

October 2, 2008

PRESENT: S. F. Shreckhise, Chairman  
 J. W. Callison, Jr., Vice Chairman  
 D. A. Brown  
 G. A. Coyner, II  
 C. E. Swortzel  
 J. R. Wilkinson, Zoning Administrator & Secretary

ABSENT: S. K. Shiflett, Zoning Technician I

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, October 2, 2008, at 10:00 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:

- **Michael Hermes Taylor - Special Use Permit**
- **Allen Dahl - Special Use Permit**
- **Darrell L. Gregory - 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

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 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  
B.B. Cardellicchio-Weber, Administrative Secretary

Absent: S. K. Shiflett, Zoning Technician I

VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, October 2, 2008, at 1:30 P.M., in the County Government Center, Verona, Virginia....

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**MINUTES**

Mr. Coyner moved that the minutes from the September 4, 2008 meeting be approved.

Mr. Swortzel seconded the motion, which carried unanimously.

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**DARRELL L. GREGORY - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Darrell L. Gregory, for a Special Use Permit to have a sales lot for trailers and to display a carport on property owned by Doris S. Wright, located in the southeast quadrant of the intersection of Lee Highway (Route 11) and White Hill Road (Route 654) in the Riverheads District.

Mr. Wilkinson asked what kind of trailers would be sold at the site?

Mr. Darrell Gregory stated that he would like to sell stock trailers and flatbed goosenecks as well as flatbed pickup bodies.

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Chairman Shreckhise asked what is the total number of trailers that would be on display?

Mr. Gregory stated no more than six (6) at a time.

Mr. Swortzel asked if the applicant would sell by order or sell the displays?

Mr. Gregory stated that he will sell what is at the site and then order what his customer needs. He usually gets a load within a week or week and a half.

Mr. Swortzel asked if six (6) units would be enough for display?

Mr. Gregory stated yes. He stated that he does not want to put a lot of trailers on display. He stated that it would be hard to have so many in stock all at one time.

Mr. Wilkinson stated that on the site plan the applicant showed six (6) on the main lot area but there were some in behind the building. He asked if the applicant would like to have the opportunity to use the area behind the building to store the trailers also?

Mr. Gregory stated yes just in case he does have some larger trailers at the site.

Mr. Coyner asked if the applicant would have new trailers as well as trading some older trailers in?

Mr. Gregory stated yes.

Mr. Coyner stated that there was some concern about trailers coming to the site dirty.

Mr. Gregory stated that the trailers would be pressure washed.

Chairman Shreckhise stated that there would be no other items stored outside besides the trailers.

Mr. Gregory stated that is correct. He stated that he would like to put a carport on the site.

Mr. Coyner asked if the applicant would install the flat pickup beds?

Mr. Gregory stated that he takes them to another shop so that they can be installed.

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Mr. Swortzel asked if the applicant has a piece of equipment to move the trailers around?

Mr. Gregory stated that he has a tractor to move the equipment around.

Mr. Swortzel asked how close does the applicant live to this property?

Mr. Gregory stated that he lives on Country Acres Lane. He stated that his property is about eight (8) to nine (9) miles away.

Mr. Coyner asked if the applicant has been in this type of business before?

Mr. Gregory stated no but he has dealt with these types of trailers for years.

Mr. Coyner asked if someone would be at the site everyday?

Mr. Gregory stated that either he or his father would be at the site everyday.

Mr. Swortzel asked what the hours of operation would be for the business?

Mr. Gregory stated 8:00 a.m. to 6:00 p.m. Monday thru Friday and Saturday 8:00 a.m. to 5:00 p.m. He stated that they would be closed on Sunday. He stated that in the summer he may stay open until 7:00 p.m.

