



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: September 24, 2020

SUBJECT: Regular Meeting and Viewing

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, October 1, 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 **10:00 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 **September** 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, October 1, 2020, 1:30 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. MINUTES

Approval of the Called and Regular Meeting of September 3, 2020

4. PUBLIC HEARINGS

- A. A request by Rusty K. or Kari G. Davis, for a Special Use Permit to amend operating condition #2 to allow more than three (3) events per month for SUP#20-13 on property they own, located at 106 Zion Church Road, Waynesboro in the Wayne District.
- B. A request by Allen P. Dahl, for a Special Use Permit to have outdoor storage of commercial vehicles, semi-trailers, and equipment on property owned by Leslie K. Graham, Trustee of Leslie K. Graham Revocable Trust, located at 11 Orchard Hills Square, Staunton in the Beverley Manor District.
- C. A request by Travis Shifflett or Lauren Simpson, for a Special Use Permit to expand a non-conforming dwelling no closer than the existing dwelling on property they own, located at 1011 Laurel Hill Road, Verona in the Beverley Manor District.
- D. A request by Jeff Holland, agent for Cellco Partnership dba Verizon Wireless, for a Special Use Permit to construct a 199' wireless telecommunication tower on property owned by Tony or Teresa Floyd, located on the south side of Howardsville Turnpike (Route 610), west of the intersection of Howardsville Turnpike and China Clay Road 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 Loren Conner, agent for Five Stars, LLC, for a Special Use Permit to have an apartment within a pre-1980 structure on property owned by Five Stars, LLC, located at 1785 Lee Highway, Fort Defiance in the North River District. - **180 DAY EXTENSION OF TIME REQUEST – BZA EXTENDED PERMIT UNTIL OCTOBER 1, 2020 MEETING IN ORDER TO DISCUSS PROGRESS WITH THE APPLICANT.**

B. A request by R. Allen or Cindy Weekly, for a Special Use Permit to construct two buildings for the existing masonry business and to have outdoor storage on property owned by Gordon O. White, Trustee, located at 2954 Lee Highway, Mount Sidney in the North River District. – **THREE YEAR EXTENSION OF TIME REQUEST**

8. STAFF REPORT

19-67	Five Stars, LLC – Extension of Time Filed – October Agenda
19-68	Kent or Amy Shull
19-69	Michael D. or Dana W. Lowery
19-70	David L. Gardner
19-71	CJ Properties of Augusta, LLC
19-72	Lively Hope Farm, LLC

9. ADJOURNMENT

PROPERTY OWNER:
Rusty K. or Kari G. Davis

Agenda Item # 4A
Date 10/1/2020

APPLICANT:
Same

LOCATION OF PROPERTY:
106 Zion Church Road, Waynesboro in the Wayne District

SIZE OF PROPERTY:
50.799 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:
12/95 Zoned General Agriculture
10/15 SUP approved to have weddings and special events
06/20 SUP approved to have short term rentals within the existing home and to amend operating condition #3 to allow for twenty-four (24) events per year for SUP#15-40

LAND USE MAPS:
Rural Conservation Area

UTILITIES:
Private well and septic

APPLICANT'S JUSTIFICATION:
To amend operating condition #2 to allow more than three (3) events per month for SUP#20-13

PLANNING COMMISSION'S COMMENTS:
No comments.

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

HEALTH DEPARTMENT'S COMMENTS:
Drainfield approval is for Friday and Saturday events with a max of 125 people per day/event. The Health Department has no issues as long as events only happen on Friday and Saturday each week and the 125 maximum occupancy is not exceeded.

HIGHWAY DEPARTMENT'S COMMENTS:
VDOT does not object to the amendment.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

Activity appears to be less than 10,000 square feet. No permit required as long as cumulative land disturbance and impervious areas associated with the activity are less than 10,000 square feet.

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.

This is an existing special event facility. The applicant is requesting to amend the operating condition to allow for more than three (3) events per month.

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 has been having weddings and special events on the property since 2015 limited to no more than three (3) per month. Increasing the monthly number of events could have a negative impact on the neighboring properties.

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

This is an existing event facility.

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 which is a state maintained road.

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

The 50.799 acre parcel has safely and adequately accommodated all traffic to and from the public highway.

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

No new structures are requested.

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

No enlargements or expansions to the existing structure 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 onsite sewage disposal system.

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

The existing facility has smoke detectors and fire extinguishers.

STAFF RECOMMENDATIONS

The applicant was granted a permit to increase the number of events to twenty-four (24) per year in June 2020. The applicant is now requesting to amend the operating condition of the existing Special Use Permits to allow **more than three (3) events** per month. The applicant states no weddings are booked during the month of July and very few are booked in August due to heat. Therefore, she is requesting to be allowed four (4) events per month during the busy months in the spring and fall to make up for the decline in July.

