



**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 *Sandra*

DATE: February 23, 2017

SUBJECT: Regular Meeting and Viewing

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, March 2, 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 **8:30 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, March 2, 2017, 1:30 P.M.**

**1. CALL TO ORDER**

**2. DETERMINATION OF A QUORUM**

**3. MINUTES**

Approval of the Called and Regular Meeting of February 2, 2017

**4. PUBLIC HEARINGS**

- A. A request by Kenneth W., Jr. and Sara K. Lawhorne, for a Special Use Permit to have farms and agriculture of a limited nature on property they own, located at 235 Howardsville Road, Staunton in the Riverheads District.
- B. A request by Matthew T. Bradley, for a Special Use Permit to expand a non-conforming dwelling on property he owns, located at 73 Baynes Road, Waynesboro in the Wayne District.
- C. A request by Jason Almarode, for a Special Use Permit to operate a towing business with outdoor storage on property owned by Almarode, LLC, located at 1989 Mt. Torrey Road, Lyndhurst in the South River District.
- D. A request by Emily S. Harris Henry, for a Special Use Permit to have apartments in a pre-1980 structure on property owned by Francis Darryl Jarvis, located at 8 Sutton Road and 15 Sutton Road, Verona in the Beverley Manor District.
- E. A request by Russell Thomas and Chantelle Brown, for a Special Use Permit to operate a pest control business on property they own, located at 106 Suffolk Lane, Bridgewater in the North River District.
- F. A request by CHBR, LLC, c/o Margie Ellen O'Hanlon, for a Special Use Permit to operate a residential care facility on property owned by John M. or Holly A. McVey, located at 51 Fleetwood Road, Staunton in the Beverley Manor District.
- G. A request by D.M. Conner, Inc., for a Special Use Permit to operate a mining operation on property owned by Lee T. Whitesell, located on the north side of Sycamore Path, at the intersection of Gerties Lane and Sycamore Path, 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 request by Charles Scott and Cathy F. Balsley, for a Special Use Permit to construct a public accommodation facility and children's camp including cabins, active recreational facilities, and have special events on property owned by Creative Works Farm, Inc., located on the north side of Purple Cow Road (Route 619), approximately .1 of a mile east of the intersection of Purple Cow Road and Mountain Stream Lane in the Middle River District. – **FIVE YEAR EXTENSION OF TIME REQUEST**

## **8. STAFF REPORT**

16-20	Charles L. Simmons or Melissa Ann Kelley
16-21	Ronald Lewis, III or Katie Marie Rohr
16-22	Caren S. Beccaglia

## **9. ADJOURNMENT**

Date 3/2/17

**PROPERTY OWNER:**

Kenneth W., Jr. and Sara K. Lawhorne

**APPLICANT:**

Same

**LOCATION OF PROPERTY:**

235 Howardsville Road, Staunton in the Riverheads District

**SIZE OF PROPERTY:**

16.718 acres

**VICINITY ZONING:**

General Agriculture to the north and west; Attached Residential and Single Family Residential to the east; General Business to the south

**PREVIOUS ZONING OR S.U.P.:**

05/66 Zoned Single Family Residential

**LAND USE MAPS:**

Urban Service Area – Medium Density Residential

**UTILITIES:**

Private well and septic

**APPLICANT'S JUSTIFICATION:**

To have farms and agriculture of a limited nature

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

After review, our office has no comments.

**HEALTH DEPARTMENT'S COMMENTS:**

Cattle grazing, no comment.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The proposed use will not have a significant impact to State maintained roadways. VDOT has no comments or concerns related 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. There is an existing 8" waterline approximately 747'± to the east of said parcel.
5. There is an existing 8" sewer line approximately 657'± to the east of said parcel.
6. A public extension or a private water/sewer line easement across private property would be needed to connect to the public water and sewer systems.
7. Subject to the payment of privilege fees to Augusta County Company, LC if connected to sewer.

**ENGINEERING'S COMMENTS:**

No comments.

**SECTION 25-134 E. Farms and agriculture of a limited nature**

**Limited agriculture may be permitted by Special Use Permit provided the tract or parcel is at least five (5) acres in size; and the property is not part of a platted residential subdivision.**

The property contains 16.718 acres and is not part of a platted subdivision.

**The tract or parcel fronts on and has access from a state maintained road, or, if it fronts on a private road, the applicant has demonstrated that the private road is constructed and maintained to adequate standards so as to accommodate the anticipated traffic.**

The property has frontage along Howardsville Road (Route 701) and is served by an existing entrance.

**Traffic generated by the proposed farming operating will be compatible with the roads serving the site and other traffic utilizing said roads.**

The applicant is requesting a limited number of agricultural animals. The traffic should be compatible with the roads.

**There shall be no accessory business use of the property that will generate additional traffic.**

No accessory business use is requested.

### **STAFF RECOMMENDATIONS**

The applicant purchased the property in 2016 and was not aware that agricultural animals were prohibited in Single Family Residential zoned districts. They are requesting to have limited agriculture on the 16.718 acre tract. Limited agriculture would permit one (1) animal unit per acre. The applicant is interested in having beef cattle.

He plans to fence off an area around the house and around the perimeter of the property to keep the animals. Staff feels a small number of animals, excluding swine and poultry, may be compatible with the area and recommends approval with the following conditions:

#### **Pre-Condition:**

1. The animal storage area be secured by agricultural fencing as shown on the site plan and maintained at all times.

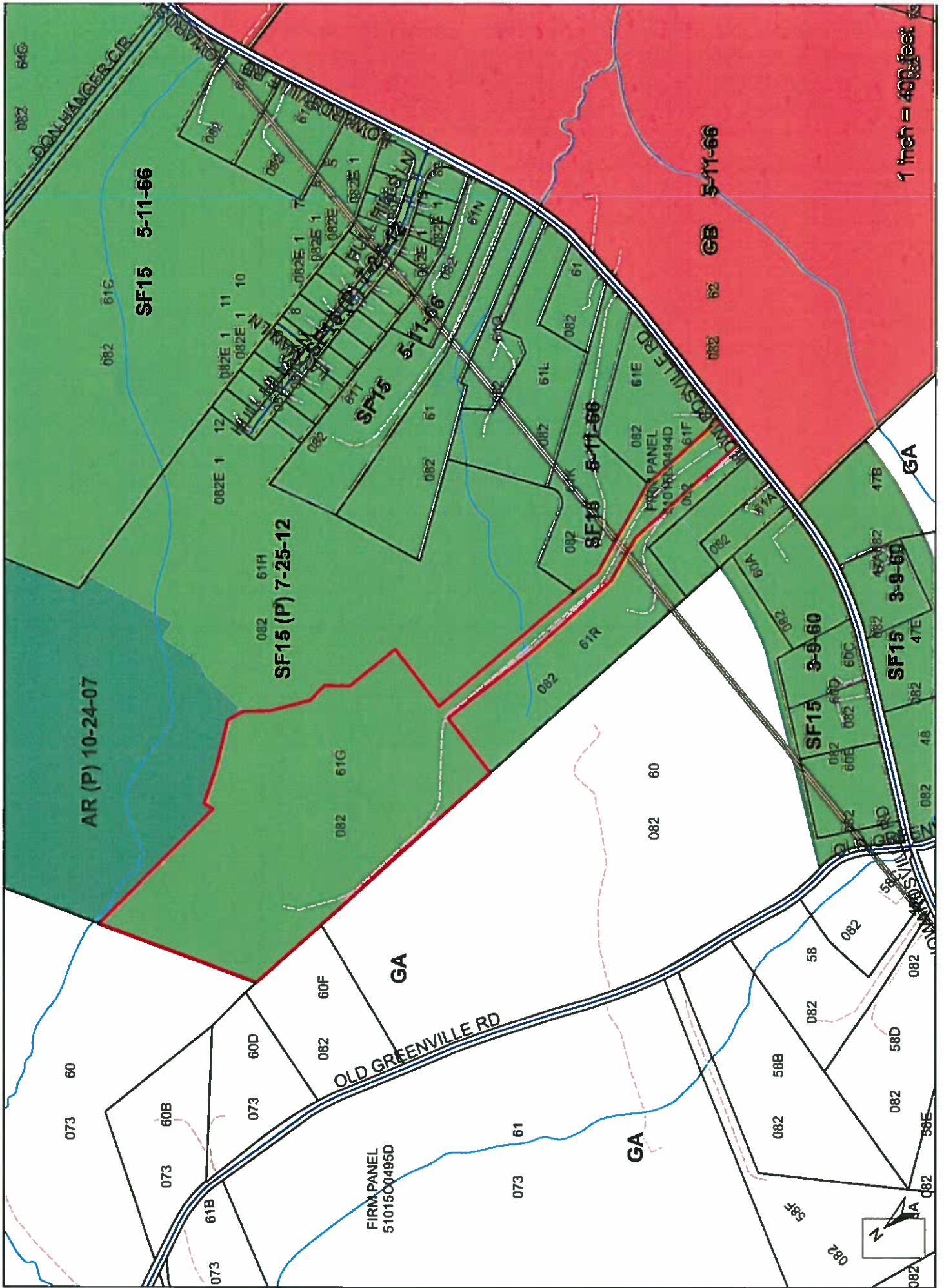
#### **Operating Conditions:**

1. No poultry or swine.
2. Applicant must reside on premise.
3. Site be kept neat and orderly.



10-2-2000

# Lawhorne



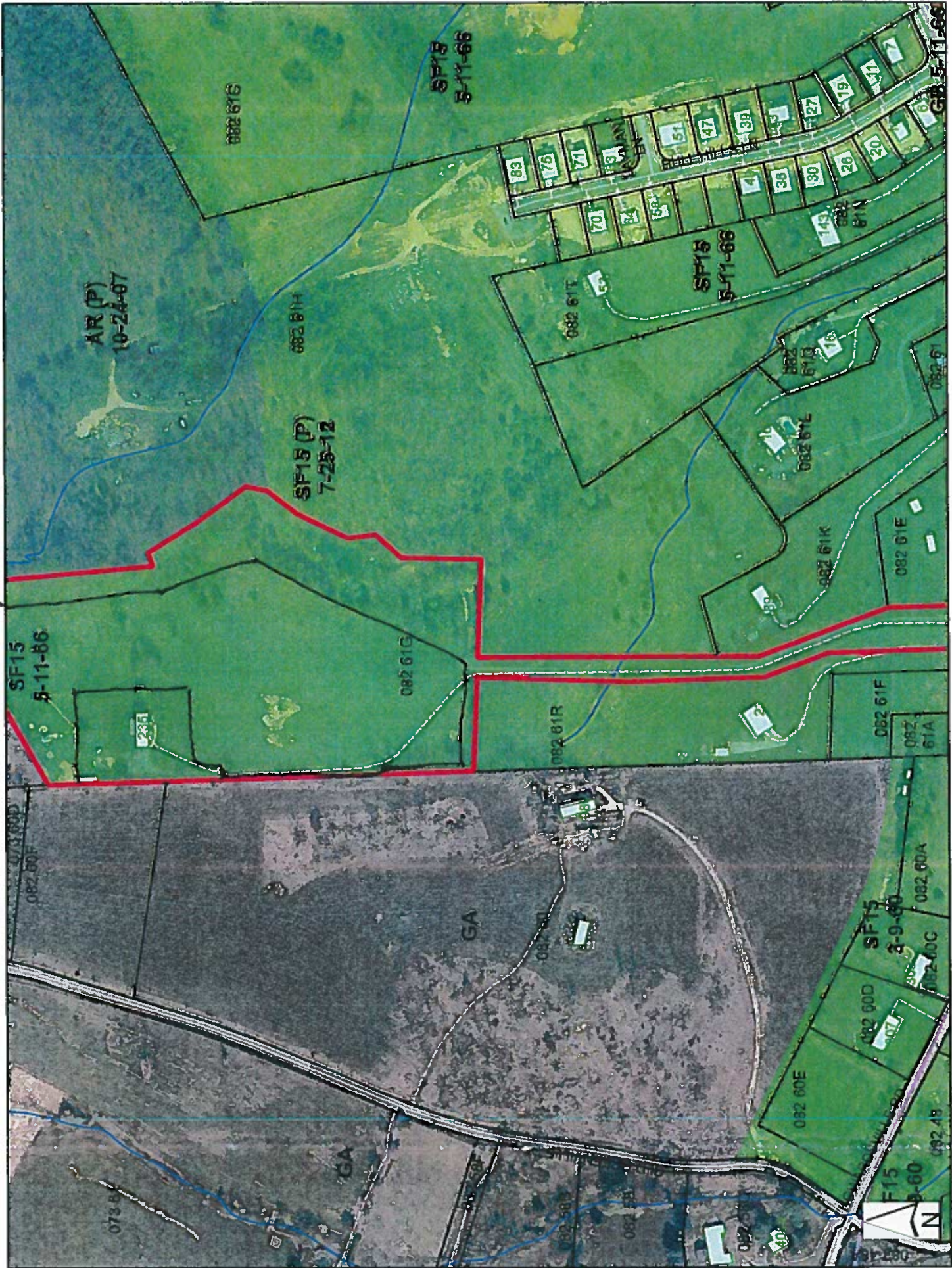
1 inch = 400 feet



Lawhorne



Lawhorne



1 inch = 300 feet

AGENDA ITEM # 4B

Date 3/2/17

**PROPERTY OWNER:**

Matthew T. Bradley

**APPLICANT:**

Same

**LOCATION OF PROPERTY:**

73 Baynes Road, Waynesboro in the Wayne District

**SIZE OF PROPERTY:**

0.957 acres

**VICINITY ZONING:**

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

**PREVIOUS ZONING OR S.U.P.:**

03/66 Zoned Single Family Residential

**LAND USE MAPS:**

Rural Conservation Area

**UTILITIES:**

Private well and septic

**APPLICANT'S JUSTIFICATION:**

To expand a non-conforming dwelling

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

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

**HEALTH DEPARTMENT'S COMMENTS:**

Expansion should maintain ten (10') feet from septic and pump tank.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The proposed use will not have a significant impact to State maintained roadways. Off-street parking is available and does not appear to be impacted by the request. VDOT does not object to the request.

**SERVICE AUTHORITY'S COMMENTS:**

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

**ENGINEERING'S COMMENTS:**

No comments.

**STAFF RECOMMENDATIONS**

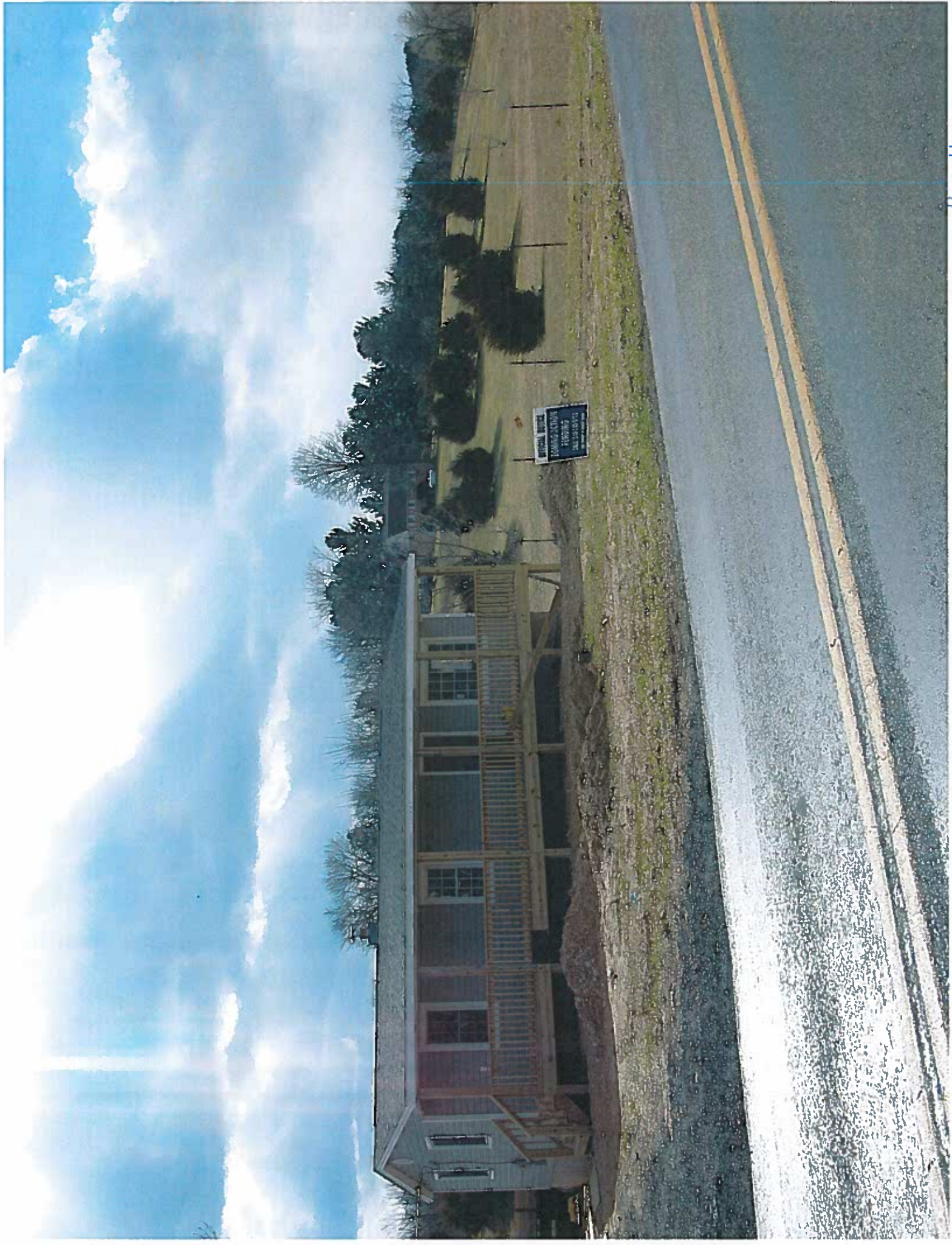
The applicant is requesting to extend an existing covered front porch no closer to the front or side lot lines. The dwelling was constructed in 1971 when the side yard setback was only six (6') feet. A survey provided by the applicant shows a 6.6' setback. The dwelling became non-conforming when an ordinance change increased the minimum setback from six (6') feet to fifteen (15') feet. Staff feels that extending the covered porch no closer than the existing dwelling would not be out of character and recommends approval with the following conditions:

**Pre-Conditions:**

None

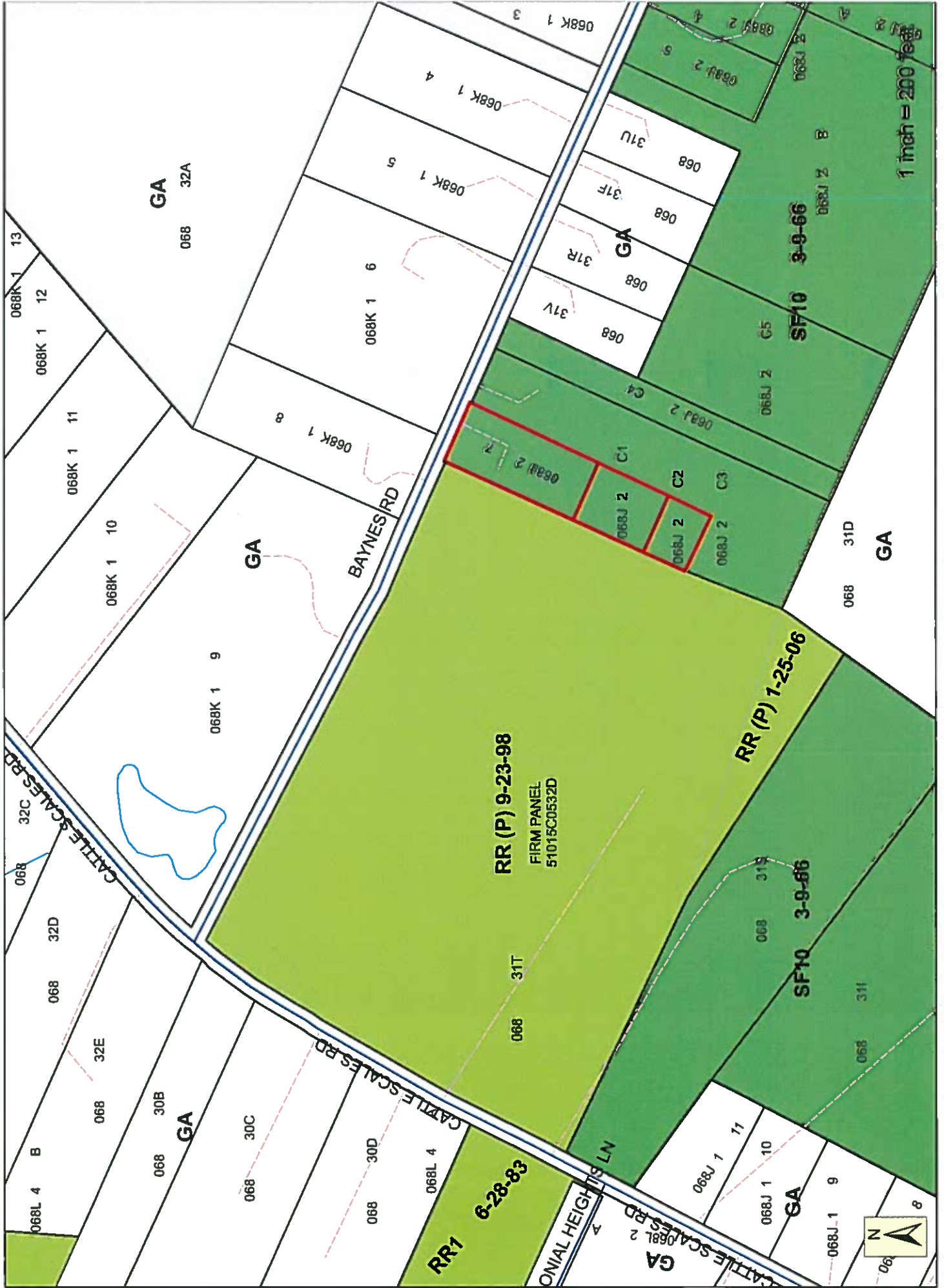
**Operating Conditions:**

1. Be permitted to extend the covered porch no closer to the side or front lot line.
2. Applicant obtain a building permit.



brooklyn

Bradley

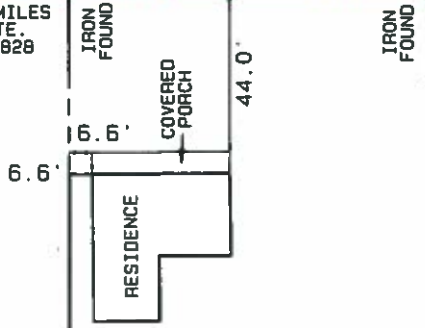




STATE ROUTE 611, BAYNES RD  
(25' FROM CENTERLINE TO PROPERTY LINE)

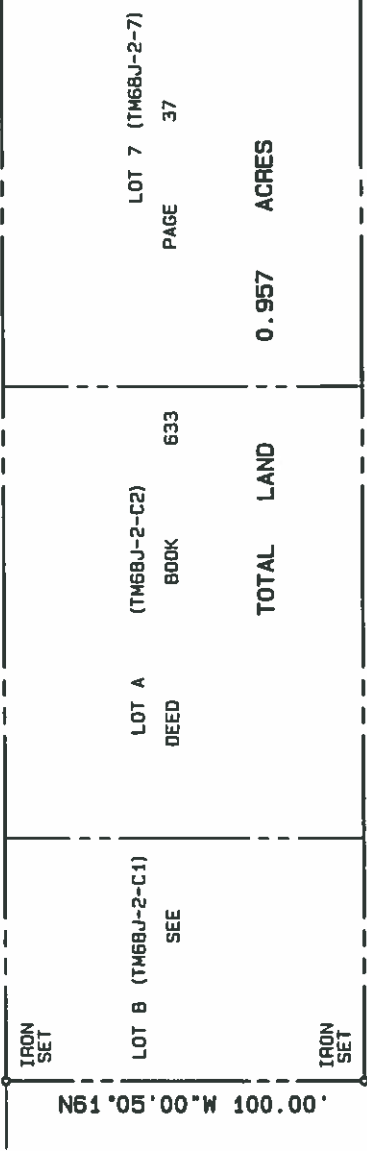
S61°05'00"E 100.00'

0.16± MILES  
TO STE.  
RTE. 628



TM 68-31T, KEEGAN, DB 1440-315

N28°55'00"E 417.00'



S28°55'00"W 417.00'

TM 68J-2-C3, HITT, DB 817-103 & DB 568-135



TOM SHUMATE SURVEYOR, INC.  
DOES NOT CERTIFY THIS FILE.  
IT SHOULD ONLY BE USED AS  
A SUPPLEMENT TO THE STAMPED  
SIGNED HARD COPY EQUIVALENT.

HOUSE LOCATION PLAT

LOT 7, KAY MANOR, UNIT 2 (TAX MAP 68J-2-7)  
AND TAX MAP 68J-2-C1 & C2

FOR MATTHEW T. BRADLEY

WAYNE DIST., AUGUSTA COUNTY, VIRGINIA

SCALE 1" = 40' JANUARY 13, 2017

REV. 1-19-17

TOM SHUMATE SURVEYOR, INC.  
WAYNESBORO, VIRGINIA (540) 9422990

NOTES

THIS PLAT IS BASED ON A CURRENT SURVEY

THIS SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT INDICATE ALL ENCUMBRANCES AFFECTING PROPERTY SURVEYED

PROPERTY OWNER: MATTHEW T. BRADLEY, #160006727

#04662: TM 68J-2-7, C1 & C2

#04662: TM 68J-2-7, C1 & C2



## **Sandy Bunch**

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**From:** thomas ewers <theeciinc@yahoo.com>  
**Sent:** Tuesday, February 21, 2017 12:57 PM  
**To:** Sandy Bunch  
**Subject:** 73 Baynes Rd.

I am in favor of approving the special use permit. Nice improvements, no new problems.

T. H Ewers  
71 Peak Lane

Sent from Yahoo Mail for iPhone

AGENDA ITEM # 4C  
Date 3/2/17

**PROPERTY OWNER:**

Almarode, LLC

**APPLICANT:**

Jason Almarode

**LOCATION OF PROPERTY:**

1989 Mt. Torrey Road, Lyndhurst in the South River District

**SIZE OF PROPERTY:**

0.741 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:**

Private septic and public water

**APPLICANT'S JUSTIFICATION:**

To operate a towing business with outdoor storage

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

After review, our office has no comments.

**HEALTH DEPARTMENT'S COMMENTS:**

It appears that the proposed "Impound Lot" is on the septic system for the home at 1989 Mt. Torrey Road. Health Department regulations prohibit parking lots over septic systems.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The proposed use will not have a significant impact to State maintained roadways. The existing entrance is in poor condition and will need to be modified/maintained to the standards of a VDOT low volume commercial entrance. The existing entrance culverts are crushed; the entrance to remain will need a replacement pipe whereas the northern entrance needs to be removed and re-established as a ditch section. Once the entrance work is complete, there should only be a single, well-defined entrance.

