



# 22SE0004 – Vivian Turner

Magisterial District – Matoaca

Applicant's Contact – Vivian Turner (804-399-2777)

BZA Public Hearing – April 6, 2022

Time Remaining

**90 Days**

Case Manager

**Amy Somervell**

(804-748-1970)

## Request

### Special Exception

Renewal of special exception (Case 15AR0115) to permit a temporary manufactured home in an Agricultural (A) District.

## Staff Recommendation

### Approval

## The Property

9400 Qualla Road

## Site Size

5.02 Acres

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



Figure 2: Street View



## NOTES FOR THE BOARD OF ZONING APPEALS

- A. The ordinance limits the maximum period of time for a temporary manufactured home may be granted to seven (7) years.
- B. Recommended conditions, and conditions of Case 15AR0155 are in the report.

## Recommendation

### STAFF - APPROVAL

#### PLANNING

- Renewal of a previously approved special exception to permit a temporary manufactured home.
- Conditions ensure that use remains temporary.

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## Planning

### Permit History

Case Number	Action	Request
67TN0081, 69TR0084, 71TR0124, 73AR0175, 79AR0230, 84AR0193, 87AR0112, 93AR0204, 00AR0274, and 08AR0135	Approved	Initial request and subsequent renewals for the current applicant to permit a temporary manufactured home.
Unit replacement	1979	Manufactured home replaced with a 1979 Redmond-Edgewood, 24 foot wide by 56 foot in length.
15AR0115	Approved 12/2014	Most recent approval for seven (7) years with conditions.

A manufactured home has been located on the subject property since 1969 which was the initial request for the applicant. On December 8, 2014, Case 15AR0115 was the most recent renewal for the current applicant where the Board of Zoning Appeals approved the use for seven (7) years, expiring December 2021.

### Proposal

The applicant is seeking renewal of the manufactured home permit for an additional seven (7) years. The applicant states:

*"This is my only home. This residence was established well before my neighbor's residences and does not negatively impact the area in anyway. The manufactured home was replaced in 1979."*

### Examination of Request

The Zoning Ordinance permits manufactured homes to be located on property zoned Agricultural (A) for a maximum of seven (7) years with the approval of a special exception. However, manufactured homes are permitted by right in an Agricultural (A) District when the bulk requirements and other standards for single family dwellings can be met; subject to no other single-family dwelling or manufactured homes are located on the property. Although no other dwelling exists on the subject property, and the property as recorded does meet ordinance standards to be a buildable parcel, the applicant has chosen to continue to renew the use of the temporary manufactured home.

Staff's inspection of the property revealed the following:

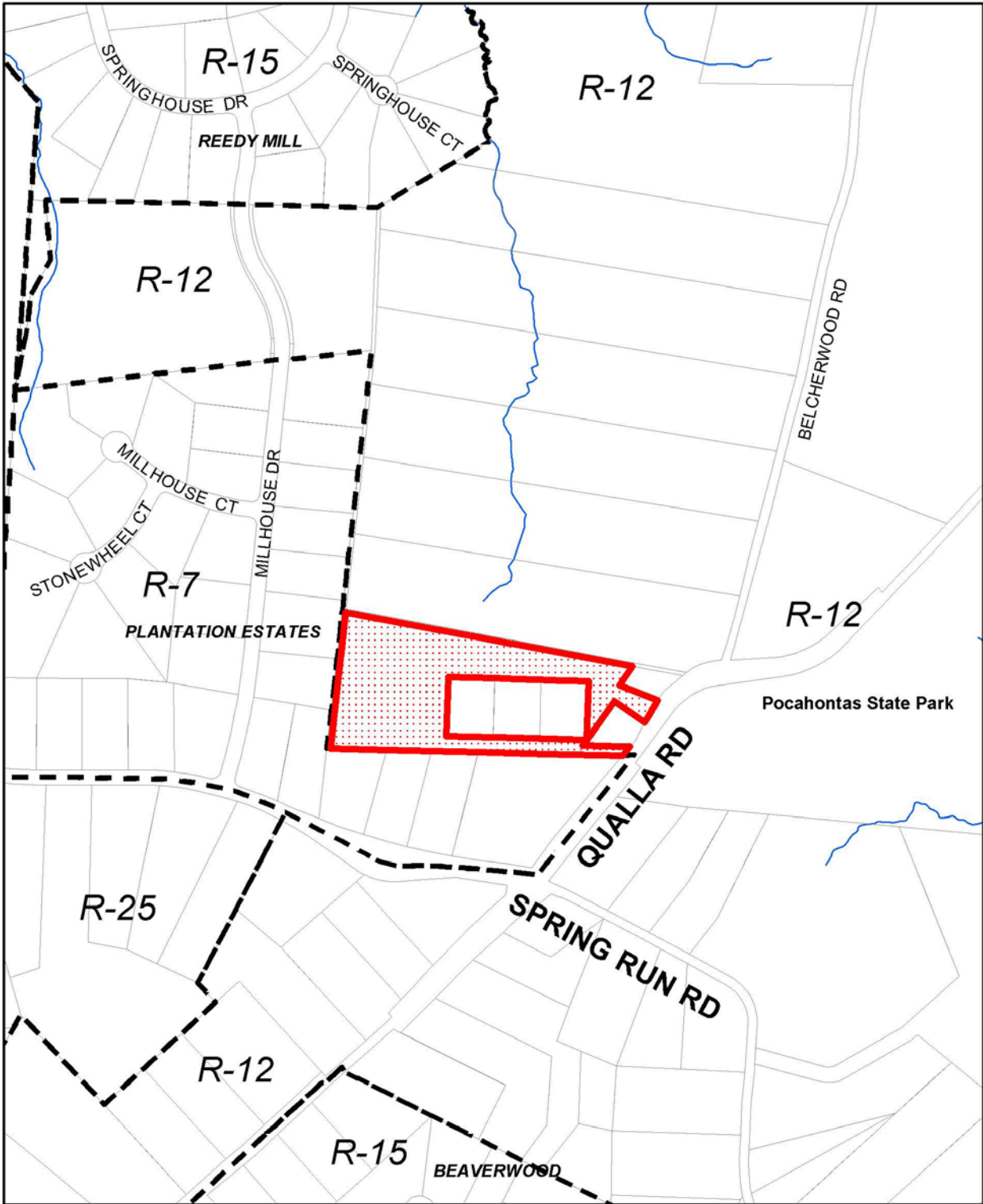
- Subject property is a large acreage parcel accessing through an adjacent property; however, this property has established road frontage off of Qualla Road.
- Manufactured home is located approximately 190 feet off the north line of Qualla Road with minimal visibility from the right of way.
- This is an older model manufactured home; however, it continues to be well-maintained.