If the Board feels the request would be compatible with the neighboring properties, Staff would recommend the following operating conditions.

Pre-Conditions:

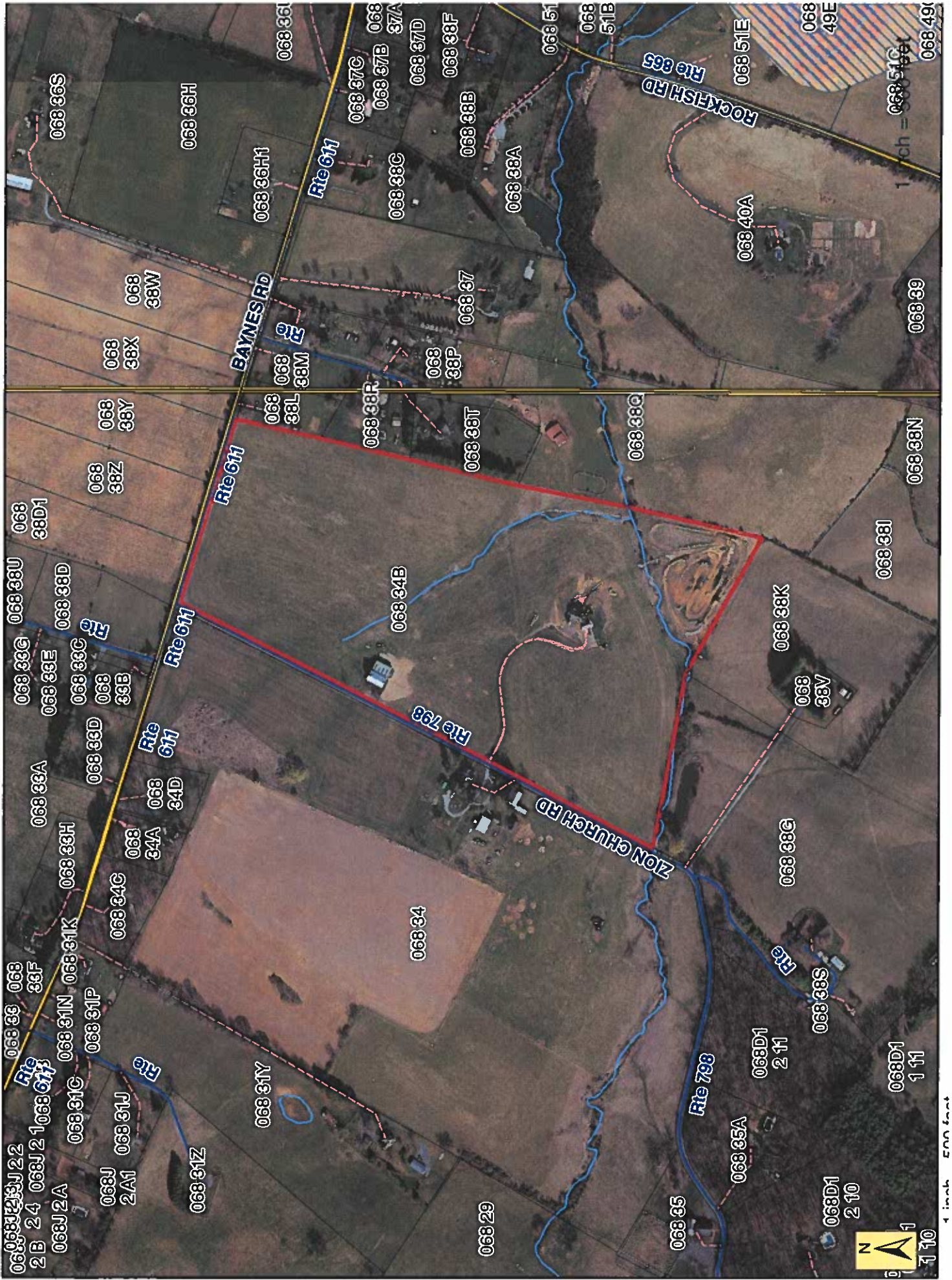
None

Operating Conditions:

1. Be limited to twenty-four (24) events per year, **but no events during the month of July**, and only one (1) per weekend.
2. All other operating conditions of Special Use Permit #15-40 and #20-13 remain.