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 this is an agricultural County and the Maupins have had trailers at the site for years. He stated that this is a good spot for this type of business. He moved that the request be approved with the following conditions:

**Pre-Condition:**

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

**Operating Conditions:**

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1. The only outdoor storage will be a maximum of six (6) trailers in front of the building and six (6) trailers behind the building for sale, and one (1) 20' x 24' carport located behind the building.
2. All livestock trailers be completely cleaned before they can be brought to this site. No trailers with animal waste may be on this site.
3. No junk or inoperable vehicles, trailers, equipment, or parts of vehicles or trailers be kept outside.
4. Site be kept neat and orderly.
5. Be limited to two (2) employees.
6. The only sign to be permitted for this business is one (1) on premise business sign not to exceed twelve (12) square feet.
7. Any new outdoor lights require site plan submittal and must meet ordinance requirements.

Mr. Swortzel seconded the motion, which carried unanimously.

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**ALLEN DAHL - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Allen Dahl, for a Special Use Permit to use an existing building to store and maintain equipment for a construction business, to have outdoor storage of equipment, and to have an inoperable motor vehicle storage lot on property owned by Nancy P. Dahl, c/o Triangle Realty, located in the eastern quadrant of the intersection of State Highway Route 262 and Old Greenville Road (Route 613) in the Beverley Manor District.

Mr. Allen Dahl stated that they have been operating at the site for three (3) years. He stated that that the County sent him a letter two (2) or three (3) months ago stating that they were not in compliance. He stated that he did not realize that they were not in compliance. He stated that his father built the building to work on his equipment. He stated that they work on their own equipment. He stated that his father passed away so he cannot ask him what the process was behind everything. He stated that he felt that since he was working on his own equipment it would be compatible with agricultural use. He stated that they have tried to do things where they screen anything unsightly from the

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public. He stated that the building is still visible from Route 262 and they have planted the trees along the berm. He stated that they were told that the trees are supposed to grow more in the third year. He stated that if there is something that they need to do, just let him know. He stated that he would prefer that the building not be visible.

Mr. Coyner stated that the permit was for a farm building and what the Board saw there today does not look like a pole barn that you keep your tractors in.

Mr. Dahl stated he does not know exactly why or how it got to be where it is. He stated that dad was using it that way when he built it and that was the intent of the building. He stated that because it was his own equipment and not out for hire, he felt that it was compatible with agricultural use.

Mr. Coyner asked if the building was ever used for agriculture?

Mr. Dahl stated that they have some tractors in it but their equipment is primarily yellow and not red.

Chairman Shreckhise asked if they have mechanics that work on the applicant's own vehicles?

Mr. Dahl stated that he does have someone that works on the vehicles when it is raining outside. He stated that the cars that the Board saw at the site are his own personal cars. He stated that it is a way for him to keep his employee busy when he cannot work outside. He stated that there are some items that he cannot fix and then they send the vehicles out to someone that can deal with larger repairs.

Mr. Coyner stated that down over the bank there are Volkswagen buses and a number of other items. He asked what is going on with those items?

Mr. Dahl stated those are items that used to be in his barn. He stated that he moved it down there because he felt that it was in the woods and it would not hurt anyone but he can move it back in the barn. He stated that he bought them all with the intention of fixing them up. He stated that the ones that he had bought have been sitting for five (5) or ten (10) years and it will not hurt them to sit outside some more. He stated that he felt that they were adequately screened.

Mr. Coyner stated that there is also a bunch of concrete block, culverts, and bricks at the site.

Mr. Dahl stated that they felt that it was out of sight and that it is not hurting anyone. He stated that if it is a problem he will remove it.

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Ms. Brown asked what is the purpose for the numbers on the door?

Mr. Dahl stated that he does not know why they are numbered.

Mr. Wilkinson stated that the property is zoned agriculture and if you wanted to do something other than agriculture or farming the property, for example, if you wanted to store equipment or if you are in the car business, you would need a Special Use Permit. He stated that from the beginning they should have had a Special Use Permit. He stated that as things change property owners have the opportunity to come back before the Board if there is something they want to do differently or increase the use of the site.

Mr. Dahl stated that the only reason he is here today is because he received a letter that they are not in compliance. He stated that they are not looking to do anything more than what is going on there right now. He stated that he is open to discussing doing less. He stated that they are only working on their own equipment.

