

Staff Briefing

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a. A request by Richard T. and Sherrie L. Arehart, for a Special Use Permit to have a building exceeding the 900 square foot total aggregate allowed on

property they own located at 25 Rankin Lane, Stuarts Draft in the South River District.

Chair Coyner stated the Board visited the site this morning.

Mr. Richard Arehart stated I am requesting a carport for my property.

Chair Coyner stated the building is too close to the property lines.

Mr. Arehart stated yes. Terra Engineering and Land Solutions filed a boundary line adjustment plat for me.

Chair Coyner asked if he will lose part of the garden as a result?

Mr. Arehart stated no. The land that I will be acquiring will be in between the garden and the carport. The garden will not be affected.

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

Mr. Mike Jarvis, 33 Rankin Lane, Stuarts Draft, stated I live on the property beside this and I am against it. I wanted to build a 36 x 42 structure and I was told I could not do it because I did not have enough property. At that time, I could not understand why I could not have my building when he had larger buildings on his property. This carport showed up about two (2) months ago and I started questioning things because I did not see any building permits. He does not have a building permit for this building and the shed near the garage. If we allow this how will it keep people from following the rules in the future. At that time, I had more property than he does. Even with the land he is acquiring, I will still have more. I cannot agree with him having three (3) buildings when I can only have my building and the home.

There being no one else wishing to speak, Chair Coyner asked the applicant to speak in rebuttal.

Mr. Arehart stated some of the buildings have been there for 20+ years. I had no idea that the carport would be considered a building and needed a permit. The carport is in question for today. I should have gotten a permit.

Chair Coyner declared the public hearing closed. The Board viewed the site this morning and saw the proximity of the neighbors.

Mr. Thacker stated this carport is behind another building. This should not be a detriment to the neighborhood.

BZA Member Thacker moved, seconded by BZA Member Bailey, that the Board approve the request with the following conditions:

1. Obtain all Building Permits and inspections.

- ### Operating Conditions:

- Mr. Bailey seconded the motion, which carried unanimously.

Mr. Arehart stated they have ten (10) days to review the plat. I have not heard anything back yet. The pre-condition states to provide the office with a copy of the plat.

Motion Passed.

- Mr. Juan Bahena stated I would like to have a food truck business and have food sales on site.

Chair Coyner asked if the applicant would operate from this site?

Mr. Bahena stated yes.

Chair Coyner asked if there would be employees?

Mr. Bahena stated himself and another person.

Chair Coyner asked when will you start operating?

Mr. Bahena stated December.

Chair Coyner asked if he would be open year round?

Mr. Bahena stated yes.

Mr. Bailey asked if the Health Department has been contacted yet?

Mr. Bahena stated yes.

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. The Board visited the site this morning. This property has been used for business for many years and it is a good spot.

Mr. Glover stated there has not been any issues with the site.

BZA Member Glover moved, seconded by BZA Member Rutledge, that the Board approve the request with the following conditions:

Pre-Condition:

1. Applicant obtain a food service permit through the Health Department and provide a copy to Community Development.

Operating Conditions:

1. Be permitted to have one (1) food trailer and two (2) picnic tables outside and to be kept in the designated area as shown on the BZA sketch plan.
2. Site be kept neat and orderly.

Vote was as follows:

Yeas:	George Coyner, II, Mark Glover, Thomas Bailey, Monica Rutledge, Thomas Thacker
Nays:	None

Motion Passed.

- c. A request by Katie Cerminara, for a Special Use Permit to have a short term vacation rental on property owned by 39 Davenport, LLC located at 2564 Mt. Torrey Road, Lyndhurst in the South River District.

Chair Coyner asked if this is her residence?

Ms. Katie Cerminara stated yes.

Chair Coyner asked how do you plan on renting the site?

Ms. Cerminara stated through Airbnb.

Chair Coyner asked where will you be when the site is rented out?

Ms. Cerminara stated I will be at my mom's house close by.

Chair Coyner asked if she will supervise the rental?

Ms. Cerminara stated yes.

Chair Coyner asked how will folks know about the rental?

Ms. Cerminara stated it will be advertised on our website and through Airbnb and Vrbo.

Chair Coyner asked if the applicants will be screened?

Ms. Cerminara stated yes.

Chair Coyner asked if she plans on only renting the house and not the farm?

Ms. Cerminara stated yes.

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. This is a nice piece of property.

BZA Member Bailey moved, seconded by BZA Member Thacker, that the Board approve the request with the following conditions:

Pre-Conditions:

None

Operating Conditions:

1. Be permitted to lease the existing three (3) bedroom dwelling for short term vacations.

- Vote was as follows: Yeas: George Coyner, II, Mark Glover, Thomas Bailey, Monica Rutledge, Thomas Thacker
Nays: None

d. A request by Rebecca and Jeramy Early, for a Special Use Permit to have an RV repair shop, retail sales of RV and camping supplies, and to continue to have outdoor storage of construction equipment, topsoil and topsoil sifting and outdoor storage of RVs on property owned by Robert M. and Patricia Eavers located at 17 Romaine Lane, Stuarts Draft in the Riverheads District.

