

July 2, 2015

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

ABSENT: None

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, July 2, 2015, at 9:30 A.M., in the County Government Center, Verona, Virginia.

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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.

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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:

- **NADIAH YOUNUS, AGENT FOR DOMINION VIRGINIA POWER - SPECIAL USE PERMIT**
- **ALAN B. AND SHARON M. KINCHELOE - SPECIAL USE PERMIT**
- **EDGAR AND MARTJE HURDIS - 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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Chairwoman

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Secretary

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PRESENT: J. D. Tilghman, Chairwoman  
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 T. H. Byerly  
 S. F. Shreckhise  
 J. R. Wilkinson, Zoning Administrator & Secretary  
 Pat Morgan, County Attorney  
 B. Cardellicchio-Weber, Executive Secretary

ABSENT: None

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VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, July 2, 2015, at 1:30 P.M., in the County Government Center, Verona, Virginia....

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**MINUTES**

Mr. Byerly moved that the minutes from the June 4, 2015, meeting be approved.

Vice Chairman Coyner seconded the motion, which carried unanimously.

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**NADIAH YOUNUS, AGENT FOR DOMINION VIRGINIA POWER - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Nadiah Younus, agent for Dominion Virginia Power, for a Special Use Permit to continue the contractor's office and storage yard on property owned by Eastside Speedway, Inc. c/o A.L. Gore, located at 115 Al Gore Lane, Waynesboro, in the Wayne District.

Ms. Nadiah Younus, agent for Dominion Virginia Power, stated she would like to renew and continue the contractor's office and storage yard at the site. She stated the material will stay the same. She noted that she did speak with the contractor regarding the trucks not yielding to traffic and gravel getting into the road. She stated there is silt fence around the pond and the property has been mowed.

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Vice Chairman Coyner asked if the reason for the continuation is because the project is taking longer than expected?

Ms. Younus stated this use would be for their regional purpose. She stated the Doods/Lexington project will be completed by the end of this year but they do have a ton of other projects on the western side of the state. She stated this is for Dominion's electrical transmission line projects.

Vice Chairman Coyner stated the Board visited the site this morning and everything looked very good at the property.

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

There being none, Chairwoman Tilghman declared the public hearing closed.

Mr. Shreckhise stated this permit is a continuation of what was permitted previously. He moved that the request be approved with the following conditions:

**Pre-Conditions:**

None

**Operating Conditions:**

1. All equipment be kept in the designated area shown on the site plan.
2. Site be kept neat and orderly.
3. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
4. Permit be issued for two (2) years.
5. The utility storage lot to be used only for tower/transmission line replacement projects.

Mr. Byerly asked if two (2) years is enough time for the applicant?

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Vice Chairman Coyner stated if the applicant will need more than two (2) years, they can come back to reapply. He seconded the motion, which carried unanimously.

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### **ALAN B. AND SHARON M. KINCHELOE - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Alan B. and Sharon M. Kincheloe, for a Special Use Permit to use their home for vacation rentals on property they own, located at 2695 Barterbrook Road, Staunton, in the Beverley Manor District.

Ms. Sharon Kincheloe stated they have built an apartment above the garage and she is requesting a permit to use it as a vacation getaway. She stated they will have a few guests a couple times a month.

Chairwoman Tilghman asked if the applicant has spoken with the Health Department?

Ms. Kincheloe stated yes. She has been working with the Health Department on the septic and the Virginia Department of Transportation on the entrance. She stated they have made all of the changes the Building Inspector requested.

Vice Chairman Coyner asked how long has the applicant lived at the site?

Ms. Kincheloe stated they purchased the property in 2010 and moved into the home in 2011.

Vice Chairman Coyner stated the road going to the vacation rental could be treacherous during the winter months.

Ms. Kincheloe stated they do not plan on having guests during the winter months.

Vice Chairman Coyner asked if the applicant advertises on the internet?

Ms. Kincheloe stated she will advertise on the internet. She hoped to get on the Staunton website for tourism. She noted that she previously operated a bed and breakfast in Staunton for a few years and got most of the business from that website.

Ms. Brown asked if the driveway goes all the way around the property?

Ms. Kincheloe stated yes, the driveway goes off to the apartment.

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

There being none, Chairwoman Tilghman declared the public hearing closed.

Vice Chairman Coyner stated the Board visited the site this morning. He stated this is a nice piece of property and the applicant has experience in this type of operation. He moved that the request be approved with the following conditions:

**Pre-Conditions:**

None

**Operating Conditions:**

1. Be permitted to have a vacation rental of the apartment over the garage.
2. Site be kept neat and orderly.
3. No junk or inoperable vehicles to be kept outside.

Ms. Brown seconded the motion, which carried unanimously.

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**EDGAR AND MARTJE HURDIS - SPECIAL USE PERMIT**

This being the date and time advertised to consider a request by Edgar and Martje Hurdis, for a Special Use Permit to increase the number of dogs for the existing kennel and boarding facility, and add dog training and dog related events on property owned by Edgar B. Hurdis, III, located at 46 Horseshoe Circle, Stuarts Draft, in the Riverheads District.

