

November 3, 2022

PRESENT: George A. Coyner, II, Chair
 Mark L. Glover, Vice Chair
 Thomas W. Bailey
 Thomas V. Thacker
 Justine D. Tilghman
 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, November 3, 2022 at 8:30 A.M., in the County Government Center, Verona, Virginia.

The staff briefing was held at 8:30 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.

VIEWINGS

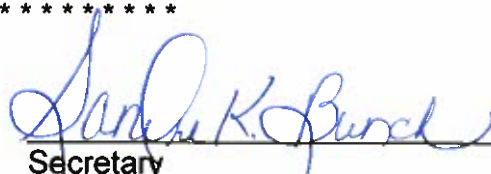
The members of the Board of Zoning Appeals assembled at the Government Center and went as a group to view the following:

- DARLENE DELORES BROWN OR SHERI L. SHEETZ - SPECIAL USE PERMIT
- MARK BARTON AND VERONICA ZOLOTOOCHIN - SPECIAL USE PERMIT
- STEPHEN A. AND WANDA F. ROBERTSON - SPECIAL USE PERMIT
- RONALD A. BOEHME - SPECIAL USE PERMIT
- STEPHEN A. AND MARGARET O. RILEY, LIFE - SPECIAL USE PERMIT
- BILL MOORE, AGENT FOR HOPE DRIVE PARK, 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.



 Chair



 Secretary

November 3, 2022

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

ABSENT: None

VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, November 3, 2022, at 1:30 P.M., in the County Government Center, Verona, Virginia....

MINUTES

Mr. Glover moved that the minutes from the October 6, 2022, meeting be approved.

Ms. Tilghman seconded the motion, which carried unanimously.

LISA JO ROBERTS - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Lisa Jo Roberts, for a Special Use Permit to amend Operating Condition #2 of SUP#22-30 to allow year round weddings or special events on property she owns, located at 3912 Stuarts Draft Highway, Waynesboro in the Wayne District.

Ms. Lisa Jo Roberts stated my intent was for this to be year round originally. The events only last two (2) hours.

Chair Coyner said you have done a nice job on the barn and the pavilion.

Ms. Roberts stated I would like this to remain small with twelve (12) guests.

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.

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

Pre-Conditions:

None

Operating Conditions:

1. Be limited to two (2) events between 10:00 a.m. and 6:00 p.m. on Saturdays, and one (1) event between 1:00 p.m. and 6:00 p.m. on Sundays, November through March.
2. All other operating conditions of SUP #22-30 remain in effect.

Mr. Thacker seconded the motion, which carried unanimously.

DARLENE DELORES BROWN OR SHERI L. SHEETZ - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Darlene Delores Brown or Sheri L. Sheetz, for a Special Use Permit to have a kennel on property they own, located at 544 Stribling Springs Road, Mount Solon in the North River District.

Ms. Darlene Brown stated I would like to maintain a breeding kennel at the site. I have two breeding females from each of my breeds. I would like to have one (1) litter per breed per year and have three (3) litters a year. I would like to have a maximum of eighteen (18) dogs just in case it takes longer to find homes for the puppies. It could be sixteen (16) weeks before they get placed. Once they get their rabies shot they are not considered puppies at four (4) months.

Ms. Tilghman asked how many dogs are in a litter?

Ms. Brown stated six (6) puppies is the average per litter.

November 3, 2022

Chair Coyner asked if the dogs will be marketed over the internet?

Ms. Brown stated yes. We try to meet people offsite.

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

Ms. Sheri Sheetz stated I reside there. I purchased the property in May of 1989. We have had dogs there and kennel tags over the years. I have always had about 19-20 dogs at the site. The last five (5) years the breeding stock dwindled and the number was reduced. There were 1-2 years that we did not have a kennel tag for the property. We have always had more than four (4) dogs at the site except for the last couple of years.

Ms. Charlotte Combs, 244 Jocelyn Lane, Waynesboro, stated I own the property adjacent to the site. I am not completely against this. I have 64 acres and I hear dogs barking. They are inside dogs but for two (2) hours at a time the dogs will be outside. What time will they be outside? If the dogs are inside do they have individual runs for them to go in and out? How is the waste managed on the property? How many adult dogs vs. puppies? What is our recourse if they do not abide by the regulations?

