

BOARD OF SUPERVISORS STAFF REPORT

SE-19-05 MARK & TERRI PERKINSON

OCTOBER 22, 2019

RESUME

The applicants, Mark and Terri Perkinson, are requesting a Special Exception to permit an Animal Boarding Place as an accessory use to a single family dwelling on a property zoned for both R-A, Residential Agricultural and R-2 Limited Residential District, with the proposed use to occur on the R-A portion of the property.

County Staff and Planning Commission recommend Approval, subject to recommended conditions.

Board of Supervisors
County of Prince George, Virginia

Resolution

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 22nd day of October, 2019:

Present:

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

Vote:

SPECIAL EXCEPTION SE-19-05: REQUEST OF MARK AND TERRI PERKINSON PURSUANT TO § § 90-103 (23) TO PERMIT AN ANIMAL BOARDING PLACE WITHIN A R-A, RESIDENTIAL - AGRICULTURAL DISTRICT. THE REQUEST PROPERTY IS LOCATED AT 10610 MERCHANTS HOPE ROAD AND IS IDENTIFIED AS TAX MAP 140(0A)00-059-A. THE COMPREHENSIVE PLAN INDICATES THE PROPERTY IS SUITABLE FOR RESIDENTIAL USES.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-19-05 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception is granted for an Animal Boarding Place as an accessory use to Mark and Terri Perkinson on Tax Map 140(0A)00-059-A. It is not transferable and it does not run with the land.
2. This Special Exception is granted for an animal boarding place for the purpose of daytime care of dogs on the premises and limited overnight lodging of dogs in the home.
3. This Special Exception is granted only for the portion of the property zoned R-A, therefore animal boarding place activities shall only be permitted to take place on the portion of the property zoned R-A.
4. All dogs shall be required to be screened by the owner/operator prior to acceptance into the facility, including verification of good health by a veterinarian and being current on all shots.

5. The applicants shall operate in compliance with all applicable local, state and federal codes.
6. The applicants shall take appropriate measures to ensure compliance with the County Noise Ordinance of the Code of the County of Prince George, as adopted, and as enforced by the Police Department.
7. The applicants shall meet with Animal Services prior to opening to inspect the facility, shall accommodate unannounced visits from Animal Services during operations, and take appropriate measures for health and safety of the animals as recommended by Animal Services.
8. A maximum of 20 dogs shall be permitted for day care on the premises, in conjunction with the use.
9. A maximum of 4 dogs shall be permitted for overnight stays, to be kept indoors in the home, in conjunction with the use.
10. Dogs will be kept within fenced areas or indoors at all times when not in transport.
11. The hours of operation for the daytime care activities shall be limited to Monday through Friday 6:00 a.m. to 6:00 p.m.
12. A maximum of 2 personnel may be present on the premises in conjunction with this use, other than members of the family residing on the premises.
13. One (1) non-illuminated, freestanding sign no greater than four (4) square feet may be placed for directional purposes near the main entrance, located outside of the VDOT right-of-way and meeting setback requirements.
14. If the requested use of the premises is abandoned for a period of twenty-four (24) consecutive months, then the Special Exception shall become null and void.
15. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicants to comply with any of the listed conditions or any provision of federal, state or local regulations.

Adopted on October 22, 2019 and becoming effective immediately

BOARD OF SUPERVISORS -- STAFF REPORT

SPECIAL EXCEPTION REQUEST

CASE NUMBER: SE-19-05

REQUEST: Special Exception to permit an Animal Boarding Place as an Accessory Use on home property

APPLICANTS: Mark and Terri Perkinson

LOCATION: 10610 Merchants Hope Road

TAX MAP ID: 140(0A)00-059-A (5.57 ac)

EXISTING ZONING: R-A Residential Agricultural Zoning District (+/- 2.75 ac)
R-2 Limited Residential District (+/- 2.82 ac)

SURROUNDING ZONING: R-A Residential Agricultural Zoning District
R-2 Limited Residential District

EXISTING USE: Residential < 20 acres Improved

PROPOSED USE: Animal Boarding Place

UTILITIES: Well and Septic

REAL ESTATE TAXES: Taxes have been paid as of September 9, 2019

MEETING INFORMATION:

Planning Commission: Thursday, September 26, 2019 at 6:30 PM
Recommended Approval 6-0.

