

Issue Analysis Form

Date: November 26, 2019

Item: SE-19-06 Hamlin – Special Exception

Lead Department: Community Development

Contact Person: Tim Graves, Planner



Description and Current Status

Applicants Jim and Rhonda Hamlin are requesting a Special Exception to permit a Home Professional Office as an accessory use to the existing Single Family Dwelling, for the purpose of running an “Equine-Facilitated Psychotherapy” business on the property located on Prince George Drive, south of Route 460.

Staff and the Planning Commission recommend approval of this request, with recommended conditions.

Government Path

| | | |
|--|---|---|
| Does this require IDA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require BZA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require Planning Commission action? | <input checked="" type="checkbox"/> Yes | Oct 24, 2019 Recommended for Approval by 7-0 vote |
| Does this require Board of Supervisors action? | <input checked="" type="checkbox"/> Yes | November 26, 2019 |
| Does this require a Public Hearing? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If so, before what date? | N/A | |

Fiscal Impact Statement

The proposed use would generate additional tax revenue via the annual business license fee.

County Impact

The proposed use would offer an option for therapy service for residents of Prince George County and the surrounding area.

Notes

N/A

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 26th day of November, 2019:

Present:

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

Vote:

SPECIAL EXCEPTION SE-19-06: Request of James and Rhonda Hamlin pursuant to § § 90-103(12) to permit an equine-facilitated psychotherapy business as a home professional office in a R-A, Residential – Agricultural District. The request property is located at 12000 Prince George Drive and is identified as Tax Maps 440(0A)00-079-B & 440(06)00-004-0. 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-19-06 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception is granted for a Home Professional Office to James S. and Rhonda A. Hamlin on Tax Map parcels 440(0A)00-079-B and 440(06)00-004-0 for the purpose of equine-facilitated psychotherapy, so long as the two parcels are both owned by the applicants. This Special Exception is not transferable and it does not run with the land.
2. The owner/operator shall accommodate unannounced inspections by County Animal Services Officers during regular business hours in order to ensure proper treatment of the animals at the facility.
3. The hours of operation for the use shall be between 8:00am and 6:00pm Monday through Saturday.
4. Sufficient off-street parking equivalent to at least four (4) standard vehicle spaces shall be provided for visitors, located in the interior of property.

5. The maximum number of visitors for the use in a given day shall be limited to five (5) sessions of one individual or family, or equivalent combination of visitors and sessions, by appointment only, with no more than one (1) session per seven (7) days of groups of between five (5) and ten (10) people.
6. 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.
7. 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.
8. This Special Exception may be revoked by Prince George County or by its designated agent for failure to comply with any of the listed conditions or any provision of federal, state or local regulations.

Adopted on November 26, 2019 and becoming effective immediately

**SPECIAL EXCEPTION SE-19-06 STAFF REPORT
BOARD OF SUPERVISORS
PUBLIC HEARING: NOVEMBER 26, 2019**

SUMMARY

APPLICANTS:

Jim and Rhonda Hamlin

REQUEST:

Special Exception to permit a Home Professional Office as an accessory use to the existing Single Family Dwelling, for the purpose of running an "Equine-Facilitated Psychotherapy" business on the property.

ZONING DISTRICT:

R-A Residential Agricultural

STAFF RECOMMENDATION:

Approval, subject to recommended conditions.

PLANNING COMMISSION:

Recommended Approval 7 to 0, subject to recommended conditions (October 24, 2019)

**SPECIAL EXCEPTION SE-19-06 STAFF REPORT
BOARD OF SUPERVISORS
PUBLIC HEARING: NOVEMBER 26, 2019**

REQUEST:

SPECIAL EXCEPTION SE-19-06: Request of James and Rhonda Hamlin pursuant to § § 90-103(12) to permit an equine-facilitated psychotherapy business as a home professional office in a R-A, Residential – Agricultural District. The request property is located at 12000 Prince George Drive and is identified as Tax Maps 440(0A)00-079-B & 440(06)00-004-0. The Comprehensive Plan indicates the property is suitable for residential uses.