**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. 1989 Mt. Torrey Road, the subject parcel, is currently an ACSA water only customer. A second addressed building on this parcel, 1995 Mt. Torrey Road, is not currently an ACSA water customer. If 1989 Mt. Torrey Road will be utilized and additional water fixtures will be added, a water meter sizing form must be submitted to the ACSA. If the meter size needs to be changed, additional charges would apply in accordance with ACSA policy. 1995 Mt. Torrey Road may not be added to the existing public water connection without ACSA consent in accordance with the attached Policy No. 5.1-Water and/or Sewer Connections.
5. There is no public sewer available in the area 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 proposed impound area will be screened from public view.

**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 approximately three (3) miles from this site.

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

Businesses are more appropriate in Business zoned districts. Staff has concerns regarding the storage of inoperable vehicles on the 0.741 acre parcel.

**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 frontage along Mt. Torrey Road, however, VDOT comments state the entrance will need to be repaired.

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

There is an existing entrance to the site that will safely accommodate all traffic to and from the highway.

**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 will be utilizing the existing structures and adding a fenced area for vehicle storage screened from public view.

**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 is an existing septic system and public water onsite. The Health Department comments state the parking cannot be over a septic system.

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

All tow trucks have fire extinguishers and Wilson Volunteer Fire Department is approximately two (2) miles from the property.

**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.**

The vehicle storage area will setback approximately one hundred ten (110') feet from Mount Torrey Road and one hundred fifteen (115') feet from Tractor Lane.

## **STAFF RECOMMENDATIONS**

The applicant is requesting to have an impound area for vehicles in conjunction with his existing towing business. The applicant owns Staunton Wrecking and works with the State Police. In order to work in the area, the police department requires that you have a holding lot in that zone. The applicant is proposing to construct a fenced area on the back of the lot. The vehicles will remain at this location seven (7) to ten (10) days and then will be moved to the main lot at Staunton Wrecking. There will be no employees at the site except when vehicles are brought in or removed. The applicant will be installing an alarm system and security on the building and lighting. Staff has concerns that an impound lot for storage of inoperable vehicles may not be compatible with the neighboring properties, especially when the applicant does not live on site. However, if the Board feels the request would be compatible and desires to approve the request, staff would recommend 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. Submit an updated BZA sketch plan to Community Development.

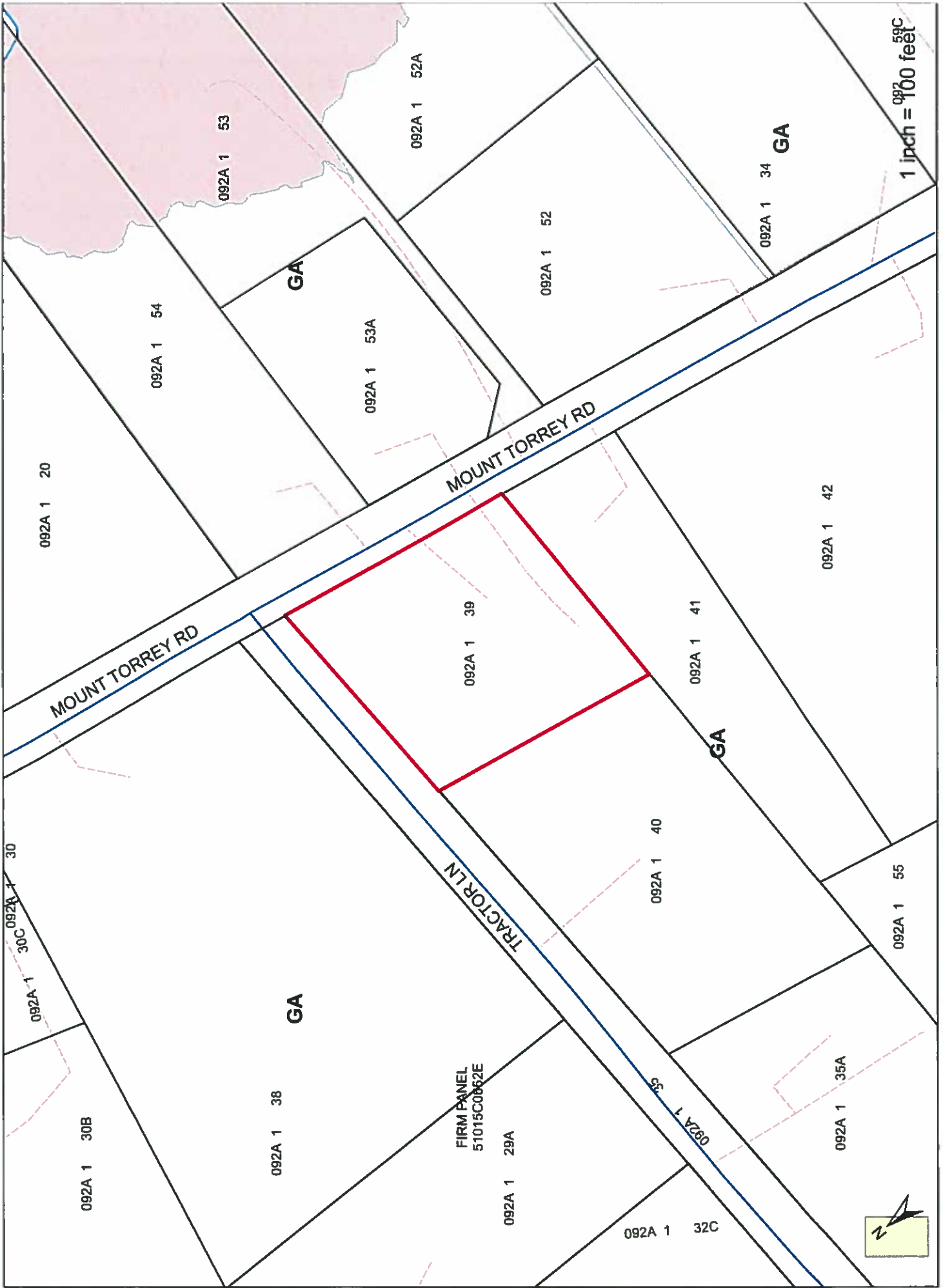
### **Operating Conditions:**

1. The storage area be screened by an eight (8') foot high opaque vinyl privacy fence.
2. All outdoor storage be kept in the designated areas shown on the site plan.
3. No junk or inoperable vehicles to be kept outside.
4. No vehicle repair or maintenance work may be done on this site.
5. The eight (8') foot opaque privacy fence must be maintained at all times.
6. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.
7. The alarm be a silent alarm that rings at the applicant's home or police department.



