

June 7, 2018

PRESENT: Steven F. Shreckhise, Chairman  
 Daisy A. Brown  
 Thomas H. Byerly  
 Justine D. Tilghman  
 Sandra K. Bunch, Zoning Administrator and Secretary  
 James R. Benkahla, County Attorney  
 John R. Wilkinson, Director of Community Development  
 Beatrice B. Cardellicchio-Weber, Executive Secretary

ABSENT: George A. Coyner, II, Vice Chairman

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, June 7, 2018 at 10:00 A.M., in the County Government Center, Verona, Virginia.

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The staff briefing was held at 10:00 a.m. in the Board of Supervisors Conference Room where the Zoning Administrator reviewed the staff report for each request on the Board's agenda. Copies of the staff reports can be found in the Community Development Department.

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**VIEWINGS**

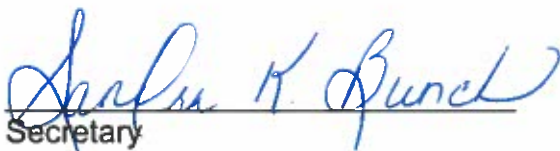
The members of the Board of Zoning Appeals assembled at the Government Center and went as a group to view the following:

- **JOHN C. LEAVELL - SPECIAL USE PERMIT**
- **GREG TISINGER - SPECIAL USE PERMIT**
- **GARLAND EUTSLER, AGENT FOR SHEN ACRES HOLDING, LLC - SPECIAL USE PERMIT**

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

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 Chairman

  
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ABSENT: None

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VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, June 7, 2018, at 1:30 P.M., in the County Government Center, Verona, Virginia....

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**MINUTES**

Mr. Byerly moved that the minutes from the May 3, 2018, meeting be approved.

Ms. Brown seconded the motion, which carried unanimously.

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**JOHN C. LEAVELL - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by John C. Leavell, for a Special Use Permit to construct a building for use as a machine shop and to have outdoor storage of equipment on property he owns, located at 321 Sangers Lane, Staunton in the Beverley Manor District.

Mr. John Leavell stated he would like a Special Use Permit to construct a 40' x 60' building for a machine shop and be able to have four (4) employees in the shop.

Chairman Shreckhise asked if this is the same request as before except for the number of employees?

June 7, 2018

Mr. Leavell stated yes. He noted last time he was restricted to two (2) employees based on the Health Department comments. He said the Department of Environmental Quality now regulates his property due to his sand septic system. He said they would approve four (4) employees.

Mr. Byerly asked if the older building would be removed?

Mr. Leavell stated yes.

Mr. Byerly asked if the applicant is able to modify the entrance as noted in the Virginia Department of Transportation comments?

Mr. Leavell stated yes.

Mr. Byerly asked what type of work will the applicant do at the site?

Mr. Leavell stated tool and die and machinery.

Ms. Tilghman asked if the building will only be one story?

Mr. Leavell stated yes with twelve (12') foot ceilings.

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

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

Vice Chairman Coyner stated the applicant was approved a few years ago for this business and the conditions that were set forth did not warrant him to go through with the Special Use Permit. He said the applicant is now ready to proceed, therefore, he would move to approve the request with the following conditions:

**Pre-Conditions:**

1. Obtain VDOT entrance permit and provide a copy to Community Development.
2. Applicant update existing Erosion and Sediment Plan.
3. Applicant obtain a building permit and provide a copy to Community Development.

June 7, 2018

**Operating Conditions:**

- 1. All equipment, machinery, and materials for the business be kept inside the 40' x 60' building or the 15' x 30' lean to.
- 2. Hours of operation be 7:00 a.m. to 8:00 p.m. Monday – Saturday.
- 3. Be limited to four (4) full-time shop employees and one (1) part-time office assistant.
- 4. No Sunday work.
- 5. No further expansion.
- 6. The only sign to be permitted for this business is one (1) on premise business sign not to exceed twelve (12) square feet.

Mr. Byerly seconded the motion, which carried unanimously.

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**GREG TISINGER - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Greg Tisinger, for a Special Use Permit to have outdoor storage of a smoker on property owned by Richard L. or Sharon Ovenshire, located at 26 Sutton Road, Verona in the Beverley Manor District.

Mr. Greg Tisinger, owner of Tripple T BBQ, stated he plans on remodeling the building for his business. He noted there will not be any seating inside. He will operate from 10:00 a.m. until 6:00 p.m. He would like to obtain a Special Use Permit for the outdoor storage of a smoker.

Ms. Brown asked if he has any employees?

