

AGENDA ITEM # 4E

Date 3/1/18

PROPERTY OWNER:

Doug Huffman

APPLICANT:

Same

LOCATION OF PROPERTY:

On the west side of East Side Highway, approximately .204 miles north of Patterson Mill Road in the Middle River District

SIZE OF PROPERTY:

2.033 acres

VICINITY ZONING:

General Agriculture to the north, south and west; General Industrial and General Agriculture to the east

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

LAND USE MAPS:

Rural Conservation Area

UTILITIES:

None

APPLICANT'S JUSTIFICATION:

To have outside storage and sales of farm equipment

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

After review, our office has no comments.

HEALTH DEPARTMENT'S COMMENTS:

Health Department has no comment, as no building is onsite and service provided only by appointment.

HIGHWAY DEPARTMENT'S COMMENTS:

The proposed entrance meets VDOT's sight distance requirements. It should be noted that an existing wire (possibly telephone) may be a clearance issue for certain trucks and deliveries requiring caution and/or coordination with the utility company to raise the utility. The proposed turn around area may need to be revised once the type of truck traffic is determined. It is recommended that the property owner regularly inspects the site to replace gravel as needed to prevent mud and debris from being tracked onto Rt. 340. It is

estimated that the use will not exceed 50 vehicle trips per day (enter + exit); therefore, a gravel low volume commercial entrance will be required initially. Should the traffic intensity exceed the 50 vpd low volume threshold, the entrance may be required to be upgraded to meet the standard paved commercial entrance standards.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

Less than 10,000 square feet – ok. If more than 10,000 square feet is graded, then Erosion and Sediment Control/Stormwater Management Plans will be required.

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 ten (10) to fifteen (15) pieces of equipment stored on the site. The retail sales will be used farm equipment such as tractors, hay equipment, cattle feeders, etc. The equipment will be visible from Route 340 (East Side Highway).

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 reside on this vacant parcel. He lives two (2) miles south of the property.

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

Businesses and storage of equipment for sale are more appropriate in Business zoned areas. However, the sale of farm equipment and machinery should be appropriate for the agricultural 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 business has direct access to Route 340 (East Side Highway) and is a state maintained road.

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

The property contains 2.03 acres and has an approved VDOT entrance that should accommodate all traffic to and from the public highways.

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 buildings are being 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 or new construction. Vacant lot.

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

Vacant property being used only for a storage yard for retail sales of used farm equipment. No structure, no water, or sewage required.

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

Grottoes Fire Department is within five (5) miles of the 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.

All equipment is being proposed to be stored along the rear property line more than twenty-five (25') feet off of the edge of pavement.

STAFF RECOMMENDATIONS

The applicant is requesting to have outside storage and retail sales of used farm equipment on a vacant parcel he owns. No buildings are being constructed and there will be no employees. The equipment will be stored in the existing grassy area approximately 122' X 600'. Onsite parking will be provided within the yard and will be gravel with a gravel turnaround pad and entrance. The applicant is proposing ten (10) to fifteen (15) pieces of equipment such as tractors, hay equipment, and cattle feeders stored onsite. The applicant would like to be open Monday thru Saturday with no Sunday sales. Due to the fact that the 2.03 acre parcel lies between the railroad and Route 340 (East Side Highway) and is across the street from General Industrial zoned property, staff feels the request would not have an adverse impact on neighboring properties and recommends approval with the following conditions:

Pre-Condition:

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

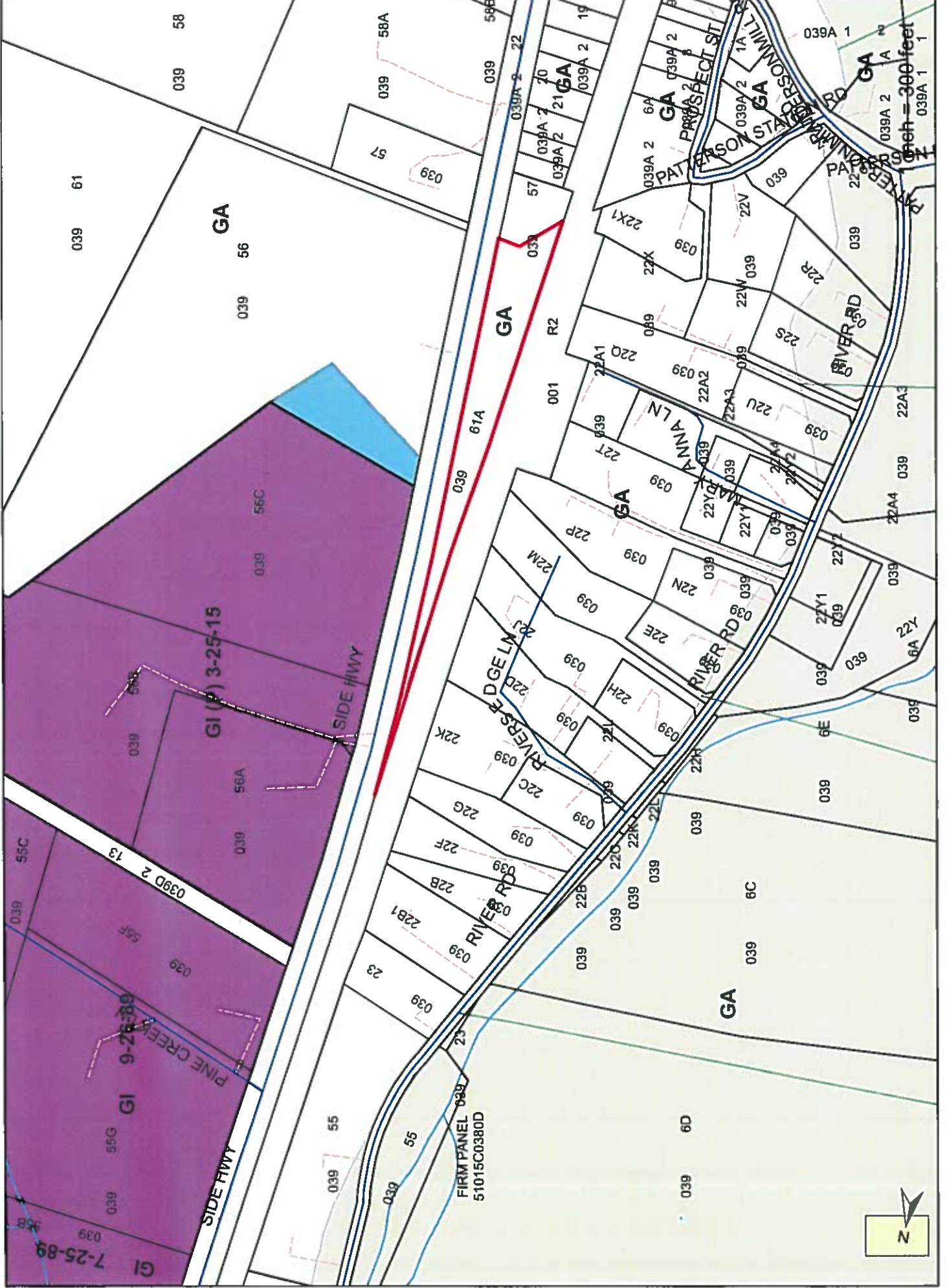
Operating Conditions:

1. All outdoor storage be kept in the designated areas shown on the site plan.
2. Be limited to fifteen (15) pieces of equipment at the site.
3. Hours of operation be 8:00 a.m. to 5:00 p.m. Monday – Thursday and 9:00 a.m. to 6:00 p.m. Friday – Saturday.
4. No Sunday work.
5. No employees other than family members.
6. Site be kept neat and orderly.
7. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.

