Summary of Proposal

The applicant is requesting conditional use approval to permit parking of a commercial vehicle (tow truck) in association with a home occupation in an Agricultural (A) zoning district. The Agricultural (A) district permits, as a restricted use, parking of one vehicle (including one tow truck) associated with a home occupation on the premises. Since the use involves two tow trucks associated with a home occupation, conditional use approval is necessary.
STAFF - APPROVAL
Due to the location of this use and the conditions in this report, this use will have minimal impact on surrounding properties. Conditions of approval would apply to both tow trucks, promoting compatibility with the surrounding area.

NOTES FOR THE PLANNING COMMISSION AND BOARD OF SUPERVISORS
Conditions may be imposed. Conditions are included with this report.
# Table of Contents

Summary of Proposal .............................................................................................................................................................. 1

Recommendations .................................................................................................................................................................. 2

Table of Contents .................................................................................................................................................................... 3

Planning ................................................................................................................................................................................... 4

Current Zoning Map ................................................................................................................................................................ 5

Supplemental Analysis ............................................................................................................................................................ 6
  - Community Enhancement .................................................................................................................................................. 6
  - Environmental Engineering ................................................................................................................................................. 6
  - Fire & Emergency Medical Services .................................................................................................................................. 6
  - Police ................................................................................................................................................................................... 6
  - Transportation - County Department of Transportation .................................................................................................... 6
  - Transportation - Virginia Department of Transportation ................................................................................................... 6
  - Utilities – Water and Wastewater ...................................................................................................................................... 6

Community Engagement & Public Hearings ........................................................................................................................... 6

Conditions ............................................................................................................................................................................... 7

Case Contacts .......................................................................................................................................................................... 8
Zoning History
None.

Comprehensive Plan – Land Use Plan Designation
The Comprehensive Plan designates the Property for Suburban Residential II, which suggests the Property is appropriate for residential development at a maximum density of 2.0 to 4.0 dwellings per acre.

Proposal
This case resulted from a code enforcement complaint regarding tow truck parking. The applicant has operated a towing business as a home occupation at the subject property since 2007. The applicant currently parks two 30-foot flatbed tow trucks on the property for use in conjunction with his towing business. The second tow truck is necessary as a backup should the primary tow truck become inoperable or need service, so he may maintain business continuity. He has no employees and does not store towed vehicles on the property. Currently, one tow truck is parked in the paved driveway located southeast of his residence, and one tow truck is parked in an adjacent gravel surface area. The applicant’s business operates 7 a.m. to 7 p.m. on weekdays.

To maintain compatibility with existing and anticipated area development, conditions have been recommended.

<table>
<thead>
<tr>
<th>Requirements</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Transferable</td>
<td>Use limited to applicant only. [Condition 1]</td>
</tr>
<tr>
<td>Use Limitation</td>
<td>Approval limited to parking a maximum of two 30-foot tow trucks. [Condition 2]</td>
</tr>
<tr>
<td>Location</td>
<td>Tow trucks must be parked behind the front plane of residence on the existing driveway. [Condition 3]</td>
</tr>
<tr>
<td>Days / Hours of Operation</td>
<td>Hours of operation shall be limited to 7 a.m. to 7 p.m. on weekdays only. [Condition 4]</td>
</tr>
<tr>
<td>Employees</td>
<td>Employees other than the applicant prohibited on site. [Condition 5]</td>
</tr>
<tr>
<td>Towed Vehicle Storage</td>
<td>Storage of towed vehicles prohibited on site. [Condition 6]</td>
</tr>
</tbody>
</table>

These conditions align with the characteristics of the existing operation, with exception of Condition 3, which would require parking both tow trucks on the paved driveway, behind the front plane of the residence. Due to building and driveway placement, and adjacent road geometry, this location will help minimize the public view of the trucks.

![Tow truck parking area per recommended conditions of approval.](image-url)
Community Enhancement supports this request as a positive solution to a code compliance issue.

No comment on this request.

Service Area
The Buford Fire Station, Company Number 9

Additional Information
This request will have minimal impacts on Fire & Emergency Medical Services.

Division | Beat | District
---|---|---
Falling Creek | 12 | Clover Hill

Additional Information
This request is anticipated to have minimal impacts on Police.

This request will have no impact on the transportation network.

The zoning case is a local matter regarding land use and has no direct impact to the state right of way. VDOT has no comment at this time.

The existing residence is connected to the public water, but public wastewater is not available. The request to an additional tow truck on the property will not impact the public water system. The Utilities Department supports this request.

No community meeting was held, however the applicant sent letters to adjacent property owners informing them of his request. Staff has received letters of support for this request from owners of seven (7) adjacent properties.
Planning Commission
12/21/2021: Citizen Comments: No citizens spoke to this request.

Recommendation: APPROVAL AND ACCEPTANCE OF THE CONDITIONS.
Motion: Sloan Second: Hylton
AYES: Freye, Owens, Hylton, Petroski, Sloan

Conditions

1. Non-Transferable Ownership. This conditional use approval shall be granted to and for Douglas Mundy exclusively, and shall not be transferable nor run with the land. (P)

2. Use Limitation. A maximum of two 30-foot long tow trucks may be parked on the property. (P)

3. Parking Location. Tow truck parking shall be limited to behind the front plane of the residence, on the paved driveway that runs between the residence and accessory garage structure. (P)

4. Day / Hours of Operation. The operation of the towing business shall be limited to weekdays, 7 a.m. to 7 p.m. (P)

5. Employees. No employees of the towing business, other than the applicant, shall be permitted on the property. (P)

6. Towed Vehicles. Storage of any towed vehicle shall be prohibited on the property. (P)
Case Contacts

Applicant

- **Applicant’s Agent:**
  NOT APPLICABLE

- **Applicant’s Contact:**
  Douglas Mundy (804) 640-6274
  mundystowing@verizon.net

District Planning Commissioner

- **Gloria L. Freye, J.D. (804-768-7381)**
  freyeg@chesterfield.gov

Staff

- **Planning Department Case Manager:** Carl Schlaudt (804-318-8674)
  schlaudtc@chesterfield.gov

- **Budget & Management:** David Oakley (804-706-2586)
  oakleyd@chesterfield.gov

- **Community Enhancement:** Carl Schlaudt (804-318-8674)
  schlaudtc@chesterfield.gov

- **Environmental Engineering:** Rebeccah Rochet (804-748-1028)
  rochetr@chesterfield.gov

- **Fire & Emergency Medical Services:** Anthony Batten (804-717-6167)
  battena@chesterfield.gov

- **Libraries:** Jennifer Stevens (804-751-4998)
  stevensj@chesterfield.gov

- **Parks & Recreation:** Janit Llewellyn (804-751-4482)
  llewellynJa@chesterfield.gov

- **Police:** Jim Eicher (804-318-8693)
  eicherj@chesterfield.gov

- **Schools:** Atonja Allen (804-318-8740)
  atonja_allen@ccps.net

- **Transportation - County Department of Transportation:** Steve Adams (804-751-4461)
  adamsst@chesterfield.gov

- **Transportation - Virginia Department of Transportation:** Willie Gordon (804-674-2907)
  willie.gordon@vdot.virginia.gov
• **Utilities:** Randy Phelps (804-796-7126) phelpsc@chesterfield.gov

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