



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: April 25, 2019

SUBJECT: Regular Meeting and Viewing

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, May 2, 2019, 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 **8:30 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, May 2, 2019, 1:30 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. MINUTES

Approval of the Called and Regular Meeting of April 4, 2019

4. PUBLIC HEARINGS

- A. A request by James P. Megyesi, for a Special Use Permit to reconstruct and enlarge a non-conforming dwelling destroyed by fire no closer to the street or side yard on property he owns, located at 1093 Old Providence Road, Steeles Tavern in the Riverheads District.
- B. A request by Rachel Propst or Thomas Estep, for a Special Use Permit to have a personal use dog kennel on property owned by Johnnie E. or Brenda J. Breeden, located at 1253 Keezletown Road, Weyers Cave in the Middle River District.
- C. A request by Hunter L. Biggs, for a Special Use Permit to place a pre-1976 mobile home less than 900 square feet on property he owns, located at 626 Paine Run Road, Grottoes in the Middle River District.
- D. A request by Tim Grove, agent for Houff Corporation, for a Special Use Permit to expand the existing manure storage facility to increase storage capacity of bio-solids or manure for future land application on property owned by Everette L. Gardner, located at 137 Melody Lane, Mount Solon in the North River District.
- E. A request by Mervin P. Weaver, agent for First Baptist Church of Grottoes, Inc., for a Special Use Permit to construct a pavilion for picnics and church gatherings on property they own, located on the east side of East Side Highway, north of the intersection of East Side Highway and Route 778 in the Middle River District.
- F. A request by Andrew and Amanda Weaver, for a Special Use Permit to have a landing strip for personal use on property owned by Weavers Landing, LLC, located at 6353 Spring Hill Road, Bridgewater in the North River District.
- G. A request by Garland Eutsler, agent for Shen Acres Holding, LLC, for a Special Use Permit to add extended stay sites to the existing campground on property owned by Shen Acres Realty, LLC, located at 348 and 256 Lake Road, Stuarts Draft in the South River District.
- H. A request by John Wilkinson, agent for Appalachian Aggregates, for a Special Use Permit to reopen a closed quarry operation and manufacture crushed stone in conjunction with the Interstate 81 widening on property owned by Spottswood Farms, LLC, located on the east side of Interstate 81 in the Riverheads District.

- I. A request by John Wilkinson, agent for Appalachian Aggregates, for a Variance from the required setback for a mining operation on property owned by Spottswood Farms, LLC, located on the east side of Interstate 81 in the Riverheads District.

5. OLD BUSINESS

- A. A request by Seth A. Liskey, for a Special Use Permit to have weddings and special events within the barn and to construct a building for weddings and special events and to use a portion of the building for short term rentals on property owned by Phillip A. or Brenda S. Liskey, located at 264 Wise Hollow Road, Bridgewater in the North River District. – **TABLED TO CONTINUE THE PUBLIC HEARING**

6. MATTERS TO BE PRESENTED BY THE PUBLIC

7. MATTERS TO BE PRESENTED BY THE ZONING ADMINISTRATOR

- A. 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. – **180 DAY EXTENSION OF TIME REQUEST**
- B. 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. – **6 MONTH EXTENSION OF TIME REQUEST**

8. STAFF REPORT

18-33	Wanda H. Caraway
18-34	Barbara Fitzgerald
18-35	Deborah Simmons ¼ Etal

9. ADJOURNMENT

PROPERTY OWNER:

James P. Megyesi

Agenda Item # 4A

Date 5/2/19

APPLICANT:

Same

LOCATION OF PROPERTY:

1093 Old Providence Road, Steeles Tavern in the Riverheads District

SIZE OF PROPERTY:

0.897 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 reconstruct and enlarge a non-conforming dwelling destroyed by fire no closer to the street or side yard

INDIVIDUAL PLANNING COMMISSION'S COMMENTS:

Riverheads District Planning Commissioner's Comment: I believe that there should be a safety concern addressed with rebuilding the structure on Old Providence Road. There is a lot of speeding traffic on that stretch of road in front of the dwelling and I was often concerned about children in the front yard. There is space to meet the front setback and the safety of the occupants should be considered.

BUILDING INSPECTOR'S COMMENTS:

Obtain all necessary permits and inspections in accordance with the Uniform Statewide Building Code.

HEALTH DEPARTMENT'S COMMENTS:

A request for the Health Department to evaluate and determine whether the existing septic system is safe, adequate, and proper for the proposed new construction is required. New construction must not encroach upon the existing septic system.

HIGHWAY DEPARTMENT'S COMMENTS:

The existing private 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 parcel.

ENGINEERING’S COMMENTS:

No comments from Engineering.

STAFF RECOMMENDATIONS:

The applicant is requesting to reconstruct and enlarge a non-conforming dwelling destroyed fire. The dwelling is non-conforming due to it not meeting the current thirty-five foot (35') setback from the right-of-way line and the twenty-five foot (25') side setback requirements. The dwelling was constructed in 1942 prior to the 1947 Zoning Ordinance adoption. The applicant provided a survey showing the existing dwelling was constructed approximately twenty-one feet (21') from Old Providence Road (Route 919) and twenty-two feet (22') from the side property line. The burned dwelling contained approximately 1413 square feet on a full unfinished basement. The applicants would like to construct a new 30' X 60' (1800 square feet) dwelling using the existing basement and cantilever engineered beams for the construction of the additional living space in addition to a wraparound porch no closer to the road or side yard than the existing dwelling was originally.

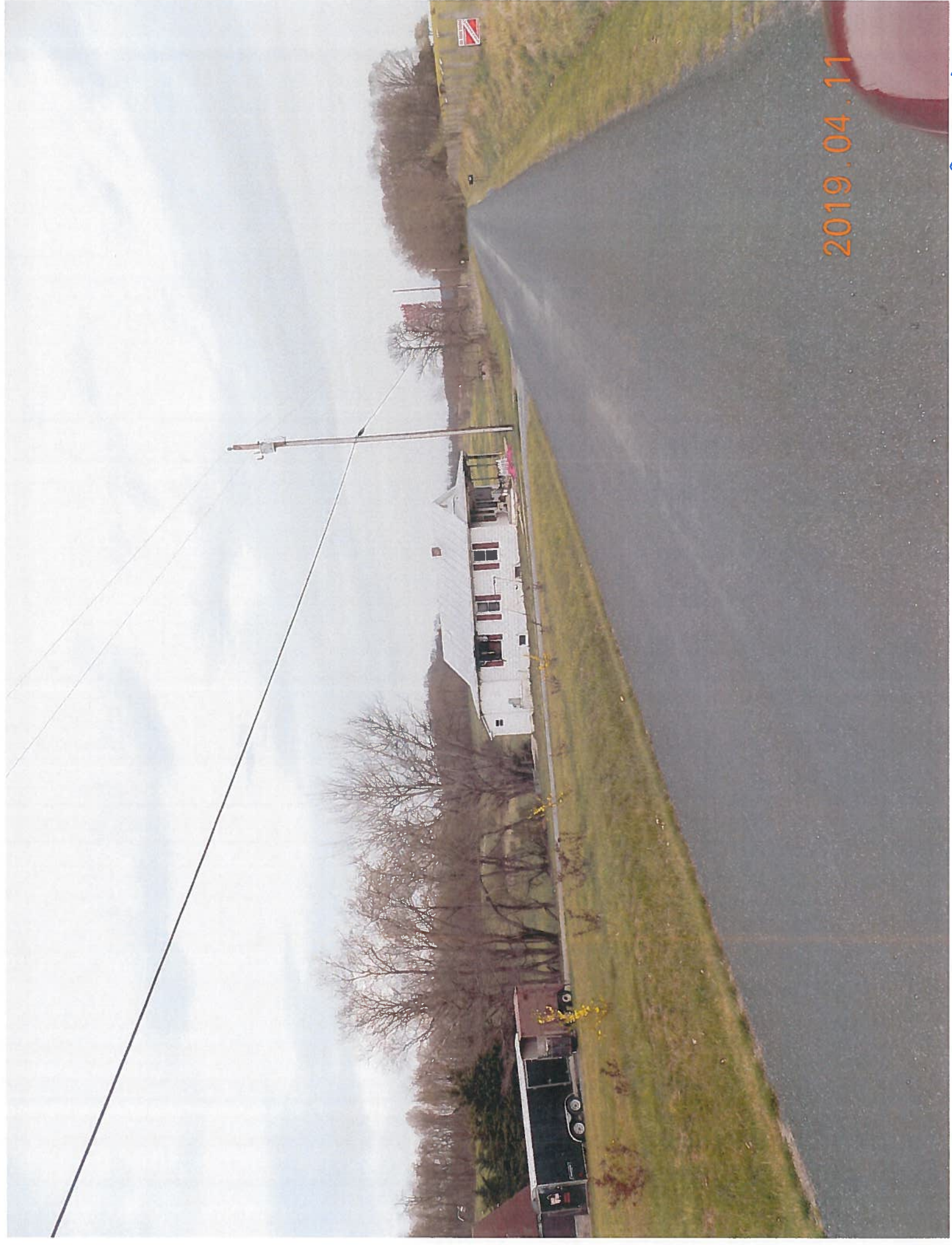
Staff understands the concerns the Planning Commission noted regarding the close proximity to the road, however, the applicants could have reconstructed the burned dwelling in the same location without a Special Use Permit if the reconstructed dwelling remained the same size it was prior to the fire. If the Board feels the request is compatible and desires to approve the request, Staff would recommend the following operating conditions:

Pre-Conditions:

1. Applicant obtain building permit and provide a copy to Community Development.
2. Obtain Health Department approval and provide a copy to Community Development.

Operating Conditions:

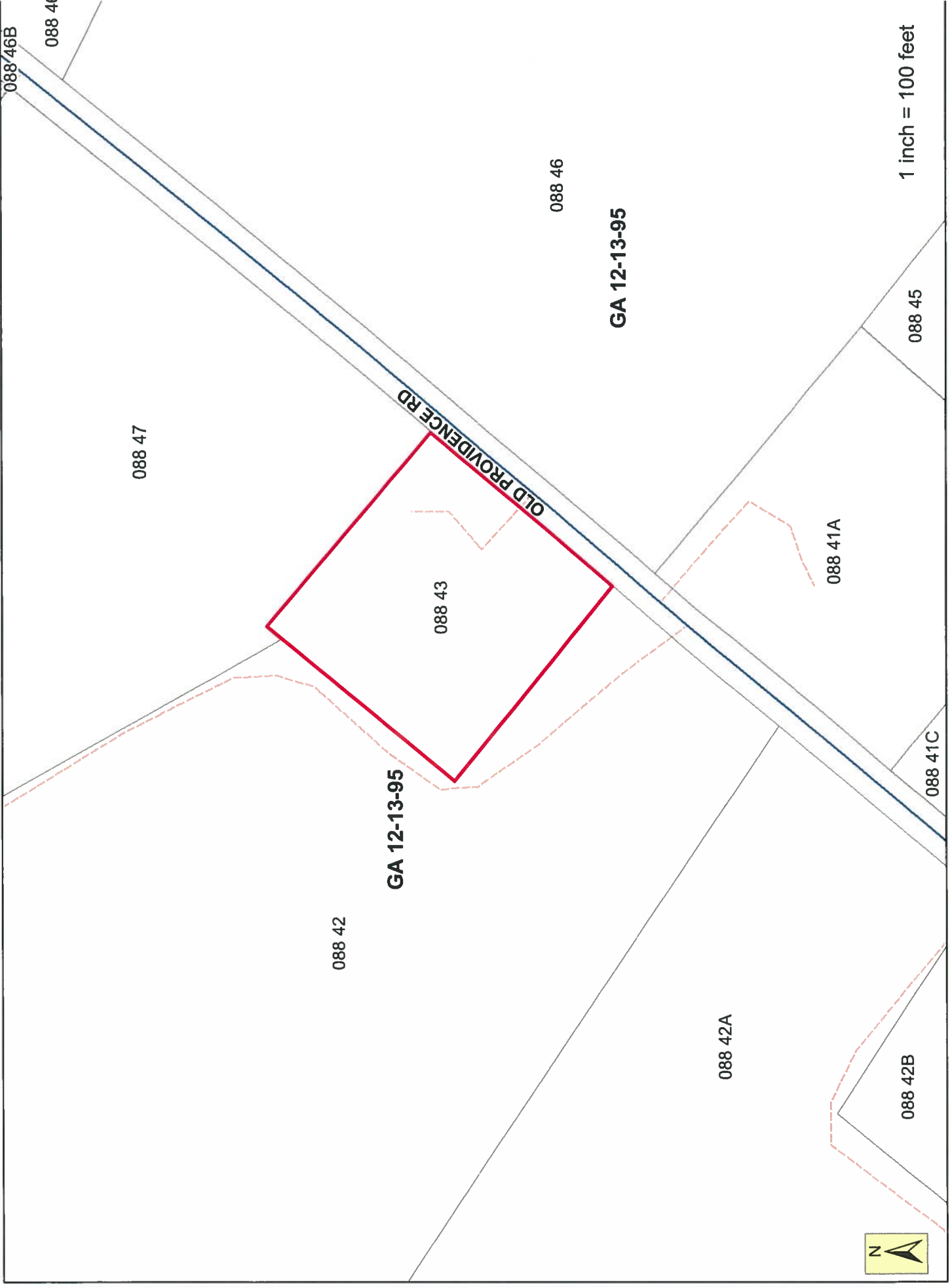
1. Be permitted to construct a 30' X 60' dwelling on the existing basement no closer to the road or the side yard than the burned dwelling.
2. Applicant submit a foundation survey prior to framing the new dwelling.



2019.04.11

Megueri

Megyesi



Megyesi



1 inch = 100 feet



Megyesi

30' x 60' dwelling | Replace Covered front porch with covered wraparound porch no closer to the Road - PG 0327-031-99

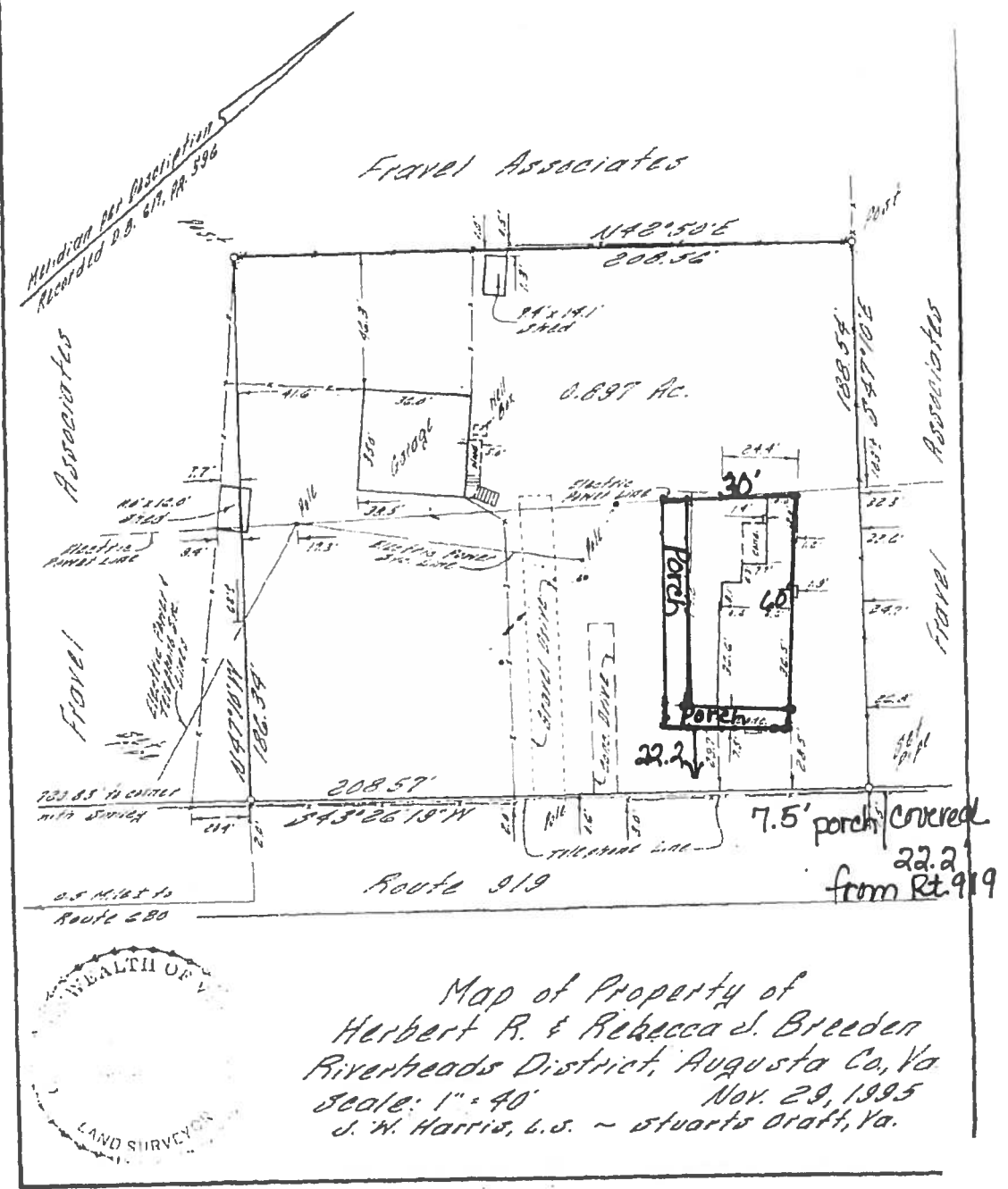
Source: D. B. 617, pg. 596

EXHIBIT

This is to certify that the property shown hereon is located within Flood Hazard Area Zone X (areas determined to be outside 500 year flood plain) per Flood Insurance Rate Map Community-Panel Number 510013 0340 B, dated May 17, 1990.