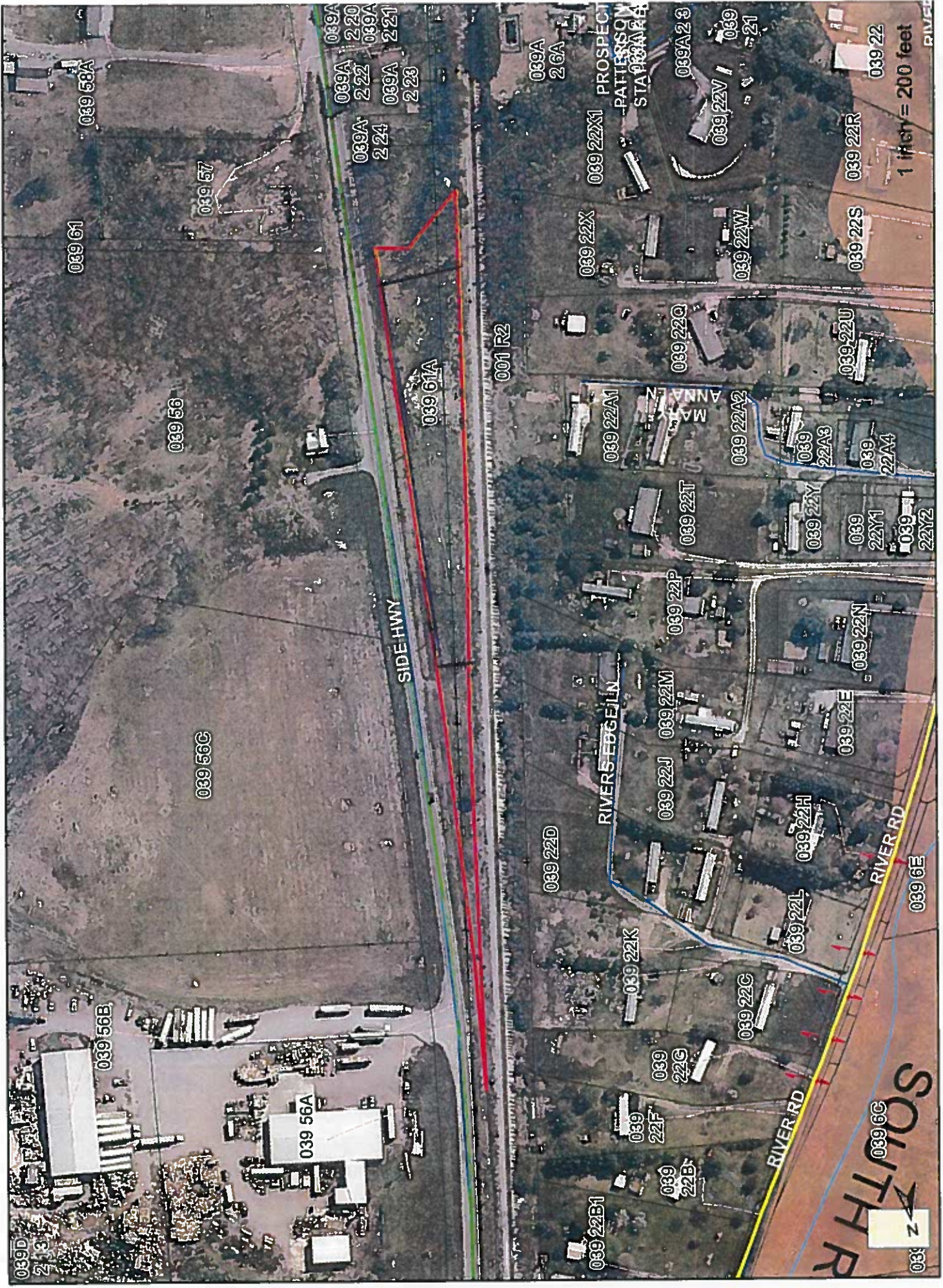


11.06.2020

Huffman

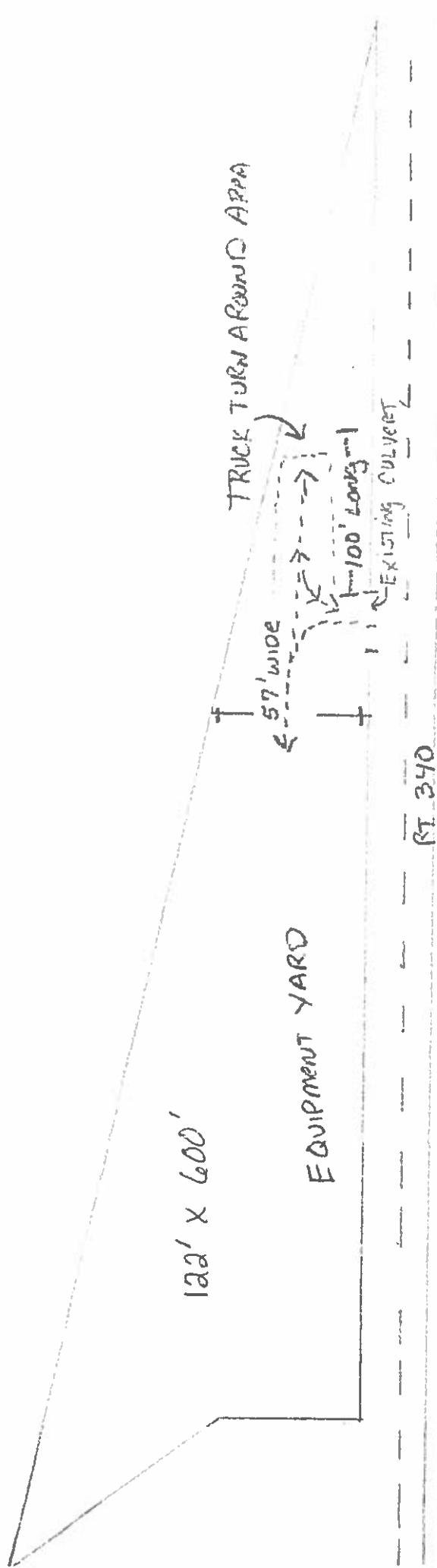


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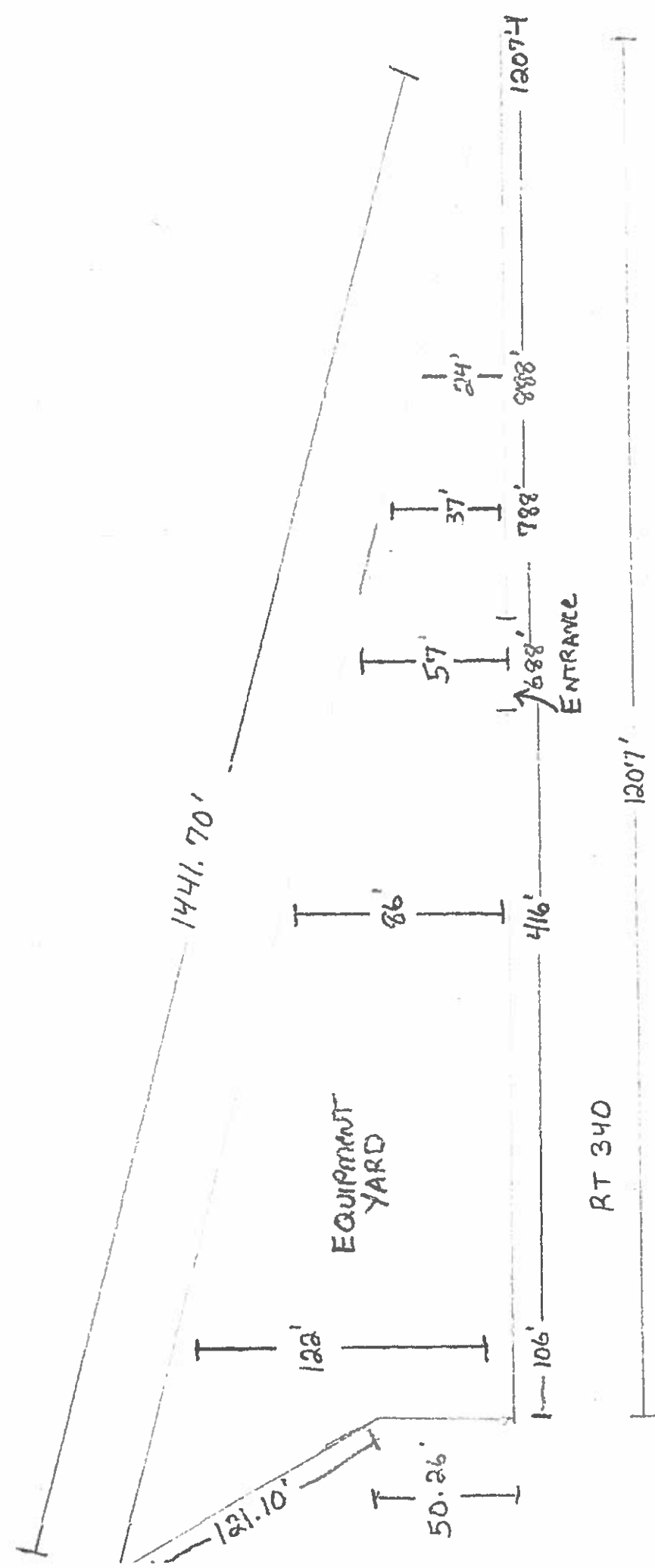


