

Issue Analysis Form

Date: December 10, 2019
Item: SE-19-07 Farm Life Pets LLC – Special Exception

Lead Department: Community Development

Contact Person: Tim Graves, Planner



Description and Current Status

Applicant Farm Life Pets, LLC (by Jaqueline Cerny O'Hare) is requesting a Special Exception to permit a riding school, riding stable, animal hospital, animal boarding place, veterinary service, and a gift shop on the property located west of I-95 at 12620 Johnson Road. The property has previously been approved for Special Exceptions for similar uses in 2005, 2010, and 2014, with the kennel building constructed in 2005.

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	Nov 21, 2019 Recommended for Approval by 6-0 vote
Does this require Board of Supervisors action?	<input checked="" type="checkbox"/> Yes	December 10, 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.

County Impact

The proposed use would offer an option for animal boarding and training and related services for residents of Prince George County and the surrounding area.

Notes

See attachments.

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 10th day of December, 2019:

Present:

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

Vote:

SPECIAL EXCEPTION SE-19-07: Request of Farm Life Pets LLC pursuant to § § 90-53(2), (23), and (40) to permit a riding school, riding stable, animal hospital, animal boarding place, veterinary services, and a gift shop within an A-1, General Agricultural District. The request property is located at 12620 Johnson Road and is identified as Tax Map 430(0A)00-066-0. 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-19-07 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception request is granted to Farm Life Pets, LLC for riding school, riding stable, animal hospital, animal boarding place, veterinary services, and gift shop on Tax Map 430(0A)00-066-0.
2. All areas used for overnight animal boarding located within 400 feet of a dwelling shall be screened with evergreen vegetative materials to provide a visual and auditory buffer between the animal boarding place and any adjacent residential uses.
3. The applicants shall permit unannounced inspections during regular business hours by County Animal Service Officers to ensure proper treatment of the animals at the facility.
4. All areas used for animal boarding and training activities shall be cleaned and made free of animal waste on a regular basis. In addition, the applicants shall employ a means of eliminating any odor problems and the propagation of insects on the premises.

5. One (1) non-illuminated, freestanding sign, no greater than twenty (20) square feet in area and a height of six (6) feet, may be placed for directional purposes near the main entrance, located outside of the VDOT right-of-way and meeting setback requirements.
6. Hours of operation for the use shall be 6am to 6pm Monday to Friday, 6am to 4pm on Saturdays, and 12pm to 5pm on Sundays, with on-call availability outside of those hours.
7. The applicants shall take appropriate measures to ensure compliance with the County's Noise Ordinance (Section 54-23.1).
8. 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.
9. This permit may be revoked by the County of Prince George or its designated agent for failure by the applicants to comply with any of the listed conditions or any provision of Federal, State or County regulations.

Adopted on December 10, 2019 and becoming effective immediately

SPECIAL EXCEPTION CASE SE-19-07 STAFF REPORT
BOARD OF SUPERVISORS
PUBLIC HEARING: DECEMBER 10, 2019

SUMMARY

APPLICANT: Farm Life Pets, LLC

REQUEST: Special Exception to permit the following uses:

1. Riding school, riding stable
2. Animal hospital, animal boarding place, veterinary service
3. Gift shop

ZONING: A-1 General Agricultural

STAFF RECOMMENDATION: Approval, subject to recommended conditions.

PLANNING COMMISSION RECOMMENDATION: Recommended Approval 6-0, subject to recommended conditions, on November 21, 2019.

SPECIAL EXCEPTION SE-19-07 STAFF REPORT

**BOARD OF SUPERVISORS
PUBLIC HEARING: DECEMBER 10, 2019**

REQUEST:

SPECIAL EXCEPTION SE-19-07: Request of Farm Life Pets LLC pursuant to § § 90-53(2), (23), and (40) to permit a riding school, riding stable, animal hospital, animal boarding place, veterinary services, and a gift shop within an A-1, General Agricultural District. The request property is located at 12620 Johnson Road and is identified as Tax Map 430(0A)00-066-0. The Comprehensive Plan indicates the property is suitable for residential uses.