- Although the previous renewal has expired, the applicant is bringing the use into compliance with Ordinance requirements by seeking a renewal of the manufactured home.


The Board gave favorable consideration to the previous case and the applicant is in compliance with conditions of approval. The manufactured home has minimal visibility from the right of way so the request will have minimal impacts on the surrounding properties.

This request is conditioned to ensure the manufactured home is a temporary use by limiting the approval to the current applicant for seven (7) years. Given the applicant has resided within the manufactured home since 1967 without any known issues, this request will have minimal impact on area development.



# Existing Current Zoning Map



## Map 1: Subject Property

Case #: 22SE0004  
Acreage: 5.02  
Address:  9400 QUALLA ROAD  
GPIN: 741-664-5417



-  Resource Protection Area
-  Streams

## Supplemental Analysis

### Environmental Engineering

No comment on this request.

### Fire & Emergency Medical Services

No comment on this request.

### Transportation - County Department of Transportation

This request will have a minimal impact on the transportation network

### Transportation - Virginia Department of Transportation

No comment on this request.

### Utilities – Water and Wastewater

The existing manufactured home is not connected to public water and sewer. Public water and sewer are not available.

### Virginia Department of Health

The use of private utilities will require approval from the Health Department.

## Conditions

1. The applicant shall be the owner and occupant of the manufactured home. (P)
2. No additional permanent living space may be added to the manufactured home. The manufactured home shall be skirted and shall not be placed on a permanent foundation. (P)

(Note: The Zoning Ordinance limits the maximum period of time for which a special exception for a temporary manufactured home may be granted to seven (7) years. Should the Board wish to approve this request, this approval would be for seven (7) years unless conditioned for less time and then subject to renewal.)

## Conditions of Case 15AR0115

**15AR0115:** In Matoaca Magisterial District, **Vivian Turner** requests renewal of Special Exception (Case 08AR0135) to permit a temporary manufactured home and amendment of zoning district map in an Agricultural (A) District on 5 acres known as 9400 Qualla Road. Density is approximately .2 unit per acre. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (2.0 to 4.0 dwellings per acre). Tax ID 741-664-5417.

Mr. Ryan Ramsey gave the background information and staff's recommendation for approval of Case 15AR0115 stating, if the Board felt the request had merit, it be granted subject to the conditions recommended by staff.

Mr. Vivian S. Turner, the applicant, came forward to represent the request and accepted the conditions noted in the staff report.

No one came forward to speak in favor of, or in opposition to, the request.

On motion of Mr. Daniels, seconded by Mr. Bennett, the Board resolved to approve the renewal of Special Exception (Case 08AR0135) to permit a temporary manufactured home and amendment of zoning district map for seven (7) years in an Agricultural (A) District.

### CONDITIONS

1. The applicant shall be the owner and occupant of the manufactured home. (P)
2. No additional permanent living space may be added onto this manufactured home. This manufactured home shall be skirted, but shall not be placed on a permanent foundation. (P)

AYES: Messrs. Caperton, Daniels, Autry, and Bennett.  
ABSENT: Mr. Chandler.



## Applicant

- **Applicant's Contact:**  
Vivian Turner (804-399-2777)

## Secretary to the Board of Zoning Appeals

- Ted Barclay (804-748-1802)  
barclayt@chesterfield.gov

## Staff

- **Planning Department Case Manager:**  
Amy Somervell (804-748-1970)  
somervella@chesterfield.gov
- **Environmental Engineering:**  
Rebecca Rochet (804-748-1028)  
rochetr@chesterfield.gov
- **Fire & Emergency Medical Services:**  
Anthony Batten (804-717-6167)  
battena@chesterfield.gov
- **Transportation - County Department of Transportation:**  
Steve Adams (804-751-4461)  
adamsst@chesterfield.gov
- **Transportation – Virginia Department of Transportation:**  
Jonathan Phillippe (804-674-2384)  
Jonathan.Phillippe@vdot.virginia.gov
- **Utilities:**  
Jamie Bland (804-751-4439)  
blandj@chesterfield.gov
- **Virginia Department of Health:**  
Richard Michniak (804-748-1695)  
Richard.Michniak@vdh.virginia.gov