

Date 10/6/19

PROPERTY OWNER:
Michael D. Clancey

APPLICANT:
Same

LOCATION OF PROPERTY:
36 Summerfield Drive, Fishersville in the Wayne District

SIZE OF PROPERTY:
0.481 acres

VICINITY ZONING:
Single Family Residential surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:
03/67 Zoned Single Family 10

LAND USE MAPS:
Urban Service Area – Medium Density Residential

UTILITIES:
Public water and sewer

APPLICANT'S JUSTIFICATION:
To enclose a carport on a non-conforming dwelling.

PLANNING COMMISSION'S COMMENTS:
No comments.

BUILDING INSPECTOR'S COMMENTS:
Obtain all necessary permits and inspections for work to enclose carport to comply with the Uniform Statewide Building Code.

HEALTH DEPARTMENT'S COMMENTS:
Public water and sewer – No comments.

HIGHWAY DEPARTMENT'S COMMENTS:
After enclosing the carport, there will still be adequate off-street parking to accommodate the dwelling. VDOT has no objection to the request.

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, 36 Summerfield Drive, is currently a Service Authority water and sewer customer.
5. There is an existing 6" water line running along Summerfield Drive fronting the said parcel.
6. There is an existing 18" sewer line running along the rear property line of the said parcel.
7. The request does not appear to have any impact on the public water and sewer systems.

ENGINEERING'S COMMENTS:

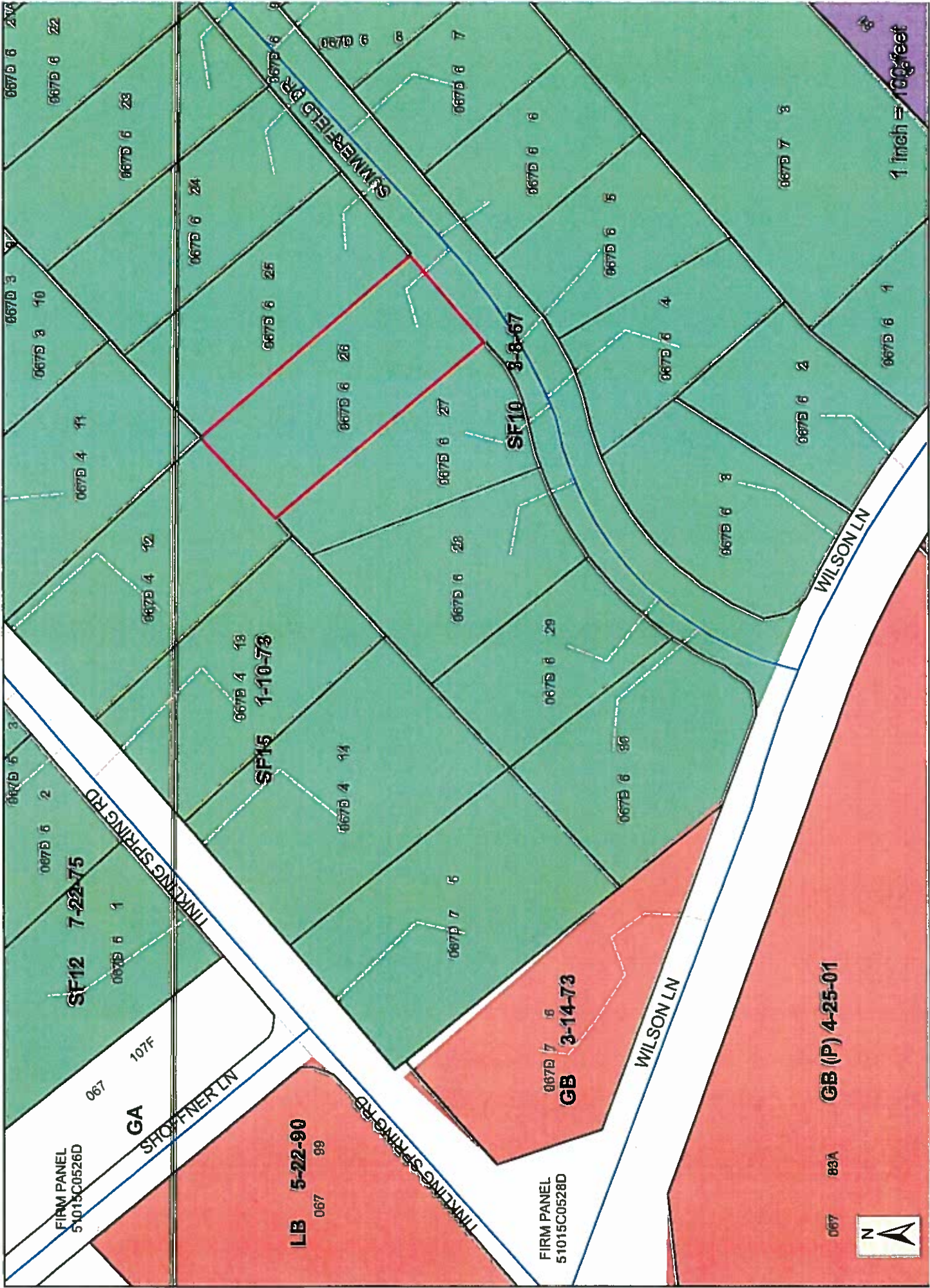
No comments.

STAFF RECOMMENDATIONS:

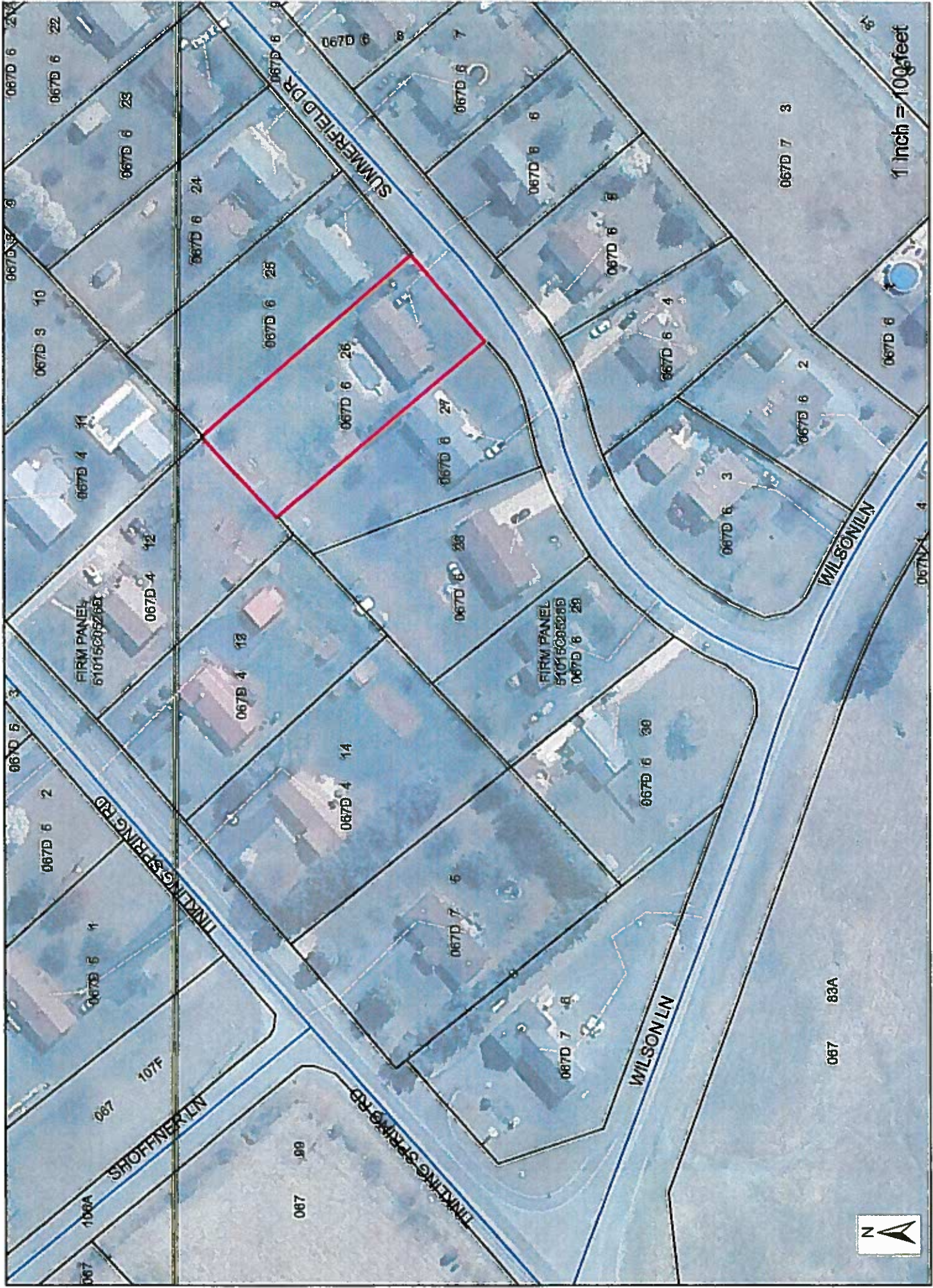
The applicant is requesting to enclose an existing non-conforming carport no closer to the front or side lot lines. The home was constructed in 1989 when the side setback was only six (6') feet. A survey provided by the applicant shows an 8.6' setback on the carport side. The dwelling became non-conforming in 2005 when an ordinance change increased the minimum setback from six (6') feet to fifteen (15') feet. Staff feels the request would be similar to other homes in the neighborhood and would recommend approval.



Clancey



Clancey

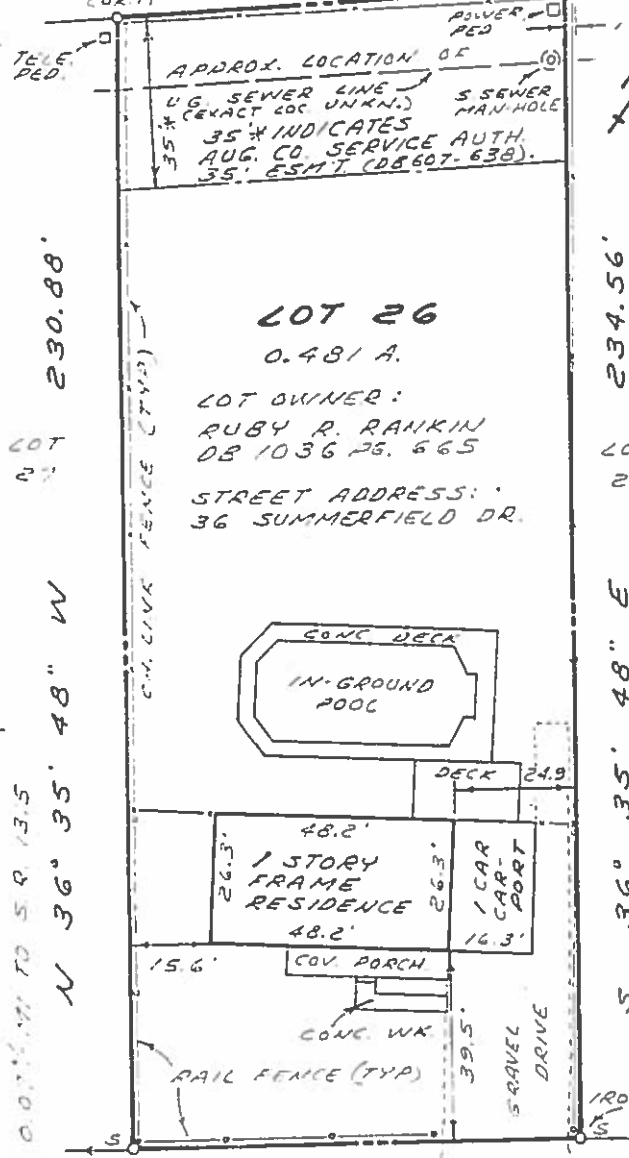
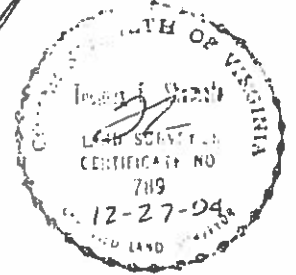


NORTH FROM THE RECORD SUBD. PLAN
 PB 1 PGS. 485-490.

GILKESON SUBDIVISION

LOT 12 LOT 11

N 51° 03' 52" E 90.08'
 COR 'A' COR 'B'



LOT 26
 0.481 A.

LOT OWNER:
 RUBY R. RANKIN
 DB 1036 PS. 665

STREET ADDRESS:
 36 SUMMERFIELD DR.

To all parties interested in title to promises surveyed, this is to certify that on December 22, 1994 I surveyed this property. For reference to this property see P Book 1 Pages 485-490 recorded in the Clerk's Office of the Circuit Court of the County of Augusta, Virginia. See chain of title for easements, conditions, restrictions and reservations of record. Following flood statement not based on my field survey. This property is within Zone X, area determined to be outside the 500 year floodplain. Flood Map FIRI comm.-panel no. 510013 0185 3 dated May 17, 1990

Public water and sewer, power, tele., t.v. and gas service to residence.

- NOTES:
- 1 15' VEP CO ESM'T (DB 942-517) & 15' CF-W TELE. CO ESM'T (DB 945-781) ACROSS REAR OF LOT. U.G. POWER, TELE. & TV LINES ACROSS REAR OF LOT, EXACT LOCATION UNKNOWN.
 - 2. 10' UTIL. & DRAIN. ESM'T. ALONG REAR LOT LINE & 5' UTIL. & DRAIN. ESM'T. ALONG SIDE LOT LINES (DB 1 PGS. 485-490).