Mr. Tisinger stated one (1) employee.

Ms. Brown asked if the applicant will have a walkup window for ordering?

June 7, 2018

Mr. Tisinger stated his customers can either come inside the building or go to the walkup window. He said all of the food is made at this site.

Ms. Brown asked what type of food would be served?

Mr. Tisinger stated he will have hot and cold sides along with BBQ pork and beef.

Ms. Tilghman asked when does the applicant want to start operating?

Mr. Tisinger stated he would like to start the remodeling as soon as possible in order to open by August 1<sup>st</sup>.

Mr. Byerly asked how would you market your products?

Mr. Tisinger stated he has been attending festivals since 2011. He also will give out menus to the nearby factories and word of mouth.

Vice Chairman Coyner asked if the applicant has been in business for a while?

Mr. Tisinger stated he has been attending festivals since 2011 and he has not had any violations with the Health Department.

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

Ms. Amanda Tisinger stated she is Greg's wife. She stated they have done day long events and he is ready to go into the restaurant business.

Chairman Shreckhise asked if there was anyone else wishing to speak regarding the request?

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

Ms. Tilghman stated this is a very reasonable request. She moved to approve the request with the following conditions:

**Pre-Conditions:**

None

June 7, 2018

**Operating Conditions:**

- 1. Be permitted to display one (1) barbecue smoker as shown on the site plan.
- 2. Restaurant be for takeout only.
- 3. Site be kept neat and orderly.

Vice Chairman Coyner seconded the motion, which carried unanimously.

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**GARLAND EUTSLER, AGENT FOR SHEN ACRES HOLDING, LLC - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Garland Eutsler, agent for Shen Acres Holding, LLC, for a Special Use Permit to construct a building for recreational use on property owned by Shen Acres Realty, LLC, located at 348 and 256 Lake Road, Stuarts Draft in the South River District.

Mr. Garland Eutsler stated the prefab building is at the site already. He is trying to work out the structural issues as it relates to frost. He said that he did not know that he needed permits for this structure. He would like to sell floats from the building as well as use the building for an arcade from Memorial Day through Labor Day. He said after the summer holidays the building would be used for storage. He said the arcade will tie into the miniature golf course.

Ms. Brown asked if there will be drinks and snacks sold in the building?

Mr. Eutsler stated no concessions in this building. He mentioned concessions are in another building.

Vice Chairman Coyner asked if the eatery is open all year long?

Mr. Eutsler stated it is seasonal. He said it has been quite successful but there are still a number of issues to address.

Mr. Byerly asked if the hours of operation from 10:00 a.m. until 5:00 p.m. would be a hindrance to the arcade operation?

Mr. Eutsler stated the beach area opens at 10:00 a.m. and the lake closes for the public at 6:00 p.m. He said they may use the arcade until 6:00 p.m.

Mr. Byerly stated the hours of operation should be listed in the conditions from 10:00 a.m. until 6:00 p.m.

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

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

Vice Chairman Coyner stated Mr. Eutsler has done a good job of getting the site back to life. He moved to approve the request with the following conditions:

**Pre-Condition:**

1. Applicant obtain building permit and provide a copy to Community Development.

**Operating Conditions:**

1. Be permitted to construct a 24' x 40' building for recreational use.
2. Show new building on the site plan and include in the Stormwater Management Plan.
3. Hours of operation be 10:00 a.m. to 6:00 p.m.
4. Site be kept neat and orderly.

Ms. Brown seconded the motion, which carried unanimously.

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June 7, 2018

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

**ELIZABETH TUTTLE - SPECIAL USE PERMIT**

A request by Elizabeth Tuttle, for a Special Use Permit to have a short term vacation rental on property owned by Laurence D. and Toni P. Sheets, located at 386 Cider Mill Road, Mount Sidney in the North River District.

Ms. Bunch stated Ms. Tuttle is requesting that her Special Use Permit be cancelled.

Vice Chairman Coyner moved to cancel the permit.

Mr. Byerly seconded the motion, which carried unanimously.

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**STAFF REPORT**

- 17-30 Global Tower Assets III, LLC
- 17-31 Scotland Land Company, LLC
- 17-32 Kimball E. Stowers

Ms. Bunch stated SUP#17-30 and SUP#17-31 are both in compliance. She stated there was an inspection conducted for SUP#17-32. She stated there is a tiny home that was constructed on the property with no permits. She has sent the applicant a letter to contact the office.

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Mr. Benkahla discussed the court cases with the Board.

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

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 Chairman

  
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 Secretary