

April 2, 2009

PRESENT: S. F. Shreckhise, Chairman
J. W. Callison, Jr., Vice Chairman
D. A. Brown
J. R. Wilkinson, Zoning Administrator & Secretary
S. K. Shiflett, Zoning Technician I
Pat Morgan, County Attorney
B.B. Cardellicchio-Weber, Administrative Secretary

Absent: C. E. Swortzel
G. A. Coyner, II

VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, April 2, 2009, at 1:30 P.M., in the County Government Center, Verona, Virginia....

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MINUTES

Vice Chairman Callison moved that the minutes from the March 5, 2009 meeting be approved.

Ms. Brown seconded the motion, which carried unanimously.

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TRACY ARMENTROUT, AGENT FOR CREATIVE WONDERS LEARNING CENTER, INC. - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Tracy Armentrout, agent for Creative Wonders Learning Center, Inc., for a Special Use Permit to operate a day care facility within an existing building on property owned by Stuarts Draft Family Center, located on the north side of Stuarts Draft Highway (Route 340), just west of the intersection of Stuarts Draft Highway (Route 340) and Rose Avenue in the South River District.

Ms. Tracy Armentrout stated that they are currently operating the day care center south of the building. She stated that they currently have 181 kids enrolled and they need more space. She stated that they would like to move the school age program to the old fitness center building to occupy 4,700 square feet. She stated that the state requires them to have thirty-five (35) square feet per child which would equate to an additional 123 children.

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She stated that they are licensed for 135 next door so they would be increasing by 123 children.

Ms. Brown asked if they planned to use the downstairs of the building?

Ms. Armentrout stated yes as well as the upstairs office space.

Ms. Brown asked if they will need to hire additional employees?

Ms. Armentrout stated that they will need to hire one (1) additional employee because they are moving their existing program to another building.

Ms. Brown asked how many teachers do they have currently?

Ms. Armentrout stated twenty-one (21).

Ms. Brown asked what the hours of operation are?

Ms. Armentrout stated 5:30 a.m. to 6:00 p.m.

Ms. Brown asked if they were going to continue to use the playground?

Ms. Armentrout stated they will be using the existing playground and they will be adding another playground between the two (2) buildings.

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

There being none, Chairman Shreckhise declared the public hearing closed.

Chairman Shreckhise stated that they have operated at this location without any complaints.

Vice Chairman Callison agreed. He moved that the request be approved with the following conditions:

Pre-Conditions:

1. Submit site plan meeting the requirements of Section 25-673 "Site Plan Contents" of the Augusta County Zoning Ordinance to be approved by all appropriate departments and/or agencies.

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

Operating Conditions:

1. Be limited to one hundred twenty-five (125) children.
2. Provide a copy of the license from the Department of Social Services.

Ms. Brown seconded the motion, which carried unanimously.

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RUSSELL SOURS - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Russell Sours, for a Special use Permit to have mini-warehouse units or storage within existing buildings on property owned by Sours Properties, LLC, located on the east side of Tinkling Spring Road (Route 608), approximately .2 of a mile north of the intersection of Tinkling Spring Road (Route 608) and Yoder Circle in the Beverley Manor District.

Chairman Shreckhise stated that the existing building is currently being used for auto storage. He stated that it is a similar use and the applicant would like to get rid of the vehicles.

Mr. Wilkinson stated that the applicant would like to use the buildings along Route 608 for mini-warehouses. He stated that there were some fire flow issues.

Chairman Shreckhise asked if the entrance would still be on Route 608?

Mr. Russell Sours stated that is correct. He stated that they would use the same entrance.

Ms. Brown asked if the doors would be on the interior side?

Mr. Sours stated that there will be doors on either end. He stated that the mini-warehouse doors would be accessed on the inside.

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

There being none, Chairman Shreckhise declared the public hearing closed.

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Ms. Brown stated that this request is a good use of the old poultry house buildings. She moved that the request be approved with the following conditions:

Pre-Condition:

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

Operating Conditions:

1. No access doors shall be on the side of the building facing Route 608.
2. No activities such as sales, repairs, or servicing of goods be conducted in the mini-warehouse units.

Vice Chairman Callison seconded the motion, which carried unanimously.

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DONNA K. RODGERS AND DEBORAH BRYANT, AGENTS FOR GRACE E. RILEY, ESTATE OF - VARIANCE

This being the date and time advertised to consider a request by Donna K. Rodgers and Deborah Bryant, agents for Grace E. Riley, Estate of, for a Variance from the side yard setback requirement on property owned by Grace E. Riley Estate of, located on the west side of Old White Hill Road (Route 831), just south of Tag Lane in the Riverheads District.

Mr. Barry Lotts stated that he is here today representing the property owners. He stated that the site consists of four (4) non-conforming lots with two (2) houses. He stated that they will make two (2) lots to go with the two (2) houses and they will be a little over an acre each. He stated that they will not meet the side setback and the front yard width.

Mr. Wilkinson stated using the survey that Mr. Lotts submitted the applicant will be going from four (4) non-conforming lots to two (2) non-conforming lots. He stated that Mr. Lotts adjusted the side line close to the center to make a more usable lot in the future.

Ms. Brown asked which house would have the garage on the property?

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Mr. Lotts stated the garage will be on the house to the left.

Ms. Brown stated that this request for a Variance will make the situation much better than what it is currently.

Mr. Wilkinson stated that there is no other option with this property because of the close proximity of the houses.

Chairman Shreckhise stated this is would be the logical thing to do. He asked if there was anyone wishing to speak in favor, or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed.

Ms. Brown moved that the Variance be approved.

Vice Chairman Callison seconded the motion, which carried unanimously.

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RUSSELL SOURS, AGENT FOR SOURS PROPERTIES, LLC - EXTENSION OF TIME REQUEST

A request by Russell Sours, agent for Sours Properties, LLC, for a Special Use Permit to have automotive road service, occasional outdoor emergency repair between the buildings, renovate or reconstruct the 50' x 100' existing building for a paint booth, showroom, sales of RV and vehicle accessories, to convert a portion of the existing buildings for mini-storage units, to use the remainder of the buildings for storage of vehicles, vehicle parts, boats, and other materials, and to have two years to complete on property they own, located on the east side of Tinkling Spring Road (Route 608), approximately .2 of a mile north of the intersection of Tinkling Spring Road (Route 608) and Yoder Circle in the Beverley Manor District.

Mr. Wilkinson stated that due to the slow down of the economy the applicant has not completed the showroom in the existing buildings. He stated that the applicant is requesting a one (1) year Extension of Time request from the Board. He stated that staff has no objections to this request.

Vice Chairman Callison moved that the one (1) year Extension of Time request be approved.

Ms. Brown seconded the motion, which carried unanimously.

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STAFF REPORT

08-27	Hirneisen, Terry L. and Pamela D.
08-28	Levshyn, Vladimir or Alla
08-29	Herr, Jon A.
08-30	VOX Communications Group, LLC
08-31	Glick, Mark E. or Jill S.

Mr. Wilkinson stated that SUP#08-27 and SUP#08-28 are both in compliance. He stated that the dwelling is complete for SUP#08-29. He stated that for SUP#08-30 a privacy fence will be installed on the property soon. He stated that they have the chain-link fence up but it was an oversight on their part. He stated that SUP#08-31 is in compliance.

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Mr. Wilkinson passed out the court cases for the Board to review.

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

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Chairman

Secretary