

June 5, 2008

PRESENT: S. F. Shreckhise, Chairman
J. W. Callison, Jr., Vice Chairman
C. E. Swortzel
D. A. Brown
Pat Morgan, County Attorney
J. R. Wilkinson, Zoning Administrator & Secretary
S. K. Shiflett, Zoning Technician I

ABSENT: G. A. Coyner, II

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, June 5, 2008, at 9:45 A.M., in the County Government Center, Verona, Virginia.

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VIEWINGS

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

- **Terry L. and Pamela D. Hirneisen - Special Use Permit**
- **Kevin Huffer and Don Sheets - Variance**
- **Charles Beverage, Jr., agent for Beverage Tractor or Equipment - Six Month Extension of Time Request**

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

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Chairman

Secretary

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PRESENT: S. F. Shreckhise, Chairman
 J. W. Callison, Jr., Vice Chairman
 C. E. Swortzel
 G. A. Coyner, II
 D. A. Brown
 Pat Morgan, County Attorney
 J. R. Wilkinson, Zoning Administrator & Secretary
 S. K. Shiflett, Zoning Technician I
 B.B. Cardelicchio-Weber, Administrative Secretary

Absent: None

VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, June 5, 2008, at 1:30 P.M., in the County Government Center, Verona, Virginia....

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MINUTES

Mr. Swortzel moved that the minutes from the May 1, 2008 meeting be approved.

Mr. Coyner seconded the motion, which carried unanimously.

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JESSIE WILMER - AGENT FOR NTELOS - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Jessie Wilmer, agent for Ntelos, for a Special Use Permit to co-locate telecommunications equipment on the existing tower and expand the compound area on property owned by VOX Communications Group, LLC, located on the north side of Hewitt Road (Route 703), just east of the intersection of Hewitt Road (Route 703) and Scott Christian Road (Route 705) in the Pastures District.

Ms. Jessie Wilmer is representing Ntelos for the tower request. She stated that this should be the last request for the corridor expansion from Churchville out to Craigsville. She stated that Ntelos will be co-locating on the almost 500' tower and expanding their existing compound for the base station equipment at the ground. She stated that they

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will be doing major modifications in order to co-locate on the tower. She stated that Ntelos will be cleaning up the ground space around it.

Mr. Coyner asked if the tower was strong enough to handle the antennae now?

Ms. Wilmer stated that it is not strong enough and not maintained properly throughout the years.

Mr. Swortzel asked if the tower would be replaced or repaired?

Ms. Wilmer stated that they will be replacing some guys and repairing and replacing some of the cross members on the tower itself. She stated that the actual tower will remain onsite. She stated that the standards are much higher now than when the tower was placed on the property originally.

Mr. Coyner asked if the tower will be strong enough for other companies to co-locate?

Ms. Wilmer stated that if there are other co-locaters they will need to do the same repairs that Ntelos is doing in order to co-locate on the tower.

Ms. Brown asked how high is Ntelos going up on the tower?

Ms. Wilmer stated that the existing tower is 485' and they are going up 245'. She stated that is the highest that they can go without doing major work on the tower.

Mr. Coyner asked if this completes the stretch of improvements in that area?

Ms. Wilmer stated yes, they will have coverage from Route 254 to Route 42 towards Craigsville as well as going up Route 42 towards Churchville.

Mr. Swortzel asked if there will be other co-locators on the tower?

Ms. Wilmer stated none at this point just Ntelos. She stated that WBOP is the radio station that is on the tower.

Mr. Coyner asked if Ntelos is the only cell phone service in the area?

Ms. Wilmer stated no. She stated that Verizon and Alltel are also in that area. She stated that they do not have good coverage between Route 262 Bypass and Buffalo Gap High School. She stated that along Frog Pond Road's coverage is weak for every carrier. She stated that Buffalo Gap High School does not have great coverage by any carrier.

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Ms. Brown asked if they are required to have a light on the top of the tower?

Ms. Wilmer stated that it has a light but it has not been maintained properly and they will take care of that. She stated that any lines they put on and any new metal will be painted.

Mr. Coyner asked how far is Buffalo Gap High School from this site?

Ms. Wilmer stated the high school is about half a mile away.

