



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: December 26, 2019

SUBJECT: Regular Meeting and Viewing

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, January 2, 2020, 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 **December** 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, January 2, 2020, 1:30 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. ELECTION OF OFFICERS

Chair:

Vice Chair:

Secretary:

4. MINUTES

Approval of the Called and Regular Meeting of December 5, 2019

5. CONSIDERATION OF 2020 RESOLUTION

6. PUBLIC HEARINGS

- A. A request by Vickie Parson, for a Special Use Permit to have a short term vacation rental on property she owns, located at 13 Mose Fitch Lane, Lyndhurst in the South River District.
- B. A request by Jared Simmons, agent for Belle Vista Farm, LLC, for a Special Use Permit to have horse shows, weddings, and other special events on property they own, located at 5654 Spring Hill Road, Mount Solon in the North River District.
- C. A request by Charles Scott and Cathy F. Balsley, agent for Creative Works Farm, Inc., for a Special Use Permit to add four (4) new structures including a windmill classroom, police station, pavilion and reflection hall, and a plane fuselage and train caboose for recreational use and have three (3) years to complete on property they own, located at 107 Creative Works Lane, Waynesboro in the Middle River District.
- D. A request by Dale W. Hill, agent for Apex Towers, LLC, for a Special Use Permit to construct a 199' wireless telecommunication tower on property owned by James Lee Kindig and Lucy K. Coyner, located at 3546 Stuarts Draft Highway, Waynesboro in the Beverley Manor District.

7. OLD BUSINESS

8. MATTERS TO BE PRESENTED BY THE PUBLIC

9. MATTERS TO BE PRESENTED BY THE ZONING ADMINISTRATOR

- A. Presentation of the Annual Report

10. STAFF REPORT

19-10	Greenville Baptist Church
19-11	John or Julie Hooe
19-12	Phillip Liskey – Denied
19-13	Rebecca R. Shreckhise, Trust Agreement
19-14	Bridge Christian Church
19-15	Yoder Investments
19-16	Kimball E. Stowers, Trustee
19-17	Kimball E. Stowers, Trustee

11. ADJOURNMENT

Agenda Item # 4A

Date 1/2/20

PROPERTY OWNER:

Vickie Parson

APPLICANT:

Same

LOCATION OF PROPERTY:

13 Mose Fitch Lane, Lyndhurst in the South River District

SIZE OF PROPERTY:

1.01 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 short term vacation rental

INDIVIDUAL PLANNING COMMISSION'S COMMENTS:

None

BUILDING INSPECTOR'S COMMENTS:

After review, our office has no conditions.

HEALTH DEPARTMENT'S COMMENTS:

Drainfield is approved for 3 bedrooms, 6 people max. The Health Department has no issues as long as the dwelling is rented to a single party of no more than 6 people.

HIGHWAY DEPARTMENT'S COMMENTS:

The intersection of Mose Fitch Lane (privately maintained) and Mt. Torrey Road is adequate to support the proposed 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 Management impact.

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 one (1) principal dwelling on the property.

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 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 is 1.01 acres.

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

The applicant is leasing the dwelling to her son, and she lives within close proximity.

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 applicant provided a signed 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 expansions or renovations are requested. Building Inspection comments state no 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 sewage disposal system serving the dwelling.

All parking shall be accommodated on-site.

All parking will be on site.

STAFF RECOMMENDATIONS

The applicant is requesting to lease the existing three (3) bedroom dwelling on the property for short term vacation rentals. The applicant leases the dwelling to her son who is currently in school. She would like to be allowed to lease the home on a short term basis when her son is away. The applicant lives within close proximity and will be the

contact person when her son is not there. There will be no meals provided; however, the guests will have full access to the kitchen facilities during their stay. Staff feels that a short term vacation rental would provide a service to the area and would recommend approval with the following conditions:

Pre-Conditions:

None

Operating Conditions:

1. Be permitted to lease the existing dwelling for short term vacation rental.
2. Be limited to no more than six (6) 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.

