



**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: October 31, 2019  
SUBJECT: Regular Meeting and Viewing

*Sandy*

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, November 7, 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 **October** minutes, 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, November 7, 2019, 1:30 P.M.**

**1. CALL TO ORDER**

**2. DETERMINATION OF A QUORUM**

**3. MINUTES**

Approval of the Called and Regular Meeting of October 3, 2019

**4. PUBLIC HEARINGS**

- A. A request by R. Allen or Cindy Weekly, for a Special Use Permit to construct two buildings for the existing masonry business and to have outdoor storage on property owned by Gordon O. White, Trustee, located at 2954 Lee Highway, Mount Sidney in the North River District.
- B. A request by Donald R. Horn, for a Special Use Permit to have a bed and breakfast on property he owns, located at 156 Dividing Ridge Road, Mount Solon in the North River District.
- C. A request by Richard A. Dulaney, Trustee of, for a Special Use Permit to have a short term vacation rental on property he owns, located at 45 Swannanoa Lane, Afton in the South River District.
- D. A request by Zachary Dean, for a Special Use Permit to have a towing business and a vehicle impound area on property owned by James T., Sr. and Barbara R. Begoon, located at 707 South River Road, Grottoes in the Middle River District.
- E. A request by Randy Showalter, for a Special Use Permit to have a motor vehicle repair operation and impound area on property owned by Kimberly A. Miller, located at 105 Shulls Lane, Mount Solon in the North River District.
- F. A request by Chester A. Riley and Pamela H. Taylor, for a Special Use Permit to have weddings and special events on property they own, located at 1382 Hermitage Road, Waynesboro in the Middle River District.
- G. A request by Roger Willets, agent for Superior Concrete, for a Special Use Permit to have a concrete batching plant on property owned by PBR Associates, LLC, located at 100 Johnson Drive, Stuarts Draft in the Riverheads District. –

**CONTINUE THE PUBLIC HEARING**

**5. OLD BUSINESS**

**6. MATTERS TO BE PRESENTED BY THE PUBLIC**

## **7. MATTERS TO BE PRESENTED BY THE ZONING ADMINISTRATOR**

- A. A request by William E. Sipe, Jr., for a Special Use Permit to have weddings and special events on property he owns, located at 473 Hatchery Road, Grottoes in the Middle River District. – **ONE YEAR EXTENSION OF TIME REQUEST**
  
- B. A request by Taylor Carwile, agent for SA Hold Co., LLC, for a Special Use Permit to continue the existing campground and to continue to rent out for recreational use the two bedroom cottages, two (2) three bedroom cottages, fourteen (14) room lodges, and to continue to have a seasonal restaurant within the beach house and to increase the number of extended stay sites occupied more than 240 days on property owned by Shen Acres Realty, LLC, located at 256 and 348 Lake Road, Stuarts Draft in the South River District. – **30 DAY EXTENSION OF TIME REQUEST**

## **8. STAFF REPORT**

- 19-1 Positive Paws - Pilgrim Christian Fellowship
- 19-2 Country Landmarks, LLC
- 19-3 Dale Hungerford Trustee, Hungerford Revocable Trust
- 19-4 Dan F. or Shirley A. Holler
- 19-5 Regional Animal Shelter Land Trust
- 19-6 Uplyft, Inc. – **Cancelled**
- 19-7 James R. or Valerie L. Schwendeman
- 19-8 David L. or Ann W. Gardner

## **9. ADJOURNMENT**

Date 11/7/19

**PROPERTY OWNER:**

Gordon O. White, Trustee

**APPLICANT:**

R. Allen or Cindy Weekly

**LOCATION OF PROPERTY:**

2954 Lee Highway, Mount Sidney in the North River District

**SIZE OF PROPERTY:**

51.804 acres

**VICINITY ZONING:**

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

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

10/92 SUP approved for masonry business and outside storage

12/95 Zoned General Agriculture

12/13 SUP approved to construct a building for the masonry business and outdoor storage

**LAND USE MAPS:**

Rural Conservation Area

**UTILITIES:**

Private well and Private Septic

**APPLICANT'S JUSTIFICATION:**

To construct two buildings for the existing masonry business and to have outdoor storage

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

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

**HEALTH DEPARTMENT'S COMMENTS:**

If any of the buildings has bathrooms or sinks a drainfield permitted by the Health Department will be needed. Also, if any employees will be working onsite, restrooms/sewage disposal will need to be addressed with the Health Department.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The existing entrance is adequate for the proposed use.

**SERVICE AUTHORITY'S COMMENTS:**

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm>.
2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
4. There is an existing 12" waterline across Lee Highway (Rt. 11) approximately 742'± southeast of the subject parcel.
5. There is no public sewer available in the area of the subject property.

**ENGINEERING'S COMMENTS:**

Appears to have a significant area of disturbance approximately ½ acre already onsite. Requires an Erosion and Sediment Control and Stormwater Management Plan.

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

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

The new 100' X 150' storage area for materials and equipment will be screened existing trees.

**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 lives within close proximity.

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

The applicant has operated the masonry business from this location since 1992, however, considering the size of the requested expansions it may not be appropriate for the agriculture area.

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

The property has access to Route 11 by a private lane.

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

The site has safely and adequately accommodated the business traffic since 1992.

**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 is requesting to construct two (2) new buildings, 28'X40' and 40' X 60', in order to manufacture pre-cast masonry units and for storage.

**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**

The two (2) proposed buildings have a combined aggregate of 3528 square feet and the 20' X 40' storage area will be expanded to 100' X 150' which may not be compatible with neighboring properties.

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

There is an existing well and septic on site.

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

The applicant has fire extinguishers inside the building and on the trucks.

**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.

### **STAFF RECOMMENDATIONS**

The applicant has been operating his masonry business from this location since 1992. The board granted a Special Use Permit to construct a 2000 square foot building to manufacture pre-cast masonry units and to have outdoor storage of materials and equipment in conjunction with the existing masonry business in 2013.

The applicant is constructing a new dwelling above the building that is currently used for the business and is now requesting to construct two new buildings 28' X 40' and 40' X 60' to move the manufacturing operation and storage. He would like to also expand the 20' X 40' outdoor storage area previously approved by the Board to 100' X 150'. The applicant would also like to expand the number of employees to three (3). Staff is concerned that the accumulated expansions requested may not be compatible with the surrounding agriculture area. However, the proposed building locations and storage area will be screened by existing mature trees and Staff has not received complaints from adjoining property owners. Therefore, if the Board feels the request would be compatible and desires to approve the request, Staff would recommend the following operating conditions:

**Pre-Conditions:**

1. Applicant submit an Erosion and Sediment Control Plan and Stormwater Management Plan.
2. Obtain Health Department approval for employees working on site and provide a copy to Community Development.

**Operating Conditions:**

1. Be permitted to construct two (2) buildings 28' X 40' and 40' X 60' for the masonry business.
2. Applicant obtain building permits and provide a copy to Community Development.
3. All outdoor storage be kept in the designated 100' X 150' area shown on the site plan.
4. Be limited to three (3) employees.
5. Site be kept neat and orderly.
6. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.