Close roads

Almarode, LLC



1 inch = 100 feet



FIRM PANEL  
51015C0862E

Almarode, LLC



092A 1 20

MOUNT TORREY RD

092A 1 53

GA

092A 1 38

GA

092A 1 53A

092A 1 52A

FIRM PANEL  
51015CUN2E

092A 1 29A

092A 1 52

092A 1 38

092A 1 40

092A 1 41

092A 1 42

092A 1 43

092A 1 44

092A 1 45

092A 1 46

092A 1 47

092A 1 48

092A 1 49

092A 1 50

MOUNT TORREY RD

092A 1 34

GA

092A 1 42

GA

092A 1 55

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092A 1 58

092A 1 59

092A 1 60



092A 1 60

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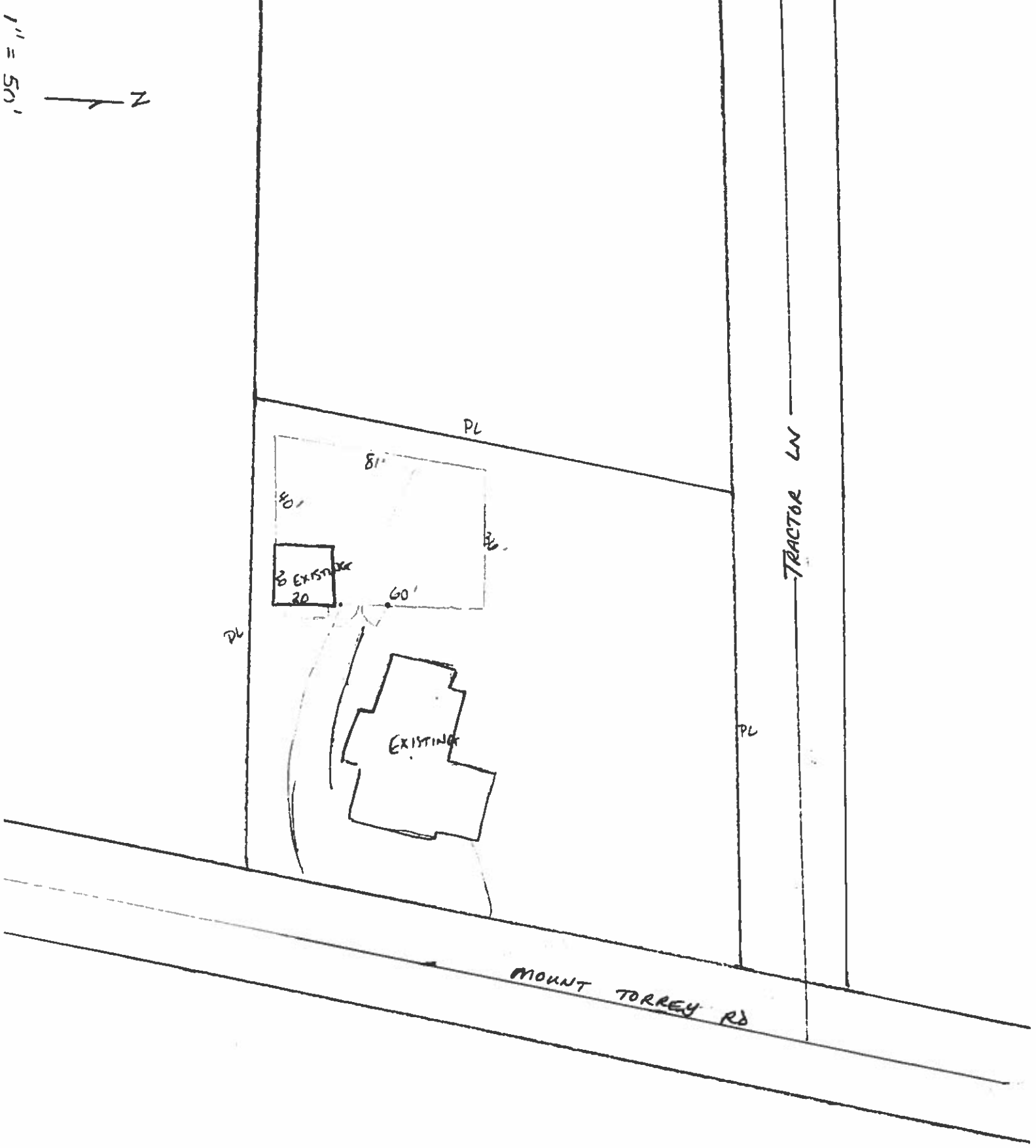
092A 1 85

092A 1 86

092A 1 87



1" = 50'  
N



Almarode, LLC

AGENDA ITEM # 4D

Date 3/2/17

**PROPERTY OWNER:**

Francis Darryl Jarvis

**APPLICANT:**

Emily S. Harris Henry

**LOCATION OF PROPERTY:**

5 Sutton Road and 15 Sutton Road, Verona in the Beverley Manor District

**SIZE OF PROPERTY:**

0.360 acres

**VICINITY ZONING:**

General Business surrounds the entire parcel

**PREVIOUS ZONING OR S.U.P.:**

04/55 Zoned General Business

**LAND USE MAPS:**

Urban Service Area – Business

**UTILITIES:**

Public water and sewer

**APPLICANT'S JUSTIFICATION:**

To have apartments in a pre-1980 structure

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

Obtain all necessary permits, inspections and new certificates of occupancy as the structures are going from a B use group to an R use group.

**HEALTH DEPARTMENT'S COMMENTS:**

Public water and sewer – no comment.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The use is not expected to have a significant impact on the surrounding roadways. If an opportunity arises to re-develop the site, the parking layout should be analyzed in an effort to provide a single point of access to Sutton Road. If the traffic generation and structures remain the same as existing, no modifications will be needed as it would not be considered a change in 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. ACSA water models indicate greater than 2,000 GPM fire flow is currently available at this location.
4. 5 Sutton Road (one of the buildings on this parcel) is currently a Service Authority water and sewer customer. A meter sizing form (attached) will be required to evaluate adequacy of the existing meter. Additional fees will apply if the meter size needs to be increased.
5. A new water and sewer service connection will be required for 15 Sutton Road. A meter sizing form will be required to determine the adequate size meter for the proposed use.

**ENGINEERING'S COMMENTS:**

No comments.

**SECTION 25-304H – APARTMENTS in a pre-1980 structure**

**Special Use Permit for up to two (2) apartments in a pre-1980 structure may be granted provided:**

**Apartments may be established within a structure that was constructed prior to January 1, 1980, provided the board of zoning appeals finds that the structure has historical or architectural significance or is otherwise appropriate for preservation in the manner proposed; and**

The structures were built in 1978 and one has always been used as a dwelling.

**Off-street parking will be in compliance with article III of this chapter; and**  
Off-street parking is provided on the 0.360 acre parcel.

**For purposes of expansion or enlargement, the pre-1980 structure shall be treated as a non-conforming building and shall be subject to the provisions of § 25-663 D. of this chapter. The floor area of such expansion or enlargement shall not exceed twenty percent (20%) of the original floor area or the area required by law, whichever is greater.**

No expansions are requested. Renovations were done to the interior of the building.

### **STAFF RECOMMENDATIONS**

The applicant is requesting to use the existing structures on the property as residential dwelling units. The buildings were constructed in 1978 for business/office use.

At the time the buildings were constructed, one of them could have been used as a residence of an entrepreneur by Special Use Permit, however, no Special Use Permit was ever applied for.

Both of the structures have been converted to dwelling units without obtaining Building Permits or inspections. Since the owner did these renovations without building permits or inspections, they will now be required to obtain permits and comply with all required inspections of the structures. Staff feels that once the structures have a Certificate of Occupancy for residential use, they would be compatible and would recommend approval with the following conditions:

### **Pre-Conditions:**

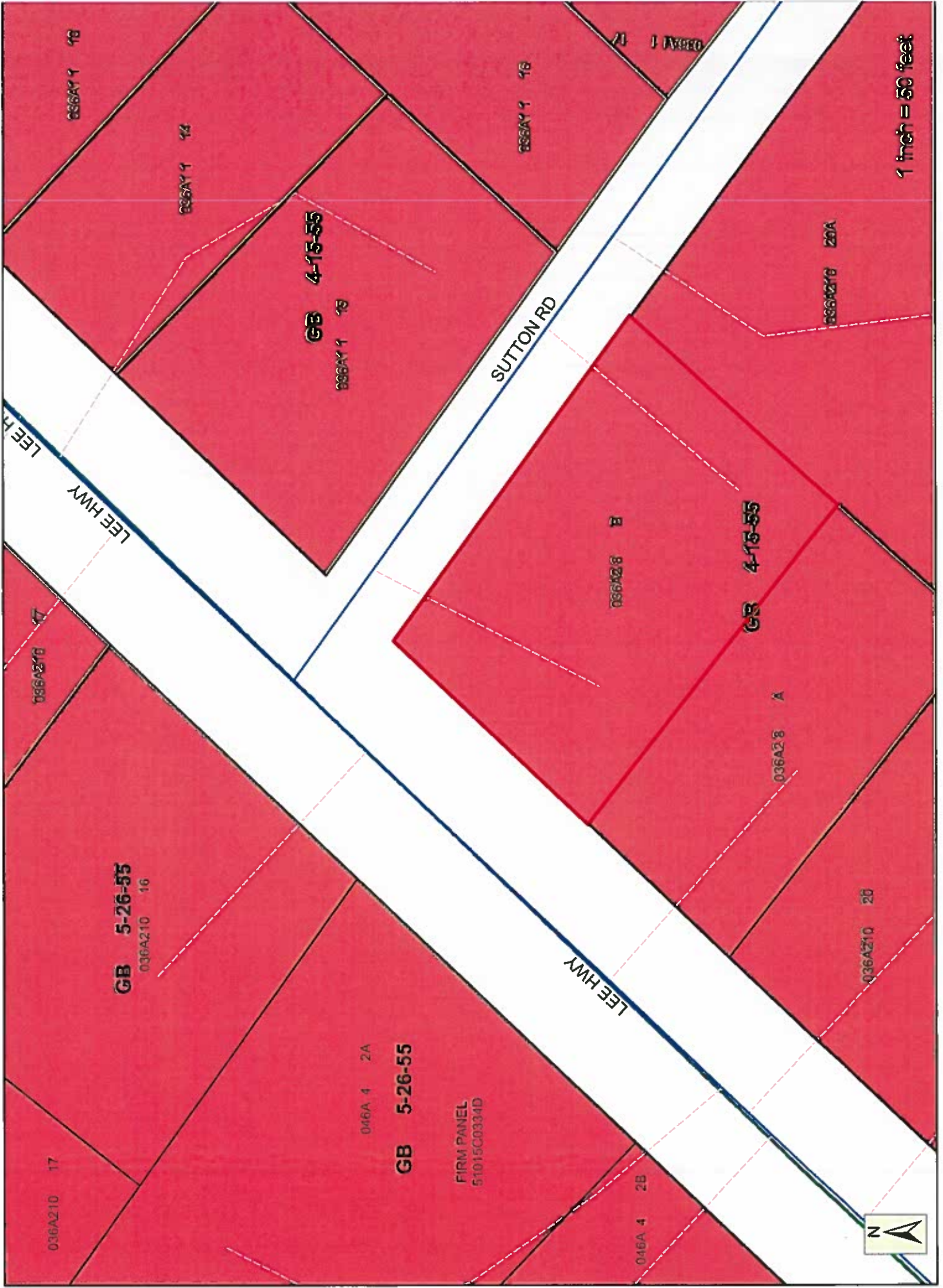
1. Obtain letter of approval from Building Inspection.
2. Obtain Service Authority approval and provide a copy to Community Development.
3. Pre-Conditions be completed within **ninety (90) days**.

