

May 5, 2022

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

**VIRGINIA:** At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, May 5, 2022 at 9:00 A.M., in the County Government Center, Verona, Virginia.

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The staff briefing was held at 9:00 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:

- **EMILY STEVENS AND CHRISTOPHER WOOD - SPECIAL USE PERMIT**
- **DALE DUECK, AGENT FOR STEPHEN JEFFREY CAMPBELL - SPECIAL USE PERMIT**
- **LARRY W. HOSTETTER - SPECIAL USE PERMIT**
- **RICHARD SKELTON TURK - SPECIAL USE PERMIT**
- **JESSE A. COFFMAN - SPECIAL USE PERMIT & VARIANCE**
- **PAUL SWAREY - SPECIAL USE PERMIT**
- **LAUREN ARMENTROUT - SPECIAL USE PERMIT**
- **KARL STOLTZFUS, AGENT FOR DAVID ALAN INDUSTRIES, INC. - 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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 Chair

  
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 Secretary

May 5, 2022

PRESENT: George A. Coyner, II, Chair  
Thomas W. Bailey  
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James R. Benkahla, County Attorney  
Beatrice B. Cardellicchio-Weber, Executive Secretary

ABSENT: Mark L. Glover, Vice Chair

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VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, May 5, 2022, at 1:30 P.M., in the County Government Center, Verona, Virginia....

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**MINUTES**

Ms. Tilghman moved that the minutes from the April 7, 2022, meeting be approved.

Mr. Thacker seconded the motion, which carried unanimously.

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**EMILY STEVENS AND CHRISTOPHER WOOD - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Emily Stevens and Christopher Wood, for a Special Use Permit to have a contractors office and outdoor storage of business vehicles on property they own, located at 1676 East Side Highway, Waynesboro in the Middle River District.

Mr. Christopher Wood stated we purchased the house back in August. I have a small construction company and I would like to use the building on the very back corner and turn it into my business office.

Chair Coyner asked if workers will come to the site?

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Mr. Wood stated I have part-time employees and they come by and get the van. All of the work is in the field. This is mainly just a place for me to do my business paperwork and store the vehicles. I only have two (2) vehicles. I did have an office in Ladd but I closed that down to get rid of the rent.

Mr. Bailey asked if customers will come to the site?

Mr. Wood stated no. I do not have any showrooms or anything like that. I just do residential construction. I meet the customers either at their house or I will meet them at Lowe's or different stores that they may be shopping at.

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

There being none, Chair Coyner declared the public hearing closed. We visited the site this morning. It is a very attractive place.

Ms. Tilghman stated the staff report shows a limit for three (3) company vehicles.

Chair Coyner stated if the applicant anticipates needing another vehicle in the future, now is the time to say it.

Mr. Wood stated in the future, I intend on trying to purchase a newer van that would probably be my van and the other one might be passed down. I do not want to get bigger than what I am now. I may get one more van in the future.

Ms. Tilghman stated if the applicant bought another van and kept the older one, then you would be out of compliance.

Mr. Wood stated four (4) vehicles would be great so I do not have to come back again.

Ms. Tilghman moved to approve the request with the following conditions:

**Pre-Conditions:**

None

**Operating Conditions:**

1. Be permitted to use the existing 24' x 36' building for a contractor office and workshop.
2. No employees to come to the site.
3. All equipment, machinery, and materials for the business be kept inside the 24' x 36' building.
4. Be limited to four (4) company vehicles at the site consisting of one (1) pickup truck, two (2) vans, and one (1) twelve (12') foot trailer.
5. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
6. Site be kept neat and orderly.

Mr. Thacker seconded the motion, which carried unanimously.

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**LAUREN ARMENTROUT - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Lauren Armentrout, for a Special Use Permit to have a dog grooming business on property owned by Danielle M. Hite, located at 71 Hermitage Road, Staunton in the Beverley Manor District.

Ms. Lauren Armentrout stated I would like to groom the dogs from this location.

Chair Coyner asked if she planned on boarding the dogs?

Ms. Armentrout stated no.

Chair Coyner asked if this will be done part-time?

Ms. Armentrout stated yes. I work full-time at the hospital.

Chair Coyner asked if she will have any employees?

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Ms. Armentrout stated it will be just my husband helping me with the business.

Chair Coyner asked if the Health Department comments have been addressed?

Mr. Michael Armentrout stated they plan on draining the soapy water into a holding tank and pumping the waste out.

Ms. Bunch stated the Health Department will need to provide us something in writing stating that they are ok with whatever you are doing.

Chair Coyner asked if the applicant has done this before?

Ms. Armentrout stated yes at another location for about ten (10) years. I decided to move this to the home with the kids in order to save on expenses.

