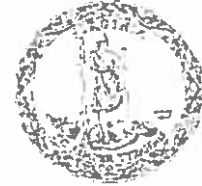




COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



MEMORANDUM

TO: Augusta County Board of Zoning Appeals
FROM: Sandra K. Bunch, Zoning Administrator *Sandy*
DATE: December 29, 2016
SUBJECT: Regular Meeting and Viewing

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, January 5, 2017, 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, January 5, 2017, 1:30 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. ELECTION OF OFFICERS

Chair:

Vice Chair:

Secretary:

4. MINUTES

Approval of the Called and Regular Meeting of December 1, 2016

5. CONSIDERATION OF 2017 RESOLUTION

6. PUBLIC HEARINGS

A. A request by Ron Adams, for a Special Use Permit to use an existing building to store business materials on property owned by Cornerstone Church of Waynesboro, Trustees, located at 1156 Tinkling Spring Road, Staunton in the Beverley Manor District.

B. A request by Mark and Debbie Battle, for a Special Use Permit to have weddings and special events on property owned by Richard A. or Laurel L. Landes, located at 1620 Barrenridge Road, Waynesboro in the Beverley Manor District.

7. OLD BUSINESS

A. A request by Sandra T. Mahon or Lindsay Caitlin Mahon, for a Special Use Permit to have a haunted mill on property they own, located at 717 Rockfish Road, Waynesboro in the Wayne District. – **Board of Zoning Appeals voted to continue the public hearing in order to get the opportunity to see inside the building.**

8. MATTERS TO BE PRESENTED BY THE PUBLIC

9. MATTERS TO BE PRESENTED BY THE ZONING ADMINISTRATOR

A. A request by James Potter, agent for Redeeming Life Ministries, for a Special Use Permit to have a day care operation within a church on property it owns, located in the eastern quadrant of the intersection of Hammond Lane and Christians Creek Road, in the Beverley Manor District. – **ONE YEAR EXTENSION OF TIME REQUEST**

B. Presentation of the Annual Report

10. STAFF REPORT

16-7	Ivan M. or Luella W. Nolt
16-8	John D. Senger
16-9	Yoder Investments, LLC
16-10	Ag Venture, LLC
16-11	R.T. Manufacturing, LLC

11. ADJOURNMENT

RESOLUTION OF THE AUGUSTA COUNTY BOARD OF ZONING APPEALS

WHEREAS, § 15.2-2214 of the Code of Virginia (1950), as amended, authorizes the Augusta County Board of Zoning Appeals to fix a schedule of regular meetings.

WHEREAS, the Board of Zoning Appeals now desires to establish its schedule for regular meetings during calendar year 2017.

BE IT RESOLVED BY THE AUGUSTA COUNTY BOARD OF ZONING APPEALS:

1. The Board of Zoning Appeals shall hold regular meetings during calendar year 2017, in the Board Meeting Room at the Augusta County Government Center, on the dates and at the times set forth below:

January 5, 2017	1:30 p.m.
February 2, 2017	1:30 p.m.
March 2, 2017	1:30 p.m.
April 6, 2017	1:30 p.m.
May 4, 2017	1:30 p.m.
June 1, 2017	1:30 p.m.
July 6, 2017	1:30 p.m.
August 3, 2017	1:30 p.m.
September 7, 2017	1:30 p.m.
October 5, 2017	1:30 p.m.
November 2, 2017	1:30 p.m.
December 7, 2017	1:30 p.m.

2. In the event the Chairman of the Board of Zoning Appeals, or the Vice Chairman of the Board of Zoning Appeals, if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members of the Board of Zoning Appeals to attend a meeting, such meeting shall be continued to the next business day. Such finding and declaration shall be communicated to the members of the Board of Zoning Appeals and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

Adopted: _____

Chairman, Augusta County
Board of Zoning Appeals

Date 1/5/17

PROPERTY OWNER:

Cornerstone Church of Waynesboro, Trustees

APPLICANT:

Ron Adams

LOCATION OF PROPERTY:

1156 Tinkling Spring Road, Staunton in the Beverley Manor District

SIZE OF PROPERTY:

9.8 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

12/12 SUP to use an existing building to store business materials

LAND USE MAPS:

Rural Conservation Area

UTILITIES:

Private well and septic

APPLICANT'S JUSTIFICATION:

To use an existing building to store business materials

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

After review, our office has no comments.

HEALTH DEPARTMENT'S COMMENTS:

No objection.

