


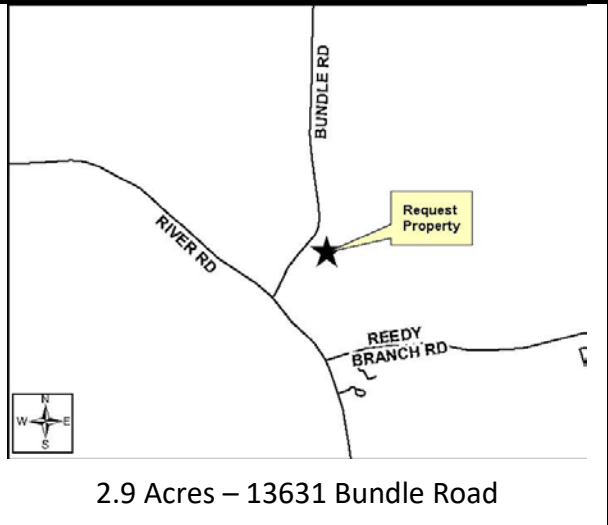
CASE NUMBER: 21SN0503
APPLICANTS: Harley K. Rich and Jayne L. Rich



CHESTERFIELD COUNTY, VIRGINIA
MATOACA DISTRICT
STAFF'S ANALYSIS
AND RECOMMENDATION

Board of Supervisors (BOS) Hearing:
 DECEMBER 16, 2020
BOS Time Remaining:
 365 DAYS

Applicants' Contacts:
 JAYNE L. RICH (804-350-3798)
Planning Department Case Manager:
 TYLER WALTER (804-318-8893)



REQUEST

Conditional use to permit a farm use (keeping of horses) in an Agricultural (A) District on property less than three (3) acres. The applicants are requesting to keep two (2) horses.

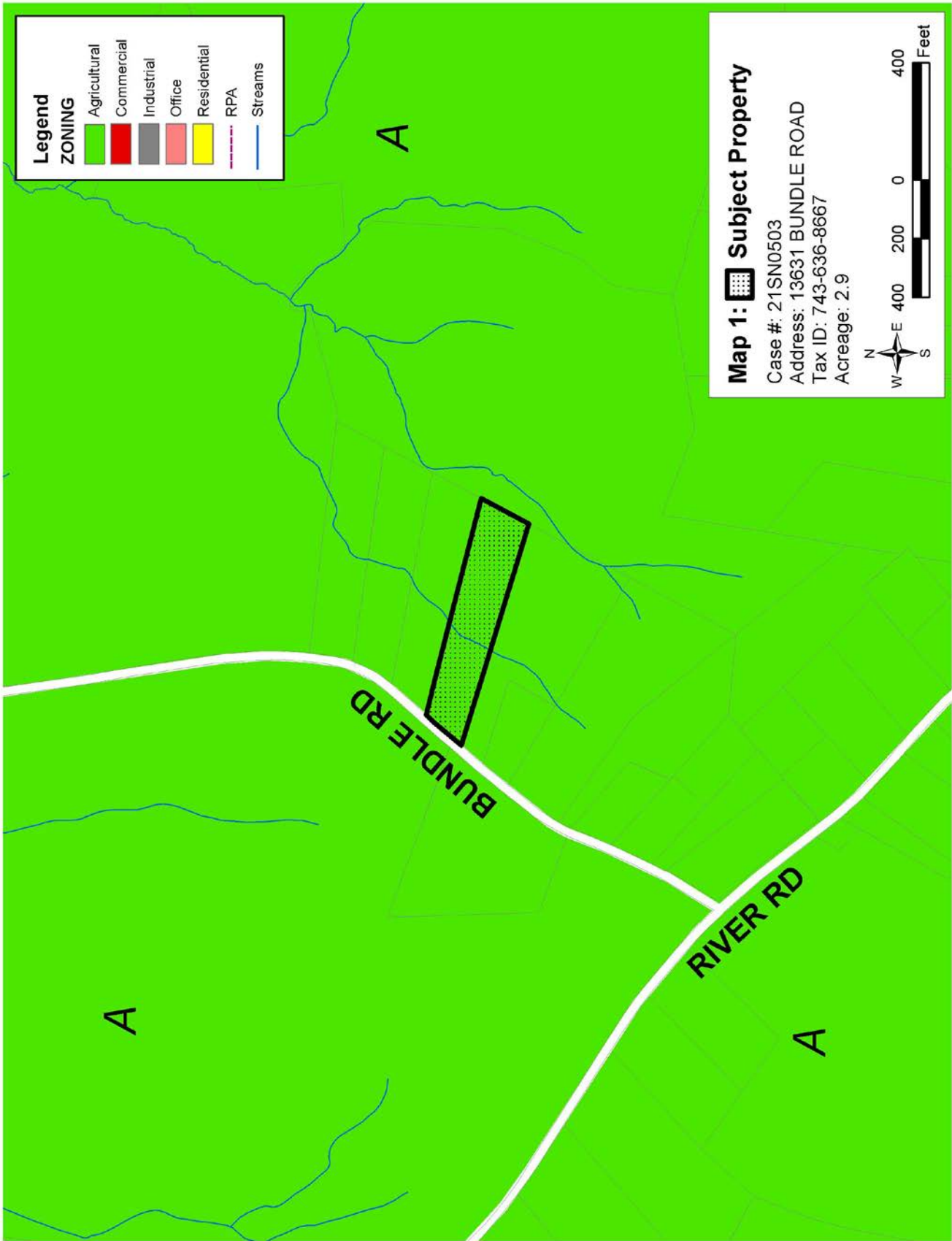
- Notes:**
- A. Conditions may be imposed or the property owner may proffer conditions.
 - B. Conditions are located in Attachment 1.

