



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: July 26, 2018

SUBJECT: Regular Meeting and Viewing

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, August 2, 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 **8:00 A.M., Thursday**, for the Staff Briefing prior to going out to view the items on the agenda. Lunch will follow at **Country Cookin at noon**.

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

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

SKB/bcw

Enclosures

**ADVANCED
AGENDA**

Regular Meeting of the Augusta County Board of Zoning Appeals

Thursday, August 2, 2018, 1:30 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. MINUTES

Approval of the Called and Regular Meeting of July 5, 2018

4. PUBLIC HEARINGS

- A. A request by Larry D. or Debra L. Harris, for a Special Use Permit to have a personal dog kennel on property they own, located at 216 Pine Creek Lane, Grottoes in the Middle River District.
- B. A request by James Thomas Lowery, for a Special Use Permit to have a personal dog kennel on property he owns, located at 56 Frog Hollow Lane, Stuarts Draft in the Riverheads District.
- C. A request by Stephen A. or Rosie M. Jett, for a Special Use Permit to have a personal dog kennel on property they own, located at 12 Lismore Lane, Churchville in the Pastures District.
- D. A request by Joel K. and Linda J. Snively, for a Special Use Permit to have a bed and breakfast within the dwelling on property they own, located at 180 Old Parkersburg Turnpike, Swoope in the Pastures District.
- E. A request by Dennis Bradley, for a Special Use Permit to continue the existing residential care facility on property owned by Garry R. or Walda R. Massie, located at 201 Dodge Street, Stuarts Draft in the South River District.
- F. A request by Austin McNett, for a Special Use Permit to have an outdoor cooker, walk-in freezers, and outdoor seating in conjunction with a retail meat market on property owned by Fort Defiance Realty, LLC, located at 294 Lee Highway, Verona in the Beverley Manor District.

5. OLD BUSINESS

6. MATTERS TO BE PRESENTED BY THE PUBLIC

7. MATTERS TO BE PRESENTED BY THE ZONING ADMINISTRATOR

- A. A request by David I. McCaskey, for a Special Use Permit to have an apartment in a pre-1980 structure and to expand the non-conforming dwelling on property he owns, located at 7 Old Staunton Road, Greenville in the Riverheads District. – **FOUR MONTH EXTENSION OF TIME REQUEST**

- B. A request by Karita Burrill, for a Special Use Permit to have a day care on property owned by Jamie DeWayne Stickley, located at 1568 Patterson Mill Road, Grottoes, in the Middle River District. – **CANCELLATION**

8. STAFF REPORT

17-45	Ronald L. Smith
17-46	John W. Bevins
17-47	Troy A. or Melissa L. Sizer-Lewis
17-48	Darrel S. Alexander
17-49	Sipapu, LLC
17-50	Arthur J. Fisher, III
17-51	Laurence D. and Toni P. Sheets – Cancelled
17-52	Clinton O. or Margaret C. Webb
17-53	Nancy L. Boyd
17-54	Jerry T. and Candace M. Wagner, Trustees – Denied

9. ADJOURNMENT

AGENDA ITEM # 4A

Date 8/2/18

PROPERTY OWNER:

Larry D. or Debra L. Harris

APPLICANT:

Same

LOCATION OF PROPERTY:

216 Pine Creek Lane, Grottoes in the Middle River District

SIZE OF PROPERTY:

5.317 and 4.883 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

LAND USE MAPS:

Rural Conservation Area

UTILITIES:

Private well and septic

APPLICANT'S JUSTIFICATION:

To have a personal dog kennel

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:

Personal kennel; no objection from local Health Department.

HIGHWAY DEPARTMENT'S COMMENTS:

The parcel is served by Pine Creek Lane, a privately maintained roadway; the entrance of Pine Creek Lane to Rt. 340 is adequate for the proposed use.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

No comments.

ANIMAL CONTROL'S COMMENTS:

Everything was nice and clean and they have a nice area fenced to let the dogs out in. Animal Control does not foresee any problems here, and we recommend this permit.

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.

All dogs are kept inside the home except for exercise and bathroom breaks. The yard is kept clean and neat.

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

All dogs are crate-trained and each one has a separate kennel. The dogs live and sleep in the house.

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

The yard is completely fenced with a four (4') foot metal fence.

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

The current exercise area is 50' x 40' which the applicants are proposing to enlarge to 50' x 60'. The dogs are in the fenced area for exercise and bathroom time and they go back into the home.

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

There are fire extinguishers and smoke alarms in the home.

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

The home and the proposed 50' x 60' fenced area are large enough to accommodate the six (6) dogs.

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 applicants own two (2) adjoining parcels. The dwelling parcel contains 4.883 and the vacant lot contains 5.317 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.

The dogs are in the home from 10:00 p.m. until 6:00 a.m.

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 dogs are kept inside the home except for exercise.

STAFF RECOMMENDATIONS

The applicants are requesting a kennel for six (6) personal dogs. Their dogs include various breeds including an eight (8) year old Shorkie, seven (7) year old Pomeranian, four (4) year old Porkie, two (2) year old Golden Retriever, five (5) month old Golden Retriever, and a five (5) month old Blue Healer. The dogs will be kept inside the dwelling and will be left outside for bathroom breaks and exercise. The applicant currently has a 50' x 40' fenced area, but will be expanding the area to 50' x 60' to provide adequate area for the proposed breaks. The current Zoning Ordinance requires a minimum of five (5) acres to obtain a Special Use Permit. The applicants own two (2) adjoining properties totaling 10.20 acres combined, however, the minimum five (5) acres required for the permit must be retained in the same ownership for the permit to remain valid.

Both staff and Animal Control have inspected the property and feel the request would be compatible with the rural area and recommends approval with the following conditions:

Pre-Conditions:

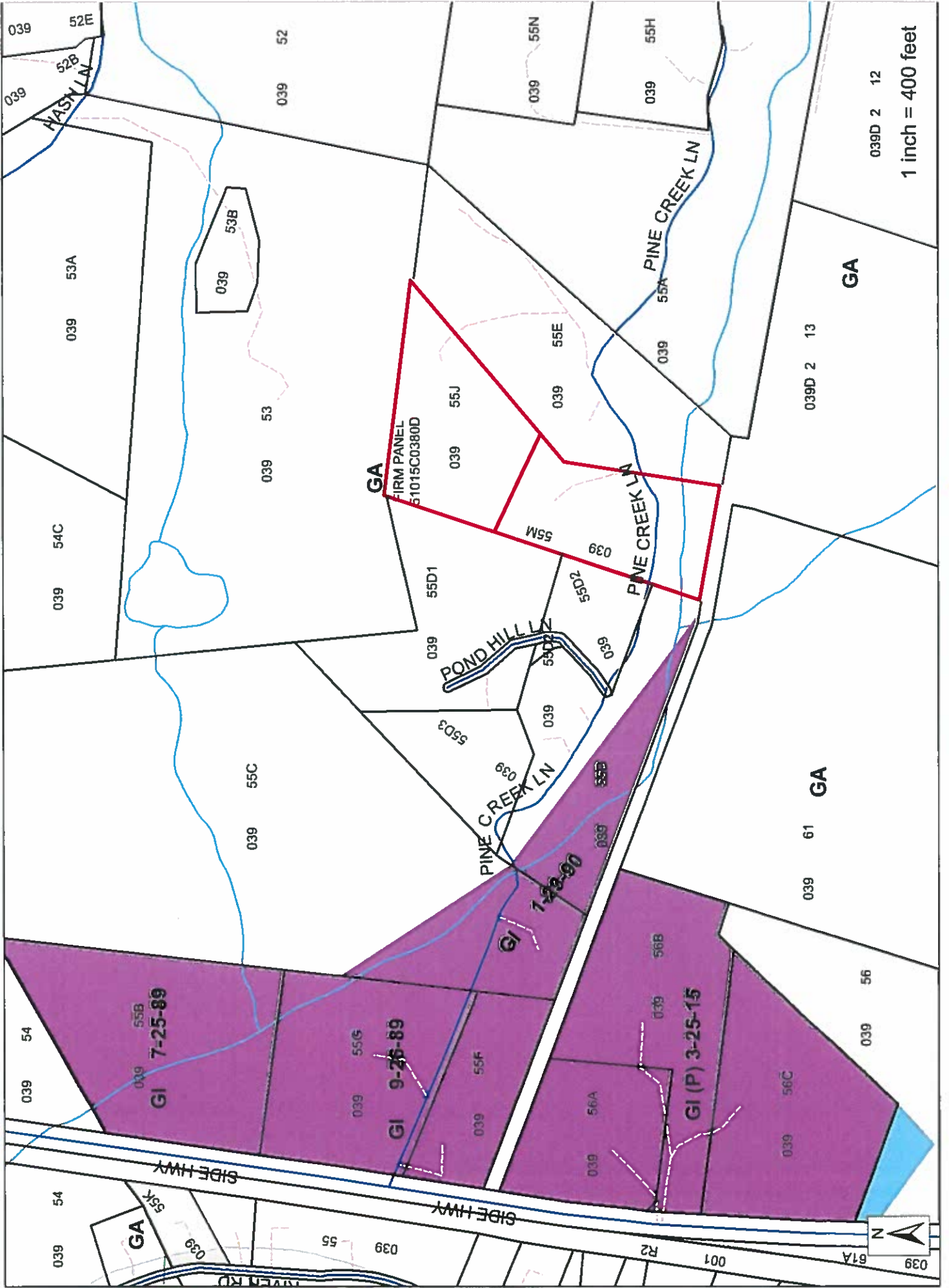
None

Operating Conditions:

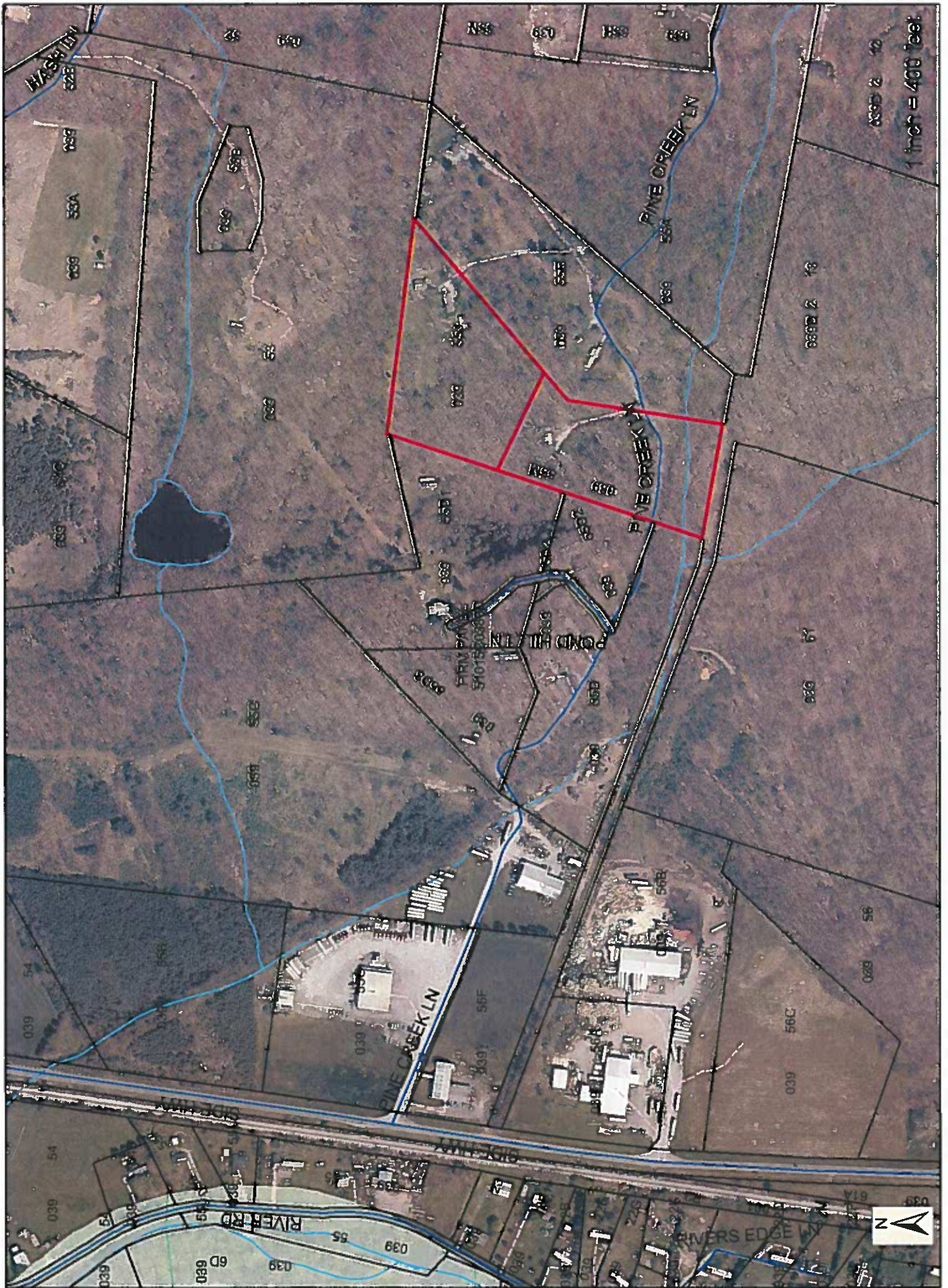
1. Be permitted a maximum of six (6) adult dogs kept at this site at any time.
2. All dogs be confined within the 50' x 60' exercise area or inside the dwelling at all times.
3. Dogs be kept inside from 10:00 p.m. until 6:00 a.m.
4. Applicant must retain the minimum five (5) acre requirement for the permit to remain valid.
5. Site be kept neat and orderly.



Harris



Harris



AGENDA ITEM # 4B

Date 8/2/18

PROPERTY OWNER:
James Thomas Lowery

APPLICANT:
Same

LOCATION OF PROPERTY:
56 Frog Hollow Lane, Stuarts Draft in the Riverheads District

SIZE OF PROPERTY:
13.298 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

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

LAND USE MAPS:
Rural Conservation Area – SWPO

UTILITIES:
Private well and septic

APPLICANT'S JUSTIFICATION:
To have a personal dog kennel

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:
Personal kennel; no objection from local Health Department.

HIGHWAY DEPARTMENT'S COMMENTS:
The parcel is accessed by Frog Hollow Lane, a privately maintained roadway; the entrance of Frog Hollow Lane to Rt. 842, Horseshoe Circle, is adequate for the proposed use.

SERVICE AUTHORITY'S COMMENTS:
There is no public water or sewer in the immediate area of the subject property. Public water and sewer are approximately 1,700'± away.

ENGINEERING'S COMMENTS:

No comments.

ANIMAL CONTROL'S COMMENTS:

Mr. Lowery did not have rabies vaccinations for his dogs but stated he was getting them, Ms. Herty never showed us. During inspection of the property, there was over twenty (20) dogs on this property. Ms. Herty stated to Officer Anderson and to Dwight Strickler on numerous occasions that there wasn't dogs here that she had taken them to Maryland. Mr. Lowery showed me all of the dogs on this property on July 19, 2018, and it was over twenty (20).

If this Special Use Permit is approved, Animal Control recommends that it be no more than twenty (20) and that it be stressed there be **no breeding** as Ms. Herty is breeding Catahoula dogs and selling the pups. Ms. Herty **has not** been straight forward with Animal Control since the beginning about the numbers of the dogs on this property.

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 that the kennels will be cleaned two (2) times a day.

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

The dogs will be kept in 5' X 10' kennels inside the existing 30' X 30' barn.

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

The applicant will be replacing the wooden fence adjacent to the barn with a sturdy wire fence.

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

The dogs will have access to the barn when in the exercise area.

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

There will be fire extinguishers on site.

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

The 5' X 10' kennels inside the 30' X 30' barn and the fenced exercise area around the barn should accommodate the twenty (20) dogs requested.

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 13.298 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.

The dogs will be confined to the barn from 10 p.m. to 6 a.m.

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 existing barn and exercise area is approximately one hundred fifty feet (150') from the eastern property line and well over two hundred feet (200') from all other property lines.

STAFF RECOMMENDATIONS

The applicant is requesting to have twenty (20) personal dogs on site. The dogs are primarily used for hunting and a few are personal pets. The applicant currently has nineteen (19) adult dogs onsite and one (1) puppy. They were not aware that a Special Use Permit was needed in order to have more than four (4) dogs on the property. The applicant would like to be allowed to breed the Catahoula Leopard Hounds once a year in order to keep the same bloodline when some of the dogs get old and can no longer hunt. Animal Control's inspection report noted that the dogs were not vaccinated but were well taken care of otherwise, however, they have received complaints regarding the dogs, and they are concerned that a commercial breeding facility would not be compatible. The applicant has since provided vaccination records for all of the dogs. The applicant will be keeping the dogs in 5' X 10' kennels inside the existing 30' X 30' barn on the property. There will be two (2) dogs in each kennel. The applicant will be removing the existing wooden fence around the barn and replacing it with agricultural fencing to provide an adequate exercise area.

An ordinance change, effective March 1, 2010, increased the minimum facility setback from fifty (50') feet to two hundred (200') feet from any property line. Before March 1, 2010, the Board could have considered a structure setback of less than fifty (50') feet if the Board was satisfied that soundproofing or other measures would adequately protect neighboring properties. Prior to 2002, there were no minimum standards. The existing

barn and exercise area is approximately one hundred fifty (150') feet from the eastern side property line. The property to the east is currently vacant and is heavily wooded.

The applicant has lived on the property since 2004 and has continually had as many as twenty (20) dogs on site. However, due to the fact that the kennel structure does not meet the current setback requirement from the eastern side property line, staff cannot recommend approval of the request.

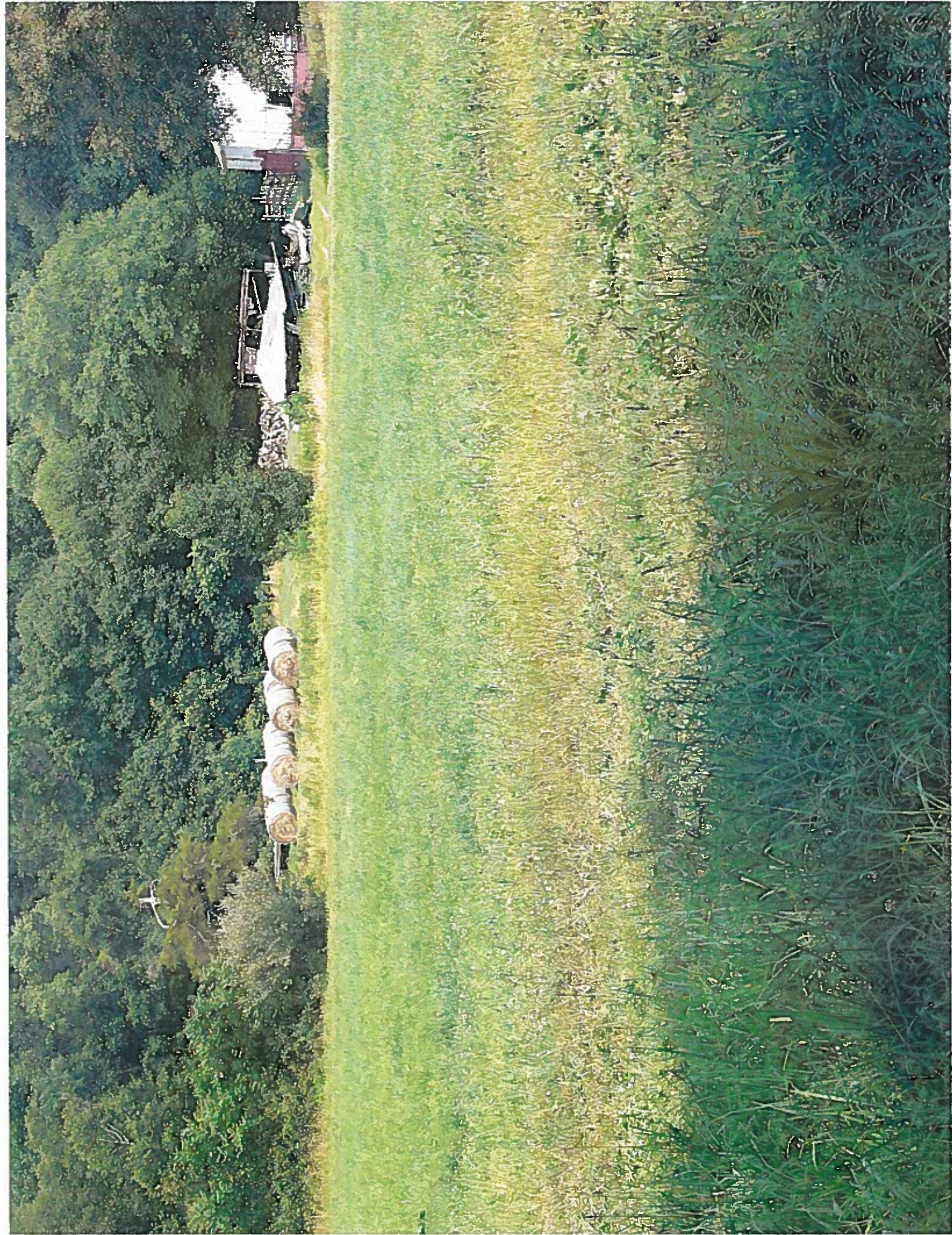
However, if the Board desires to take into consideration that the applicant has had up to twenty (20) hunting dogs on site since 2004, the eastern side property line is heavily wooded, and there have been recent changes to the ordinance standards, and feels the request is compatible with neighboring properties and desires to approve the request, then staff would recommend the following conditions:

Pre-Conditions:

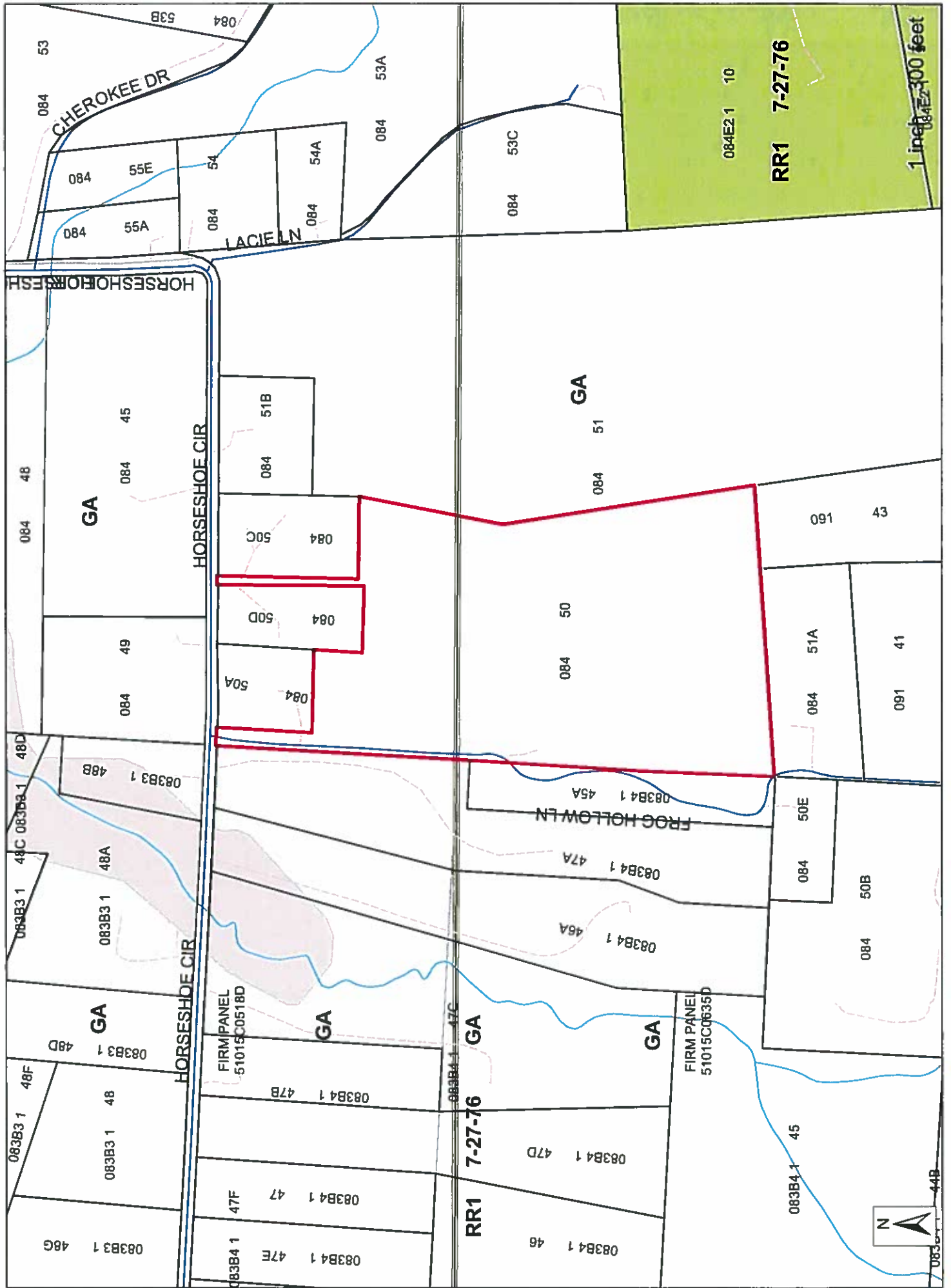
1. The 5' X 10' kennels be installed inside the barn within **ninety (90) days**.
2. The fenced exercise area around the barn be upgraded to sturdy agricultural fencing and be completed within **ninety (90) days**.

Operating Conditions:

1. Maximum of twenty (20) adult dogs kept at this side at any time.
2. Applicant be allowed to breed no more than one (1) litter of puppies per year.
3. All dogs be confined within the fenced exercise area adjacent to the barn or in individual kennels inside the barn at all times.
4. Dogs be kept inside the barn from 10:00 p.m. until 6:00 a.m.
5. Animal Control to inspect the site every **six (6) months**.
6. Existing trees and vegetation along the eastern side property line remain and be maintained.
7. Site be kept neat and orderly.



Lowery



1 inch = 300 feet
084E21 10

RR1 7-27-76

084E21 10

GA

084 51

GA

084 45

084 48

084 49

084 50D

084 50C

084 51B

084 50

091 43

091 41

084 51A

084 50B

084 50E

083B3 1 48A

083B3 1 48B

083B3 1 48C

083B3 1 48D

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083B3 1 48F

083B3 1 48G

083B3 1 48H

GA

083B3 1 48D

083B3 1 48

FIRM PANEL
51015C0518D

GA

083B4 1 47B

083B4 1 47E

083B4 1 47F

083B4 1 47

083B4 1 47G

083B4 1 47H

083B4 1 47I

083B4 1 47J

083B4 1 47K

083B4 1 47L

083B4 1 47M

083B4 1 47N

083B4 1 47O

083B4 1 47P

083B4 1 47Q

083B4 1 47R

083B4 1 47S

083B4 1 47T

083B4 1 47U

083B4 1 47V

083B4 1 47W

083B4 1 47X

083B4 1 47Y

083B4 1 47Z

GA

RR1 7-27-76

083B4 1 47C

083B4 1 47D

083B4 1 46

GA

FIRM PANEL
51015C0635D

083B4 1 45

084 51A

084 50B

084 50E

HORSESHOE CIR

HORSESHOE CIR

HORSESHOE CIR

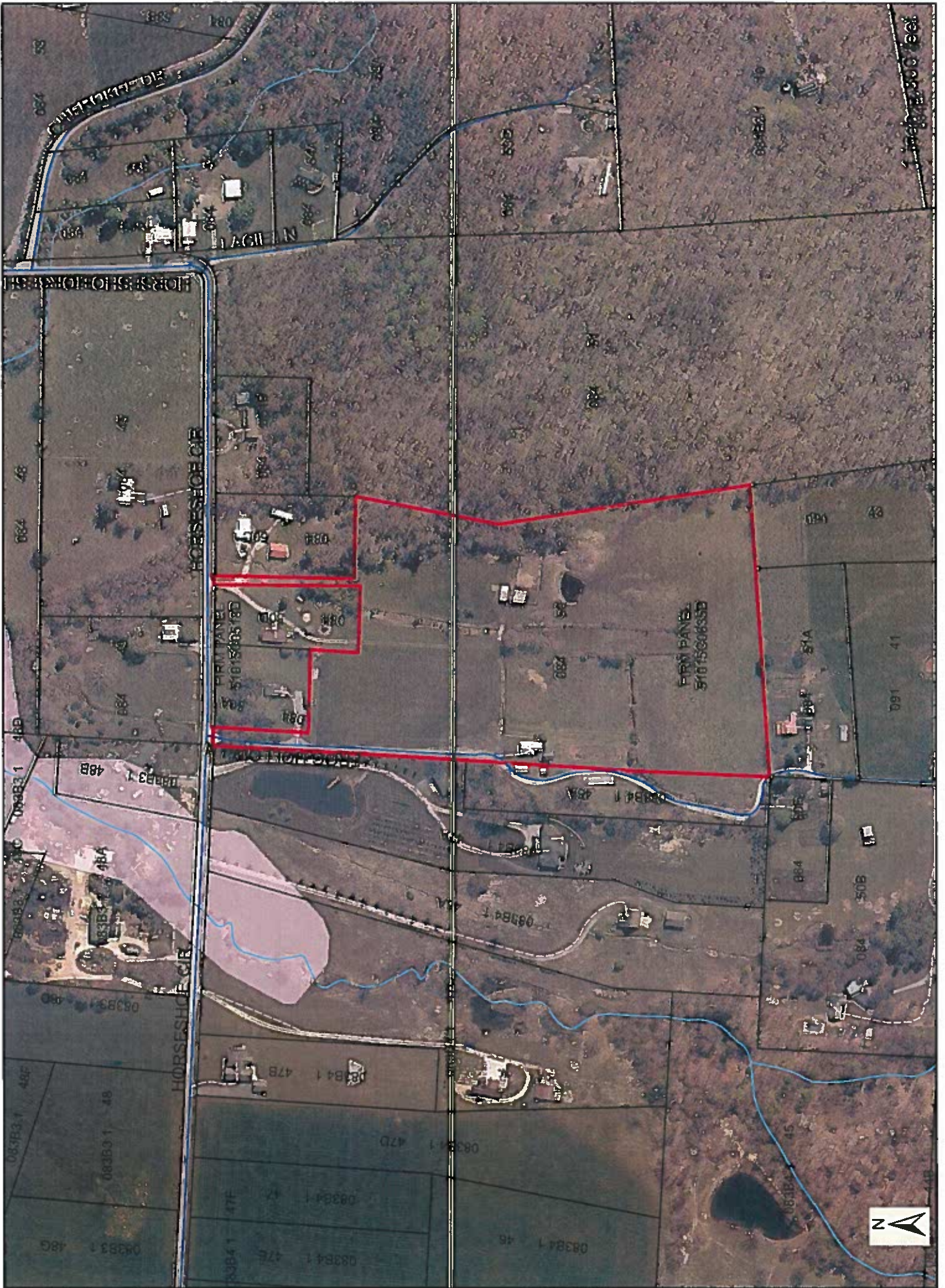
CHEROKEE DR

LACIE LN

FROG HOLLOW LN

1 inch = 300 feet

Lowery



120' x 60' paved area / 30' x 30' turn -

Lowery



1 inch = 100 feet

AGENDA ITEM # 4C

Date 8/2/18

PROPERTY OWNER:
Stephen A. or Rosie M. Jett

APPLICANT:
Same

LOCATION OF PROPERTY:
12 Lismore Lane, Churchville in the Pastures District

SIZE OF PROPERTY:
2.06 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

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

LAND USE MAPS:
Rural Conservation Area

UTILITIES:
Private well and septic

APPLICANT'S JUSTIFICATION:
To have a personal dog kennel

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:
Personal kennel; no objection from local Health Department.