Mr. Coyner asked if the applicant envisions bringing in another fifty (50) Volkswagen buses?

Mr. Dahl stated that he hopes not to. He stated that he has enough old cars. He stated that they were in the barn before and if there is an issue he can put them back in the barn. He stated that it seemed to him that if they were in the woods they could not be seen from anyone.

Mr. Wilkinson stated that staff did not advertise to have a motor vehicle repair operation. He asked if the applicant was working on his personal cars and if he was taking in cars from anyone else?

Mr. Dahl stated that there is nothing for hire. He stated that the mechanic works on his personal cars.

Mr. Coyner asked if work needed to be done on the bulldozer would it come to this facility?

Mr. Dahl stated that it would depend on what needed to be done. He stated that if it needed an oil change they would probably bring it to the site. He stated that if it was something that needed to be done like a major engine repair they would take it elsewhere.

Mr. Coyner asked if large equipment comes to the site?

Mr. Dahl stated yes.

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Ms. Brown asked what is being done with the brick and the culverts?

Mr. Dahl stated that they saved the bricks and culverts from old jobs and more than likely they will throw them away someday because they seem never to get re-used. He stated that they save them from other jobs because you pay so much for them when you buy them. He stated that he cannot remember the last time he re-used one of them. He stated that at some point they will just be disposed of. He stated that they did have metal visible from Old Greenville Road and Mr. Wilkinson called them and they removed the metal.

Mr. Coyner stated that the little trees in front of the building are growing good but when you come along the side coming from the shopping center the trees are not doing too well.

Mr. Dahl stated that he does not know if there are any trees planted there but he can put some there if the Board prefers. He stated that he would like the building to be as invisible as possible.

Mr. Wilkinson stated that this would be the maximum size areas. He asked if the areas would grow anymore?

Mr. Dahl stated that the areas would not increase.

Mr. Coyner stated that the Board may put a stipulation that the area may not increase. He stated that this area is developing a lot.

Mr. Dahl stated that he does not know if they will ever do anything with the land. He stated that this is his mother's farm and it will be a long time before the land ever gets developed.

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

There being none, Chairman Shreckhise asked if there was anyone wishing to speak in opposition to the request?

Ms. Kathryn Robson Clarkson, 769 Old Greenville Road, Staunton, stated that she is here on behalf of her daughter Stephanie Robson Gaston. She stated that she owns the acreage across Old Greenville Road. She stated that the lot is elevated and there are trees on the lot now. She stated that some day the lot will be subdivided and because of the elevation of the land they will look across and they do not want to see this stuff. She stated that this will have a bearing on the sale and the profitability of making a subdivision out of that land. She stated that Mr. Dahl referred to "us" when he spoke of the construction business. She asked what is the name of the construction business. She stated that the inoperable motor vehicle storage area are vehicles that are not running.



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Mr. Wilkinson stated that the inoperable motor vehicles are in the wooded area. He stated that the County was not aware of the condition of the site until they visited the property.

Ms. Clarkson stated that the pictures show the number of inoperable motor vehicles but the site looks like a junkyard to her. She stated how visible that would be from her daughter's property across the road she is not sure because she has not been up the hill. Chairman Shreckhise stated that he does not believe the vehicles would be able to be seen from that property.

Mr. Coyner asked if her hill is as tall as Mr. Dahl's hill?

Ms. Clarkson stated yes maybe more so. She stated that when they do the subdivision they will create the lots all the way to the top of the hill. She stated that they may connect with Green Spring Valley at the top of the hill. She stated that the property is next to Glen Burnie as well.

Mr. Wilkinson asked if the property is on the opposite side of Spring Lakes?

Ms. Clarkson stated yes directly across from it. She stated that she is concerned with the adverse affect on the property values if they develop a subdivision within three (3) to four (4) years.

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

Mr. Phillip Critchfield, 21 Greenville Farm Lane, Staunton, stated that it seems to him that the way the letter is worded that there will not be any stipulations on the request.