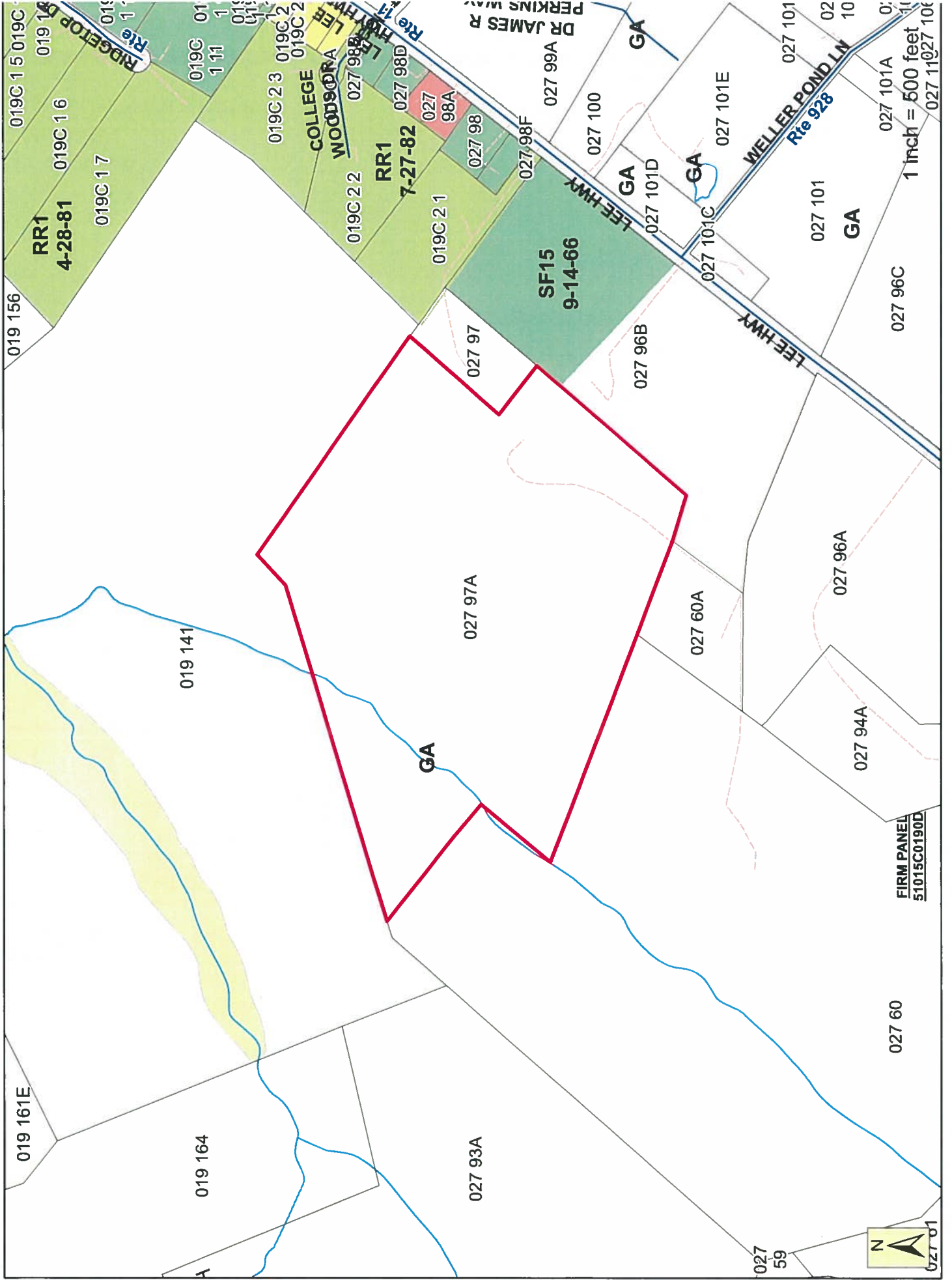
1/14/17



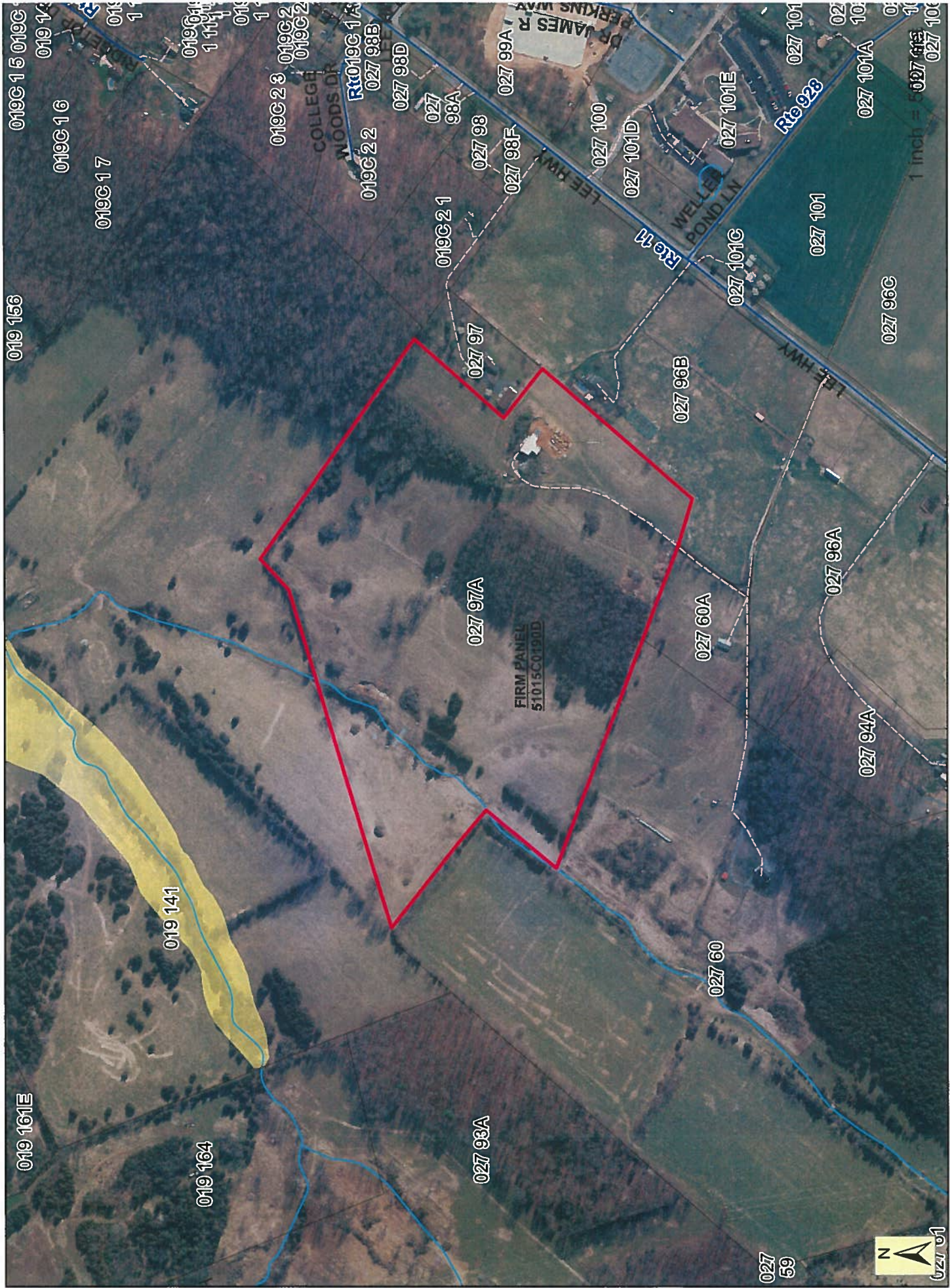




# White



White





White

1 inch = 50 feet

Date 11/7/19

**PROPERTY OWNER:**

Donald R. Horn

**APPLICANT:**

Same

**LOCATION OF PROPERTY:**

156 Dividing Ridge Road, Mount Solon in the North River District

**SIZE OF PROPERTY:**

16.625 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 bed and breakfast

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

After review, our office has no conditions.

**HEALTH DEPARTMENT'S COMMENTS:**

The applicant will need to speak with the Health Department about a Bed & Breakfast permit. There is a drainfield permit on file for a 4 bedroom home (8 people maximum).

**HIGHWAY DEPARTMENT'S COMMENTS:**

The existing entrance is adequate for a bed and breakfast.

**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 less than 10,000 square feet disturbance. Ok.

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

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

There is only one principal dwelling being used for the bed and breakfast.

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

There are no accessory dwellings 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 lot contains 16.625 acres.

**The owner of record or a facility operator personally resides in the principal dwelling or accessory dwelling unit.**

The facility operator resides in the principal dwelling.

**The owner of record shall provide to the Zoning Administrator proof of the current lease agreement between the owner and facility operator as a pre-condition of the permit. The owner shall submit subsequent lease agreements, within 10 days of signature, when the lessee changes.**

The owner submitted the required lease agreement.

**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.**

No building permits are required.

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

There is an existing septic system onsite.

**All parking shall be accommodated on-site.**

All parking will be onsite.

**STAFF RECOMMENDATIONS**

The applicants are requesting to operate a bed and breakfast and lease three (3) of the four (4) bedrooms for short term vacation stays. The owner does not reside onsite, however, there is a facility operator residing in the dwelling, and a copy of a five (5) year lease was submitted to Community Development. The applicant will be providing breakfast and the guests will have full access to the grounds, the living room, and a library

room during their stay. Staff feels that a bed and breakfast would provide a service to the area and would recommend approval with the following conditions:

**Pre-Condition:**

1. Obtain Health Department approval and provide a copy to Community Development.

**Operating Conditions:**

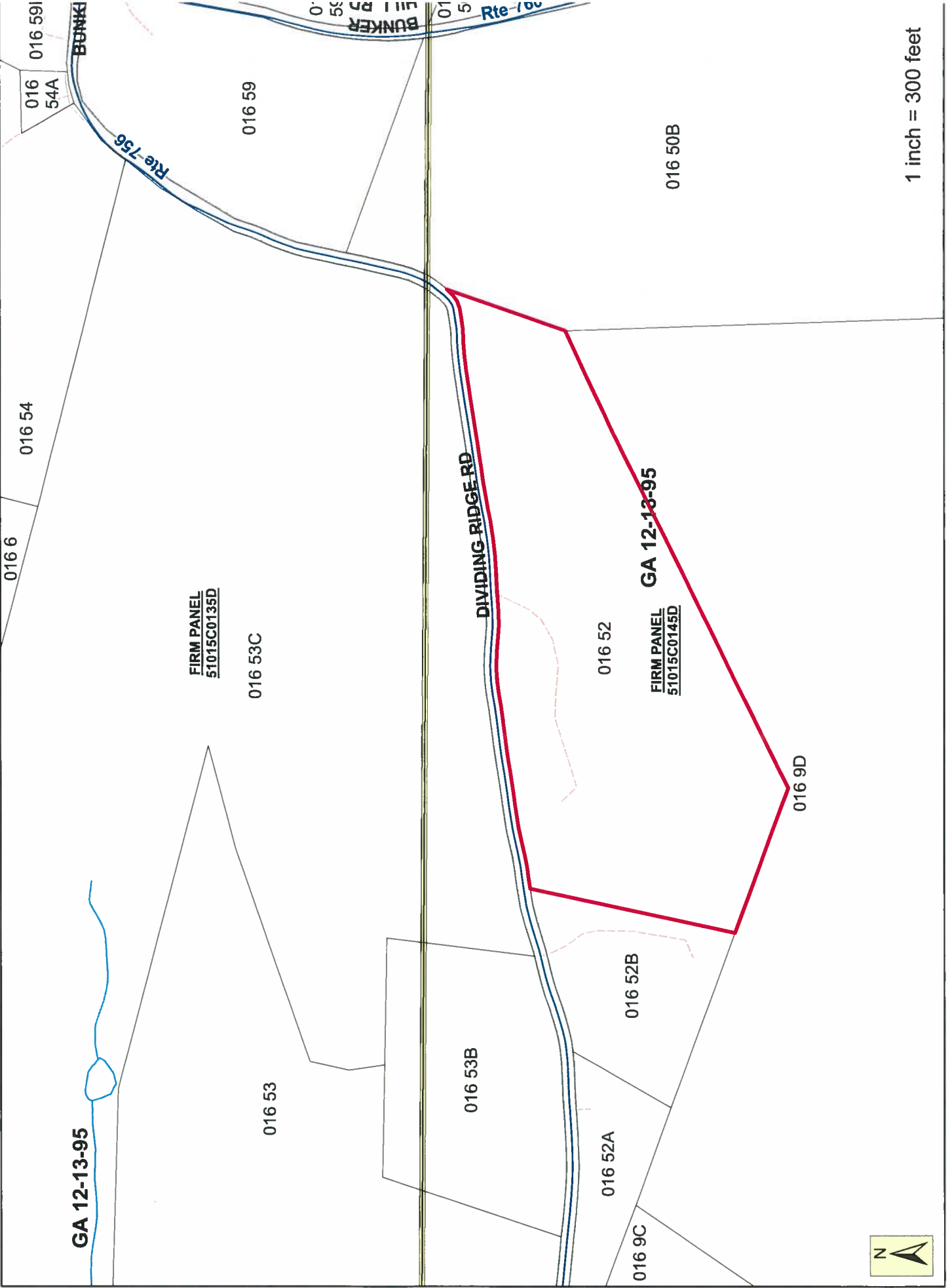
1. Be permitted to use three (3) bedrooms for the bed and breakfast.
2. Be limited to a maximum of eight (8) persons occupying the dwelling.
3. Applicant submit subsequent lease agreements within ten (10) days of signature when the lease changes.
4. Site be kept neat and orderly.



