



**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: July 30, 2020

SUBJECT: Regular Meeting and Viewing

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, August 6, 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 in the **Board of Supervisors Conference Room at noon**.

Enclosed are the **June and July** minutes, the agenda for the 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, August 6, 2020, 1:30 P.M.**

**1. CALL TO ORDER**

**2. DETERMINATION OF A QUORUM**

**3. MINUTES**

Approval of the Called and Regular Meeting of June 16, 2020

Approval of the Called and Regular Meeting of July 2, 2020

**4. PUBLIC HEARINGS**

- A. A request by Jessica L. Weinstock, for a Special Use Permit to have a short term vacation rental on property she owns, located at 17 Mount View Drive, Afton in the South River District.
- B. A request by Bradley Showalter, for a Special Use Permit to have a farm machinery and equipment repair operation on property owned by Willard H. or Mary Ellen Showalter, located at 230 Cupp Lane, Mount Solon in the North River District.
- C. A request by Zachary A. Dean, for a Special Use Permit to continue to have outdoor storage and sales of farm and small construction equipment, to have a motor vehicle impound yard in conjunction with a towing operation and to have outdoor storage of an inoperable vehicle on property he owns, located on the west side of East Side Highway, approximately .204 of a mile north of Patterson Mill Road, Grottoes in the Middle River District.
- D. A request by John C. Reedy, for a Special Use Permit to have weddings and special events on property owned by Nu-Valley Enterprises, Inc., located at 5086 Lee Jackson Highway, Greenville in the Riverheads District.

**5. OLD BUSINESS**

- A. A request by Benjamin E. Yoder or Melanie D. Gregoire, for a Special Use Permit to have weddings and special events on property they own, located at 77 Singing Hill Lane, Waynesboro in the Wayne District. – **CONTINUE THE PUBLIC HEARING**

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

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

- A. A request by Troy A. and Melissa L. Sizer-Lewis, for a Special Use Permit to have weddings and special events on property they own, located at 100 Cider Barn Lane, Stuarts Draft in the Riverheads District. – **ONE YEAR EXTENSION OF TIME REQUEST**

- B. A request by Dirk Gold, agent for Goldwrench Enterprises, LLC, for a Special Use Permit to construct a garage addition onto the existing building and to enlarge the existing non-conforming building no closer to the road and to relocate and increase the fenced vehicle storage area on property owned by Goldwrench Enterprises, LLC, located at 588 East Side Highway, Waynesboro in the Wayne District. – **EXTENSION OF TIME REQUEST UNTIL DECEMBER 31, 2021**

## **8. STAFF REPORT**

19-53	Robbie D. Kline
19-54	Gregory or Linda Clemmer
19-55	Jonathan P. Rogers
19-56	Maynard or Shirley Miller
19-57	Benjamin Eli Yoder
19-58	Leonid or Yelena Malevaniy
19-59	Keith W. or Elizabeth S. Dishman
19-60	PBR Associates – <b>Withdrawn</b>

## **9. ADJOURNMENT**

**PROPERTY OWNER:**  
Jessica L. Weinstock

Agenda Item # 4A

Date 8/6/2020

**APPLICANT:**  
Same

**LOCATION OF PROPERTY:**  
17 Mount View Drive, Afton in the South River District

**SIZE OF PROPERTY:**  
0.689 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

**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:**  
The septic system is designed for 2 bedrooms total. The Health Department has no issues with the request as long as the total number of bedrooms for the dwelling does not exceed 2.

**HIGHWAY DEPARTMENT'S COMMENTS:**  
VDOT has no objection to the request. The parcel has access to Mountain View Drive, a privately maintained roadway. The entrance of Mountain View Drive to Rt. 610, Howardsville Turnpike, is adequate to support the request.

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

**ENGINEERING'S COMMENTS:**

No comments.

**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) dwelling operating as a short term rental.

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

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 parcel contains 0.689 acres and is heavily wooded. A short term vacation rental should be compatible with the neighboring properties.

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

The owner personally resides in the 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 required.

**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.**

The applicant will need to obtain permits to finish the basement and use as living quarters while the dwelling is rented.

**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.

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

All parking will be onsite.

## **STAFF RECOMMENDATIONS**

The applicant is requesting to lease the existing two (2) bedrooms in the home for short term vacations. There will be no food provided but guests will have full use of the kitchen. The applicant resides on premise and is proposing to finish the basement with a bedroom, bath, and kitchenette to use while the home is rented. The Health Department comments state the septic system will only accommodate two (2) bedrooms, therefore, the applicant will need to upgrade the system prior to adding another bedroom in the basement. Staff feels leasing two (2) bedrooms in the existing dwelling for short term vacation rentals would not be out of character with the community and would be a low impact use and recommends approval with the following conditions:

