

August 3, 2023

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

ABSENT: Justine D. Tilghman

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, August 3, 2023 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:

- DOUGLAS WAYNE BROOKS, JR. - SPECIAL USE PERMIT
- AMMAD S. SHEIKH, AGENT FOR BARNSTABLE FARM HOUSE, LLC - SPECIAL USE PERMIT
- FRANCIS CHESTER, AGENT FOR CESTARI SHEEP AND WOOL CO. - SPECIAL USE PERMIT
- MARK KNICELY - SPECIAL USE PERMIT
- RYAN FLETCHER, AGENT FOR NETWORK TOWERS, 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

August 3, 2023

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

ABSENT: Justine D. Tilghman

\*\*\*\*\*

VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, August 3, 2023, at 1:30 P.M., in the County Government Center, Verona, Virginia....

\*\*\*\*\*

**MINUTES**

Mr. Thacker moved that the minutes from the July 6, 2023, meeting be approved.

Mr. Bailey seconded the motion, which carried unanimously.

\*\*\*\*\*

**DOUGLAS WAYNE BROOKS, JR. - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Douglas Wayne Brooks, Jr., for a Special Use Permit to have a landscaping business and storage of commercial vehicles and equipment on property he owns, located at 99 Rankin Lane, Stuarts Draft in the South River District.

Mr. Douglas Brooks stated I would like to park my excavator and skid loader in the garage. Nothing will be seen. I will not have any sales or employees coming to the site. This is a place where I can park my equipment.

Chair Coyner stated the Board visited the site this morning. Is the board fence the property line?

August 3, 2023

Mr. Brooks stated the fence is into the property about four (4') feet.

Chair Coyner asked do you do all of the work yourself?

Mr. Brooks stated yes.

Mr. Bailey asked if material would be brought back to the site?

Mr. Brooks stated no.

Mr. Thacker asked if trees will be planted at the site as screening?

Mr. Brooks stated I am not planning on planting trees but if I need to I can.

Mr. Glover stated the building is enclosed. All items will be kept inside.

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.

Mr. Bailey stated this business should not have an impact on the neighbors and it will benefit the area. He moved to approve the request with the following conditions:

**Pre-Conditions:**

None

**Operating Conditions:**

1. Be limited to three (3) licensed company vehicles at the site.
2. All licensed commercial vehicles including trailers equipment be kept in the designated areas shown on the site plan adjacent to the building.
3. Be limited to three (3) pieces of equipment.
4. All equipment, machinery, and materials for the business be kept inside the 14' x 60' enclosed lean-to.

August 3, 2023

- 5. No refuse from the business to be brought to this site.
- 6. No employees other than family members residing in the home.
- 7. No Sunday work.
- 8. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
- 9. Site be kept neat and orderly.

Mr. Thacker seconded the motion, which carried unanimously.

\*\*\*\*\*

**AMMAD S. SHEIKH, AGENT FOR BARNSTABLE FARM HOUSE, LLC - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Ammad S. Sheikh, agent for Barnstable Farm House, LLC, for a Special Use Permit to have a short term vacation rental on property owned by Barnstable Farm House, LLC, located at 604 Christians Creek Road, Staunton in the Beverley Manor District.

Chair Coyner asked how would you advertise?

Mr. Ammad Sheikh stated I would promote the rentals on Airbnb and Vrbo websites.

Chair Coyner asked if the caregiver lives in the small log cabin?

Mr. Sheikh stated yes. The property manager is onsite.

Chair Coyner asked if water gets over to the cabin?

Mr. Sheikh stated no. The cabin is high up and we have never had a problem.

Chair Coyner asked if the rentals will be normally over the weekends?

Mr. Sheikh stated mostly weekends.

August 3, 2023

Chair Coyner asked if the tenants will come from all over the area?

Mr. Sheikh stated yes and sometimes we do not even know where they come from.

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.

Mr. Glover stated the Board visited the site this morning. This would not appear to be out of character with the area. He moved to approve the request with the following conditions:

**Pre-Conditions:**

None

**Operating Conditions:**

- 1. Be permitted to lease two (2) bedrooms in the dwelling for short term rental.
- 2. Maximum occupancy of the dwelling not to exceed six (6) persons per the Health Department comments.
- 3. The facility operator must reside on the adjoining parcel and be available when the property is rented.
- 4. Site be kept neat and orderly.

Mr. Bailey seconded the motion, which carried unanimously.

