



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: May 26, 2016

SUBJECT: Regular Meeting and Viewing

Sandra

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, June 2, 2016, 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 **9:30 A.M., Thursday**, for the Staff Briefing prior to going out to view the items on the agenda. Lunch will follow at **Country Cookin at noon**.

Enclosed are the minutes of last month's meeting, the agenda for **Thursday's** 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, June 2, 2016, 1:30 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. MINUTES

Approval of the Called and Regular Meeting of May 5, 2016

4. PUBLIC HEARINGS

- A. A request by Roger D. or Susan K. Anderson, for a Special Use Permit to construct an accessory building more than twelve hundred square feet total aggregate on property they own, located at 28 Queens Court, Stuarts Draft in the South River District.
- B. A request by Garland Eutsler, agent for ShenAcres Holding, LLC, for a Special Use Permit to expand the existing campground by adding additional full hookup campsites and a seasonal restaurant within the existing beach house, on property owned by Good Faith, LLC, located at 348 and 256 Lake Road, Stuarts Draft 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 consideration to **cancel** a Special Use Permit for Jeff Jennings, agent for Beverley Manor Orchard, to have outdoor storage and sales of litter, compost, wood chips, mulch, topsoil, gravel, boulders, pumpkins, and hay, and use an existing building for a maple syrup evaporator on property it owns, located on the north side of Churchville Avenue, approximately .1 of a mile west of the intersection of Churchville Avenue and Apple Orchard Lane in the Pastures District.

8. STAFF REPORT

15-31	Harold G. Moore – Cancelled
15-32	Alvin Moomau
15-33	Ella G. Eavers

9. ADJOURNMENT

AGENDA ITEM # 4A

Date 6/2/16

PROPERTY OWNER:

Roger D. or Susan K. Anderson

APPLICANT:

Same

LOCATION OF PROPERTY:

28 Queens Court, Stuarts Draft in the South River District

SIZE OF PROPERTY:

1.114 acres

VICINITY ZONING:

Single Family Residential surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

06/98 Zoned Single Family Residential with proffers

LAND USE MAPS:

Community Development Area – Low Density Residential

UTILITIES:

Public water, private septic

APPLICANT'S JUSTIFICATION:

To construct an accessory building more than twelve hundred square feet total aggregate

PLANNING COMMISSION'S COMMENTS:

No Comment

BUILDING INSPECTOR'S COMMENTS:

Obtain all necessary permits and inspections in accordance with the Uniform Statewide Building Code.

SECTION 25-132.1C – ACCESSORY BUILDINGS NOT MEETING 25-132.1A & B

The accessory building or structure would not be out of character with the neighborhood or disproportionately large in relation to the size, location and character of other buildings and uses on the lot on which it is to be located and on adjoining and surrounding properties. For purposes of this section, “disproportionately large” shall mean so large as to: (i) be larger than a principal building to which it is accessory; or (ii) appear out of character with surrounding properties.

The applicants' dwelling contains 2,400 square feet, therefore, the 1,552 square foot garage would not be larger than the principal building. However, there are no other detached large structures on the surrounding properties.

Accessory buildings and structures shall meet the applicable side and rear yard requirements of § 25-138.

The garage would meet all side and rear setbacks.

STAFF RECOMMENDATIONS

The applicants are requesting to construct a 46' x 32' (1,472 square foot) garage with a center door extension of 5' x 16' (80 square foot) and to keep their existing 10' x 12' (120 square foot) storage building. The property is zoned Single Family Residential and contains 1.114 acres. The Zoning Ordinance limits the total aggregate area of accessory structures to twelve hundred (1,200) square feet.

The garage will be used to store personal vintage show cars and not as a working garage. It will be located behind the dwelling and constructed with the same brick and roof as the dwelling. The property is screened by existing trees that are twenty (20') to twenty-five (25') feet tall.

There are some larger buildings located near the subdivision, but none within close proximity of the property and the majority of garages within the subdivision are attached to the home. Staff feels that a detached garage totaling 1,552 square feet would be out of character and cannot recommend approval. However, if the Board feels that the garage would be compatible with the surrounding area and approves the request, staff recommends the following condition:

Pre-Condition:

None

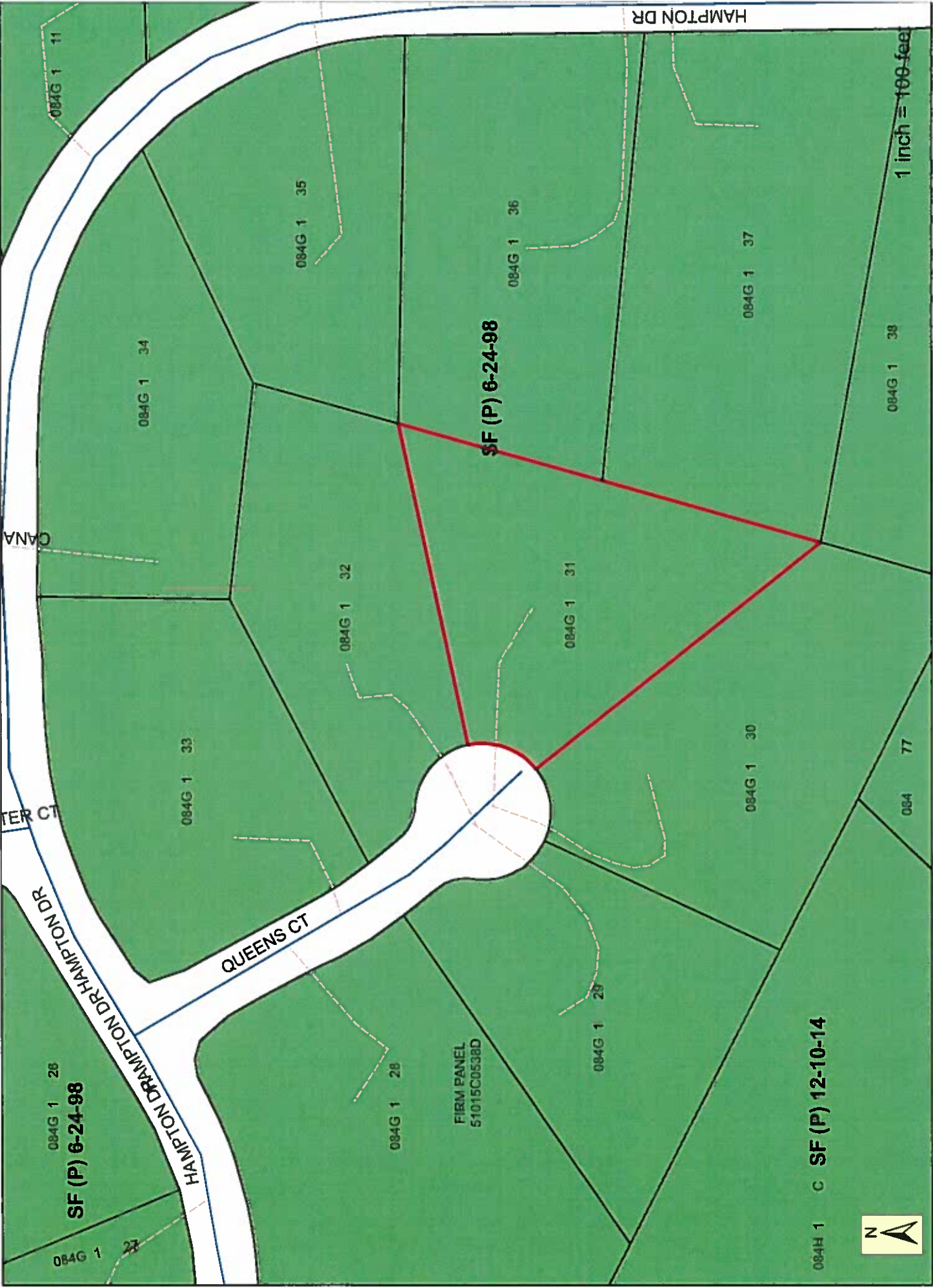
Operating Conditions:

1. Applicant obtain a building permit.
2. Be limited to adding the 46' x 32' garage with a 5' x 16' center door extension.
3. No further expansions.



Anderson

Anderson



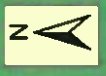
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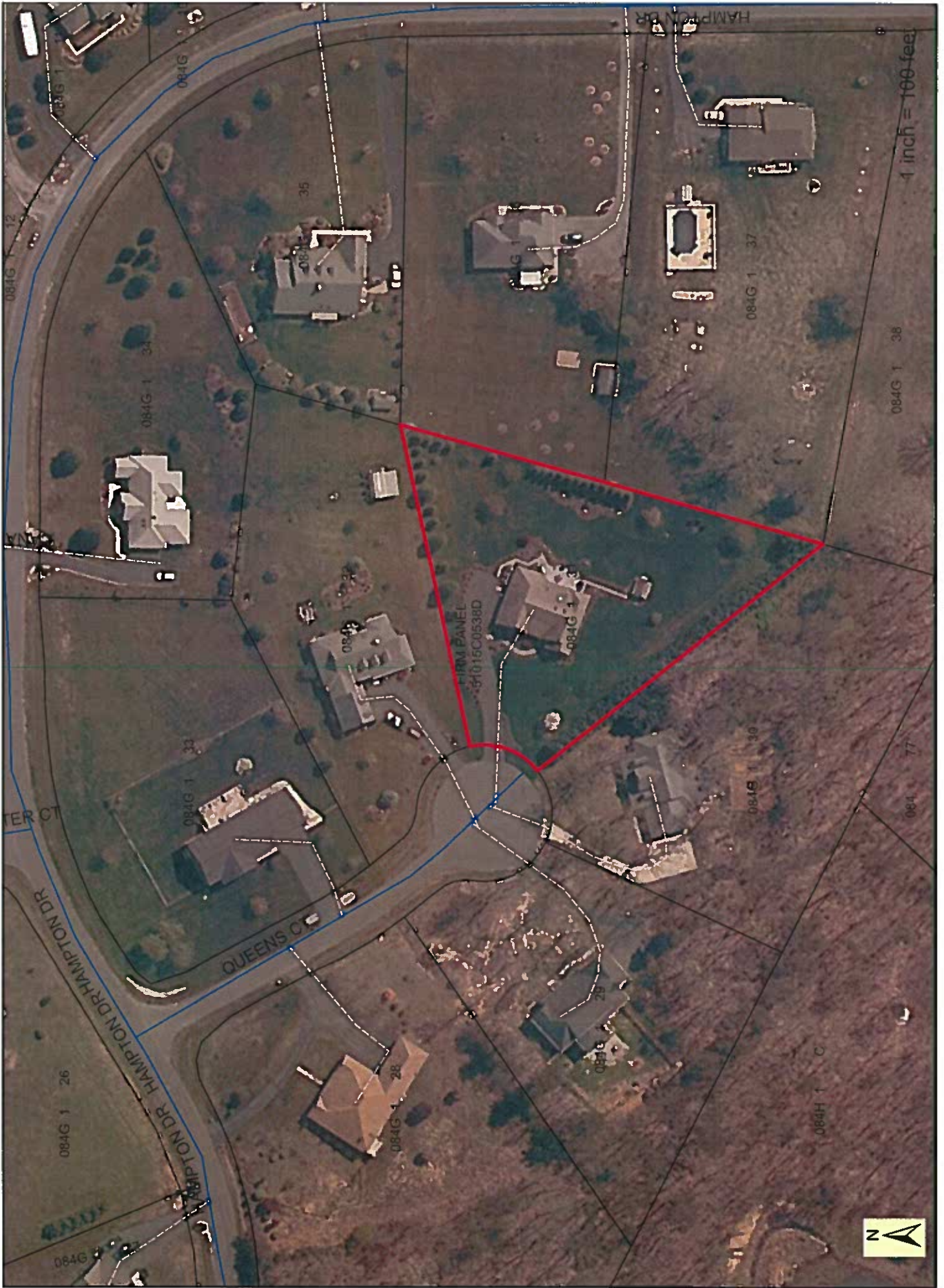
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FIRM PANEL
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1 inch = 100 feet



