

December 2, 2021

PRESENT: Justine D. Tilghman, Chair  
 George A. Coyner, II, Vice Chair  
 Thomas W. Bailey  
 Mark L. Glover  
 Thomas V. Thacker  
 Sandra K. Bunch, Zoning Administrator and Secretary  
 James R. Benkahla, County Attorney  
 John R. Wilkinson, Director of Community Development  
 Kathleen Keffer, Assistant County Attorney  
 Beatrice B. Cardellicchio-Weber, Executive Secretary

ABSENT: None

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, December 2, 2021 at 10:00 A.M., in the County Government Center, Verona, Virginia.

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The staff briefing was held at **10:00 a.m.** in the Board of Supervisors Conference Room where the Zoning Administrator reviewed the staff report for each request on the Board's agenda. Copies of the staff reports can be found in the Community Development Department.

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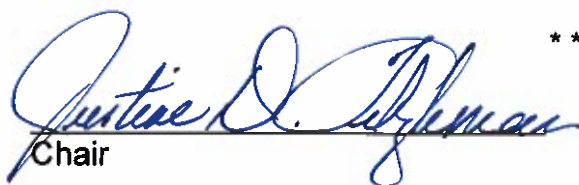
**VIEWINGS**

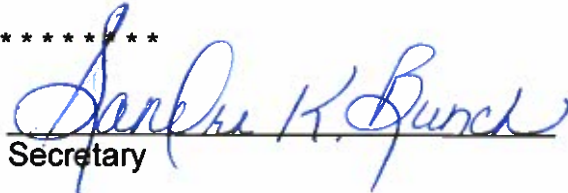
The members of the Board of Zoning Appeals assembled at the Government Center and went as a group to view the following:

- **WINSTON RHODES, AGENT FOR VALLEY SELF STORAGE, LLC - SPECIAL USE PERMITS**
- **WAYNE R. MASSIE, AGENT FOR CITY OF STAUNTON PUBLIC WORKS - SPECIAL USE PERMIT AND VARIANCE**

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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Mark L. Glover  
Thomas V. Thacker  
Sandra K. Bunch, Zoning Administrator and Secretary  
James R. Benkahla, County Attorney  
Beatrice B. Cardelicchio-Weber, Executive Secretary

ABSENT: None

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VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, December 2, 2021, 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 November 4, 2021, meeting be approved.

Mr. Bailey seconded the motion, which carried unanimously.

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**WINSTON RHODES, AGENT FOR VALLEY SELF STORAGE, LLC - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Winston Rhodes, agent for Valley Self Storage, LLC, for a Special Use Permit to construct additional mini-warehouse units within an existing facility on property they own, located on the west side of Whistle Lane at the intersection of Weyers Cave Road and Whistle Lane, Weyers Cave in the Middle River District.

Chair Tilghman stated the applicant is adding more units to what they currently have.

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Mr. Winston Rhodes stated we have purchased the lot beside us which is the next agenda item. We wish to build more buildings in front of the ones that we have there. We have always been cognizant of the fact that Whistle Lane is split with residential on one side and business on the other. We have restricted gate hours.

Chair Tilghman asked if the additional units will be in front or behind?

Mr. Rhodes stated in front.

Chair Tilghman asked how many units are you adding?

Mr. Rhodes stated in this phase of construction there would be about 100.

Mr. Coyner asked how many buildings?

Mr. Rhodes stated there will be two in the front of lot nine.

Chair Tilghman asked what is the main entrance?

Mr. Rhodes stated Whistle Lane.

Mr. Thacker asked if the two (2) additional buildings will be completely fenced?

Mr. Rhodes stated yes.

Mr. Bailey stated you did not request outside storage. Will everything be contained within the buildings on site? He asked if there are vehicles being stored inside?

Mr. Rhodes stated all storage will always be inside.

Mr. Coyner stated the site is gated. He asked if there is a combination so that the tenants can get in?

Mr. Rhodes stated yes, when they move in they can choose a five to ten digit code which is active from 6:00 a.m. to 10:00 p.m.

Mr. Coyner said this site is not 24 hours a day.

Mr. Rhodes stated that is correct.

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

There being none, Chair Tilghman declared the public hearing closed.

Mr. Thacker stated this is a good use and the owners keep the property very nice. I have not heard one complaint since they have been there. He moved to approve the request 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 including Erosion and Sediment Control and Stormwater Management Plan.
- 2. Applicant obtain building permit and provide a copy to Community Development.

**Operating Conditions:**

- 1. All buildings and structures must be setback two hundred (200') feet from the right-of-way of Route 256 (Weyers Cave Road) and one hundred (100') feet from all residential zoned property.
- 2. No activities such as sales, repairs, painting, or servicing goods or equipment be kept outside.
- 3. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
- 4. Site be kept neat and orderly.
- 5. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.