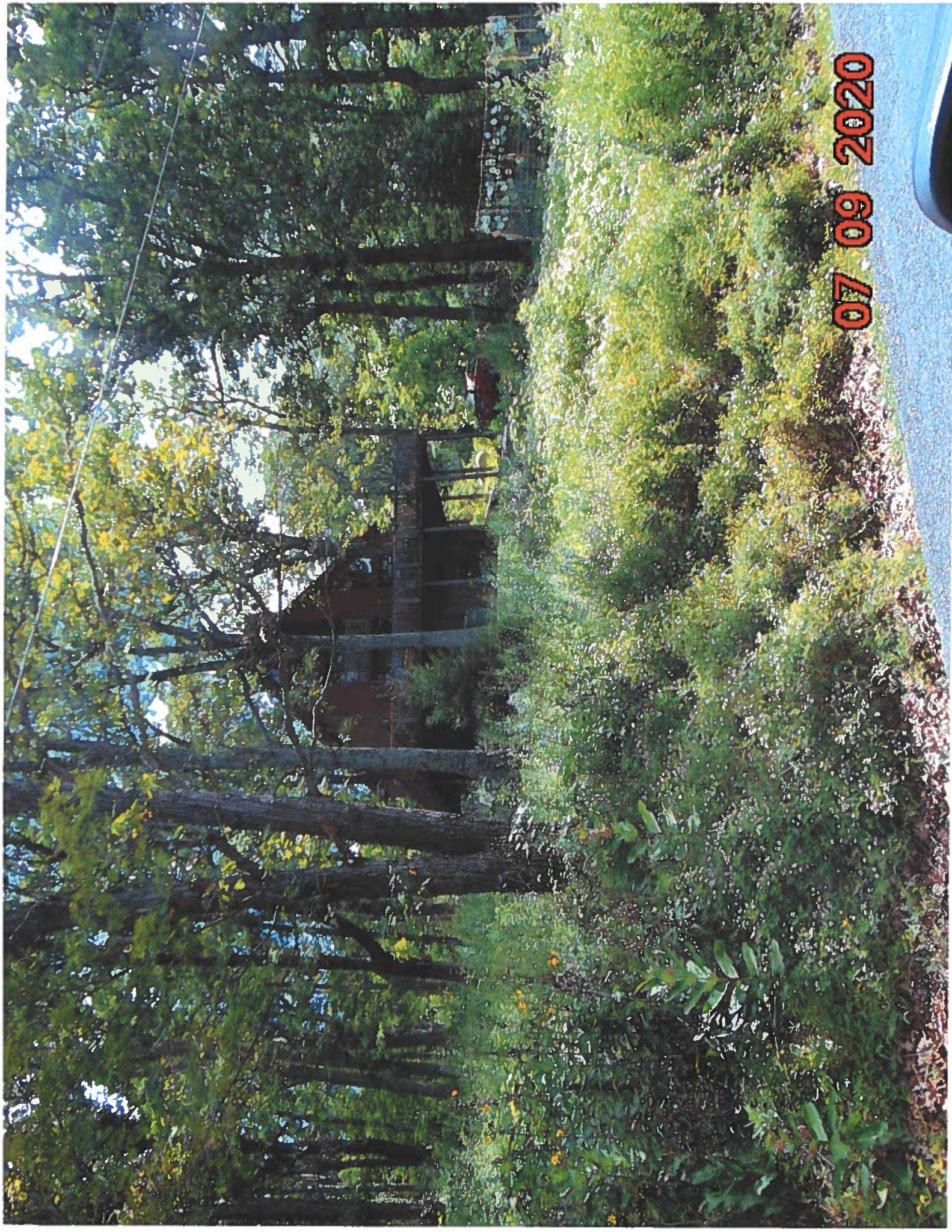
### **Pre-Conditions:**

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

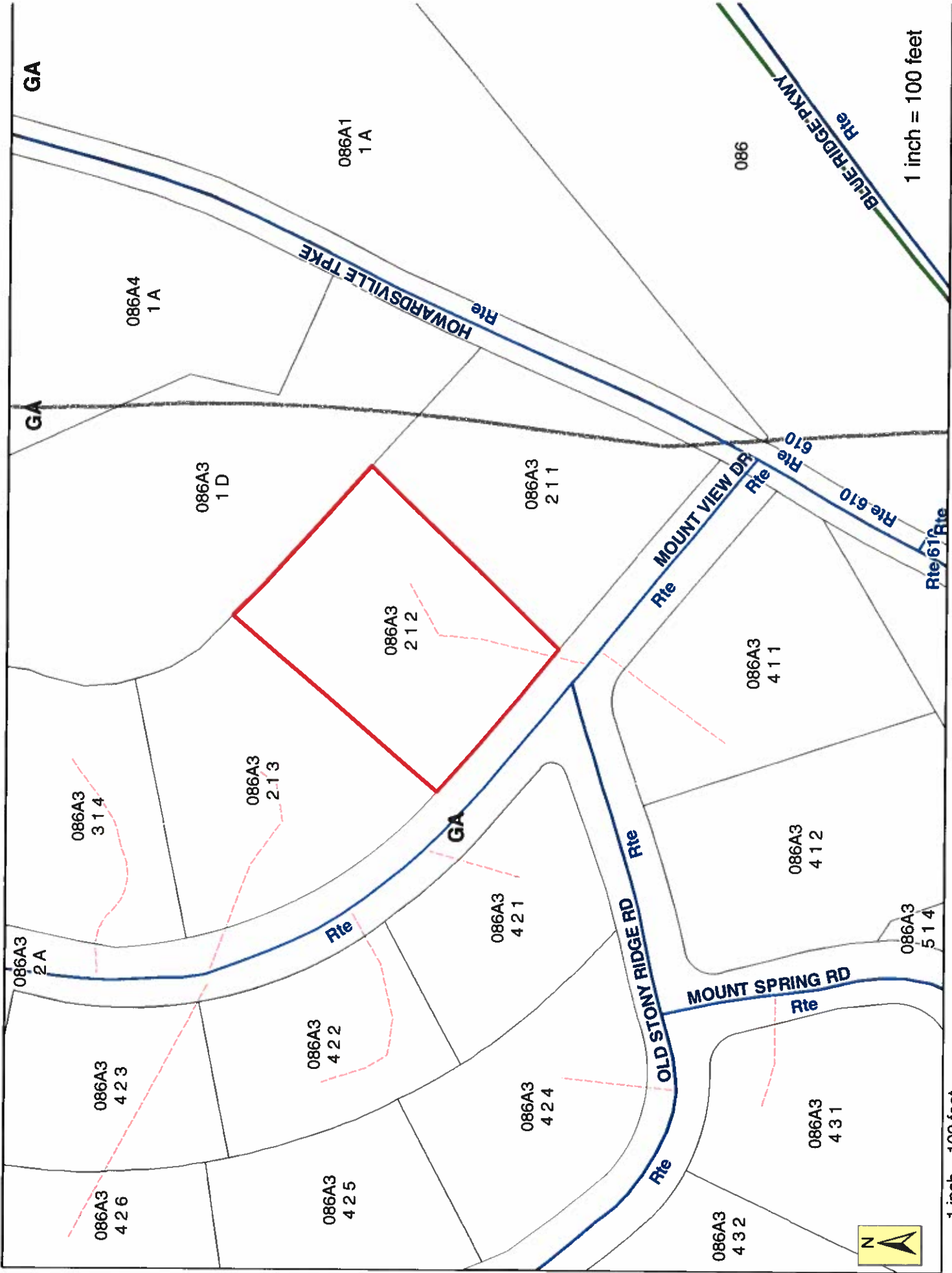
### **Operating Conditions:**

1. Be permitted to lease the existing two (2) bedroom dwelling for short term vacations.
2. Total occupancy of the dwelling does not exceed four (4) people unless Health Department approval for a larger number is submitted.
3. Applicant must reside on premise.
4. All parking must be onsite. No parking along the road.
5. Site be kept neat and orderly.