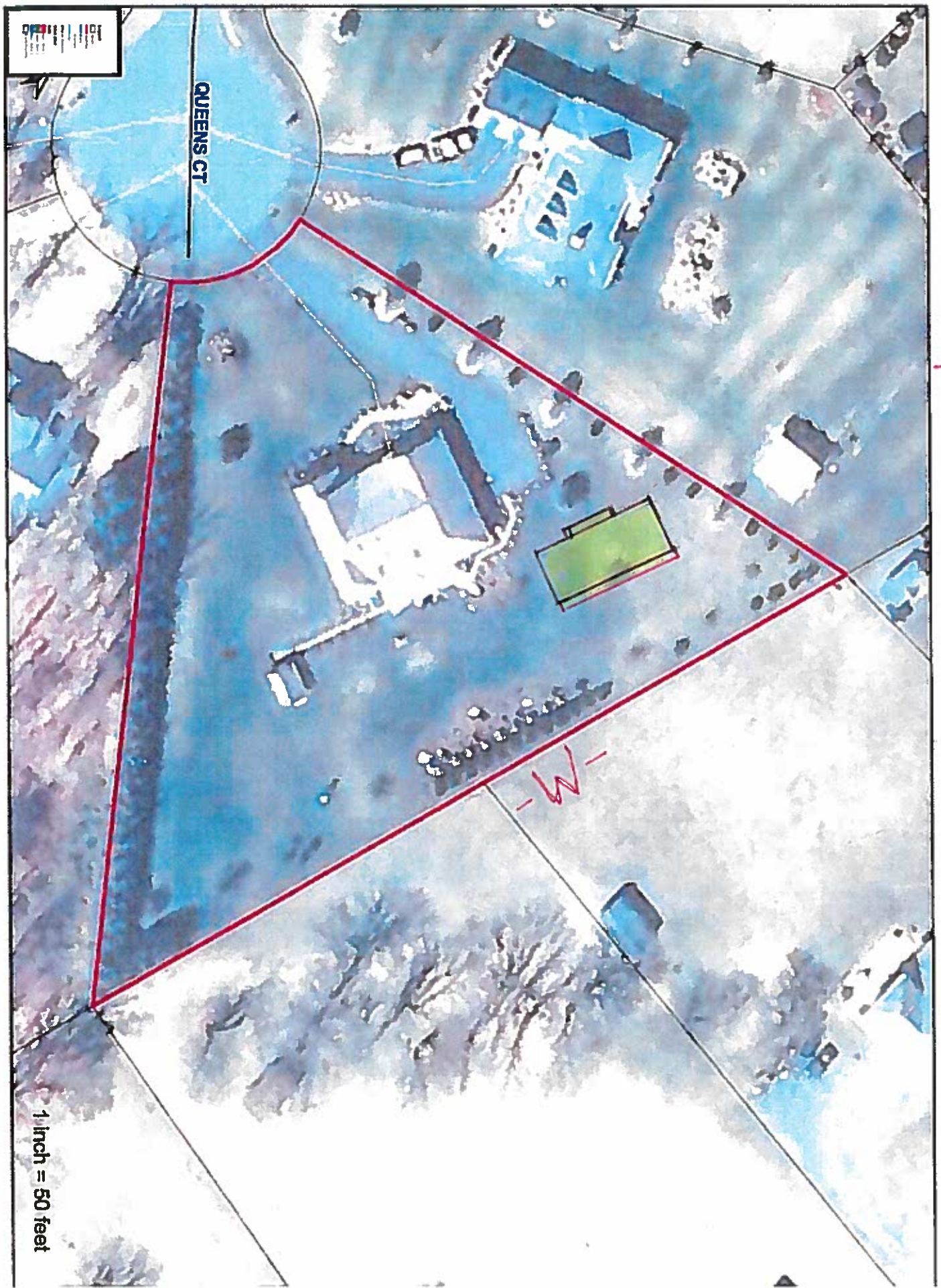
Anderson



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1 inch = 50 feet

Anderson

30'



45'

30'



9

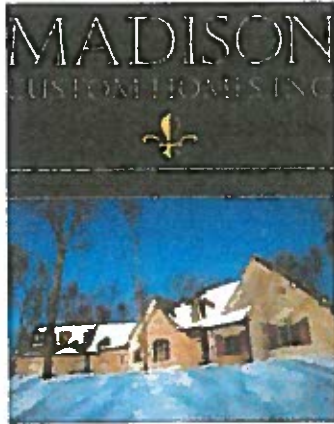
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floor plan only



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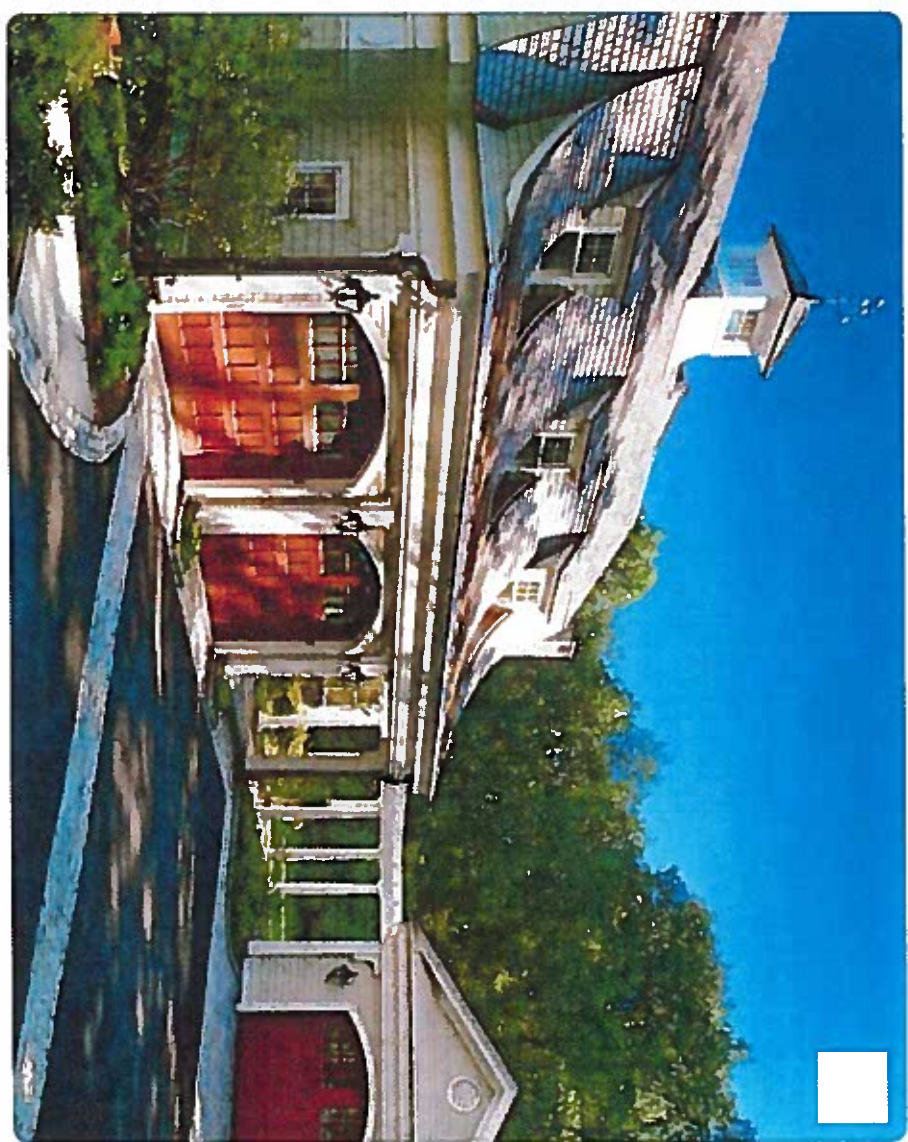
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AGENDA ITEM # 4B