Ms. Martje Hurdis stated she would like to take the extra utility room and turn that into more runs for the dogs and add the utility room off of the office area. She stated they would also like to have obedience and agility training onsite. She stated they will not have security or aggressive attack dog training. She also wanted to have rehabilitative services for dogs. She also hoped to work with 4-H clubs too.

Mr. Byerly asked if they decompress attack dogs?

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Ms. Hurdis stated yes with rehab. She noted some do well but some dogs cannot decompress, therefore, they would need to go to special homes.

Mr. Byerly asked how long will the dogs be boarded?

Ms. Hurdis stated about a week or two. She stated they have clients locally as well as Roanoke and Charlottesville.

Vice Chairman Coyner asked if they would breed also?

Ms. Hurdis stated they have decided not to breed.

Chairwoman Tilghman asked how many dogs do you have now?

Ms. Hurdis stated five (5) dogs.

Vice Chairman Coyner complimented the applicant on the nice job with the kennel area.

Mr. Shreckhise asked if the applicant had any issues with staff's recommendations?

Ms. Hurdis stated they will not have events that big or that many events. She noted they would not have any more than twenty-five (25) dogs maximum. She stated they would have about six (6) events a year.

Ms. Brown asked if the applicant would have employees?

Ms. Hurdis stated no.

Chairwoman Tilghman stated if the applicant plans to have large number of events in the future, they will need to install a septic system.

Vice Chairman Coyner stated the applicant should only have events during daylight hours.

Ms. Hurdis stated that is fine because they are in close proximity to other neighbors.

Chairwoman Tilghman stated the Board can change the wording of the conditions so that the applicant can have training sessions for their clients and 4-H clubs. She stated the Board can limit this to a maximum of three (3) per week.

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Ms. Hurdis stated the obedience training is one-on-one training by appointment but at some point they do need to be in small classes in order to be socialized.

Vice Chairman Coyner stated the Board should change the wording to include all training but that the training be no more than three (3) days per week.

Chairwoman Tilghman stated the applicant should be permitted one (1) pet adoption and one (1) competition per month.

Mr. Wilkinson asked how many participants does the applicant expect?

Ms. Hurdis stated if they were to have a big event they would need to rent out Expo for it. Chairwoman Tilghman stated the applicant will need parking for all clients.

Mr. Byerly asked if the pond would be used during training?

Ms. Hurdis stated yes.

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

There being none, Chairwoman Tilghman declared the public hearing closed.

Mr. Byerly stated this is a reasonable request. He noted this is a nice facility and is very well managed. He moved that the request be approved with the following conditions:

**Pre-Condition:**

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

**Operating Conditions:**

1. Be permitted to increase the maximum number of adult dogs onsite to twenty-five (25).
2. Be permitted to have sport, obedience, and agility training only. Attack dog, security dog, and similar training is **prohibited** on this property.

- 3. Be permitted training sessions three (3) days per week.
- 4. Be permitted to have one (1) pet adoption day and one (1) competition a month for clients of the dog training or 4-H kids. During these events, there may be more than twenty-five (25) dogs onsite, but not more than fifty (50).
- 5. Applicant will install a sewage treatment system approved by the Health Department within two (2) years.
- 6. Be permitted to operate for two (2) years using a portable restroom trailer until the septic system is installed.
- 7. Be limited to a maximum of one hundred (100) people per event.
- 8. Events to cease by 9:00 P.M. and all persons off the property before 10:00 P.M.
- 9. Site be kept neat and orderly.
- 10. Applicant must reside on premises and one must be onsite during all training and dog events.

Ms. Brown seconded the motion, which carried unanimously.

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

**ABNER N., IV OR CLARA M. JOHNSTON, ETAL - ONE (1) YEAR EXTENSION OF TIME REQUEST**

A request by Abner N., IV or Clara M. Johnston, Etal, for a Special Use Permit to expand the existing quarry operation and replace the scale house on property they own, located on the west side of Cold Springs Road (Route 608), approximately .5 of a mile west of the intersection of Cold Springs Road (Route 608) and Dabneys Road, adjacent to the existing quarry in the Riverheads District.

Mr. Wilkinson stated the applicant is hoping to replace the scale house this fall. He stated they are requesting a one (1) year Extension of Time.

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



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Ms. Brown seconded the motion, which carried unanimously.

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**STAFF REPORT**

- 14-46 J.R. Ridenour
- 14-47 Katherine M. Williamson
- 14-48 Dominion Assets, LLC
- 14-49 Maynard or Shirley Miller

Mr. Wilkinson stated one of the manufactured homes has been replaced for SUP#14-46. He noted the other manufactured home will be replaced shortly. He stated SUP#14-47 and SUP#14-48 are both in compliance. He stated the applicant is working on placing one of the silos for SUP#14-49.

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Mr. Morgan discussed the court cases with the Board. Mr. Morgan also briefed the Board on some of the changes regarding granting Variances.

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

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Chairwoman

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Secretary