

# Issue Analysis Form

**Date:** August 13, 2019 – Board of Supervisors

**Item:** Gilliam Rezoning Request RZ-19-01

**Lead Department:** Community Development

**Contact Person:** Horace Wade, Planner



## Description and Current Status

The applicant is proposing to rezone 0.6 acres from B-1, General Business to R-1, Limited Residential in order to add an additional 884 square feet to the original single family detached home on the subject property at 19805 Halifax Road (Tax Map 620(0A)00-012-0).

Staff and Planning Commission recommend approval to the Board of Supervisors as the request allows the applicant to expand the current use of a residence without restrictions on the square footage.

## Government Path

- |   |   |   |
|---|---|---|
| <b>Does this require IDA action?</b>                  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No                    |
| <b>Does this require BZA action?</b>                  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No                    |
| <b>Does this require Planning Commission action?</b>  | <input checked="" type="checkbox"/> Yes | June 27, 2019<br>Recommended for<br>Approval by 6-0 vote. |
| <b>Does this require Board of Supervisors action?</b> | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No                               |
| <b>Does this require a Public Hearing?</b>            | <input checked="" type="checkbox"/> Yes | August 13, 2019   |
| <b>If so, before what date?</b>                       | n/a                                     |   |

## Fiscal Impact Statement

N/A

## County Impact

N/A, Police and Fire & EMS have no concerns with the rezoning request.

## Notes

**GILLIAM REZONING AMENDMENT – CASE RZ-19-01**

The applicant proposes to rezone 0.6 acres of Tax Map 620(OA)00-012-0 from B-1, General Business to R-1, Limited Residential in order to add an additional 884 square feet to the original single family detached home on the subject property.

The applicant submitted a building permit application for an 884 ft<sup>2</sup> addition to the original single family detached home (909 ft<sup>2</sup>). After reviewing the application, the application could not proceed due to the square footage and zoning of the property. The current zoning of the property is B-1, which per Section 90-745(c) limits the expansion to 50% of the original nonconforming structure (house). The applicant is left with the decision to revise the building permit application by reducing the addition to 454.5 ft<sup>2</sup>, or to remove the nonconforming status by submitting an application for rezoning to have the 884 ft<sup>2</sup> addition reviewed.

Although the Comprehensive Plan identifies this area for commercial land uses, this parcel is not likely to be used for commercial in the foreseeable future. The parcels adjacent to the parcel are also zoned R-1 and used for single family residential.

Board of Supervisors  
County of Prince George, Virginia

Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 13th day of August 2019:

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Present:

Donald R. Hunter, Chairman  
Floyd M. Brown, Jr, Vice Chairman  
Alan R. Carmichael  
Marlene J. Waymack  
T. J. Webb

Vote:

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REZONING CASE RZ-19-01 Request of Blair E. Gilliam to rezone 0.6 acres from B-1, General Business to R-1, Limited Residential Zoning District. The subject property is located at 19805 Halifax Road and is identified as Tax Map 620(0A)00-012-0. The Comprehensive Plan indicates that the subject property is appropriate for commercial uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Rezoning Application identified as RZ-19-01 is granted as an amendment to the official zoning map.

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Adopted on August 13, 2019 and becoming effective immediately.



# REZONING APPLICATION

Department of Community Development and Code Compliance  
 6602 Courts Drive / P.O. Box 68  
 Prince George, VA 23875-0068  
 Planning Division (804) 722-8678  
[www.princegeorgecountyva.gov](http://www.princegeorgecountyva.gov)

OFFICE USE ONLY

APPLICATION #:

RZ-19-01

DATE SUBMITTED:

**RECEIVED**  
 MAY 16 2019

(Please fill-in all blanks)

GENERAL PROPERTY INFORMATION

LEGAL OWNER(S) OF PROPERTY REQUESTED TO BE REZONED:

Blair Sammler (Gilliam)

ADDRESS:

19805 Halifax Rd

TAX MAP OF SUBJECT PARCEL:

CITY:

Carson

STATE:

VA

ZIP CODE:

23830

DISTRICT:

E-MAIL ADDRESS:

begilliam@gmail.com

RECORDED IN THE CIRCUIT COURT CLERK'S OFFICE:

Instrument # 110000658

DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ Date 2/11

DEED RESTRICTIONS: None

CURRENT LAND USE:

Residential

ACREAGE:

0.6

COMPREHENSIVE PLAN DESIGNATION:

Commercial

ZONING CLASSIFICATION

PRESENT ZONING:

B-1 General Business

PROPOSED ZONING:

R-1

REASON(S) FOR REZONING REQUEST, INCLUDING DESCRIPTION OF PROPOSED USE:

See below \*

OWNER AGENT/REP

AGENT OR REPRESENTATIVE OF PROPERTY OWNER(S), IF ANY (SPECIFY INTEREST):

NAME:

PHONE NUMBER:

ADDRESS:

CITY:

STATE:

ZIP CODE:

E-MAIL ADDRESS:

PROJECT DESCRIPTION

PROVIDE A GENERAL DESCRIPTION OF THE PROJECT: (Attach a separate letter if necessary)

To add an 884 ft<sup>2</sup> addition to the original single family detached home (909 ft<sup>2</sup>) is outside the restrictions set forth for B-1 zoning per Section 90-745(c). Therefore, Rezoning is necessary to obtain a building permit for aforementioned addition.

620(OA)00-012-0

MAY 15 2019

5/16 CR# 0695 pd \$1190.00 (MGS)

**AFFIDAVIT**

A. The undersigned (1) Property Owner or (7) duly authorized agent or representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.

NAME: Blair Gilliam Summler  
SIGNED: Blair M. Summler DATE: 5/12/19  
MAILING ADDRESS: 19805 Halifax Rd  
CITY/STATE/ZIP: Carson, VA 23830  
PHONE NUMBER: 804-720-7647  
E-MAIL ADDRESS: begilliam@gmail.com

STATE BELOW THE NAME, ADDRESS, AND PHONE NUMBER OF PERSON(S) TO BE CONTACTED REGARDING THIS APPLICATION IF OTHER THAN ABOVE PERSON(S):

NAME: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
CITY/STATE/ZIP: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_  
E-MAIL ADDRESS: \_\_\_\_\_

STATE OF VIRGINIA

COUNTY OF: PRINCE GEORGE

Subscribed and sworn before me this 12 day of May, 2019.

My Commission expires: Sept. 30, 2020  
Betty B. Darby  
Notary Public

AFFIDAVIT

# SALES RECEIPT

**Prince George County**  
**The Department of Community**  
**Development & Code Compliance**  
**Phone (804) 722-8659**  
**Fax (804) 722-0702**