There being none, Chair Coyner declared the public hearing closed. This is a good place to do this. The Board visited the site this morning. This is a good way to utilize the site.

BZA Member Thacker moved, seconded by BZA Member Bailey, that the Board approve the request with the following conditions:

Pre-Condition:

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

Operating Conditions:

1. Be limited to two (2) employees working onsite unless the existing sewage disposal system can accommodate more and approval is sent to Community Development.
2. All outdoor storage be kept in the designated areas shown on the BZA sketch plan.
3. Hours of operation be 9:00 a.m. to 5:00 p.m. Monday – Friday and 10:00 a.m. to 3:00 p.m. on Saturday.
4. No Sunday work.
5. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
6. Site be kept neat and orderly.

Vote was as follows: Yeas: George Coyner, II, Mark Glover, Thomas Bailey, Monica Rutledge, Thomas Thacker
Nays: None

Motion Passed.

- e. A request by Vanessa McMullen, for a Special Use Permit to have one (1) primitive campsite on property she owns located on the northeast side of Diggs Lane, south of the intersection of Lyndhurst Road and Diggs Lane in the South River District. - **Withdrawn**

The request was withdrawn by the applicant.

5. Old Business

6. Matters to Be Presented by the Public

7. Matters to Be Presented by the Zoning Administrator

- a. A request by Bradley Martin, for a Special Use Permit to have outdoor storage of commercial vehicles and storage of equipment within an existing storage shed in conjunction with a litter processing business on property owned by

Tapeaka Holsteins #1, LLC ½ and Tapeaka Holsteins #2, LLC, located at 425
Freemason Run Road, Mount Solon in the North River District. – **ONE YEAR
EXTENSION OF TIME REQUEST**

BZA Member Bailey moved, seconded by BZA Member Rutledge, that the Board approve the one year Extension of Time.

Vote was as follows: Yeas: George Coyner, II, Mark Glover, Thomas Bailey,
Monica Rutledge, Thomas Thacker
Nays: None

Motion Passed.

- b. A request by Benjamin Ramsey, agent for BCSCA Properties, LLC, for a Special Use Permit to have outdoor recreational vehicle storage on property they own, located south of Stuarts Draft Highway (Route 340), east of the intersection of Lee Jackson Highway (Route 11) and Route 340 in the Riverheads District. - **ONE YEAR EXTENSION OF TIME REQUEST**

BZA Member Glover moved, seconded by BZA Member Bailey, that the Board approve the one year Extension of Time.

Vote was as follows: Yeas: George Coyner, II, Mark Glover, Thomas Bailey, Monica Rutledge, Thomas Thacker
Nays: None

Motion Passed.

- c. A request by Zachary Dean, for a Special Use Permit to amend Operating Condition #2 of SUP#20-31 to increase the number of equipment for sale, amend Operating Condition #7 to increase the number of licensed tow trucks, trailers, and equipment and to add motor vehicle sales or auctions, and increase the size of the impoundment area on property he owns, located on the west side of East Side Highway (Route 340), approximately .204 miles north of Patterson Mill Road in the Middle River District. – **18 MONTH EXTENSION OF TIME REQUEST**

BZA Member Thacker moved, seconded by BZA Member Rutledge, that the Board approve the 18 month Extension of Time.

Vote was as follows: Yeas: George Coyner, II, Mark Glover, Thomas Bailey, Monica Rutledge, Thomas Thacker
Nays: None

Motion Passed.

- d. A request by Quentin Wood, PE, agent for Wayne Ave Solar 2, LLC, for a Special Use Permit to construct a 3 megawatt solar facility on property owned

by Ellen B. Fitzgerald and Laura B. Fitzgerald, located within the field to the east of the house at 147 Wayne Avenue, which is south of the railroad that parallels Wayne Avenue, Stuarts Draft in the South River District. – **TWO YEAR EXTENSION OF TIME REQUEST**

Ms. Bunch stated the applicant submitted a decommission estimate and decommission bond. They will start working on their site plan. They are in diligent pursuit of completing the conditions.

Chair Coyner asked if two (2) years would be realistic?

Ms. Jessie Robinson stated two (2) years will be enough time.

Mr. Bill Lane stated I have been working with Ben McDevitt on the stormwater challenges with the site. I feel confident that we will submit the site plan within the next month.

BZA Member Glover moved, seconded by BZA Member Rutledge, that the Board approve the two year Extension of Time.

Vote was as follows: Yeas: George Coyner, II, Mark Glover, Thomas Bailey,
 Monica Rutledge, Thomas Thacker
 Nays: None

Motion Passed.

8. Staff Reports

a. Inspection Memo

24-74	Long Shots, LLC
24-75	Michael D. or Melinda S. Wissler
24-76	Karen N. Toomy (Roger Willetts)
24-77	Fishersville Baptist Church
24-78	Sandra A. Lane
24-79	STANIMALS328, LLC

Ms. Bunch stated SUP#24-74 has not completed the Pre-Conditions. Staff sent the applicant a letter. SUP#24-75 is in compliance. The Pre-Conditions for SUP#24-76 and SUP#24-77 both have not been completed. Staff sent the applicants letters. SUP#24-78 and SUP#24-79 are both in compliance.

9. Adjournment