Mr. Coyner seconded the motion, which carried unanimously.

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**WINSTON RHODES, AGENT FOR VALLEY SELF STORAGE, LLC - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Winston Rhodes, agent for Valley Self Storage, LLC, for a Special Use Permit to construct mini-warehouse units on property owned by HRE Associates, LLC, located at the west side of Whistle Lane, approximately .073 of a mile north of the intersection of Weyers Cave Road and Whistle Lane, Weyers Cave in the Middle River District.

Mr. Winston Rhodes stated there may be some of the buildings that go over on to this lot.

Chair Tilghman asked what is the long term plan?

Mr. Rhodes stated the long term plan would be to continue to build self-storage units there. There is only so much we can build back to the north and then potentially down toward the railroad tracks.

Mr. Coyner asked if these buildings will fit in with what is already there?

Mr. Rhodes stated they plan to use the same manufacturer or the same color scheme in order to be similar to what is already there.

Mr. Coyner stated the Board noticed this morning that you are starting to accumulate grass clippings and all sorts of things at the site.

Mr. Rhodes stated the property is currently owned by HRE Associates. We had an agreement that we would take care of the property and our intent is to comply with the ordinance as far as landscaping. Our intent is to mow around the external property.

Ms. Bunch stated the lot lines will need to be vacated before the mini-warehouses are built.

Chair Tilghman asked if the applicant plans on building onto the current property first?

Mr. Rhodes stated yes. The first phase will actually push back into the HRE Associates lot.

Mr. Thacker asked what is the plan to address the limestone on the property?

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Mr. Rhodes stated the hard limestone is actually toward the railroad. In the first phase in 2005, we did a little bit of blasting.

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

There being none, Chair Tilghman declared the public hearing closed.

Mr. Thacker stated this is in his area. This is an ideal purpose for this property and the applicant is keeping with the same scheme as what is there already, which is very attractive. He moved to approve the request 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 including Erosion and Sediment Control and Stormwater Management Plan.
2. Applicant obtain building permit and provide a copy to Community Development.

**Operating Conditions:**

1. All buildings and structures must be setback two hundred (200') feet from the right-of-way of Route 256 (Weyers Cave Road) and one hundred (100') feet from all residential zoned property.
2. No activities such as sales, repairs, painting, or servicing goods or equipment be kept outside.
3. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
4. Site be kept neat and orderly.
5. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.

Mr. Bailey seconded the motion, which carried unanimously.

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**WAYNE R. MASSIE, AGENT FOR CITY OF STAUNTON PUBLIC WORKS - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Wayne R. Massie, agent for City of Staunton Public Works, for a Special Use Permit to reconstruct and enlarge a non-conforming pump station on property they own, located at 230 Hundley Distillery Road, Churchville in the North River District.

Chair Tilghman asked if this site will be shut down and demolished?

Mr. Wayne Massie stated yes. The pump station was originally built in 1949 and has had several upgrades throughout the years. A water study was done some years ago and then a subsequent study done in 2016 that looked at water demand for the City of Staunton and also the ability of the city to get water to a treatment plant. Starting about as early as 2035 there will be a shortage. This project is needed to ensure continued adequate water supply to the citizens and industries. The existing pump station went underwater in 1985 and 1996 due to the flooding.

Chair Tilghman asked how much higher will the building be?

Mr. Massie stated six (6') to eight (8') feet.

Chair Tilghman asked how far are you going to be back from the right-of-way on Hundley Distillery Road?

Mr. Massie stated we cannot move it because we have to build a new one there. The existing systems must stay online all while the new pump station is being built or the City of Staunton could only sustain about a six (6) hour downtime. We will have the ability to build a new pump station and then transfer over once we get everything completed. As designed, we are actually shifting the new pump station a little further into the floodplain to get away from the road. It is about 15 feet from the top of the bank. We needed at least that much space in order for maintenance access. Their current facility houses several buildings and the closest one now is 11.2 feet from the edge of the prescriptive right-of-way to the corner of that building. The new pump station building will be 31.5 feet from the edge of the prescriptive roadway with the

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raised deck which will house the transformer and that will be 17 feet from the edge of the prescriptive right-of-way. We are improving the site condition while building a new pump station. The new station will be directly adjacent.

Mr. Bailey asked if the building that exists there now will stay while you are building the other one?

Mr. Massie stated yes. It will stay online so that construction pumps can be switched over to the new electrical equipment. The building will be taken out and a backup generator will be placed in that location should the power plants fail.

Mr. Coyner asked when would you like to do this project?

