



## County of Prince George, Virginia

*"A welcoming community • Embracing its rural character • Focusing on its prosperous future"*

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### MEMORANDUM

TO: Tammy Anderson, Chair  
Alex W. Bresko, Jr., Vice-Chair  
R. Steven Brockwell  
Jennifer D. Canepa  
Imogene S. Elder  
V. Clarence Joyner, Jr.  
M. Brian Waymack

FROM: Tim Graves, Planner II

RE: July 2024 Planning Commission Work Session & Business Meeting

DATE: July 18, 2024

CC: Jeff Stoke, County Administrator\*  
Kristen Pudlow, Deputy County Administrator\*  
Andrea Erard, County Attorney\*  
Robert Baldwin, Director of Planning  
Madison Sobczak, Planning & Zoning Technician

*\* (Receiving digital copy only)*

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The Planning Commission's Work Session will be Monday, July 22, 2024 at 5:30 p.m. in the Board Room.

The Planning Commission's regular Business Meeting will be Thursday, July 25, 2024 at 6:30 p.m. in the Board Room.

Please contact me at (804)722-8678 or via e-mail at [tgraves@princegeorgecountyva.gov](mailto:tgraves@princegeorgecountyva.gov) with any questions.

1	Agenda
2	Draft Work Session Minutes June 24, 2024
3	Draft Business Meeting Minutes June 27, 2024
4	Rezoning RZ-24-03 Crater Properties LLC
5	Rezoning RZ-24-04 Justin Noblin
6	Rezoning RZ-24-05 Clements (County-Initiated)
7	Communications
8	Chickens in Res. Zoning Districts Report
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Begin

**TAB 1**

**AGENDA – BUSINESS MEETING**  
Planning Commission of Prince George County, Virginia

**Thursday, July 25, 2024 at 6:30 p.m.**  
County Administration Bldg. Boardroom, Third Floor  
6602 Courts Drive, Prince George, Virginia

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**CALL TO ORDER – Madam Chair Anderson**  
Roll Call – Clerk

**INVOCATION**

**PLEDGE OF ALLEGIANCE TO THE U.S. FLAG**

**ADOPTION OF AGENDA [1] – Madam Chair Anderson**

**PUBLIC COMMENTS – Madam Chair Anderson**

The Public Comments period is open to anyone who wishes to speak to the Commissioners on only topics that are not on the Agenda this evening. Please state your name and address and you will have three (3) minutes to speak.

**COMMISSIONERS' COMMENTS – Madam Chair Anderson**

**ORDER OF BUSINESS – Madam Chair Anderson**

**A-1.** Adoption of Work Session Meeting Minutes – June 24, 2024 [2]

**A-2.** Adoption of Business Meeting Minutes – June 27, 2024 [3]

**PUBLIC HEARINGS**

**P-1. REZONING RZ-24-03:** Request to rezone 1.419 (+/-) acres from Limited Residential (R-1) and General Business (B-1) to General Business (B-1). The purpose of the rezoning is to remove the existing proffers on a portion of the property and prepare for commercial development. The subject property is located at 12106 South Crater Road and is identified as Tax Map 430(07)00-001-0. The Comprehensive Plan indicates the property is planned for Residential uses. [4] **Tim Graves**

**P-2. REZONING RZ-24-04:** Request to rezone 1.25 (+/-) acres from Residential Agricultural (R-A), Limited Residential (R-2) and General Business (B-1) to General Business (B-1). The purpose of the rezoning is to use the property for a business office. The subject property is located at 5614 Ruffin Road and is identified as Tax Map 240(0A)00-081-0. The Comprehensive Plan indicates the property is planned for Commercial uses. [5] **Tim Graves**

**P-3. REZONING RZ-24-05:** Request to rezone 29.73 (+/-) acres from General Business (B-1) to Limited Residential (R-2). The purpose of the rezoning is to correct an apparent mapping error that occurred with the adoption of the zoning map in 2010. The subject property is located across from 4101 Courthouse Road and is identified

as Tax Map 340(0A)00-007-0. The Comprehensive Plan indicates the property is planned for Residential uses. [6] **Tim Graves**

**COMMUNICATIONS** – [7] **Tim Graves**

- C-1.** Actions of the Board of Zoning Appeals
- C-2.** Actions of the Board of Supervisors - BOS Recap(s)
- C-3.** Upcoming Cases for August 2024
- C-4.** Updates on Special Projects
  - A.** Comprehensive Plan Update
  - B.** Requirements for Chickens in Residential Zoning Districts [8]

**ADJOURNMENT** – **Madam Chair Anderson**

Begin

**TAB 2**

## **DRAFT MINUTES - WORK SESSION**

Planning Commission of Prince George County, Virginia

**Monday, June 24, 2024, at 5:30 p.m.**

County Administration Bldg., Board Room (Third Floor)  
6602 Courts Drive, Prince George, Virginia

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**CALL TO ORDER** – Vice-Chair Bresko called the meeting to order at 5:30 p.m.

**Roll Call – Madison Sobczak called roll:**

**Commissioners Present: Elder, Bresko, Canepa**

**Commissioners Absent: Waymack, Joyner, Anderson, Brockwell**

**Staff Present: Robert Baldwin, Tim Graves, Madison Sobczak**

**AGENDA REVIEW FOR June 27 BUSINESS MEETING** – Tim Graves

### **CASE REVIEW**

**P-1. SPECIAL EXCEPTION SE-24-05:** Request to permit a “Family day care home (large)” within a Limited Residential (R-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-203(3). The purpose of the request is to allow childcare for up to 12 children as a home occupation. The subject property, located at 6824 Hearthside Drive, is identified as Tax Map 13H(01)0C-041-0. The Comprehensive Plan indicates the property is planned for Residential uses. - [4] **Tim Graves reviewed the Staff Report and answered questions asked by commissioners.**

**COMMUNICATIONS** – Tim Graves reviewed the report that was presented to the Board of Supervisors on June 11, 2024, regarding residential chickens. He also announced that David “Koty” Gray had accepted a job elsewhere and the Planner I position is posted.

**ADJOURNMENT** – At 5:52 p.m., Vice-Chair Bresko asked for a Motion to Adjourn. Ms. Elder made the motion, seconded by Ms. Canepa. The vote was 3-0.

Begin

**TAB 3**



**DRAFT MINUTES**  
Planning Commission  
County of Prince George, Virginia  
Business Meeting  
June 27, 2024

County Administration Building, Board Room, Third Floor  
6602 Courts Drive, Prince George, Virginia 23875

**CALL TO ORDER.** The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, June 27, 2024, in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Mr. Alex Bresko, Vice-Chair.

**ATTENDANCE.** The following members responded to Roll Call:

Tammy Anderson, Chair	Absent
Alex Bresko, Vice-Chair	Present
Stephen Brockwell	Absent
Jennifer Canepa	Present
Imogene Elder	Present
Clarence Joyner	Present
Brian Waymack	Present

Staff present: Robert Baldwin, Planning Director; Tim Graves, Planner II; Madison Sobczak, Planning & Zoning Technician

**INVOCATION.** Ms. Elder provided the Invocation.

**PLEDGE OF ALLEGIANCE TO THE FLAG.** Mr. Bresko led in the Pledge of Allegiance to the United States flag.

**ADOPTION OF THE AGENDA.** Mr. Bresko asked the Commissioners for a motion to approve the Agenda for the June 27, 2024, Planning Commission meeting. Ms. Elder made a motion to approve the Agenda and Ms. Canepa seconded the motion.

Roll Call:

In favor: (5) Elder, Canepa, Bresko, Waymack, Joyner

Opposed: (0)

Absent: (2) Anderson, Brockwell

**PUBLIC COMMENT PERIOD.**

At 6:32 p.m., Mr. Bresko opened the Public Comment Period to anyone who wished to come forward to speak to the Commissioners on topics that were not on the Agenda as Public Hearings. Citizens were asked to limit their comments to three (3) minutes.

With no one wishing to speak Mr. Bresko closed the Public Comment Period at 6:32 p.m.

**COMMISSIONERS' COMMENTS.**

Mr. Bresko asked the Commissioners if they had any comments they would like to share. Ms. Elder stated she felt it was important to try and get the youth involved in the community by encouraging them to join local boards and commissions.

## **ORDER OF BUSINESS.**

### **A-1. Adoption of the Work Session Minutes – May 20, 2024**

Mr. Bresko asked the Commissioners to review the Work Session Minutes from May 20, 2024. Ms. Canepa made a motion to approve the May 20, 2024, Work Session Minutes. The motion was seconded by Mr. Waymack.

Roll Call:

In favor: (5) Bresko, Elder, Joyner, Canepa, Waymack

Opposed: (0)

Abstain: (0)

Absent: (2) Anderson, Brockwell

### **A-2. Adoption of Business Meeting Minutes – May 23, 2024**

Mr. Bresko asked the Commissioners to review the Minutes of the May 23, 2024, Planning Commission meeting. Ms. Canepa made a motion to approve the May 23, 2024, Meeting Minutes as written. The motion for approval was seconded by Mr. Waymack.

Roll Call:

In favor: (5) Bresko, Elder, Waymack, Canepa, Joyner

Opposed: (0)

Abstain: (0)

Absent: (2) Anderson, Brockwell

## **PUBLIC HEARINGS**

### **P-1. SPECIAL EXCEPTION SE-24-05: Request to permit a “Family day care home (large)” within a Limited Residential (R-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-203(3). The purpose of the request is to allow childcare for up to 12 children as a home occupation. The subject property, located at 6824 Hearthside Drive, is identified as Tax Map 13H(01)0C-041-0. The Comprehensive Plan indicates the property is planned for Residential uses. [4] Tim Graves**

Mr. Graves presented SE-24-05 to the Commission. (The staff report materials including the application materials are posted on the Planning Department website in the Planning Commission Meetings section.)

Mr. Graves stated the applicant was present for questions from Commissioners.

With no questions or concerns from the Commissioners, Mr. Bresko opened the Public Hearing at 6:42 p.m. With no one wishing to speak, Mr. Bresko closed the Public Hearing at 6:42 p.m.

Mr. Bresko asked if the Commissioners had any further questions for staff. With there being no further questions Mr. Bresko stated he would entertain a motion. Ms. Canepa

made a motion to forward request SE-24-05 to the Board with the recommendation for approval subject to the recommended conditions in the Staff Report; the reason for this recommendation is it is expected to benefit the general welfare of the community. Mr. Waymack seconded the motion.

Roll Call:

In favor: (3) Canepa, Waymack, Bresko

Opposed: (2) Joyner, Elder

Abstain: (0)

Absent: (2) Anderson, Brockwell

## **COMMUNICATIONS.**

### **C-1. Actions of the Board of Zoning Appeals (BZA)**

- There were none. The June and July meeting were canceled.

### **C-2. Actions of the Board of Supervisors (BOS)**

- The Board of Supervisors denied the rezoning request for the Hopecrest townhomes at the May 28, 2024 meeting. The applicant still plans to proceed with a duplex development.
- On May 28 the Board postponed the special exception request for the Borrow Pit until the June 11, 2024 meeting.
- On May 28 the Board asked the Planning Staff to bring a mapping error request to the Planning Commission for a Rezoning public hearing.
- On May 28 the Board clarified the pause of zoning enforcement on chickens does not apply to roosters in Residential zoning districts.
- On June 11 the Board approved the special exception for the Day Support Center on Branchester Parkway and the special exception request for the Borrow Pit.
- The Board received a report from Planning Staff on June 11 on chickens and asked Planning Staff to conduct public outreach to gain feedback on what should be done, and obtain recommendation from Planning Commission.

### **C-3. Upcoming Planning Commission Cases for July 25, 2024**

- Three rezoning public hearings are on the agenda.

### **C-4. Comprehensive Plan Update Process**

- Staff held a public workshop on June 22, 2024, at Chester Estates.
- On June 12, County Staff provided input through input sessions.
- The online survey has been closed and the initial public engagement phase has ended.
- The Berkley Group is working on finalizing their summary for the public engagement phase and will be presenting the summary to Planning Commission on July 29, 2024 at the special work session meeting and providing a draft Chapter 1 of the Comprehensive Plan.

## **ADJOURNMENT.**

At 6:51 p.m., Mr. Bresko asked the Commissioners if they had any additional questions. If not, he would entertain a motion to adjourn. Mr. Joyner made a motion to adjourn, and Ms. Canepa seconded the motion. Roll was called on the motion.

Roll Call:

In favor: (5) Bresko, Canepa, Waymack, Joyner, Elder

Opposed: (0)

Absent: (2) Anderson, Brockwell

Begin

**TAB 4**



**PLANNING COMMISSION STAFF REPORT**

Public Hearing July 25, 2024

**RZ-24-03** – Rezoning from R-1 and B-1 to B-1

**Applicant:** Dean E. Hawkins, L.A.

**Property Owner:** Crater Properties, LLC

**Case Manager:** Tim Graves, Planner II - (804)722-8678

**Request Summary**

The applicant has requested that a 1.419 -acre property be rezoned from R-1 and B-1 (Limited Residential and General Business) to B-1 (General Business) and to remove any existing proffers. The purpose of the request is to have uniform B-1 zoning so that it may be developed for business/commercial uses.

**Action for the Planning Commission**

The Planning Commission is required to hold a public hearing and make a recommendation of approval or denial and forward the request to the Board of Supervisors for a decision.

**Property Details**

**Address:** 12106 S Crater Rd.

**Tax Map:** 430(07)00-001-0

**Site Size:** 1.419 acres

**Zoning District:** R-1, B-1

**Current Use(s):** Single-family dwelling

**Comp Plan Future Land Use:** Residential

**Planning Area:** Prince George Planning Area

**Real Estate Taxes Paid?:** Yes

**Location within County**



**Meeting Information**

Planning Commission Public Hearing: July 25, 2024

Board of Supervisors Public Hearing: September 10, 2024 (Tentative)

**Attachments**

- 1. Copy of the Application with attachments
- 2. Copy of prior zoning conditions of ZM-98-006 (to be rescinded)
- 3. Copy of Permitted Uses in B-1 Zoning District
- 4. Copy of APO letter, map, mailing list, and newspaper ad
- 5. Draft Ordinance for Board of Supervisors
- 6. Sample Motions



## Request Details (including any voluntary proffers submitted)

- The applicant wishes to rescind any existing proffers and establish a uniform zoning district on the property.
- No voluntary proffers were submitted.

