



22SN0046 – Stephen & Tammy Connor

Magisterial District – Bermuda

Applicant – **Stephen and Tammy Connor** (757-509-3047)

CPC Public Hearing – **June 21, 2022**

Time Remaining

100 Days

Case Manager

Marianne Pitts

(804-796-7122)

Request

Conditional Use

Conditional use to permit a second dwelling unit within a new two-story garage in the Residential (R-88) District.

Staff Recommendation

Approval

The Property

6400 Ivory Bill Court

Site Size

3.96 Acres

Comprehensive Plan – Land Use Designation

Low Density Residential

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 applicants request a conditional use to permit a second dwelling unit on a parcel currently developed with a single family home. Specifically, the applicants are currently constructing a two-story garage and propose to develop the second story of the garage as a second dwelling unit to include a kitchen, bathroom, bedroom, office, and living room. The applicants intend the second dwelling unit to be occupied by the applicants and family members.

Recommendations

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.
2. Conditions are attached to this report.

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Zoning History

03SN0204: Approved (3/2003)

Rezoning to residential (R-88) permitting a single-family subdivision with a maximum density of 0.5 dwelling units per acre resulting in a maximum of 57 dwelling units. Conditions of approval addressed dwelling size, transportation improvements, and an easement along Swift Creek and Frank's Branch Creek.

Comprehensive Plan – Land Use Plan Designation

The Comprehensive Plan designates the Property for Low Density Residential, which suggests the Property is appropriate for residential development at a maximum density of 1.0 dwelling per acre.

