

PRESENT: G. A. Coyner, II, Chairman  
T. H. Byerly, Vice Chairman  
D. A. Brown  
J. D. Tilghman  
J. R. Wilkinson, Zoning Administrator & Secretary

ABSENT: S. F. Shreckhise

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, September 6, 2012, at 8:30 A.M., in the County Government Center, Verona, Virginia.

\* \* \* \* \*

The staff briefing was held at **8:30 a.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.

\* \* \* \* \*

**VIEWINGS**

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

- **James F. and John W. Bevins - Special Use Permit**
- **Robert W. Hearn - Special Use Permit**
- **Harry L. Myers, III - Special Use Permit**
- **Chad E. and Stephanie E. Berry - Special Use Permit**
- **Frederick V. and Susette L. Johnson - Special Use Permit**
- **Allen Norheim and Garfield Painter, agents for Greenville Baptist Church - Variance**

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

PRESENT: G. A. Coyner, II, Chairman  
 T. H. Byerly, Vice Chairman  
 D. A. Brown  
 J. D. Tilghman  
 J. R. Wilkinson, Zoning Administrator & Secretary  
 Pat Morgan, County Attorney  
 B. Cardellicchio-Weber, Administrative Assistant

ABSENT: S. F. Shreckhise

\* \* \* \* \*

VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, September 6, 2012, at 1:30 P.M., in the County Government Center, Verona, Virginia....

\* \* \* \* \*

**MINUTES**

Vice Chairman Byerly moved that the minutes from the August 2, 2012, meeting be approved.

Ms. Brown seconded the motion, which carried unanimously.

\* \* \* \* \*

**CECIL F. AND VICTORIA J. MCGEE - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Cecil F. and Victoria J. McGee, for a Special Use Permit to continue operation of a real estate office and post office on property owned by C. Matthew Fredricksen, located at 2069 Lee Jackson Highway, Staunton, in the Riverheads District.

Mr. Cecil McGee stated he would like to continue the operation of a real estate office and post office.

Chairman Coyner stated this request is only for a change of ownership. 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.

Ms. Brown stated this has been a business location since 1979. She mentioned that both uses are needed within the community. She moved that the request be approved with the following condition:

**Pre-Conditions:**

None

**Operating Condition:**

1. Site be kept neat and orderly.

Ms. Tilghman seconded the motion, which carried unanimously.

\* \* \* \* \*

**ROBERT W. HEARN - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Robert W. Hearn, for a Special Use Permit to have firearms sales on property owned by Ronald D. and Elizabeth M. Hearn, located at 129 Old White Hill Road, Staunton, in the Riverheads District.

Mr. Robert Hearn stated that he would like to apply for a Federal Firearms License (FFL) in order to have firearm sales at the property.

Chairman Coyner asked if this would be a full-time venture?

Mr. Hearn stated that it would be part-time. He would like to start out at the gun shows and have online sales.

Ms. Brown asked what type of guns would he sell?

Mr. Hearn stated rifles, shot guns, or pistols.

Chairman Coyner asked if there would be any inventory?

Mr. Hearn stated there would be no supply of guns at his location.

Ms. Brown asked how would someone find out about the business?

Mr. Hearn stated through friends and family as well as word of mouth.

Ms. Brown asked if he has a website?

Mr. Hearn stated no not currently.

Ms. Brown asked about the ordering process?

Mr. Hearn stated the customers would contact him and he would order the firearm directly. He mentioned he will do the paperwork for the background check.

Vice Chairman Byerly asked if he would also be a gunsmith?

Mr. Hearn stated he will just have firearm sales at the property.

Ms. Brown asked how many firearms can be sold to one person?

Mr. Hearn stated that it would depend on their record. He stated if there is a clean record there is no limit.

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 the applicant is in the process of working with VDOT's management team on their comments. He stated they have not gotten the final letter from VDOT, therefore, the status of their entrance is unresolved. He stated staff recommends adding VDOT approval as a pre-condition if the Board approves the request.

Chairman Coyner stated this request will have low traffic volume and will not cause any traffic issues to the road. He stated the applicant will be operating this business as a side venture.