Davis



Agenda Item # 4B
Date 10/1/2020

PROPERTY OWNER:

Leslie K. Graham, Trustee of Leslie K. Graham Revocable Trust

APPLICANT:

Allen P. Dahl

LOCATION OF PROPERTY:

11 Orchard Hills Square, Staunton in the Beverley Manor District

SIZE OF PROPERTY:

6.803 acres

VICINITY ZONING:

General Business and General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

5/75 – Zoned General Business

LAND USE MAPS:

Urban Service Area – Business

UTILITIES:

None

APPLICANT'S JUSTIFICATION:

To have outdoor storage of commercial vehicles, semi-trailers, and equipment

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

After review, our office has no conditions.

HEALTH DEPARTMENT'S COMMENTS:

The Health Department has no issues with this request.

HIGHWAY DEPARTMENT'S COMMENTS:

VDOT has no objection to the request. The site has access at the dead-end turnaround of Orchard Hill Circle, a privately maintained roadway.

SERVICE AUTHORITY'S COMMENTS:

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm>.

2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
4. There is an existing 8" waterline along Lee Jackson Hwy. (Rt. 11) approximately 603'± to the east of the subject parcel. However, the existing dwelling is not served by the Service Authority.
5. There is an existing 8" sewer line along Orchard Hill Cr. at the end of the cul-de-sac to the south of the subject parcel.
6. If there is no request for water/sewer services in connection with the application, the proposed use will have no impact on the public's water/sewer systems.

ENGINEERING'S COMMENTS:

Activity appears to exceed 10,000 square feet considering the access drive and size of equipment to be stored. A legible site plan and an evaluation of stormwater impacts should be required.

Michele – The SUP application and AS/400 indicates the property is vacant, but I see a building of some sort on the aerial. Will it be utilized or removed? A site plan meeting the ordinance requirements should be a requirement of the SUP. If they have any questions they can call and discuss with me.

SECTION 25-304B - GENERAL OUTDOOR STORAGE

A site plan is filed meeting the requirements of division J article LXVII "Site Plan Review", approved and followed which clearly delineates the areas intended for outdoor storage and complies with the requirements of this chapter.

The applicant submitted a BZA sketch plan showing the proposed storage and driveway. A site plan meeting the ordinance requirements will be required after the Special Use Permit is granted.

On-site traffic flow will adequately and safely accommodate all traffic to and from the public highways. Aisleways will be appropriate for the anticipated vehicular and pedestrian traffic.

The 6.803 acres should safely and adequately accommodate all traffic to and from the public highways.

Outdoor storage areas will not interfere with convenient, easily accessible parking for the public. Areas delineated on the site plan for parking or aiseways may not be used for outdoor storage.

The proposed use is for outdoor storage only. No public will be coming to the site on a regular basis. No parking is required for this use.

Outdoor storage areas will be proportionately appropriate in size and scope to the nature of the business. Financial considerations alone will not justify the failure to use inside storage.

The applicant will be storing commercial vehicles, equipment, and semi-trailers. There are no buildings on site to utilize for storage.

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

No structures are requested.

Items not displayed for sale or lease shall be fully shielded or screened from view unless the board of zoning appeals determines that fully shielding or screening is not necessary. Opaque screening, including fencing and landscaping, shall be appropriate to ensure compatibility with neighboring properties, taking into account the proper location of aiseways and gates and the compatibility of screening materials with the materials utilized in the principal buildings on site. Fencing or screening shall be maintained in a good state of repair. Chain-link fencing with slats inserted is not acceptable for this screening. Gates shall remain closed except when goods are moved to and from the enclosed area.

The proposed 2 acre storage area is secured by a chain link fence. The applicant feels the existing vegetation will provide adequate screening along three (3) sides and is proposing a double row of six (6') evergreen trees along the entrance and front property line.

There is an adequate plan for outdoor lighting showing the location of lights and shielding devices or other equipment to prevent unreasonable glow beyond the site. Any such outdoor lighting shall otherwise comply with the provisions of article VI of division I of this chapter.

No outdoor lighting is planned.

Items to be stored outside may not be items normally and customarily kept inside.

Commercial vehicles, equipment, and semi-trailers are normally and customarily kept outside.

STAFF RECOMMENDATIONS

The applicant is requesting to have outdoor storage of commercial vehicles, equipment, and semi-trailers on vacant property owned by the family. The applicant was not aware that a Special Use Permit was required for outdoor storage on business zoned property. Most of the vehicles and equipment are owned by the applicant, but he would also like to

lease storage area to others. The proposed storage area is approximately two (2) acres and will remain grassy. There are no structures proposed at this time, however, the applicant may develop the property for business use at a later date. The property is heavily wooded on three (3) sides and adjoins General Agriculture zoned property. The storage area is currently secured by a chain link fence and the applicant would like to use the existing vegetation and plant a double row of six (6') foot high evergreen along the entrance and front property lines for screening. If the Board feels the request is compatible with the neighboring properties and desires to approve the outdoor storage, Staff would recommend the following operating conditions.

