



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: February 27, 2020

SUBJECT: Regular Meeting and Viewing

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, March 5, 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 **Community Development Conference Room** at the Augusta County Government Center in Verona at **9:00 A.M.**, Thursday, for the Staff Briefing prior to going out to view the items on the agenda. Lunch will follow at **Country Cookin' at noon**.

Enclosed are the **February** 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, March 5, 2020, 1:30 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. MINUTES

Approval of the Called and Regular Meeting of February 6, 2020

4. PUBLIC HEARINGS

- A. A request by Ray Burkholder, agent for Victory Worship Center and World Outreach, for a Special Use Permit to construct a fitness center/gymnasium and to lease office space for physical therapist and sports medicine on property they own, located at 200 Hammond Lane, Staunton in the Beverley Manor District.
- B. A request by Lewie F. or Ida Murhl Blessing, for a Special Use Permit to place a prefab accessory building in the front yard on property they own, located at 510 Chinquapin Drive, Lyndhurst in the South River District.
- C. A request by Jerry D. or Sheila H. Davis, for a Special Use Permit to have a kennel for personal dogs on property they own, located at 3219 Little Calf Pasture Highway, Craigsville in the Pastures District.
- D. A request by David L. or Ann W. Gardner, for a Special Use Permit to construct an addition to the existing farmers market for storage on property they own, located at 3494 Lee Highway, Weyers Cave in the North River District.
- E. A request by Dale W. Hill, agent for Apex Towers, LLC, for a Special Use Permit to relocate the original site for a wireless telecommunication tower on property owned by James Lee Kindig and Lucy K. Coyner, located at 3546 Stuarts Draft Highway, Waynesboro in the South River District.

5. OLD BUSINESS

6. MATTERS TO BE PRESENTED BY THE PUBLIC

7. MATTERS TO BE PRESENTED BY THE ZONING ADMINISTRATOR

- A. A request by Tommy Bowles, agent for Greenville Baptist Church, for a Special Use Permit to construct an accessory building more than the 1,200 square foot total aggregate allowed on property they own, located at 57 Church Street, Greenville in the Riverheads District. – **SIX MONTH EXTENSION OF TIME REQUEST**

8. STAFF REPORT

19-25	Megyesi, James P.
19-26	Weavers Landing, LLC
19-27	Breeden, Johnnie E. or Brenda J.
19-28	Biggs, Hunter L.
19-29	Gardner, Everette L.
19-30	First Baptist Church of Grottoes, Inc.
19-31	Shen Acres Realty, LLC – Replaced with SUP#19-46

9. ADJOURNMENT

Agenda Item # 4A

Date 3/5/2020

PROPERTY OWNER:

Victory Worship Center and World Outreach

APPLICANT:

Ray Burkholder, agent for Victory Worship Center and World Outreach

LOCATION OF PROPERTY:

200 Hammond Lane, Staunton in the Beverley Manor District

SIZE OF PROPERTY:

35.671 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

05/14 SUP to have active and passive recreational facilities

LAND USE MAPS:

Rural Conservation

UTILITIES:

Private well and septic

APPLICANT'S JUSTIFICATION:

To construct a fitness center/gymnasium and to lease office space for physical therapist and sports medicine

PLANNING COMMISSION'S COMMENTS:

None

BUILDING INSPECTOR'S COMMENTS:

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

HEALTH DEPARTMENT'S COMMENTS:

A sewage disposal system permit will need to be obtained from the Health Department to accommodate sewage flows from the new building/business. The owner will need to work with a private sector sewage disposal system designer, with plans to be submitted to the Health Department for review and permitting.

HIGHWAY DEPARTMENT'S COMMENTS:

The site is served by an existing commercial entrance adequate to support the proposed use. However, the volume of the additional commercial traffic on Hammond Lane could be concerning; as a matter of clarification, VDOT would recommend stating the square footage of the building expected to be leased.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

Update existing Stormwater Management calculations. Submit new Erosion and Sediment Control Plan.

SECTION 25-74I - LIMITED BUSINESSES AND INDUSTRIES IN AGRICULTURE ZONES AND SECTION 25-74L - PASSIVE RECREATIONAL FACILITIES REQUIRING A BUILDING AND ACTIVE RECREATIONAL FACILITIES

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

There will be no outside storage areas.

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.

No one resides on the premises. There is an existing church and recreation facility.

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

Businesses are more appropriate in business zoned areas, however, considering the size of the property and the location, a gymnasium/office open to the public may be appropriate for an 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 Hammond Lane which is a State maintained road.

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

The 46 acre site safely accommodates all traffic to and from the site. VDOT is concerned with the volume of additional traffic on Hammond Lane.

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 applicants are proposing a new 12,000 square foot building.

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.

The existing church is approximately 38,300 square feet and the existing recreational facility is approximately 20,000 square feet. The new building is approximately 12,000 square feet which exceeds 4,000 square feet, but the construction of a gymnasium/physical therapist office could be a benefit to the 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 onsite. The Health Department comments state a new sewage disposal permit will need to be obtained.

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

There are smoke detectors and fire extinguishers onsite.

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

There are no items displayed for sale or stored onsite.

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

Trash is picked up regularly.

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 existing site plan on file meeting all parking and aisleway widths.

Approval by the Virginia Department of Transportation.

There is an existing entrance to the 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 gymnasium and office will **not be open on Sundays** and the existing facility has an approved site plan meeting all setback, parking, and lighting requirements.

STAFF RECOMMENDATIONS

The applicants are proposing to construct a 12,000 square foot building for a fitness center and physical therapist/sports training facility. The existing recreation building and fields are currently used for multiple uses such as basketball practice, gymnastics, soccer, and other events open to children's youth programs. The church would now like to provide sports training and a fitness center/physical therapy office to give parents dropping their children off the option of staying and utilizing the fitness center as well as provide a service to the surrounding area. Due to the size and location of the property, staff feels the request would be compatible with the area and the current uses and would recommend approval with the following conditions:

Pre-Condition:

1. Submit site plan meeting the requirements of Section 25-673 "Site Plan Contents" of the Augusta County Zoning Ordinance to be approved by all appropriate departments and/or agencies.