CASE NUMBER: SE-19-07
APPLICANT: Farm Life Pets, LLC (by Jaqueline Cerny O'Hare)
ADDRESS: 12620 Johnson Road
TAX MAP ID: 430(0A)00-066-0
SIZE OF PROPERTY: 28.8 ac
MAGISTERIAL DISTRICT: Rives
PLANNING DISTRICT: Prince George Planning Area
UTILITIES: Well and Septic
REAL ESTATE TAXES: Taxes are paid in full as of 11/19/19

PROPOSED USE(S): 1. Riding school, riding stable; 2. Animal hospital, animal boarding place, veterinary service; 3. Gift shop
CURRENT USE: Agricultural - Improved
COMP PLAN FUTURE USE: Residential
EXISTING ZONING: A-1 General Agricultural
SURROUNDING ZONING:
North and East: A-1 General Agricultural
South: R-A Residential Agricultural
West: R-1 Limited Residential

STAFF RECOMMENDATION: Staff recommends Approval with recommended conditions.

MEETING INFORMATION:

Planning Commission: Thursday, November 21 at 6:30 p.m.
Recommended Approval, 6-0, with conditions
Board of Supervisors: December 10, 2019

ATTACHMENTS:

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

SPECIAL EXCEPTION SE-19-07 STAFF REPORT

Request:

Special Exception for the following uses:

1. Riding school, riding stable
2. Animal hospital, animal boarding place, veterinary service
3. Gift shop

Request Details:

The applicant purchased the request property in October 2019 and proposes the following use of the property:

"I plan to open and operate a pet boarding and doggy daycare business to include a gift shop and pet grooming initially with future plans to provide horse stables with boarding and riding school.

Approximately 15 acres of the property is woodland and 12 acres is currently being farmed. The remainder of the property contains the building, exercise yards and driveway.

I would eventually put in a barn and provide fenced-in areas for horse boarding, riding and instruction. I will fence in about 6 acres leaving the rest of the field as hay crop.

The dog kennel will use the existing fenced in areas and the building only initially. I have future plans to build a standalone building for additional space for doggy daycare and a training facility."

The building and property have previously been the site of animal boarding activities, with the following Special Exceptions previously approved:

1. Brenda Smith (SE-05-01) approved March 22, 2005, for construction and operation of an animal boarding place (commercial kennel), operated as Cedar Creek Kennels.
2. Greg and Betty Meredith (SE-10-04) approved December 14, 2010, to operate in the existing facility and add dog training to the use.
3. Joseph and Hope Kvasnicka (SE-13-12) approved February 25, 2014, for an animal boarding place for the purpose of animal boarding, grooming and training and an animal hospital and veterinary services and a gift shop that permits the retail sale of animal products.

The use was subsequently abandoned for a period of more than two years.

SPECIAL EXCEPTION SE-19-07 STAFF REPORT

Proposed Use:

Based on the activities described by the applicants, the applicant is requesting a Special Exception for the following use(s) found in the Prince George County Zoning Ordinance:

Sec. 90-53. - Uses and structures permitted by special exception. (A-1 District)

(2) Riding school, riding stable

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

(40) Gift shop.

Sec 90-1 Definitions.

Riding stable means any structure or any land or any combination of either used, designed or arranged for the maintenance of horses, mules, ponies or donkeys for hire either with or without instruction or a riding area, but exclusive of horses or mules used for agricultural purposes.

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.

Gift shop. [No definition]

Comprehensive Plan:

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

Staff Review Comments:

Planning & Zoning Division:

1. The request property has a zoning classification (A-1) which is similar to that of surrounding properties (A-1, R-A, and R-1).
2. Special Exceptions have previously been granted for the requested uses on this property in 2005, 2010, and 2014, establishing a history of similar uses on the property.
3. The existing kennel building was approved for use as a kennel.
4. The proposed uses appear to be compatible with existing surrounding uses, with the nearest existing dwelling located approximately 500 feet away.

SPECIAL EXCEPTION SE-19-07 STAFF REPORT

Building Inspections Division:

This is an existing use of property and was reviewed for compliance with the Uniform Statewide Building Code at time of construction. All future structures over 256 sq. feet will be required to be reviewed, permitted and inspected to meet the requirements of the applicable Virginia Statewide Building Code, and maintained in compliance with the applicable Virginia Statewide Fire Prevention Code.

Contact: Dean Simmons, Building Official and Fire Official

Environmental Division:

1. I offer no comments or objections at this time for the operation of the proposed business in the existing building on site.
2. The property owner has proposed "Future Plans" for construction of horse stables with boarding. Any additional construction and/or land disturbance may require wetlands delineation, site plan and land disturbance permit application.

Contact: Angela Blount, Environmental Program Coordinator

Transportation (VDOT):

1. Based on the information provided, it is anticipated that the proposed use will require a commercial entrance in accordance with the VDOT Standards and Specifications. There is an existing commercial entrance that serves the site that meets VDOT's standards and specifications.
2. Based on the anticipated trip generation for the proposed use, the site will not warrant the construction of any turn lanes.