Just

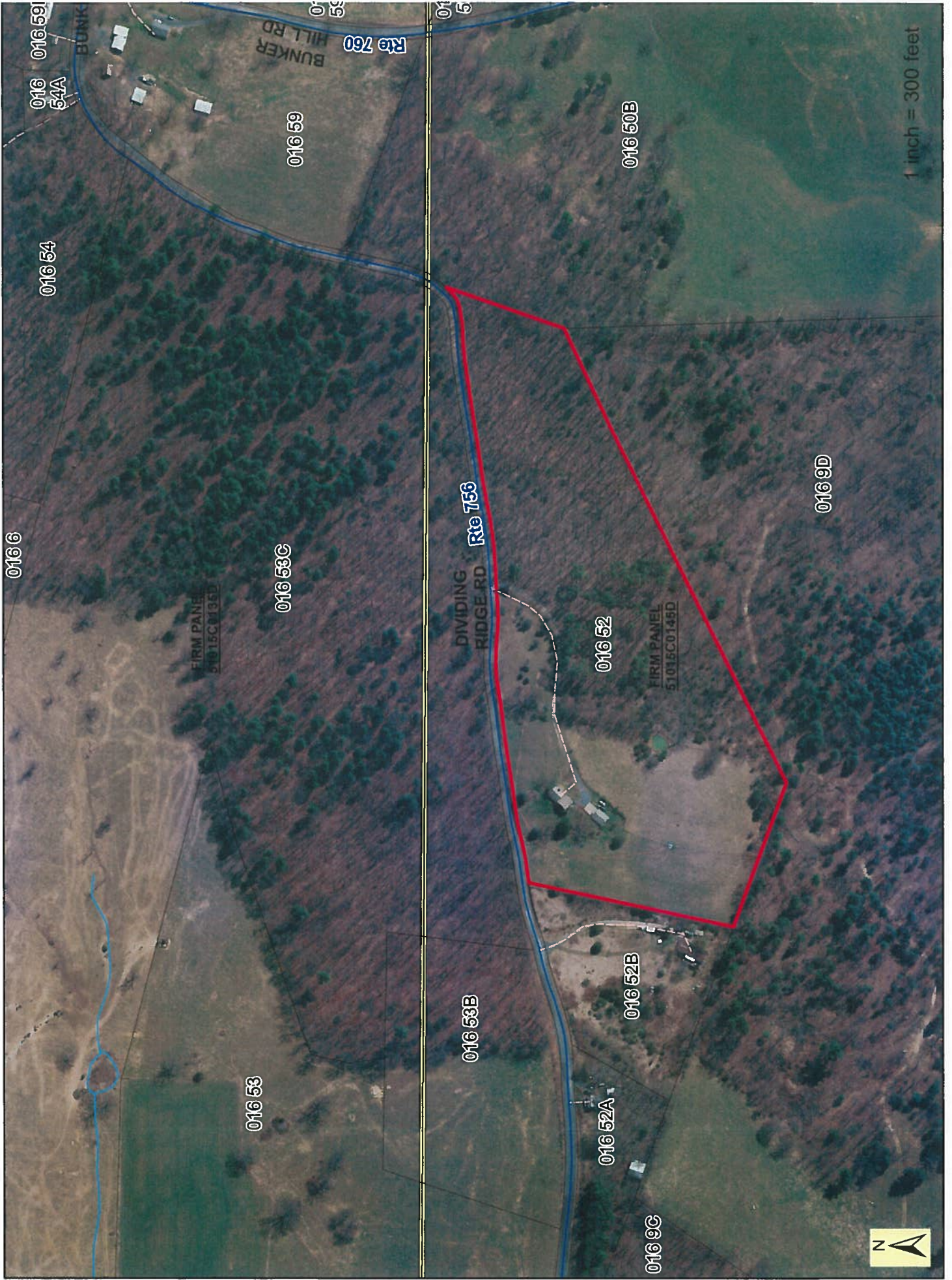


# Horn



1 inch = 300 feet

Horn

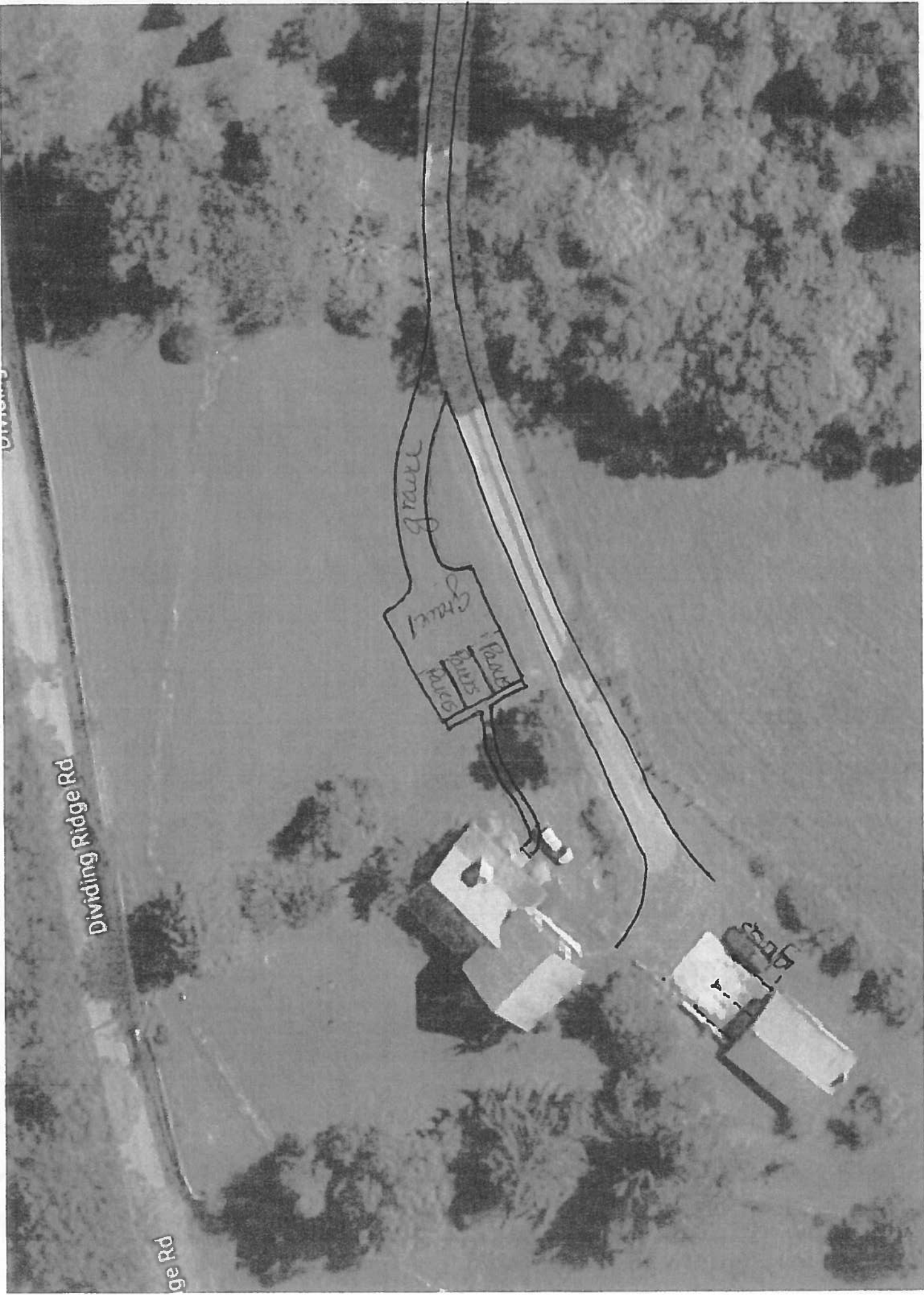


1 inch = 300 feet



PARKING PLAN

Horn



MEADOWLARK RIDGE

156 DIVIDING RIDGE ROAD, MT. SOLON, VA

SCALE 1" = 40'

Date 11/7/19

**PROPERTY OWNER:**

Richard A. Dulaney, Trustee of

**APPLICANT:**

Same

**LOCATION OF PROPERTY:**

45 Swannanoa Lane, Afton in the South River District

**SIZE OF PROPERTY:**

0.391 acres

**VICINITY ZONING:**

General Business to the north and General Agriculture to the south, east and west

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

12/95 Zoned General Agriculture

**LAND USE MAPS:**

Rural Conservation Area

**UTILITIES:**

Private well and septic

**APPLICANT'S JUSTIFICATION:**

To have a short term vacation rental

**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 issues with the request as long as the home is rented out to a single party. If more than 1 room is rented out to multiple parties at the same time then a lodging permit would be required. The Health Department has a 2 bedroom septic permit on file for a maximum of 4 people to occupy the home.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The site accesses a privately maintained road. The intersection of Swannanoa Lane and Rt. 610 does not have sight distance that would be required by current regulations. However, the amount of traffic generated by the short term rental would be minimal compared to the sum of other Swannanoa traffic. VDOT does not object to this request but may require intersection modifications if any additional commercial use is requested on Swannanoa Lane in the future.

**SERVICE AUTHORITY'S COMMENTS:**

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

**ENGINEERING'S COMMENTS:**

No land disturbance. Ok.

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

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

There is only one (1) principal dwelling operating as a short term vacation rental.

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

There are no detached accessory dwelling units onsite.

**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 lot contains 0.391 acres.

**The owner of record or a facility operator personally resides in the principal dwelling or accessory dwelling unit.**

The owner of record resides in the principal dwelling.

**The owner of record shall provide to the Zoning Administrator proof of the current lease agreement between the owner and facility operator as a pre-condition of the permit. The owner shall submit subsequent lease agreements, within 10 days of signature, when the lessee changes.**

No lease agreement is needed.

**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.**

No building permits are required.

**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 dwelling is connected to an existing septic system approved for two (2) bedrooms and a maximum of four (4) to occupy the home per Health Department comments.

**All parking shall be accommodated on-site.**

All parking is onsite.

### **STAFF RECOMMENDATIONS**

The applicant is requesting to lease the three (3) bedrooms in the dwelling for short term vacation rentals. However, the Health Department comments state the septic system was only approved for a two (2) bedroom home with a maximum of four (4) persons occupying the dwelling. The owner resides in the dwelling but states he travels frequently. He will have a person in charge of the property when he is out of town. The property contains less than five (5) acres, however, there are no neighbors within close proximity. There will be no meals provided but guests will have access to the kitchen to prepare their own meals if they want to. The operation of a short term vacation rental is a low impact business that provides a service to the area. If the Board feels the request is compatible even through the property is less than five (5) acres, staff would recommend the following conditions:

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

None

#### **Operating Conditions:**

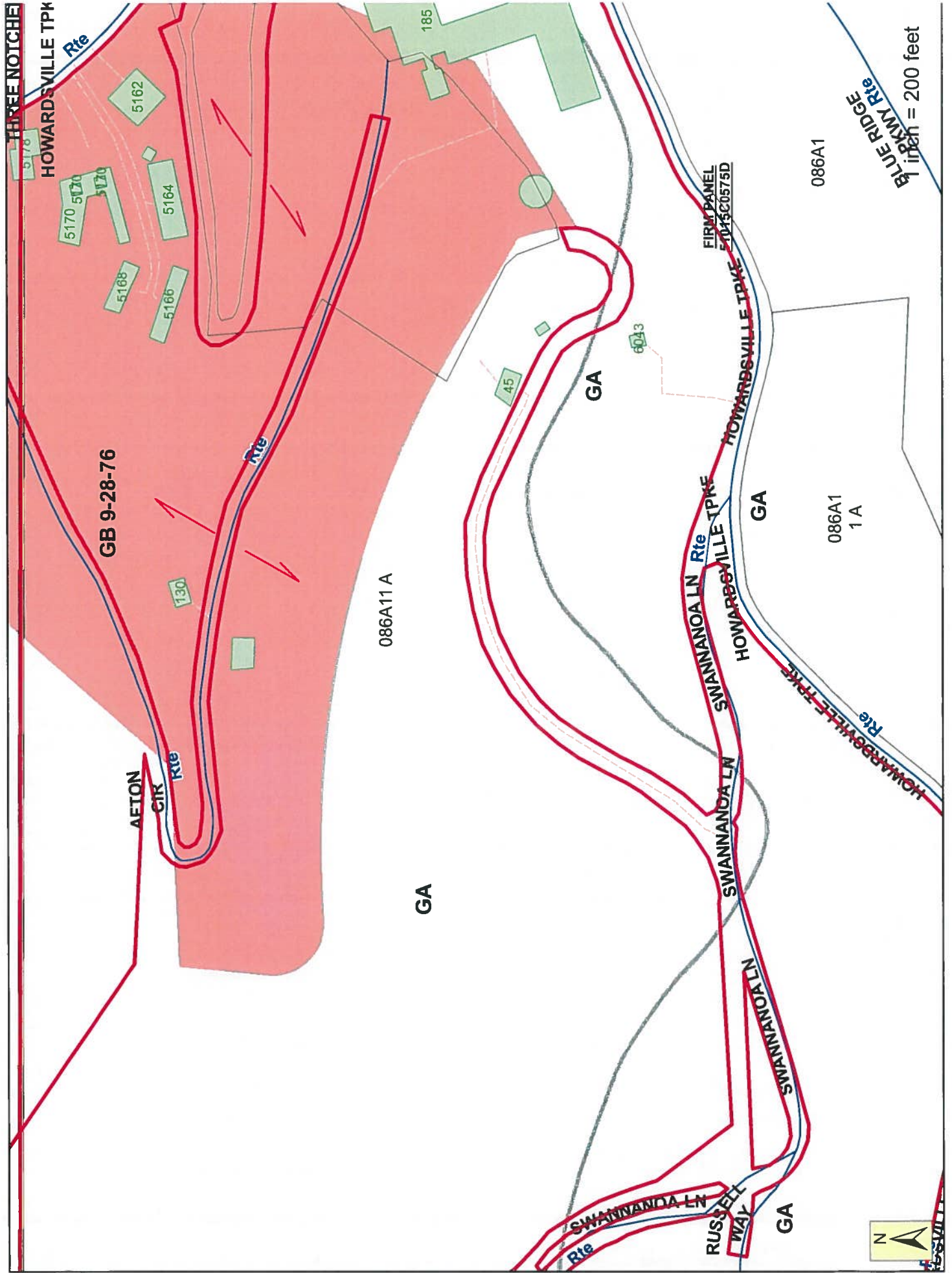
1. Be permitted to use two (2) bedrooms for short term vacation rentals with a maximum occupancy of four (4) unless the Health Department approval is submitted to the Community Development Department.
2. Applicant provide a contact name and number to Community Development when the owner is out of the area.
3. The applicant resides on premise unless a lease agreement for a facility operator is submitted to Community Development within ten (10) days of signature.
4. Site be kept neat and orderly.



Dulany



Dulaney



THREENOICHE

HOWARDSVILLE TPK

Rte

GB 9-28-76

AFTON CIR

130

Rte

5170

5170

5168

5166

5164

5162

086A11 A

GA

185

45

GA

6043

SWANNANOA LN

Rte

HOWARDSVILLE TPK

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086A1 1 A

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HOWARDSVILLE TPK

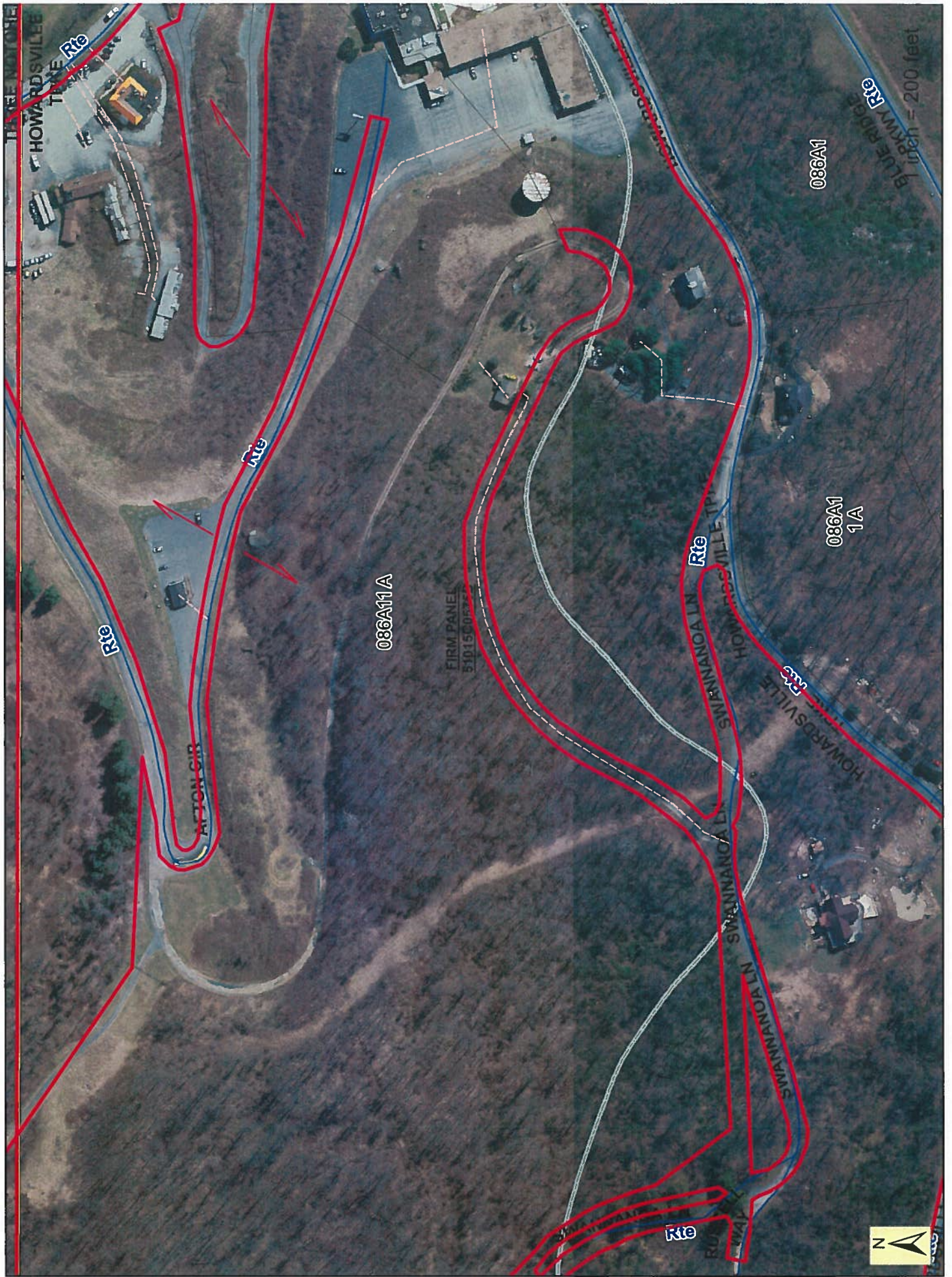
BLUE RIDGE PARKWAY

Rte = 200 feet



15-6-2011

Dulaney



TM86A1-D-1, #04164

TM86A1-1-A,  
SKYLINE SWANNANOVA, INC.  
DB327 P148

EXISTING GRAVEL ROAD,  
SUBD. STREET, TO PAVED  
"SWANNANOVA LN." AND ON  
TO SR 609.

EXISTING GRAVEL ROAD,  
"SWANNANOVA SUBD." STREET,  
TO PAVED "AFTON CR."  
AND ON TO US RTE. 250.

RR SPK.  
SVY. PT.  
TYP.

PB 1 - NELSON

TM86A1-1-A,  
SKYLINE SWANNANOVA, INC.  
DB327 P148

IRON S

D TV  
DISH

LOT 1  
BLOCK D  
0.391 ACRES  
SEE NELSON  
CO. PB1-P27,  
0.4 ACRES

RESIDENCE LOWER FLOOR  
IS STONE 20.5' X 34.8';  
UPPER FLOOR IS FRAME  
22.3' X 34.8' W/O 9' UPPER  
OVERHANG ON NE & SW SIDES.

TM86A1-1-A,  
SKYLINE SWANNANOVA, INC.  
DB327 P148

A=33.70'  
Δ=19°57'40"  
R=96.73'  
T=17.02'  
Lc=33.53'  
N48°05'53"W

TM86A1-1-A,  
SKYLINE SWANNANOVA, INC.  
DB327 P148

EXISTING GRAVEL ROAD,  
SUBD. ST.,  
TO 'A'

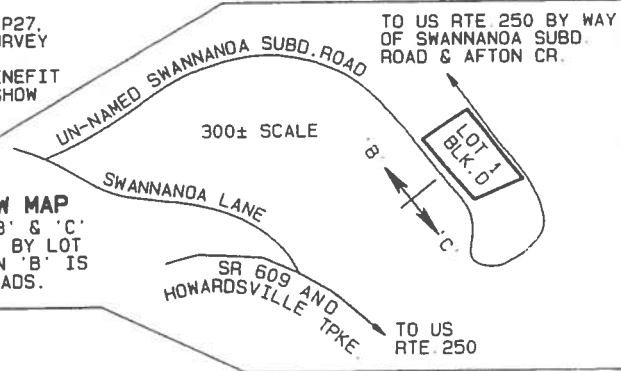
SFR-SPLIT FOYER RESIDENCE, 45 SWANNANOVA LN. STONE AND WOOD. SP-COVERED SCREENED PORCH.  
DF-CONCRETE DRAIN FIELD STRUCTURE. S-STONE LANDSCAPING.  
GPA-GRAVEL PARKING AREA FOR RESIDENCE. S/F-SET/FOUND. CC-CONCRETE.  
UG-PIPES FOR UNDERGROUND INSTTALLATION, (POSSIBLE OIL TANK WHICH MAY BE OFF LOT).  
MON-MASONRY LOT CORNER MARKERS. \* -30' WIDE RIGHT-OF-WAY FOR SUBD. STREET.  
• -UTILITY POLE. □ -TELEPHONE PEDESTAL. UB-UTILITY BUILDING.

SEE PB1 P27, NELSON CO. AND "PLAT OF SWANNANOVA", NOV. 1960, BY WILLIAM S.  
ROUDABUSH, JR. & ASSOC., RECORDED IN BOTH AUGUSTA, DB272 P415 & NELSON CO.  
NOTE: PB1 P27 GIVES NO BOUNDARY DATA EXCEPT 150' TOTAL FROM WESTMOST TO SOUTHMOST  
LOT CORNERS, BOUNDARY DATA SHOWN HEREON FOR THAT AREA BASED ON MY CALCULATIONS.

⊗ - WELL

BOUNDARY SHOWN HEREON BASED ON PB1 P27,  
NELSON CO., MY CURRENT FIELD SURVEY  
AND CALCULATIONS.  
THIS SURVEY PERFORMED WITHOUT THE BENEFIT  
OF A TITLE REPORT AND MAY NOT SHOW  
ALL ENCUMBRANCES AFFECTING  
PROPERTY SURVEYED.

LOCATION & R/W MAP  
BOTH DIRECTIONS 'B' & 'C'  
SHOW LONG TERM USE BY LOT  
1, HOWEVER DIRECTION 'B' IS  
ALONG SUBD. ROADS.