07 09 2020



Weinstock



1 inch = 100 feet

1 inch = 100 feet







Weinstock



## Beatrice Cardelicchio

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**From:** marjorie hill <mc7hill@gmail.com>  
**Sent:** Friday, July 17, 2020 1:30 PM  
**To:** ComDev  
**Subject:** [EXTERNAL] Zoning 17 Mount View Drive

To Whom It May Concern. Thank you for the opportunity to voice my opposition to short term rentals at 17 Mount View Drive. Afton, VA 22920.

I reside in the Swann Ridge community and am strongly opposed to short term rentals in my neighborhood, e.g. VRBO, Airbnb, etc.

My concern is that the character of our mountain neighborhood is adversely affected by strangers coming and going and increased traffic, as well as commercial activity. We move up here for privacy and quiet. We did not move up here to have increased traffic, commercial activity, and strangers walking around. This is a private road which we maintain. The road is a dead end with a sign that says residents and guests only and in a small neighborhood it helps with security to know who is coming and going, who belongs and who does not. Having short term rentals with strangers coming and going is a security issue for us. Short term renters are typically on vacation and keep late hours, are noisy, and have no investment in being considerate neighbors. The neighbors lose privacy, the character of the neighborhood and security, while Ms. Weinstock gets to make a profit. It is a loss for the neighbors with no benefit whatsoever.

This is a small neighborhood, we have extended invitations to all to belong to the Homeowners Association. Our HOA has regulations AGAINST short term rentals and commercial activity, yet she refuses to join. Ms Weinstock has refused offers for membership, yet asks for assistance when she has an issue with her neighbor. We pave the roads, put up new mail boxes, all without contribution from her. She has not shown good faith in trying to be a good neighbor and there is no reason to think she will begin now.

Thank you again,  
Marjorie Hill  
434-989-5722

## Beatrice Cardellicchio

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**From:** Tom Broeski <tom@adesigner.com>  
**Sent:** Friday, July 17, 2020 1:06 PM  
**To:** Beatrice Cardellicchio  
**Subject:** [EXTERNAL] Zoning Appeals Board for Aug 6th

To: BZA

A. A request by Jessica L. Weinstock, for a Special Use Permit to have a short term vacation rental on property she owns, located at 17 Mount View Drive, Afton in the South River District.

In my opinion, it would not be in the best interest of the neighborhood to approve this request. I am uneasy with strangers across the street, especially when my husband is away. I had a bit of a scary experience last year at this time. While my husband was away, there were a number of people parking in front of our house and there was a noisy party until late at night. I did not report this, but believe someone else did.

Georgene S. Broeski

I am okay with the use, but would defer to the several single women in the neighborhood. As for me, it would be important to have parking only on the Weinstock property, and not on the main road or on/in front of other persons' property.

Thomas J. Broeski

**PROPERTY OWNER:**  
Willard H. or Mary Ellen Showalter

Agenda Item # 4B  
Date 8/6/2020

**APPLICANT:**  
Bradley Showalter

**LOCATION OF PROPERTY:**  
230 Cupp Lane, Mount Solon in the North River District

**SIZE OF PROPERTY:**  
131.987 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 farm machinery and equipment repair operation

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

**BUILDING INSPECTOR'S COMMENTS:**  
1. Obtain all necessary permits and inspections in accordance with the Uniform Statewide Building Code to change use of the building.  
2. Make all necessary changes to the building in accordance with the engineering assessment done by Lineage Engineering.

**HEALTH DEPARTMENT'S COMMENTS:**  
The Health Department has no issues as long as the applicant is the only employee.

**HIGHWAY DEPARTMENT'S COMMENTS:**  
VDOT has no objection to the request. Access is via the end of state maintenance on Cupp Lane.

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

**ENGINEERING'S COMMENTS:**

No increase in impervious areas shown. If impervious area is added for the Special Use Permit, then a Stormwater evaluation may be required.

**SECTION 25-74B – AGRICULTURE SUPPORT BUSINESSES**

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

The applicant will be repairing farm equipment and machinery.

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

VDOT has no objections to the request. The existing private lane should accommodate the low volume of commercial traffic generated by the request.

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

The existing 131.987 acres should accommodate all traffic to and from the public highways.

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

Businesses are more appropriate in Business zoned districts. However, a small repair operation for farm vehicles and equipment should be appropriate for the agriculture areas.

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

The existing structures meet all setback requirements.

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

Granting the request should not result in a clustering of businesses or change the character of the agriculture area.

**STAFF RECOMMENDATIONS**

The applicant is requesting to have farm machinery and equipment repair in a 40' x 50' portion of the existing farm structure. The applicant raises chickens and cattle and would like to have the repair business to offset his income. The property is surrounded by large farms and all equipment and repairs will be done inside the building. There will

be no employees and the operating hours will be Monday – Saturday, 7:00 a.m. to 7:00 p.m.

Staff feels this business could provide a service to the rural area and would be compatible with the neighboring properties. Staff would recommend approval with the following conditions:

**Pre-Condition:**

1. Obtain all necessary permits and inspections to change the use of the building and provide a copy to Community Development.