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

There being none, Chair Coyner declared the public hearing closed. This is a very well cared for property.

Mr. Bailey stated this is a good location and it will have low impact to the surrounding area. He moved to approve the request with the following conditions:

**Pre-Condition:**

1. Obtain Health Department approval and provide a copy to Community Development.

**Operating Conditions:**

1. Applicant be permitted to use the 12' x 20' building for a dog grooming business.
2. No employees other than family members.
3. Hours of operation be Monday – Thursday 4:00 p.m. to 8:00 p.m.; Friday 1:00 p.m. to 8:00 p.m.; Saturday 8:00 a.m. to 8:00 p.m. and Sunday 8:00 a.m. to 1:00 p.m.
4. Site be kept neat and orderly.

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5. The only sign to be permitted for this business is one (1) on premise business sign not to exceed twelve (12) square feet.
6. Applicant must reside on premises.

Mr. Thacker seconded the motion, which carried unanimously.

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**DALE DUECK, AGENT FOR STEPHEN JEFFREY CAMPBELL - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Dale Dueck, agent for Stephen Jeffrey Campbell, for a Special Use Permit to structurally alter a non-conforming dwelling not meeting the current side yard setback on property owned by Stephen Jeffrey Campbell, Trustee of, located at 1904 Jefferson Highway, Fishersville in the Wayne District.

Mr. Thacker stated I would like to abstain from the discussion and vote from this request since I have a business relationship with Mr. Campbell.

Mr. Dale Dueck stated I am here representing Mr. Campbell. The property has a flat rubber roof on it now and we will put a pitch on it and put a metal roof on. We will put rafters on it and elevate it. This will not increase any footage and the footprint will stay the same.

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

There being none, Chair Coyner declared the public hearing closed. The Board visited the site this morning.

Ms. Tilghman stated this is necessary in order for the applicant to put a new roof on. She moved to approve the request with the following conditions:

**Pre-Condition:**

None

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**Operating Condition:**

- 1. Be permitted to structurally alter the existing non-conforming dwelling replacing a flat roof with a pitched roof no closer to the property line.

Mr. Bailey seconded the motion, which carried with a 3-0 vote with Mr. Thacker abstaining from the vote.

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**LARRY W. HOSTETTER - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Larry W. Hostetter, for a Special Use Permit to have a motor vehicle repair operation on property he owns, located on the south side of Parkersburg Turnpike (Route 254) approximately .3 of a mile east of the intersection of Parkersburg Turnpike and Buffalo Gap Highway (Route 42) in the Pastures District.

Mr. Larry Hostetter stated I would like to build a garage just for simple repairs. I have a shop in Churchville that I plan on selling.

Chair Coyner asked if there will be a lot of vehicles coming and going?

Mr. Hostetter stated I will operate by appointment and I will not have a lot of vehicles sitting there.

Chair Coyner asked if he will have employees?

Mr. Hostetter stated no employees.

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

There being none, Chair Coyner declared the public hearing closed. The Board visited the site this morning.

Mr. Thacker stated staff will visit the site during the first year for an inspection. This is a good business operation. The applicant keeps the property neat. He moved to approve the request with the following conditions:

**Pre-Conditions:**

- 1. Obtain VDOT entrance permit and provide a copy to Community Development.
- 2. Applicant obtain building permit and provide a copy to Community Development.

**Operating Conditions:**

- 1. Be permitted to construct a 40' x 40' garage for automotive repair.
- 2. Hours of operation be 9:00 a.m. to 4:00 p.m. Monday – Friday.
- 3. No Sunday work.
- 4. No employees.
- 5. The only sign to be permitted for this business is one (1) on premise business sign not to exceed twelve (12) square feet.
- 6. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
- 7. Site be kept neat and orderly.

Mr. Bailey seconded the motion, which carried unanimously.

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**CHRISTIAN F. AND JULIE M. FOX - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Christian F. and Julie M. Fox, for a Special Use Permit to have a short term vacation rental on property they own, located at 607 Gibbs Road, Steeles Tavern in the Riverheads District.

Mr. Christian Fox stated I am applying for a Special Use Permit for short term rental on the property.

Chair Coyner asked will you do this through an organization or are you going to do it yourself?



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Mr. Fox stated we have not decided but probably VRBO or Airbnb.

Chair Coyner stated this is a nice rural area. When will construction be completed?

Mr. Fox stated by the end of the first week in June.

Chair Coyner asked have you ever done this type of thing before?

Mr. Fox stated no.

Mr. Thacker asked do you live on the adjacent property?

Mr. Fox stated yes but it is all part of the same farm.

Ms. Bunch stated it is a separate piece of property adjacent to this site.

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

There being none, Chair Coyner declared the public hearing closed. This is a nice piece of property.