Ms. Tilghman moved that the request be approved with the following conditions:

**Pre-Conditions:**

1. Obtain VDOT entrance permit and provide a copy to Community Development.
2. Obtain letter of approval from Building Inspection.

**Operating Conditions:**

1. No more than ten (10) customers to come to the site per day.
2. Hours of operation be 7:00 a.m. to 6:00 p.m.
3. No Sunday operations.
4. No employees other than family members.

Vice Chairman Byerly stated this is a beautiful piece of property. He seconded the motion, which carried unanimously.

\* \* \* \* \*

**HARRY L. MYERS, III - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Harry L. Myers, III, for a Special Use Permit to have a motorcycle repair shop within the existing garage on property he owns, located at 37 Rankin Lane, Stuarts Draft, in the South River District.

Mr. Harry Myers stated that he would like to apply for a permit to have a motorcycle repair and customizing shop at his property.

Chairman Coyner stated this is a nice piece of property that is well maintained. He asked if the applicant has customers coming to the site or will the motorcycles be picked up by him?

Mr. Myers stated that he would pickup the motorcycles from his clients. He mentioned there would be no customers coming to the site.

Chairman Coyner asked if he does engine work?

Mr. Myers stated he does not know if he will. He stated he will keep the doors closed in the garage. He stated the garage is air conditioned and heated. He stated he keeps his garage very clean. He mentioned he does not plan to have customers coming to the site. He stated this is not a store front.

Ms. Brown asked if he would detail the motorcycles?

Mr. Myers stated yes.

Chairman Coyner asked if this is a side venture?

Mr. Myers stated yes. He mentioned he will operate in the evenings or on Saturdays.

Ms. Brown asked if the parts would be ordered or welded?

Mr. Myers stated that he will order parts and some he will make himself.

Chairman Coyner asked if there would be any employees?

Mr. Myers stated no.

Ms. Brown asked how many motorcycles will the applicant work on at one time?

Mr. Myers stated he has two (2) smaller bays that he will use for the motorcycles. He mentioned his larger bay will be used for his Ford duty and trailer.

Chairman Coyner asked if the applicant would like to start operating the business soon?

Mr. Myers stated yes.

Ms. Tilghman asked what type of motorcycle would the applicant be working on?

Mr. Myers stated Harley Davidson.

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.

Chairman Coyner stated this property is very neat and orderly.

Ms. Brown stated that the Board visited the site today and it appeared to be in excellent shape. She stated the garage doors will be down at all times and the applicant is not doing anything with the motors. She moved that the request be approved with the following conditions:

**Pre-Conditions:**

None

**Operating Conditions:**

1. All work be done within the existing 38' x 50' building and all engine testing to be done with the doors closed.
2. All motorcycles, materials, and parts for the business be kept inside the 38' x 50' garage.
3. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
4. Hours of operation be 4:00 p.m. to 8:00 p.m. Monday – Friday and 9:00 a.m. to 6:00 p.m. on Saturday.
5. No Sunday work.
6. No customers to this site.
7. No employees other than family members.
8. Site be kept neat and orderly.

Vice Chairman Byerly seconded the motion, which carried unanimously.

\* \* \* \* \*

**JAMES F. AND JOHN W. BEVINS - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by James F. and John W. Bevins, for a Special Use Permit to have outdoor kennel runs on property owned by Community Bank, located at 727 Lee Highway, Verona, in the North River District.

Mr. John Bevins stated he is requesting to have outdoor kennel runs for the dogs on the property.

Chairman Coyner stated they saw dogs in cages when they visited the site today. He asked if they are rescue dogs?

Mr. Bevins stated those are the rescue dogs. He stated they are only outside during the day when the kennels are being cleaned. He stated this will be the same type of activity that has always been at the site.

Ms. Brown asked how many dogs are normally kept at the site?

Ms. Angela Brown, PO Box 4, Verona, stated that she runs the rescue, grooming, and boarding operation at the site. She stated there are eight (8) kennels outside and approximately forty (40) dogs inside with a variety of sizes. She mentioned there are thirteen (13) kennels on the right side for the rescue dogs and on the opposite side there are six (6) large kennels, three (3) medium kennels, and the rest are all small kennels.

Chairman Coyner asked how long before the rescue dogs get placed?

