

PRESENT: G. A. Coyner, II, Chairman
T. H. Byerly, Vice Chairman
D. A. Brown
S. F. Shreckhise
J. D. Tilghman
J. R. Wilkinson, Zoning Administrator & Secretary
Pat Morgan, County Attorney

ABSENT: None

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, August 2, 2012, at 9:30 A.M., in the County Government Center, Verona, Virginia.

The staff briefing was held at **9:30 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:

- **John W. Swett, agent for ECA Properties, LLC - Special Use Permit**
- **Joe White, agent for Charles D. Crouse and Gemstone, 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.

Chairman

Secretary

PRESENT: G. A. Coyner, II, Chairman
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 J. D. Tilghman
 J. R. Wilkinson, Zoning Administrator & Secretary
 Pat Morgan, County Attorney
 B. Cardellicchio-Weber, Administrative Assistant

ABSENT: None

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VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, August 2, 2012, at 1:30 P.M., in the County Government Center, Verona, Virginia....

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MINUTES

Mr. Shreckhise moved that the minutes from the July 5, 2012, meeting be approved.

Ms. Brown seconded the motion, which carried unanimously.

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JOHN W. SWETT, AGENT FOR ECA PROPERTIES, LLC - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by John W. Swett, agent for ECA Properties, LLC, for a Special Use Permit to have outdoor storage of items for sale on property it owns, located beside Ace Hardware at 2599 Stuarts Draft Highway, Stuarts Draft, in the South River District.

Mr. John Swett stated that he made the application for the Special Use Permit since he is Chairman of the Board for ECA Properties but he is not involved in the daily activities for the business. He stated his son is here to answer any questions the Board may have.

Mr. John Swett, 570 Augusta Farms Road, Waynesboro, stated that he owns Ace Hardware. He stated he would like to have overflow parking and outside display of bagged goods.

Chairman Coyner asked if there would also be mowers stored outside?

Mr. Swett stated yes as well as mulch and soil. He mentioned the site would be mainly used for overflow parking. He stated the large trailers have no where to park when they come to the site.

Chairman Coyner stated removing the trees really opened up the area. He stated the site looks really good. He asked if a fence would be placed at the property?

Mr. Wilkinson stated since the adjacent properties are zoned residential a fence would be required. He showed the Board the site plan showing the fenced in area. He mentioned VDOT is asking that the fence be moved back twenty-five (25') feet to the edge of the right-of-way.

Chairman Coyner asked if it would be where the gravel is?

Mr. Wilkinson stated yes.

Vice Chairman Byerly asked if the adjacent property owners preferred no fence would that be an option or is it an ordinance requirement?

Mr. Wilkinson stated if the property is zoned business there needs to be a twenty-five (25') foot area beside the business with no development. He stated that the Board of Supervisors looked at that with all of the ordinance changes because there was some concern with the loss of property. He stated there are two options in the ordinance: Option A requires a ten (10') foot buffer with a fence and Option B requirements state a twenty (20') foot buffer and trees. He mentioned that most businesses prefer the ten (10') foot buffer with a fence. He stated it is no longer the discretion of this Board. He stated these are ordinance requirements.

Vice Chairman Byerly asked if the fence would definitely be a privacy fence?

Mr. Wilkinson stated yes. He stated it cannot be a chain link fence with slats. He stated they eliminated anything that is not opaque in the ordinance. He mentioned in the ordinance it states the fence can be a berm with a landscape area or privacy fence. He stated if there is any question it would fall under his approval.

Chairman Coyner stated that it appears that a fence is necessary. He asked if the storage would vary from time to time?

Mr. Swett stated he would store mulch, soil, zero turn mowers, and wheel barrels. He stated the lawn mowers will be taken in and out each day.

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 this is a well cared for piece of property. He stated the Board visited the site this morning.

Vice Chairman Byerly stated this is a reasonable request. He mentioned he appreciates the appearance of the site. He moved that the request be approved with the following conditions:

Pre-Condition:

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.

Operating Conditions:

1. All outdoor storage be kept in the designated areas shown on the site plan and they be items for sale.
2. Site be kept neat and orderly.
3. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
4. The opaque privacy fence shown on the site plan must be maintained at all times.
5. Any new outdoor lights require site plan submittal and must meet ordinance requirements.

Mr. Shreckhise seconded the motion, which carried unanimously.