1 inch = 200 feet

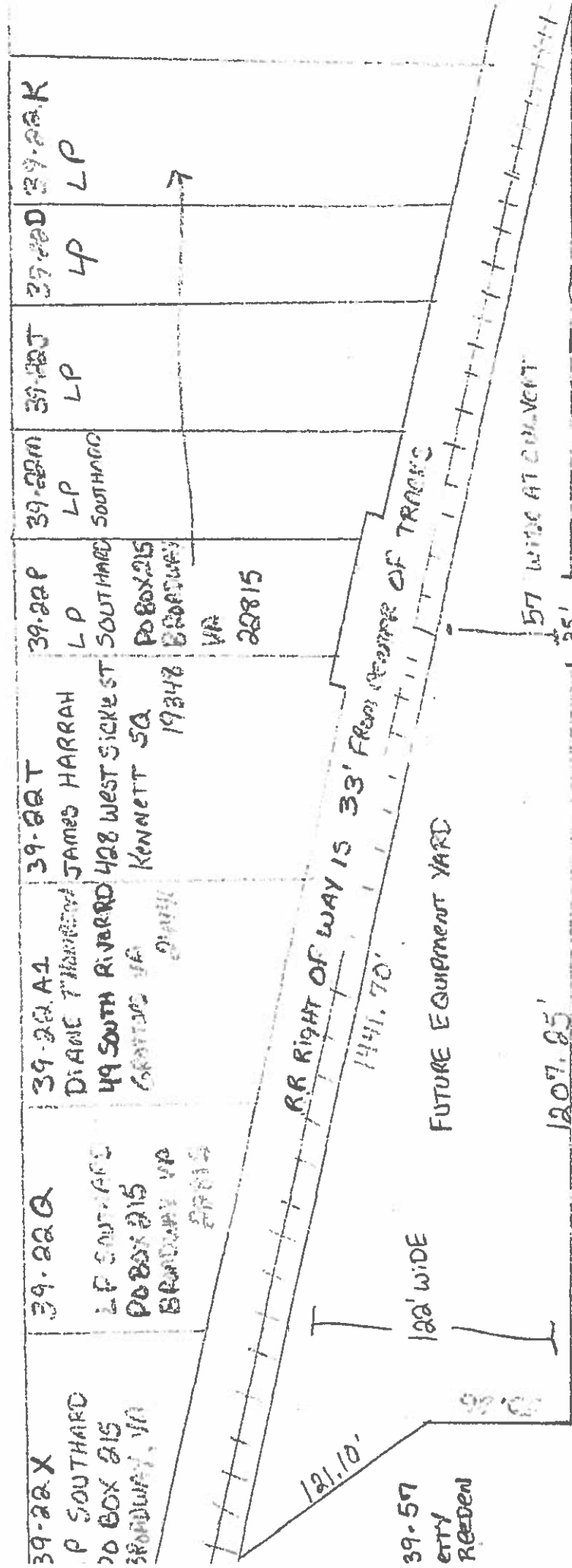
TRUCKS CAN ENTER PROPERTY AND
TURN TO THE LEFT, THEY CAN THEN BACK
UP IN THE TURN AROUND AREA THEN
TURN TO THE LEFT TO EXIT ONTO RT 340



- 1) EQUIPMENT YARD WILL BE TO THE LEFT OF THE ENTRANCE
- 2) TO THE RIGHT OF THE ENTRANCE WILL BE OVER 200' OF ROOM TRUCKS CAN BACK INTO TO TURN AROUND THIS AREA WILL HAVE A WIDTH OF 20' OR MORE.



TRUCK TURN AROUND PLAN PLEASE SEE ATTACHED



RT 340

39-57
BETTY REEDEN
1763 EAST SIDE HWY
GROTTOS, VA 24441

39-56
TB INVESTMENT PROPERTIES LLC
3711 MORTON DR
CRIMORA, VA 24431

39-56C
TB PALLETS LLC
2879 EAST SIDE
GROTTOS VA 24441

AGENDA ITEM # 4F

Date 3/1/18

PROPERTY OWNER:

Warren A. or Kim M. Shand

APPLICANT:

Pam Taylor and Chester Riley

LOCATION OF PROPERTY:

1382 Hermitage Road, Waynesboro in the Middle River District

SIZE OF PROPERTY:

45.094 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 private septic

APPLICANT'S JUSTIFICATION:

To have weddings and special events

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

After review, our office has no comments.

HEALTH DEPARTMENT'S COMMENTS:

Applicant indicated that restrooms would be built at the time of pole barn construction. The applicant was advised to seek the services of a private onsite soil evaluator for drainfield design. At this time the Health Department has not received an application for an onsite sewage disposal system permit.

HIGHWAY DEPARTMENT'S COMMENTS:

The proposed use is required to meet the VDOT Commercial Entrance requirements. Although the existing entrance is paved, it will need to be enlarged to meet the geometric requirements (25' radii, 18' min. throat width). The existing entrance location has adequate sight distance.

SERVICE AUTHORITY'S COMMENTS:

1. The property is located outside the Urban Service and Community Development Areas. There is no public water or sewer available in the immediate area of the subject property.

For general information, the nearest public water line is located at the intersection of Barren Ridge Road and Hermitage Road.

ENGINEERING'S COMMENTS:

Anticipate greater than 10,000 square feet of disturbed area. Require Erosion and Sediment Control and Stormwater Management Plans.

SECTION 25-74H - PUBLIC ACCOMMODATION FACILITIES

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

The applicants are proposing a 60' x 80' pole barn for weddings and events as well as farm storage of hay and equipment. Weddings and special events should be compatible with the neighboring properties.

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 applicants are requesting to hold forty (40) events per year with up to three hundred (300) attendees which could impact other homes in the area.

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 access to Hermitage Road which is a state maintained road.

STAFF RECOMMENDATIONS

The applicant is requesting to construct a new 60' X 80' (4,800 square foot) structure to host weddings and special events. They are requesting to have forty (40) events per year with up to 300 attendees. There will be no overnight accommodations. A new septic system will be installed during construction and restrooms will be provided per code inside the barn. The structure will mainly be used for receptions but a ceremony could be held inside. There will be a food prep area, however, no stove, only a refrigerator and sink. All food will be catered. Applicant is proposing amplified music during events inside the

barn. Staff feels that weddings and special events in a rural setting would not be out of character if the number of events are limited.

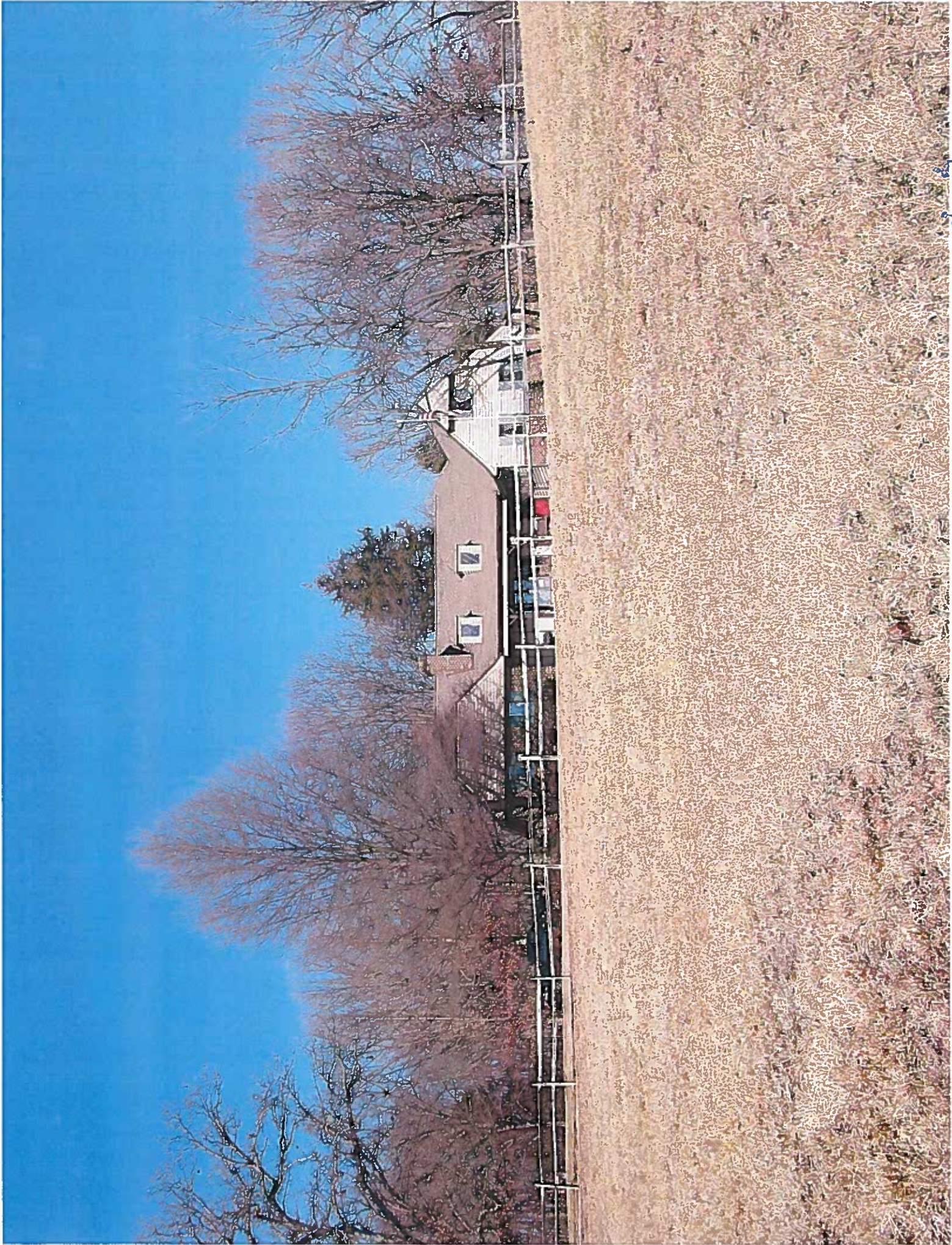
Pre-Conditions:

1. Submit complete Erosion and Sediment Control and Stormwater Management Plan to Community Development.
2. Obtain Health Department approval and provide a copy to Community Development.
3. Obtain VDOT approval and provide a copy to Community Development.

