments: Yard Pictures-Sucess Story.docx

John & Sandy,

- 1. Reclaimed Yard site pictures - Attached are pictures of a before and after reclamation of an Agricultural site on a pipeline project in Pennsylvania. One of our project engineers Gregory Supey now working here in Augusta County on the ACP was involved in this project and can speak to the reclamation process at the BZA if requested by Board.**
- 2. VDOT Road Entrance Relocation – The road entrance is relocated or shifted some due to E&S plan along the RT. 42 site entrance. On Wednesday Jan 24th, Gregory Supey ACP Project Engineer had a phone conversation with VDOT's Jennifer Housman who works with David Atwood VDOT on the road entrance. Addressed concerns on the operations at this yard and discussed the expected traffic volumes. Jennifer wanted a field visit to review the sight distance for the relocated access. Meeting at the sight is set for Monday 1/29 at 10:00 AM. Can report any additional comments at BZA meeting that afternoon.**
- 3. VDOT Road Bond. There are 2 types of agreements with VDOT. ACP has a VDOT land disturbance and road entrance permit bond in VA for the road crossing and access road entrances for the pipeline. ACP also has agreed with VDOT on a statewide road maintenance agreement for road repairs from construction, hauling, or damages on any VDOT road affect by pipeline construction activities. Under this agreement VA state roads used for construction are required to be video recorded before the project as a base line for repairs and remediation during and after construction to be in conformance to keep roads in as good or better conditions as prior to the start of ACP project areas.**
- 4. Adjoining Land Owners agreements. ACP has made agreements in principle with the two adjoining property owners, the Blosser's and Drivers to not oppose the use of the site for the construction yard purposes as had been presented to BZA. The legal contracts have been prepared and agreed upon**

verbally and are in the hands of the two parties for review and signature. Intend to have a signed letter of verification of support from both property owners to present to BZA by Monday Jan. 29th meeting.

- 5. BZA request for Bond with the County for remediation of site back to its original state for Agricultural use. ACP is willing to enter into a performance bond with Augusta County as an assurance that the land will be reclaimed and restored to its present state. We have already entered into an agreement with the exiting landowner to include restoring the sight to current conditions and it is required by the FERC. A performance bond with Augusta County for the restoration of the site is reasonably acceptable to ACP.**

Emmett Toms

DOMINION ENERGY– State & Local Affairs

Dominion Energy Services, Inc.