**Operating Conditions:**

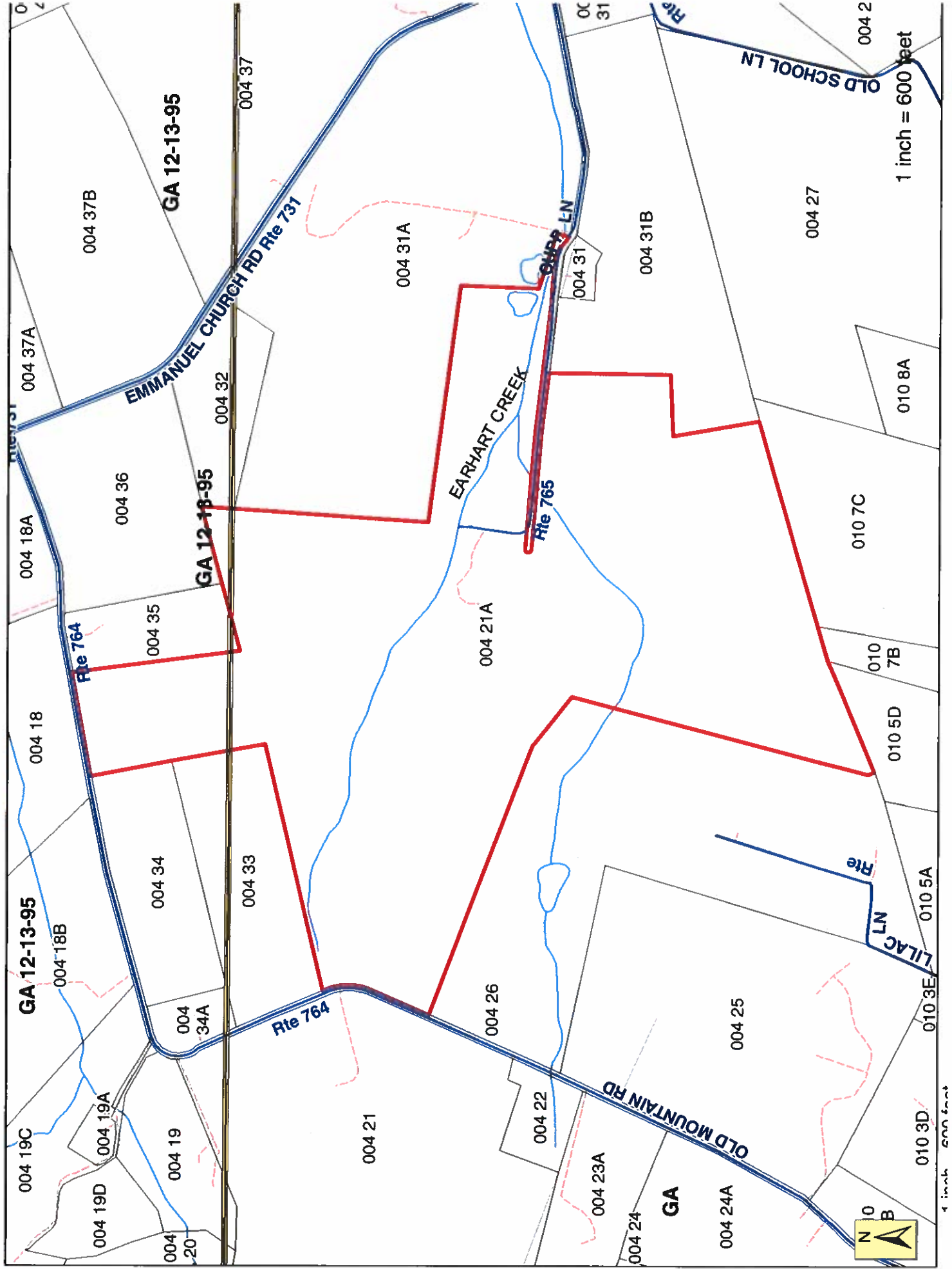
1. Be permitted to use a portion of the existing agriculture building for farm machinery repair.
2. All equipment, machinery, or parts for the business be kept inside the building shown on the BZA sketch.
3. No employees other than family members.
4. Hours of operation be Monday – Saturday, 7:00 a.m. to 7:00 p.m.
5. No Sunday work.
6. No junk or inoperable vehicles, equipment, or parts be kept outside.
7. Site be kept neat and orderly.