Ms. Angela Brown stated it depends. She does try to find homes for the dogs. She mentioned she has had an Alaskan Malamute at the site for a few weeks.

Ms. Brown asked what is the reason the owners abandoned the dogs?

Ms. Angela Brown stated the biggest reason they hear is that people don't realize that the puppy is going to grow into a larger size dog. She stated the only time the dogs make noise is when they are feeding them and walking them but otherwise they are fine.

Ms. Brown asked if she keeps all of the same breed?

Ms. Angela Brown stated most of the time she does.

Ms. Brown stated all of the dogs look well kept.

Ms. Tilghman asked if they are using the same size kennel and concrete pad that is already there?

Ms. Angela Brown stated yes.

Mr. Bevins stated they disassembled the cages because they were in the parking lot area.

Ms. Brown asked how many dogs can the outside kennel hold?

Mr. Bevins stated right now it can hold eight (8) dogs but if they double the cages it would be sixteen (16) total.

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

Mr. Robert Bennett, 708 Lee Highway, Verona, stated that he lives across the road from this business. He mentioned there are times when the dogs are very annoying and



sometimes you do not hear anything. He stated there is a lot of barking on the weekends. He wanted to know what would happen with the waste and odor since the dogs are kept inside. He mentioned businesses have left because there was an odor coming up through the floor. He asked if there are going to be more dogs at the site. He stated many of the neighbors do not like the noise from all of the dogs barking.

Ms. Judy Swisher, 700 Lee Highway, Verona, stated that she lives next door to Mr. Bennett. She stated the dogs wake her up in the early morning. She stated the noise is her concern because they cannot rest.

Mr. Robert Swisher, 700 Lee Highway, Verona, stated they took their dog there one time to trim his nails and it did smell. He stated beauticians had to leave due to the odor coming up through the floor.

Mr. Wilkinson asked how long has the applicant been operating at the site?

Ms. Angela Brown stated the business has been there since 1996. She stated she purchased the business five (5) years ago.

Mr. Wilkinson stated this property is zoned business and dog kennels and veterinary clinics are permitted uses provided it is done inside. He stated the Special Use Permit would be for the outdoor kennel runs at the property.

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

There being none, Chairman Coyner asked the applicant to speak in rebuttal.

Mr. Bevins stated that he has recently purchased the property a couple weeks ago. He stated he has been cleaning up the property in order to make it look more presentable. He cannot say anything regarding the odor of the business.

Chairman Coyner stated the property does look good.

Ms. Angela Brown stated that it takes her about three (3) hours to walk, feed, and clean the kennels for the eight (8) dogs. She stated when cleaning the kennels it is a lot easier to have them all outside. She stated that she walks, feed, and cleans until about noon. She stated once everything is clean they go inside the building and she will walk around the building to pick up all of the waste. She stated the dumpster comes about one time a week. She stated two times a year they spread lime.

Mr. Bevins stated the inside is drained and the building was built for a kennel. He stated the outdoor area is cleaned daily and the concrete pad is also hosed down.

Ms. Angela Brown stated that she will be operating it the same as it always was. She stated she is not changing it at all.

Chairman Coyner asked if the outside cages were at the site when the business was purchased?

Ms. Angela Brown stated yes.

Chairman Coyner stated the dogs seem to bark more on the weekends.

Ms. Angela Brown stated on Saturday there is more traffic because they have the groomer and there are people coming and going into the shop with their dogs. She said about eight (8) to ten (10) customers usually come in to drop off their dogs on the weekends.

Vice Chairman Byerly asked if the hours of operation are satisfactory to the applicant?

Ms. Angela Brown stated yes.

Chairman Coyner declared the public hearing closed. He stated the cages have been there since 1996.

Vice Chairman Byerly stated he has no problems with the application. He stated they would be limited to sixteen (16) dogs outdoors and they can never get larger. He stated the applicant feels the hours of operation are adequate. He moved that the request be approved with the following conditions:

**Pre-Conditions:**

None

**Operating Conditions:**

1. Be permitted to utilize the existing 20' x 40' concrete pad for a maximum of sixteen (16) individual runs with a maximum of sixteen (16) dogs outside.
2. Dogs be permitted in the outside runs only during the following hours:

Monday – Friday 7:00 a.m. to 5:00 p.m.

