

PRESENT: G. A. Coyner, II, Chairman
 J. W. Callison, Jr., Vice Chairman
 S. F. Shreckhise
 D. A. Brown
 Timothy K. Fitzgerald, Director of Community Development
 J. R. Wilkinson, Zoning Administrator & Secretary
 S. K. Shiflett, Zoning Technician I

ABSENT: C. E. Swortzel
 Pat Morgan, County Attorney

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, July 1, 2010, at 9:15 A.M., in the County Government Center, Verona, Virginia.

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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:

- **Francis Chester - Special Use Permit**
- **Randy Morris, agent for Leonard Aluminum Utility Buildings - Special Use Permit**
- **Scot W. and Jewel S. Knicely - Special Use Permit**
- **Dennis and Judy Landes - 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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Chairman

Secretary

July 1, 2010¹¹¹

PRESENT: G. A. Coyner, II, Chairman
J. W. Callison, Jr., Vice Chairman
S. F. Shreckhise
D. A. Brown
J. R. Wilkinson, Zoning Administrator & Secretary
Timothy K. Fitzgerald, Director of Community Development
S. K. Shiflett, Zoning Technician I
B. Cardellicchio-Weber, Administrative Assistant

ABSENT: C. E. Swortzel
Pat Morgan, County Attorney

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VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, July 1, 2010, 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 June 3, 2010 meeting be approved.

Ms. Brown seconded the motion, which carried unanimously.

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CAROLYN M. PULLIN - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Carolyn M. Pullin, for a Special Use Permit to operate a snack shop within the existing building on property owned by Lucille C. Morris, located in the northeast quadrant of the intersection of East Side Highway (Route 340) and Purple Cow Road (Route 619) in the Wayne District.

Ms. Carolyn Pullin stated that she will open up the Purple Cow as a snack bar.

Chairman Coyner asked if the applicant would operate the business herself?

Ms. Pullin stated yes. She stated that the operation would be a walk-in/walk-out operation.

Chairman Coyner asked if the applicant is requesting any employees?

Ms. Pullin stated that her two (2) daughters will help her run the snack shop.

Chairman Coyner asked if the applicant has ever done this before?

Ms. Pullin stated yes for eight (8) years.

Chairman Coyner asked when would the applicant like to start the business?

Ms. Pullin stated as soon as possible.

Chairman Coyner asked what the hours of operation would be?

Ms. Pullin stated 6:00 a.m. to 9:00 p.m. in the summer and 7:00 a.m. to 5:00 p.m. in the winter.

Ms. Brown asked if the applicant would serve breakfast and lunch?

Ms. Pullin stated that she will serve breakfast, lunch, and dinner. She stated that she will have biscuits, donuts, coffee, hot dogs, and sandwiches.

Chairman Coyner asked if it would all be carry out?

Ms. Pullin stated yes.

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

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

Mr. Shreckhise moved that the request be approved with the following conditions:

Pre-Condition:

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

Operating Conditions:

1. Hours of operation be Monday – Sunday 6:00 a.m. to 9:00 p.m.
2. Be limited to three (3) employees on site at any one time.
3. Site be kept neat and orderly.

Ms. Brown seconded the motion, which carried unanimously.

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DENNIS AND JUDY LANDES - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Dennis and Judy Landes, for a Special Use Permit to reconstruct and enclose an existing non-conforming covered porch on property they own, located on the south side of Dam Town Road (Route 616), approximately .2 of a mile west of the intersection of Dam Town Road (Route 616) and River Bend Road (Route 926) in the Middle River District.

Mr. Dennis Landes stated that the winter storms took out his awning. He stated that it collapsed on one side. He stated that it would be very durable if he can enclose it. He stated that it is only seventeen (17') feet from his property line. He stated that the current setback is twenty-five (25') feet. He stated that he would like to enclose it and it would only be on the back of the concrete. He stated that this would be a little smaller than the original awning.

Chairman Coyner stated that the Board visited the site this morning. He stated that the site looks really good. He asked if there was anyone wishing to speak in favor, or in opposition to the request?

Ms. Nancy Kegley, 1036 Dam Town Road, Fort Defiance, stated that it would be beneficial for the house. She stated that this would beautify the house as well as the neighborhood.