### **Operating Condition:**

1. Be permitted to have one (1) apartment in both of the pre-1980 structures designated on the site plan.



Jarvis



036A210 17

**GB 5-26-55**  
036A210 16

046A 4 2A

**GB 5-26-55**

FIRM PANEL  
5101500334D

046A 4 2B

036A210 20

**GB 4-15-55**  
036A218

036A218 B

**GB 4-15-55**

036A218 A

036A218 20A

036A218 18

036A218 14

036A218 18

036A218 18

036A218 18

1 inch = 50 feet



Jarvis



1 inch = 50 feet



**PROPERTY OWNER:**  
Russell Thomas and Chantelle Brown

**AGENDA ITEM #** 4E

**Date** 3/2/17

**APPLICANT:**  
Same

**LOCATION OF PROPERTY:**  
106 Suffolk Lane, Bridgewater in the North River District

**SIZE OF PROPERTY:**  
4.421 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 private septic

**APPLICANT'S JUSTIFICATION:**  
To operate a pest control business

**PLANNING COMMISSION'S COMMENTS:**  
No comments.

**BUILDING INSPECTOR'S COMMENTS:**  
1. Obtain all necessary permits and inspections for the accessory building in accordance with the Uniform Statewide Building Code.  
2. Provide approved handicapped parking and building access to the primary structure housing the office.

**HEALTH DEPARTMENT'S COMMENTS:**  
Want one employee-referred to private OSE since this will no longer be single family residential. If we redo the Operation Permit there is an application and fee required.

**HIGHWAY DEPARTMENT'S COMMENTS:**  
The proposed use will not have a significant impact to State maintained roadways. Suffolk Lane is a privately maintained roadway. The entrance of Suffolk Lane at Rt. 646 (Fadley Road) is adequate for the proposed use.



**SERVICE AUTHORITY'S COMMENTS:**

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

**ENGINEERING'S COMMENTS:**

No comments.

**DEPARTMENT OF ENVIRONMENTAL QUALITY'S COMMENTS:**

DEQ would not regulate the storage of products for use. However, if the business generates hazardous waste, in their processes, that may fall under DEQ regulation. The washing of commercial vehicles without collecting the wash water would not be permitted. This type of business may also require a stormwater discharge permit so the applicants should contact our office to determine if a permit is required.

**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.**

No outside storage is requested.

**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 on premise.

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

Businesses are more appropriate in business zoned areas, however, a small pest control business with no customer traffic may be appropriate for agriculture 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 frontage on Fadley Road (Route 646) and is accessed by Suffolk Lane.

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

The 4.421 acre parcel will adequately and safely accommodate traffic to and from the highway.

**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 will be storing pesticide chemicals in the existing 8' x 12' storage shed.

**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 is an existing septic system onsite. The Health Department has commented on the employee coming to the home and may need to upgrade.

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

There are fire extinguishers in the truck and in the home. All chemicals are kept in containers and DEQ does not regulate storage.

**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 storage or display is requested.

### **STAFF RECOMMENDATIONS**

The applicants are requesting to have a pest control business on the property. They are requesting to have two (2) pickup trucks associated with the business and one (1) employee coming to the home. All chemicals will be kept inside the existing 8' x 12' storage building on the property.

Staff feels that a small pest control business with no customer traffic would not have an adverse impact on the neighboring properties and would recommend approval with the following conditions:

**Pre-Conditions:**

1. Obtain Health Department approval and provide a copy to Community Development.
2. Obtain letter of approval from Building Inspection.

**Operating Conditions:**

1. Be limited to two (2) company vehicles at the site.
2. All equipment and materials for the business be kept inside the 8' x 12' accessory building.
3. Site be kept neat and orderly.
4. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
5. No refuse from the business to be brought to this site.
6. Hours of operation be 9:00 a.m. to 4:00 p.m.
7. No more than one (1) employee to come to the site.
8. No on or off premise signs be permitted.



Jan 2011

Brown

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011 63

GA 12-13-95

011 68

FADLEY RD

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011 63B

011 67A

011 66  
FIRM PANEL  
51015C0200D

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011 65

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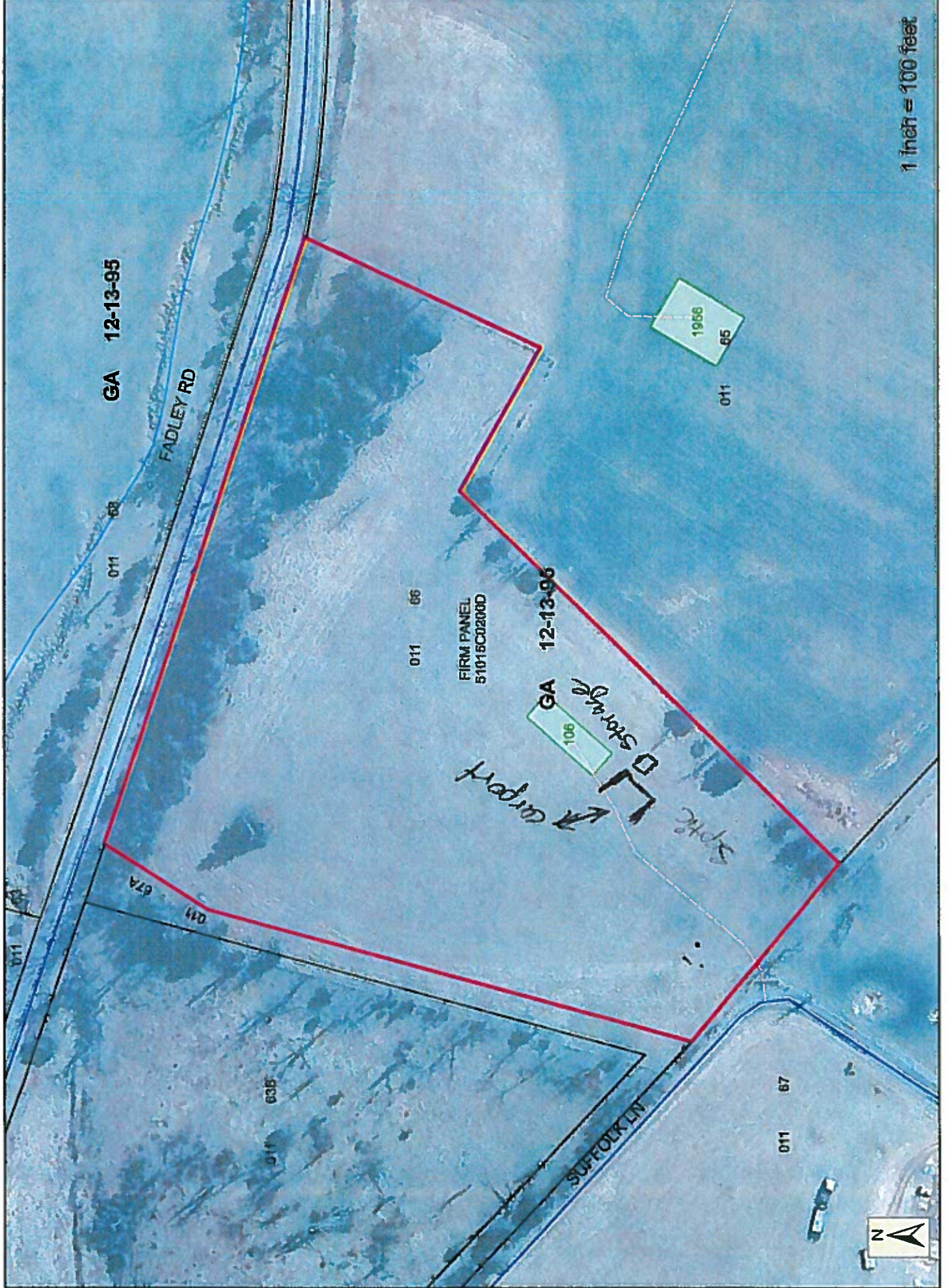


1 inch = 200 feet

011



Brown



AGENDA ITEM # 4F

Date 3/2/11

**PROPERTY OWNER:**

John M. or Holly A. McVey

**APPLICANT:**

CHBR, LLC, c/o Margie Ellen O'Hanlon

**LOCATION OF PROPERTY:**

51 Fleetwood Road, Staunton in the Beverley Manor District

**SIZE OF PROPERTY:**

0.298 acres

**VICINITY ZONING:**

Single Family Residential surrounds the entire parcel

**PREVIOUS ZONING OR S.U.P.:**

10/47 Zoned Single Family Residential

**LAND USE MAPS:**

Urban Service Area – Medium Density Residential

**UTILITIES:**

Public water and public sewer

**APPLICANT'S JUSTIFICATION:**

To operate a residential care facility

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

After review, our office has no comments.

**HEALTH DEPARTMENT'S COMMENTS:**

Residence is connected to public water and sewer, no comment.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The proposed use will not have a significant impact to State maintained roadways. Fleetwood Road is a privately maintained roadway. However, VDOT would still recommend considering available on-site parking for the proposed facility. The intersection of Fleetwood and Rt. 11 was analyzed for available sight distance; the entrance **does not meet current sight distance requirements**. VDOT does not object to this particular request since the use will generate a traffic volume similar to a residence; however, future uses within the private subdivision may be viewed unfavorably due to the available sight distance of Fleetwood Road at Rt. 11.