Ms. Tilghman moved to approve the request with the following conditions:

**Pre-Condition:**

1. Applicant obtain all final inspections and provide a copy of the Certificate of Occupancy to the Community Development Department.

**Operating Conditions:**

1. Applicant be allowed to rent the entire three (3) bedroom dwelling for short term vacations.
2. Be limited to a maximum of six (6) persons occupying the dwelling.
3. Applicants be available during rental.
4. Site be kept neat and orderly.

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Mr. Thacker seconded the motion, which carried unanimously.

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**KARL STOLTZFUS, AGENT FOR DAVID ALAN INDUSTRIES, INC. - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Karl Stoltzfus, agent for David Alan Industries, Inc., for a Special Use Permit to construct a building for business storage on property they own, located at the north side of Keezletown Road (Route 750) just east of the intersection of Keezletown Road and Brendan Lane in the Middle River District.

Mr. Karl Stoltzfus stated I would like to construct a 4,000 square feet building in the back corner. The property to the west is industrial property and to the north and east, while those are zoned agriculture, they are used for business. This will be consistent with other uses in the immediate area. I have a collection of antique and vintage aircraft engines, some are 100 years old in my warehouse right now. I would like to put them all in one place where they are by themselves and well protected. There will not be anybody working in this building other than once every couple of weeks. There will be no employees in the building on a daily basis. This will have minimal and almost no impact.

Chair Coyner asked if the building will be exactly like the one you have there?

Mr. Stoltzfus stated it will be slightly deeper. I want it to look like it was built at the same time.

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

There being none, Chair Coyner declared the public hearing closed. The Board is very familiar with this piece of property.

Mr. Thacker stated the property is kept up really nice. I do not think anybody would really notice another building there. He moved to approve the request with the following conditions:

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**Pre-Conditions:**

- 1. Applicant submit a complete Erosion and Sediment Control Plan.
- 2. Applicant obtain building permit and provide a copy to Community Development.
- 3. Obtain approval from the Service Authority and provide a copy to Community Development.

**Operating Conditions:**

- 1. Be permitted to construct a 60' x 70' building used for business storage.
- 2. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
- 3. Site be kept neat and orderly.
- 4. No further expansion.
- 5. All Operating Conditions of Special Use Permit #10-46 remain in effect.

Ms. Tilghman seconded the motion, which carried unanimously.

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**PAUL SWAREY - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Paul Swarey, for a Special Use Permit to continue the existing excavating business with outdoor storage of equipment on property owned by Robert M. or Patricia F. Eavers, located at 17 Romaine Lane, Stuarts Draft in the Riverheads District.

Mr. Paul Swarey stated Mr. Eavers ran the business for years and I would like you to consider continuing the same Special Use Permit that he had but in the Five Star Excavating name.

Chair Coyner asked is the equipment we saw today yours?

Mr. Swarey stated yes.

Chair Coyner asked do you plan on doing the same type of work?

Mr. Swarey stated yes but on a smaller scale.

Chair Coyner asked have you done this type of work before?

Mr. Swarey stated yes in South Carolina.

Chair Coyner stated it appears that you had accumulations of some gravel, a dirt pile of topsoil at the site, and some kind of an apparatus possibly a sifter.

Mr. Swarey stated at this point that is still Mr. Eavers sifter and topsoil. I am not sure if I will ever have the opportunity to buy that part of it or not.

Chair Coyner stated that is not part of what we are discussing today. He asked if there will be employees?

Mr. Swarey stated there will be two (2) employees and my wife who will be in the office.

Chair Coyner asked if there will be a limitation on the number of vehicles?

Ms. Bunch stated no.

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

Mr. Ricky Campbell stated I am the owner of the adjacent property behind the Eavers property. I would like some conditions attached to the Special Use Permit. The Eavers operated this for probably about 50 years. Mr. Eavers has been a good neighbor. I have no opposition with Mr. Swarey continuing this operation but topsoil sifting causes me a little heartburn. I would like to have some time constraints to that. Right now Mr. Eavers operates without any hours of operation. I think Mr. Swarey is asking for 7:00 a.m. to 5:00 p.m. Monday – Friday and I am fine with that. That is my only heartburn that I have with this request is the sifting of topsoil. Sifting kind of replicates mining.

Chair Coyner asked if there was anyone else wishing to speak regarding the request?

There being none, Chair Coyner declared the public hearing closed. This business has operated at this site for a long time.

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Ms. Tilghman stated the sifter is not part of this application.

Mr. Benkahla stated this permit just covered the storage at the site. Mr. Eavers can continue his portion.

Ms. Bunch stated Mr. Eavers can operate under his own permit that he still has in place. Mr. Swarey is leasing the property and will have his own permit.