Ms. Rebecca Harmon, 3892 Morris Mill Road, Swoope, stated going by the agenda they are asking for a kennel and not a breeding facility. This is a breeding operation.

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

There being none, Chair Coyner asked the applicant to speak in rebuttal.

Ms. Brown stated I will rotate the dogs outside 2-3 times a day. I am retired and they will spend time with me outside. The dogs have good size runs. They will be inside from 10:00 p.m. until 6:00 a.m. We have never had anyone realize the dogs were there. I would like to have one (1) litter a year for each breed. We will have about 18 puppies a year. I will not let them wander around. I purchased five (5) acres as a buffer area from the neighbors. In the woods, I hear hunting dogs. If there is an issue, the neighbors can say something to me.

Chair Coyner asked if the breeding will be spread out or done all at the same time?

November 3, 2022

Ms. Brown stated I hope to spread out the breeding throughout the year.

Ms. Tilghman asked how many dogs do you have now?

Ms. Brown stated twelve (12) total dogs. One of the dogs we plan on rehoming and one is almost ten (10) years old and is a family pet.

Ms. Tilghman stated I did not hear any dogs barking this morning when we visited the site.

Chair Coyner declared the public hearing closed.

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

Pre-Conditions:

None

Operating Conditions:

1. Maximum of eighteen (18) adult dogs kept at this site at any time.
2. Be permitted to breed no more than two (2) litters per year.
3. Dogs be kept inside from 10:00 p.m. until 6:00 a.m.
4. Site be kept clean, neat, and orderly.
5. Animal Control to inspect the site yearly.

Mr. Glover seconded the motion, which carried unanimously.

MARK BARTON AND VERONICA ZOLOTOOCHIN - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Mark Barton and Veronica Zolotoochin, for a Special Use Permit to have a doggie daycare and boarding facility for up to six (6) dogs on property owned by Cynthia A. Holland, located at 766 Frog Pond Road, Staunton in the Pastures District.

November 3, 2022

Ms. Veronica Zolotoochin stated they would like to have a small doggie day care from 9:00 a.m. to 4:00 p.m. with no more than six (6) dogs. We will provide a shuttle for pickup and drop off to minimize traffic. We are able to board dogs on a limited basis. We have done this in Utah for seven (7) years. We want to have a good relationship with our neighbors. We plan to have dogs out for bathroom breaks at least two (2) to three (3) times a day. Animal Control comments have been completed.

Chair Coyner asked if the dogs will be co-mingled together?

Ms. Zolotoochin stated we will decide who is day care material. We plan to do a meet and greet with the owner and dog in order for the dogs to be co-mingled. We also do a character and temperament assessment. We will be sure that the dogs that we put together are comfortable with each other.

Chair Coyner asked if there will be employees?

Ms. Zolotoochin stated we are not requesting employees right now. If they are needed, we will reapply.

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

Mr. Robert Chandler, 81 Hite Lane, Staunton, stated I live adjacent to the property. I have lived at this site since 1968. Will the dogs be of every kind of breed because I am reluctant to pit-bull and Dobermans? A kennel takes in any kind of dog. Having six (6) dogs can make a lot of noise. My property is 250 yards away.

Ms. Susan Shover, 112 Guernsey Lane, Staunton, stated I have worked hard to keep this area nice which is why we put a restriction for only one (1) dog allowed on the deed. We have bears and coyotes in the area. There was a dog who was killed in the front area due to an animal.

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

There being none, Chair Coyner asked the applicant to speak in rebuttal.

Ms. Zolotoochin stated we do not restrict the breed. We do offer a meet and greet and assess the dogs. I never had to take care of a Doberman. We are not just open to the public. We take on a customer after doing an assessment. We will pick and choose who comes to the site. If the dogs are outside, then we are outside. If they are inside,

November 3, 2022

then we are inside. We have fixed the fence so that the dogs would not escape. We are aware of the bear sightings. The dogs are not allowed to be outside by themselves.