Operating Conditions:

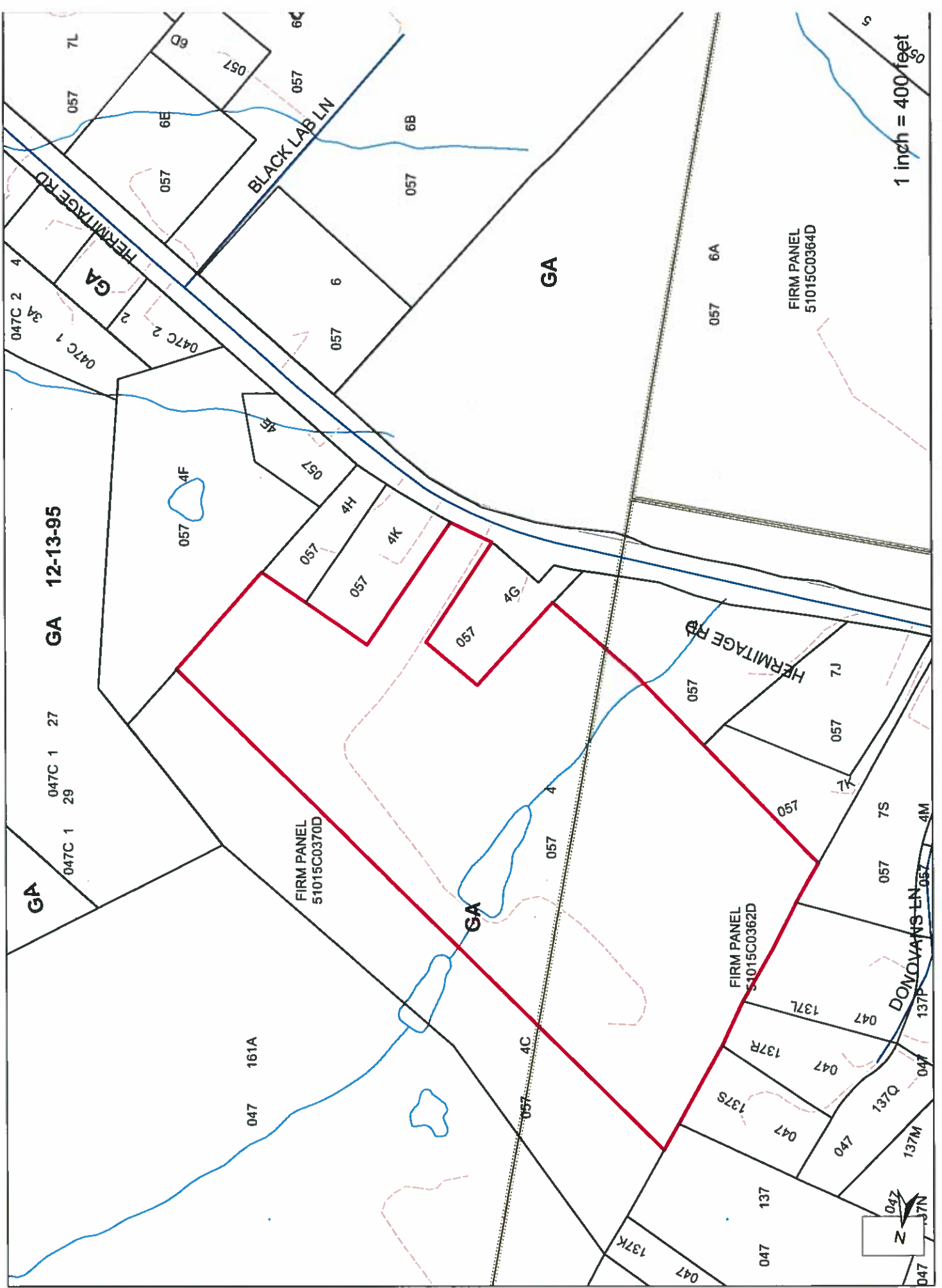
1. Be permitted to build a 60' x 80' barn for weddings and special events.
2. Obtain all necessary permits and inspections.
3. Be limited to thirty (30) events per year but no more than three (3) per month.
4. All amplified music shall be inside the structure. No outdoor amplified music.
5. Applicant must reside on premises.
6. Be limited to a maximum of three hundred (300) people per event.
7. Applicant or designated agent be onsite during all events.
8. All events cease by 11:00 p.m. and all persons off of the property by 12:00 a.m.
9. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.
10. Site be kept neat and orderly.

12/23/20





Shand



1 inch = 400 feet



being existing entrance
 driveway will Com4
 off of existing
 driveway - Will
 widen driveway
 to VDOT Comments
 - parking will be in
 grassy area around
 the building.
 60' x 80' building.
 new driveway will be
 gravelled -



Shard

1 inch = 200 feet

AGENDA ITEM # 4G

Date 3/1/18

PROPERTY OWNER:

Glenna L. Dyson

APPLICANT:

Same

LOCATION OF PROPERTY:

172 Horsehead Road, Grottoes in the Middle River District

SIZE OF PROPERTY:

19.227 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:

Private Well and Private Septic

APPLICANT'S JUSTIFICATION:

To have a personal dog kennel

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

After review, our office has no comments.

HEALTH DEPARTMENT'S COMMENTS:

Kennel will be for personal use. Health Department has no comments.

HIGHWAY DEPARTMENT'S COMMENTS:

The existing entrance is adequate for the requested use.

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. No Erosion and Sediment Control/Stormwater Management required.

ANIMAL CONTROL'S COMMENTS:

If approved, please have stipulations that there be a fenced area as we have received calls about dogs from this property running at large.

SECTION 25-74C - ANIMAL CARE FACILITIES

There is an adequate plan to keep the facility neat and clean, free of dirt, fecal accumulation, odors, and parasite infestation.

The applicant states the outside area is cleaned weekly.

Adequate facilities will be constructed to ensure good ventilation and the maintenance of proper temperatures within healthful and comfortable limits for the animals.

The dog house has four (4) windows for ventilation. Hay is used for warmth during the cold months.

Fencing will be sturdy and well maintained and will be of sufficient strength and height to safely secure the animals.

There is no existing fence. There is a 30' run made of metal and heavy plastic to secure the dog outside.

Exercise areas will provide adequate shelter from wind, rain, snow, and direct sunlight.

No fenced exercise area. Seven (7) dogs are kept inside the house and let out for supervised bathroom breaks and the Lab stays outside at all times. The door to the structure is open to allow shelter from wind, rain, snow, and direct sunlight.

There is an adequate plan to address safety from fire and other hazards, including alarm systems and suppression equipment when appropriate.

There are smoke detectors in the home.

Both the inside and outside facilities will be of proper size to accommodate the anticipated breeds and numbers of animals.

Seven (7) dogs are inside the home. The Lab is outside and has access to a 30' X 30' structure at all times.

The site contains a minimum of five (5) acres. The minimum acreage required for the permit must be retained in the same ownership for the permit to remain valid. Nothing herein shall be deemed to limit the ability of the board of zoning appeals to require a larger site when necessary to protect the neighboring properties and to accommodate the anticipated breeds and numbers of animals.

The site contains 19.227 acres.

The animals shall be confined within an enclosed building from 10 p.m. to 6 a.m. unless the board of zoning appeals is satisfied that keeping the anticipated animals outside during such hours will not be a nuisance to neighboring properties.

Seven (7) dogs are kept inside the dwelling at night and the Lab is put inside the 30' X 30' structure at night.

No structure occupied by animals, other than the principal dwelling of the owner/operator shall be closer than two hundred feet (200') from any lot line. No outside run or other outdoor area occupied by animals more than two (2) hours in any 24 hour period shall be nearer than five hundred feet (500') to any lot line. Nothing herein shall be deemed to limit the ability of the board of zoning appeals to require larger setbacks when necessary to accommodate the anticipated breeds and numbers of animals or to better protect neighboring properties.

The 30' X 30' structure is at least 200' from all property lines; however, the area where the dog is kept more than two (2) hours in a twenty-four hour period is closer than 500' from the road and the property lines to the south.

