



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: May 25, 2017

SUBJECT: Regular Meeting and Viewing

Sandy

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

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. MINUTES

Approval of the Called and Regular Meeting of May 4, 2017

4. PUBLIC HEARINGS

- A. A request by Kevin and Carol Milkman, for a Special Use Permit to have a boat repair business on property they own, located at 5320 Cold Springs Road, Raphine in the Riverheads District.
- B. A request by Lyle Sprouse, for a Special Use Permit to have motor vehicle repair and towing on property he owns, located at 1094 Jerusalem Chapel Road, Churchville in the Pastures District.
- C. A request by Christopher D. and Rikki L. Howell, for a Special Use Permit to have antique car restoration on property they own, located at 2220 Indian Ridge Road, Stuarts Draft in the Riverheads District.
- D. A request by Monica L. Rutledge, for a Special Use Permit to have weddings and special events on property she owns, located at 1808 Parkersburg Turnpike, Swoope in the Pastures District.
- E. A request by Jerry Brower, agent for Brower Limited Partnership, LLC, for a Special Use Permit to have outdoor storage of industrial gases on property owned by Fishersville Property, LC, located at 99 Ivy Ridge Road, Fishersville in the South River District.
- F. An appeal by R. Creigh Deeds, P.C., as agent for Plecker Brothers, Inc., to the Board of Zoning Appeals of a decision of the Zoning Administrator regarding the property they own being used for a non-permitted use (storage of construction equipment and materials) located at the intersection of Sangers Lane and Balsley Road, Staunton in the Beverley Manor 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 Edgar and Martje Hurdis, for a Special Use Permit to increase the number of dogs for the existing kennel and boarding facility, and add dog training and dog related events on property owned by Edgar B. Hurdis, III, located at 46 Horseshoe Circle, Stuarts Draft, in the Riverheads District. – **ONE YEAR EXTENSION OF TIME REQUEST**

8. STAFF REPORT

16-29 Kimberly M. Johnson
16-30 Ralph L., Jr. or Sandra K. Riner – **Tabled**

9. ADJOURNMENT

Date 6/17/17

PROPERTY OWNER:
Kevin and Carol Milkman

APPLICANT:
Same

LOCATION OF PROPERTY:
5320 Cold Springs Road, Raphine in the Riverheads District

SIZE OF PROPERTY:
9.213 acres

VICINITY ZONING:
General Agriculture surrounds the entire parcel

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

LAND USE MAPS:
Agricultural Conservation Area

UTILITIES:
Private well and septic

APPLICANT'S JUSTIFICATION:
To have a boat repair business

PLANNING COMMISSION'S COMMENTS:
No comments.

BUILDING INSPECTOR'S COMMENTS:
1. Provide 1, 3 foot wide personnel door with lever door hardware.
2. Provide handicapped parking, loading zone, approved parking signage and building access.

HEALTH DEPARTMENT'S COMMENTS:
No water or bathrooms in garage. Business will have no employees. Owner will use personal residence bathroom.

HIGHWAY DEPARTMENT'S COMMENTS:
VDOT does not anticipate a significant impact to adjacent roadways. The existing entrance shall meet current VDOT Low Volume Commercial Entrance requirements per Appendix F of the VDOT Road Design Manual (requires improvements to the throat width and radii). Trees impeding line of sight onto Cold Springs Road (Rt. 608) located on property controlled by the applicant or VDOT right of way will need to be cut/trimmed.

A Land Use Permit is required for tree trimming and/or entrance work on VDOT right-of-way.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

The request will use existing facilities and/or improvements are less than 10,000 square feet, therefore, SWM and E&SC permits are not required.

SECTION 25-74J - VEHICLE REPAIR SHOP

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

The applicant lives on premise.

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

The applicant is retired and staff feels a small boat repair business would be beneficial to the area.

Traffic generated by the proposed project will be compatible with the roads serving the site and other traffic utilizing said roads. The business shall have direct access on to a state maintained road.

The applicant has an approved entrance off Cold Springs Road and no employees coming to the site.

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

The 9.213 acre site can adequately and safely handle traffic to and from the public highways.

Only pre-existing structures will be utilized unless the board of zoning appeals finds that proposed new construction a)will be not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties; and b)will not be of such size, character or required financial investment that it would best be located in an available business or industrial zoned area.

The applicant is requesting to use the existing 25' x 40' building for repair and the 10' x 20' lean to for storage.

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 of zoning appeals 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.

Employees will be limited to residents on premises unless the board finds that a limited number of additional employees will be compatible with neighboring properties and will not be inconsistent with available infrastructure, including, but not necessarily limited to, sanitation facilities, water supply, and roads serving the site.

No employees are requested.

Outside display or outside storage of new or used automobile parts is prohibited.

The applicant will be using the garage for repairs and the 10' x 20' lean to screened by trees for storage.

When allowed, no more than five (5) vehicles shall be located outside of the vehicle impoundment yard at any time. Such vehicles remaining for more than thirty (30) days must be located in the vehicle impoundment yard.

The applicant plans to work on one (1) boat in the garage at a time and nothing stored outside of the garage area.

Where outside storage is permitted, all outside storage areas and all inoperable motor vehicles shall be located within a vehicle impoundment yard. The vehicle impoundment yard shall meet the following requirements: a. No inoperable motor vehicle shall be located on any part of the site so as to be visible from any public road or adjoining property. b. Storage of inoperable motor vehicles shall be limited to areas shown on an approved site plan. c. No body or mechanical work, painting, maintenance work, salvaging or crushing shall be permitted within the impoundment yard. Such work, when permitted as part of the motor vehicle or boat repair shall be confined to such areas designated for such purposes on the approved site plan. d. Fencing or screening shall be entirely opaque and of good quality and shall be maintained in a good state of repair. Gates shall remain closed except when vehicles or boats are being moved to and from the yard.

One (1) vehicle will be stored under the lean to area screened by natural trees.

STAFF RECOMMENDATIONS

The applicant is requesting to have a boat repair operation within his existing 25' x 40' building. There will be no employees coming to the site. The applicant has been repairing boats for the Game and Inland Fisheries Department and was not aware that he needed a Special Use Permit. He plans to bring two (2) boats to the property at a time. He will do all work inside the building and keep the other one under the 10' x 20' attached lean to. The applicant currently has three (3) personal boats on the property kept on licensed trailers.

Staff feels that a small scale repair business with no employees and limited customer traffic would not be out of character and recommends approval with the following conditions:

Pre-Conditions:

1. Obtain VDOT entrance permit and provide a copy to Community Development.
2. Obtain letter of approval from Building Inspection.

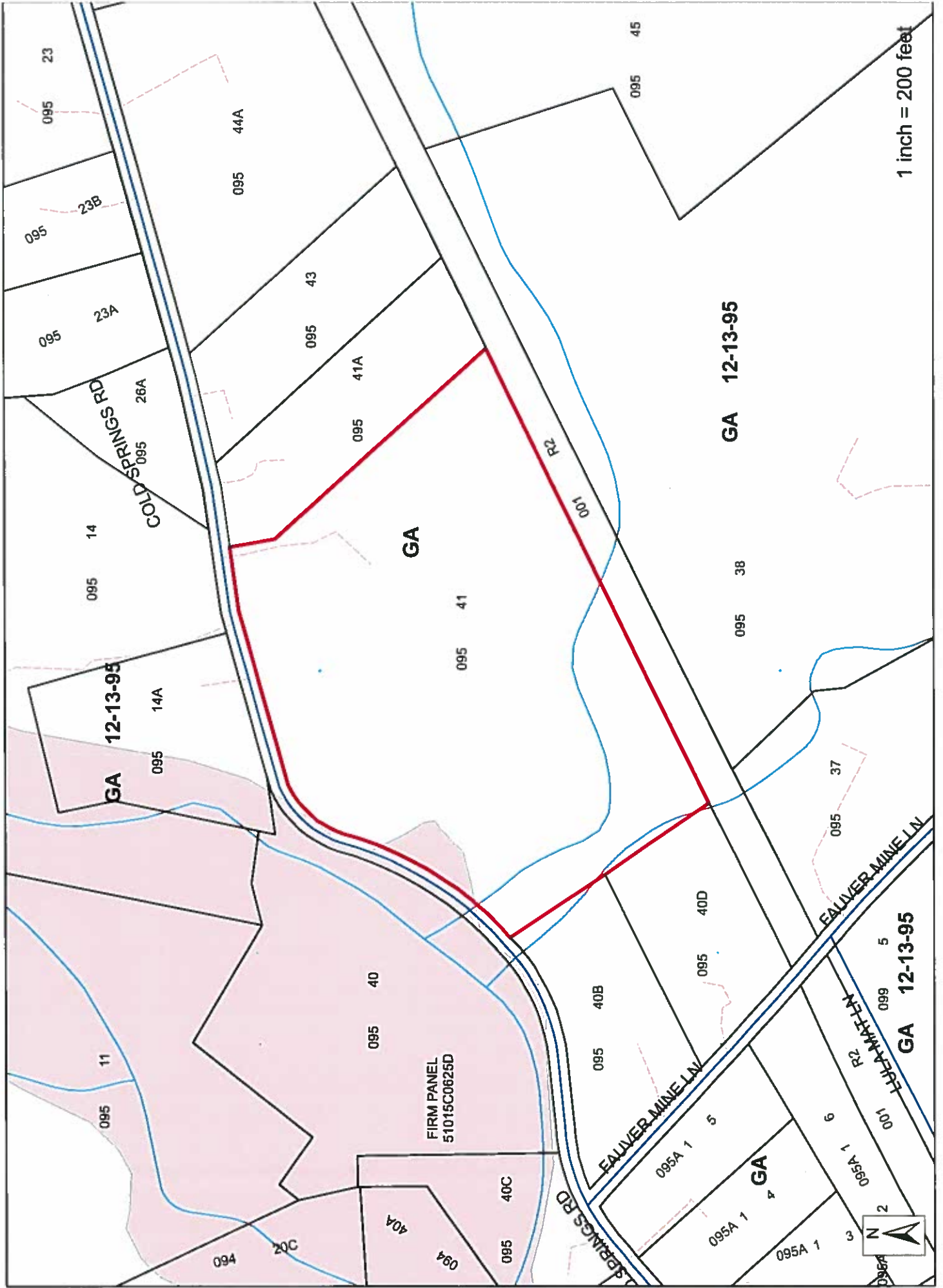
Operating Conditions:

1. Be permitted to use the existing 25' x 40' existing building for boat repair, and the 10' x 20' lean to for boat storage.
2. No outside storage of boats associated with the business.
3. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
4. Site be kept neat and orderly.
5. No employees.
6. Hours of operation be 9:00 a.m. to 5:00 p.m. Monday – Friday.
7. No Sunday work.

Milwaukee



Milkman



Milkman





Milkman

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006 13-05

006 40



Date 6/17/17

PROPERTY OWNER:

Lyle Sprouse

APPLICANT:

Same

LOCATION OF PROPERTY:

1094 Jerusalem Chapel Road, Churchville in the Pastures District

SIZE OF PROPERTY:

6.970 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 motor vehicle repair and towing

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

1. Provide 1, 3 foot wide personnel door with lever door hardware.
2. Provide handicapped parking, loading zone, approved parking signage and building access.

HEALTH DEPARTMENT'S COMMENTS:

No water or bathrooms in garage. Business will have no employees. Owner will use personal residence bathroom.

HIGHWAY DEPARTMENT'S COMMENTS:

VDOT does not anticipate a significant impact to adjacent roadways. The existing entrance is adequate conditioned that the use will not generate more than 50 vehicle trips per day; the proposed one-bay garage is not expected to exceed this limit. The available sight distance was found to be adequate only after performing a study of the 85th percentile operating speed of traffic adjacent to the parcel.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

The request will use existing facilities and/or improvements are less than 10,000 square feet, therefore, SWM and E&SC permits are not required.

SECTION 25-74J - VEHICLE REPAIR SHOP

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 agricultural areas.

Business is more appropriate in business zoned areas.

Traffic generated by the proposed project will be compatible with the roads serving the site and other traffic utilizing said roads. The business shall have direct access on to a state maintained road.

The applicant is not requesting employees. The small amount of traffic should be compatible with the roads serving the site.

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

The 6.970 acre site should safely accommodate the traffic from this business.

Only pre-existing structures will be utilized unless the board of zoning appeals finds that proposed new construction a)will be not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties; and b)will not be of such size, character or required financial investment that it would best be located in an available business or industrial zoned area.

The applicant will be using the existing 24' x 36' garage on the property.

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 of zoning appeals 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.

Employees will be limited to residents on premises unless the board finds that a limited number of additional employees will be compatible with neighboring properties and will not be inconsistent with available infrastructure, including, but not necessarily limited to, sanitation facilities, water supply, and roads serving the site.

No employees are requested.

Outside display or outside storage of new or used automobile parts is prohibited.

No outside storage is requested.

When allowed, no more than five (5) vehicles shall be located outside of the vehicle impoundment yard at any time. Such vehicles remaining for more than thirty (30) days must be located in the vehicle impoundment yard.

No vehicles will be outside.

Where outside storage is permitted, all outside storage areas and all inoperable motor vehicles shall be located within a vehicle impoundment yard. The vehicle impoundment yard shall meet the following requirements: a. No inoperable motor vehicle shall be located on any part of the site so as to be visible from any public road or adjoining property. b. Storage of inoperable motor vehicles shall be limited to areas shown on an approved site plan. c. No body or mechanical work, painting, maintenance work, salvaging or crushing shall be permitted within the impoundment yard. Such work, when permitted as part of the motor vehicle or boat repair shall be confined to such areas designated for such purposes on the approved site plan. d. Fencing or screening shall be entirely opaque and of good quality and shall be maintained in a good state of repair. Gates shall remain closed except when vehicles or boats are being moved to and from the yard.

The applicant is requesting to construct a 24' x 36' screened vehicle impoundment area adjacent to the garage.

STAFF RECOMMENDATIONS

The applicant is requesting to have a motor vehicle repair operation within an existing garage on the property and to have a towing business with outdoor storage of vehicles within a 24' x 36' screened area. The applicant will be doing all repairs and will not have employees. All work will be done inside the garage. The applicant also has a tow truck and would like to have an impound area for vehicles. He has designated an area approximately 24' x 36' adjacent to the garage for vehicle storage. The property is wooded and a privacy fence will be constructed to provide proper screening. No inoperable vehicles or vehicles waiting for repair will be kept outside of the garage or impound area.

Staff feels the business could provide a service to the rural area and may not be out of character if all of the vehicles are kept inside the garage or impound area. Staff would recommend approval with the following conditions:

Pre-Conditions:

1. Obtain letter of approval from Building Inspection.
2. The 24' x 36' impound area be screened by an eight (8') foot high opaque vinyl privacy fence.

Operating Conditions:

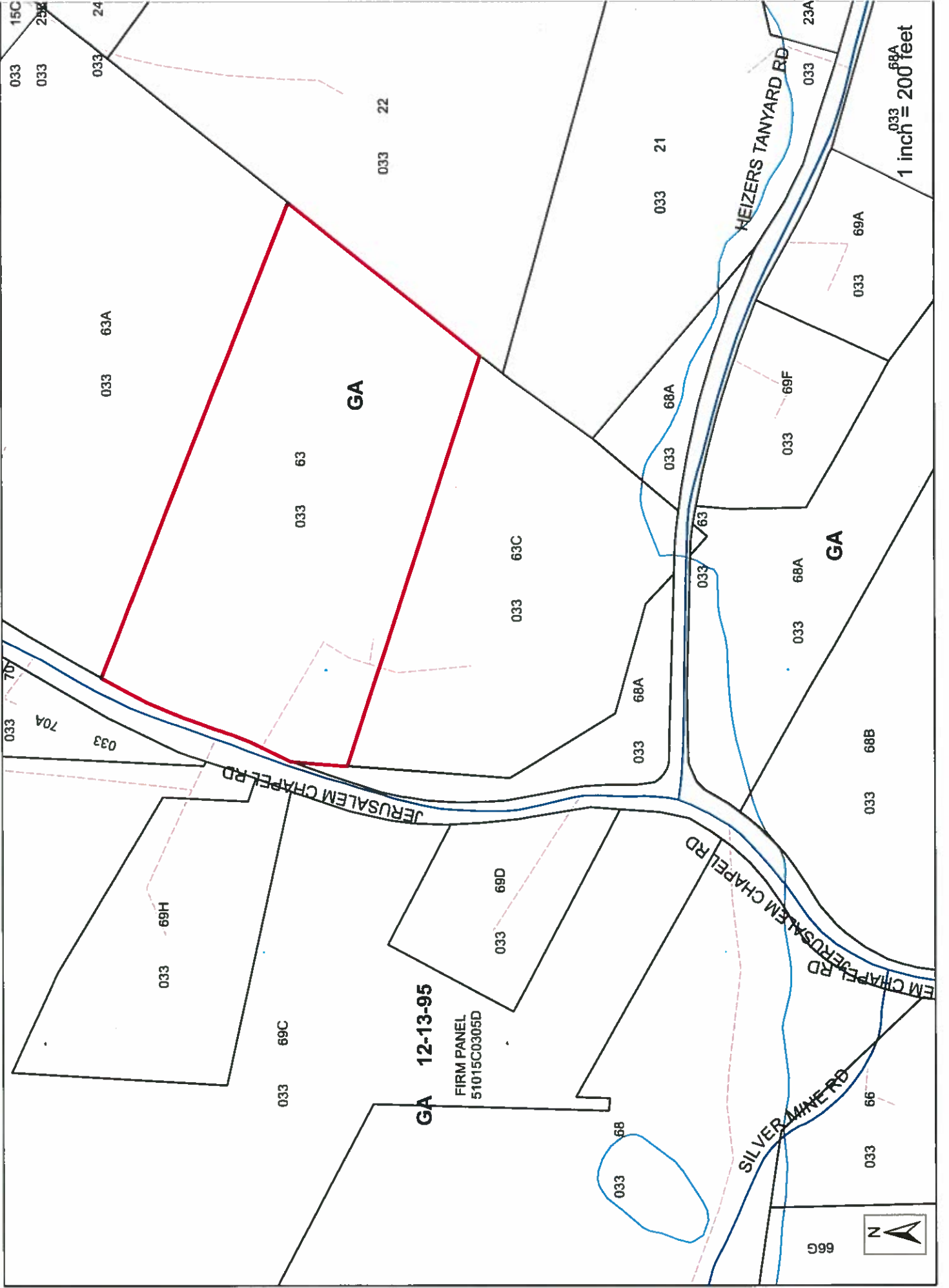
1. Be permitted to use the 24' x 36' garage for motor vehicle repair.
2. No vehicle repair or maintenance work be done outside.
3. All vehicles be kept inside the 24' x 36' garage or the screened impound area on the BZA sketch plan.
4. The eight (8') foot opaque privacy fence be maintained at all times.
5. No junk or inoperable vehicles be kept outside.
6. Hours of operation be 8:00 a.m. to 5:00 p.m., Monday – Friday.
7. No Sunday work.
8. Site be kept neat and orderly.



Samica



Sprouse



033 15C

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GA 12-13-95

FIRM PANEL
51015C0305D

033 69D

033 68

JERUSALEM CHAPEL RD

SILVER MINE RD

JERUSALEM CHAPEL RD

HEIZERS TANYARD RD

66G



033 68A
1 inch = 200 feet

Sprouse



Sprouse



1 inch = 100 feet

Date ~~6/1/17~~ _____

PROPERTY OWNER:

Christopher D. and Rikki L. Howell

APPLICANT:

Same

LOCATION OF PROPERTY:

2220 Indian Ridge Road, Stuarts Draft in the Riverheads District

SIZE OF PROPERTY:

1.847 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

07/85 SUP for trucking business/repair shop

11/88 SUP for garage and truck storage

01/96 SUP for repair and refinish farm equipment

09/02 SUP for repair and refinish farm equipment

LAND USE MAPS:

Community Development Area – Low Density Residential

UTILITIES:

Cistern and septic

APPLICANT'S JUSTIFICATION:

To have antique car restoration

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

1. Building was constructed as a farm structure. Will need an architect or engineer to evaluate the structure and provide documentation that building will meet all structural loads for an S-1 use group.
2. Obtain all necessary permits, inspections and Certificate of Occupancy for a change of use per the Uniform Statewide Building Code.
3. Provide 1, 3 foot wide side hinged door with lever hardware.
4. Provide handicapped parking, signage and building access.

HEALTH DEPARTMENT'S COMMENTS:

No public bathrooms; no employees.

HIGHWAY DEPARTMENT'S COMMENTS:

VDOT does not anticipate a significant impact to adjacent roadways. Due to this property previously having a similar special use permit and the low intensity of the request, VDOT has determined that the existing entrance is adequate for the request. Should this business model change and generate more traffic than it has previously served, a new entrance and storm pipe may be required placed at a greater distance from the Rt. 656/657 Intersection and meeting current VDOT commercial entrance requirements per Appendix F of the Road Design Manual.

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 across the intersection of Indian Ridge Road & Offlitter Road to the south of the subject parcel. A short public water extension may be required if public water is needed/required. This would need to be coordinated with the ACSA Engineering Department.
5. There is an existing 21" sewer line across the intersection of Indian Ridge Road & Offlitter Road approximately 893'± to the south of the subject property. If public sewer is needed/required, the cost to extend this service would be significant due to the need to cross the Railroad and South River.

ENGINEERING'S COMMENTS:

The request will use existing facilities and/or improvements are less than 10,000 square feet, therefore, SWM and E&SC permits are not 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.

The applicant is proposing an area behind the building to store up to two (2) vehicles. The area will be screened on three (3) sides.

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 within close proximity.

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

There have been other similar businesses on the property since 1985.

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.

There is an approved entrance onto Indian Ridge Road that is adequate for the business use.

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

The 1.847 acre site will accommodate all traffic to and from the public highways.

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 the existing building.

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.

The building is currently connected to a private septic system.

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

There are fire extinguishers onsite.

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

No vehicles will be sold on the property. All customer work for private owners.

STAFF RECOMMENDATIONS

The applicant is proposing to restore antique cars within the existing building onsite. The applicant recently purchased the property and would like to be able to restore antique vehicles for individual owners. He does not reside onsite but only lives a few miles from the property. He is requesting to have a storage area behind the building to store up to two (2) vehicles. All work will be done inside the building. He will not have employees and there will be no vehicle sales onsite. He would like to operate the business Monday – Friday and the operating hours will be 8:00 a.m. to 6:00 p.m. There have been similar repair businesses on this site for many years. Staff feels that a small scale restoration business would not be out of character and recommends the following conditions:

Pre-Conditions:

1. Obtain letter of approval from Building Inspection.
2. The vehicle storage area be screened on three (3) sides by an eight (8') foot high opaque vinyl privacy fence and must be maintained at all times.

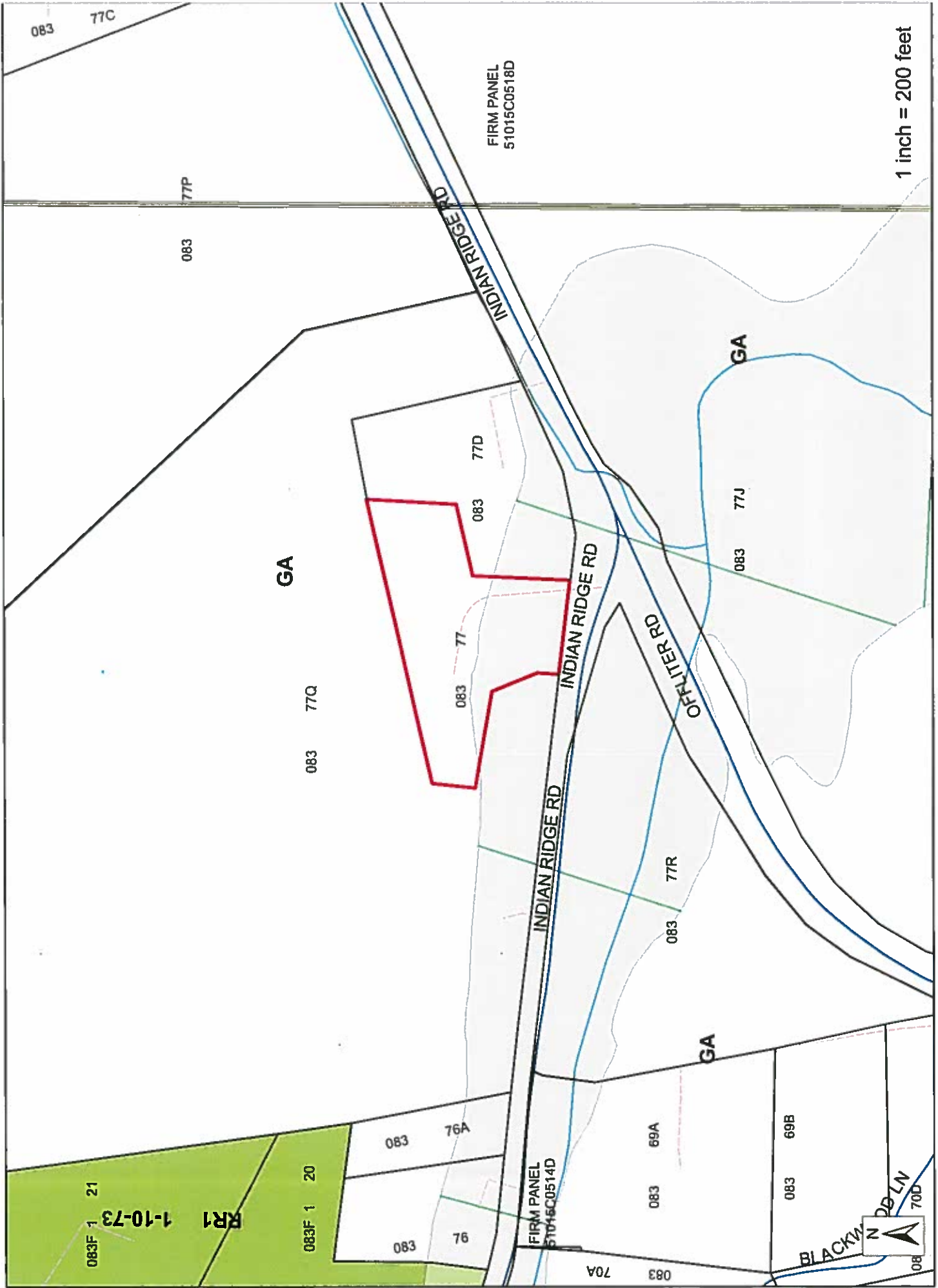
Operating Conditions:

1. Be permitted to use the existing building for antique car restoration.
2. All work be done inside the building.
3. Hours of operation be 8:00 a.m. to 6:00 p.m. Monday – Friday. No Saturday or Sunday operation.
4. No employees.
5. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
6. Site be kept neat and orderly.



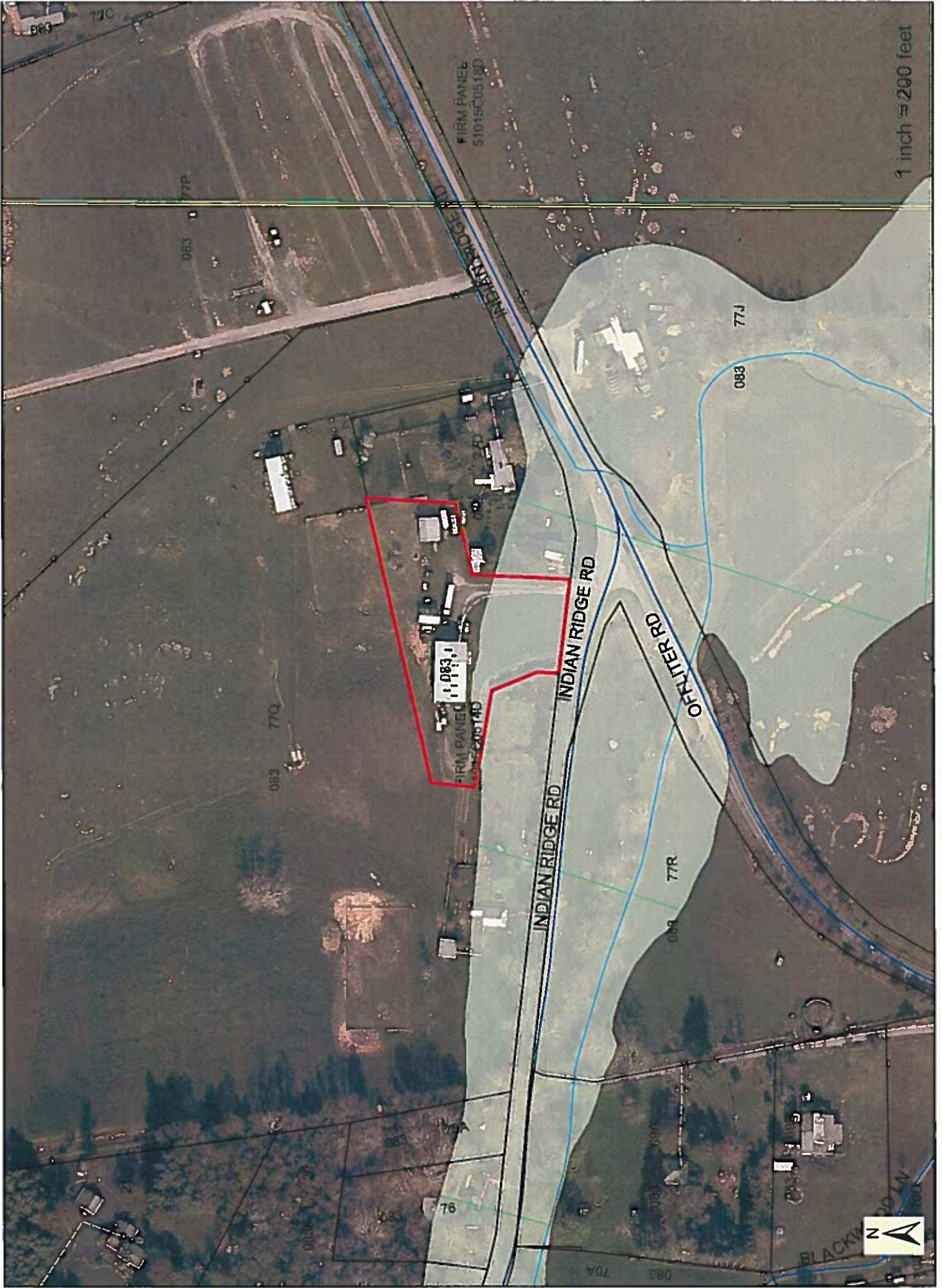
11/11/11

Howell



1 inch = 200 feet

Howell



Howell



1 inch = 50 feet

AGENDA ITEM # 4D

Date 6/1/17

PROPERTY OWNER:

Monica L. Rutledge

APPLICANT:

Same

LOCATION OF PROPERTY:

1808 Parkersburg Turnpike, Swoope in the Pastures District

SIZE OF PROPERTY:

14.663 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 weddings and special events

PLANNING COMMISSION'S COMMENTS:

No comments.

BUILDING INSPECTOR'S COMMENTS:

After review, our office has no conditions. Accessory to farm use.

HEALTH DEPARTMENT'S COMMENTS:

Owner to provide portable toilets for each event. She was advised to provide at least one portable toilet per 100 people minimum.

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 Parkersburg Turnpike (Rt. 254). The existing (eastern) entrance will need to be modified to meet current VDOT Moderate Volume Commercial Entrance requirements, as detailed in Appendix F of the Road Design Manual; improvements will include reducing the skew of the entrance to more of a right angle and widening/paving the entrance.

SERVICE AUTHORITY'S COMMENTS:

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

ENGINEERING'S COMMENTS:

The request will use existing facilities and/or improvements are less than 10,000 square feet, therefore, SWM and E&SC permits are not required.

SECTION 25-74H - PUBLIC ACCOMMODATION FACILITIES

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

The applicant is proposing to have weddings and special events outside on the property which should be compatible with the neighboring properties.

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

The applicant is requesting to have up to thirty (30) events per year with up to one hundred fifty (150) attendees which could impact other homes in the area.

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

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

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

The property has direct access to Parkersburg Turnpike.

STAFF RECOMMENDATIONS

The applicant is requesting to host up to thirty (30) events per year with a maximum of one hundred fifty (150) attendees. They will not be providing food and the events will be held outside. She will provide an area inside the home for the bride and her party to prepare for the ceremony and the groom and groomsmen will be utilizing the small cottage on the property. They will not provide overnight accommodations or tents. The applicant would like to use portable restroom facilities for the events. The applicant resides on the property and will be onsite during the events. Staff feels that weddings and special events in a rural setting would not be out of character. The Board has been consistent in requiring septic systems for similar event facilities in rural areas, therefore, staff would recommend approval of the request with the following conditions:

Pre-Condition:

1. Obtain VDOT entrance permit and provide a copy to Community Development.

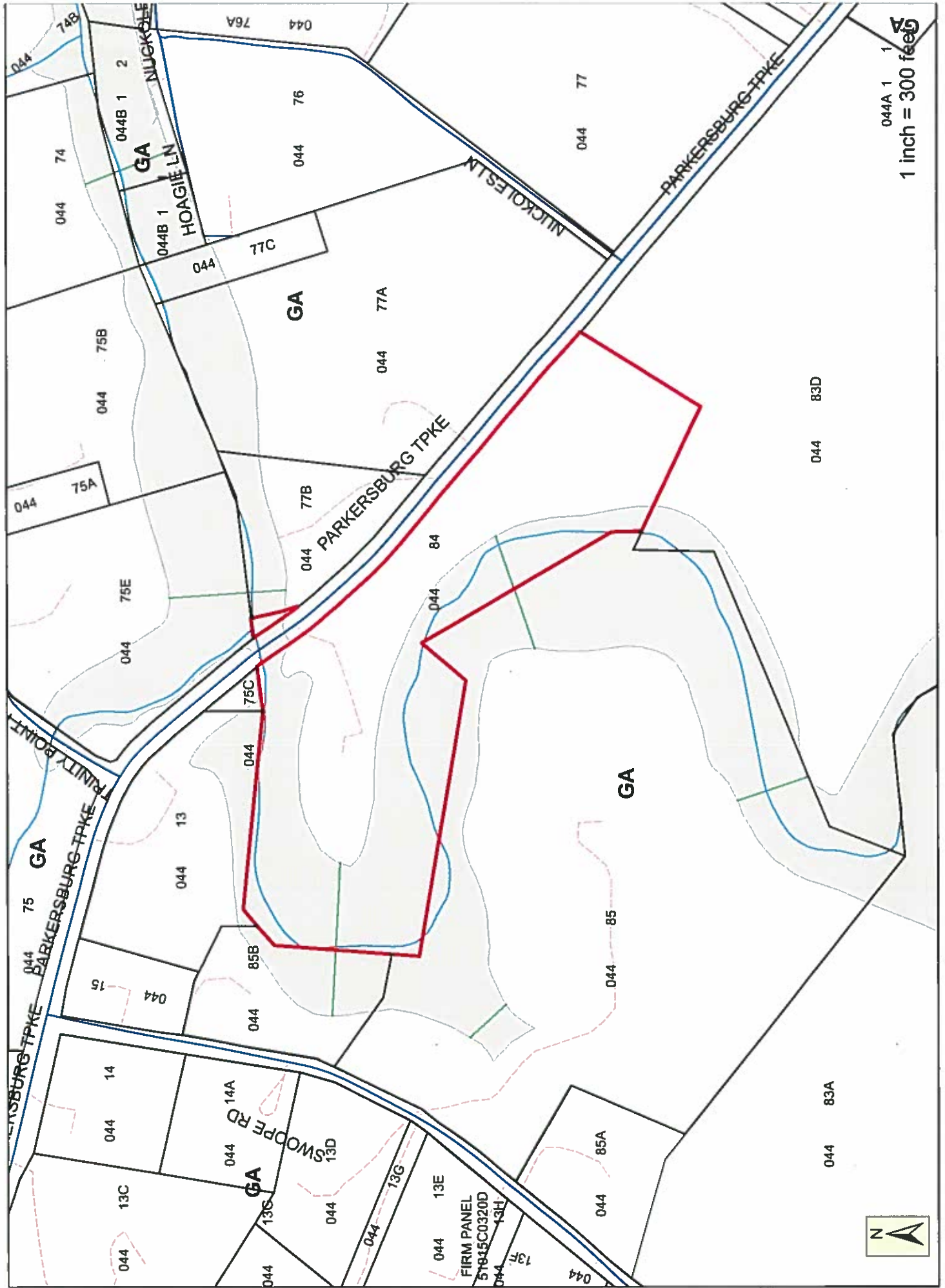
Operating Conditions:

1. Applicant install a sewage treatment system approved by the Health Department within two (2) years.
2. Be permitted to operate for two (2) years using a portable restroom facility, not including porta-potties until the septic system is installed.
3. Be limited to thirty (30) events per year but no more than three (3) per month.
4. Be limited to a maximum of one hundred fifty (150) people per event.
5. No outdoor amplified music.
6. Events to cease by 10:00 p.m. and all persons off the property by 11:00 p.m.
7. Applicant reside on premise.
8. Site be kept neat and orderly.
9. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
10. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.



Kittling

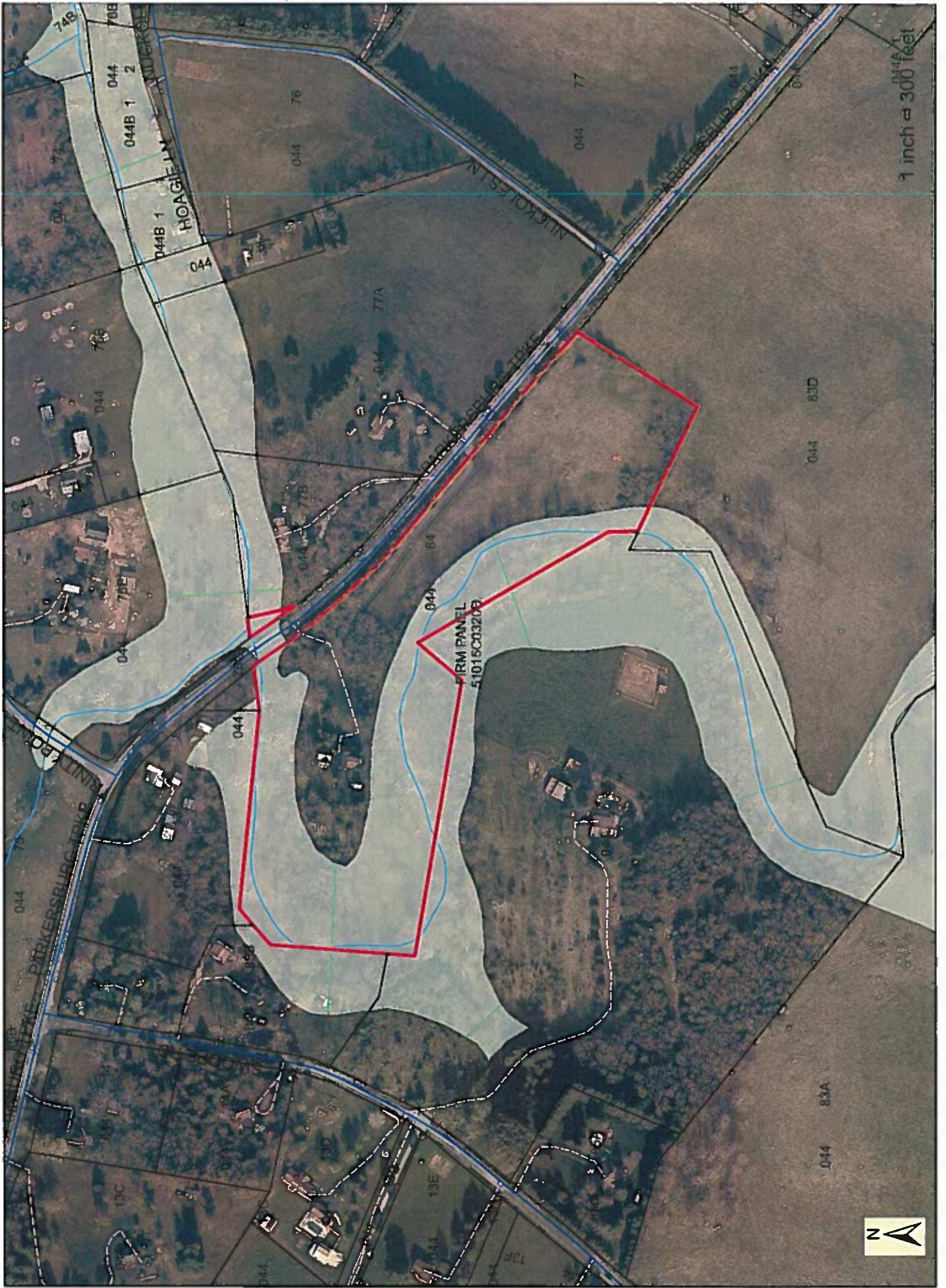
Rutledge

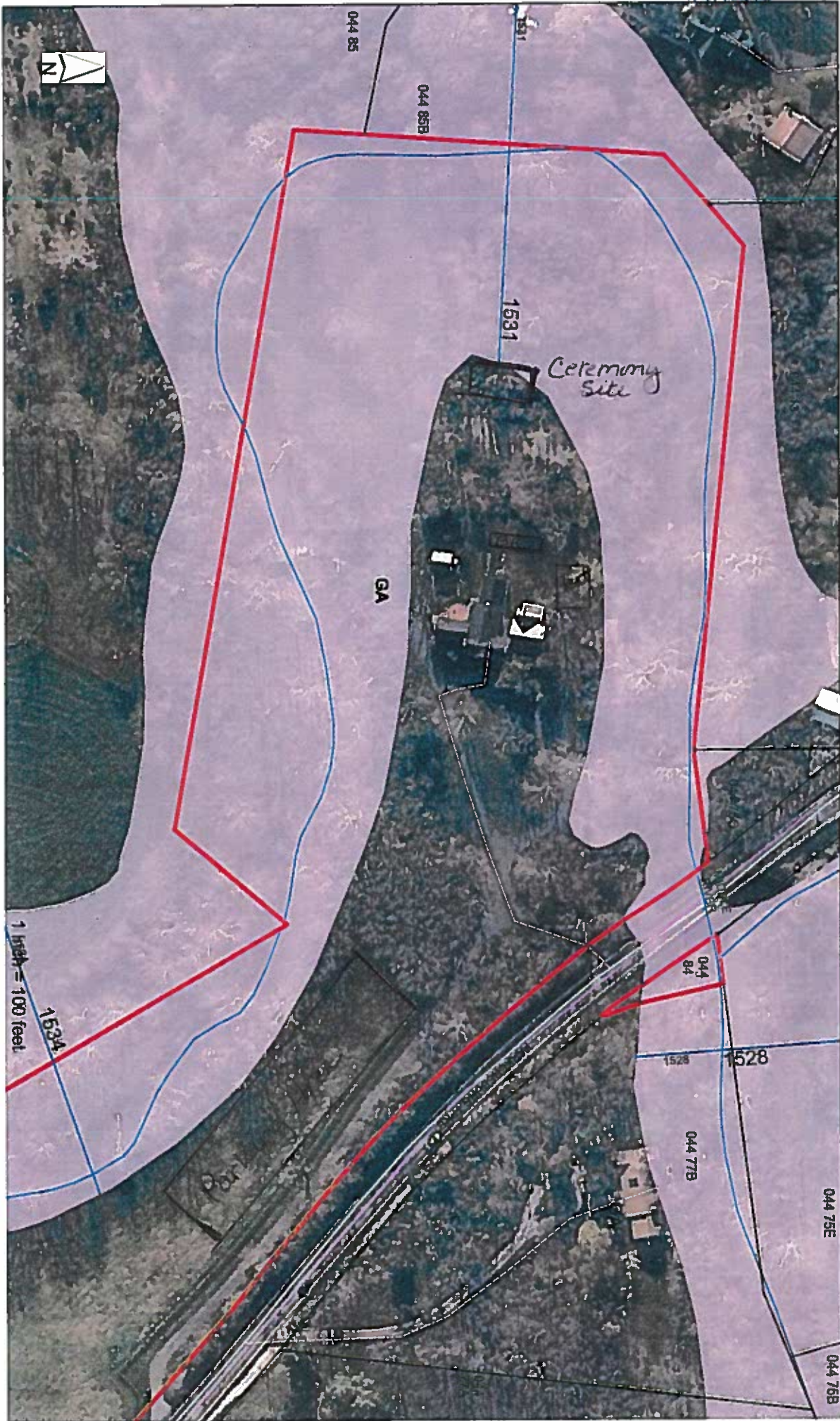


044A 1 1
1 inch = 300 feet



Rutledge





Date 6/1/17

PROPERTY OWNER:
Fishersville Property, LC

APPLICANT:
Jerry Brower, agent for Brower Limited Partnership, LLC

LOCATION OF PROPERTY:
99 Ivy Ridge Road, Fishersville in the South River District

SIZE OF PROPERTY:
5.040 acres

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

PREVIOUS ZONING OR S.U.P.:
09/89 Zoned General Industrial

LAND USE MAPS:
Urban Service Area – Industrial

UTILITIES:
Public water and sewer

APPLICANT'S JUSTIFICATION:
To have outdoor storage of industrial gases

PLANNING COMMISSION'S COMMENTS:
No comments.

BUILDING INSPECTOR'S COMMENTS:
1. Storage area must be at least 20 feet from any building or lot line.

HEALTH DEPARTMENT'S COMMENTS:
Public utilities to serve; no comments.

HIGHWAY DEPARTMENT'S COMMENTS:
VDOT does not anticipate a significant impact to adjacent roadways. The existing commercial entrance is adequate for the proposed use.

SERVICE AUTHORITY'S COMMENTS:
1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm>.

2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
4. 99 Ivy Ridge Road is currently an ACSA water and sewer customer.
5. If the number of water fixtures is changing due to the change in use, the water meter size will need to be reviewed with ACSA Engineering Staff.

ENGINEERING'S COMMENTS:

The request will use existing facilities and/or improvements are less than 10,000 square feet, therefore, SWM and E&SC permits are not required.

SECTION 25-384C – Manufacture, Processing or Storage of Explosives or Hazardous Substances

The neighboring area is not characterized by residential, commercial, or industrial development which would be adversely impacted by the proposed use.

The southern property line is adjacent to General Agriculture zoning and single family dwellings that may be affected by visual impacts from the outdoor storage of tanks.

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

Ivy Ridge Road was designed to handle industrial and commercial traffic.

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

The 5.040 acre site has adequately handled industrial traffic since the building was constructed in 2001.

All buildings, structures, and operations will be set back at least one hundred feet (100') from all property lines unless the board of zoning appeals determines that greater setbacks are necessary to adequately protect neighboring properties. An accessory retail sales outlet may observe the normal principal building setbacks in General Industrial Districts.

Storage tanks are setback one hundred (100') feet from all property lines.

STAFF RECOMMENDATIONS

The applicants are currently operating in Waynesboro and would like to re-locate their business to Augusta County. They are requesting to have outdoor storage of industrial gases such as oxygen, argon, and nitrogen. They are requesting to have up to five (5) tanks, eight (8') foot in diameter, and seventeen (17') feet tall. They are proposing an area behind the building meeting the required one hundred (100') foot setback from all property lines. The property is adjacent to single family residential dwellings to the south

that could be impacted visually by the request. However, staff feels the existing tree line provides adequate screening to protect neighboring properties from the impacts of outdoor storage and industrial uses, and would recommend approval with the following conditions:

Pre-Condition:

1. Obtain letter of approval from Building Inspection.

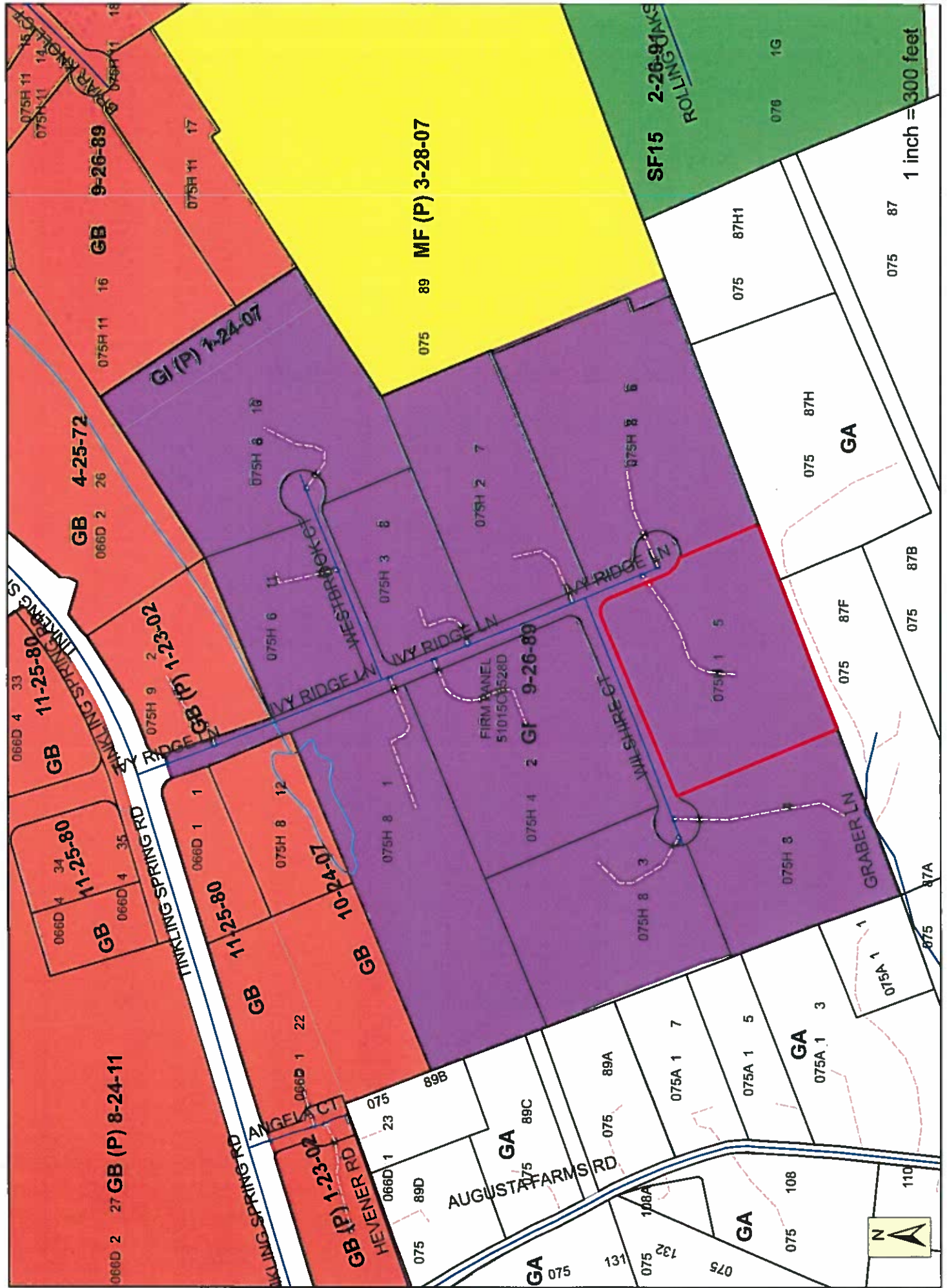
Operating Conditions:

1. Be permitted to store up to five (5) industrial gas tanks outside.
2. All outdoor storage be kept in the designated areas shown on the site plan.
3. Site be kept neat and orderly.
4. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.



Ficharrilla Property

Fishersville Property, LC



Fishersville Property, LC



PROPERTY OWNER:

Plecker Brothers, Inc.

APPLICANT:

R. Creigh Deeds, P.C., as agent for Plecker Brothers, Inc.

LOCATION OF PROPERTY:

At the intersection of Sangers Lane and Balsley Road, Staunton in the Beverley Manor District

SIZE OF PROPERTY:

28.688 acres

VICINITY ZONING:

General Agriculture to the north, south, and east; Staunton City to the west

PREVIOUS ZONING OR S.U.P.:

03/85 Zoned General Business

LAND USE MAPS:

Urban Service Area – Business

UTILITIES:

None

APPLICANT'S JUSTIFICATION:

Appeal to the Board of Zoning Appeals of a decision of the Zoning Administrator regarding the property they own being used for a non-permitted use (storage of construction equipment and materials).

STAFF COMMENTS

The property was purchased by Plecker Brothers, Inc. in 1973 and was zoned General Agriculture at the time. The Zoning Ordinance in effect in 1973 did not list contractor storage yards as a permitted use, however, they could have been permitted by Special Use Permit. Plecker Brothers, Inc. did not obtain a Special Use Permit. The property was rezoned to General Business in 1985, and contractor storage yards were not listed as a permitted use, therefore, a Special Use Permit would have still been required in a Business zoned area. Plecker Brothers, Inc. did not obtain a Special Use Permit.

In 1994, an Erosion and Sediment Control Plan was submitted and approved for a fill site only, which does not include the outdoor storage of equipment, stock piles of rock, gravel, reground asphalt and concrete, culvert, pipe, tanks or inoperable vehicles. The plan was approved to add fill and restabilize per the approved plan.

Plecker Brothers, Inc. did not obtain a Special Use Permit for a contractor storage yard nor has one been obtained as of today's date. However, aerial photos (attached) show a continuous expansion of the storage of materials without a permit.

Staff has received numerous complaints regarding the condition of the property and the expansion of the storage on the property. Plecker Brothers, Inc. was sent a **Notice of Violation** on February 16, 2017. Timothy Plecker contacted our office and made application for a Special Use Permit to have a contractor storage yard on February 27, 2017. On February 28, 2017, Mr. Plecker withdrew the application and stated he would clean up the property. The zoning staff inspected the property on March 13, 2017, and again on April 6, 2017 and found the property was still in violation of the Zoning Ordinance. On April 7, 2017, the Community Development sent Plecker Brothers, Inc. a **Final Notice** to bring the site into compliance. The property was inspected again on April 24, 2017, and found the property remains in violation of the Zoning Ordinance. On May 3, 2017, Community Development received a request to appeal the Zoning Administrator's decision.

The aerial photos and zoning inspections show the property has continuously been used as a contractor storage yard without an approved Special Use Permit in violation of the Augusta County Zoning Ordinance since the 1990's.

Staff requests the Board of Zoning Appeals uphold the decision of the Zoning Administrator.



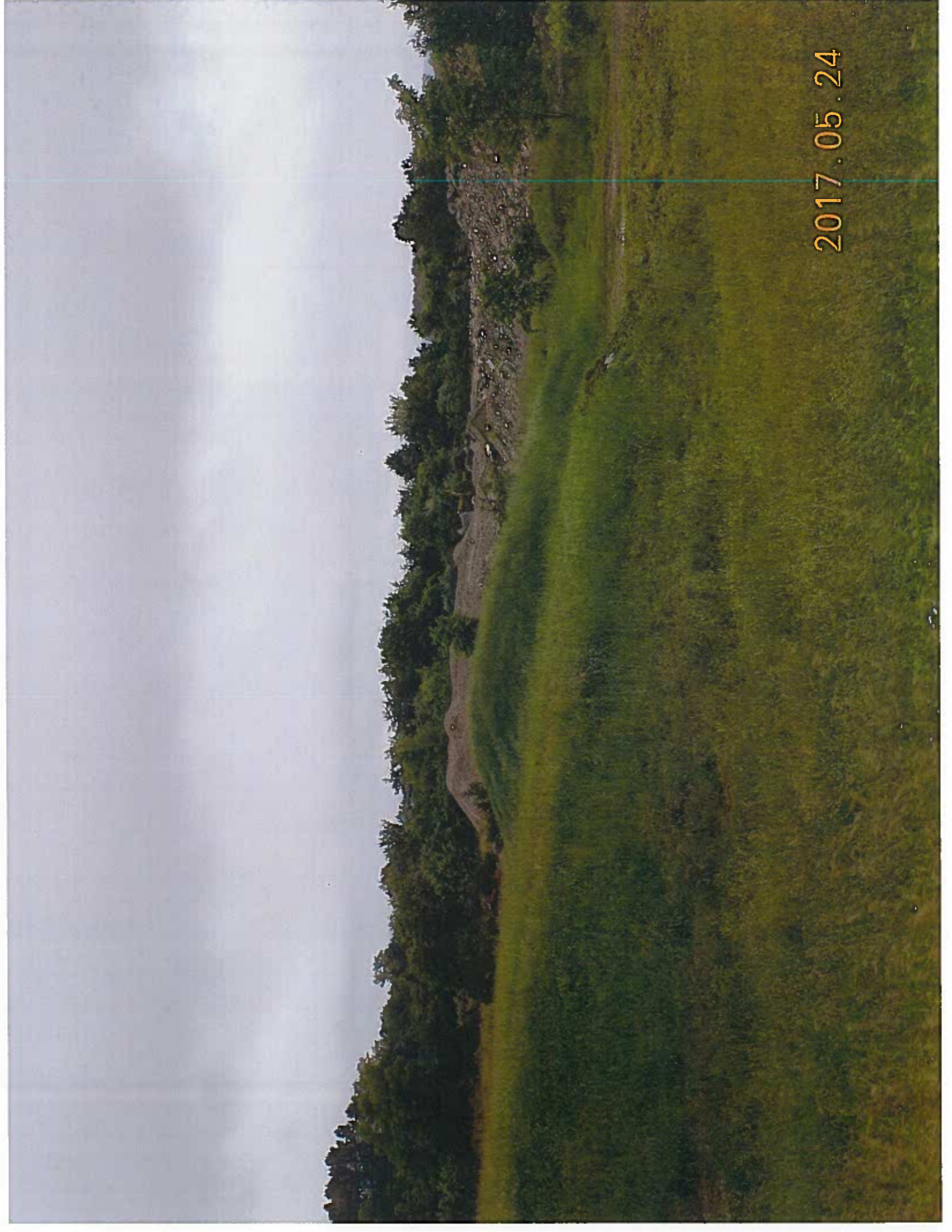
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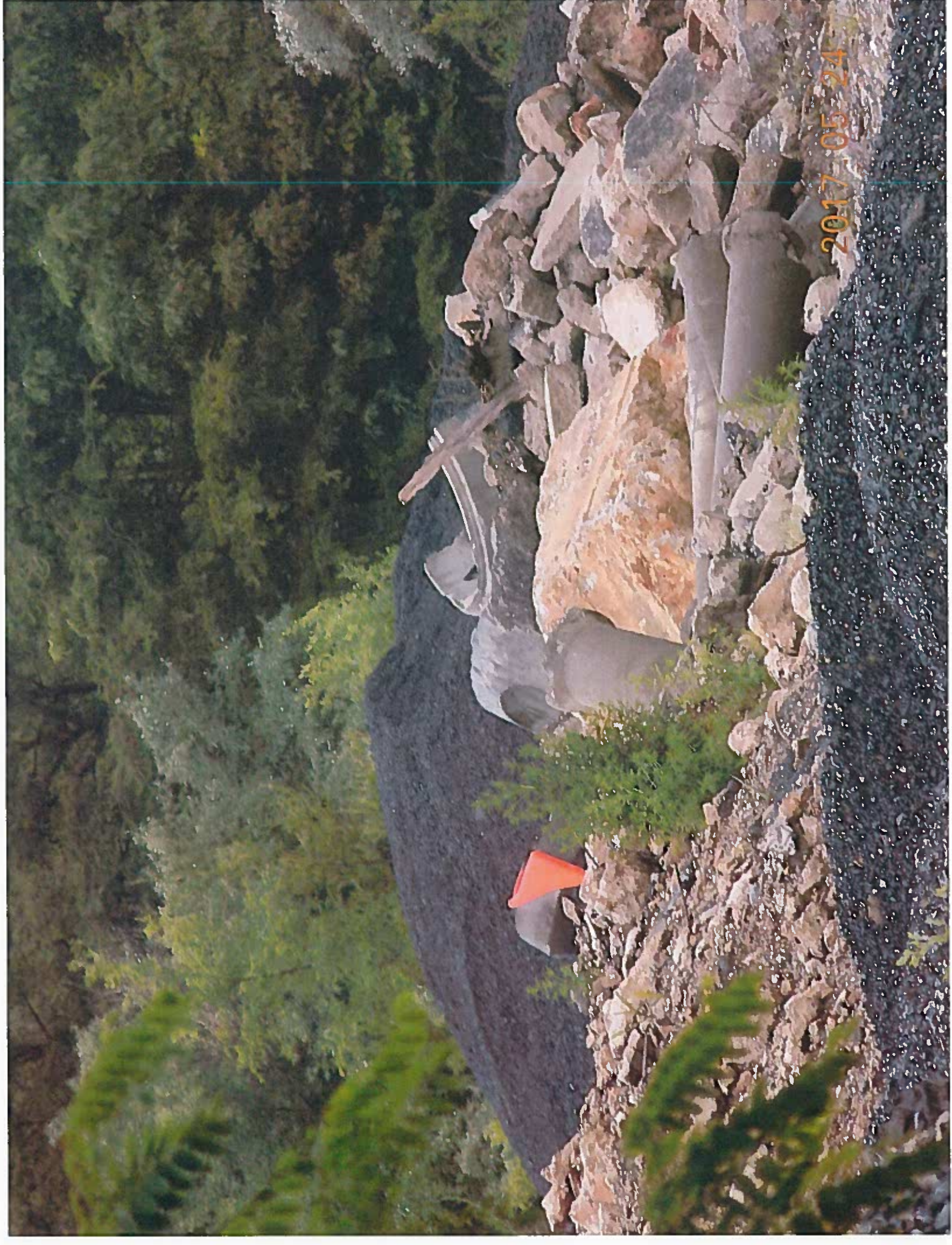
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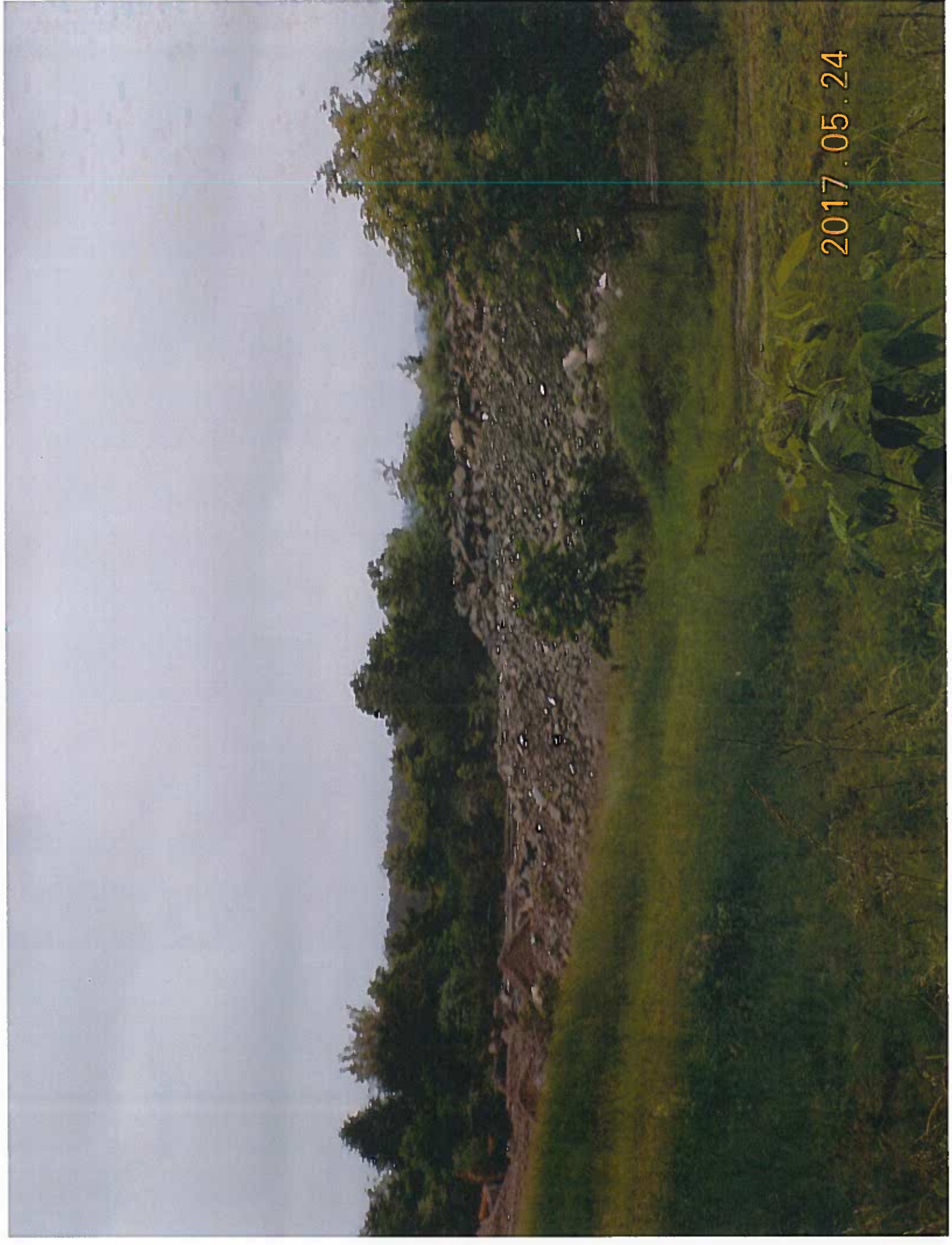


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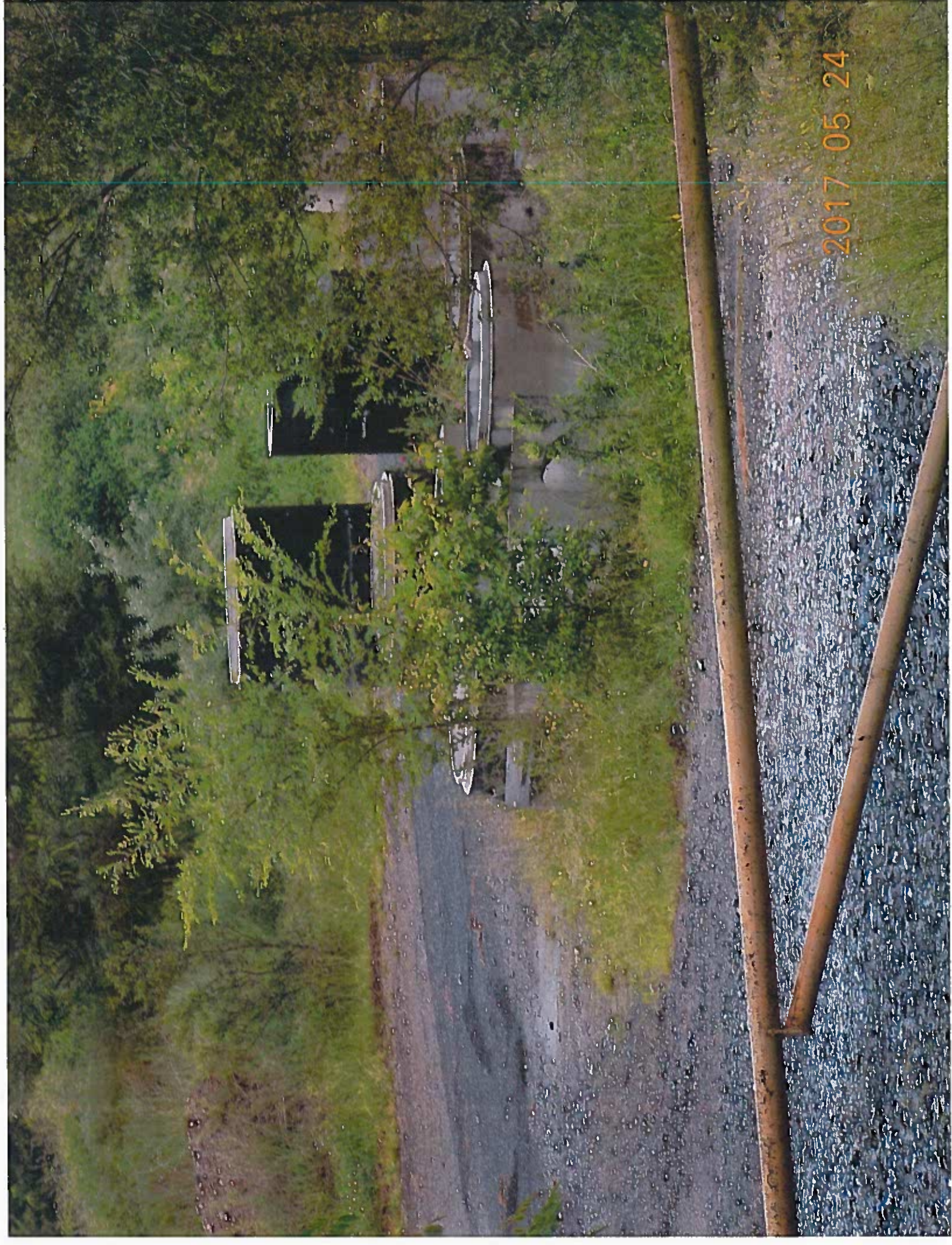
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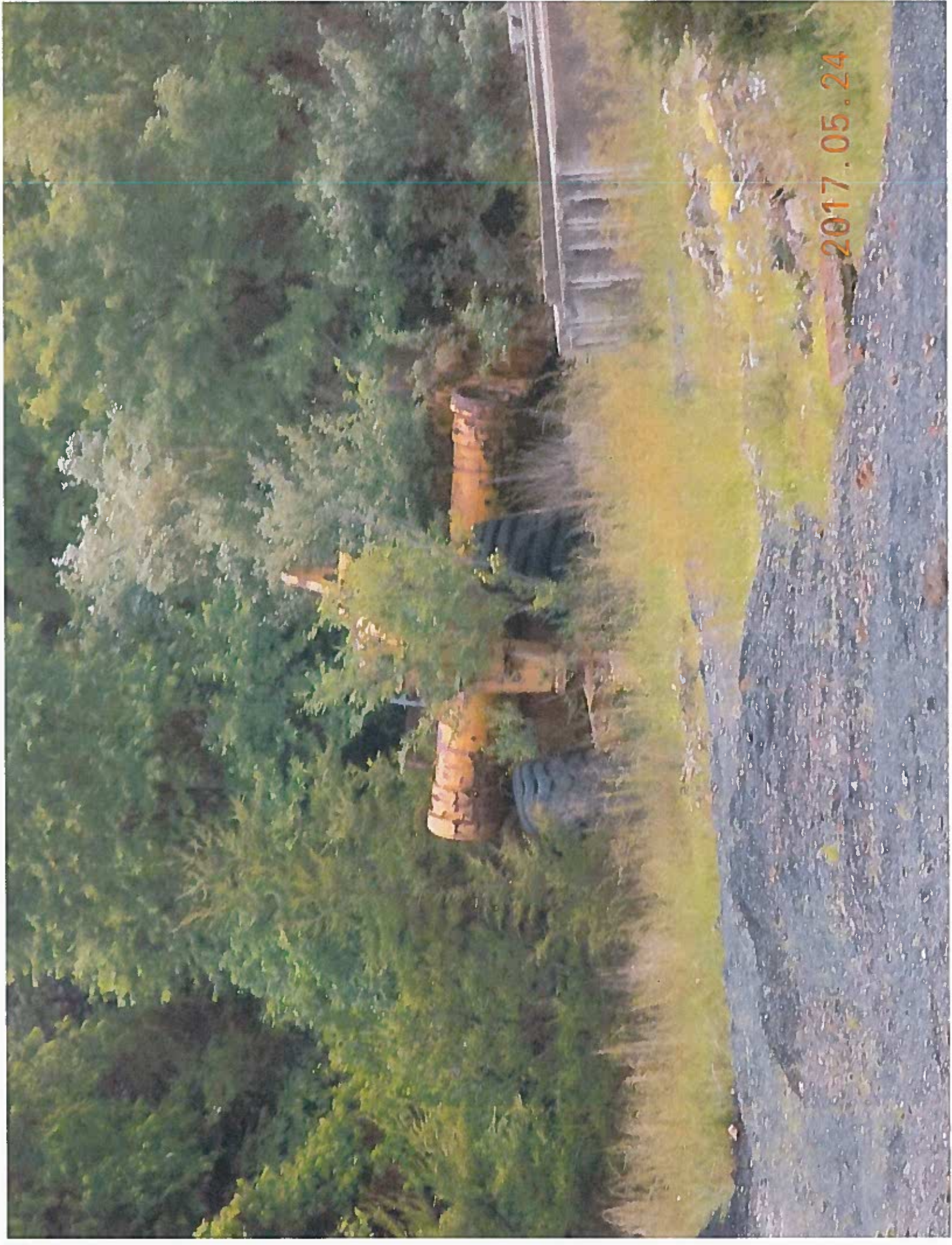




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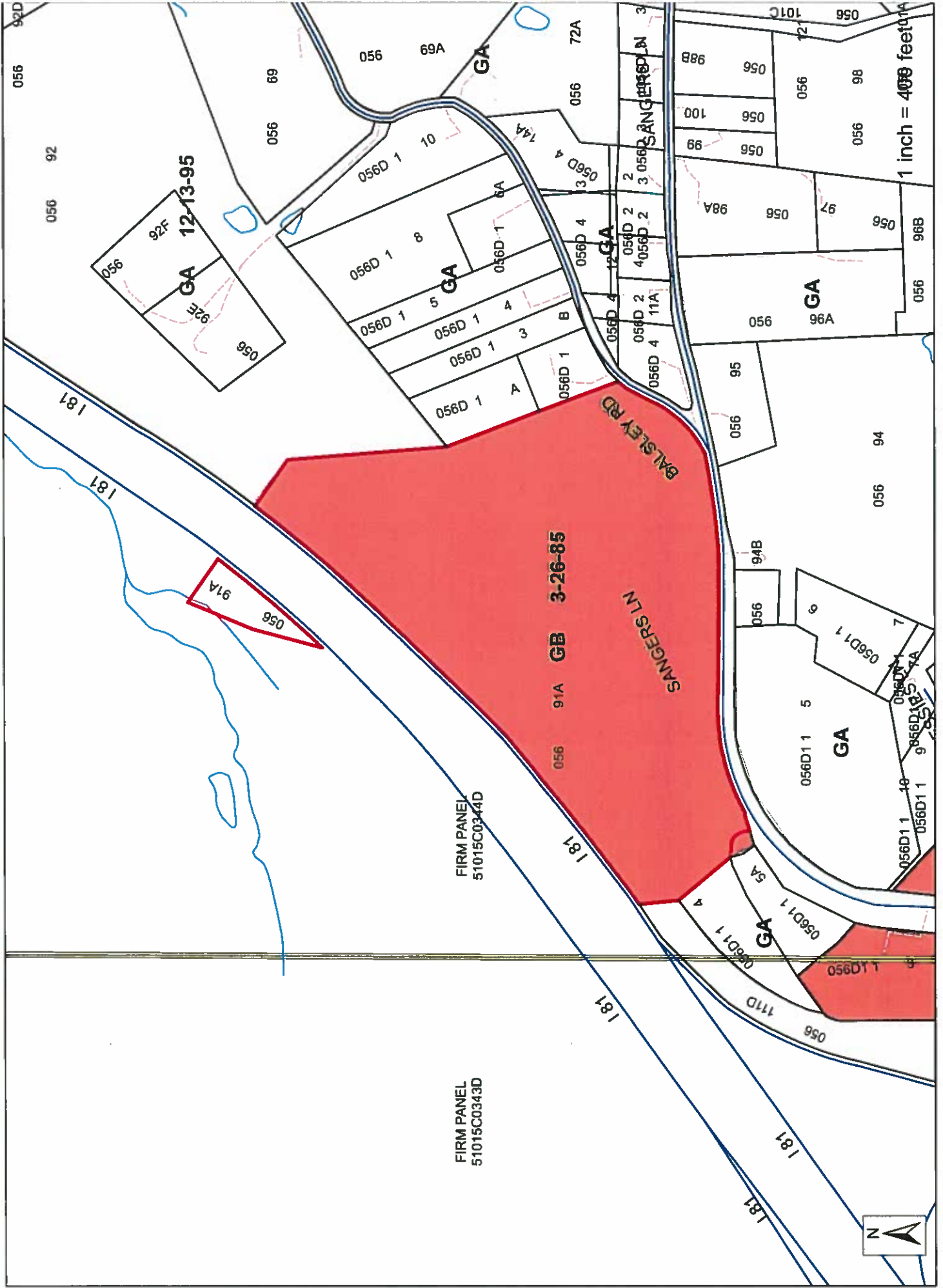


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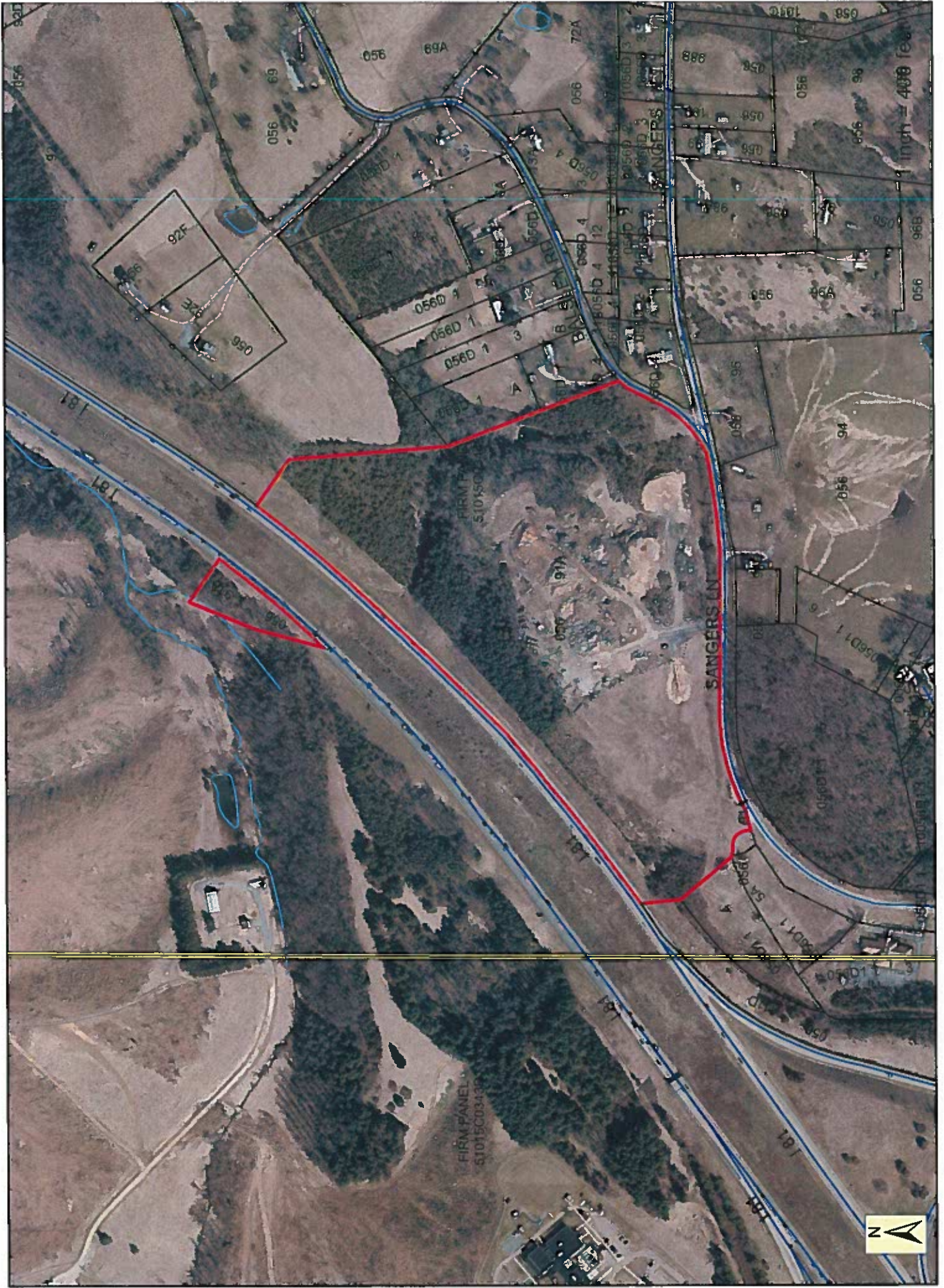
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Plecker Brothers, Inc.



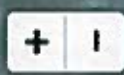
FIRM PANEL
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FIRM PANEL
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1972



Aerial	▼	Topo
2012		T2001
2011		T1986
2009		T1978
2008		T1968
2007		T1966
2003		T1961
2002		T1947
1998		
1972	▼	
1968		
1963		



1 inch = 175 feet

1991



1 inch = 175 feet

2002



1 inch = 175 feet

2006



1 inch = 175 feet

2011



2015

1 inch = 175 feet

EXTENSION OF TIME REQUEST

PROPERTY OWNER:

Edgar B. Hurdis, III

APPLICANT:

Edgar and Martje Hurdis

LOCATION OF PROPERTY:

46 Horseshoe Circle, Stuarts Draft, in the Riverheads District

SIZE OF PROPERTY:

27.482 acres

VICINITY ZONING:

General Agriculture surrounds the entire parcel

PREVIOUS ZONING OR S.U.P.:

12/95 Zoned General Agriculture

02/12 SUP approved to have a kennel and boarding facility

LAND USE MAPS:

Community Development Area – Low Density Residential

UTILITIES:

Private well and septic

APPLICANT'S JUSTIFICATION:

To increase the number of dogs for the existing kennel and boarding facility, and add dog training and dog related events.

The applicant is requesting a one (1) year Extension of Time.

Due to illness, the applicants have not been able to move forward with obtaining Health Department approvals for the events. They would be requesting a year extension of time in order to obtain Health Department approval to move forward with the request.