Saturday and Sunday 8:00 a.m. to 2:00 p.m.

3. Kennels be cleaned daily and all waste bagged for proper disposal.
4. Community Development Department and Animal Control inspect the site once per year.

Ms. Brown stated this is a business location. She stated the permit is for outdoor runs only. She seconded the motion, which carried unanimously.

\* \* \* \* \*

### **CHAD E. AND STEPHANIE E. BERRY - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Chad E. and Stephanie E. Berry, for a Special Use Permit to have a firewood business on property they own, located at 2652 Mt. Torrey Road, Lyndhurst, in the South River District.

Mr. Chad Berry stated that he would like to apply for a permit to store and sell wood at the property. He stated this would be a part-time business. He stated he is in the construction business and it gets really slow in the winter. He stated they do not advertise much.

Chairman Coyner stated the Board visited the site this morning and there was wood stacked up at the shed as well as wood under a tarp.

Mr. Berry stated he burns wood also. He stated there are two spots behind the building that he wanted to keep for his personal wood. He stated he will be moving the bigger spot near the garden in order for it to be screened. He stated this will provide natural screening because there are trees there. He mentioned his dad also stores wood at his property.

Chairman Coyner stated there is also wood on the deck.

Mr. Berry stated he also has his personal wood on the deck. He mentioned there are two (2) piles. He stated it could be put in one but some of the wood needs to be seasoned.

Chairman Coyner asked if the wood is delivered or customers come to the site?

Mr. Berry stated they will always deliver the wood to the customers.

Chairman Coyner asked if the logs would be brought in to the site?

Mr. Berry stated no. He mentioned there were logs at the site when the complaint was filed. He mentioned it was from an excavation site and they were clearing the lot and he bought the logs from them. He mentioned he did not know that he could not have wood at the property. He stated there will be no logging trucks coming to the site and the only wood is the wood they cut, split, and deliver.

Chairman Coyner asked if they would split and deliver and if there would be chainsaws?

Mr. Berry stated they will not length cut the wood. He stated they may have to cut some with the chainsaw if too big. He stated sometimes they try to split the wood in the middle of the woods.

Chairman Coyner stated the complaints were due to the noise at the site. He stated if the noise is eliminated it will help a lot.

Mr. Berry stated he can move the log splitter down where there is a sound barrier at the trees. He stated that he splits his personal wood near the deck. He stated he will get as far away as possible when cutting and splitting the wood that he will sell. He stated he will move as far back of the property as possible near the garden. He mentioned he has some letters from the neighbors that support his operation.

Ms. Brown asked if the wood is seasoned for the customers?

Mr. Berry stated the dead wood is already seasoned and sold. He stated many construction sites do not charge them for the wood and that wood will need to be stored. He stated the dead wood is ready to burn. He stated if he has green wood then it will not be ready until next year. He said they get so much green wood that there is not a place to store it. He stated he has plenty of room down at the garden to stack the piles of wood. He stated they have three (3) locations where they can cut the dead wood.

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

Mr. Wilkinson stated the Board has received five (5) letters in support on the request from most of the immediate adjacent neighbors.

Mr. Bill McIntosh, 15 Bottom Lane, Lyndhurst, stated the distance appears to be fifty (50') to sixty (60') feet from his home. He stated his biggest concern is the noise with the chainsaw and the wood splitter. He submitted a letter in opposition from numerous neighbors that opposed the request. He stated that he should not have to wake up to chainsaws cutting wood at 6:00 a.m. He mentioned he also hears wood being thrown into the truck. He stated the applicant does this late in the evenings and on the weekends. He

stated that he could not even have a cookout because of the chainsaws making noise. He stated that his major concern is the close proximity to the other dwellings. He stated he does not have an objection to the applicant earning extra money but he does not want to hear a chainsaw. He mentioned if he is sitting in his den he will have to turn the volume up on the television. He stated he is retired and he should not have to live with the noise. He feels that the applicant should move the site further away. He mentioned he does not want this business right next to his property waking him up in the morning. He would like this in a different location.

Mr. Wilkinson stated the wood will be about one hundred (100') feet from the property. He stated staff's recommendation is the Board consider the hours of operation to be Monday-Friday 5:00 p.m. to 8:00 p.m. and Saturday from 9:00 a.m. to 6:00 p.m. with no hours on Sunday if approved. He stated no early morning operation.