07 09 2020



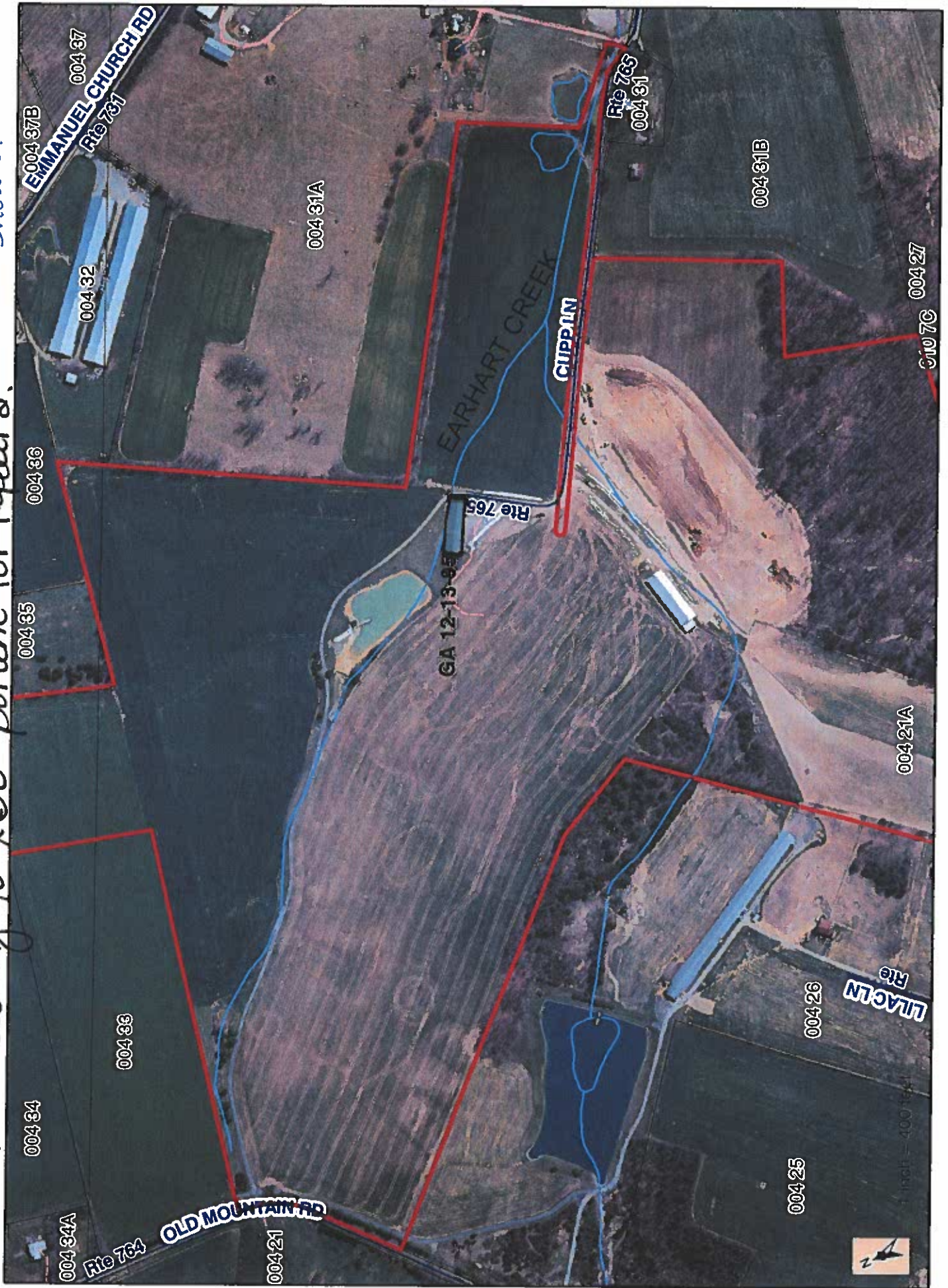
# Showalter





50' x 156' using 40' x 50' portion for repairs.

Showalter



**PROPERTY OWNER:**  
Zachary A. Dean

Agenda Item # 4C  
Date 8/6/2020

**APPLICANT:**  
Same

**LOCATION OF PROPERTY:**  
On the west side of East Side Highway, approximately .204 of a mile north of Patterson Mill Road, Grottoes in the Middle River District

**SIZE OF PROPERTY:**  
2.033 acres

**VICINITY ZONING:**  
General Agriculture to the north, south, and west; General Agriculture and General Industrial to the east

**PREVIOUS ZONING OR S.U.P.:**  
12/95 Zoned General Agriculture  
03/18 SUP approved to have outdoor storage and sales of farm equipment

**LAND USE MAPS:**  
Rural Conservation Area

**UTILITIES:**  
None

**APPLICANT'S JUSTIFICATION:**  
To continue to have outdoor storage and sales of farm and small construction equipment, to have a motor vehicle impound yard in conjunction with a towing operation and to have outdoor storage of an inoperable vehicle

**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 issue with request.

**HIGHWAY DEPARTMENT'S COMMENTS:**  
The use is a continuation of SUP 18-15. It is estimated that the use will not exceed 50 vehicle trips per day (enter + exit); therefore, the existing gravel low volume commercial entrance is initially adequate. Should the traffic intensity exceed the 50 vpd low volume threshold, the entrance may be required to be upgraded to meet the standard paved

commercial entrance standards. No vehicles or equipment are allowed to occupy VDOT right-of-way.

**SERVICE AUTHORITY'S COMMENTS:**

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

**ENGINEERING'S COMMENTS:**

Increase in impervious area. Requires a Stormwater and Erosion and Sediment Control 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 motor vehicle impound lot will be screened with a privacy fence. The sales lot will be fenced for security but not screened.

**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 premise.

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

Businesses and storage of equipment for sale and motor vehicle impound lots are more appropriate in Business zoned areas. However, the sales of farm equipment and machinery has been appropriate for the agriculture area since 2018, but a motor vehicle impound lot may not be appropriate.

**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 business has direct access to Route 340 (East Side Highway) which is State maintained.

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

The property contains 2.03 acres and has an approved VDOT entrance that should accommodate all traffic to and from the public highways.

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

No new construction is proposed.

**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 applicant is proposing an additional storage area 80' x 100' for inoperable motor vehicles. No expansions or enlargements to structures are requested. Vacant lot.

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

No water or sewer required. Vacant property being used only for a storage lot and retail sales of farm and small construction equipment.

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

Grottoes Fire Department is within five (5) miles of the 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.**

All equipment for sale is more than twenty-five (25') feet from the edge of pavement.

### **STAFF RECOMMENDATIONS**

The applicant recently purchased the property and is requesting to continue to display and have retail sales of farm and small construction equipment that the Board approved in 2018. The applicant would also like to have a motor vehicle impound yard for storage of inoperable vehicles and up to four (4) commercial tow trucks. The applicant currently operates a towing business and needs a designated area to store the vehicles when picked up. He is proposing an 80' x 100' screened area adjacent to the existing equipment display area. The applicant's commercial tow trucks will be parked onsite but will be licensed and inspected. The applicant is requesting to have one (1) antique tow truck outside the storage area for aesthetics. The applicant states he will have no more than fifty (50) inoperable vehicles on the property at any time.

Staff feels the request to continue the retail sales of farm and construction equipment would still be compatible, however, staff is concerned that a motor vehicle impound yard could have a negative visual impact on neighboring properties.

If the Board feels that due to the fact the parcel lies between the railroad and Route 340 (East Side Highway) and is across the road from General Industrial zoned property the impound yard would not adversely impact the neighboring properties and desires to approve the request, staff would recommend the following conditions:

**Pre-Condition:**

1. Construct an eight (8') foot high privacy fence around the 80' x 100' impound area **within sixty (60) days.**

**Operating Conditions:**

1. Be permitted to have retail sales of farm and small construction equipment within the designated area as shown on the site plan.
2. Be limited to fifteen (15) pieces of equipment at the site.
3. Hours of operation for the retail sales lot be 8:00 a.m. to 6:00 p.m. Monday – Saturday.
4. No Sunday sales.
5. Be permitted to have a motor vehicle impound yard in the designated area as shown on the site plan.
6. The eight (8') foot high opaque privacy fence screening the impound yard must be maintained at all times.
7. Be limited to four (4) licensed commercial tow trucks at the site.
8. Be allowed one (1) inoperable antique tow truck outside the screened area for aesthetic purposes.
9. No employees other than family members.
10. The only sign to be permitted for this business is one (1) on premise business sign not to exceed twelve (12) square feet.
11. Site be kept neat and orderly.
12. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside the designated areas.
13. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.

