



**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 *Sandra K. Bunch*  
DATE: May 30, 2019  
SUBJECT: Regular Meeting and Viewing

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, June 6, 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 **8:00 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 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, June 6, 2019, 1:30 P.M.**

**1. CALL TO ORDER**

**2. DETERMINATION OF A QUORUM**

**3. PUBLIC HEARINGS**

- A. A request by Philip A. Wade or Candace M. Wade, for a Special Use Permit to continue to have a motor vehicle repair and welding business on property owned by Hugh L., Jr., and Candace M. Wade, located at 1179 Buffalo Gap Highway, Swoope in the Pastures District.
- B. A request by Michael J. or Sanda M. Racca, for a Special Use Permit to have firearm sales and gunsmithing on property they own, located at 1468 Keezletown Road, Weyers Cave in the Middle River District.
- C. A request by Jonathan R. Fretwell or Crystal D. Wilfong-Fretwell, for a Special Use Permit to have a personal kennel on property they own, located at 547 Hundley Distillery Road, Churchville in the North River District.
- D. A request by Joseph D. Shomo and Sonnee Carter, for a Special Use Permit to have weddings and special events on property owned by Joseph D. Shomo, located at 676 Haytie Lane, Swoope in the Riverheads District.
- E. A request by Sandra L. Meyer, Trustee, for a Special Use Permit to have weddings and special events within an existing barn on property she owns, located at 705 Knightly Lane, Mount Sidney in the Middle River District.
- F. A request by Debbie C. Henderson, agent for D.M. Conner, Inc., for a Special Use Permit to have a mining operation on property they own, located on the north side of Sycamore Path at the intersection of Gerties Lane and Sycamore Path, Stuarts Draft in the South River District.
- G. A request by Debbie C. Henderson, agent for D.M. Conner, Inc., for a Special Use Permit to have a mining operation on property owned by Garnett E. or Virginia Hope Johnson, located on the north side of Sycamore Path at the intersection of Gerties Lane, Stuarts Draft in the South River District.
- H. An appeal by Curtis G. or Janice E. Wiles to the Board of Zoning Appeals of a decision of the Zoning Administrator regarding the number of cats permitted on property they own located at 56 Flint Mountain Drive, Stuarts Draft in the South River District.

Agenda Item # 3A

Date 6/6/19

**PROPERTY OWNER:**

Hugh L., Jr., and Candace M. Wade

**APPLICANT:**

Philip A. Wade or Candace M. Wade

**LOCATION OF PROPERTY:**

1179 Buffalo Gap Highway, Swoope in the Pastures District

**SIZE OF PROPERTY:**

4.047 acres

**VICINITY ZONING:**

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

**PREVIOUS ZONING OR S.U.P.:**

12/82 SUP approved to have auto repair, radiator repair, and welding

12/95 Zoned General Agriculture

**LAND USE MAPS:**

Community Development Area – Low Density Residential

**UTILITIES:**

Private well and septic

**APPLICANT'S JUSTIFICATION:**

To continue to have a motor vehicle repair and welding business

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

After review, our office has no conditions.

**HEALTH DEPARTMENT'S COMMENTS:**

Applicant lives at the residence and is the only employee. Health Department has no issues with the request.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The existing entrance meets the requirements for a low volume commercial entrance. If the business grows to generate more than 50 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. No signs or advertisements are allowed within VDOT Right of Way.

### **SERVICE AUTHORITY'S COMMENTS:**

1. 1179 Buffalo Gap Highway is currently a Service Authority water only customer.
2. If there are no changes to the structure/use, the Service Authority has no additional comments.

### **ENGINEERING'S COMMENTS:**

No anticipated Stormwater impact. Area does appear to experience significant flooding during extreme weather events. Property owner should consider working with adjoining property to establish drainage facilities to drain towards Dry Branch Road.

### **SECTION 25-74J - VEHICLE REPAIR SHOP**

**The operator will be a resident on the premises unless the board of zoning appeals determines that such residency is not appropriate in the specific case, taking into account the nature of the business and the character of the neighboring properties.**

The operator resides on the adjacent parcel owned by his parents.

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

The motor vehicle repair business has operated from this location since 1982. They are requesting to add their son to the permit.

**Traffic generated by the proposed project will be compatible with the roads serving the site and other traffic utilizing said roads. The business shall have direct access on to a state maintained road.**

The business has direct access to Buffalo Gap Highway which is state maintained.

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

The 4.047 acres have safely and adequately accommodated all traffic to and from the public highway since 1982.

**Only pre-existing structures will be utilized unless the board of zoning appeals finds that proposed new construction a)will be not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties; and b)will not be of such size, character or required financial investment that it would best be located in an available business or industrial zoned area.**

The applicants operate within the attached garage and no new structures are requested.

**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 of zoning appeals finds that a larger structure or expansion is not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.**

No expansions are requested.

**Employees will be limited to residents on premises unless the board finds that a limited number of additional employees will be compatible with neighboring properties and will not be inconsistent with available infrastructure, including, but not necessarily limited to, sanitation facilities, water supply, and roads serving the site.**

No employees are requested.

**Outside display or outside storage of new or used automobile parts is prohibited.** Vehicles are stored behind the garage on the adjacent parcel screened by natural vegetation.

**When allowed, no more than five (5) vehicles shall be located outside of the vehicle impoundment yard at any time. Such vehicles remaining for more than thirty (30) days must be located in the vehicle impoundment yard.**

Applicant states no vehicles will be kept outside the screened area.