\*\*\*\*\*

**DORCAS GALE - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Dorcas Gale, for a Special Use Permit to have an ice cream shop and retail sales of seasonal and novelty gifts within an existing building and to have weekly farmers market, food trucks, and outdoor storage of picnic tables on property owned by VBR Properties, LLC, located at 10 Purple Cow Road, Waynesboro in the Middle River District.

August 3, 2023

Ms. Dorcas Gale stated I would like to open the ice cream shop at Purple Cow.

Chair Coyner asked do you plan on operating yourself?

Ms. Gale stated yes but I will have two (2) people assisting with everything inside. I would like to operate the farmers market on Saturdays from 9:00 a.m. to 2:00 p.m.

Chair Coyner asked if the issues with the entrance have been worked out?

Ms. Gale stated I am currently working with VDOT. I called them and are waiting for a call back.

Chair Coyner asked would you like to get started soon?

Ms. Gale stated yes in the next couple of months.

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

Mr. Edwin Miller, 68 Millers Dam Lane, Waynesboro, stated it is a good idea to reopen the ice cream shop. There was a farmers market on the property previously. The cars were parked on Purple Cow Road and the area was congested. I hope that the applicant provides ample parking at the site.

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

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

Ms. Gale said I will speak to Mr. Miller regarding his comments about the parking and get more information.

Chair Coyner stated the SUP in 2015 was well received.

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

August 3, 2023

**Pre-Conditions:**

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

**Operating Conditions:**

- 1. Be permitted to have four (4) picnic tables in front of the building and a maximum of seven (7) tables located in the designated area shown on the BZA sketch plan and these tables shall not be left outside overnight.
- 2. Be permitted to have a food truck.
- 3. Be limited to two (2) employees.
- 4. Hours of operation be Monday – Saturday 9:00 a.m. to 9:00 p.m.
- 5. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
- 6. Site be kept neat and orderly.

Mr. Glover seconded the motion, which carried unanimously.

\*\*\*\*\*

**FRANCIS CHESTER, AGENT FOR CESTARI SHEEP AND WOOL CO. - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Francis Chester, agent for Cestari Sheep and Wool Co., for a Special Use Permit to have a special event facility and outdoor storage of a food truck on property owned by Cestari Sheep and Wool Co., located at 2570 Little Calf Pasture Highway, Swoope in the Pastures District.

Mr. Francis Chester stated the building is ideal for a community to gather for special events. The community needs something like this for special events. I would like to offer small events such as meetings or festivals. I would like to have the number that was requested for the events. I do not expect to have many people at the events even though

August 3, 2023

we have the capability. The entrance has been taken care of. The items that Mr. Wiseman asked, I hope to complete in the next couple of weeks in order to get my Certificate of Occupancy.

Chair Coyner stated the Board visited the site today. This is a nice facility. There is adequate parking.

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.

Mr. Bailey stated the Board may want to reduce the number of events at the site.

Chair Coyner stated it has been our experience that it is best to limit the number of events. Staff is recommending fifty (50) events per year.

Mr. Chester stated if we were to rent the entire building, the site could be divided up and the upstairs would mostly be in demand. If I can only have fifty (50) events, I would lose out on the larger events.

Chair Coyner stated with large weddings fifty (50) could be demanding on the neighborhoods. Is fifty (50) not acceptable, would seventy-five (75) be fine?

Mr. Chester stated that would permit me to rent upstairs without having a major effect on the business. I plan on talking to the school to rent the site for senior proms since we are close to the high school.

Mr. Thacker stated fifty (50) small events and twenty-five (25) large events could be sufficient. We should differentiate the number of attendees also for each event.

Mr. Glover stated this is located in an Agriculture Conservation Area. This property does have other agriculture type uses.

Chair Coyner stated the Board needs to address the number of small/large events. This is an agriculture area. The applicant is selling wool at the farm.

Mr. Benkahla stated the Board should list a number in the conditions.



August 3, 2023

Mr. Thacker stated there should be fifty (50) events with fifty (50) attendees and twenty (20) events with a maximum of two hundred (200) attendees.

Chair Coyner asked if two hundred (200) people can be accommodated on the second floor?

Mr. Chester stated it would be two hundred (200) people for the entire place. I can accommodate one hundred fifty (150) downstairs and fifty (50) upstairs.

Chair Coyner asked if the downstairs would be cleared out?

Mr. Chester stated yes. When there is an event, I will clear the area out and move everything into totes into my office.

Chair Coyner stated this will be a benefit to the neighborhood.

