



22SN0127 – Stigall Way Rezoning for an Existing Dwelling

Magisterial District – Clover Hill

Agent – John Rector (757-477-3485)

CPC Public Hearing – January 17, 2023

Time Remaining
100 Days

Case Manager
Ryan Ramsey
(804-751-4474)

Request

Rezoning

Continued use of the existing single-family dwelling as a residence is planned.

Staff Recommendation

Approval

The Property

11023 Stigall Way

Site Size

2.0 Acres

Comprehensive Plan – Land Use Designation

Corporate Office

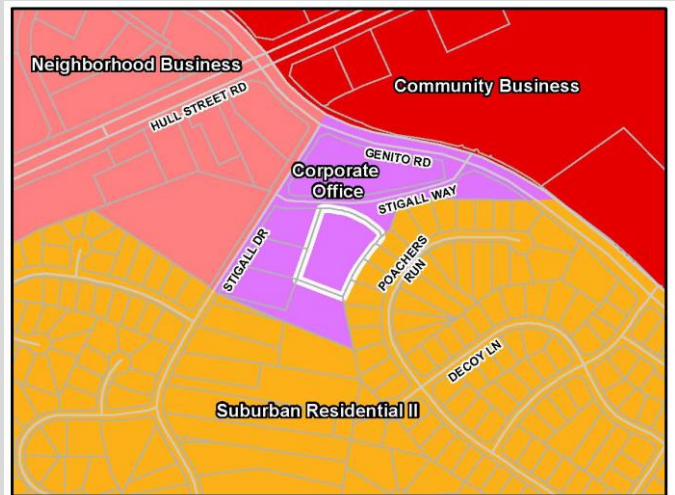
Plan Area

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

Rezoning from Corporate Office (O-2) District to Residential (R-12) District.

Continued occupancy of the existing single-family dwelling is proposed. The dwelling was constructed in 1969 and originally built as a rectory for a nearby church. The property owner (Episcopal Diocese Southern Virginia) intends to sell the Property to a new owner for single-family residential use. The Property was rezoned from Agricultural (A) to Corporate Office (O-2) in 1993 as part of a planned office and commercial development. Rezoning is now necessary to permit the single-family dwelling use on the Property. Conditions of zoning would limit the residential density on the Property to one (1) dwelling unit. Total residential density for the project would yield a maximum of 0.5 dwelling unit per acre.

Recommendation

STAFF - APPROVAL

While the proposed zoning is not consistent with the **Comprehensive Plan's Land Use Plan Designation** for Corporate Office uses, maintaining the single-family residential use is compatible with existing and anticipated residential uses in the area. With the approval of this request, the existing dwelling would be permitted by-right, no longer bound by limitations of the Zoning Ordinance as a legally nonconforming use.

NOTES FOR THE PLANNING COMMISSION AND BOARD OF SUPERVISORS

1. The property owner may proffer conditions.
2. A proffered condition has been submitted by the applicant.

Table of Contents

Summary of Proposal.....	1
Recommendation.....	2
Table of Contents.....	3
Planning.....	4
Current Zoning Map.....	6
Supplemental Analysis.....	7
Budget & Management.....	7
Community Enhancement.....	7
Environmental Engineering.....	7
Fire & Emergency Medical Services.....	7
Libraries.....	7
Parks & Recreation.....	7
Police.....	7
Schools.....	8
Transportation - County Department of Transportation.....	8
Transportation - Virginia Department of Transportation.....	8
Utilities – Water and Wastewater.....	8
Community Engagement & Public Hearings.....	9
Proffered Condition (11/21/2022).....	10
Case Contacts.....	11

Zoning History

93SN0213: Approved (9/1993)

Rezoning to Corporate Office (O-2) and Community Business (C-3) of 8.46 acres to permit a mix of neighborhood office, corporate office and community commercial uses. Conditions of approval included limitations on uses, buffers, development standards, building height, and landscaping/design for nonresidential uses along Stigall Drive/Stigall Way. The Property was rezoned to Corporate Office (O-2) as part of this request with other area properties to the west.

Comprehensive Plan – Land Use Plan Designation

The Comprehensive Plan designates the Property for Corporate Office, which suggests the Property is appropriate for professional and administrative offices or similar uses.

Proposal

The subject parcel was created in 1968 and initially owned by the Protestant Episcopal Church. The Property contains a single-family dwelling that was constructed in 1969 (Figure 3). This dwelling was initially used as a rectory for the Protestant Episcopal Church located on Stigall Drive (4000 Stigall Drive). This rectory use ceased in the early 2000s with changes to housing allowances for the church's rector. Since 2017, the single-family dwelling has been leased by the property owner. The dwelling is considered a nonconforming use since it existed prior to the change in zoning on the property to Corporate Office (O-2) in 1993.