Mr. McIntosh stated he is fine with those hours. He stated they had dump trucks bringing in logs to the site when he first started. He mentioned that he would prefer the applicant not work later than 6:00 p.m. and no work in the early morning hours.

Mr. Wilkinson stated he did receive a petition with twelve (12) signatures.

Ms. Brown stated using the center of the property for splitting may help with the noise.

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

There being none, Chairman Coyner asked the applicant to speak in rebuttal.

Mr. Wilkinson asked if the area drawn on the site plan is adequate for the wood storage?

Mr. Berry stated he cannot store the wood any further than the trees. He stated the area in the back is where he will process wood. He stated in the middle of his property there is a large garden. He stated he has no room in the center of the property. He stated before there was nothing to obstruct the sound. He stated now there is a barrier when they split the wood. He noted he will comply with the hours of operation recommended by staff.

Chairman Coyner stated not causing any noise with the chainsaw is a plus.

Ms. Brown stated the applicant should not operate at 6:00 a.m.

Mr. Berry stated since the complaint had been filed he has not cut wood in the mornings.

Chairman Coyner declared the public hearing closed.

Vice Chairman Byerly stated the Board has accommodated all of the issues that were presented and the applicant has agreed to comply with the regulations. He stated this is a small wood processing center which would fill in the off season work for the applicant. He moved that the request be approved with the following conditions:

**Pre-Condition:**

1. Applicant submit a revised BZA plan to the Zoning Administrator.

**Operating Conditions:**

1. Be permitted to stack cut firewood for personal use in a 10' x 50' area against the north side of the accessory building.
2. All wood to be processed and stored for the business shall be kept in the 50' x 130' area shown on the plan.
3. All wood for the business brought to the site shall be precut into lengths ready for the log splitter.
4. No chainsaws to be used on the wood for the firewood business.
5. Hours of operation be Monday – Friday 5:00 p.m. to 8:00 p.m. and Saturday from 9:00 a.m. to 6:00 p.m.
6. No Sunday work.
7. No employees other than family members.
8. Applicant must reside on premises.
9. Site be kept neat and orderly.
10. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.

Ms. Tilghman seconded the motion, which carried unanimously.

\* \* \* \* \*

September 6, 2012<sup>118</sup>

**FREDERICK V. AND SUSETTE L. JOHNSON - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Frederick V. and Susette L. Johnson, for a Special Use Permit to have sales and service of lawn and garden equipment and to utilize existing buildings on property they own, located at 103 Arrow Lane, Stuarts Draft, in the Riverheads District.

Mr. Christopher Lyszaz, 78 Arrow Lane, Stuarts Draft, stated they would like to apply for a permit to have sales and service of lawn and garden equipment utilizing the existing buildings on their property in order to help sustain their business in this economy.

Chairman Coyner stated they saw lawn mowers at the site this morning. He asked if they would do some service work?

Mr. Lyszaz stated they do some service work in the 40' x 80' building.

Chairman Coyner asked about the small crawlers in the back?

Mr. Lyszaz stated that is personal equipment.

Chairman Coyner asked about the trailers of plastic coil pipe?

Mr. Lyszaz stated the pipe is used for the furnace business. He stated the installers borrow the trailer and take it at the job location.

Chairman Coyner asked if they advertise on the internet?

Mr. Lyszaz stated the customers come to the office and they also have brochure sales. He stated since 2008 the business has dropped 75% due to the economy and new EPA regulations that will take place fully in 2014. He stated they are trying to sustain their business instead of being closed up.

Ms. Brown stated the garden equipment is quite large. She asked if the equipment is sold to commercial developers?

Mr. Lyszaz stated they have zero turn mowers which could be used residentially or commercially.

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

Mr. Roger Sparks, 53 Burning Bush Lane, Stuarts Draft, stated they are good neighbors. He stated they have no complaints on the request.

Chairman Coyner asked if there was anyone else 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 and it is well attended.

Vice Chairman Byerly asked if the applicant is anticipating any other expansion in the future?

Mr. Lyszczak stated no.