Operating Conditions:

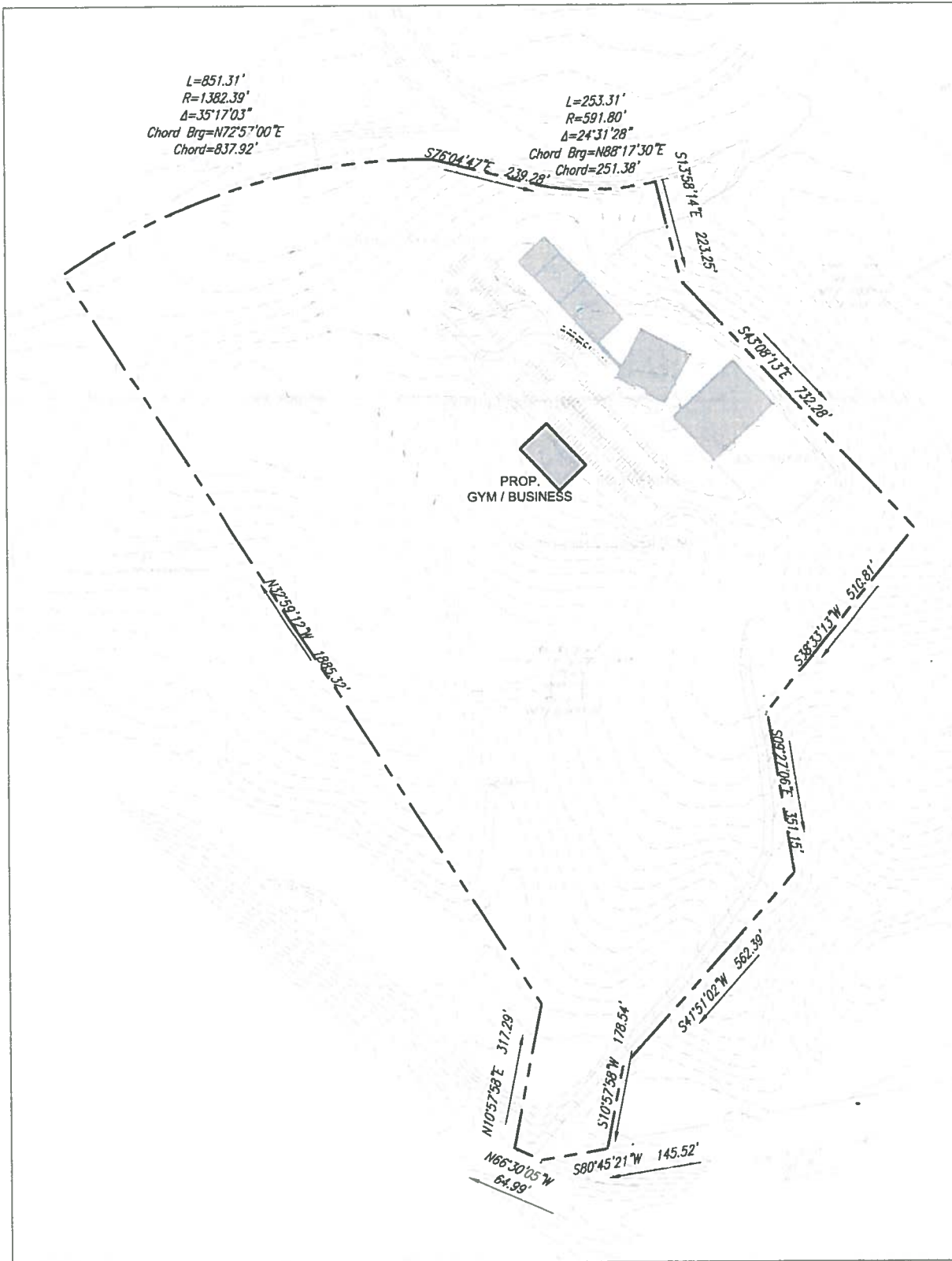
1. Applicant obtain building permits and provide a copy to Community Development.
2. Hours of operation be 8:00 a.m. to 10:00 p.m. Monday-Saturday.
3. Be limited to five (5) employees.
4. Site be kept neat and orderly.
5. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.
6. No further expansions.



Victory Worship

Victory Worship Center and World Outreach





SITE MAP

SCALE: 1"=200'

Victory worship
Center

PROPERTY OWNER:
Lewie F. or Ida Murhl Blessing

Agenda Item # 4B
Date 3/5/2020

APPLICANT:
Same

LOCATION OF PROPERTY:
510 Chinquapin Drive, Lyndhurst in the South River District

SIZE OF PROPERTY:
3.798 acres

VICINITY ZONING:
Single Family Residential surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:
10/86 Zoned Single Family Residential

LAND USE MAPS:
Community Development Area – Low Density Residential

UTILITIES:
Private septic and public water

APPLICANT'S JUSTIFICATION:
To place a prefab accessory building in the front yard

PLANNING COMMISSION'S COMMENTS:
None

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

HEALTH DEPARTMENT'S COMMENTS:
The Health Department has no issues with the request as long as the building is not placed on top of or within 10' the septic tank and/or drainfield.

HIGHWAY DEPARTMENT'S COMMENTS:
VDOT has no objection to this request.

SERVICE AUTHORITY'S COMMENTS:
510 Chinquapin Drive is a current Service Authority water only customer. The requested accessory building will have no impact on the public utilities.

ENGINEERING'S COMMENTS:

<10,000 square feet – residential. Ok.

SECTION 25-134F - ACCESSORY BUILDINGS OR OTHER ACCESSORY STRUCTURES LOCATED IN THE FRONT YARD

The proposed location of the accessory building or structure would not appear out of character with other buildings and uses on the adjoining and surrounding properties; would not be aesthetically damaging to the character of the surrounding properties; or would not adversely and substantially affect the fair market value of surrounding properties.

The property is heavily wooded and the accessory building will be located at the edge of the driveway and should not be out of character with the neighboring properties or affect the fair market value of the surrounding properties.

The accessory building or structure must meet the front setback requirement of this article.

The accessory building is located approximately one hundred eighty (180') feet from the front property line.