VDOT has no objection to the County approving a special use permit for this site based on the information contained in the submitted application and recent staff/applicant meeting.

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

Health (VDH):

The repair permit for the dog kennel was issued 10/28/19 (HDID# 19-174-0091). Any further expansion of the business will need to be evaluated by an AOSE/OSE or PE.

Contact: Alice Weathers, Environmental Health Specialist, VDH

Animal Services:

Animal Services is familiar with the location and the previous business that was there and sees no issues with the applicant's request. They recommend that the applicant reach out to one of the Animal Control Officers to ensure that the kennel is up to standard prior to opening.

Contact: Nicholas Wilder, Supervisor, Animal Services Facility

SPECIAL EXCEPTION SE-19-07 STAFF REPORT

Assessor:

The property was transferred on October 15, 2019 (Inst. # 19-3039) from Joseph Anthony Kvasnicka to Farm Life Pets, LLC, a Virginia limited liability company. Ms. O'Hare is, however, the Registered Agent for Farm Life Pets, LLC, and should sign the application as Registered Agent. (P&Z NOTE: This was completed as requested.)

Contact: Carol Crawford, Real Estate Operations Coordinator

Economic Development; Police Department; Fire Department:

No comments

Public Notice:

1. Eleven adjacent property owners were notified of the Planning Commission public hearing by mailing on 11/8/19.
2. A legal ad was run for the Planning Commission public hearing on 11/6/19 and 11/13/19.
3. No comments were received from adjacent property owners prior to the Planning Commission public hearing.
4. Eleven adjacent property owners were notified of the Board of Supervisors public hearing by mailing on 11/22/19.
5. A legal ad was run for the Board of Supervisors public hearing on 11/28/2019 and 12/5/2019.
6. One comment was received from an adjacent property owner in response to the notice about the BOS public hearing. The concern was that dogs should be kept indoors at night to avoid any late-night barking. (P&Z Note: The applicant has indicated that dogs will be kept indoors at night. The applicant is also required to take measures to ensure compliance with the County Noise Ordinance, per Condition #7.)