S 53° 24' 12" W 90.00'
 SUMMERFIELD DRIVE (50' R.O.W.)
 (ALSO KNOWN AS STATE ROUTE 1350)

COR. REF'S. - COR 'A' - COR. FP BEARS
 S 75° 55' 57" E 1.30'
 COR 'S' - COR. FP BEARS
 S 59° 24' 10" E 2.52'

PHYSICAL SURVEY
 LOT 26, SUMMERFIELD SUBD.
 FOR
 RICKY D. BEARD & THERESA L. KEY
 WAYNE DISTRICT, AUGUSTA CO., VIRGINIA
 SCALE 1" = 30' DECEMBER 23, 1994
 TOM SHUMATE SURVEYOR, INC.
 WAYNESBORO, VIRGINIA 703-9422990

Clancey

Date 10/6/16

PROPERTY OWNER:
Richard A. or Leslie Sturges

APPLICANT:
Same

LOCATION OF PROPERTY:
877 Bunker Hill Road, Mt. Solon in the North River District

SIZE OF PROPERTY:
7.555 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

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

LAND USE MAPS:
Agriculture Conservation Area

UTILITIES:
Private well and septic

APPLICANT'S JUSTIFICATION:
To have a bat rescue.

PLANNING COMMISSION'S COMMENTS:
The Planning Commission recommends to the Board they consider the impact of the proposed use on adjacent properties which are in the North River Agricultural and Forestal District in compliance with §15.2-4312 of the State Code.

BUILDING INSPECTOR'S COMMENTS:
Obtain all necessary permits and inspections for any new structures or alterations to structures as required by the Uniform Statewide Building Code.

HEALTH DEPARTMENT'S COMMENTS:
They are going to build a separate building for bat rescue with other volunteers. EHS told them to speak with an engineer on establishing water use and wastewater strength. Will require minor modification permit if not increasing water use, will require PE/Plans and full application fees if they put a new system in down the line for guest house (increasing bedrooms). NOT approved at this time, pending submittal of above items.

HIGHWAY DEPARTMENT'S COMMENTS:

Bunker Hill Road currently has 410 vehicle trips per day according to the most recent VDOT counts. The proposed use is not expected to generate measurable traffic and won't be open to the public. Therefore, the existing private entrance is adequate.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

If the existing buildings onsite are to be used or if disturbance is less than 10,000 square feet, engineering will have no comments.

ANIMAL CONTROL'S COMMENTS:

Very knowledgeable applicant. Animal Control checked all of the permits from the State and Federal. A copy is in the file. This permit is highly recommended.

SECTION 25-741 - LIMITED BUSINESSES AND INDUSTRIES IN AGRICULTURE ZONES

Where outside storage is not prohibited, all outside storage areas will be adequately shielded or screened from view.

There will be no outside storage.

The operator will be a resident on the premises unless the board of zoning appeals determines that such residency is not appropriate in the specific case, taking into account the nature of the business and the character of the neighboring properties.

The applicant lives on premise.

The business and anticipated enlargements thereof will be appropriate for agriculture areas.

An indoor bat rescue should be an operation that is compatible with agricultural areas.

The business shall have direct access on to a state maintained road and approval by the Virginia Department of Transportation or the expected traffic on a private road or easement can be accommodated by the access proposed.

The property has direct access to Bunker Hill Road through an easement.

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

There will be no public coming to the site. The property contains 7.555 acres that should safely accommodate all traffic.

Only pre-existing structures will be utilized unless the board of zoning appeals finds that proposed new construction will be not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.

The applicants are planning to construct a 20' x 30' building to house the bats.

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

No expansion larger than 4,000 square feet are requested.

Evidence that the business will be connected to public sewer or that an onsite sewage disposal system can be approved for the business use.

There is an approved septic system onsite.

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

The building will be within close proximity to the home and fire extinguishers onsite.

All items displayed for sale or stored on site shall be set back at least twenty-five feet (25') from the edge of the pavement of any adjoining roads, and in no case shall a display or storage area be within the right-of-way of any road.

No outside display is requested.

STAFF RECOMMENDATIONS

The applicants are requesting to have a bat rescue facility within a 20' x 30' building. The bats are currently being kept in the applicant's basement. The applicant is licensed through the Department of Game and Inland Fisheries and has been doing this for over ten (10) years. There will be no public coming to the property. The applicant will pick up the bats and bring them to the property. The bats are usually small orphaned babies or ones that are separated from their colony. She will keep the bats until they are ready to be released either from her site or take back to the area they came from.

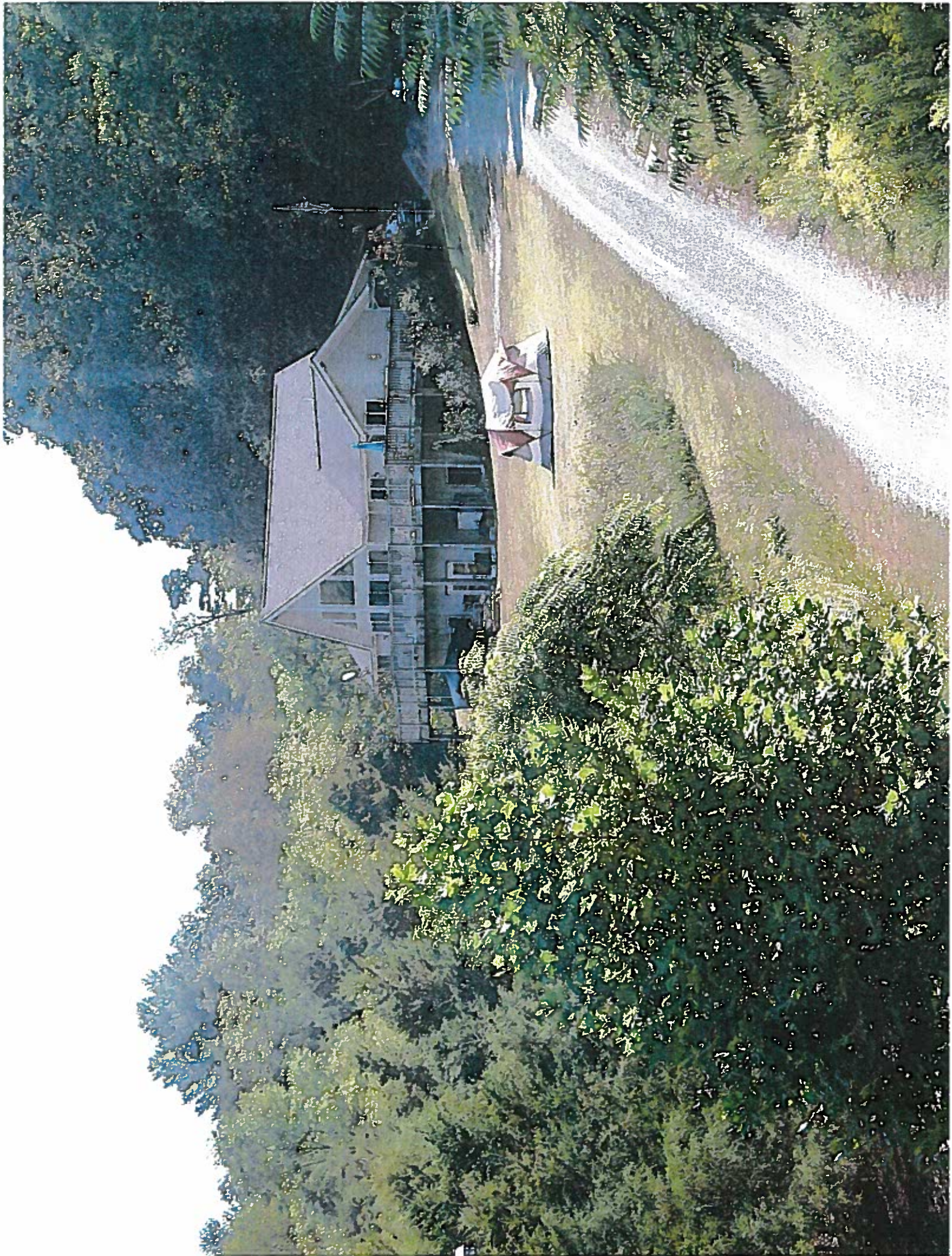
Staff feels a bat rescue facility with no customer traffic would be a low impact operation that should be compatible with the rural character of this area and would recommend approval with the following conditions:

Pre-Condition:

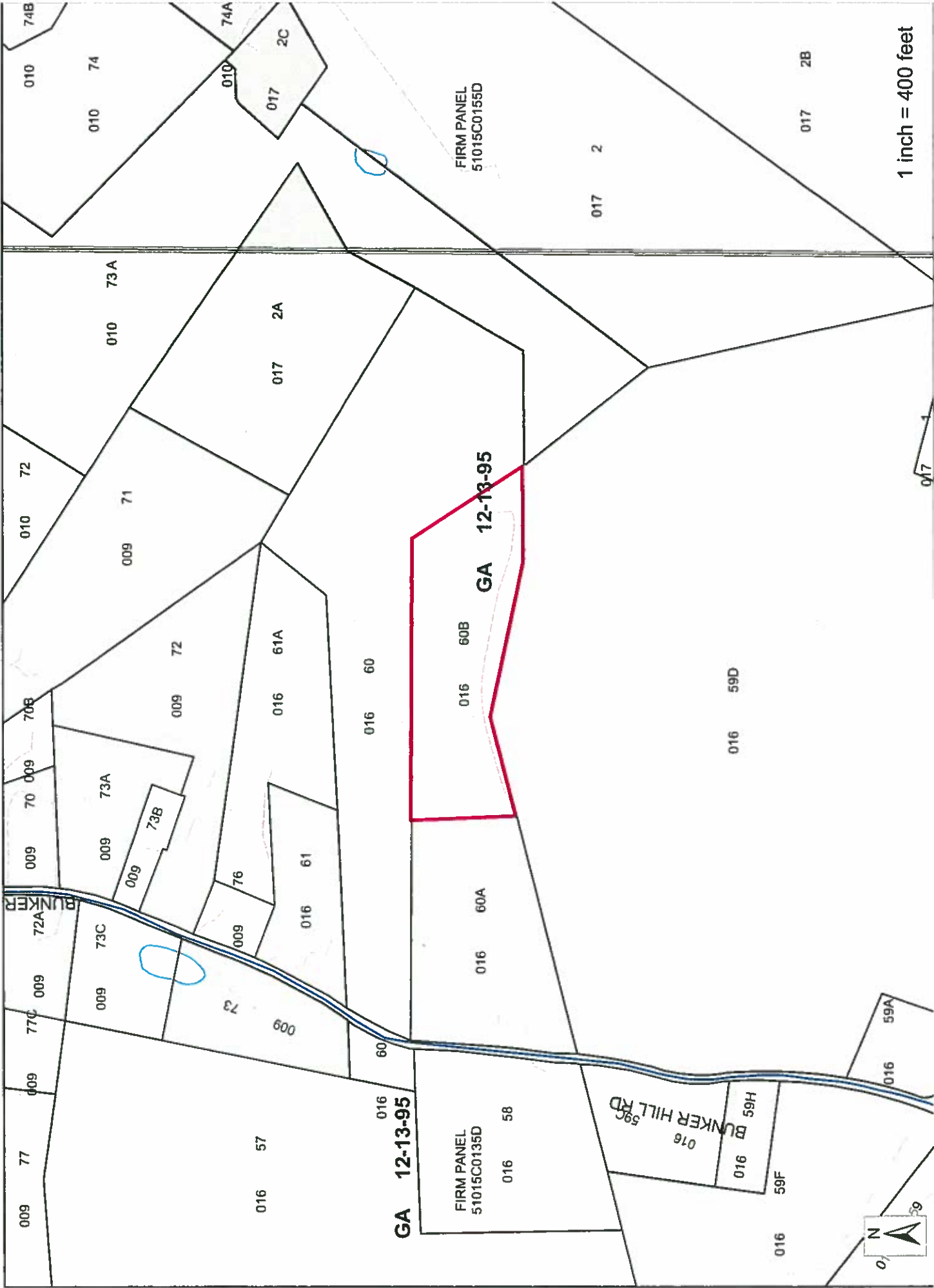
1. Obtain Health Department approval and provide a copy to Community Development.

Operating Conditions:

1. Obtain Building Permit for the 20' x 30' building.
2. Site be kept neat and orderly.
3. All bats be confined within the 20' x 30' building on the site plan or the basement of the home.