| | |
|------------------------------|--|
| APPLICANTS: | James S. and Rhonda A. Hamlin |
| LOCATION: | 12000 Prince George Drive |
| TAX MAP ID: | 440(0A)00-079-B and 440(06)00-004-0 |
| SIZE OF PROPERTY: | Approximately 9.55 ac |
| MAGISTERIAL DISTRICT: | Rives |
| PLANNING DISTRICT: | Planning Area |
| UTILITIES: | Well and Septic |
| REAL ESTATE TAXES: | Taxes have been paid as of October 1, 2019 |
| | |
| PROPOSED USE: | Home Professional Office (as Accessory Use) |
| EXISTING USE: | Single Family Dwelling |
| COMP PLAN: | Residential |
| EXISTING ZONING: | R-A Residential Agricultural Zoning District |
| SURROUNDING ZONING: | R-A Residential Agricultural Zoning District |
| | |
| STAFF RECOMMENDATION: | Staff recommends Approval with recommended conditions |
| MEETING INFORMATION: | |
| Planning Commission: | Thursday, October 24, 2019 at 6:30 p.m. Recommended Approval 7 to 0, with conditions |
| Board of Supervisors: | November 26, 2019 at 7:00 p.m. |

ATTACHMENTS:

1. GIS Location Map
2. Satellite View
3. Zoning Map
4. Application
5. Applicant Statement and Site Sketch

**SPECIAL EXCEPTION SE-19-06 STAFF REPORT
BOARD OF SUPERVISORS
PUBLIC HEARING: NOVEMBER 26, 2019**

Request:

The applicants are requesting a Special Exception to permit a Home Professional Office on a property zoned for R-A, Residential – Agricultural for the purposes of “equine-facilitated psychotherapy”.

Request Details:

The applicants are proposing to operate a therapy office on the premises of their home property, which is approximately 9.55 acres in area and located at 12000 Prince George Drive. The therapy sessions involve the aid of horses to service the needs of customers. The sessions are targeted to individuals with special needs such as autism, and may occasionally include family members or occasionally consist of small groups of up to 8 individuals with special needs.

The “equine-facilitated psychotherapy” services will be conducted by applicant Rhonda Hamlin, a Licensed Clinical Social Worker (LCSW) and equine specialist in mental health and learning. The use will occur within fenced areas outdoors and occasionally in the barn on the property. Off-street parking will be provided in the interior of the property, and customer visits will be defined by the number of sessions per day, length of sessions, and the number of visitors within each session. Operating hours will be between 8am and 6pm Monday through Saturday, by appointment only, with a typical session having a duration of 50 minutes, with a maximum of 5 sessions per day. No personnel other than the family members living on the property are currently planned be involved with the use.

Proposed Use

“Home Professional Office”

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:

(12) Home professional and trade offices.

Sec. 90-1. – Definitions:

(2) Home professional and trade offices means offices within residences or accessory structures on residential properties where clients or customers are received within the home, such to be permitted by special exception only. This category shall include dental offices, doctors' offices, law offices, or architectural offices where clients or patients are received and services or medical/dental care is rendered; and personal service uses such as barber and beautician services and sewing and upholstery services. Conditions of a special use exception shall address, at a minimum:

- a. The provision of offstreet parking;*
- b. The number of nonresident employees permitted;*
- c. Signage permitted; and*
- d. Hours of operation*

Zoning

1. The request property is zoned R-A Residential Agricultural.
2. The surrounding properties are zoned R-A Residential Agricultural.
3. The proposed use is permitted by Special Exception in the R-A zoning district.
4. The nature of this specific proposed use appears to be compatible with existing surrounding uses.
5. The keeping of horses is permitted by right as an accessory use, subject to provisions:

Sec. 90-104. - Accessory uses and structures permitted.

b. The following contained or fenced animal and poultry operations are considered accessory uses with the R-A residential agricultural district, but are subject to the noted provisions:

(4) Beef, dairy cattle or livestock: one or less per acre per tract, not to exceed 125 head, and provided any animal containment or fenced area is a distance of at least 150 feet from the nearest adjoining dwelling.