Date 6/2/16

PROPERTY OWNER:
Good Faith, LLC

APPLICANT:
Garland Eutsler, agent for ShenAcres Holding, LLC

LOCATION OF PROPERTY:
348 and 256 Lake Road, Stuarts Draft in the South River District

SIZE OF PROPERTY:
132.58 acres

VICINITY ZONING:
Single Family Residential and General Agriculture to the north and west; General Agriculture to the south and east

PREVIOUS ZONING OR S.U.P.:
05/95 SUP approved to expand Shenandoah Acres Resort
12/95 Zoned General Agriculture
03/98 SUP approved to replace the non-conforming beach house
05/07 SUP approved to continue rental of cottages, the lodge, roundhouse, and three bedroom house, and use beach house for recreation and social events
03/14 SUP approved to continue the facility
10/14 SUP approved to reopen back section

LAND USE MAPS:
Urban Service Area – Residential

UTILITIES:
Private well, public sewer and waste dump station

APPLICANT'S JUSTIFICATION:
To expand the existing campground by adding additional full hookup campsites and a seasonal restaurant within the existing beach house

PLANNING COMMISSION'S COMMENTS:
No Comment

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 currently permits a 190 site campground (Shenandoah Acres Family Campground) at the property as well as a food facility (Shenandoah Acres Beach House).

The proposal to expand the campground by adding sites will require submittal of plans to the Health Department and Service Authority for review and approval. The applicant will also be required to submit an application and plans to the Health Department for the proposed food establishment changes.

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. This property is currently a Service Authority sewer only customer.
5. Good Faith, LLC is currently under an Agreement dated December 3, 2014, with the Service Authority regarding their sewer service. Good Faith, LLC will need to abide by the terms of that Agreement prior to any new connections being allowed by the Service Authority. This may include additional fees.

SECTION 25-74N – SHORT-TERM CAMPGROUNDS AND SHORT-TERM RECREATIONAL VEHICLE PARKS

Anticipated attendance will not create traffic or crowd control problems at or near the site beyond practical solution.

The facility has operated for over fifty (50) years and has caused no traffic or crowd control problems.

There is an adequate plan for sanitation facilities and garbage, trash and sewage disposal to accommodate persons in attendance.

The new sites will be hooked up to public sewer. Trash is picked up on a regular basis.

There will be full compliance with Virginia Department of Health regulations with respect to food and water service.

The facility has a Health Department permit for the existing campground. They will have to upgrade the Health Department permit for the requested expansion.

There is an adequate plan for providing emergency medical services for persons in attendance.

The Stuarts Draft Rescue Squad is within two (2) miles of the facility, and they have lifeguards on duty when the lake is open.

There is an adequate plan for parking and crowd and traffic control in and around the site.

The facility staff will supervise parking and crowd control.

There is an adequate plan for protection from fire and other hazards.

The Stuarts Draft Fire Department is within two (2) miles. They have fire extinguishers onsite and smoke detectors in all rental units.

The business meets the requirements of article VI "Outdoor Lighting".

No new outdoor lighting is requested.

There is an adequate plan to ensure that structures, grandstands, tents and amusement devices are constructed and maintained in a manner consistent with appropriate protection of public safety.

All structures meet the Building Code.

The campground or park is at least ten (10) acres in size. The minimum acreage required for the permit must be retained in the same ownership for the permit to remain valid. Nothing herein shall be deemed to limit the ability of the board of zoning appeals to require a larger site.

The facility contains 132.58 acres.

The density shall be no more than ten (10) sites per acre. Nothing herein shall be deemed to limit the ability of the board of zoning appeals to limit the density of the campground or park.

Including the new request, the total campsites will be approximately 250, which is well below ten (10) sites per acre.

There shall be a minimum of fifty feet (50') of undeveloped land along the total perimeter of the campground or park.

The campground meets the setback requirement. The lake and several structures were constructed decades before this setback requirement and do not meet the perimeter requirement, however, they are legal non-conforming uses.

All sites and facilities within the campground or park shall be served by a public water and sewer system or systems approved by the Virginia Department of Health. In no case shall portable toilets be permitted within a campground for anything more than temporary use defined as no more than four (4) days in any thirty (30) day period of time.

The facility has water and sewer systems approved by the Health Department and the Augusta County Service Authority.

Camp hosts may reside at a campground or park year-round, without regard to guest occupancy time limits. A campground or park may have one camp host per fifty (50) campsites. For purposes of this calculation, the number of campsites shall be rounded up to the next multiple of fifty (50). If a camp host resides in a recreational vehicle, the recreational vehicle must meet the definition of a self-contained unit as set out in § 25-4 and shall connect to an electricity supply and approved water and sewer system.

The facility will have two (2) camp hosts.

The operator shall keep a guest register tracking occupancy data for all guests. This information shall be recorded on a standard form provided by the County and shall be made available for inspection on demand; and (Ord. 6/22/11)

The operator of a short-term campground or short-term recreational vehicle park may permit storage of unoccupied recreational vehicles year-round.

(Ord. 6/22/11)

The operator will keep a guest register onsite.

The campground or park shall have approval by the Virginia Department of Transportation (VDOT) and have direct access off a state maintained road. For facilities with one hundred (100) or more sites, a second access for emergency vehicles shall be provided. The second access may be gated. (Ord. 6/22/11)

The campground has VDOT approval for entrances.

STAFF RECOMMENDATIONS

The applicant is requesting to add up to sixty-four (64) full hookup campsites to the existing campground for seasonal camping, increasing the total number of campsites to 250, and to use the existing beach house as a seasonal family style restaurant October through the middle of April for up to forty-eight (48) seats.

The applicant is currently working with the Health Department, Service Authority, and Building Inspection Department for the necessary permits for the restaurant renovations and the additional campsites.

The facility is a neat, clean, family oriented campground. Staff feels the expansion of the facility as well as utilizing the beach house during the fall and winter months is a good use of the property and would recommend approval with the following conditions:

Pre-Conditions:

1. Obtain Health Department approval and provide a copy to Community Development.
2. Obtain Service Authority approval and provide a copy to Community Development.