HIGHWAY DEPARTMENT'S COMMENTS:
The parcel is accessed by Lismore Lane, a privately maintained roadway; the entrance of Lismore Lane to Rt. 250 is adequate for the proposed use of a private kennel with no expected customers. It was noted during review that there is vegetation partially blocking sight distance looking right while exiting from Lismore Lane to Rt. 250. It is recommended that the vegetation be trimmed to optimize the available sight lines. The vegetation appears to be behind VDOT right-of-way and would therefore not require a VDOT land use permit.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

No comments.

ANIMAL CONTROL'S COMMENTS:

All dogs are spayed or neutered. Animal Control has no recommendation on this kennel as everything looks ok and the dogs are all spayed and neutered.

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 owns six (6) small mixed breed dogs. They all stay in the house and go outside for bathroom breaks. The yard is cleaned up weekly.

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

No construction of kennel facilities are proposed, all the dogs live in the home.

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

The applicants have a four (4') foot chain-link fence around the entire house and it is well maintained.

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

The dogs are supervised when outside. They are only outside for bathroom breaks and exercise.

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 and fire extinguishers inside the home.

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

The home and fenced area can accommodate the six (6) small dogs.

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.

This site contains 2.06 acres. The applicant have owned the property since prior to the ordinance change in 2010. They have always had dogs on the property.

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.

The animals live in the home and are indoors from 10:00 p.m. until 6:00 a.m.

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 dogs live in the home with the applicants.

STAFF RECOMMENDATIONS

The applicants are requesting to have a kennel for their six (6) personal dogs. They have small mixed breed dogs. The dogs are all spayed and neutered and they are not proposing breeding onsite. Animal Control has inspected the site and has no concerns.

The new ordinance effective March 1, 2010, increased the acreage requirement to a minimum of five (5) acres. Before March 1, 2010, the Board could have considered a kennel on **less than** five (5) acres if the Board was satisfied that soundproofing or other measures would adequately protect neighboring properties. Prior to 2002, there were no minimum standards. The applicant's property contains only 2.06 acres, however, the applicant purchased the property in 2007 and the dogs have been kept on this site prior to the ordinance change. Staff does have concerns regarding the fact that the property contains only 2.06 acres.

Due to the fact that the property is less than five (5) acres, staff cannot recommend approval of the request. However, if the Board desires to take into consideration the dogs are kept inside the dwelling and only go outside for bathroom breaks and dogs have been kept on this site for eleven (11) years, there have been recent changes to the ordinance standards, and the Board feels the request is compatible with neighboring properties and desires to approve the request, then staff would recommend the following conditions:

Pre-Conditions:

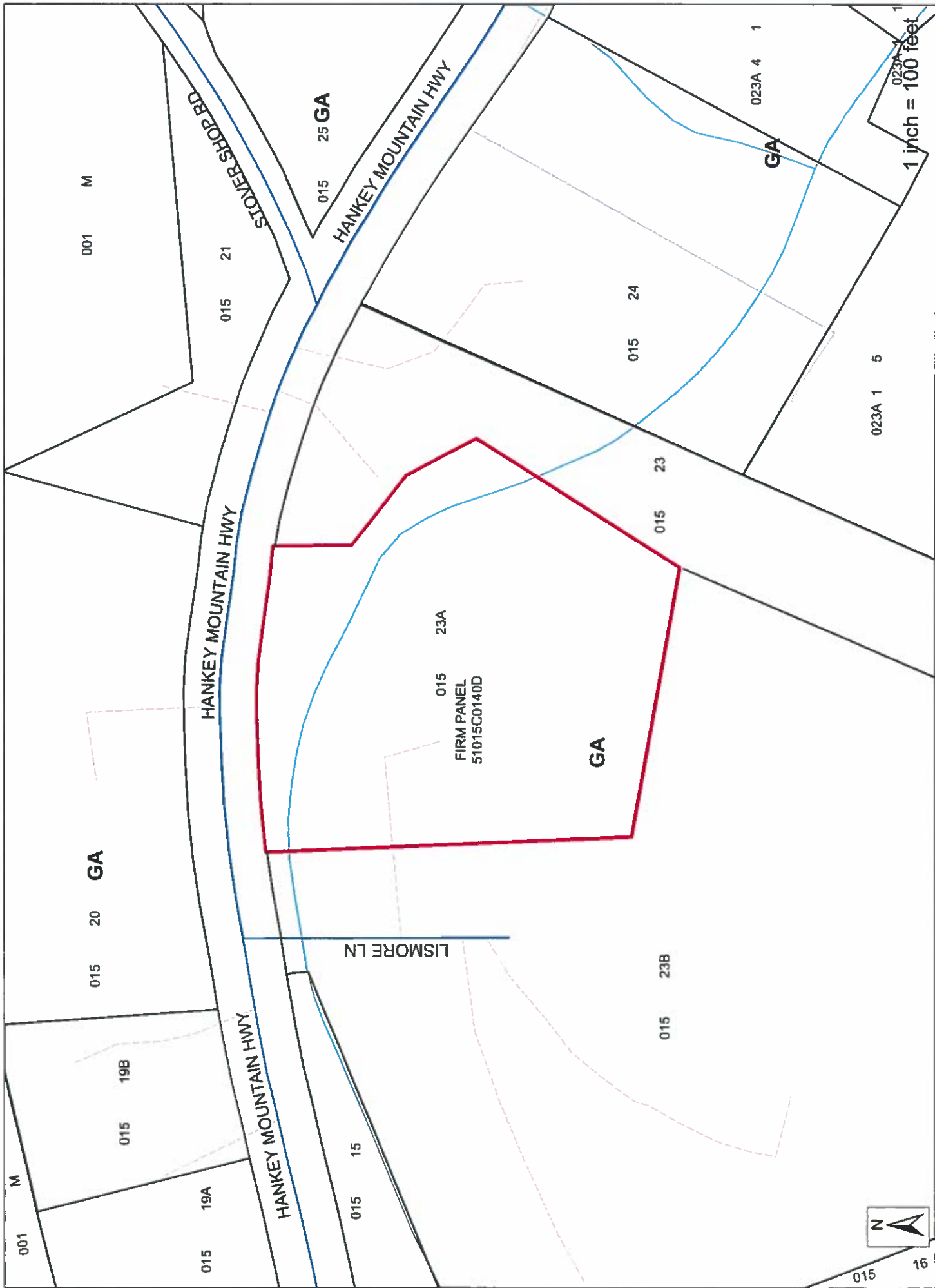
None

Operating Conditions:

1. Be permitted a maximum of six (6) adult dogs kept at this site at any time.
2. All dogs be confined within the fenced exercise area or inside the home at all times.
3. Dogs be kept inside from 10:00 p.m. until 6:00 a.m.
4. Site be kept neat and orderly.



Jett



Jeff



AGENDA ITEM # 4D

Date 8/2/18

PROPERTY OWNER:

Joel K. and Linda J. Snively

APPLICANT:

Same

LOCATION OF PROPERTY:

180 Old Parkersburg Turnpike, Swoope in the Pastures District

SIZE OF PROPERTY:

11.79 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

LAND USE MAPS:

Rural Conservation Area

UTILITIES:

Private well and septic

APPLICANT'S JUSTIFICATION:

To have a bed and breakfast within the dwelling

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

After review, our office has no conditions.

HEALTH DEPARTMENT'S COMMENTS:

Health Department records show a four (4) bedroom septic approval. Assuming one (1) bedroom for the owners' personal use up to three (3) bedrooms could be rented to guests. A permit is required for B&B lodging when more than one (1) unit is offered for rent. The applicant should also discuss food service plans with the Health Department.

HIGHWAY DEPARTMENT'S COMMENTS:

After performing an operating speed analysis, it was found that the existing entrance is adequate for the proposed use as a low volume commercial entrance serving no more than 50 vehicle trips per day.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

No comments.

SECTION 25-74R – SHORT-TERM RENTALS, BED AND BREAKFASTS, AND VACATION RENTALS

There is no more than one principal dwelling, or part thereof, operating as a bed and breakfast or short-term rental per parcel.

The existing single family dwelling contains four (4) bedrooms. Applicant is proposing one (1) bedroom for the bed and breakfast use.

There is no more than one detached accessory dwelling unit operating as a bed and breakfast or short-term rental per parcel.

The proposed operation of the bed and breakfast will only be in the existing single family dwelling.

The lot is at least five (5) acres in area, unless the Board of Zoning Appeals determines that operation of the use on a smaller acreage will be compatible with neighboring properties.

The property contains 11.79 acres. The proposed bed and breakfast should not be out of character with neighboring properties. The dwelling is not visible from the road.

The owner of record's primary residence is the principal dwelling or accessory dwelling unit.

The owners reside on the property and it is their primary residence.

The Building Inspection Department has indicated that either a Building permit is not required, or can be issued for the use once the Special Use Permit has been approved.

There are no renovations proposed. Using the existing dwelling.

If the principal and/or detached accessory dwelling unit is not connected to public sewer, the Virginia Department of Health has confirmed that the sewage disposal system is adequate for the proposed use.

There is an existing well and septic onsite for a four (4) bedroom home.

All parking shall be accommodated on-site.

The 11.79 acres should accommodate all parking.