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

Mr. Roscoe Carpenter, 2170 Hewitt Road, Swoope, stated that he has pictures of his property and the area for the Board of Zoning Appeals to review as well as an article where the Board approved a radio tower back in 1984. He stated that the Board stated that the tower will never be sold. He stated that the tower is taller than what it was supposed to be. He stated that it was not supposed to be 490'. He stated that the amount of power is not supposed to have any more than what it has now. He stated that it is 3,000 volts more. He stated that even though the hearing is not about the tower directly, it does affect the area and property owners. He stated that when the tower was built in 1984 it was owned by Solomon who was in Nelson County. He stated since then it was sold numerous times. He stated that the tower puts out more volts which cause more radiation. He stated that radiation is affecting the people and the cattle in the area.

Mr. Swortzel asked if the radio station is operating off of the tower now?

Mr. Carpenter stated yes as far as he knows. He stated that the property has looked like this for twenty (20) years. He stated that he sees wild animals and rattlesnakes in the area. He stated that he has tried to contact the property owners but they do not care about the property. He stated that this Board is concerned with only revenue and taxes. He stated that it is hard to deal with this situation because there has been mistruth and a lot of don't care attitude from the station owners. He stated that every time he steps out of his front door he has to look at this junk. He stated that Buffalo Gap High School is a quarter of a mile away. He stated that the radio station mentioned all of the good things that they will do but they have not done anything.

Mr. Coyner asked if Mr. Carpenter lives across the road?

Mr. Carpenter stated yes.

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Chairman Shreckhise asked if Mr. Wilkinson has any comments about the alleged violations.

Mr. Wilkinson stated that Mr. Carpenter mentioned that the tower was built too high. He stated that in the article it mentions a 495' radio tower built on the land. He stated that according to the site plan the tower is 485' plus a 5' lightening rod which would be a little less than what was advertised in the newspaper. He stated that he does not know if the Board required any maintenance of the site on the old permit. He stated that VOX Communications is not the original owner.

Vice Chairman Callison asked if VOX is in the same field as Crown Communications?

Ms. Wilmer stated that they are a radio station based in Massachusetts but the local station is WBOP and WSIG in Mt. Crawford. She stated that they are running the tower site.

Vice Chairman Callison stated that the Crown sites do not look like this site.

Ms. Wilmer stated that this tower does not have a removal bond and that is a stipulation that VOX will put on the permit. She stated that until they started working with them VOX had no idea what they had at the site. She stated that they have not visited the site. She stated that the Mt. Crawford folks are very aware what is going on there now. She stated that the shed with their equipment had some holes in it and they will be replacing that shed.

Mr. Wilkinson asked if the manufactured home would stay on the property?

Ms. Wilmer stated that the manufactured home was where the original station was.

Vice Chairman Callison stated that site is not the only ill site in that area but it is very unsightly.

Mr. Coyner stated that as a tenant Ntelos will keep the place up.

Ms. Wilmer stated that as a tenant Ntelos will replace everything that is on the ground. She stated that all of the grass has grown up. She stated that they will gravel everything and put a new fence around the compound.

Mr. Swortzel asked if the manufactured home would be removed?

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Ms. Wilmer stated that the manufactured home is not within their lease area. She stated that they are just a tenant.

Mr. Swortzel stated that the part that Ntelos will maintain will look very well. He stated that they cannot take the tower down but the Board will make as many guidelines as they can on this permit. He stated that the manufactured home needs to be removed.

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

There being none. Chairman Shreckhise asked Mr. Condyles for his input on this request.

Mr. George Condyles stated that he is the President of Atlantic Technology Consultants. He stated that he is Augusta County's consultant on tower requests. He stated that he has reviewed this request for co-location. He stated that he personally visited the site. He stated that a lot of the larger players including VOX Communications are taking over small locally owned stations. He stated that the tower was built in 1984 and the manufactured home was where the disc jockey would sit and transmit through the radio. He stated that there is very little local ownership with radio towers. He stated that this tower is in conformance with FCC regulations for the height of the tower. He stated that it is authorized to be 489' to 490'. He stated that they are not violating federal law as it is configured today. He stated that the condition of the station has been deteriorating over the years. He stated that the County is fortunate that Ntelos is going to co-locate on the tower versus asking for a new tower to be built somewhere nearby. He stated that they are upgrading the guy wires, painting it, fixing the light, and expanding the compound area. He stated that they will put in a new driveway access. He stated that the question would be who will maintain the tower. He stated that the abandoned manufactured home is a fire hazard. He stated that the power comes into the manufactured home and it does not meet the current building inspection codes. He stated that Ntelos is going to bring in an entirely new electrical network. He stated that Ntelos cannot have the home removed but he would recommend that the owners be notified that the manufactured home and shed should be removed.