The applicants house their horses in a barn structure that is at least 150 feet from the nearest dwelling, and the activities of the use are proposed to occur at least 440 feet from the nearest dwelling. Per the ordinance, a maximum of 9 horses may be kept on this 9.55-acre property.

Comprehensive Plan

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

This use appears to be compatible with the Future Land Use designation.

Staff Review Comments:

Building Inspections Division:

"The request has been reviewed and found in compliance with current use of property. Any future construction of structures over 256 sq. feet will be required to be reviewed, permitted and inspected to meet the requirements of the applicable Virginia Construction Code and maintained in compliance with the applicable Virginia Fire Prevention Code."

Contact: Dean Simmons, Building Official and Fire Official

Note: No new structures are currently proposed for this use.

Environmental Division:

"No comments at this time. However, if future expansion of the facility requires land disturbance, the following conditions will apply:

1. Any land disturbance that exceeds 10,000 sq. ft. will require a Land Disturbance Permit from Prince George County. Any disturbance of 1 acre and above will require a Construction General Permit from the Virginia Department of Environmental Quality. The Land Disturbance Permit Application must be accompanied by an Erosion and Sediment Control Plan.
2. Site Plan should show the Wetland Area (Pond) located on site. Plan should also show proximity of all proposed improvements with respect to the wetland area."

Contact: Angela Blount, Environmental Program Coordinator

Note: No land disturbance is currently proposed for this use, therefore a site plan and environmental permits are not required at this time.

Transportation (VDOT):

“Based on the information provided, it is anticipated that a low volume commercial entrance would be required for this proposed use. A low volume commercial entrance demonstrates the stopping sight distance based upon the speed limit of the roadway is available at the proposed entrance. SR 156 has a posted speed limit of 55 MPH and a stopping sight distance of 495'. A visual evaluation of the existing entrance indicates the required stopping sight distance is available at the existing entrance to the property.”

Contact: Paul Hinson, Southern Region Land Use Engineer, VDOT

Health (VDH):

Sewage disposal and well requirements were evaluated by an AOSE/OSE or Engineer for the proposed use, at request of the Health Department. The results submitted to the Health Department meet the requirements and no additional action is necessary at this time.

Contact: Alice Weathers, Environmental Health Specialist, VDH

Animal Services:

The applicant appears to have a good background to handle the animals responsibly and make a positive contribution to the community.

