



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



**MEMORANDUM**

TO: Augusta County Board of Zoning Appeals

FROM: Sandra K. Bunch, Zoning Administrator

DATE: April 27, 2017

SUBJECT: Regular Meeting and Viewing

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, May 4, 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, May 4, 2017, 1:30 P.M.**

**1. CALL TO ORDER**

**2. DETERMINATION OF A QUORUM**

**3. MINUTES**

Approval of the Called and Regular Meeting of April 6, 2017

**4. PUBLIC HEARINGS**

- A. A request by Sam and Beth Rowe, agent for Forest Hill Farm, LLC, for a Special Use Permit to have a tourist home on property they own, located at 505 Arborhill Road, Staunton in the Riverheads District.
- B. A request by George Coyner, agent for Bethany Trinity Evangelical Lutheran Church, Trustees of, for a Special Use Permit to have a daycare center on property they own, located on the north side of Goose Creek Road, just at the intersection of Goose Creek Road and Caldwell Lane in the Wayne District.
- C. A request by Mary Wilson, agent for Basic City, LLC, for a Special Use Permit to have a public accommodation facility and to hold special events on property they own, located at 2193 Hankey Mountain Highway, Churchville in the Pastures District.
- D. A request by Robert Bagley, agent for North Mountain Cattle Co., LLC, for a Special Use Permit to have storage and retail sales of livestock equipment on property they own, located at 26 Luck Stone Road, Staunton in the Pastures District.
- E. A request by James W. Pence and Marcia A. Becker, for a Special Use Permit to have a dog kennel on property they own, located at 286 Zion Church Road, Waynesboro in the Wayne District.
- F. A request by Robert Huff, agent for Lingo Networks, LLC, for a Special Use Permit to construct a new telecommunications facility on property owned by Claude H. or Peggy G. Smith, located at 1680 Middlebrook Road, Staunton in the Riverheads District.
- G. A request by Gary Teter, agent for Jollett Springs Mobile Home Park, LLC, for a Special Use Permit to replace a nonconforming manufactured home with a larger unit not meeting current setback requirements on property they own, located at Lot 33, 34 S. Jollett Lane, Grottoes in the Middle River District.

**5. OLD BUSINESS**

**6. MATTERS TO BE PRESENTED BY THE PUBLIC**

**7. MATTERS TO BE PRESENTED BY THE ZONING ADMINISTRATOR**

**8. STAFF REPORT**

16-25	Rolland E. or Patricia S. Hunter
16-26	Trustees James M. and Jayne Ann L. Knopp
16-27	Vernon W. Smoot Trust – Carol Hawkins, Trustee
16-28	Turn Key Properties, LC

**9. ADJOURNMENT**

Date 5/4/17

**PROPERTY OWNER:**

Forest Hill Farm, LLC

**APPLICANT:**

Sam and Beth Rowe, agent for Forest Hill Farm, LLC

**LOCATION OF PROPERTY:**

505 Arborhill Road, Staunton in the Riverheads District

**SIZE OF PROPERTY:**

45.00 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 tourist home

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

After review, our office has no conditions.

**HEALTH DEPARTMENT'S COMMENTS:**

No septic records could be located for the property, owner was advised to uncover septic system for Health Department inspection.

**HIGHWAY DEPARTMENT'S COMMENTS:**

VDOT does not anticipate a significant impact to adjacent roadways. No trees or vegetation shall impede the line of sight onto Arborhill Road (Route 695). The existing entrance is adequate for the proposed use.

**SERVICE AUTHORITY'S COMMENTS:**

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

**ENGINEERING'S COMMENTS:**

No comments.

**SECTION 25-74H - PUBLIC ACCOMMODATION FACILITIES**

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

The use of the existing single family dwelling for rental may be compatible with the neighboring area.

**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 dwelling is located on a 45.00 acre site that is not highly visible from the road. The use should not be out of character with the neighboring properties.

**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 this business should not result in a clustering of similar businesses or change the character of the area.

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

The property has frontage on Arborhill Road.

**STAFF RECOMMENDATIONS**

The applicant is requesting to rent out the existing dwelling as a tourist home. The dwelling has three (3) bedrooms with one (1) full bathroom and one (1) half bathroom. The applicants are requesting to rent the home by the week or weekends. The applicants do not reside on premise, but they live within two (2) miles of the property.

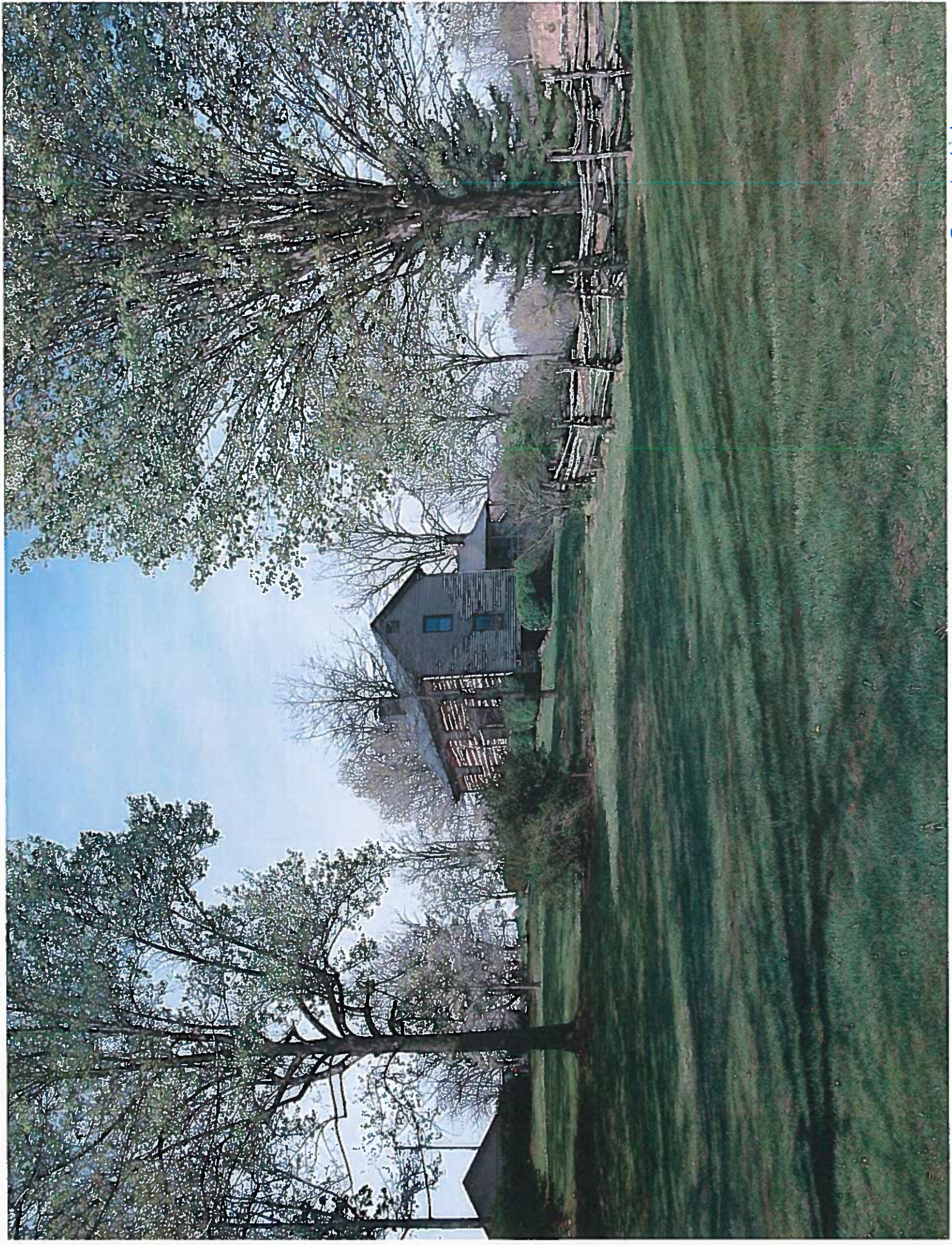
Staff feels that the request to rent the dwelling as a tourist home would be compatible with the rural character of the area and would recommend approval with the following conditions:

**Pre-Condition:**

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

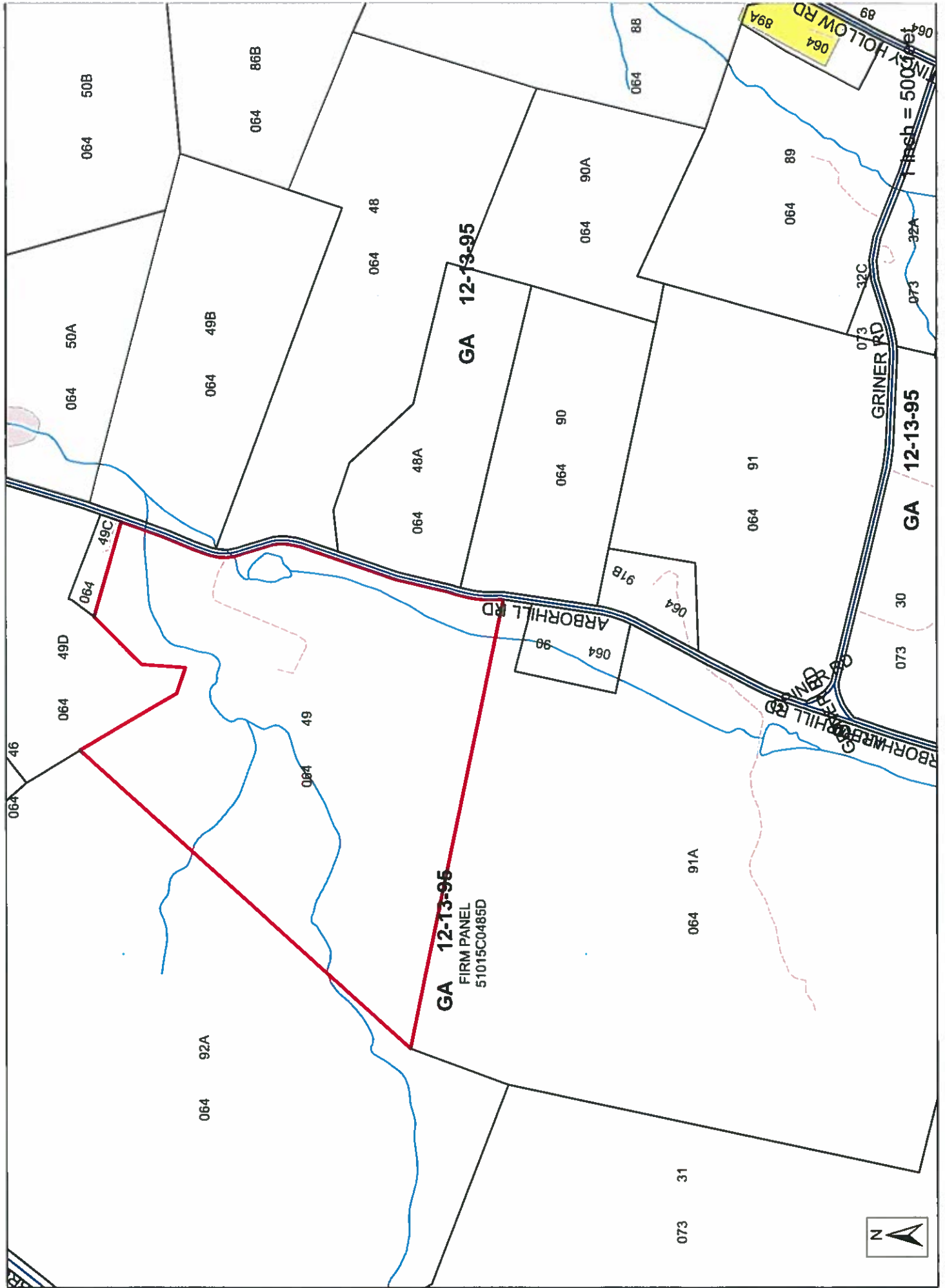
**Operating Conditions:**

1. Be permitted to rent the three (3) bedroom dwelling as a tourist home.
2. Site be kept neat and orderly.

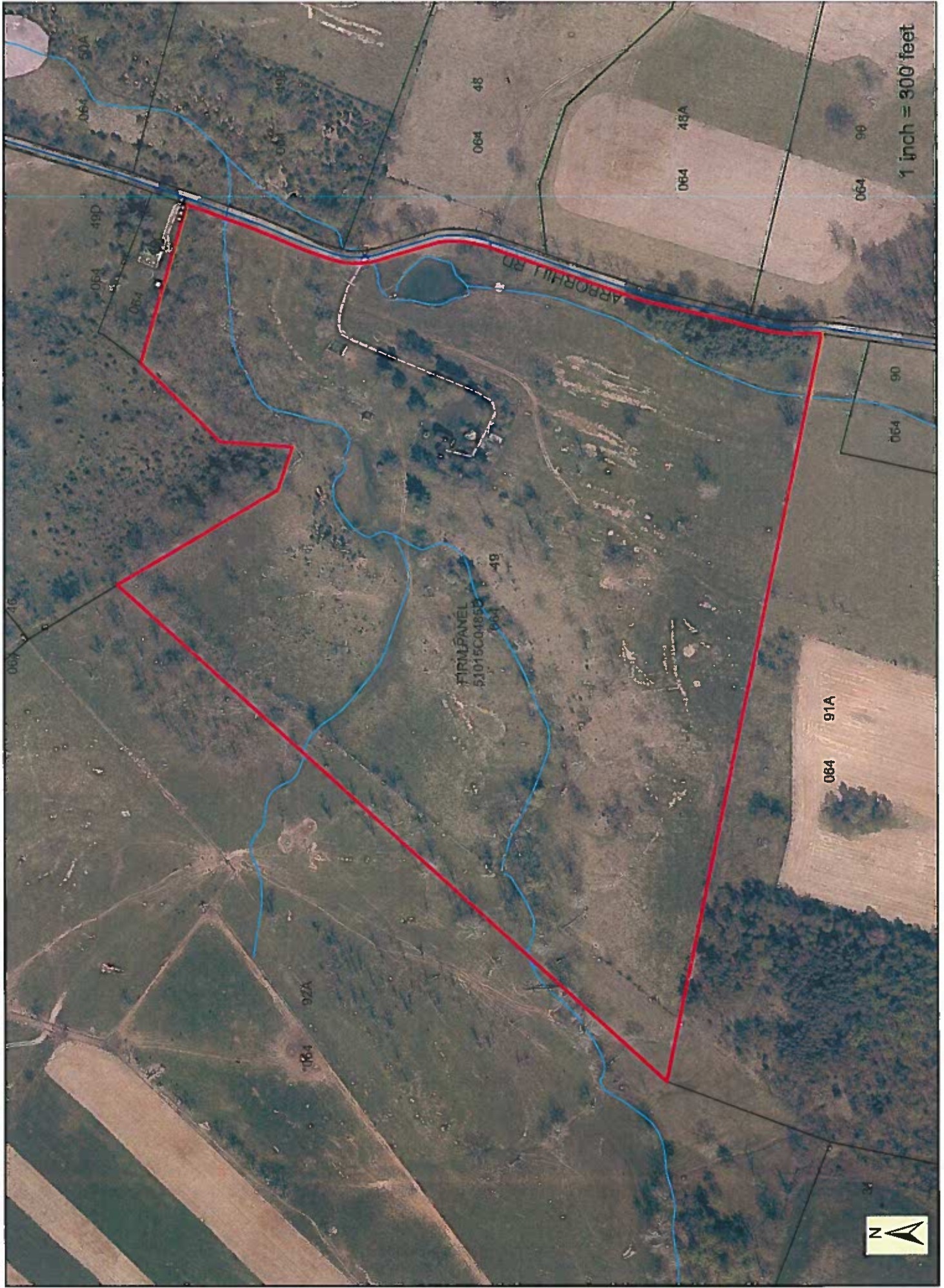


Ernest Hill

# Forest Hill Farm, LLC



Forest Hill Farm, LLC





AGENDA ITEM # 4B

Date 5/4/17

**PROPERTY OWNER:**

Bethany Trinity Evangelical Lutheran Church, Trustees of

**APPLICANT:**

George Coyner, agent for Bethany Trinity Evangelical Lutheran Church, Trustees of

**LOCATION OF PROPERTY:**

On the north side of Goose Creek Road, just at the intersection of Goose Creek Road and Caldwell Lane in the Wayne District

**SIZE OF PROPERTY:**

13.397 acres

**VICINITY ZONING:**

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

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

11/03 Zoned Single Family Residential

**LAND USE MAPS:**

Urban Service Area – Medium Density Residential

**UTILITIES:**

Public water and sewer

**APPLICANT'S JUSTIFICATION:**

To have a daycare center

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

Obtain all necessary permits, inspections and Certificates of Occupancy in accordance with the Uniform Statewide Building Code.

**HEALTH DEPARTMENT'S COMMENTS:**

Public water and sewer – no comment.

**HIGHWAY DEPARTMENT'S COMMENTS:**

The use is not expected to have significant impacts to adjacent roadways. The church/daycare will require a commercial entrance in accordance with Appendix F of the VDOT Road Design Manual. The preferred entrance location will be off the proposed adjacent subdivision street, meeting 225' corner clearance from Route 640. The details of the entrance will be reviewed during the site plan process. Also, layout of the facilities should account for queuing during drop-off to ensure traffic does not back onto a state maintained roadway.

**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 16" waterline approximately 1,306'± to the northeast of the subject property.
5. There is an existing 10" sewer line approximately 1,730'± to the west of the subject property.

**ENGINEERING'S COMMENTS:**

No comments.

**SECTION 25-134B - DAYCARE CENTERS AND NURSERY SCHOOLS**

**Designated areas for pick-up and delivery are adequate to prevent traffic congestion both on and off site, thereby keeping waiting pedestrians out of vehicle passage ways and parking areas and preventing waiting vehicles from blocking access to and from parking areas or impeding traffic on adjoining streets.**

The site plan shows traffic aisles are safe for pickup and delivery and are adequate to prevent traffic congestion onsite and should prevent vehicles from blocking access on adjoining streets.

**Proposed playgrounds are adequately fenced and subject to the same setback requirements as principal structures, unless the board of zoning appeals finds that greater setbacks are necessary in the interest of public safety and compatibility with the neighboring properties.**

The applicants will be using chain-link fencing around the proposed playground shown on the site plan.

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

The applicants are currently operating in Waynesboro and have all the proper licenses.

**STAFF RECOMMENDATIONS**

The applicants are constructing a new church on the property and are requesting to have a day care operation onsite. They currently have a day care within their existing church in

Waynesboro and have all the necessary State licensing. The applicants will be providing childcare for up to seventy-five (75) children Monday through Friday, 6:30 a.m. until 7:00 p.m. The day care will be for children ages two (2) years to Pre-K and they will also provide an after school program for older children. Staff feels the request will provide a needed service to the area and recommends approval with the following conditions:

**Pre-Conditions:**

1. Submit site plan meeting the requirements of Section 25-673 "Site Plan Contents" of the Augusta County Zoning Ordinance to be approved by all appropriate departments and/or agencies.
2. Applicant obtain building permit and provide a copy to Community Development.
3. Provide a copy of the license from the Department of Social Services.