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

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

Mr. Shreckhise moved that the request be approved with the following condition:

Operating Condition:

1. Porch roof be reconstructed and enclosed as shown on the BZA sketch plan no closer to the side property line.

Ms. Brown seconded the motion, which carried unanimously.

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SCOT W. AND JEWEL S. KNICELY - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Scot W. and Jewel S. Knicely, for a Special Use Permit to have a kennel on property they own, located on the south side of Mossy Creek Road (Route 747), just east of the intersection of Mossy Creek Road (Route 747) and Shenandoah Lane in the North River District.

Mr. Scot Knicely stated that the law was changed for kennel licenses if you have over five (5) dogs.

Chairman Coyner asked if he has had the dogs for awhile?

Mr. Knicely stated yes for nineteen (19) years. He stated that he will be continuing what he has done in the past.

Chairman Coyner stated that the Board saw that there is a dog door in the garage.

Mr. Knicely stated that one of the dogs stay inside.

Chairman Coyner asked if the neighbors have had any problems with the dogs?

Mr. Knicely stated no.

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

There being none, Chairman Coyner declared the public hearing closed. He stated that the applicant discovered through the dog license process that he needed a Special Use Permit. He stated that the Board visited the site this morning.

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

Operating Conditions:

1. Maximum of six (6) adult dogs kept at this site at any time.

2. All dogs be confined within the designated area on the site plan or under direct control of the owner.
3. Site be kept neat and orderly.
4. Applicant must reside on premises.

Ms. Brown seconded the motion, which carried unanimously.

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**RANDY MORRIS, AGENT FOR LEONARD ALUMINUM UTILITY BUILDINGS -
SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Randy Morris, agent for Leonard Aluminum Utility Buildings, for a Special Use Permit to have outdoor storage of buildings on property owned by First Republic Group Realty, LLC, located in the northern quadrant of the intersection of Lee Jackson Highway (Route 11) and Frontier Drive (Route 644) in the Beverley Manor District.

Mr. Wilkinson stated that not all of the adjacent property owners were notified for the two Special Use Permit requests for the Staunton Mall. He stated that the printed map did not fully identify all of the adjoining parcels. He stated about six (6) property owners were missing. He stated both requests were advertised in the newspaper. He spoke with the County Attorney and the Board can go ahead with the public hearing today but the request should be tabled until the August meeting in order for staff to notify all adjacent property owners.

Mr. Randy Morris stated that he is requesting to display buildings for sale at the mall. He stated that they just found out that they needed this permit.

Chairman Coyner stated that the applicant is attracted to this location because of visibility. Mr. Morris stated yes there is a tremendous amount of traffic at the mall versus their other location.

Chairman Coyner stated what the Board saw this morning is what the applicant is planning on doing.

Ms. Brown asked what location is the applicant operating out of currently?

Mr. Morris stated he is operating from 404 Greenville Avenue.

Chairman Coyner asked if he would operate at both locations?

Mr. Morris stated yes. He would not have an office at this site.

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

Ms. Donna McCormick stated that she is the Leasing Manager at the mall. She stated that she would like to keep Leonard Buildings on their property because it really adds to their traffic.

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

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

Mr. Shreckhise moved that the request be tabled to be heard at the August 5, 2010 meeting.

Vice Chairman Callison seconded the motion, which carried unanimously.

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FRANCIS CHESTER - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Francis Chester, for a Special Use Permit to have outdoor storage in conjunction with the sale of produce, farm products, and baked goods on property owned by First Republic Group Realty, LLC, located in the northern quadrant of the intersection of Lee Jackson Highway (Route 11) and Frontier Drive (Route 644) in the Beverley Manor District.

Mr. Francis Chester stated that the main purpose in him doing this is so that he can open up a second market and so he can be closer to the people. He stated that it is much more effective for him to sell his goods at the mall. He stated that he has applied for an Administrative Permit and his business is doing well at the mall. He stated that all citizens say it is a wonderful idea. He would like to continue this on a regular basis from now on. Chairman Coyner asked if what the Board saw this morning is what the applicant plans on doing?

Mr. Chester stated yes. He stated that they have a reputation of keeping things neat, clean, and attractive.

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Chairman Coyner asked if the applicant plans on operating until fall?

Mr. Chester stated that he would like to operate right through October 31st. He stated that this would be a seasonal operation. He stated that this location is a convenient place to go to.

Ms. Brown stated that the Board visited the site this morning. She stated that the site looked neat and orderly. She asked what type of baked goods is the applicant providing?