SUMMARY

The keeping of horses is requested. A farm with a minimum of three (3) acres in an Agricultural (A) District permits the keeping of horses by-right. The subject property, being less than three (3) acres, requires conditional use to permit the keeping of horses.

RECOMMENDATION

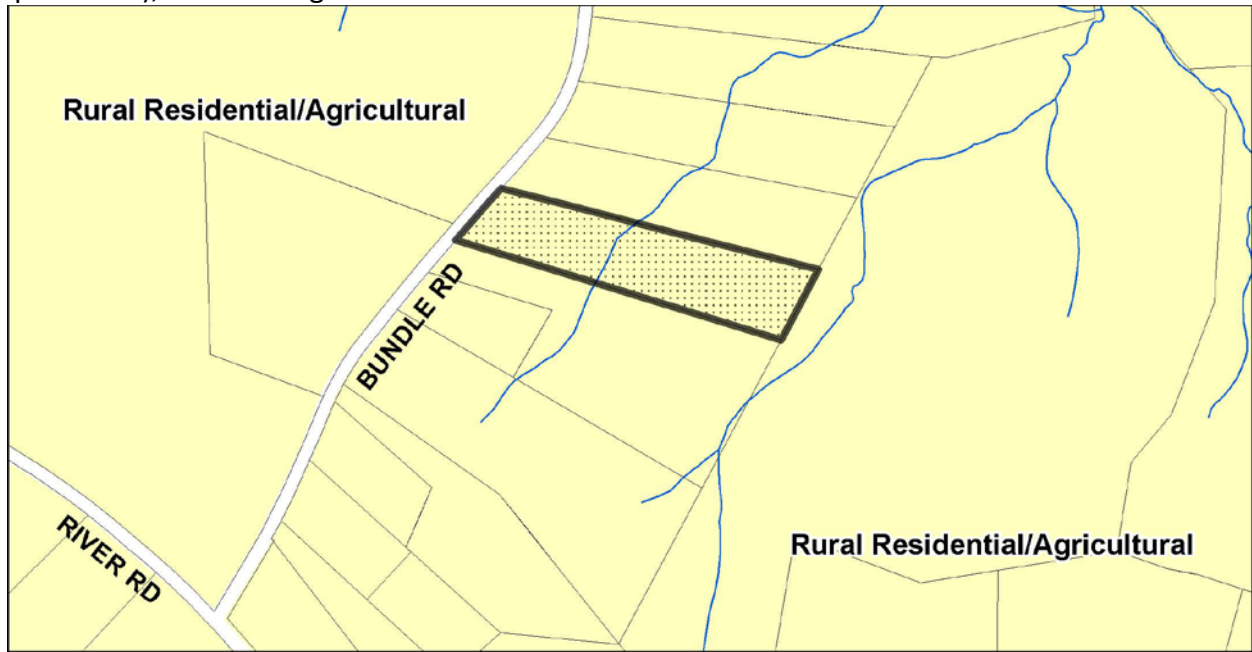
PLANNING COMMISSION	APPROVAL
STAFF	PLANNING – APPROVAL <ul style="list-style-type: none"> • As conditioned, the use should be compatible with surrounding uses • Similar requests have been approved with no known adverse impacts • The Comprehensive Plan suggests a mix of agricultural and residential uses are appropriate in the area