Chairman Shreckhise stated that after the applicant makes their request and they hear from everyone then the Board will set the limitations on the request.

Mr. Critchfield stated that he has no problem with him having a building. He stated that the County has rules and they need to be adhered to. He stated that if Mr. Dahl has a permit to do something with agriculture and in lieu of that he has a small junkyard than that is not appropriate. He stated that he has not checked to see what the rules are for inoperable vehicles but there must be a limit that the County allows.

Mr. Coyner asked where Mr. Critchfield's piece of property is located?

Mr. Critchfield stated across the loop road and across Greenville Farm Lane. He stated that his property is on the southwest corner opposite Mr. Dahl's property. He stated that he

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has fourteen (14) acres. He stated that in the winter he sees a lot more. He stated that he went over into Spring Lakes and when the leaves fall off the trees, they will look back into the property. He stated that he does not know if they received letters.

Mr. Wilkinson stated that only the property owners that are adjacent to or across the road received the letters on this request. He stated that several of the property owners at the edge of Spring Lakes received letters.

Mr. Critchfield stated that the only thing that he has a problem with is the unlimited scenario of the inoperable motor vehicle storage lot on the property. He stated that sometimes it will turn into a junkyard. He stated that the other things that come into play for example are the batteries in the vehicles or transmission fluid and motor oil leaking into the ground. He stated that he would like Mr. Dahl to play by the rules. He stated that from the letter and talking here today the applicant has permission to do one thing and he is doing a lot more than that and that is not appropriate.

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

Mr. Bob Dozier, 14 Loch Drive, Staunton, stated that his property is the very first street on the right as you come up Old Greenville Road which used to be Glen Burnie. He stated that he is strongly opposed to portions of what Mr. Dahl would like to do. He stated that there is a lot of environmental issues that need to be looked at before an approval other than agriculture is done. He stated that they decided to move here from the Outerbanks because they thought it was a clean area to live in. He stated that they do not know if this will escalate into a junkyard.

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

There being none, Chairman Shreckhise asked Mr. Dahl to speak in rebuttal?

Mr. Dahl stated that his business is a family business. He stated that the main business is Triangle Realtors but they have the hotel across the hill which is the Hampton Inn. He stated that they do some of their own work when they buy a piece of land. He stated that they dig the dirt and move some of the dirt around on the land.

Chairman Shreckhise stated that they are trying to get an idea of how much equipment will be coming to the building.

Mr. Coyner asked if that building is the main shop?

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Mr. Dahl stated yes.

Mr. Coyner asked if the applicant needs to work on any of the backhoes or other pieces of equipment if they would all be fixed in the building?

Mr. Dahl stated yes except for the large repairs when they would need a more experienced mechanic.

Mr. Coyner asked when the equipment is not on jobs he asked if they would come to this site?

Mr. Dahl stated that is something that they would like to do but they probably have other places that they could be parked at. He stated that he is more than happy to put limitations on the permit because they will not do anything more or he even will do less if that is what is needed. He stated that the cars can be put back in the barn if he needs to. Chairman Shreckhise stated that the mechanical work that would be done at the site will not be new motors or new transmissions but more like changing tires.

Mr. Dahl stated that on his car he might be doing something like that but on the tractors he will send them to a more experienced mechanic for detailed repairs. He stated that it is hard to say because if it is something that they cannot handle they will shop it out.

Mr. Coyner asked how many mechanics will there be?

Mr. Dahl stated one (1) mechanic and a helper.

Mr. Coyner stated that the applicant has a lot of vehicles at the site. He asked if the intent was for the applicant to accumulate all of the vehicles as a hobby?

Mr. Dahl stated yes.

Ms. Brown asked how many vehicles are being worked on at this time?

Mr. Dahl stated actively three (3) vehicles are being worked on. He stated that this part of the request is the smallest part of the picture.

Mr. Coyner stated that the Board is not interested in this site becoming a junkyard. He stated that the Board may put a limitation on the number of vehicles because that is an area where the Board does not want to see become a junkyard.