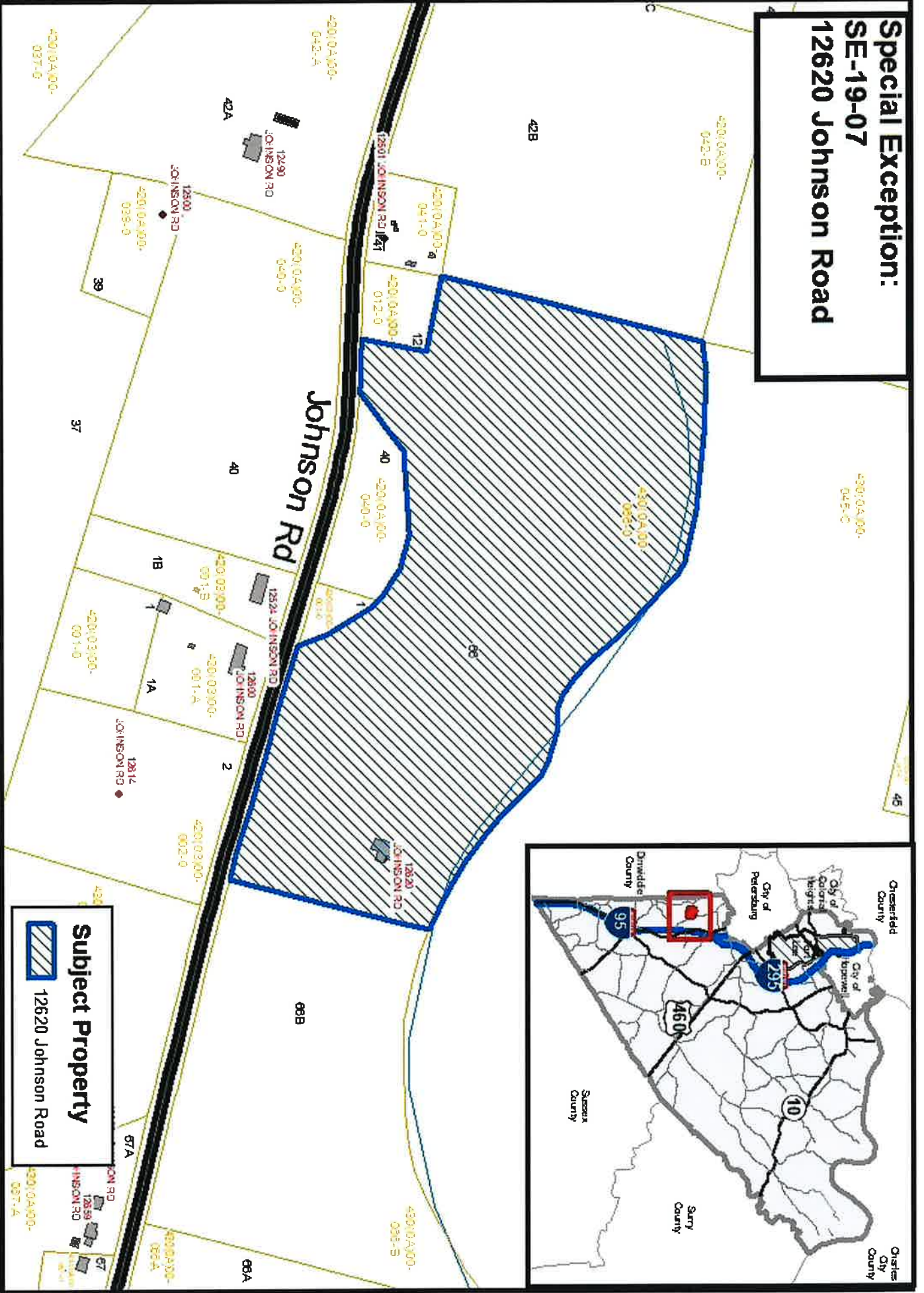
SPECIAL EXCEPTION SE-19-07 STAFF REPORT

Recommendation:

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

1. This Special Exception request is granted to Farm Life Pets, LLC for riding school, riding stable, animal hospital, animal boarding place, veterinary services, and gift shop on Tax Map 430(OA)00-066-0. ~~This Special Exception is not transferable and does not run with the land.~~
2. All areas used for overnight animal boarding located within 400 feet of a dwelling shall be screened with evergreen vegetative materials to provide a visual and auditory buffer between the animal boarding place and any adjacent residential uses.
3. The applicants shall permit unannounced inspections during regular business hours by County Animal Service Officers to ensure proper treatment of the animals at the facility.
4. All areas used for animal boarding and training activities shall be cleaned and made free of animal waste on a regular basis. In addition, the applicants shall employ a means of eliminating any odor problems and the propagation of insects on the premises.
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7. The applicants shall take appropriate measures to ensure compliance with the County's Noise Ordinance (Section 54-23.1).
8. 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.
9. This permit may be revoked by the County of Prince George or its designated agent for failure by the applicants to comply with any of the listed conditions or any provision of Federal, State or County regulations.