Comprehensive Plan

Classification: RURAL RESIDENTIAL / AGRICULTURAL

The designation suggests the property is appropriate for single family dwellings located either on a minimum of 5 acres, 1 acre (family division), or less than 5 acres (if created before the 5 acre requirement); and farming uses.

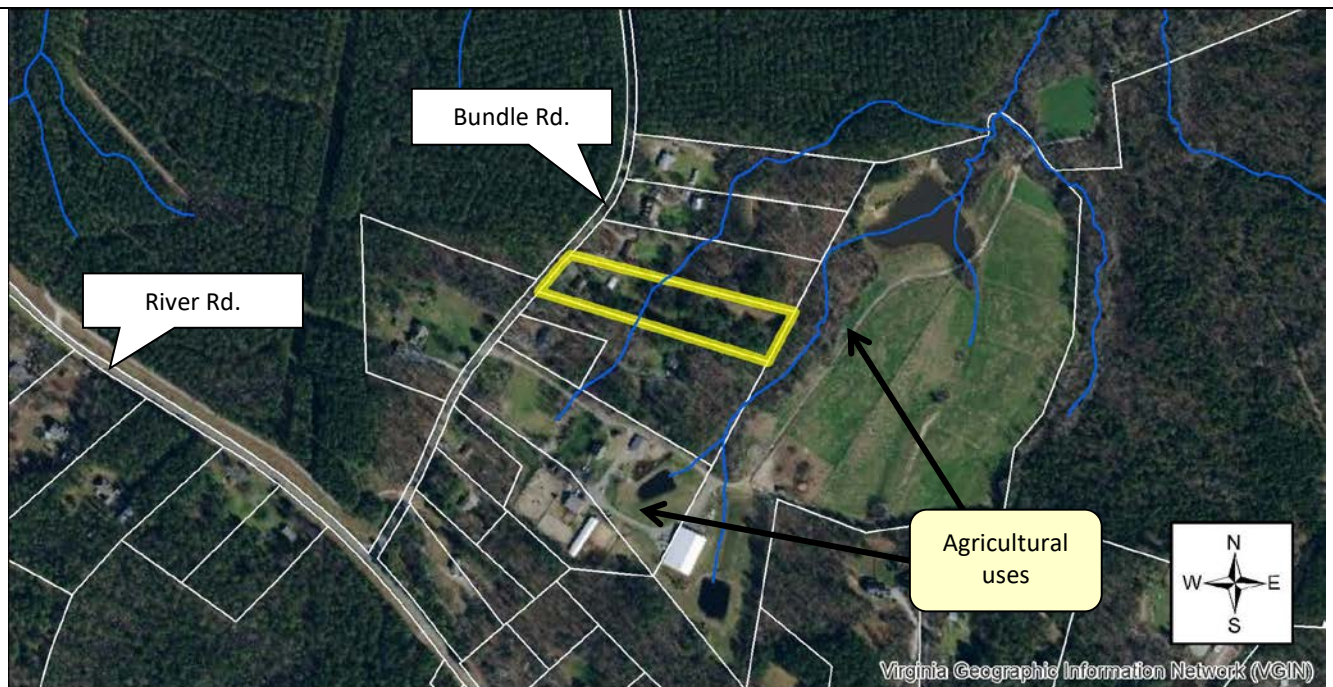


 Subject Property

400 200 0 400 Feet



Surrounding Land Uses and Development



PLANNING

Staff Contact: Tyler Walter (804-318-8893) waltert@chesterfield.gov

Proposal

The applicants request the ability to keep two (2) horses on the 2.9-acre property. In Agriculturally (A) zoned parcels, the Zoning Ordinance permits the keeping of horses by-right on parcels of at least three (3) acres or more. Parcels that are less than three (3) acres may request conditional use approval to permit the keeping horses. Therefore, approval of a conditional use is required to permit the keeping of two (2) horses on the subject property.