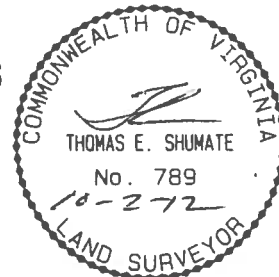


PLAT SHOWING  
LOT, VARIOUS IMPROVEMENTS AND SUBDIVISION  
ROADS TO AND FROM LOT  
**LOT 1, BLOCK D, SWANNANOVA ESTATES**  
SOUTH RIVER DIST., AUGUSTA CO., VIRGINIA

OWNER; CATHY J. VEST, (FORMERLY CASEY),  
IN. 090006098

SCALE 1" = 50' SEPT. 26, 2012

**TOM SHUMATE SURVEYOR, INC.**  
1000W MAIN ST., WAYNESBORO, VA.



L1BDSWANNANOVA

# 3482

Dulaney

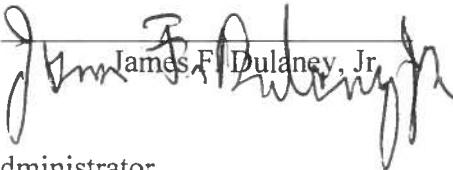
Skyline-Swannanoa, Inc.  
PO Box 6340  
Charlottesville VA 22906-6340

October 19, 2019

Regarding the application of Richard A. Dulaney, Trustee, for a special use permit to operate a short-term vacation rental at 45 Swannanoa Lane.

TO WHOM IT MAY CONCERN:

On behalf of Skyline-Swannanoa, Inc., I am writing in support of the application of Richard A. Dulaney, Trustee, for a special use permit under Augusta County Zoning Ordinance 25-74R to operate a short term vacation rental at his residence located at 45 Swannanoa Lane, Afton VA 22920. The residence owned and used by Richard Dulaney is surrounded on all sides by property owned by Skyline-Swannanoa, Inc.. Although the residence owned and used by Richard A. Dulaney, Trustee, is not a lot containing a minimum of five (5) acres, his residence is completely surrounded by our very large tract and his proposed use will be compatible with our neighboring properties, and accordingly, we have no objection to the granting of the special use permit that Richard A. Dulaney, Trustee, has applied for.

Skyline-Swannanoa Inc., by  James F. Dulaney, Jr.

cc: Sandra K. Bunch, Zoning Administrator  
Augusta County Government Center  
PO Box 590  
Verona VA 24482

Date 11/7/19

**PROPERTY OWNER:**

James T., Sr. and Barbara R. Begoon

**APPLICANT:**

Zachary Dean

**LOCATION OF PROPERTY:**

707 South River Road, Grottoes in the Middle River District

**SIZE OF PROPERTY:**

5.616 acres

**VICINITY ZONING:**

General Agriculture surrounds the entire parcel

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

12/95 – Zoned General Agriculture

**LAND USE MAPS:**

Rural Conservation Area

**UTILITIES:**

Private well and septic

**APPLICANT'S JUSTIFICATION:**

To have a towing business and a vehicle impound area

**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 issues as long as the applicant lives at the property and has no employees. If the business will have employees on site they will need restrooms provided for those employees, it is advised they speak to the Health Department if this is the case. Any drainfield design will need to be addressed by a private sector AOSE or PE. It also advised that the existing septic system be located so that the vehicle impound lot will not be on top of the existing drainfield.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The existing entrance is adequate to serve the proposed use as a low volume commercial entrance of 50 or fewer vehicle trips per day; however, in order to meet the sight distance requirements, some minor brush needs to be cleared north of the existing entrance.

**SERVICE AUTHORITY'S COMMENTS:**

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

**ENGINEERING'S COMMENTS:**

With access road and building, could be over 10,000 square feet. If over, Erosion and Sediment Control and Stormwater Management Plan will be required.

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

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

The property is wooded and the proposed vehicle storage area will be screened by a privacy fence.

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

The applicant does not reside on site. His parents rent the property.

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

Businesses are more appropriate in business zoned areas. Staff is concerned that the storage of inoperable vehicles may not be compatible with the agriculture area.

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

The property has frontage on South River 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 5.16 acres 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.**

Vehicle storage lot only. No structures will be utilized.

**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 business structures will be constructed or enlarged. The fenced area will be 75' X 80' for vehicle storage.

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

There is an existing sewage disposal system on site. Health Department comments state approval is need if the applicant does not reside on site or if employees come to the property. They also advised that the existing septic system be located so that the vehicle impound lot will not be on top of the existing drainfield.

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

There will be fire extinguishers on site.

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

Nothing will be displayed for sale.

### **STAFF RECOMMENDATIONS**

The applicant is requesting to operate a towing business and have an impound area for inoperable vehicles. The impound area will be 75' X 80' and will be screened by a privacy fence. The applicant does not reside on the property, however, his parents are currently leasing the dwelling. The applicant picks up vehicles for the State Police Department and also for individuals when called. The applicant states there will be no more than twenty-five vehicles on the property. There will be no employees or retail sales of motor vehicles or motor vehicles parts onsite.

The applicant has been storing vehicles at this location, and Staff has received several complaints. The applicant was not aware that a Special Use Permit was required until violation letters were sent to the property owner.

There are several parcels containing single family dwellings located within close proximity that could be negatively impacted by this request. Staff has concerns that a towing operation and an impound lot for storage of inoperable vehicles may not be compatible with the neighboring properties, especially when the applicant does not live on site. However, if the Board feels the request would be compatible and desires to approve the request, staff would recommend the following conditions:

### **Pre-Conditions:**

1. Applicant construct an eight (8') foot high opaque privacy fence be installed around the 75' X 80' vehicle storage area within **sixty (60) days**.

2. Obtain a letter of approval from VDOT and submit a copy to Community Development.
3. Obtain Health Department approval.

**Operating Conditions:**

1. The eight (8') foot opaque privacy fence must be maintained at all times.
2. No employees
3. All outdoor storage be kept in the designated areas shown on the site plan.
4. No junk or inoperable vehicles to be kept outside.
5. No vehicle repair or maintenance work may be done on this site.
6. No retail sales of motor vehicles or motor vehicles parts may be done on this site.