Mr. Swortzel asked if all of the vehicles at the site are his personal vehicles or his employees' vehicles?

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Mr. Wilkinson stated that by the building there were pickup trucks and a rollback.

Mr. Dahl stated that those are the operable vehicles. He stated that the items beside the building should be vehicles that come and go and that are operable. He stated that they got a little bit bigger on the grading and construction side and they decided that is not for us and they are trying to scale back and have the one (1) employee that can operate and work on a few pieces of equipment.

Mr. Wilkinson stated that this site is where his construction business would be located with your normal pickup trucks and dump trucks not on the jobsite.

Mr. Swortzel stated that the vehicles being worked on the inside of the building are the applicant's personal vehicles when his employees do not have anything to do.

Mr. Dahl stated that is correct.

Ms. Brown asked if the Health Department addressed the issue regarding having a bathroom for his employees?

Mr. Wilkinson stated that it is one of the comments from the Building Inspection Department.

Mr. Dahl stated that he saw it under the Building Inspection comments but the Health Department did not mention anything to him when they contacted him regarding this permit.

Mr. Wilkinson stated that if this permit would be approved then the applicant would need to go through the site plan process and get approval with all agencies.

Mr. Dahl stated that he felt that since they had facilities nearby they would not need a bathroom because they owned the hotel and gas station.

Mr. Coyner stated that an employee should not have to get in the car and drive three (3) miles to the hotel to use a restroom.

Mr. Dahl stated that the hotel is not three (3) miles away but 500 yards.

Ms. Brown asked how many employees will the applicant have?

Mr. Dahl stated two (2) employees. He stated that he is not opposed to installing a bathroom. He stated that he just wants to make sure what the rules are.

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Chairman Shreckhise asked Mr. Wilkinson to explain the rules on inoperable vehicles. He stated that the applicant is not applying for a junkyard but for personal vehicle storage.

Mr. Wilkinson stated that Augusta County regulates inoperable or unlicensed cars and if you cannot legally drive it on the highway, does not have a tag or inspection sticker, or missing parts it is inoperable. He stated that they limit it to one (1) vehicle per acre of ground up to a maximum of five (5) vehicles as long as they are completely shielded from public view. He stated that if there is a need to have more vehicles than you would come before this Board if you are zoned agriculture because there is not an option in residential areas to apply for a Special Use Permit to have more vehicles. He stated that this Board will look to see if the request is compatible with the area and that the vehicles can be properly screened from public view. He stated that this Board always sets limitations on the permit. He stated that the applicant did not ask for a public junkyard where people will be bringing in vehicles and buying junk cars but he did ask for his own personal storage of inoperable motor vehicle storage. He stated that staff sent the applicant a letter and then they discussed the issues with the applicant and he immediately applied for the permit. He stated that they have processes and part of the Community Development Department's duties is to enforce the ordinance so whatever regulations the Board's place on the permit as a condition and if they are violated, staff will send the applicant a letter and give them the opportunity to correct the issue. He stated that if they do not comply with the conditions after the first notice then staff sends a second notice and brings the permit up for cancellation to the Board. He stated that the applicant has asked for a 65' x 130' area which is in the trees. He stated that if this request is approved the storage will be under a specific designated area. He stated that the application before the Board is for the storage of personal vehicles which happens to be about twenty (25) vehicles. He stated that the applicant did not ask for a public junkyard.

Mr. Dahl stated that it seems like the biggest problem centers around the inoperable vehicles. He stated that he would like to keep the vehicles inside the wooded area. He stated that he would like to park vehicles that are tagged and insured around the building. He stated that if a vehicle does not have tags then he would put it back behind the trees.

Ms. Brown asked how many vehicles are currently in the woods?

Mr. Dahl stated over twenty (20) vehicles.

Ms. Brown asked what is he planning on doing with the vehicles?

Mr. Dahl stated that the entire intent is to make running vehicles so that he can drive them.

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Chairman Shreckhise declared the public hearing closed. He stated that the applicant has everything concealed at this point. He stated that the conditions that staff has recommended is limiting the applicant.