Mr. Chester stated that Mr. and Mrs. Miller are providing the baked goods. He stated that he is waiting on a meter to be installed in order to have refrigerated items. He stated that he will also have homemade cheeses, lamb, and preserves.

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

Ms. Donna McCormick stated that she is the Leasing Manager for the mall. She stated that Mr. Chester has done a nice job. She stated that all of the employees are excited to get produce after work. She stated that all customers have come to the management office and said this is a great idea.

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

There being none, Chairman Coyner declared the public hearing closed. He stated that the Board will hear both mall requests next month.

Vice Chairman Callison moved that the request be tabled to the August 5, 2010 meeting. Ms. Brown seconded the motion, which carried unanimously.

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HOWELL AND SONS, INC. - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Howell and Sons, Inc., for a Special Use Permit to modify the existing permit to allow general auction sales, to have storage of equipment and vehicles at the top of the hill, to store an office trailer, and to modify the existing conditions to increase the time before and after an auction, and to permit additional signs on property owned by Elizabeth J. Howell, located on the north side of Indian Ridge Road (Route 657), just east of the intersection of Indian Ridge Road (Route 657) and Offliter Road (Route 656) in the Riverheads District.

Mr. Ben Howell stated that he would like to continue to have auction sales and be able to operate with the conditions that are set forth. He stated that he has returned \$8,000,000 to his customers without any cost to the County except for these meetings. He stated that there is not a traffic problem in the area. He stated the auctions are compatible with the area. He stated that he has received an enormous amount of support. He stated that he has received support from forty-two (42) of the surrounding neighbors in the community who signed a statement. He stated that majority of the people ask he lists his auction dates a year in advance. He stated that the operating conditions are acceptable except operating condition #4. He stated that he would request to have ten (10) days before an auction and ten (10) days after. He stated that he needs to have enough time in order to tag and assemble all of the items that need to be sold. He stated that he would like to be able to have items come in on Wednesday and have the field clean again the following Wednesday. He also would like to change operating condition #9. He stated that he currently has six (6) auctions. He stated that he has three (3) in the fall and three (3) in the spring. He stated that the eight (8) auctions the Board originally agreed upon is suitable. He stated that the items are parked on the top of the hill especially the items that cannot be moved easily on the public road. He said the adjoining neighbors are fine with the auctions. He stated that he would be glad to remove as many items as possible. He stated that he has been having auctions in the field before all of the houses were ever built. He stated that Steve Barnett follows the auctions from his patio. He stated that the majority of the neighbors enjoy having this as a family event.

Chairman Coyner stated that it would be the applicant's advantage to sell and move the items quickly. He asked if an item is not sold at a second sale will the decision be made to dispose of it?

Mr. Howell stated that majority of the time, nothing is left over.

Chairman Coyner asked if there is an agreement with the person coming in to sell that if they do not sell they need to do something with the leftover items?

Mr. Howell stated yes. He stated that it is not to his advantage to leave items at the site. He stated that there was someone from Bristol, TN and they could not come right away so he pulled the items up to the farm. He stated it is his burden to move the items. He stated they put up a sign that there would be a \$10 storage fee if items are leftover and not picked up.

Chairman Coyner asked if the leftover items are stored up at the top of the hill, would the applicant still need the Special Use Permit at his place?

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Mr. Howell stated that the nature of his business requires ongoing buying and selling of equipment. He stated that he needs places to store his items. He stated that he intends to sell the hay bailer and storage trailers privately. He stated that he would still like to keep items at his place as well. He stated that he has not heard any complaints from anyone.

Chairman Coyner asked if there is a sequence to the way items are arranged and sold?

Mr. Howell stated that farm equipment is sold at 9:00 a.m., tractors at 10:00 a.m., construction equipment at 11:00 a.m., and trucks at noon.

Chairman Coyner asked from where do the crowds come in from?

Mr. Howell stated basically a one hundred (100) mile radius. He stated crowds come in from Pennsylvania, North Carolina, and West Virginia. He stated that dealers also attend the auctions.

Chairman Coyner stated the sales are family ran. He stated that after the last sale the site was looking great.

Mr. Howell stated that he wants to abide by the conditions the Board puts on his permit.

Mr. Shreckhise asked if the applicant's family has been having auctions for sixty (60) years?