Board of Supervisors: Tuesday, October 22, 2019 at 7:30 PM

ATTACHMENTS:

1. Location Map
2. Satellite / Aerial Map
3. Zoning Map
4. Site Sketch (Applicant-Provided)

BOARD OF SUPERVISORS STAFF REPORT

SPECIAL EXCEPTION CASE SE-19-05

MARK AND TERRI PERKINSON

PUBLIC HEARING: OCTOBER 22, 2019

Request:

The applicants are requesting a Special Exception to permit an Animal Boarding Place as an Accessory Use on a property zoned for both R-A, Residential – Agricultural District, and R-2 Limited Residential District, with the proposed use to occur on the R-A portion of the property.

Request Details:

The applicants are proposing to operate a “doggie daycare” and small-scale dog boarding business as part of an “animal boarding place use” on the portion of their property zoned R-A, consisting of approximately 2.75 acres out of the 5.57 acres. The applicants will utilize an existing 1,500 square-foot detached garage and fenced areas as shown on the attached site sketch. The proposed operation is no-crate, no-kennel, allowing the dogs freedom to move during the day within the structure and fenced areas. Customer visits would generally entail dropping off and/or picking up their dogs, for those customers who choose not to utilize the transportation services offered by the applicants. Impact on neighbors and total vehicle trips would be limited by various factors including available transportation services, a proposed maximum number of dogs, overnight boarding only within the home, and increased well-being afforded to the dogs by the no-crate, no-kennel model. The applicants propose to comply with all local, state and federal codes related to the care and keeping of animals, and propose to cooperate with Animal Services before and after opening the facility.

Proposed Use

Animal Boarding Place.

Sec. 90-1 – Definitions:

“Animal boarding place means any structure or any land or any combination of either used, designed and arranged for the boarding, breeding or care of dogs cats, pets, fowl, ponies, horses or other domestic animals for profit, but exclusive or animals used for agricultural purposes.”

The proposed use would be an accessory use to the existing single-family dwelling on the property.

Uses on surrounding properties are low-density single-family residential or vacant. The proposed use appears to be generally compatible with the surrounding uses.

Zoning

1. The proposed use is permitted by the present zoning:

Sec. 90-103 - Uses and structures permitted by special exception

The following uses and structures are permitted by special exception in the R-A residential agricultural district:

(23) Animal hospital, animal boarding place, veterinary service.

2. The request property is zoned R-A and R-2, with the proposed use to take place on the portion zoned R-A.
3. The surrounding properties are also zoned R-A and R-2.

Comprehensive Plan

The Comprehensive Plan Future Land Use Map identifies this area, including the property and surrounding properties, as appropriate for residential use.

The proposed use appears to be generally compatible with future planned land uses.

County Staff Review Comments:

Building Inspections: No new construction is proposed, therefore no further comments at this time. No Change of Use required for buildings on the property since primary use is still Residential.

Environmental: No land disturbance, therefore no comments.

Transportation (VDOT): This would be a low volume commercial entrance, therefore no entrance improvements necessary.

Health (VDH):

- Sewage disposal and well requirements will need to be evaluated by an AOSE/OSE or Engineer for this commercial use. The evaluation information will need to be supplied to the Health Department.
- The permit on file for this property (HDID# 89-174-0126) shows the design was to serve 3 bedrooms. The County GIS system states that there are 4 bedrooms. This will need to be sorted out.

P&Z STAFF NOTE: Applicant has satisfied both comments as of 10/1/2019.

Utilities: No public water and sewer connection required or present, therefore no comments.

Animal Services: Applicant must comply with the provisions of state code related to animal care and recommend meeting with Animal Services prior to opening facility.

P&Z STAFF NOTE: Applicant has met with Animal Services.

Economic Development: No comments

Police Department: Observe the County Noise Ordinance related to barking dogs kept overnight to avoid violations.

Adjoining Property Owners Comments:

No comments were received by Staff.

Planning Commission:

Public hearing:

At the Planning Commission meeting on Thursday, September 26, 2019 at 6:30 p.m., a public hearing was held, with no public comments made, and the Planning Commission recommended approval of the case 6-0.

Commissioners asked about comments from adjoining property owners. There were none, and Staff shared that two of the three notified neighbors are family members of the applicants.