HIGHWAY DEPARTMENT'S COMMENTS:

The existing commercial entrance to the proposed church is adequate for the proposed additional use.

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. There is an existing 8" waterline approximately 1,844'± east of the subject parcel.
5. There is no public sewer available in the vicinity of the subject parcel.

ENGINEERING'S COMMENTS:

No comments.

SECTION 25-74I - 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.

The applicant is requesting to have a storage bin for old doors and parts against the building.

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 resides in Verona.

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

The building has been used for material storage since 2012 and there have been no complaints.

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 business has direct access to Tinkling Spring Road (Route 608).

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

The 9.8 acre site is large enough to safely accommodate all anticipated traffic from this small business.

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 applicant is requesting to use the existing 40' x 65' barn for storage of materials for the overhead door business.

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 expansions 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 are no restrooms in the barn, but there are restrooms in the church on an approved septic system.

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

There are 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.

There are no items displayed for sale.

STAFF RECOMMENDATIONS

The applicant is purchasing the overhead door business from the previous tenant and is requesting to continue to use the 40' x 65' building to store materials for the business. No customers or employees will come to the site.

The building has been used for material storage since 2012 and staff has had no complaints. Staff feels the request is compatible with the rural character of the area and recommends approval with the following conditions:

Pre-Conditions:

None

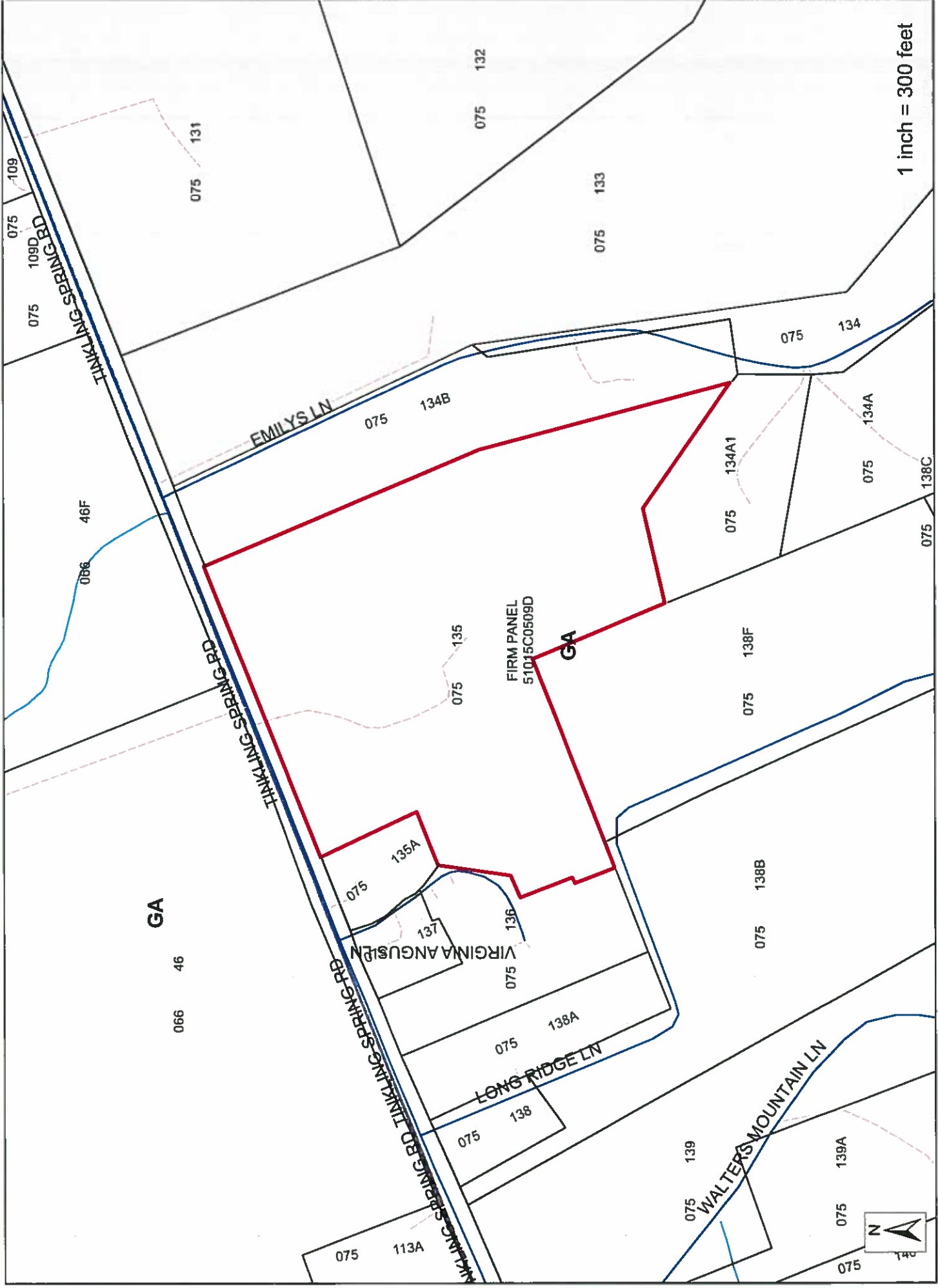
Operating Conditions:

1. Be limited to one (1) company vehicle at the site.
2. No employees to come to this site.
3. All equipment, machinery, and materials for the business be kept inside the 40' x 65' pole barn.
4. Site be kept neat and orderly.



Prinzipien

Cornerstone Church of Waynesboro



Cornerstone Church of Waynesboro



Cornerstone Church



1 inch = 200 feet

AGENDA ITEM # 6B

Date 1/5/17

PROPERTY OWNER:

Richard A. or Laurel L. Landes

APPLICANT:

Mark and Debbie Battle

LOCATION OF PROPERTY:

1620 Barrenridge Road, Waynesboro in the Beverley Manor District

SIZE OF PROPERTY:

15.00 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:

Public water and private septic

APPLICANT'S JUSTIFICATION:

To have weddings and special events

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

After review, our office has no comments as it is a farm structure.

HEALTH DEPARTMENT'S COMMENTS:

Applicant needs to obtain approvals for sewage disposal and water supply.

HIGHWAY DEPARTMENT'S COMMENTS:

The use is not expected to have a significant impact on the surrounding roadways. The entrance proposed for use by the event center comes off Rt. 254; this existing entrance will need to be upgraded to moderate volume commercial entrance standards, which is required to be paved and have minimum of 25' radii. A VDOT land use permit is required to make these upgrades.

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. ACSA water models indicate less than 500 GPM fire flow currently exists at this location.
4. 1620 Barrenridge Road is currently a Service Authority water customer.
5. A meter sizing form will be required to evaluate adequacy of the existing meter. Additional fees will apply if the meter size needs to be increased.
6. There is no public sewer available in the vicinity of the subject parcel.

ENGINEERING'S COMMENTS:

No comments.

SECTION 25-74H - PUBLIC ACCOMMODATION FACILITIES

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

The applicants will be using an existing barn on the property for the weddings and special events. A small scale special event venue should be compatible with the neighboring properties.

The business, taking into account such things as its proposed size, parking facilities, setbacks, and landscaping, will not be out of character with neighboring properties.

The applicants are requesting to have thirty-two (32) events per year with up to two hundred fifty (250) attendees which could impact other homes in the area.

The permitting of the proposed business, when taking into account the presence of similar businesses in the neighborhood, will not result in such concentration or clustering of businesses as to create an institutional setting or business center or otherwise change the area's character and social structure.

The permitting of a wedding or special event facility should not result in a clustering of similar businesses in the area.

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

The property will have frontage along Barrenridge Road. The parking area and events will be accessed through a secondary entrance off of Hermitage Road (Route 254), which will need to be upgraded to a moderate volume commercial entrance approved by VDOT.

STAFF RECOMMENDATIONS

The applicants are purchasing approximately fifteen (15) acres, including the existing dwelling and barn, of the ninety-six (96) acre farm. They are requesting to host thirty-two (32) events per year with up to two hundred fifty (250) attendees. They are requesting to use portable restroom facilities for the events and no food will be prepared onsite. The applicants will reside in the dwelling and will be onsite during the events.

Staff feels that weddings and special events in a rural setting would not be out of character if the number of events are limited. The Board has also been consistent in requiring septic systems for similar event facilities in rural areas, therefore, staff would recommend approval of the request with the following conditions:

Pre-Conditions:

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

Operating Conditions:

1. Applicant will install a sewage treatment system approved by the Health Department within two (2) years.
2. Be permitted to operate for two (2) years using a portable restroom facility until the septic system is installed.

3. Be limited to twenty-four (24) events per year but no more than three (3) per month.
4. Be limited to a maximum of two hundred-fifty (250) people per event.
5. No outdoor amplified music.
6. Events to cease by 10:00 p.m. and all persons off the property by 11:00 p.m.
7. Applicants reside on premise.
8. Site be kept neat and orderly.
9. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
10. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.