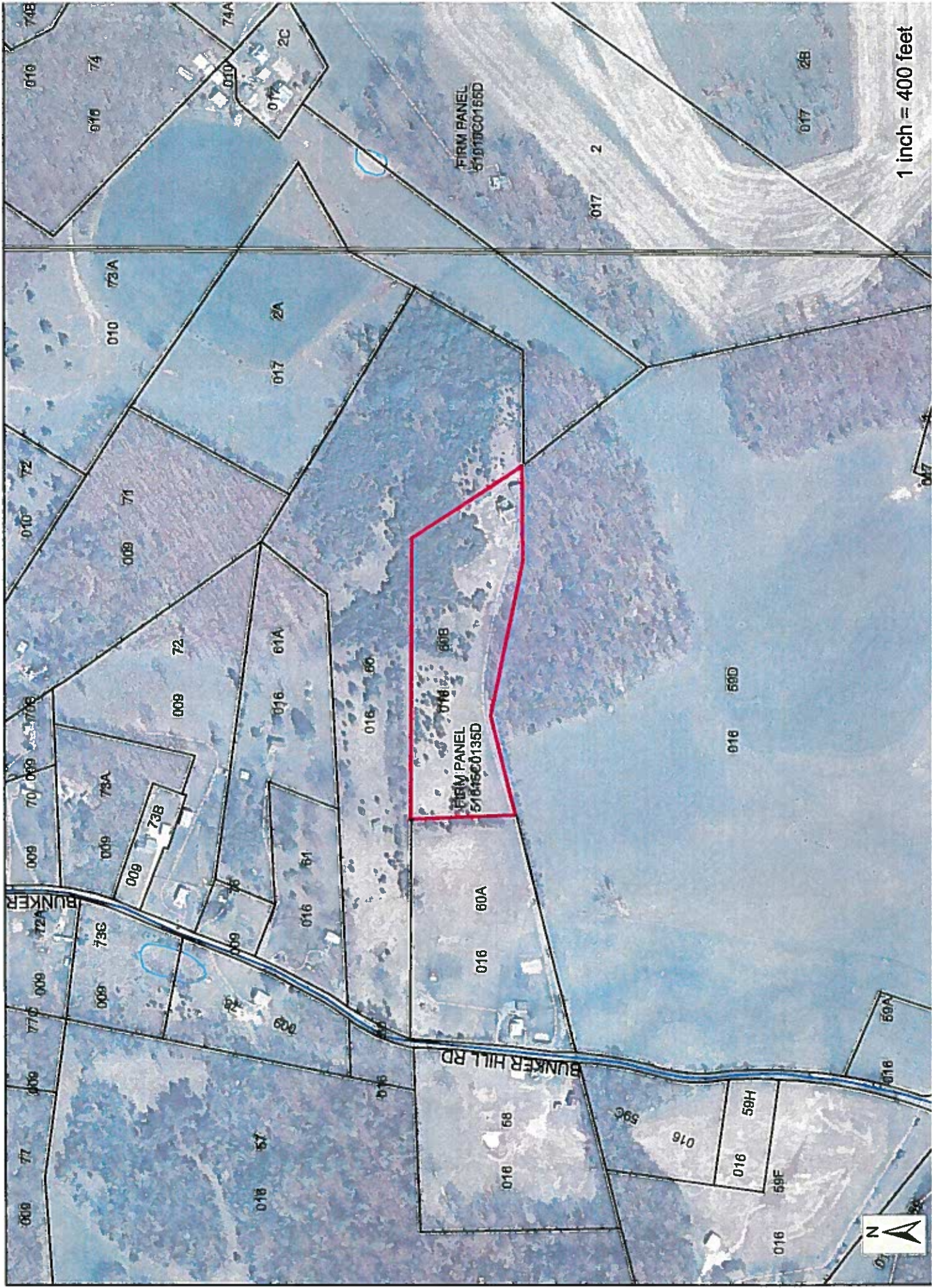


Sturges



1 inch = 400 feet

Sturges



Stargate



1 inch = 100 feet

Sandy Bunch

From: janete@shentel.net
Sent: Wednesday, September 21, 2016 9:13 AM
To: Sandy Bunch
Cc: JANET TINKHAM
Subject: Special Use Permit -Leslie Sturges

September 21, 2016

TO: Sandra Bunch, Augusta County Zoning Administrator

RE: Special Use Permit, Leslie Sturges

I am writing to support the Special use Permit Application for a BAT Building submitted by Leslie Sturges. I have known Leslie for many years and have observed firsthand her expertise as an Educator and Bat Rehabber. Leslie has provided numerous education opportunities in the Shenandoah Valley through collaboration with conservation groups and schools. She has provided her expertise working with caving groups to conserve threatened and endangered species in our area. In addition, Leslie responds to the numerous referrals we send her way from individuals looking for advice on the most humane way to remove bats from their homes. Leslie is the primary resource in our region for any referrals on bats, either for information or for those in need of rehabilitation.

I cannot speak highly enough of the work that Leslie Sturges and The Save Lucy Campaign have done and continue to do for our precious bats. Throughout history, bats have been mistreated and misunderstood due to folklore, unknowing individuals, and in more recent years devastation by the White Nose Syndrome which has greatly reduced the bat population. Bats are known for pollination and insect control which can be adversely affected by their decline.

It is extremely important to support any efforts to educate the community about bat conservation and to support rehabbers like Leslie, who work tirelessly to nurse the injured and orphaned which can be numerous. Approving the Special Use Permit for a BAT Building would benefit the valuable work that Leslie is doing. On behalf of bat conservationists in the Shenandoah Valley I/we respectfully ask that you approval the application for a Special use Permit.

Sincerely,

Janet Tinkham

Chair, Front Royal Grotto of the National Speleological Society

Director, Cave Conservancy of the Virginias

PROPERTY OWNER:
Jacqueline M. Ralston

APPLICANT:
Same

LOCATION OF PROPERTY:
302 Hermitage Road, Staunton in the Beverley Manor District

SIZE OF PROPERTY:
2.00 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

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

LAND USE MAPS:
Community Development Area – Low Density Residential

UTILITIES:
Public water and private septic

APPLICANT'S JUSTIFICATION:
To have a kennel.

PLANNING COMMISSION'S COMMENTS:
No comments.

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

HEALTH DEPARTMENT'S COMMENTS:
Sole employee. Rescue dogs kept in house. No increase in water (noticeable to where permit is affected). Health Department has no issue with the kennel.

HIGHWAY DEPARTMENT'S COMMENTS:
Hermitage Road (Rt. 254) currently has 5,400 vehicle trips per day according to the most recent VDOT counts. The existing entrance is adequate conditioned that the wagon wheel and post looking right out of the entrance is moved back approximately 3 feet and the tree limbs trimmed to 6 feet in height.

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, 302 Hermitage Road, is currently a Service Authority water customer with a 5/8 inch meter. No details were provided regarding the proposed kennel and if additional fixtures are proposed that may increase demands on the current water meter. If additional plumbing is proposed, a meter sizing form will need to be provided for evaluation. An increase in the meter size would require the payment of additional fees.
5. There is no public sewer available in the area of the subject parcel.

ENGINEERING'S COMMENTS:

No comments.

ANIMAL CONTROL'S COMMENTS:

This property is not enclosed by a six (6') foot fence and upon the inspection rabies and dog tags could not be presented on 8/8/16. Ms. Ralston called in because one of her dogs had gotten out of the fence and was missing. Animal Control would not recommend over seven (7) dogs here (as long as they were small dogs).

SECTION 25-74C - ANIMAL CARE FACILITIES

There is an adequate plan to keep the facility neat and clean, free of dirt, fecal accumulation, odors, and parasite infestation.

Waste is scooped and disposed of.

Adequate facilities will be constructed to ensure good ventilation and the maintenance of proper temperatures within healthful and comfortable limits for the animals.

The dogs are kept inside the home with heating and air conditioning.

Fencing will be sturdy and well maintained and will be of sufficient strength and height to safely secure the animals.

The property is enclosed with a fence in the front and back.

Exercise areas will provide adequate shelter from wind, rain, snow, and direct sunlight.

There is a doggie door upstairs and downstairs and the dogs can go in and out during the day.

There is an adequate plan to address safety from fire and other hazards, including alarm systems and suppression equipment when appropriate.

There are smoke detectors in the home.

Both the inside and outside facilities will be of proper size to accommodate the anticipated breeds and numbers of animals.

The property contains 2.00 acres. The six (6) dogs are all small and have a fenced area in the front and back.

The site contains a minimum of five (5) acres. 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 when necessary to protect the neighboring properties and to accommodate the anticipated breeds and numbers of animals.

The site contains only 2.00 acres, however, the applicant purchased the property in 1996 and accumulated the six (6) dogs prior to the ordinance change in 2010, which now requires a minimum of five (5) acres.