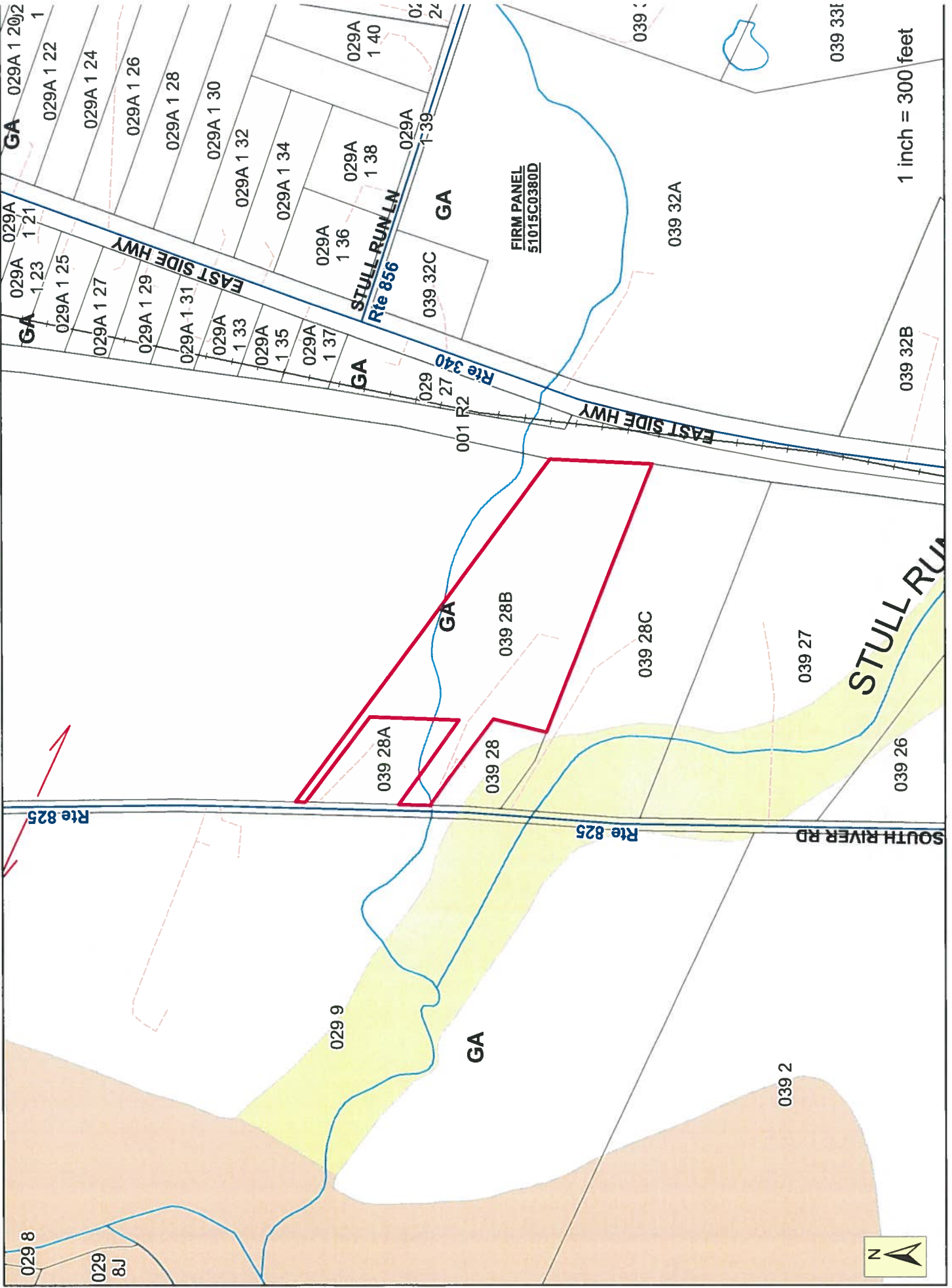




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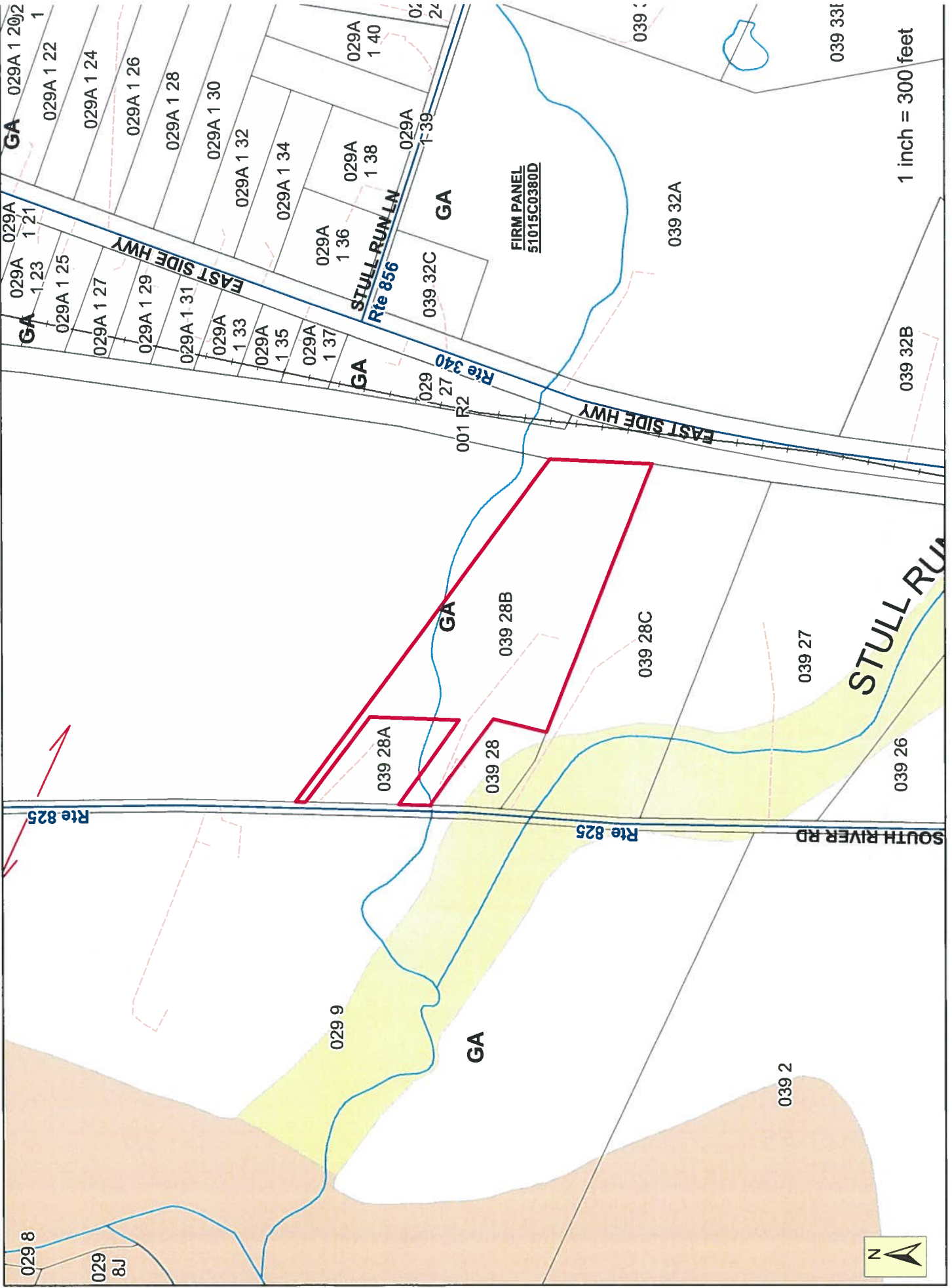
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1 inch = 300 feet



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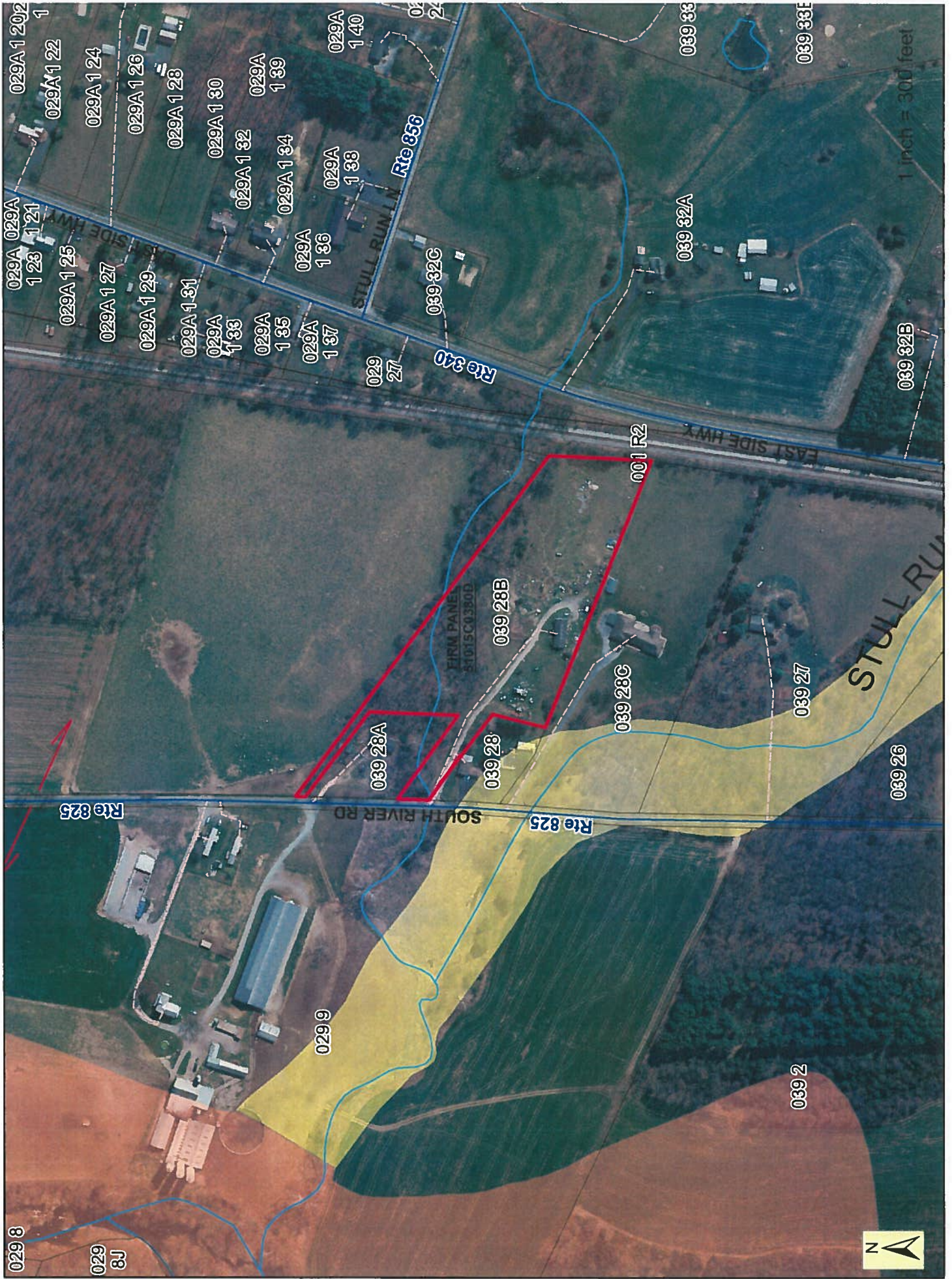


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75' x 80' Storage Lot -

Begoon



Date 11/7/19**PROPERTY OWNER:**

Kimberly A. Miller

**APPLICANT:**

Randy Showalter

**LOCATION OF PROPERTY:**

105 Shulls Lane, Mount Solon in the North River District

**SIZE OF PROPERTY:**

8.312 acres

**VICINITY ZONING:**

General Agriculture surrounds the entire parcel

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

12/95 – Zoned General Agriculture

**LAND USE MAPS:**

Rural Conservation Area

**UTILITIES:**

Private well and septic

**APPLICANT'S JUSTIFICATION:**

To have a motor vehicle repair operation and impound area

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

1. Provide approved handicapped parking and loading zone.
2. Provide approved handicapped access from loading zone to and including a minimum 3/0 6/8 side hinged door with lever door hardware.
3. Provide approved handicapped parking signage.

**HEALTH DEPARTMENT'S COMMENTS:**

The Health Department has no issues as long as the applicant lives at the property and has no employees. If the business will have employees on site they will need restrooms provided for those employees. it is advised they speak to the Health Department if this is the case. Any drainfield design will need to be addressed by a private sector AOSE or PE. It also advised that the existing septic system be located so that the vehicle impound lot will not be on top of the existing drainfield.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The existing entrance (Shulls Lane at North River Rd.) is adequate to serve as a low volume commercial entrance for up to 50 vehicle trips per day (enter + exit). Based on the number of existing homes, the business can add approximately 10 vehicle trips and stay within the threshold. The entrance does not have adequate site distance to be upgraded to a moderate volume commercial entrance.

**SERVICE AUTHORITY'S COMMENTS:**

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

**ENGINEERING'S COMMENTS:**

Improvements for the business are well over 10,000 square feet. We will require an Erosion and Sediment Control/Stormwater Management Plan.

**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 applicant resides on the property.

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

Businesses are more appropriate in business zoned areas. A motor vehicle repair business could be a benefit to the area.

**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.**

There is an existing entrance and the business has access to North River Road which is State maintained.

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

The 8.312 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 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 applicant will be utilizing an existing structure that has been added onto several times over the last several years without Building Permits.

**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 to the building are requested. The impound area will be approximately 80' X 110'.

**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.**

The applicant is requesting three (3) full time employees and one (1) part time office assistant. Restrooms will need to be provided according to the Health Department comments.

**Outside display or outside storage of new or used automobile parts is prohibited.** The applicant states no vehicles parts will be stored outside the building or screened area.

**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.**

The applicant states no vehicles will be outside the garage or impound 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 applicant will be constructing an eight (8') high opaque privacy fenced area approximately 80' X 110' and feels that will provided adequate screening The Health Department also advised that the existing septic system be located so that the vehicle impound lot will not be on top of the existing drainfield.



## **STAFF RECOMMENDATIONS**

The applicant is requesting to have a motor vehicle repair operation within the existing garage on the property and an impound yard for inoperable vehicles. He has designated an area approximately 80' X 110' adjacent to the garage for vehicle storage. The property is wooded and an eight (8') foot privacy fence will be constructed to provide proper screening. All repair work will be done inside the garage and no inoperable vehicles or vehicles waiting for repair will be kept outside of the garage or impound area. The applicant is also requesting three (3) full time employees and one (1) part time office assistant. All repairs are done by appointment and the garage is open from 8:00 a.m. to 5:00 p.m., Monday through Friday.

The applicant has been operating the motor vehicle repair operation and keeping inoperable vehicles in public view in violation of the Zoning Ordinance for several years at this location without Building Permits or a Special Use Permit. Staff feels a motor vehicle repair operation could provide a needed service to the rural area and may not be out of character if the property is brought into compliance with the Zoning Ordinance requirements and all of the vehicles are kept inside the garage or impound area. If the Board feels that the request would be compatible and desires to approve the request, Staff would recommend the following operating conditions:

### **Pre-Conditions:**

1. Applicant submit an Erosion & Sediment Control Plan and Stormwater Management Plan to Community Development within **sixty (60) days**.
2. Obtain letter of approval from Building Inspection within **sixty (60) days**.
3. Obtain Health Department approval for employees per comments within **sixty (60) days**.
4. Applicant construct and eight (8') high opaque privacy fence around the vehicle storage area shown on the BZA sketch plan within **sixty (60) days**.

### **Operating Conditions:**

1. Be permitted to use the existing garage for motor vehicle repair.
2. No vehicle repair or maintenance work be done outside.
3. All vehicles and vehicle parts be kept inside the garage or the 80' X 110' screened impound area on the BZA sketch plan.
4. The eight (8') foot opaque privacy fence be maintained at all times.

5. No junk or inoperable vehicles be kept outside.
6. Hours of operation be 8:00 a.m. to 5:00 p.m., Monday – Friday.
7. No Saturday or Sunday work.
8. No further expansions.
9. Site be kept neat and orderly.