Contact: Nicholas Wilder, Supervisor, Animal Services Facility

Economic Development: No comments

Police Department: No comments

Fire Department: No comments

Assessor: No comments

Planning Commission

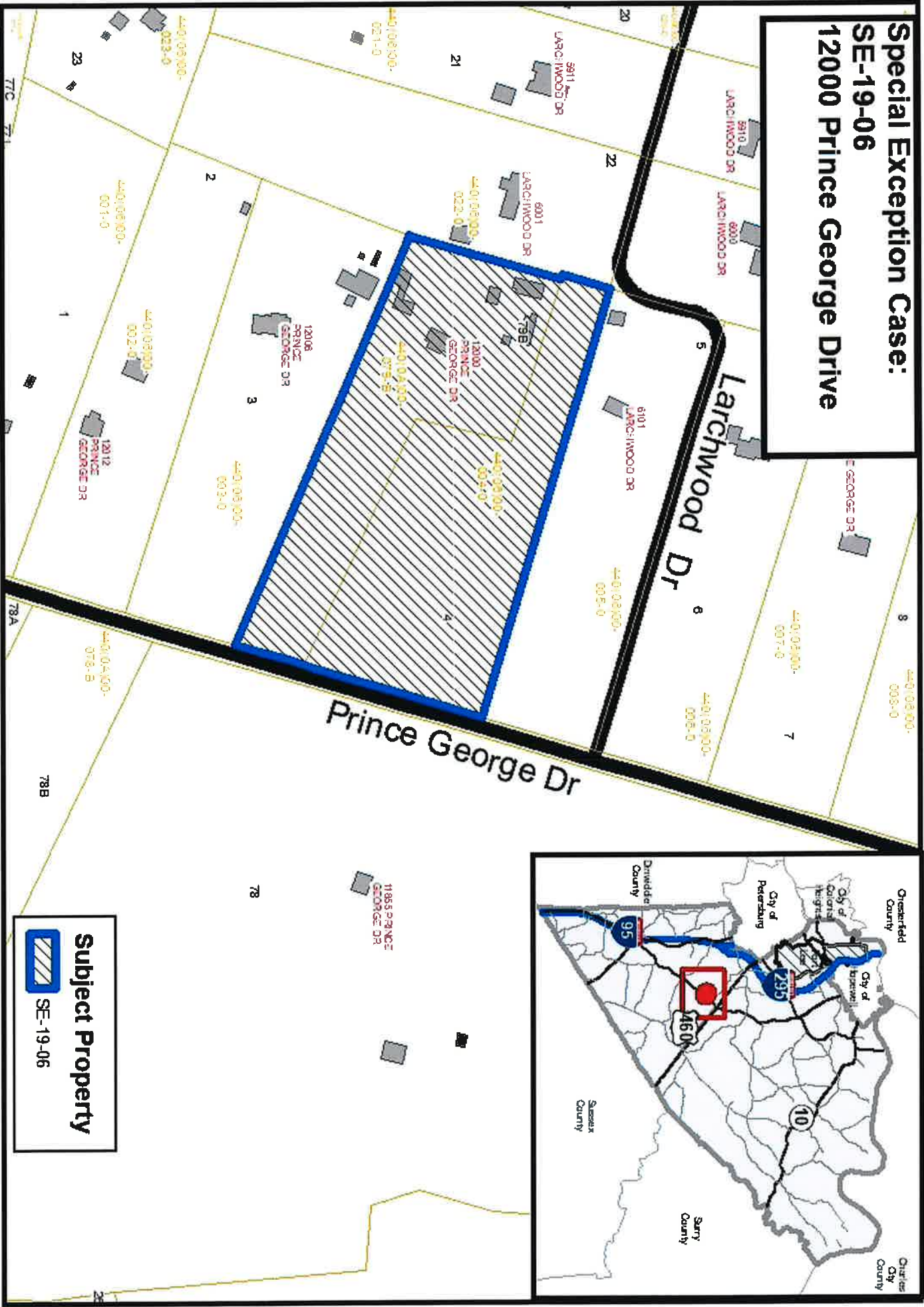
Recommended Approval 7-0 at the October 24, 2019 meeting.
There were no public comments.

Recommended Conditions:

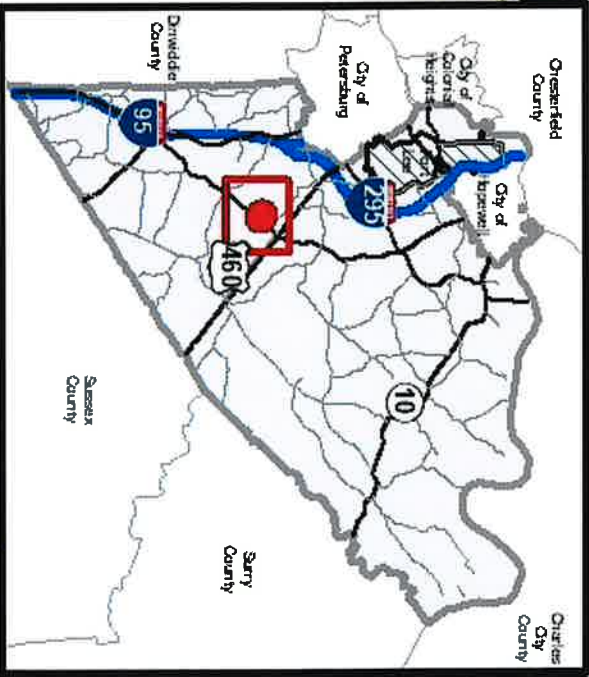
County Staff and Planning Commission recommend Approval of the proposed use, subject to the following conditions intended to minimize the impact on surrounding property owners and ensure that this use complies with all local, state and federal requirements:

1. This Special Exception is granted for a Home Professional Office to James S. and Rhonda A. Hamlin on Tax Map parcels 440(0A)00-079-B and 440(06)00-004-0 for the purpose of equine-facilitated psychotherapy, so long as the two parcels are both owned by the applicants. This Special Exception is not transferable and it does not run with the land.
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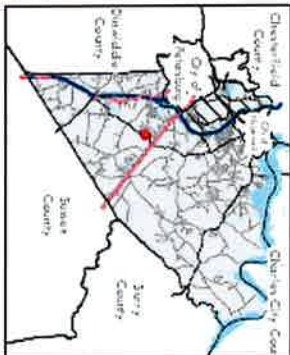
**Special Exception Case:
SE-19-06
12000 Prince George Drive**



Subject Property
SE-19-06



County of Prince George



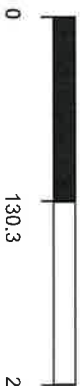
- Legend**
- Schools
 - Firestations
 - Political Boundaries
 - Taxparcels
 - Access Easements
 - Planning Area

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.

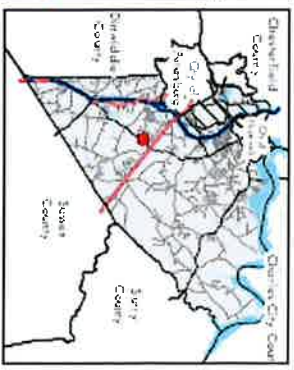
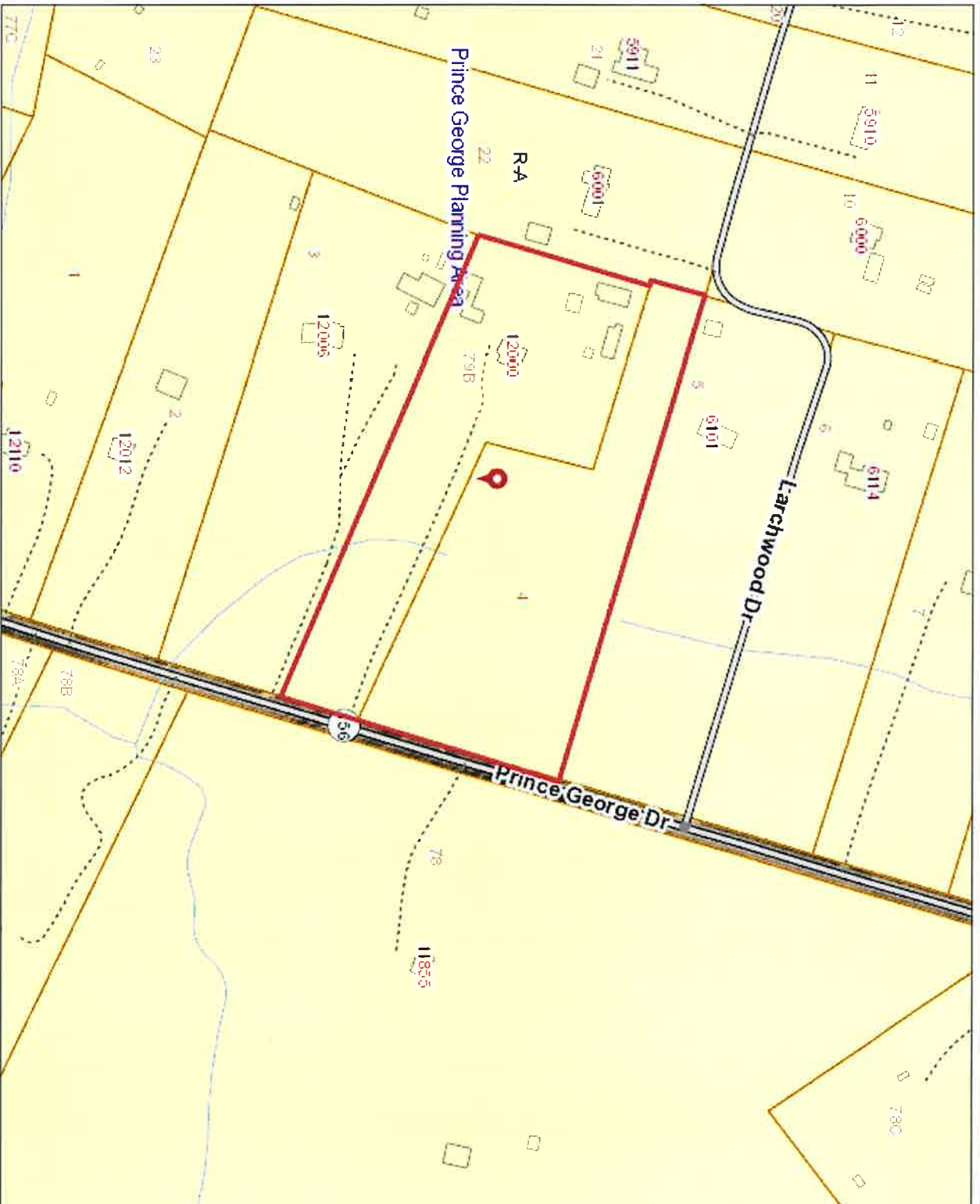
Copyright, 2014 County of Prince George, VA