Pre-Conditions:

1. Submit site plan meeting the requirements of Section 25-673 "Site Plan Contents" of the Augusta County Zoning Ordinance to be approved by all appropriate departments and/or agencies including stormwater impacts.
2. The doublewide manufactured home to be removed within thirty (30) days.

Operating Conditions:

1. All equipment, machinery, materials, and semi-trailers be kept in the two (2) acre storage area shown on the site plan.
2. The storage area be screened by a double row of six (6') foot high evergreens planted six (6') on center along the entrance and front property line as shown on the site plan.
3. All natural vegetation remain and be maintained to provide adequate screening along the side and rear property lines.
4. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
5. Site be kept neat and orderly.



FOR SALE
CALL
PETER WIKAY
540 883-3151

NOT FOR SALE

Graham



1 inch = 200 feet

Leslie Graham Farm

This property boundary shielded by topography

6ft Green giant Arborvitae
6 ft on center

PARCEL 2

Approx
2 acre
fenced
storage
area
remain
grassed

Existing 2/3 acre
gravel area Proposed 12' gravel drive

Existing Heavy
Vegetation

S 23° 29' 53" W

(S)

OBAUGH FORD INC.

AREA

PROPERTY OWNER:
Travis Shifflett or Lauren Simpson

Agenda Item # 4C
Date 10/1/2020

APPLICANT:
Same

LOCATION OF PROPERTY:
1011 Laurel Hill Road, Verona in the Beverley Manor District

SIZE OF PROPERTY:
4.216 acres

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

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

LAND USE MAPS:
Community Development Area – Low Density Residential

UTILITIES:
Private well and septic

APPLICANT'S JUSTIFICATION:
To expand a non-conforming dwelling no closer than the existing dwelling

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 Health Department has no issues with this request.

HIGHWAY DEPARTMENT'S COMMENTS:
VDOT has no objection to the request. The expansion does not appear to impact to the VDOT roadway or on-site parking availability.

SERVICE AUTHORITY'S COMMENTS:
1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service

Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm>.

2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
4. There is an existing 8" waterline along Laurel Hill Road. There is an existing 6" waterline along the west side property line. However, the existing dwelling is not served by the Service Authority.
5. There is an existing 8" sewer line approximately 180'± to the southwest of the subject parcel.

ENGINEERING'S COMMENTS:

Variance to setback, no stormwater evaluation required.

STAFF RECOMMENDATIONS:

The applicants purchased the property in November of 2019 and is requesting to construct a 6' X 8' bathroom addition and a two story 20' X 23' addition for two bedrooms to the existing non-conforming dwelling not meeting the current setback requirement from a side yard. Augusta County Real Estate records show the dwelling was constructed around 1900 prior to the adoption of zoning regulations and setback requirements. A recent survey shows the existing dwelling is located 21.6' from the side property line. The current Ordinance requirement is no closer than twenty-five (25') feet from a side property line.

The applicant has provided a survey showing the proposed bedroom addition will meet the current setback requirement; however, the bathroom addition will only be 23.0' from the side property. Due to the fact that the expansion is no closer to the property line than the existing dwelling, staff feels the request is not increasing the non-conformity, and would recommend approval with the following conditions:

Pre-Conditions:

None

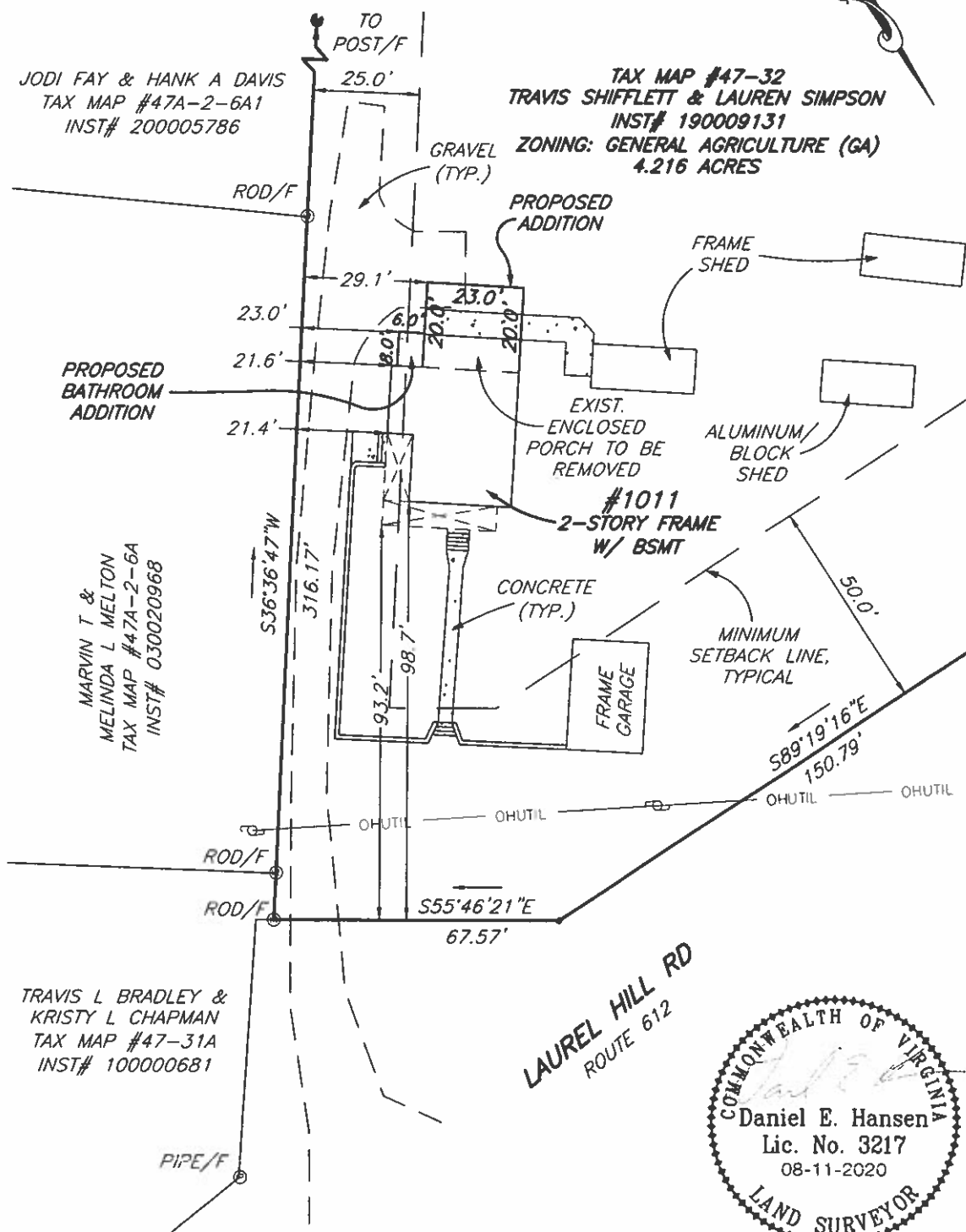
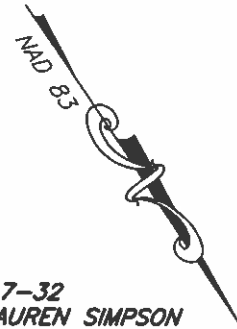
Operating Conditions:

1. Applicant obtain a Building Permit for the 6' X 8' bathroom addition.
2. Applicant construct the addition no closer than the current survey shows.
3. Applicant submit a foundation survey to Community Development.



NOTES:

- 1) THIS PLAT IS COMPILED FROM PRIOR FIELD SURVEYS.
- 2) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION DISCLOSED BY SUCH.



JODI FAY & HANK A DAVIS
TAX MAP #47A-2-6A1
INST# 200005786

TAX MAP #47-32
TRAVIS SHIFFLETT & LAUREN SIMPSON
INST# 190009131
ZONING: GENERAL AGRICULTURE (GA)
4.216 ACRES

MARVIN T &
MELINDA L MELTON
TAX MAP #47A-2-6A
INST# 030020968

TRAVIS L BRADLEY &
KRISTY L CHAPMAN
TAX MAP #47-31A
INST# 100000681

LAUREL HILL RD
ROUTE 612



**PLAT SHOWING
PROPOSED IMPROVEMENTS ON
TAX MAP #47-32**

DATE: 08-11-2020
SCALE: 1" = 30'
JOB: 35200126.HS
DRAWN BY: ATE

BEVERLY MANOR DISTRICT
COUNTY OF AUGUSTA, VIRGINIA
PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS
ROANOKE / RICHMOND / NEW RIVER VALLEY / STAUNTON / HARRISONBURG / LYNCHBURG
1561 Commerce Road, Suite 401 / Verona, Virginia 24482 / Phone (540) 248-3220 / www.balzer.cc



1561 Commerce Road, Suite 401 / Verona, Virginia 24482 / Phone (540) 248-3220 / www.balzer.cc

Agenda Item # 4D
Date 10/1/2020

PROPERTY OWNER:

Tony or Teresa Floyd

APPLICANT:

Jeff Holland, agent for Cellco Partnership dba Verizon Wireless

LOCATION OF PROPERTY:

On the south side of Howardsville Turnpike (Route 610), west of the intersection of Howardsville Turnpike and China Clay Road in the South River District

SIZE OF PROPERTY:

35.443 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:

None

APPLICANT'S JUSTIFICATION:

To construct a 199' wireless telecommunication tower

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

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

HEALTH DEPARTMENT'S COMMENTS:

The Health Department has no issues with this request.

