

May 7, 2009

PRESENT: S. F. Shreckhise, Chairman
G. A. Coyner, II
C. E. Swortzel
D. A. Brown
J. R. Wilkinson, Zoning Administrator & Secretary
S. K. Shiflett, Zoning Technician I

ABSENT: J. W. Callison, Jr., Vice Chairman

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, May 7, 2009, at 9:30 A.M., in the County Government Center, Verona, Virginia.

VIEWINGS

The members of the Board of Zoning Appeals assembled at the Government Center and went as a group to view the following:

- **J. Irvin Marshall - Special Use Permit**
- **Carl J. or Suzanne E. Fisher - Special Use Permit**
- **Helen G. Roberts - Special Use Permit**
- **Guy W., III and Therressa D. Landrum - Special Use Permit**

At each location, the Board observed the site and the premises to be utilized. The Board also viewed the development and the character of the surrounding area.

Chairman

Secretary

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PRESENT: S. F. Shreckhise, Chairman
C. E. Swortzel
G. A. Coyner, II
D. A. Brown
J. R. Wilkinson, Zoning Administrator & Secretary
S. K. Shiflett, Zoning Technician I
Pat Morgan, County Attorney
B.B. Cardellicchio-Weber, Administrative Secretary

Absent: J. W. Callison, Jr., Vice Chairman

VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, May 7, 2009, at 1:30 P.M., in the County Government Center, Verona, Virginia....

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MINUTES

Mr. Swortzel moved that the minutes from the April 2, 2009 meeting be approved.

Mr. Coyner seconded the motion, which carried unanimously.

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RICHARD FOX, AGENT FOR THE TOWN OF CRAIGSVILLE - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Richard Fox, agent for the Town of Craigsville, for a Special Use Permit to enlarge and reconstruct the existing waste treatment facility on property they own, located on the east side of Little River Road (Route 684), approximately .9 of a mile north of the intersection of Little River Road (Route 684) and Wallace Mill Road (Route 683) in the Pastures District.

Mr. Richard Fox stated that in 1998 they were in the process of building a new facility. He stated that he applied to get the Special Use Permit for the new facility. He stated that currently the existing plant is now overloaded.

Mr. Coyner asked if the correction center utilizes this facility?

Mr. Fox stated yes approximately 56%.

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Mr. Coyner asked if this would be an upgrade?

Mr. Fox stated yes. He stated that this facility will be state of the art.

Mr. Coyner asked if this is something that the applicant will complete this year?

Mr. Fox stated that he hopes to start this project by July 1st.

Mr. Coyner asked how long will it take to complete the facility?

Mr. Fox stated it will be completed in the fall of 2011. He stated that this will be a two (2) year project.

Mr. Coyner stated that the applicant will use the existing facility while in transition.

Chairman Shreckhise asked if there was anyone wishing to speak in favor or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed.

Mr. Swortzel stated the upgraded facility will benefit the community and moved that the request be approved with the following condition:

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 Condition:

None

Mr. Coyner seconded the motion, which carried unanimously.

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This being the date and time advertised to consider a request by J. Irvin Marshall, for a Special Use Permit to construct a wind energy system on property he owns, located in the southeast quadrant of the intersection of Ramsey Road (Route 635) and Barterbrook Road (Route 637) in the Beverley Manor District.

Mr. Irvin Marshall stated that this request is for a single tower wind turbine for production of energy for his home and farm. He stated that it is a small residential size system. He stated that it has been approved by Shenandoah Valley Electric Cooperative for connection into the grid and the FAA approved this system as well. He stated that the height of the tower will be 126' at hub and an overall height of 135'. He stated that he has requested 140' because the foundation may require some extension of concrete. He stated that the total construction time is approximately a week with little or no soil disturbance. He stated that all of the surrounding area will be put back in pasture once construction is finished.

Mr. Coyner asked if the turbine would have big paddles?

Mr. Marshall stated that it has three (3) vertical blades.

Mr. Coyner asked how long will the blades be?

Mr. Marshall stated 8' 6" long to the center.

Ms. Brown asked how many kilowatts will the system generate?

Mr. Marshall stated that it is rated for five (5) kilowatts which is the maximum rating. He stated that it really depends on how much the wind blows. He stated that he is projecting to produce 10,000 to 14,000 kilowatt hours per year which is approximately what he is using on the farm.