Ms. Tilghman stated she appreciated the applicant running a clean and well organized business and she sees no reason why it would change. She stated they have been good neighbors or else they would have many people in opposition. She moved that the request be approved with the following conditions:

**Pre-Conditions:**

None

**Operating Conditions:**

1. Be permitted to use the 40' x 140', 50' x 80', and 40' x 80' buildings for storage of wood furnaces and lawn and garden equipment.
2. Servicing of the equipment be permitted in the 40' x 80' building with the condition that all engine testing be done with the doors closed. Only the western half of the 50' x 80' building may be used for service work.
3. All outdoor storage be kept on the porch located on the south side of the 45' x 140' building.
4. All other equipment, wood furnaces, mowers, and materials for the business be kept inside the buildings.
5. No junk or inoperable vehicles, mowers, lawn equipment or parts of mowers or equipment be kept outside.



6. Hours of operation be Monday – Saturday 8:00 a.m. to 6:00 p.m.
7. No Sunday work.
8. Applicant must reside on premises.
9. The only sign to be permitted for this business is the one (1) existing on premise business sign.
10. Any new outdoor lights require site plan submittal and must meet ordinance requirements.
11. No further expansion.

Ms. Tilghman also moved to cancel Special Use Permit #10-64 per Section 25-584 to have weddings, office parties, birthday parties, or similar social functions within the existing building due to failure to complete the pre-conditions of the permit.

Ms. Brown seconded both motions, which carried unanimously.

\* \* \* \* \*

**ALLEN NORHEIM AND GARFIELD PAINTER, AGENTS FOR GREENVILLE BAPTIST CHURCH - VARIANCE**

This being the date and time advertised to consider a request by Allen Norheim and Garfield Painter, agents for Greenville Baptist Church, for a Variance from the landscaping and screening requirement to have a landscape strip for a parking lot expansion on property it owns, located at 57 Church Street, Greenville, in the Riverheads District.

Mr. Allen Norheim stated he is here to represent Greenville Baptist Church. He stated the church would like to expand their parking lot. He stated they intended to add to the existing parking lot down to Palmer Street. He stated they are not able to meet the landscape strip requirement in order to expand their parking lot. He stated if they had the barrier they would not be able to enter or leave which will end up being inefficient. He stated they will like to add twenty (20) parking spaces but if they followed the ordinance they would lose five (5) parking spaces and increase asphalt by about 20%. He stated the church would like to ask for a Variance in order to continue the existing parking lot down to Palmer Street and adjoin it right to Church Street in order to be more efficient. He stated it would also help them not to have to worry about the maintenance of the landscape strip for years to come.

Chairman Coyner asked if the folks park on the grass now?

Mr. Norheim stated yes. He mentioned that area was intended to be a parking lot as shown on the site plan.

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 the applicant would like to pave a place that they already park on but it is currently grass. He stated it is exciting that the church is doing so well. He stated it is great they are experiencing success and they need to pave. He stated the applicants were planning on paving this area all along.

Mr. Wilkinson stated the site plan on file dated in 2000 by Robert Funk, surveyor, showed half of the requested area to be existing gravel parking. He stated the site plan was approved twelve (12) years ago.

Ms. Tilghman stated it was always meant for parking and it has been used for parking all along. She moved that the request be approved with the following conditions:

**Pre-Condition:**

- 1. Submit updated site plan to Community Development.

**Operating Conditions:**

- 1. Parking lot expansion be permitted per the submitted site plan.
- 2. If there is any future parking lot expansion along Palmer Street the landscape requirement must be met.

Vice Chairman Byerly stated he is pleased that the church is thriving. He stated the site is neat and clean. He seconded the motion, which carried unanimously.

\* \* \* \* \*

**STAFF REPORT**

11-47	Churchville Volunteer Fire Department
11-48	Doris L. Siron (Life)
11-49	John Michael Chapple – <b>Denied</b>
11-50	Abner N. Johnston, IV

September 6, 2012<sup>122</sup>

Mr. Wilkinson stated the preliminary site plan for SUP#11-47 and SUP#11-48 has been submitted to the office. He stated SUP#11-50 has been inspected and is in compliance.

\* \* \* \* \*

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

\* \* \* \* \*

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

\* \* \* \* \*

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary