

Issue Analysis Form

Date: December 11, 2018

Item: Mitchell Homes, Inc. (Meadows) Rezoning

Department: Community Development - Planning

Contact Person: Douglas Miles, Planning Manager



Description and Current Status

Mitchell Homes, Inc. is seeking to permit the reduction of the front yard setbacks on twelve (12) existing lots from (R-E) 75 feet to (R-2) 35 feet. The R-E front yard setback creates a hardship for buildable lots due to steep slopes and environmental features.

Government Path

Does this require IDA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require BZA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require Planning Commission action?	<input checked="" type="checkbox"/> Yes	October 25, 2018 Recommended for Approval by 7-0 vote.
Does this require Board of Supervisors action?	<input checked="" type="checkbox"/> Yes	December 11, 2018
Does this require a Public Hearing?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If so, before what date?	n/a	

Fiscal Impact Statement

The proposed rezoning does not seek to increase the residential density it merely seeks to allow for the construction of one single family dwelling per lot which would be allowed under R-E and R-2 zoning districts just with a forty (40) foot front yard setback reduction

County Impact

The proposed rezoning will allow for new single family homes to be constructed where currently under the R-E zoning it is not feasible to construct new homes and these lots remain vacant not allowing for this portion of The Meadows subdivision to be completed

Notes

n/a

Board of Supervisors
County of Prince George, Virginia

Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 11th day of December 2018:

Present:

Alan R. Carmichael, Jr., Chairman
Donald R. Hunter, Vice Chairman
Floyd M. Brown, Jr.
Marlene J. Waymack
T. J. Webb

Vote:

REZONING CASE RZ-18-04 Request of Mitchell Homes Inc. to rezone 21+/- acres from R-E, Residential Estate to R-2, Limited Residential Zoning District. This request will permit the reduction of the front yard setbacks on twelve (12) existing lots from (R-E) 75 feet to (R-2) 35 feet. The R-E front yard setback creates a hardship for buildable lots due to steep slopes and environmental features. The Comprehensive Plan indicates that the subject properties are appropriate for residential uses. The subject properties are known as lots 27-32 and 35-40 of The Meadows Section 2 subdivision and are known as Tax Maps 13J(02)00-027-0,028-0,029-0,030-0,031-0,032-0,035-0,036-0,037-0,038-0,039-0 and 040-0.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Rezoning Application identified as RZ-18-04 is granted as an amendment to the official zoning map.

Adopted on December 11, 2018 and becoming effective immediately.

**BOARD OF SUPERVISORS
REZONING REPORT SUMMARY**

CASE NUMBER: RZ-18-04

APPLICANT: Mitchell Homes, Inc.

LOCATION OF PROPERTY: North of Sandy Ridge Road and west of Meadow View Boulevard

PARCEL IDs: 13J(02)00-027-0; 028-0; 029-0; 030-0; 031-0; 032-0; 035-0, 036-0; 037-0; 038-0; 039-0 and 040-0

PLANNING DISTRICT: Prince George Planning Area

REQUESTED ACTION: R-E to R-2 rezoning for front setback reduction

EXISTING ZONING: R-E, The Meadows Section 2 subdivision

PROPOSED ZONING: R-2, The Meadows Section 2 subdivision

EXISTING USE: Vacant single family dwelling lots

PROPOSED USE: Single family dwelling uses

SURROUNDING ZONING:

North and East: R-2, Meadows Subdivision; single family dwellings

West and South: R-A, rural residential zoning; single family dwellings

UTILITIES: County water and sewer

REAL ESTATE TAXES: No delinquent taxes are owed to the County

MEETING INFORMATION:

Planning Commission: Thursday, October 25, 2018 at 6:30 pm
Recommended Approval by a 7-0 vote

Board of Supervisors: Tuesday, December 11, 2018 at 7:30 pm

RECOMMENDATION: The Planning Commission and Planning Staff recommend Approval of this rezoning request from R-E to R-2 Zoning

ATTACHMENTS:

1. Rezoning Application
2. GIS Map showing area
3. Staff Report
- 4.

**BOARD OF SUPERVISORS STAFF REPORT
REZONING REQUEST – CASE RZ-18-04**

**APPLICANT: MITCHELL HOMES, INC.
PUBLIC HEARING: December 11, 2018**

Request:

The applicant proposes to rezone 21 +/- acres from R-E, Residential Estate to the R-2, Limited Residential District to decrease the required front yard setback amount from 75 feet to 35 feet.

The applicant has filed “The Meadows Section 2, Lots 27 through 41, Subdivision Plat” dated September 18, 2018 showing potential house sites on these lots using a 35 foot front setback.

The applicant proposes to build on these recorded lots once the building envelope is changed on the front and will match the Meadows subdivision sections relative to single family dwellings.

Comprehensive Plan:

The 2018 Comprehensive Plan identifies this general area for residential uses and the proposed rezoning would be in compliance with the County’s established land use plan and its policies.

Zoning Case Analysis:

The Planning Manager worked with both the applicant, Mitchell Homes, Inc. and with their consultant, Timmons Group to walk through the various options to make these R-E recorded lots to be buildable given the steep slopes and extensive environmental features such as the RPA and Floodplain areas. Front yard setback Variance requests were ruled out as all of the lots would need a forty (40) foot Variance to the R-E seventy-five (75) foot front yard setback.

The Board of Zoning Appeals (BZA) cannot issue Variances to all of the recorded lots under the State Code of Virginia requirements. The Code states that an applicant shall first seek all other administrative and/or local legislative action relief prior to requesting a Variance as State relief. Therefore, the applicant is requesting a rezoning from R-E to R-2 on all of these lots to reduce the front yard setback and then, if needed, they will administratively perform a Boundary Line Adjustment (BLA) Plat to consolidate the unbuildable lots into Meadows Section 2 open space.

VDOT Transportation:

The Virginia Department of Transportation (VDOT) has reviewed this request and has stated the rezoning request does not include additional lots so no increase in anticipated trip generations will occur with the proposed rezoning. The Meadows Section 2 roads have not been accepted into the State system of maintenance. VDOT provided a list of deficiencies that need to be corrected prior to acceptance on October 24, 2014. No corrections have been made and this section was auctioned off and no additional subdivision road work has been done in this section.

Planning Commission and Staff Recommendation:

The Planning Commission and Planning Staff recommends Approval of this rezoning request from R-E to R-2 to allow for the front yard setback to be adjusted so that these recorded lots can become buildable allowing for the lots to have single family dwellings constructed and the subdivision section to be completed in The Meadows Section 2.



County of Prince George, Virginia

“A global community where families thrive and businesses prosper”

November 30, 2018

BOARD OF SUPERVISORS - NOTICE OF PUBLIC HEARING

Dear owner, agent or occupant of each parcel involved that is abutting property and property immediately across the street or the road from the property affected:

This is notification that the Prince George County Board of Supervisors will hold a public hearing on **Tuesday, December 11, 2018 beginning at 7:00 pm** in the Board Room, located on the third floor of the County Administration Building, 6602 Courts Drive, Prince George, Virginia, 23875 to consider the following request that involves the Prince George County Zoning Ordinance:

REZONING CASE RZ-18-04 Request of Mitchell Homes Inc. to rezone 21 +/- acres from R-E, Residential Estate to R-2, Limited Residential Zoning District. This request will permit the reduction of the front yard setbacks on twelve (12) existing lots from (R-E) 75 feet to (R-2) 35 feet. The R-E front yard setback creates a hardship for buildable lots due to steep slopes and environmental features. The Comprehensive Plan indicates that the subject properties are appropriate for residential uses. The subject properties are known as lots 27-32 and 35-40 of The Meadows Section 2 subdivision and are known as Tax Maps 13J(02)00-027-0,028-0,029-0,030-0,031-0,032-0,035-0,036-0,037-0,038-0,039-0 and 040-0.

A copy of the related materials may be examined in Planning and Zoning in the County Administration Building or call 804.722.8678 and the department is open from 8:30 am to 5:00 pm Monday - Friday. All interested persons shall have the opportunity to be heard at said public hearing. We have included a copy of the general location of the request site for your use.

Sincerely,

Douglas Miles

Douglas Miles, AICP, CZA
Planning Manager / Zoning Administrator



County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

Memorandum

To: Angela Blount, Environmental Program Coordinator
Dean Simmons, Building Official and Fire Official
Frank Haltom, Director of Engineering & Utilities
Paul Hinson, VDOT – Petersburg Residency Office

C: Percy C. Ashcraft, County Administrator
Jeff Stoke, Deputy County Administrator
Julie C. Walton, Department Director
Horace Wade, Planner

From: Douglas Miles, Planning Manager **DM**

Date: October 1, 2018

Subject: **The Meadows Section 2 (Flat Top Drive) R-E to R-2 Rezoning (front setback)**

Please find the attached Mitchell Homes application and a textual statement based upon our pre-application meeting discussion with Mitchell Homes and Timmons Group on September 27th.

They are rezoning from R-E to R-2 in order to reduce the front yard setback from 75' to 35' to make these existing lots to become buildable due to the steep slopes and environmental features.

Please review this information and provide any staff report comments that you deem appropriate for this conditional rezoning request. The applicant is not proposing to change the density but to construct single family homes on as many of the lots as possible through the permitting process. **Please provide comments by Thursday, October 11th to dmiles@princegeorgecountyva.gov**



REZONING APPLICATION

Department of Community Development and Code Compliance
 6602 Courts Drive
 Prince George, VA 23875
 Planning Division (804) 722-8678
www.princegeorgecountyva.gov

OFFICE USE ONLY

APPLICATION #: **RZ-18-04**

DATE SUBMITTED: **9/28/18**

(Please fill-in all blanks)

GENERAL PROPERTY INFORMATION

LEGAL OWNER(S) OF PROPERTY REQUESTED TO BE REZONED:

Dennis Huckrup

ADDRESS: **14008 Depot Rd.**

TAX MAP OF SUBJECT PARCEL: **See attached**

CITY: **McKeeney**

STATE: **VA**

ZIP CODE: **23872**

DISTRICT: **P2**

E-MAIL ADDRESS: **chriskrup@ix.netcom.com**

RECORDED IN THE CIRCUIT COURT CLERK'S OFFICE: **SEE ATTACHED**

DEED BOOK _____ PAGE _____ Date _____ DEED RESTRICTIONS:

CURRENT LAND USE: **R-E - VAC.** ACREAGE: **21.28 acres**

COMPREHENSIVE PLAN DESIGNATION:

ZONING CLASSIFICATION

PRESENT ZONING: **RE**

PROPOSED ZONING: **R2**

REASON(S) FOR REZONING REQUEST, INCLUDING DESCRIPTION OF PROPOSED USE: **See attached letter**

OWNER AGENT/REP

AGENT OR REPRESENTATIVE OF PROPERTY OWNER(S), IF ANY (SPECIFY INTEREST):

Mitchell Homes Inc.

NAME: **Deborah Lumpkin**

PHONE NUMBER: **804 378 5211 x100**

ADDRESS: **11050 Holly Hills Rd.**

CITY: **Pacheco**

STATE: **VA**

ZIP CODE: **23139**

E-MAIL ADDRESS: **info@mitchellhomesinc.com**

PROVIDE A GENERAL DESCRIPTION OF THE PROJECT: (Attach a separate letter if necessary)

See Attached letter.

PROJECT DESCRIPTION

RECEIVED
SEP 28 2018
 BY: _____

AFFIDAVIT

A. The undersigned (1) Property Owner or (7) duly authorized agent or representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.

NAME: Mitchell Homes, Inc. by Scott Skeme

SIGNED: [Signature] DATE: 9/28/18

MAILING ADDRESS: 1650 Holly Hills Road

CITY/STATE/ZIP: Richmond, VA 23226

PHONE NUMBER: 804-378-5211

E-MAIL ADDRESS: scott@mitchellhomesinc.com

STATE BELOW THE NAME, ADDRESS, AND PHONE NUMBER OF PERSON(S) TO BE CONTACTED REGARDING THIS APPLICATION IF OTHER THAN ABOVE PERSON(S):

NAME: Deborah Lumpkin

MAILING ADDRESS: 1650 Holly Hills Road

CITY/STATE/ZIP: Powhatan, VA 23139

PHONE NUMBER: 804-378-5211 x100

E-MAIL ADDRESS: dlumpkin@mitchellhomesinc.com

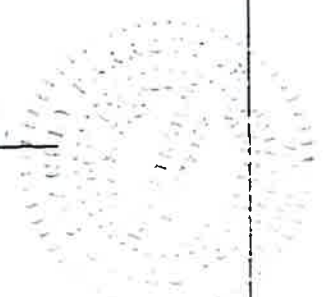
STATE OF VIRGINIA

COUNTY OF: ~~PRINCE GEORGE~~ Powhatan County, Virginia

Subscribed and sworn before me this 28 day of September, 2018.