This survey was prepared for: David Todd Fretwell

The property is located at: Route 1, Box 412, Spottswood, Va. 24475



Fretwell Associates

Mentioned per Description
Recorded D.B. 617, pg. 596

Fretwell Associates

Fretwell Associates

Fretwell

Fretwell

Route 919

7.5' porch covered
22.2' from Rt. 919

Map of Property of
Herbert R. & Rebecca J. Breeden
Riverheads District, Augusta Co, Va.
Scale: 1" = 40' Nov. 29, 1995
J. W. Harris, L.S. - Stuarts Draft, Va.



PROPERTY OWNER:

Johnnie E. or Brenda J. Breeden

Agenda Item # 4B

Date 5/2/19

APPLICANT:

Rachel Propst or Thomas Estep

LOCATION OF PROPERTY:

1253 Keezletown Road, Weyers Cave in the Middle River District

SIZE OF PROPERTY:

9.35 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

LAND USE MAPS:

Urban Service Area – Neighborhood Mixed Use

UTILITIES:

Private well and Public sewer

APPLICANT'S JUSTIFICATION:

To have a personal use dog kennel

INDIVIDUAL 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 dog kennel with no outside employees/public restrooms so no sewage disposal system is required. DEQ might comment on animal waste disposal needs.

HIGHWAY DEPARTMENT'S COMMENTS:

The existing private entrance is adequate for the requested use. Should an expansion or additional traffic entering the kennel operation be proposed in the future, contact VDOT to verify if entrance is adequate.

SERVICE AUTHORITY'S COMMENTS:

1. 1253 Keezletown Road is currently a Service Authority sewer only customer. It is assumed that the proposed kennel will not be connected to the public sewer

system. If this is correct, the Service Authority has no further comments. If incorrect, some additional information is needed regarding the connection to the sewer system.

2. There is an existing 8" water line along Keezletown Road across from the subject parcel.
3. There is an existing 10" sewer line along Keezletown Road fronting the subject parcel.

ENGINEERING'S COMMENTS:

Less than 10,000 square feet. Ok.

ANIMAL CONTROL'S COMMENTS:

Landowner advised where building was going to be built. Nothing for me to check at this time as the dog on the property is properly tagged and vaccinated. My recommendation is to put a limit of how many dogs can be 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 kennels will be cleaned daily.

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

There will be windows installed for ventilation and straw will be used during the winter months for extra warmth.

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

The fencing will be chain-link for the runs between six (6') to eight (8') feet in height.

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

The adjoining fields are fenced and will be used for exercise during the day.

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

A fire extinguisher will be inside the kennel.

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

The kennel will be 15' x 40' with a 6' x 40' enclosed area with individual dog boxes for use at night and 9' x 40' fenced runs for use during the day. The entire kennel will be roofed over and will have a concrete floor.

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 9.35 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 housed in the enclosed 6' x 40' kennel area every night from 10:00 p.m. to 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 kennel is located at least two hundred (200') feet from all adjoining property lines.

STAFF RECOMMENDATIONS

The applicants are proposing to construct a 15' x 40' kennel. The kennel will have a 6' x 40' enclosed area where the dogs will be confined at night and 9' x 40' fenced area for runs during the day. The adjacent fenced field will be used as an exercise area. The applicant is requesting a personal kennel to keep ten (10) dogs. They currently have one (1) Pointer mix weighing approximately fifty (50) pounds and would like to have nine (9) Blue Tick hounds for hunting. The applicant will not breed dogs at any time. The proposed kennel meets all setback requirements and is not within close proximity to any dwellings. Staff feels the request would not have an adverse impact to the neighborhood and recommends approval with the following conditions:

Pre-Condition:

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

Operating Conditions:

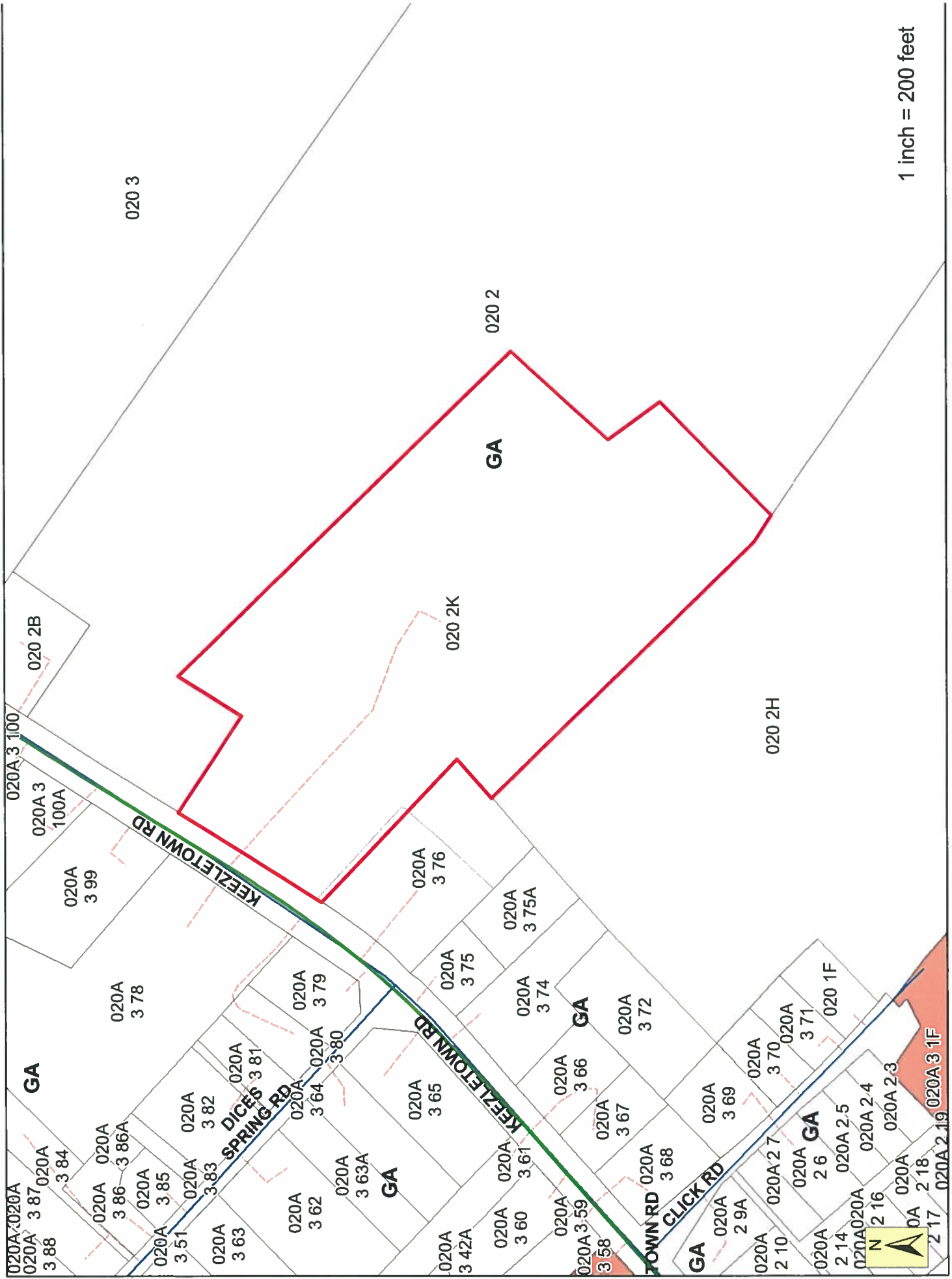
1. Be permitted to construct a 15' x 40' kennel/run.
2. Maximum of ten (10) adult dogs kept at this site at any time.
3. All dogs be confined within the fenced exercise areas or in the kennel at all times.
4. Dogs be kept inside from 10:00 p.m. until 6:00 a.m.
5. Site be kept neat and orderly.
6. Animal Control to inspect the site yearly.



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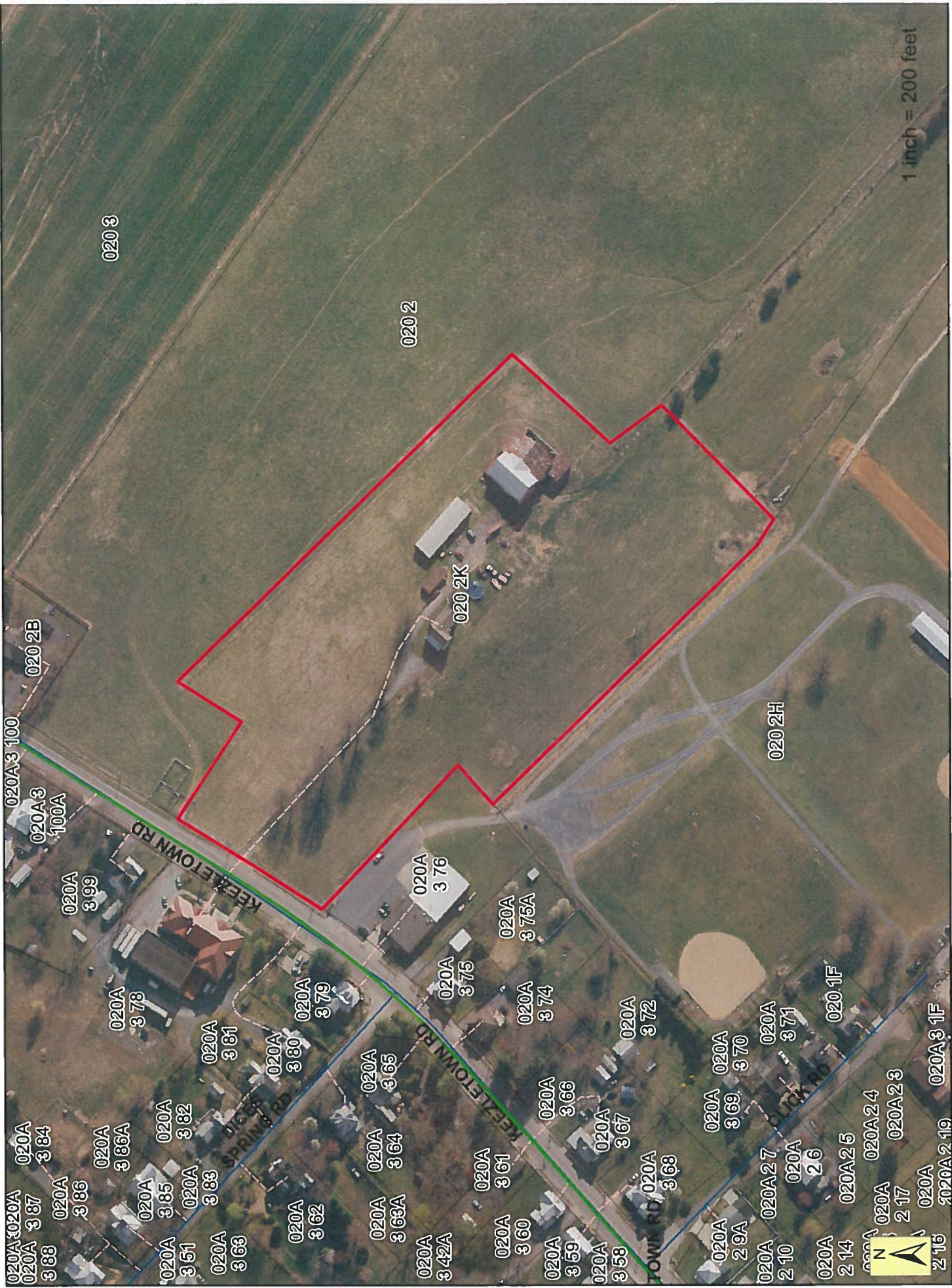
Kreiden

Breeders



1 inch = 200 feet

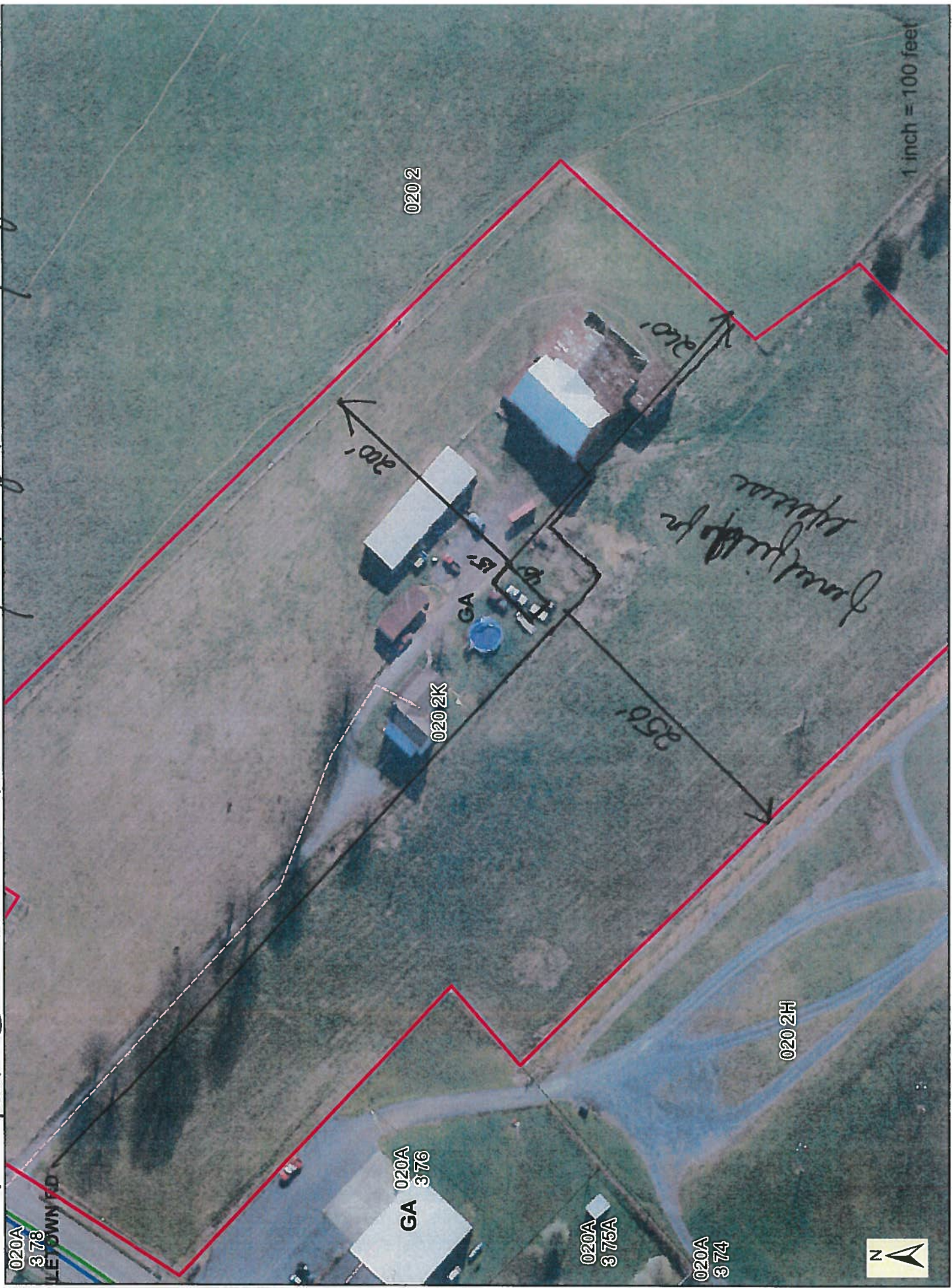
Breeders



1 inch = 200 feet

Breeder

15'x40' Kennel 6'x40' enclosed area / 9x40 fenced runs / roof over entire area



1 inch = 100 feet



PROPERTY OWNER:
Hunter L. Biggs

Agenda Item # 4C
Date 5/2/19

APPLICANT:
Same

LOCATION OF PROPERTY:
626 Paine Run Road, Grottoes in the Middle River District

SIZE OF PROPERTY:
3.015 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:
To place a pre-1976 mobile home less than 900 square feet

INDIVIDUAL 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:
Sewage system approval is required from the Health Department.

HIGHWAY DEPARTMENT'S COMMENTS:
The existing private entrance location is adequate for the request. The entrance does need additional gravel (crusher run) to be placed on/along the entrance.

SERVICE AUTHORITY'S COMMENTS:
There is no public water or sewer available in the area of the subject parcel.

ENGINEERING'S COMMENTS:
No comments from Engineering.

STAFF RECOMMENDATIONS

The applicant is requesting to place a 1971 mobile home on property he owns, which is vacant. The home is 12' x 60' and contains two (2) bedrooms with one (1) bath. The applicant wants to place this home for his mother-in-law.

There is no well or septic on the site, however, the applicant is working with the Health Department. The parcel contains 3.015 acres and the mobile home is proposed to be placed conforming to all required setbacks.