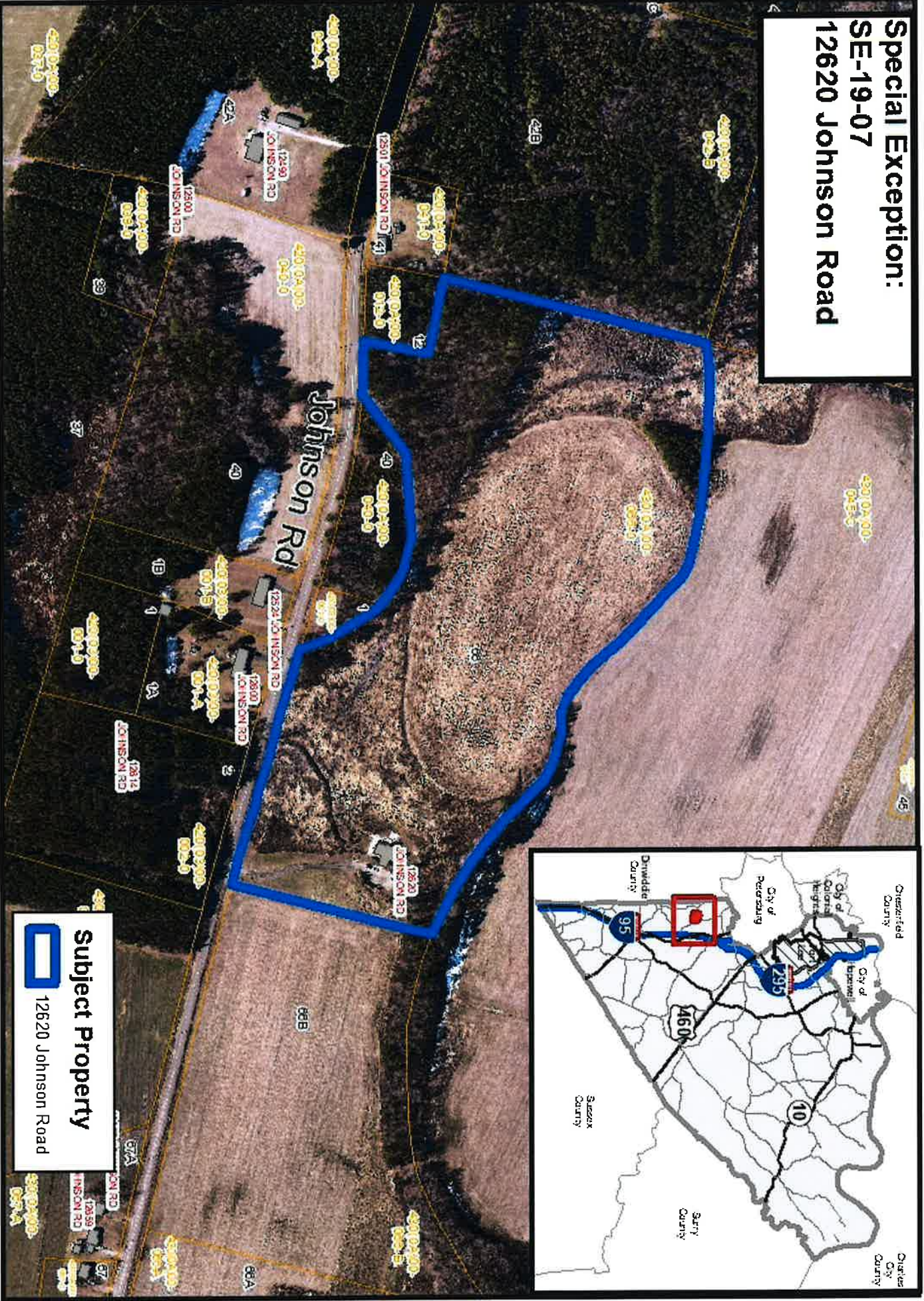
Special Exception: SE-19-07 12620 Johnson Road



