

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

ABSENT: Timothy K. Fitzgerald, Director of Community Development

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, October 7, 2010, at 9:45 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:

- **Good News Ministries, Inc. - Special Use Permit**
- **H. Steven Byrd - Special Use Permit**
- **Larry H. and Wilma Simmons - Special Use Permit**
- **Ronald Kiser, agent for Specialized Cycle Service - 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.

The staff briefing was held at 1:00 p.m. in the Board of Supervisors Conference Room where the Zoning Administrator reviewed the staff report for each request on the Board's agenda. Copies of the staff reports can be found in the Community Development Department.

 Chairman

 Secretary

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S. K. Shiflett, Zoning Technician I
Timothy K. Fitzgerald, Director of Community Development
B. Cardellicchio-Weber, Administrative Assistant

ABSENT: Pat Morgan, County Attorney

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VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, October 7, 2010, 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 September 2, 2010 meeting be approved.

Vice Chairman Callison seconded the motion, which carried unanimously.

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GOOD NEWS MINISTRIES, INC. - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Good News Ministries, Inc., for a Special Use Permit to have a daycare operation on property they own, located on the southeast side of Lee Jackson Highway (Route 11) just at the

intersection of Lee Jackson Highway (Route 11) and Kerry Lane in the Riverheads District.

Ms. Roxanna Dove stated that she will be the director of the daycare. She stated that they would like to begin operating the daycare with thirty (30) children. She stated that the church is located near Riverheads High School and Elementary School. She stated there is a great need in that area for a daycare.

Chairman Coyner asked what the hours of operation would be?

Ms. Dove stated from 7:00 a.m. to 6:00 p.m. Monday thru Friday.

Chairman Coyner asked if the applicant has been working with the Health Department and Social Services?

Ms. Dove stated yes. She stated that they are working with all departments at this time.

Mr. Swortzel asked what would be the maximum number of children per square feet of building space that the applicant could have?

Ms. Dove stated Mr. Miller can answer that.

Mr. Gregory Miller stated that the basement is 4,000 plus square feet.

Chairman Coyner stated that the facility is nice and fairly new.

Ms. Dove stated one (1) year old. She stated that they are going to apply for the daycare as a religious exempt but will follow all licensing requirements.

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

There being none, Chairman Coyner declared the public hearing closed. He stated that this is a great need in the community. He stated that the Board should not limit them to a number but have them be able to have the maximum number of children as to what social services allows.

Ms. Brown asked what would be the number of children per square feet of space?

Mr. Miller stated that he is the pastor of the church and he would like to see the request get approved for the maximum number of children. He hopes that they would have

approximately thirty (30) children. He stated that they are working with Jeff Gentry and the Health Department in order to recalibrate the septic system.

Mr. Swortzel stated that he would like to see this operation grow.

Chairman Coyner asked if the applicant operated out of another location?

Mr. Miller stated that he was pastor of Calvary Assembly of God for seventeen (17) years and they had a day school for five (5) years and was very successful. He stated that they are a brand new church.

Vice Chairman Callison 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. Be limited to the maximum number permitted by Building Inspection and Social Services.
2. Site be kept neat and orderly.

Mr. Swortzel seconded the motion, which carried unanimously.

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H. STEVEN BYRD - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by H. Steven Byrd, for a Special Use Permit to continue operation of a realtor's office and post office on property owned by C. Matthew Fredricksen, located on the north side of Lee Jackson Highway (Route 11), approximately .3 of a mile west of the intersection of Lee Jackson Highway (Route 11) and White Oak Gap Road (Route 697) in the Riverheads District.

H. Steven Byrd stated that he would like to purchase the property and he would like for it to stay in the same use as it is now. He stated that there is a real estate and post office business at the site.

Chairman Coyner stated that nothing changes with this request except for the ownership of the property.

Mr. Byrd stated that is correct.

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

There being none, Chairman Coyner declared the public hearing closed. He stated that the Board is familiar with this property. He stated that they visited the property this morning.