**Where outside storage is permitted, all outside storage areas and all inoperable motor vehicles shall be located within a vehicle impoundment yard. The vehicle impoundment yard shall meet the following requirements: a. No inoperable motor vehicle shall be located on any part of the site so as to be visible from any public road or adjoining property. b. Storage of inoperable motor vehicles shall be limited to areas shown on an approved site plan. c. No body or mechanical work, painting, maintenance work, salvaging or crushing shall be permitted within the impoundment yard. Such work, when permitted as part of the motor vehicle or boat repair shall be confined to such areas designated for such purposes on the approved site plan. d. Fencing or screening shall be entirely opaque and of good quality and shall be maintained in a good state of repair. Gates shall remain closed except when vehicles or boats are being moved to and from the yard.**

The inoperable vehicles are screened from the public road by natural vegetation.

### **STAFF RECOMMENDATIONS**

The Board granted a Special Use Permit to have a motor vehicle repair and welding shop at this location in 1982. The permit was issued non-transferrable to Hugh Candace Wade. Mr. Wade passed away and Mrs. Wade would like to include her son on the permit so that he can take over the business. There will be no change in operation and no employees are requested. All repair work will be done inside the existing garage attached to the home and the applicant states all inoperable vehicles will be located

behind the dwelling screened from view by natural vegetation. Staff sent letters in the past regarding inoperable motor vehicles in public view violating the operating conditions of the Special Use Permit and the Zoning Ordinance. The property was brought into compliance and there have been no more complaints from adjoining neighbors. However, when staff visited the site there were two (2) inoperable vehicles in front of the garage that need to be screened from public view.

If the Board feels the motor vehicle repair and welding shop is still compatible with the surrounding area and desires to approve the request, staff would recommend the following operating conditions:

**Pre-Conditions:**

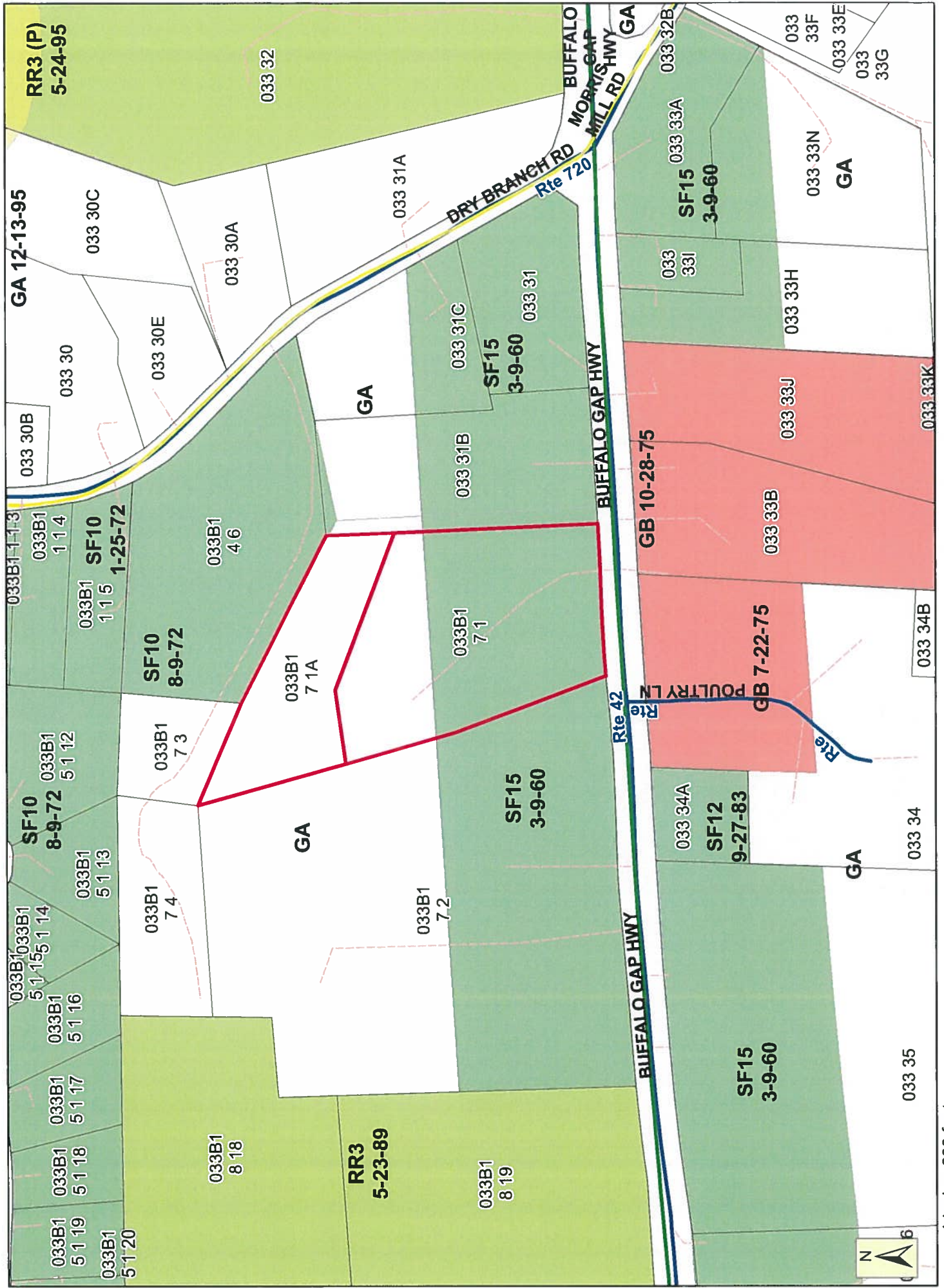
None

**Operating Conditions:**

1. All work be done inside the existing attached garage.
2. Hours of operation be 8:00 a.m. to 9:00 p.m.
3. No employees.
4. No Sunday work.
5. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
6. All inoperable vehicles must be kept behind the dwelling screened from public view by natural vegetation.
7. Site be kept neat and orderly.