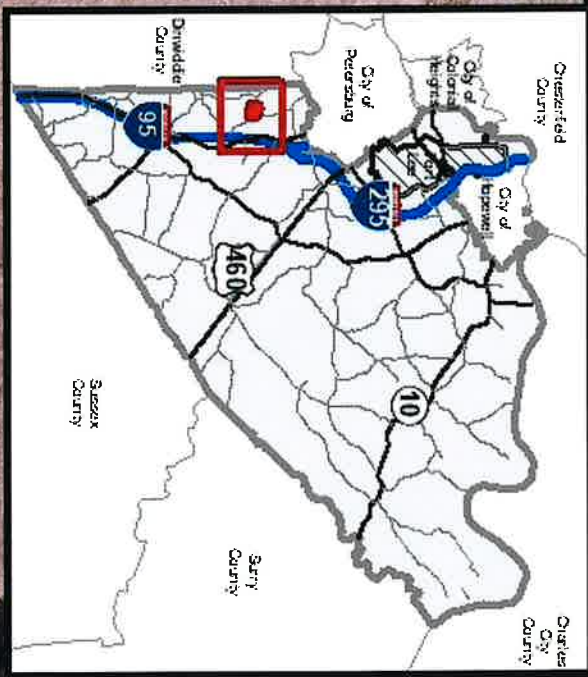
Subject Property
12620 Johnson Road



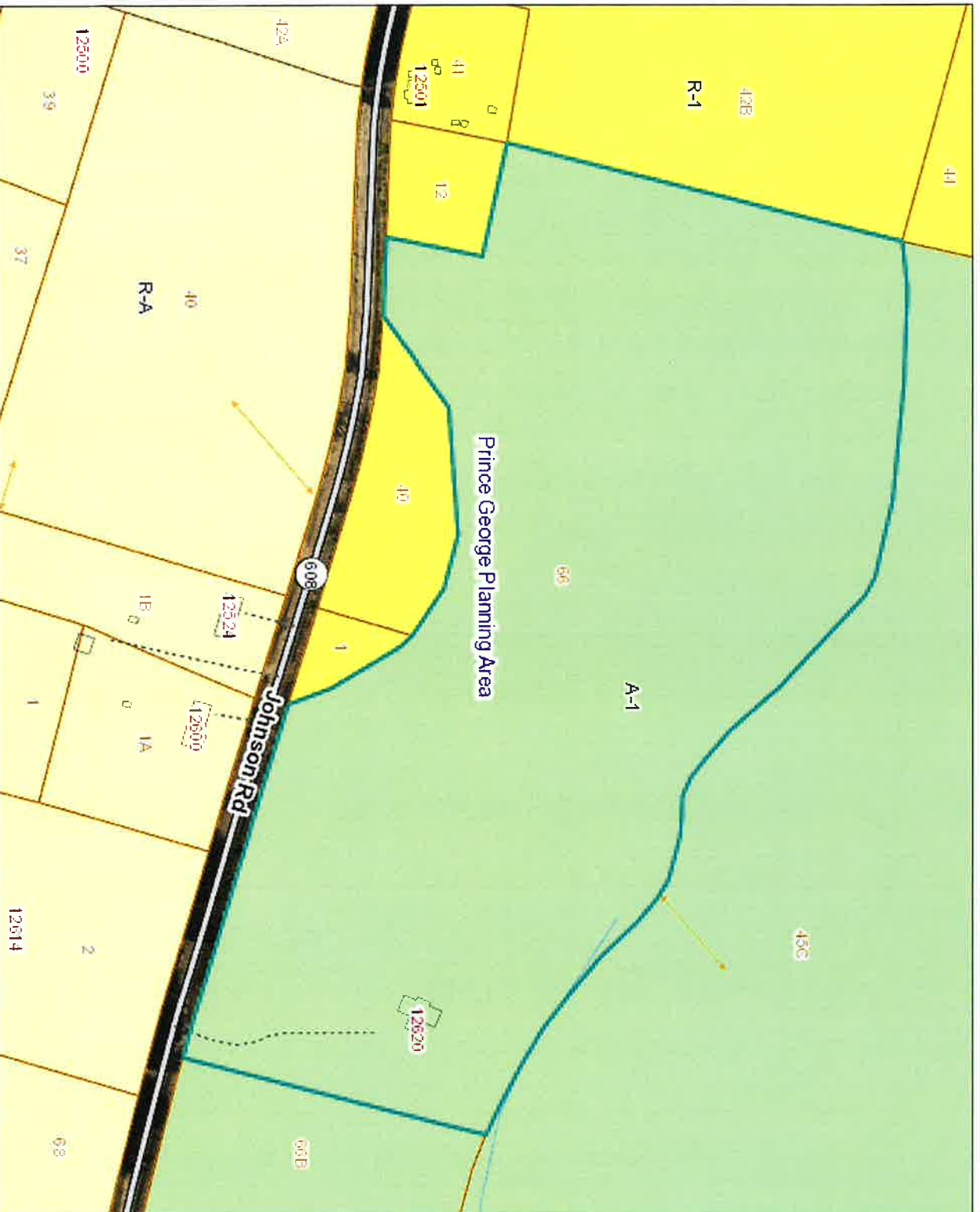
**Special Exception:
SE-19-07
12620 Johnson Road**



Subject Property
12620 Johnson Road

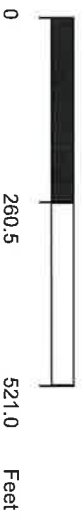


County of Prince George



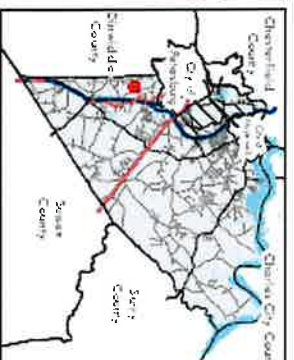
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Map Scale 1 : 3,126