The animals shall be confined within an enclosed building from 10 p.m. to 6 a.m. unless the board of zoning appeals is satisfied that keeping the anticipated animals outside during such hours will not be a nuisance to neighboring properties.

The animals are kept inside the home with a doggie door for access outside. The door is shut off at night so the dogs are confined inside.

No structure occupied by animals, other than the principal dwelling of the owner/operator shall be closer than two hundred feet (200') from any lot line. No outside run or other outdoor area occupied by animals more than two (2) hours in any 24 hour period shall be nearer than five hundred feet (500') to any lot line. Nothing herein shall be deemed to limit the ability of the board of zoning appeals to require larger setbacks when necessary to accommodate the anticipated breeds and numbers of animals or to better protect neighboring properties.

The fenced area runs along the western side property line and the front property line.

STAFF RECOMMENDATIONS

The applicant is requesting to have a personal kennel for up to seven (7) dogs. She currently has one (1) Pomeranian, one (1) Shih Tzu, one (1) Miniature Dachshund, two (2) Miniature Doberman Pinschers, and one (1) Italian Greyhound. She would like to request seven (7) total so that she could take in a rescue if needed. Her personal dogs are all older small dogs that are kept inside the home. She has no plans to breed any of the dogs.

The new ordinance effective March 1, 2010, increased the acreage requirement to a minimum of five (5) acres and the minimum facility setback from fifty (50') feet to two hundred (200') feet from any property line. Before March 1, 2010, the Board could have considered a kennel on **less than** five (5) acres and a structure a setback of **less than** fifty (50') feet if the Board was satisfied that soundproofing or other measures would adequately protect neighboring properties. Prior to 2002 there were no minimum standards. The applicant's property contains only 2.00 acres, however, the dogs have been kept on this site for twenty (20) years. Staff does have concerns regarding the fact that the property contains only 2.00 acres.

Due to the fact that the property is less than five (5) acres, the fenced area runs along the western side property line and along the front property line within 160' of the closest dwelling that may be impacted by noise or odors, staff cannot recommend approval of the request. However, if the Board desires to take into consideration the dogs are kept inside the dwelling and only go outside for bathroom breaks and dogs have been kept on this site for twenty (20) years, there have been recent changes to the ordinance standards, and the Board feels the request is compatible with neighboring properties and desires to approve the request, then staff would recommend the following conditions:

Pre-Conditions:

None

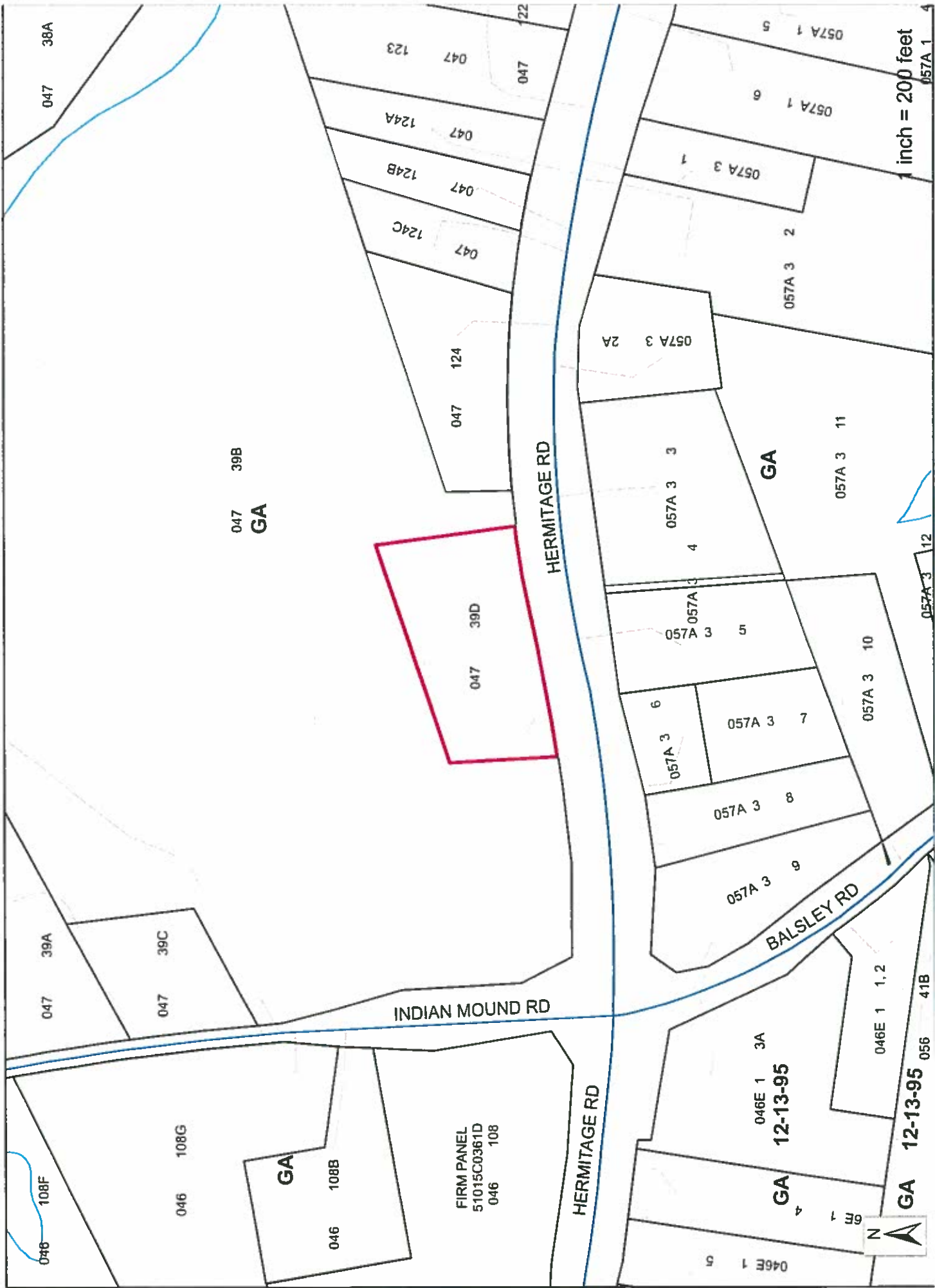
Operating Conditions:

1. Maximum of seven (7) adult dogs kept at this site at any time.
2. Dogs be kept inside from 10:00 p.m. until 6:00 a.m.

3. All dogs be confined within the fenced area or inside the home.
4. Site be kept neat and orderly.



Ralston



Ralston



Ralston

entire property fenced - 6' Chain Link fence



1 inch = 50 feet

Date 10/12/16

A CONTINUATION OF THE PUBLIC HEARING

PROPERTY OWNER:

James W. and Teresa C. Howdyshell

APPLICANT:

Same

LOCATION OF PROPERTY:

On the west side of Old Mountain Road (Route 764) approximately 0.075 miles west of the intersection of Old Mountain Road (Route 764) and Emmanuel Church Road (Route 731) in the North River District

SIZE OF PROPERTY:

91.099 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 – Zoned General Agriculture

LAND USE MAPS:

Agricultural Conservation Area

UTILITIES:

None

APPLICANT'S JUSTIFICATION:

To have a mining operation for the extraction of shale and rock.