Mr. Coyner stated that were the Board to approve the permit screening needs to be larger around the building as well as screening on the Route 262 side. He stated that a permit was applied for to have an agricultural building and they should understand what the terms of that are and that is not what they have done at this site. He stated that he does not appreciate someone trying to slide something through. He stated that he would not be in favor of doing a lot at this site.

Vice Chairman Callison stated that they are working on numerous projects in this area. He stated that most of the vehicles that are located in the building are vehicles that are used for service and maintenance in connection with their projects that they have going on. He stated that there is a considerable amount of items at that site. He stated that Mr. Dahl is not interested in expanding or growing his activities there. He stated that he is familiar with Mr. Dahl's hobby and his willingness is to remove some of these vehicles. He stated that Mr. Dahl should be limited to the amount of vehicles that he has on the property. He stated that he would be in favor to granting the permit with some array of stipulations on the permit.

Chairman Shreckhise read the suggestions that staff has recommended on the conditions for the permit.

Mr. Coyner stated that there is a limitation by area but it is hard to tell how many vehicles can be stacked in an area.

Chairman Shreckhise stated that the applicant will be satisfied with not adding any more vehicles and no further expansion means that he cannot add anymore vehicles.

Mr. Coyner stated that limiting the number of vehicles with a number would be a clearer stipulation than not any more vehicles.

Ms. Brown stated if the limitation is one (1) per acre would the applicant agree to twenty-two (22) vehicles.

Vice Chairman Callison stated that he does not know what is there currently but he would suggest twenty-five (25) vehicles.

Mr. Coyner stated that the culvert pipes that the applicant admitted that he never uses should be removed.

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Ms. Brown stated that there are also some bricks on the site.

Mr. Wilkinson stated that the Board may want to add a number of operable or licensed company vehicles to the stipulations as well.

Chairman Shreckhise stated that the condition should state that no more than two (2) employees should be allowed to work at the site at any one time.

Mr. Coyner stated that the applicant should provide additional screening along Route 262 and the trees must be maintained at all times. He stated that the trees need to be a double row of staggered evergreen trees planted ten (10') foot on center. He stated that the culverts and concrete need to be removed as well. He asked how many company vehicles would the applicant have at one time?

Mr. Dahl stated that they have a box truck, car hauler, and several dump trucks. He stated that there would not be any more than ten (10) operable company vehicles.

Mr. Swortzel asked what is the reason for pre-condition number two?

Mr. Wilkinson stated that on a farm building there are no inspections so if you are going to use the building commercially it has to meet the building code. He stated that the building inspectors will have to make their inspections on the electrical and sometimes they will accept a letter from an engineer confirming that the building meets the building code and if a bathroom needs to be added, it will have to meet the building code. He stated that Building Inspection is part of pre-condition number one even if the Board decides not to include pre-condition number two and three. He stated that Building Inspection is part of the normal approval process for the site plan. He stated that is the reason why their comments are more detailed than what the Board normally sees because it was built as a farm building with no inspections.

Mr. Dahl stated that he can move the culverts and bricks to another parcel that is zoned business so that it does not bother anyone.

Mr. Swortzel moved that the request be approved 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.

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

**Operating Conditions:**

1. All maintenance work be done inside the building.
2. A maximum of twenty-five (25) total inoperable vehicles, personal or company, to be kept on this site and they must be kept either inside the building or within the 65' x 130' area in the woods.
3. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside these two areas.
4. Be limited to a maximum of ten (10) company licensed vehicles parked outside.
5. A double row of six (6') foot high staggered evergreen trees planted ten (10') foot on center be planted from the end of the existing row of trees at the edge of the parking lot eastward to a point past the woods in order to provide additional screening along Route 262, and the trees must be maintained at all times.
6. No more than two (2) employees to be working at this site at any one time.
7. No further expansion.
8. No business or advertising signs on the property.
9. All concrete construction materials to be removed from the site.
10. Permit be issued for one (1) year and renewed if all conditions are met.