Map Scale 1 : 1,563
10/2/2019



County of Prince George



- Legend**
- Political Boundaries
 - Taxparcels
 - Access Easements
 - 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



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Map Scale 1 : 3,126
10/2/2019





APPLICATION FOR SPECIAL EXCEPTION - CONDITIONAL USE PERMIT

Department of Community Development and Code Compliance
6802 Courts Drive
Prince George, VA 22875
Planning Division (804) 722-8678
www.princegeorgeva.gov

OFFICE USE ONLY

APPLICATION #:

SE-19-06

DATE SUBMITTED:

ZONING ORDINANCE

SECTION:

(PLEASE FILL IN ALL BLANKS)

GENERAL PROPERTY INFORMATION

LEGAL OWNER(S) OF PROPERTY REQUESTED FOR PERMIT:

JONES S & RHONDA A HAWKINS

ADDRESS:

12000 PRINCE GEORGE DR

CITY:

PRINCE GEORGE

STATE:

VA

ZIP CODE:

22867

PHONE NUMBER:

703 244 2626

E-MAIL ADDRESS:

Jim.Hawkins@princegeorgeva.gov

TAX MAP OF SUBJECT PARCEL:

440(02) 00-012-B / 440(06) 00-001-0

RECORDED IN THE CIRCUIT COURT CLERK'S OFFICE:

1237 13000 7217

DEED BOOK

PAGE

DATE

DEED RESTRICTIONS:

ACREAGE:

9.55

PARTIAL PARCEL:

YES

NO

SUBDIVISION:

PRESENT USE:

RESIDE AT IN/AGRICULTURAL

ZONING CLASSIFICATION

LAND USE CLASSIFICATION:

RESIDENTIAL

PRESENT ZONING:

RESIDENTIAL AGRICULTURAL (RA)

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

NAME:

ADDRESS:

CITY:

STATE:

ZIP CODE:

PHONE NUMBER:

E-MAIL:

OWNER AGENT/REP

PROVIDE A GENERAL DESCRIPTION OF THE PROJECT: (ATTACH A SEPARATE LETTER IF NECESSARY)

SEE ATTACHED

PROJECT DESCRIPTION



APPLICATION FOR SPECIAL EXCEPTION - CONDITIONAL USE PERMIT

Department of Community Development and Code Compliance
6602 Courts Drive
Prince George, VA 23875
Planning Division (804) 722-8678
www.princegeorgecountyva.gov