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

After review our office has no comments or conditions.

HEALTH DEPARTMENT'S COMMENTS:

No structures on the property, no office, nothing that would require a septic permit. Just using to remove rock. Health Department has no objections to operation.

HIGHWAY DEPARTMENT'S COMMENTS:

The property has an easement for access to Rt. 764 (Old Mountain Road). The proposed use could have a significant impact on the roadway depending on the amount of material being hauled and the frequency/rate of hauling. This property was approved by VDOT for a division for residential use on July 1, 2014, and a Land Use permit for a private

entrance was issued on August 9, 2016. The existing entrance is adequate to serve as a low volume commercial entrance, which is only good for up to 50 vehicle trips (entering or exiting) per day; there is not adequate site distance to allow improving the entrance to a moderate volume standard. The operating speed resulting from a VDOT speed study is 26 mph for southbound traffic.

Rt. 764 is designated as a rural rustic roadway. It should be noted that the Board designates rural rustic roads based on the anticipation that there will not be a significant amount of traffic growth; it may be appropriate to condition the permit to further limit the vehicle trips to less than the 50 trips per day limit dictated by the low volume entrance in order to preserve the existing nature of the traffic, and pavement condition, as much as possible.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

None

VIRGINIA DEPARTMENT OF FORESTRY'S COMMENTS:

The office was contacted in May prior to the logging operation. The property was inspected in June and there were no water quality impacts. No permit is required in this case for logging of private property.

DEPARTMENT OF MINES, MINERALS & ENERGY'S COMMENTS:

My department has not received any documents concerning the establishment of a mineral mining operation in the area in question.

SECTION 25-74D - USES AWAY FROM DEVELOPED AREAS

The neighboring area is not characterized by residential, commercial, or industrial development which would be adversely impacted by the proposed use.
There are residential houses within close proximity.

Traffic generated by the proposed project will be compatible with the roads serving the site and other traffic utilizing said roads

The applicant is proposing to haul approximately thirty (30) loads at a time as needed for jobs.

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

The property has an existing approved private entrance and the 91.099 acres will accommodate all traffic adequately.

The business shall have direct access to a state maintained road.

The applicant has a deeded easement for access to Old Mountain Road (Rt. 764).

The business and anticipated enlargements thereof will be appropriate for agriculture areas and is not more properly placed in an available industrial zone. Mining operations are appropriate in agriculture areas.

All buildings, structures, and operations will be set back at least two hundred feet (200') from all property lines and at least one thousand feet (1000') from any residentially zoned property unless the board of zoning appeals determines that greater setbacks are necessary to adequately protect neighboring properties.

A portion of the original shale mining operation is within the two hundred foot (200') setback. All other proposed areas are well over the two hundred foot (200').

STAFF RECOMMENDATIONS

The applicant is requesting to reopen an old mining site for the extraction of shale and rock on his property. He is currently clearing the site to bring cattle to the property in the winter and to level an area for a bank barn for hay storage. He plans to use approximately ten (10) acres of the 91.099 acres for the mining operation and will be digging down twenty feet (20'). The applicant has an excavating business and would like to use the shale and rock for jobs as the need arises. The applicant does not plan to operate on a daily basis and estimates about thirty (30) loads at a time using two (2) dump trucks.

Staff shares VDOT's concerns regarding the use of Old Mountain Road (Rt. 764) for commercial truck traffic. Old Mountain Road (Rt. 764) was improved under the Rural Rustic Road Program and was not designed to handle heavy commercial vehicles. Staff also has concerns that the proposed use could have a significant impact on the neighboring residential properties within close proximity due to increased noise, dust, fumes, vibration and increased truck traffic and feels it would not be compatible with the residential character of this rural area. If the Board feels that the request is compatible and desires to approve the request, staff would recommend the following conditions:

Pre-Conditions:

1. Obtain DMME permit and provide a copy to Community Development.
2. Submit bond as required by VDOT for necessary road repairs.
3. Submit a BZA sketch showing exact distance to the shale/quarry area.

Operating Conditions:

1. Be limited to a maximum of thirty (30) commercial vehicle trips per day.
2. Be limited to two (2) commercial dump trucks.
3. Site be kept neat and orderly

4. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
5. All equipment, machinery, and materials for the mining operation be kept on site.
6. No Sunday operation.
7. Permit be reviewed in a year and renewed if all of the conditions are met.

October 6, 2016 Staff Comments:

Per discussions at the September 1, 2016 public hearing, there have been two (2) activities going on at the Howdyshell property.

1. Logging and clearing land for pasture and crops. This is a permitted use in agriculture districts. The Department of Forestry was contacted by Staff and stated they were contacted by Mr. Howdyshell's logging contractor and it was determined that there was no logging permit required. Mr. Howdyshell stated that he did work until dark on stump removal and land grading which was not related to the Special Use Permit request to remove or mine shale.
2. Removal of shale. Mr. Howdyshell stated he did remove shale from the site but did not know he needed permits. The Department of Mines issued a stop work order in July, however, they did not provide this information to Community Development when we asked for their comments on this Special Use Permit. Mr. Howdyshell stated that if approved, he would agree to a limited number of trucks per day for the shale operation.

VDOT comments state this entrance is adequate to serve as a low volume commercial entrance for up to fifty (50) vehicles per day.

Staff does have concerns regarding the close proximity of several homes and that the applicant follow setback regulations. If the Board determines that this request is a compatible use and desires to approve the request, then Staff would recommend the following conditions for consideration:

Pre-Conditions:

1. Obtain DMME permit and provide a copy to Community Development.
2. Submit bond as required by VDOT for necessary road repairs.

3. Submit a BZA sketch including a survey that shows the exact distance from the shale/quarry area to the adjoining property lines. The two hundred foot (200') setback area be marked on site.