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

**Pre-Conditions:**

1. Obtain DEQ approval that the existing sewage disposal system is adequate for the proposed use and provide a copy to Community Development.
2. Obtain VDOT approval and submit a copy to Community Development.
3. Obtain a Certificate of Occupancy for the existing building and submit a copy to Community Development.

**Operating Conditions:**

1. Be limited to fifty (50) events per year with a maximum of fifty (50) attendees per event and twenty (20) events per year with a maximum of two hundred (200) attendees per event.
2. No outdoor amplified music.
3. Applicant be on-site during events.
4. Events cease by 10:00 p.m. and everyone off the property by 11:00 p.m.

August 3, 2023

5. Site be kept neat and orderly.

Mr. Glover seconded the motion, which carried unanimously.

Ms. Bunch stated staff will need something from DEQ in writing that the septic can accommodate two hundred (200) people.

\*\*\*\*\*

### **MARK KNICELY - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Mark Knicely, for a Special Use Permit to have outdoor storage and rental of equipment on property owned by Milton J. or Mary Ann Knicely, located at 75 Freemason Run Road, Mount Solon in the North River District.

Mr. Mark Knicely stated I would like permission to park the mini excavator and skid loader at the site.

Chair Coyner asked if the client comes to the site to pick up or would the equipment be delivered to them?

Mr. Knicely stated most of the time I will deliver.

Chair Coyner asked how much equipment do you have?

Mr. Knicely stated I have two (2) now but I may get another in the future.

Chair Coyner stated if more equipment will be needed in the future, today is the day to ask so that you do not have to come back.

Mr. Knicely stated four (4) pieces of equipment would be fine.

Chair Coyner asked is it only you operating the business?

Mr. Knicely stated yes.

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

August 3, 2023

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

Chair Coyner stated the Board visited the site this morning. This is in the middle of a farm operation. We should approve staff's recommended conditions of four (4) pieces of equipment at the site so the applicant would not have to come back to expand.

Mr. Glover stated this is in an agriculture area. There will be equipment behind other farm equipment. This request would not be out of character with the area. He moved to approve the request with the following conditions:

**Pre-Conditions:**

None

**Operating Conditions:**

1. All outdoor storage of heavy equipment or lease be kept in the designated areas shown on the BZA sketch plan.
2. Be limited to four (4) pieces of equipment at this site and one (1) licensed gooseneck trailer used for the business
3. No employees besides family members residing on the property.
4. Hours of operation be 6:00 a.m. to 6:00 p.m., Monday – Saturday.
5. No Sunday work.

Mr. Bailey seconded the motion, which carried unanimously.

\*\*\*\*\*

**RYAN FLETCHER, AGENT FOR NETWORK TOWERS, LLC - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Ryan Fletcher, agent for Network Towers, LLC, for a Special Use Permit to construct a 199' telecommunications tower on property owned by James Russell Brown (Life), located at 419 Trinity Point Road, Swoope in the Pastures District.

August 3, 2023

Ms. Lori Schweller stated I am here to represent Ryan Fletcher and Drew Patterson from Network Towers. I will present a Power Point Presentation to the Board (copy is in the file).

Chair Coyner stated the Board visited the site this morning. Are you planning on building the tower this year?

Ms. Schweller stated Network Towers plans on building the tower in 2024. We have a little bit more due diligence to get through if this is approved (NEPA and site plan).

Chair Coyner asked if the goings and comings are monitored and how often?

Ms. Schweller stated once the tower is constructed someone will come to the site 1-2 times a month to check the facility. This use will have very little traffic.

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

Mr. James Brown, 387 Trinity Point Road, Swoope, stated this will be on my property if approved. I reside on the family farm and have lived there for sixty (60+) years. Thank you for this opportunity. I would like to thank the neighbors who came out to support and ones that have complained about it. The Swoope area has several areas that do not have cell service. The service is very spotty at home. It may even take two hours for a text message to go through. This would help with my day to day operations on the farm. One time we lost a cell phone in the cattle field and the phone did not even ring when we were looking for it. We looked for two (2) hours and the next day looked some more. We finally found it and when we picked it up in the air we started to get the messages. I get missed calls because the service is spotty. If we point the phone four (4') foot in the air it did work. I am concerned with 911 calls. A tower in the area would be nice. This would have to be an improvement in coverage from what we have now. No area in Augusta County should be without cell service. Please pass this.