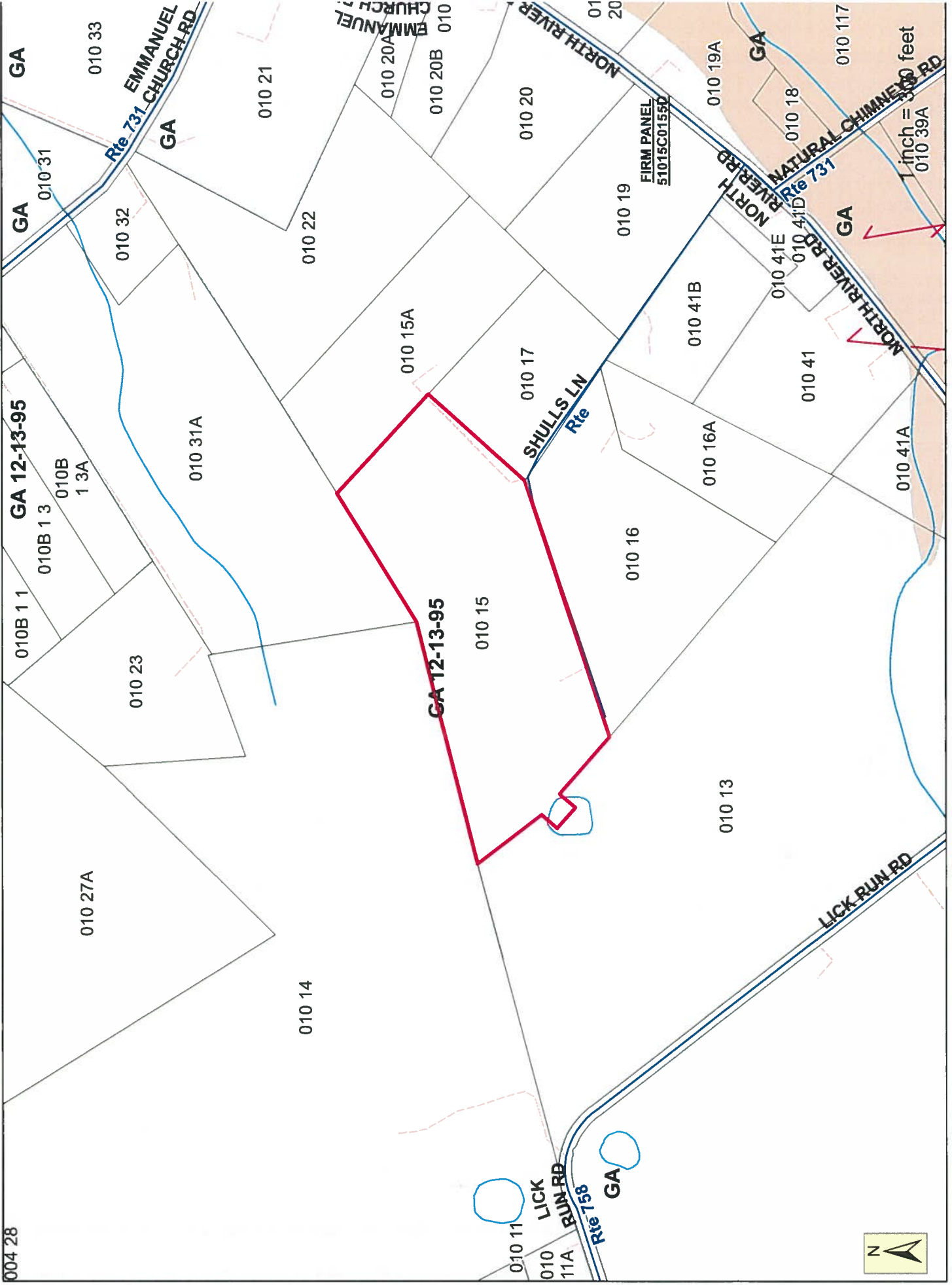


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**PROPERTY OWNER:**  
Chester A. Riley and Pamela H. Taylor

**APPLICANT:**  
Same

**LOCATION OF PROPERTY:**  
1382 Hermitage Road, Waynesboro in the Middle River District

**SIZE OF PROPERTY:**  
45.094 acres

**VICINITY ZONING:**  
General Agriculture surrounds the entire parcel.

**PREVIOUS ZONING OR S.U.P.:**  
12/95 – Zoned General Agriculture  
3/18 – SUP for weddings and special events/Denied

**LAND USE MAPS:**  
Rural 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:**  
A drainfield permit for a 300 person (900 gpd) event barn septic system was issued on 10/7/2019. Once the system is installed the Health Department would allow for events for up to 300 people. If the barn will serve 25 or more people 60 days or more per year the applicant is advised to speak with the VDH Office of Drinking Water about the water supply.

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



**SERVICE AUTHORITY'S COMMENTS:**

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm>.
2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
4. There is an existing 8" waterline along Barren Ridge Road/Hermitage Road approximately 940'± southwest of the subject parcel. However, the parcel is located outside the Community Development Area, which limits extensions of public water.
5. There is no public sewer available in the area of the subject property.

**ENGINEERING'S COMMENTS:**

All parking is on existing grass. Erosion and Sediment Control/Stormwater Management will be required if the area is paved or graveled in the future.

**SECTION 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.**

The applicants are proposing weddings and special events inside the existing 60' X 80' barn on the property. A portion of the barn will be used for farm storage of hay and equipment. Limited weddings and special events should be compatible with the neighboring properties.

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

The applicants are requesting to hold thirty (30) events per year with up to three hundred (300) attendees which could impact the other homes in the area.

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

The permitting of a wedding or special event facility should not result in a clustering of similar businesses in the area, although there is an existing wedding venue in close proximity to this site.

**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 Hermitage 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 45.094 acres should safely and adequately 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 60' X 80' barn on the property.

**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 barn is connected to an approved 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 applicants are requesting to have weddings and special events inside the existing barn on the property. The Board denied the applicant's request to have weddings and special events in March of last year. The applicants constructed the barn for their farm use in a different location than what was previously proposed and would like the Board to consider their request again. They are requesting to have thirty (30) events per year with up to 300 attendees. A new septic system was installed and restrooms are available in the barn as well as a food prep area. No food will be prepared on site. The barn will be used primarily for receptions, however, a ceremony could be held inside as well. The applicant would like to have amplified music inside the barn only. Staff feels that weddings and special events of a limited nature would not be out of character with the area and would recommend the following operating conditions

**Pre-Conditions:**

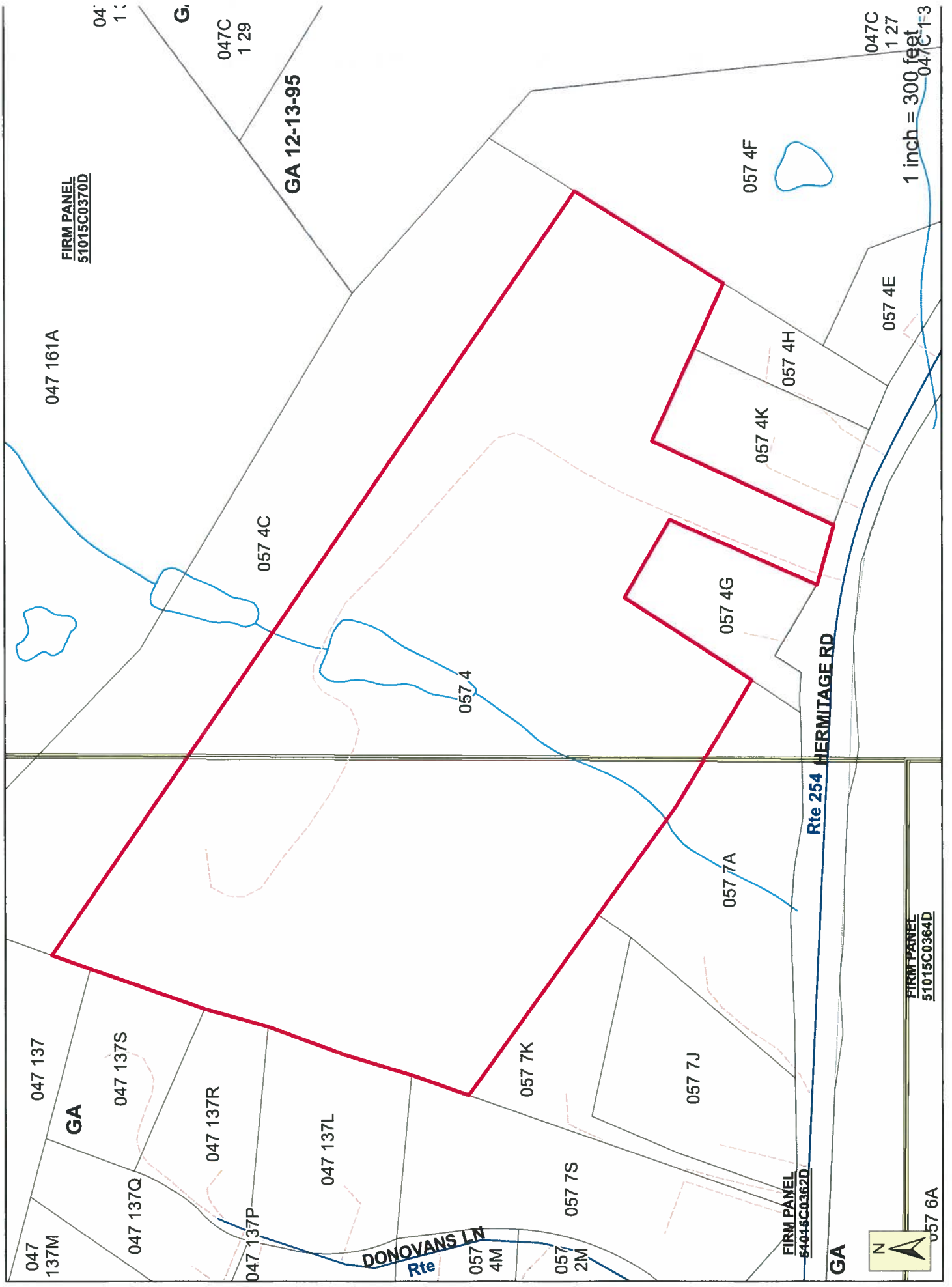
1. Obtain VDOT approval and provide a copy to Community Development.

**Operating Conditions:**

1. Be limited to twenty-four (24) events per year but no more than two (2) per month.
2. All amplified music shall be inside the structure. No outdoor amplified music.
3. Applicant must reside on premises.
4. Be limited to a maximum of three hundred (300) people per event.
5. Applicant or designated agent be onsite during all events.
6. All events cease by 10:00 p.m. and all persons off of the property by 11:00 a.m.
7. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.
8. Site be kept neat and orderly.