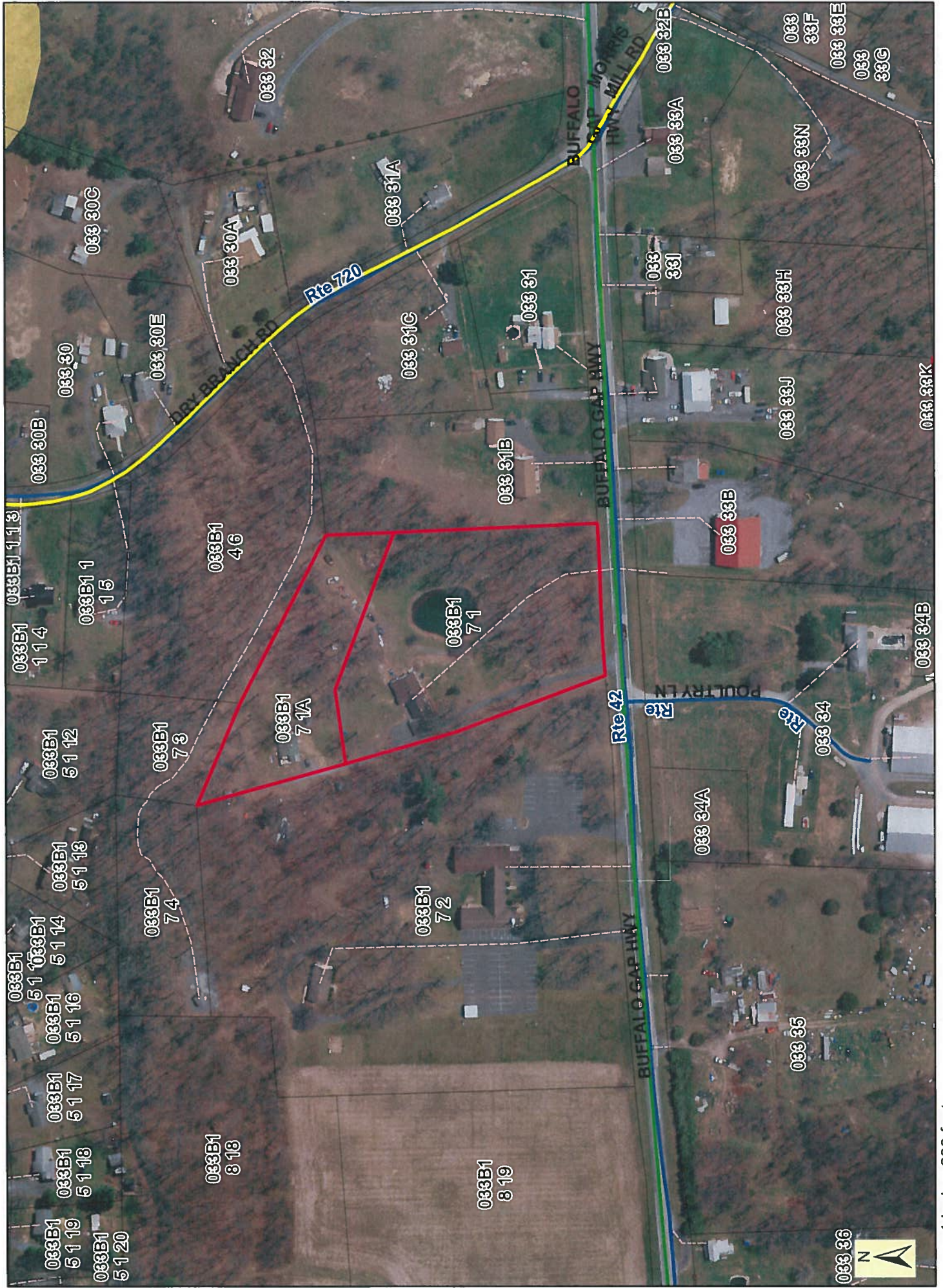
Wade



1 inch = 200 feet



Wade



1 inch = 200 feet



**PROPERTY OWNER:**  
Michael J. or Sanda M. Racca

Agenda Item # 3B  
Date 6/6/19

**APPLICANT:**  
Same

**LOCATION OF PROPERTY:**  
1468 Keezletown Road, Weyers Cave in the Middle River District

**SIZE OF PROPERTY:**  
0.492 acres

**VICINITY ZONING:**  
General Agriculture surrounds the entire site

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

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

**UTILITIES:**  
Public water and sewer

**APPLICANT'S JUSTIFICATION:**  
To have firearm sales and gunsmithing

**PLANNING COMMISSION'S COMMENTS:**  
No comments.

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

**HEALTH DEPARTMENT'S COMMENTS:**  
The Health Department has no comment, public water and sewer to serve.

**HIGHWAY DEPARTMENT'S COMMENTS:**  
It is VDOT's understanding that no onsite sales is anticipated. The existing entrance is adequate for the requested use. A turnaround location is required on the property to allow for delivery trucks to turn around prior to entering Rt. 276.

The existing entrance is limited to 50 vehicles per day (enter + exit).

**SERVICE AUTHORITY'S COMMENTS:**

1. 1468 Keezletown Road is currently a Service Authority water and sewer customer.
2. If there is no change to the structure/fixtures or added employees the Service Authority has no additional comments.

**ENGINEERING'S COMMENTS:**

No anticipated Stormwater impact.

**SECTION 25-74I - LIMITED BUSINESSES AND INDUSTRIES IN AGRICULTURE ZONES**

**Where outside storage is not prohibited, all outside storage areas will be adequately shielded or screened from view.**

No outside storage is requested.

**The operator will be a resident on the premises unless the board of zoning appeals determines that such residency is not appropriate in the specific case, taking into account the nature of the business and the character of the neighboring properties.**

The applicant resides on the premises.