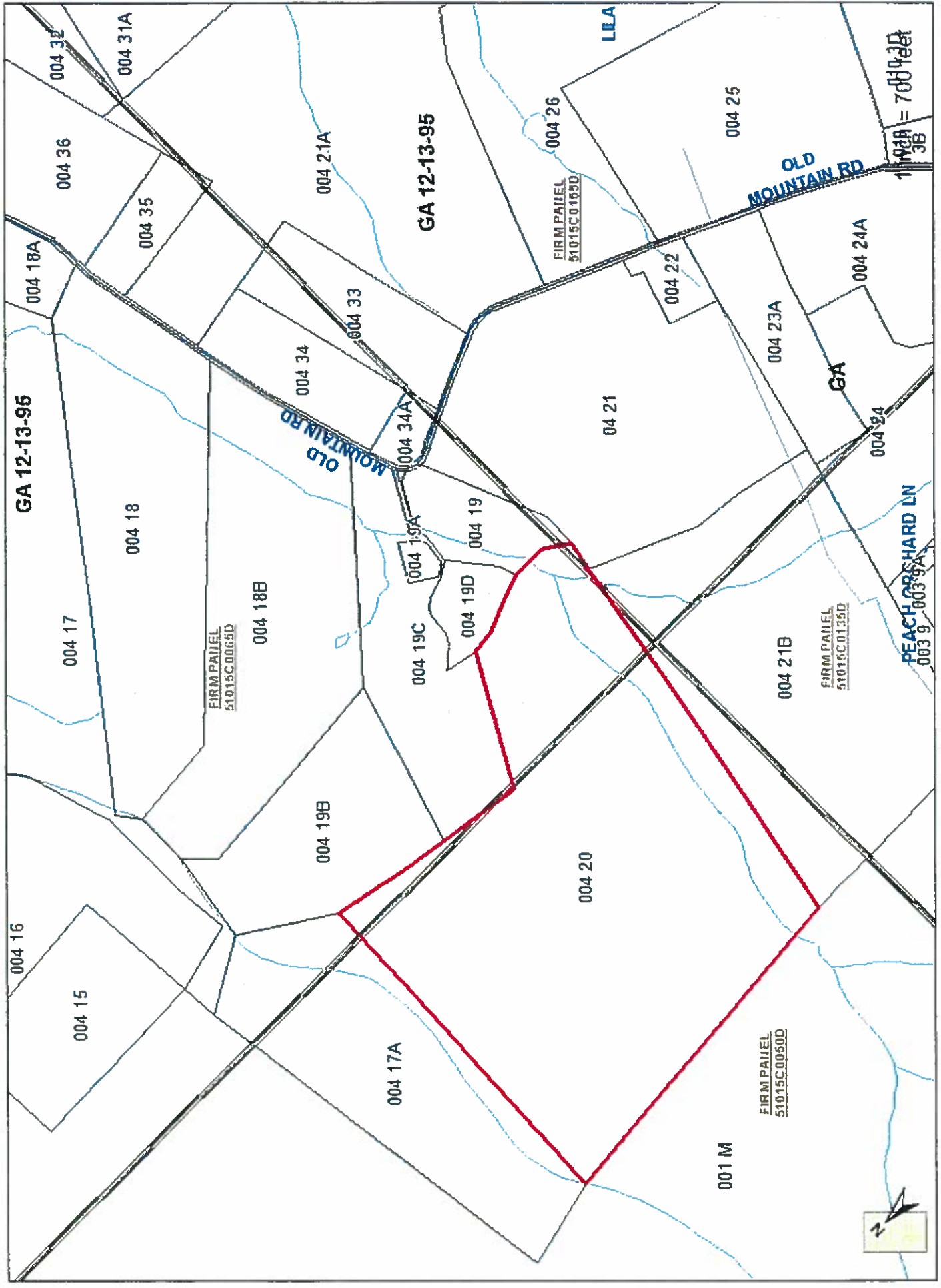
Operating Conditions:

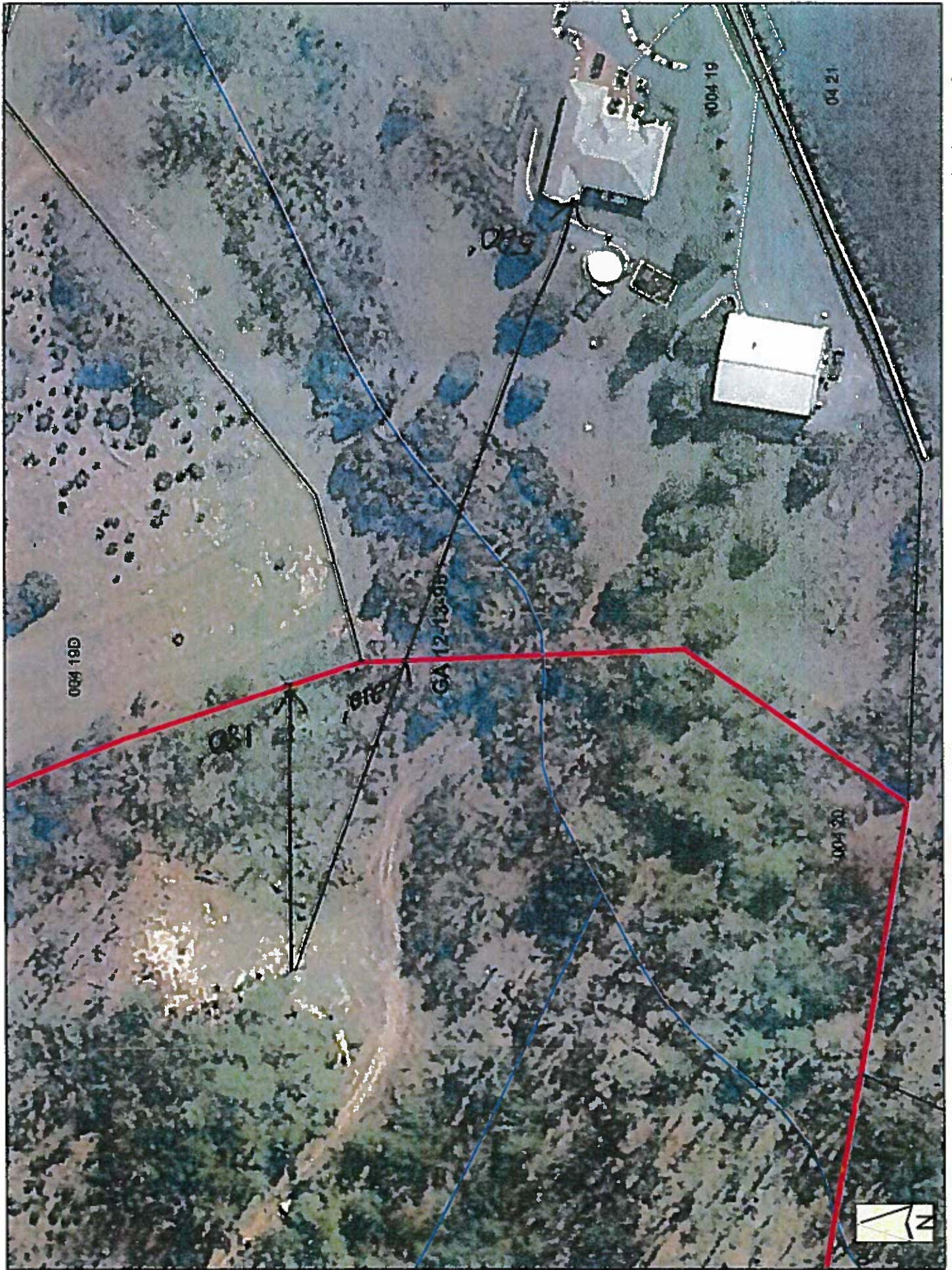
1. Be limited to a maximum of ten (10) shale load trips per day.
2. Hours of operation for the shale operation will be Monday thru Friday, 8:00 a.m. to 5:00 p.m.
3. No Saturday or Sunday operation.
4. Be limited to two (2) commercial dump trucks.
5. Site be kept neat and orderly
6. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
7. All equipment, machinery, and materials for the mining operation be kept on site.
8. Permit be reviewed in a year and renewed if all of the conditions are met.





Howdlyshell





1 inch = 80 feet