## Visual Exhibits

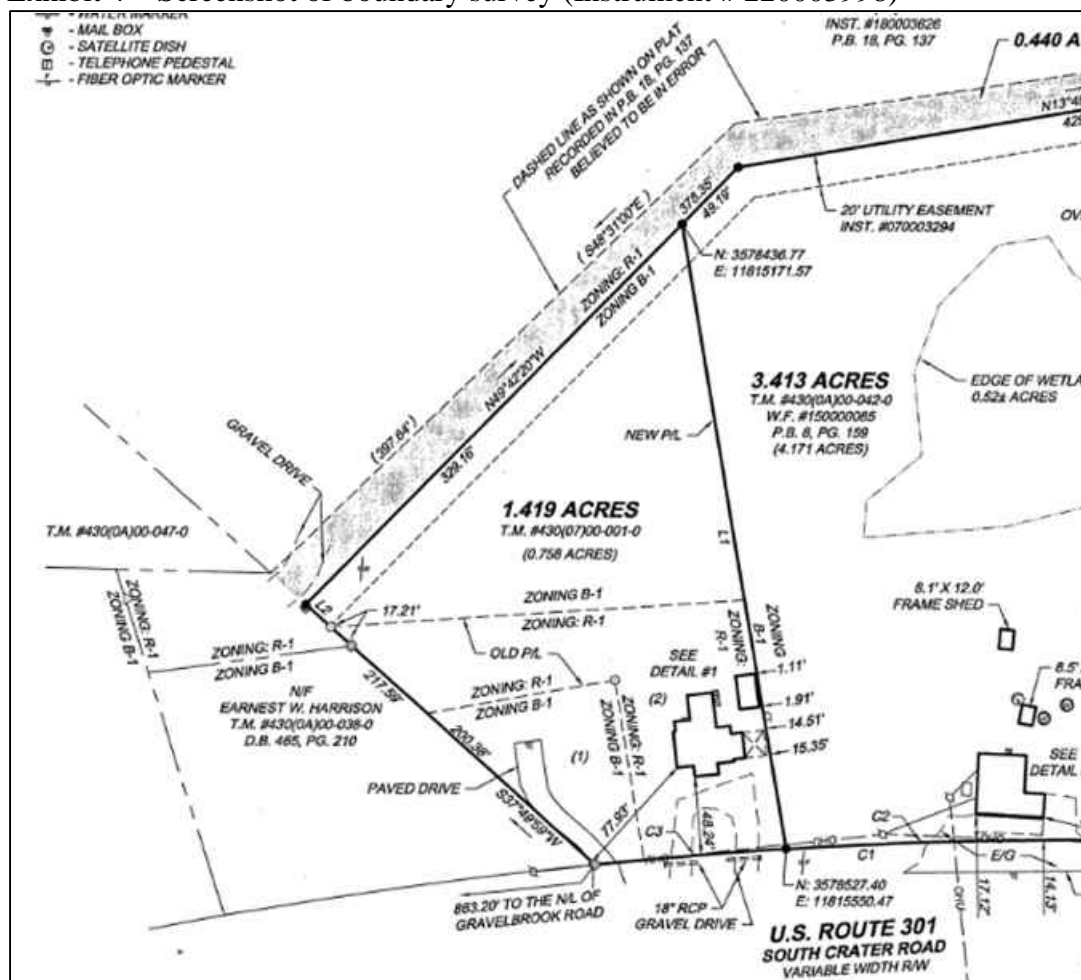
Exhibit 1 – Aerial views of property (close and far)







Exhibit 4 – Screenshot of boundary survey (Instrument # 220003998)



## Planning Department Comments

### Informational Comments:

<b>Zoning history and other relevant background information:</b>	<ul style="list-style-type: none"> <li>The rear portion of the property was rezoned from R-1 to B-1 in 1998 in case # ZM-98-006 which included proffers.</li> <li>A portion of the front of the property was rezoned from R-1 to B-1 in 1978 in case # ZM-78-5 with no proffers.</li> <li>The remaining portion of the property is zoned R-1.</li> <li>The result is that the property is split zoned, with proffers affecting only the rear portion of the property.</li> <li>The split zoning on the property poses a challenge to using and developing it.</li> </ul>
<b>Acreage and boundaries of proposed rezoning:</b>	<p>Approximately 1.419 acres (all of the existing Tax Parcel) is proposed to be rezoned. The boundaries of the property are shown on Instrument # 220003998 recorded in the Circuit Court. (see Exhibit 4)</p>
<b>Proposed land use(s):</b>	<p>Not determined at this time. The owner may market the property for development after it is rezoned.</p>

<b>Effect of rezoning:</b>	<p>If the property is rezoned as requested:</p> <ul style="list-style-type: none"> <li>• It could be used for any of the uses permitted by-right in the district (A list has been attached for reference).</li> <li>• The existing use of the property (single-family dwelling) will become nonconforming and can continue unless the structure is vacated for at least 24 months.</li> </ul>
<b>Other applicable Subdivision / Zoning processes applicable if the request is granted:</b>	<ul style="list-style-type: none"> <li>• The applicant would need to apply for a Special Exception before the property could be used for any land uses that require a Special Exception.</li> <li>• A Site Plan Review will be required prior to developing the property.</li> <li>• A Zoning/Building Permit will be required prior to the construction of any new building(s).</li> <li>• A Business Zoning Approval will be required prior to beginning operations of any business on the property.</li> </ul>

### Review Comments

<b>Consistency with Comprehensive Plan:</b>	<p>The Comprehensive Plan Future Land Use Map indicates this property is planned for Residential uses, and adjacent properties are planned for Commercial uses.</p> <p>The request appears to be generally consistent with the Comprehensive Plan since the future land use map is not intended to be parcel-specific and the map shows this area is planned for commercial development.</p>
<b>Consistency with surrounding zoning:</b>	<p>Surrounding zoning districts include: B-1 and R-1.</p> <p>Most of the subject property is already zoned B-1.</p> <p>This request appears to be consistent with surrounding zoning.</p>
<b>Compatibility with current land uses on surrounding properties:</b>	<ul style="list-style-type: none"> <li>• Surrounding land uses include: A single-family dwelling to the North, trees to the West, hotels to the East, and a restaurant to the South.</li> <li>• Since the property to the North is zoned B-1, it is likely to be developed with commercial use to replace the existing dwelling in the future.</li> <li>• The request appears to be compatible with the surrounding uses.</li> </ul>
<b>Anticipated off-site impacts</b>	<p>Anticipated off-site impacts include:</p> <ul style="list-style-type: none"> <li>• Additional Traffic: <ul style="list-style-type: none"> <li>○ No trip generation estimates were provided. The amount of traffic generated will depend on what type of development occurs and whether adjacent properties are also utilized to form a larger development.</li> <li>○ Requirements for turn lanes or other entrance improvements are reviewed during Site Plan review and can be required at that time if warranted.</li> </ul> </li> <li>• Other: Impacts are unknown at this time as no particular land use is proposed.</li> </ul>
<b>Proffers Review</b>	<ul style="list-style-type: none"> <li>• No voluntary proffers were submitted.</li> <li>• If the applicant decides to submit proffers during the rezoning process, <ul style="list-style-type: none"> <li>○ For PC consideration, the PC bylaws require the proffers to be submitted 10 days prior to the public hearing. This is intended to allow staff, the public and the PC time to review and consider the proffers as part of the application.</li> <li>○ For BOS consideration, the state code allows proffers to be submitted only before the BOS public hearing begins. If the proffers are materially amended after the BOS public hearing has started, then another public hearing must be held at a future date.</li> </ul> </li> </ul>

<b>Additional review comments:</b>	<ul style="list-style-type: none"> <li>• The owner of the subject property also owns an adjacent property to the South which is zoned B-1 and is family of the owner of the property to the North, which is zoned B-1 with proffers. The properties could be marketed for development as one larger property in the future.</li> <li>• The Exit 45 Strategic Plan has a future land use map which shows this property as favorable for retail development. This request is generally consistent with that plan (which has not been adopted by the Board, so it is not an official plan).</li> </ul>
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### Other Department/Agency Comments

#### **Virginia Department of Transportation (VDOT) - Paul Hinson, Area Land Use Engineer**

1. No schematic layout plan, conceptual plan or master plan was included with the zoning application. Without some sort of plan for the proposed development, VDOT was unable to predict trip generation rates for the site. Due to the size of the site, VDOT does not anticipate that a Chapter 527 TIA will be required. A VDOT Chapter 527 TIA will be required if the proposed development will generate more than 5,000 vehicle trips per day (VPD)
2. A commercial entrance will be required to access the proposed commercial development. Commercial entrances are subject to the entrance spacing and geometric requirements contained in Appendix F of the *VDOT Road Design Manual*.
3. Access to the site will be from S. Crater Road. S. Crater Road has a functionally classification of minor arterial and a posted speed limit of 45 MPH. Access to commercial properties must be in accordance with Appendix F of the Road Design Manual, Access Management Design Standards for Entrances and Intersections. Full access entrances must be spaced 470' apart to meet these standards. If the required spacing standards cannot be met, an Access Management Exception (AME) can be applied for. Only the Richmond District Engineer can approve AME requests. An AME can be applied for at any time during the zoning or site design process where the entrance locations are not anticipated to be moved.
4. Turn lanes will be required if warranted. No turn lane warrant analyses or trip generation data was supplied with the application.
5. It appears as though this proposed zoning case and the adjacent parcel owned by Mr. Harrison will be developed jointly. AME requests that create entrances that serve more than one parcel or more than one user are viewed favorably when evaluating AME requests.
6. VDOT has no objection to the proposed rezoning.

#### **Utilities – Rachael Lumpkin, Utility Project Engineer**

1. This parcel is already connected to both public water and public sewer with a 5/8" water meter. Additional connection fees will be required if the parcel is redeveloped and a larger meter is needed to meet the new demands of the site.

The departments below reviewed this request and had no comments.

**Real Estate Assessor – Randall Horne, Senior Real Estate Appraiser**

**Virginia Department of Health – Courtney Thomas, Environmental Health Specialist**

**Building Inspections – Charles Harrison III, Building Official**

**Environmental - Angela Blount, Environmental Program Coordinator**

The departments below received a copy of this request and did not provide comments.

**Fire & EMS – Parker Ramsey, Battalion Chief**

**Economic Development - Makayla Christensen, Economic Development & Tourism Specialist**

### Public Notice and Community Feedback

- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- Staff posted a sign on the property on 7-16-24.
- No comments from the community were received prior to finalizing this report.

### Staff Recommendation

Approval.

This recommendation is based on the following criteria:

Criteria	Staff Finding (Y/N/etc.)
Is the request consistent with the Comprehensive Plan?	Yes
Is the request consistent with surrounding zoning districts?	Yes
Is the request compatible with current land uses on surrounding properties?	Yes
If any concerns have been identified, do the proffers respond to them?	TBD if Commission identifies any concerns.

Envr(70V-22-24-0026 INV-6308



# REZONING APPLICATION

Department of Planning  
6602 Courts Drive, Prince George, VA 23875  
Email: [planning@princegeorgecountyva.gov](mailto:planning@princegeorgecountyva.gov)  
(804) 722-8678 | [www.princegeorgecountyva.gov](http://www.princegeorgecountyva.gov)

OFFICE USE ONLY

APPLICATION #:

22-24-03

DATE SUBMITTED:

5/6/24

## APPLICANT FILL-IN ALL BLANKS

REQUEST DETAILS

REQUEST: REZONE FROM LIMITED RESIDENTIAL (R-1) & GENERAL BUSINESS (B-1) TO GENERAL BUSINESS (B-1) DISTRICTS, AND DELETE/REMOVE/RESCIND EXISTING PROFFERS FOR THE SUBJECT PROPERTY (REV. 7/11/24 - Del.)

REQUEST PROPERTY ADDRESS / LOCATION: 12106 SOUTH CRATER ROAD  
(T.M. 430 (07)00-001-0)

REQUEST TAX MAP(S): (List all)  
T.M. 430 (07)00-001-0

AFFECTED  
ACREAGE:  
1.419

ENTIRE PARCEL?:  
(Y/N)  
Y

CURRENT  
ZONING:  
R-1 & B-1

PROPOSED  
ZONING:  
B-1

REQUIRED ATTACHMENTS: (Check if Attached; \* = Required)

☒ APPLICANT STATEMENT\* (Specify goals, details, etc.)

☐ PROPOSED CONDITIONS / PROFFER STATEMENT

☐ CONCEPTUAL SITE PLAN\*  
(Show any planned improvements; Use GIS or Engineer Drawing)

☐ COMMUNITY MEETING SUMMARY

☐ SURVEY OR LEGAL DESCRIPTION OF REZONING  
REQUEST AREA (If different than recorded lot)

☐ ADDITIONAL ATTACHMENTS:

LEGAL OWNER

NAME(S): CRATER PROPERTIES, LLC

MAILING ADDRESS (Incl. City, State, Zip) P.O. BOX 250  
COLONIAL HEIGHTS, VA 23834

E-MAIL: EWHARRISON13AOL.COM

PHONE: (804) 691-5670

APPLICANT CONTACT

NAME(S) (If different than owner): DEAN E. HAWKINS, L.A.

RELATION TO OWNER: CONSULTANT LANDSCAPE ARCHITECT

MAILING ADDRESS: (Incl. City, State, Zip) 5741 ELFINWOOD ROAD  
CHESTER, VA 23831

E-MAIL: DEHAWK4@COMCAST.NET

PHONE: (804) 748-6519

## OFFICE USE ONLY (Completed at time of application)

COMMENTS:

PAYMENT

FEE DUE:  
Rezoning: \$1,050 + [See Fee Schedule]  
Amend Existing Zoning Case: \$1,050

FEE PAID:  
\$1,050 + \$198.00

PAYMENT TYPE:  
CHECK / CASH / CREDIT / DEBIT

CHECK # / TRANSACTION #: REC-5504-2024

DATE RECEIVED: 5/7/24

RECEIVED BY: Madison Subczak

# OWNER AFFIDAVIT

The undersigned Property Owner(s) or 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: EARNEST W. HARRISON, MGR.  
GRATER PROPERTIES, LLC

NAME: \_\_\_\_\_

SIGNED: \_\_\_\_\_

SIGNED: \_\_\_\_\_

DATE: 3 MAY 2024

DATE: \_\_\_\_\_

NOTARIZATION:

STATE OF VIRGINIA

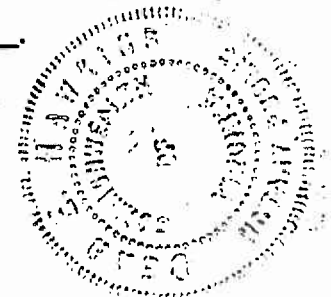
COUNTY OF: CHESTERFIELD

Subscribed and sworn before me this 3 day of MAY, 20 24.

Dean E. Hawkins

Notary Public DEAN E. HAWKINS

My Commission expires: 30 APRIL 2026  
# 262315



AFFIDAVIT



Dean E. Hawkins, ASLA  
Landscape Architects & Land Development Planners

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10 July 2024

Mr. Tim Graves, Planner II  
Community Development  
County of Prince George  
6602 Courts Drive  
P. O. Box 68  
Prince George, VA 23875

**RE: 12106 South Crater Road  
Case RZ-24-03**

Dear Mr. Graves:

Pursuant to your request this day, I am as agent herewith forwarding on behalf of the owner of this parcel, Crater Properties, LLC, an Applicant Statement for your consideration.