STAFF RECOMMENDATIONS

The applicant is requesting a personal kennel in order to keep the eight (8) dogs she currently has onsite. She was not aware that a Special Use Permit was needed for more than four (4) dogs. She currently has two (2) Yorkshire Terriers, one (1) Dachshund, one (1) Chihuahua, one (1) Red Hound mix, one (1) Golden Retriever, and one (1) Labrador Retriever. Seven (7) of the dogs are kept inside the dwelling and the Lab is kept outside on a thirty foot (30') run. The applicant does not want to increase the number of dogs but only wants to keep her existing dogs until they pass away.

The existing structure used for the dog's shelter meets the current two hundred foot (200') setback from all property lines; however, the area where the dog is kept outside more than two (2) hours in a twenty-four hour period is closer than the required five hundred feet (500') from the road and the property lines to the south.

Before March 1, 2010, the board could have considered a kennel area with a setback of less than fifty (50') feet if the Board was satisfied that the soundproofing or other measures would adequately protect neighboring properties. Prior to 2002, there were no minimum standards. The applicant's home was constructed in 1992, which was prior to the setback requirements and they have continually had dogs on site both inside and outside.

Animal Control states they have received calls regarding the dogs running at large and would recommend a fence be provided for bathroom breaks and exercise areas. Due to the fact that the outside area does not meet the five hundred foot (500') setback requirement and there is no fenced area to confine the dogs and lessen the impact on the neighbors, Staff cannot recommend approval. However, if the Board desires to take into

consideration that the kennel is only for personal dogs with no increase in number requested, and there have been dogs on this site for more than twenty (20) years and feels the request would be compatible with the surrounding properties and wishes to approve the request, Staff would recommend the following operating conditions:

Pre-Condition:

1. A six foot (6') high chain link fence be installed around the area where the Lab is contained and be utilized by all dogs when outside for exercise and bathroom breaks within **ninety (90) days**.

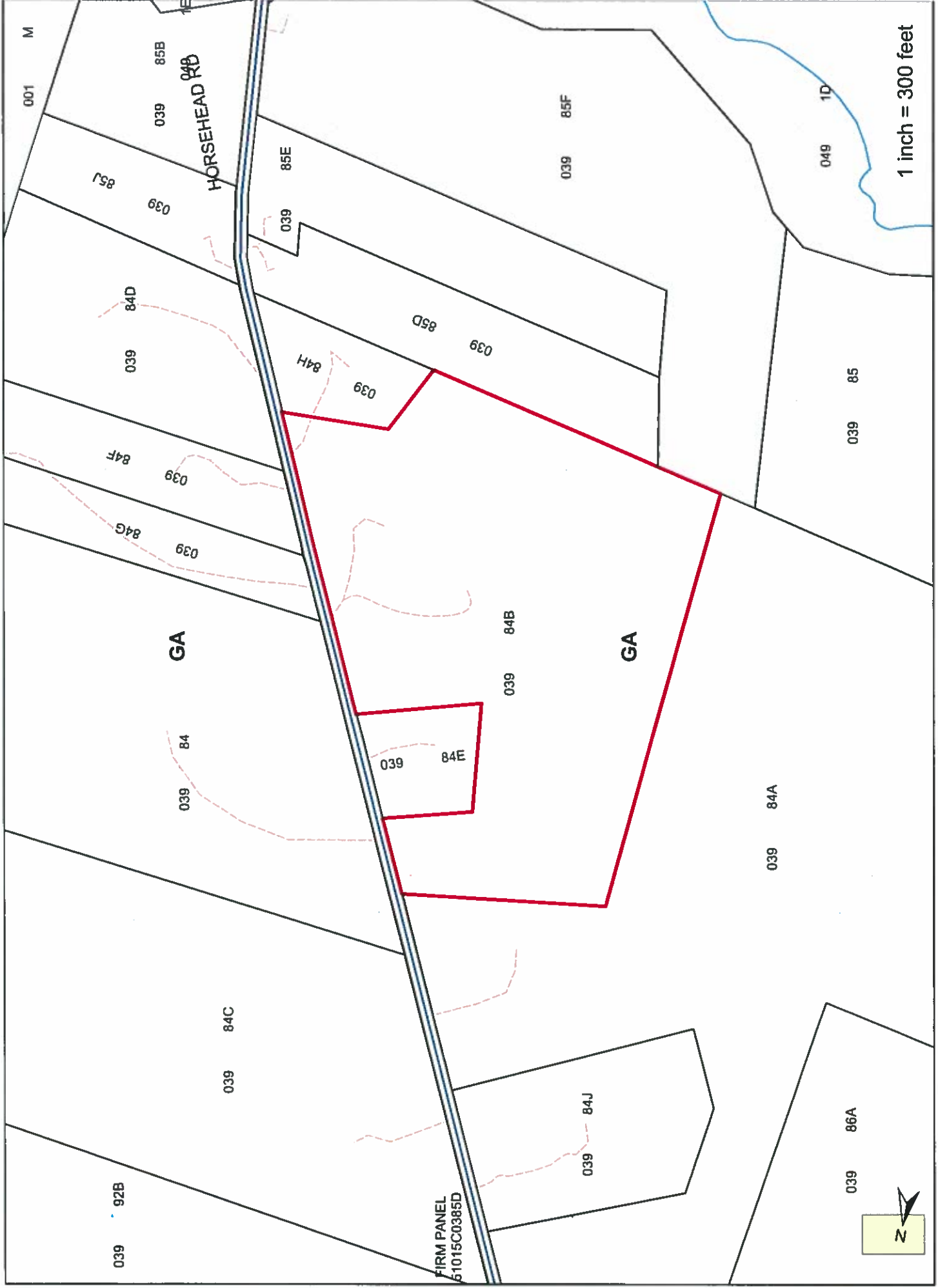
Operating Conditions:

1. Applicant be permitted to keep the eight (8) existing dogs, however, as they expire they not be replaced, and then a maximum of four (4) adult dogs be kept at this site.
2. Animal Control to inspect the site every **six (6) months**.
3. Site be kept neat and orderly.



Dyson

Dyson



1 inch = 300 feet

039 86A



FIRM PANEL
61015C0385D

GA

GA

001 M

039 92B

039 84C

039 84

84G

84F

84D

85J

039 85B

1E

85E

039

85D

039 84B

039

84E

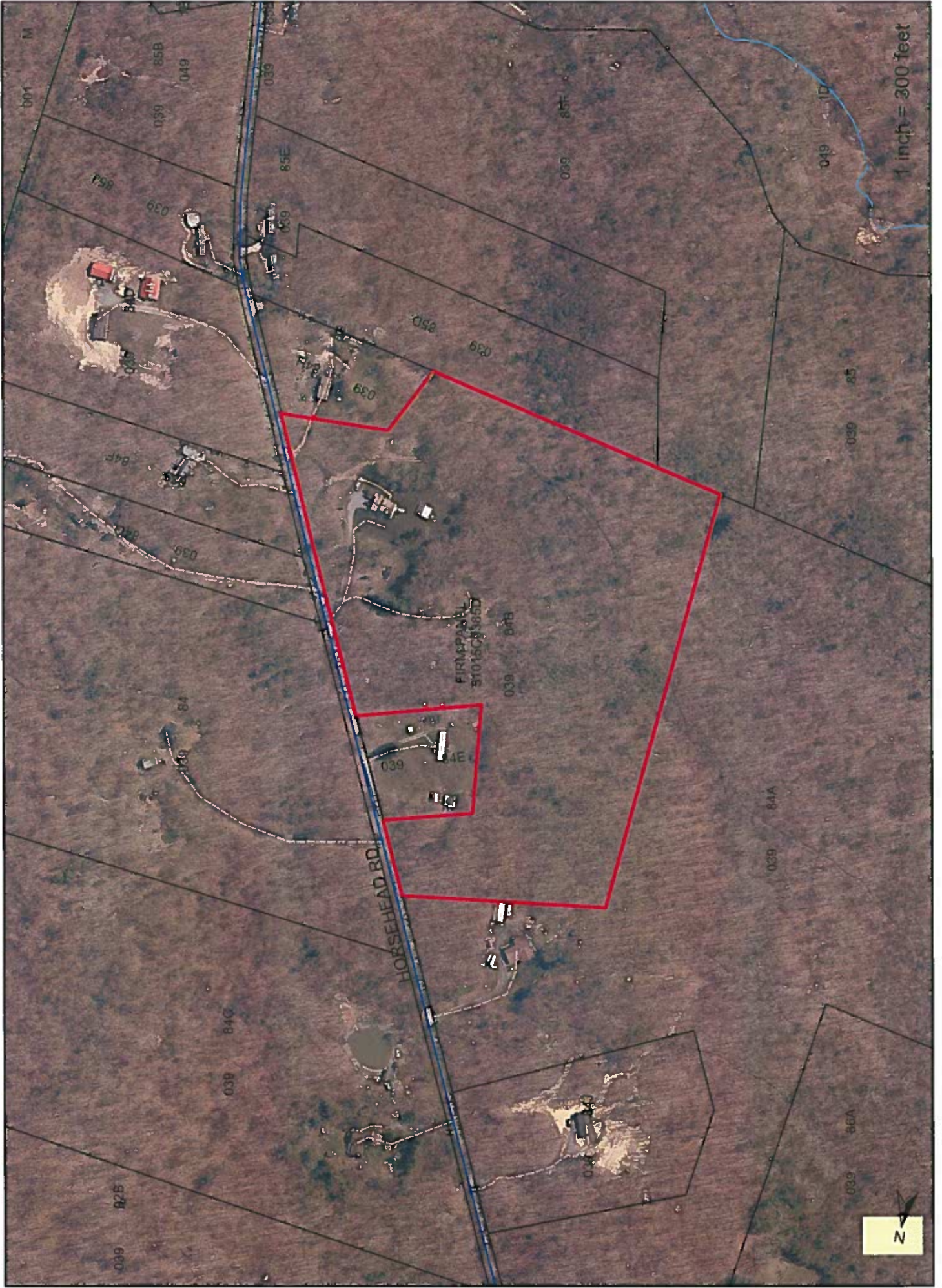
039 84A

039 85F

049 1D

039 85

Dyson



AGENDA ITEM # 44

Date 3/1/18

PROPERTY OWNER:

Bonos Enterprises, LLC

APPLICANT:

Robert Baber, agent for Baber Enterprises, Inc.

LOCATION OF PROPERTY:

310 Parkersburg Turnpike, Staunton in the Pastures District

SIZE OF PROPERTY:

2.025 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

09/98 SUP to construct a 50' x 80' building to have a shop/office for heating and air conditioning business

LAND USE MAPS:

Urban Service Area – Medium Density Residential

UTILITIES:

Public water, private septic

APPLICANT'S JUSTIFICATION:

To have a contractors office with outdoor storage of equipment

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

After review, our office has no comments.

HEALTH DEPARTMENT'S COMMENTS:

Applicant stated that 6 employees will be using the building mainly in the mornings. The Health Department has a 1998 septic permit on file for a 150 gallon septic system for 6 people employees maximum per day. If the business exceeds 6 employees per day then the applicant will need to contact a private onsite soil evaluator and/or engineer to determine the suitability of the existing septic system.

HIGHWAY DEPARTMENT'S COMMENTS:

The existing entrance is adequate for the requested use; it has served as similar use in the past.

SERVICE AUTHORITY'S COMMENTS:

1. 310 Parkersburg Turnpike is currently a Service Authority water only customer. If there are no plumbing fixtures added, the Service Authority has no additional comments. If plumbing fixtures are being added, the Service Authority will require a meter sizing form to be completed by the applicant to determine if the existing meter size is adequate.
2. As general information, there is an existing 8" sewer line approximately 403'± to the west of the subject property.

ENGINEERING'S COMMENTS:

Less than 10,000 square feet – ok. If area is later graveled, will require Stormwater calculations.

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.

Outdoor storage of vehicles and equipment are proposed behind the existing portion of privacy fencing and natural screening located behind the existing building.

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.

No persons will reside onsite. This has been an office since 1998.

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

A contractor's office within an existing building should be appropriate for the 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.

Property has direct access onto Parkersburg Turnpike which is a state maintained road.

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

The property contains 2.025 acres. There is an existing entrance and parking area large enough to accommodate traffic flow on the site.

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.

There is an existing 50' x 80' building onsite. No new construction 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 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 County water and septic system.

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

They will have smoke detectors and fire extinguishers and install motion sensory security lighting.

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.

Nothing will be displayed for sale.

STAFF RECOMMENDATIONS

The applicant is requesting to have a roofing contractor's office with limited outdoor storage of equipment and vehicles. The applicant has five (5) company trucks and four (4) licensed trailers. Three (3) of the company trucks will stay onsite and will be parked behind the building with the trailers in the grassy area. The applicants are requesting to store small equipment directly behind the building and use an existing fence and woods for screening. The applicant is requesting up to ten (10) employees meeting onsite in the mornings and leaving in the company trucks and there will also be one (1) administrative person onsite no more than three (3) hours a day. The Health Department's comments state the septic system would need to be upgraded if there are more than six (6) employees at this location. There will be no customers coming to the site and the building will primarily be used for storage and metal fabrication when needed. The property has been used for a similar business use since 1998 and staff has had no neighbor complaints. Staff feels that the request would not be out of character with the neighboring properties and recommends approval with the following conditions:

Pre-Conditions:

None

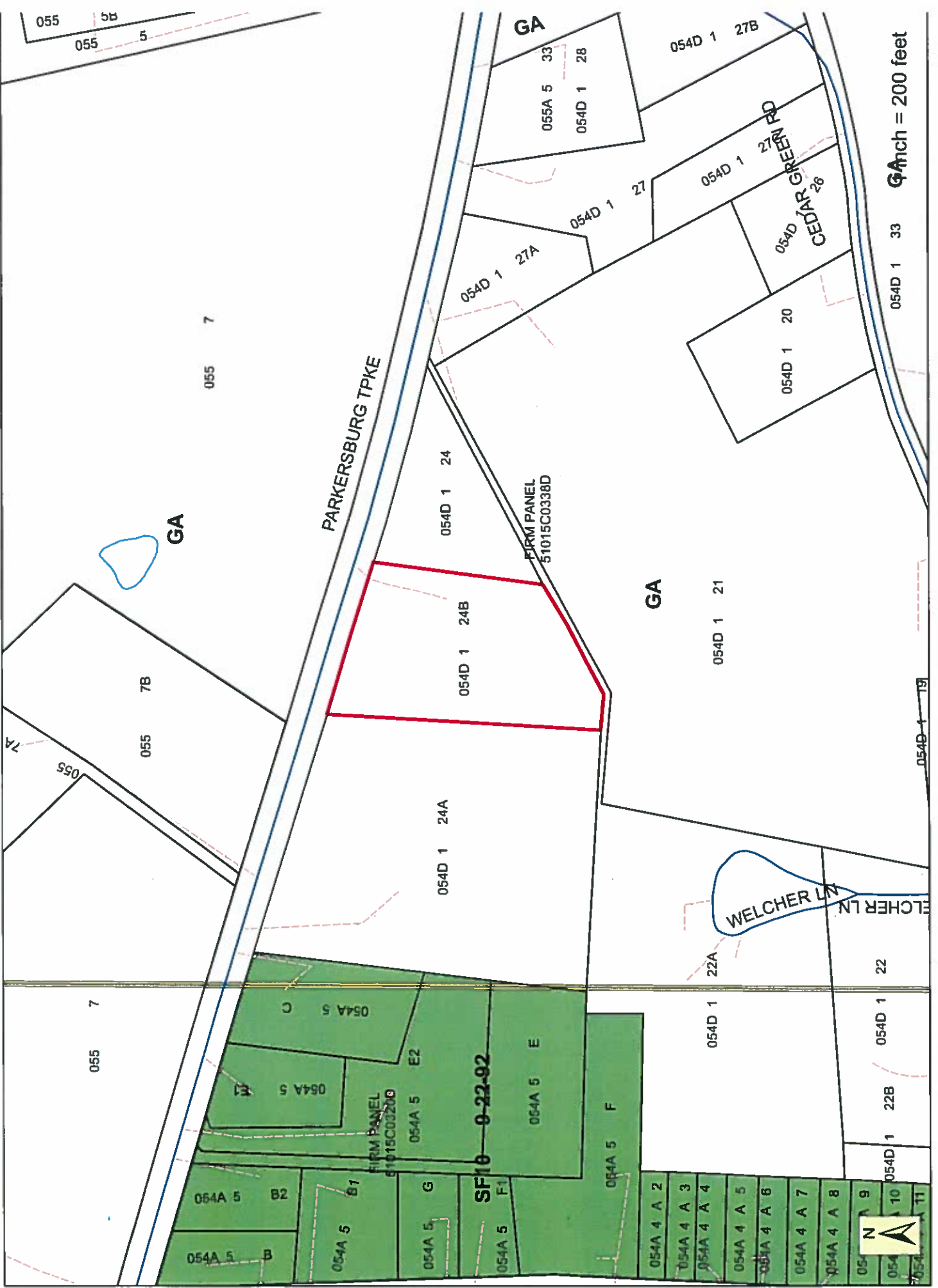
Operating Conditions:

1. Be limited to a maximum of six (6) employees at the office per day, unless approved by the Health Department.
2. All outdoor storage of equipment and vehicles be kept in the designated areas shown on the site plan behind the building.
3. No refuse from the business to be brought to this site.
4. Hours of operation be 8:00 a.m. to 4:00 p.m. Monday – Friday.
5. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
6. Site be kept neat and orderly.