STAFF RECOMMENDATIONS

The applicant is requesting to place a 12' x 24' prefab building for personal storage adjacent to the driveway in front of the house. The current Zoning Ordinance prohibits accessory buildings in the front yard without obtaining a Special Use Permit approved by the Board. The parcel contains 3.798 acres and the backyard is very steep. The building will be setback approximately one hundred eighty (180') feet from the front property line. Due to the fact the lot is very steep in the back and the building will be located within close proximity to the existing dwelling surrounded by trees, staff does not feel the building would be out of character with the neighborhood and would recommend approval with the following conditions:

Pre-Conditions:

None

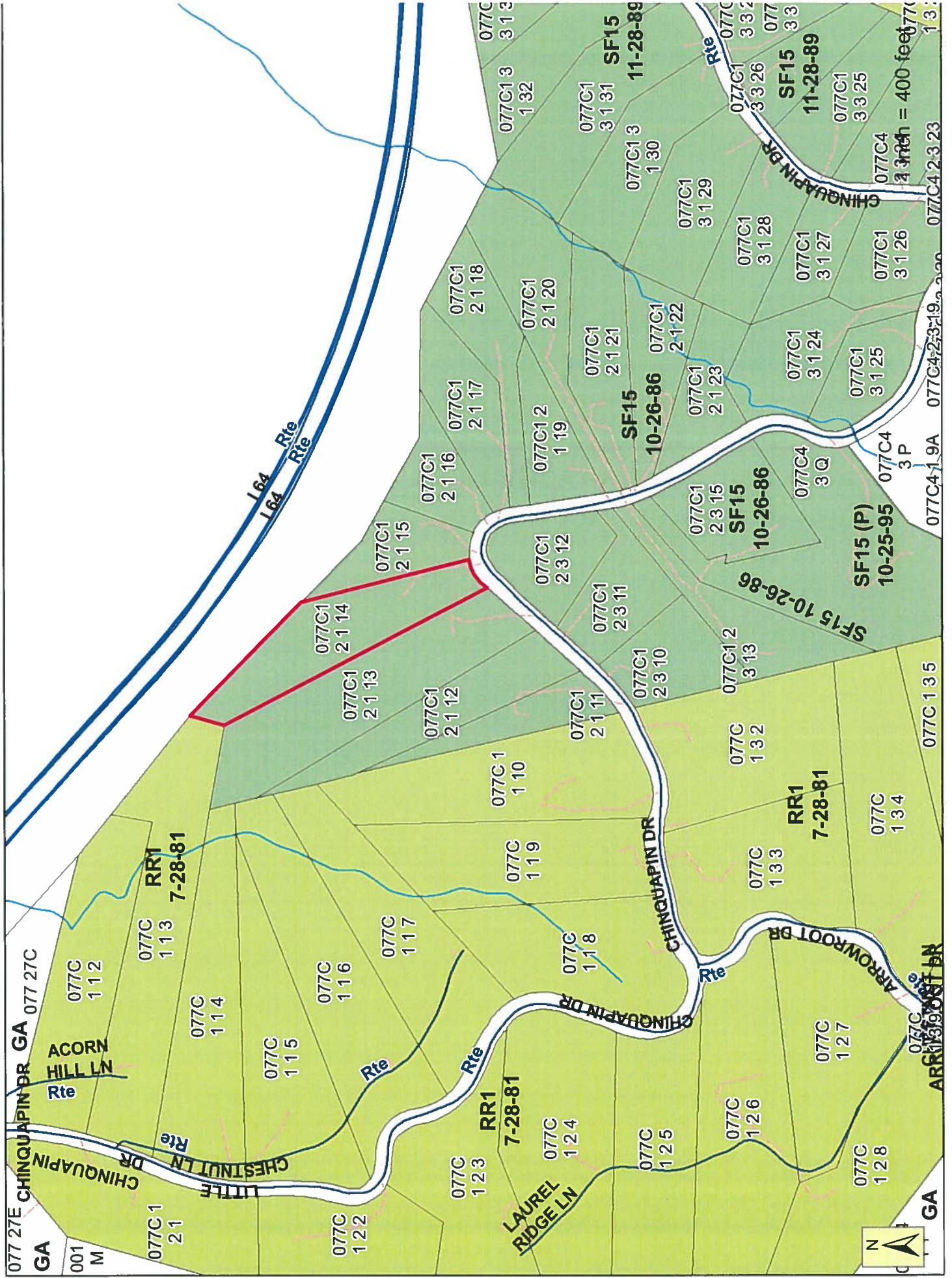
Operating Conditions:

1. Be permitted to place a 12' x 24' prefab building in front of the existing dwelling as show on the BZA sketch.
2. Applicant obtain all building permits and necessary inspections.
3. No junk or inoperable vehicles to be kept outside.
4. Site be kept neat and orderly.