Commissioners asked Staff if there was any reason to delay a vote in order for VDH to receive the information it had requested (see County Staff Review Comments). Staff explained that one of the conditions addressed this by making the information submittal a requirement in order for the applicant to receive a business license. This information has subsequently been provided to VDH and therefore this condition has been removed.

Recommendation:

P&Z STAFF NOTE:

Modifications since Planning Commission Review:

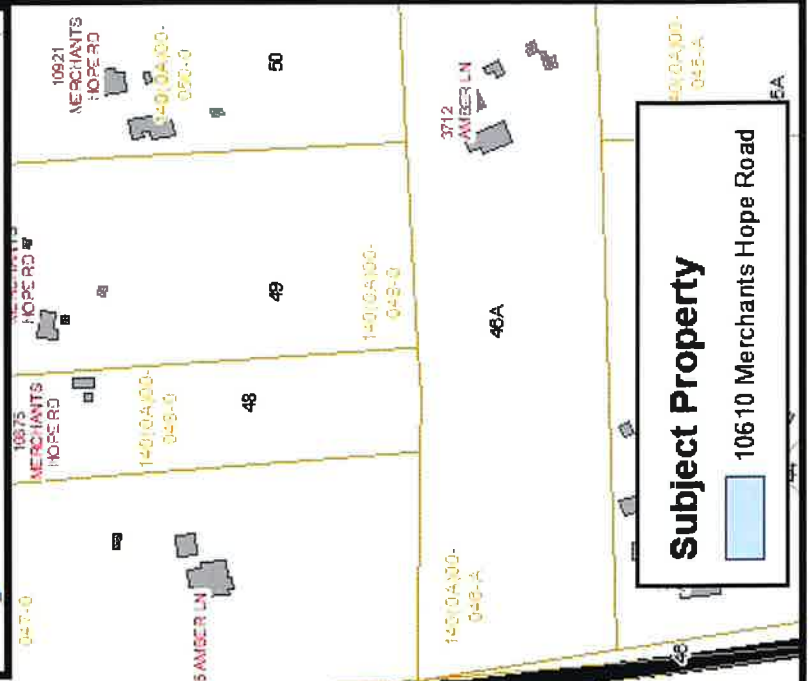
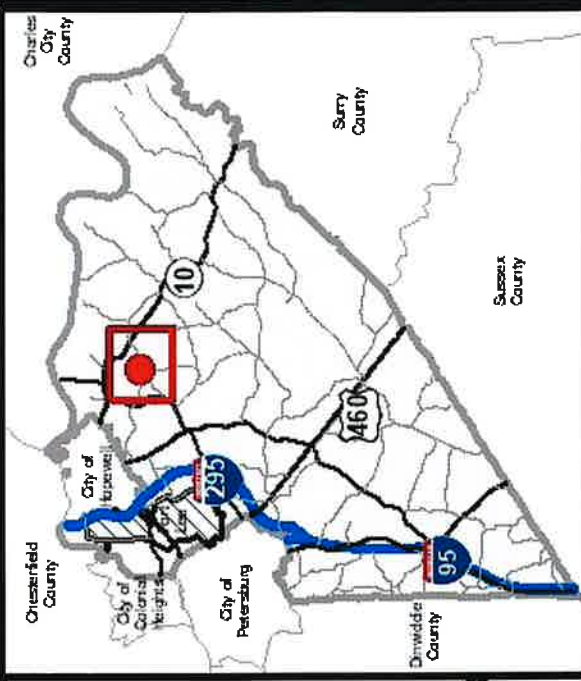
1. Deleted: A condition related to certain required information being submitted to VDH. This condition has been satisfied and is no longer necessary.
2. Added: Condition #13. A condition addressing signage has been a standard condition in past Special Exception cases but was unintentionally omitted at the time of Planning Commission review.

Planning Commission and County Staff recommended Approval of the proposed Animal Boarding Place use, subject to the following conditions intended to minimize the impact on surrounding property owners and ensure that this use complies with all local, state and federal requirements:

1. This Special Exception is granted for an Animal Boarding Place as an accessory use to Mark and Terri Perkinson on Tax Map 140(OA)00-059-A. It is not transferable and it does not run with the land.
2. This Special Exception is granted for an animal boarding place for the purpose of daytime care of dogs on the premises and limited overnight lodging of dogs in the home.
3. This Special Exception is granted only for the portion of the property zoned R-A, therefore animal boarding place activities shall only be permitted to take place on the portion of the property zoned R-A.
4. All dogs shall be required to be screened by the owner/operator prior to acceptance into the facility, including verification of good health by a veterinarian and being current on all shots.
5. The applicants shall operate in compliance with all applicable local, state and federal codes.