Operating Conditions:

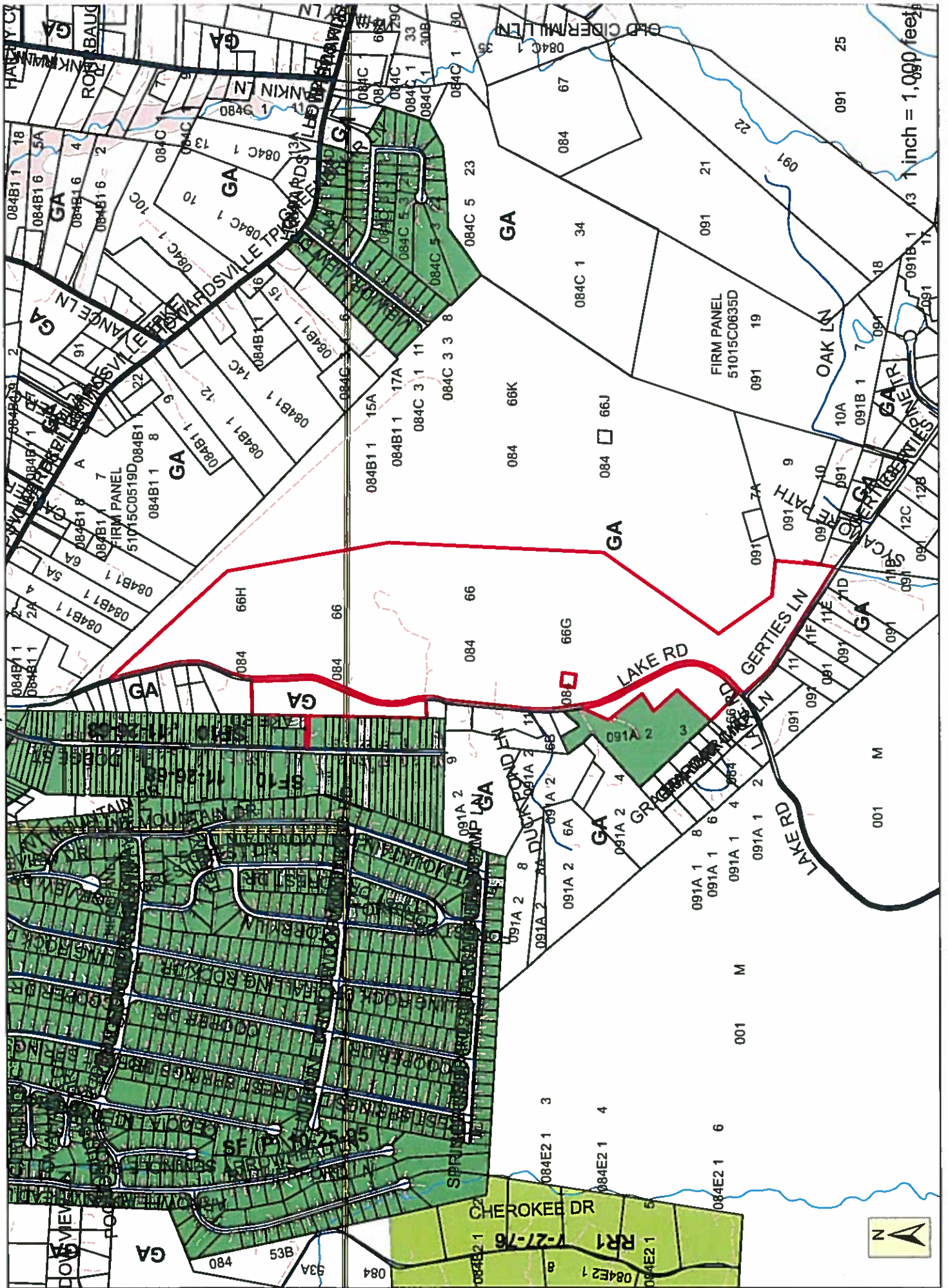
1. Be permitted to expand the existing campground by adding up to sixty-four (64) campsites as shown on the BZA plan.
2. All operating conditions of SUP#14-53 remain in effect.