Ms. Brown asked if the airport in Waynesboro has been notified?

Mr. Marshall stated that he notified the FAA and he asked them about notifying the airport in Waynesboro. He stated that they handled that through the same office. He stated that he will still be hooked up to the electric grid. He stated that they will replace his meter with a dual meter. He stated that as this turbine produces power it feeds back onto the grid. He stated that any excess feeds back in the line and would be credited on his bill.

Chairman Shreckhise asked if there was anyone wishing to speak in favor or in opposition to the request?

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Mr. Gary Gilbert stated that he spoke with the neighbors in the area and they do not have any problems with this request. He stated that this is a great source of alternative energy. He stated that he was not sure what type of noise volume this system will generate. He also wanted to inquire if the system will have a fence around it.

Mr. Coyner asked if the applicant is an adjacent property owner?

Mr. Gilbert stated that his property is on the corner of Route 637 and Route 635.

Chairman Shreckhise asked if there was anyone else wishing to speak in favor or in opposition to the request?

There being none, Chairman Shreckhise asked if Mr. Marshall would like to address the adjacent property owner's concern?

Mr. Marshall stated that this is a small system compared to large wind turbines. He stated the neighbors will not hear anything from the wind tower. He stated that currently he has no plans to put a fence around it simply because it is in an open pasture field. He stated that if he puts cattle on the pasture he may put a fence around it to keep them from rubbing on the wires of the pole.

Mr. Coyner asked if there is a ladder on the system and what will keep children from climbing the wind tower?

Mr. Marshall stated that there will be no ladders on the tower. He stated that this system tilts down for servicing and installation. He stated that the tower will be located behind the barn in an open field and the only access would be by his house.

Mr. Coyner asked if there would be much coming and going on the property?

Mr. Marshall stated no. He stated that this system would hook up to the grid which requires power to operate. He stated that if the wind speed gets above 54 mph the system shuts down. He stated that the tower is designed to operate at 200 rpm constant. He stated that with high winds the tower will automatically shut down and stays shut down until the wind speed comes back down.

Ms. Brown asked if the blades would be turned to the flow of the wind?

Mr. Marshall stated that it will rotate 360 degrees to follow the wind.

Chairman Shreckhise declared the public hearing closed.

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Mr. Coyner stated that this request is a good idea for the use of wind for energy. He stated that it will not generate a lot of noise. He moved that the request be approved with the following condition:

Pre-Conditions:

None

Operating Condition:

- 1. Structure height including blades not to exceed 140 feet.

Ms. Brown seconded the motion, which carried unanimously.

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EDWARD J. AND JENNIFER S. WHITE - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Edward J. and Jennifer S. White, for a Special Use Permit to have a second dwelling on property they own, located on the east side of Big Valley Lane, approximately .7 of a mile northeast of the intersection of Big Valley Lane and Scenic Highway (Route 42) in the North River District.

Mr. Wilkinson stated that the new structure would be used as the main dwelling.

Ms. Jennifer White stated yes. She stated that they will rent out the other dwelling to a family member, tenant, or a farmhand.

Mr. Swortzel stated that the applicant would like to rent it out to someone outside the family if necessary.

Mr. Wilkinson stated that the current ordinance states that the second dwelling can be used for a person employed on the farm, family, or a tenant to supplement the farm income.

Mr. Coyner asked when would the applicant start building the new dwelling?

Ms. White stated that they wanted to start last month until they found out that they needed this permit.

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Mr. Wilkinson stated that if this property was zoned General Agriculture the applicant would not need the Special Use Permit.

Chairman Shreckhise asked if there was anyone wishing to speak in favor or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed.

Mr. Coyner stated that this property has twenty-six (26) acres. He moved that the request be approved with the following conditions:

Pre-Conditions:

None

Operating Conditions:

1. The second dwelling be used for family members or residence of people employed on the farm.
2. Applicant obtain building permit.

Mr. Swortzel seconded the motion, which carried unanimously.

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LINDA H. AND NEIL W. CASH - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Linda H. and Neil W. Cash, for a Special Use Permit to construct an accessory building in order to have a catering business on property they own, located on the south side of Goose Creek Road (Route 640), approximately .1 of a mile east of the intersection of Goose Creek Road (Route 640) and Tinkling Spring Road (Route 608) in the Wayne District.