Agenda Item # 4B
Date 1/2/20

PROPERTY OWNER:
Belle Vista Farm, LLC

APPLICANT:
Jared Simmons, agent for Belle Vista Farm, LLC

LOCATION OF PROPERTY:
5654 Spring Hill Road, Mount Solon in the North River District

SIZE OF PROPERTY:
7.757 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

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

LAND USE MAPS:
Agricultural Conservation Area

UTILITIES:
Private well and septic

APPLICANT'S JUSTIFICATION:
To have horse shows, weddings, and other special events

INDIVIDUAL PLANNING COMMISSION'S COMMENTS:
None

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

HEALTH DEPARTMENT'S COMMENTS:
Applicant plans to use portable toilets for events. The Health Department recommends portable toilets at a min of 1 per 100 people.

HIGHWAY DEPARTMENT'S COMMENTS:
The proposed use will require that the entrance be upgraded to a moderate volume commercial entrance (paved, 25' radii, 24' wide throat). Additionally, as part of the moderate volume commercial entrance requirements, 610' of intersection sight distance is required. This will require the board fence (when looking left from the entrance) to be set back out of the sight line. Since the entrance is located on a separate parcel's property frontage, a recorded sight line easement will be required where the sight lines leave the access easement or VDOT right of way and cross private property not owned by the applicant. The sight lines begin 14.5' offset from the edge of pavement and are

measured 610' along the roadway in each direction (creating two triangular easement areas).

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

Any road or building construction greater than 10,000 square feet will require an Erosion and Sediment Control Plan, greater than 1 acre will also require a Stormwater Management Plan.

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.

Businesses are more appropriate in Business districts, however, special event facilities in agricultural areas are becoming more popular. Horse shows and wedding venues may be compatible with rural areas.

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

The applicants are requesting twenty-four (24) events per year. They are primarily interested in horse shows and rodeos, but they would like to be allowed to have weddings as well which should not be out of character with 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 a special event facility should not result in a clustering of similar businesses in this area.

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 Spring Hill 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 7.757 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.

There is a small horse barn on the property that will not be utilized. All events will be held outside or within a tent.

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 new structures or 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 existing septic system on site but there are no restroom facilities.

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

There are fire extinguishers in the barn

STAFF RECOMMENDATIONS

The applicants are requesting to have horse shows, rodeos, weddings and other special events on the property. The applicants do not reside on the property. The property is used for horse boarding and training. The applicant's parents live adjacent to the property. The applicant states they are primarily interested in horse shows and rodeos, but they would like to be allowed to have a wedding on site if requested. They are proposing twenty-four (24) events per year. The applicants would like to be permitted to have up to hundred (300) attendees maximum in order to accommodate a larger crowd for the weddings. The applicant states the horse shows and rodeos normally do not have more than fifty (50) to seventy-five (75) attendees. No structures are requested. All events will be held outside, and the applicant will be leasing temporary bleachers for the horse shows and rodeo. All parking will be in the grassy area adjacent to the riding ring for all events. The applicant is requesting to have outdoor music within the tents during weddings. There is an existing septic system on site; however, there are currently no restroom facilities. The applicant is requesting to utilize portable restroom facilities for the events. The Board has been consistent in requiring permanent restrooms for similar event facilities in rural areas, therefore, staff feels that we should continue to apply the same standard for all applicants and require a restroom unless the frequency of events is

so low that the Board would want to consider the restroom trailer. Staff would recommend approval of the request with the following conditions:

Pre-Conditions:

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

Operating Conditions:

1. Applicant will install a sewage treatment system or upgrade the existing sewage disposal system approved by the Health Department and install permanent restroom facilities 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 twenty-four (24) events per year but no more than two (2) per month.
4. Be limited to a maximum of three hundred (300) people per event.
5. No amplified music after 11:00 P.M.
6. Events to cease by 11:00 P.M. and all persons off the property before midnight.
7. Applicants must be on the premises during events.
8. Site be kept neat and orderly.
9. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
10. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the Ordinance requirements of Article VI.A Outdoor Lighting.