**Applicant Statement**

The application for this case, RZ-24-03, is submitted to request a rezoning of 12106 South Crater Road, Tax Map 430 (07) 00-001-0, from the currently existing combination of Limited Residential (R-1) and General Business (B-1) Districts, as approved by the Prince George County Board of Supervisors on July 28, 1998, to the proposed General Business (B-1) District. The intent of this request being to consolidate the current dual zoning of the subject parcel into one composite zoning district of B-1. There is an existing residence, which is currently occupied, on the R-1 portion of the parcel. This rezoning request complies with the Land Use Plan and will allow for its orderly use per the ordinances of the county.

On an additional side note and request, with the description of this submitted Applicant Statement, please rescind the Proffers previously submitted on the Rezoning Application for this case dated 6 May 2024. A copy of the amended application denoting this is attached herewith.

Please contact me with any further questions or comments.

Your truly,

Dean E. Hawkins, L.A.



# Special Limited Power of Attorney

**Witnesseth:**

1. That I, Earnest W. Harrison, Manager of Crater Properties, LLC (a Virginia limited liability corporation) being further referenced in Paragraph 2 below, own property located in the County of Prince George, Virginia, further described as:

<u>Parcel Address</u>	<u>Parcel ID#</u>	<u>Deed Reference</u>
12106 South Crater Road	430(07)00-001-00	Instrument: #180003623/0 Plat Book 9, Page 200

2. I, being the owner of the parcels described in Paragraph 1, am authorized to take the action indicated herein and to sign this Special Limited Power of Attorney.

3. With this Special Limited Power of Attorney, I therefore do hereby make, constitute and appoint:

Dean E. Hawkins, L. A.  
Landscape Architect  
5741 Elfinwood Road  
Chester, VA 23831  
(804) 748-6519 (T)  
[dehawk4@comcast.net](mailto:dehawk4@comcast.net) (E)

to act as my true and lawful attorney-in-fact for us in my name, place and stead with full power and authority I would have if acting personally and collectively to seek any and all required rezoning, conditional use, special exception, variance, mobile home permit, modification to development standards or requirements and/or substantial accord determinations and to complete a disclosure affidavit or other forms and papers and to set forth and offer such legally acceptable voluntary proffered conditions, make and sign applications for permits and pay any and all required fees pertaining thereto, including additions, amendments, modifications or deletions thereto that, in his discretion, are deemed reasonable, appropriate and necessary for the submission, processing and approval of a site plan for the property described in Paragraph 1 herein, except as follows:

- 
4. This Special Limited Power of Attorney shall expire upon final action, completion or withdrawal of the application, submissions or work to which this form applies.

(signature page follows)



Witness the following signature:

Crater Properties, LLC (a Virginia limited liability corporation)

*Earnest W. Harrison*  
Earnest W. Harrison, Manager

*April 15, 2024*  
Date

STATE OF *Virginia*

COUNTY/CITY OF *Colonial Heights*, to-wit:

This day Earnest W. Harrison, Manager of Crater Properties, LLC (a Virginia limited liability corporation) personally appeared before me, a Notary Public in and for the County/City and State aforesaid, and swore or affirmed that the matters stated in the foregoing Special Limited Power of Attorney are true to the best of his knowledge and belief.

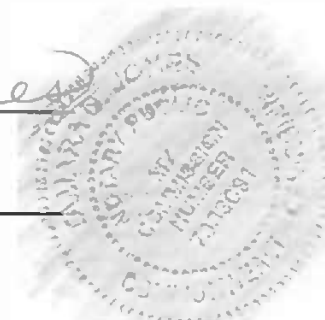
Given under my hand this *15th* day of *April*, 2024.

*Jamard Jones*  
Notary Public

*7333091*  
Registration Number

My Commission Expires:

*07-31-2026*



RECEIPT (REC-005504-2024)  
FOR PRINCE GEORGE COUNTY, VA

BILLING CONTACT  
Dean Hawkins, L.A.



Payment Date: 05/07/2024

Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
RZ-24-0026	PGC Rezoning to B-1 \$140 per acre calculated	Fee Payment	CRED CARD	\$198.66
	PGC Rezoning	Fee Payment	CRED CARD	\$1,050.00
12106 S Crater Rd South Prince George, VA 23805				<b>SUB TOTAL</b> \$1,248.66
				<b>TOTAL</b> \$1,248.66

Board of Supervisors  
County of Prince George  
Prince George, Virginia

Zoning Map Amendment

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Board of Supervisors Meeting Room, Police Building, 6600 Courthouse Road Prince George, Virginia this 28th day of July, 1998:

---

<u>Resolution:</u>	<u>Vote:</u>
Henry D. Parker, Jr., Chairman	Yea
Nathaniel Elliott, Vice-Chairman	Yea
Samuel L. Bland	Absent
Lawrence L. Coleman	Yea
G. Reid Foster, Jr.	Yea

---

On motion of Mr. Coleman, which carried unanimously with one member absent the following was adopted:

ZONING MAP AMENDMENT; REQUEST OF ELSIE HARRISON (ERNEST W. HARRISON- AGENT) TO REZONE TWO PARCELS TOTTALLING 5.38 ACRES FROM R-1, LIMITED RESIDENTIAL, TO B-1, GENERAL BUSINESS, LOCATED ON WEST SIDE OF SOUTH CRATER ROAD (A.P. NOS. 43-(A)-42 AND 43-(5)-1; RIVES DISTRICT)

WHEREAS, Elsie Harrison, on April 7, 1998, made application identified as PC 98-06, to the Board of Supervisors of the County of Prince George, Virginia, to conditionally rezone two parcels totalling 5.38 acres situated at 12010 South Crater Road from R-1, Limited Residential, to B-1, General Business (Assessor's Parcel Nos. 43-(A)-42 and 43-(5)-1 in the Rives District; and

WHEREAS, the Board of Supervisors has given due consideration to all of the factors as set forth in Section 17-2 of "The Code of the County of Prince George"; and

WHEREAS, the notice and hearing requirements of Section 15.2-2204, the Code of Virginia (1950, as amended) have been observed; and

WHEREAS, the Prince George County Planning Commission held a public hearing on the proposed conditional rezoning on May 28, 1998, and has referred this request to the Board of Supervisors with a recommendation for its approval; and

WHEREAS, the Board of Supervisors finds that it is empowered by the County Code to grant or to deny the conditional rezoning request for which application is made; and

WHEREAS, the Board of Supervisors finds that the interest of the adjacent properties and interests of the general public would not be adversely affected by the granting of the conditional rezoning request; and

WHEREAS, the Board of Supervisors has duly reviewed the recommendation of the Planning Commission and believes that this request should be approved; and

WHEREAS, the applicant has proffered conditions and limits the uses in accordance with a letter dated June 12, 1998.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Prince George this 28th day of July, 1998 that the Official Zoning Map of the County of Prince George be and is hereby amended as follows:

**Section 1.** The following described property, presently zoned R-1, Limited Residential, is hereby rezoned to B-1, General Business. In addition to the regulations for such zoning as contained in Chapter 17 of "The Code of the County of Prince George, Virginia", there are hereby incorporated conditions set forth in Section 2 of this ordinance. The rezoned area shall be described as:

Assessor's Parcel Nos. 43-(A)-42 and 43-(5)-1, totalling 5.38 acres and further identified in Will Book 9, Page 565 as recorded in the office of the Clerk of the Circuit Court, Prince George, Virginia.

**Section 2.** The following conditions, voluntarily proffered with rezoning application 98-06 in accordance with Section 17-421 of "The Code of the County of Prince George, Virginia" shall apply to the property described in Section 1 above:

identified in the letter dated June 12, 1998 and limited to:  
 (1) retail stores and shops; (9) theaters and assembly halls;  
 (11) office buildings; (16) service stations with major  
 repair facilities, under cover; (17) clubs and lodges;  
 (26) public utilities; (28) off-street parking as required by  
 this Chapter; (29) business signs; (30) general advertising  
 signs; (31) location signs; (32) restaurants; (33) shopping  
 centers; (35) exhibits operated by non-profit  
 organizations; (37) financial institutions; (42) home service  
 establishments such as exterminators, plumbers, and  
 decorators; (47) buildings or uses for federal, state, county  
 or local governmental purposes; (48) instructional and/or  
 training facilities including, but not limited to, dancing  
 schools and dancing studios; and (50) public utility  
 distribution facilities.

B. Those uses and structures permitted by special exception as  
 enumerated in Sec. 17-183 of the Zoning Ordinance as identified in the  
 letter dated June 12, 1998 and limited to: (7) hotel or motel, with or  
 without restaurant; (10) dance hall; (12) tavern, inn; (19) commercial  
 amusement park; (20) commercial recreational structures and uses; (23)  
 public utility generating station, transmission substation, transmission  
 line and tower other than normal distribution facilities, pipe, meter,  
 railroad, water and sewerage installation, compressor station, measureme  
 station, regulator station; and (30) carwash.

NOW THEREFORE BE IT ORDAINED, That the Board of Supervisors of the  
 County of Prince George this 28th day of July, 1998 hereby amends the Official Zoning  
 Map of the County of Prince George as requested by the applicant.

A Copy Teste:

*John G. Kines, Jr.* / *Marion E. Adams*  
 John G. Kines, Jr.      Deputy Clerk  
 County Administrator

---

## **Sec. 90-392. Uses and structures permitted by right.**

In the B-1 general business district, structures may be erected or land may be used for one or more of the following uses:

- (1) Retail stores and shops.
- (2) Bakeries.
- (3) Dry cleaners.
- (4) Laundries.
- (5) Wearing apparel stores.
- (6) Drugstores.
- (7) Barbershops and beauty shops.
- (8) Auto and home appliance services.
- (9) Theaters and assembly halls.
- (10) Office buildings.
- (11) Churches.
- (12) Libraries.
- (13) Funeral homes.
- (14) Service stations with major repair facilities under cover.
- (15) Clubs and lodges.
- (16) Auto sales and service.
- (17) Lumber and building supply with storage facilities under cover.
- (18) Plumbing and electrical supply with storage facilities under cover.
- (19) Machinery sales and service.
- (20) Waterfront business activities; wholesale and retail marine interests, such as boat docks, piers, small boat docks, yacht club and servicing facilities for such; docks and areas for the receipt, storage and transshipment of waterborne commerce; seafood and shellfish receiving; packing and shipping plants; and recreational activities primarily conducted on or about a waterfront. All such uses shall be contiguous to a waterfront.
- (21) Public utilities.
- (22) Offstreet parking as required by this chapter.
- (23) Business signs.
- (24) General advertising signs.
- (25) Location signs.
- (26) Restaurants.
- (27) Shopping centers.
- (28) Volunteer fire or rescue squads.

- 
- (29) Exhibits operated by nonprofit organizations.
  - (30) Community centers.
  - (31) Financial institutions.
  - (32) Office buildings.
  - (33) Wayside stands for display and sale of farm products.
  - (34) Retail catalog sales offices.
  - (35) Radio, television stations.
  - (36) Home service establishments such as exterminators, plumbers, decorators.
  - (37) Cemeteries.
  - (38) Circuses, carnivals or similar temporary activities when organized or sponsored by nonprofit organizations.
  - (39) Noncommercial fairgrounds.
  - (40) Commercial greenhouses, nurseries.
  - (41) Buildings or uses for federal, state, county or local governmental purposes.
  - (42) Instructional and/or training facilities, including but not limited to dancing schools and dancing studios.
  - (43) Farm supplies.
  - (44) Public utility distribution facilities.
  - (45) Mobile home and recreational vehicle sales, service and repair.
  - (46) Agriculture.
  - (47) Dwelling units when such use is reasonably and customarily a part of the business operation such as providing living quarters for a proprietor or manager and his family, as defined by the county zoning ordinance, not to exceed four people; or living quarters for a watchman or custodian of an establishment:
    - a. The dwelling shall be attached to or located above the business;
    - b. The dwelling use shall contain no more than 1,200 square feet, provided however, that the board of supervisors may authorize a greater size through the issuance of a special exception; and
    - c. The residential unit shall not be used as a rental property.
  - (48) Temporary outdoor Christmas tree sales and holiday items provided that:
    - a. Sales shall not begin before November 15th and shall be restricted to retail sales of Christmas trees, wreaths, garlands and similar decorative horticultural materials and holiday craft items.
    - b. Any portion of the sales area shall be located in accordance with the minimum side and rear yard setbacks required for the district.
    - c. Sufficient area shall be set aside to provide a minimum of five temporary offstreet parking spaces. If the sales are conducted on the same lot with an existing use, the required minimum and most accessible parking spaces for the existing use shall not be used for Christmas tree sales.
    - d. All Christmas tree products, parked vehicles, signs, trash, debris or other material associated with or resulting from the Christmas tree operation shall be removed no later than January 15.

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(49) Temporary outdoor Virginia legal fireworks sales provided that:

- a. Sales shall not begin before June 15 and shall be restricted to Virginia legal fireworks sales that meet the local fire code requirements.
- b. Any portion of the sales area shall be located in accordance with the minimum side and rear yard setbacks required for the district.
- c. Sufficient area shall be set aside to provide a minimum of five temporary offstreet parking spaces. If the sales are conducted on the same lot with an existing use, the required minimum and most accessible parking spaces for the existing use shall not be used for Virginia legal fireworks sales.
- d. All Virginia legal fireworks products, parked vehicles, signs, trash or debris or other material associated with or resulting from the Virginia legal fireworks sales shall be removed no later than July 15.

(50) Mobile food units, subject to the provisions of section 90-1041.

(51) Tattoo parlors and body piercing salons, as defined in the Code of Virginia, § 15.2-912.

(Code 1988, § 17-182; Ord. No. O-09-09, 11-12-2009; Ord. No. O-14-16, § 1, 7-22-2014; Ord. No. O-20-18, § 2, 8-11-2020; Ord. No. O-23-28, § 1, 10-24-2023)





## County of Prince George, Virginia

*"A welcoming community • Embracing its rural character • Focusing on its prosperous future"*

July 11, 2024

### NOTICE OF PUBLIC HEARING - PLANNING COMMISSION

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

This is notification that the Prince George County Planning Commission will hold a public hearing on **Thursday, July 25, 2024 beginning at 6:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

**REZONING RZ-24-03:** Request to rezone 1.419 (+/-) acres from Limited Residential (R-1) and General Business (B-1) to General Business (B-1). The purpose of the rezoning is to remove the existing proffers on a portion of the property and prepare for commercial development. The subject property is located at 12106 South Crater Road and is identified as Tax Map 430(07)00-001-0. The Comprehensive Plan indicates the property is planned for Residential uses.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. A copy of the proposed Ordinance and other materials related to the above named request may be reviewed or obtained in the Planning Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing [planning@princegeorgecountyva.gov](mailto:planning@princegeorgecountyva.gov). All interested persons are invited to participate in the public hearing in person. A live video stream will be available at [https://www.princegeorgecountyva.gov/live\\_stream/](https://www.princegeorgecountyva.gov/live_stream/). Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. Any person requiring assistance to participate in the public hearing is asked to contact the Planning Department in advance so that appropriate arrangements can be made.

You may also contact me with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

Sincerely,

A handwritten signature in blue ink that reads "Tim Graves".

Tim Graves  
Planner II

[illegible]

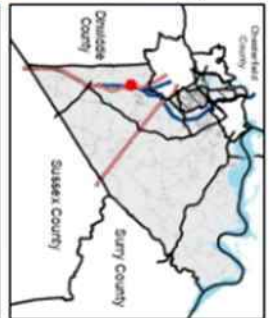
The information contained in this data should not be used as a "legal description". Map information aims to be accurate, but accuracy and completeness is not guaranteed.

Copyright, 2020 County of Prince George, VA

Map Scale 1:3,126



- County Parks
- Schools
- Firestations
- Political Boundaries
- Taxparcels
- Access Easements
- Swamps



## Notes

EVER GREEN TEAM  
PO Box 111  
Blackstone, VA 23824

Harrison, Earnest W  
PO Box 250  
Colonial Heights, VA 23834

Fisher, Susan H Et Als  
1472 Copperfield St SW  
Byron Center, MI 49315

PG Hospitality LLC  
12001 South Crater Rd  
S Prince George, VA 23805

Crater Properties LLC  
PO Box 250  
Colonial Heights, VA 23834

MDC Coast 11 LLC  
2424 Ridge Rd  
Rockwall, TX 75087

Dean Hawkins  
5741 Elfinwood Road  
Chester, VA 23831

**NOTICE OF PUBLIC HEARINGS  
PRINCE GEORGE COUNTY PLANNING COMMISSION**

The Planning Commission will hold public hearings on Thursday, July 25, 2024 beginning at 6:30 p.m. concerning the following requests:

**REZONING RZ-24-03:** Request to rezone 1.419 (+/-) acres from Limited Residential (R-1) and General Business (B-1) to General Business (B-1). The purpose of the rezoning is to remove the existing proffers on a portion of the property and prepare for commercial development. The subject property is located at 12106 South Crater Road and is identified as Tax Map 430(07)00-001-0. The Comprehensive Plan indicates the property is planned for Residential uses.

**REZONING RZ-24-04:** Request to rezone 1.25 (+/-) acres from Residential Agricultural (R-A), Limited Residential (R-2) and General Business (B-1) to General Business (B-1). The purpose of the rezoning is to use the property for a business office. The subject property is located at 5614 Ruffin Road and is identified as Tax Map 240(0A)00-081-0. The Comprehensive Plan indicates the property is planned for Commercial uses.

**REZONING RZ-24-05:** Request to rezone 29.73 (+/-) acres from General Business (B-1) to Limited Residential (R-2). The purpose of the rezoning is to correct an apparent mapping error that occurred with the adoption of the zoning map in 2010. The subject property is located across from 4101 Courthouse Road and is identified as Tax Map 340(0A)00-007-0. The Comprehensive Plan indicates the property is planned for Residential uses.

The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. Copies of the proposed Ordinances and other materials related to the above named requests may be reviewed or obtained in the Planning Department, located in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing [planning@princegeorgecountyva.gov](mailto:planning@princegeorgecountyva.gov). All interested persons are invited to participate in the public hearings in person. A live video stream will be available at [https://www.princegeorgecountyva.gov/live\\_stream/](https://www.princegeorgecountyva.gov/live_stream/). Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. Any person requiring assistance to participate in the public hearings is asked to contact the Planning Department in advance so that appropriate arrangements can be made.

BY ORDER OF THE PRINCE GEORGE COUNTY PLANNING COMMISSION

Publish: 7/11/24 and 7/18/24

Board of Supervisors  
County of Prince George, Virginia

ORDINANCE TO REZONE TAX MAP 430(07)00-001-0 FROM R-1 AND B-1 TO B-1

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 \_\_\_\_ day of \_\_\_\_, 2024:

Present:

T.J. Webb, Chair  
Floyd M. Brown, Jr, Vice Chair  
R.E. “Bobby” Cox, Jr.  
Philip T. Pugh  
Marlene J. Waymack

Vote:

**REZONING RZ-24-03:** Request to rezone 1.419 (+/-) acres from Limited Residential (R-1) and General Business (B-1) to General Business (B-1). The purpose of the rezoning is to remove the existing proffers on a portion of the property and prepare for commercial development. The subject property is located at 12106 South Crater Road and is identified as Tax Map 430(07)00-001-0. The Comprehensive Plan indicates the property is planned for Residential uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Rezoning Application identified as RZ-24-03 is granted as an amendment to the official zoning map; and

The Property is currently identified as Tax Map Number 430(07)00-001-0; and

The Property, consisting of approximately 1.419 acres, is hereby rezoned from Limited Residential (R-1) and General Business (B-1) to General Business (B-1); and

Any proffers which are currently in effect on the Property shall be rescinded.

-----  
Adopted on \_\_\_\_, 2024 and becoming effective immediately.

## **Sample Motions**

### **APPROVE:**

"I move to forward request RZ-24-03 to the Board with a recommendation for APPROVAL, and the reason(s) for this recommendation is/are:"

(EXAMPLES):

- "It is compatible with the Comprehensive Plan and surrounding uses and zoning districts."
- "It is expected to benefit the general welfare of the community."
- "The expected off-site impacts appear to be adequately addressed by the conditions."
- Other \_\_\_\_\_

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### **APPROVE WITH CHANGES:**

I move to forward request RZ-24-03 to the Board with a recommendation for APPROVAL, subject to the following changes:

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### **DENY:**

I move to forward request RZ-24-03 to the Board with a recommendation for DENIAL for the following reason(s): (SPECIFY)

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### **POSTPONE:**

I move to POSTPONE request RZ-24-03 until \_\_\_\_\_ to allow time for \_\_\_\_\_  
(MEETING DATE)

\_\_\_\_\_  
(ACTION/EVENT)

Begin

**TAB 5**





## PLANNING COMMISSION STAFF REPORT

Public Hearing July 25, 2024

**RZ-24-04** – Rezoning from R-A, R-2, and B-1 to B-1

**Applicant:** Justin Noblin

**Property Owner:** Justin Noblin

**Case Manager:** Tim Graves, Planner - (804)722-8678

### Request Summary

The applicant has requested that a 1.25-acre property be rezoned from R-A, R-2, and B-1 (Residential Agriculture, Limited Residential, and General Business) to B-1 (General Business) in order to use the existing building as a business office for a construction company.

### Action for the Planning Commission

The Planning Commission is required to hold a public hearing and make a recommendation of approval or denial and forward the request to the Board of Supervisors for a decision.

### Property Details

**Address:** 5614 Ruffin Road

**Tax Map:** 240(OA)00-081-0

**Site Size:** 1.25 acres

**Zoning District:** R-A, R-2, and B-1

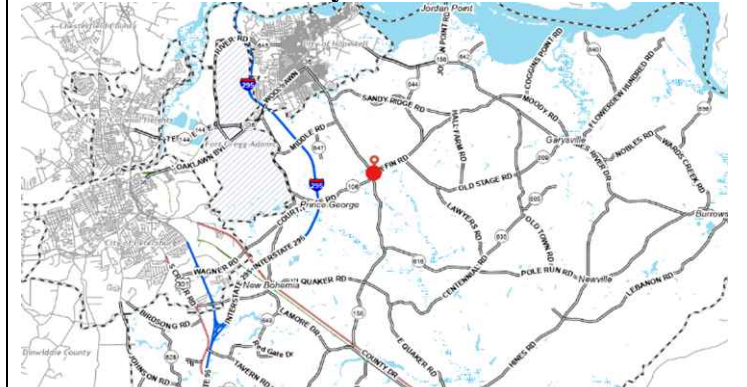
**Current Use(s):** Vacant building

**Comp Plan Future Land Use:** Commercial

**Planning Area:** Prince George Planning Area

**Real Estate Taxes Paid?:** Yes

### Location within County



### Meeting Information

Planning Commission Public Hearing: July 25, 2024

Board of Supervisors Public Hearing: September 10, 2024 (Tentative)

### Attachments

1. Copy of the Application with Attachments
2. Copy of Permitted Uses in B-1 Zoning District
3. Copy of APO letter, map, mailing list, and newspaper ad
4. Draft Ordinance for Board of Supervisors
5. Sample Motions



## Request Details (including any voluntary proffers submitted)

- The current building has existed since 1964 and has an existing well, septic, and drainfield.
- The planned use of the building is a business office including conference room for Noblin and Sons Construction Company.
- The building is approx. 900 sf. in size
- There is an existing driveway and parking area on the property. (See Exhibit 4)
- No voluntary proffers were submitted