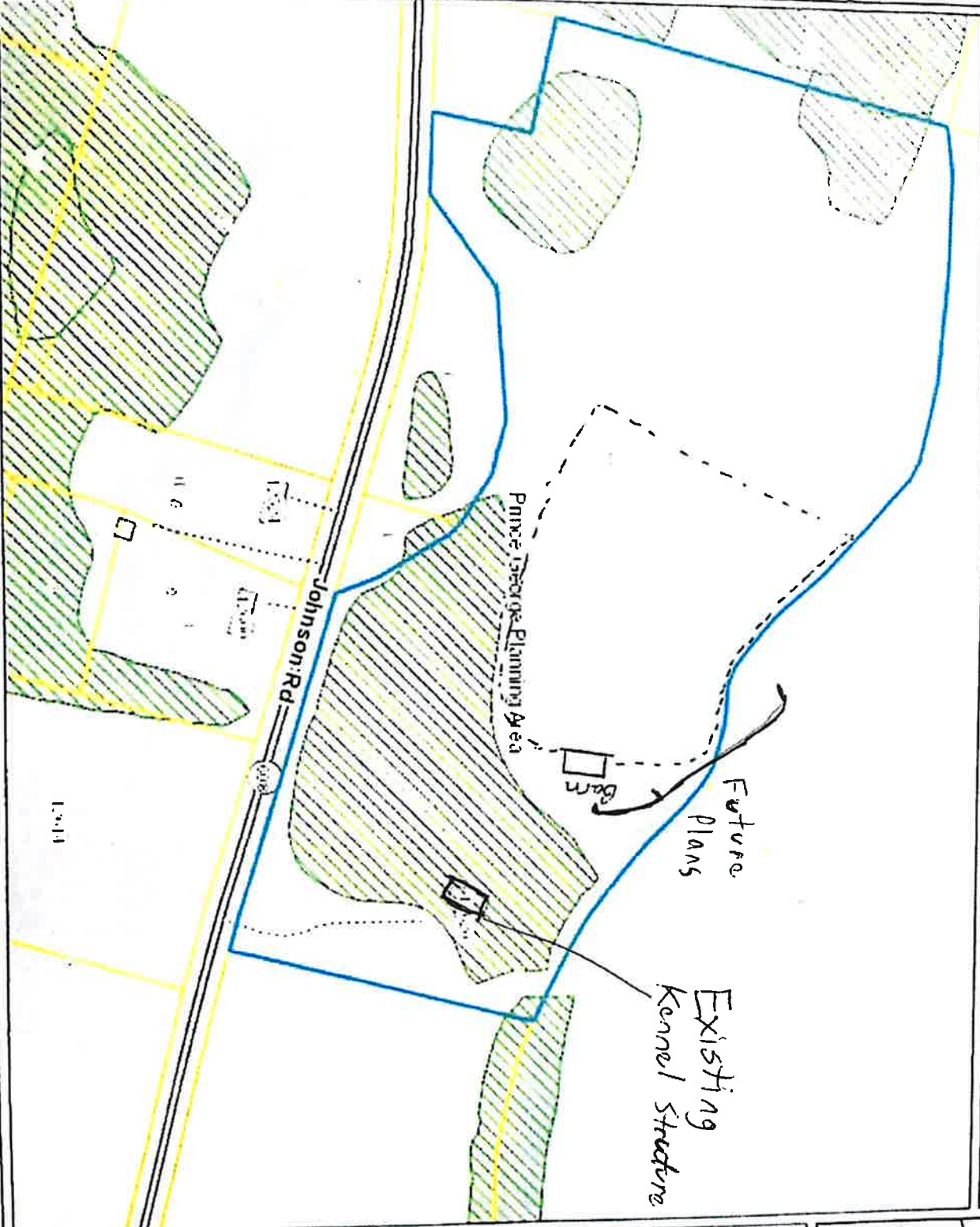
10/25/2019



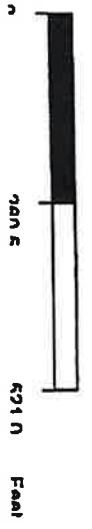
Legend

- Schools
 - Firestations
 - Political Boundaries
 - Water Line
 - Water Line - Service
 - Sewer Line - Gravity
 - Sewer Line - Force Main
 - Sewer Line - Private
 - Sewer Line - Lateral
 - FEMA Floodzones
 - Taxparcels
 - Access Easements
 - RPA Area
 - Planning Area
- Zoning**
- A-1
 - B-1
 - M-1
 - M-2
 - M-3
 - R-1
 - R-2
 - R-3
 - R-A
 - R-E
 - PUD

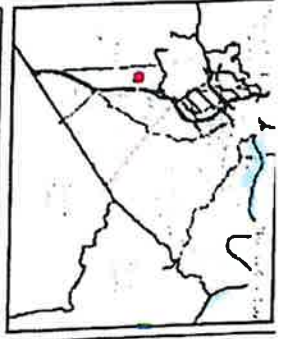
Notes



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Map Scale 1: 3,126
9/25/2019



- Legend**
- Schools
 - Firestations
 - Political Boundaries
 - Water Line
 - Water Line - Service
 - Sewer Line - Gravity
 - Sewer Line - Force Main
 - Sewer Line - Private
 - Sewer Line - Lateral
 - FEMA Floodzones
 - Taxparcels
 - Access Easements
 - Wellands
 - Swamps
 - RPA Area
 - Planning Area