**Sold To Blair Sammler**  
**19805 Halifax Road**  
**Carson, VA 23830**  
**Phone 8047228678**

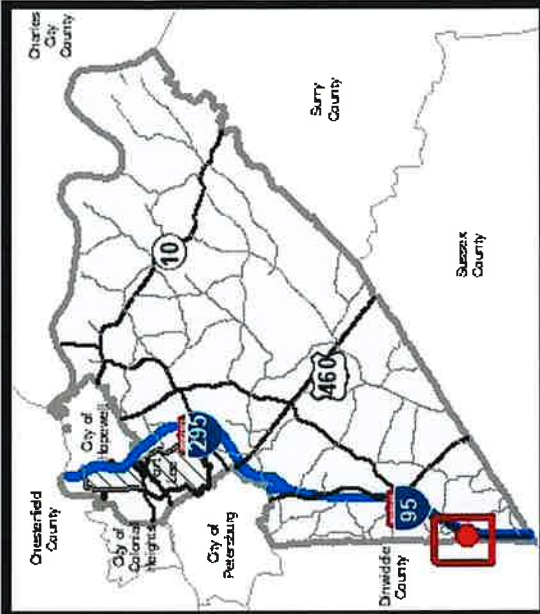
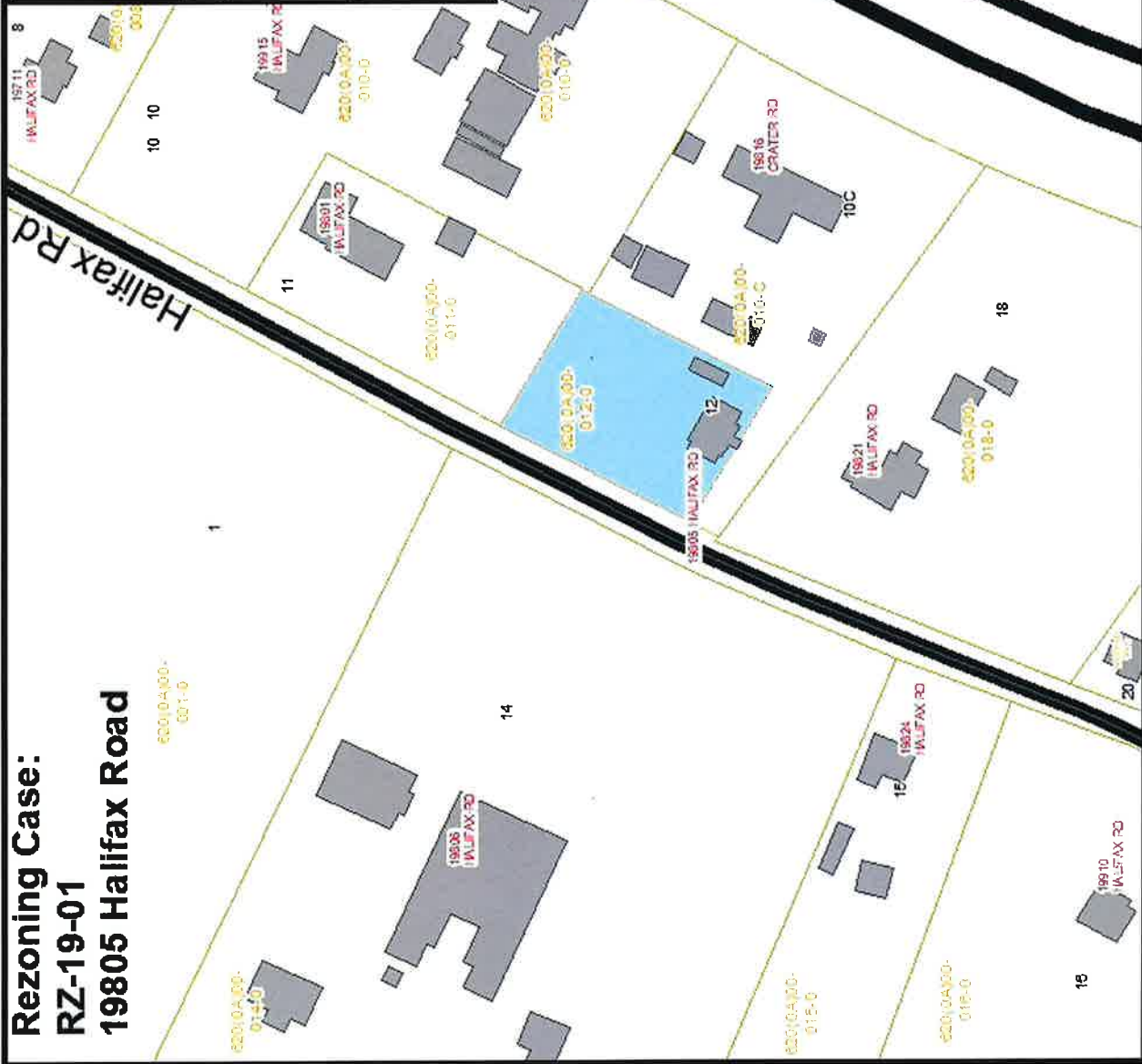
<b>Transaction #</b>	<b>Payment Method</b>	<b>Account</b>	<b>Sale Date</b>
26703	Manual Entry Personal Check	T051....0695	5/16/2019 8:50:08 AM
<b>Trace #</b>	<b>Approval Code</b>		
1400310000031776935844	3624		
<b>Application #</b>	<b>Qty</b>	<b>Item</b>	
AP-44125	1.00	Rezoning to R-1, R-3, B-1, M-1 and M-3	\$1190.00
		<b>Total</b>	<b>1190.00</b>

I acknowledge receipt of goods and/or services in the amount of the total shown hereon. When you provide a check as payment, you authorize us to use information from your check to process a one-time Electronic Funds Transfer (EFT) or draft drawn from your account, or process the payment as a check transaction. You also authorize us to process credit adjustments, if applicable. If your payment is returned unpaid, you authorize us to collect your payment and the Return Fee amount below by EFT(s) or draft(s) from your account. If you are presenting a corporate check, you make these representations as an authorized corporate representative. Please note that any returned check is subject to a 50.00 charge and  Questions? Call 1-800-366-2425.