Mr. Howell stated yes. He stated that his father has been having auctions ever since 1960. He stated that there have been at least two (2) auctions a year regularly at the site since the 1980s and every single year thereafter.

Ms. Brown asked what were the most auctions held within a year?

Mr. Howell stated seven (7).

Chairman Coyner asked if there was anyone wishing to speak in favor to the request?

Mr. John Rollins stated that he sets up auction sales. He stated that they provide income to people selling food. He stated that the crowds Mr. Howell brings in pump income into the economy. He asked that the Board issue this permit.

Mr. Roger Strader, 200 Brandon Circle, Waynesboro, stated that he is here on behalf of Greenville United Methodist Church Youth. He stated that they provide the food for the auction and this is the largest money making project for their mission work. He stated another auction site has trailers on their property. He stated the property next to Howells

have weeds growing next to it. He stated that the only person that has ever complained on the auctions is Mr. Carter. He stated that the pictures show nothing but the houses and trees. He stated that auctions are part of Augusta County. He stated that the auctions provide a social setting for many people. He stated that many people cannot buy new items. He stated in this economy the Board should not stop a local business. He stated that Mr. Howell has been harassed by the Carters.

Mr. Everett Allen, 184 Howardsville Turnpike, Stuarts Draft stated that the Board is considering limiting the applicant to five (5) sales. He stated that they should be allowed to have eight (8) sales. He stated that he would be fine with the applicant having ten (10) days in and ten (10) days out with the equipment. He stated that the auctions put money into Augusta County. He stated that there has been sales since the 1950s. He asked why the applicant would not have been grandfathered in to have the auction sales.

Mr. Roger Rowell stated that he lives in Greenville. He stated that he has friends that live in Cranberry Hills. He stated that the community supports Mr. Howell.

Mr. Everett Allen stated that all of the items are brought in from people who have full-time jobs and move stuff during their most convenient time.

Ms. Marie Showalter, 135 Offlitter Road, Stuarts Draft, stated that she appreciates the needed service in Stuarts Draft, Augusta County, and for many of the area's farmers. She stated that the farmers need these auctions in order to buy and sell agricultural equipment. She stated the auctions generate revenue for the community. She stated that the Board should allow them to expand their private enterprise in order to turn this recession around.

Mr. David Fitzgerald of Stuarts Draft, stated that the applicant does a good job running the auctions. He stated that there is nothing wrong with Mr. Howell selling guns and boats at his auctions. He stated that he is guilty of dropping items off early for the auctions.

Chairman Coyner asked if there was anyone else wishing to speak in favor to the request?

There being none, Chairman Coyner asked if there was anyone wishing to speak in opposition to the request?

Mr. and Mrs. William Carter, 156 Cranberry Drive, stated that they bought this property in 2003. He stated that he has never stated that he can see the auctions from his property. He stated that he can see the top part of the vehicle storage area from places along Cranberry Drive. He stated that on auction days he can hear the speaker system. He stated that a year or two (2) after he moved in, he was aware of the auctions but did not object to them. He stated that there was no evidence that auctions occurred in the area when he bought his property. He stated that 2004 until last summer the auctions were held

in violation of the Zoning Ordinance. He stated that last summer Mr. Howell was required to get a Special Use Permit. He stated that since the Special Use Permit was issued there have been multiple violations and the Board has been made aware of that. He stated that the violations encountered consistently since it was approved. He stated that Mr. Howell relocated items off of this site to adjacent property. He stated the following dialogue occurred at the August 6, 2009 meeting:

“Mr. Swortzel stated that the applicant cannot remove the equipment from this site and place it on another. He stated that all of the equipment needs to be disposed of.”

Mr. Carter stated that Mr. Howell has had various violations with parking on operating condition #2. He stated that the following is dialogue from the August 6, 2009 meeting regarding the parking:

“Chairman Shreckhise stated that there should not be parking along the road. Mr. Swortzel stated that if the applicant appreciates the permit then he would not allow the spectators to park along the road. Mr. Howell stated that there is not a place for them to park along the road.”

Mr. Carter stated that there were twenty (20) cars parked on property across the road at every auction. He stated that the operating condition that all parking must be onsite has been ignored. He stated that during the August 6, 2009 meeting the following is dialogue regarding farm equipment at the auction site:

“Mr. Coyner asked if the applicant would auction off farm equipment and construction equipment? Mr. Howell stated yes. He stated that he will not have any cars or furniture at the site. He stated that he will be auctioning off farm equipment including small excavators and dozers.”