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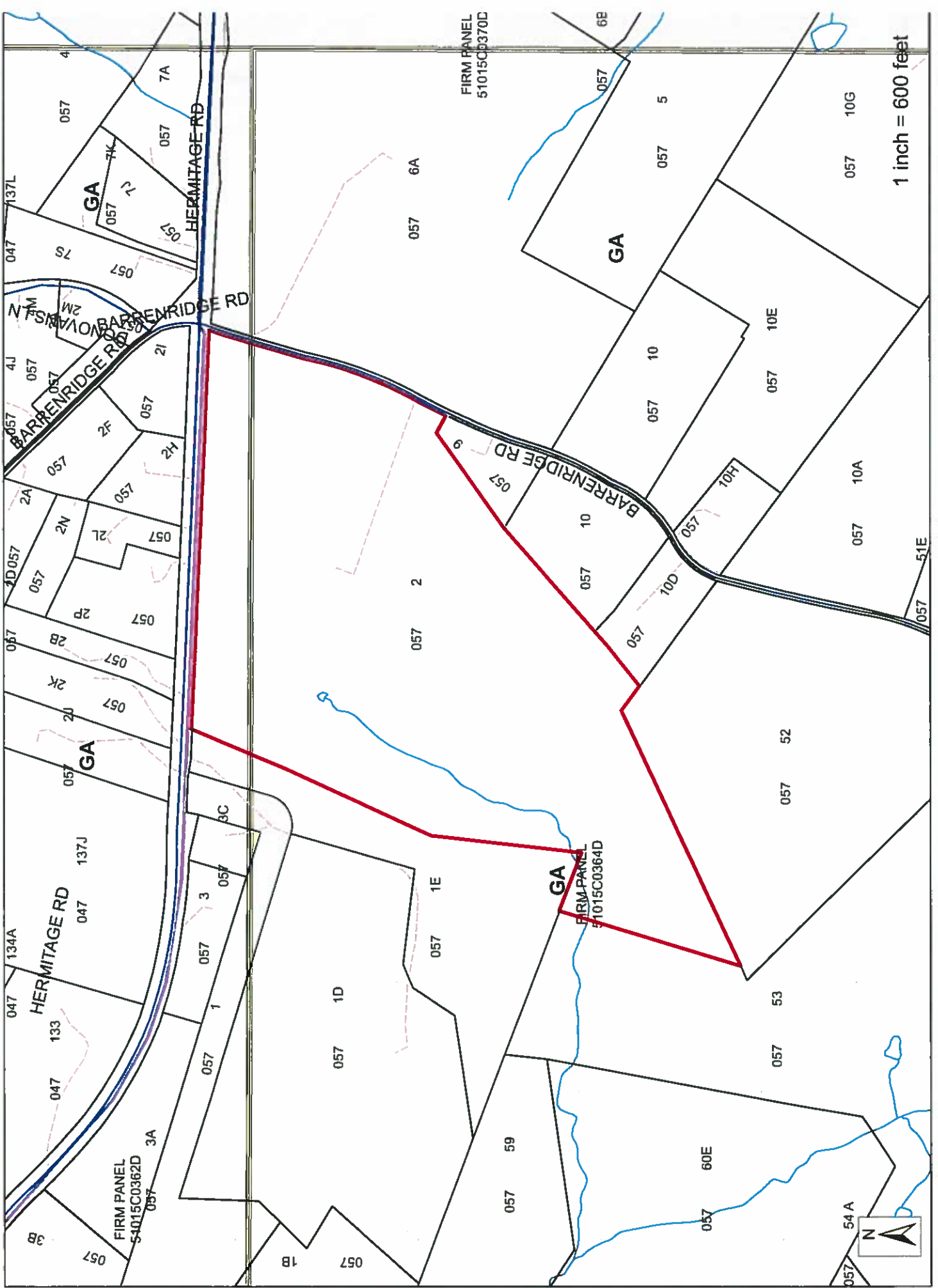








Landes



Landes



Landes



1 inch = 300 feet

0678



1 inch = 100 feet

CONTINUE THE PUBLIC HEARING Date 1/5/17

PROPERTY OWNER:
Sandra T. Mahon or Lindsay Caitlin Mahon

APPLICANT:
Same

LOCATION OF PROPERTY:
717 Rockfish Road, Waynesboro in the Wayne District

SIZE OF PROPERTY:
10.00 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

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

LAND USE MAPS:
Rural Conservation Area

UTILITIES:
Private well and septic

APPLICANT'S JUSTIFICATION:
To have a haunted mill

PLANNING COMMISSION'S COMMENTS:
No comments.