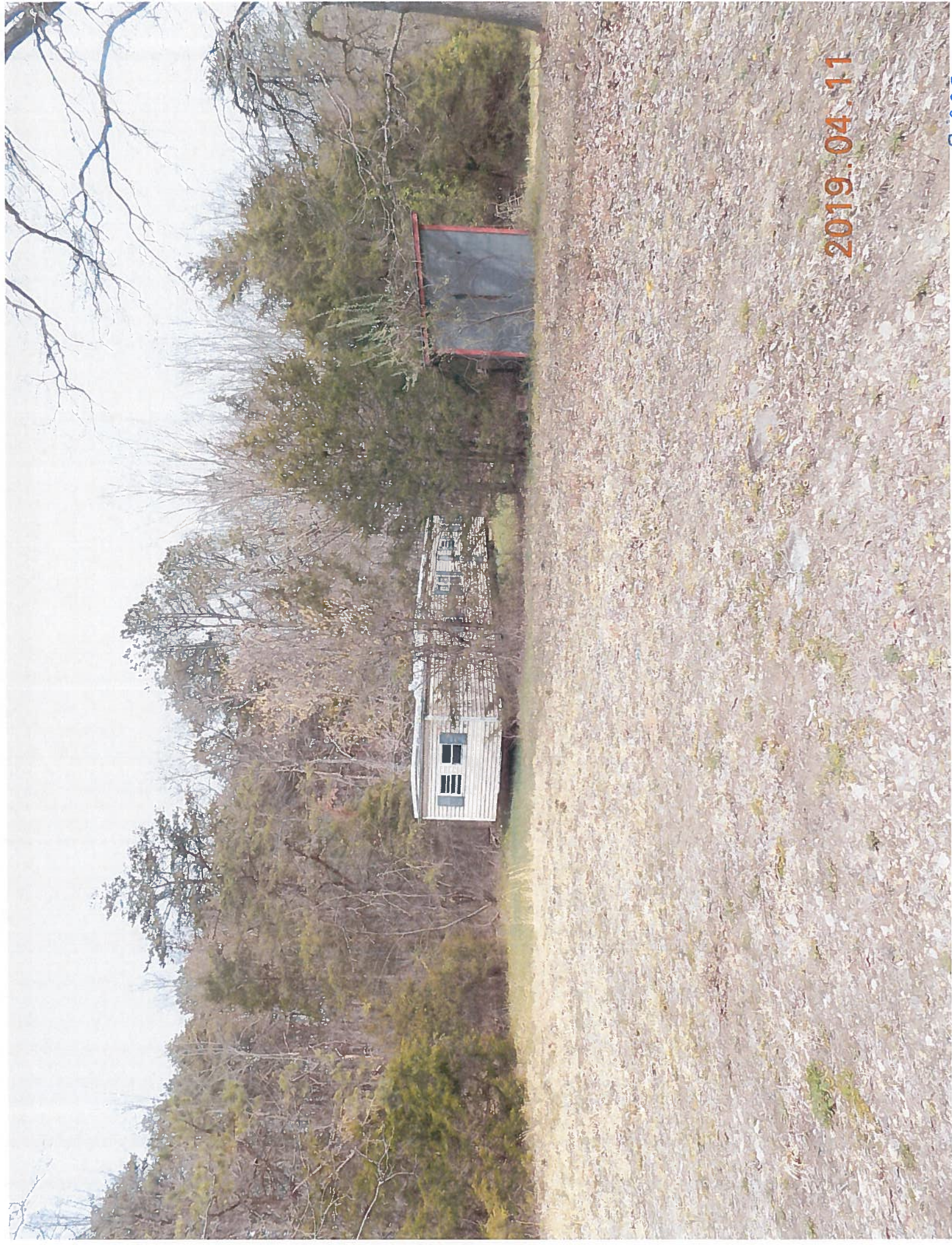
Staff feels the request will not be a detriment to the neighboring properties and recommends approval with the following conditions:

Pre-Conditions:

1. Applicant obtain building permit and provide a copy to Community Development.
2. Obtain Health Department approval and provide a copy to Community Development.

Operating Conditions:

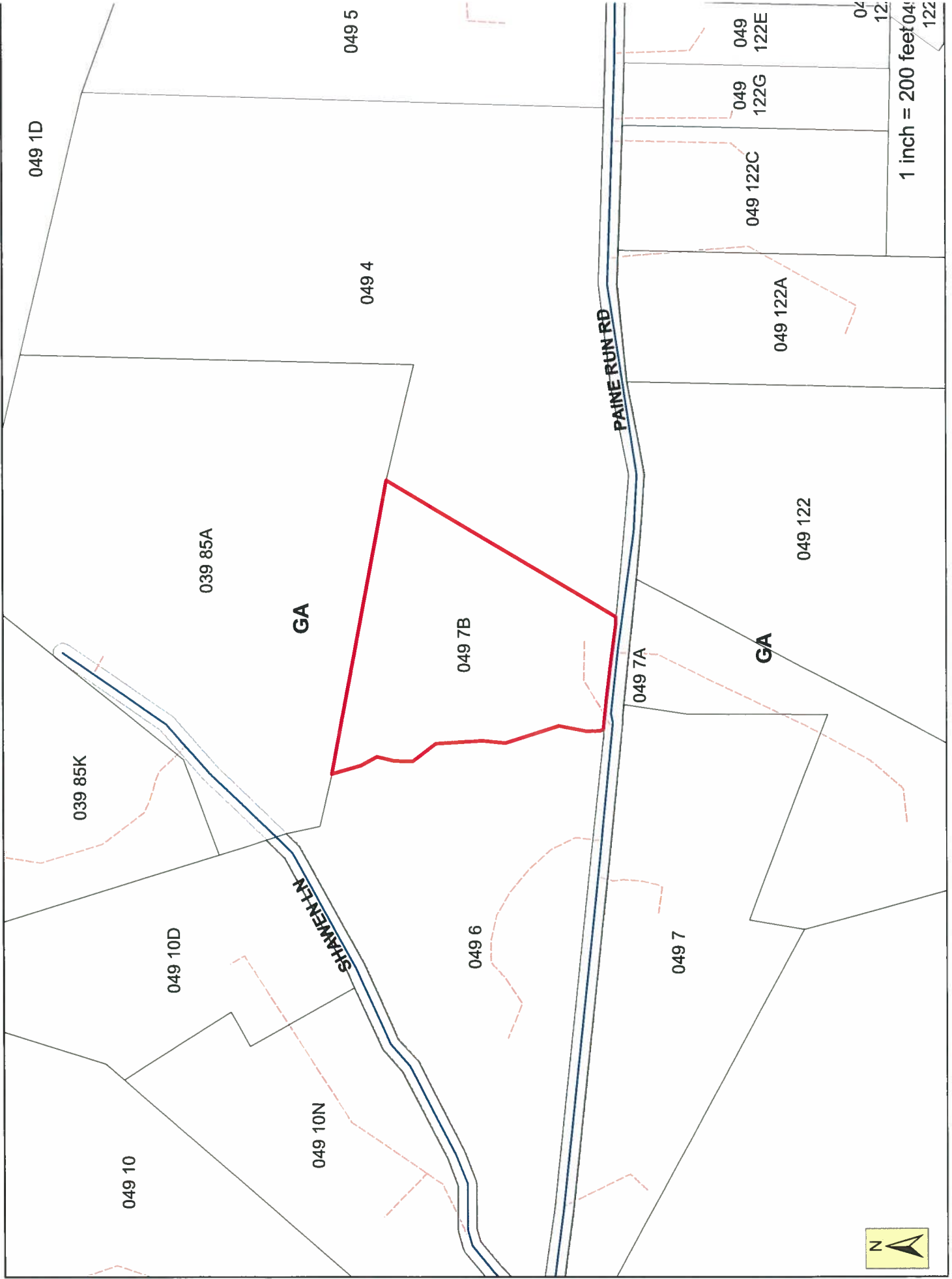
1. Be permitted to place a 1971 manufactured home, seven hundred twenty (720) square feet.
2. Site be kept neat and orderly.
3. No junk or inoperable vehicles to be kept outside.



2019.04.11

Biggs

Biggs

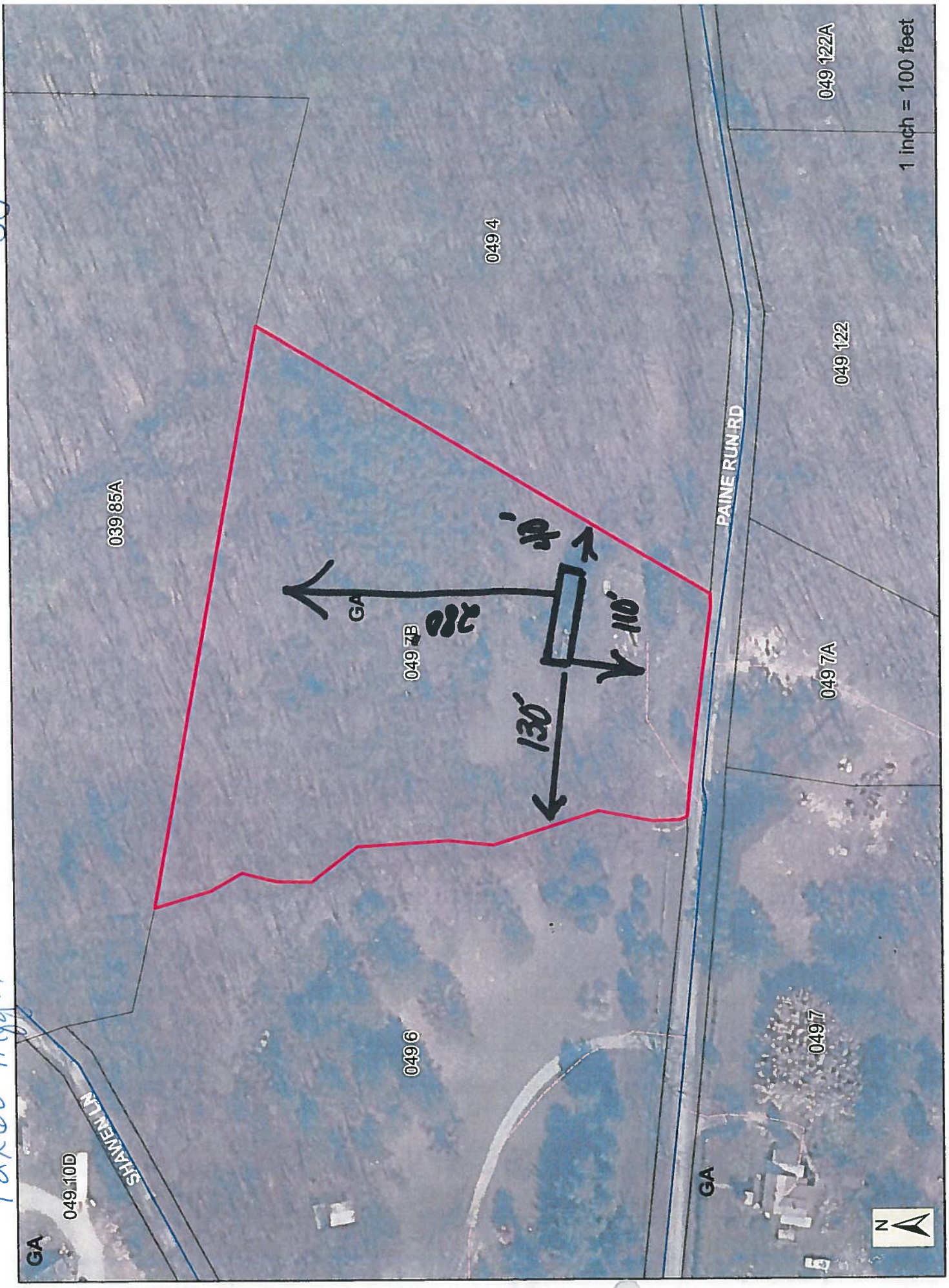


Biggs



Biggs

12x60 mfg home



1 inch = 100 feet

PROPERTY OWNER:
Everette L. Gardner

Agenda Item # 4D
Date 5/2/19

APPLICANT:
Tim Grove, agent for Houff Corporation

LOCATION OF PROPERTY:
137 Melody Lane, Mount Solon in the North River District

SIZE OF PROPERTY:
107.19 acres

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

PREVIOUS ZONING OR S.U.P.:
12/95 Zoned Exclusive Agriculture
03/10 Zoned General Agriculture
10/11 SUP approved to use an existing manure storage facility to store bio-solids or manure for future land application

LAND USE MAPS:
Agriculture Conservation Area

UTILITIES:
Private well and septic

APPLICANT'S JUSTIFICATION:
To expand the existing manure storage facility to increase storage capacity of bio-solids or manure for future land application

INDIVIDUAL PLANNING COMMISSION'S COMMENTS:
No comments.

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

HEALTH DEPARTMENT'S COMMENTS:
No comment from Health Department (does not appear to have impact on existing septic system(s)). DEQ has oversight of Biosolids land application.

HIGHWAY DEPARTMENT'S COMMENTS:
The existing low volume commercial entrance is adequate for the requested use. If vehicle traffic is more than 50 vehicles per day (enter + exit), the entrance may require upgrades to moderate or full commercial standards. If an upgrade is required, call VDOT

to discuss the requirements as described in Appendix F of the VDOT Road Design Manual.

SERVICE AUTHORITY’S COMMENTS:

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

ENGINEERING’S COMMENTS:

If land disturbance, including any access roadways will exceed 10,000 square feet then Erosion and Sediment Control Plan will be required.

DEQ’S COMMENTS:

I have no comments regarding this zoning request as long as the property owner adheres to environmental laws and regulations. We had one odor complaint back in 2014 for this property but it was determined to be not valid.

Additional Comments:

Biosolids storage activity at the subject location is currently authorized by DEQ Virginia Pollution Abatement permit #VPA01566 (Permit), and must be conducted in accordance with requirements in the Permit. Any modifications to this activity are subject to requirements in the Permit, Virginia Pollutant Abatement Permit Regulation, and State Water Control Law.

Houff Corporation has not yet applied to DEQ for a modification to the Permit to increase storage capacity. In accordance with § 62.1-44.19:3 R. of the Code of Virginia, no application for a permit or variance to authorize the storage of biosolids shall be complete unless it contains certification from the governing body of the locality in which the biosolids is to be stored that the storage site is consistent with all applicable ordinances. Accordingly, Augusta County’s approval of the increased storage capacity must occur prior to DEQ approving any modification to the Permit to authorize the increased storage capacity.

SECTION 25-74B – AGRICULTURE SUPPORT BUSINESSES

The business is reasonably related to agriculture or forestry use. Examples of such businesses are those which involve (a) the processing of agriculture or forestry products, (b) the supply and maintenance of equipment, tools, and facilities used in agriculture and forestry production, (c) the care and feeding of animals generally, or (d) the marketing of agriculture and forestry products.

The existing storage facility is an agriculture support operation.

Traffic generated by the proposed project will be compatible with the roads serving the site and other traffic utilizing said roads.

The public roads serving this site has been adequately and safely handling the traffic generated by the existing project. No new traffic.

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

The 516 acre farm has handled all traffic to and from the site.

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

The applicant is requesting to expand the existing manure storage facility which has been in operation since 2011.

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

The facility is over nine hundred (900') feet from the closest adjoining property line and over one thousand three hundred (1,300') feet from the closest dwelling.

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 a business center or otherwise change the area's character and social structure.

The request is to expand an existing manure storage facility on an old dairy farm should not result in a clustering of similar businesses.

STAFF RECOMMENDATIONS

The applicants were granted a Special Use Permit to use an existing manure storage facility to store manure or sludge for future land application in 2011. The existing lagoon was not built level, therefore, one end is not at capacity. The applicants are requesting to build up the base and roadway and extend the liner, which will increase their storage capacity by approximately thirty (30%) percent. The applicants have a current DEQ permit for the existing bio-solids storage activity, which will need to be modified if the Board approves the request to increase the storage capacity per DEQ comments.

Staff feels the request to level an existing facility in order to obtain maximum storage capacity would be in keeping with the agricultural practices of the surrounding area and would recommend approval with the following conditions:

Pre-Condition:

None

Operating Conditions:

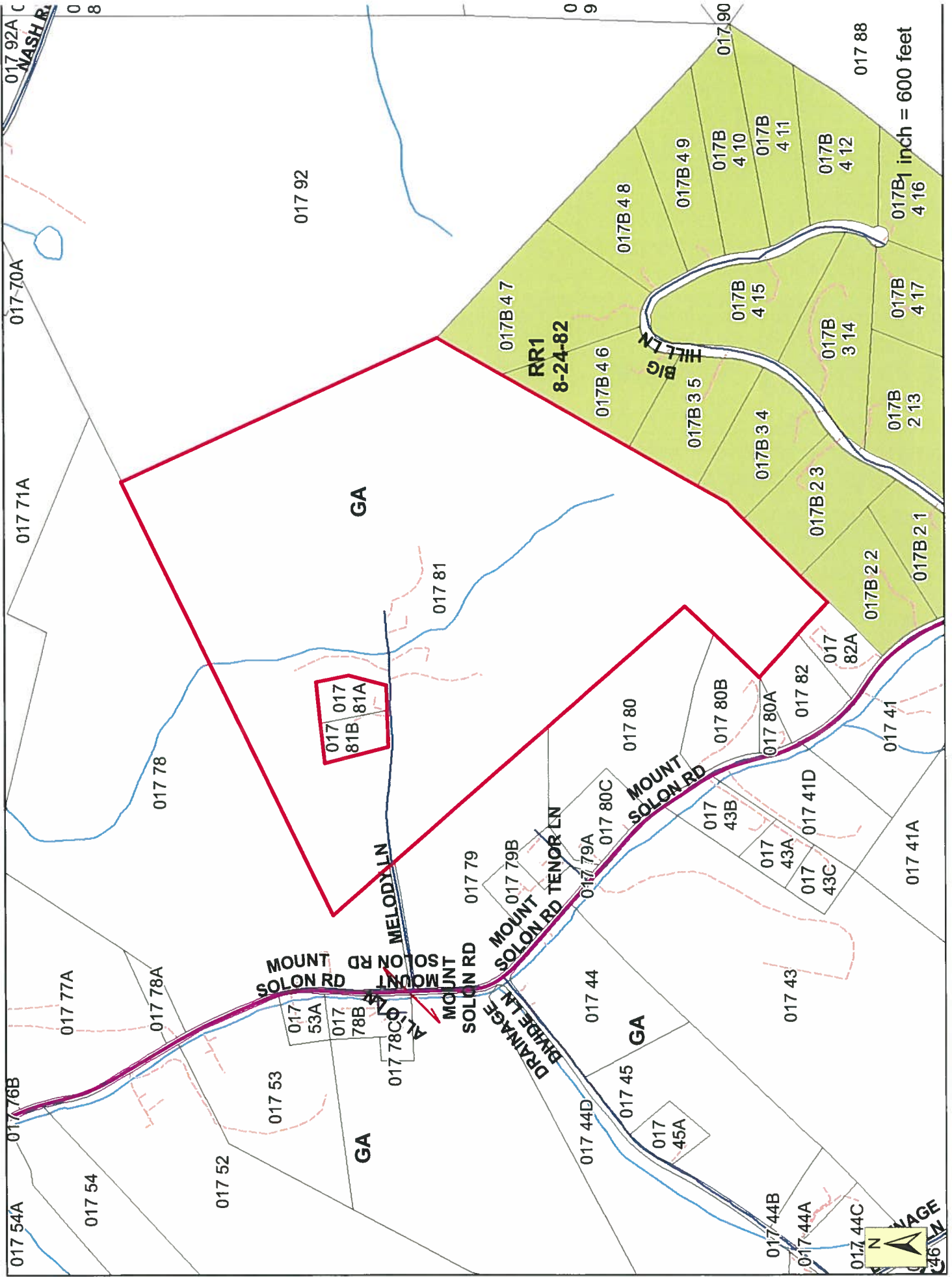
1. Submit an Erosion and Sediment Control Plan if land disturbance, including roadways, will exceed 10,000 square feet.
2. Be permitted to excavate and expand the existing lagoon to increase bio-solids or manure storage.
3. All operating conditions of SUP#11-44 remain in effect.



