

August 7, 2008

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

ABSENT: D. A. Brown

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, August 7, 2008, at 10:15 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:

- **David I. McCaskey - Special Use Permit**
- **Matthew L. Lehan - Special Use Permit**
- **Jarrett F., Joseph J., and Dirk S. Gold, agents for Goldwrench Enterprise, LLC - Special Use Permit**

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

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Chairman

Secretary

August 7, 2008

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

Absent: D. A. Brown

VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, August 7, 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 July 3, 2008 meeting be approved.

Vice Chairman Callison seconded the motion, which carried unanimously.

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DAVID I. MCCASKEY - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by David I. McCaskey, for a Special Use Permit to have an apartment in a pre-1970 structure on property he owns, located on the east side of Lee Highway (Route 11), just south of the intersection of Lee Highway and Bolivar Street in the North River District.

Mr. David McCaskey stated that he would like to resume the previous use of the building. He stated that all of the suggestions by staff in the comment sheets are appropriate.

Mr. Swortzel asked how long was this being used as an apartment?

Mr. McCaskey stated he lived there until about three (3) years ago.

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Mr. Swortzel asked how much renovation will need to be done to comply with Building Inspection's comments?

Mr. McCaskey stated that he needs to do some plumbing work because the pipes froze.

Mr. Swortzel asked if the property has been vacant since the plumbing froze?

Mr. McCaskey stated yes he has been using the site for storage.

Mr. Coyner stated that it looks like there is a log addition to the back. He asked if that is where the kitchen is?

Mr. McCaskey stated that is where the kitchen and the bath is.

Mr. Coyner asked if there is access by way of the alley?

Mr. McCaskey stated yes. He stated that there is a grass alley that he uses.

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 it is good to see that the property is being used.

Mr. Swortzel stated that the property should be cleaned up.

Mr. Coyner moved that the request be approved 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 Department and provide a copy to Community Development.
3. Property to be mowed and cleaned up.

Operating Conditions:

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1. Be permitted one (1) apartment within the structure.
2. No other Special Use Permits to be issued for this site.

Mr. Swortzel seconded the motion, which carried unanimously.

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ELIZABETH B. SHUEY AND CATHERINE S. MCNEAL, TRUSTEE - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Elizabeth B. Shuey and Catherine S. McNeal, Trustee, for a Special Use Permit to add an additional dwelling for a family member on property they own, located on the west side of Shuey Road (Route 713), approximately .4 of a mile southwest of the intersection of Shuey Road (Route 713) and Trimbles Mill Road (Route 707) in the Riverheads District.

Ms. Elizabeth Shuey stated that this dwelling will be used for her daughter and her husband and three (3) children. She stated that James is one of the children that will be living there and when he becomes age twenty-five (25) he will get the farm. She stated that this part of the property is 186 acres.

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 it is great that family will be coming back so that the farm will continue on.

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

Pre-Conditions:

None

Operating Condition:

1. The dwelling be occupied by a family member.

Mr. Coyner seconded the motion, which carried unanimously.

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GORDON F. SPROUSE, DONNA J. SPROUSE, GORDON F. SPROUSE II, AND SYLVIA STEPHENSON - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Gordon F. Sprouse, Donna J. Sprouse, Gordon F. Sprouse II, and Sylvia Stephenson, for a Special Use Permit to change stipulation #1 of existing permit #97-69 to increase the total pieces of equipment for sale and to add a sales office and service area for farm equipment on property owned by Gordon F. and Donna J. Sprouse, located on the north side of Little Calf Pasture Highway (Route 42) just west of the intersection of Little Calf Pasture Highway (Route 42) and Stuart Knob Lane in the Pastures District.

Ms. Sylvia Stephenson stated that they have operated the business for ten (10) years. She stated that the reason why they want to add additional names to the permit is because her brother may have another job and he may not be working in this business as much. She stated that her parents would like to run the business to supplement their retirement income. She stated that thirty-five (35) pieces of equipment is not a lot when you are dealing with small pieces of equipment. She stated that they want to have an area inside the barn designated for service including oil changes and tractor rebuilds. She stated that they want to sell a few parts. She stated that there are no farm stores in the area and they would like to help the farmers that are local. She stated that they have no problems with the operating conditions that staff has suggested.

