

December 1, 2016

PRESENT: George A. Coyner, II, Chairman  
Thomas H. Byerly, Vice Chairman  
Daisy A. Brown  
Steven F. Shreckhise  
Justine D. Tilghman  
Sandra K. Bunch, Zoning Administrator and Secretary  
James R. Benkahla, County Attorney

ABSENT: John R. Wilkinson, Community Development Director

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, December 1, 2016, at 10:00 A.M., in the County Government Center, Verona, Virginia.

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The staff briefing was held at **10:00 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.

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**VIEWINGS**

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

- **KIM BAZE, AGENT FOR SHIELDS SELF STORAGE, LLC - SPECIAL USE PERMIT**
- **SANDRA T. MAHON OR LINDSAY CAITLIN MAHON - SPECIAL USE PERMIT**
- **MARK L. AND WENDY W. HOCHSTEDLER - SPECIAL USE PERMIT**

At each location, the Board observed the site and the premises to be utilized. The Board also viewed the development and the character of the surrounding area.

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Chairman

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Secretary

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PRESENT: George A. Coyner, II, Chairman  
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 James R. Benkahla, County Attorney  
 Beatrice B. Cardellicchio-Weber, Executive Secretary

ABSENT: John R. Wilkinson, Community Development Director

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VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, December 1, 2016, at 1:30 P.M., in the County Government Center, Verona, Virginia....

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**MINUTES**

Vice Chairman Byerly moved that the minutes from the November 3, 2016, meeting be approved.

Ms. Brown seconded the motion, which carried unanimously.

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**KIM BAZE, AGENT FOR SHIELDS SELF STORAGE, LLC - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Kim Baze, agent for Shields Self Storage, LLC, for a Special Use Permit to construct mini-warehouse units on property they own, located on the south side of Tinkling Spring Road (Route 608), at the intersection of Tinkling Spring Road and Ivy Ridge Lane in the Wayne District.

Mr. Barry Lotts stated they are requesting the height of the units to be twenty-four (24') feet tall and they would like to construct the mini-warehouses fifty (50') feet from the right-of-way line.

Chairman Coyner asked why would you not build the building as a one-story structure?

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Mr. Lotts stated with the buildings being climate controlled, it works out better if they construct them as two-story. He said the ordinance currently states that the structures will need to be at least 200' from the right-of-way line. He stated the applicant is asking to be fifty (50') feet from the right-of-way because the 200' would put the buildings way off of the road, making the lot unable to be used for the mini-warehouses.

Ms. Tilghman stated the site plan that was provided shows the building as only being partially constructed of brick and the doors facing the road. She stated the request of the buildings only having a fifty (50') foot setback does not seem appropriate for this road. She stated this will make for an unattractive building. She also does not want to see the doors facing that road. She noted with this type of business road frontage is not needed in order to be successful. She realizes the applicant can only go back so far because of the retention pond. She stated this road will only get busier and busier and how far back this building is set could be very important in the next twenty (20) years.

Mr. Lotts stated they can construct an office building at this site in the same footprint.

Ms. Tilghman said she does realize that but this Board does have an option on this request. She stated the site plan is not anything like what is displayed at the site.

Mr. Lotts stated the front corner of the building will be brick.

Chairman Coyner stated there is a lot more exposure on Route 608.

Ms. Brown asked how many units will there be?

Ms. Kim Baze, agent for Shields Self Storage, stated 147 units.

Ms. Brown asked how many of the doors will face the roadway?

Ms. Baze stated nine (9) of them will face the roadway. She stated they can have a solid fence hiding the doors if necessary.

Ms. Tilghman stated the applicant should automatically have fencing.

Ms. Brown asked if the buildings will be on the side entrance?

Mr. Lotts stated the clients would use Ivy Ridge Lane.

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Vice Chairman Byerly stated nine (9) rollup doors facing Route 608 is unacceptable. He noted the applicant should do a better job of building a more attractive facility rather than the building that is proposed.

Chairman Coyner stated constructing the facility as a two-story structure will be tough to approve.

Ms. Baze stated the elevation will be 29' for the proposed building. She stated Ferguson's building is 24'.

Ms. Brown stated this building is proposed to be taller than Ferguson's building. She noted the coming soon sign shows a different picture than what was presented today.

Mr. Lotts stated the corner of the building will have brick.

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 the Board viewed the site this morning and this request did not appear to be the best utilization for the property. He stated this lot has an awkward shape and he is unsure about the applicant constructing a building that is 29' tall.