## Visual Exhibits

Exhibit 1 - Aerial views of subject property and surroundings

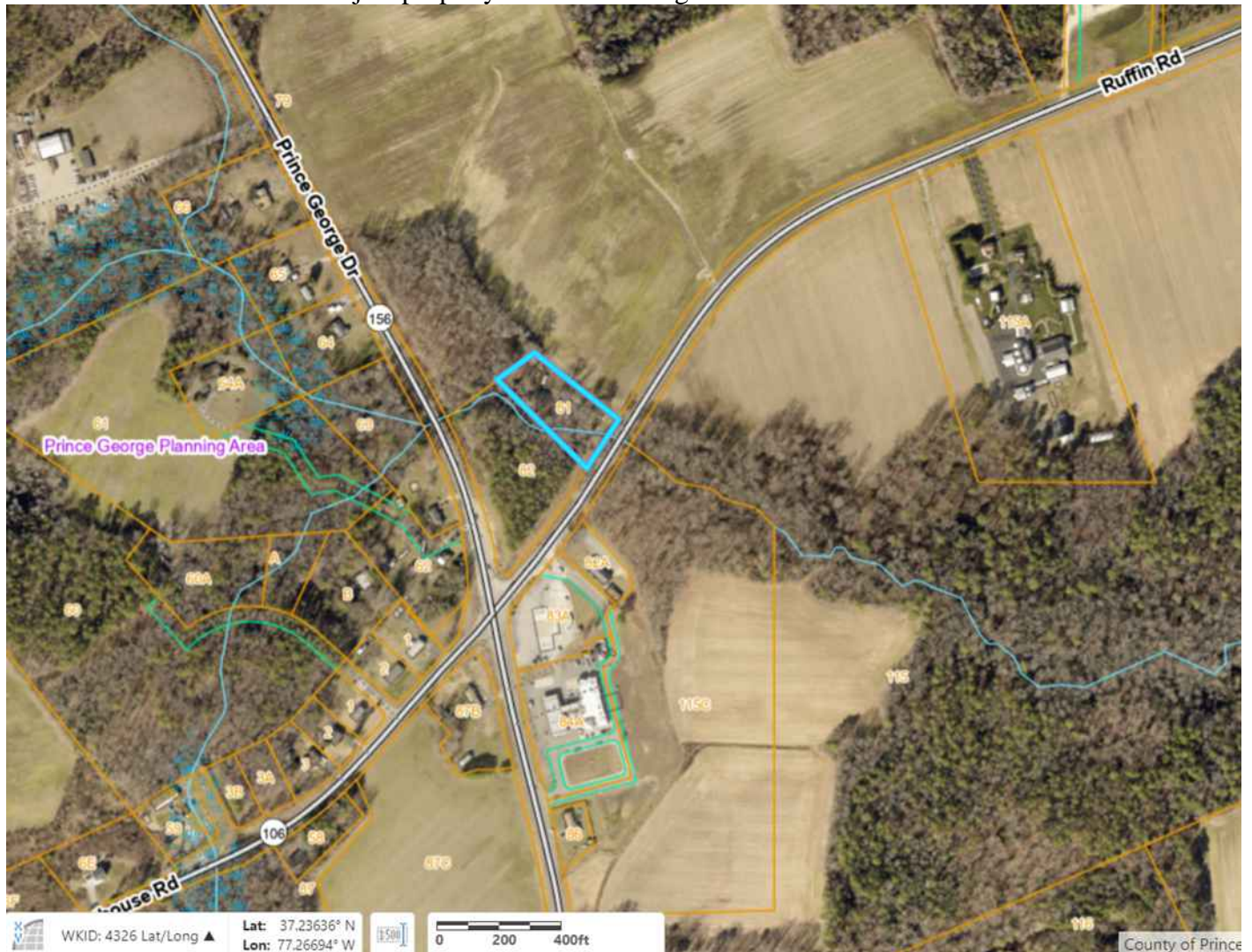






Exhibit 2 – Zoning Map

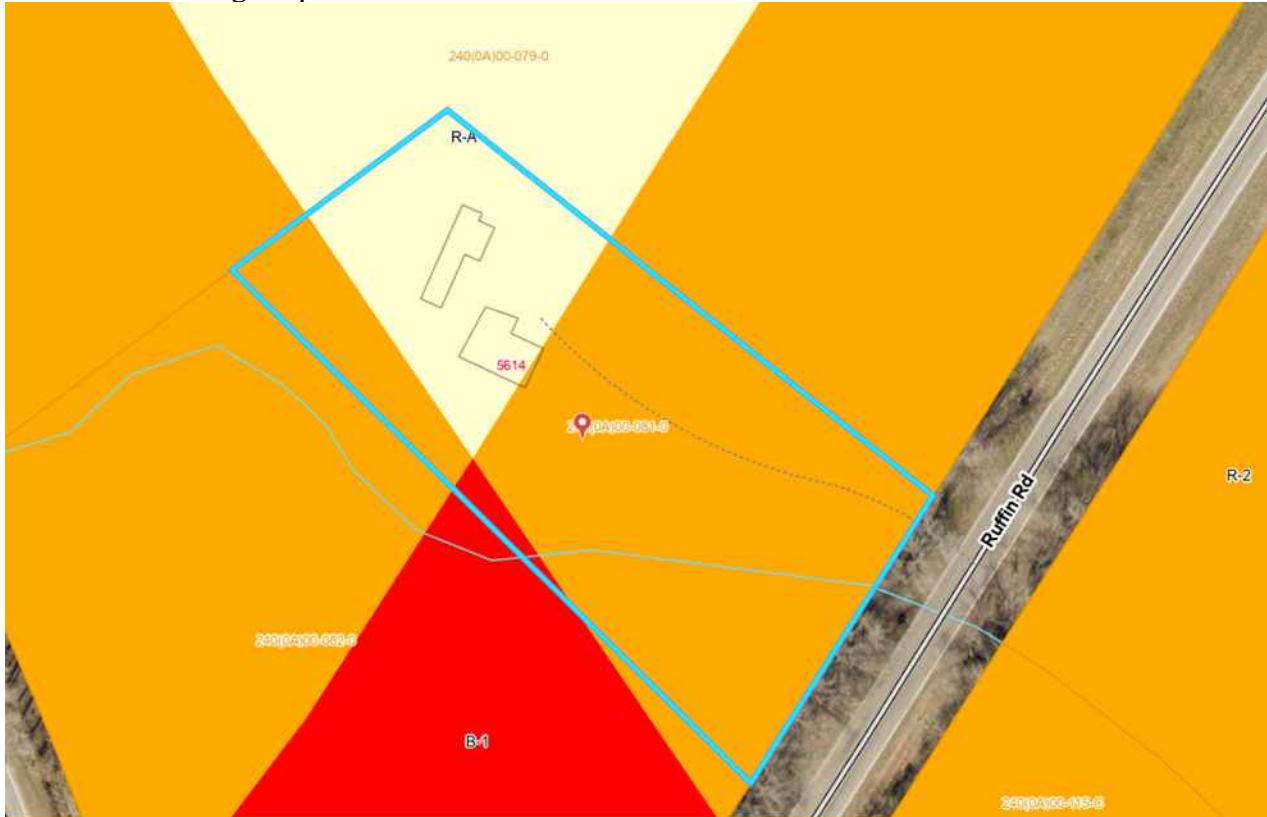




Exhibit 3 – Comprehensive Plan Future Land Use Map



Exhibit 4 – Property Photo



## Planning Department Comments

### Informational Comments:

<b>Zoning history and other relevant background information:</b>	<ul style="list-style-type: none"> <li>The zoning of the property appears to be the original zoning from when zoning was adopted in the County in 1965.</li> <li>The split zoning on the property poses a challenge to using and developing it.</li> </ul>
<b>Acreage and boundaries of proposed rezoning:</b>	Approximately 1.25 acres (entire tax parcel)
<b>Proposed land use(s):</b>	“Office Buildings” – pursuant to Section 90-392(10)
<b>Effect of rezoning:</b>	<p>If the property is rezoned as requested:</p> <ul style="list-style-type: none"> <li>It could be used for any of the uses permitted by-right in the district (A list has been attached for reference).</li> <li>The proposed use of the property (office) can occur.</li> </ul>
<b>Other applicable Subdivision / Zoning processes applicable if the request is granted:</b>	<ul style="list-style-type: none"> <li>The applicant would need to apply for a Special Exception before the property could be used for any land uses that require a Special Exception.</li> <li>A Site Plan Review would be required if the property was re-developed.</li> <li>A Business Zoning Approval will be required prior to beginning operations of any business on the property.</li> </ul>

### Review Comments

<b>Consistency with Comprehensive Plan:</b>	The Comprehensive Plan Future Land Use Map indicates this property is planned for Commercial uses, which is what is proposed, therefore, the request appears to be consistent with the Comprehensive Plan.
<b>Consistency with surrounding zoning:</b>	<p>Surrounding zoning districts include: R-A, R-2, B-1</p> <p>This request appears to be consistent with surrounding zoning.</p>
<b>Compatibility with current land uses on surrounding properties:</b>	<p>Surrounding land uses include: Trees to the West and North, empty fields or Agriculture, Commercial development to the South on the other side of Ruffin Road.</p> <p>The request appears to be compatible with the surrounding uses.</p>
<b>Anticipated off-site impacts</b>	<p>Anticipated off-site impacts include:</p> <ul style="list-style-type: none"> <li>Additional Traffic: No trip generation estimates were provided. The amount of traffic generated is anticipated to be low for the proposed use, and for any other use based on the small size of the property.</li> <li>Other: No off-site impacts from the proposed office use. Unless additional land is developed along with the subject property, the small size of the parcel limits potential impacts.</li> </ul>

<b>Proffers Review</b>	<ul style="list-style-type: none"> <li>• No voluntary proffers were submitted.</li> <li>• If the applicant decides to submit proffers during the rezoning process, <ul style="list-style-type: none"> <li>○ For PC consideration, the PC bylaws require the proffers to be submitted 10 days prior to the public hearing. This is intended to allow staff, the public and the PC time to review and consider the proffers as part of the application.</li> <li>○ For BOS consideration, the state code allows proffers to be submitted only before the BOS public hearing begins. If the proffers are materially amended after the BOS public hearing has started, then another public hearing must be held at a future date.</li> </ul> </li> </ul>
------------------------	--

### Other Department/Agency Comments

#### **Virginia Department of Transportation (VDOT) - Paul Hinson, Area Land Use Engineer**

1. A commercial entrance will be required to access the proposed commercial development. Commercial entrances are subject to the entrance spacing and geometric requirements contained in Appendix F of the *VDOT Road Design Manual*. If trip generation rates are less than 50 VPD, a low volume commercial entrance would be allowed.
2. Access to the site will be from Ruffin Road. Ruffin Road has a functional classification of minor arterial and a posted speed limit of 45 MPH. Access to commercial properties must be in accordance with Appendix F of the Road Design Manual, Access Management Design Standards for Entrances and Intersections. Full access entrances must be spaced 470' apart to meet these standards. If the required spacing standards cannot be met, an Access Management Exception (AME) can be applied for. Only the Richmond District Engineer can approve AME requests. An AME can be applied for at any time during the zoning or site design process where the entrance locations are not anticipated to be moved.
3. Turn lanes will be required if warranted. No turn lane warrant analyses or trip generation data was supplied with the application.
4. VDOT has no objection to the proposed rezoning.

#### **Utilities – Rachael Lumpkin, Utility Project Engineer**

1. This request is located within the Prince George Planning Area. Any new structures proposed on the property will be required to connect to the public water and wastewater systems if the water demand exceeds 5,250 gallons per day (County Code Sections 82-31 definition of Development, 82-75.a, and 83-395.a).
2. There is an existing 12-inch waterline located approximately 600 linear feet from this parcel at the intersection of Ruffin Road and Prince George Drive. If connection to the water system becomes required, it will be the applicant's responsibility to design and construct the extension.
3. The public wastewater system is not currently available to this site. The Utilities master plan indicates that a new wastewater pump station is required to serve this area of the county. The design and construction of this pump station and all associated piping will be the responsibility of new development required to connect.

The departments below reviewed this request and had no comments.

**Real Estate Assessor** – Randall Horne, Senior Real Estate Appraiser

**Virginia Department of Health** – Courtney Thomas, Environmental Health Specialist

**Building Inspections** – Charles Harrison III, Building Official

**Environmental** - Angela Blount, Environmental Program Coordinator

**Fire & EMS** – Parker Ramsey, Battalion Chief

The department below received a copy of this request and did not provide comments.

### **Public Notice and Community Feedback**

- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- Staff posted a sign on the property on 7-16-24.
- No comments from the community were received prior to finalizing this report.

### **Staff Recommendation**

Approval.

This recommendation is based on the following criteria:

<b>Criteria</b>	<b>Staff Finding (Y/N/etc.)</b>
Is the request consistent with the Comprehensive Plan?	Yes
Is the request consistent with surrounding zoning districts?	Yes
Is the request compatible with current land uses on surrounding properties?	Yes
If any concerns have been identified, do the proffers respond to them?	TBD if Commission identifies any concerns.





# REZONING APPLICATION

Department of Planning  
6602 Courts Drive, Prince George, VA 23875  
Email: [planning@princegeorgecountyva.gov](mailto:planning@princegeorgecountyva.gov)  
(804) 722-8678 | [www.princegeorgecountyva.gov](http://www.princegeorgecountyva.gov)

OFFICE USE ONLY

APPLICATION #:

RZ-24-04

DATE SUBMITTED:

5/15/24

## APPLICANT FILL-IN ALL BLANKS

REQUEST DETAILS	REQUEST:				
	Rezone to B-1				
	REQUEST PROPERTY ADDRESS / LOCATION:				
	5614 Ruffin Rd Prince George Va 23875				
LEGAL OWNER	REQUEST TAX MAP(S): (List all)	AFFECTED ACREAGE:	ENTIRE PARCEL?: (Y / N)	CURRENT ZONING:	PROPOSED ZONING:
	240(0A)00-081-0	1.25	Yes	R-A R-2 B-1	B-1
	REQUIRED ATTACHMENTS: (Check if Attached; * = Required)				
	<input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.) <input type="checkbox"/> PROPOSED CONDITIONS / PROFFER STATEMENT <input checked="" type="checkbox"/> CONCEPTUAL SITE PLAN* (Show any planned improvements; Use GIS or Engineer Drawing) <input type="checkbox"/> COMMUNITY MEETING SUMMARY <input type="checkbox"/> SURVEY OR LEGAL DESCRIPTION OF REZONING REQUEST AREA (If different than recorded lot) <input type="checkbox"/> ADDITIONAL ATTACHMENTS:				
APPLICANT CONTACT	NAME(S):				
	Justin D Noblin				
	MAILING ADDRESS (Incl. City, State, Zip)				
	8724 Centennial Rd Disputanta Va 23875				
E-MAIL:			PHONE:		
JAHNoblin@gmail.com			804-216-0167		
NAME(S) (If different than owner):					
N/A					
RELATION TO OWNER:					
Self					
MAILING ADDRESS: (Incl. City, State, Zip)					
E-MAIL:			PHONE:		

## OFFICE USE ONLY (Completed at time of application)

COMMENTS:

EnerGov - RZ-24-0027 Inv - 6406

PAYMENT	FEE DUE:	FEE PAID:	PAYMENT TYPE:
	Rezoning: \$1,050 + [See Fee Schedule] Amend Existing Zoning Case: \$1,050	1050 + 175.00 (acres) \$1225.00	<input checked="" type="checkbox"/> CASH / CREDIT / DEBIT
	CHECK # / TRANSACTION #:	DATE RECEIVED:	RECEIVED BY:
	REC-5602-2024	5/20/24	EnerGov

# OWNER AFFIDAVIT

The undersigned Property Owner(s) or 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:

Justin Abblin

NAME:

\_\_\_\_\_

SIGNED:

Justin Abblin

SIGNED:

\_\_\_\_\_

DATE:

5-15-24

DATE:

\_\_\_\_\_

## NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF: Prince George

Subscribed and sworn before me this

15

day of

May

, 20 24

Madison Sobczak

Notary Public

My Commission expires:

2/29

, 20 28

MADISON ANN SOBCZAK  
NOTARY PUBLIC  
REGISTRATION # 8107725  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES 02/29/2028

AFFIDAVIT

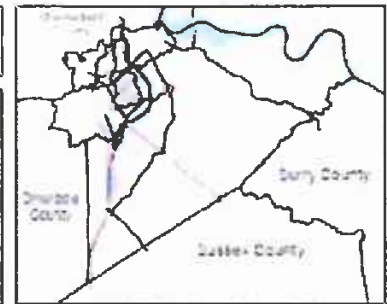


**Noblin and Sons Construction**

**8724 Centennial Rd**

**Disputanta Va 23842**

**The purpose of this letter is to define the intent of use for my property located at 5614 Ruffin Rd Prince George, Va 23875. The property is currently zoned R-A, B-1, and R-2. I would like to have the entire property zoned B-1 for my construction company. Noblin and Sons Construction was started 10 years ago. I am a Class A licensed contractor with residential and commercial applications. This property would serve as my office and conference room for my company. The building has existed since 1964 and has an existing well, septic, and drainfield. The building is approximately 900 sq ft and has an office, bathroom, storage closet, and 600 sq ft room that would be used as a conference room. There is an existing driveway and parking area outside of any wetlands than would suffice for any occasional limited customers that would need to visit. This driveway has an existing culvert pipe that VDOT has already reviewed and confirmed was sufficient.**



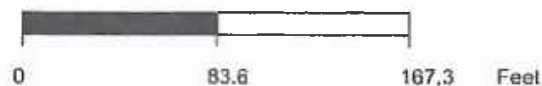
### Legend

- Political Boundaries
- Taxparcels
- Access Easements
- Wetlands
- Swamps
- RPA
- RMA
- RMA Parcels
- Planning Districts
- Planning Area
- Aerial\_EagleView\_2024
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

### Notes



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



Map Scale 1: 1,004

4/10/2024



RECEIPT (REC-005602-2024)  
FOR PRINCE GEORGE COUNTY, VA

BILLING CONTACT

JUSTIN NOBLIN  
NOBLIN AND SONS CONSTRUCTION  
8724 Centennial Rd Disputanta Va 23842



Payment Date: 05/20/2024

Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
RZ-24-0027	PGC Rezoning to B-1 \$140 per acre calculated	Fee Payment	eCheck	\$175.00
	PGC Rezoning	Fee Payment	eCheck	\$1,050.00
5614 Ruffin Rd Prince George, VA 23875			<b>SUB TOTAL</b>	<b>\$1,225.00</b>
<b>TOTAL</b>				<b>\$1,225.00</b>

---

## **Sec. 90-392. Uses and structures permitted by right.**

In the B-1 general business district, structures may be erected or land may be used for one or more of the following uses:

- (1) Retail stores and shops.
- (2) Bakeries.
- (3) Dry cleaners.
- (4) Laundries.
- (5) Wearing apparel stores.
- (6) Drugstores.
- (7) Barbershops and beauty shops.
- (8) Auto and home appliance services.
- (9) Theaters and assembly halls.
- (10) Office buildings.
- (11) Churches.
- (12) Libraries.
- (13) Funeral homes.
- (14) Service stations with major repair facilities under cover.
- (15) Clubs and lodges.
- (16) Auto sales and service.
- (17) Lumber and building supply with storage facilities under cover.
- (18) Plumbing and electrical supply with storage facilities under cover.
- (19) Machinery sales and service.
- (20) Waterfront business activities; wholesale and retail marine interests, such as boat docks, piers, small boat docks, yacht club and servicing facilities for such; docks and areas for the receipt, storage and transshipment of waterborne commerce; seafood and shellfish receiving; packing and shipping plants; and recreational activities primarily conducted on or about a waterfront. All such uses shall be contiguous to a waterfront.
- (21) Public utilities.
- (22) Offstreet parking as required by this chapter.
- (23) Business signs.
- (24) General advertising signs.
- (25) Location signs.
- (26) Restaurants.
- (27) Shopping centers.
- (28) Volunteer fire or rescue squads.