Banns

Bonos Enterprises, LLC



200 feet

Bonos Enterprises, LLC





Parkway for
business
trailers
& vehicles



20' TIRM PANEL
055 7
055 7

055 7

GA

HARRISBURG PIKE

1 inch = 100 feet

Bonos Enterprises

Date 3/1/18

PROPERTY OWNER:
Jerry L. or Donna H. Vandevander

APPLICANT:
George A. or Jackie Heflin

LOCATION OF PROPERTY:
70 and 72 Todd Hill Lane, Mt. Solon in the North River District

SIZE OF PROPERTY:
1.730 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:
Private well and septic

APPLICANT'S JUSTIFICATION:
Variance from lot area in order to separate two non-conforming dwellings

PLANNING COMMISSION'S COMMENTS:
No comments.

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

HEALTH DEPARTMENT'S COMMENTS:
Both dwellings have permitted drainfields, as shown on the proposed plat dated 1/4/2018 from Barry Lotts. Proper drainfield easement language should be included on the new deeds to the property. If properties continue sharing the existing well it is advised that proper easement language/maintenance agreement be included.

HIGHWAY DEPARTMENT'S COMMENTS:
Both dwellings access Todd Hill Lane, a private roadway, which intersects Rt. 731, Moscow Loop. VDOT has no objection to the current request since the total traffic generation would be unchanged. However, VDOT would not likely support any additional future divisions on Todd Hill Lane unless the intersection to Rt. 731 could be upgraded to meet current sight distance requirements.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

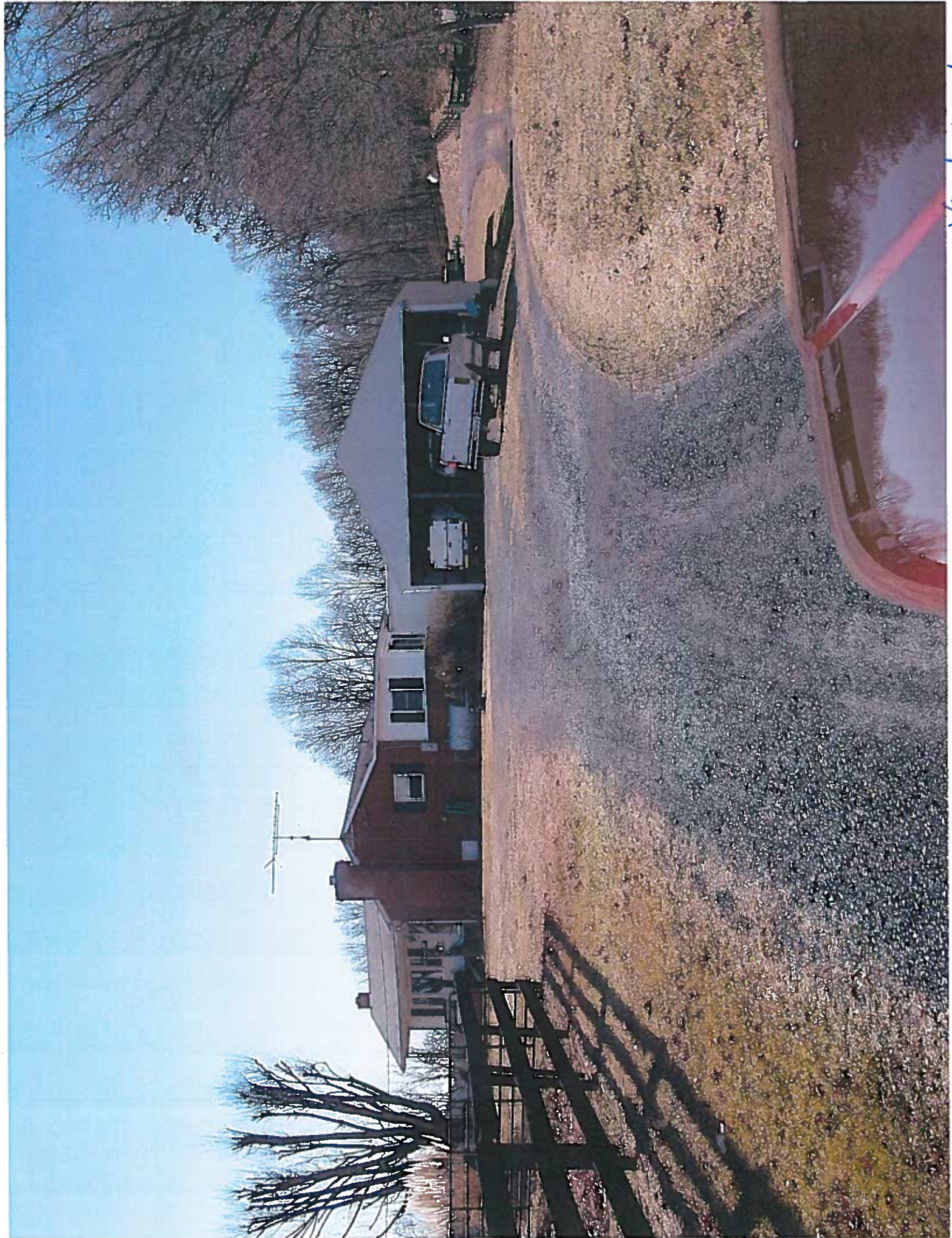
Less than 10,000 square feet – ok. No Erosion and Sediment Control/Stormwater Management required.

STAFF RECOMMENDATIONS

This lot contains two (2) existing dwellings built prior to the current ordinance requirements for lot area. The applicant is requesting a Variance from the one (1) acre minimum lot area requirements in order to separate the two (2) homes into individual lots. The applicant could have separated the homes prior to 1995 without the need for a Variance.

The 1.730 acre area of the existing lot prevents the two (2) dwellings from being separated into individual lots. The ordinance changes made in 1995 prevents the separation of homes without a Variance from the current requirements.

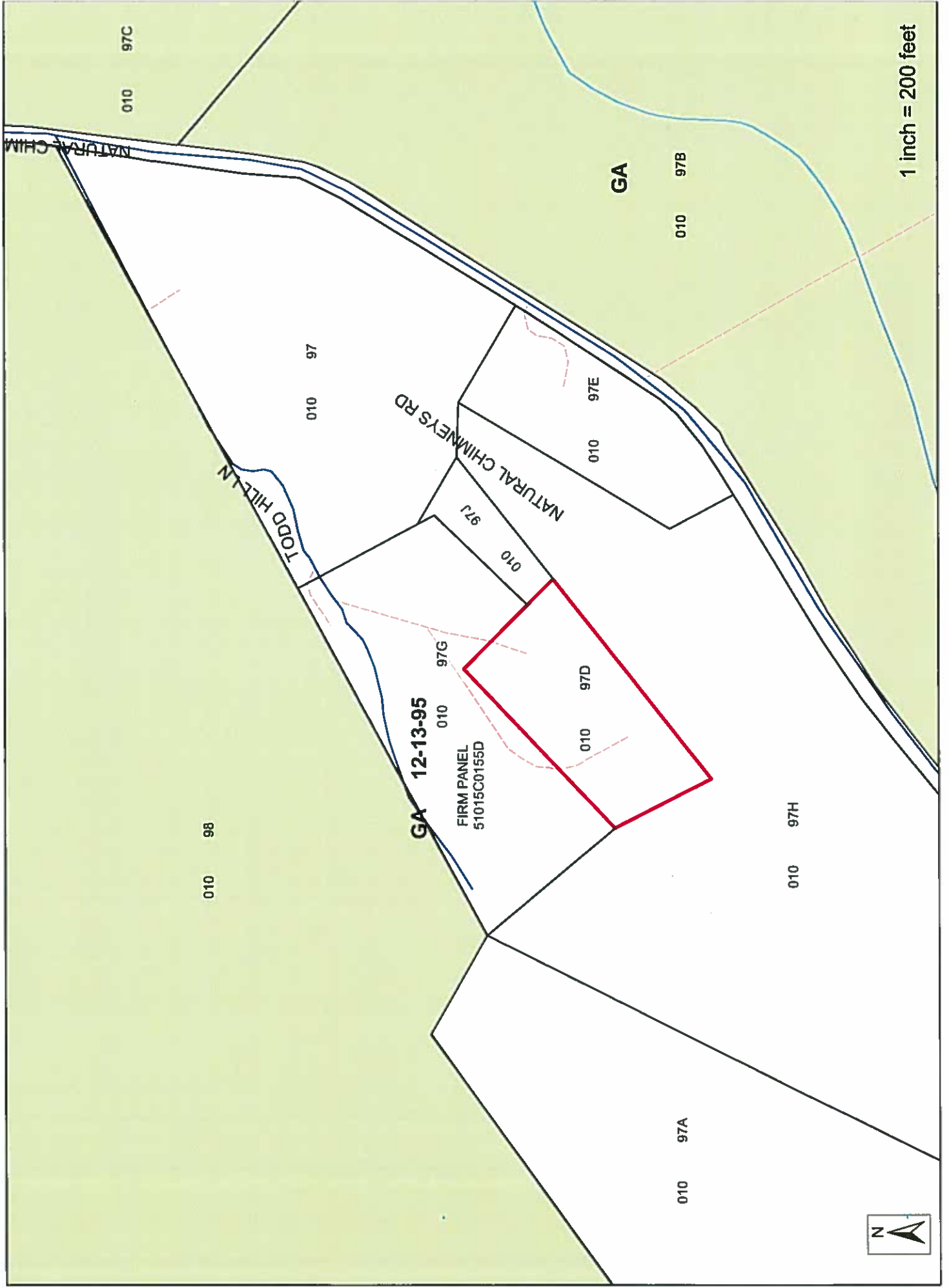
Staff feels the ordinance changes in 1995 created the hardship that the dwellings could not be separated, therefore, staff feels the granting of the Variance would be in keeping with the character of the neighborhood and the spirit of the ordinance and recommends approval.