OFFICE USE ONLY

APPLICATION #:

SE-19-06

DATE SUBMITTED:

RECEIVED
SEP 11 2019

ZONING ORDINANCE

BY: SECTION:

(PLEASE FILL-IN ALL BLANKS)

GENERAL PROPERTY INFORMATION

LEGAL OWNER(S) OF PROPERTY REQUESTED FOR PERMIT:

JAMES S & RHONDA A HAMLIN

ADDRESS:

12000 PRINCE GEORGE DR

CITY:

DISPUTANTA

STATE:

VA

ZIP CODE:

23842

PHONE NUMBER:

703 244 2626

E-MAIL ADDRESS:

JIM_HAMLIN73@HOTMAIL.COM

TAX MAP OF SUBJECT PARCEL:

440(OA) 00-079-B / 440(OB) 00-004-0

RECORDED IN THE CIRCUIT COURT CLERK'S OFFICE:

INST 130007217

DEED BOOK

PAGE

Date

DEED RESTRICTIONS:

ACREAGE:

9.55

PARTIAL PARCEL:

YES

NO

SUBDIVISION:

PRESENT USE:

RESIDENTIAL/AGRICULTURAL

ZONING CLASSIFICATION

LAND USE CLASSIFICATION:

RESIDENTIAL

PRESENT ZONING: RESIDENTIAL

AGRICULTURE

(RA)

OWNER AGENT/REP

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

NAME:

ADDRESS:

CITY:

STATE:

ZIP CODE:

PHONE NUMBER:

E-MAIL:

PROJECT DESCRIPTION

PROVIDE A GENERAL DESCRIPTION OF THE PROJECT: (ATTACH A SEPARATE LETTER IF NECESSARY)

SEE ATTACHED

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.

SIGNED: [Signature] DATE: 9/11/19
MAILING ADDRESS: 12000 PRINCE GEORGE DR
CITY/STATE/ZIP: DISP STANTA, JA 23242
PHONE NUMBER: 703 244 2626
E-MAIL ADDRESS: JIM-HAMLIN73@HOTMAIL.COM

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

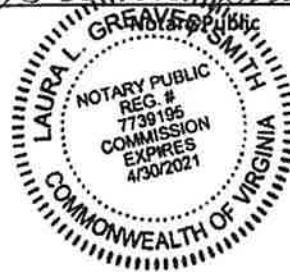
NAME: _____
MAILING ADDRESS: _____
CITY/STATE/ZIP: _____
PHONE NUMBER: _____
E-MAIL ADDRESS: _____

STATE OF VIRGINIA

COUNTY OF: PRINCE GEORGE

Subscribed and sworn before me this 11th day of September, 20 19.

My Commission expires: April 30, 20 21 [Signature]