As outlined in the Zoning Ordinance, a legally nonconforming use, building, or structure cannot be enlarged, extended, reconstructed, substituted, or structurally altered unless the use is changed to a use permitted in the zoning district. The current Corporate Office (O-2) zoning prohibits the applicant from making improvements to the existing dwelling and any accessory buildings. In addition, if the dwelling and/or accessory buildings were to be destroyed or damaged (by fire, flood, earthquake, explosion, war, riot, storm or other act of God as outlined in the Zoning Ordinance), the building or structure would need to be reconstructed within two (2) years of the natural disaster (or reconstructed within four (4) years if the building or structure is in an area under a federal disaster declaration and was damaged or destroyed as a direct result of the disaster).

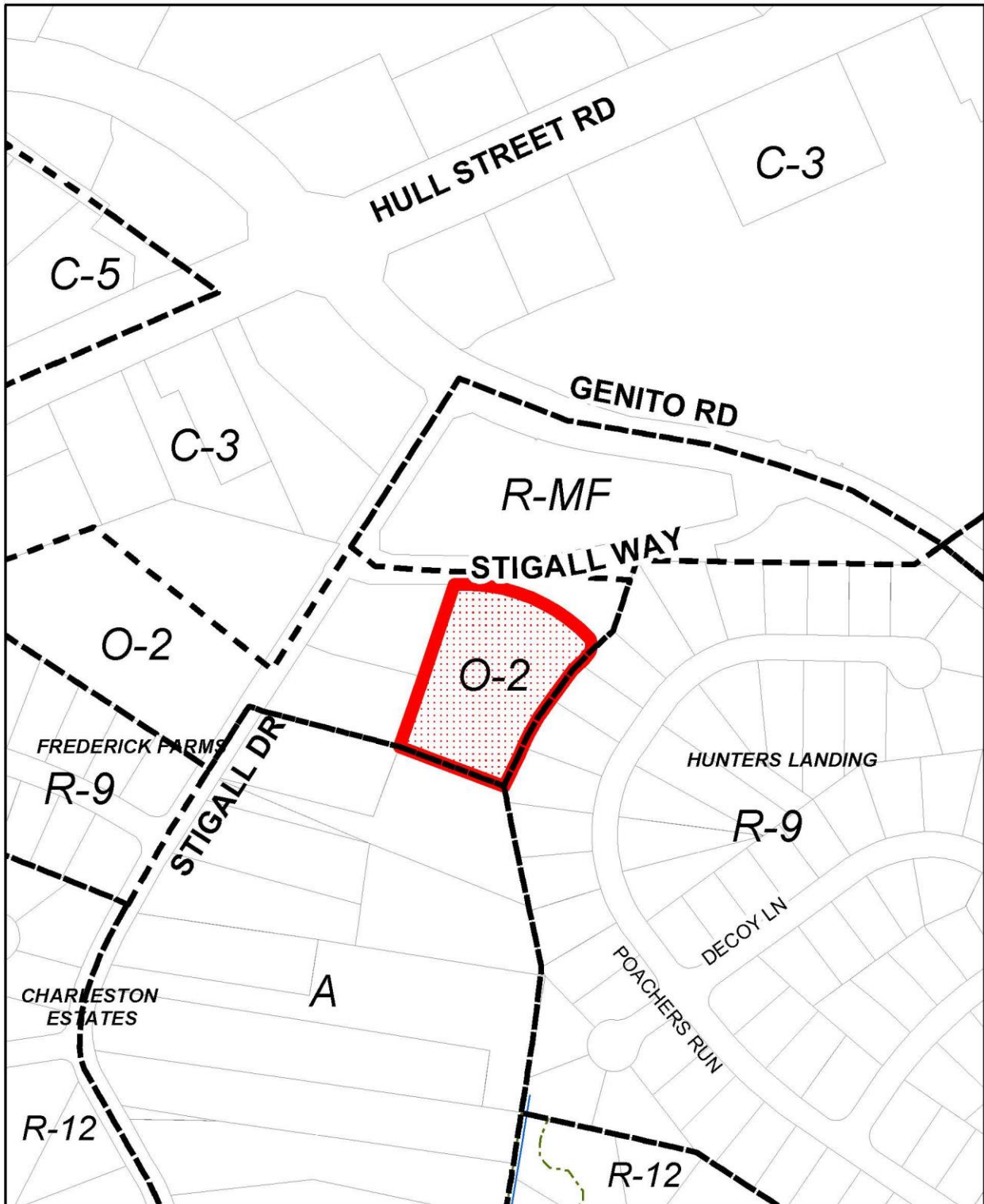
The applicant is requesting to rezone the property from Corporate Office (O-2) to Residential (R-12) so the residence will conform to the Zoning Ordinance and become a by-right use. Once rezoned, the applicant intends to sell the Property to a new property owner who will reside on the premises. This rezoning will allow the new owner(s) to replace, expand, and/or repair the dwelling and accessory buildings in compliance with the Ordinance. The applicant does not plan to further develop the property. As such, no more than one (1) dwelling will be permitted on the Property. ([Proffered Condition 1](#))