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 was by the site just the other day and the site is kept neat and orderly. He stated that the site must continue to be kept that way. He stated that this is a good service to the community. He moved that the request be approved with the following conditions:

Pre-Conditions:

None

Operating Conditions:

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1. Be limited to seventy (70) pieces of equipment on the site.
2. All service work to be done inside the building.
3. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
4. Site be kept neat and orderly at all times.
5. No employees other than family members.

Mr. Swortzel seconded the motion, which carried unanimously.

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MATTHEW L. LEHAN - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Matthew L. Lehan, for a Special Use Permit to continue the motor vehicle garage on property owned by Alfred L., Jr. and Melanie J. Allhiser, located on the southwest side of Rock Mountain Lane (Route 616), just west of the intersection of Rock Mountain Lane (Route 616) and Cottontail Lane in the Middle River District.

Mr. Matthew L. Lehan stated that he has no problem with the conditions that staff is recommending. He stated that he will be the only one working at the site. He stated that a four (4) car limit would be plenty.

Mr. Swortzel asked if he has done this type of work previously?

Mr. Lehan stated yes for the last twenty-five (25) years.

Chairman Shreckhise stated that the main concern of the Board is that the site be kept neat and orderly. He stated that there should not be any outside storage. He stated that they have had problems with other sites in the past.

Mr. Lehan stated that he already has trash pickup for the dumpster. He stated that as far as metal parts they come every ten (10) days. He stated that there will be no junk piling up at the site.

Mr. Coyner stated that the Board does not want to see vehicles piling up due to the fact that customers cannot pay for the repairs.

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Mr. Lehan stated that Mr. Allhiser lives next door and he would not put up with that at all. He stated that he would do whatever it takes to have it removed.

Mr. Coyner stated that this garage has operated for many years and they have never had any problems at all.

Mr. Lehan stated that Mr. Allhiser has owned the business since 1976.

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 every neighborhood needs a good local shop. He stated that the site should remain neat and orderly. He moved that the request be approved with the following conditions:

Pre-Conditions:

None

Operating Conditions:

1. Be limited to four (4) licensed vehicles outside the garage.
2. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
3. All work be confined to within the garage.
4. Site be kept neat and orderly.
5. Be limited to one (1) employee other than the applicant.
6. Hours of operation be 7:00 a.m. to 6:00 p.m. Monday – Saturday. No Sunday work.
7. The only sign to be permitted for this business is one (1) on premise business sign not to exceed twelve (12) square feet.
8. Permit be reviewed in a year and renewed if all of the conditions are met.

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Mr. Swortzel seconded the motion, which carried unanimously.

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STAFF REPORT

- 07-72 Brydge, Kyle N. or Kim H.
- 07-73 Warren, Thomas R. or Glenda J., Co-Trustees – **Withdrawn**
- 07-74 Rodeffer, Shirley M.
- 07-75 Engleman, Virginia M.
- 07-76 Dhayer, Gerald D. and Deborah J. – **Denied**
- 07-77 Kilbride International Leasing

Mr. Wilkinson stated that staff has inspected SUP#07-72 and they are waiting for the dog warden to count the number of dogs on site. He stated that there is a stipulation on the permit to inspect the site every six (6) months.

Mr. Coyner stated that the County might want to start monitoring the dog kennels every six (6) months.

Mr. Wilkinson stated that before the end of the first year on all permits they are inspected but they are not normally inspected on a periodic basis unless the Board puts that as a stipulation. He stated that SUP#07-74 and SUP#07-75 are both in compliance. He stated that he will contact the applicant on SUP#07-77 regarding their Health Department approval for their permit.

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Mr. Wilkinson handed out the zoning enforcement cases that Mr. Morgan has been working on.

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

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Chairman

Secretary