Blessing

Blessing

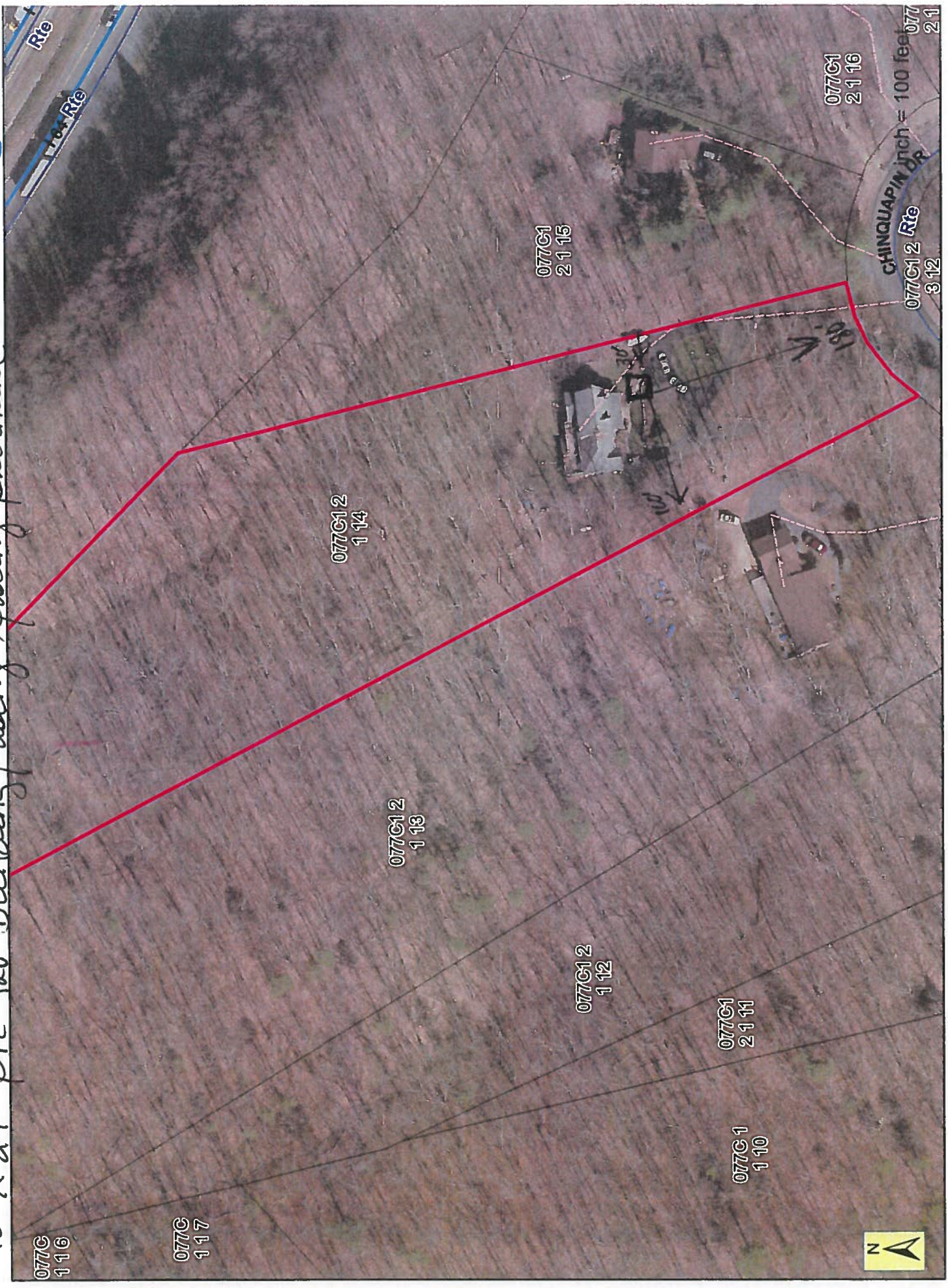


Blessing



Blessing

12' x 24' pre-fab building / using existing pavement



PROPERTY OWNER:
Jerry D. or Sheila H. Davis

Agenda Item # 4C
Date 3/5/2020

APPLICANT:
Same

LOCATION OF PROPERTY:
3219 Little Calf Pasture Highway, Craigsville in the Pastures District

SIZE OF PROPERTY:
91.139 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:
12/95 Zoned General Agriculture
08/04 Zoned General Agriculture

LAND USE MAPS:
Agriculture Conservation Area

UTILITIES:
Private well and private septic

APPLICANT'S JUSTIFICATION:
To have a kennel for personal dogs

PLANNING COMMISSION'S COMMENTS:
None

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

HEALTH DEPARTMENT'S COMMENTS:
The Health Department has no issues with this proposal.

HIGHWAY DEPARTMENT'S COMMENTS:
The existing PE-1 entrance is adequate for this use. Applicant states that the kennel will be used for personal use only. No breeding, grooming, or other customer services. 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. There is an existing 6" waterline along Little Calf Pasture Highway across from the subject parcel. The subject parcel is not served by public water.
5. There is no public sewer available in the area of the subject parcel.

ENGINEERING'S COMMENTS:

If over 10,000 square feet will require Erosion and Sediment Control Plan.

ANIMAL CONTROL'S COMMENTS:

Very nice large chain link fenced area in the back. Recommend re-inspection to one (1) year intervals.

SECTION 25-74C - ANIMAL CARE FACILITIES

There is an adequate plan to keep the facility neat and clean, free of dirt, fecal accumulation, odors, and parasite infestation.

The yard is cleaned regularly.

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

All dogs live in the home.

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

The backyard is secured by four (4') foot chain-link fence that should be sufficient to safely secure dogs while outside on bathroom breaks and exercise.

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

The dogs go outside for bathroom breaks and exercise when the applicant is home. There is a covered porch for shade.

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

There are smoke detectors in the home.

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

The dogs live in the home and there is a large fenced area outside for exercise.

The site contains a minimum of five (5) acres. The minimum acreage required for the permit must be retained in the same ownership for the permit to remain valid. Nothing herein shall be deemed to limit the ability of the board of zoning appeals to require a larger site when necessary to protect the neighboring properties and to accommodate the anticipated breeds and numbers of animals.

The site contains 91.139 acres.

The animals shall be confined within an enclosed building from 10 p.m. to 6 a.m. unless the board of zoning appeals is satisfied that keeping the anticipated animals outside during such hours will not be a nuisance to neighboring properties.

The animals are kept inside the dwelling from 10:00 p.m. until 6:00 a.m.

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

There are no outside kennels. All dogs are kept in the home.

STAFF RECOMMENDATIONS

The applicants are requesting a Special Use Permit in order to keep their six (6) personal dogs. They currently have one (1) Bulldog, one (1) Sheltie, and four (4) Chihuahuas. They do not breed the dogs and have no plans to increase the number. Due to the size and location of the property, staff feels the request would not have a negative impact on the neighboring properties and would recommend approval with the following conditions:

Pre-Conditions:

None

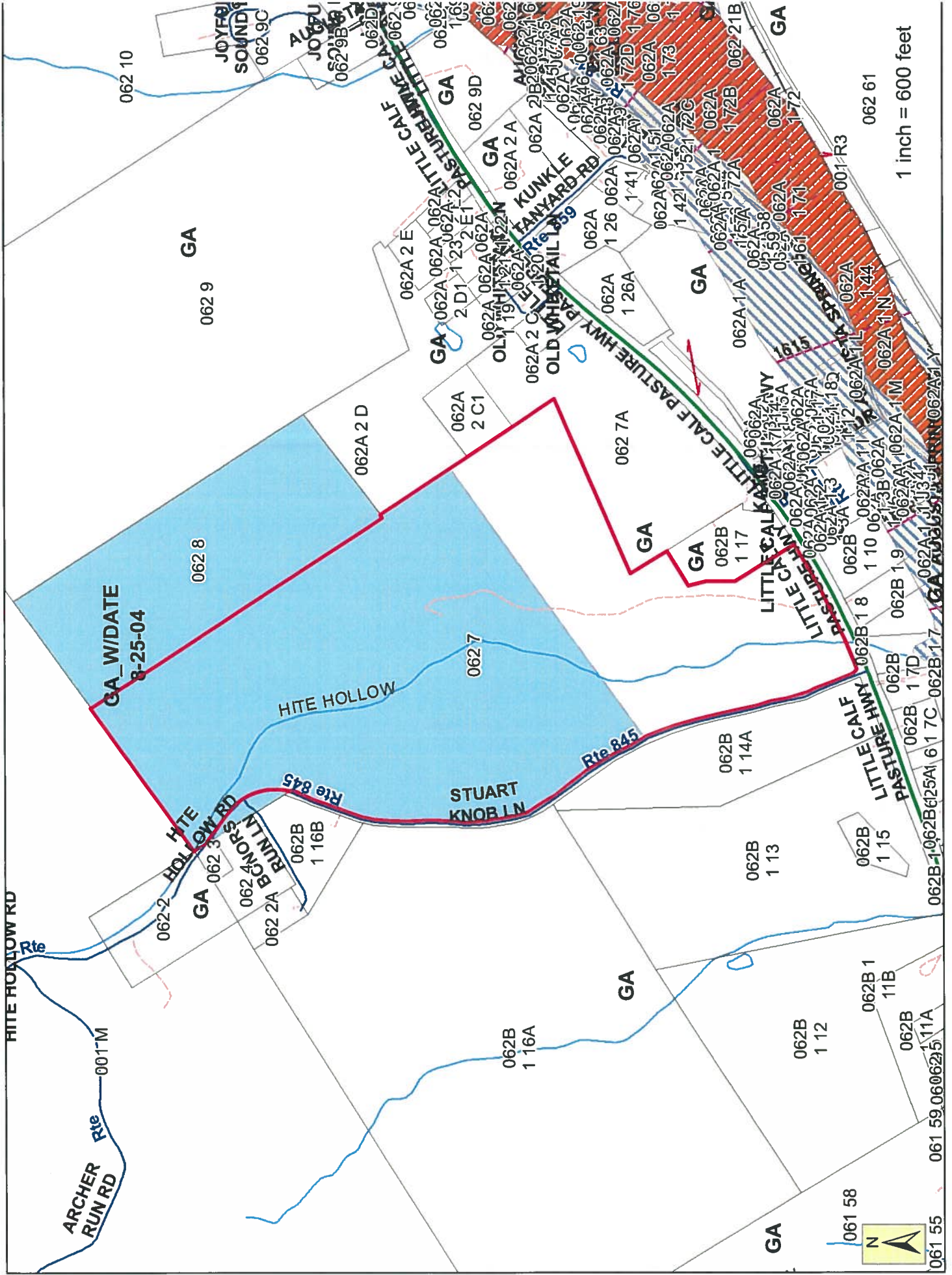
Operating Conditions:

1. Maximum of six (6) adult dogs kept at this site at any time.
2. Dogs be kept inside from 10:00 p.m. until 6:00 a.m.
3. Site be kept neat and orderly.
4. Animal Control to inspect the site **yearly**.



Davis

Davis



1 inch = 600 feet



Agenda Item # 4D
Date 3/5/2020

PROPERTY OWNER:

David L. or Ann W. Gardner

APPLICANT:

Same

LOCATION OF PROPERTY:

3494 Lee Highway, Weyers Cave in the North River District

SIZE OF PROPERTY:

4.532 acres

VICINITY ZONING:

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

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

05/15 SUP approved to utilize a bank barn for farmers market, to have seasonal events, and to have outdoor storage

01/19 SUP approved to utilize a historic structure for a farmers market and retail sales

LAND USE MAPS:

Urban Service Area – Business

UTILITIES:

Public water and sewer

APPLICANT'S JUSTIFICATION:

To construct an addition to the existing farmers market for storage

PLANNING COMMISSION'S COMMENTS:

None

BUILDING INSPECTOR'S COMMENTS:

After review, since this is a farm structure we have no conditions as it is exempt from the building code.

HEALTH DEPARTMENT'S COMMENTS:

The Health Department has no issues with this proposal.

HIGHWAY DEPARTMENT'S COMMENTS:

The existing commercial entrance is adequate for this use. VDOT has no objection to the request.

SERVICE AUTHORITY'S COMMENTS:

1. 3494 Lee Highway is a current Service Authority water and sewer customer.
2. If additional water and sewer demands will be part of the proposed use, a meter sizing form must be submitted to the Service Authority Engineering Department for evaluation.

ENGINEERING'S COMMENTS:

Update existing Stormwater Management and Erosion and Sediment Control plans and calculations.

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

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

No outdoor storage is requested. The addition to the existing building is for storage.

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 adjacent property.

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

The applicant currently operates a retail sales business with events and a farmers market. The proposed addition is appropriate for agricultural uses.

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.

There is an existing VDOT approved entrance for this site providing direct access to Lee Highway (Route 11).

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

The existing parking areas and the 4.532 acres have safely accommodated all traffic to and from the public highways.

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

The applicant is requesting to construct a 20' x 38' addition to the existing building for dry 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, but will also be a substantial benefit to neighboring properties.

The proposed seven hundred sixty (760) square foot addition is less than a 50% expansion of the existing business. The property is zoned General Agriculture but is planned for Business use on the Comprehensive Plan.

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

The addition is for storage only. No plumbing is involved. The existing building is connected to public sewer.

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

There are smoke detectors and fire extinguishers in the existing building.

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 additional outdoor display is requested.

STAFF RECOMMENDATIONS

The applicant is requesting to construct a 20' x 38' addition to the existing building currently operating as a farmers market for a dry storage area. Since the property is located in an area planned for Business on the Comprehensive Plan and the addition is less than a 50% expansion, staff would recommend approval with the following conditions:

Pre-Condition:

1. Update existing Stormwater Management and Erosion and Sediment Control Plan including updated calculations.

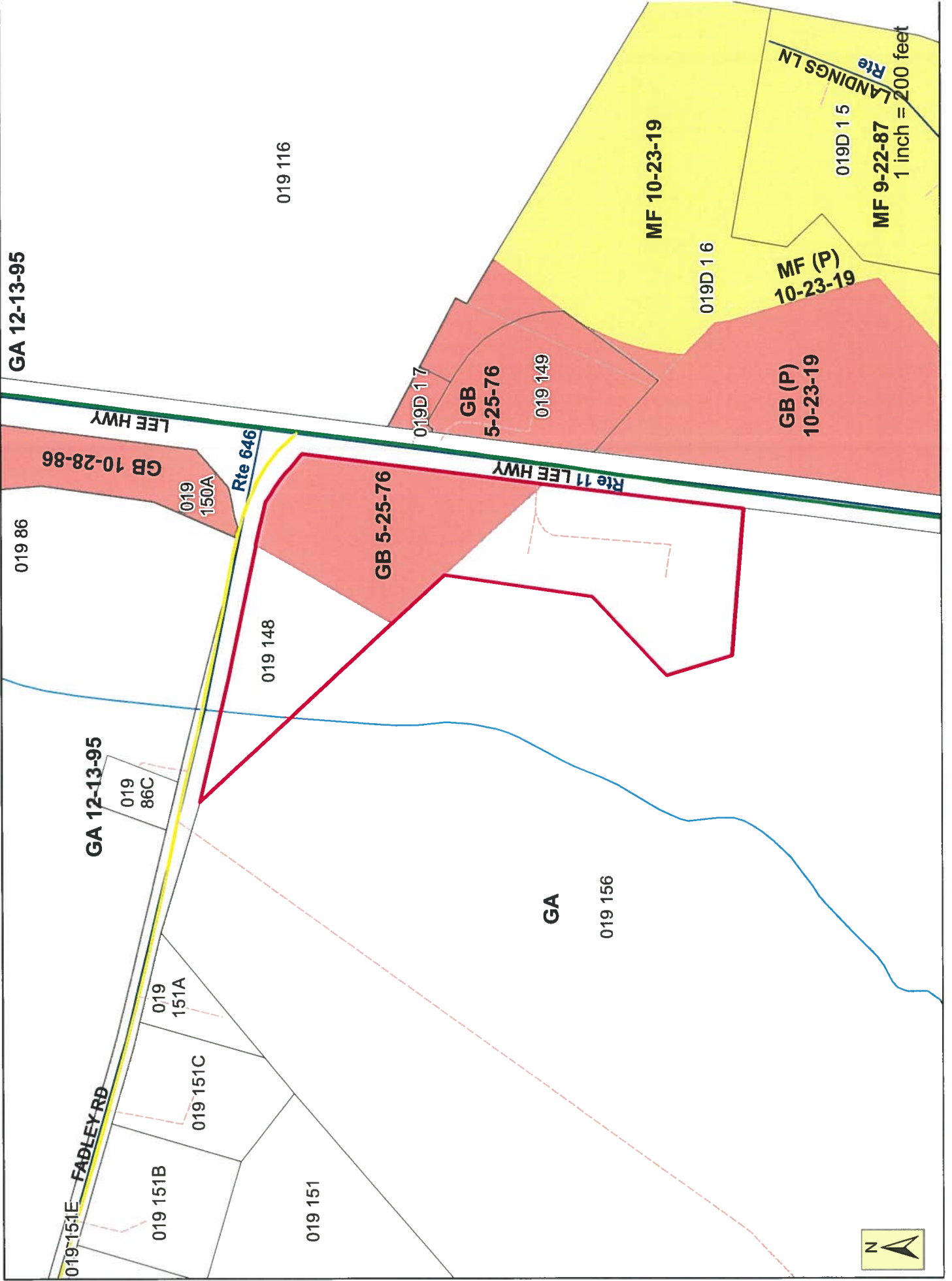
Operating Conditions:

1. Obtain all necessary building permits and inspections.
2. All prior SUP#15-22 and #19-8 conditions remain in place.



Gardner

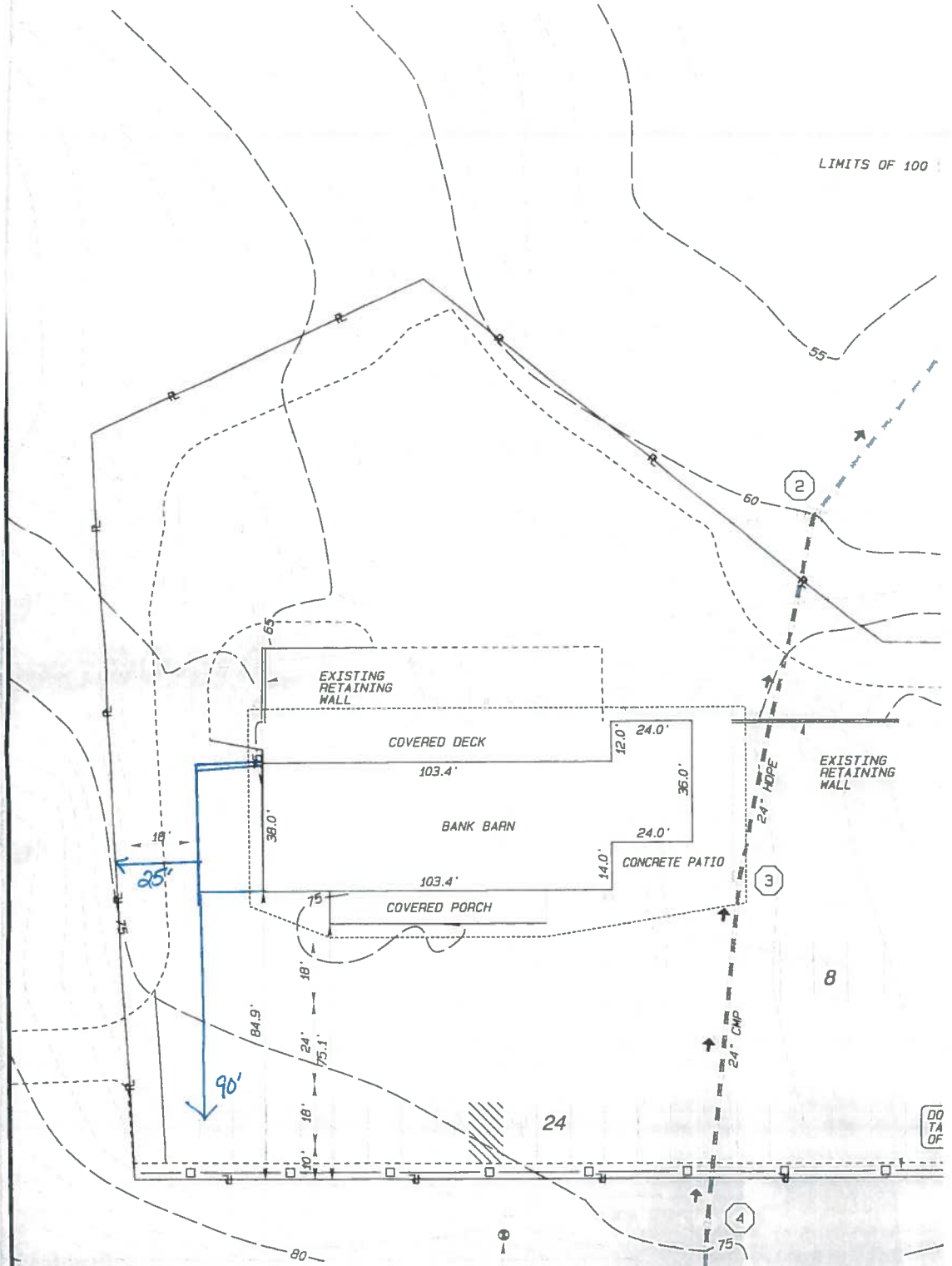
Gardner



Gardner



Gardner



PROPERTY OWNER:
James Lee Kindig and Lucy K. Coyner

Agenda item # 4E
Date 3/5/2020

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 relocate the original site for a 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.