Figure 3 – Existing Site Conditions. View of the dwelling from Stigall Way.

Findings

The proposed redevelopment of the Property with adjoining properties to the west for office uses that was envisioned in the 1993 zoning approval has not occurred. Area properties to the north and west in the Corporate Office **Land Use Plan** designation are either developed or will be developed for additional residential uses. As conditioned, staff finds that maintaining the single-family residential use would be compatible with existing and anticipated residential uses in the area.



Map 1:  **Subject Property**

Case #: 22SN0127


Acreage: 2

Address:  11023 STIGALL WAY

GPIN: 744-683-3814

300 150 0 300



 Resource Protection Area

 Streams

Supplemental Analysis

Budget & Management

No comment on this request.

Community Enhancement

The project site is currently located in a revitalization area for the purposes of the Road Cash Proffer. Since the applicant has proffered to limit further subdivision of the subject property, Community Enhancement has no further comment.

Environmental Engineering

No comment on this request.

Fire & Emergency Medical Services

Service Area

The Manchester Volunteer Rescue Squad Fire Station, Company Number 24

Additional Information

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

Libraries

No comment on this request.

Parks & Recreation

No comment on this request.

Police

Division

Beat

District

Swift Creek

31

Clover Hill

Additional Information

This request is anticipated to have minimal impacts on Police.

Schools

This zoning request is for one (1) single family home. Minimal impact to schools, no additional review necessary at this time.

Transportation - County Department of Transportation

The applicant has proffered there shall be no further subdivision of the property. According to the Department of Community Enhancement, the property is located within a revitalization area. Under the Road Cash Proffer Policy, no road cash proffer will be accepted for development in these areas. The traffic impact of the request is anticipated to be minimal.

Transportation - Virginia Department of Transportation

The Virginia Department of Transportation (VDOT) has reviewed Case 22SN0127 to rezone from Corporate Office (O-2) to Residential (R-12) for the existing dwelling and retain the home with no planned subdivision. This request does not appear to impact VDOT maintained ROW and VDOT offers no additional comment at this time.

Utilities – Water and Wastewater

1. The existing residential structure on the request property is served by a private well and septic system. Public water and wastewater service is not available.
2. The zoning change will allow the property to be sold for continued residential use. No subdivision of the property is planned.
3. The Utilities Department supports this request.

Community Engagement & Public Hearings

Community Meeting

No community meeting was conducted for this request.

The applicant notified each adjacent property owner of the zoning application request. The applicant mailed the notification letter on November 2, 2022.

Proffered Condition (11/21/2022)

1. Further Subdivision of Property. No further subdivision of the Property shall be permitted. (P)

Case Contacts

Applicant

- **Applicant's Agent:**
John Rector (757-477-3485)
jrector@choreyrealty.net
- **Applicant's Contact:**
Roy Hoffman (703-304-5751)

District Planning Commissioner

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

Staff

- **Planning Department Case Manager:** Ryan Ramsey (804-751-4474) ramseyrp@chesterfield.gov
- **Budget & Management:** David Oakley (804-706-2586) oakleyd@chesterfield.gov
- **Community Enhancement:** Carl Schlaudt (804-318-8674) schlaudtc@chesterfield.gov
- **Environmental Engineering:** Scott Dunn (804-748-1030) dunns@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:** Logan Ashby (804-318-8043) ashbyl@chesterfield.gov
- **Transportation - County Department of Transportation:** Steve Adams (804-751-4461) adamsst@chesterfield.gov
- **Transportation - Virginia Department of Transportation:** Dustin Dunnagan (804-674-2907) dustin.dunnagan@vdot.virginia.gov
- **Utilities:** Randy Phelps (804-796-7126) phelpsc@chesterfield.gov