Agenda Item # 4C

Date 1/2/20

PROPERTY OWNER:

Creative Works Farm, Inc.

APPLICANT:

Charles Scott and Cathy F. Balsley, agent for Creative Works Farm, Inc.

LOCATION OF PROPERTY:

107 Creative Works Lane, Waynesboro in the Middle River District

SIZE OF PROPERTY:

160.826 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 – Zoned General Agriculture

04/12 – SUP approved to have a public accommodation facility, including cabins, recreation, and special events

LAND USE MAPS:

Rural Conservation Area

UTILITIES:

Public water and private septic

APPLICANT'S JUSTIFICATION:

To add four (4) new structures including a windmill classroom, police station, pavilion and reflection hall, and a plane fuselage and train caboose for recreational use and have three (3) years to complete

INDIVIDUAL PLANNING COMMISSION'S COMMENTS:

None

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:

The Health Department has issued a septic permit that expires April 4, 2020. The septic system has not yet been installed. The permit is for a 100 person camp and 1 bedroom dwelling. The applicant stated none of these structures will have plumbing. The Health Department has no issues with the request.

HIGHWAY DEPARTMENT'S COMMENTS:

The existing commercial entrance was constructed when the original special use permit was granted. The entrance meets current commercial entrance requirements. VDOT has no objection to the request.

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. 107 Creative Works Farm Lane (Tax Map # 59-58) is currently a Service Authority water only customer with an existing 1½" meter. There is an existing 6" waterline along Purple Cow Road fronting Tax Map # 59-58. There is an existing 8" waterline along Turk Mountain Road fronting Tax Map # 59-69.
5. There is no public sewer available to the subject property.

ENGINEERING'S COMMENTS:

Update existing Stormwater Management and Erosion and Sediment Control Plan.

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

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

The applicants are requesting an expansion to an existing facility maintained by employees. The applicants are still working with engineers to develop a sanitation plan for the facility. Portable toilets are currently being utilized.

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

There is an approved site plan on file showing adequate parking and there is open land surrounding the site that is used for overflow parking during special events.

Approval by the Virginia Department of Transportation.

There is an existing commercial entrance on site.

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

The proposed expansions to the existing facility should be appropriate for the area.

The facilities are shown to be over one hundred feet (100') from the closest property line.

STAFF RECOMMENDATIONS

The Board granted a Special Use Permit to have a children's camp including cabins, recreational use, and special events in 2012. The applicants are now requesting to add four (4) new structures including a 20' X 20' windmill classroom, a 30' X 40' police station, a 30' X 60' pavilion, and a 30' X 40' recreation hall, and to use a plane fuselage and train caboose for recreational use. The applicants would like to have three (3) years to complete the expansion.

The Health Department comments state that the applicant was issued a septic permit but to date no system has been installed and the permit will expire April 4, 2020. Staff feels the existing facility provides a benefit to the area children; however, Staff is concerned that the camp has been operating over three (3) years and continues to use portable restroom facilities. If the Board feels the request to expand the site is compatible and approves the request, Staff would recommend the following operating conditions.

Pre-Conditions:

1. Submit an updated site plan meeting the requirements of Section 25-673 "Site Plan Contents" of the Augusta County Zoning Ordinance including an updated Stormwater Management and Erosion and Sediment Control Plan to be approved by all appropriate departments and/or agencies.
2. Applicant install a sewage disposal system within **ninety (90) days**.

Operating Conditions:

1. Applicant obtain all necessary permits and inspections.
2. Applicant be given three (3) years to construct the four (4) new structures including the 20' X 20' windmill classroom, 30' X 40' police station, 30' X 60' pavilion, and 30' X 40' recreation hall, and to place the plane fuselage and train caboose.
3. All operating conditions of SUP #12-10 remain in effect.