Chairman Shreckhise asked if it is the same owner now as on the original permit?

Mr. Condyles stated no.

Mr. Swortzel asked about the radiation affects that Mr. Carpenter mentioned?

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Mr. Condyles stated that as part of the Code of Federal Regulations this Board cannot deny or approve a request based on the Communications Act of 1996 taking into consideration the radiation aspects of the tower. He stated that as part of their review there is a NEPA study done for every one of these and they have indicated that there is no adverse environmental impact from this tower.

Mr. Coyner asked if the tower is upgraded could someone else co-locate on the tower?

Mr. Condyles stated that Ntelos had a structural engineer study done and they made recommendations to the site in order to hold Ntelos' antennas. He stated that if there is a second or third carrier they would need to do the same thing as Ntelos and upgrade the tower. He stated that the entire process has to happen every time no matter what. He stated that this tower is being replaced and modified specifically for the Ntelos requirements and not necessarily for another co-locator. He stated that this is a good application. He stated that this is a substandard site and Ntelos is going to bring the site into compliance with today's laws. He stated that the trailer is another issue. He believes that the trailer is a nuisance and he would recommend that the Board have it removed.

Vice Chairman Callison asked what is the life of a tower?

Mr. Condyles stated forty (40) to fifty (50) years if maintained correctly.

Mr. Swortzel asked what is the lease area for the tower?

Ms. Wilmer stated the lease space is 20' x 20' adjacent to the tower.

Mr. Swortzel asked if Ntelos has enough pull to ask the property owner to remove the manufactured home in order for this Board to grant the request?

Ms. Wilmer stated that they can try. She stated that they have not discussed that with them at all. She stated that it is definitely out of their lease requirements.

Vice Chairman Callison stated that the Board should table the request until next month in order to communicate with the owners of the property so they can cleanup the site.

Mr. Wilkinson asked for a five minute recess so that he can pull the old file on this request. He stated that if the manufactured home is on the site plan from the previous Special Use Permit, there is nothing that his office can do because the County does not have a property maintenance code. He stated that Building Inspection department may be able to do something about upgrading the equipment but as far as the old condition of the manufactured home the County does not have a property maintenance code.

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Mr. Coyner moved that there be a five minute recess.

Ms. Brown seconded the motion, which carried unanimously.

Mr. Wilkinson pulled the old permit listed under Richard Miller who was actually the property owner at the time. He stated that the Special Use Permit was for the studio which is the old manufactured home. He stated that according to the Zoning Administrator in 1986 radio towers was a permitted use. He stated that the Special Use Permit was not for the tower but for the radio station which is the manufactured home and the equipment on the ground. He stated that Ms. Wilmer spoke with the owners of the radio station during the recess.

Ms. Wilmer stated that WBOP agreed that they will remove the manufactured home and replace the existing shed. She stated that one of the sheds will be gone once the equipment is moved.

Chairman Shreckhise stated that the Board may want to table the request in order for staff to review the old permit.

Ms. Wilmer stated that the manufactured home and old shed will be removed. She stated that the site will be graveled as well as a new fence to be installed. She stated that all of the old items will be gone.

Mr. Swortzel asked if the property owner would be willing to provide a letter to the Board?

Ms. Wilmer stated that they committed that they would remove the manufactured home and old shed.

Mr. Wilkinson stated that the file shows that as of April 1990 they were not using the manufactured home as an office. He stated that they transmitted the radio through the Beverley Street location and they planned to use the manufactured home as a dwelling.

Ms. Wilmer stated that they are comfortable with this request. She stated that they are dealing with a local company. She stated that they have a good relationship with the property owner and they have a lease with them.

Chairman Shreckhise declared the public hearing closed.

Mr. Coyner stated that the Board can place a pre-condition on the request that the manufactured home be removed before the permit is issued.

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Mr. Condyles stated that they should agree to remove the trailer and the shed as well as bush hog the land. He stated that those items are the only things that they had issues with. He stated that he would be willing to come up and inspect the site for compliance on behalf of the Board.