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

An online sales and small gunsmith operation should be appropriate for agriculture areas.

**The business shall have direct access on to a state maintained road and approval by the Virginia Department of Transportation or the expected traffic on a private road or easement can be accommodated by the access proposed.**

The property has frontage on Keezletown Road which is state maintained.

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

There is an existing entrance that should adequately and safely accommodate all traffic to and from the public highways.

**Only pre-existing structures will be utilized unless the board of zoning appeals finds that proposed new construction will be not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.**

The applicant will be using the existing dwelling. No new structures are requested.

**Reasonable limitations are imposed on the enlargement or expansion of the business. Business structures larger than four thousand (4,000) square feet or accumulated expansions by more than fifty percent (50%) shall not be permitted unless the board finds that a larger structure or expansion is not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.**

No expansions are requested.

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

The existing dwelling is connected to public sewer.

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

Smoke detectors and fire extinguishers are onsite.

**All items displayed for sale or stored on site shall be set back at least twenty-five feet (25') from the edge of the pavement of any adjoining roads, and in no case shall a display or storage area be within the right-of-way of any road.**

No items will be displayed for sale. There will be online sales only.

### **STAFF RECOMMENDATIONS**

The applicant is applying for a Class 7 Firearms License through the ATF, which will allow him to sell and manufacture guns and ammo but requires County approval first. He is requesting to have limited online sales and to change out parts when requested which is considered manufacturing.

The applicant states that only friends and family will come to the property to pick up a gun. There will be no guns or ammo stored in bulk. The applicant has a safe that all guns will be kept in. The applicant currently has a fulltime job and would like to supplement his income with online sales. Staff feels that a small gunsmithing business with limited online sales would not have a negative impact on the neighboring properties and recommends approval with the following operation conditions:

### **Pre-Conditions:**

1. Applicant install a turnaround location per VDOT comments and provide a copy of the approval to Community Development.

### **Operating Conditions:**

1. Be permitted to have firearm sales and gunsmithing within the existing dwelling.
2. No employees.
3. Applicant must reside on premises.

4. No test firing onsite.
5. Site be kept neat and orderly.



Rnrca





# Racca



1 inch = 200 feet

Racca



**PROPERTY OWNER:**

Jonathan R. Fretwell or Crystal D. Wilfong-Fretwell

Agenda Item # 3C

Date 6/6/19

**APPLICANT:**

Same

**LOCATION OF PROPERTY:**

547 Hundley Distillery Road, Churchville in the North River District

**SIZE OF PROPERTY:**

15.008 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 personal kennel

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

Obtain all necessary permits and inspections for any new structures as required by the Uniform Statewide Building Code.

**HEALTH DEPARTMENT'S COMMENTS:**

The Health Department has no comment on a personal kennel.

**HIGHWAY DEPARTMENT'S COMMENTS:**

It is VDOT's understanding that no onsite or online sales is anticipated. The dogs are working rescue and for personal use only. The existing entrance is adequate for the requested use.

**SERVICE AUTHORITY'S COMMENTS:**

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

**ENGINEERING'S COMMENTS:**

No anticipated Stormwater impact.

**ANIMAL CONTROL'S COMMENTS:**

This would be a good area for this kennel. Six (6) dogs would be fine here as we have not had any problems here.

**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.**

Dogs reside in the dwelling or the fenced area. Outside areas are 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.**

The dogs live inside the dwelling and the applicant will be constructing a 10' x 12' kennel with a window for ventilation to provide shelter when they are outside during the day.

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

The riding ring is fenced with five (5') foot high horse fencing and security fencing around the dwelling.

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

The dogs have a fenced area around the dwelling and a fenced riding ring used for exercise.

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

Smoke alarms and fire extinguishers are on site.

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

Only two (2) of the dogs will be kept outside in the 10' x 12' kennel during pretty days. All other dogs are in the dwelling. Both facilities should accommodate all breeds.

**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 property contains 15.008 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.**

All dogs are confined inside the dwelling at night.

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

The applicant would like to construct a 10' x 12' kennel adjacent to the riding ring which will meet all setback requirements from property lines.

### **STAFF RECOMMENDATIONS**

The applicants are requesting to have a personal kennel for up to six (6) dogs. The applicants currently have four (4) dogs but they help with rescue groups and would like to have the capability to adopt if they choose to. The dogs reside in the dwelling. Two (2) of the dogs are kept in an existing shed with individual kennels during the day. The existing shed does not meet the two hundred (200') foot setback requirement, therefore, the applicant is proposing to construct a new 10' x 12' structure adjacent to the riding ring if the request is approved. The applicant states all dogs are inside the home at night. They are not requesting to breed any of the dogs. Staff feels that a small personal kennel would not be out of character with the rural area and recommends approval with the following operating conditions:

#### **Pre-Conditions:**

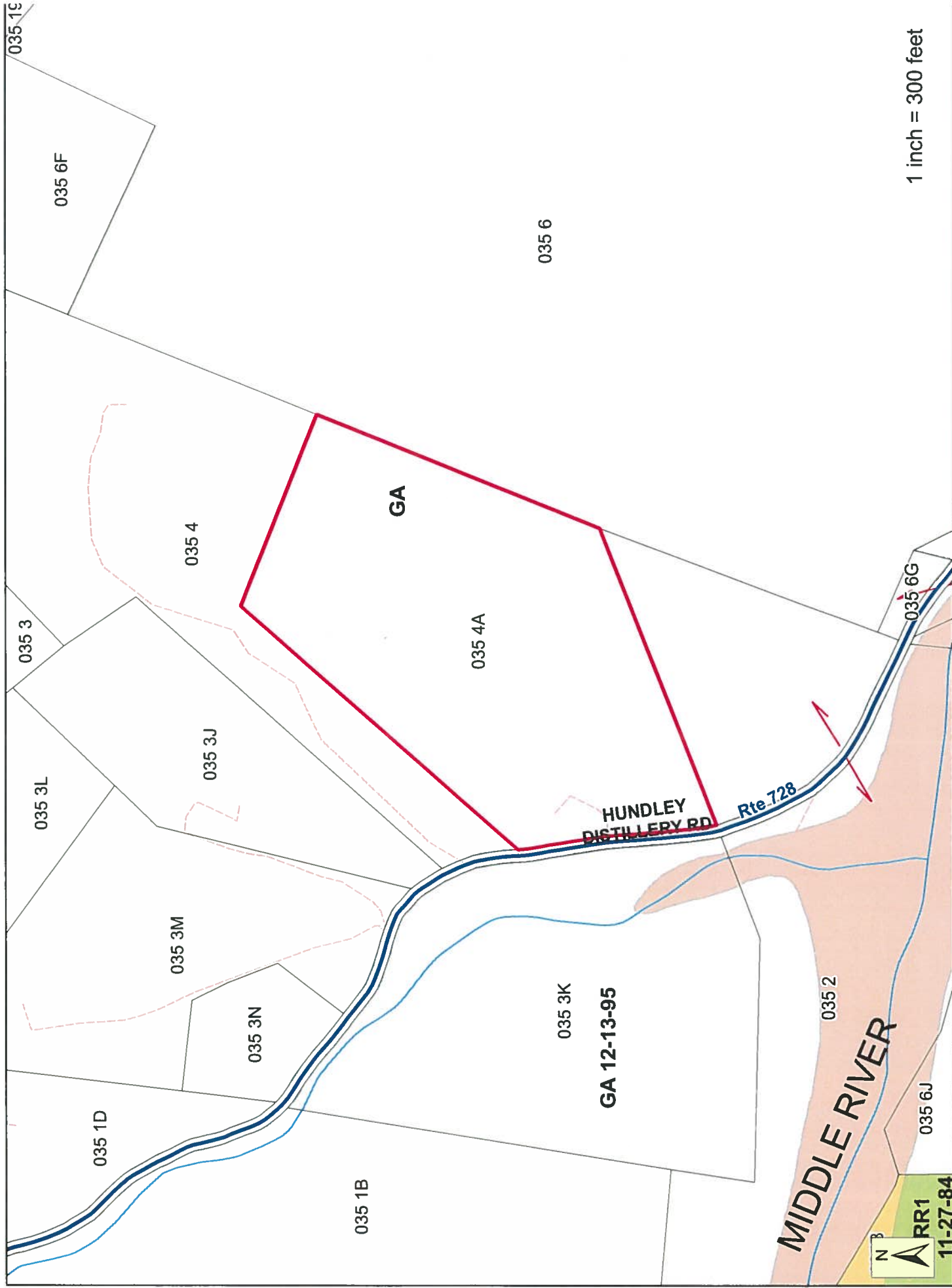
None

#### **Operating Conditions:**

1. Maximum of six (6) adult dogs kept at this site at any time.
2. Be permitted to construct a 10' x 12' kennel adjacent to the riding ring.
3. All dogs be confined within the designated area on the site plan or inside the dwelling.
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**.



Fretwell



1 inch = 300 feet

RR1  
11-27-84

Fretwell





10' x 12' Kennel adjacent to the hiding knif-

Fretwell



GA

035 4

Rte 723

035 3K

035 4A

1 inch = 50 feet



95

Agenda Item # 3D

Date 6/6/19

**PROPERTY OWNER:**

Joseph D. Shomo

**APPLICANT:**

Joseph D. Shomo and Sonnee Carter

**LOCATION OF PROPERTY:**

676 Haytie Lane, Swoope in the Riverheads District

**SIZE OF PROPERTY:**

99.72 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 weddings and special events

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

After review, our office has no conditions.

**HEALTH DEPARTMENT'S COMMENTS:**

Porta Potties to be used at events. The Health Department recommends 1 per 100 people. If the County requires bathrooms the owner will need to have a septic system designed by a private on-site soil evaluator with plans to be submitted to the Health Department for approval prior to installing the septic system.

**HIGHWAY DEPARTMENT'S COMMENTS:**

Haytie Ln is a Very Low Volume road. The entrance serving the property is at the end of the cul-de-sac road. The existing entrance is adequate for the requested use. Due to the amount of traffic on the road currently, a significant increase in traffic is expected. Haytie is currently a gravel road. VDOT will not commit to any additional maintenance upkeep on the roadway system to accommodate events. This road is not on the 6 year plan to be paved.

**SERVICE AUTHORITY'S COMMENTS:**

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

**ENGINEERING'S COMMENTS:**

No anticipated Stormwater impact since using existing entrance and grass for parking.

**25-74T - SPECIAL EVENT FACILITIES AND MEETING PLACES**

**Special event facilities and meeting places, including but not necessarily limited to: wedding venues, reunion venues, meeting places and other facilities of civic, community service and fraternal organizations, may be permitted by Special Use Permit provided:**

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

Businesses are more appropriate in Business zoned areas, however, the applicants will be using the existing dwelling and outside grounds for weddings and social events which should be appropriate for 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 applicant is requesting to have up to three hundred (300) attendees which could have a negative impact on the neighboring properties.

**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 the business should not result in a clustering of similar 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 a state maintained road.

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

The 99.72 acre parcel should accommodate all traffic to and from the public highways.

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

The applicants will be using the existing dwelling.

**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.**

No expansions are requested.

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

There is an approved septic system onsite and was recently upgraded.

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

There are smoke detectors in the home and fire extinguishers are on site.