- 
- (29) Exhibits operated by nonprofit organizations.
  - (30) Community centers.
  - (31) Financial institutions.
  - (32) Office buildings.
  - (33) Wayside stands for display and sale of farm products.
  - (34) Retail catalog sales offices.
  - (35) Radio, television stations.
  - (36) Home service establishments such as exterminators, plumbers, decorators.
  - (37) Cemeteries.
  - (38) Circuses, carnivals or similar temporary activities when organized or sponsored by nonprofit organizations.
  - (39) Noncommercial fairgrounds.
  - (40) Commercial greenhouses, nurseries.
  - (41) Buildings or uses for federal, state, county or local governmental purposes.
  - (42) Instructional and/or training facilities, including but not limited to dancing schools and dancing studios.
  - (43) Farm supplies.
  - (44) Public utility distribution facilities.
  - (45) Mobile home and recreational vehicle sales, service and repair.
  - (46) Agriculture.
  - (47) Dwelling units when such use is reasonably and customarily a part of the business operation such as providing living quarters for a proprietor or manager and his family, as defined by the county zoning ordinance, not to exceed four people; or living quarters for a watchman or custodian of an establishment:
    - a. The dwelling shall be attached to or located above the business;
    - b. The dwelling use shall contain no more than 1,200 square feet, provided however, that the board of supervisors may authorize a greater size through the issuance of a special exception; and
    - c. The residential unit shall not be used as a rental property.
  - (48) Temporary outdoor Christmas tree sales and holiday items provided that:
    - a. Sales shall not begin before November 15th and shall be restricted to retail sales of Christmas trees, wreaths, garlands and similar decorative horticultural materials and holiday craft items.
    - b. Any portion of the sales area shall be located in accordance with the minimum side and rear yard setbacks required for the district.
    - c. Sufficient area shall be set aside to provide a minimum of five temporary offstreet parking spaces. If the sales are conducted on the same lot with an existing use, the required minimum and most accessible parking spaces for the existing use shall not be used for Christmas tree sales.
    - d. All Christmas tree products, parked vehicles, signs, trash, debris or other material associated with or resulting from the Christmas tree operation shall be removed no later than January 15.

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(49) Temporary outdoor Virginia legal fireworks sales provided that:

- a. Sales shall not begin before June 15 and shall be restricted to Virginia legal fireworks sales that meet the local fire code requirements.
- b. Any portion of the sales area shall be located in accordance with the minimum side and rear yard setbacks required for the district.
- c. Sufficient area shall be set aside to provide a minimum of five temporary offstreet parking spaces. If the sales are conducted on the same lot with an existing use, the required minimum and most accessible parking spaces for the existing use shall not be used for Virginia legal fireworks sales.
- d. All Virginia legal fireworks products, parked vehicles, signs, trash or debris or other material associated with or resulting from the Virginia legal fireworks sales shall be removed no later than July 15.

(50) Mobile food units, subject to the provisions of section 90-1041.

(51) Tattoo parlors and body piercing salons, as defined in the Code of Virginia, § 15.2-912.

(Code 1988, § 17-182; Ord. No. O-09-09, 11-12-2009; Ord. No. O-14-16, § 1, 7-22-2014; Ord. No. O-20-18, § 2, 8-11-2020; Ord. No. O-23-28, § 1, 10-24-2023)



## County of Prince George, Virginia

*"A welcoming community • Embracing its rural character • Focusing on its prosperous future"*

**July 11, 2024**

### NOTICE OF PUBLIC HEARING - PLANNING COMMISSION

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

This is notification that the Prince George County Planning Commission will hold a public hearing on **Thursday, July 25, 2024 beginning at 6:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

**REZONING RZ-24-04:** Request to rezone 1.25 (+/-) acres from Residential Agricultural (R-A), Limited Residential (R-2) and General Business (B-1) to General Business (B-1). The purpose of the rezoning is to use the property for a business office. The subject property is located at 5614 Ruffin Road and is identified as Tax Map 240(0A)00-081-0. The Comprehensive Plan indicates the property is planned for Commercial uses.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. A copy of the proposed Ordinance and other materials related to the above named request may be reviewed or obtained in the Planning Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing [planning@princegeorgecountyva.gov](mailto:planning@princegeorgecountyva.gov). All interested persons are invited to participate in the public hearing in person. A live video stream will be available at [https://www.princegeorgecountyva.gov/live\\_stream/](https://www.princegeorgecountyva.gov/live_stream/). Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. Any person requiring assistance to participate in the public hearing is asked to contact the Planning Department in advance so that appropriate arrangements can be made.

You may also contact me with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

Sincerely,

A handwritten signature in blue ink that reads "Tim Graves".

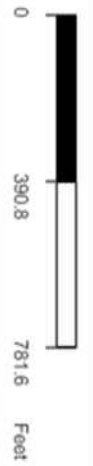
Tim Graves  
Planner II



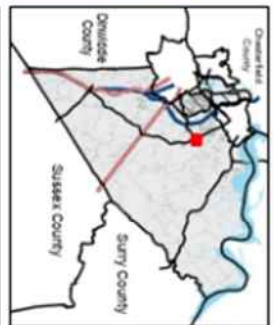
# County of Prince George



The information contained in this data should not be used as a "legal description". Map information aims to be accurate, but accuracy and completeness is not guaranteed.  
Copyright, 2020 County of Prince George, VA



Map Scale 1:4,689  
6/27/2024



- Legend**
- County Parks
  - Schools
  - Firestations
  - SiteAddresses
  - Political Boundaries
  - Taxparcels
  - Access Easements
  - Swamps

Notes



Noblin Justin D  
8724 Centennial Rd  
Disputanta, VA 23842

Bank of McKenney  
PO Box 2230  
Prince George, VA 23875

Kanak Beatrice J TR  
5118 Concordia St  
Fairfax, VA 22032

Davis Melvin Oil Co INC  
11042 Blue Star HWY  
Stoney Creek, VA 23882

Petroleum Marketing Investment  
Group LLC  
2900 Telestar Ct  
Falls Church, VA 22042

**NOTICE OF PUBLIC HEARINGS  
PRINCE GEORGE COUNTY PLANNING COMMISSION**

The Planning Commission will hold public hearings on Thursday, July 25, 2024 beginning at 6:30 p.m. concerning the following requests:

**REZONING RZ-24-03:** Request to rezone 1.419 (+/-) acres from Limited Residential (R-1) and General Business (B-1) to General Business (B-1). The purpose of the rezoning is to remove the existing proffers on a portion of the property and prepare for commercial development. The subject property is located at 12106 South Crater Road and is identified as Tax Map 430(07)00-001-0. The Comprehensive Plan indicates the property is planned for Residential uses.

**REZONING RZ-24-04:** Request to rezone 1.25 (+/-) acres from Residential Agricultural (R-A), Limited Residential (R-2) and General Business (B-1) to General Business (B-1). The purpose of the rezoning is to use the property for a business office. The subject property is located at 5614 Ruffin Road and is identified as Tax Map 240(0A)00-081-0. The Comprehensive Plan indicates the property is planned for Commercial uses.

**REZONING RZ-24-05:** Request to rezone 29.73 (+/-) acres from General Business (B-1) to Limited Residential (R-2). The purpose of the rezoning is to correct an apparent mapping error that occurred with the adoption of the zoning map in 2010. The subject property is located across from 4101 Courthouse Road and is identified as Tax Map 340(0A)00-007-0. The Comprehensive Plan indicates the property is planned for Residential uses.

The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. Copies of the proposed Ordinances and other materials related to the above named requests may be reviewed or obtained in the Planning Department, located in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing [planning@princegeorgecountyva.gov](mailto:planning@princegeorgecountyva.gov). All interested persons are invited to participate in the public hearings in person. A live video stream will be available at [https://www.princegeorgecountyva.gov/live\\_stream/](https://www.princegeorgecountyva.gov/live_stream/). Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. Any person requiring assistance to participate in the public hearings is asked to contact the Planning Department in advance so that appropriate arrangements can be made.

BY ORDER OF THE PRINCE GEORGE COUNTY PLANNING COMMISSION

Publish: 7/11/24 and 7/18/24

Board of Supervisors  
County of Prince George, Virginia

ORDINANCE TO REZONE TAX MAP 240(0A)00-081-0 TO B-1

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 \_\_\_\_ day of \_\_\_\_, 2024:

Present:

T.J. Webb, Chair  
Floyd M. Brown, Jr, Vice Chair  
R.E. “Bobby” Cox, Jr.  
Philip T. Pugh  
Marlene J. Waymack

Vote:

**REZONING RZ-24-04:** Request to rezone 1.25 (+/-) acres from Residential Agricultural (R-A), Limited Residential (R-2) and General Business (B-1) to General Business (B-1). The purpose of the rezoning is to use the property for a business office. The subject property is located at 5614 Ruffin Road and is identified as Tax Map 240(0A)00-081-0. The Comprehensive Plan indicates the property is planned for Commercial uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Rezoning Application identified as RZ-24-04 is granted as an amendment to the official zoning map; and

The Property is currently identified as Tax Map Number 240(0A)00-081-0; and

The Property, consisting of approximately 1.25 acres, is hereby rezoned from Residential Agricultural (R-A), Limited Residential (R-2) and General Business (B-1) to General Business (B-1).

-----  
Adopted on \_\_\_\_, 2024 and becoming effective immediately.

## **Sample Motions**

### **APPROVE:**

"I move to forward request RZ-24-04 to the Board with a recommendation for APPROVAL, and the reason(s) for this recommendation is/are:"

(EXAMPLES):

- "It is compatible with the Comprehensive Plan and surrounding uses and zoning districts."
- "It is expected to benefit the general welfare of the community."
- "The expected off-site impacts appear to be adequately addressed by the conditions."
- Other \_\_\_\_\_

-----

### **APPROVE WITH CHANGES:**

I move to forward request RZ-24-04 to the Board with a recommendation for APPROVAL, subject to the following changes:

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### **DENY:**

I move to forward request RZ-24-04 to the Board with a recommendation for DENIAL for the following reason(s): (SPECIFY)

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### **POSTPONE:**

I move to POSTPONE request RZ-24-04 until \_\_\_\_\_ to allow time for \_\_\_\_\_  
(MEETING DATE)

\_\_\_\_\_  
(ACTION/EVENT)

Begin

**TAB 6**



**PLANNING COMMISSION STAFF REPORT**

Public Hearing July 25, 2024

**RZ-24-05** – Rezoning from B-1 to R-2

**Applicant:** Prince George County

**Property Owner:** Larry T. Clements

**Case Manager:** Tim Graves, Planner - (804)722-8678

**Request Summary**

By resolution on May 28, 2024, the Board of Supervisors initiated the process to rezone this 29.73-acre property from General Business (B-1) to Limited Residential (R-2), in order to correct a discrepancy between the zoning of the property as indicated on the 1965 zoning map vs. the zoning as indicated on the 2010 zoning map. Since there are no records to indicate that the property was ever rezoned to B-1, this request is intended to return the zoning on the property to its former state.

**Action for the Planning Commission**

The Planning Commission is required to hold a public hearing and make a recommendation of approval or denial and forward the request to the Board of Supervisors for a decision.

**Property Details**

**Address:** N/A (no building)

**Tax Map:** 340(0A)00-007-0

**Site Size:** 29.73 acres

**Zoning District:** B-1

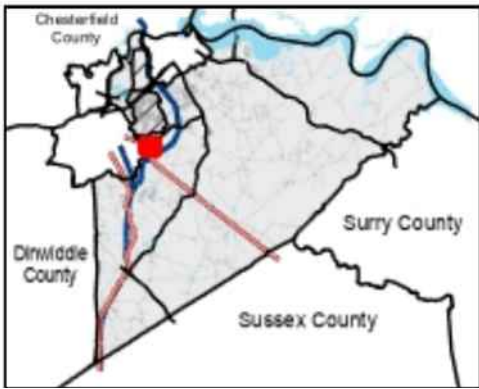
**Current Use(s):** Vacant

**Comp Plan Future Land Use:** Residential

**Planning Area:** Prince George Planning Area

**Real Estate Taxes Paid?:** Yes

**Location within County**



**Meeting Information**

Planning Commission Public Hearing: July 25, 2024

Board of Supervisors Public Hearing: September 10, 2024 (Tentative)

**Attachments**

1. Copy of the Application with attachments:
  - a. BOS resolution from 5-28-2024
  - b. Letter of support from property owner
2. Copy of uses permitted by-right in the R-2 zoning district
3. Copy of APO letter, map, mailing list, and newspaper ad
4. Draft Ordinance for Board of Supervisors
5. Sample Motions



## Request Details (including any voluntary proffers submitted)

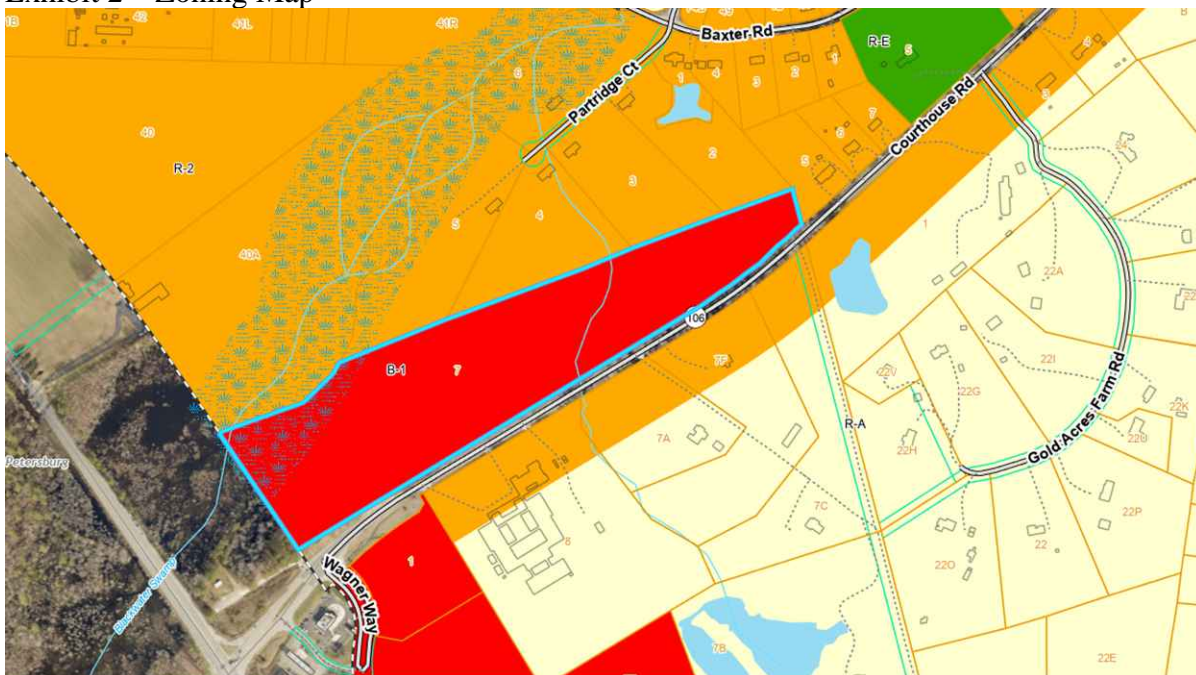
Proffers are not applicable because the County initiated this rezoning process.