Mail: 2 Technology Drive, Staunton, VA 24401

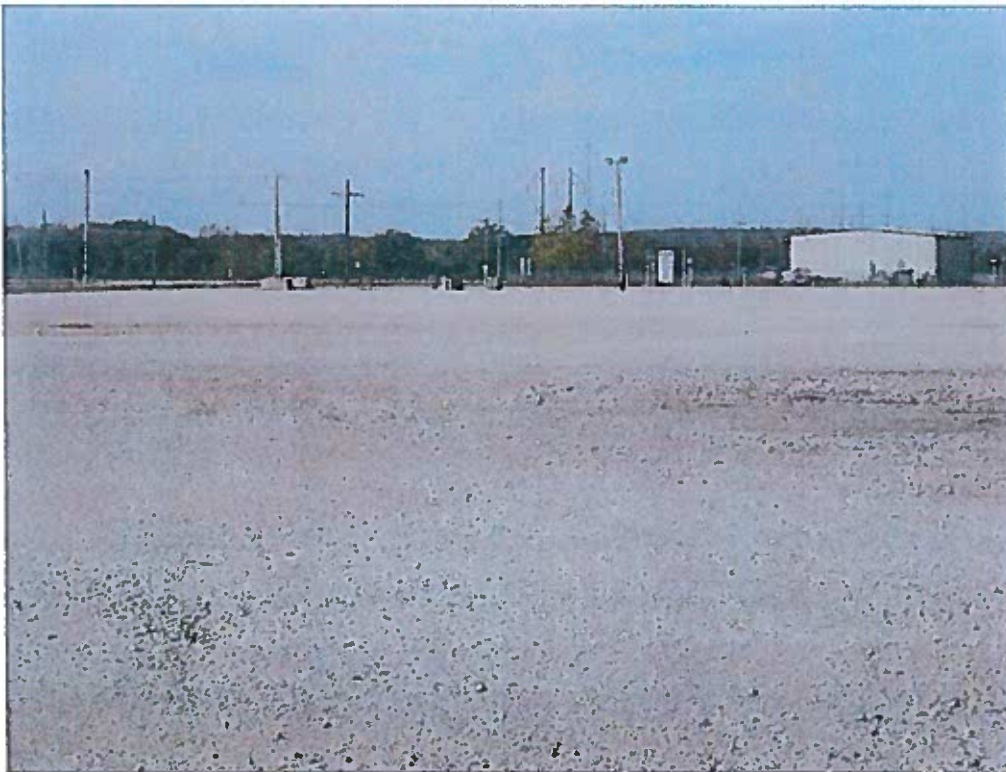
Phone 800-416-8553 Fax 540-245-4184



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BEGIN CONTRACTOR YARD CONSTRUCTION – GRAVEL PLACEMENT



GRAVEL PAD COMPLETE - PRIOR TO CONTRACTOR MOBILIZATION



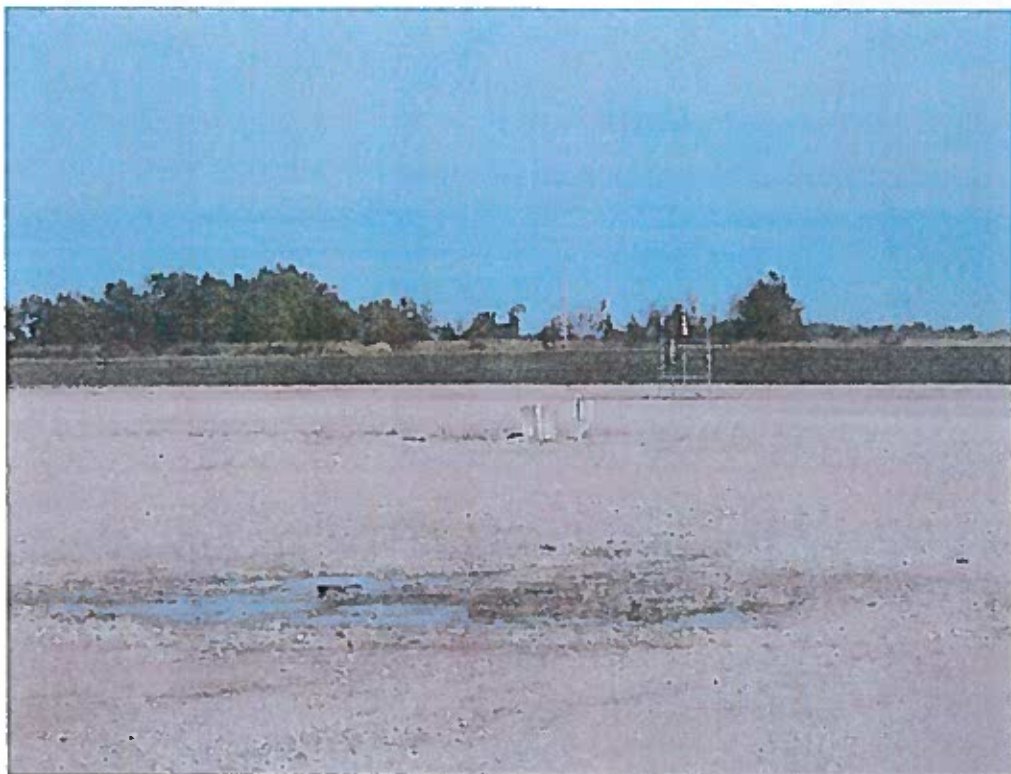
CONTRACTOR YARD PRIOR TO PIPELINE CONSTRUCTION