09 2020

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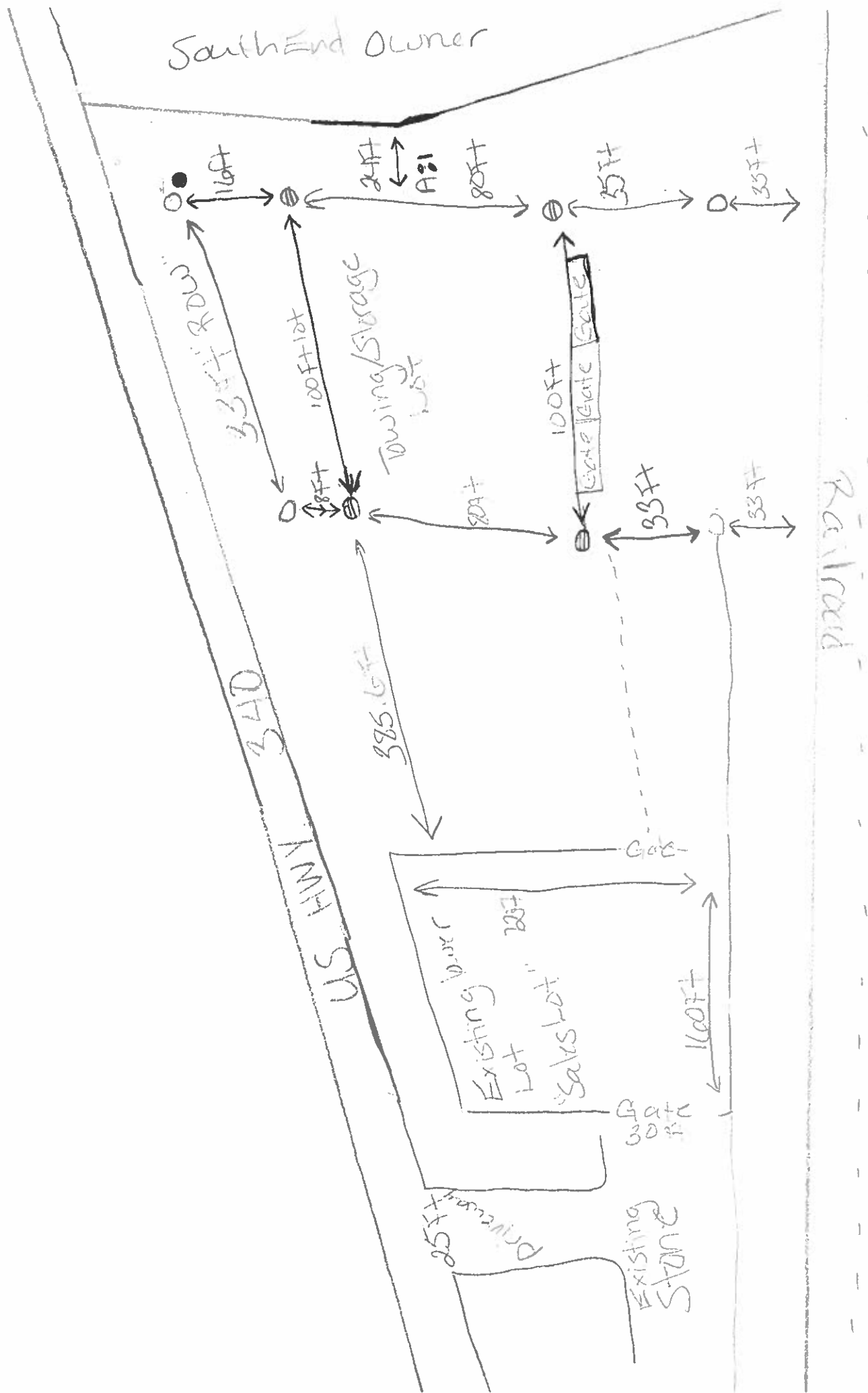




A:1 - South Center Post to lot "Distance"  
 --- Driveway

Dean

- Telephone pole
- Post with Ribbon
- Right of Way from 340
- Two Ribbon LOT Post



South End Owner

116' 24' 80' 35' 33'

335.7' 200'

100' + 100'

Towing/Storage lot

100'

Gate Gate Gate

33'

33'

U.S. HIGHWAY 340

100'

Existing Lot

Sales Lot

Gate

100'

Driveway

Existing SUDS

Railroad

**PROPERTY OWNER:**  
Nu-Valley Enterprises, Inc.

Agenda Item # 4D  
Date 8/6/2020

**APPLICANT:**  
John C. Reedy

**LOCATION OF PROPERTY:**  
5086 Lee Jackson Highway, Greenville in the Riverheads District

**SIZE OF PROPERTY:**  
5.247 acres

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

**PREVIOUS ZONING OR S.U.P.:**  
10/88 SUP approved for used car sales and repair  
04/92 SUP approved for storage of vehicles and a salvage yard  
12/95 Zoned General Agriculture  
10/01 SUP approved to operate a fence and guardrail business  
03/03 SUP approved to change the type of fencing in pre-condition #1  
02/06 SUP approved to construct a 60' x 100' storage building to store fencing, fence posts and equipment

**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:**  
The Health Department has no issue with the request as long as the business/property is operated as outlined in the engineering design summary. Please see the attached summary for details.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The existing entrance is adequate to serve the event venue as a moderate volume commercial entrance. No parking or display of signs on VDOT right-of-way will be allowed.

**SERVICE AUTHORITY'S COMMENTS:**

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

**ENGINEERING'S COMMENTS:**

Any increase in impervious area will require a Stormwater evaluation.

**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 zoned areas, however, 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 applicant is proposing up to fifty (50) events per year with up to one hundred (100) attendees which could impact 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 wedding or special event facility should not result in a clustering of similar businesses in the 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 direct access to Route 11.

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

The parcel contains 5.247 acres which 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.**

All structures are pre-existing. No new construction is proposed.

**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 or enlargements 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 sewage disposal system onsite.

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

There are smoke detectors in the home.

### **STAFF RECOMMENDATIONS**

The applicant is requesting to host up to fifty (50) events per year with a maximum of one hundred (100) attendees, however, the existing septic system can accommodate a maximum of two (2) events per week according to the attached engineering design summary. The events will be held inside the existing structure or in the outside garden area. There will be a small kitchen area for catered food prep only and restrooms inside the structure that can be used during the events. All parking will be onsite in the paved areas and any overflow will be in the grassy area behind the dwelling. The applicant resides on premise and will be onsite during events.

Staff feels that weddings and special events in a rural setting would not be out of character and would recommend approval with the following conditions:

### **Pre-Conditions:**

None

### **Operating Conditions:**

1. Be limited to twenty-four (24) events per year but no more than two (2) per week.
2. Be limited to one hundred (100) people per event.
3. No outdoor amplified music.