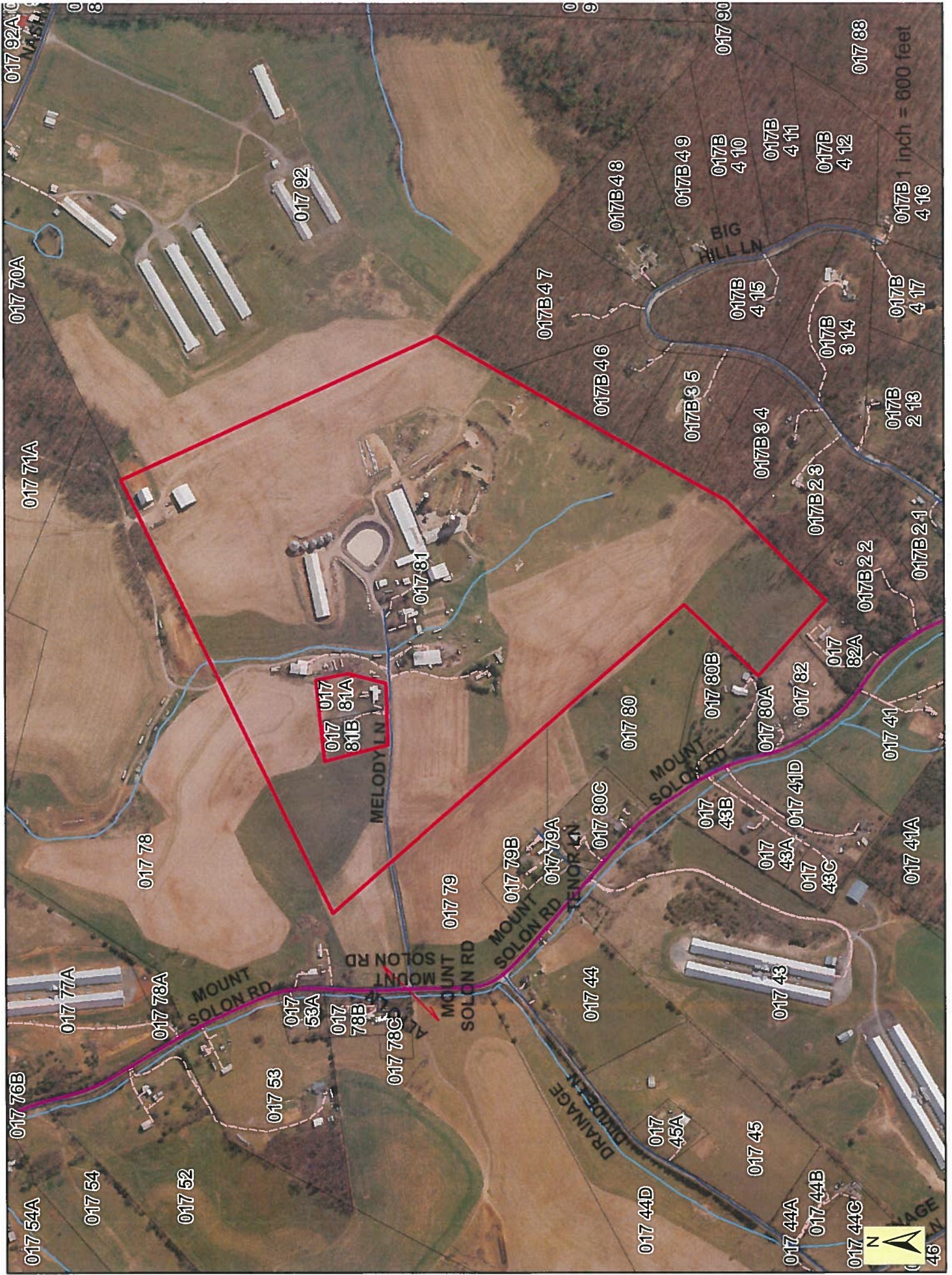
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Goodner

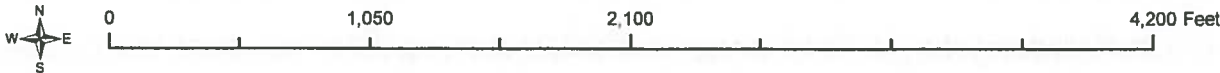
Gardner



Gardner



Gardner Manure Pit - Special Use Permit Site Map



Gardner Manure Pit - Special Use Permit Site Map



Source: Esri, DigitalGlobe, GeoEye, iSat, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community



0 55 110 220 Feet



Agenda Item # 4E
Date 5/2/19

PROPERTY OWNER:

First Baptist Church of Grottoes, Inc.

APPLICANT:

Mervin P. Weaver, agent for First Baptist Church of Grottoes, Inc.

LOCATION OF PROPERTY:

On the east side of East Side Highway, north of the intersection of East Side Highway and Route 778 in the Middle River District

SIZE OF PROPERTY:

6.00 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:

None

APPLICANT'S JUSTIFICATION:

To construct a pavilion for picnics and church gatherings

INDIVIDUAL 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:

If the pavilion has restrooms/plumbing then the applicant will need to hire a private sector OSE/PE for evaluation and design services to obtain an onsite sewage permit. If portable toilets are used for a mass gathering/temporary event held at the property then at least one per 100 persons is recommended for each occurrence.

HIGHWAY DEPARTMENT'S COMMENTS:

The existing shared use entrance meets the required intersection sight distance. The entrance needs to be modified to meet low volume commercial entrance as described in Appendix F of the Road Design Manual; the entrance can remain gravel, but will require increased radii and culvert pipe extensions. If the pavilion consistently generates more

than 40 vehicles per day (enter + exit), the entrance shall be upgraded to meet our full commercial (paved) entrance requirements as described in Appendix F of the Road Design Manual. A Land Use permit is required for the modification.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

Will require Erosion and Sediment Control Plan if land disturbance exceeds 10,000 square feet. This includes any disturbed areas for entrances, access roadways, parking lots, septic, etc. Roof area for the pavilion and any new impervious areas will need to be considered in any future construction of an actual church building or other impervious areas.

SECTION 25-74L – PASSIVE RECREATIONAL FACILITIES REQUIRING A BUILDING AND ACTIVE RECREATIONAL FACILITIES

There is an adequate plan for sanitation facilities and garbage, trash and sewage disposal to accommodate persons in attendance.

All trash will be removed after each event. The applicant is proposing porta-potties that will be removed after each event. The pavilion is for church members only.

There is an adequate plan for parking and crowd and traffic control in and around the site. Designated areas for pick-up and delivery of users are adequate to prevent traffic congestion both on and off site, thereby keeping waiting pedestrians out of vehicle passage ways and parking areas and preventing waiting vehicles from blocking access to and from parking areas or impeding traffic on adjoining streets.

All parking will be on site in the grass.

Approval by the Virginia Department of Transportation.

There is an existing entrance to the property.

The proposed size, the proposed recreational activities, the anticipated number of users, setbacks, parking facilities, lighting, hours of operation and landscaping, are appropriate for the area.

A pavilion used for church picnics and social gatherings for members of the church should be appropriate for the area.

STAFF RECOMMENDATIONS

The church purchased the property in August of 2018 and would like to construct a 50' X 100' pavilion for picnics and fellowship gatherings. The church is currently located in Grottoes, and they would like to go ahead and construct the pavilion before the new church is constructed at this location. There will be no outdoor lighting and all parking will be in the grass. The applicants would like to be allowed to use porta-potties on the weekends the pavilion is in use and remove after the event. The pavilion will be used by

church members only and will not be rented. Staff feels that a pavilion for church picnics and fellowship will not have a negative impact on neighboring properties and recommends approval with the following conditions.

Pre-Conditions:

1. Applicant obtain building permit and provide a copy to Community Development.
2. Applicant obtain VDOT approval and submit a copy to Community Development.

Operating Conditions:

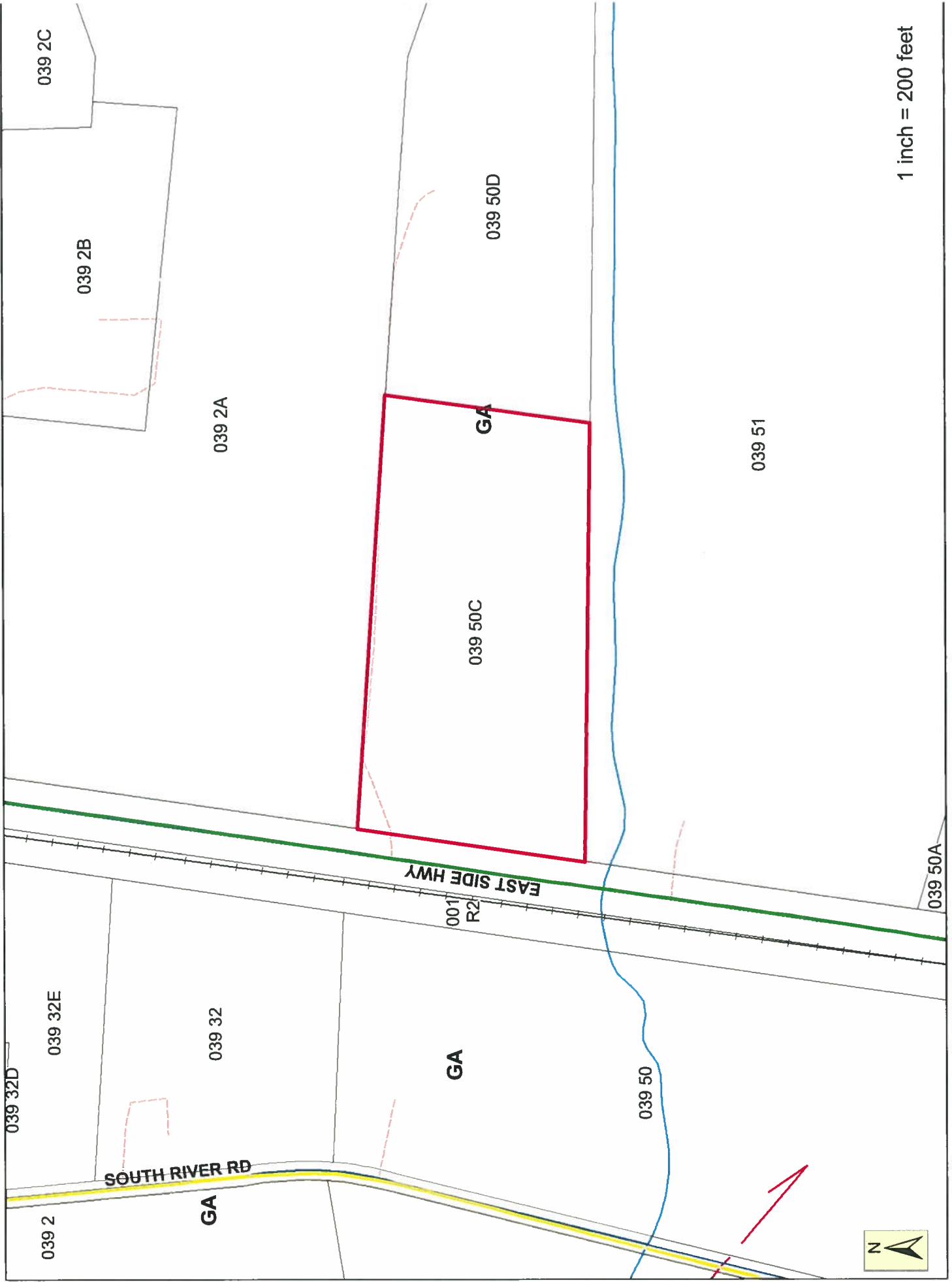
1. Be permitted to construct a 50' X 100' pavilion for church events.
2. Applicant will install a sewage treatment system approved by the Health Department within two (2) years for the pavilion and provide a copy of the permit to Community Development.
3. Be permitted to use a portable restroom facility for two (2) years until the septic system is installed.
4. Portable restroom facilities be removed after each event.
5. No junk or inoperable vehicles be kept on site.
6. Site be kept neat and orderly.



2019.04.11

Erst Badst

First Baptist Church of Grottoes

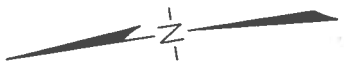
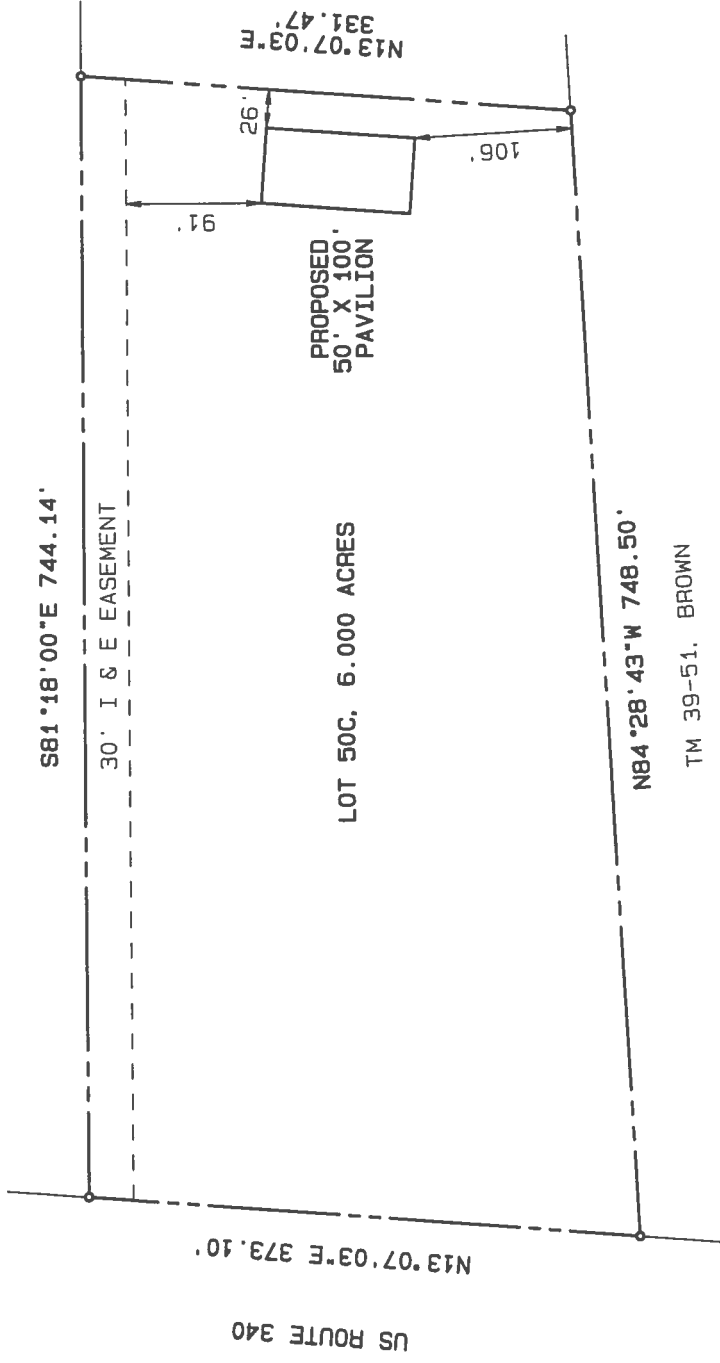


1 inch = 200 feet

First Baptist Church of Grottoes



1STBAPTISTM39-50C



NOTES

THIS DRAWING IS NOT BASED ON A CURRENT SURVEY. IT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT INDICATE ALL ENCUMBRANCES AFFECTING PROPERTY SURVEYED

PROPERTY OWNER: FIRST BAPTIST CHURCH OF GROTTOS, INC.; #180006464

NO PROPERTY CORNERS FOUND OR SET

DRAWING SHOWING PAVILION

TAX MAP 39 - 50C. FIRST BAPTIST CHURCH OF GROTTOS

MIDDLE RIVER DIST., AUGUSTA COUNTY, VIRGINIA

SCALE 1" = 100' APRIL 5, 2019

TOM SHUMATE SURVEYOR, INC.
WAYNESBORO, VIRGINIA (540) 9422990

1STBAPTISTM39-50C

PROPERTY OWNER:
Weavers Landing, LLC

Agenda Item # 4F
Date 5/2/19

APPLICANT:
Andrew and Amanda Weaver

LOCATION OF PROPERTY:
6353 Spring Hill Road, Bridgewater in the North River District

SIZE OF PROPERTY:
50.00 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:
To have a landing strip for personal use

INDIVIDUAL PLANNING COMMISSION'S COMMENTS:
No comments.

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

HEALTH DEPARTMENT'S COMMENTS:
No buildings proposed at this time. If a building with plumbing is to be added the applicant will need to hire a private sector OSE/PE for evaluation and design services to obtain an onsite sewage permit.

HIGHWAY DEPARTMENT'S COMMENTS:
The existing low volume commercial entrance is adequate for the request. If, in the future, the entrance needs to be upgraded to a full commercial entrance, additional upgrades to the entrance and sight line easement will be required. Currently, the entrance only meets stopping sight distance to the right.

SERVICE AUTHORITY'S COMMENTS:
There is no public water or sewer available in the area of the subject parcel.

ENGINEERING'S COMMENTS:

If new land disturbance is greater than 10,000 square feet, an Erosion and Sediment Control Plan will be required.

SECTION 25-74E - LANDING STRIPS AND HELIPORTS

The landing strip or heliport shall be for private aviation aircraft only, limited exclusively to the use of the landowner and his/her family members; commercial operations, including flight training, ground school, aircraft repair, and sales are prohibited.

The applicant is requesting an 80' x 1,500' landing strip for personal use only. The applicant has been flying since 2008 and is currently working on a kit airplane.

Take-offs and landings are limited to daylight hours.

No night operation is requested.

The neighboring area is not characterized by agricultural, residential, commercial, or industrial development which would be adversely impacted by the proposed use.

The property is surrounded by large tracts of land and is adjacent to existing turkey houses.

The landing strip or heliport is not located in close proximity to an existing airport and/or will not impact commercial flight paths.

The landing strip is located eight (8) miles from Shenandoah Valley Regional Airport.

STAFF RECOMMENDATION

The applicant is requesting to have a landing strip for himself and immediate family members only. The property contains fifty (50) acres and is surrounded by other large parcels. The applicant has been flying since 2008, and he is currently working on a kit airplane. The landing strip will be along the rear property line adjacent to two (2) poultry houses on the property and is not within close proximity to dwellings.

Due to the size of the parcel, staff feels that a small personal use landing strip would not have a negative impact on neighboring properties and would recommend approval with the following conditions:

Pre-Conditions:

None

Operating Conditions:

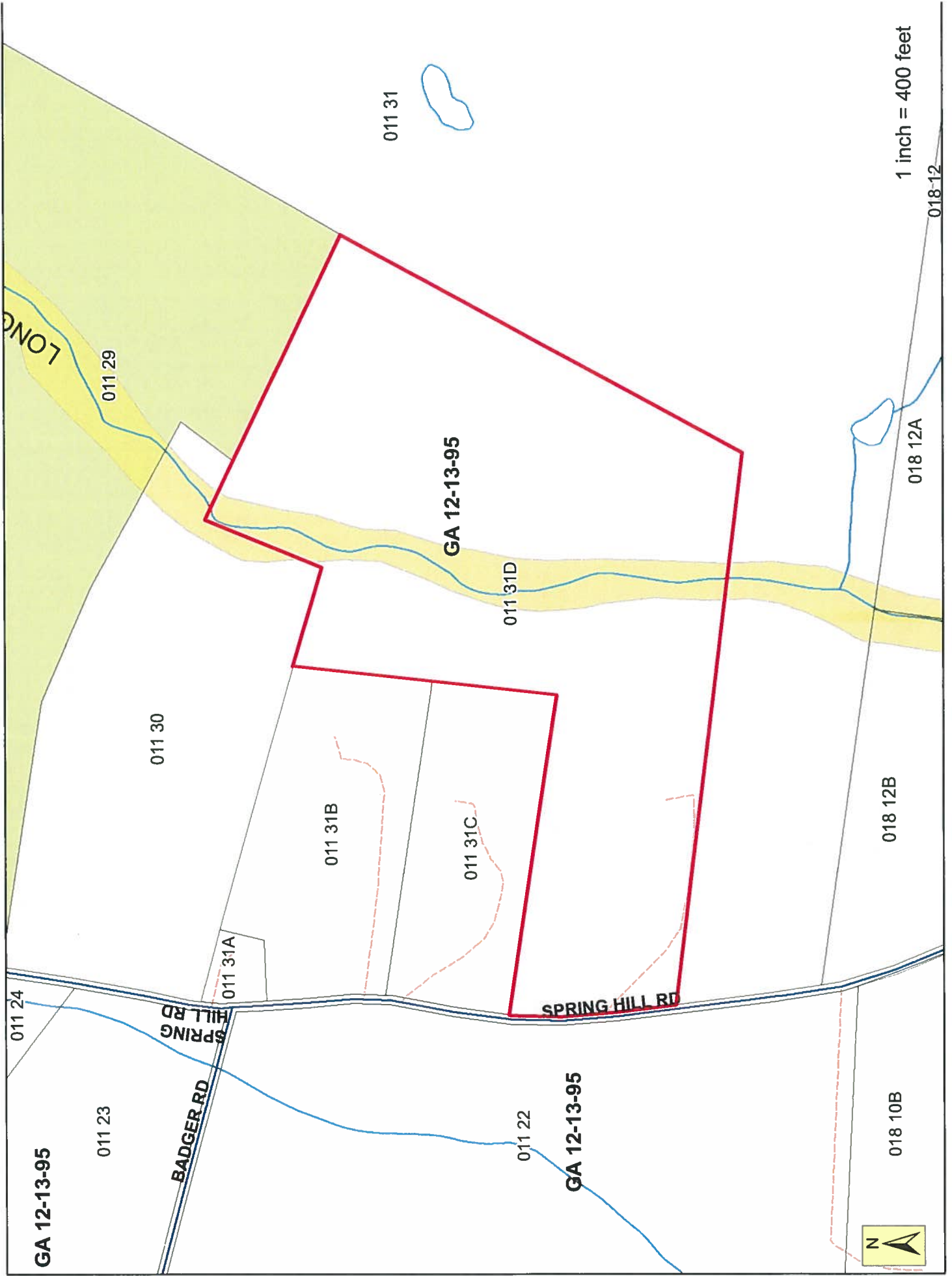
1. Only the applicant or family members may takeoff or land.
2. The applicant must reside on premise.
3. Applicant submit an Erosion and Sediment Control Plan for any new land disturbance over 10,000 square feet.



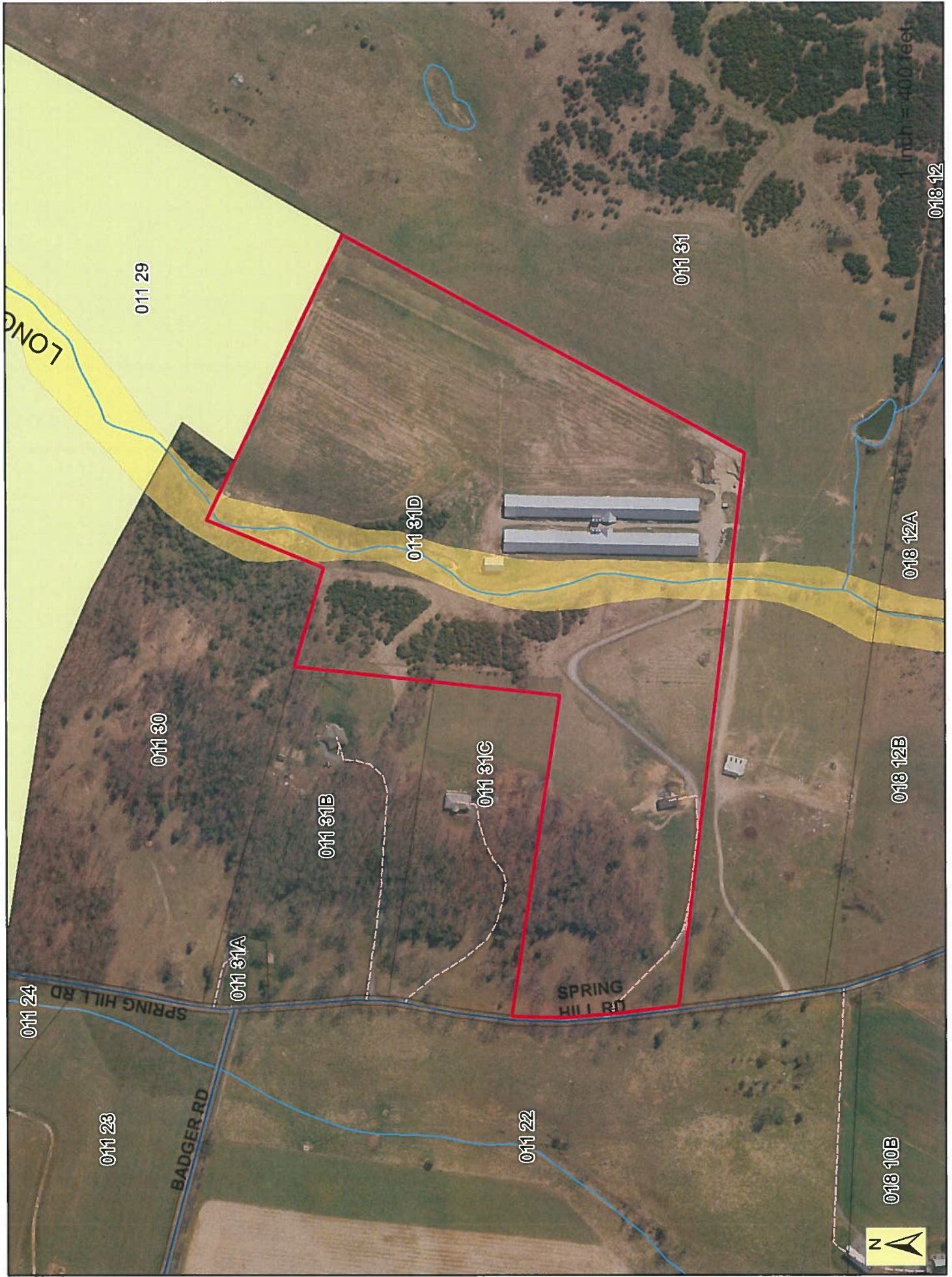
2019.04.11

113011005 Landing

Weavers Landing, LLC



Weavers Landing, LLC



Wearers Landers, LLC



PROPERTY OWNER:
Shen Acres Realty, LLC

Agenda Item # 4G
Date 5/2/19

APPLICANT:
Garland Eutsler, agent for Shen Acres Holding, LLC

LOCATION OF PROPERTY:
348 and 256 Lake Road, Stuarts Draft in the South River District

SIZE OF PROPERTY:
132.585 acres

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

PREVIOUS ZONING OR S.U.P.:
05/95 SUP approved to expand Shenandoah Acres Resort
12/95 Zoned General Agriculture
03/98 SUP approved to replace the non-conforming beach house
05/07 SUP approved to continue rental of cottages, the lodge, roundhouse, and three bedroom house, and use beach house for recreation and social events
03/14 SUP approved to continue the facility
10/14 SUP approved to reopen back section
06/16 SUP approved to expand the existing campground by adding additional full hookup campsites and a seasonal restaurant within the existing beach house
12/16 SUP approved to expand the existing campground by adding additional full hook-up sites and reopen an existing site area
10/17 SUP approved to expand the existing campground by adding full hook-up and seasonal sites
06/18 SUP approved to construct a building for recreational use

LAND USE MAPS:
Urban Service Area – Recreational Business or Low Density Residential

UTILITIES:
Private well, public sewer, and waste dump station

APPLICANT'S JUSTIFICATION:
To add extended stay sites to the existing campground

INDIVIDUAL PLANNING COMMISSION'S COMMENTS:
No comments.

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

HEALTH DEPARTMENT'S COMMENTS:

The current campground permit lists 302 sites. The Health Department received an application to add another 90 sites, for a new grand total of 392, but a permit has not been issued. Approval is pending completion of required infrastructure and final inspection. Any further expansion of sites requires submittal of plans and review by the Health Department.

HIGHWAY DEPARTMENT'S COMMENTS:

Additional sites will increase the potential traffic generation of the campground. The additional traffic could also have an impact on the pavement structure of Rt. 660. The existing gravel entrances #256 & #348 shall be upgraded to meet VDOT full commercial entrance requirements as detailed in Appendix F of the Road Design Manual. Additional ditch work and installation of a 15" pipe is required for entrance #348. If an additional entrance is requested, it will have to be evaluated prior to construction. There have been several amendments to the use of this site in recent years; VDOT would be willing to meet with the applicant to discuss a future master plan of the site to better plan for any potential improvements that may be necessary.

SERVICE AUTHORITY'S COMMENTS:

1. This property is currently a Service Authority sewer only customer.
2. Good Faith, LLC (former owner) is currently under an Agreement dated December 2, 2014, with the Service Authority regarding their sewer service. ShenAcres Realty, LLC will need to abide by the terms of that Agreement prior to any new connections being allowed by the Service Authority as the Agreement states that it "shall be binding upon any successors in title to the property and all owners, lessees, or occupants thereof".
3. Based on the information provided, it is not clear as to whether or not the proposed extended stay sites are part of the previously approved campsites or if these are additional. The applicant needs to provide additional information regarding the proposed extended stay sites.

ENGINEERING'S COMMENTS:

As long as no new construction, then no impact to existing drainage plans. Ok.

SECTION 25-74Q – EXTENDED-STAY CAMPGROUNDS AND EXTENDED-STAY RECREATIONAL VEHICLE PARKS

Anticipated attendance will not create traffic or crowd control problems at or near the park beyond practical solution.

The existing facility has caused no traffic or crowd control problems. No additional sites are requested.

There is an adequate plan for sanitation facilities, garbage, and trash to accommodate persons in attendance.

All sites are served by existing sanitation facilities or hooked to public sewer. Trash is picked up on a regular basis.

There is full compliance with Virginia Department of Health regulations with respect to food and water service.

The existing campground complies with Health Department regulations through the Office of Drinking Water.

There is an adequate plan for providing emergency medical services for persons in attendance.

Stuarts Draft Rescue Squad is within two (2) miles of the facility and there are life saving devices at the lake.

There is an adequate plan for parking and crowd and traffic control in and around the park.

There is adequate parking for each site and campground staff supervise crowd control.

There is an adequate plan for protection from fire and other hazards.

There are fire extinguishers onsite and smoke detectors.

The business meets the requirements of article VI "Outdoor Lighting".

No new outdoor lighting is requested.

There is an adequate plan to ensure that structures, grandstands, tents, and amusement devices are constructed and maintained in a manner consistent with appropriate protection of public safety.

Existing structures meet Building Code.

The campground or park is at least ten (10) acres in size. 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 acreage.

The existing campground contains 132.58 acres.

The density shall be no more than ten (10) campsites/recreational vehicle sites per acre. Nothing herein shall be deemed to limit the ability of the board of zoning appeals to limit the density of the campground or park.

There are approximately 500 sites. The total campsites is below ten (10) sites per acre.

No recreational vehicle or recreational vehicle site may be sold or otherwise conveyed as a separate lot or condominium unit.

No RV sites will be sold.

There shall be a minimum of fifty feet (50') of undeveloped land along the total perimeter of the campground or park.

The campground meets the setback requirement. The lake and several structures were constructed before this setback and are legal non-conforming uses.

The campground or park may contain campsites that are not extended-stay recreational vehicle sites or extended-stay cabins as defined in § 25-4 if the operator obtains a permit under subsection (N) of this section for a short-term campground or short-term recreational vehicle park. In no case, shall more than 30% of the recreational vehicle sites be occupied by vehicles which are in the park for more than 240 days per calendar year.

The existing Special Use permit was issued as a short-term campground which will cover these sites. The applicant understands the 30% requirement.

The operator shall submit to the Zoning Administrator a map of the campground or park (1) showing all campsites, (2) indicating the classification of each campsite as a tent site, short-term cabin, short-term recreational vehicle site, extended-stay cabin, or extended-stay recreational vehicle site, and (3) showing and identifying all other facilities.

Site Plans are on file in the Community Development office for each location. An updated plan will be required.

All campsites classified as extended-stay recreational vehicle sites or extended-stay cabins shall be served by: (1) electricity and (2) a water and sewer system approved by the Virginia Department of Health.

All extended stay sites are full hookup sites.

All recreational vehicles occupying extended-stay recreational vehicle sites shall meet the definition of a self-contained unit as set out in § 25-4.

The applicant states they will comply.

All recreational vehicles occupying extended-stay recreational vehicle sites shall connect to the site's electricity supply and approved water and sewer system.

All recreational vehicles will be connected to the approved systems.

The operator shall inspect all occupied extended-stay recreational vehicle sites to ensure that the recreational vehicles occupying the sites are properly connected to the site's electricity supply and approved water and sewer system.

The applicants ensure all comply with regulations.

The operator shall enforce time limits set out in § 25-4 for guest occupancy for each type of campsite.

The applicant enforces time limits for each type of campsite.

The operator shall keep a guest register tracking occupancy data for all guests. This information shall be recorded on a standard form provided by the County and shall be made available for inspection on demand.

The applicant keeps a guest register onsite.

The operator of a recreational vehicle park may permit storage of unoccupied recreational vehicles year-round.

All year round storage of recreational vehicles are kept in the storage area on the plan.

Camp hosts may reside at a campground or park year-round, without regard to guest occupancy time limits. A campground or park may have one camp host per fifty (50) campsites. For purposes of this calculation, the number of campsites shall be rounded up to the next multiple of fifty (50). If a camp host resides in a recreational vehicle, the recreational vehicle must meet the definition of a self-contained unit as set out in § 25-4 and shall connect to an electricity supply and approved water and sewer system. Camp hosts may also reside in single family dwellings, without regard to the limit on additional dwellings as provided for in §25-72.C.

The campground has one (1) camp host per fifty (50) campsites. All recreational vehicles meet the definition of self-contained unit and are connected to electric and approved systems.

Other than those occupied by camp hosts, there shall be no additions or structures, including decks, steps, or porches, attached to a recreational vehicle.

All recreational vehicles must have a valid license and all wheels must remain on the vehicles.

There are no additions or structures attached to recreational vehicles. All recreational vehicles comply with regulations.

The campground or park shall have approval by the Virginia Department of Transportation (VDOT) and have direct access off a state-maintained road or be connected to a state-maintained road by a private street. For facilities with one hundred (100) or more campsites, a second access for emergency vehicles shall be provided. The second access may be gated.

Private streets shall meet the following standards and specifications:

a. The minimum street width shall be eighteen feet (18'). Street width shall not include curb and gutter and shall meet the requirements of subparagraph 3 of this section.

b. The subbase and the base course shall meet the minimum specifications promulgated by the Virginia Department of Transportation.

c. The surface course may be asphalt or gravel. If asphalt, the surface course shall meet the minimum standards for asphalt surface treatment promulgated by the Virginia Department of Transportation.

d. All banks and ditches shall be appropriately stabilized immediately upon completion of the work in accordance with the minimum standards promulgated pursuant to the Virginia Erosion and Sediment Control Law and Regulations.

e. Streets shall be designed to safely accommodate fire and rescue emergency vehicles.

The campground has an existing entrance. A portion of the campground was established prior to these requirements. The new section known as White Oak meets the new requirements.

STAFF RECOMMENDATIONS

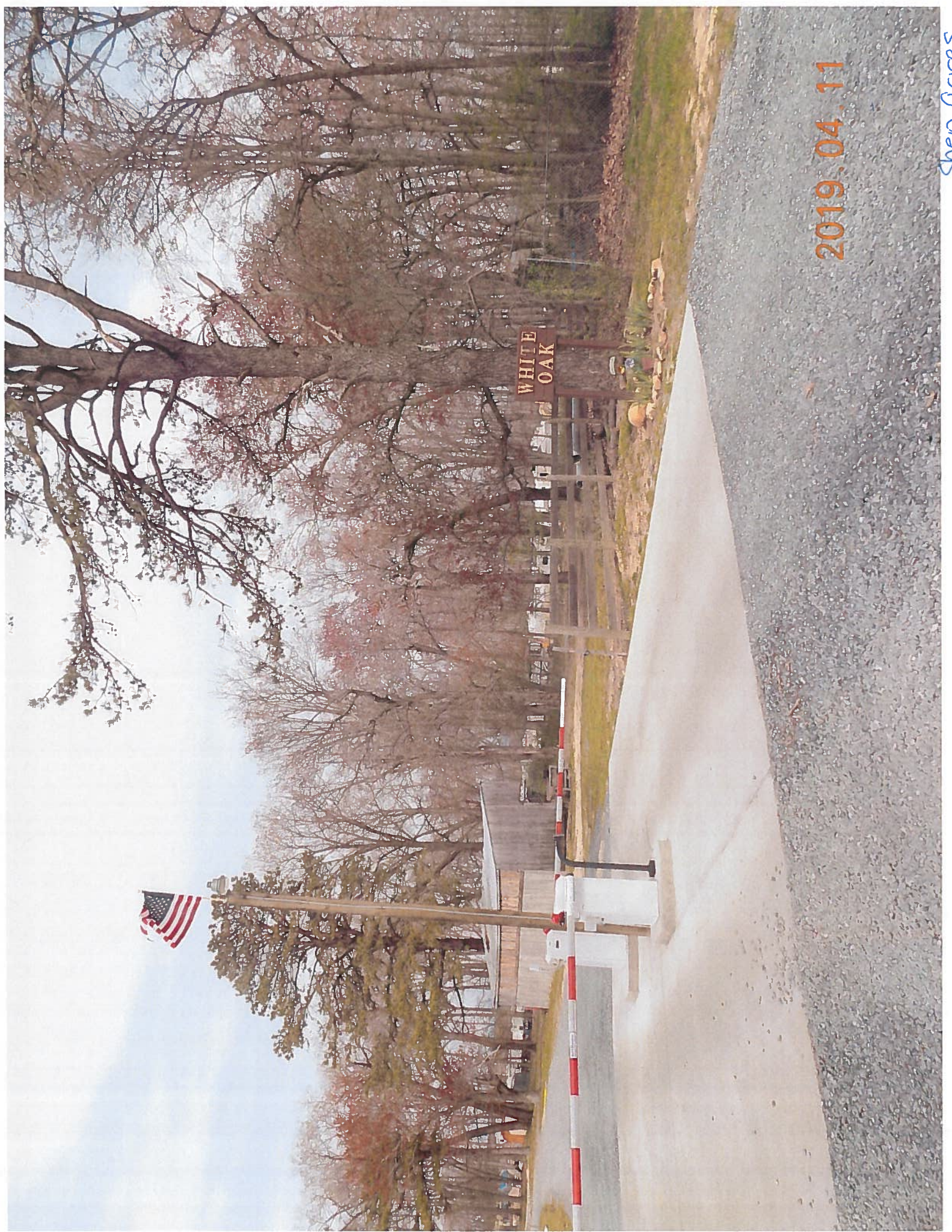
The applicant is requesting to add extended stay sites to the existing campground. The applicant states he was not aware that his existing Special Use Permit did not include extended stay sites. There are two (2) sections in the campground that provide full hookup/frost free connections that he would like to utilize for persons wanting to occupy their RV more than two hundred forty (240) days per year. The applicant is proposing approximately twenty-five (25) sites as extended stay recreational vehicle sites. Sixteen (16) sites in the new section identified as White Oak and nine (9) sites in Mountain Laurel. The County definition of short-term campground and short-term recreational vehicle park limits stays to no more than twenty-one (21) days within any two (2) month period or no more than forty-five (45) days in any twelve (12) month period. The addition of extended stay sites would allow year round occupancy for qualified recreational vehicles, and would bring the existing campground into compliance with the ordinance. However, considering the close proximity of existing dwellings, staff would recommend limiting the number of sites occupied year round to mitigate impact to the neighboring area. Staff could recommend approval with the following conditions:

Pre-Conditions:

None

Operating Conditions:

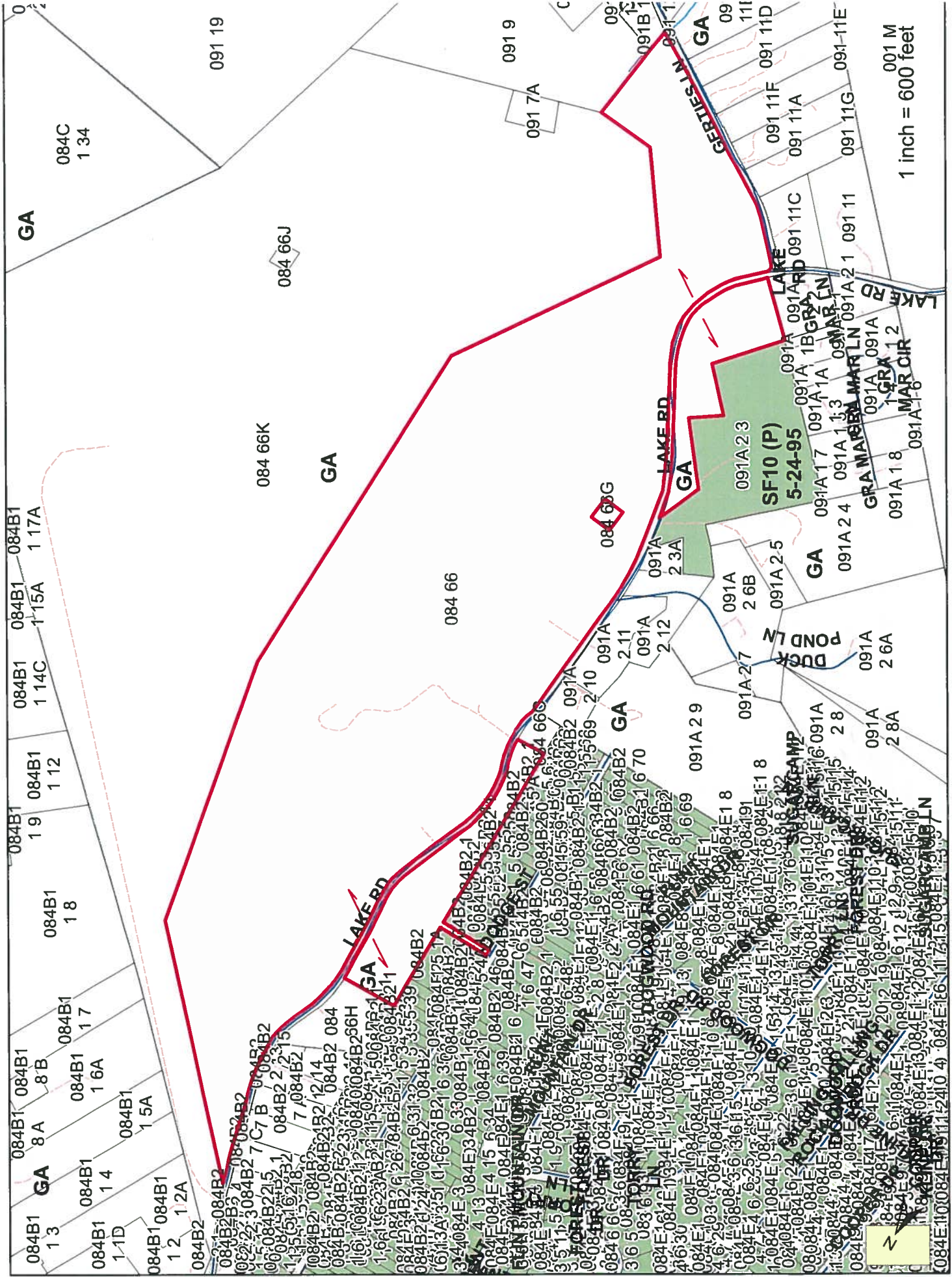
1. Be limited to no more than fifty (50) sites designated as extended stay.
2. All operating conditions of SUP#14-53, #14-12, #16-38, and #17-36 remain in effect.



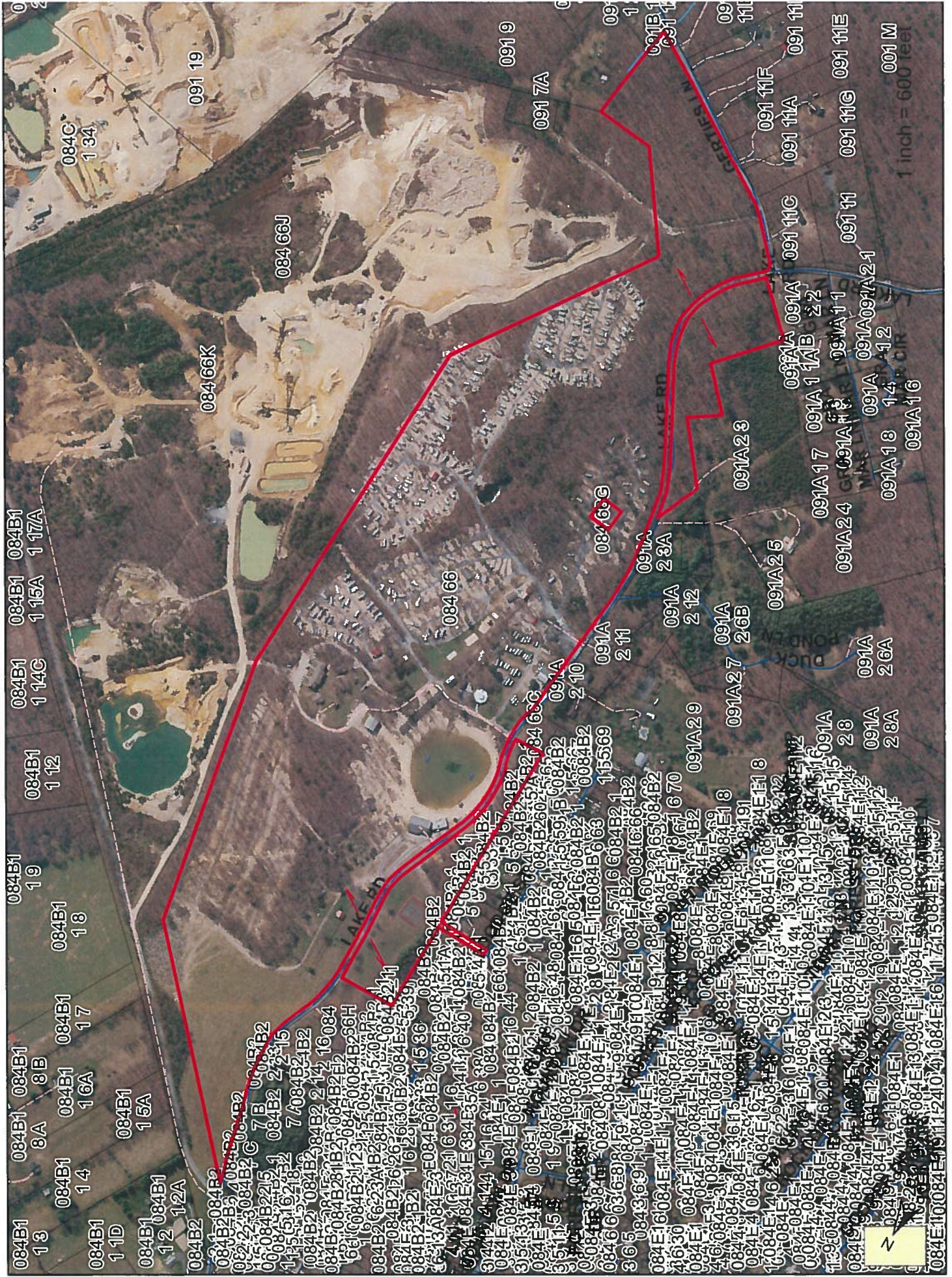
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Chen Anns