Ms. Linda Cash stated that she would like to have a catering business. She stated that she would like to construct a building behind her house. She stated that there would be just a kitchen in the building so that she can cater out of the building. She stated that she would not have places where people can sit down and eat. She stated that she will deliver the items to the client. She stated that she will work on weddings, anniversaries, luncheons, and bake cakes for different events. She stated that the largest size that the building would be is 20' x 30'.

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Mr. Coyner asked if this would be a family operation?

Ms. Cash stated that she will do most of the work. She stated that her sisters will help with the delivery.

Mr. Coyner asked if she had experience with catering?

Ms. Cash stated that Mr. Peck Thomas let her run a little restaurant on Route 250 a couple of years ago.

Ms. Brown asked what type of advertising would be done?

Ms. Cash stated that she will have business cards and start advertising.

Mr. Coyner asked if this is something that the applicant would like to get started right away?

Ms. Cash stated yes.

Chairman Shreckhise asked if there was anyone wishing to speak in favor or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed.

Mr. Coyner stated that the Cash family are all hard working people. He stated that it would be a good supplement to the neighborhood. He moved that the request be approved with the following conditions:

Pre-Conditions:

1. Obtain letter of approval from Building Inspection Department and provide a copy to Community Development.
2. Obtain Health Department approval and provide a copy to Community Development.

Operating Conditions:

1. The building for the catering business be limited to 20' x 30'.
2. No customer seating is permitted.

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3. No employees other than family members.

Ms. Brown seconded the motion, which carried unanimously.

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SYLVIA G. KING - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Sylvia G. King, for a Special Use Permit to have a dog training business on property she owns, located in the southeast quadrant of the intersection of Mt. Horeb Road (Route 605) and Battlefield Road (Route 608) in the Middle River District.

Chairman Shreckhise asked if the applicant plans on raising dogs?

Ms. Sylvia King stated that she will be training other people's dogs. She stated that sometimes she trains the owner as well as the dogs.

Chairman Shreckhise asked if the dogs are kept on the property for a week or month at a time?

Ms. King stated that she has one (1) hour lessons with the dogs and their owners and then they leave. She will occasionally keep dogs overnight.

Mr. Coyner asked if she was training coon dogs?

Ms. King stated that she trains border collies. She stated that she does sheep dog training.

Mr. Wilkinson stated that the applicant has her own dogs working the sheep plus the applicant wants to train others.

Mr. Coyner asked if she would only be training one (1) dog at a time?

Ms. King stated yes.

Ms. Brown stated that the border collies are natural herders.

Ms. King stated that is correct.

Mr. Coyner asked if the training would be done during daylight hours?

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Ms. King stated yes.

Mr. Coyner asked if the applicant would be boarding dogs?

Ms. King stated no.

Chairman Shreckhise asked if there was anyone wishing to speak in favor or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed.

Mr. Coyner stated that the applicant does not have anyone speaking in opposition to this request. He asked if the applicant would train every day and would there be a specific area on the farm where the training will be?

Ms. King stated yes. She stated that she will keep the beginners in a round pen and as they advance they will be in an open field.

Mr. Swortzel moved that the request be approved with the following conditions:

Pre-Conditions:

None

Operating Conditions:

1. Maximum of ten (10) adult dogs kept at this site at any time.
2. No dog training within one hundred (100') feet of a neighbor's property line.

Ms. Brown seconded the motion, which carried unanimously.

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GUY W., III AND THERRESSA D. LANDRUM - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Guy W., III and Therressa D. Landrum, for a Special Use Permit to have a firewood business on property they own, located in the northern quadrant of the intersection of Bird Haven Lane and Buttermilk Spring Road (Route 703) in the Pastures District.

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Mr. Wilkinson stated that this Board cannot grant approval to have a business at the property without the approval for an entrance from the Virginia Department of Transportation (VDOT). He stated that they looked at the property and their comments state that they cannot give an entrance for the property. He asked if the applicant has spoken with VDOT?

Mr. Guy Landrum stated that he has not spoke with VDOT. He stated that he also does his own personal wood cutting on the property.