STAFF RECOMMENDATIONS

The applicants are requesting to have a bed and breakfast operation within the existing home. They will be renting one (1) of the four (4) bedrooms in the home and providing breakfast. The applicants reside on the property and this is their primary residence. Staff feels a one (1) bedroom bed and breakfast is a low traffic business that will provide a

service to the area. Staff would recommend approval of the request with the following conditions:

Pre-Condition:

None

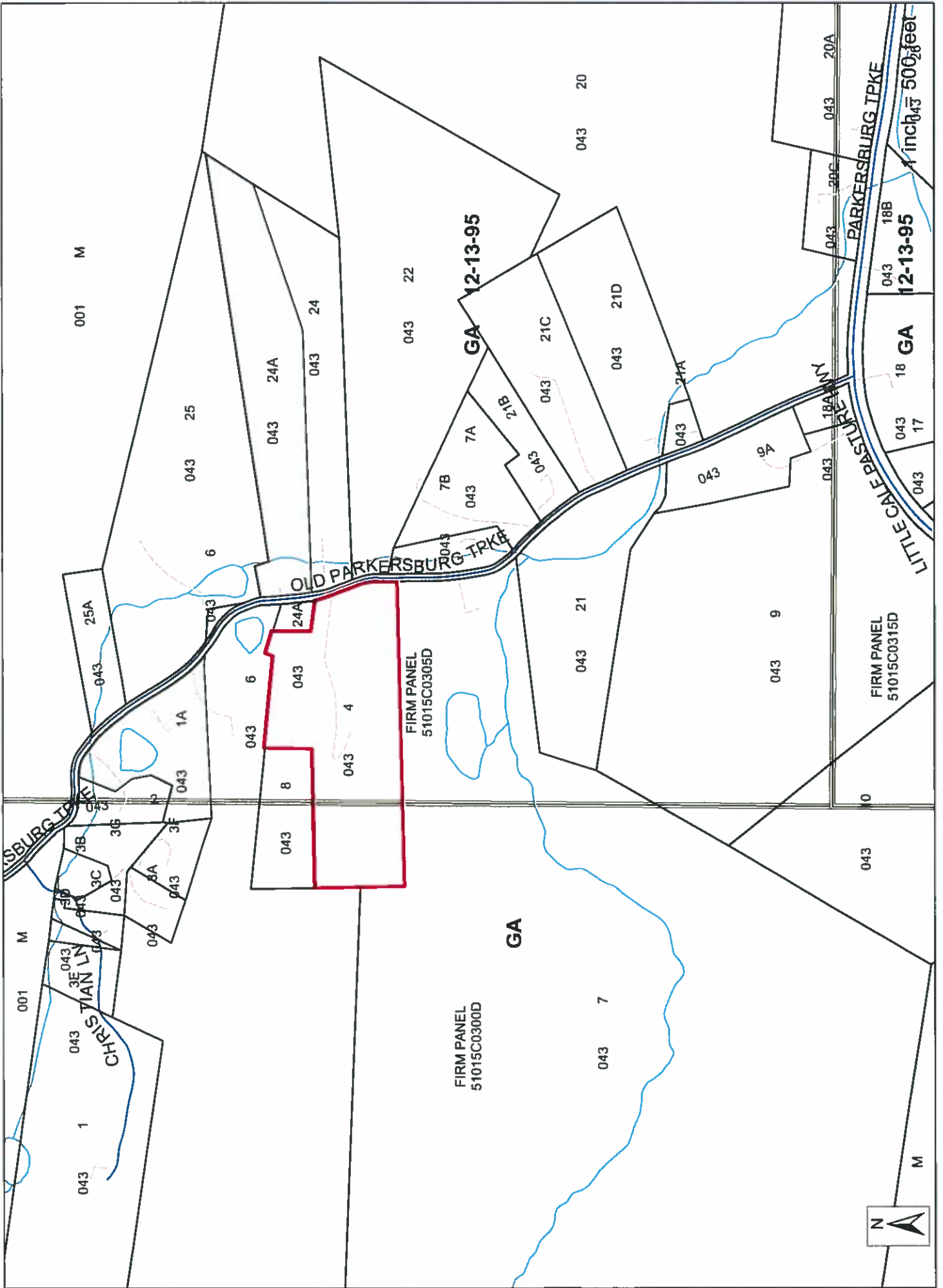
Operating Conditions:

1. Be permitted to use one (1) bedroom in the existing home for the bed and breakfast operation.
2. Applicant must reside on premises.
3. Site be kept neat and orderly.
4. No employees other than family members.

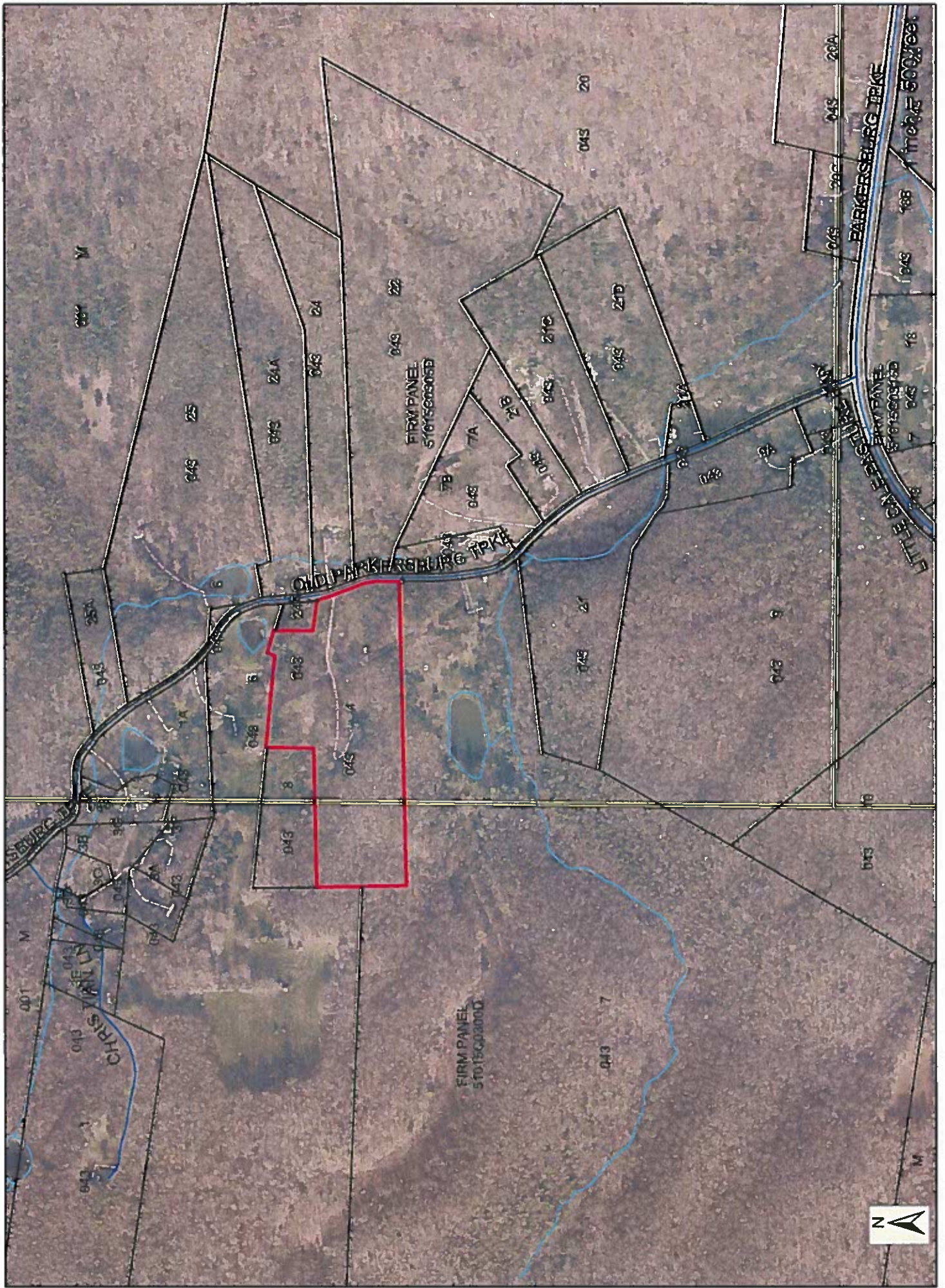


11/10/11

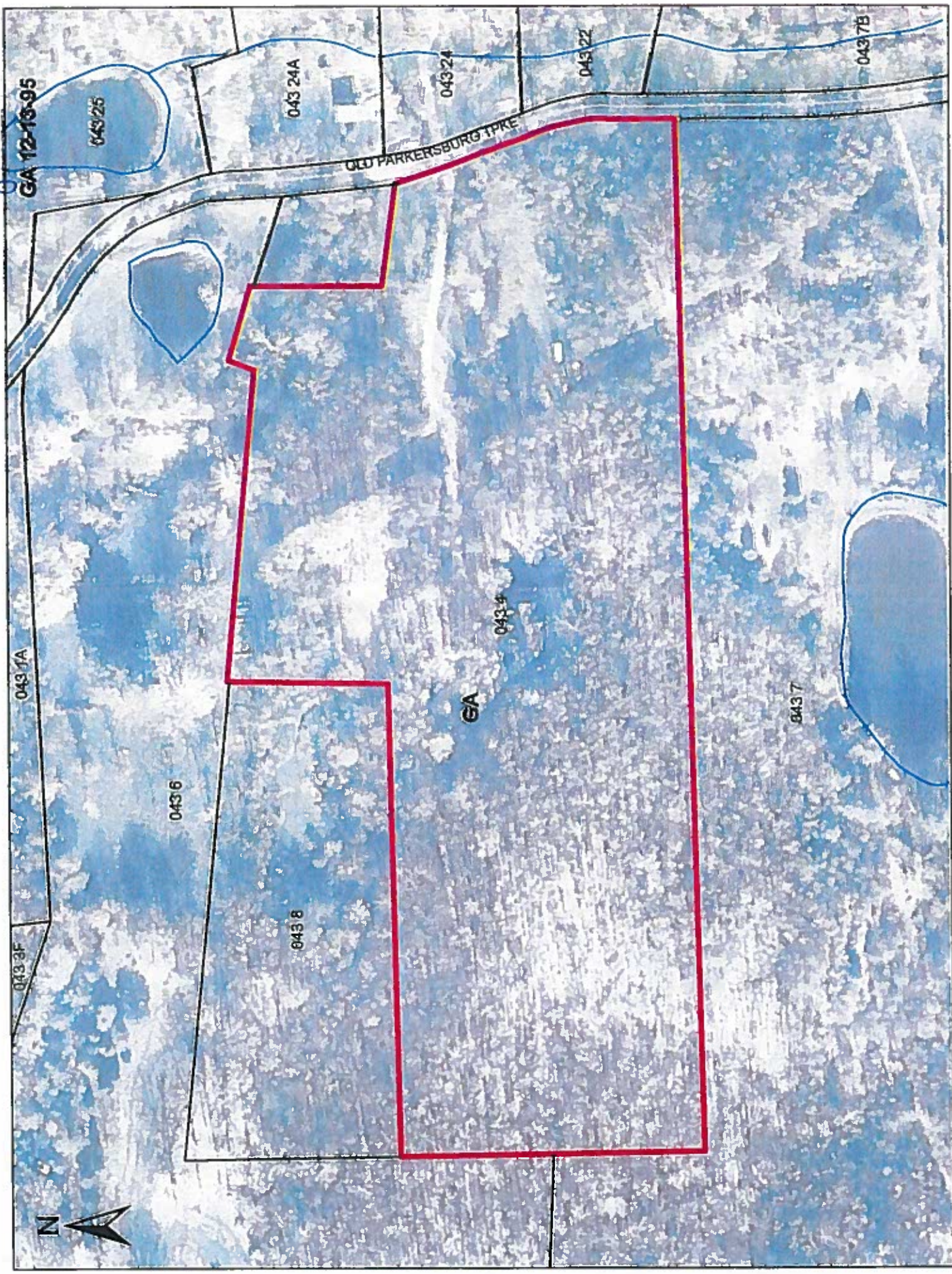
Snively



Snively



Snively



1 inch = 150 feet

AGENDA ITEM # 4E
Date 8/2/18

PROPERTY OWNER:
Garry R. or Walda R. Massie

APPLICANT:
Dennis Bradley

LOCATION OF PROPERTY:
201 Dodge Street, Stuarts Draft in the South River District

SIZE OF PROPERTY:
1.20 acres

VICINITY ZONING:
Single Family Residential surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:
07/84 SUP issued for adjacent Lots 51 and 52 owned by Massie
01/91 SUP for home for 22 residents
04/92 SUP for home for 22 adults

LAND USE MAPS:
Urban Service Area – Medium Density Residential – SWPO

UTILITIES:
Public water and sewer

APPLICANT'S JUSTIFICATION:
To continue the existing residential care facility

PLANNING COMMISSION'S COMMENTS:
No comments.

