



# 21SN0644 – Stephen Phillips II & Lisa Phillips

Magisterial District – Matoaca

BOS Public Hearing – February 23, 2022

Time Remaining  
337 Days

Case Manager  
Carl Schlaudt  
(804) 318-8674

## Request

### Conditional Use

Conditional use to permit a recreational vehicle (RV) outside of the rear yard.

## Planning Commission Recommendation

Approval

## Staff Recommendation

Approval

### The Property

8116 Whirlaway Drive

### Site Size

0.3 Acre

### Comprehensive Plan –

Land Use Designation

Suburban Residential II

### Plan Area

County Wide Plan

Figure 1: Aerial of Request Area – Click Image for Link to GIS

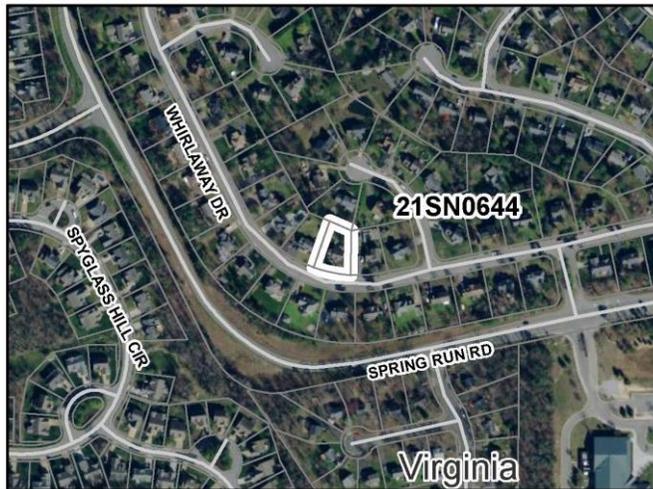
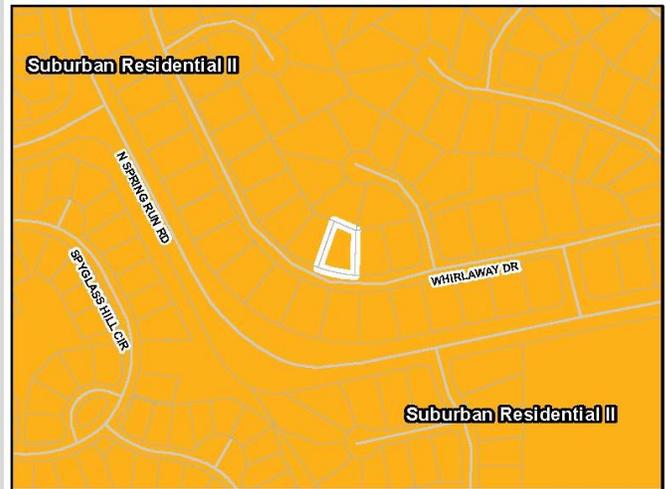


Figure 2: Area Map of Request & Land Use Plan Map



## Summary of Proposal

The applicant is requesting conditional use approval to permit parking a recreational vehicle outside of the rear yard of the subject property. The Residential (R-12) district permits, as a restricted use, parking of a recreational vehicle in the rear yard. Since the use involves parking a recreational vehicle outside of the rear yard, conditional use approval is necessary.

This case was deferred from the Board of Supervisor’s January 26, 2022 meeting to permit the applicant to address an issue pertaining to screening of the RV parking area. The applicant and the adjacent neighbor to the west at 8124 Whirlaway Drive have agreed to remove Condition 4 requiring a six (6) to seven (7) foot fence to be constructed to achieve screening between the applicant’s RV storage and the adjacent neighbor’s home.

Staff continues to recommend approval subject to the three (3) conditions in this report.

## Recommendations

### PLANNING COMMISSION - APPROVAL

#### STAFF - APPROVAL

Similar requests have been approved with no known adverse impacts, and conditions will ensure the residential character of the neighborhood is maintained.

#### NOTES FOR THE PLANNING COMMISSION AND BOARD OF SUPERVISORS

1. Conditions may be imposed. Conditions are included with this report.



### 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 parking of the recreational vehicle. The applicant currently parks a 40-foot towed recreational vehicle on the paved driveway west (left) of the residence, in an area that is mostly within the side yard. According to the applicant and staff inspection of the site, site drainage problems make it difficult to park the recreational vehicle entirely within the rear yard.