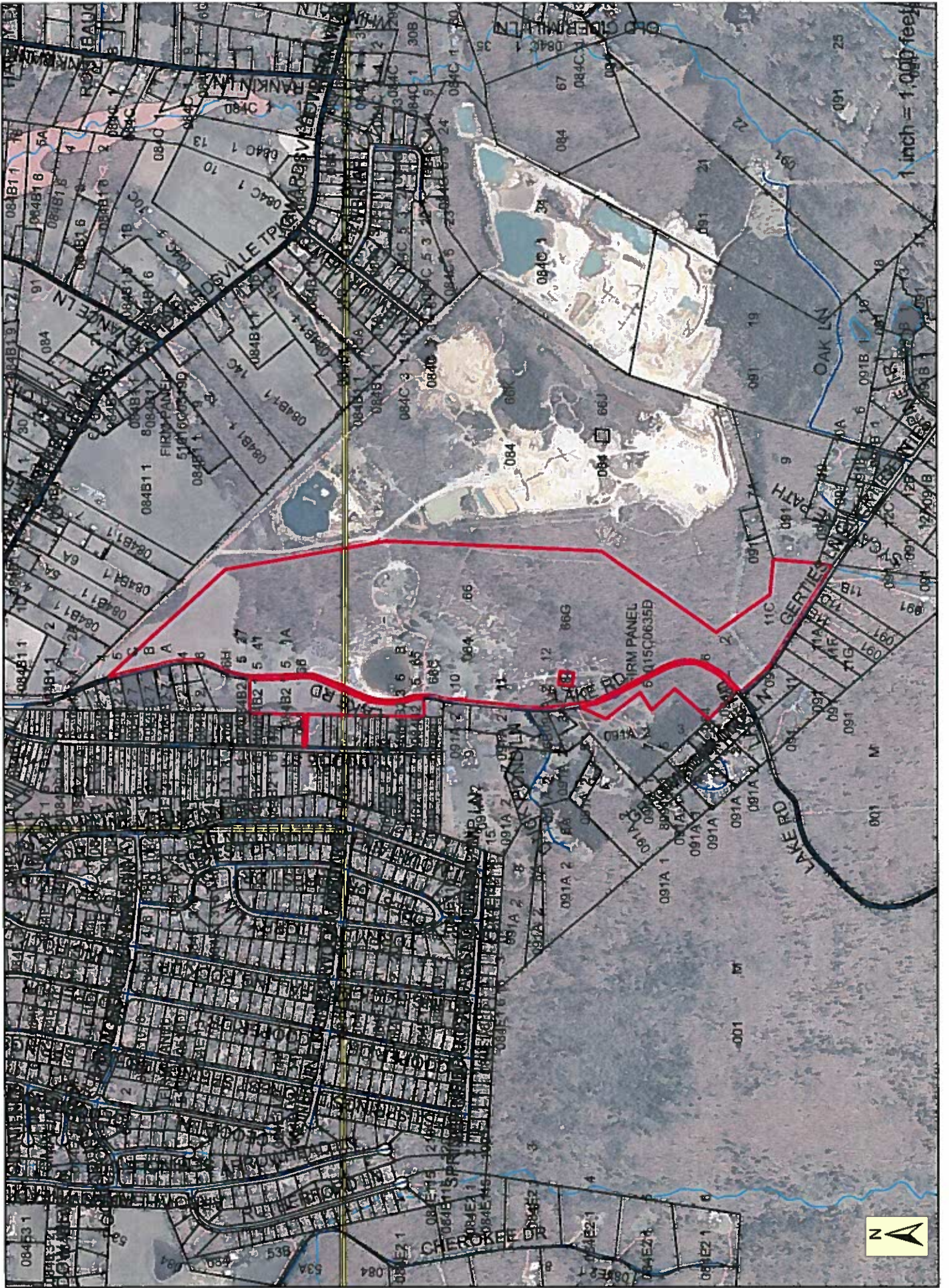
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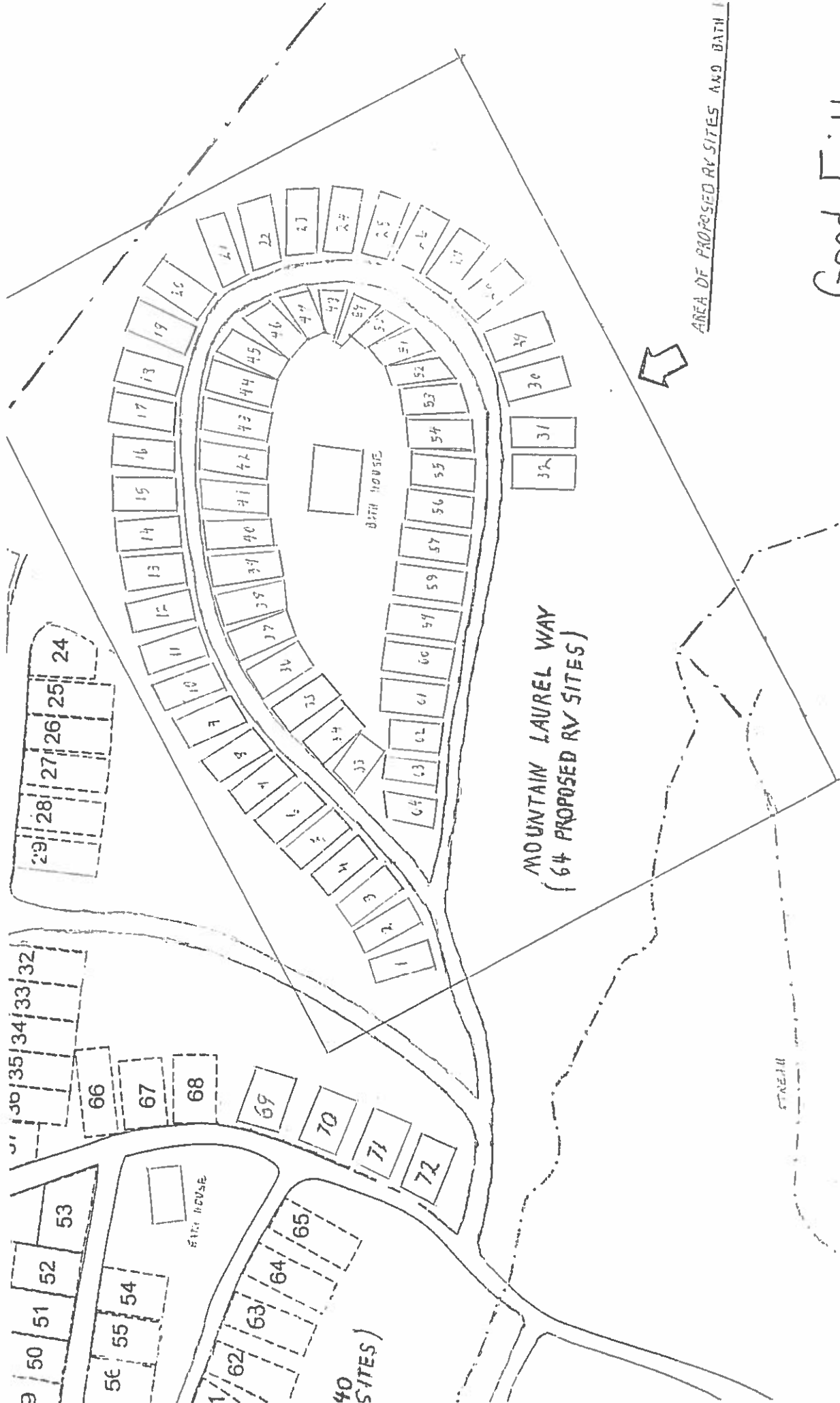


Good Faith, LLC



Good Faith, LLC





AREA OF PROPOSED RV SITES AND BATH



Good Faith

CONSIDERATION TO CANCEL

Date

6/2/16

PROPERTY OWNER:

Beverley Manor Orchard

APPLICANT:

Jeff Jennings, agent for Beverley Manor Orchard

LOCATION OF PROPERTY:

On the north side of Churchville Avenue, approximately .1 of a mile west of the intersection of Churchville Avenue and Apple Orchard Lane in the Pastures District

SIZE OF PROPERTY:

29.758 acres

VICINITY ZONING:

General Agriculture to the north, south, and east; General Agriculture and Rural Residential to the west

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

LAND USE MAPS:

Community Development Area – Low Density Residential

UTILITIES:

Public water available, no septic

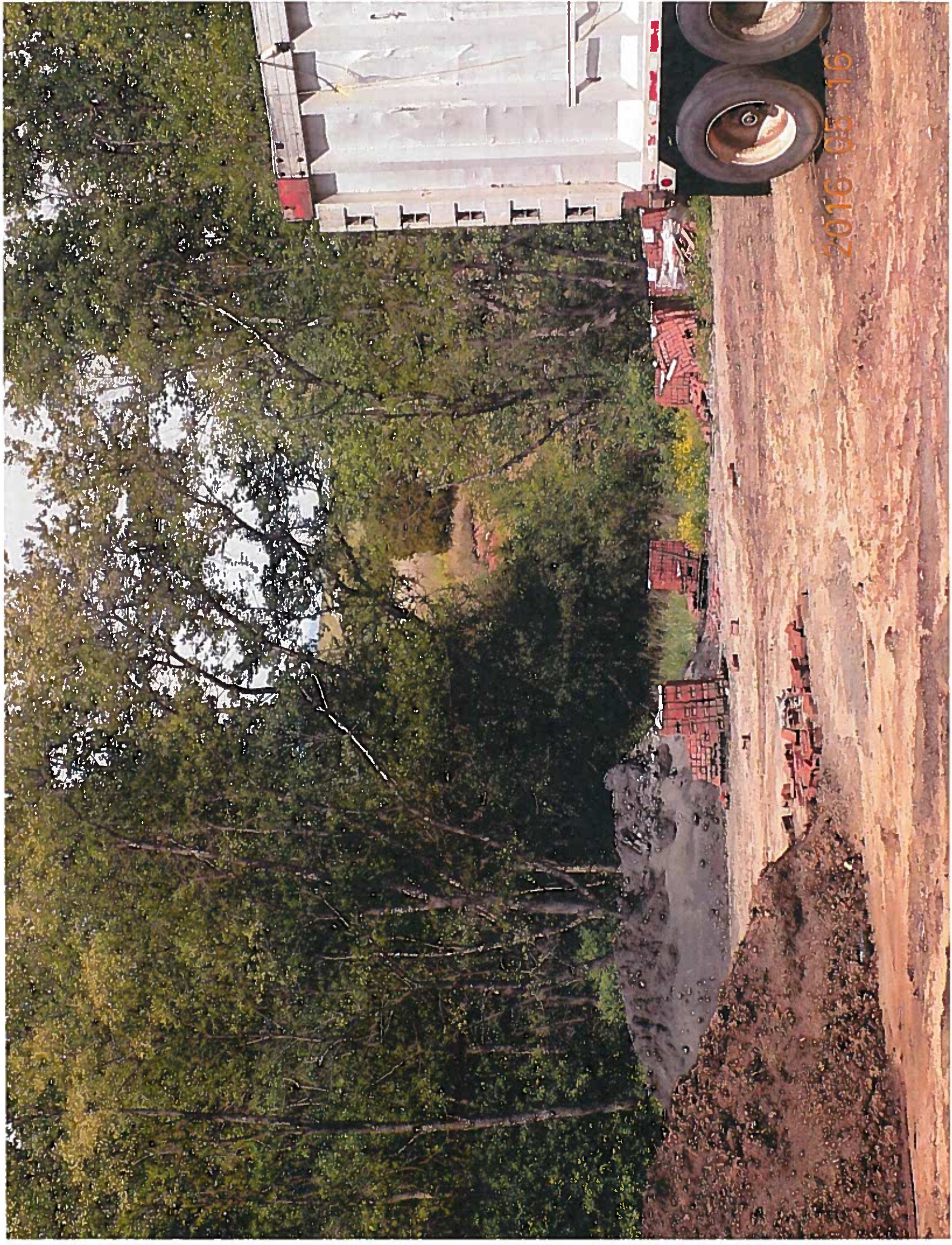
APPLICANT'S JUSTIFICATION:

To have outdoor storage and sales of litter, compost, wood chips, mulch, topsoil, gravel, boulders, pumpkins, and hay, and use an existing building for a maple syrup evaporator.

STAFF RECOMMENDATIONS

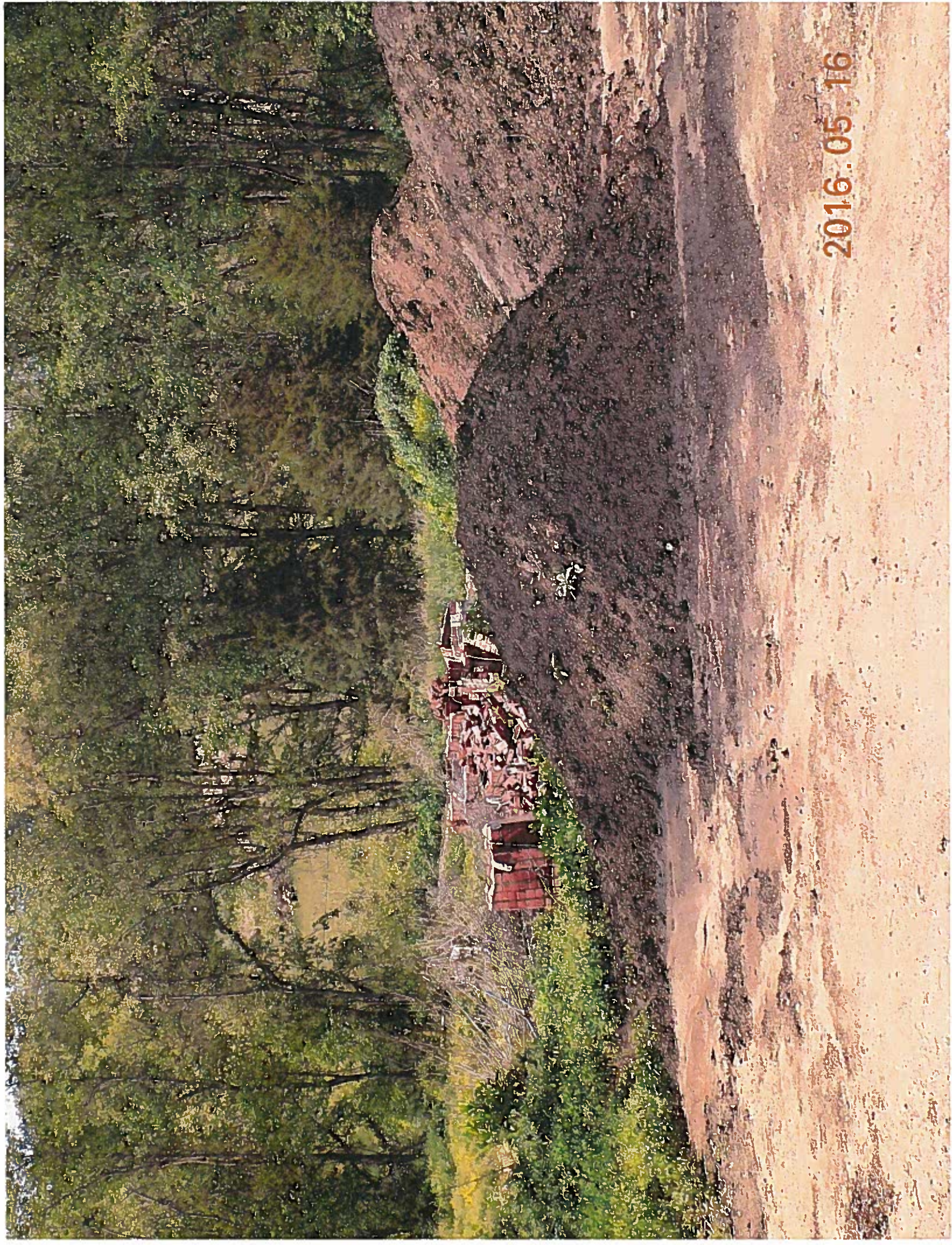
The applicant was approved on January 7, 2016, to have outdoor storage and sales of litter, compost, wood chips, mulch, topsoil, gravel, boulders, pumpkins, and hay, with pre-conditions that he obtain a VDOT entrance permit and provide a copy to Community Development, and that the outdoor storage area be screened by a berm within ninety (90) days. Staff has made numerous inspections and contacted the applicant via certified letter on March 15, 2016, and May 16, 2016, advising him that if the pre-conditions were not met by April 7, 2016, or an Extension of Time requested, the Special Use Permit would expire.