Shen Acres Realty, LLC



Shen Acres Realty, LLC



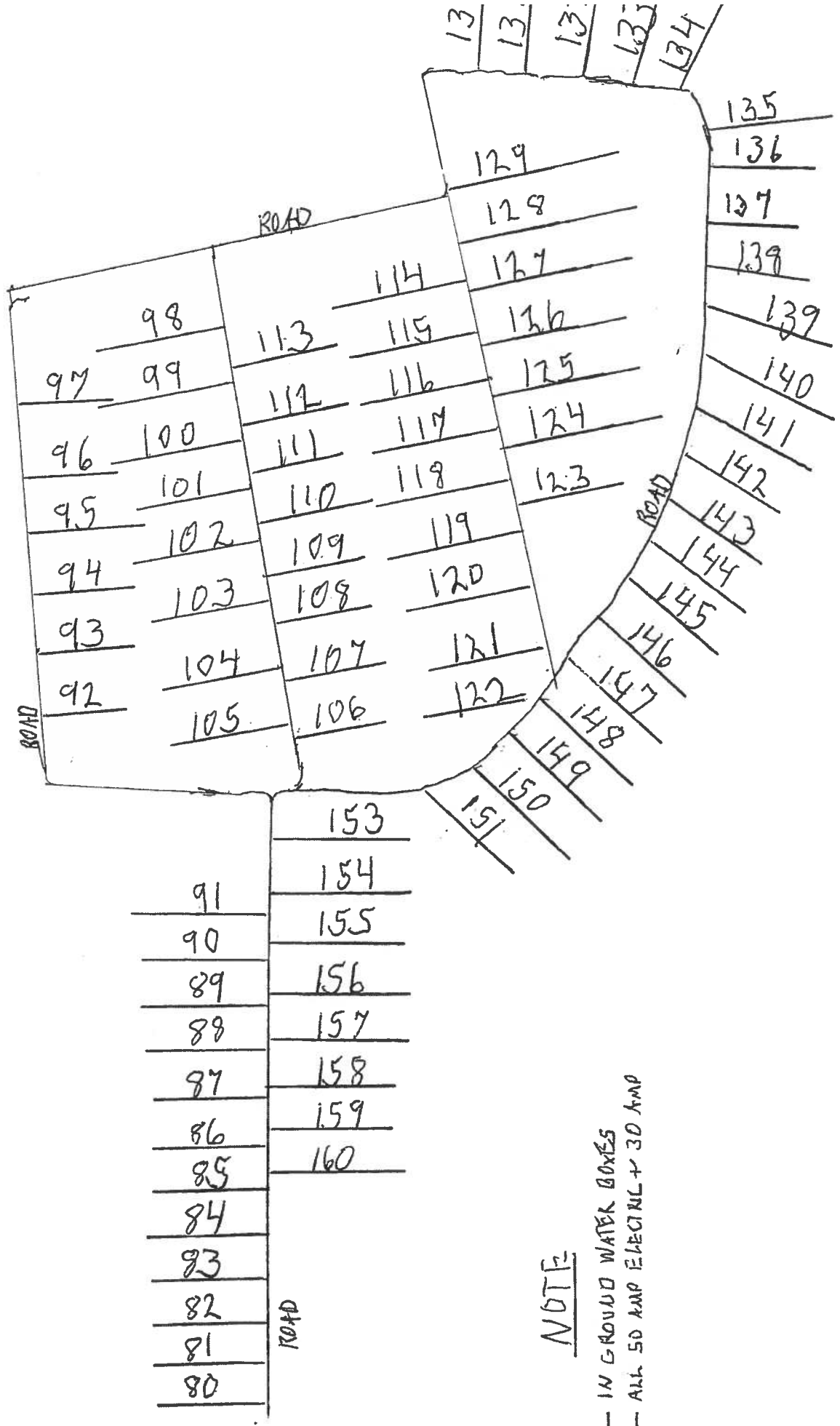
SHEKANDDAH ACRES FAMILY CAMPGROUND

MOUNTAIN LAUREL WAY

SITES NUMBERED

APRIL 8, 2019 - 80 SITES

ALL - WATER, SEWER, ELECTRIC



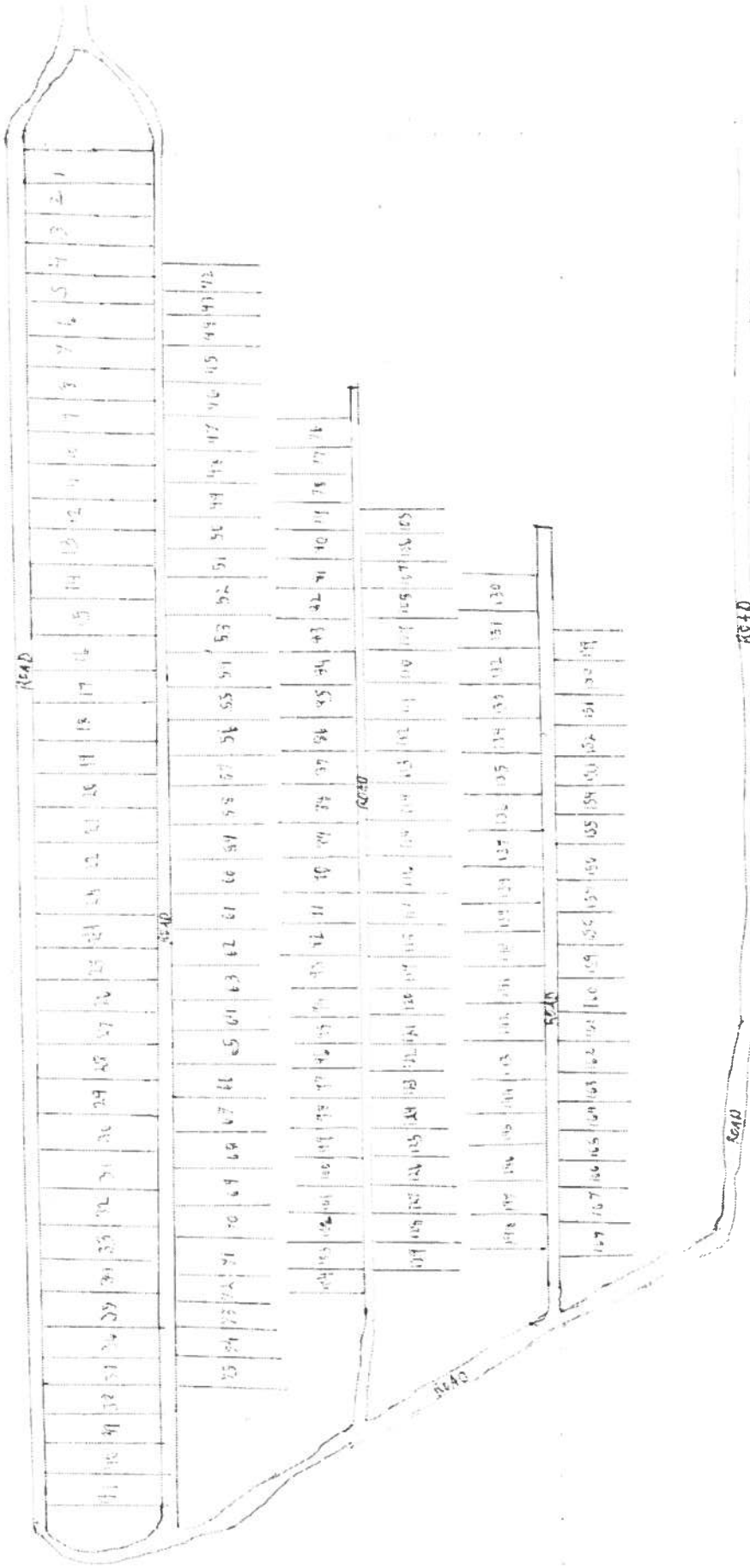
NOTE

- IN GROUND WATER BOXES
- ALL 50 AMP ELECTRIC + 30 AMP

SHELDON ALBES FIELD C. ALBIFRONS

WHITIS OAK

167 SITE CORRECTED - APRIL 8, 1979
 SPICES VANDERBILT
 ALL - WATER, SEMI, FINE



ROAD

ROAD

ROAD

NOTES

- IN PARENT SQUARE MARKS
- ALL TO THE EASTERN SIDE

APRIL 8, 1979

Agenda Item # 44
Date 5/2/19

PROPERTY OWNER:
Spottswood Farms, LLC

APPLICANT:
John Wilkinson, agent for Appalachian Aggregates

LOCATION OF PROPERTY:
On the east side of Interstate 81 in the Riverheads District

SIZE OF PROPERTY:
86.374 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:
04/64 – SUP approved for rock quarry
12/95 – Zoned General Agriculture
05/97 – SUP to construct a 199' cell tower
05/00 – SUP approved for co-location
07/00 – SUP approved to transfer ownership of tower
01/01 – SUP to replace antenna and equipment cabinet
07/03 – SUP to have a quarry and manufacture crushed stone

LAND USE MAPS:
Agriculture Conservation Area

UTILITIES:
None

APPLICANT'S JUSTIFICATION:
To reopen a closed quarry operation and manufacture crushed stone in conjunction with the Interstate 81 widening

PLANNING COMMISSION'S COMMENTS:
No comments.

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

HEALTH DEPARTMENT'S COMMENTS:
Before the quarry is put into operation bathroom facilities will be needed for the employees. The applicant is advised to seek the services of a private onsite soil evaluator for drainfield design.

HIGHWAY DEPARTMENT'S COMMENTS:

Access is provided to the property by a gravel surfaced frontage road (F-213). The potential traffic generation from a quarry operation could significantly affect the condition of the existing gravel road. Additionally, the intersection of F-213 and Spottswood Road (Rt. 620) meets stopping sight distance, but not intersection sight distance. VDOT has significant concerns pertaining to the scope of the operation and the potential traffic generation. I am willing to meet with the County staff and applicant to clarify the scope if desired.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

Mining exempt from Erosion and Sediment Control and Stormwater as long as they have a permit from DMME.

SECTION 25-74D - USES AWAY FROM DEVELOPED AREAS

The neighboring area is not characterized by residential, commercial, or industrial development which would be adversely impacted by the proposed use.

The property is surrounded by General Agriculture zoned property. There are no dwellings within close proximity.

Traffic generated by the proposed project will be compatible with the roads serving the site and other traffic utilizing said roads

Access to the site is by Frontage Road F213, which is gravel, heavy trucks on a narrow road may not be compatible and be a safety concern.

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

The 86.374 acre property should adequately and safely accommodate all traffic to and from the highway.

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

The property has access to Spottswood Road, which is a State maintained road.

The business and anticipated enlargements thereof will be appropriate for agriculture areas and is not more properly placed in an available industrial zone.

The quarry is existing

All buildings, structures, and operations will be set back at least two hundred feet (200') from all property lines and at least one thousand feet (1000') from any residentially zoned property unless the board of zoning appeals determines that greater setbacks are necessary to adequately protect neighboring properties.

The applicants submitted a site plan with a two hundred foot (200') setback. They are requesting a Variance to locate within one hundred feet (100') of the interstate and the property line east of the interstate.

STAFF RECOMMENDATIONS

The Board granted a Special Use Permit to reopen the existing quarry in 2003. The permit was issued non-transferrable to Pounding Mill Quarry Corporation. The main purpose of the reopening was to provide aggregate for use in the widening of Interstate 81. Plans for the project were never approved and the mining operation was never started. Pounding Mill Quarry Corporation recently sold to Appalachian Aggregate, LLC, and they are now requesting the permit in their name. The applicant states construction plans are nearing approval and the Interstate 81 project should be starting soon.

Staff is concerned the neighboring properties may be impacted by heavy truck traffic, noise, lights, dust, odor, fumes and vibration, and visual impacts from the quarry operation. However, if the Board desires to approve the request Staff would recommend the following operating conditions:

Pre-Condition:

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.

Operating Conditions:

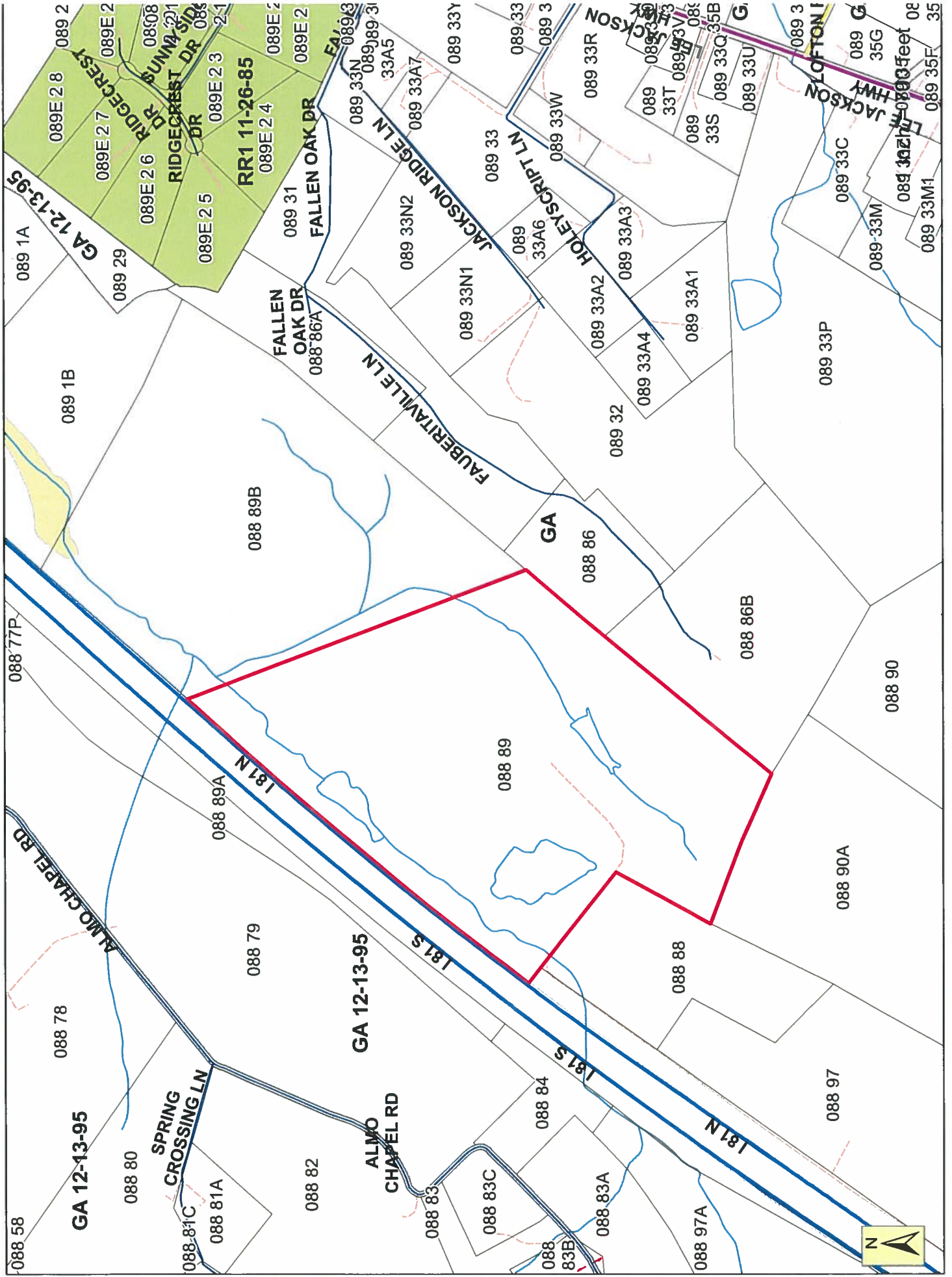
1. Mining to be limited to Areas B and C as shown on site plan.
2. No operation or structures be located within two hundred foot (200') from all property lines as shown on the site plan.
3. Applicant will install a sewage treatment system approved by the Health Department prior to operation.
4. A berm to be constructed and pine trees planted to screen quarry operation from Interstate 81. Berm to be installed and pine trees planted within six (6) months of commencement of mining operations.
5. The mining operation should be set up in 15 plus acre phases and shown on the site plan prior to commencement of mining operations.
6. Reclamation plan be submitted to the Board.

7. Each phase must be reclaimed as soon as possible, but not later than six (6) months after a new phase has been commenced.
8. Hours of operation be Monday-Friday, 7:00 a.m. to 6:00 p.m. and Saturday, 7:00 a.m. to 12:00 Noon, and during daylight savings time Monday-Saturday, 7:00 a.m. to 9:00 p.m., no Sunday operation.
9. All local, state and federal regulations must be complied with.
10. Debris, including residue rock and stone and other waste material stored on the property must have originated from the property and not brought in from other sites.
11. Survey of contours and intervals shall be submitted upon the request of the Board.
12. Whenever the applicant amends the permit with the Department of Mines, Minerals, and Energy, they must notify the Community Development Department.
13. Permit be issued for five (5) years and renewed if all stipulations are met.
14. Pre-blast survey to be completed (check to determine condition of well and residences) prior to mining in each area.
15. Mining to start no sooner than six (6) or seven (7) months prior to start of the expansion and widening of I-81.
16. Term of use will be limited to the period of the need for aggregate for construction of I-81 and for disposal of any remaining aggregate excavated on site prior to completion of construction, subject to review and renewal requirements.
17. Access to be directly from quarry site to I-81; limited truck traffic may be necessary on F-213, all subject to VDOT approval.
18. Dust to be suppressed by water on site and recirculated; water truck to be on site at all times to maintain any site and road dust not equipment related.
19. Blasting to be small "shots"; no more than three (3) times per week.
20. Plant to be portable; five (5) to seven (7) individuals to operate plant.
21. Quarry/mining to have minimal effect on livestock.

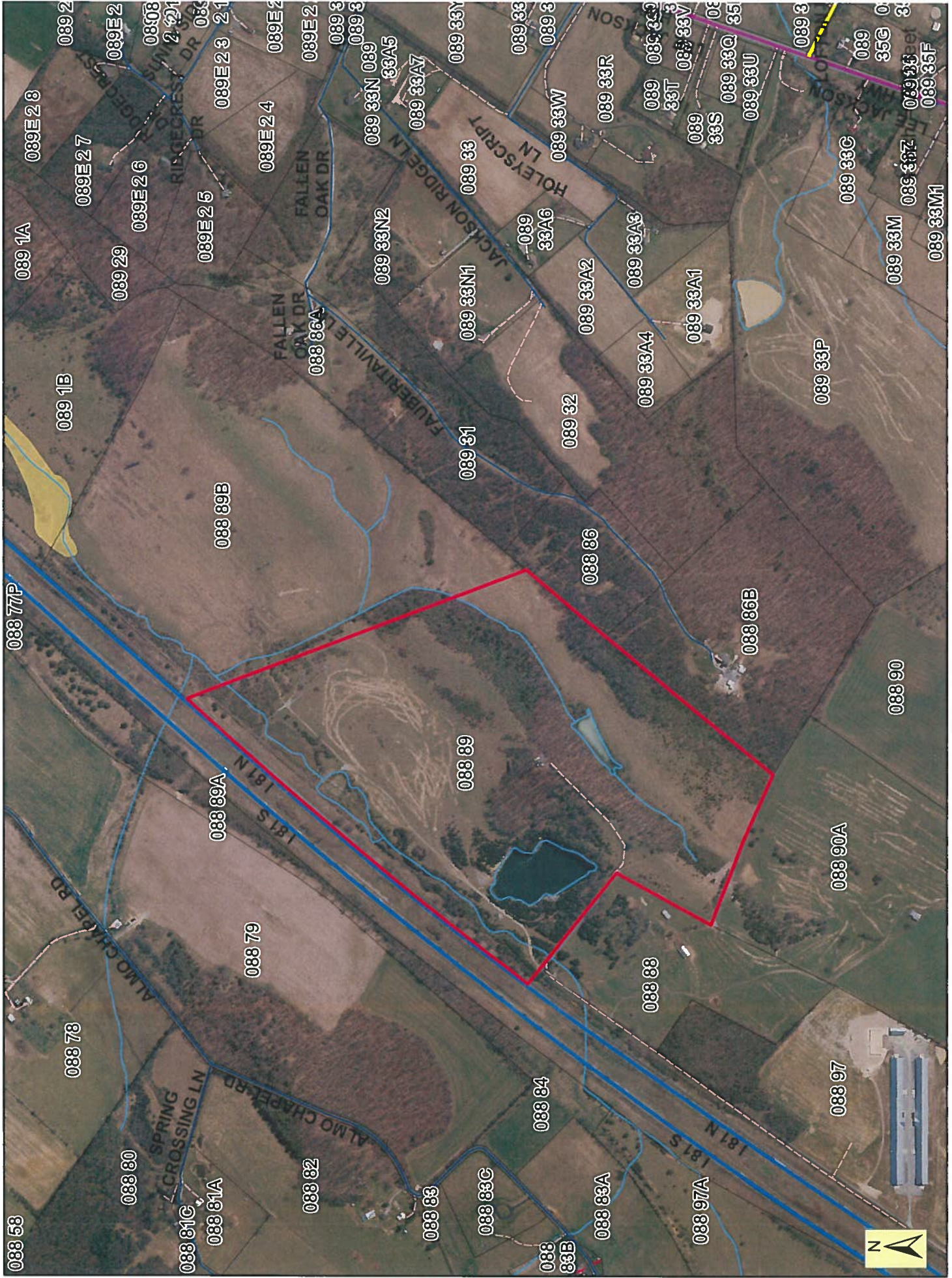


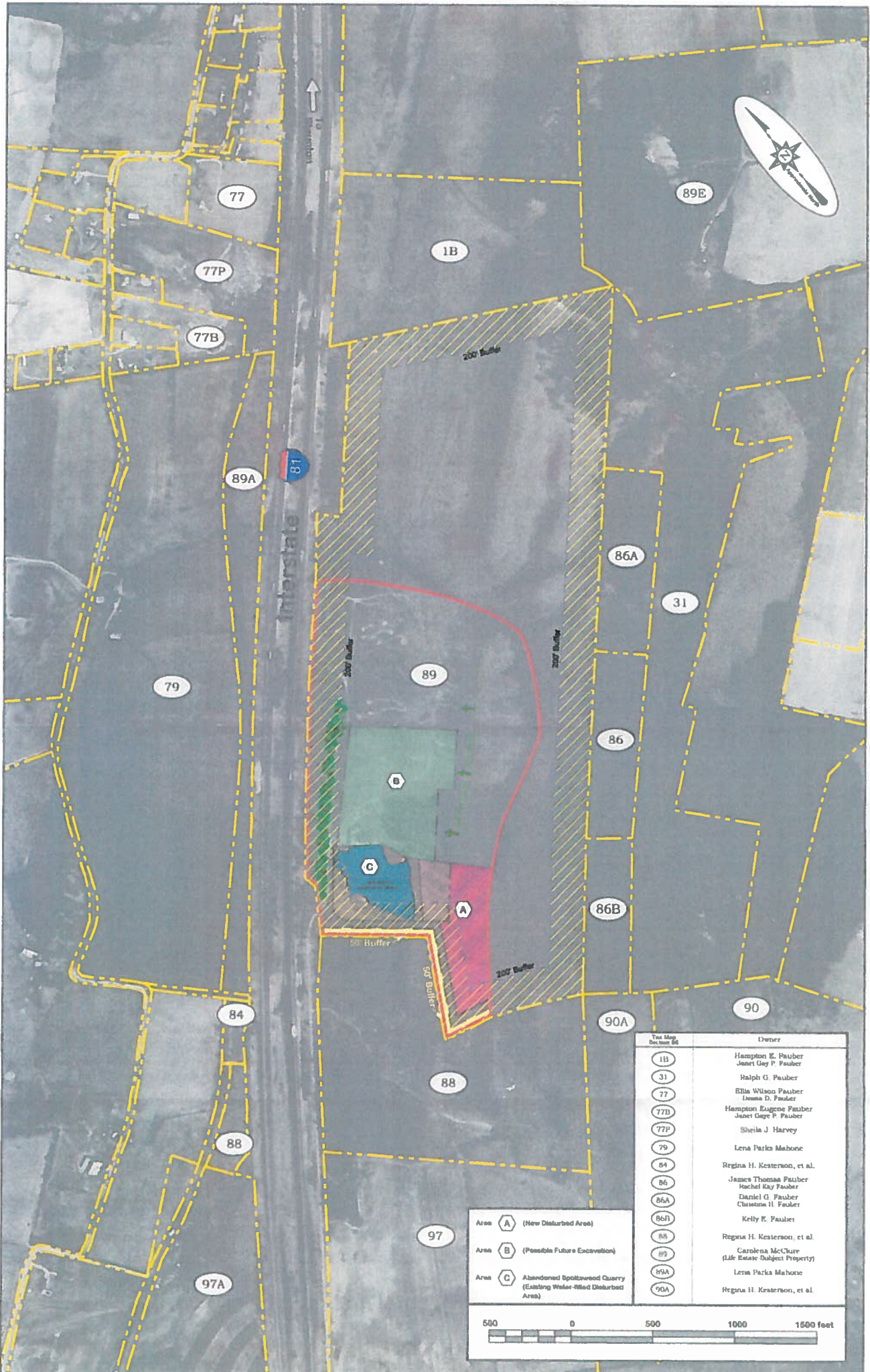
Spottswood Farms

Spottswood Farms, LLC



Spottswood Farms, LLC





- Area A (New Disturbed Area)
- Area B (Possible Future Excavation)
- Area C Abandoned Spillwood Quarry (Existing Water-filled Disturbed Area)