## Visual Exhibits

Exhibit 1 – Aerial view of area including subject property



Exhibit 2 – Zoning Map



### Exhibit 3 – Comprehensive Plan Future Land Use Map



#### Planning Department Comments

#### Informational Comments:

<b>Zoning history and other relevant background information:</b>	<ul style="list-style-type: none"> <li>• The correct zoning of the property appears to R-2, which appears on the original zoning map from 1965.</li> <li>• County staff have found no evidence of a rezoning to B-1.</li> <li>• The property across the street, which was rezoned to B-1 in 1990 (# ZM-90-03), had the same parcel number as the subject property at the time it was rezoned.</li> <li>• Staff have concluded that the B-1 zoning that is depicted on the adopted zoning map appears to be the result of a mapping error at the time the zoning map was adopted in 2010.</li> <li>• The discrepancy/error was discovered when the property owner contacted the County seeking to rezone the property to R-2 and staff discovered there was no record that it was rezoned.</li> </ul>
<b>Acres and boundaries of proposed rezoning:</b>	Approximately 29.73 acres (entire tax parcel)
<b>Proposed land use(s):</b>	The property owner desires to develop the property for residential use which is permitted by-right in the R-2 zoning district.
<b>Effect of rezoning:</b>	If the property is rezoned as requested: <ul style="list-style-type: none"> <li>• It could be used for any of the uses permitted by-right in the district (A list has been attached for reference).</li> </ul>



	<ul style="list-style-type: none"> <li>The property could be developed for residential use, as is desired by the property owner.</li> </ul>
<b>Other applicable Subdivision / Zoning processes applicable if the request is granted:</b>	<ul style="list-style-type: none"> <li>The applicant would need to apply for a Special Exception before the property could be used for any land uses that require a Special Exception.</li> <li>A Site Plan Review could be required depending on the layout that is proposed for the site.</li> <li>A Subdivision Plat would be required before the land could be subdivided into individual lots for sale.</li> <li>A Zoning Permit will be required prior to the construction of any new building(s), to be submitted as part of the Building Permit process.</li> </ul>

### Review Comments

<b>Consistency with Comprehensive Plan:</b>	The Comprehensive Plan Future Land Use Map indicates this property is planned for Residential uses, which is consistent with what it was originally zoned for, therefore, the plan to revert the zoning to R-2 appears to be consistent with the Comprehensive Plan.
<b>Consistency with surrounding zoning:</b>	Surrounding zoning districts include: Primarily R-2, with some B-1 on the opposite side of the road. This request appears to be consistent with surrounding zoning.
<b>Compatibility with current land uses on surrounding properties:</b>	Surrounding land uses include: Swamp, trees and single-family dwellings (SFDs) to the North, Swamp to the West, SFDs to the East, and SFDs, empty elementary school building, Tractor supply and McDonalds to the South across Courthouse Road. The request appears to be compatible with the surrounding uses.
<b>Anticipated off-site impacts</b>	Anticipated off-site impacts will generally be limited to additional traffic from residential development, and the location of any entrances will depend on the layout proposed by the owner or developer.
<b>Proffers Review</b>	The County initiated this rezoning, so proffers are not applicable.

### Other Department/Agency Comments

The departments below reviewed this request and had no comments.

**Real Estate Assessor** – *Randall Horne, Senior Real Estate Appraiser*

**Virginia Department of Transportation (VDOT)** - *Paul Hinson, Area Land Use Engineer*

**Building Inspections** – *Charles Harrison III, Building Official*

**Utilities** – *Rachael Lumpkin, Utility Project Engineer*

**Economic Development** - *Makayla Christensen, Economic Development & Tourism Specialist*

The departments below received a copy of this request and did not provide comments.

**Fire & EMS** – *Parker Ramsey, Battalion Chief*

**Environmental** - *Angela Blount, Environmental Program Coordinator*

**Virginia Department of Health** – *Courtney Thomas, Environmental Health Specialist*

### Public Notice and Community Feedback


- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- Staff posted a sign on the property on 7-16-24.
- No comments from the community were received prior to finalizing this report.

### Staff Recommendation

Approval.

This recommendation is based on the following criteria:

Criteria	Staff Finding (Y/N/etc.)
Is the request consistent with the Comprehensive Plan?	Yes
Is the request consistent with surrounding zoning districts?	Yes
Is the request compatible with current land uses on surrounding properties?	Yes
If any concerns have been identified, do the proffers respond to them?	N/A (County-initiated)

		<h1 style="text-align: center;">REZONING APPLICATION</h1> <p style="text-align: center;"> <b>Department of Planning</b>          6602 Courts Drive, Prince George, VA 23875          Email: <a href="mailto:planning@princegeorgecountyva.gov">planning@princegeorgecountyva.gov</a>          (804) 722-8678   <a href="http://www.princegeorgecountyva.gov">www.princegeorgecountyva.gov</a> </p>				OFFICE USE ONLY	
						APPLICATION #:	
						DATE SUBMITTED:	
APPLICANT FILL-IN ALL BLANKS							
REQUEST DETAILS	REQUEST:						
	REQUEST PROPERTY ADDRESS / LOCATION:						
	REQUEST TAX MAP(S): (List all)			AFFECTED ACREAGE:	ENTIRE PARCEL?: (Y / N)	CURRENT ZONING:	PROPOSED ZONING:
	REQUIRED ATTACHMENTS: (Check if Attached; * = Required)						
	<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.)  <input type="checkbox"/> PROPOSED CONDITIONS / PROFFER STATEMENT  <input type="checkbox"/> CONCEPTUAL SITE PLAN*            (Show any planned improvements; Use GIS or Engineer Drawing)  <input type="checkbox"/> COMMUNITY MEETING SUMMARY         </div> <div> <input type="checkbox"/> SURVEY OR LEGAL DESCRIPTION OF REZONING REQUEST AREA (If different than recorded lot)   <input type="checkbox"/> ADDITIONAL ATTACHMENTS:            _____            _____         </div> </div>						
LEGAL OWNER	NAME(S):						
	MAILING ADDRESS (Incl. City, State, Zip)						
	E-MAIL:				PHONE:		
APPLICANT CONTACT	NAME(S) (If different than owner):						
	RELATION TO OWNER:						
	MAILING ADDRESS: (Incl. City, State, Zip)						
	E-MAIL:				PHONE:		
OFFICE USE ONLY (Completed at time of application)							
COMMENTS:							
PAYMENT	FEE DUE: Rezoning: \$1,050 + [See Fee Schedule] Amend Existing Zoning Case: \$1,050			FEE PAID:		PAYMENT TYPE: CHECK / CASH / CREDIT / DEBIT	
	CHECK # / TRANSACTION #:			DATE RECEIVED:		RECEIVED BY:	

Board of Supervisors  
County of Prince George, Virginia

Resolution

At the 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 28th day of May 2024:

<u>Present:</u>	<u>Vote:</u>
T. J. Webb, Chairman	Aye
Floyd M. Brown, Jr., Vice-Chairman	Aye
R. E. "Bobby" Cox, Jr.	Aye
Philip T. Pugh	Aye
Marlene J. Waymack	Aye

On motion of Mr. Brown, seconded by Mr. Pugh, which carried unanimously, the following Resolution was adopted:

**RESOLUTION TO INITIATE AN AMENDMENT  
OF THE COUNTY ZONING MAP FOR TAX MAP 340(0A)00-007-0  
FOR THE PURPOSE OF CORRECTING  
A ZONING MAP ERROR**

WHEREAS Prince George County approved an official Zoning Map in 2010; and

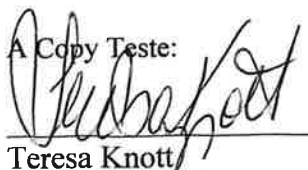
WHEREAS Tax Map 340(0A)00-007-0 Is shown on that Zoning Map as being zoned B-1; and

WHEREAS Tax Map 340(0A)00-007-0 was previously zoned R-2; and

WHEREAS there are no records to support a rezoning of Tax Map 340(0A)00-007-0 from R-2 to B-1; and

WHEREAS the Prince George Board of Supervisors desires to amend the official Zoning Map to correct this discrepancy.

NOW THEREFORE BE IT RESOLVED by the Prince George County Board of Supervisors at its regular meeting on May 28, 2024, that the Board hereby initiates an amendment of the Zoning Map to correct an error on Tax Map 340(0A)00-007-0 and that the amendment is referred to the Prince George County Planning Commission for a recommendation in accordance with Virginia Code section 15.2- 2285, 1950, as amended.

A Copy Teste:  
  
Teresa Knott

Clerk to the Board of Supervisors


March 14, 2024

Mr. Robert Baldwin, Director  
Planning Department  
Prince George County  
6602 Courts Drive, First Floor  
Post Office Box 68  
Prince George, VA 23875

Dear Mr. Baldwin,

I am the owner of certain real property, containing 29.72 acres, that is identified as Prince George County PID 0600110001 (the "Property"). It has come to my attention that some time ago the County inadvertently rezoned the Property from a residential R-2 district to a business B-1 district. The County's comprehensive plan recommends residential uses in the area where the Property is located, and it is my understanding that the County wishes to correct the inadvertent zoning by pursuing a County-initiated rezoning from B-1 to R-2. I am supportive of this proposed rezoning as well as future residential development of the Property.

Sincerely,



Larry Clements

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## **Sec. 90-242. Permitted uses.**

In the R-2 limited residential district, structures to be erected or land to be used shall be for one or more of the following uses:

- (1) Single-family dwellings.
- (2) Two-family dwellings.
- (3) Schools.
- (4) Churches.
- (5) Parks and playgrounds.
- (6) Offstreet parking as required by this chapter.
- (7) Public utilities such as poles, lines, distribution transformers, pipes, meters, or other facilities necessary for the provision and maintenance, including water and sewer facilities.
- (8) Business signs only to advertise the sale or rent of the premises upon which erected.
- (9) Church bulletin boards and identification signs.
- (10) Nonbusiness directional signs.
- (11) Home occupations:
  - a. Office.
  - b. Home occupation child care.
- (12) Maintaining horses, mules, donkeys and ponies as defined in 90-1035.
- (13) Maintaining poultry and bees as defined in 90-1035.1.
- (14) Animal boarding place, private, on parcels of more than one acre in size.

(Code 1988, § 17-107; Ord. No. O-02-012, 10-22-2002; Ord. No. O-17-04, § 1, 4-25-2017; Ord. No. O-13-01 (01-14-2014), § 1, 1-14-2014; Ord. No. O-13-04, § 1, 1-14-2014; Ord. No. O-22-37, § 9, 12-13-2022)



## County of Prince George, Virginia

*"A welcoming community • Embracing its rural character • Focusing on its prosperous future"*

**July 11, 2024**

### **NOTICE OF PUBLIC HEARING - PLANNING COMMISSION**

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

This is notification that the Prince George County Planning Commission will hold a public hearing on **Thursday, July 25, 2024 beginning at 6:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

**REZONING RZ-24-05:** Request to rezone 29.73 (+/-) acres from General Business (B-1) to Limited Residential (R-2). The purpose of the rezoning is to correct an apparent mapping error that occurred with the adoption of the zoning map in 2010. The subject property is located across from 4101 Courthouse Road and is identified as Tax Map 340(0A)00-007-0. The Comprehensive Plan indicates the property is planned for Residential uses.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. A copy of the proposed Ordinance and other materials related to the above named request may be reviewed or obtained in the Planning Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing [planning@princegeorgecountyva.gov](mailto:planning@princegeorgecountyva.gov). All interested persons are invited to participate in the public hearing in person. A live video stream will be available at [https://www.princegeorgecountyva.gov/live\\_stream/](https://www.princegeorgecountyva.gov/live_stream/). Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. Any person requiring assistance to participate in the public hearing is asked to contact the Planning Department in advance so that appropriate arrangements can be made.

You may also contact me with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

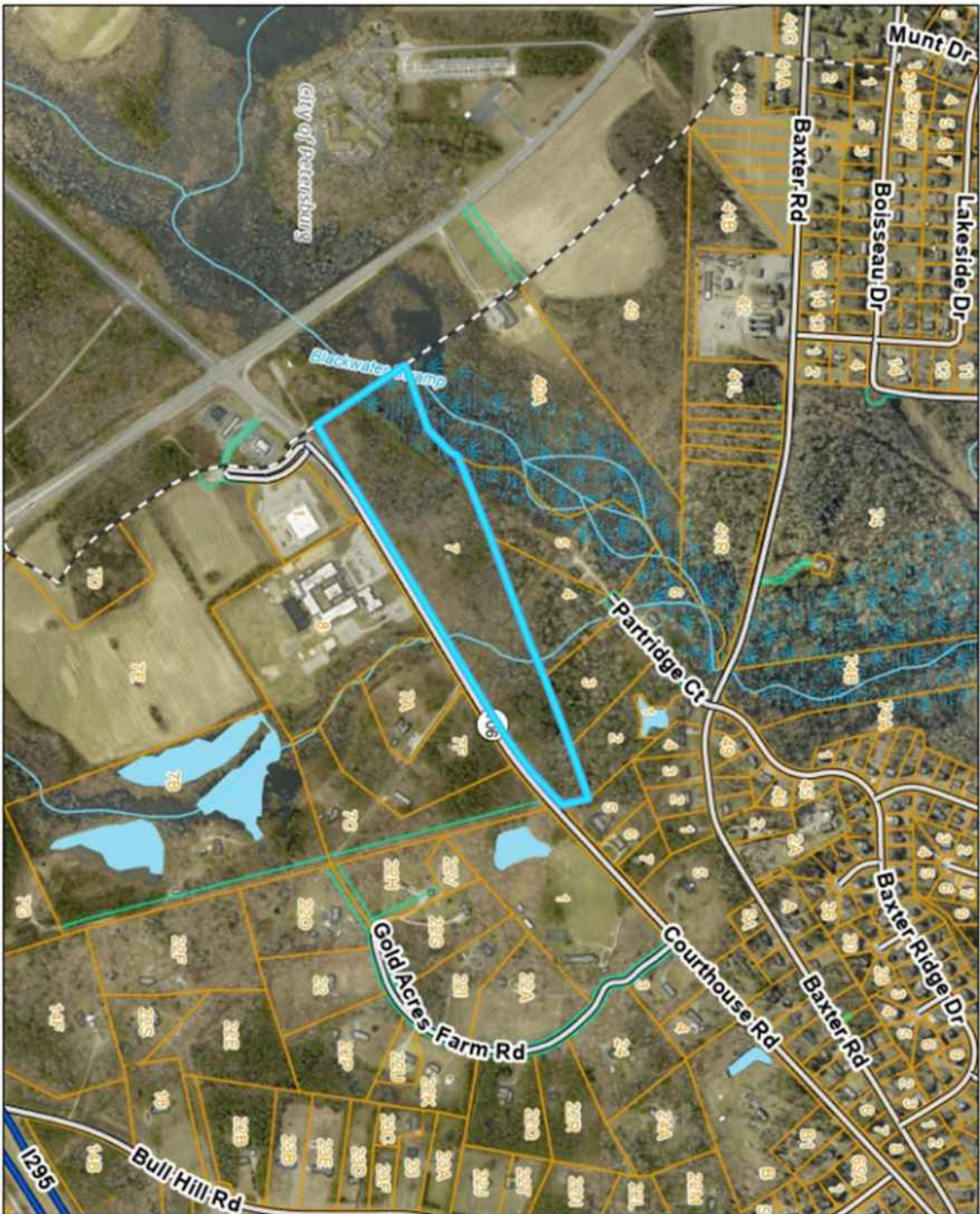
Sincerely,

A handwritten signature in blue ink that reads "Tim Graves".