Ms. Sally Koch, 444 Trinity Point Road, Swoope, stated I live next door to the Browns and I am in favor of having the tower built. We have no internet service and there is only one area in the kitchen that has service. This is a safety issue and my husband is disabled and he has numerous medical appointments and many are video appointments. I have to take my husband to my work place so that we can do the video calls. Sometimes I do not get those calls or texts until two hours later. I have to use the internet and my cell service near my work which is so frustrating. There are safety issues of not having the coverage. We have horses and when we have had a horse down I cannot talk to the

August 3, 2023

veterinarian in the field because it is a dead zone with coverage. I have to go to the house and use the landline even though I should be in the field with the animals while talking to the veterinarian. Please let this happen. We have a place on Hatteras Island and we get the best coverage even with all of the hurricanes.

Mr. Edward Lovegrove, 2573 Parkersburg Turnpike, Swoope, stated I own two properties in the area. I also own 40 Hewitt Road. I am in favor of this. I would like to know that my phone works. We definitely need something in this area.

Ms. Monica Rutledge, 1808 Parkersburg Turnpike, Swoope, stated I own Valley Mills Farm which is a wedding and event venue. I moved to the farm in 2016. I had cell phone service before I moved. I had to get landlines at this site but in 2018 fiber was put in. The landlines do not even work well in the area sometimes when it rains. My phone goes to SOS at the entrance to my property. At the bottom of the house there is no cell service. The inconsistency and safety of this is huge. I have to go inside the house to call 911 if there were to be an issue. As a business prospective, I am all in favor of it and it is necessary and my clients will be able to use a cell phone. We are all in favor of it. There is no cell coverage in the area and it always goes to SOS and the call fails. This can improve the quality of life.

Mr. Alan Dodge, 81 Charlbrooke Lane, Swoope, stated I am opposed to the Special Use Permit for a 200' tower. Students have access to education opportunities and people work and shop from their home. Those activities are already going on. I live within  $\frac{3}{4}$  of a mile and have never had an issue with the cell phone and internet. The vast majority are covered with adequate service. We saw a statistic from the presentation that 87% of 911 calls are made from cell phones which is proof that the coverage is adequate in the area. A lot of people do not even have home phones. I do not have a home phone and my closest neighbors do not have home phones. There is no evidence that RF waves do not cause health issues. If this was a well-established fact, then there would not be a need for the warning signs that are required to be installed as the project indicates. This is not necessary. This will depreciate property values by 10%. The location of the property is in the Pastures District where there is rolling pasture and beautiful views which the district is named after. If approved there will be a 200' tower stuck in the pasture field. Mr. Fitzgerald is in a welcome video that shows the Augusta County area with stunning natural views with rolling pastures and mountains. There is no cell tower in that panoramic view. The property values and aesthetics would be negatively impacted. There is no obvious and urgent public need for this tower at this location. Many residents that I have spoken with do not want it. I would urge the Board to disapprove this.

August 3, 2023

Mr. Joseph Draego, 163 Charlbrooke Lane, Swoope, stated I do not fault the Browns for trying to make money for renting their land for a tower. Verizon is also making money. I heard all wonderful things but they are all being done for a profit. I have a hot spot available and we have internet service. A hot spot is available to anyone that wants it. I have lived all over the world and the Shenandoah Valley is one of the most beautiful places on this planet but why would we trade this and spoil it by putting a tower up. By doing this you are making a deal with the devil. If there is lousy landline service, shame on the phone company because they should fix the landlines. I am forced to use a cell phone because in the subdivision they were not required to put in landlines. I hope you do not approve this so that we can maintain the natural beauty of the County. Please turn down the cell tower.

Mr. Mark Harman, 86 Trinity Point Road, Swoope, stated the coverage there is fantastic. I did not know that the service was lousy out there. I would ask the Board to take the time to research and evaluate it and table this. Aesthetically I do not want to see it where I live. I have never had calls drop. I do not want to see this. This is unnecessary.

Mr. William Woodland, 91 Trinity Point Road, Swoope, stated I submitted written comments in opposition. I would like to thank the Board for their time and compliment the staff on their report. The neighbor that surrounds me does have Verizon and they do have coverage. Mr. Brown and his family are excellent neighbors. The objection is to Verizon because they are not disclosing what is available. Verizon states they have adequate coverage available in the area on their website. Who is to certify that there is no facility? Verizon or the County's telecommunications consultant?

Ms. Bunch stated the County does send the request to our consultant and they said the coverage is lacking in this area.