Mr. Carter stated that there have been boats, collectible automobiles, and firearms at the auction sales. He stated that now the applicant is asking for a broad based auction in order to sell anything. He stated that Mr. Howell stated at the May 6, 2010 meeting “that all farmers have guns”. Mr. Carter stated that all farmers have toilets too, but that does not make toilets farm equipment. He stated that all operating conditions have been ignored. He stated that at the January 7, 2010, meeting Mr. Howell made a request for the two (2) concession stands to be on the property as well as the office trailer. He stated that the Board granted that the concession stands can remain at the site but the trailer needed to be removed. He stated that the trailer remained onsite until after the May auction. He stated that the Board is not at the site to witness this but they are. He stated that Mr. Howell is showing a lack of respect to the Zoning Ordinance as well as this Board. He stated that letters were sent to Mr. Howell regarding the violations. He stated that Mr.

Howell simply ignored the letters in violation. He stated that it does not matter what is approved. He stated that he does not know how a new permit is justified with more lenient conditions when there has been an avoidance of abiding by the operating conditions. He stated that the auctions will result in a commercial event. He stated that these auctions do have an affect on property values. He stated that an operation of this sort of thing belongs somewhere other than Indian Ridge Road. He stated that he does not object to auctions but this is not the place for it. Mr. Carter showed the Board a calendar that he prepared. He stated that if the Board approves equipment to be dropped off ten (10) days before an auction and kept onsite up to ten (10) days after an auction, the equipment will be onsite the majority of the month. He stated that if Mr. Howell schedules auctions in such a way then in the spring he does not have to remove the equipment and they will be onsite forever. He stated that Mr. Swortzel said the following during the August 6, 2009, meeting:

“Mr. Swortzel stated that the Board does not want the property to end up looking like a junkyard.”

Mr. Carter stated that a junkyard is what will end up happening to the site. He stated the applicant asking for more lenient terms is a great argument for requiring auctions to be held elsewhere. He stated that Mr. Howell has been unwilling and unable to meet the operating conditions.

Mrs. Carter stated that the County regulates yard sales to only two (2) per year as well as limiting junk vehicles. She asked where would the common sense be to extend the permit and have an ongoing yard sale and to have a junkyard at the site. She urges the Board not to allow this permit.

Chairman Coyner asked if there was anyone else wishing to speak in opposition to the request?

There being none, Chairman Coyner asked Mr. Howell to speak in rebuttal.

Mr. Howell stated that he has heard the complaints and if they are remotely true the room would be full of people. He stated that if anyone has a complaint they should approach him regarding it. He stated that the adjacent homes are very much in favor. He stated that the Carters would have seen all of the equipment when they drove buy to purchase their house. He stated he has had large auctions the year the Carters moved in. He stated that he can address their problems privately with them.

Mr. Shreckhise stated that the parking needed to be on the lot.

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Mr. Howell stated that there are cars that park across the street and they do park on his brother's property across the road. He stated the only way that he can control that is to block it off in some way. He stated that not one car parks along the roadway.

Mr. Shreckhise stated that the applicant may request the condition to be changed if the applicant cannot abide by the operating condition. He stated that he does not want to see the applicant be in violation again. He stated that little things like things are important in order to get this corrected. He asked if there is ample parking onsite?

Mr. Howell stated yes. He stated that he can rope off the lot across the road before the auction begins.

Chairman Coyner stated that all parking needs to be onsite and not across the street. He asked how many vehicles come to an event?

Mr. Howell stated over six hundred (600) vehicles. He stated that he can fit six hundred (600) in the field easily as well as twenty (20) tractor trailers.

Mr. Shreckhise asked if staff is directing the parking during a sale?

Mr. Howell stated that the morning of a sale they have people directing traffic. He stated that he has never had a problem with parking. He stated that there is a safety issue when the customers with large vehicles turn around.

Mr. Wilkinson stated that they did not advertise to have parking on Mr. Howell's brother property. He stated that the property should be roped off on auction day.

Mr. Shreckhise stated that the Board cannot allow parking on the opposite side of the road.

Vice Chairman Callison stated that he attended many of the sales. He stated the overflow parking is down the road a slight bit.