**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. 51 Fleetwood Road (TM # 65B-(1)-2-5) is currently an ACSA water and sewer customer.
5. The proposed use appears to fit a commercial type of use. A meter sizing form will need to be completed and submitted to the ACSA. If the meter size needs to be changed, additional charges would apply in accordance with the attached ACSA Policy No. 5.1.

**ENGINEERING'S COMMENTS:**

No comments.

**SECTION 25-134C. RESIDENTIAL CARE FACILITIES**

**The facility and anticipated enlargements thereof will be appropriate for residential areas.**

The applicant is requesting to care for individuals in the home and no enlargements are requested.

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

The proposed use will not be out of character with neighboring properties.

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

The proposed use will not result in a clustering of businesses.

**The applicant demonstrates compliance with state licensing requirements and all applicable federal, state, and local regulations.**

The applicant is not required to be licensed and is federally funded.

### **STAFF RECOMMENDATIONS**

The applicant is requesting to have up to nine (9) individuals in the three (3) bedroom dwelling on the property. The applicant will be leasing the dwelling and will not reside on premise. The residents are supervised twenty-four (24) hours a day by onsite staff. The residents will not be provided medical care and there will be no visitors coming to the property. The applicant states that the facility will only be providing housing and shelter for up to thirty (30) days. Staff feels that a residential care facility with limited residents within an existing single family dwelling would not be out of character within a residential neighborhood, however, we do have several concerns with this request including: (1) The dwelling is located on a narrow private street, (2) The property provides limited offsite parking which is a requirement, (3) Neighboring homes are in close proximity, (4) The applicant states they will limit residents to nine (9), but Staff understands that there is bed space available for up to fifteen (15).

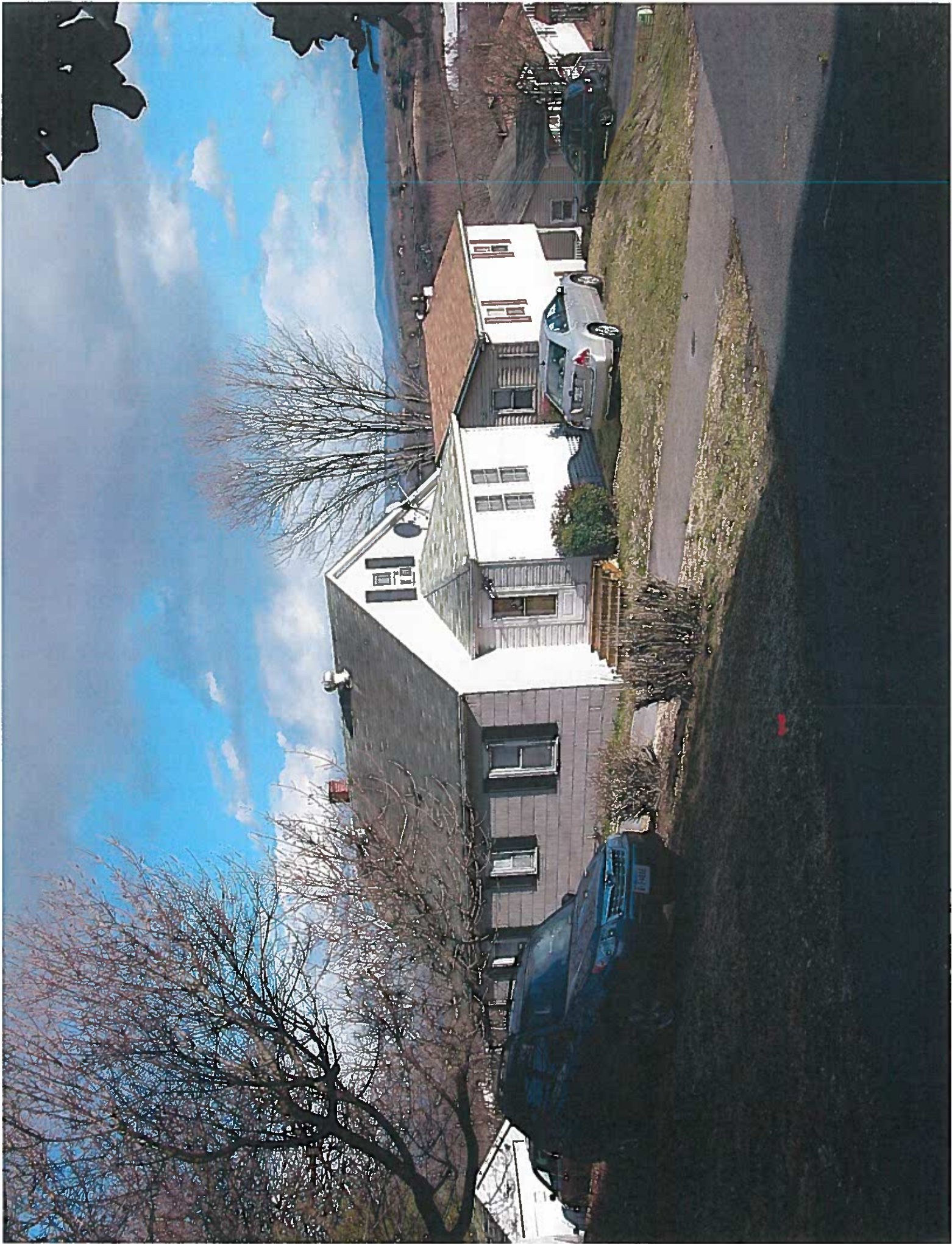
If the Board feels the request is compatible with the surrounding neighborhood and desires to approve the request, then Staff would recommend the following conditions:

#### **Pre-Condition:**

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

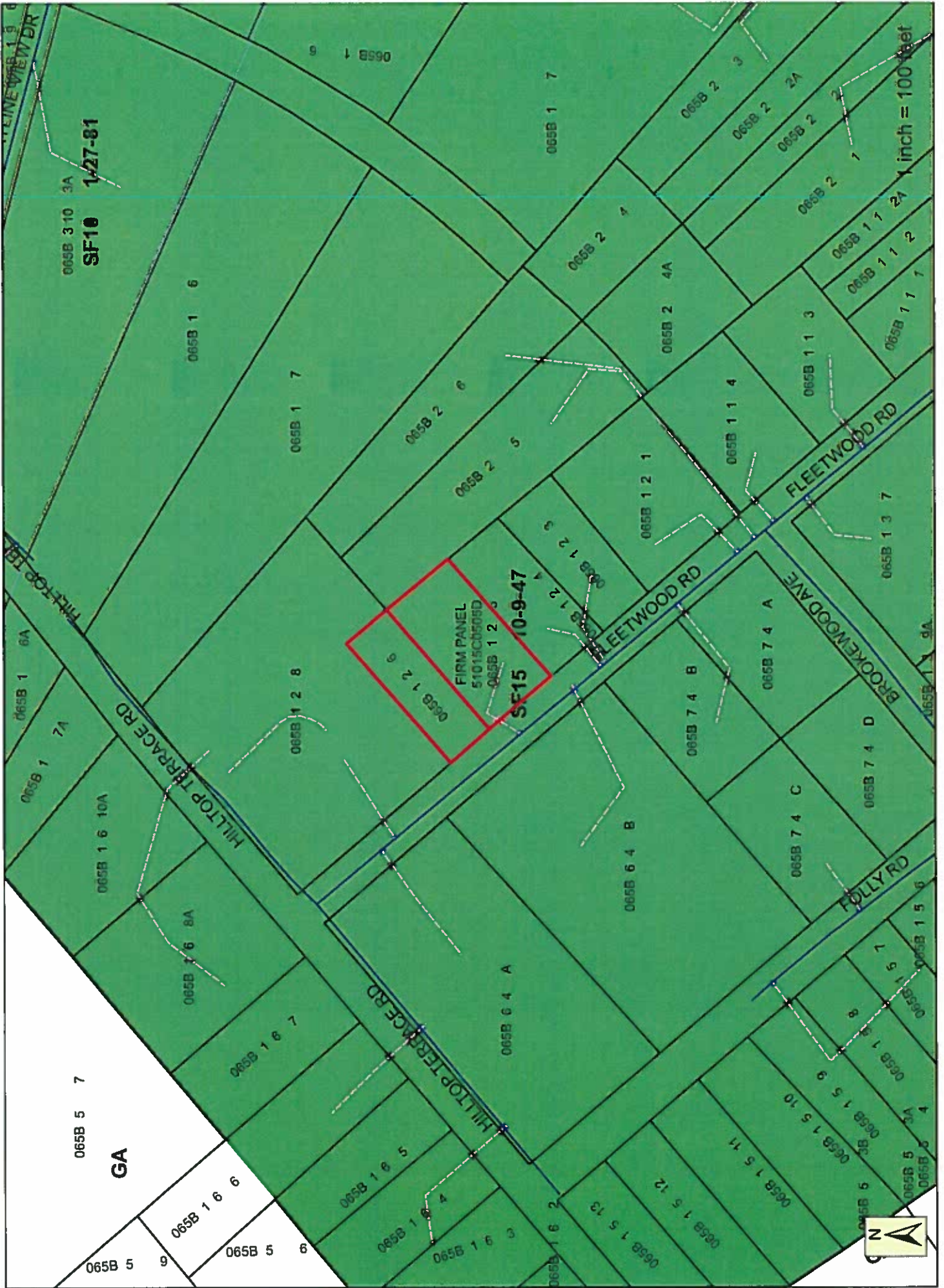
#### **Operating Conditions:**

1. Be limited to a maximum of nine (9) people residing on premise.
2. Site be kept neat and orderly.
3. No more than two (2) employees to come to the site.
4. Permit be reviewed in a year and renewed if all of the conditions are met.