Notes



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 #: <i>SE-19-07</i>
DATE SUBMITTED: <i>NOV 01 2019</i>
ZONING ORDINANCE SECTION:

update to 10-11-19

(PLEASE FILL-IN ALL BLANKS)

GENERAL PROPERTY INFORMATION

LEGAL OWNER(S) OF PROPERTY REQUESTED FOR PERMIT:

Farm Life Pets LLC

ADDRESS:

12620 Johnson Rd

CITY:

South Prince George

STATE:

VA

ZIP CODE:

23805

PHONE NUMBER:

804.586.0583

E-MAIL ADDRESS:

jeohare7531@msn.com

TAX MAP OF SUBJECT PARCEL:

430 0A 00 066 0

RECORDED IN THE CIRCUIT COURT CLERK'S OFFICE:

DEED BOOK

PAGE

Date

DEED RESTRICTIONS:

Inst # 19-3039

ACREAGE:

28.8

PARTIAL PARCEL:

YES NO

SUBDIVISION:

n/a

PRESENT USE:

kennel/vacant

ZONING CLASSIFICATION

LAND USE CLASSIFICATION:

Agricultural 20<100 Acus Improved

PRESENT ZONING:

A-1 Agricultural

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

OWNER AGENT/REP

NAME:

Jacqueline C O'Hare, Owner / Registered Agent

ADDRESS:

12910 College Rd

CITY:

South Prince George

STATE:

VA

ZIP CODE:

23805

PHONE NUMBER:

804.586.0583

E-MAIL:

jeohare7531@msn.com

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

PROJECT DESCRIPTION

see email

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: Jacqueline C O'Hare DATE: 11/1/2019

MAILING ADDRESS: 12910 College Rd

CITY/STATE/ZIP: South Prince George, VA 23805

PHONE NUMBER: 804 586 0583

E-MAIL ADDRESS: jeohare7531@msn.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: Jacqueline C. O'Hare

MAILING ADDRESS: same

CITY/STATE/ZIP: _____

PHONE NUMBER: _____

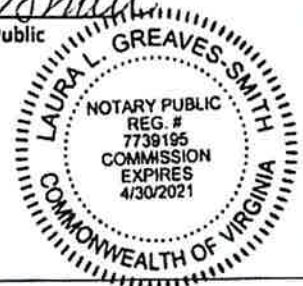
E-MAIL ADDRESS: _____

STATE OF VIRGINIA

COUNTY OF: PRINCE GEORGE

Subscribed and sworn before me this 1st day of November, 2019.

My Commission expires: 4-30 2021 Laura Greaves-Smith
Notary Public



AFFIDAVIT

Tim Graves

From: Jackie Ohare <jcohare7531@msn.com>
Sent: Friday, October 25, 2019 3:20 PM
To: Tim Graves
Subject: RE: update to your plans for 12620 Johnson Road

Sorry about having to disconnect before. I will add my additions in **Red**.

From: Tim Graves <TGraves@princegeorgecountyva.gov>
Sent: Friday, October 25, 2019 2:53 PM
To: Jackie Ohare <jcohare7531@msn.com>
Subject: update to your plans for 12620 Johnson Road

Jackie,

Below is the information I already have from you about your use.

Can you please reply back to clarify the additional future plans that you shared with me today, regarding a possible riding school type use and a doggie daycare building?

Intended use:

I plan to open and operate a pet boarding **and doggy daycare** business to include a gift shop and pet grooming initially with future plans to provide horse stables with boarding and riding school. Approximately 15 acres of the property is woodland and 12 acres is currently being farmed. The remainder of the property contains the building, exercise yards and driveway.

I would eventually put in a barn and provide fenced in areas for horse boarding, **riding and instruction**. I will fence in about 6 acres leaving the rest of the field as hay crop.

The dog kennel will use the existing fenced in areas and the building only **initially**. **I have future plans to build a standalone building for additional space for doggy daycare and a training facility.**

Thanks,

Tim

Tim Graves

Planner

Prince George County, VA

Division of Planning & Zoning

(804) 722-8678 x 8675

6602 Courts Drive, Prince George, Virginia 23875

This email and any attachments with it are privileged and confidential and are intended solely for those individuals(s) to whom they are addressed. If you have received this email in error or are not the addressee, please immediately delete it and notify the sender.

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 10th day of December, 2019:

Present:

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

Vote:

P-2.

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