6. The applicants shall take appropriate measures to ensure compliance with the County Noise Ordinance of the Code of the County of Prince George, as adopted, and as enforced by the Police Department.
7. The applicants shall meet with Animal Services prior to opening to inspect the facility, shall accommodate unannounced visits from Animal Services during operations, and take appropriate measures for health and safety of the animals as recommended by Animal Services.
8. A maximum of 20 dogs shall be permitted for day care on the premises, in conjunction with the use.
9. A maximum of 4 dogs shall be permitted for overnight stays, to be kept indoors in the home, in conjunction with the use.
10. Dogs will be kept within fenced areas or indoors at all times when not in transport.
11. The hours of operation for the daytime care activities shall be limited to Monday through Friday 6:00 a.m. to 6:00 p.m.
12. A maximum of 2 personnel may be present on the premises in conjunction with this use, other than members of the family residing on the premises.
13. One (1) non-illuminated, freestanding sign no greater than four (4) square feet may be placed for directional purposes near the main entrance, located outside of the VDOT right-of-way and meeting setback requirements.
14. If the requested use of the premises is abandoned for a period of twenty-four (24) consecutive months, then the Special Exception shall become null and void.
15. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicants to comply with any of the listed conditions or any provision of federal, state or local regulations.

Special Exception Case: SE-19-05 10610 Merchants Hope Road



Subject Property
10610 Merchants Hope Road

Amber Ln

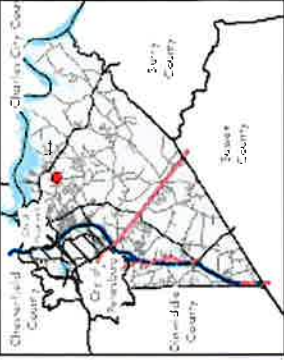
Merchants Hope Rd

Hall Farm Rd

Sandy Ridge Rd



County of Prince George



Legend

- Political Boundaries
- FEMA Floodzones
- Taxparcels
- Access Easements
- Wetlands
- Swamps
- Planning Area

Notes



The information contained in this data should not be used as a "legal description". Map information is believed to be accurate, but accuracy is not guaranteed.