Chair Coyner asked about the restrictions on the deed?

Ms. Zolotoochin stated that I have not seen anything listed on the deed.

Chair Coyner declared the public hearing closed. The Board visited the site today.

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

Pre-Condition:

- 1. Upgrade fence in the front field per Animal Controls comments.

Operating Conditions:

- 1. Be permitted a maximum of six (6) dogs onsite.
- 2. Be permitted to operate the doggie daycare Monday – Friday, 9:00am – 4:00pm.
- 3. Be permitted to operate a boarding facility for overnight stays.
- 4. Dogs be kept inside from 10:00 p.m. until 6:00 a.m.
- 5. No Breeding.
- 6. Site be kept neat and orderly.
- 7. Animal Control to inspect the site yearly.

Mr. Bailey seconded the motion, which carried unanimously.

November 3, 2022

STEPHEN A. AND WANDA F. ROBERTSON - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Stephen A. and Wanda F. Robertson, for a Special Use Permit to have a dog kennel for personal dogs on property they own, located at 49 Adams Lane, Verona in the Beverley Manor District.

Mr. Stephen Robertson stated I purchased the property in December and I have hunting dogs. I have never had a complaint at my other property. I would like to construct a 30' x 56' building to house the hunting dogs and be allowed to keep four (4) dogs inside the house.

Mr. Bailey asked if you plan on doing any breeding?

Mr. Robertson stated no.

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

Mr. Brad Ingram, 1217 Montgomery Avenue, Staunton, stated I have known Mr. Robertson for seventeen (17) years and we hunt together. The property is well taken care of and he takes good care of the dogs.

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

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

Chair Coyner stated this is an ideal place. The Board visited the site this morning.

Mr. Thacker stated this is an ideal piece of property for this use. He moved to approve the request with the following conditions:

Pre-Condition:

1. Applicant obtain building permit for the 36' X 56' kennel and provide a copy to Community Development.

Operating Conditions:

1. Maximum of sixteen (16) adult dogs kept at this site at any time.

November 3, 2022

2. Be permitted to construct a 36'X56' kennel and a 100' X 100' fenced area around the kennel for exercise.
3. Dogs be kept inside the kennel or the dwelling from 10:00 p.m. until 6:00 a.m.
4. No Breeding.
5. Site be kept clean, neat and orderly.
6. Animal Control to inspect the site yearly.

Mr. Glover seconded the motion, which carried unanimously.

RONALD A. BOEHME - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Ronald A. Boehme, for a Special Use Permit to have a short term vacation rental on property he owns, located at 325 Coffman Road, Weyers Cave in the North River District.

Ms. Angela Cline, 335 Coffman Road, Weyers Cave, stated I will take care of the home while Mr. Boehme lives in Michigan. I do not schedule the rental but I take care of the home and do the housekeeping. I live next door.

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

Ms. Sally Farabaugh, 278 Seawright Springs Road, Mount Sidney, stated I am not for or against this. Will the short term rental be used on a weekly basis? Who will be renting the site and for how long? The work crew that lived there some would take care of the site and some would not.

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

There being none, Chair Coyner asked the applicant to speak in rebuttal.

Ms. Cline stated the renters would be using the facility anywhere from two (2) days to a month at a time. Mr. Boehme purchased the property for his work crew to live there. I am not aware of any problems with them.

November 3, 2022

Chair Coyner stated Ms. Cline will oversee the property.

Ms. Cline stated I will be the first one to call the police if there is a problem.

Ms. Bunch stated the definition of short term is anything less than thirty (30) days.

Chair Coyner stated the Board visited the site this morning. The location of the site is very remote.

Mr. Bailey stated this is compatible with the surrounding property. He moved to approve the request with the following conditions:

Pre-Conditions:

None

Operating Conditions:

- 1. Be permitted to lease three (3) bedrooms for short term vacation rental. Maximum total occupancy not to exceed six (6) persons as limited by the Health Department.
- 2. Applicant submit subsequent lease agreements within ten (10) days of signature when lease changes.
- 3. The facility operator provides contact information to adjoining neighbors.
- 4. Site be kept neat and orderly.