CONTRACTOR YARD PRIOR TO PIPELINE CONSTRUCTION



CONTRACTOR YARD – PIPELINE CONSTRUCTION COMPLETE, CONTRACTOR DEMOBILIZED



CONTRACTOR YARD – PIPELINE CONSTRUCTION COMPLETE, CONTRACTOR DEMOBILIZED



GRAVEL REMOVED, SITE GRADED TO PRE DEVELOPMENT ELEVATIONS, TOPSOIL PLACED



GRAVEL REMOVED, SITE GRADED TO PRE DEVELOPMENT ELEVATIONS, TOPSOIL PLACED



SITE SEEDED, INITIAL GROWTH



SITE RESTORED – 1ST SEASON GROWTH



SITE RESTORED – 1ST SEASON GROWTH



SITE RESTORED – 1ST SEASON GROWTH



RESTORATION COMPLETE – 2ND SEASON GROWTH



POST CONSTRUCTION – SITE RETURNED TO AGRICULTURAL FIELD



**PRE CONSTRUCTION CONDITIONS – AGRICULTURAL FIELD
DTE BLUESTONE PIPELINE
NEW MILFORD, PA**



**CONTRACTOR YARD DURING PIPELINE CONSTRUCTION
DTE BLUESTONE PIPELINE
NEW MILFORD, PA**



**POST CONSTRUCTION – SITE RETURNED TO AGRICULTURAL FIELD
DTE BLUESTONE PIPELINE
NEW MILFORD, PA**

EXTENSION OF TIME REQUEST

Date 2/1/18

PROPERTY OWNER:
Goldwrench Enterprises, LLC

APPLICANT:
Dirk Gold, agent for Goldwrench Enterprises, LLC

LOCATION OF PROPERTY:
588 East Side Highway, Waynesboro in the Wayne District

SIZE OF PROPERTY:
2.784 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

- PREVIOUS ZONING OR S.U.P.:**
- 1947 Zoned Agriculture
 - 12/76 SUP approved for motorcycle shop
 - 10/78 Expansion of convenience store
 - 08/81 SUP approved for body and fender shop
 - 08/85 SUP approved for auto service and repair shop
 - 12/85 SUP denied for used car lot and appliance repair
 - 12/90 SUP approved to add alternator repair & wrecker service with a vehicle storage area
 - 03/07 Existing SUP transferred to Jarrett, Joseph, and Dirk Gold
 - 03/07 SUP approved for addition to building, increase parking lot, and relocate the vehicle storage area
 - 09/08 SUP approved to enlarge the fenced vehicle storage area and have display and sales of vehicles
 - 02/15 SUP approved to construct a larger fenced vehicle storage

LAND USE MAPS:
Community Development Area – Low Density Residential

UTILITIES:
Public water – private septic

The applicant is requesting a one (1) year Extension of Time.

STAFF COMMENTS

The Board approved the Special Use Permit to have a larger fenced area with the Operating Condition that they obtain a Special Use Permit for the garage addition within two (2) years and reduce the size of the vehicle storage area by one-half. The applicant is requesting a one (1) year extension to complete this.

The applicant is requesting another one (1) year Extension of Time.

STAFF COMMENTS

The applicants are requesting a second Extension of Time to construct the addition to their garage originally approved in 2007 but has never been constructed. The applicant has not submitted site plans nor have they applied for any Building Permits to construct the addition. Staff is also concerned that inspections since the last Extension of Time approval, have found inoperable vehicles outside the impound area in violation of their operating conditions. Due to the length of time, (ten (10) years) that the addition has not been constructed, and the numerous violations, staff feels this portion of the Special Use Permit should expire and the applicant re-apply when they are ready to begin construction. Therefore, Staff recommends denial of the extension of time.

AGENDA ITEM # 7B

Date 2/1/18

EXTENSION OF TIME REQUEST

PROPERTY OWNER:

Churchville Volunteer Fire Department

APPLICANT:

Craig Williams, agent for the Churchville Volunteer Fire Department

LOCATION OF PROPERTY:

3829 Churchville Avenue, Churchville, in the Pastures District

SIZE OF PROPERTY:

1.13 acres

VICINITY ZONING:

General Agriculture to the north; General Business to the east; Single Family Residential to the south; General Business and Single Family Residential to the west

PREVIOUS ZONING OR S.U.P.:

10/47 Zoned General Business
11/85 Additional lots zoned to General Business
2/2000 Rezoned Public Use Overlay

LAND USE MAPS:

Community Development Area

UTILITIES:

Private well and septic

APPLICANT'S JUSTIFICATION:

To enlarge and extend an existing nonconforming structure.

The applicant is requesting a one (1) year Extension of Time.

STAFF COMMENTS

The applicant has received site plan approval but has not started construction. They are in diligent pursuit, therefore, staff recommends approval.

AGENDA ITEM # 7C

Date 2/1/18

EXTENSION OF TIME REQUEST

PROPERTY OWNER:

Augusta County Company, LLC, c/o Ramsey Enterprises

APPLICANT:

Rick Shuffield, agent for Love's Travel Stops and Country Stores, Inc.

LOCATION OF PROPERTY:

On the north side of Pilot Truck Drive, in the northwest quadrant of the intersection of Pilot Truck Drive and Lee Jackson Highway (Route 11), in the Riverheads District

SIZE OF PROPERTY:

82-73 (21.140 acre portion) and 82-71E (5.54 acre)
Total Acreage: 26.68

VICINITY ZONING:

General Business surrounds these parcels on the north, south, and east; General Business and General Agriculture to the west

PREVIOUS ZONING OR S.U.P.:

05/11/66 Zoned General Business

LAND USE MAPS:

Urban Service Area – Business

UTILITIES:

Public water and sewer available

APPLICANT'S JUSTIFICATION:

To have a travel plaza and truck stop, tire shop, convenience store, and restaurant

The applicant is requesting a one (1) year Extension of Time.

STAFF COMMENTS

The applicant has submitted a site plan for approval and is working on completing the other pre-conditions. Staff recommends approval.

AGENDA ITEM # 7D

Date 2/1/18

CANCELLATION REQUEST

PROPERTY OWNER:

Almarode, LLC

APPLICANT:

Jason Almarode

LOCATION OF PROPERTY:

1989 Mt. Torrey Road, Lyndhurst in the South River District

SIZE OF PROPERTY:

0.741 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:

Private septic and public water

APPLICANT'S JUSTIFICATION:

To operate a towing business with outdoor storage.

The applicant is requesting to cancel the Special Use Permit.