# Rezoning Case:

## RZ-19-01

### 19805 Halifax Road



**Subject Property**  
19805 Halifax Road



**REZONING REQUEST  
BOARD OF SUPERVISORS SUMMARY REPORT**

**CASE NUMBER:** RZ-19-01

**APPLICANT:** Blair E. Gilliam

**LOCATION OF PROPERTY:** 19805 Halifax Road

**TAX MAP #** 620(0A)00-012-0

**PLANNING DISTRICT:** Rural Conservation Area

**REQUESTED ACTION:** Rezoning Case Request

**EXISTING ZONING:** B-1, General Business

**PROPOSED ZONING:** R-1, Limited Residential District

**EXISTING USE:** Residential (nonconforming)

**SURROUNDING ZONING:**

**North and East:** R-1, Limited Residential Zoning

**South:** B-1, General Business Zoning

**West:** R-A, Residential-Agricultural Zoning

**UTILITIES:** Private well and Private septic

**REAL ESTATE TAXES:** No delinquent taxes are owed to the County

**MEETING INFORMATION:**

**Planning Commission:** Thursday, June 27, 2019 at 6:30 pm  
**Recommended Approval 6-0, with 1 abstaining**

**Board of Supervisors:** Tuesday, August 13, 2019 at 7:30 pm

**RECOMMENDATION:** Planning Commission and staff recommend approval of this R-1, Limited Residential rezoning request. Although the Comprehensive Plan recommends Commercial usage of the property, the likelihood of the property being used as commercial in the near future is unlikely.



**BOARD OF SUPERVISORS STAFF REPORT**

**REZONING AMENDMENT – CASE RZ-19-01  
BLAIR E. GILLIAM**

**PUBLIC HEARING: AUGUST 13, 2019**

**Request:**

The applicant proposes to rezone 0.6 acres of Tax Map 620(OA)00-012-0 from B-1, General Business to R-1, Limited Residential in order to add an additional 884 square feet to the original single family detached home on the subject property.

**Comprehensive Plan:**

The Comprehensive Plan identifies this area in Carson for commercial land uses. This area was blanket zoned to B-1 in July 1965 along the corridor.

**Planning Division:**

The applicant submitted a building permit application for an 884 ft<sup>2</sup> addition to the original single family detached home (909 ft<sup>2</sup>). After reviewing the application, the application could not proceed due to the square footage and zoning of the property. The current zoning of the property is B-1, which per Section 90-745(c) limits the expansion to 50% of the original nonconforming structure (house). The applicant is left with the decision to revise the building permit application by reducing the addition to 454.5 ft<sup>2</sup>, or to remove the nonconforming status by submitting an application for rezoning to have the 884 ft<sup>2</sup> addition reviewed.

Although the Comprehensive Plan identifies this area for commercial land uses, this parcel is not likely to be used for commercial in the foreseeable future. The parcels adjacent to the parcel are also zoned R-1 and used for single family residential.

**Utilities and Engineering Department: Frank Haltom, PE, Director:**

The Utilities and Engineering Department has reviewed the rezoning request and stated that this parcel is currently outside of the Prince George Planning Area, which requires sewer and water. The County's Water and Wastewater Master plan does not consider this parcel to be served by public utilities in the foreseeable future.

**Inspections Division: Dean Simmons, CBO, Building Official – Fire Official:**

The Inspections Division has reviewed this rezoning request and the site has been evaluated under the provisions of the 2015 Virginia USBC and the 2015 Virginia SFPC. All structures that may be built on property that exceed 256 square feet will need to be permitted and meet all requirement of the 2015 Virginia USBC. The applicant has an active residential building for an addition.

**Virginia Department of Health:**

The Virginia Department of Health has reviewed the rezoning request and stated they have no comments on the proposed rezoning. However, before a building permit can be approved, the

applicant must submit an application for either an expanded drainfield or conditional permit based on the number of occupants.

**Virginia Department of Transportation:**

The Virginia Department of Transportation (VDOT) has reviewed the request and stated that based on the information submitted in the rezoning application, the proposed zoning to R-1 will generate less traffic than would be allowed for a B-1 zoning use. Additionally, Halifax Road (SR 604) has a functional classification of Rural Major Collector with an average annual daily traffic county of 1,226 and a posted speed limit of 35 MPH. Private entrances are not subject to VDOT's Access Management spacing criteria. No additional entrances are anticipated for the proposed rezoning.

**Prince George County Police Department: W. Keith Early, Chief of Police**

The Police Department has no concerns with this rezoning request.

**Prince George Fire, EMS and Emergency Management: Brad Owens, Director**

The Prince George Fire, EMS, and Emergency Management Department has no concerns with this rezoning request.

**Recommendation:**

Planning Commission and staff recommend approval of this R-1, Limited Residential rezoning request. The applicant is currently requesting to build an addition on a nonconforming house where the square footage exceeds the ordinance requirement of 50% of the original structure. Although the Comprehensive Plan recommends Commercial usage of the property, the likelihood of the property being used as commercial in the near future is unlikely. The Utilities and Engineering Department adds that the Water and Wastewater Master Plan does not consider the parcel to be served by public utilities in the foreseeable future. Additionally, the parcel to the north and west are already zoned R-1, Limited Residential and are single family residences.