Mr. Glover seconded the motion, which carried unanimously.

LINDA R. HERMAN FAMILY TRUST - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Linda R. Herman and Aaron Gardner, agents for the Linda R. Herman Family Trust, for a Special Use Permit to have a short term vacation rental on property she owns, located at 4292 Morris Mill Road, Swoope in the Pastures District.

November 3, 2022

Ms. Linda Herman stated there are two (2) empty bedrooms at the site and it would be a good use of the property for an Airbnb. We tried to speak to the neighbors and we try to be a good neighbor. We want to keep the area quiet and beautiful. We will only rent to people with positive reviews through Airbnb.

Chair Coyner asked if Aaron Gardner will reside there?

Ms. Herman stated yes. He will live there full-time.

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

Ms. Katie Gardner, 1101 Crofton Avenue, Waynesboro, stated I am in support of this. This business is a good asset and is exceptional for tourism. Fifty percent of the clientele will be out of state and younger families. This is a wonderful opportunity for people to enjoy the County.

Ms. Kelly, 885 Shawnee Road, Waynesboro, stated I am a friend of Linda Herman. Several of our friends do rent out short term rentals and they are in and out quickly. This will not impact life in anyway. They have 40 acres, therefore, this would not negatively impact the area.

Mr. Harry John Lee, 4290 Morris Mill Road, Swoope, stated I own TM#44-71 and it borders the property. All of the people that spoke for it are from Waynesboro or not from the area. We have a shared driveway. Their campground permit was denied and now they are asking for a short term rental. I oppose the Special Use Permit and do not want total strangers wandering onto my property. On a few instances, people have missed the turn into the driveway and since then no trespassing signs were put up. I have owned the property since 1972. This is a step for Ms. Herman to getting what she wants and that is camping. There is an easement on the property that it should only be used for residential use. I do not know if they have any knowledge of this agreement. A commercial use of the driveway is a violation of the agreement.

Mr. Gregg Keller, 4290 Morris Mill Road, Swoope, stated I reside in John's residence. They talked about being a good neighbor but they are not. They do not have boundaries. They have not given me my mail packages that they have had on their door for a while. They had a party and the guests kept missing the driveway and coming onto the property where I live. If I wanted noise and neighbors, I would have lived in the city. Mr. Gardner claimed that he did not know that the package was on his

November 3, 2022

porch which is not being a good neighbor. I am really opposed to this. If they wanted something like this, they should have chosen other land.

Ms. Rebecca Harmon, 3892 Morris Mill Road, Swoope, stated sharing a bathroom with a stranger is disgusting. The rental would be two (2) bedroom and one (1) bathroom. Mr. Gardner will be living there and sharing a bathroom. The Health Department has no issues as long as the whole unit is used by a single party. The Board of Supervisors will be considering a public hearing on short term rental regulations and I would ask that this gets tabled until that gets heard.

Mr. Charles Cecil, 4031 Morris Mill Road, Swoope, stated at the get together last month, they wanted to put up yurts. They are trying to get their foot in the door. What comes next, will they come back every year as long as they give you money. It is ridiculous because they do not need another rental unit. There is a bed and breakfast down the lane from where I live. This is not needed.

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

There being none, Chair Coyner asked the applicant to speak in rebuttal.

Ms. Herman stated I bought the property in August 2021. I sent out 16 invitations to the neighbors to discuss my plans. I am not trying to stick my foot in the door. The neighbors chose not to visit with me. Our intention is to start a brand new life here. Aaron will be farming the property and operating the short term rental. I also sent a letter out since the neighbors could not come to the gathering and there has not been any communication from the neighbors. We can have two (2) events per year and not break any rules. We took our property off of the website for rental so rooms could not be booked. We would like to rent this as a short term rental and not as a commercial use. We are good neighbors.

Chair Coyner declared the public hearing closed. The shared driveway is not an issue that this Board handles. The Board is familiar with this property.

Mr. Benkahla stated the shared driveway is an issue between both of the neighbors which has nothing to do with this Board here.