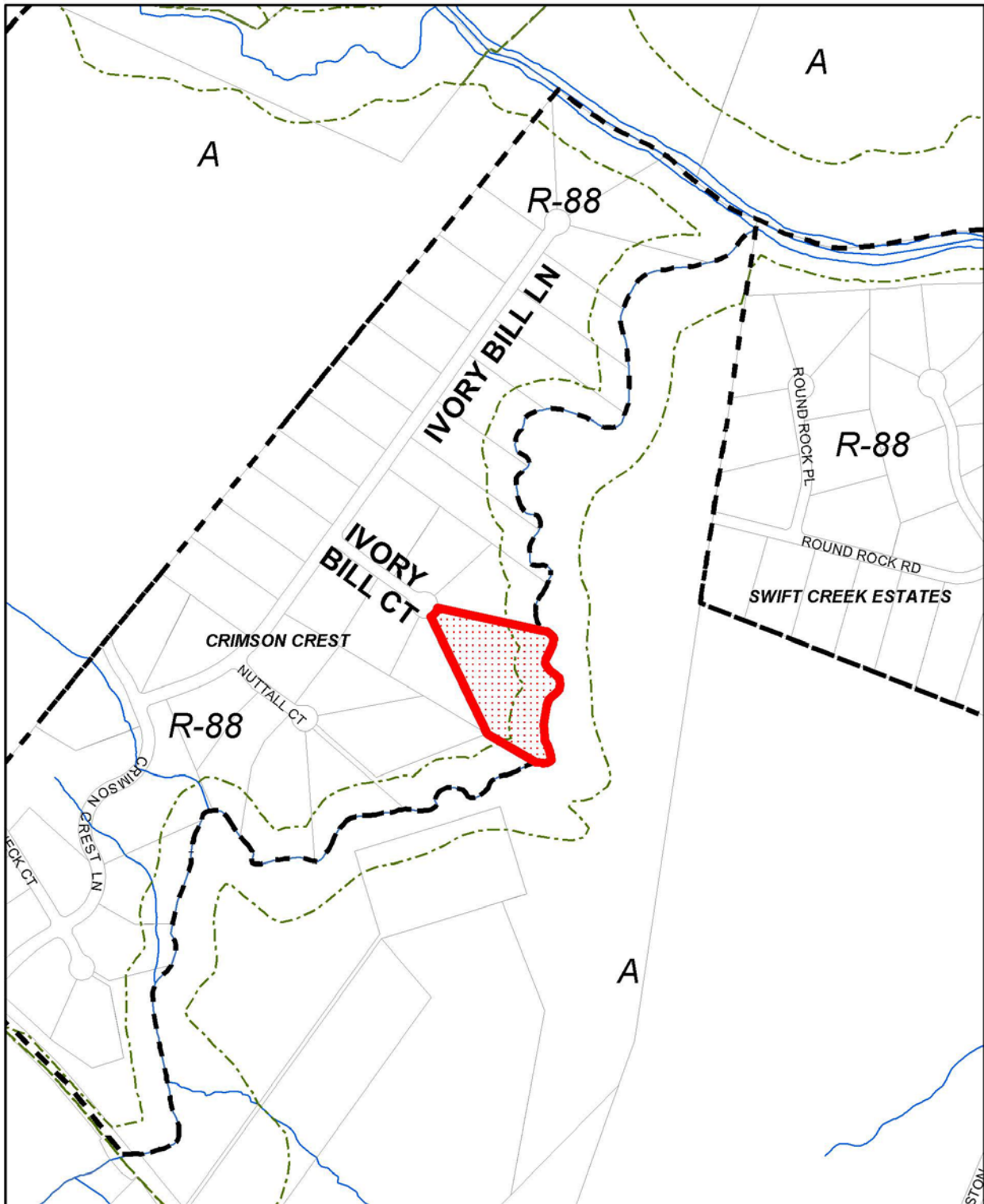
Proposal

The Property is located in the Crimson Crest Subdivision which is a small single family residential subdivision composed of one-story and two-story dwellings on large lots. The Property is developed with a one and a half story dwelling. The applicants are currently constructing a two-story garage at the rear of the property. The applicants are requesting to develop the second story of the garage as a second dwelling unit to include a kitchen, bathroom, bedroom, office, and living room. The applicants are constructing the second dwelling unit for occupancy for themselves and their daughter.

The conditions recommended for this proposal limit the occupancy to the occupants of the principal dwelling and individuals related to them ([Condition 1](#)). Additionally, a deed restriction recorded against the property provides for the limitation of the use permit ([Condition 2](#)). As conditioned, the use should not adversely affect area residential uses.



Figure 3: Existing Single Family Dwelling and Garage Under Construction at 6400 Ivory Bill Ct.



Map 1:  **Subject Property**

Case #: 22SN0046

Acreage: 3.96

Address: 6400 IVORY BILL COURT

GPIN: 782-628-2249

600 300 0 600

Feet

--- Resource Protection Area

--- Streams



Supplemental Analysis

Community Enhancement

No comment on this request.

Environmental

No comment on this request.

Fire & Emergency Medical Services

Service Area

The Matoaca Station, Company Number 8

Additional Information

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

Police

Division	Beat	District
Appomattox	78	Bermuda

Additional Information

This request is anticipated to have minimal impacts on Police.

Transportation - County Department of Transportation

The traffic impact of the request is anticipated to be minimal.

Transportation - Virginia Department of Transportation

The applicant is requesting a conditional use for a detached second dwelling. This zoning case is a local matter and VDOT has no comment at this time.

Utilities – Water and Wastewater

1. The request site is within a mandatory water connection area for new residential development, but not for public wastewater
2. Public water is available, but public wastewater is not.
3. The primary residence is connected to the public water system.
4. The proposed second dwelling unit will be detached from the primary residence.
5. To prevent sharing of service across multiple properties in the event of a future subdivision, the Utilities Department recommends that the following condition be imposed by the Board of Supervisors if the request for a second dwelling unit is approved:

Utilities Condition:

Should the property be legally subdivided in the future, the owner shall establish separate water connections to each dwelling unit, subject to the review and approval of the Utilities Department. The owner shall be responsible for all costs to establish the new water connections, including the payment of connection fees in effect at the time service is initiated.

6. With the imposition of this condition the Utilities Department supports this request.

Community Engagement & Public Hearings

Community Meetings

A community meeting was not held for this request. The applicants contacted all adjacent property owners and the homeowners' association and received letters of no opposition from all parties.

Conditions

1. Occupancy Limitations: Occupancy of the second dwelling unit shall be limited to: the occupants of the principal dwelling unit, individuals related to them by blood, marriage, adoption or guardianship, foster children, guests, and any domestic servants. (P)
2. Deed Restriction: For the purpose of providing record notice, prior to the issuance of a building permit for the second dwelling unit, a deed restriction shall be recorded setting forth the limitation in Condition 1. The deed book and page number of such restriction and a copy of the restriction as recorded shall be submitted to the Planning Department. (P)
3. Water Connection: Should the property be legally subdivided in the future, the owner shall establish separate water connection to each dwelling unit, subject to the review and approval of the Utilities Department. The owner shall be responsible for all costs to establish the new water connection, including the payment of connection fees in effect at the time service is initiated. (U)

Case Contacts

Applicant

- **Applicant's Contact:**
Stephen and Tammy Connor (757-509-3047)
Stconnor99@gmail.com

District Planning Commissioner

- **Gib Sloan (804-892-5633)**
sloang@chesterfield.gov

Staff

- **Planning Department Case Manager:** Marianne Pitts (804-796-7122) pittsm@chesterfield.gov
- **Community Enhancement:** Carl Schlaudt (804-318-8674) schlaudtc@chesterfield.gov
- **Environmental Engineering:** Rebecca Rochet (804-748-1028) rochetr@chesterfield.gov
- **Fire & Emergency Medical Services:** Anthony Batten (804-717-6167) battena@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)
willie.gordon@vdot.virginia.gov
- **Utilities:** Randy Phelps (804-796-7126) phelpsc@chesterfield.gov