STAFF COMMENTS FEBRUARY 6, 2020

The Board tabled this request at the January 3, 2020 public hearing so that all members of the Board would be present and could review the request before making the final decision. There were three (3) letters submitted to Community Development from adjoining property owners which are included in the packets for review.

STAFF COMMENTS MARCH 5, 2020

The Board asked the applicant to look for an alternate location on the property to relocate the tower to help mitigate the visual impact to the surrounding properties. The applicant provided a site plan relocating the tower six hundred sixty (660') feet east of the original site closer to the dwelling on the property.

The new location and technical data has been evaluated by Atlantic Technologies, consultant for Augusta County, and was found to still meet all County requirements, however, our consultant did state that in his opinion the tower could have been moved closer to the barn and existing silos on the property based on the technical data and maps provided to the County and would still meet their coverage needs. If the Board feels the new location is compatible with the area and is in compliance with the ordinance requirements, and 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.



Apex Towers

Proposed Stuarts Draft Project

Tower Relocation Design

Latitude 38° 2' 45.74", N

Longitude 79° 0' 8.11", W

Where was the site moved



The Viewshed Results



View 1 – SE Stuarts Draft Highway

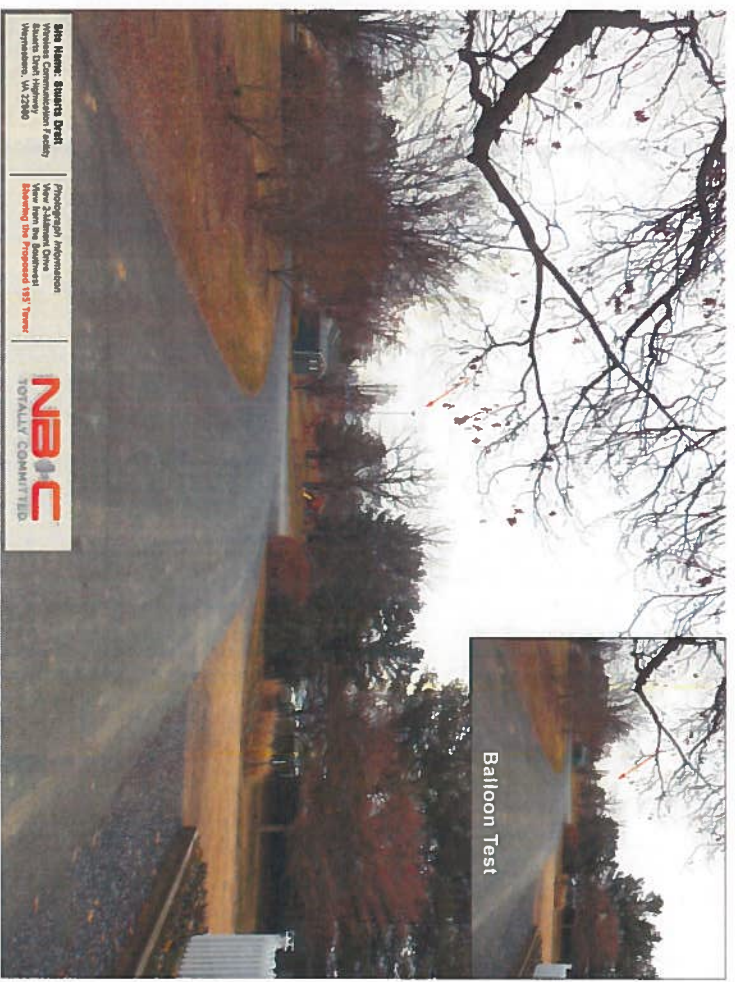


Site Name: Stuarts Draft
West Virginia Department of Transportation
West Virginia, WV 26060

Project Name: Stuarts Draft Highway
Improving the Proposed 187' Road



View 2 – SW Milmont Drive



Site Name: Sharts Draft
Municipal Communications Facility
1000 Sharts Draft Road
Harrisonville, VA 22860

Photograph Information
View 2: Milmont Drive
Balloon Test
Showing the Proposed 15' Turn



View 3 – SW Stuarts Draft Highway



SW Home Stuarts Draft
Westside Communications Facility
Wilmington, VA 22880

Photograph Intermittent:
View 3 Station Draft Highway
Shooting for Proposed 197' Tower



View 4 – W Stuarts Draft Elementary School



View 5 – W Stuarts Draft Middle School



View 6 – NW Alta Drive



Site Name: Shasta Dam
Viewed from the
Westside Communications Facility
Wendover, NV 89401

Photograph Information
View & Date Taken
Balloon Test
Showing the Proposed 157' Tower



View 7 – N Sherwood Dr. & Orchard Dr.



View 8 – NW Harvard Road



View 10 – NW (near) Stuarts Draft Elementary



View 11 – NW Alta Drive



Site Name: Shasta Dam
Vehicle Communication Facility
Mendocino County
Mendocino, CA 95520

Photograph Information:
View 11-NW Alta Drive
Showing the Proposed 157 Tower



View 12 – NW (near) Stuarts Draft Elementary



View 13 – NW Alta Drive



Site Name: **Shaw's Park**
Vernon Communities Facility
Waynesboro, VA 22800

Photograph Information:
View 13: Scale shown
Showing the Proposed 15' Tower

NBC
TOTALLY COMMITTED

How has the viewshed changed?

- Stuarts Draft Highway



New Site



Original Site

How has the viewshed changed?

- Starts draft Highway from the SW



New Site



Original Site

How has the viewshed changed?