Agenda Item # 4D
Date 1/2/20

PROPERTY OWNER:

James Lee Kindig and Lucy K. Coyner

APPLICANT:

Dale W. Hill, agent for Apex Towers, LLC

LOCATION OF PROPERTY:

3546 Stuarts Draft Highway, Waynesboro in the Beverley Manor District

SIZE OF PROPERTY:

58.433 acres

VICINITY ZONING:

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

PREVIOUS ZONING OR S.U.P.:

12/95 – Zoned General Agriculture

LAND USE MAPS:

Urban Service Area – Medium Density Residential

UTILITIES:

Public water and private septic

APPLICANT'S JUSTIFICATION:

To construct a 199' wireless telecommunication tower

INDIVIDUAL PLANNING COMMISSION'S COMMENTS:

South River Planning Commissioner: I have a concern about the cell tower location. I feel it will affect the view shed of the properties directly behind the proposed location.

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:

Health Department has no comment.

HIGHWAY DEPARTMENT'S COMMENTS:

VDOT has no objection to this request. A VDOT land use permit has been obtained to construct a low volume commercial entrance that is capable of serving the proposed tower site.

SERVICE AUTHORITY'S COMMENTS:

The proposed telecommunication tower would have no impact on the public water and sewer utilities.

ENGINEERING'S COMMENTS:

Erosion and Sediment Control Plan will be required. If disturbance exceeds 1 acre, then a Stormwater Management Plan will also be required.

SECTION 25-68.5B – WIRELESS TELECOMMUNICATION FACILITIES

New wireless telecommunication towers or base stations over one hundred ninety-nine feet (199'), new towers or base stations that are to be lighted or, existing towers or base stations that will add new lighting, existing facilities expanded higher than one hundred ninety-nine feet (199'), existing facilities where a collocation or expansion would result in a substantial change to the facility, facilities otherwise permitted by Administrative Permit but where objections have been received, and facilities where setback requirements cannot be met or the recommendations of the consultant cannot be met may be permitted by Special Use Permit provided that

The applicant must demonstrate that no existing telecommunication tower or base station can be utilized to reasonably achieve the applicant's radio frequency coverage objectives.

Documentation was provided showing there are no existing towers that can meet the applicant's needs.

The location (latitude and longitude), structure height, name, address, and telephone number of the structure owner of all potential co-locatable structures within a three-mile radius of the proposed structure, and written discussion and documentation of why those opportunities were rejected.

Consultant documentation states no structures were found to have potential for co-location within a three mile radius.

Propagation predictions and coverage objective from a committed carrier including hand-off sites.

Propagation study shows the tower will provide and improve coverage along Route 340.

No wireless telecommunications facility may be approved and no building permit issued until the first telecommunications service provider is identified.

T-Mobile will be the first telecommunication service provider.

Towers and base stations shall be visually as innocuous as possible and maintain a galvanized steel finish unless otherwise required by the Federal Aviation Administration (FAA). Antennas shall be of a neutral, non-reflective color with no logos. The design of accessory structures and equipment shall, to the

extent possible, use materials, colors, textures, screening, and landscaping that will blend the facilities with the natural setting.

The tower will be a standard galvanized finish.

Base Stations shall be set back a distance equal to one hundred ten percent (110%) of the height of the structure from all adjacent property lines and a distance equal to one hundred fifty percent (150%) of the height of the structure from any dwelling.

The site plan shows the proposed tower 259.7' from the closest property line and 375' from the closest dwelling.

All towers or base stations will be designed to collapse within the lot lines in case of structure failure as the result of various hazards including high wind.

The tower is designed to collapse within the lot lines

Written, technical evidence from a professional engineer that the existing or proposed structure meets structural integrity standards.

The applicant submitted documents showing the tower will be designed to meet all standards.

Towers and base stations shall not be artificially lighted unless required by the Federal Aviation Administration (FAA).

The FAA will not require lighting on the tower.

Wireless telecommunications facilities shall be enclosed by security fencing not less than six feet (6') in height and shall also be equipped with an appropriate anti-climbing device unless determined by the county not to be warranted.

The site plan shows a seven (7') foot chain-link fence with three (3) strands of barbed wire.

Monopoles and other single-pole structures, standing alone, shall be secured by anti-climbing devices.