The Zoning Ordinance permits the parking and storage of recreational equipment within a residential district as a restricted use, subject to certain restrictions:

- No more than two (2) items of equipment permitted to be stored outside of an enclosed building;
- Except for loading and unloading, equipment is located in a rear yard and set back ten (10) feet from the rear property line and five (5) feet from the side property line;
- Except for repair, wheels on the equipment are not removed;
- Equipment is not used for living or commercial purposes; and,
- Equipment is not connected to utility services.

These ordinance restrictions are designed to minimize impacts on area residential development and the streetscape. If any of these restrictions cannot be met, the use may be allowed by conditional use. The applicants' recreational vehicle complies with the ordinance restrictions except that the vehicle is parked outside of the rear yard. The applicants are seeking conditional use approval to permit parking and storage of the recreational vehicle in the side yard. An existing fence at the rear of the driveway forces the recreational vehicle to be parked so that it partly extends beyond the front plane of the residence.

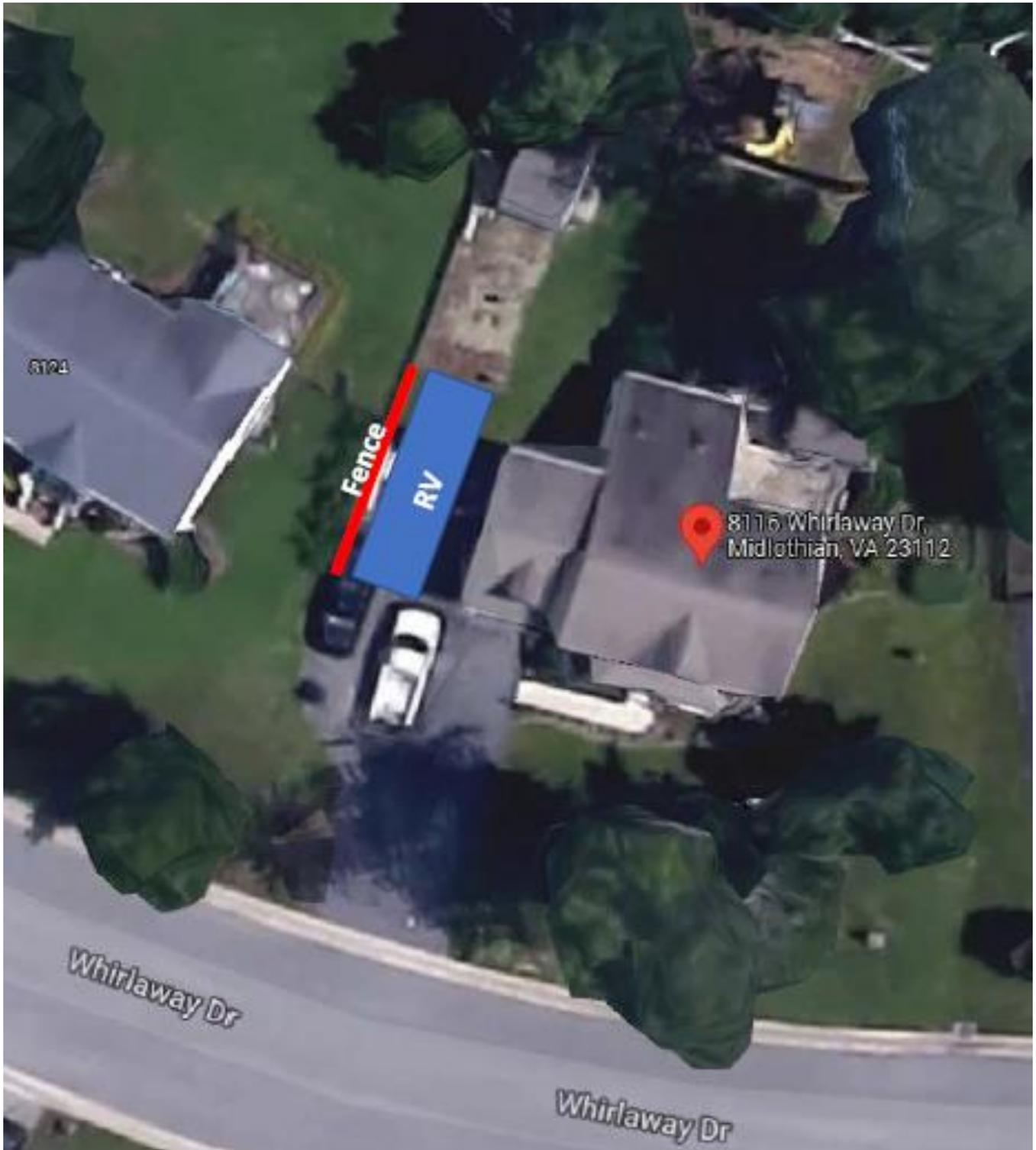


*Existing site conditions as seen from across the street*

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

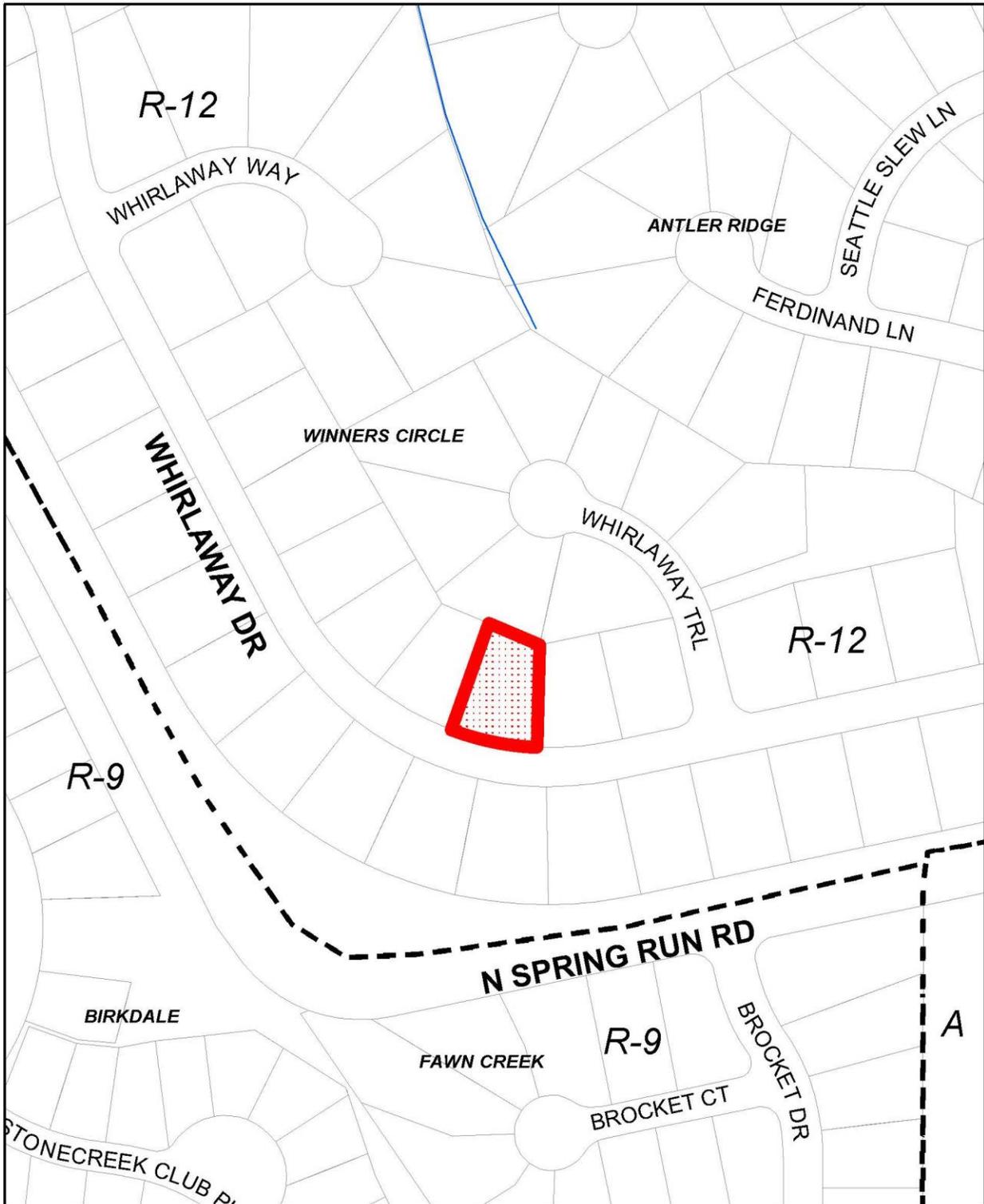
| Recommended Conditions |   |
|------------------------|---|
| Requirements           | Details   |
| Non-Transferable       | Use limited to applicant only. <i>[Condition 1]</i>   |
| Use                    | Limited to parking of one recreational vehicle, no greater than 40' in length. <i>[Condition 2]</i>   |
| Location               | The applicant shall remove or relocate the existing front fence at west side of the residence to allow the recreational vehicle to be moved behind the front plane of the residence. The recreational vehicle shall be parked behind the front plane of residence on the driveway. <i>[Condition 3]</i> |

Due to building and driveway placement, and adjacent road geometry, recommended conditions for location will help minimize the public view of the recreational vehicle.