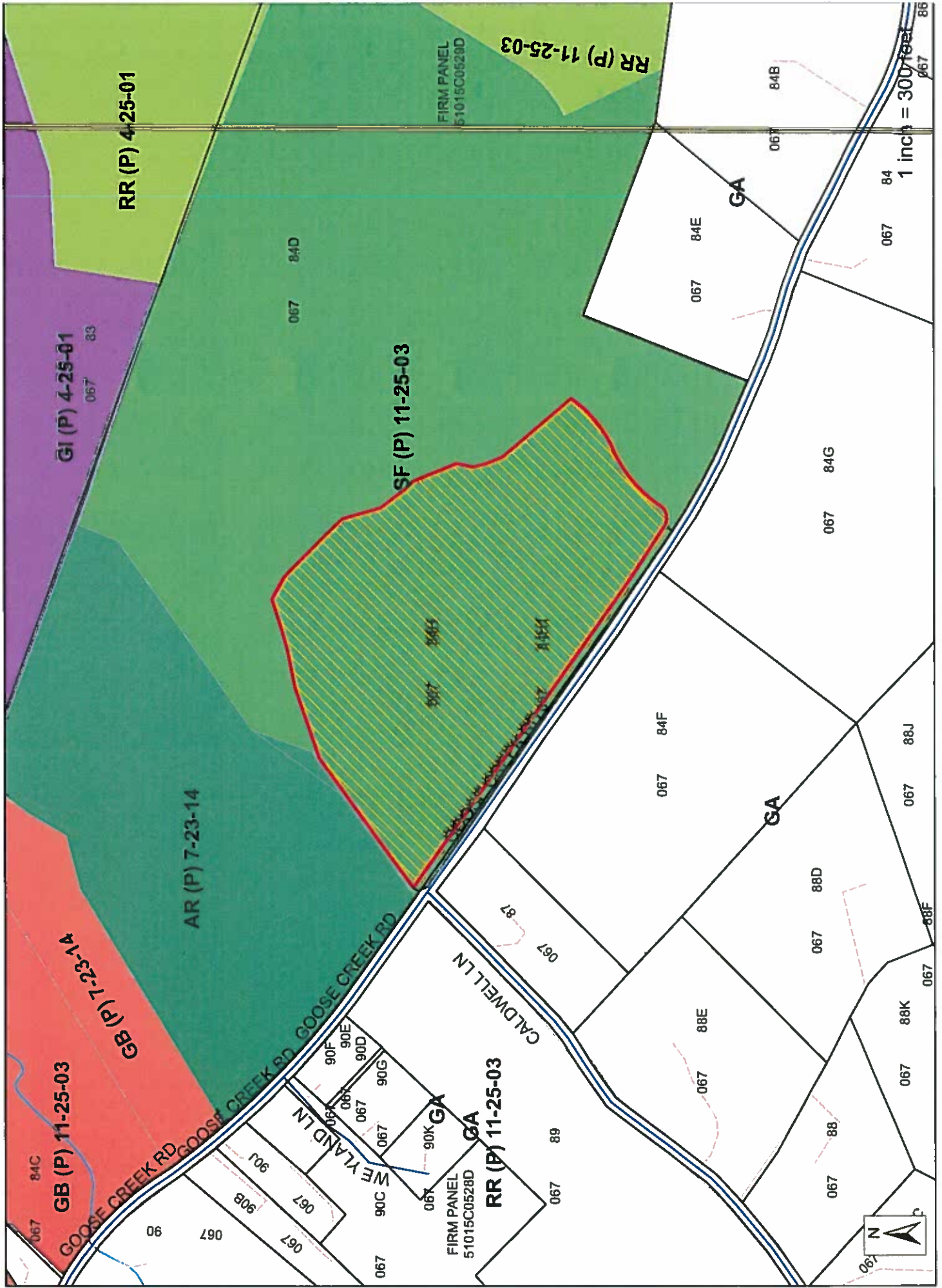
**Operating Conditions:**

1. Be limited to a maximum of seventy-five (75) children.
2. Site be kept neat and orderly.



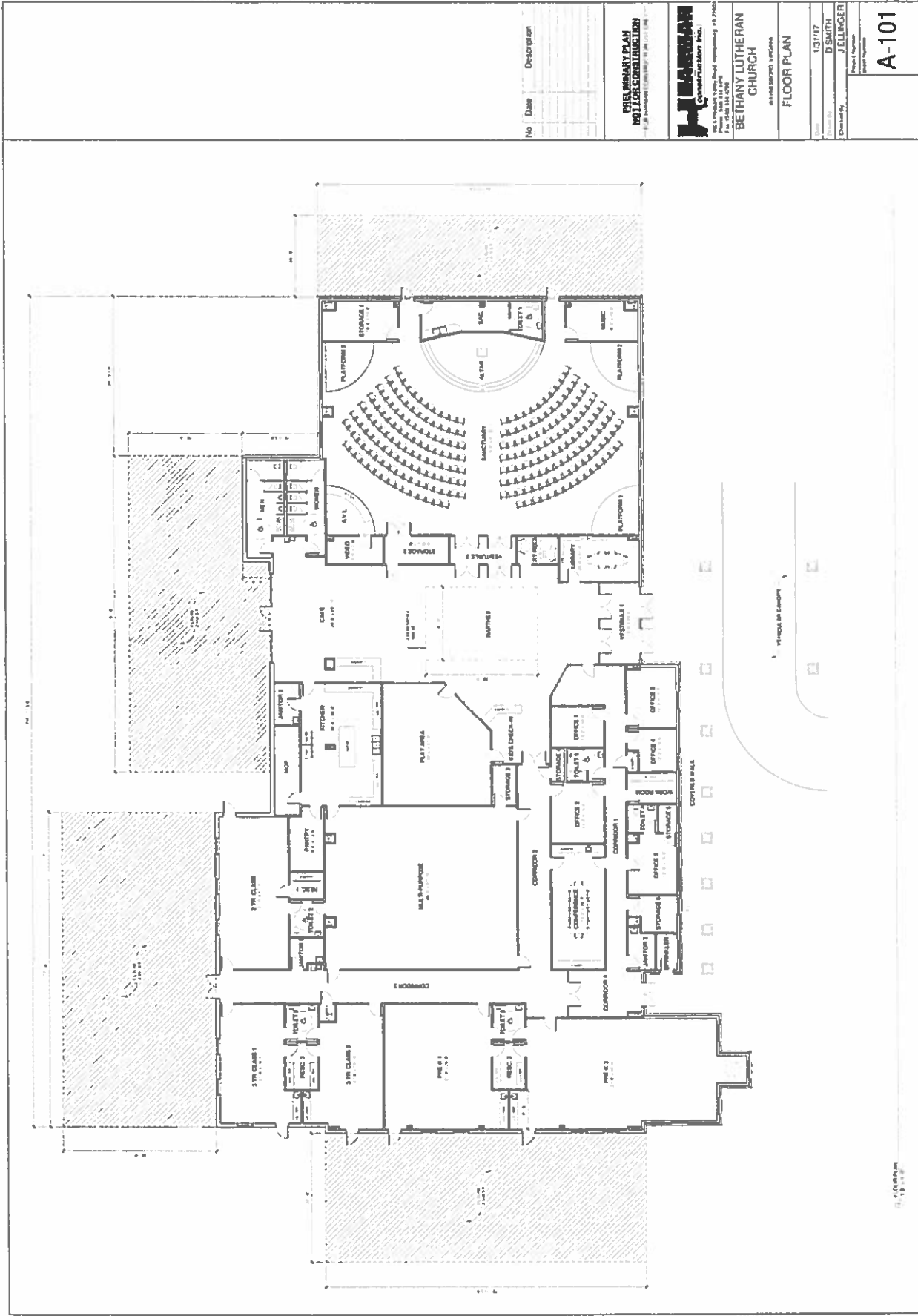
Deborah Trindler

# Bethany Trinity Evangelical Lutheran Church



Bethany Trinity Evangelical Lutheran Church





No	Date	Description

**PRELIMINARY PLAN  
NOT FOR CONSTRUCTION**  
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**BETHANY LUTHERAN  
CHURCH**  
 245 W. 10th St., Seward, NE 68478  
 Phone: 402.333.1111  
 Fax: 402.333.1111

**FLOOR PLAN**  
 1/31/17  
 Design: D. SMITH  
 Check: J. ELLINGER

**A-101**

AGENDA ITEM # 4C

Date 5/4/17

**PROPERTY OWNER:**

Basic City, LLC

**APPLICANT:**

Mary Wilson, agent for Basic City, LLC

**LOCATION OF PROPERTY:**

2193 Hankey Mountain Highway, Churchville in the Pastures District

**SIZE OF PROPERTY:**

1.827 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 public accommodation facility and to hold special events

**PLANNING COMMISSION'S COMMENTS:**

No comments

**BUILDING INSPECTOR'S COMMENTS:**

After review our office has no comments. Structure is same use as before.

**HEALTH DEPARTMENT'S COMMENTS:**

Met and discussed with engineer and owners. This is a possibility depending on number of people and reissuance of Operation Permit. HD is aware of proposal. Approval contingent on final occupancy numbers.

**HIGHWAY DEPARTMENT'S COMMENTS:**

VDOT does not anticipate a significant impact to adjacent roadways. The existing private entrance will require upgrades to meet current VDOT low-volume commercial entrance requirements. The entrance shall be designed and constructed in accordance with Appendix F of the VDOT Road Design Manual. No vehicles shall park within the VDOT right-of-way. Parking within the property shall not hinder the sight distance of vehicles entering or exiting the property. VDOT reserves the right to require the entrance to be upgraded to a paved commercial entrance if the traffic generation exceeds 50 vehicle trips per day.



**SERVICE AUTHORITY'S COMMENTS:**

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

**ENGINEERING'S COMMENTS:**

If no new land disturbance is involved, N/A.

**SECTION 25-74H - PUBLIC ACCOMMODATION FACILITIES**

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

Using an existing dwelling to hold special events and provide public accommodations should be appropriate for the agricultural area.

**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 hold special events and provide overnight accommodations on a short term basis which should not be out of character with neighboring properties.

**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 this business should not result in a clustering of similar businesses or change the character.

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

The property is served by an existing entrance onto Hankey Mountain Highway (Route 250).

**STAFF RECOMMENDATIONS**

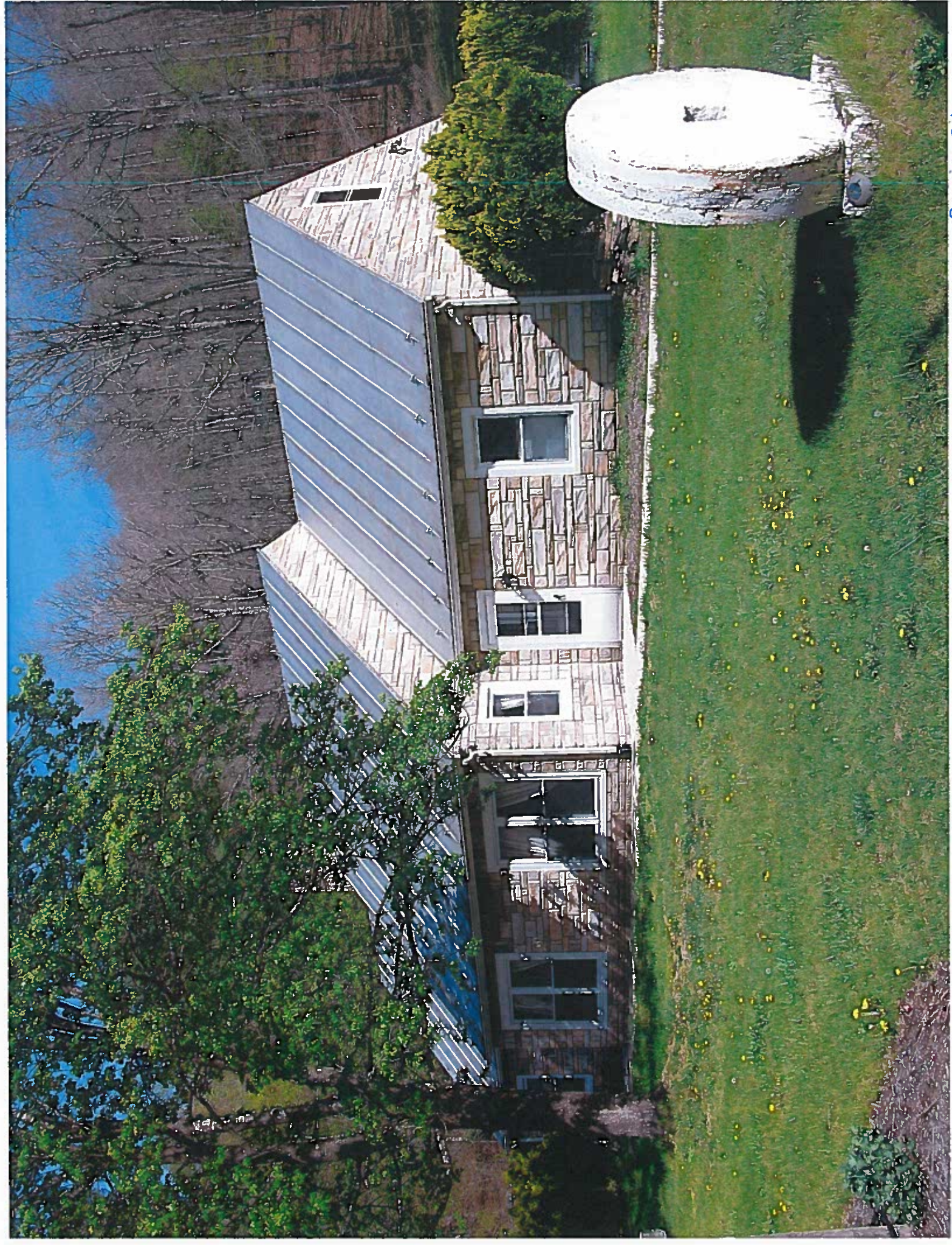
The applicants are requesting to hold special events for up to twenty (20) people and provide overnight accommodations for no more than eight (8) people. They are proposing to rent the existing three (3) bedroom home on a short term basis such as a bed and breakfast, but they will not reside on premise and will not be providing meals. The applicants are currently working with the Health Department and VDOT to meet all of their requirements for upgrades to the site. Staff feels that a small public accommodation facility with limited guests would not be out of character with the neighboring properties and would recommend approval 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.

**Operating Conditions:**

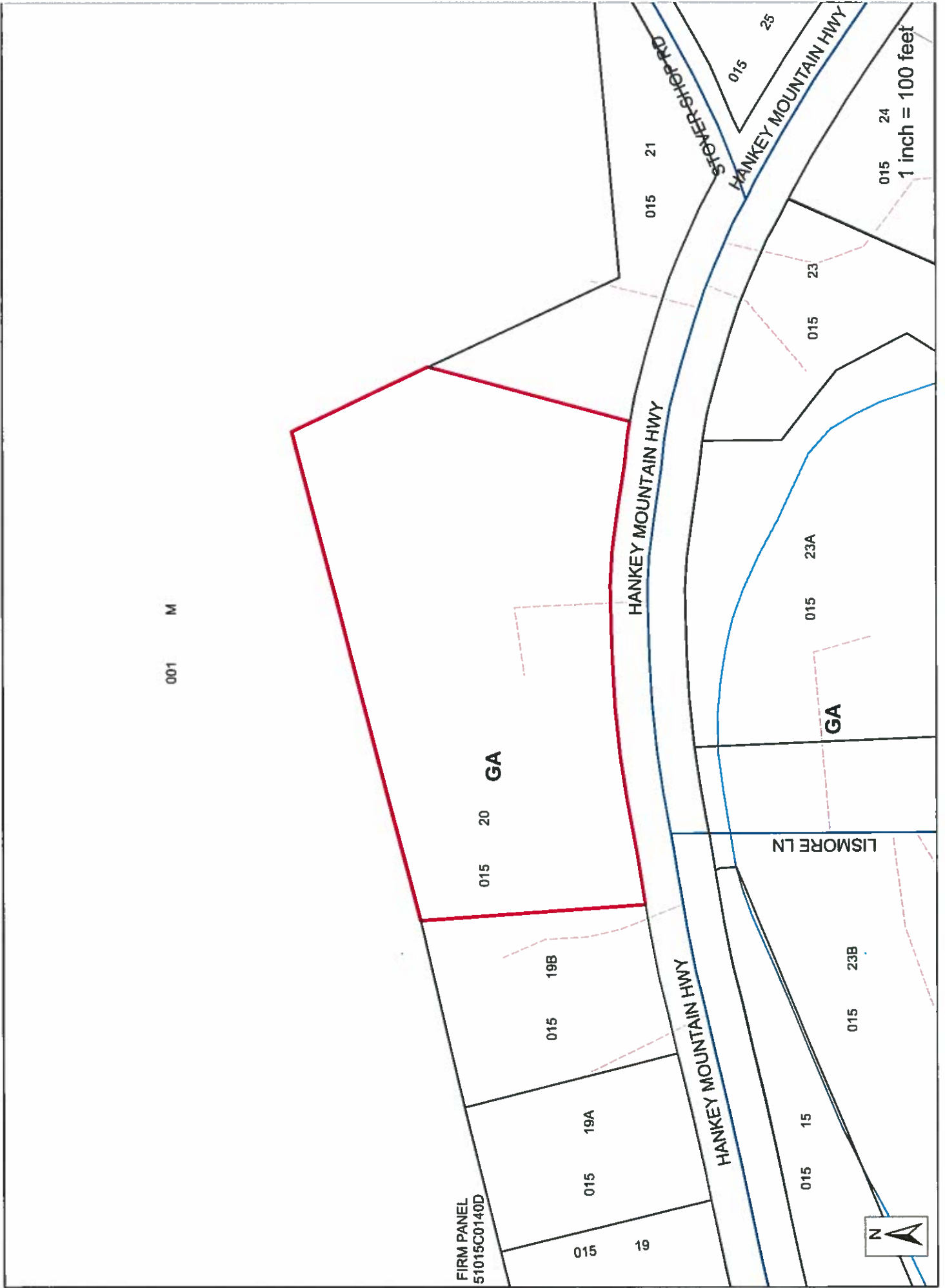
1. Be permitted to use the existing three (3) bedroom home as a short term facility for no more than six (6) overnight guests.
2. Be limited to twenty-four (24) events per year but no more than three (3) per month.
3. Be limited to a maximum of twenty (20) people per event.
4. Events to cease by 11:00 p.m. and all persons off the property by 11:00 p.m. with the exception of those leasing the home.
5. Site be kept neat and orderly.



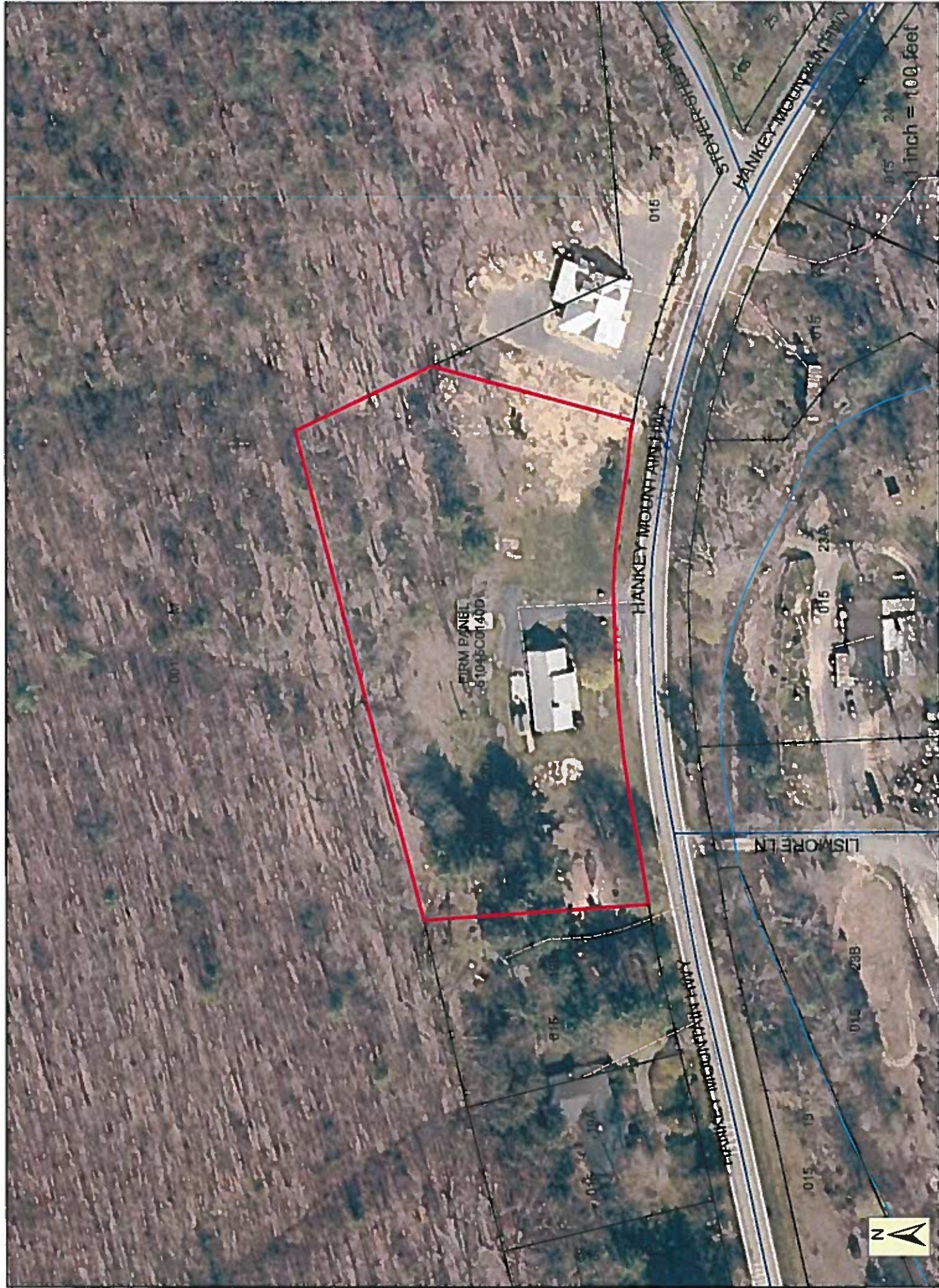
Bncir City

Basic City, LLC

001 M



Basic City, LLC



# Basic City



001 M

GA

015 20

015 21

015 19B

FIRM PANEL  
51015C0740B

MOUNTAIN HWY

HANKEY MOUNTAIN HWY

LISMORE LN

GA 015 23A

015 23B

015 15

1015000 = 50 feet



AGENDA ITEM # 4D  
Date 5/4/17

**PROPERTY OWNER:**  
North Mountain Cattle Co., LLC

**APPLICANT:**  
Robert Bagley, agent for North Mountain Cattle Co., LLC

**LOCATION OF PROPERTY:**  
26 Luck Stone Road, Staunton in the Pastures District

**SIZE OF PROPERTY:**  
122.518 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:**  
None

**APPLICANT'S JUSTIFICATION:**  
To have storage and retail sales of livestock equipment

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

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

**HEALTH DEPARTMENT'S COMMENTS:**  
There are no sewage disposal facilities on this parcel. If there are employees and bathrooms are required, a sewage disposal system will be required as it is commercial it will have to done by a private OSE.

**HIGHWAY DEPARTMENT'S COMMENTS:**  
VDOT does not anticipate a significant impact to adjacent roadways. The current entrance is adequate for the intent of this special use permit. If the business grows to exceed 50 vehicle trips per day, entrance upgrades may be required.

**SERVICE AUTHORITY'S COMMENTS:**  
There is no public water or sewer available in the area of the subject property.

**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 outdoor storage area is adjacent to the existing barn screened from view between the buildings.

**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 does not reside on premise. Farming operation only onsite.

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

Agriculture related sales can be appropriate for 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 business will have direct access to Luck Stone Road.

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

The 122.518 acre site should be able to safely handle 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.**

Using existing barn. No new structures are proposed.

**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.**

No sewage disposal system onsite.

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

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.**

All items for sale are setback at least one hundred (100') feet from the pavement.

### **STAFF RECOMMENDATIONS**

The applicant is requesting to have outdoor storage and retail sales of farm equipment such as cattle gates, feeding equipment, handling equipment, and panels onsite. The equipment will be stored in an area approximately 180' x 100' adjacent to the existing barn, which will provide proper screening. The applicant will have no employees and customer trips to the site will be limited to one (1) or two (2) times a month. The applicant normally ships the items to the buyer. Staff feels that the outdoor storage of farm related equipment with limited retail sales and no employees would not be out of character and recommends approval with the following conditions:

#### **Pre-Conditions:**

None

#### **Operating Conditions:**

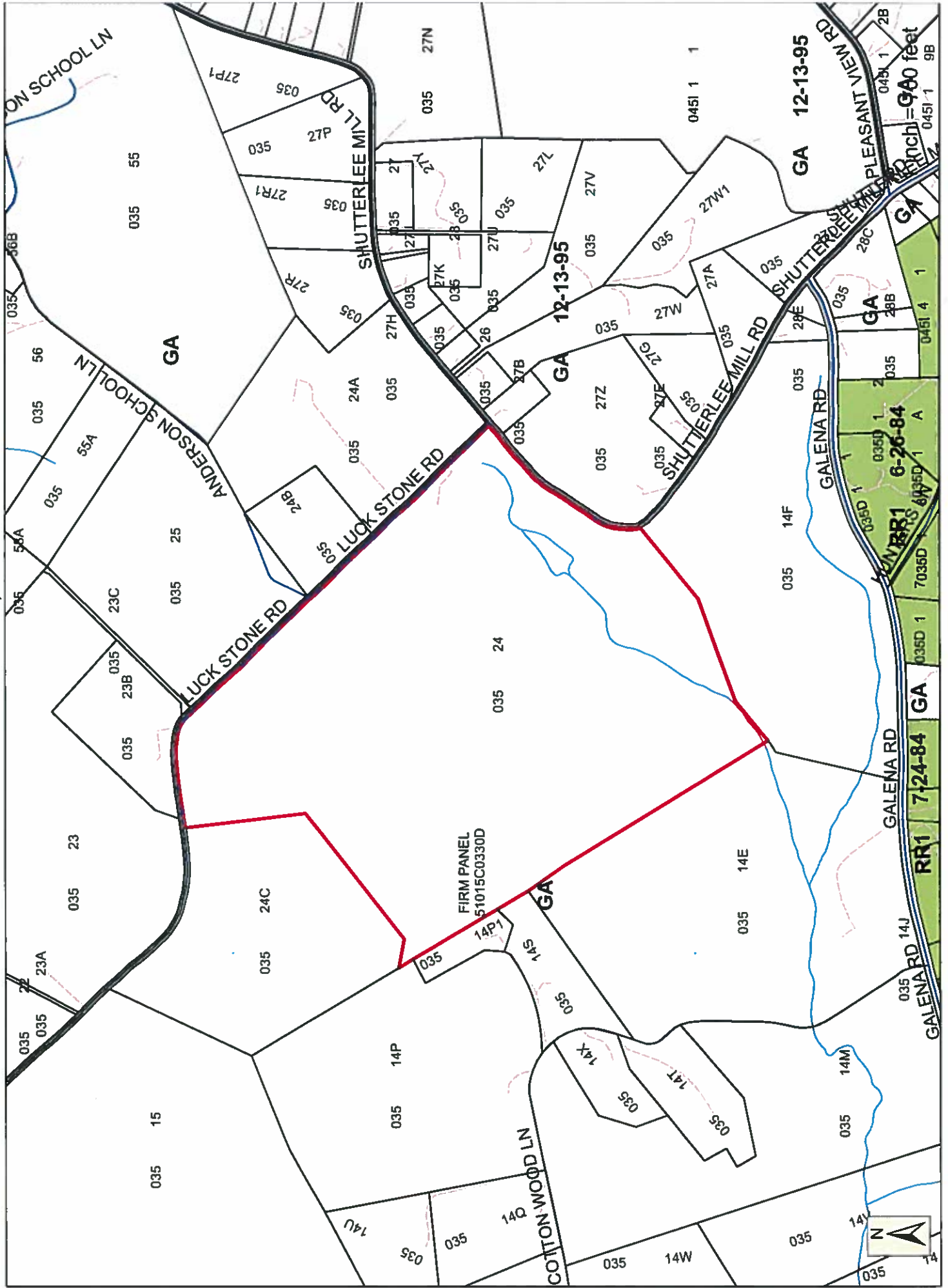
1. Be permitted to have the 180' x 100' outdoor storage area as designated on the BZA plan.
2. No employees.
3. All equipment and materials for the retail sales be kept inside the outdoor storage area.
4. No sales conducted on Sunday.
5. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
6. Site be kept neat and orderly.



STAIRS TO  
COLLECTED HERE

North Mountain

# North Mountain Cattle Co., LLC



North Mountain Cattle Co., LLC



North Mountain  
Cattle



AGENDA ITEM # 4E

Date 5/4/17

**PROPERTY OWNER:**

James W. Pence and Marcia A. Becker

**APPLICANT:**

Same

**LOCATION OF PROPERTY:**

286 Zion Church Road, Waynesboro in the Wayne District

**SIZE OF PROPERTY:**

3.945 acres and 5.655 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 dog kennel

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

Obtain all necessary permits, inspections and Certificates of Occupancy in accordance with the Uniform Statewide Building Code for any new structures.

**HEALTH DEPARTMENT'S COMMENTS:**

Septic system not designed for commercial use. No public restrooms allowed. Applicant should not allow dog waste or hair to enter septic system.

**HIGHWAY DEPARTMENT'S COMMENTS:**

VDOT does not anticipate a significant impact to adjacent roadways. It is VDOT's understanding that the existing private entrance serving the residence will also serve the dog kennel. VDOT has no exception to the existing private entrance to serve the dog kennel. If the applicant requests a future new entrance, a permit will be required and the new entrance would be required to meet VDOT current standards, including sight distance. Advertising will not be permitted within VDOT right of way.

**SERVICE AUTHORITY'S COMMENTS:**

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

**ENGINEERING'S COMMENTS:**

No comments.

**ANIMAL CONTROL'S COMMENTS:**

Everything looks good and clean.

**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.**

The area is cleaned daily. The dogs are normally kept inside the home.

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

The 12' x 20' structure is both heated and air conditioned. The dogs are normally kept inside the home.

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

The kennel area is enclosed by a four (4') foot vinyl covered chain-link fence.

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

The dogs are inside except for bathroom breaks within the fenced area.

**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 and cameras inside the kennel area.

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

The fenced area is 70' x 75' and the structure is 12' x 20' which will accommodate the six (6) small dogs onsite.

**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 3.945 acres, however, the applicant has lived on the property since 1999 and accumulated the six (6) dogs prior to the ordinance change in 2010, which

now requires a minimum of five (5) acres. The applicant also owns the adjacent vacant lot which is 5.655 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 and only outside for bathroom breaks in the evening.

**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 kennel area is approximately one hundred forty (140') feet from the front property line. The dogs are kept inside the home and are never out for exercise unattended.

#### **STAFF RECOMMENDATIONS**

The applicants are requesting to have a kennel for up to ten (10) dogs. They breed and show Tibetan Spaniels and currently have six (6) onsite. The dogs are a small breed weighing approximately ten (10) pounds. The applicants breed the dogs every two (2) years. They are requesting to have up to ten (10) dogs so they can take a puppy back if for some reason they do not work out with the new owner. As AKC builders they are responsible for 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 setback of less than fifty (50') feet** if the Board was satisfied that the soundproofing or other measures would adequately protect neighboring properties. Prior to 2002, there were no minimum standards. The applicants' property contains only 3.945 acres, however, the dogs have been kept on this site for approximately eighteen (18) years.

Due to the fact that the property is less than five acres and the kennel area along the front property line is only one hundred forty (140') feet, staff cannot recommend approval of the request. However, if the Board desires to take into consideration that the dogs are kept inside the dwelling and only go outside for bathroom breaks, dogs have been kept on this site since 1999, 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:

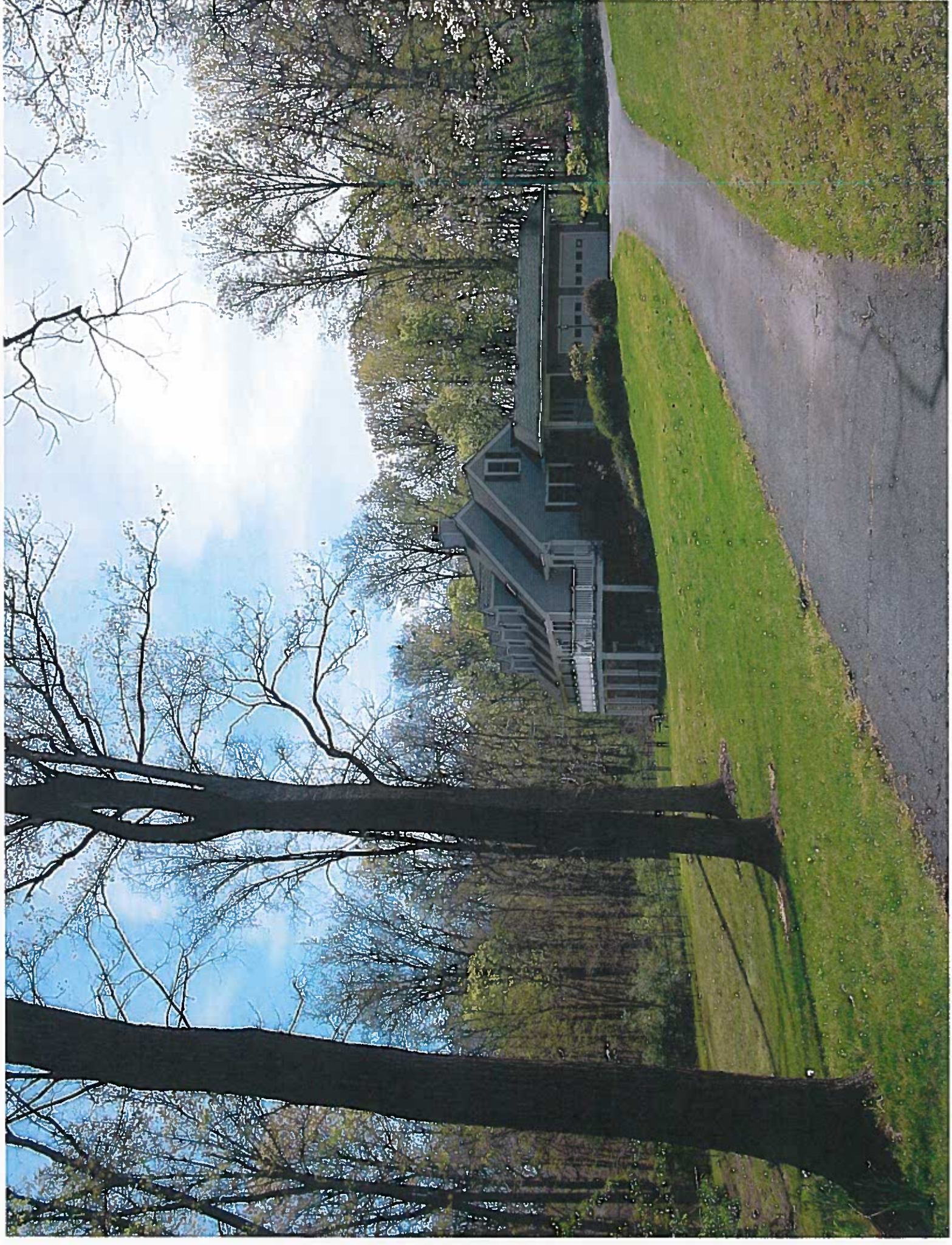


**Pre-Conditions:**

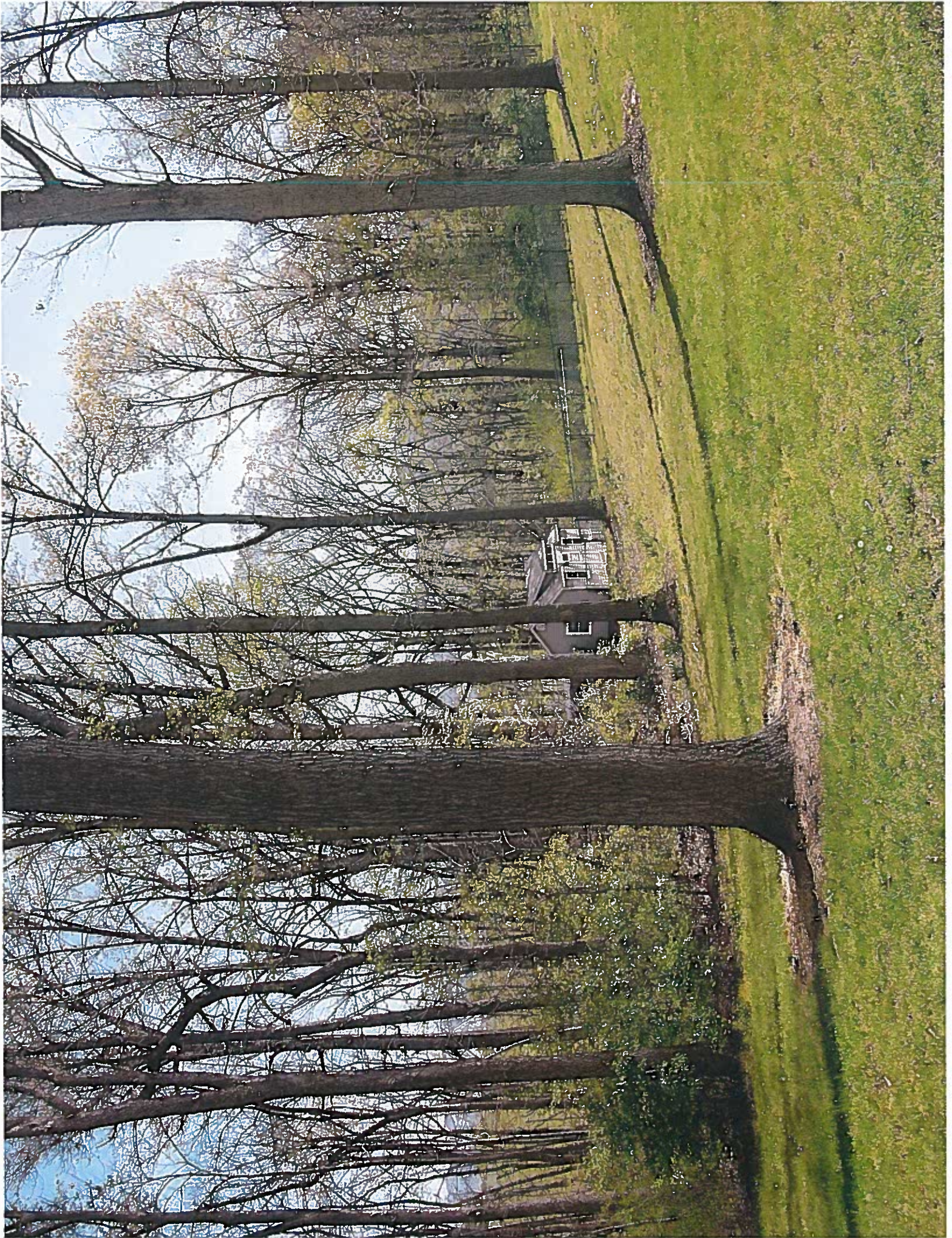
None

**Operating Conditions:**

1. Maximum of ten (10) 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 on the site plan or inside the home.
4. Site be kept neat and orderly.



Dave

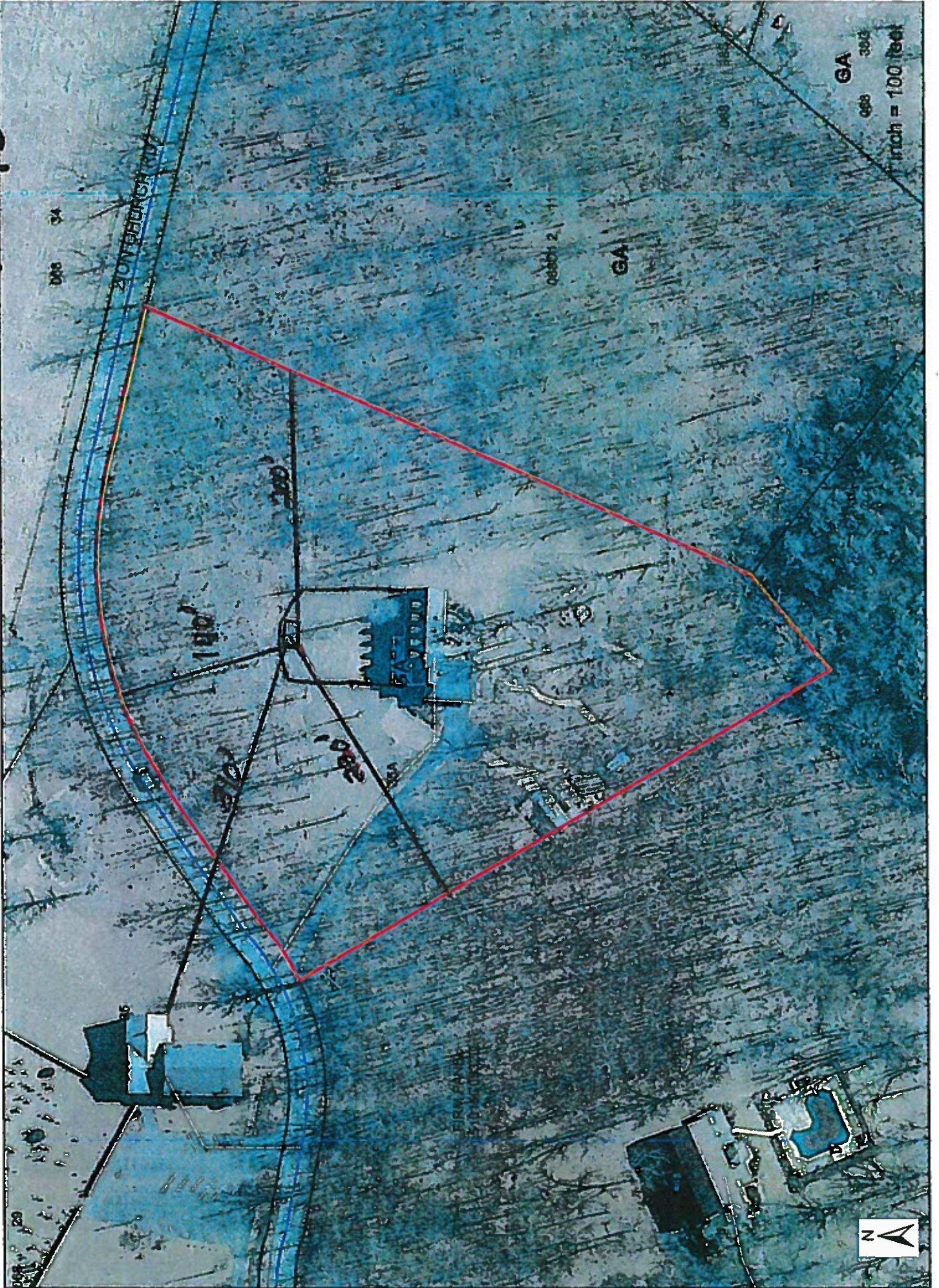




Pence/Becker



Scale: 1 inch = 200 feet



GA 0000 2  
GA 0000 300  
1 inch = 100 feet

AGENDA ITEM # 4F

Date 5/9/17

**PROPERTY OWNER:**

Claude H. or Peggy G. Smith

**APPLICANT:**

Robert Huff, agent for Lingo Networks, LLC

**LOCATION OF PROPERTY:**

1680 Middlebrook Road, Staunton in the Riverheads District

**SIZE OF PROPERTY:**

116.01 acres

**VICINITY ZONING:**

General Agriculture surrounds entire parcel

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

12/95 Zoned General Agriculture

**LAND USE MAPS:**

Rural Conservation Area

**UTILITIES:**

None

**APPLICANT'S JUSTIFICATION:**

To construct a new telecommunications facility

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

Obtain all necessary permits, inspections and Certificates of Occupancy in accordance with the Uniform Statewide Building Code.

**HEALTH DEPARTMENT'S COMMENTS:**

No water being run to the building. Health Department has no issues with the proposal.

**HIGHWAY DEPARTMENT'S COMMENTS:**

VDOT does not anticipate a significant impact to adjacent roadways. The existing private entrance is adequate to serve the telecommunication tower. All efforts shall be made to keep mud and debris, generated by construction, off State Route 252. If entrance upgrades are required to accommodate construction traffic, a VDOT land use permit will be required.

**SERVICE AUTHORITY'S COMMENTS:**

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

### **ENGINEERING'S COMMENTS:**

This usage may require ESC and/or stormwater plans to be submitted per State and County ordinance requirements depending on the proposed disturbed acreage. Stormwater CGP may need to be obtained with associated fees paid and may need to be bonded to ensure ESC measures are installed through the life of the project.

### **SECTION 25-68.5B – WIRELESS TELECOMMUNICATION FACILITIES**

**New wireless telecommunication towers or base stations over one hundred ninety-nine feet (199'), new towers or base stations that are to be lighted or, existing towers or base stations that will add new lighting, existing facilities expanded higher than one hundred ninety-nine feet (199'), existing facilities where a collocation or expansion would result in a substantial change to the facility, facilities otherwise permitted by Administrative Permit but where objections have been received, and facilities where setback requirements cannot be met or the recommendations of the consultant cannot be met may be permitted by Special Use Permit provided that the applicant must demonstrate that no existing telecommunication tower or base station can be utilized to reasonably achieve the applicant's radio frequency coverage objectives.**

Documentation was provided showing there are no existing towers that can meet the applicant's coverage objectives.

**The location (latitude and longitude), structure height, name, address, and telephone number of the structure owner of all potential collocatable structures within a three-mile radius of the proposed structure, and written discussion and documentation of why those opportunities were rejected.**

The applicants found no structures to have potential for co-location within a three-mile radius.

**Propagation predictions and coverage objective from a committed carrier including hand-off sites.**

Propagation studies show the tower will provide the required coverage for Lingo Networks.

**No wireless telecommunications facility may be approved and no building permit issued until the first telecommunications service provider is identified.**

Lingo Networks will be the first telecommunications service provider operating on this tower.

**Towers and base stations shall be visually as innocuous as possible and maintain a galvanized steel finish unless otherwise required by the Federal Aviation Administration (FAA). Antennas shall be of a neutral, nonreflective color with no logos. The design of accessory structures and equipment shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the facilities with the natural setting.**

The tower will be standard galvanized finish.



**Base Stations shall be set back a distance equal to one hundred ten percent (110%) of the height of the structure from all adjacent property lines and a distance equal to one hundred fifty percent (150%) of the height of the structure from any dwelling.**

The site plan shows the closest property line to be three hundred two (302') from the proposed tower site and there are no dwellings within close proximity.

**All towers or base stations will be designed to collapse within the lot lines in case of structure failure as the result of various hazards including high wind.**

The tower is designed to collapse within the lot lines.

**Written, technical evidence from a professional engineer that the existing or proposed structure meets structural integrity standards.**

The applicant submitted documents showing the tower will be designed to meet all standards.

**Towers and base stations shall not be artificially lighted unless required by the Federal Aviation Administration (FAA).**

The tower report stated the tower is not near an airport, therefore, no lighting is required.

**Wireless telecommunications facilities shall be enclosed by security fencing not less than six feet (6') in height and shall also be equipped with an appropriate anti-climbing device unless determined by the county not to be warranted.**

The site plan shows security fencing no less than six (6') feet.

**Monopoles and other single-pole structures, standing alone, shall be secured by anti-climbing devices.**

The tower will be a lattice style structure.

**Collocation space on new wireless telecommunications facilities shall be reasonably available to other telecommunication service providers including limited facilities of the County and its agencies.**

Collocation space is available to other service providers including the County and its agencies.

**Approval for a highway entrance can be obtained from the Virginia Department of Transportation.**

VDOT has approved this site.

**Federal Aviation Administration (FAA) hazard determination report and documentation that the request presents no hazard to any airport.**

The tower report indicates the tower does not require registration and is not near any airport.

**Federal Communications Commission (FCC) environmental compliance report prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) and report describing the impact on historic resources prepared in accordance with Section 106 of the National Historic Preservation Act of 1966 (NHPA).**

Phase I NEPA report has been submitted.

**Color photo simulations showing to scale representations of the proposed structure and associated facilities as it would appear viewed from the closest residential property or properties and from adjacent roadways.**

Copies of photo simulation was submitted with the application.

**No signs other than those listed below may be placed on the antenna support structure or other components comprising the wireless telecommunications facility unless required by the Federal Communications Commission (FCC).**

No other signs are proposed.

**No advertising of any type may be placed on a tower or other components comprising the wireless telecommunications facility unless the advertising was pre-existing on a base station structure.**

No advertising is requested.

### **STAFF RECOMMENDATIONS**

The applicant is requesting to construct a one hundred ninety-five (195') foot lattice style telecommunication tower within an 80' X 80' fenced compound area.

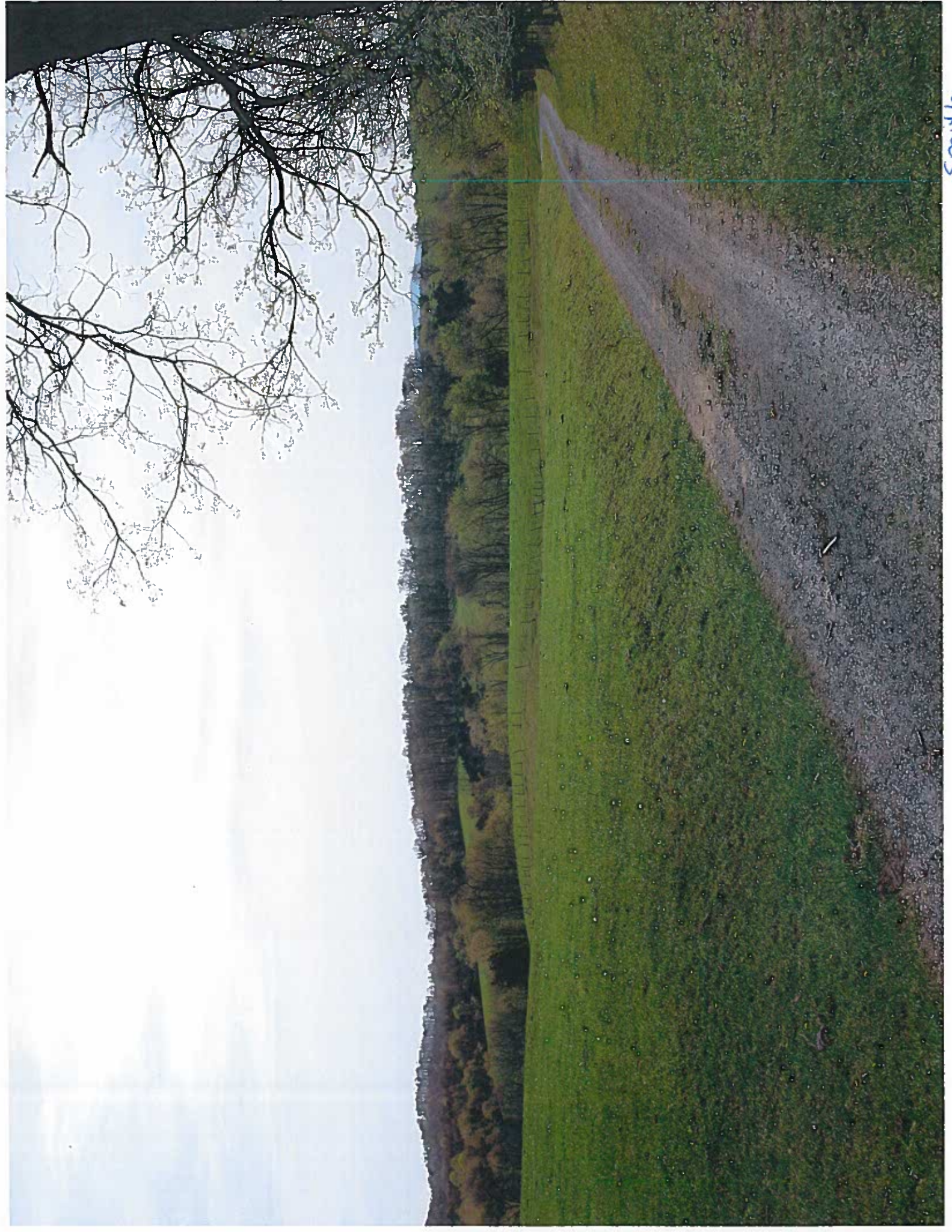
Augusta County was recently granted funding to extend broadband access to areas currently experiencing little or slow internet connection or cellular service. The proposed site was identified in a telecommunication study done in 2012 as an area in need of a tower. Staff feels the request will provide a much needed service to the area and would recommend approval with the following conditions:

#### **Pre-Conditions:**

1. Submit site plan meeting the requirements of Section 25-673 "Site Plan Contents" of the Augusta County Zoning Ordinance to be approved by all appropriate departments and/or agencies.
2. Applicant will submit all necessary information and a bond, irrevocable letter of credit, or appropriate surety to comply with Section 25-68.7 "Bonding" of the Augusta County Zoning Ordinance.

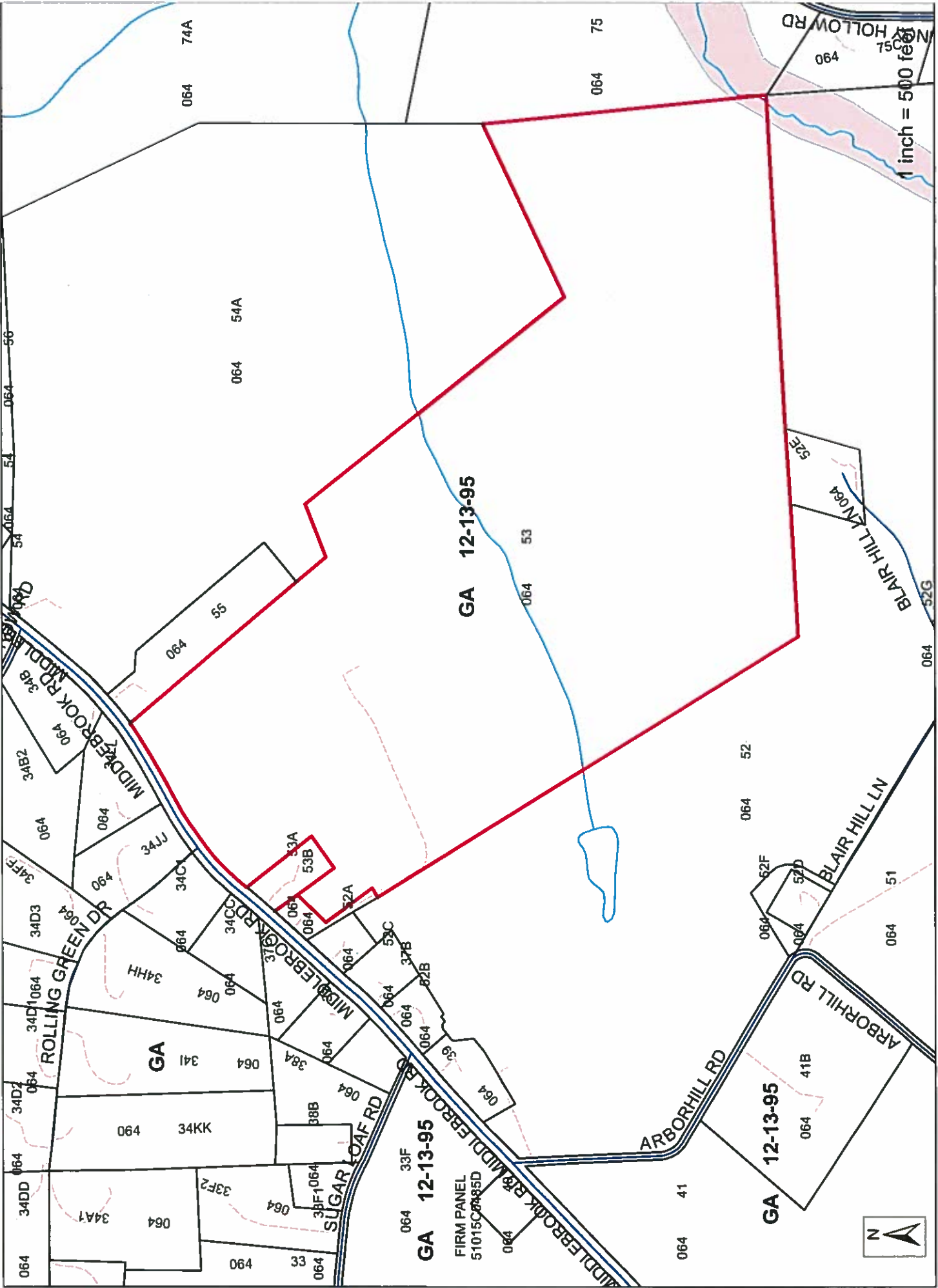
**Operating Conditions:**

1. Be permitted to construct a one hundred ninety-five (195') foot self supportive/lattice style telecommunications tower Submit site plan meeting the requirements of Section 25-673 "Site Plan Contents" of the Augusta County Zoning Ordinance to be approved by all appropriate departments and/or agencies.
2. Tower design will allow a minimum of four (4) co-locators.
3. No additional landscaping or buffering is required.
4. The applicant will notify the Augusta County Community Development Department within thirty (30) days of the date the tower is no longer used for telecommunications purposes. The tower shall be disassembled and completely removed from the site within ninety (90) days of such notification. Pursuant to Section 15.2-2309, paragraph 6 of the Code of Virginia: "The applicant shall provide bond with appropriate surety in the amount of \$25,000 to insure compliance with this stipulation. The applicant will ensure the bond shall remain in effect until at least six (6) months following notice to the Augusta County Community Development Department that wireless telecommunications have been discontinued.
5. The applicant will comply with all FCC regulations.
6. The applicant will not unreasonably deny the telecommunications providers the opportunity to co-locate on this tower.



Camille

Smith



1 inch = 500 feet



**GA 12-13-95**  
 FIRM PANEL  
 51015C0485D

**GA 12-13-95**

**GA 12-13-95**



**CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	85.00'	119.12'	S71°50'40"E	109.61'
C2	125.00'	94.44'	N69°39'01"E	92.21'
C3	150.00'	103.54'	S88°28'48"E	101.49'

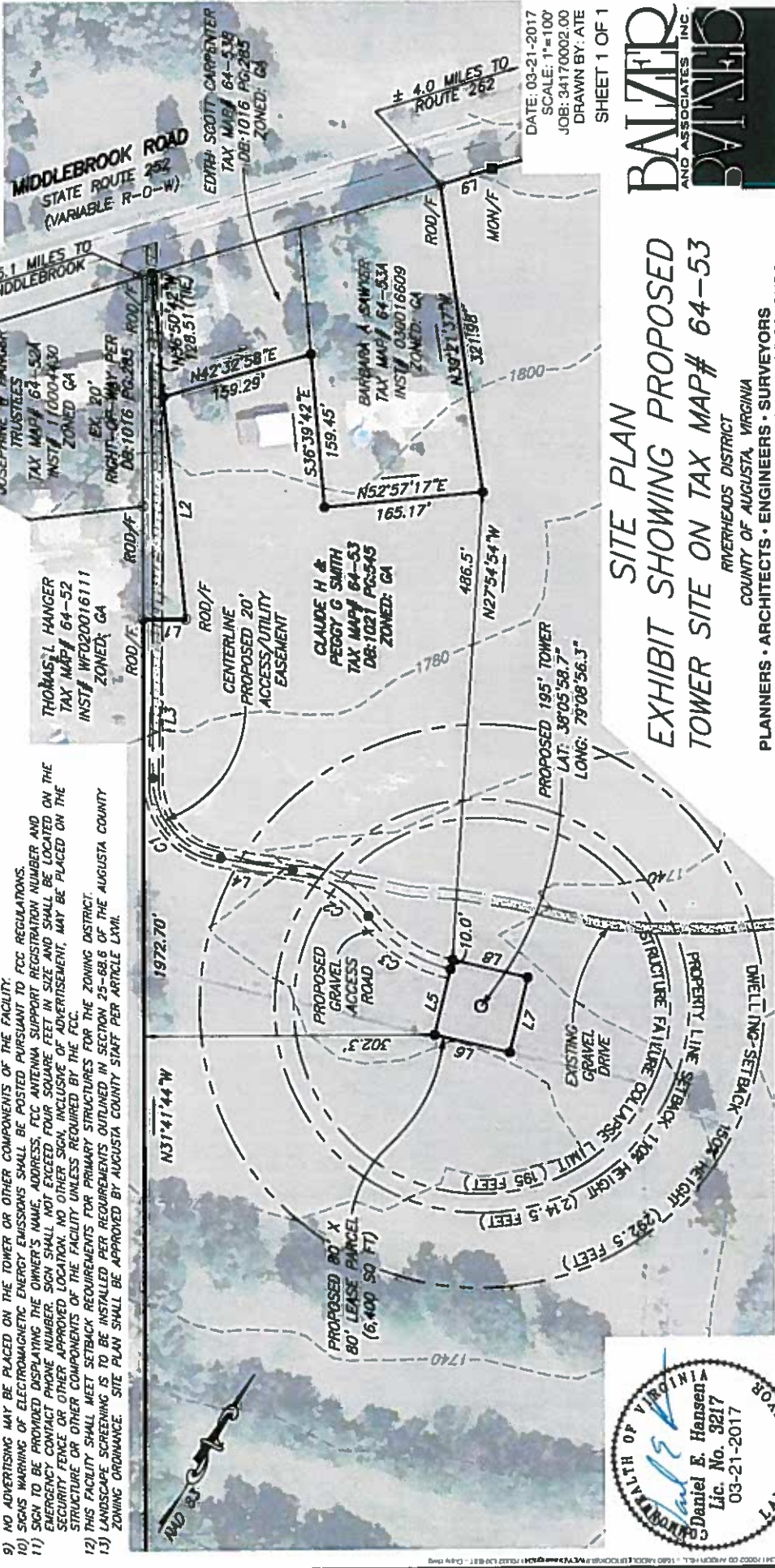
**LEGEND**

- R/F ROD FOUND
- M/F MONUMENT FOUND
- POINT

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N58°18'16"E	44.37'
L2	N37°20'42"W	231.92'
L3	S31°41'44"E	523.28'
L4	N68°00'24"E	75.42'
L5	S18°10'00"E	80.00'
L6	N71°50'00"E	80.00'
L7	N18°10'00"W	80.00'
L8	S71°50'00"W	80.00'
L9	N41°27'18"E	55.98'

- NOTES:**
- THIS EXHIBIT COMPILED FROM PRIOR FIELD SURVEY AND PLATS OF RECORD. SUCH EXHIBIT WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION DISCLOSED BY SUCH.
  - AERIAL IMAGERY TAKEN FROM GOOGLE EARTH.
  - PER VDOT, CURRENT ENTRANCE MEETS SIGHT AND STOPPING DISTANCE REQUIREMENTS. ENTRANCE WILL NEED TO BE A STANDARD PE-I TYPE. THE CURRENT ENTRANCE MEETS THIS STANDARD.
  - THIS FACILITY SHALL BE ENCLOSED BY SECURITY FENCING NOT LESS THAN SIX FEET (6') IN HEIGHT AND SHALL ALSO BE EQUIPPED WITH AN APPROPRIATE ANTI-Climbing DEVICE UNLESS DETERMINED BY THE COUNTY NOT TO BE WARRANTED.
  - THIS STRUCTURE SHALL BE SECURED BY ANTI-Climbing DEVICES UNLESS DETERMINED BY COUNTY TO NOT BE WARRANTED.
  - CO-LOCATION SPACE SHALL BE REASONABLY AVAILABLE TO OTHER TELECOMMUNICATION SERVICE PROVIDERS INCLUDING LIMITED FACILITIES OF THE COUNTY AND ITS AGENCIES.
  - NO ADVERTISING MAY BE PLACED ON THE TOWER OR OTHER COMPONENTS OF THE FACILITY.
  - NO SIGN WARNING OF ELECTROMAGNETIC ENERGY EMISSIONS SHALL BE POSTED PURSUANT TO FCC REGULATIONS.
  - NO SIGN TO BE PROVIDED DISPLAYING THE OWNER'S NAME, ADDRESS, FCC ANTENNA SUPPORT REGISTRATION NUMBER AND EMERGENCY CONTACT PHONE NUMBER. SIGN SHALL NOT EXCEED FOUR SQUARE FEET IN SIZE AND SHALL BE LOCATED ON THE SECURITY FENCE OR OTHER COMPONENTS OF THE FACILITY UNLESS OTHERWISE APPROVED BY THE FCC.
  - STRUCTURE OR OTHER COMPONENTS OF THE FACILITY UNLESS OTHERWISE APPROVED BY THE FCC.
  - THIS FACILITY SHALL MEET SETBACK REQUIREMENTS FOR PRIMARY STRUCTURES FOR THE ZONING DISTRICT.
  - LANDSCAPE SCREENING IS TO BE INSTALLED PER REQUIREMENTS OUTLINED IN SECTION 25-68.8 OF THE AUGUSTA COUNTY ZONING ORDINANCE. SITE PLAN SHALL BE APPROVED BY AUGUSTA COUNTY STAFF PER ARTICLE LXVI.



DATE: 03-21-2017  
 SCALE: 1"=100'  
 JOB: 34170002.00  
 DRAWN BY: ATE  
 SHEET 1 OF 1



**SITE PLAN  
 EXHIBIT SHOWING PROPOSED  
 TOWER SITE ON TAX MAP# 64-53**

RIVERHEADS DISTRICT  
 COUNTY OF AUGUSTA, VIRGINIA  
 PLANNERS • ARCHITECTS • ENGINEERS • SURVEYORS  
 ROANOKE • RICHMOND • NEW RIVER VALLEY • STAUNTON • HARRISONBURG  
 1581 Commerce Road • Suite 401 • Verona, Virginia 24482 • Phone (540) 248-3220 • Fax (540) 248-3221



AGENDA ITEM # 4G

Date 5/4/17

**PROPERTY OWNER:**

Jollett Springs Mobile Home Park, LLC

**APPLICANT:**

Gary Teter, agent for Jollett Springs Mobile Home Park, LLC

**LOCATION OF PROPERTY:**

Lot 33, 34 S. Jollett Lane, Grottoes in the Middle River District

**SIZE OF PROPERTY:**

23.2 acres

**VICINITY ZONING:**

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

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

01/74 Zoned Manufactured Home Park

**LAND USE MAPS:**

Urban Service Area – Medium Density Residential

**UTILITIES:**

Spring and Private Septic

**APPLICANT'S JUSTIFICATION:**

To replace a nonconforming manufactured home with a larger unit not meeting current setback requirements

**PLANNING COMMISSION'S COMMENTS:**

No comments.

**BUILDING INSPECTOR'S COMMENTS:**

Obtain all necessary permits, inspections and Certificates of Occupancy in accordance with the Uniform Statewide Building Code.

**HEALTH DEPARTMENT'S COMMENTS:**

New home must be at least 10' from septic tank and drainfield. Safe Adequate and Proper form to be submitted to Health Department.

**HIGHWAY DEPARTMENT'S COMMENTS:**

Jollett is a private road, therefore, VDOT has no comment or objections 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 is currently a Service Authority water and sewer customer that is served by a master meter connection. There is no impact to the services associated with the request.

**ENGINEERING'S COMMENTS:**

No comments.

**STAFF COMMENTS**

The applicants are requesting to replace the existing 12' x 33' nonconforming manufactured home with a larger 24' x 40' unit that does not meet the current requirement of thirty (30') feet between homes. The existing home was destroyed by fire and they can no longer purchase a 12' x 33' home. The applicant's site sketch shows there will be approximately twenty (20') feet between the homes.

This manufactured home park was approved by the Board of Supervisors on October 12, 1966. At that time, there were no requirements for setbacks or distance between homes. Setbacks and required distances between homes were not established until 1981 and the distance between homes has varied over the years from twelve (12') feet up to thirty-five (35') feet.

Staff has inspected the park and found the majority of the homes in the park do not meet the current thirty (30') feet between homes. Staff feels the request would be compatible with the character of the park and would recommend approval with the following conditions:

**Pre-Condition:**

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

**Operating Conditions:**

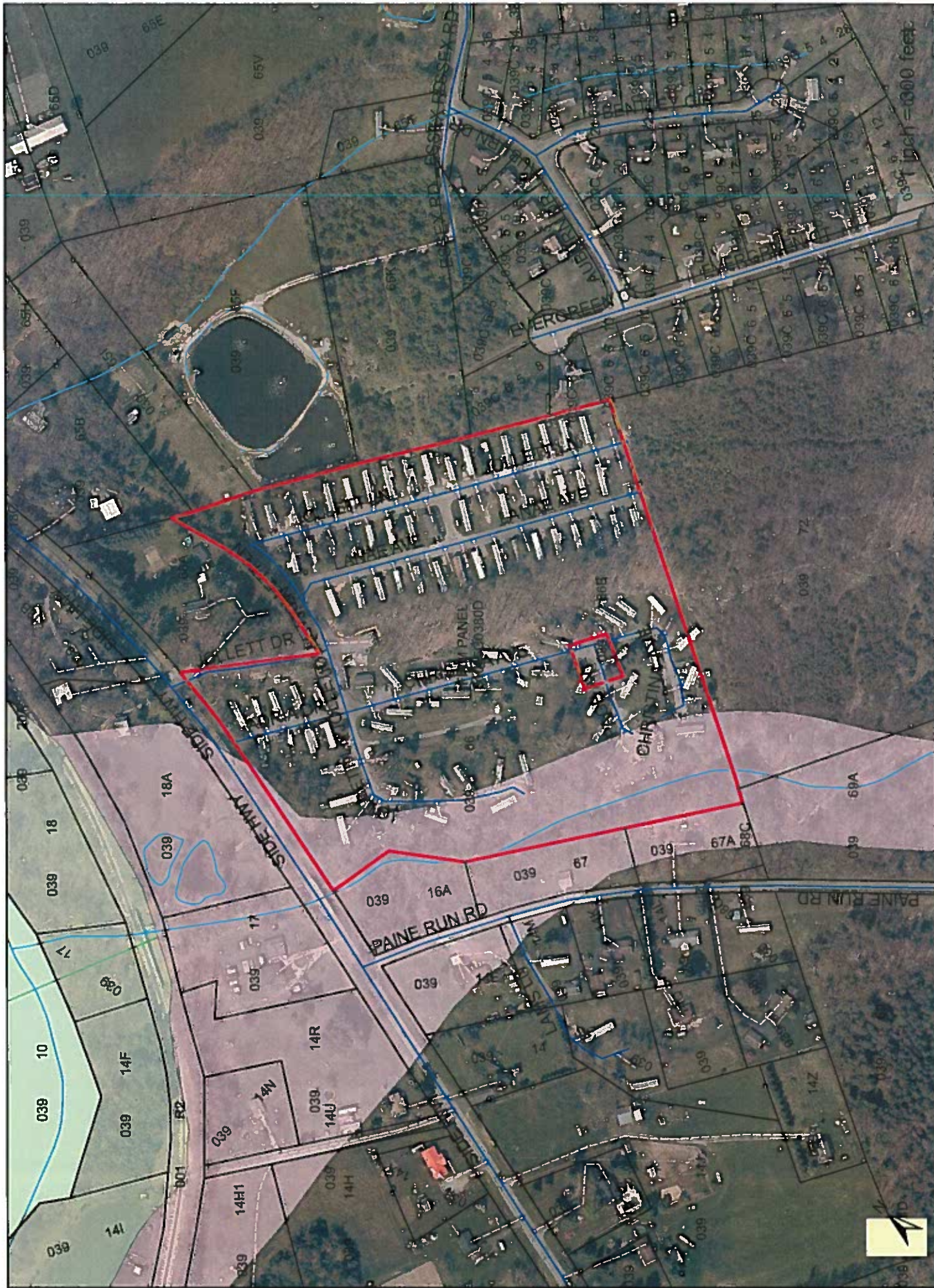
1. Replacement home to be no closer than twenty (20') feet to the side of the adjacent home as shown on the BZA sketch plan.
2. Applicant obtain proper placement permits from Building Inspection.



11/10/2023 11:00 AM



# Jollett Springs MHP



Jollett Springs MHP



1 inch = 30 feet