Mr. Woodland stated we oppose this. Based on the need and on the Verizon published website saying that coverage is available, we are opposing this because of losing the pasture view of our property that we purchased in 2005. I heard of the potential for 5G coverage but there is no 5G coverage anywhere in Augusta County.

Mr. Charles Heaps, 4442 Morris Mill Road, Swoope, stated my wife and I purchased the property ½ mile north of where the proposed location of the cell tower. We have a panoramic view in this area and we look across beautiful pastures and the Alleghany and Blue Ridge Mountains. The placement of this tower will be in the center of that panoramic view. The tower will be taller than any of the trees. The trees are not tall enough to obscure it. Any other structures in the whole area are houses and barns. I am opposed to this based on the aesthetics and the negative impact on property values. A

August 3, 2023

potential buyer will look for something with a nice mountain view, not one with a tower in it. I am a Verizon customer and I do not have a landline. I have good coverage and the internet through Lingo is fine.

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. Schweller stated the applicant is Network Towers and the proposed tower is for Verizon Wireless and other carriers. I cannot count the number of times at public hearings that people talk about moving to a County and enjoying the beautiful views for which they do not have conservation easements complain because the locals want to get service. Western Virginia and the Shenandoah Valley along Route 29 and Interstate 81 has the worst coverage in the Verizon network. It is time to bring this area up to the state of the art coverage. It is not fair for people working in the fields on the farm, trying to call the vet, or making health care calls and scheduling appointments. You have to be able to communicate and you have to be able to have adequate coverage. The majority of the people who opposed this site live in a little cluster. This request was seen by the County's consultant. Some of the citizens cannot get a hot spot on their phone. If you do not accept our word, please accept your own consultant's word. A warning sign is required by the FCC and OSHA. There is an obvious and urgent need in this area for voice, data, and internet. Everyone appreciates the views but you still need to have cell service. The farmers need cell service for their agriculture operations.

Chair Coyner declared the public hearing closed. The Board visited the site today. The tower would be located in the middle of the field.

Mr. Glover stated there is a challenge when we get these type of requests. We have to look at the overall need and overall picture. Sometimes it is clearer than others and we cannot compare this to other permits in the past. We understand people's concerns. We have cell phone service because there is a tower nearby. It would be difficult to find another area that is more suitable to place a tower on. 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 and Stormwater Management Plan.

August 3, 2023

2. The applicant will submit all necessary information and a bond, irrevocable letter of credit or appropriate surety to comply with **Section 25-68.7 "Bonding"** of the Augusta County Zoning Ordinance within two (2) years.
3. The applicant will provide a copy of the Phase 1 NEPA/SHPO study and FAA Hazard Determination issued by the Federal Aviation Administration.

**Operating Conditions:**

1. Be permitted to construct a 195' monopole style telecommunications tower with a four (4') lighting rod.
2. Tower design will allow a minimum of three (3) additional co-locators.
3. The tower will **not be lighted**.
4. The fenced compound area be screened by a **double row of six (6') foot high staggered evergreen trees planted ten (10') foot on center, per section 25-68.6 of the Augusta County Zoning Ordinance**, and the trees be maintained at all times.
5. The applicant will notify the Augusta County Community Development Department within thirty (30) days of the date the tower is no longer used for telecommunications purposes. The tower shall be disassembled and completely removed including the concrete pad to a depth of at least three feet (3') below grade and all equipment, from the site within 180 days of such notification.
6. The applicant will not unreasonably deny the telecommunications providers the opportunity to co-locate on this tower.
7. The County will have the option of co-locating Public Safety communications equipment and antenna on this site for future growth and upgrade of the radio system, including law enforcement communications.
8. Construction of the approved project shall commence within two (2) years of final approval and be diligently pursued to completion.

Mr. Bailey seconded the motion, which carried unanimously.



August 3, 2023

Mr. Bailey stated the consultant has provided information on the request.

Chair Coyner stated we all use cell phones.

Mr. Thacker stated the Board has received emails that there is a need in the area for this in order to improve cell service.

Chair Coyner stated we experienced coverage issues when the Board visited the site today.

Mr. Glover stated I received a call while in the area and it was spotty.

Mr. Thacker stated coverage was fine one minute and not the next.

\*\*\*\*\*

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

**OLEG AND OLGA MAKITRIN - EXTENSION OF TIME REQUEST**

A request by Oleg and Olga Makitrin, for a Special Use Permit to have a motor vehicle repair and body shop on property they own, located at 389 Coffman Road, Weyers Cave in the North River District.