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

HEALTH DEPARTMENT'S COMMENTS:
The applicant will need to contact the Health Department to discuss food service permitting requirements.

HIGHWAY DEPARTMENT'S COMMENTS:
VDOT has no objection to continuing the use as a residential care facility. The existing entrance is adequate.

SERVICE AUTHORITY'S COMMENTS:
201 Dodge Street (Tax Map # 84B2-(1)-6-48) is currently a Service Authority water and sewer customer. If nothing has changed or is proposed to change with the transfer of the

property, the Service Authority has no additional comments. If any expansions of the building or plumbing are proposed, additional information about these changes will need to be provided to the Service Authority.

ENGINEERING'S COMMENTS:

No comments.

SECTION 25-134C - RESIDENTIAL CARE FACILITIES

The facility and anticipated enlargements thereof will be appropriate for residential areas.

The continuation of an existing facility should be appropriate for the residential area.

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

The residential care facility within an existing dwelling will not be out of character with neighboring properties.

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

The facility has operated at this location since 1992 and has not changed the areas character or social structure.

The applicant demonstrates compliance with state licensing requirements and all applicable federal, state, and local regulations.

The existing facility is currently licensed.

STAFF RECOMMENDATIONS

The applicants are purchasing the existing residential care facility and would like to continue operating at this location. The existing Special Use Permit was issued non-transferrable, therefore, the new owners need to obtain the permit in order to continue operating the facility.

The existing facility was previously licensed and approved for twenty-two (22) residents, however, Social Services is limiting the new license to eighteen (18) due to new regulations. The residents are all adults. The applicant will have someone managing the facility and one (1) staff member will reside on site. There will be at least one (1) caregiver per shift and additional staff as needed for patient care.

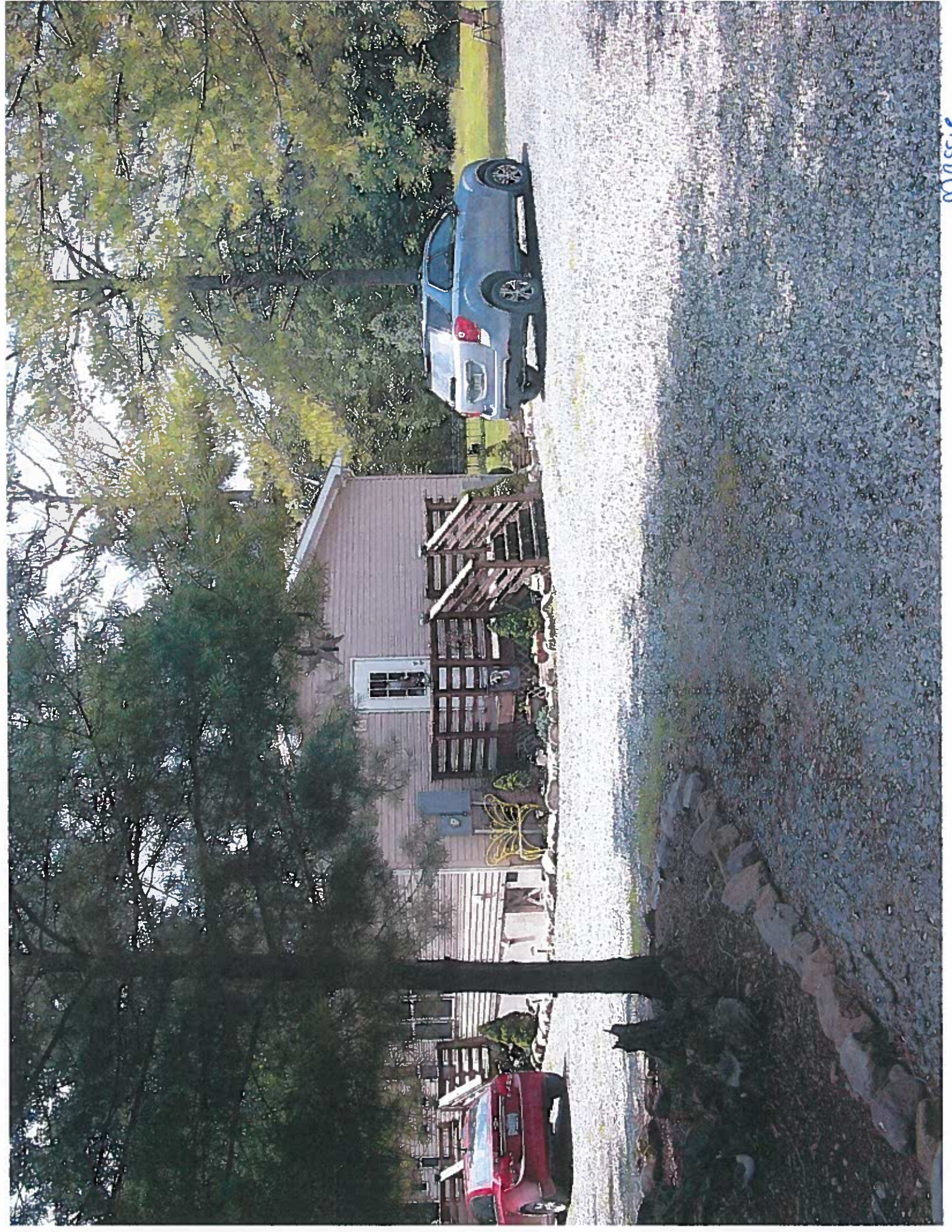
Staff feels that the continuation of an existing facility that has been in operation since 1992 would be compatible and recommends approval with the following conditions:

Pre-Condition:

1. Provide a copy of the license from the Department of Social Services.

Operating Conditions:

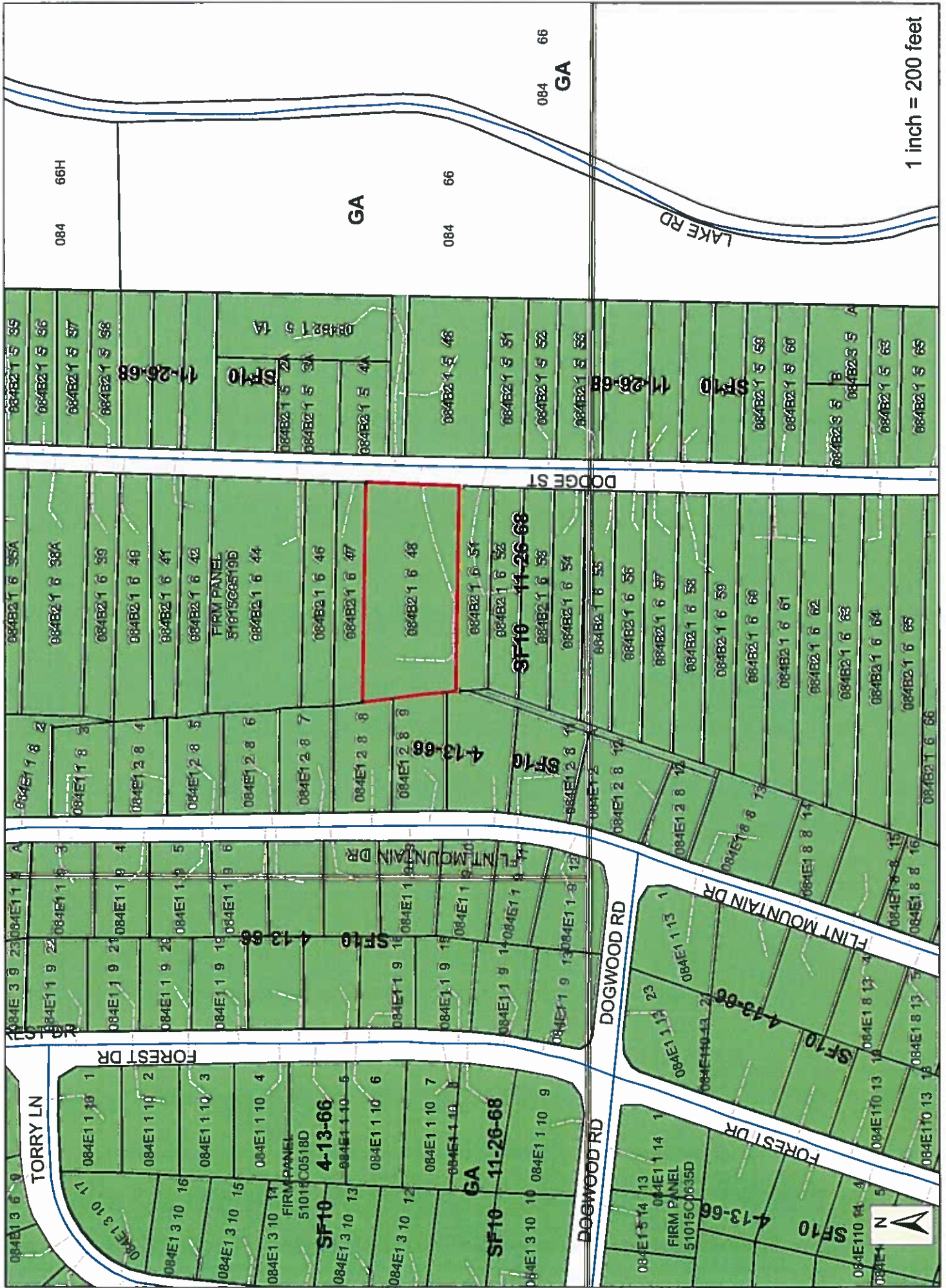
1. Be limited to a maximum of eighteen (18) residents.
2. Site be kept neat and orderly.