**STAFF RECOMMENDATIONS**

The applicants are requesting to use the existing dwelling and outside areas for weddings and social events. The applicant is proposing to use the dwelling as a dressing area for the wedding party. They are proposing twenty (20) events per year with up to three hundred (300) attendees. Parking will be provided in the adjacent field and will remain grass. The applicant does not reside on premise but lives within close proximity and will be onsite during events. All food will be catered and provided by the wedding party. They are also requesting to have outdoor amplified music during the events. The applicants would also like to use porta-potties for the events. The Board has been consistent in requiring septic systems for similar event facilities. There is an existing septic system onsite, however, the Health Department comments state a septic system designed by a private onsite soil evaluator be submitted to the Health Department for approval prior to installing. The Board could consider porta-potties for a limited time.

Staff feels that a limited number of weddings and special events in a rural setting could provide a service to the area but is concerned that outdoor amplified music and the number of attendees requested could have a negative impact the neighboring properties.

If the Board feels the request is compatible with the area and desires to approve this request, staff would recommend the following operating conditions:

**Pre-Conditions:**

None

**Operating Conditions:**

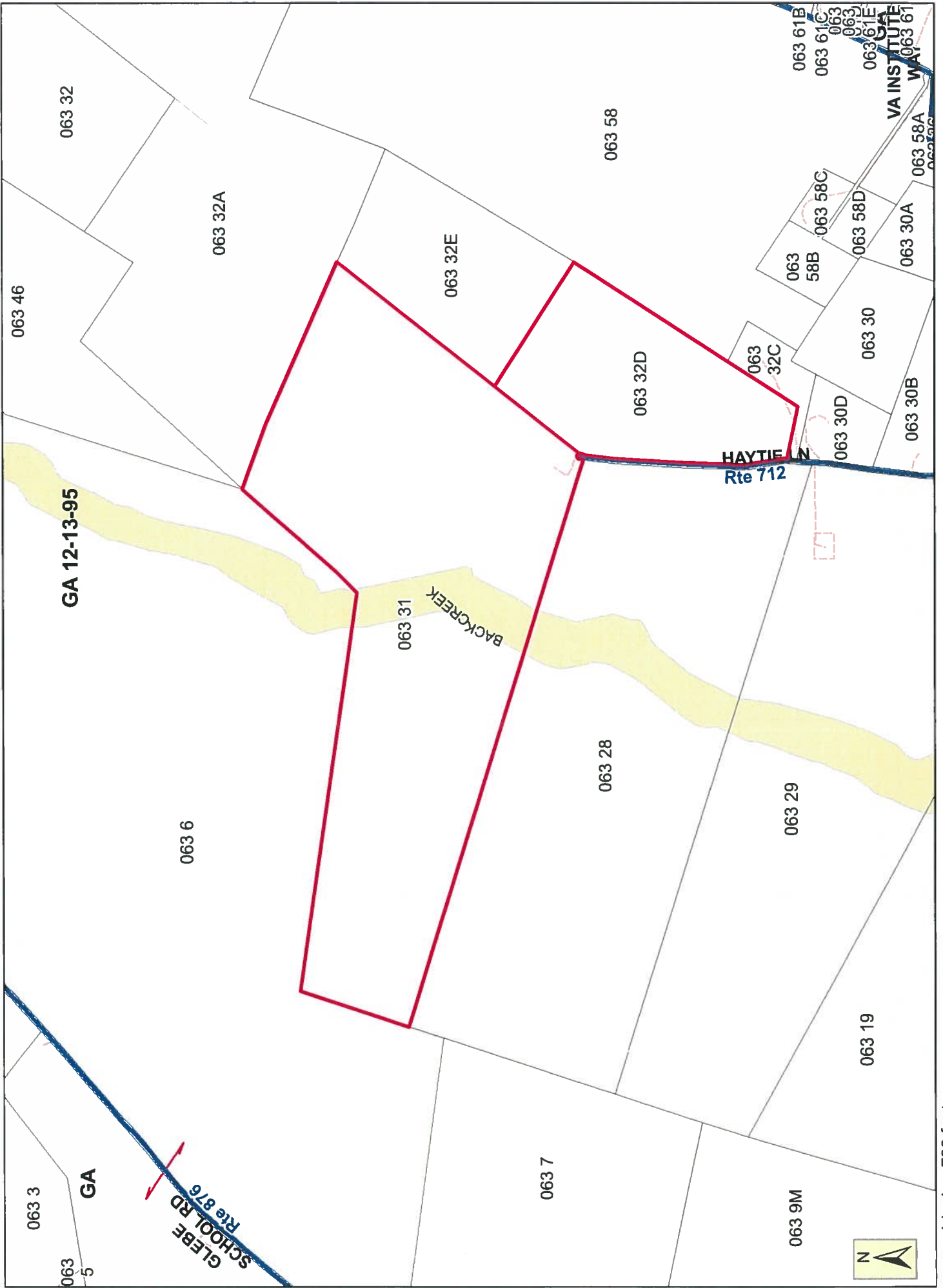
1. Applicant will install a sewage treatment system approved by the Health Department within **two (2) years**.

2. Be permitted to operate for **two (2) years** using a portable restroom until the septic system is installed.
3. Be limited to twenty (20) events per year but no more than three (3) per month, and only one (1) per weekend.
4. Be limited to a maximum of three hundred (300) people or less per event, as limited by the Health Department.
5. No outdoor amplified music after 10:00 p.m.
6. Events cease by 10:00 p.m. and all persons off the property by 11:00 p.m.
7. Applicant must be on the premises during events.
8. Site be kept neat and orderly.