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JOE WHITE, AGENT FOR CHARLES D. CROUSE AND GEMSTONE, LLC - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Joe White, agent for Charles D. Crouse and Gemstone, LLC, for a Special Use Permit to have a bridge refinishing and painting company with outdoor storage of vehicles and equipment, and to construct a vehicle service building for company use on property owned by Thelma I. Uplinger, located in the western quadrant of the intersection of Crattan Hill Road (Route 696) and Wise Hill Lane in the North River District.

Mr. Joe White stated this site is a repair shop for Gemstone which is a company based out of Florida. He stated Gemstone repairs bridges and keeps up with the maintenance of the highway system. He stated if they have equipment that needs to be repaired then he would do the work. He stated this type of repair operation is where they do not deal with customers. He stated they do the maintenance in this facility. He stated the farming community brings him equipment that also needs to be repaired. He mentioned he has also been known to let the neighbors borrow his equipment. He felt that they have been an asset to the farming community.

Chairman Coyner stated the Board visited the site this morning. He mentioned the Board was taken back by the inoperable equipment at the site. He stated a lot of equipment is obsolete.

Mr. White stated a lot of the equipment will be moved out and many trucks they use at the airport. He stated it could always look like they have stuff there because they could use the parts for something else. He stated they strip equipment down as necessary and use it for other things.

Chairman Coyner asked when would the site be cleaned up?

Mr. White stated Gemstone is a transportation business. He stated the site could be cleaned up fairly quickly.

Mr. Shreckhise asked if the workload is heavier this time of year?

Mr. White stated the best time to paint is in the summer. He stated once winter is here the work is in Florida and Georgia.

Mr. Shreckhise stated there are several inoperable trucks at the site that will not be used for anything. He mentioned all of the junk needs to be off of the site. He stated the applicant is not asking for a junkyard permit.

Vice Chairman Byerly mentioned the applicant may need sixty (60) to ninety (90) days to cleanup the site.

Mr. White stated thirty (30) to sixty (60) days should be enough. He mentioned the car hauler is still mobile and some other items are working as well.

Chairman Coyner stated that once the applicant has cleaned up the site the Board can inspect the property in order to do a better evaluation. He mentioned what the Board saw today is unacceptable.

Mr. Wilkinson stated the six (6) old semi-tractors have not been moved for years.

Mr. Shreckhise stated there is an old tractor that has not been used as well as other machinery that will not ever be used. He mentioned the machinery that is of no use to you needs to be removed.

Vice Chairman Byerly stated the request should be tabled for at least ninety (90) days and if the applicant cleans up the site sooner then they can request to come before the Board sooner.

Mr. Wilkinson stated the applicant should give him a call if they are ready before. He mentioned he could even come by to inspect the site before the request gets put back on the agenda.

Ms. Tilghman stated there are wheel rims that are smashed on the property.

Mr. White stated they have been taking items to the scrap yard.

Ms. Tilghman asked what areas do they work in?

Mr. White stated they go up to New Hampshire and Pennsylvania and down to Florida. He stated they do not do oil changes. He stated they do a lot of welding. He stated when an engine gets blown up they disassemble it and bring it to someone that can work on it and then they put it back together once the engine is up and running.

Chairman Coyner asked once the building is built will all of the items be in the building?

Mr. White stated yes.

Mr. Shreckhise asked if the trailers would be gone?

Mr. White stated yes.

Chairman Coyner asked if the building would be a pole building?

Mr. White stated it would be a steel frame enclosed building with overhead cranes inside. Chairman Coyner asked if the building would be large enough in order to put a truck in it?

Mr. White 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. He stated the Board visited the site this morning and saw an unsightly junkyard. He stated this site will need to be cleaned up.

Mr. Shreckhise moved that the request be tabled until the December 6, 2012 meeting in order to give the applicant time to cleanup the site. He stated if the site gets cleaned up sooner the applicant can contact Mr. Wilkinson to take the request back to the Board earlier.

Ms. Tilghman stated operations at the site can continue.

Chairman Coyner stated the intent is that the site gets cleaned up.

Vice Chairman Byerly seconded the motion, which carried unanimously.

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STAFF REPORT

- 11-45 The Donald L. Wade Family Limited Partnership
- 11-46 John & Joey Mason – **Withdrawn**

Mr. Wilkinson stated SUP#11-45 has been inspected and is in compliance.

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Mr. Morgan 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