See Map Section 86	Owner
1B	Hampton E. Pauber Janet Gay P. Pauber
31	Ralph G. Pauber
77	Ellie Wilson Pauber Deanna D. Pauber
77B	Hampton Eugene Pauber Janet Gay P. Pauber
77P	Sheila J. Harvey
79	Lena Parks Mahone
84	Regina H. Kesterson, et al.
86	James Thomas Pauber Rachel Kay Pauber
86A	Daniel G. Pauber Christina H. Pauber
86B	Kelly E. Pauber
88	Regina H. Kesterson, et al.
89	Carolena McClure (Life Estate Subject Property)
89A	Lena Parks Mahone
90A	Regina H. Kesterson, et al.



Agenda Item # 4I
Date 5/2/19

PROPERTY OWNER:
Spottswood Farms, LLC

APPLICANT:
John Wilkinson, agent for Appalachian Aggregates

LOCATION OF PROPERTY:
On the east side of Interstate 81 in the Riverheads District

SIZE OF PROPERTY:
86.374 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:
04/64 – SUP approved for rock quarry
12/95 – Zoned General Agriculture
05/97 – SUP to construct a 199' cell tower
05/00 – SUP approved for co-location
07/00 – SUP approved to transfer ownership of tower
01/01 – SUP to replace antenna and equipment cabinet
07/03 – SUP to have a quarry and manufacture crushed stone

LAND USE MAPS:
Agriculture Conservation Area

UTILITIES:
None

APPLICANT'S JUSTIFICATION:
Variance from the required setback for a mining operation

STAFF RECOMMENDATIONS

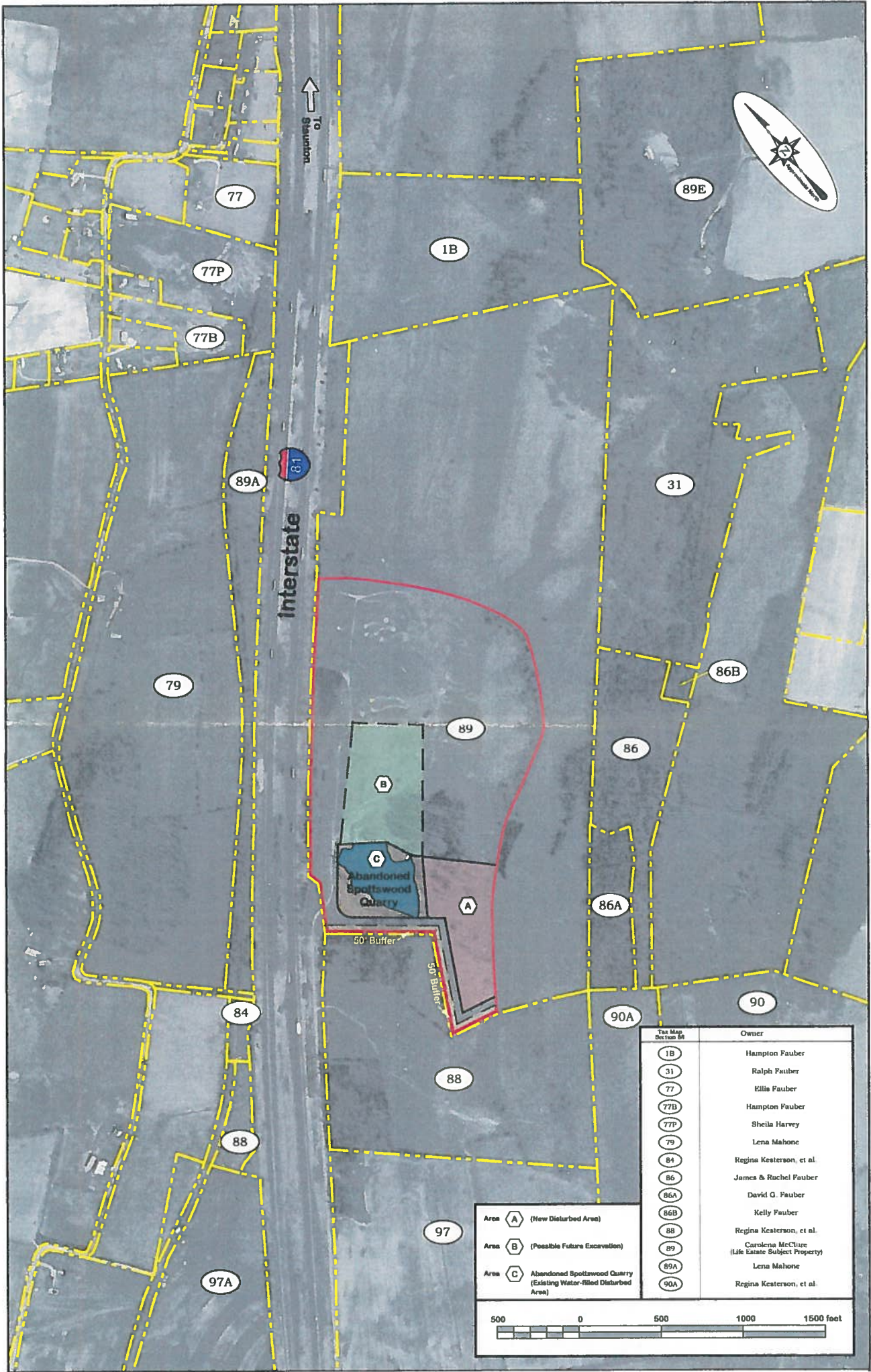
The applicants are requesting a Variance from the required two hundred foot (200') setback from all property lines for mining operations. A Special Use Permit was issued in 2003 to reopen the existing quarry and at that time the Ordinance had a one hundred foot (100') setback requirement for mining operations. The applicants would like to be allowed to operate within one hundred feet (100') of the property line adjacent to Interstate 81, and the property line to the East of Interstate 81 as permitted on the previous Special Use Permit. The applicants would like to utilize the existing exposed rock within the two hundred foot (200') setback.

Section 15.2-2201 of the Code of Virginia **defines** Variance "In the application of a Zoning Ordinance, a reasonable deviation from those provisions regulating the size or

area of a lot or parcel of land, or the size, area, bulk or location of a building or structure when the strict application of the Ordinance would result in unnecessary or unreasonable hardship to the property owner, and such need for a Variance would not be shared generally by other properties, and provided such Variance is not contrary to the intended spirit and purpose of the Ordinance, and would result in substantial justice being done. It shall not include a change in use which change shall be accomplished by a rezoning or by a confidential zoning.”

The two hundred foot (200') setback only applies to mining operations. The two hundred foot (200') setback is intended to help protect life and property for these types of businesses.

No specific hardship as defined by the State has been identified other than the use would not be generally shared by other properties. The fact that existing exposed rock cannot be mined does not prohibit or unreasonably restrict the utilization of this property. Therefore, Staff could not support approval of the Variance request.



To
Stanton



Interstate

50' Buffer

- Area A (New Disturbed Area)
- Area B (Possible Future Excavation)
- Area C Abandoned Spottswood Quarry (Existing Water-filled Disturbed Area)

Tax Map Section #	Owner
1B	Hampton Fauber
31	Ralph Fauber
77	Killis Fauber
77B	Hampton Fauber
77P	Sheila Harvey
79	Lena Mahone
84	Regina Keaterson, et al
86	James & Rachel Fauber
86A	David G. Fauber
86B	Kelly Fauber
88	Regina Keaterson, et al.
89	Carolena McClure (Life Estate Subject Property)
89A	Lena Mahone
90A	Regina Keaterson, et al.



Agenda Item # 5A

Date 5/2/19

**TABLED TO CONTINUE THE
PUBLIC HEARING**

PROPERTY OWNER:

Phillip A. or Brenda S. Liskey

APPLICANT:

Seth A. Liskey

LOCATION OF PROPERTY:

264 Wise Hollow Road, Bridgewater in the North River District

SIZE OF PROPERTY:

62.24 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 weddings and special events within the barn and to construct a building for weddings and special events and to use a portion of the building for short term rentals

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

1. Obtain all necessary permits, inspections and Certificates of Occupancy in accordance with the Uniform Statewide Building Code.

2. Bedroom not allowed in a farm building as farm buildings are exempt from code. Bedroom will need to be in a code complying structure.

HEALTH DEPARTMENT'S COMMENTS:

The Health Department issued a septic permit on 2/5/2019 for a max of 200 guests with a 1 bedroom guestroom and 6 employees (960 gpd septic system). The owners are advised to contact the VA Department of Health's Office of Drinking Water to determine if the water supply will need to be regulated.

HIGHWAY DEPARTMENT'S COMMENTS:

Wise Hollow Road has recently been surface treated as a rural rustic road and is posted with a 35 mph speed limit. The existing entrance is paved and meets the requirements of a moderate volume commercial entrance capable of serving the proposed traffic.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

Appears to be greater than 10,000 square feet of disturbance with the drainfield. Submit Stormwater Management Plan.

SECTION 25-74R – SHORT-TERM RENTALS, BED AND BREAKFASTS, AND VACATION RENTALS AND 25-74T - SPECIAL EVENT FACILITIES AND MEETING PLACES

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

The applicant is requesting to construct a new 50' X 104' building for weddings and special events and would like to convert a portion into a one (1) bedroom suite for short term rental.

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

There will be only one (1) detached accessory dwelling unit on the property.

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 62.24 acres.

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

The property owner resides in the principal dwelling on the property.

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.

A Building Permit will be needed for new construction and renovations.

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.

The Health Department comments state that a septic system was approved for the new building and the one (1) bedroom suite on 2/5/2019

All parking shall be accommodated on-site.

All parking will be on site.

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

Businesses are more appropriate in business zoned areas, however, a **limited** number of special events may be compatible with the agricultural areas.

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 one hundred four (104) events per year with up to two hundred fifty (250) attendees, and to construct a 50' X 104' building with a finished one (1) bedroom suite for short term rentals 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 special event facility with limited short term rental should not result in a clustering of businesses.

The business shall have frontage on a state maintained road or the expected traffic on a legal right of way easement can be accommodated by the intersection with the state maintained road per approval by the Virginia Department of Transportation.

The property has access to Wise Hollow Road which is a state maintained road.

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

The 62.24 acre site should adequately and safely accommodate all traffic to and from the public highway.

Only pre-existing structures will be utilized unless the board of zoning appeals finds that proposed new construction will be compatible with neighboring properties.

The applicant would like to construct a new 50' X 104' building beside the existing barn for weddings and special events and convert a portion of the building into a one (1) bedroom suite for short term rental which may not be compatible with neighboring properties.

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 compatible with neighboring properties.

The applicant is requesting to construct a building 50' X 104' (5,200) square feet, which is larger than the four thousand (4,000) square foot limitation.

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

The Health Departments comments state a new septic system was approved on 2/5/19 for up to two hundred (200) attendees and a one (1) bedroom apartment.

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

The applicant will install smoke detectors and fire extinguishers in the new building and the existing barn.

STAFF RECOMMENDATIONS

The applicant is requesting to have weddings, special events, and short term rental on his parent's property. He does not reside on premise, however, his mother and father reside in the principal dwelling on the property. He is requesting to construct a 50' X 104' (5,200 square feet) building on the property beside the existing barn for the events and would like to convert approximately one thousand (1000) square feet of the new building into a one (1) bedroom suite to provide overnight accommodations. The suite can also be used as a dressing room for the wedding party if needed. The new building will have separate restroom facilities for the events and a food prep area will be provided. The applicant is proposing one hundred four (104) events per year with up to two hundred fifty (250) attendees and would like to be allowed to have outdoor amplified music during the events. The Health Department comments state that the applicant has received approval for up to two hundred (200) attendees, the one (1) bedroom suite, and up to six (6) employees. The applicant would also like to renovate and use the existing barn for events if needed. The applicant would like to utilize portable restroom facilities until the new building is constructed and the septic has been installed. The parking for the events will be in the field adjacent to the barn and will remain grass. Staff feels that limited weddings, and special events with overnight accommodations in a rural setting would not be out of character, however, staff is concerned that the number of events requested and the construction of a large building used for business use may have a negative impact on the neighboring properties. If the Board feels the request is compatible 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 including Erosion and Sediment Control and Stormwater Management Plan.
2. Provide a copy of the Health Department approval to Community Development.
3. Applicant obtain a building permit for the 50' X 104' building and the barn renovations and provide a copy to Community Development.

Operating Conditions:

1. Be permitted to construct a 50' X 104' building to be used for weddings and special events.
2. Be permitted to convert up to one thousand (1,000) square feet in the new building into a one (1) bedroom suite not to exceed a maximum of two (2) occupants.
3. Applicant will install a sewage treatment system approved by the Health Department within **two (2) years**.
4. Be permitted to operate for **two (2) years** using a portable restroom trailer until the septic system is installed.
5. Be limited to thirty (30) events per year but no more than three (3) per month.
6. Be limited to a maximum of two hundred (200) people per event.
7. Applicant or designated agent be onsite during all events.
8. No outdoor amplified music after 9:00 p.m.
9. All events cease by 10:00 p.m. and all persons off of the property by 11:00 p.m. except for overnight guests.
10. Owner must reside on premises.
11. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.
12. Site be kept neat and orderly.

Agenda Item # 7A

EXTENSION OF TIME REQUEST

Date 5/2/19

PROPERTY OWNER:

Shen Acres Realty, LLC

APPLICANT:

Garland Eutsler, agent for Shen Acres Holding, LLC

LOCATION OF PROPERTY:

348 and 256 Lake Road, Stuarts Draft in the South River District

SIZE OF PROPERTY:

132.585 acres

VICINITY ZONING:

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

PREVIOUS ZONING OR S.U.P.:

- 05/95 SUP approved to expand Shenandoah Acres Resort
- 12/95 Zoned General Agriculture
- 03/98 SUP approved to replace the non-conforming beach house
- 05/07 SUP approved to continue rental of cottages, the lodge, roundhouse, and three bedroom house, and use beach house for recreation and social events
- 03/14 SUP approved to continue the facility
- 10/14 SUP approved to reopen back section
- 06/16 SUP approved to expand the existing campground by adding additional full hookup campsites and a seasonal restaurant within the existing beach house
- 12/16 SUP approved to expand the existing campground by adding additional full hook-up sites and reopen an existing site area
- 10/17 SUP approved to expand the existing campground by adding full hook-up and seasonal sites
- 06/18 SUP approved to construct a building for recreational use

LAND USE MAPS:

Urban Service Area – Recreational Business or Low Density Residential

UTILITIES:

Private well, public sewer and waste dump station

APPLICANT'S JUSTIFICATION:

To construct a building for recreational use

The applicant is requesting a 180 day Extension of Time.

EXTENSION OF TIME REQUEST

Agenda Item # 7B
Date 5/2/19

PROPERTY OWNER:

John C. Leavell

APPLICANT:

Same

LOCATION OF PROPERTY:

321 Sangers Lane, Staunton in the Beverley Manor District

SIZE OF PROPERTY:

2.920 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

11/07 SUP to construct a building for a machine shop

06/18 SUP approved to construct a building for use as a machine shop and to have outdoor storage of equipment

LAND USE MAPS:

Community Development Area – Low Density Residential

UTILITIES:

Private

APPLICANT'S JUSTIFICATION:

To construct a building for use as a machine shop and to have outdoor storage of equipment

The applicant is requesting a 6 month Extension of Time.