*Location of proposed fence and location for RV behind the front plane of the house.*

# Current Zoning Map



## Map 1: Subject Property

Case #: 21SN0644

Acreage: 0.3

Address: 8116 WHIRLAWAY DRIVE

GPIN: 728-664-3879

200 100 0 200

 Feet

 Resource Protection Area

 Streams



## Parcels in Application (The Property – Table A)

| GPIN       | Address              |
|------------|----------------------|
| 7286643879 | 8116 Whirlaway Drive |

## Supplemental Analysis

### Community Enhancement

Community Enhancement supports the request as a positive resolution to an outstanding code enforcement issue.

### Environmental Engineering

No comment on this request.

## Fire & Emergency Medical Services

### Service Area

The Clover Hill Fire Station, Company Number 7

### Additional Information

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

## Police

### Division

### Beat

### District

|             |    |         |
|-------------|----|---------|
| Swift Creek | 33 | Matoaca |
|-------------|----|---------|

### Additional Information

This request is anticipated to have minimal impacts on Police.

## Transportation - County Department of Transportation

This request will have no impact on the transportation network.

## Transportation - Virginia Department of Transportation

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.

## Utilities – Water and Wastewater

The existing residence is connected to the public water and wastewater systems. The request to park a camper in the driveway will not impact the public systems. The Utilities Department supports this request.

## Community Engagement & Public Hearings

### Community Meetings

**10/28/21** – No persons other than the applicant, Planning Commissioner, and staff attended this virtual community meeting.

### Planning Commission

**12/21/2021:** **Citizen Comments:** No citizens spoke to this request.

**Commission Discussion:** Mr. Owens declared a conflict of interest in this case due to a personal relationship with the applicant, and excused himself from this hearing. Chairperson Freye expressed appreciation for the applicant working with their neighbors, and for developing conditions of approval. There was no further Commissioner comment.

**Recommendation:** APPROVAL AND ACCEPTANCE OF THE CONDITIONS

**Motion:** Freye **Second:** Petroski

**Ayes:** Freye, Sloan, Hylton, Petroski

### Board of Supervisors

**1/26/2022:** **Deferral:** Mr. Carroll moved to defer the case for 30 days to review and address neighbor comments that the recommended screening fence (proposed condition #4) was unnecessary, and that the existing landscaping was sufficient to screen the recreational vehicle.

**Recommendation:** DEFERRAL TO FEBRUARY 23, 2022.

**Motion:** Carroll **Second:** Ingle

**Ayes:** Winslow, Haley, Carol, Holland, and Ingle.

## Conditions

**Staff Note: Both the Planning Commission and Staff recommend acceptance of the following conditions.**

1. Non-Transferable Ownership. This Conditional Use approval shall be granted exclusively to Stephen and Lisa Phillips and shall not be transferable nor run with the land. (P)
2. Use. This Conditional Use approval shall be for the parking of one (1) recreational vehicle no greater than forty (40) feet in length. (P)
3. Location of Recreational Vehicle. The applicant shall remove or relocate the existing front fence at west side of the residence to allow the recreational vehicle to be moved behind the front plane of the residence. The recreational vehicle shall be parked behind the front plane of residence on the driveway. (P)

## Case Contacts

### Applicant

- **Applicant's Agent:**  
NOT APPLICABLE
- **Applicant's Contact:**  
Lisa Phillips (804) 921-1426  
Cookinmom111@gmail.com

### District Planning Commissioner

- **Tommy Owens (804-869-2214)**  
owenstommy@chesterfield.gov

### Staff

- **Planning Department Case Manager:** Carl Schlaudt (804) 318-8674  
schlaudtc@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
- **Transportation - County Department of Transportation:** Steve Adams (804-751-4461)  
adamsst@chesterfield.gov
- **Transportation - Virginia Department of Transportation:** Willie Gordon (804-674-2907)  
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- **Utilities:** Randy Phelps (804-796-7126) phelpsc@chesterfield.gov