Ms. Brown seconded the motion, which carried unanimously.

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**MICHAEL HERMES TAYLOR - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Michael Hermes Taylor, for a Special Use Permit to have motor vehicle repair within an existing garage



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and have outside storage of vehicles on property he owns, located on the south side of Cedar Green Road (Route 693), approximately .25 miles east of the intersection Cedar Green Road (Route 693) and William Cousins Road (Route 704) in the Pastures District.

Mr. Michael Hermes Taylor stated that he wants to use the existing garage that was used for farm use for their goats. He stated that his future brother-in-law worked on cars at another shop. He stated that his brother-in-law would like to have the permit to work out of his garage. He stated that he would do the work on the property.

Chairman Shreckhise asked if the applicant consulted with the neighbors?

Mr. Taylor stated that over on Buttermilk Spring Road is his mother's property. He stated that his aunt owns property in the area as well. He stated that on the left is Lovegrove Construction.

Mr. Coyner asked if this is a one (1) man operation?

Mr. Taylor stated yes.

Mr. Coyner stated that the building is very nice. He stated that sometimes with these small garage requests the applicant does the repair work and for some reason cars collect because folks will not pay for the repairs.

Mr. Wilkinson stated that they have discussed ten (10) vehicles and he put that in the briefing for the Board. He stated that as long as the vehicles are around the building it appears that the site will be screened well.

Mr. Taylor stated yes. He stated that behind the building there is an eight (8') foot drop.

Mr. Coyner asked if the applicant can get in from Buttermilk Spring Road?

Mr. Taylor stated yes.

Mr. Swortzel asked if the state police contacts them for vehicle repair?

Mr. Taylor stated no. He stated that he does not want to have many vehicles on the site. He stated that they are having problems with people stealing gas in the neighborhood. He stated that he does not want the public coming to his property very much.

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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 these little shops are needed in neighborhoods. He moved that the request be approved with the following conditions:

**Pre-Condition:**

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

**Operating Conditions:**

1. Be limited to ten (10) vehicles outdoors for pickup or repair at any one time, and they be kept only in the spaces shown on the site sketch.
2. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
3. Site be kept neat and orderly.
4. Hours of operation be 9:00 a.m. to 9:00 p.m. Monday – Saturday. No Sunday work.
5. No employees other than family members.
6. The only sign to be permitted for this business is one (1) on premise business sign not to exceed twelve (12) square feet.
7. No off premise advertising signs associated with the business.
8. Permit be reviewed in a year and renewed if all of the conditions are met.

Ms. Brown seconded the motion, which carried unanimously.

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**STAFF REPORT**

07-83	Hoysradt, Timothy M. and Pamela S.
07-84	Ramsey, David P. or Pamela D.

October 2, 2008

- 07-85 Gordon, Mary Lou
- 07-86 Sunrise Investors, Inc.
- 07-87 Augusta Agricultural Industrial Expo, Inc.
- 07-88 Augusta County Landfill Land Trust

Mr. Wilkinson stated that SUP#07-83 is in compliance. He stated that staff inspected SUP#07-84 and found inoperable vehicles at the site. He stated that staff sent the applicant a letter and the site will be inspected again for compliance. He stated that SUP#07-85 is in compliance. He stated that the site plan has been submitted for SUP#07-86 for their parking lot expansion. He stated that the Expo Board denied SUP#07-87 for the motocross park. He stated that the permit will expire in March of 2009 if they do not request an Extension of Time. He stated that the applicant has five (5) years to complete SUP#07-88. He stated that they are in the process of working on the site plan for the classrooms.

\* \* \* \* \*

Mr. Wilkinson passed out the court cases for the Board to review. He stated that they recently finalized a couple of the cases. He stated that Ira Nissley in Fishersville is working on cleaning up their site. He stated that they have cleared all of the brush. He stated that Mr. Nissley assured him that they would finish cleaning up the site. He stated that the County had previously got an injunction on the property in 1976 and cleaned the site up.

\* \* \* \* \*

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

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Chairman

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Secretary