4. Events cease by 10:00 p.m. and all persons off the property by 11:00 p.m.
5. Applicant reside on premise.
6. Site be kept neat and orderly.
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.

## Design Summary

### A. Situation

1. The owner plans to establish an event venue inside the existing structure for weekend events (weddings, reunions, etc.). Events will be catered. Food preparation, linen washing and dish washing is not anticipated and will occur off site. A small kitchen area is provided as a catering staging area only.
2. The sewage system will include flows from the following:
  - a. 3 Bedroom Apartment (owner occupied)
  - b. Indoor/Outdoor Event Venue for up to 100 guests per event
  - c. Small Catering Staging Kitchen/Area
  - d. Restroom: 1 toilet and 1 sink
  - e. Workshop Restroom (not in structure, uphill, 2 part time employees)
3. Events will last up to 10 to 12 hours in duration. Anticipated use is one to two weekend events per month. Events will occur on weekends (Friday and/or Saturdays).
4. The onsite sewage system has been sized to accommodate up to 100 guests at 5 gallons per day (GPD) per guest for the weekend events (500 GPD).
5. Recurring daily use will be limited to the three bedroom apartment. The sewage system has been designed to accommodate full time occupancy flows from the apartment, seven days per week, every week of the year (450 GPD).
6. The restroom for the uphill workshop has been included in the design. The restroom will accommodate two part-time employees at 15 GPD/employee (30 GPD total).
7. A total design flow of 980 GPD is proposed.

Source	Unit	Unit Volume	Total
Apartment	3 Bedrooms	150 GPD/bedroom	450 GPD
Event Venue	100 Guests	5 GPD/guest	500 GPD
Workshop Restroom	2 employees	15 GPD/employee	30 GPD
Total			980 GPD

### B. Design Objective/Execution

1. The existing 1956 sewage system was designed for a truck stop. The system includes a 3800+ gallon septic tank and fourteen, 100 foot long, 2 foot wide (14 x 100's x 2') drainfield ditches. The system was designed and permitted for 1400 GPD. A garage was built over the existing septic tank.





07/13/2020

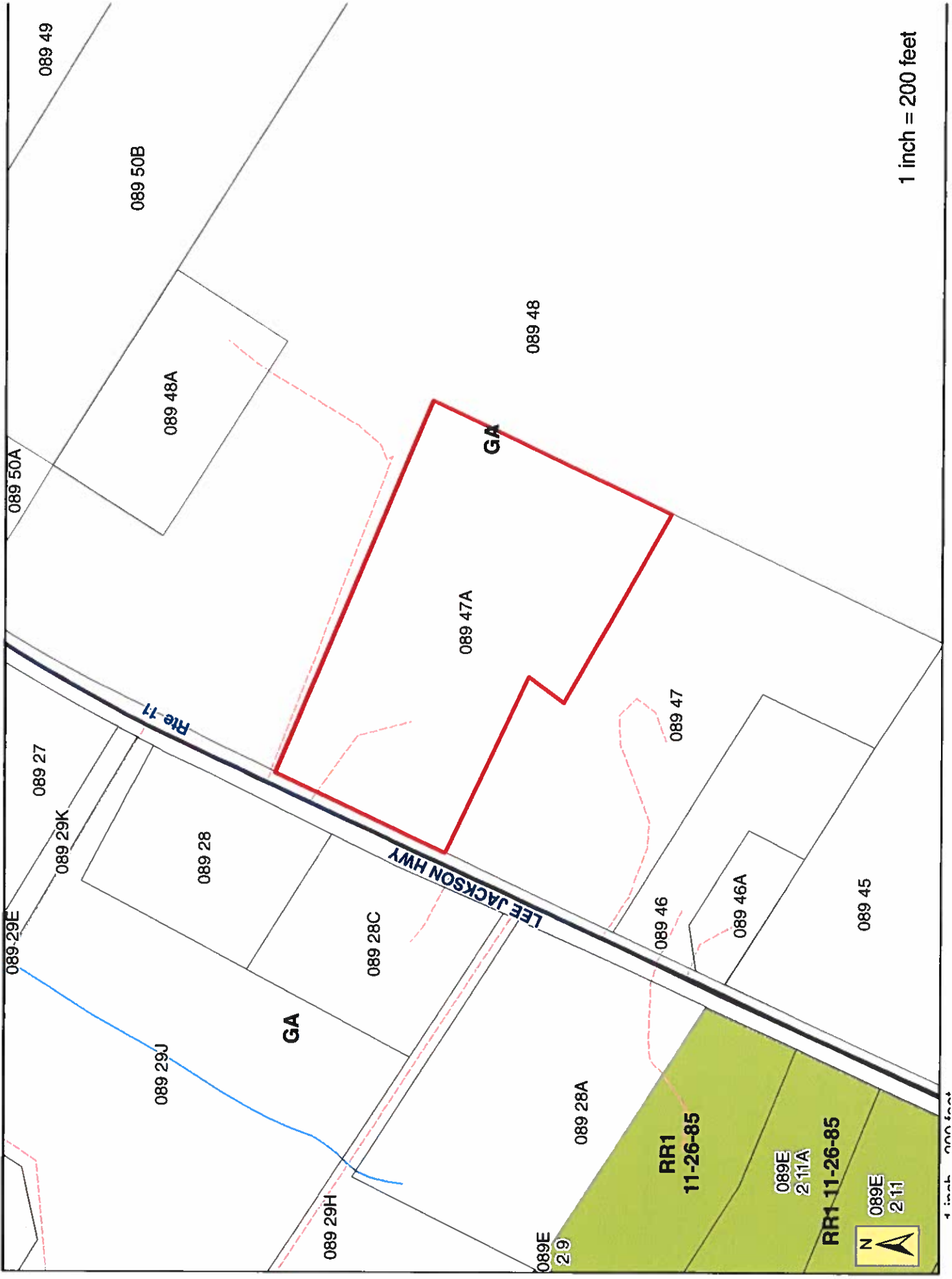


07/13/2020

07/13/2020



# Nu-Valley Enterprises



1 inch = 200 feet

1 inch = 200 feet

# Nu-Valley Enterprises



1 inch = 200 feet



1 inch = 200 feet

Ny - Valley Enterprises



089 48A

089 48

089 47A

089 47

089 46

089 28

089 28C

089 29H

089 28A

LEE JACKSON HWY

grass parking

Over the parking - grass



089 46A

1 inch = 100 feet

CONTINUE THE PUBLIC HEARING

**PROPERTY OWNER:**

Benjamin E. Yoder or Melanie D. Gregoire

**APPLICANT:**

Same

**LOCATION OF PROPERTY:**

77 Singing Hill Lane, Waynesboro in the Wayne District

**SIZE OF PROPERTY:**

37.429 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

**PLANNING COMMISSION'S COMMENTS:**

No comment.