Tim Graves  
Planner II



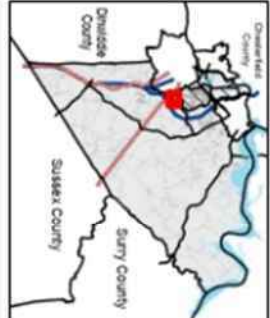
# County of Prince George



The information contained in this data should not be used as a "legal description". Map information aims to be accurate, but accuracy and completeness is not guaranteed.  
Copyright, 2020 County of Prince George, VA



Map Scale 1: 9,379  
6/27/2024



- Legend**
- County Parks
  - Schools
  - Firestations
  - Political Boundaries
  - Driveway - Trail
  - Taxparcels
  - Access Easements
  - Swamps

Notes



Clements Larry T  
401 Rivers Bend Ct  
Chester, VA 23836

DJR Property LLC  
PO Box 1297  
Prince George, VA 23875

Slagle James L  
8031 Lammermoor Ct  
Chesterfield, VA 23838

Coey Brian E  
5413 Mica Dr  
Prince George, VA 23875

Blue Marlin Properties LLC  
5900 Turkey Oak Rd  
North Chesterfield, VA 23237

Roberts William C  
4310 Courthouse Rd  
Prince George, VA 23875

Washington, William P  
4411 Courthouse Rd  
Prince George, VA 23875

Willis Larry E  
4281 Courthouse Rd  
Prince George, VA 23875

Lewis David P  
4293 Courthouse Rd  
Prince George, VA 23875

Moxley Thomas W  
4277 Courthouse Rd  
Prince George, VA 23875

Exchangeright Net Leased  
1055 E Colorado Blvd Ste 310  
Pasadena, CA 91106

Diamond Park LLC  
8901 Brook Rd  
Glen Allen, VA 23060

Director of Planning, City of  
Petersburg  
135 N Union Street  
Petersburg, VA 23803

**NOTICE OF PUBLIC HEARINGS  
PRINCE GEORGE COUNTY PLANNING COMMISSION**

The Planning Commission will hold public hearings on Thursday, July 25, 2024 beginning at 6:30 p.m. concerning the following requests:

**REZONING RZ-24-03:** Request to rezone 1.419 (+/-) acres from Limited Residential (R-1) and General Business (B-1) to General Business (B-1). The purpose of the rezoning is to remove the existing proffers on a portion of the property and prepare for commercial development. The subject property is located at 12106 South Crater Road and is identified as Tax Map 430(07)00-001-0. The Comprehensive Plan indicates the property is planned for Residential uses.

**REZONING RZ-24-04:** Request to rezone 1.25 (+/-) acres from Residential Agricultural (R-A), Limited Residential (R-2) and General Business (B-1) to General Business (B-1). The purpose of the rezoning is to use the property for a business office. The subject property is located at 5614 Ruffin Road and is identified as Tax Map 240(0A)00-081-0. The Comprehensive Plan indicates the property is planned for Commercial uses.

**REZONING RZ-24-05:** Request to rezone 29.73 (+/-) acres from General Business (B-1) to Limited Residential (R-2). The purpose of the rezoning is to correct an apparent mapping error that occurred with the adoption of the zoning map in 2010. The subject property is located across from 4101 Courthouse Road and is identified as Tax Map 340(0A)00-007-0. The Comprehensive Plan indicates the property is planned for Residential uses.

The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. Copies of the proposed Ordinances and other materials related to the above named requests may be reviewed or obtained in the Planning Department, located in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing [planning@princegeorgecountyva.gov](mailto:planning@princegeorgecountyva.gov). All interested persons are invited to participate in the public hearings in person. A live video stream will be available at [https://www.princegeorgecountyva.gov/live\\_stream/](https://www.princegeorgecountyva.gov/live_stream/). Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. Any person requiring assistance to participate in the public hearings is asked to contact the Planning Department in advance so that appropriate arrangements can be made.

BY ORDER OF THE PRINCE GEORGE COUNTY PLANNING COMMISSION

Publish: 7/11/24 and 7/18/24

Board of Supervisors  
County of Prince George, Virginia

ORDINANCE TO REZONE TAX MAP 340(0A)00-007-0 FROM B-1 TO R-2

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 \_\_\_\_ day of \_\_\_\_, 2024:

Present:

T.J. Webb, Chair  
Floyd M. Brown, Jr, Vice Chair  
R.E. “Bobby” Cox, Jr.  
Philip T. Pugh  
Marlene J. Waymack

Vote:

**REZONING RZ-24-05:** Request to rezone 29.73 (+/-) acres from General Business (B-1) to Limited Residential (R-2). The purpose of the rezoning is to correct an apparent mapping error that occurred with the adoption of the zoning map in 2010. The subject property is located across from 4101 Courthouse Road and is identified as Tax Map 340(0A)00-007-0. The Comprehensive Plan indicates the property is planned for Residential uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Rezoning Application identified as RZ-24-05 is granted as an amendment to the official zoning map; and

The Property is currently identified as Tax Map Number 340(0A)00-007-0; and

The Property, consisting of approximately 29.73 acres, is hereby rezoned from General Business (B-1) to Limited Residential (R-2).

-----  
Adopted on \_\_\_\_, 2024 and becoming effective immediately.

## **Sample Motions**

### **APPROVE:**

"I move to forward request RZ-24-05 to the Board with a recommendation for APPROVAL, and the reason(s) for this recommendation is/are:"

(EXAMPLES):

- "It is compatible with the Comprehensive Plan and surrounding uses and zoning districts."
- "It is expected to benefit the general welfare of the community."
- "The expected off-site impacts appear to be adequately addressed by the conditions."
- Other \_\_\_\_\_

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### **APPROVE WITH CHANGES:**

I move to forward request RZ-24-05 to the Board with a recommendation for APPROVAL, subject to the following changes:

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### **DENY:**

I move to forward request RZ-24-05 to the Board with a recommendation for DENIAL for the following reason(s): (SPECIFY)

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### **POSTPONE:**

I move to POSTPONE request RZ-24-05 until \_\_\_\_\_ to allow time for \_\_\_\_\_  
(MEETING DATE)

\_\_\_\_\_  
(ACTION/EVENT)

Begin

**TAB 7**

## **July 9 Recap**

### **Board of Supervisors Approved Highway Project Grant Application for Safety Improvements at Route 460 and Hines Road**

At its July 9 meeting, the Prince George County Board of Supervisors adopted a resolution of support for the County's SMARTSCALE 6 grant application to the Virginia Commonwealth Transportation Board (CTB). The project is for safety improvements at County Road (Rt 460) and Hines Road (Rt. 625). The project consists of the realignment of the Hines Road intersection and the addition of turn lanes. This project was previously endorsed by the Board of Supervisors in 2020 but was not selected to move forward by the CTB.

This project will improve safety for the traveling public along the Rt 460 corridor and is projected by VDOT to have a significant impact on reducing crashes by up to 43%. If the grant is approved, construction is estimated by 2031.

Other matters that came before the Board at its meeting:

- Approved on consent an appropriation in the amount of \$12,500 of Social Services Public Assistance Fatherhood Incentive Funds.
- Approved on consent an appropriation in the amount of \$11,454.02 of insurance proceeds for damaged Police vehicle.
- Approved on consent an appropriation in the amount of \$15,575 of Sports Tourism Collections for April 2, 2024 – June 30, 2024.
- Held a public hearing and unanimously postponed a rezoning request, a boundary line adjustment, and future commercial development of the property. The applicant may work with Staff to amend the conditions of the rezoning.
- Unanimously appointed Danielle Claiborne-Roache to the Brightpoint Community College Advisory Board.
- Received a roads maintenance report from the Virginia Department of Transportation.
- Held a FY26 Capital Improvement Plan (CIP) process discussion.
- Received an update on the Department of Housing and Community Development Enterprise Zone renewal process.
- Unanimously postponed an appointment to the Appomattox Regional Library Board to the August 13 meeting.
- Unanimously approved to apply for a VDEM Grant for Emergency Management.
- Unanimously approved the Prince George County Continuity of Operations Plan (COOP).



- Unanimously approved an appropriation of DCJS Operation Ceasefire Grant in the amount of \$93,190 to the FY2025 Budget for the Police Department and a modification to the FY2025 Position Control Chart for the addition of a Police Officer.
- Unanimously approved an appropriation of DCJS Operation Ceasefire Grant in the amount of \$82,191 to the FY2025 Budget for the Commonwealth's Attorney and a modification to the FY2025 Position Control Chart for the continuation of a grant-funded Assistant Commonwealth's Attorney.
- Unanimously authorized the County to participate in the Kroger Opioid Settlement.
- Unanimously authorized to initiate a proffer amendment, refer to the Planning Commission, and advertise for a public hearing.
- Approved by a 3-2 vote (with Pugh and Cox opposed) to reconsider the conditions for Special Exception Request # SE-24-04 – Triumph Day Support. After consideration, unanimously approved (5-0 vote) an amended condition for a one-year review in lieu of a one-year expiration.
- Unanimously approved an appropriation in the amount of \$127,070 (State Compensation Board Revenues of \$86,750 and DCJS House Bill 599 Police Funds of \$40,320), transfer from General Fund Contingency of \$36,900 for required local portion of salary and benefits of added State Compensation Board Funded Assistant Commonwealth's Attorney, and changed to the FY24-25 Position Chart.
- Unanimously approved an appropriation in the amount of \$416,000 for increased Machinery & Tools Tax Revenues and increase in transfer to the Economic Development Fund to support higher Enterprise Zone rebates.

## **Upcoming Cases for August 22, 2024 Planning Commission Meeting**

(subject to change)

**SPECIAL EXCEPTION SE-24-06:** Request to permit a “Special care hospital” within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(8). The purpose of the request is to allow a day support center for the care of elderly or disabled adults. The subject property is a commercial building space located at 10555 South Crater Road, and is identified as Tax Map 33A(01)00-006-B. The Comprehensive Plan indicates the property is planned for Commercial uses.

**SPECIAL EXCEPTION SE-24-07:** Request to permit a “Special care hospital” within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(8). The purpose of the request is to allow a day support center for the care of individuals with intellectual or development disabilities. The subject property is a commercial building space located at 10545 South Crater Road, and is identified as Tax Map 33A(01)00-006-E. The Comprehensive Plan indicates the property is planned for Commercial uses.

Begin

**TAB 8**



## **PUBLIC INPUT FOR RESIDENTIAL POULTRY**

### **REPORT TO PLANNING COMMISSION**

July 22, 2024 Work Session

1

### **OBJECTIVES TONIGHT:**

1. Review background / Board Request
2. Review Public Outreach from 2020
3. Review Planning Staff recommended plan for public input in 2024 (and obtain PC guidance)
4. Review proposed process (and obtain PC guidance)

2

## Background / BOS Request

**Prior to 2014:** No poultry permitted in residential zoning districts\*

**2014:** Poultry allowed in residential zoning districts, but only on parcels at least 2 acres in size, with additional requirements. The same requirements are still in the Zoning Ordinance today.

**2020:** As a result of code enforcement concerns, the County explored possibility of allowing poultry in residential zoning districts regardless of lot size, and the PC ultimately decided not to recommend any changes at that time.

**2024:** As a result of code enforcement concerns, the County is again exploring the possibility of allowing poultry in residential zoning districts regardless of lot size. On 5-28-24, the BOS suspended enforcement and asked the Planning Commission to provide recommendations on this topic. On 6-11-24, the BOS asked for additional public input to be provided.

\* Residential zoning districts = R-1, R-2, R-3, R-E

3

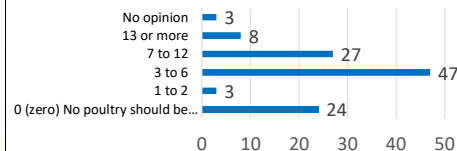
## RECAP OF PUBLIC OUTREACH IN 2020

- As part of the PC review process, a citizen survey was conducted.
- Outreach included postings on the County website and Facebook, a press release in newspaper, and 3,940 postcards mailed to affected property owners
- There were 119 survey participants (= response rate < 3%)
- Key findings relating to 2-acre requirement:

**#1: Do you support the keeping of poultry on properties less than 2 ac. in size in a residential neighborhood?**



**#4: How many poultry is a reasonable on properties of 2 acres or less?**



- At the end of the process, following discussion, the Planning Commission decided not to recommend any changes and noted the low response rate

4

## PROPOSED PUBLIC INPUT PLAN (PT. 1)

**Agree on baseline assumptions for considering any changes to requirements for residential zoning districts:**

- ▀ Focus only on chickens (all other poultry not affected)
- ▀ Areas for chickens to be kept clean;
- ▀ Chickens must be contained or fenced (no roaming);
- ▀ No roosters
- ▀ No change to Agricultural zoning regulations

**Online Survey** - Open From August 1 to September 30

Brief survey with concise questions focused on:

- ▀ Minimum lot size
- ▀ Setbacks
- ▀ # of chickens

**Is this acceptable to the PC, or are any changes requested?**

5

## PROPOSED PUBLIC INPUT PLAN (PT. 2)

**PC Listening Sessions** – August 19 and September 23

- ▀ Open forum conducted as a public comment period,
- ▀ Speakers are requested to focus only on the same questions that are asked on the survey
- ▀ Held during standard PC Work Sessions in the Board Room

**Getting the word out about Public Input Opportunities**

- ▀ Community Organizations: Farm Bureau, HOAs
- ▀ PG County Website, Calendars, Newsletter and Social Media
- ▀ Newspaper: Progress-Index Event Calendar

**Is this acceptable to the PC, or are any changes requested?**

6





## PROPOSED PROCESS FOR CONSIDERING ORDINANCE CHANGES

- **Public Input Actions** – August and September
- **PC Work Session to Review Results and consider possible recommendations for BOS** – October 21
- **PC to adopt resolution to provide recommendation(s) to BOS** – November 21
- **Staff to report back to BOS on behalf of PC** – December 10
- **BOS to provide direction to Staff on how they wish to proceed** – January 2025

**Is this acceptable to the PC, or are different actions requested?**