Mr. Wilkinson stated that personal wood cutting would be fine. He stated that once the applicant is selling the wood then it turns into a business use. He stated that VDOT looks at sight distance at the property. He stated that VDOT controls the roads.

Mr. Coyner asked if there would be loads of logs being brought to the site?

Mr. Landrum stated that he will cut the wood, spilt it, and then sell it in the fall.

Mr. Swortzel asked if there would be wood stored on the property?

Mr. Landrum stated that he needs somewhere to store the wood once it is split up. He stated that no work is done at the site.

Mr. Coyner asked how do the neighbors feel about this type of business?

Mr. Landrum stated that he spoke with the two (2) neighbors. He stated that the brick house is the property owner that can see the wood pile but they have never said anything to him.

Mr. Wilkinson suggested that the applicant speak with VDOT regarding his entrance permit. He stated that they have different levels of business use when it comes to the type of entrance that is needed. He stated that the Board viewed the site today. He stated that staff suggests that the applicant speak with them before applying for the permit but it is not a requirement.

Mr. Swortzel asked how much wood storage would be on the property?

Mr. Landrum stated that he has a full-time job. He stated that he does this type of business for some extra money. He stated that he will work on Saturday and Sunday only.

Mr. Wilkinson asked if he would deliver the wood or will people come to the site to pickup wood?

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Mr. Landrum stated that 90% of the time he will deliver the wood to the customers. He stated that in the winter he will cut the wood and deliver it to the list of customers that he has.

Ms. Brown stated that the applicant already has a base of customers.

Chairman Shreckhise asked if there was anyone wishing to speak in favor or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed.

Mr. Wilkinson stated that he received one email from Ronald Kovac and Carolyn Wallace which stated that they did not think this request is appropriate for a residential area due to the houses and the school nearby. He stated that their property is located up the street behind the Flint property.

Chairman Shreckhise stated that this Board is unable to grant the request if VDOT will not give the applicant a legal entrance permit for the business.

Mr. Morgan stated that theoretically the Board could grant the request but if VDOT could not give an entrance then the permit would not be valid.

Chairman Shreckhise stated that one option would be not to grant the request or table it until the applicant speaks with VDOT. He stated that the Board should not table the request if it is not going to be approved in the future.

Mr. Landrum stated that it is still fine for him to store firewood for personal use on the property.

Chairman Shreckhise stated that if the applicant is hauling a couple of loads of wood he does not foresee it being a problem. He stated that if the applicant is constantly replenishing the wood pile it may become a problem because it will appear to be a business.

Mr. Swortzel stated that upgrading the entrance may not be worth it to the applicant due to the cost.

Mr. Coyner stated that the applicant should decide whether they would like to speak with VDOT before the Board makes their decision. He stated that it would be difficult for the Board to approve this request today.

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Mr. Wilkinson stated that since the applicant has not spoken with VDOT they may be anticipating the maximum use. He stated that the applicant may ask the Board to table the request so that he can meet with VDOT at his property.

Mr. Landrum stated that he would like to speak with VDOT before the Board makes their decision.

Mr. Wilkinson stated that the applicant would be able to apply for a Home Occupation Permit if he did not have any outside storage on the property. He stated that a Special Use Permit is required if the applicant would like to have a wood pile on the property for sale.

Mr. Coyner moved that the request be tabled to the June 4, 2009 meeting.

Ms. Brown seconded the motion, which carried unanimously.

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HELEN G. ROBERTS - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Helen G. Roberts, for a Special Use Permit to construct a garage that will exceed the 700 square feet aggregate allowed on property she owns, located on the north side of Stover School Road (Route 662) just east of the intersection of Stover School Road (Route 662) and Palmer Street (Route 1201) in the Riverheads District.

Chairman Shreckhise stated that the Board visited the site this morning.

Mr. Coyner asked if the garage would be for her personal vehicles?

Ms. Helen Roberts stated yes.

Ms. Brown asked if the large tree would be removed?

Ms. Roberts stated no. She stated that her property goes all the way to the South River.

Mr. Coyner asked if the applicant would be keeping the older barn on the property?

Ms. Roberts stated yes.

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Chairman Shreckhise asked if there was anyone wishing to speak in favor or in opposition to the request?