Mr. Coyner asked what would be located at the site?

Mr. Condyles stated that Ntelos will have cabinets on the ground. He stated that the tower will be painted and the lights will be flashing.

Chairman Shreckhise stated that an operating condition that the Board may want to put on this permit is that the site be maintained.

Mr. Wilkinson stated the neighbor talked about maintaining the grass.

Mr. Condyles stated that most of the towers in the County are towers inside the gravel compound. He stated that this is a guy tower so you have the spread of the guys over acres of land which needs to be bush hogged.

Mr. Wilkinson stated that the lot is eight (8) acres. He stated that the applicant can only maintain the area that is being leased to them.

Mr. Coyner stated that the citizens in the area need to live there and look at the site everyday.

Mr. Morgan stated that the Board can have the manufactured home removed and the site bush hogged. He stated that the applicant is only asking for an addition onto the tower and the limited amount of space that they are renting legally could only be restricted to what the applicant has control over. He stated that the entire eight (8) acres would not be enforceable. He stated that the Board can ask that the owner do that before Ntelos co-locates on the tower.

Mr. Carpenter stated that the lights on the tower are out occasionally and it takes awhile for them to be replaced. He stated that he tried to communicate with the property owner for maintaining the property. He stated that this property was rezoned.

Mr. Wilkinson stated that the zoning on the property has not changed.

Mr. Morgan stated that the Board can require that the manufactured home and land be bush hogged as a pre-condition and once that is done the Board can only require Ntelos to maintain the area that is leased because that is something that this Board has

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control over. He stated that after that the Board cannot enforce the maintenance of the enter property.

Mr. Wilkinson stated that the Board may want to have a letter from the property owner stating they will maintain the land.

Mr. Swortzel stated that the Board may grant the permit only if the owner agrees to mow the property.

Ms. Wilmer stated that the Board can add a maintenance bond to the conditions.

Mr. Morgan stated that the County cannot require the property owner to maintain the property. He stated that Ntelos has made this application before the Board for a specific leased area.

Mr. Coyner stated that the Board has had better success taking care of these items before the permit is granted. He moved that the request be tabled until July 3, 2008 in order for the applicant to communicate with the current owner and talk about the upkeep of the property. He stated that if the property owner is interested in Ntelos co-locating on the site then the property needs to be kept up.

Ms. Brown seconded the motion, which carried unanimously.

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JON A. HERR - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Jon A. Herr, for a Special Use Permit to construct a dwelling less than the required 900 square foot minimum allowed on property he owns, located on the north side of Redbud Hollow Lane, approximately .5 of a mile west of the intersection of Redbud Hollow Lane and Old Churchville Road (Route 840) in the Pastures District.

Mr. Jon Herr stated that he would like to build a dwelling that is a total square footage of 604 feet. He stated that currently that is what he can afford to build. He stated that he will be constructing the house so that an addition can be placed on it in the future.

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

There being none, Chairman Shreckhise declared the public hearing closed.

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Mr. Wilkinson stated that Mr. Obaugh contacted him and stated that he has no objections to the request.

Vice Chairman Callison moved that the request be approved with the following conditions:

Pre-Conditions:

None

Operating Conditions:

1. Applicant obtain building permit prior to start of construction.
2. The dwelling be a minimum of 604 square feet.

Mr. Swortzel seconded the motion, which carried unanimously.

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BOGDAN AND ALVINA SAKHNYUK - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Bogdan and Alvina Sakhnyuk, for a Special Use Permit to place a manufactured home for a second dwelling for a family member on property owned by Vladimir or Alla Levshyn, located on the west side of Levshyn Lane, just northwest of the intersection of Levshyn Lane and Enterprise Road (Route 875) in the North River District.

Mr. Bogdan Sakhnyuk stated that he would like to place a manufactured home on the property. He stated that the water and septic permits have been approved. He stated that this property belongs to his father-in-law.

Mr. Wilkinson stated that the property is zoned Exclusive Agriculture and the applicant is requesting a second dwelling for his wife and child.

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

There being none, Chairman Shreckhise declared the public hearing closed.

Mr. Swortzel moved that the request be approved with the following condition:

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Pre-Conditions:

None

Operating Condition:

1. Applicant obtain building permit and provide a copy to Community Development.

Mr. Coyner seconded the motion, which carried unanimously.