- BUILDING INSPECTOR'S COMMENTS:**
1. Provide an assessment for the structure for a Virginia Registered Architect or Engineer that building complies with the Uniform Statewide Building Code for its new use classification.
 2. Obtain a building permit for the new use and any alterations required by number 1 above.
 3. Provide handicapped accessible parking, parking signage, and building access.
 4. Obtain new Certificate of Occupancy for the new use.

HEALTH DEPARTMENT'S COMMENTS:
Seasonal part-time use. To use porta-potties.

HIGHWAY DEPARTMENT'S COMMENTS:

The use is not expected to have a significant impact on the surrounding roadways. The entrance location, generally as shown in the sketch with the application, will need to be specifically verified in the field and permitted and constructed as a low volume commercial entrance. The VDOT inspector will attempt to locate a point that would allow the entrance to be potentially modified to a moderate volume commercial entrance to accommodate future growth.

SERVICE AUTHORITY'S COMMENTS:

This property is located outside of the Urban Service and Community Development Areas. There are no public water or sewer services available in the immediate vicinity of the property.

ENGINEERING'S COMMENTS:

No comments.

SECTION 25-74M - RECREATIONAL ATTRACTIONS AND PUBLIC AMUSEMENT BUSINESSES

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

The parking area is on a two (2) acre parcel adjacent to the property. The mill is approximately two hundred fifty (250') feet from the parking area.

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

Porta-potties are onsite during the events and trash cans are provided. Volunteers and family will pick up trash.

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

There will be no food onsite.

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

The applicants and volunteers are trained in CPR. The majority of those helping are also firefighters, EMT, and police.

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

The applicants will have volunteers assisting customers to the mill.

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

There are fire extinguishers onsite.

The business meets the requirements of article VI “Outdoor Lighting”.
No lighting will be over 3,000 lumens. Using low voltage LED lights outside.

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.
No grandstands or other structures will be constructed.

STAFF RECOMMENDATIONS

The applicants are requesting to have a haunted event facility within the existing mill on the property. The applicant started operating in October and was not aware that she needed a Special Use Permit. They would like to be open year round for private events and hold the haunted mill events during the weekends in October and Halloween night from 6:30 p.m. until 10:30 p.m.

The private events are by appointment only for groups of two (2) to four (4) people maximum. These events are theatrical events where the public participates in the acting.

The applicant will provide parking in the two (2) acre hayfield adjacent to the property. The customers will then be escorted to the mill, which is approximately two hundred fifty (250') feet from the parking area. There is an existing roadway to the mill.

The closest dwelling is approximately three hundred seventy-five (375') feet from the mill. Staff did not receive any complaints regarding the haunted mill event or traffic concerns while they were open in October. Due to the fact that the mill will be used seasonally or by appointment only for these events, staff feels it should be compatible with the rural character of the area and recommends approval 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. Haunted mill events be open to the public on Friday and Saturday nights in October and on Halloween night.
2. Private haunted mill events be limited to twelve (12) per year.

3. Hours of operation be 6:30 p.m. until 10:30 p.m.
4. No outdoor music, amplified sound, or noise above seven (70) decibels after 10:00 p.m.
5. Parking attendants will be provided during events to direct parking and to assist customers to the mill.
6. Porta-potties approved by the Health Department may be used for the events as long as they are screened from public view, and must be removed within seven (7) days after Halloween.
7. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.
8. Site be kept neat and orderly.

The Board of Zoning Appeals voted to continue the public hearing in order to get the opportunity to see inside the building.

EXTENSION OF TIME REQUEST

Date 1/5/17

PROPERTY OWNER:

Redeeming Life Ministries

APPLICANT:

James Potter, agent for Redeeming Life Ministries

LOCATION OF PROPERTY:

In the eastern quadrant of the intersection of Hammond Lane and Christians Creek Road, in the Beverley Manor District

SIZE OF PROPERTY:

18.345 acres

VICINITY ZONING:

General Agriculture and General Industrial to the north; General Agriculture to the south, east, and west

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

LAND USE MAPS:

Rural Conservation Area

UTILITIES:

Private

APPLICANT'S JUSTIFICATION:

To have a day care operation within a church

The applicant is requesting a one (1) year Extension of Time. The site plan for the church has not been approved. They are requesting the Extension of Time to obtain approvals for construction of the church.