Sharon

# Shomo

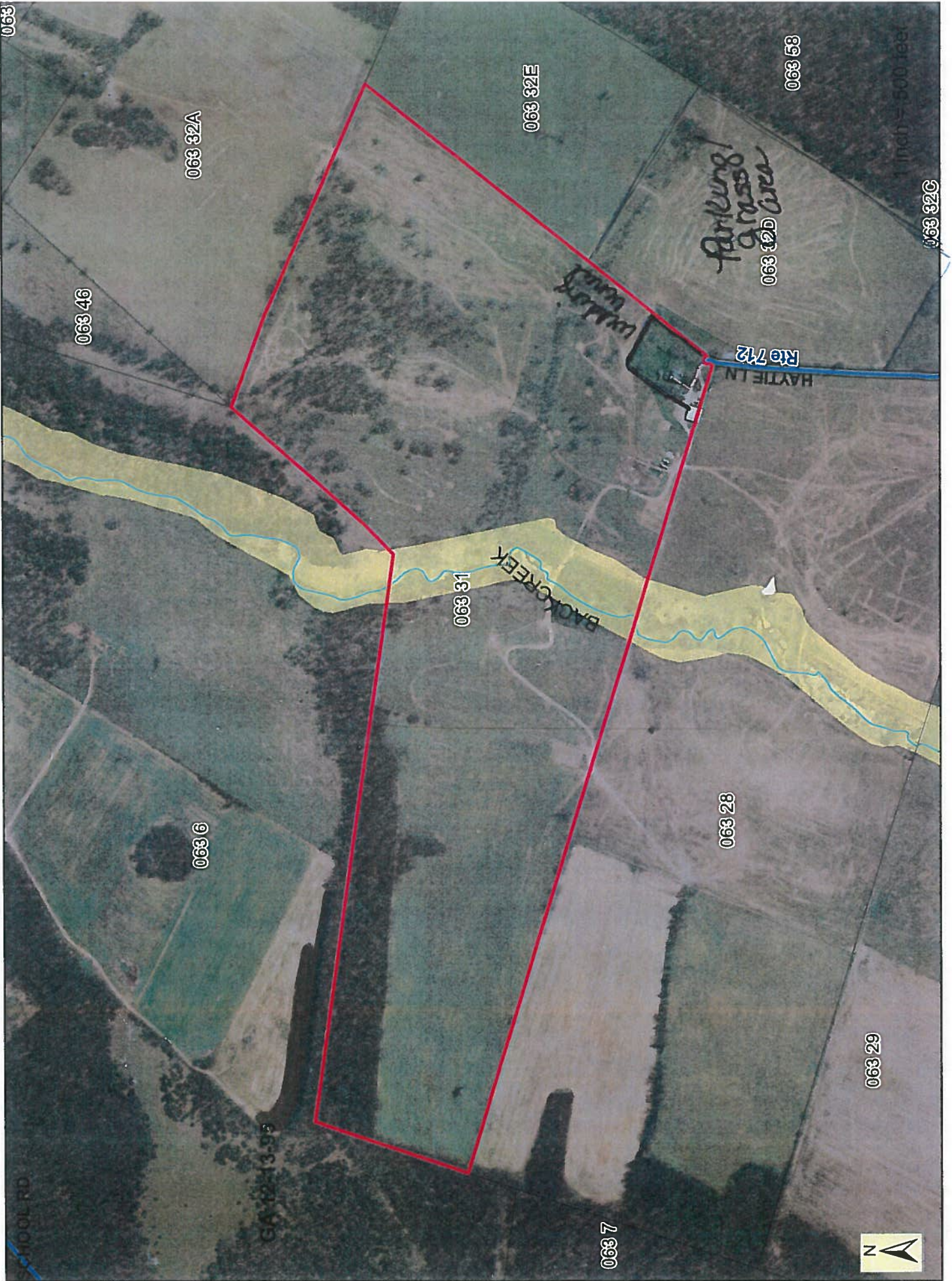


1 inch = 700 feet





Shomo



**PROPERTY OWNER:**

Sandra L. Meyer, Trustee

Agenda Item # 3 E

Date 6/6/19

**APPLICANT:**

Same

**LOCATION OF PROPERTY:**

705 Knightly Lane, Mount Sidney in the Middle River District

**SIZE OF PROPERTY:**

20.498 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 weddings and special events within an existing barn

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

After review, our office has no conditions.

**HEALTH DEPARTMENT'S COMMENTS:**

Porta Potties to be used at events. The Health Department recommends 1 per 100 people. If the County requires bathrooms the owner will need to have a septic system designed by a private on-site soil evaluator with plans to be submitted to the Health Department for approval prior to installing the septic system.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The existing entrance currently serving the house does not meet our minimum standards for the requested use. North of the existing entrance is a field entrance. This location meets our sight distance requirements with conditions: (1) Clear the vegetation to the left of the entrance; (2) Trim the tree branches at the low point (sag) of the road). The entrance shall be constructed to meet our Moderate Volume Commercial Entrance standards. Refer to Appendix F of the Road Design Manual for details (or contact

VDOT). During events, the private entrance shall be closed off to restrict traffic use. A land use permit will be required for the new entrance work.

**SERVICE AUTHORITY'S COMMENTS:**

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

**ENGINEERING'S COMMENTS:**

If parking on grass, then no anticipated Stormwater impact. If any additional gravel or pavement is planned, then Erosion and Sediment Control and Stormwater Plans may be required.

**25-74T - SPECIAL EVENT FACILITIES AND MEETING PLACES**

**Special event facilities and meeting places, including but not necessarily limited to: wedding venues, reunion venues, meeting places and other facilities of civic, community service and fraternal organizations, may be permitted by Special Use Permit provided:**

**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 weddings and social events may be compatible with an agricultural area.

**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 applicant is requesting to use the existing barn for weddings and special events and provide parking for up to two hundred (200) attendees. The parcel is adjacent to several dwellings that could be impacted by these events.

**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 this business should not result in a concentration of similar 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 frontage along Knightly Lane which is state maintained.