The applicants do not intend to immediately keep horses on the subject property. However, they are seeking conditional use to permit the option of doing so should they or another future property owner (such as their children) wish to keep horses on the property at a future date.

The following table provides an overview of conditions recommended by staff to minimize the potential impacts of the use on adjacent property owners.

General Overview	
Requirements	Details
Use	Limited to the keeping of two (2) horses, and up to twelve (12) small domesticated livestock. <i>Condition 1</i>
Commercial Activity	Commercial activity, such as breeding or sale of animals, shall not be permitted. <i>Condition 2</i>
Animal Waste	Areas associated with the keeping of horses shall be cleaned and made free of waste on a regular basis. <i>Condition 3</i>

Given the size of the request property, and if maintained as outlined in the recommended conditions, the use should not adversely affect area residential uses. In addition the keeping of horses has been approved in other areas on similarly sized parcels with no apparent adverse impacts. In addition, the Comprehensive Plan suggests the area is appropriate for a mix of agricultural and residential uses.

FIRE AND EMERGENCY MEDICAL SERVICES

Staff Contact: Anthony Batten (804-717-6167) battena@chesterfield.gov

Nearby Fire and Emergency Medical Service (EMS) Facilities

Fire Station	The Phillips Fire Station, Company Number 13
EMS Facility	The Winterpock Fire Station, Company Number 19

This request will have minimal impact on Fire and EMS.

UTILITIES

Staff Contact: Randy Phelps (804-796-7126) phelpsc@chesterfield.gov

Existing Water and Wastewater Systems

Utility Type	Currently Serviced	Size of Closest Existing Lines	Connection Required by County Code
Water	No	16"	Yes
Wastewater	No	N/A	Yes

Additional Utility Comments:

The subject property is located within the mandatory water and wastewater connection area for new residential development.

The existing residential structure is served by a private well and septic system. The closest public water line is a 42" line located at the intersection of River Road and Bundle Road, approximately 1,000 feet from the subject property. Connection to the public water system for new residential structures is required if a public water line is within 200 feet of the property. Public wastewater is not available in the area.

This request to allow farm animals on the subject property will not impact the public water and wastewater systems.

The Utilities Department supports this case.

COUNTY TRANSPORTATION

Staff Contact: Steve Adams (804-748-1037) adamst@chesterfield.gov

ENVIRONMENTAL ENGINEERING

Staff Contact: Rebeccah Rochet (804-748-1028) rochetr@chesterfield.gov

VIRGINIA DEPARTMENT OF TRANSPORTATION

Staff Contact: Janit Llewellyn (804-674-2907) willie.gordon@vdot.virginia.gov

This request will not impact these facilities.

CASE HISTORY

Applicant Submittals

7/9/2020	Application submitted.
8/20/2020	Application resubmitted to specify number of horses.

Planning Commission

11/17/2020	<p>Citizen Comments: No citizens spoke to this request.</p> <p>Action – APPROVAL SUBJECT TO CONDITIONS IN ATTACHMENT 1.</p> <p>Motion: Petroski Second: Owens AYES: Freye, Sloan, Hylton, Owens, and Petroski</p>
The Board of Supervisors on Wednesday, December 16, 2020, beginning at 6:00 p.m., will consider this request.	

CONDITIONS

Note: The following conditions are recommended by both the Planning Commission and Staff.

1. Use. This conditional use approval shall be for a farm use (less than three (3) acres) and shall be limited to:
 - a. The keeping of a maximum of two (2) horses.
 - b. The keeping of animals limited to a collective maximum of twelve (12) chickens, fowl, rabbits, or other small domesticated livestock.
 - c. The keeping of cows, sheep, goats, and pigs shall not occur. (P)
2. Commercial Activity. No commercial activity, such as the breeding or sale of animals, shall be permitted in conjunction with this use. (P)
3. Animal Waste. All areas associated with the keeping of horses (pastures, stables, shelters, 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. (P)