Chair Coyner stated the applicant should not operate until the fence is complete.

Mr. Oleg Makitrin stated I thought when I was approved that I could operate. I quit my job to operate at the property. It is taking me a little longer to install the fence. My neighbor has offered to build the fence. I also work on my car and my family's vehicles. I close at 5:00 p.m. Some evenings I open my doors and the kids run around and play outside. Buffing the vehicles does not cause noise.

Chair Coyner asked how long will it take to install the fence?

Mr. Makitrin stated 60 or 30 days.

Chair Coyner stated time is of the essence. The fence should be installed right away to meet the deadline.

Mr. Glover stated until the fence is erected, the applicant should not continue to work.

August 3, 2023

Mr. Makitrin asked am I able to work on my vehicles?

Ms. Bunch stated when staff inspected the site, there were several vehicles onsite. The business is not supposed to operate at all. It is hard to differentiate what is business and what is personal.

Mr. Glover stated there cannot be any business related work until the fence is installed.

Ms. Bunch stated there is no permit to operate at the site until you meet all of the pre-conditions. That has to be completed first. Until then you do not have the go ahead to work at the site.

Mr. Makitrin stated I will do my best to get this done faster.

Ms. Bunch stated the quicker you get the fence up, the quicker you can operate the business. If you continue to work and be in violation, the Board can cancel your permit.

Mr. Thacker moved to approve a sixty (60) day Extension of Time.

Mr. Bailey seconded the motion, which carried unanimously.

\*\*\*\*\*

**PAT HASTINGS, AGENT FOR WAYNESBORO BRIDGE SOLAR, LLC - EXTENSION OF TIME REQUEST**

A request by Pat Hastings, agent for Waynesboro Bridge Solar, LLC, for a Special Use Permit to use a forty (40) acre portion of the parcel as a small solar energy system on property owned by HW Farms, LLC located at 532 Old White Bridge Road, Waynesboro in the Wayne District.

Ms. Bunch stated the site plan has been approved but they need a little more time.

Mr. Bailey moved to approve a three (3) month Extension of Time.

Mr. Glover seconded the motion, which carried unanimously.

\*\*\*\*\*

August 3, 2023

**AUGUSTA CSG, LLC (DIMENSION RENEWABLE ENERGY) – EXTENSION OF TIME REQUEST**

A request by Augusta CSG, LLC (Dimension Renewable Energy), for a Special Use Permit for a 3.88 MW small scale solar energy facility on approximately 12 acres of an approximately 50 acre parcel on property owned by Thomas Henry Curd, located southeast of Long Meadow Road (Route 608) and approximately 0.1 miles north of the intersection of Fishersville Road (Route 641) and Long Meadow Road, Fishersville in the Wayne District.

Mr. Glover moved to approve a three (3) month Extension of Time.

Mr. Bailey seconded the motion, which carried unanimously.

\*\*\*\*\*

**STAFF REPORTS**

- 22-57 Jason William Hedrick
- 22-58 Kilbride International and Leasing
- 22-59 Ezequiel Romero
- 22-60 Noirin V. Quillen or Joshua K. Ellinger
- 22-61 Bruce L. or Candice E. Back
- 22-62 Michael R. or Cindy P. Hays
- 22-63 John Rixey and Margaret Rennolds
  
- 22-65 Christian R. Chew
- 22-66 Superior Plus Energy Service, Inc.
- 22-67 Philip H. or F. Josephine Henning
- 22-68 Mossy Creek Catering, LLC
- 22-69 Craig or Nichole Nargi

Ms. Bunch stated staff sent a letter for SUP#22-57 to complete the pre-conditions. The pre-conditions have now been completed and the permit was issued. SUP#22-58 have not completed the pre-conditions of their permit, therefore, staff sent them a letter. The applicant for SUP#22-59 has not completed the pre-conditions of their permit, therefore, staff sent them a letter. SUP#22-60, SUP#22-61, SUP#22-62 are all in

August 3, 2023

compliance. The applicants for SUP#22-63 have not completed the pre-conditions of their permit, therefore, staff sent them a letter and they will come before the Board next month for an Extension of Time. They did obtain their building permit but not their Certificate of Occupancy yet. Staff sent a letter regarding a violation of the operating conditions for SUP#22-65. SUP#22-66 is in compliance. SUP#22-67 was withdrawn. SUP#22-68 and SUP#22-69 were denied.

\*\*\*\*\*

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