Mr. Massie stated early spring next year.

Chair Tilghman asked what is the projected construction timeframe?

Mr. Massie stated a two (2) year construction timeframe.

Mr. Bailey asked once the construction is completed, will the area be fenced?

Mr. Massie stated yes, the plan actually includes an extension of the existing fence which will actually get further from the road as it progresses upstream.

Chair Tilghman asked the applicant if they plan on being as close to the right-of-way as they are now?

Mr. Massie stated the new structures will be further away.

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

Mr. Jeff Johnston stated he is the Director of Public Works for the City of Staunton. The improvements will not only make this better in and of itself but it will allow us a little headspace to start doing some additional maintenance on the pipeline that runs from the reservoir. We need to tread very carefully on that 100 year old cast iron pipe that runs from the reservoir. This is sort of the first project that allows us to improve our water infrastructure. This water infrastructure includes a million gallons a day that goes to the County from our treatment plant as well. We are all in this together.



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Chair Tilghman said she just wants to make sure that this operation will stay online until the new structure is built?

Mr. Johnston stated yes.

Chair Tilghman asked after this is built, will it not be as liable to flood?

Mr. Johnston said that is correct. There will be more resiliency from flooding and it will provide some additional capacity.

Chair Tilghman asked how long can you use the reservoir?

Mr. Johnston stated we can live off the reservoir a fair amount of time but if the 100 year old pipe goes out we are in trouble. We always want to have two (2) viable sources of water.

Mr. Thacker asked is there a plan on meeting all landscaping requirements with this new project?

Mr. Massie said they intend to meet all of the County code requirements.

Ms. Bunch stated there are no landscaping requirements for this use.

Chair Tilghman stated there needs to be a fence around the main property for your security. She asked if there was anyone else wishing to speak regarding the request?

There being none, Chair Tilghman declared the public hearing closed.

Mr. Coyner stated two (2) water sources are good to have. This upgrade is needed. He moved to approve the request 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 including a complete Erosion and Sediment Control Plan.
2. Applicant submit a Floodplain Development Plan and Floodplain Development Permit.

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**Operating Conditions:**

1. Be permitted to reconstruct the existing pump station 31.5 feet from the right-of-way line of Hundley Distillery Road.
2. Be permitted to pour a concrete deck for the transformer no closer than seventeen (17') feet from the right-of-way line of Hundley Distillery Road.
3. Applicant obtain a building permit and provide a copy to Community Development.

Mr. Glover seconded the motion, which carried unanimously.

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**WAYNE R. MASSIE, AGENT FOR CITY OF STAUNTON PUBLIC WORKS - VARIANCE**

This being the date and time advertised to consider a request by Wayne R. Massie, agent for City of Staunton Public Works, for a Variance of the front yard setback requirements on property they own, located at 230 Hundley Distillery Road, Churchville in the North River District.

Ms. Bunch stated the front setback is currently 35 feet from the right-of-way. They only have 31.5 feet so that is the reason for the Variance request.

Mr. Wayne Massie stated the new building will be 31.5 feet from the prescriptive right-of-way with the raised deck at 17 feet. The river during a flood stage also inhibits us from accessing the upstream side of the building for maintenance and for access to the pipeline. Therefore, we are requesting that setback be allowed so that the pump station building can be built as close to the river as possible and still allow that 15 foot corridor where we can access the opposite side of the building.

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

There being none, Chair Tilghman declared the public hearing closed.

Mr. Coyner stated the applicant does have a hardship because the building is between the road and the floodplain.

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Mr. Thacker stated this improvement is for safety. He moved to approve the request with the following conditions:

**Pre-Condition:**

None

**Operating Conditions:**

1. Be allowed to reconstruct the non-conforming pump station 31.5 feet from the right-of-way line of Hundley Distillery Road.
2. Be permitted to pour a concrete deck for the transformer no closer than seventeen (17') feet from the right-of-way line of Hundley Distillery Road.

Mr. Coyner seconded the motion, which carried unanimously.

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**STAFF REPORTS**

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|------|-------------------------------|
| 21-3 | Doris S. Wright               |
| 21-4 | J.R. Ridenour                 |
| 21-5 | James B., Jr. or Mary B. Cash |
| 21-6 | Kimball E. Stowers            |

Ms. Bunch stated SUP#21-3 and SUP#21-5 were withdrawn. She said SUP#21-4 is in compliance. She stated staff sent the applicant a letter for SUP#21-6 regarding the pre-conditions not being completed. The applicant has hired a contractor and engineer and they are working to bring the property into compliance.

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Mr. Benkahla discussed the court cases with the Board.

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

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 Chair

  
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 Secretary