Ms. Terry Riley stated that the applicant is her mother. She stated that since her father passed away in October there has been beer cans on her mother's vehicles. She stated that the garage is for her comfort. She stated that they will match the garage with her home. She stated that the barn has been on the site since the 1800s and they do not want to tear it down.

Chairman Shreckhise asked if there was anyone else wishing to speak in favor or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed. He stated that this request is in keeping with the character of the area.

Mr. Coyner stated that he agrees. He moved that the request be approved with the following condition:

Pre-Conditions:

None

Operating Condition:

- 1. Applicant be limited to a 14' x 28' garage.

Ms. Brown seconded the motion, which carried unanimously.

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CARL J. OR SUZANNE E. FISHER - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Carl J. or Suzanne E. Fisher, for a Special Use Permit to construct a garage larger than the 700 square foot aggregate permitted on property they own, located on the north side of New Hope and Crimora Road (Route 612) approximately .1 of a mile east of the intersection of New Hope and Crimora Road (Route 612) and Marlboro Lane in the Middle River District.

Mr. Todd Fisher stated that he is the applicant's son. He stated that they are in need of a garage. He stated that the house does not have a basement. He stated that he would like to store items in a safe place.

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Chairman Shreckhise stated that the main problem is the size. He stated that the building cannot be larger than the dwelling. He stated that the proposed size is larger than the dwelling. He stated that the Board is not opposed to a larger than seven hundred (700) square foot garage or building but it needs to be less than the size of the dwelling.

Mr. Fisher stated that he did not realize that when he put the request in. He stated that he can reduce the size to 28' x 48' which would be under the size of the dwelling even with the other building. He stated that he hopes to match the building with the same siding as the dwelling.

Chairman Shreckhise stated that the applicant may want to get the property surveyed if they have any question about the setback.

Mr. Fisher stated that the corners on the property have been marked.

Mr. Coyner stated that the applicant should be sure that they meet the setbacks because they do not want to tear it down once the building is built.

Chairman Shreckhise asked if there was anyone wishing to speak in favor or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed.

Mr. Coyner stated that the property is very neat and it should be kept that way. He stated that the building would make a good addition to the property. He moved that the request be approved with the following conditions:

Pre-Conditions:

None

Operating Conditions:

1. Be permitted to construct one (1) garage **no larger than 1,348** square feet in order to be less than the size of the dwelling and existing garage.
2. The garage can only be used for personal use.
3. No business use of the structure.
4. No further expansions of accessory structures on the property.

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Mr. Swortzel seconded the motion, which carried unanimously.

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JOHN E. OR DAWN M. WORKMAN - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by John E. or Dawn M. Workman, for a Special Use Permit to construct an accessory building that will exceed the 700 square feet aggregate allowed on property they own, located on the north side of Churchville Avenue (Route 250), approximately .2 of a mile east of the intersection of Churchville Avenue (Route 250) and Hotchkiss Road (Route 835) in the Pastures District.

Mr. Wilkinson stated that the applicant would like to add a garden shed to the property. Mr. John Workman stated that he would like to store his lawn mowers and tiller in the building.

Chairman Shreckhise asked if the building would be used for personal use?

Mr. Workman stated yes.

Mr. Coyner stated that the applicant did a nice job on the other garage.

Ms. Brown asked if this building would be directly behind the garage?

Mr. Workman stated yes.

Chairman Shreckhise asked if there was anyone wishing to speak in favor or in opposition to the request?

Mr. Francis Chester-Cestari stated that the applicant has done a magnificent job on maintaining the property. He supports this request.

Chairman Shreckhise asked if there was anyone else wishing to speak in favor or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed.

Mr. Swortzel moved that the request be approved with the following conditions:

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Pre-Conditions:

None

Operating Conditions:

1. Be limited to one (1) new 12' x 18' building.
2. No further expansions of accessory structures on this lot.

Ms. Brown seconded the motion, which carried unanimously.

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FRANCIS CHESTER-CESTARI, AGENT FOR CESTARI SHEEP & LAND COMPANY, LLC - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Francis Chester-Cestari, agent for Cestari Sheep & Land Company, LLC, for a Special Use Permit to construct a building for the sale of farm products on property they own, located in the northern quadrant of the intersection of Churchville Avenue (Route 250) and Vinegar Hill Road (Route 722) in the Pastures District.