Vanderlander



Vandevander



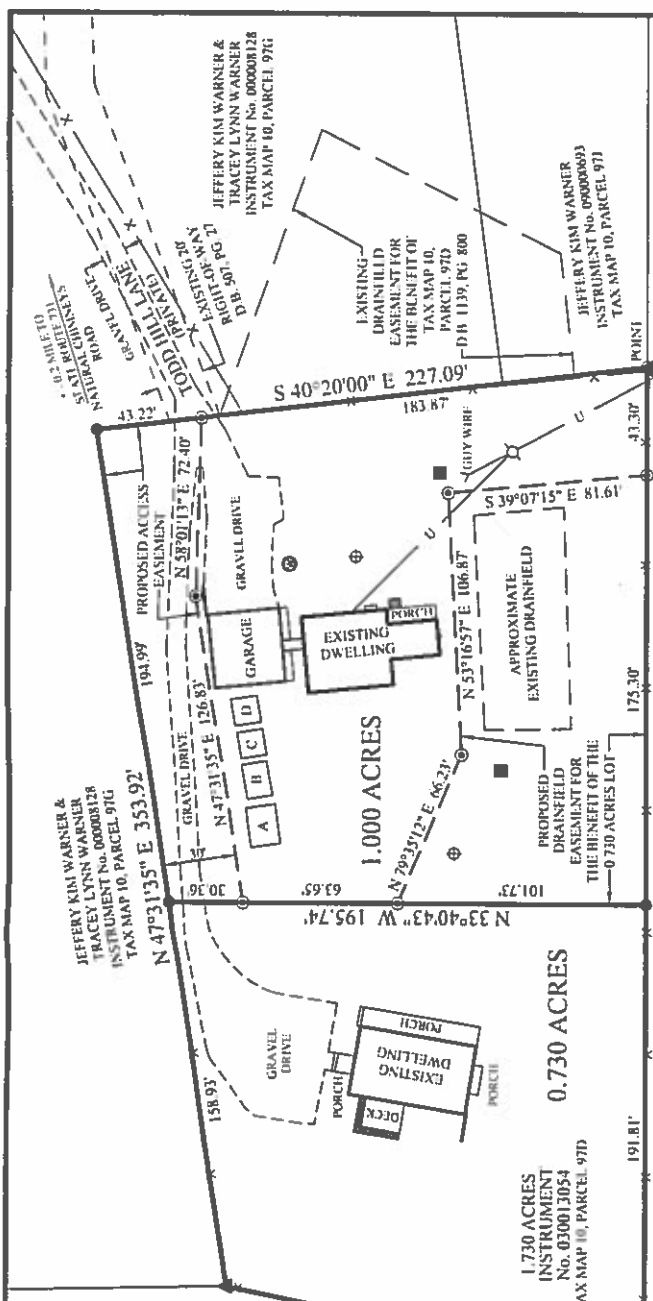
1 inch = 200 feet

Vandevander



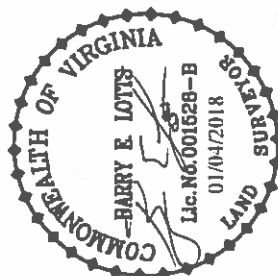
NOTES:

1. DATUM AS SHOWN HEREON IS ACCORDING TO RECORDED INFORMATION AND A CURRENT FIELD SURVEY.
2. THIS PROPERTY IS PRESENTLY IN THE NAME OF JERRY L. VANDEVANDER, DONNA H. VANDEVANDER, GEORGE A. HEFLIN, AND JACKIE L. HEFLIN.
3. BEARINGS ARE REFERATED TO PLAT RECORDED IN DEED BOOK 820, PAGE 605.
4. 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.
5. NO TITLE REPORT HAS BEEN FURNISHED.
6. BOTH LOTS AS SHOWN HEREON HAVE AN EXISTING DWELLING, SEPTIC SYSTEM, AND HIGHWAY ENTRANCE PERMIT WHICH IS NOT AFFECTED BY THIS DIVISION.
7. THE STREETS IN THIS SUBDIVISION DO NOT MEET THE STANDARDS NECESSARY FOR INCLUSION IN THE SECONDARY SYSTEM OF THE STATE HIGHWAY AND SHALL NOT BE MAINTAINED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION OR THE COUNTY AND ARE NOT ELIGIBLE FOR RURAL ADDITION FUNDS OR ANY OTHER FUNDS APPROPRIATED BY THE GENERAL ASSEMBLY AND ALLOCATED BY THE COMMONWEALTH TRANSPORTATION BOARD.
8. THERE WAS NO EVIDENCE OF ANY GRAVE, OBJECT OR STRUCTURE MARKING A PLACE OF BURIAL OBSERVED.
9. THE LOTS AS SHOWN HEREON, ARE IN COMPLIANCE WITH THE PROVISIONS OF CHAPTER 25 APPLICABLE TO WIDTH.
10. SEE DEED BOOK 820, PAGE 605 FOR A DEED OF EXCHANGE WHICH IS NOT MENTIONED AT INSTRUMENT NUMBER 030013054.



PLAT SHOWING A DIVISION OF 1.730 ACRES OF LAND PRESENTLY IN THE NAME OF JERRY L. VANDEVANDER, et al

NORTH RIVER DISTRICT, AUGUSTA COUNTY, VIRGINIA
 SCALE 1" = 50'
 JANUARY 4, 2018



Lotts & Associates, P.C.
 Land Surveying - Land Planning
 21 Cambridge Drive • P.O. Box 1167
 Squares Draft, Virginia 24477
 Phone (540) 337-0012 Fax (540) 337-1455

- LEGEND**
- IRON PIN SET
 - ⊙ POINT
 - ▲ IRON PIPE FOUND
 - ♁ UTILITY POLE
 - U- OVERHEAD UTILITY LINES
 - X- FENCE LINE
 - SEPTIC TANK
 - ⊕ SEWER CLEAN OUT
 - ⊗ WELL

- EXISTING BUILDINGS**
- A - 198.80 FT
 - B - 148.80 FT
 - C - 114.80 FT
 - D - 121.80 FT

AGENDA ITEM # 5A

Date 3/1/18

OLD BUSINESS

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.

MARCH 1, 2018 STAFF COMMENTS

1/31/18 - HIGHWAY DEPARTMENT'S REVISED COMMENTS:

The previous VDOT comments provided on 12/21/17 and 1/4/18 are amended as follows:

VDOT has had the opportunity to meet the applicant's Engineer on-site to verify sight distance for a proposed entrance to the storage yard. I have attached an aerial image depicting the approximate location of the proposed entrance. The entrance will meet VDOT sight distance requirements. The sight line looking northeast crosses the Blosser parcel. The applicant has obtained a sight line easement to ensure the sight lines are unobstructed during the operation of the storage yard.

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.

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.**

After further review, staff feels adequate screening may require a ten (10') foot wall or opaque fence.

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.

While not always desirable, construction laydown yards are sometimes necessary in agricultural areas for projects such as construction or replacement of bridges, roads, or similar projects.

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 Land 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.

1/31/18 Revised VDOT Comments state that an entrance location has been approved with adequate site distance and a sight line easement over the Blosser property has been obtained.

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.

The Augusta County Zoning Ordinance does not recognize construction yards as a structure.

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).

MARCH 1, 2018 STAFF RECOMMENDATIONS

The Board tabled the request at the February 1, 2018, hearing in order to reopen the public hearing to hear new information from the public and to obtain additional information from VDOT to address the Board's traffic questions and concerns. The applicant has provided a status report regarding the pipeline construction and a traffic table as the Board requested.

A representative from VDOT will be at the March 1, 2018, hearing to answer the Board's questions regarding turn lanes, alternate entrance locations, speed limit reduction, signage, stoplights, and if the tractor trailers loaded with pipe will be considered an oversized load.

If the Board is satisfied that the request will not have an adverse impact on the 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. The storage area be screened by a ten (10') foot high opaque privacy fence.
3. The ten (10') foot high opaque privacy fence must be maintained at all times.
4. Obtain VDOT entrance permit and provide a copy to Community Development.
5. 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.