AFFIDAVIT

Special Exemption – 12000 Prince George Drive, Disputanta, VA 23842

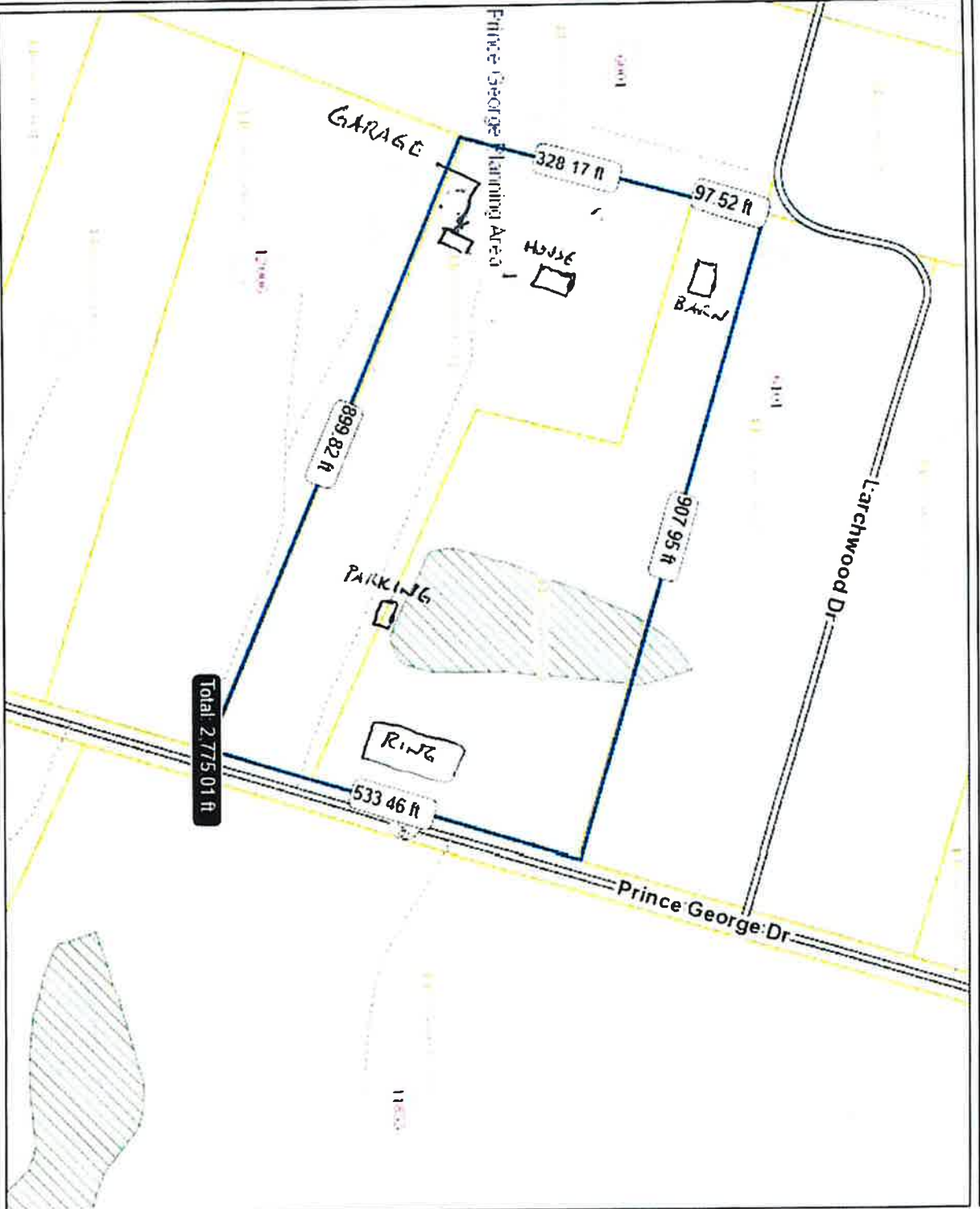
Description

Provide primarily individual equine-facilitated psychotherapy conducted by Rhonda Hamlin, a Licensed Clinical Social Worker (LCSW) and equine specialist in mental health and learning.

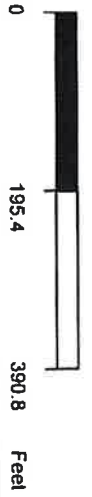
Therapy will be provided at 12000 Prince George Dr., primarily on the large lower field adjacent to Prince George Dr. The barn will be used occasionally. Operating times will be between 8:00 am and 6:00 pm Monday through Saturday. No sessions will be held on Sundays. Sessions are 50 minutes in duration and there will be a maximum of 5 sessions per day.

Therapy is targeted to individuals with special needs such as autism. Therapy may also occasionally include family members when therapeutically indicated.

Services to small groups (e.g., from Prince George Co public school field trip) of up to 8 individuals with special needs will also be provided.



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Map Scale 1: 2,345
 9/11/2019



- Legend**
- Political Boundaries
 - FEMA Floodzones
 - Taxparcels
 - Access Easements
 - Wetlands
 - RPA Area
 - Planning Area

RECEIVED
 Notes
 SEP 11 2019
 P.V.