Ms. Tilghman stated there are issues here that cannot be resolved by this Board because it is a civil matter. If the Board grants approval for the short term rental, it does not mean that they will suddenly get approved for the yurts because one does not follow the other. They are two very different requests. There is no legal reason for this Board

November 3, 2022

to not approve the short term rental. If the applicant misuses this, then staff will send them a letter of violation.

Mr. Benkahla stated if there are deed restrictions the applicant would need to abide by them. This Special Use Permit would not have any effect on any right-of-way agreements on the land.

Chair Coyner stated the Board may want to review this request in a year.

Mr. Bailey stated this is a low impact business. The concerns the neighbors had were all civil matters. He moved to approve the request with the following conditions:

Pre-Conditions:

None

Operating Conditions:

- 1. Applicant be permitted to lease two (2) bedrooms within the dwelling for short term rentals.
- 2. The total occupancy shall not exceed six (6) persons maximum.
- 3. The applicant or a facility operator must reside on premise.
- 4. Site be kept neat and orderly.

Mr. Glover seconded the motion, which carried unanimously.

STEPHEN A. AND MARGARET O. RILEY, LIFE - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Stephen A. and Margaret O. Riley, Life, for a Special Use Permit to reconstruct a non-conforming barn no closer to the road than the existing on property they own, located at 451 Battlefield Road, Fort Defiance in the Middle River District.

Mr. Stephen Riley stated I bought the property and I would like to reconstruct the building. This will be used as a barn. There will be two (2) sheds.

November 3, 2022

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.

Chair Coyner stated the Board visited the site this morning. Reconstructing the building will be an improvement.

Ms. Bunch asked if the applicant will just construct one (1) building?

Mr. Riley stated it will be tied together (L shape structure).

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 Condition:

- 1. Applicant be permitted to construct a 24' X 36' barn no closer to the road than the existing barn.

Mr. Glover seconded the motion, which carried unanimously.

KENNETH OR DONNA CAMPBELL - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Kenneth or Donna Campbell, for a Special Use Permit to have a tree service and stump grinding business with outdoor storage of commercial vehicles on property they own, located at 762 Braley Pond Road, West Augusta in the Pastures District.

Chair Coyner asked if the logs are burned in the home?

Mr. Kenneth Campbell stated yes.

Chair Coyner asked if brush or trash will be brought to the site?

November 3, 2022

Mr. Campbell stated no.

Chair Coyner stated this is an excellent, neat place. Will there be employees?

Mr. Campbell stated no.

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

Mr. William Tribble, 810 Braley Pond Road, West Augusta, stated I am really blessed to have Mr. Campbell as a neighbor. He already abides by all of the recommended staff conditions. I recommend that this be approved.

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 is a really neat operation.

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

Pre-Condition:

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

Operating Conditions:

1. All equipment and machinery be kept inside the 20'X25' sheds.
2. All logs brought back from jobs be kept in the woodshed until processed for personal firewood.
3. All personal firewood be kept in the designated areas shown on the BZA plan.
4. No onsite firewood sales.
5. Be limited to four (4) licensed and inspected company vehicles at the site including two (2) trucks, one (1) fourteen (14') foot dump trailer and one (1) twenty-five (25') foot flat trailer.

November 3, 2022

- 6. Hours of operation be 8:00 a.m. to 6:00 p.m. Monday – Saturday.
- 7. No employees other than family members.
- 8. No Sunday work.
- 9. No brush and other debris from the business be brought back to the property.
- 10. No burning of brush and other debris unless generated on site.
- 11. Site be kept neat and orderly.
- 12. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.

Mr. Bailey seconded the motion, which carried unanimously.

**PAMELA CARTER, AGENT FOR THE INTERNATIONAL CHURCH OF THE
FOURSQUARE GOSPEL - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Pamela Carter, agent for The International Church of the Foursquare Gospel, for a Special Use Permit to have a daycare within the existing church and the early childhood center on property owned by The International Church of the Foursquare Gospel, located at 100 Foursquare Lane, Fishersville in the Wayne District.