**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 1 portable toilet per 100 people min per event.

**HIGHWAY DEPARTMENT'S COMMENTS:**

Zion Church Road is a low volume (60 vehicles per day) gravel roadway. The proposed use would double the amount of traffic using the roadway on days of events. An increase in the existing VDOT maintenance frequency on the roadway surface may not be attainable. An entrance serving an event center is required to meet the VDOT requirements for a moderate volume commercial entrance. The existing entrance does

not meet the sight distance required. A remedy to the sight distance limitations was not apparent to VDOT staff.

**SERVICE AUTHORITY'S COMMENTS:**

There are no public water/sewer facilities in the area of the subject property. Therefore, the Service Authority has no comments on this SUP.

**ENGINEERING'S COMMENTS:**

No new construction. No Stormwater Management impact.

**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 not proposing any construction. Events will be held outdoors and limited to a maximum of fifty (50) people. All parking will be onsite. The proposed use should be compatible with 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 location and proposed use on the property should not be out of character to neighboring properties. The applicants are proposing a maximum of up to twenty (20) events a year with a maximum of fifty (50) attendees.

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

The permitting of this proposed business should not result in a clustering of similar businesses in the 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 direct access to Zion Church Road.



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

The property contains 37.429 acres and should safely and adequately accommodate all traffic to and from the public highways. All parking will be onsite. The applicants estimate a maximum of thirty (30) to forty (40) vehicles per event.

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

All events are proposed outdoors. No construction is proposed.

**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 proposed.

**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 applicants are asking for a two (2) year trial of these events using portable toilets. After which, if they feel they would like to continue the business, they would install a permanent restroom facility.

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

For any tents fire extinguishers will be onsite.

### **STAFF RECOMMENDATIONS**

The applicants are requesting a Special Use Permit to provide weddings and special events limited to a maximum of fifty (50) people. They are requesting up to twenty (20) events yearly. Events are proposed to be held outdoors. All food and beverages will be catered in. Parking will be in a grassy area next to the outdoor event area. The applicants would like to use portable toilets for two (2) years and then install a permanent restroom facility, if they find they want to continue the business. They plan on having someone onsite during the entire event. They plan on ending all events by 10:00 p.m. and having reasonably amplified music until 10:00 p.m.

Staff feels that the limited number of weddings and special events in the rural setting could provide a service to the area and should not have a negative impact on the neighboring properties. If the Board feels the request is compatible with the area and desires to approve this request, staff would recommend the following conditions:

**Pre-Condition:**

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

**Operating Conditions:**

1. Applicant will install a sewage system approved by the Health Department within **two (2) years**.
2. Be permitted to operate for **two (2) years** using a portable restroom trailer until the septic system is installed.
3. Be limited to twenty (20) events per year but no more than three (3) per month, and only one (1) event per weekend.
4. Be limited to a maximum of fifty (50) people per event.
5. No outdoor amplified music after 7:00 p.m.
6. Events to cease by 9:00 p.m. and all persons off the property by 10:00 p.m.
7. At least one (1) of the applicants be onsite during events.
8. Site be kept neat and orderly.
9. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.

**The Board voted to continue the public hearing on this request to give the applicant the opportunity to work out the entrance issues.**

**EXTENSION OF TIME REQUEST**

**PROPERTY OWNER:**

Troy A. and Melissa L. Sizer-Lewis

**APPLICANT:**

Same

**LOCATION OF PROPERTY:**

100 Cider Barn Lane, Stuarts Draft in the Riverheads District

**SIZE OF PROPERTY:**

11.451 acres

**VICINITY ZONING:**

General Agriculture surrounds the entire area

**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 applicants are having their first wedding this month. They have not operated; therefore, the septic system has not been installed. They are requesting a one (1) year extension to install the septic system. Staff recommends approval.

**The applicants are requesting a one (1) year Extension of Time.** Due to Covid-19, they have not been able to complete the septic system installation. Staff recommends approval.

**EXTENSION OF TIME REQUEST**

Agenda Item # 7B  
Date 8/4/2020

**PROPERTY OWNER:**

Goldwrench Enterprises, LLC

**APPLICANT:**

Dirk Gold, agent for Goldwrench Enterprises, LLC

**LOCATION OF PROPERTY:**

588 East Side Highway, Waynesboro in the Wayne District

**SIZE OF PROPERTY:**

2.784 acres

**VICINITY ZONING:**

General Agriculture surrounds the entire parcel

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

- 1947 Zoned Agriculture
- 12/76 SUP approved for motorcycle shop
- 10/78 Expansion of convenience store
- 08/81 SUP approved for body and fender shop
- 08/85 SUP approved for auto service and repair shop
- 12/85 SUP denied for used car lot and appliance repair
- 12/90 SUP approved to add alternator repair and wrecker service with a vehicle storage area
- 03/07 Existing SUP transferred to Jarrett, Joseph, and Dirk Gold
- 03/07 SUP approved for addition to building, increase parking lot, and relocate the vehicle storage area
- 09/08 SUP approved to enlarge the fenced vehicle storage area and have display and sales of vehicles
- 02/15 SUP approved to construct a larger fenced vehicle storage

**LAND USE MAPS:**

Community Development Area – Low Density Residential

**UTILITIES:**

Public water and private septic

**APPLICANT'S JUSTIFICATION:**

To construct a garage addition onto the existing building and to enlarge the existing non-conforming building no closer to the road and to relocate and increase the fenced vehicle storage area

**The applicant is requesting an Extension of Time until December 31, 2021.**

The applicant is requesting an Extension of Time to complete the site plan. Due to financial issues and Covid-19, the applicant has not submitted the site plan to expand the existing garage and impound area. Staff would recommend approval.