- Alta Drive from the NW



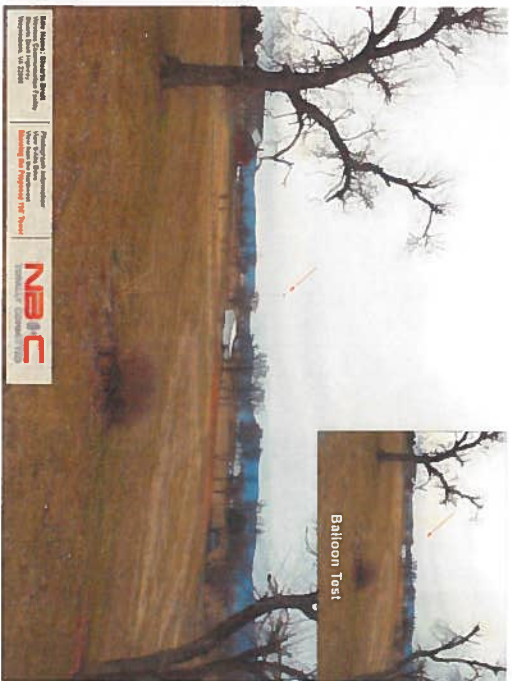
New Site



Original Site

How has the viewshed changed?

- Alta Drive



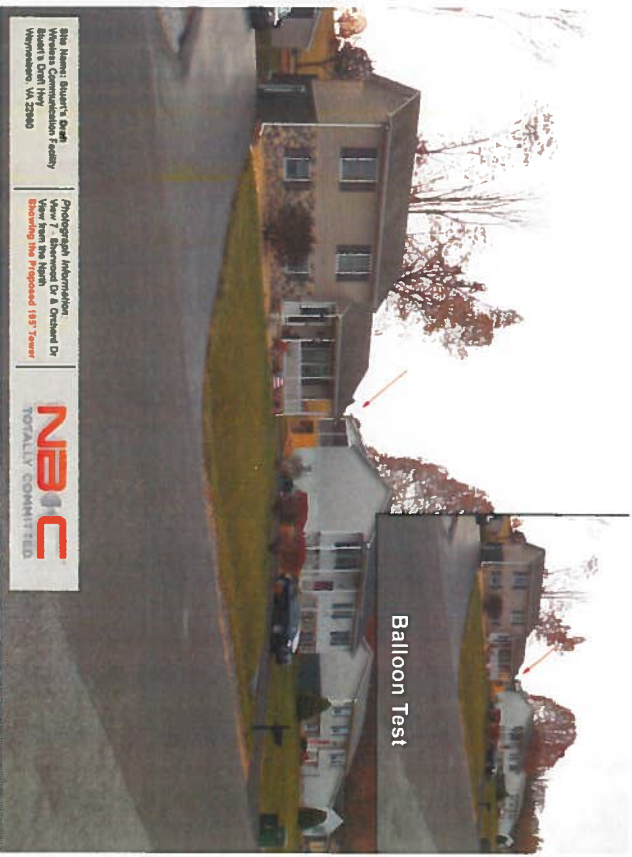
New Site

How has the viewshed changed?

Sherwood Drive and Orchard Drive



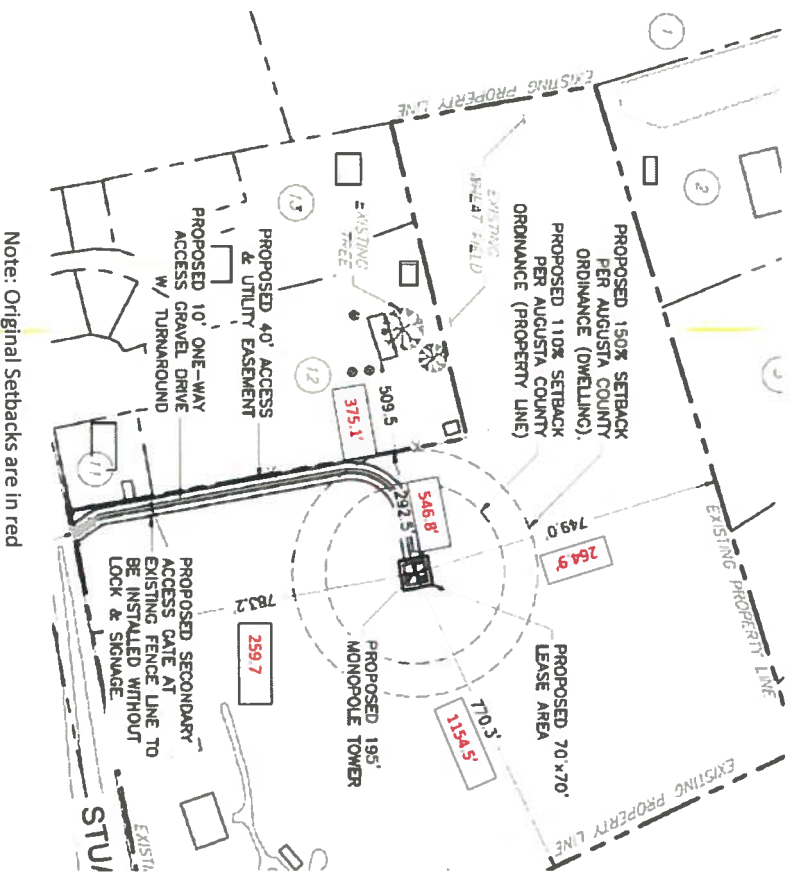
New Site



Original Site

How are the Setbacks affected?

- The setbacks with respect to the homes along Alta Drive have been increased 183%, with respect to the nearest dwelling to the proposed location the setback has been increased 36%



Note: Original Setbacks are in red

EXTENSION OF TIME REQUEST

Agenda Item # 7A
Date 3/5/2020

PROPERTY OWNER:
Greenville Baptist Church

APPLICANT:
Tommy Bowles, agent for Greenville Baptist Church

LOCATION OF PROPERTY:
57 Church Street, Greenville in the Riverheads District

SIZE OF PROPERTY:
1.358 acres

VICINITY ZONING:
Single Family Residential surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:
10/47 Zoned Single Family Residential
09/12 Variance approved for landscaping/screening for the parking lot expansion

LAND USE MAPS:
Urban Service Area – Medium Density Residential

UTILITIES:
Public water and public sewer

APPLICANT'S JUSTIFICATION:
To construct an accessory building more than the 1,200 square foot total aggregate allowed

The applicant is requesting a six (6) month Extension of Time.

STAFF COMMENTS
The applicants are working with a surveyor and hope to have the site plan submitted soon. Staff recommends approval.