Ms. Pamela Carter stated I am a day care consultant in business for 34 years. There are not enough day cares in our area.

Chair Coyner asked if day cares are regulated by Social Services?

Ms. Carter stated yes. They are also regulated by the Department of Education since the last two (2) years.

Chair Coyner asked what is your role with this use?

Ms. Carter stated I will stay as a consultant until I hire a director.

November 3, 2022

Ms. Tilghman asked when do they plan on starting?

Ms. Carter stated staffing will be the issue because we need twenty (20) teachers.

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 need for this use is great in the community.

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

Pre-Conditions:

- 1. Obtain a Health Department food service permit.
- 2. Applicant obtain all necessary permits, inspections, and Certificate of Occupancy and provide a copy to Community Development.

Operating Conditions:

- 1. Be permitted to operate a daycare center within the existing church and early childhood center and be limited to a maximum of one hundred (100) children.
- 2. Hours of operation be 6:30 a.m. to 6:30 p.m., Monday through Friday.
- 3. Be permitted to have ten (10) full-time teachers, ten (10) part-time teachers, one (1) cook, and two (2) office personnel on site.
- 4. Provide a copy of the Social Services permit and the Board of Education permit to Community Development.
- 5. Site be kept neat and orderly.

Ms. Tilghman seconded the motion, which carried unanimously.

November 3, 2022

BILL MOORE, AGENT FOR HOPE DRIVE PARK, LLC - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Bill Moore, agent for Hope Drive Park, LLC, for a Special Use Permit to have a mini-warehouse facility on property owned by Hope Drive Park, LLC, located on the east side of Forest Chapel Lane, north of the intersection of Forest Chapel Lane and Crimora Mine Road in the Middle River District.

Ms. Kim Smith stated I am here standing in for Bill Moore. He could not be here today and would like to request this item be tabled until December.

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

Mr. Philip Hall, 120 Crimora Mine Road, Crimora, stated people had to take vacation days in order to take off of work to be here. The Board received 25 letters in opposition. I never thought that the owners would ever put up a storage building complex. My grandson plays in the yard and there will be no way that it will be safe for them because people will be coming in and out 24 hours a day. If built this will ruin the community. I would have never given two (2) acres to my daughter to build a house if I would have known that this would be built here. I do not want to live my life in fear of someone driving by picking up my grandson and I never see him again. This does not fit in with the community. I hope the Board does not approve this.

Mr. Richard Ramsey, 106 Crimora Mine Road, Crimora, stated I took time off of work to come here today. This is a negative thing. There will be light pollution and drug drop-offs as well as a magnet for theft. There is not a need for this type of use and it seems to me that Hope Crest is just trying to find a way to make money but we should not have to suffer. We do not want it. Mr. Anderson does not have to look at it because he lives in Rockingham County. The only acceptable use would be single family homes or leave it wooded. It would be uncalled for us to keep coming down here. The neighbors should not have to take time from work for a meeting that will be tabled.

Ms. Justena Ramsey, 106 Crimora Mine Road, Crimora, stated I am a mother of three and built a home five (5) years ago. This would be a safety matter because we would have no control over who is coming and going in the area. I am strongly against this proposal. There is no point of having storage units on a back road. There are many places with units in the area already. This will impact my family's whole way of life if this goes through.

November 3, 2022

Mr. Jerry Tisdale, 104 Crimora Mine Road, Crimora, stated I had to leave my wife at the hospital today to come here. This is a dangerous intersection in Augusta County. A storage facility would not be suitable for this area. There is not a fence shown on the plan. The Board should vote on this today.

Mr. Glen Royer, 212 Forest Chapel Road, Crimora, stated there has been 4-5 homes built in the area in the last two (2) years. People spent money to build these houses. My wife works for a development company and most storage units are behind a gated fence. There has been many security issues with storage units and people breaking in. This use will cause safety issues with traffic and theft. I hope the Board turns this request down.

Mr. Daniel Poole, 88 Forest Chapel Lane, Crimora, stated this use will affect the property values and water quality. There are facilities nearby with storage units on them.