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TERRY L. AND PAMELA D. HIRNEISEN - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Terry L. and Pamela D. Hirneisen, for a Special Use Permit to change stipulation #2 to permit up to twenty (20) dogs in the existing kennel on property they own, located on the south side of Dam Town Road (Route 616), just east of the intersection of Dam Town Road (Route 616) and Knightly Lane in the Middle River District.

Mr. Terry Hirneisen stated that he moved to Augusta County in 1999 and brought twenty-one (21) rescue dogs with him. He stated that Augusta County has a four (4) dog limit. He stated that he did not know that the permit was only for the current dogs that he had at the time. He stated that he has never received any complaints. He stated that he would like to continue to do what he has done for the past thirty (30) years. He stated that they help dogs that need help. He stated that from twenty-one (21) dogs, he is now down to ten (10) dogs. He stated that they do not want to have the restriction on the permit of having the dogs that they brought with them originally in 1999. He stated that they would like to have a litter of puppies in the future.

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

There being none, Chairman Shreckhise declared the public hearing closed.

Mr. Coyner stated that he does not recall any problems with this permit. He moved that the request be approved with the following conditions:

Pre-Conditions:

None

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Operating Conditions:

1. Maximum of twenty (20) adult dogs kept at this site at any time.
2. Dogs be kept inside the kennel or house from 10:00 p.m. until 6:00 a.m.
3. All dogs be confined within the kennel, house, or fenced areas shown on the site plan at all times.
4. Site be kept neat and orderly.
5. Applicants must reside on premises in order for the permit to remain valid.

Mr. Swortzel seconded the motion, which carried unanimously.

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MARK OR JILL GLICK - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Mark or Jill Glick, for a Special Use Permit to construct a building for a shop and storage of equipment in conjunction with the excavation business on property they own, located on the east side of Bridgewater Road (Route 613), approximately .4 of a mile north of the intersection of Bridgewater Road (Route 613) and Mossy Creek Road (Route 747) in the North River District.

Mr. Mark Glick stated that he is requesting a permit to build a shop and machine storage shed for his excavation and farm business.

Mr. Coyner asked where has the applicant been doing the maintenance and repair?

Mr. Glick stated outside or he would pay someone to do it.

Chairman Shreckhise asked if there would be anything stored outside?

Mr. Wilkinson stated that the Board granted some outside storage on the previous permit. He stated that the machine shed is shown behind the poultry house.

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

There being none, Chairman Shreckhise declared the public hearing closed.

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Vice Chairman Callison moved that the request be approved with the following conditions:

Pre-Conditions:

None

Operating Conditions:

1. Applicant obtain building permit for the 42' x 76' machine shed prior to start of construction.
2. Be limited to seven (7) pieces of equipment for the excavation business.
3. All excavation equipment be kept only in the storage area behind the poultry house shown on the site plan or inside the buildings.
4. No junk vehicles or equipment or parts thereof be kept outside.
5. Site be kept neat and orderly.
6. Be limited to two (2) employees.

Mr. Coyner seconded the motion, which carried unanimously.

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KEVIN HUFFER AND DON SHEETS - VARIANCE

This being the date and time advertised to consider a request by Kevin Huffer and Don Sheets, for a Variance from the lot area and lot frontage requirements to change the boundary lines of two existing lots in order to correct side yard setback violations on property they own, located on the south side of Spitler Circle (Route 1210), just east of the intersection of Spitler Circle and Lee Jackson Highway (Route 11) in the Riverheads District.

Mr. Barry Lotts stated that he is representing Mr. Huffer and Mr. Sheets today. He stated that there are two (2) dwellings that have been on the site for quite some time. He stated that on the old subdivision plat, the boundary splits the existing house. He stated that they want to keep the same area but one dwelling will be behind the other

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instead of side by side. He stated that back then the ordinance did not require any setback regulations when the houses were built.

Vice Chairman Callison asked if the applicants own both lots?

Mr. Lotts stated yes.

Mr. Wilkinson stated that at the time the house was constructed there were no building permits or setback regulations.

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

Ms. Ruth Parks stated that she would like to know if the changing of the boundaries will affect any of the properties that surround it. She stated that she would like to know what kind of a development the property owners will be doing. She stated that this is a quiet neighborhood and they enjoy it that way. She stated that she would like to know what it will be used for.

