April 20, 2004 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

04SN0221

Mary Key

Matoaca Magisterial District
Grange Hall Elementary, Bailey Bridge Middle
and Manchester High School Attendance Zones
Northeast Quadrant of Physic Hill and Celtic Roads

REQUEST: Rezoning from Residential (R-15) to Agricultural (A).

PROPOSED LAND USE:

Agricultural uses are planned. Specifically, the applicant proposes to keep a maximum of four (4) horses on site and have a private kennel for a maximum of four (4) dogs. (Proffered Conditions 1 and 3)

RECOMMENDATION

Recommend approval for the following reason:

The proposed zoning and land use conform with the Southern and Western Area Plan which designates the request property as part of the Rural Conservation Area where activities should be limited primarily to agricultural and forestal uses with isolated single family residences permitted on lots larger than five (5) acres.

(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS.)

PROFFERED CONDITIONS

1. Any stock farm use shall be limited to the keeping of four (4) horses.

2. All facilities and areas associated with the keeping of stock animals (stables, pastures, etc.) shall be cleaned and made free of waste on a regular basis. In addition, the property owner shall employ a means of eliminating any odor problems and propagation of insects.

3. Any private kennel use shall be limited to the keeping of four (4) dogs.

GENERAL INFORMATION

Location:

Northeast quadrant of Physic Hill and Celtic Roads. Tax IDs 721-654-1741, 2751, 3958, 5431, 7411 and 9017 (Sheet 23).

Existing Zoning:

R-15

Size:

9.8 acres

Existing Land Use:

Single family residential; Site known as Physic Hill (circa 1815) designated a County Historic Landmark by the Board of Supervisors on January 10, 1990

Adjacent Zoning & Land Use:

North, South and West - R-15; Single family residential or vacant
East - A; Single family residential or vacant

UTILITIES

Public Water System:

A six (6) inch water line extends along the eastern side of Celtic Road. In addition, an eight (8) inch water line extends along the south side of Physic Hill Road. Both of these water lines are adjacent to the lots within this request. The existing home located on a portion of the request property (Tax ID 721-654-5431) is connected to the public water system. Use of the public water system is required by County Code.

Public Wastewater System:

The public wastewater system is not available. The existing home is served by a privately maintained septic system.

Private Septic System

Any expanded usage of the existing septic system will require Health Department approval.

ENVIRONMENTAL

Drainage and Erosion:

The majority of the property drains into an existing lake located partially on this and adjacent properties and then through tributaries to the Appomattox River. There are currently no existing or anticipated drainage or erosion problems.

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program. This request will not result in an increase in the number of permitted dwelling units. Accordingly, there is no net increase in the impact on capital facilities.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Southern and Western Area Plan which designates the property as part of the Rural Conservation Area where activities should be limited primarily to agricultural and forestal uses with isolated single family residences permitted on lots larger than five (5) acres.

Area Development Trends:

Surrounding properties to the north, south and east are zoned Residential (R-15) and are occupied by single family residential uses within Physic Hill Subdivision or are vacant. Properties to the west are zoned Agricultural (A) and are occupied by single family residential uses or are vacant. It is anticipated that the area will remain agricultural and forested and that planned development will be deferred for twenty (20) years unless adequate provision is made earlier for public infrastructure improvements.

Zoning History:

On January 10, 1990, the Board of Supervisors, upon a favorable recommendation by the Planning Commission, approved Historic Landmark Designation (Case 89HP0427) on a portion of the request property, known as Physic Hill, circa 1815.

On March 9, 2004, the Historic Preservation Committee approved a Certificate of Appropriateness for a wood board fence at Physic Hill.

Use Limitations:

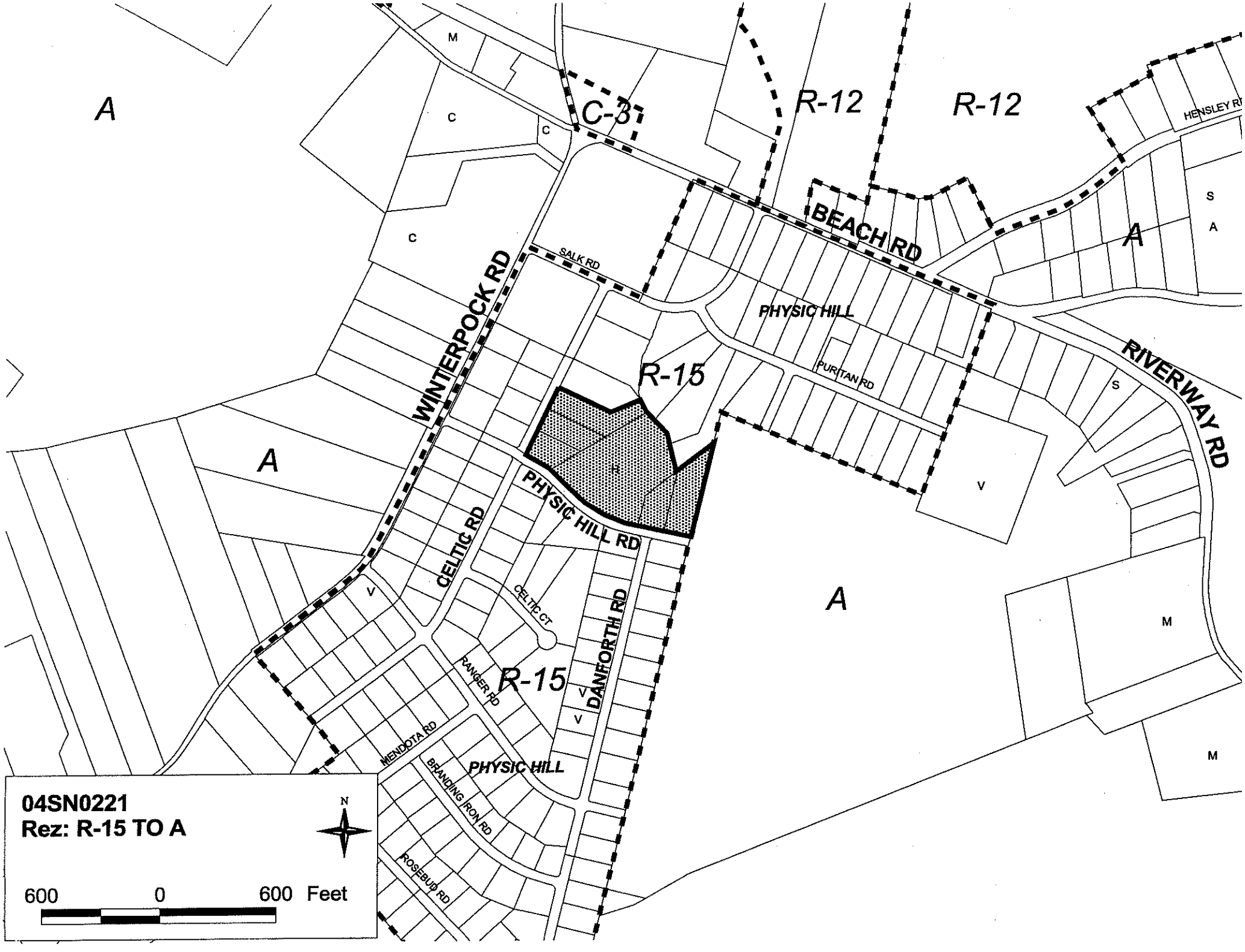
Should this request be approved, uses permitted in the Zoning Ordinance in an Agricultural (A) District such as typical agricultural activities to include farming, keeping of livestock, etc. would be allowed on the request property, except that proffered conditions limit any stock farm use to the keeping of a maximum of four (4) horses and any private kennel shall be limited to the keeping of a maximum of four (4) dogs (Proffered Conditions 1 and 3). Residential uses would continue to be permitted as are permitted under the current zoning.

In this particular instance, the subject property is comprised of six (6) parcels, zoned Residential (R-15), which were recorded as part of Physic Hill Subdivision, Section C, in 1968. As previously stated, one (1) of the parcels (Tax ID 721-654-5431) and its structures are recognized as a County historic landmark. Any exterior modifications on this parcel will require a Certificate of Appropriateness. Single family dwellings could currently be constructed on the remaining parcels in accordance with the requirements of the Zoning Ordinance. Should this request be approved, single family dwellings would still be permitted on the remaining parcels subject to Ordinance standards which would be based on their original recordation date of 1968.

CONCLUSIONS

The proposed zoning and land use conform with the Southern and Western Area Plan which designates the request property as part of the Rural Conservation Area where activities should be limited primarily to agricultural and forestal uses with isolated single family residences permitted on lots larger than five (5) acres.

Given these considerations, approval of this request is recommended.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RIVERWAY RD
HENSLEY RD
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RANGER RD
MENDOTA RD
BRANDING IRON RD
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