Ms. Tilghman moved that the request be denied. She stated the applicant is requesting several exceptions to the ordinance. She noted the building design shown in the photograph is not the building we see on the site plan. She stated this structure would not be compatible with the existing businesses around it. She stated the County encourages businesses but she does not believe this type of business needs to be right on a main street. She stated wherever the applicant plans on building they will have customers. She noted this type of building is not compatible with the surrounding area.

Vice Chairman Byerly hopes the thoroughfare will be filled with attractive businesses but this would not add to the character of the area. He is not in favor of the partial stone or brick and the rollup doors facing the road.

Ms. Brown stated the taller building is out of character with the surrounding neighborhood. She stated the setback proposed is also not compatible. She seconded the motion, which carried unanimously.

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Ms. Tilghman excused herself from the rest of the meeting.

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**GARLAND EUTSLER, AGENT FOR SHEN ACRES HOLDING, LLC - SPECIAL USE PERMIT**

This being the date and time advertised to consider request by Garland Eutsler, agent for Shen Acres Holding, LLC, for a Special Use Permit to expand the existing campground by adding additional full hook-up sites and reopen an existing site area on property owned by Good Faith, LLC, located at 348 and 256 Lake Road, Stuarts Draft in the South River District.

Mr. Garland Eutsler stated he is requesting sixteen (16) more sites and he would like to accommodate an additional thirty-two (32) full hookup sites. He stated this should be as much expansion as he can accommodate.

Chairman Coyner asked if the sixteen (16) additional sites would be identical to the sixty-four (64) that you already have?

Mr. Eutsler stated yes.

Chairman Coyner asked if the applicant was busy for Labor Day?

Mr. Eutsler stated yes. He has had to turn away campers many times. He stated with this expansion it will be all that he can accommodate.

Chairman Coyner stated it is wonderful that business is good.

Mr. Eutsler stated this request will increase his business because he will be able to offer setup on Thursdays.

Chairman Coyner asked if these additional sites will be in place next year?

Mr. Eutsler stated he is hoping to have everything done by May 1<sup>st</sup> because the camping season begins in April. He stated the bathhouse should be complete by the middle of April.

Chairman Coyner asked if his clients camp in the winter?

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Mr. Eutsler stated yes, they have thirty-five (35) sites that can be used in the winter. He stated there are not a lot in January and February.

Vice Chairman Byerly asked if the sixteen (16) additional sites would be the maximum number requested in that area of the campground?

Mr. Eutsler stated they have plenty of land but they want to maintain a family campground.

Vice Chairman Byerly asked if they started preparing food?

Mr. Eutsler stated they are waiting on the fire suppression system to be installed in the beach house. He stated they are hoping to get that done before the first of the year. He would like to have buffet style food for the campers and this would allow them to cater.

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 it is great to see Shenandoah Acres thriving again and he is glad that they are keeping the campground manageable with their expansions.

Mr. Shreckhise stated it is excellent that Shenandoah Acres has been revitalized. He stated this is a good continuation of their expansion efforts and he moved that the request be approved 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 sixteen (16) additional campsites for a total of eighty (80), and to reopen an existing site area for thirty-two (32) RV's as shown on the BZA plan.

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2. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.
3. All operating conditions of SUP#14-53 and SUP#16-23 remain in effect.

Vice Chairman Byerly seconded the motion, which carried unanimously.

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### **SANDRA T. MAHON OR LINDSAY CAITLIN MAHON - SPECIAL USE PERMIT**

This being the date and time advertised to consider 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.

Ms. Lindsay Mahon stated she would like to have a seasonable haunted event using the mill. She would like to operate Friday and Saturday nights starting the last weekend in September and on Halloween when it falls on a weekend.

Chairman Coyner asked if she plans on having other sessions?

Ms. Mahon stated she would like to have a haunted dinner theater where a maximum of four (4) folks come and have dinner and they interact with the actors and it is specialized just for them.

Chairman Coyner asked if they have employees?

Ms. Mahon stated family and friends help them out with the events.

Chairman Coyner stated the Board visited the site this morning but was disappointed that they could not go inside the facility. He asked if the entire building will be used?

Ms. Mahon stated yes, all four (4) stories. She stated her guests will start in the basement entrance, go to the attic, and finally exit on the first floor. She stated the actors do not touch the guests.

Chairman Coyner asked if her event was well received at Halloween?

Ms. Mahon stated yes.

Chairman Coyner asked if the building was inspected for this type of use?

Ms. Mahon stated an engineer reviewed the property and designed all new footers and a solid jack system.

Ms. Brown asked where do the cars park?

Ms. Mahon stated they have two (2) acres in the hayfield for parking.

Ms. Brown asked how old is the structure?