Mr. Lotts stated that they are going to take the property and remodel it and make it look a lot better and then probably turn around and sell the lots.

Mr. Wilkinson stated that they cannot build any more houses. He stated that they are going to turn the boundaries and they will still have two (2) lots. He stated that they could replace both structures but they could not build any additional houses. He stated that those two (2) lots are small so there could not be any apartment complexes in that area.

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

There being none, Chairman Shreckhise declared the public hearing closed.

Mr. Swortzel moved that the request be approved with the following condition:

Pre-Conditions:

None

Operating Condition:

1. Property be divided per the plat submitted.

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Mr. Coyner seconded the motion, which carried unanimously.

Chairman Shreckhise stated that without this division it would be basically confiscation of one of the dwellings and that is why the Board can grant this Variance request.

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CHARLES BEVERAGE, JR., AGENT FOR BEVERAGE TRACTOR OR EQUIPMENT - SIX MONTH EXTENSION OF TIME REQUEST

A request by Charles Beverage, Jr., agent for Beverage Tractor or Equipment, for a Special Use Permit to have a motor vehicle and trailer sales lot on property owned by Augusta Oil Corporation, located in the northwest quadrant of the intersection of Stuarts Draft Highway (Route 340) and Old White Hill Road (Route 831) in the Riverheads District.

Mr. Wilkinson stated that this permit was approved July of last year. He stated that they had a pre-condition to satisfy VDOT's requirements in order to have an entrance permit. He stated that they did not have that done and at the last inspection staff notified the property owner. He stated that the applicant has been in contact with VDOT to try to get the entrance rectified but they were requesting a six (6) month Extension of Time to complete this.

Mr. Swortzel stated that they are already using the property for the business.

Mr. Wilkinson stated the Board visited the site today. He stated that this Board granted the original permit about ten (10) years ago with the condition that the front entrance on Route 340 was supposed to be chained off and closed, and customers only enter from Old White Hill Road. He stated that VDOT wants to make sure that the entrance is closed off. He stated that it looks like there is new gravel on it.

Mr. Swortzel stated that maybe the Board needs to deny this extension because they cannot follow the guidelines.

Chairman Shreckhise asked if the representative is here today.

Mr. Wilkinson stated that he received an email that Mr. Beverage needed to be out of town today.

Mr. Coyner stated that this Board has given Mr. Beverage quite some time. He stated that the applicant has not been able to follow the guidelines.

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Mr. Wilkinson stated that the permit will expire if the pre-condition is not met within thirty (30) days.

Mr. Coyner moved that the extension of time be denied.

Mr. Swortzel seconded the motion, which carried unanimously.

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STAFF REPORT

07-60	Brenneman, Byron or Karen, Etal – Denied
07-61	Lighthouse, An Independent
07-62	Simmons, Allen B., Jr.
07-63	Brubeck, William E. and Sara Frances, Etal
07-64	Wauters, Cary N. or Lynn A.
07-65	Boyd, Guy R.

Mr. Wilkinson stated that SUP#07-61 and SUP#07-62 are both in compliance. He stated that SUP#07-63 has been cancelled due to the permit not being active. He stated that staff sent SUP#07-64 a letter asking if the permit is still active. He stated that someone else purchased the property. He stated that SUP#07-65 is in compliance.

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Mr. Morgan passed out the enforcement cases for the Board to review. He stated that they have filed some actions.

Mr. Coyner asked what is the status on the Gochenour case?

Mr. Wilkinson stated that the County was granted an injunction on Mr. Gochenour's home property. He stated that he is barred from using that property or having any equipment there. He stated that they also had to send a letter to his son, Montgomery, because he has on several occasions let his employees drive the trash trucks home which is a zoning violation and park them on different properties owned by the Gochenours. He stated that staff has given him the final notice and if that continues they will have to take legal action against him for that. He stated that they have a business zoned site across from Northwood Subdivision. He stated that the site plan has received final approval to move the office and garbage trucks there. He stated that they have been working on the drainage and the parking lot. He stated that staff anticipates that it be completed soon so

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that there is an approved spot for the business. He stated that there will be no dumpsters or equipment on the site but only the trucks.

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

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Chairman

Secretary