Copyright, 2014 County of Prince George, VA

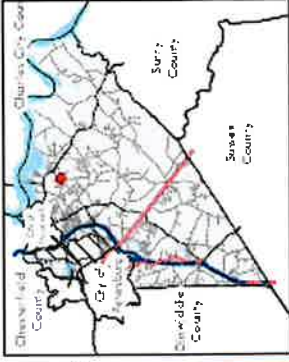
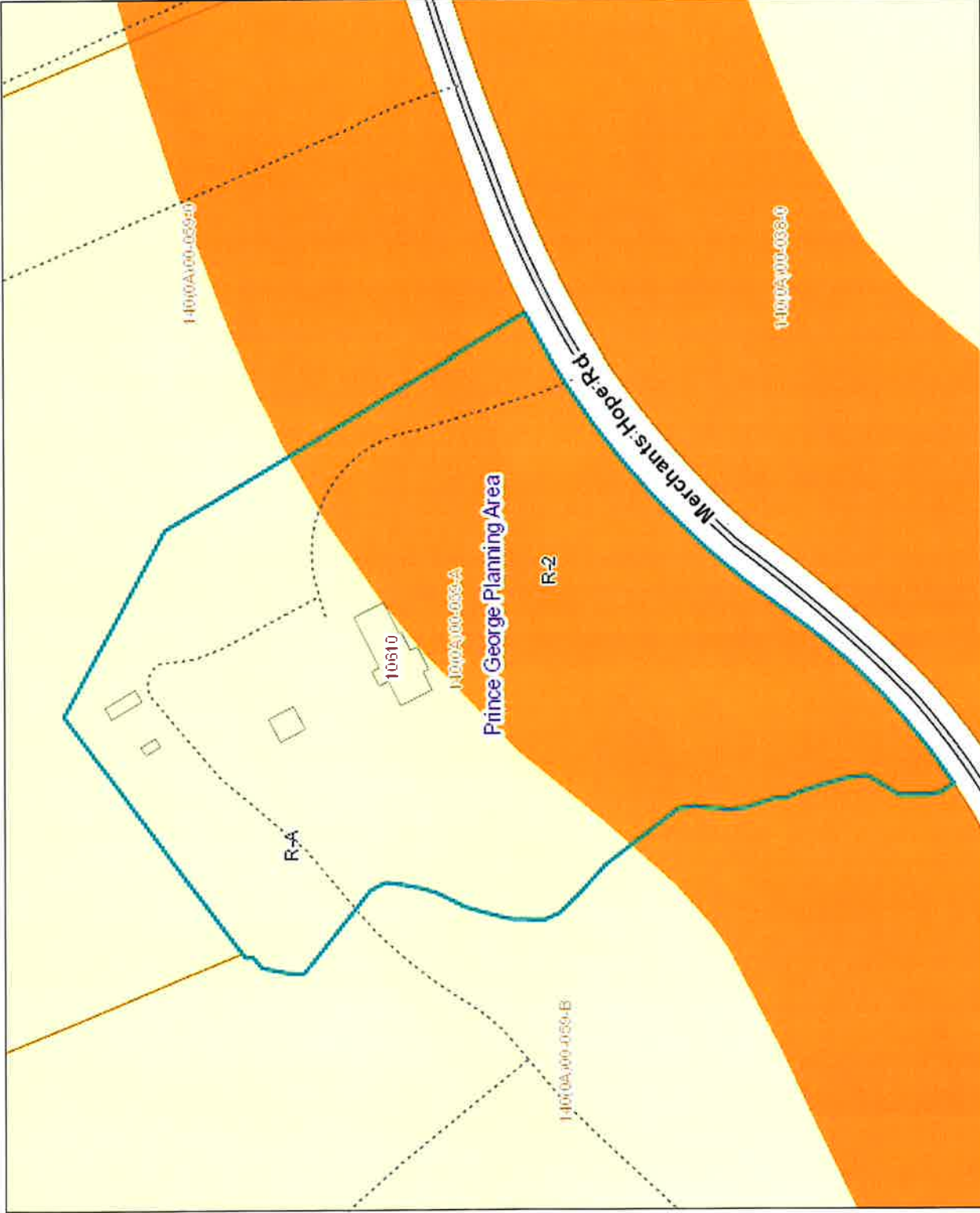


Map Scale 1: 1,563

9/6/2019



County of Prince George



Legend

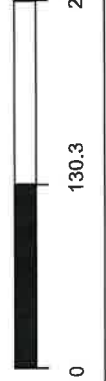
- Political Boundaries
- FEMA Floodzones
- Taxparcels
- Access Easements
- Wetlands
- Swamps
- Planning Area
- Zoning**
- A-1
- B-1
- M-1
- M-2
- M-3
- R-1
- R-2
- R-3
- R-A
- R-E
- PUD

Notes



The information contained in this data should not be used as a "legal description". Map information is believed to be accurate, but accuracy is not guaranteed.