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

The 20.498 acre parcel should adequately and safely accommodate all traffic to and from the public highways.

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

The applicants will be using the existing barn on the property. No new construction.

**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.**

No expansions are requested.

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

The existing dwelling is connected to a sewage disposal system.

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

There are fire extinguishers on site.

### **STAFF RECOMMENDATIONS**

The applicant is requesting to have weddings and special events within the existing barn on the property. The applicant does not reside on the premises, but will have an event planner. She is proposing twelve (12) events per year for up to two hundred (200) attendees. Parking will be provided in the field and will remain grass. All amplified music will be inside the barn and food will be catered in. The applicant is planning to end events by 11:00 p.m. and have all attendees offsite by 12:00 a.m. The applicant plans to use portable restroom facilities. The Board has been consistent in requiring septic systems for similar event facilities. The Board could consider porta-potties or a restroom trailer for a limited time until the septic system is installed. If the Board feels the request is compatible with the area and desires to approve this request, staff would recommend the following conditions:

**Pre-Condition:**

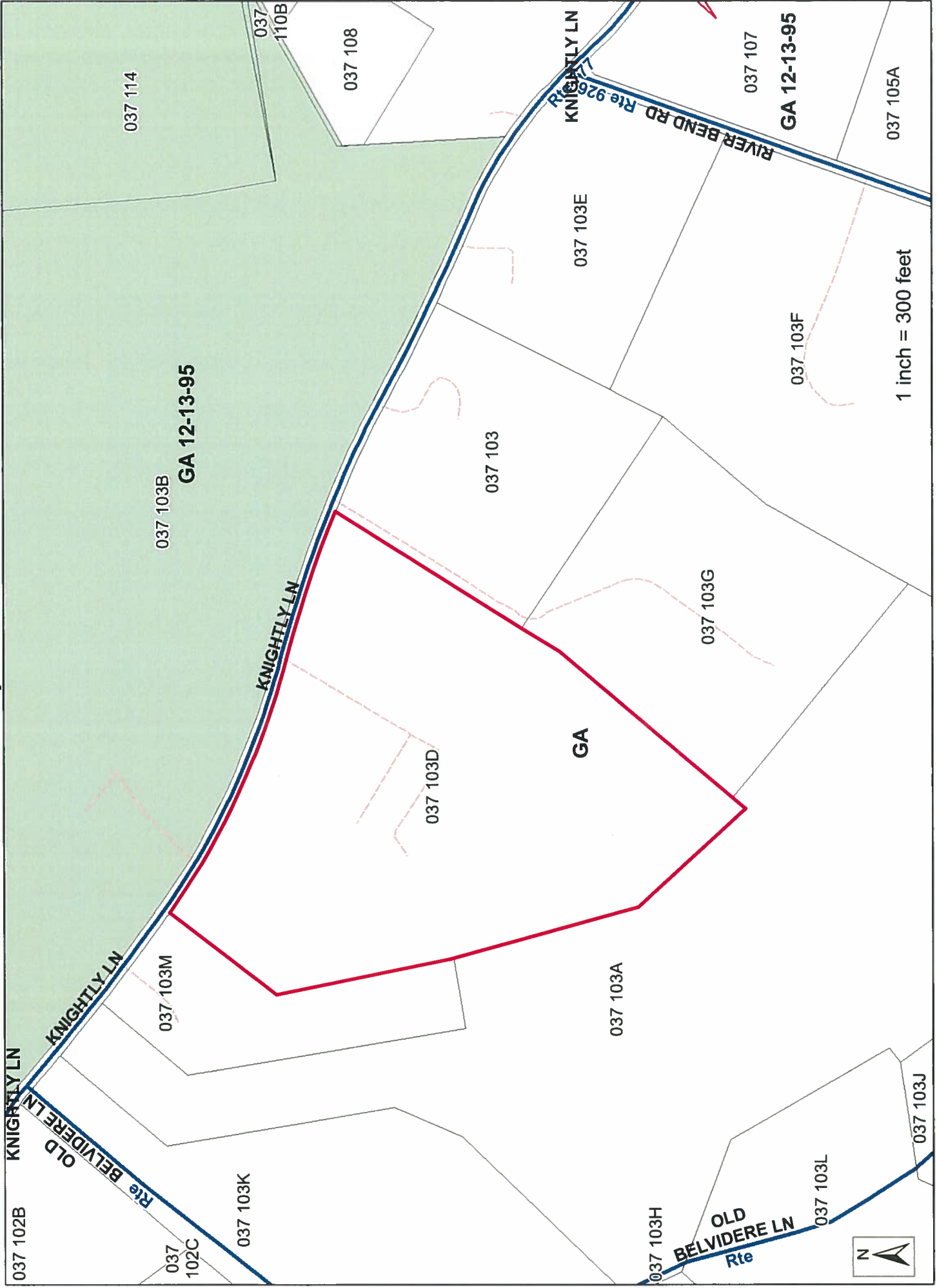
1. Obtain VDOT entrance permit and provide a copy to Community Development.

**Operating Conditions:**

1. Applicant will install a sewage treatment system approved by the Health Department within **two (2) years**.
2. Be permitted to operate for **two (2) years** using a portable restroom trailer until the septic system is installed.
3. Be limited to twelve (12) events per year, but no more than two (2) per month, and only one (1) event per weekend.
4. Be limited to a maximum of two hundred (200) attendees or less per event, as limited by the Health Department.
5. The private entrance shall be closed during events and the field entrance to the north of the private entrance will be used for events per VDOT comments.
6. Events cease by 11:00 p.m. and all persons off the property by 12:00 a.m.
7. No outdoor amplified music.
8. The applicant or her designee must be on premise during events.
9. Site be kept neat and orderly.



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1 inch = 300 feet



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