new view

McVey



McVey



**PROPERTY OWNER:**  
Lee T. Whitesell

**AGENDA ITEM #** 46

**Date** 3/2/17

**APPLICANT:**  
D.M. Conner, Inc.

**LOCATION OF PROPERTY:**  
On the north side of Sycamore Path, at the intersection of Gerties Lane and Sycamore Path, Stuarts Draft in the South River District

**SIZE OF PROPERTY:**  
14.23 acres total

**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:**  
None

**APPLICANT'S JUSTIFICATION:**  
To operate a mining operation

**PLANNING COMMISSION'S COMMENTS:**  
No comments.

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

**HEALTH DEPARTMENT'S COMMENTS:**  
Vacant land – no comment.

**HIGHWAY DEPARTMENT'S COMMENTS:**  
The proposed use will not have a significant impact to State maintained roadways. Access to the property will need to be internal from the existing mining operation. Gerties Lane (Rt. 606) is not suitable for heavy truck traffic.

**SERVICE AUTHORITY'S COMMENTS:**

The proposed use does not indicate a need for public water; therefore, the ACSA has no comment. If water service is needed, our office would need to be contacted.

(NOTE: This area is located inside Well Head Protection Area 2. No conflict with the Ordinance.)

**ENGINEERING'S COMMENTS:**

No comments.

**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 will be using an existing quarry road with no additional traffic generated.

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

The property is adjacent to the applicants existing quarry operation. The proposed 14.23 and the adjacent 92.427 acres will accommodate all traffic.

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

The applicant will be extending a road to their existing site that has access on Lake Road.

**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 for agricultural 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.**

Site plan shows a two hundred (200') foot buffer from all property lines except those bordering the two (2) quarry operations in the area.

## **STAFF RECOMMENDATIONS**

The applicant is purchasing the 14.23 acre tract adjacent to their existing mining operation off of Lake Road in order to expand the mining operation. The applicant will only be excavating at this site. All crushing and processing will be done at the existing plant. There will be no storage of fuels, hazardous, or toxic materials and no explosives. The applicants will be extending a road to the existing plant and will be hauling all materials from the property on their existing route. There will be no truck traffic on Sycamore Path.

Staff has concerns that the expansion of the mining operation within close proximity to residential dwellings could have a significant impact due to noise, dust, fumes, and vibration and feels it may not be compatible. If the Board feels that the request is compatible and desires to approve the request, staff would recommend the following conditions:

### **Pre-Condition:**

1. Submit a copy of the DMME mining plan including the proposed depth of excavation and reclamation plan and the two hundred foot (200') buffer zone along all property lines except the properties currently being mined.

### **Operating Conditions:**

1. Only excavating at the site. All crushing and hauling be done at the existing plant.
2. Access will be through the existing quarry with truck traffic confined entirely to Route 660 when entering and leaving site utilizing the existing fifty (50') foot right-of-way on the north side of Shenandoah Acres property.
3. No truck traffic on Sycamore Path.
4. No mining operation within five hundred (500) feet of Coles Campers Subdivision. Existing wooded 500' buffer be left in its natural undisturbed state.
5. No buffer will be required between the property lines adjacent to the existing quarry operation.
6. The site must be reclaimed as soon as possible, but no later than six (6) months after operations have ceased.
7. Whenever the applicant amends the permit with the Department of Mines, Minerals and Energy, they must notify the Community Development Department.
8. Hours of operation be Monday-Friday, 7:00 A.M. to 6:00 P.M. and Saturday 7:00 A.M. to 12:00 Noon, and during daylight savings time Monday-Saturday, 7:00 A.M. to 8:00 P.M. and no Sunday operation.
9. All local, state and federal regulations must be complied with.

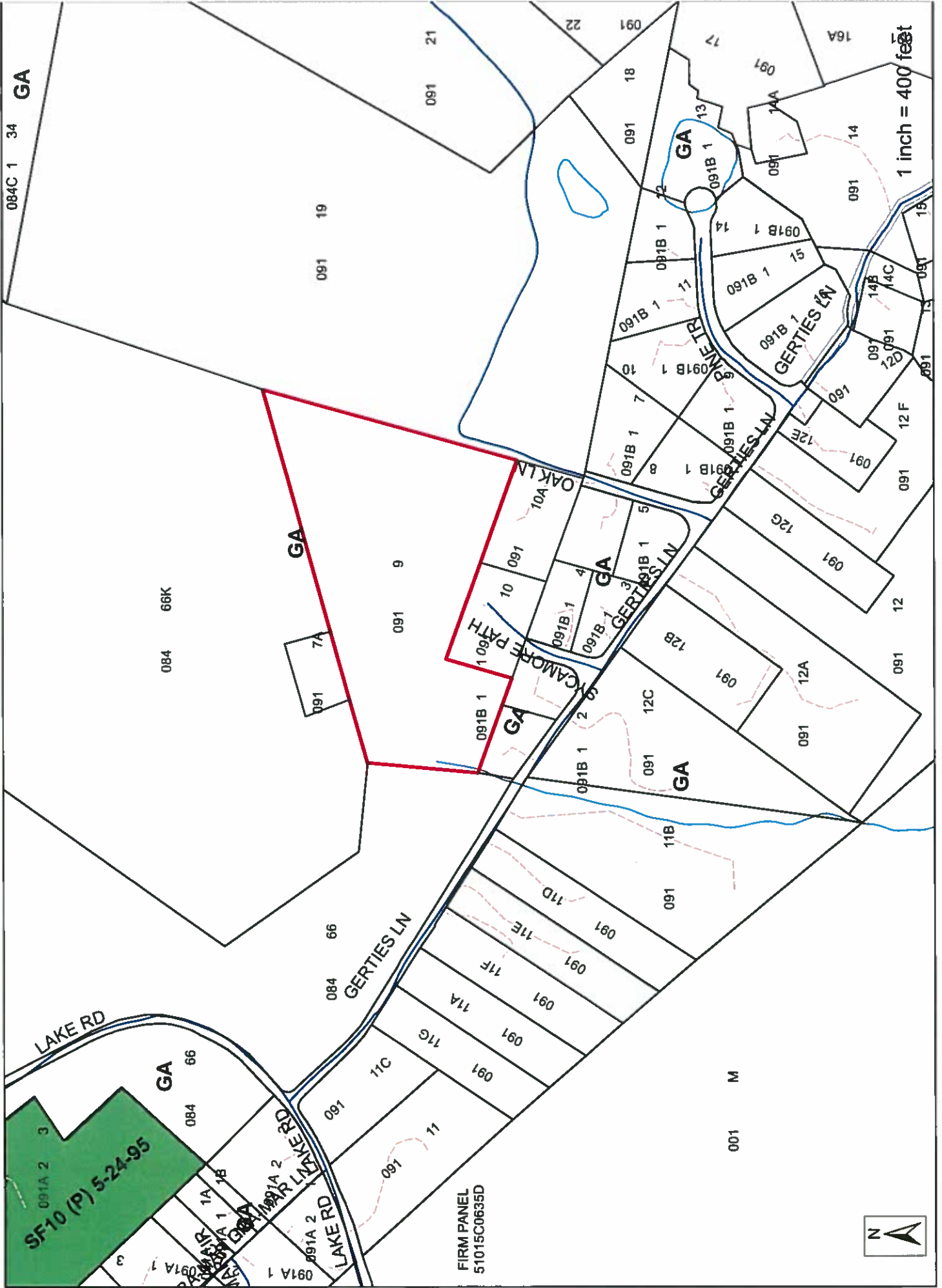


10. Debris, including residue rock and stone and other waste material stored on the property must have originated from the property and not be brought in from other sites.



11/16/2011

# Whitesell



1 inch = 400 feet



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Whitesell







1 inch = 150 feet

White sell

AGENDA ITEM # 7A

EXTENSION OF TIME

Date 3/2/17

**PROPERTY OWNER:**  
Creative Works Farm, Inc.

**APPLICANT:**  
Charles Scott and Cathy F. Balsley

**LOCATION OF PROPERTY:**  
On the north side of Purple Cow Road (Route 619), approximately .1 of a mile east of the intersection of Purple Cow Road and Mountain Stream Lane in the Middle River District

**SIZE OF PROPERTY:**  
160.381 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:**  
Public water and private septic

**APPLICANT'S JUSTIFICATION:**  
To construct a public accommodation facility and children's camp including cabins, active recreational facilities, and have special events.

The applicants have constructed several structures on the property, but they need additional time to complete the project. **The applicant is requesting a five (5) year Extension of Time.**