HIGHWAY DEPARTMENT'S COMMENTS:

The proposed entrance location to the cell tower meets the VDOT PE-1 (Private Entrance Telecommunications Site) requirements for permanent use. The proposed entrance does not appear to meet the sight distance requirements for a temporary construction entrance; therefore, a flagging operation may be required during the construction of the entrance and during any construction hauling operations.

SERVICE AUTHORITY'S COMMENTS:

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm>.
2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
4. There is an existing 8" waterline along Howardsville Turnpike.
5. There is no public sewer available in the area of the subject parcel.
6. The requested use does not appear to have any impact on the public water/sewer systems.

ENGINEERING'S COMMENTS:

Activity associated with construction of the tower appears to exceed 10,000 square feet. A complete Erosion & Sediment Control Plan and Stormwater Management Plan are 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.

The applicant states there are no existing facilities or structures within Verizon's search area that are sufficient height to obtain their coverage objective in the area.

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.

The applicant provided documentation, verified by Atlantic Technologies, that there are no collocatable structures in the area that would meet the applicant's coverage objectives.

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

This information is not required to be submitted in accordance with the new State law (HB1258) effective July 1, 2018.

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

Verizon Wireless will own the facility and operate its antennas and equipment at the top position.

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 galvanized steel monopole structure.

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 meets all setback requirements.

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 applicant supplied information stating 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.

Engineering documentation has been submitted that the structure will meet all structural standards.

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

An Aeronautical Study was submitted to the FAA that determined lighting is not required at this site.

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 the compound area will be adequately fenced by a seven (7') foot chain link fence with barbed wire.

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

The structure will have 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.

The site plan shows collocation space for two (2) additional telecommunication providers.

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

The proposed entrance location to the cell tower meets the VDOT PE-1 (Private Entrance Telecommunications Site) requirements for permanent use.

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

The FAA shows 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 new one hundred ninety-five (195') foot monopole tower with a four (4') lightning rod for a total of one hundred ninety-nine (199') foot with a 50' x 50' fenced compound area. The facility will provide improved phone, internet, and data service to the area. The tower will not be lighted.

The applicant has met the general standards of **Section 25-68.5** in order to apply for a Special Use Permit for a new telecommunications facility including 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 and to be located in an area of documented lack of system coverage and should be considered for approval. If the Board desires to approve the request, Staff would recommend the following conditions:

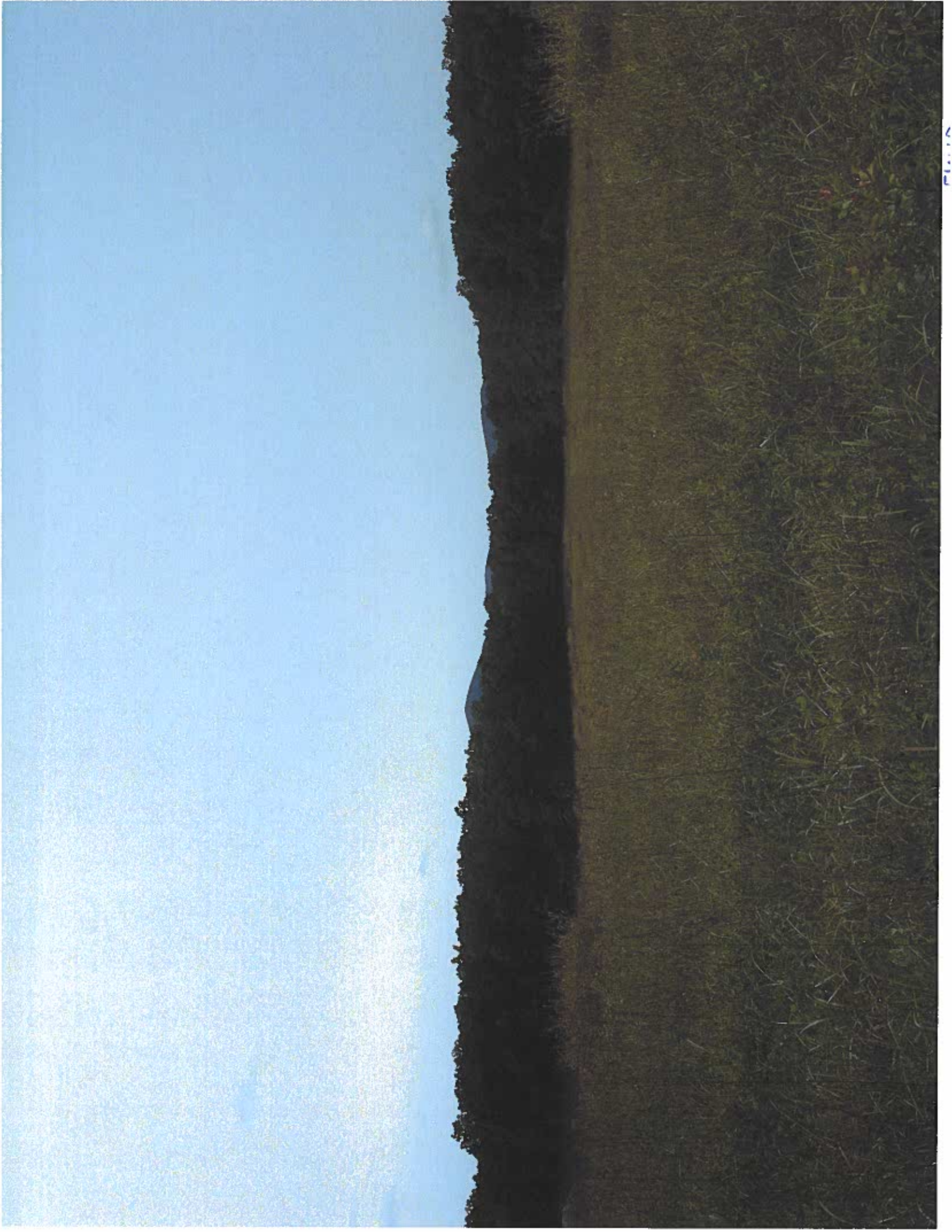
Pre-Conditions:

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, including a complete Erosion & Sediment Control Plan and Stormwater Management Plan are required.
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.

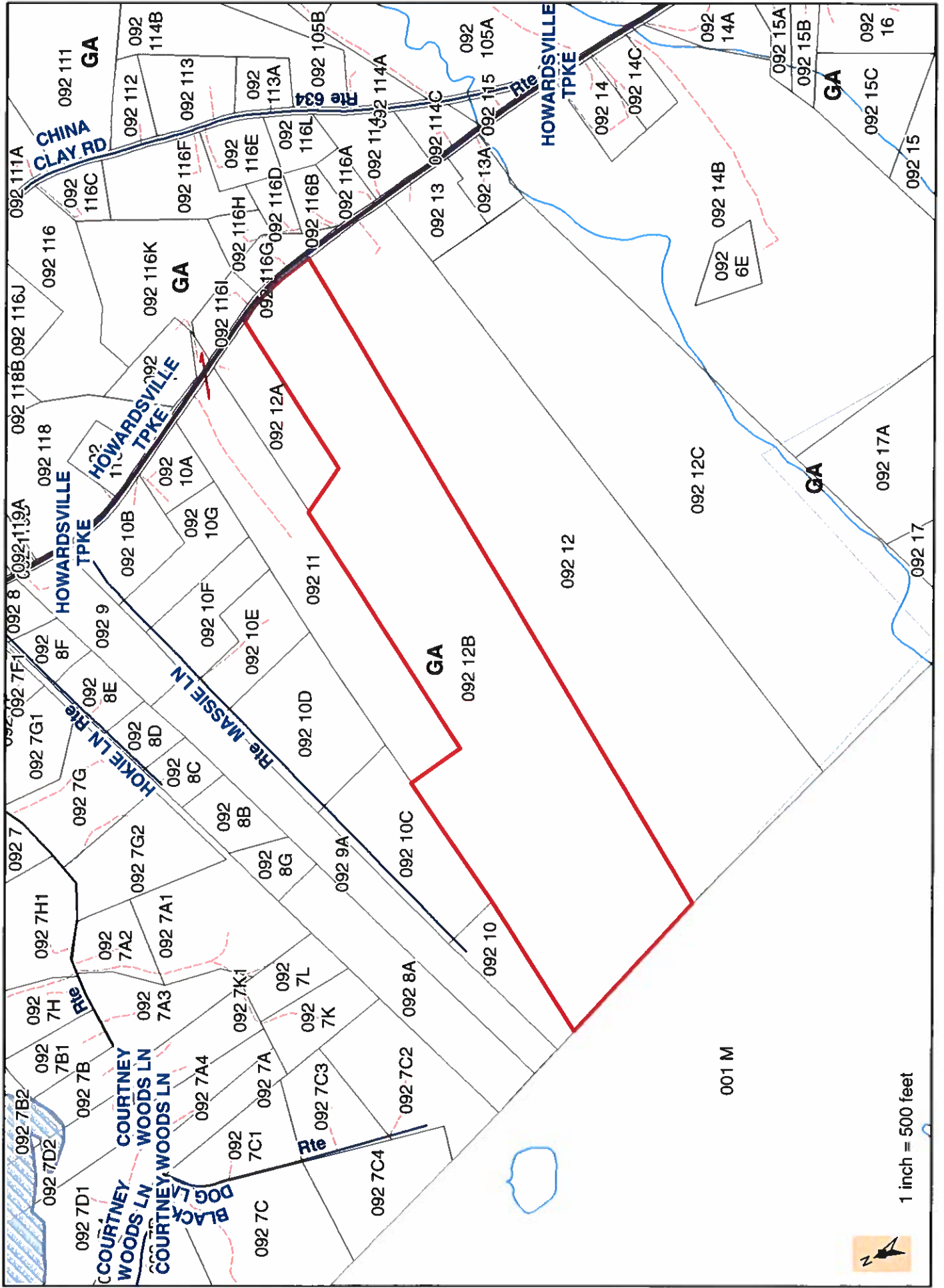
Operating Conditions:

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 two (2) 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.



Floyd



1 inch = 500 feet



Feet

SEP - 4 2020

August 28, 2020

To Whom It May Concern,

I am a resident of Augusta County, at 1582 Howardsville Turnpike, which is in close proximity to the proposed Verizon Wireless tower location. I am urging you to consider refusing the proposed plan, I am concerned about the depreciation of my land value and other issues that may arise if such a structure is built so close to our home. I have spoken with neighbors who share the same apprehensions. I will be attending the meeting in October and appreciate your time for considering my concerns. Thank you

Sincerely,

Kimberly Sours
1582 Howardsville Turnpike
Stuarts Draft, VA 24477

EXTENSION OF TIME

Agenda Item # 7A

Date 10/1/2020

PROPERTY OWNER:

Five Stars, LLC

APPLICANT:

Same

LOCATION OF PROPERTY:

1785 Lee Highway, Fort Defiance in the North River District

SIZE OF PROPERTY:

0.870 acres

VICINITY ZONING:

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

PREVIOUS ZONING OR S.U.P.:

1984 SUP approved to add gas pumps to the existing convenience store and to sell antiques and crafts

05/86 SUP approved for offices

12/95 Zoned General Agriculture

08/96 SUP approved for outdoor storage of construction equipment

01/07 SUP approved for outdoor storage of equipment and materials in conjunction With a landscape business

02/18 SUP approved for outdoor storage of u-hauls

12/19 SUP approved to have an apartment in a pre-1980 structure

LAND USE MAPS:

Urban Service Area – Medium Density Residential

UTILITIES:

Public water and sewer

APPLICANT'S JUSTIFICATION:

To have an apartment within a pre-1980 structure

The applicant is requesting a 90 day Extension of Time.

The applicants are requesting additional time to obtain all the necessary building permits for the apartment. Staff recommends approval. The Board approved June 4, 2020.

The applicant is requesting a 180 day Extension of Time.

The applicants were granted an Extension of Time in June of this year to give them additional time to obtain all the necessary building permits for the apartment. The apartment is being lived in and has never received a Certificate of Occupancy. Staff feels the request should be **denied** and all permits be obtained within thirty (30) days.

BZA EXTENDED PERMIT UNTIL OCTOBER 1, 2020 MEETING IN ORDER TO DISCUSS PROGRESS WITH THE APPLICANT.

EXTENSION OF TIME REQUEST

Agenda Item # 7B
Date 10/1/2020

PROPERTY OWNER:

Gordon O. White, Trustee

APPLICANT:

R. Allen or Cindy Weekly

LOCATION OF PROPERTY:

2954 Lee Highway, Mount Sidney in the North River District

SIZE OF PROPERTY:

51.804 acres

VICINITY ZONING:

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

PREVIOUS ZONING OR S.U.P.:

10/92 SUP approved for masonry business and outside storage

12/95 Zoned General Agriculture

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

LAND USE MAPS:

Rural Conservation Area

UTILITIES:

Private well and Private Septic

APPLICANT'S JUSTIFICATION:

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

The applicant is requesting a three (3) year Extension of Time.

The Board granted the permit to construct two buildings for the masonry business with the condition the dwelling be completed and the applicant live on site **by January 2022**. The applicant has had numerous setbacks completing construction of the dwelling due to COVID-19, and they are requesting three (3) years to complete.