Copyright, 2014 County of Prince George, VA



Map Scale 1 : 1,563

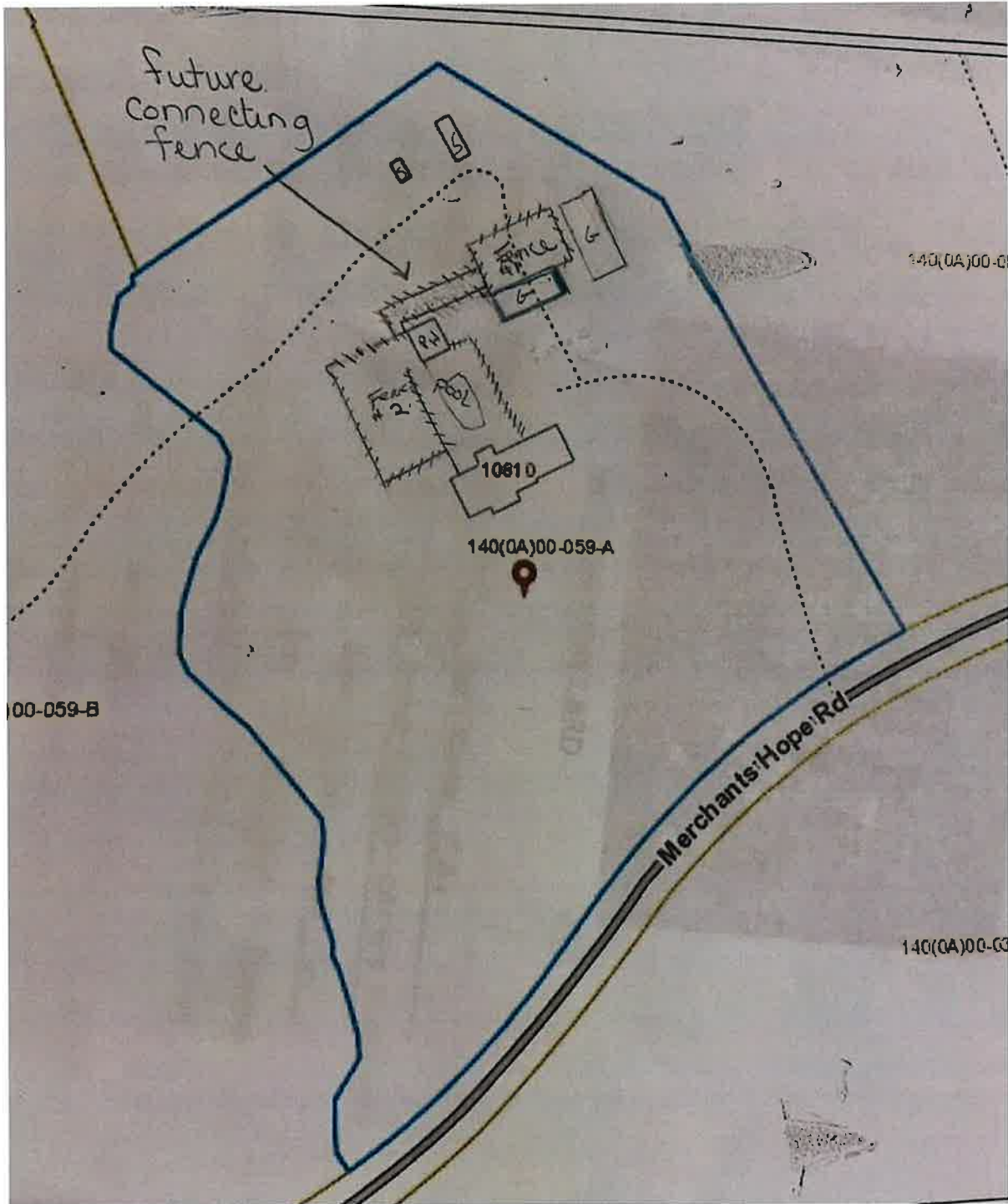
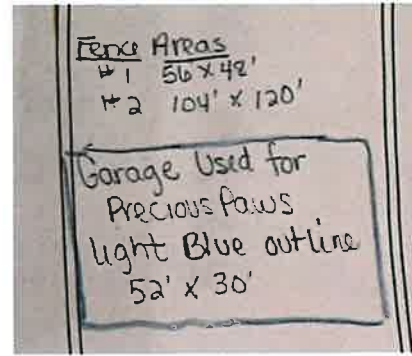
9/6/2019



SE-19-05

Mark and Terri Perkinson

Site Sketch



**PUBLIC NOTICE
COUNTY OF PRINCE GEORGE**

Public Notice is hereby given to all interested persons regarding the following public hearings:

The Prince George County Board of Supervisors will hold a public hearing on Tuesday, October 22, 2019 beginning at 7:30 pm concerning the following request:

SPECIAL EXCEPTION SE-19-05: Request of Mark and Terri Perkinson pursuant to § § 90-103 (23) to permit an animal boarding place within a R-A, Residential - Agricultural District. The request property is located at 10610 Merchants Hope Road and is identified as Tax Map 140(OA)00-059-A. The Comprehensive Plan indicates the property is suitable for residential uses.

The hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m. - 5:00 p.m., Monday – Friday. All interested persons are invited to participate in the public hearing.

Percy C. Ashcraft
County Administrator