Mr. Francis Chester-Cestari stated that the purpose of the application is for a building for the sale of his farm products. He stated that he needs to keep the perishables out of the main barn. He stated that some of the items in the barn are not quite compatible with fruits and vegetables. He stated that his new building will be compatible with all of the other buildings on the property. He stated that the building will be refrigerated to help prevent loss of fruits and vegetables. He stated that he will also like to sell milk. He stated that he is tired of seeing plastic used. He stated that he will be getting milk in glass bottles from a creamery outside of Roanoke. He stated that he would like to go back to conserving and recycling the glass bottles. He stated that the next request on the agenda is for the Extension of Time. He stated that he was waiting on VDOT to do whatever they had to do on the bridge which is deteriorating rapidly. He stated that he held back on proceeding. He stated that they need a separate septic for the dyeing operation. He stated that the EPA approved him for the dyeing facility. He asked the Board to approve the two (2) year Extension of Time. He stated that if the state does not get the bridge completed in a reasonable amount of time he will still move on with the dyeing portion of his permit.

Chairman Shreckhise stated that each request will be heard today separately.

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Ms. Brown asked how many employees does the applicant have?

Mr. Chester stated two (2) full-time employees, one (1) part-time employee, his son, and his wife on the mill. He stated that he has two (2) part-time employees and his daughter at the law office.

Mr. Coyner asked if this building will take care of the expansion on the farm?

Mr. Chester stated yes. He stated that he does not foresee anything big coming from this addition to his business. He stated that the vegetables attract a lot of people to his farm. He stated that if there were to be growth it would be within the buildings.

Chairman Shreckhise asked if the applicant is requesting outside storage?

Mr. Chester stated that the building will be compatible to their needs and there will be no outside storage.

Mr. Coyner stated that it is great that the applicant is trying to encourage reusable products.

Mr. Chester stated that the bottling company charges for the bottle and when the customer brings the bottle back they would get their deposit back. He stated that plastic takes thousands of years to biodegrade.

Chairman Shreckhise asked if there was anyone wishing to speak in favor or in opposition to the request?

Mr. John Workman stated that Mr. Chester has a great idea. He stated that he is a great neighbor and an asset to Churchville.

Chairman Shreckhise asked if there was anyone else wishing to speak in favor or in opposition to the request?

Ms. Yvette Ravina stated that she lives adjacent to Mr. Chester. She stated that she has no objections to selling baked goods, preserves, or milk. She stated that she would like to know what the building is going to look like. She stated that she does not see why the other building on the property could not be refurbished. She stated that she does not understand why that building is not being used. She felt that it would be adequate for three (3) more products. She asked if it is really necessary to have a 30' x 40' building for three (3) more products to be sold.

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Chairman Shreckhise asked if there was anyone else wishing to speak in favor or in opposition to the request?

There being none, Chairman Shreckhise asked if Mr. Chester would like to speak in rebuttal?

Mr. Chester stated that he would like to remove the produce out of the big barn and keep it in the new barn, and keep the wool products in the big barn. He stated that the barn that Ms. Ravina speaks of was deteriorating badly. He stated that building was built in the 1950s and there were hardly any footings. He stated that he brought in a contractor to see if that building could be used. He stated that it would cost too much to even bother with it. He stated that the new building will look like a horse barn. He assured Ms. Ravina that the building will look beautiful.

Chairman Shreckhise declared the public hearing closed.

Mr. Coyner stated that the building will look similar to the other buildings on the property.

Mr. Wilkinson stated that if the building is just used on the farm then it is considered an agricultural structure. He stated that if the building is being used for retail then a Special Use Permit is required. He stated that any expansion of the Special Use Permit require coming back before the Board.

Mr. Coyner stated that he feels that Mr. Chester does not have any visions of creating a large grocery store in Churchville. He feels that it is a good thing that Mr. Chester is trying to do. He stated that the building needs to be compatible with what is there on the property already. He moved that the request be approved with the following conditions:

Pre-Conditions:

None

Operating Conditions:

1. Be limited to construction of one (1) 30' x 40' building for the sale of farm products.
2. All operating conditions of previous Special Use Permits remain in effect.
3. The only sign to be permitted for the advertisement of farm products is one (1) on premise business sign not to exceed thirty-two (32) square feet.