MCC: 1



Massie



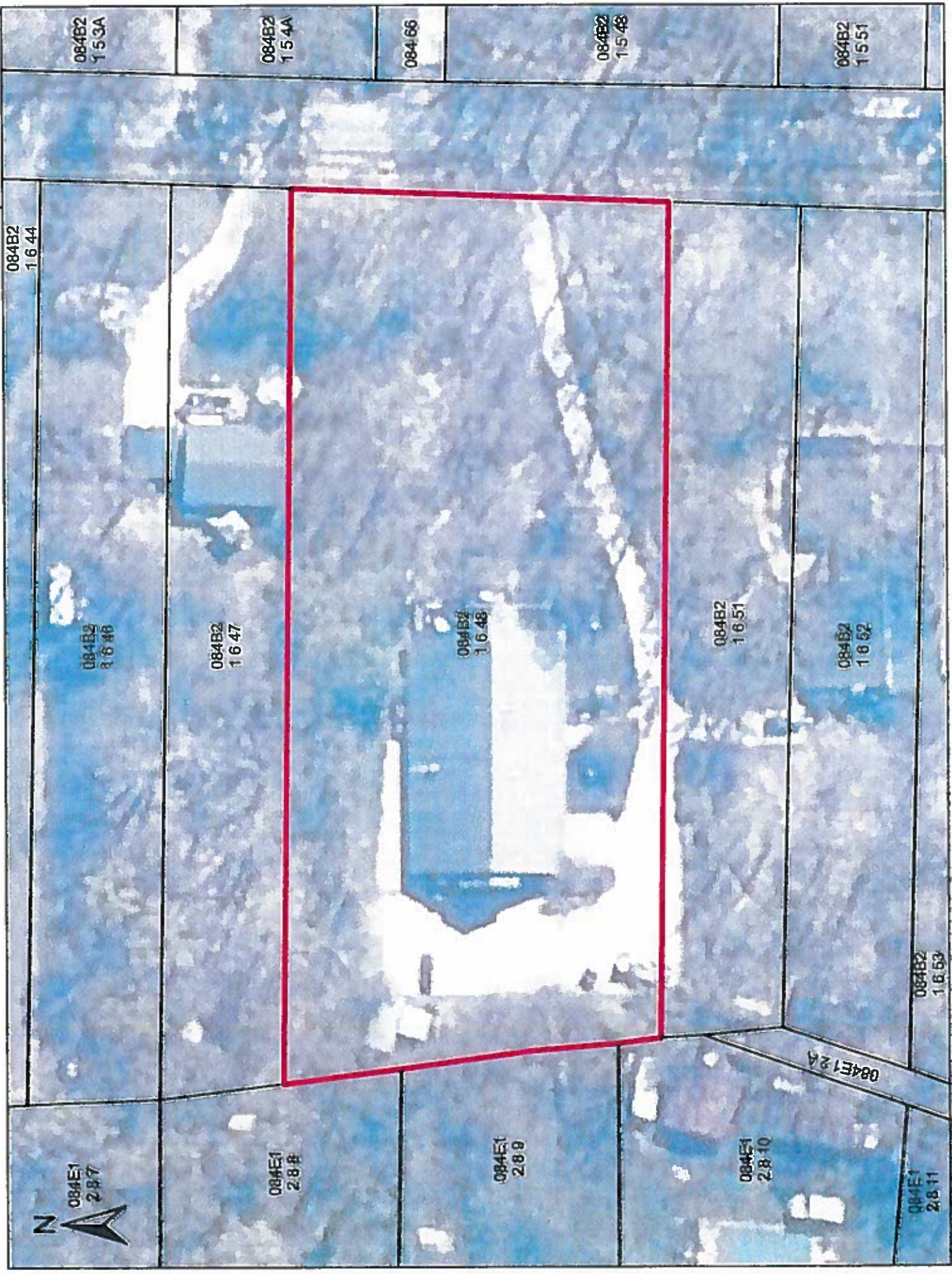
1 inch = 200 feet



Massie



Massie



1 inch = 50 feet

AGENDA ITEM # 4F
Date 8/2/18

PROPERTY OWNER:
Fort Defiance Realty, LLC

APPLICANT:
Austin McNett

LOCATION OF PROPERTY:
294 Lee Highway, Verona in the Beverley Manor District

SIZE OF PROPERTY:
0.505 acres

VICINITY ZONING:
General Business surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:
05/55 Zoned General Business

LAND USE MAPS:
Urban Service Area – Business

UTILITIES:
Public water and sewer

APPLICANT'S JUSTIFICATION:
To have an outdoor cooker, walk-in freezers, and outdoor seating in conjunction with a retail meat market

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:
The applicant will need to contact the Health Department to discuss food service permitting requirements.

HIGHWAY DEPARTMENT'S COMMENTS:
The proposed use will be a change from a pharmacy to a market. VDOT has already been in contact with the applicant and the process has started to review the current entrance configuration to accommodate truck deliveries. Ultimately, the entrance configuration will be clarified at site plan stage; VDOT has no objection to the special use in general.

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. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
4. 294 Lee Highway (Tax Map # 36A2-(10)-16) is currently a Service Authority water and sewer customer with a 5/8" service. The application appears to demonstrate a change in use. Additional information regarding this is needed. The applicant may need to complete a meter sizing form to ensure the existing meter is appropriate for the proposed use. If a larger meter is required additional charges would apply in accordance with the Service Authority Rate Schedule.

ENGINEERING'S COMMENTS:

No comments.

SECTION 25-304B - GENERAL OUTDOOR STORAGE

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

The applicant submitted a site plan showing the cooler and the cooker located beside the building behind a privacy fence.

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

There are currently twenty-four (24) parking spaces and two (2) handicapped spaces. VDOT has no objection to the Special Use Permit in general.

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

The coolers and smoker are located on the north side of the building outside of the designated parking spaces screened with a privacy fence.

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

The applicant is requesting two (2) 10' x 10' walk-in freezers, one (1) 3' x 4' outdoor cooker, and seasonal outdoor seating that should be appropriate.

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

The property is surrounded by Business zoned properties and the outdoor freezers and cooker meet all required setbacks.

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

The applicant is proposing to keep the freezers and cooker adjacent to the building behind a privacy fence. Applicant is proposing an opaque privacy fence.

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

No new outdoor lighting is proposed.

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

A smoker is not normally kept inside, outdoor freezers are customarily outdoor storage for this type of business.

STAFF RECOMMENDATIONS

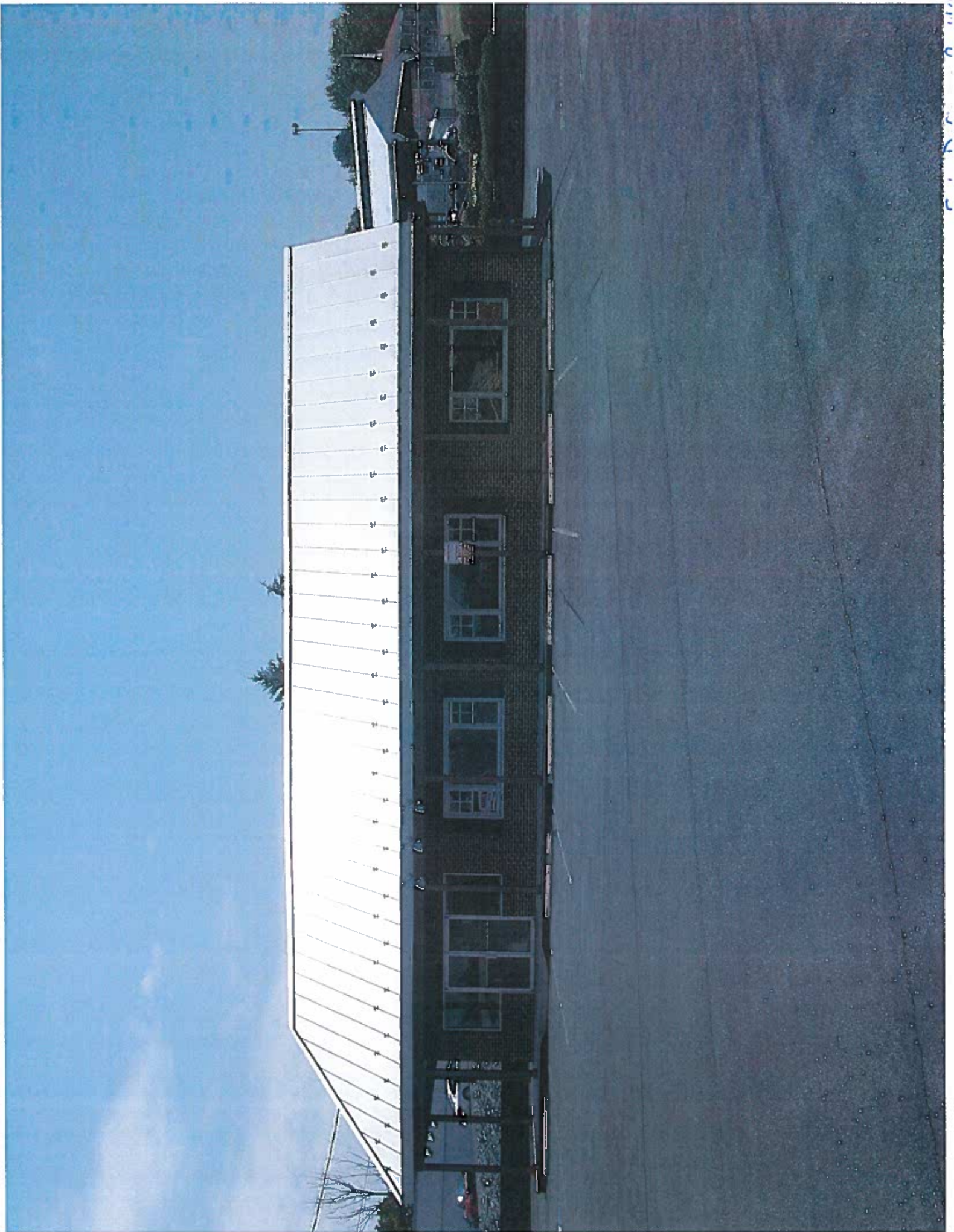
The applicant is requesting to have outdoor storage of a cooker, two (2) walk-in freezers and outdoor seating in conjunction with a retail meat market. The smoker and freezers will be located on the north side of the building behind a privacy fence outside of aiseways and parking areas. Outside seating will be minimal with a proposed maximum of twenty (20) seats. The seating will be seasonal, and will be located under the covered overhang in front of the building. Staff feels the request would be compatible with the neighboring properties and recommends approval with the following conditions:

Pre-Condition:

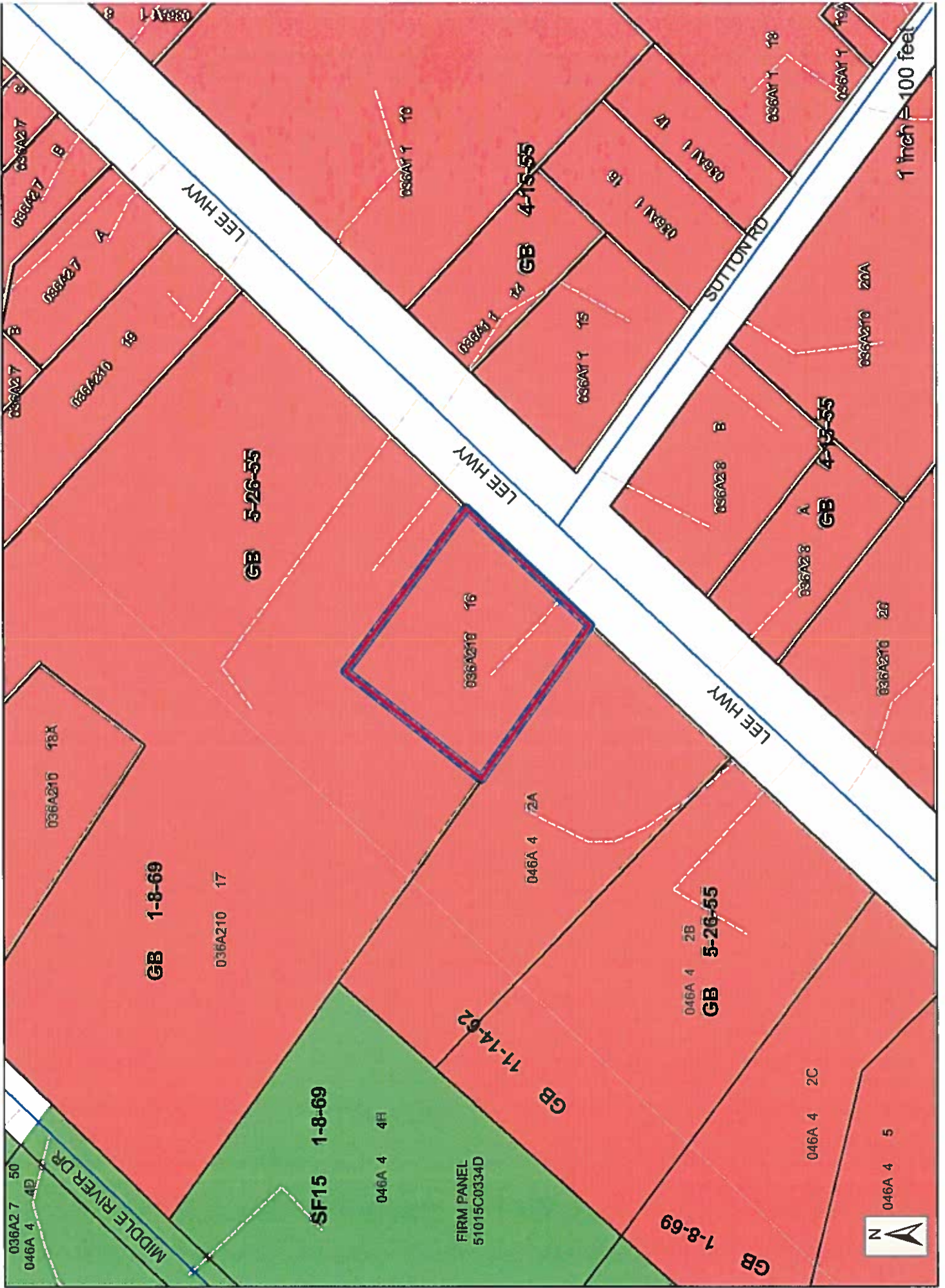
1. Applicant obtain building permit and provide a copy to Community Development.

Operating Conditions:

1. Be allowed to store two (2) 10' x 10' walk-in freezers and one (1) 3' x 4' outdoor cooker outside adjacent to the building.
2. Be permitted to have five (5) two-seat tables to provide seating for a maximum of ten (10) patrons outside under the canopy.
3. All outdoor storage be kept in the designated areas shown on the site plan.
4. The outdoor storage area be screened by an eight (8') foot high opaque privacy fence.
5. The opaque privacy fence must be maintained at all times.
6. Site be kept neat and orderly.
7. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.

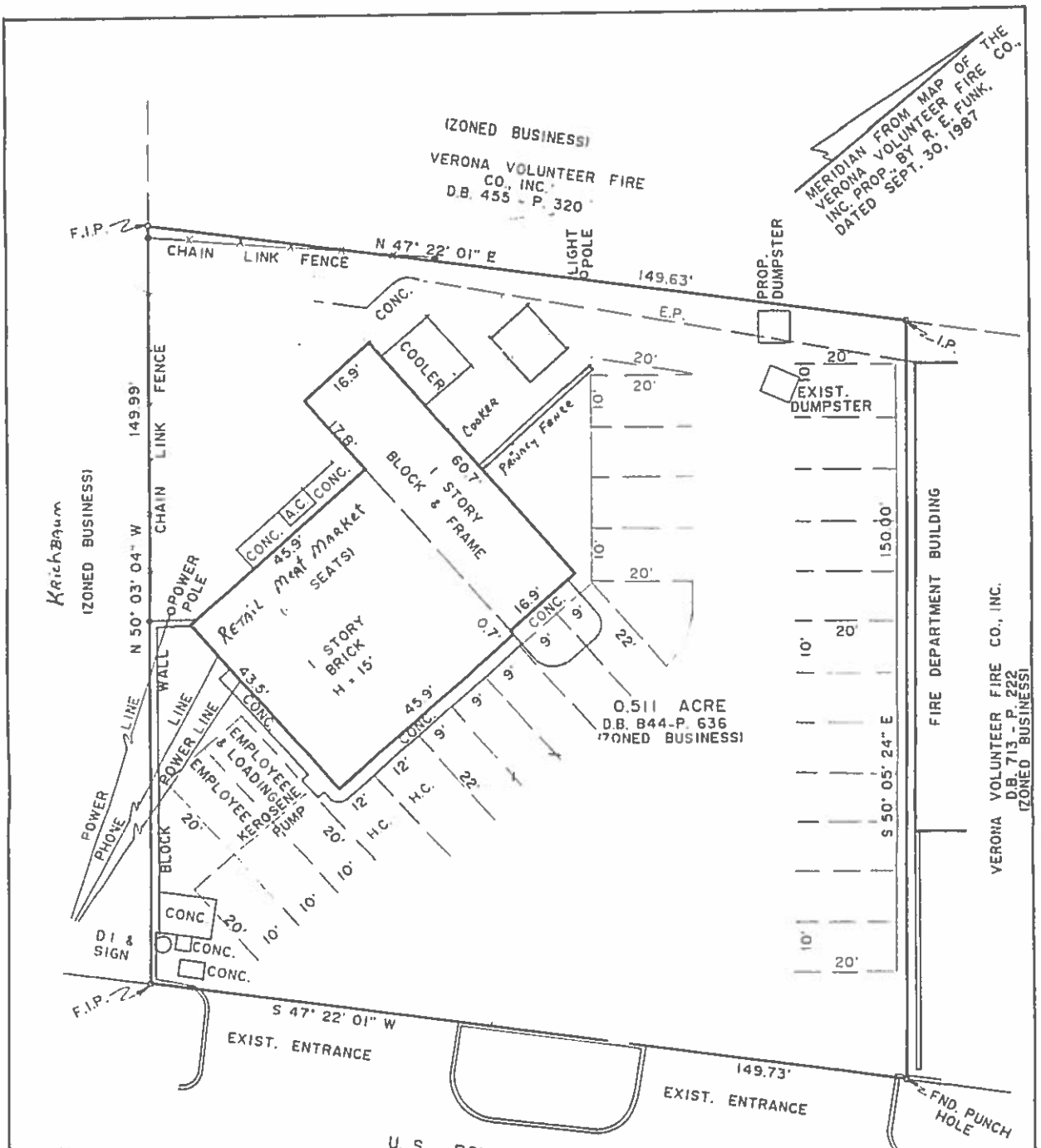


Fort Defiance Realty, LLC



Fort Defiance Realty, LLC





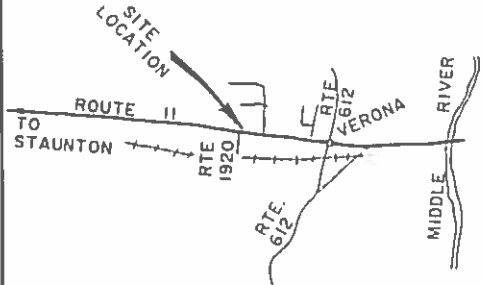
MERIDIAN FROM MAP OF THE VERONA VOLUNTEER FIRE CO., INC. PROP. BY R. E. FUNK, INC. DATED SEPT. 30, 1987

(ZONED BUSINESS)
VERONA VOLUNTEER FIRE CO., INC.
D.B. 455 - P. 320

0.511 ACRE
D.B. B44-P. 636
(ZONED BUSINESS)

VERONA VOLUNTEER FIRE CO., INC.
D.B. 715 - P. 222
(ZONED BUSINESS)

NOTE:
ALL BUILDINGS,
GAS ISLANDS,
COOLERS, ETC.
ARE EXISTING
STRUCTURES.



SITE PLAN FOR
Austin McNett

BEVERLY MANOR DISTRICT
AUGUSTA COUNTY, VIRGINIA

SCALE 1" = 20'

R. E. FUNK - LAND SURVEYOR
15 TERRY ST., STAUNTON, VA.

EXTENSION OF TIME REQUEST

AGENDA ITEM # 7A
Date 8/2/18

PROPERTY OWNER:
David I. McCaskey

APPLICANT:
Same

LOCATION OF PROPERTY:
7 Old Staunton Road, Greenville in the Riverheads District

SIZE OF PROPERTY:
0.161 & 0.018 acres

VICINITY ZONING:
General Business surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:
10/47 Zoned General Business
09/17 SUP approved to have an apartment in a pre-1980 structure and to expand the non-conforming dwelling

LAND USE MAPS:
Urban Service Area – Medium Density Residential

UTILITIES:
Public water and sewer

APPLICANT'S JUSTIFICATION:
To have an apartment in a pre-1980 structure and to expand the non-conforming dwelling

The applicant is requesting a four (4) month Extension of Time.

The applicant has completed all of the pre-conditions of the Special Use Permit, but he has not finished remodeling the dwelling. The applicant is requesting the additional time to complete the necessary repairs and upgrades. Staff recommends approval.

AGENDA ITEM # 7B

CANCELLATION

Date 8/2/18

PROPERTY OWNER:
Jamie DeWayne Stickley

APPLICANT:
Karita Burrill

LOCATION OF PROPERTY:
1568 Patterson Mill Road, Grottoes, in the Middle River District

SIZE OF PROPERTY:
0.536 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

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

LAND USE MAPS:
Rural Conservation Area

UTILITIES:
Private septic and cistern

APPLICANT'S JUSTIFICATION:
To have a day care

The applicant never established the day care and the dwelling is vacant, therefore, the permit has expired. Staff is requesting the Special Use Permit be cancelled.