The ninety (90) days expired on April 8, 2016. The property was inspected by staff on April 13, 2016, and none of the pre-conditions have been completed. Staff feels that the applicant has been unable or unwilling to complete the pre-conditions set by the Board, and would recommend cancellation of the permit. The Board inspected the site on May 5, 2016, and found the site not to be neat and orderly, which is a violation of the operating conditions and neither of the pre-conditions were completed. At that time, the Board directed staff to advertise for consideration to cancel the Special Use Permit.

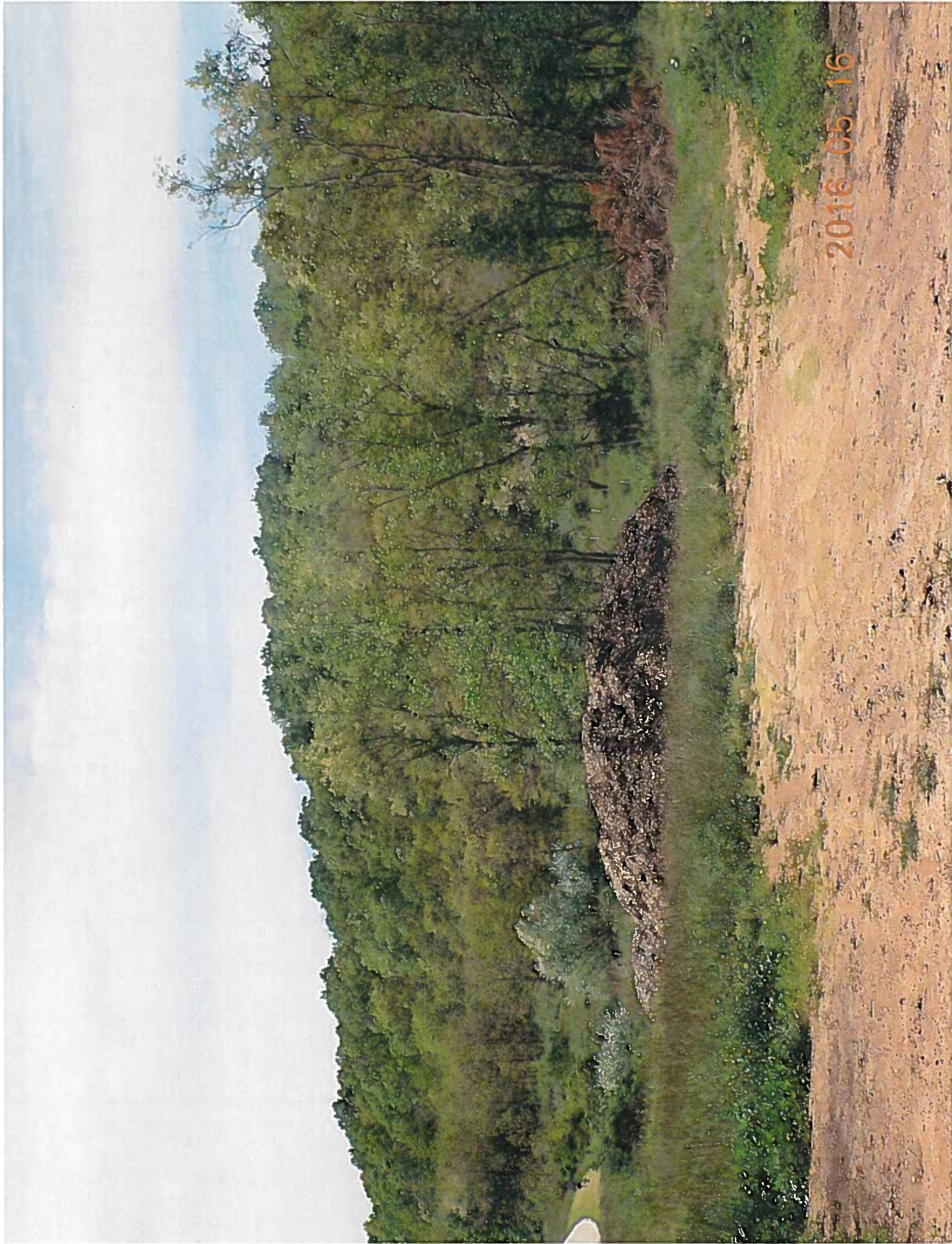


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COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



MEMORANDUM

DATE: May 18, 2016
TO: Sandra K. Bunch, Zoning Administrator
FROM: Tom Bailey, Zoning Technician
SUBJECT: Special Use Permit Inspections

The following special use permits issued in the month of August 2015 have been inspected:

15-31	Harold G. Moore – Cancelled
15-32	Alvin Moomau
15-33	Ella G. Eavers

I have enclosed a copy of those reports with the action I have taken.

TB/bcw

SPECIAL USE PERMIT INSPECTION REPORT

NAME: Alvin Moomau

Location: 4544 Lee Jackson Highway, Greenville

Use: To continue to have outdoor storage of equipment.

Special Use Permit No.: 15-32

Date Approved: 8/6/15

Date Inspected: 5/6/16

Name of Person Inspecting: Tom Bailey

1. Site plan requirements met (including VDOT entrance):

Yes No

If no, explain: _____

2. Stipulations met: Yes No

If no, explain: Several piles of rock, inoperable box truck, several pieces of equipment on upper lot in violation of operating conditions.

Action Taken: Send first notice of violation of operating conditions.

SPECIAL USE PERMIT INSPECTION REPORT

NAME: Ella G. Eavers

Location: West side of Walnut Hills Road, just south of the intersection of Walnut Hills Road and Deer Haven Lane

Use: To have weddings and a special event facility

Special Use Permit No.: 15-33

Date Approved: 8/6/15

Date Inspected: 5/16/16

Name of Person Inspecting: Tom Bailey

1. Site plan requirements met (including VDOT entrance):

Yes _____ No X

If no, explain: _____

2. Stipulations met: Yes _____ No _____ X _____

If no, explain: Applicant states they are getting their loan finalized and should have the barn under construction before August. They have met with VDOT and the Health Department.

Action Taken: _____