Chair Coyner stated if Mr. Swarey would like to operate the sifting portion, he will need to come back before the Board of Zoning Appeals to make application.

Ms. Tilghman moved to approve the request with the following conditions:

**Pre-Conditions:**

None

**Operating Conditions:**

- 1. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
- 2. Site be kept neat and orderly.

Mr. Bailey seconded the motion, which carried unanimously.

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**RICHARD SKELTON TURK - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Richard Skelton Turk, for a Special Use Permit to construct an accessory building exceeding the 900 square foot total aggregate allowed on property he owns, located at 229 Old Laurel Hill Road, Verona in the Beverley Manor District.

Mr. Richard Turk stated we are trying to build a garage that exceeds the 900 square foot aggregate. The colors will match the house.

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Chair Coyner stated the Board visited the site and it is a nice place. He asked if the applicant plans on constructing the building this year?

Mr. Turk stated yes.

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

There being none, Chair Coyner declared the public hearing closed. This is a really well kept piece of property and the building will not be out of character.

Mr. Thacker moved to approve the request with the following conditions:

**Pre-Condition:**

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

**Operating Conditions:**

1. Applicant be permitted to construct a 26' x 44' (1,144 sf) garage for personal storage.
2. No further expansions.
3. Site be kept neat and orderly.
4. No junk or inoperable vehicles to be kept outside.

Mr. Bailey seconded the motion, which carried unanimously.

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**JESSE A. COFFMAN - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Jesse A. Coffman, for a Special Use Permit to expand a non-conforming structure on property he owns, located at 1105 Laurel Hill Road, Verona in the Beverley Manor District.

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Mr. Jesse Coffman stated I would like to build a garage. I have a bunch of street rods stored at my son's house in Charlottesville that I would like to move to this site. There is an existing pad that I plan to build over.

Chair Coyner stated the Board visited the site this morning.

Ms. Bunch stated the reason he needs the Special Use Permit is because he does not meet today's setbacks. He does want to build in line.

Chair Coyner stated it makes sense to do that. He asked if there was anyone wishing to speak in favor, or in opposition to the request?

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

Mr. Bailey stated this will not have a negative impact on any of the neighbors. He moved to approve the request with the following conditions:

**Pre-Condition:**

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

**Operating Conditions:**

- 1. Be permitted to enclose a 42.6' x 24' area for an attached garage for personal storage of motor vehicles no closer to the property line than the existing foundation wall as shown on the survey, dated April 1, 2022.
- 2. No junk or inoperable vehicles to be kept outside.
- 3. Site be kept neat and orderly.

Mr. Thacker seconded the motion, which carried unanimously.

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**JESSE A. COFFMAN - VARIANCE**

This being the date and time advertised to consider a request by Jesse A. Coffman, for a Variance to extend a non-conforming structure closer to the side yard setback on property he owns, located at 1105 Laurel Hill Road, Verona in the Beverley Manor District.

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Ms. Bunch stated the applicant would like to extend the front of the addition out 8' over an existing slab. This will be pushing it about 2' closer and that is the reason for the Variance.

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

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

Mr. Bailey stated this is consistent with the existing structures in the rural area. He moved to approve the request with the following conditions:

**Pre-Condition:**

1. Applicant obtain a Building Permit and provide a copy to Community Development.

**Operating Condition:**

1. Applicant be permitted to extend the existing non-conforming structure 4.30' feet from the side property line as shown on the survey dated April 1, 2022.

Ms. Tilghman seconded the motion, which carried unanimously.

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**MATTERS TO BE PRESENTED BY THE ZONING ADMINISTRATOR**

**BENJAMIN R. GEE – EXTENSION OF TIME REQUEST**

A request by Benjamin R. Gee, for a Special Use Permit to have a firewood processing business and outdoor storage of firewood and logs on property he owns located at 2986 Churchville Avenue, Churchville in the Pastures District.

Ms. Bunch stated that Mr. Gee is asking for thirty (30) additional days to be able to complete the pre-conditions. He had some trees that he planted die so he is replacing them. He has to move some stuff out of the floodplain and his surveyor is supposed to submit his updated site sketch to our office.

Mr. Thacker moved to approve the thirty (30) day Extension of Time.



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Ms. Tilghman seconded the motion, which carried unanimously.

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**STAFF REPORTS**

- 21-36            The Stuart Hall School and Foundation
- 21-37            Teron W. Dewert
- 21-38            HW Farms, LLC
- 21-39            Augusta Agricultural and Industrial Exposition, Inc.

Ms. Bunch stated SUP#21-36 is in compliance. SUP#21-37 was denied. SUP#21-38 received a 12 month Extension of Time at the last meeting. SUP#21-39 is in compliance.

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Ms. Keffer 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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