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- 4. No off premise advertising signs associated with the farm products business.

Mr. Swortzel seconded the motion, which carried unanimously.

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FRANCIS CHESTER-CESTARI - TWO YEAR EXTENSION OF TIME REQUEST

A request by Francis Chester-Cestari, for a Special Use Permit to continue the wool processing operation and have a wool fair and pumpkin festival, and remove stipulations #11 and #12 on Special Use Permit #04-34 to allow on site dyeing of wool or products, and to light the existing sign on property he owns, located in the northern quadrant of the intersection of Churchville Avenue (Route 250) and Vinegar Hill Road (Route 722) in the North River District.

Mr. Coyner asked if the drainfield would encroach on their right of way for the bridge?

Mr. Chester stated that the new drainfield will be down hill. He stated that he does not think it will interfere with the highway department's plans. He stated that the state talked about putting in a temporary road while building the bridge. He stated that it might come close to that. He stated that he has reached the point that with the state at a stop he needs to move forward with the request. He stated that he will not use much water. He stated that the septic tank will be within twenty-five (25') to thirty (30') feet from the building and the drainfield will go out from there.

Mr. Wilkinson stated that the Health Department and Department of Environmental Quality set the location of the drainfield.

Chairman Shreckhise stated that the applicant is waiting on VDOT.

Mr. Chester stated that he will no longer wait on VDOT. He received his approvals.

Ms. Brown moved that the two (2) year Extension of Time be approved.

Mr. Coyner seconded the motion, which carried unanimously.

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May 7, 2009

MARK D. BOWLES - ONE YEAR EXTENSION OF TIME REQUEST

A request by Mark D. Bowles, for a Special Use Permit to use an existing dwelling, bank barn, and machine shed for a specialty construction business on property owned by Old Springhill Investments, located on the west side of Springhill Road (Route 613), approximately .6 of a mile north of the intersection of Springhill Road (Route 613) and Hidden Hollow Lane in the North River District.

Mr. Wilkinson stated that he spoke with the applicant and his attorney. He stated that due to the lull in the economy they were delayed but now the applicant is getting ready to start the work to relocate the entrance. He stated that they understand that they need to install a privacy fence before bringing in any equipment.

Mr. Swortzel moved that the one (1) year Extension of Time be approved.

Ms. Brown seconded the motion, which carried unanimously.

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WILLIAM G. OR SHARON E. BIBB - ONE YEAR EXTENSION OF TIME REQUEST

A request by William G. or Sharon E. Bibb, for a Special Use Permit to reconstruct, enlarge, or extend a non-conforming structure and parking lot on property they own, located on the north side of Jefferson Highway (Route 250), just west of the intersection of Jefferson Highway (Route 250) and Old White Bridge Road (Route 640) in the Wayne District.

Mr. Wilkinson stated that the applicant demolished the old building. He stated that the applicant is working on getting rid of the rock pile and sprucing up the building next door. He stated that his engineering firm was delayed in the submittal of the site plan. He stated that the applicant needs a little more time to get the site plan approved.

Mr. Coyner stated that the applicant has done a nice job.

Ms. Brown moved that the one (1) year Extension of Time be approved.

Mr. Coyner seconded the motion, which carried unanimously.

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May 7, 2009

STAFF REPORT

- 08-14 Shenandoah Valley Electric Coop.
- 08-32 D.M. Conner, Inc.
- 08-33 Jones, James L. or Angela E.
- 08-34 Promised Land, LLC
- 08-35 Staunton Machine Works, LLC
- 08-36 Acres Sand and Stone, LLC
- 08-37 Goldwrench Enterprise, LLC

Mr. Wilkinson stated that SUP#08-14 received their building permit. He stated that SUP#08-32, SUP#08-33, and SUP#08-34 are all in compliance. He stated that staff will contact the applicant regarding the vehicles not being parked neatly for SUP#08-35. He stated that SUP#08-36 is in compliance. He stated that staff will contact Mr. Gold regarding SUP#08-37 about the new fence not being installed in the back of the property. He stated that vehicles are still in the field.

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There being no further business to come before the Board, the meeting was adjourned.

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Chairman

Secretary