The tower will be secured by anti-climbing devices.

Collocation space on new wireless telecommunications facilities shall be reasonably available to other telecommunication service providers including limited facilities of the County and its agencies.

Co-location space for up to three (3) additional carriers.

Approval for a highway entrance can be obtained from the Virginia Department of Transportation.

VDOT has approved the entrance.

Federal Aviation Administration (FAA) hazard determination report and documentation that the request presents no hazard to any airport.

The FAA determination report states the tower present no hazard to any airport.

Federal Communications Commission (FCC) environmental compliance report prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) and report describing the impact on historic resources prepared in accordance with Section 106 of the National Historic Preservation Act of 1966 (NHPA).

Phase I NEPA has been completed and shows that there will be no adverse impact to the area.

Color photo simulations showing to scale representations of the proposed structure and associated facilities as it would appear viewed from the closest residential property or properties and from adjacent roadways.

Photo simulations have been submitted.

No signs other than those listed below may be placed on the antenna support structure or other components comprising the wireless telecommunications facility unless required by the Federal Communications Commission (FCC).

No signs will be placed on the structure except those required by FCC.

No advertising of any type may be placed on a tower or other components comprising the wireless telecommunications facility unless the advertising was pre-existing on a base station structure.

No advertising signs are requested.

STAFF RECOMMENDATIONS

The applicant is requesting to construct a one hundred, ninety-five (195') foot monopole style telecommunication tower with a four (4') foot lighting rod within a 50' X 50' fenced compound area. The proposed tower will provide access to T-Mobile and space for up to three (3) additional telecommunication providers.

The applicant has met the general standards of the Ordinance in order to apply for a Special Use Permit for a new telecommunications facility including propagation studies, evidence that no existing facility is available for collocation, engineering studies, FAA approval, collocation space, NEPA study, and photo simulations of the proposed structure.

This location and technical data has been evaluated by Atlantic Technologies, consultant for Augusta County, and was found to meet all County requirements. If the Board feels the request desires to approve the request, Staff would recommend the following conditions:

Pre-Conditions:

1. Submit site plan meeting the requirements of **Section 25-673 “Site Plan Contents”** of the Augusta County Zoning Ordinance to be approved by all appropriate departments and/or agencies.
2. The applicant will submit all necessary information and a bond, irrevocable letter of credit, or appropriate surety to comply with **Section 25-68.7 “Bonding”** of the Augusta County Zoning Ordinance.

Operating Conditions:

1. Be permitted to construct a 195' monopole style telecommunications tower with a four (4') lighting rod.
2. Tower design will allow a minimum of three (3) additional co-locators.
3. The tower will **not be lighted**.
4. The fenced compound area be screened by a **double row of six (6') foot high staggered evergreen trees planted ten (10') foot on center, per section 25-68.6 of the Augusta County Zoning Ordinance**, and the trees be maintained at all times.
5. The applicant will notify the Augusta County Community Development Department within thirty (30) days of the date the tower is no longer used for telecommunications purposes. The tower shall be disassembled and completely removed from the site within 180 days of such notification.
6. The applicant will not unreasonably deny the telecommunications providers the opportunity to co-locate on this tower.
7. Augusta County shall be allowed, at its request, to use a mutually agreed upon location on the monopole for County emergency communications, subject to the following conditions:
 - Rent-free if solely for use by the County police, fire, rescue, and/or other emergency communication services.
 - Application submitted with equipment specifications.
 - Written no-rent license agreement with the County.
 - Subject to space availability and structural capacity without the need for extensions or structural modifications (unless approved by and installed by

Applicant at the County's sole cost and expense); provided, however, that when only one space for collocation remains on the monopole, the County shall have the right of first refusal before any additional carrier is allowed to collocate, including ground space, not to exceed 10' x 10', for its communication needs, without any charge. This otherwise perpetual reservation may be waived at the discretion of the County Administrator, and this right of first refusal shall expire upon the earlier to occur of the tower (a) being removed; or (b) reaching full capacity.