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

There was none. Chair Coyner stated the Board would be remiss to grant this permit. The Board can turn it down today or continue it in December. It is very disappointing that the applicant requested to table the request in such short notice.

Mr. Glover stated the concern is if the Board continues the public hearing then the neighbors have to take the day off once again.

Ms. Smith stated Mr. Armstrong was here but he received a text from his daughter's school and had to leave.

Chair Coyner stated the Board visited the site this morning. This storage unit request is not in keeping with the neighborhood.

Ms. Tilghman stated the applicant also shows on the site plan 1-5 proposed home lots on their plan. There are many young families in this area with children. The storage unit facilities usually operate 24/7 which would not be compatible with the area. The Comprehensive Plan calls this area to be Low Density Residential. The County needs to be careful where we put these units. The homes are already there.

Mr. Benkahla stated what the Board is essentially saying since the property is slated for Low Density Residential (single family homes) this request does not fit because this use is much more intense.

November 3, 2022

Ms. Tilghman stated yes. There are also concerns with traffic and the children in the area.

Mr. Thacker stated this is not compatible with the area and does not conform with the Comprehensive Plan.

Chair Coyner declared the public hearing closed.

Ms. Tilghman moved to deny the request due to this request not complying with the Comprehensive Plan since it is slated for Low Density Residential, the traffic hazards, and all other reasons previous stated.

Mr. Glover seconded the motion, which carried unanimously.

* * * * *

OLD BUSINESS

CHRISTIAN R. CHEW - SPECIAL USE PERMIT

A request by Christian R. Chew, for a Special Use Permit to have a lawn and landscape business with outdoor storage of commercial vehicles, equipment and mulch on property he owns, located at 316 Miller Farm Road, Staunton in the Riverheads District. - **TABLED AT THE OCTOBER 6, 2022 MEETING**

Mr. Thacker moved to bring the item forward.

Mr. Bailey seconded the motion, which carried unanimously.

Ms. Bunch stated Mr. Chew submitted a new sketch but there was nothing about blocks mentioned in the application.

Chair Coyner asked if they can be stored somewhere else or inside a building?

Mr. Christian Chew stated yes.

Chair Coyner stated that was not included in the request before this Board.

November 3, 2022

Ms. Bunch stated any outdoor storage has to be listed separately.

Chair Coyner asked if the items can be moved within thirty (30) days?

Mr. Chew stated yes.

Chair Coyner stated the Board appreciates the applicant moving the mulch.

Mr. Thacker stated the Board should review the request in a year. He moved to approve the request with the following conditions:

Pre-Conditions:

1. Applicant submit a complete Erosion and Sediment Control Plan and Stormwater Management Plan.
2. Applicant remove the porta-john and the miscellaneous junk and debris from the property within **thirty (30) days**.
3. Applicant properly license and inspect all vehicles on the property within **thirty (30) days**.

Operating Conditions:

1. All equipment, machinery, and materials for the business be kept inside the existing 40' x 60' building.
2. Be limited to three (3) licensed trucks associated with the business.
3. Applicant construct a bin to contain the mulch in the designated area on the BZA sketch, twenty-five (25') feet from the edge of pavement.
4. Be limited to four (4) employees coming to the site to pick up vehicles and equipment.
5. No employees working at this site unless they reside onsite.
6. No brush and debris from the business be brought to this site.

November 3, 2022

- 7. No burning of any materials not generated on site.
- 8. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
- 9. Site be kept neat and orderly.
- 10. Permit be reviewed in a year and renewed if all of the conditions are met.

Mr. Glover seconded the motion, which carried unanimously.



STAFF REPORTS

- 22-1 Crosby Farm, LLC
- 22-2 Bernard Lee Christian III
- 22-3 WCC Real Estate, LLC
- 22-4 Scotland Land Company, LLC

Ms. Bunch stated SUP#22-1 withdrew. SUP#22-2 and SUP#22-3 staff sent a letter regarding the pre-conditions not being completed. SUP#22-4 was in compliance.

Ms. Keffer discussed the court cases with the Board.

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

Chair Secretary