Riley and Taylor



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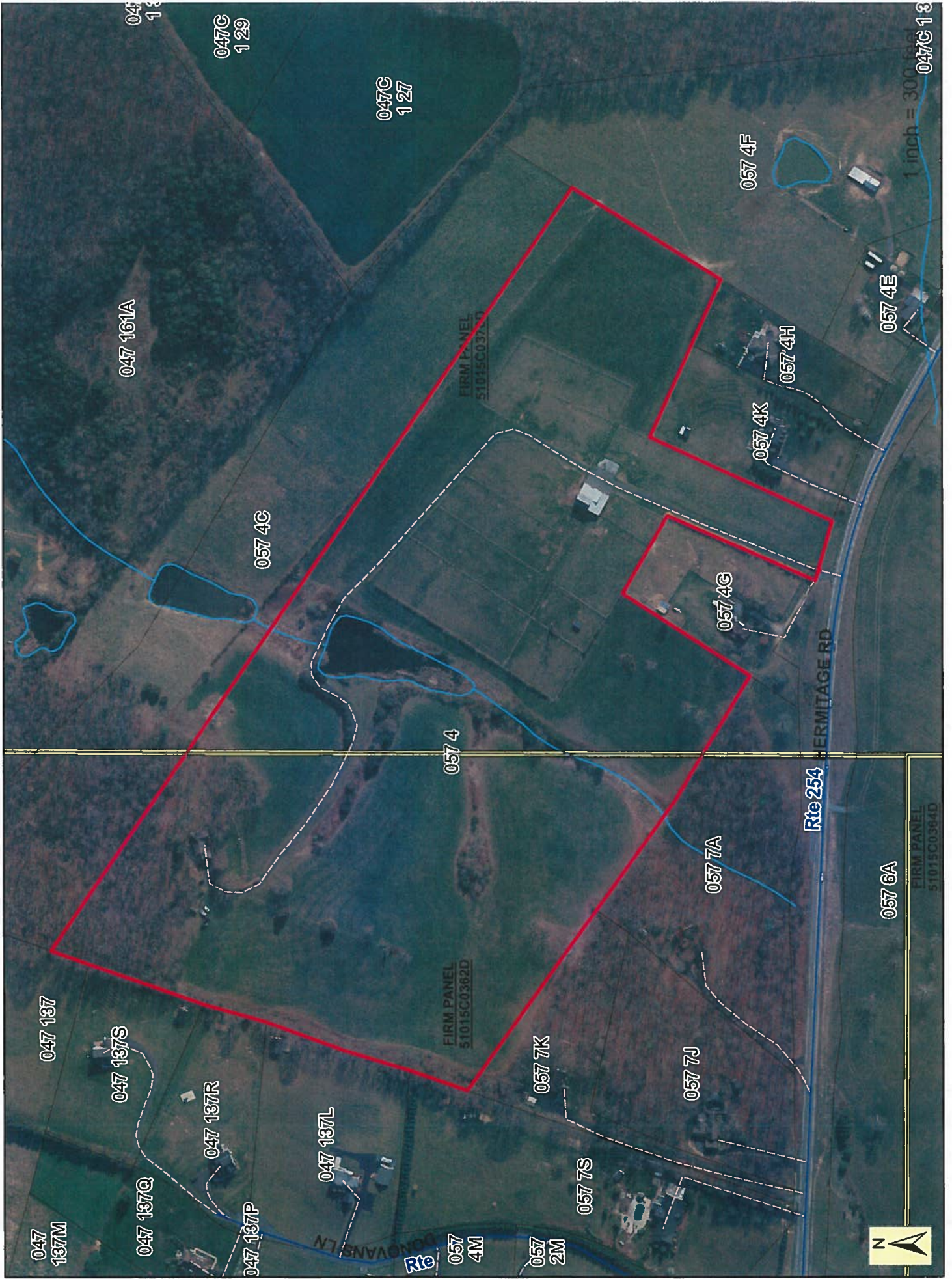
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# Riley and Taylor



Riley 60' x 80' existing barn - Parking in grass beside the barn + across the driveway



CONTINUE THE PUBLIC HEARING

**PROPERTY OWNER:**

PBR Associates, LLC

**APPLICANT:**

Roger Willetts, agent for Superior Concrete

**LOCATION OF PROPERTY:**

100 Johnson Drive, Stuarts Draft in the Riverheads District

**SIZE OF PROPERTY:**

41.178 acres

**VICINITY ZONING:**

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

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

9/76 – Zoned General Industrial

**LAND USE MAPS:**

Urban Service Area – Industrial

**UTILITIES:**

Public water and public sewer

**APPLICANT'S JUSTIFICATION:**

To have a concrete batching plant

**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:**

Health Department has no issues. If restrooms are needed for the workers the applicant will need to connect to public water and sewer.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The access to the property is via existing commercial entrance on Johnson Drive. Johnson Drive is an industrial access road capable of carrying traffic from the proposed use.

The following comments may apply to the site plan stage of the project:



- The existing curb at the entrance is showing signs of deterioration.
- The existing entrance culvert is buried on the outlet end and has insufficient cover (top of pipe is visible through broken pavement).
- The size of the entrance should be adequate to serve the additional use.

**SERVICE AUTHORITY'S COMMENTS:**

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm>.
2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval. In accordance with ACSA Design and Construction Standards, any extension of public water and sewer mains shall consider future development.
3. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
4. There is an existing 8" private waterline running through the front portion of the subject parcel. There is an existing 10" public waterline along Johnson Drive. The applicant should anticipate the installation of a new public line through the property to accommodate the proposed use and any other development on the property (in accordance with a proposed development plan for this project and the remaining property) or the installation of new private waterlines to accommodate the proposed use. Any public extension should include provisions for providing service to adjacent undeveloped properties.
5. There is an existing 10" sewer line along Johnson Drive. There is also an existing 8" sewer line that crosses under the railroad approximately 730 feet east of the intersection of the railroad and Johnson Drive. Extending public sewer to the eastern portions of the property may require a new railroad crossing or a private pump station that would pump back to an existing public sewer main. To avoid multiple railroad crossings a new public railroad crossing centrally located to other undeveloped properties will need to be evaluated/considered as part of the proposed use. Any public extension should include provisions for providing service to adjacent undeveloped properties.

**ENGINEERING'S COMMENTS:**

Likely to exceed 10,000 square feet disturbance. This will require a complete site plan with Erosion and Sediment Control Plan and Stormwater Management Plan.

**DEQ'S COMMENTS:**

See attached

**SECTION 25-384E – Batching Plants for asphalt, cement or concrete**

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

The property is surrounded by General Industrial zoned property on three (3) sides that should not be adversely impacted by the request. However, the eastern property line abuts General Agriculture zoned property that could be impacted by noise, dust, and vibration.

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

Johnson Drive was designed to handle industrial traffic.

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

The new eight (8) acre parcel should safely and adequately accommodate all traffic to and from the public highways.

**All buildings, structures, and operations will be set back at least one hundred (100') from all property lines unless the board of zoning appeals determines that greater setbacks are necessary to adequately protect neighboring properties.**

The site plan shows all buildings and operations one hundred feet (100') from all property lines. However, the applicants would like a lesser setback from property lines zoned General Industrial.

**STAFF RECOMMENDATIONS**

The applicants are requesting to have a concrete batching plant. The applicants are purchasing approximately eight (8) acres of the forty-one (41) acre parcel zoned General Industrial. The applicants are proposing eight (8) employees at this facility and will operate daily Monday thru Friday. The tallest structure at this facility will be the seventy-six foot (76') silo. The current Zoning Ordinance requires all operations, structures and buildings be a minimum one hundred feet (100') from all property lines unless the Board feels a greater setback is required. The applicants have requested the Ordinance be amended to allow a lesser setback from property lines zoned General Industrial and from railroads. At the direction of the Board of Supervisors, Staff and the Ordinance Committee are currently drafting an amendment to present to the Board of Supervisors, however, if the Board of Supervisors desires to adopt a lesser setback, the one hundred foot (100') requirement will still apply to this request if approved today. Staff would recommend this request be tabled until the Board of Supervisors' decision. However, if the Board desires to approve the request, Staff would recommend the following operating conditions:

**Pre-Conditions:**

1. Submit site plan meeting the requirements of Section 25-673 "Site Plan Contents" of the Augusta County Zoning Ordinance to be approved by all appropriate departments and/or agencies.
2. Submit a subdivision plat creating the eight (8) acre parcel.

**Operating Conditions:**

1. All operations, buildings, and structures be setback one hundred feet (100') from all property lines unless the Board of Supervisors amends the ordinance standard to a lesser setback requirement from Industrial zoned property and railroads prior to site plan submittal.
2. All operations will be done Monday – Friday between 6:30 a.m. and 5:00 p.m.
3. No Saturday or Sunday operation
4. Site be kept neat and orderly

**STAFF COMMENTS NOVEMBER 2019**

The Board continued the public hearing at their October 3, 2019, meeting to give the applicant time to submit more detailed information pertaining to dust. The applicant has been working with Hershey to answer some of their concerns, and they have submitted documents to both the Board and Hershey, which are included in the packets.

**EXTENSION OF TIME REQUEST**

**PROPERTY OWNER:**

William E. Sipe, Jr.

**APPLICANT:**

Same

**LOCATION OF PROPERTY:**

473 Hatchery Road, Grottoes in the Middle River District

**SIZE OF PROPERTY:**

1.438 & 0.750 acres

**VICINITY ZONING:**

General Agriculture surrounds the entire parcel

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

12/95 Zoned General Agriculture

**LAND USE MAPS:**

Rural Conservation Area

**UTILITIES:**

Private well and septic

**APPLICANT'S JUSTIFICATION:**

To have weddings and special events

**The applicant is requesting a one (1) year Extension of Time.**

**STAFF RECOMMENDATIONS:**

The applicant is working with the surveyor and should have the site plan submitted for the pavilion by the end of the year. The applicant is requesting a one (1) year extension of time to finish the pre-conditions. They have not held any events at this site. Staff recommends approval.

**EXTENSION OF TIME REQUEST**

**PROPERTY OWNER:**

Shen Acres Realty, LLC

**APPLICANT:**

Taylor Carwile, agent for SA Hold Co., LLC

**LOCATION OF PROPERTY:**

256 and 348 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
- 05/19 SUP approved to add extended stay sites to the existing campground
- 08/19 SUP approved to continue the existing campground and to continue to rent out for recreational use the two (2) one bedroom cottages, two (2) three bedroom cottages, fourteen (14) room lodges, and to continue to have a seasonal restaurant within the beach house and to increase the number of extended stay sites occupied more than 240 days

**LAND USE MAPS:**

Urban Service Area – Planned Residential

**UTILITIES:**

Private well, public sewer, and waste dump station

**APPLICANT'S JUSTIFICATION:**

To continue the existing campground and to continue to rent out for recreational use the two (2) one bedroom cottages, two (2) three bedroom cottages, fourteen (14) room lodges, and to continue to have a seasonal restaurant within the beach house and to increase the number of extended stay sites occupied more than 240 days.

The applicants have extended the property closing until October 31<sup>st</sup>. They are requesting a thirty (30) day extension of time in order to complete the pre-conditions and complete the closing. Staff would recommend approval

**The applicant is requesting a thirty (30) day Extension of Time.**

**STAFF RECOMMENDATIONS:**

The applicants still have not closed on the property and would like another thirty (30) days to complete all negotiations. Staff recommends approval.