Chairman Coyner declared the public hearing closed. He stated that the Board would like to see Mr. Howell be successful and not have any further infractions.

Mr. Shreckhise stated that there is public support for the auctions and it is an asset to the community. He stated that Mr. Howell has geared most of the advertisements toward farm equipment. He stated that he has no problem with changing this permit to a general auction permit.

Chairman Coyner stated that ten (10) days before and ten (10) days after seem reasonable. He stated that Mr. Howell has had as many as five (5) per year but he would like to give him eight (8) auctions. He stated that the area across the road will be roped off. He stated that the equipment should not need to be onsite for ninety (90) days.

Mr. Shreckhise stated that the Board can limit twenty-five (25) pieces of equipment to be stored on the top of the hill for the next sale.

Chairman Coyner stated that twenty-five (25) pieces are acceptable.

Mr. Howell stated that he can rope off a 50' x 300' area that will be out of site for the equipment.

Mr. Shreckhise asked when would the equipment be moved to the 50' x 300' area?

Mr. Howell stated that they would move the equipment there after an auction. He stated that the items would be stored in that area instead of the field.

Chairman Coyner stated that if equipment does not sell it would need to be removed from the auction site within ten (10) days.

Mr. Howell stated that leftover equipment would be at the barn or on the top of the hill.

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

Operating Conditions:

1. Be permitted to have general auction sales.
2. Be limited to a 50' x 300' area at the top of the hill for storage of vehicles or equipment between auctions. No individual item may be stored onsite longer than ninety (90) days.
3. The only other items permitted to be stored onsite between auctions is the two (2) concession stands and one (1) office trailer.
4. No vehicles or equipment be brought to the site prior to ten (10) days before an auction event and all vehicles and equipment be removed within ten (10) days of an auction event and the site be returned to an agricultural state.

5. Portable toilets may be brought to the site no sooner than seven (7) days prior to an auction and be removed within seven (7) days after the auction is held.
6. All equipment, machinery, materials, and vehicles for sale at the auction be kept inside the designated areas shown on the site plan.
7. No parking along the public street. All parking to be on the site.
8. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
9. Be limited to eight (8) auctions per year.
10. Hours be 7:00 a.m. to 7:00 p.m.
11. No Sunday activity.
12. The only signs to be permitted for this business is one (1) on premise business sign not to exceed thirty-two (32) square feet, one (1) off premise advertising sign and four (4) directional signs, and it is the applicant's responsibility to keep the sign out of the VDOT right-of-way. All offsite signs to be removed within three (3) days of an auction.
13. Permit be issued for three (3) years.
14. Permit be reviewed in a year and renewed if all of the conditions are met.

Ms. Brown seconded the motion, which carried unanimously.

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CONSIDERATION TO CANCEL A SPECIAL USE PERMIT FOR HOWELL AND SONS, INC.

A consideration to **cancel** a Special Use Permit for Howell and Sons, Inc., to have farm equipment and vehicle auctions, on property owned by Elizabeth J. Howell, located on the north side of Indian Ridge Road (Route 657), just east of the intersection of Indian Ridge Road (Route 657) and Offliter Road (Route 656) in the Riverheads District. -
TABLED AT THE MAY 6, 2010 MEETING

Mr. Shreckhise moved to bring the item forward.

Ms. Brown seconded the motion, which carried unanimously.

Mr. Shreckhise stated the issues have been addressed by the new permit and moved that the request be cancelled.

Ms. Brown seconded the motion, which carried unanimously.

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STAFF REPORT

- 09-41 Sundstrom, Jedidiah or Berry, Amy M. – **Withdrawn**
- 09-42 Nordhausen, Robert or Kelly E.
- 09-43 James W. Sizemore Family L.P. – **Tabled sixty (60) days**
- 09-44 Croft, Daniel K. Estate – **Denied**
- 09-45 Little, William W.
- 09-46 Moffett, Ellen L. c/o Moffett, Julian, Jr.
- 09-47 Campbell, Ricky L. or Cindy B.

Mr. Wilkinson stated that SUP#09-42 is in compliance. He stated that staff sent a letter regarding SUP#09-43. He stated that SUP#09-45 and SUP#09-46 are both in compliance. He stated that SUP#09-47 is pending site plan approval.

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Mr. Wilkinson stated that Mr. Richardson will try to bring someone to start the ultra-light aircraft for the August meeting.

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

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Chairman

Secretary