Ms. Mahon stated the building was built in 1860.

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 would like to view the site next month.

Vice Chairman Byerly moved that the Board continue the hearing at the January 5, 2017, meeting in order to be able to view the inside of the building.

Ms. Brown stated staff can let the applicant know in advance what time the Board plans on arriving at the site. Ms. Brown seconded the motion, which carried unanimously.

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**MARK L. AND WENDY W. HOCHSTEDLER - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Mark L. and Wendy W. Hochstedler, for a Special Use Permit to have a construction business on property they own, located at 3988 Stuarts Draft Highway, Waynesboro in the South River District.

Mr. Mark Hochstedler stated he bought the property which adjoins his wife's parents' farm. He is self-employed and would like to use some of the existing buildings to store his tools and materials for his business.

Chairman Coyner asked if most of the storage is inside the old chicken house?



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Mr. Hochstedler stated yes. He stated some of the materials are stored behind the chicken house.

Chairman Coyner asked if the applicant has huge equipment stored at the site?

Mr. Hochstedler stated he has a skid loader that he also uses on the farm.

Chairman Coyner asked if the applicant resides up the road from this site?

Mr. Hochstedler stated he lives right in front of the Wenger Vineyard.

Vice Chairman Byerly asked if the dwelling was part of the same parcel of land?

Mr. Hochstedler stated both are part of the property.

Ms. Brown asked if the land is farmed?

Mr. Hochstedler stated yes. He stated they have beef cattle and grapes.

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

Ms. Gloria Stump, 41 Stump Lane, Waynesboro, stated her property borders this land. She came to the hearing to listen and find out exactly what is going on. She is in favor of this 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.

Chairman Coyner stated this is a low key operation and he has no problem with this type of request.

Ms. Brown agreed. She noted the outside storage will be located behind the buildings. She moved that the request be approved with the following conditions:

**Pre-Conditions:**

None

**Operating Conditions:**

1. All equipment and machinery for the business be kept inside the barn.
2. All leftover building materials such as limestone or brick be kept in the designated area behind the barn.
3. The existing trees screening the 40' x 40' storage area be maintained.
4. No employees coming to the site.
5. No junk or inoperable vehicles, equipment or parts of vehicles or equipment be kept outside.
6. Site be kept neat and orderly.

Vice Chairman Byerly seconded the motion, which carried unanimously.

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**CHARLES L. SIMMONS OR MELISSA A. KELLEY - EXTENSION OF TIME REQUEST**

A request by Charles L. Simmons or Melissa A. Kelley, for a Special Use Permit to have a dog kennel on property they own, located at 452 Eagle Rock Lane, Staunton in the Pastures District.

Ms. Bunch stated the Board granted the Special Use Permit with the operating condition that the kennels be constructed inside the barn within six (6) months. She said the applicant has not been able to complete this within that timeframe and is requesting an additional six (6) months.

Vice Chairman Byerly moved that the six (6) month Extension of Time be approved.

Ms. Brown seconded the motion, which carried unanimously.

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**GREGORY AND NANCY CASH - EXTENSION OF TIME REQUEST**

A request by Gregory and Nancy Cash, for a Special Use Permit to have an apartment in a pre-1980 structure on property they own, located at 744 Jefferson Highway, Staunton, in the Beverley Manor District.

Ms. Bunch stated the applicants were granted the Special Use Permit with the pre-conditions that they obtain Health Department and Building Inspection approvals within ninety (90) days. She noted the applicant has not received all of these approvals and is requesting a one (1) year Extension of Time.

Vice Chairman Byerly moved that the one (1) year Extension of Time request be approved.

Mr. Shreckhise seconded the motion, which carried unanimously.

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**JONATHAN L. OR JANET L. BURKHOLDER - EXTENSION OF TIME REQUEST**

A request by Jonathan L. or Janet L. Burkholder, for a Special Use Permit to construct a building to operate a landscaping business and make landscaping stones and stone signs on property they own, located at 6409 Spring Hill Road, Bridgewater in the North River District.

Ms. Bunch stated the applicant has not been able to construct the building.

Vice Chairman Byerly moved that the one (1) year Extension of Time be approved.

Ms. Brown seconded the motion, which carried unanimously.

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**STAFF REPORT**

- 16-5 Redeeming Life Ministries
- 16-6 Augusta County Company, LLC

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Ms. Bunch stated the applicant is working on getting their site plan approved for SUP#16-5. She noted that staff has sent a letter asking if they will need an Extension of Time. She stated the applicant will submit their site plan soon for SUP#16-6.

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Mr. Benkahla discussed the court cases with the Board.

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

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Chairman

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Secretary