Mr. Swortzel stated that the site is always neat, clean, and orderly. He moved that the request be approved with the following condition:

Operating Condition:

1. Site be kept neat and orderly.

Ms. Brown seconded the motion, which carried unanimously.

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LARRY H. AND WILMA SIMMONS - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Larry H. and Wilma Simmons, for a Special Use Permit to cover an existing non-conforming porch on property they own, located on the south side of Skyview Circle (Route 854), approximately .2 of a mile west of the intersection of Skyview Circle (Route 854) and Ken-View Avenue (Route 1901) in the Beverley Manor District.

Ms. Wilma Simmons stated that she would like to build a roof over the existing porch.

Chairman Coyner asked if the applicants have lived at that site for quite some time?

Ms. Simmons stated seven (7) years.

Chairman Coyner stated that the home is very well attended. He stated that the applicants would like to cover what the Board saw as the front porch.

Mr. Swartzel stated that the neighborhood is well kept. He asked how far out will the porch extend?

Mr. Steve Sours stated that he is the contractor for the applicants. He stated that the current porch is 10' x 20'. He stated that they will only be covering what is currently there. He stated that they will not extend out any further. He stated that he will be using the same gutter lines that the house currently has. He stated that he took some measurements of other porches in the neighborhood to get an idea of where they were.

Ms. Simmons stated three (3) of the neighbors are here today.

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

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

Mr. Wilkinson stated that he did receive a letter from the applicant's physician, Dr. Douglas Degen (copy filed in the Special Use Permit file).

Chairman Coyner stated that the Board visited the site this morning. He stated that this request would certainly be in keeping with the neighborhood.

Mr. Swartzel stated that granting this request would not take away from anything.

Ms. Brown stated that she agrees. She stated that there are several homes in the neighborhood with covered porches closer to the road than the applicant's porch. She stated this request would be in keeping with the character of the neighborhood. She moved that the request be approved with the following condition:

Operating Condition:

1. Be permitted to cover the existing porch shown on the survey.

Mr. Shreckhise seconded the motion, which carried unanimously.

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RONALD KISER, AGENT FOR SPECIALIZED CYCLE SERVICE - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Ronald Kiser, agent for Specialized Cycle Service, for a Special Use Permit to have outside storage of a carport and a building on property he owns, located on the south side of Stuarts Draft Highway (Route 340) approximately .3 of a mile west of the intersection of Stuarts Draft Highway (Route 340) and Old White Hill Road (Route 831) in the Riverheads District.

Mr. Ronald Kiser stated that he would like to have outside storage of a carport and a display building at his site.

Chairman Coyner stated that the Board visited the site this morning. He asked if the applicant would be selling the shell?

Mr. Kiser stated yes. He stated customers would put siding on it. He stated that he had a demo on the site for the last couple of years. He stated that the items that he is selling are up to code.

Mr. Wilkinson asked if the applicant wants to have the example of the steel framing out at the site?

Mr. Kiser stated yes.

Chairman Coyner stated the applicant will have the skeleton and the carport at the site. He asked if there was anyone wishing to speak in favor, or in opposition to the request?

There being none, Chairman Coyner declared the public hearing closed. He stated the Board visited the site this morning.

Mr. Shreckhise stated this use is compatible with the area, therefore, he moved that the request be approved with the following conditions:

Operating Conditions:

1. Outdoor storage be limited to one 20' x 20' carport and one 20' x 24' frame building.
2. All outdoor storage be kept in the designated areas shown on the site plan.
3. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.

4. Site be kept neat and orderly.

Vice Chairman Callison seconded the motion, which carried unanimously.

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STAFF REPORT

- 09-56 Mullins, William E. or Amy M.
- 09-57 Cushman, Brooks L.
- 09-58 Spottswood Properties, LLC
- 09-59 Root, Franklin L. and Christine W.
- 09-60 Royal Orchard Land Corp. – **Withdrawn**

Mr. Wilkinson stated that SUP#09-56, 09-57, 09-58, and 09-59 are all in compliance.

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Mr. Wilkinson passed out the court cases for the Board to review.

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

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Chairman

Secretary