[Signature]
Notary Public

My Commission expires: 9/30, 2021



AFFIDAVIT



MEADOWS SECTION 2 ZONING APPLICATION

To whom it may concern,

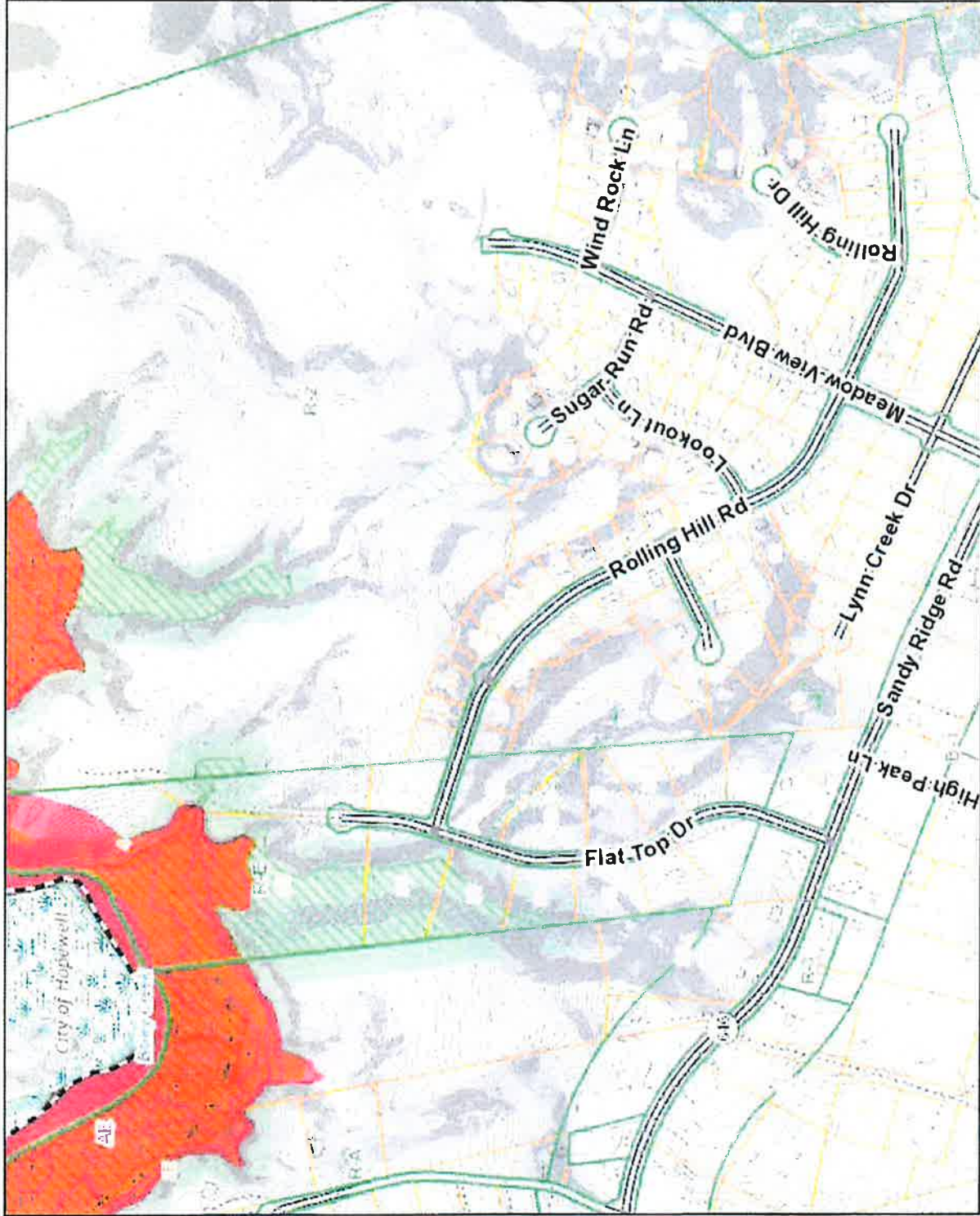
This letter is to request approval for the re-zoning of 14 lots in the Meadows section 2 which has been included in the plat. The re-zoning request is to change from a RE to a R2, in order to allow for 60% of the proposed homes to be placed in a buildable condition. This proposed plat will maintain the current amount lots, and will not change the density. This request is simply a 40' difference in front setbacks that will make the sloped lots suitable for home sites.

With the approval of this request, the developer has immediate intentions of breaking ground on this project. We feel that this request will match the other sections within the neighborhood and should have no adverse effects on the future development.



RECEIVED

County of Prince George

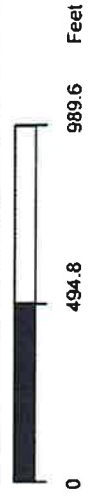


Legend

- Zoning Outlines
- Political Boundaries
- FEMA Floodzones
- Taxparcels
- Access Easements
- Wetlands
- Contours - 2ft
- Swamps
- RPA Area

Notes

Map Scale 1: 5,938
9/18/2018



The information contained in this data should not be used as a "legal description". Map information is believed to be accurate, but accuracy is not guaranteed.
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