

Issue Analysis Form

Date: January 14, 2020

Item: Special Exception SE-19-08 - Alexander Olivieri-Rodriguez

Lead Department: Community Development

Contact Person: Horace Wade III, Planner



Description and Current Status

The applicant is requesting a Special Exception for a Cottage industry home occupation on a parcel of five acres or more in area, occurring within an accessory building. The specific type of cottage industry involves the customization of apparel and gifts by operating an embroidery and printing business.

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

Government Path

Does this require IDA action?

☐ Yes ☒ No

Does this require BZA action?

☐ Yes ☒ No

Does this require Planning Commission action?

☒ Yes Dec 19, 2019
Recommended for
Approval by 6-0 vote

Does this require Board of Supervisors action?

☒ Yes January 14, 2020

Does this require a Public Hearing?

☒ Yes ☐ No

If so, before what date?

N/A

Fiscal Impact Statement

The proposed use would generate additional tax revenue.

County Impact

The special exception would allow for the operation of a new home occupation business in the County.

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 14th day of January, 2020:

Present:

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

Vote:

P-1

SPECIAL EXCEPTION SE-19-08: Request of Alexander Olivieri-Rodriguez pursuant to Prince George County Zoning Ordinance Sections 90-53(53), and (55) to permit a Cottage Industry Home Occupation on a parcel of five acres or more in area and a Home Occupation in an accessory building within an A-1, General Agricultural District, for the purpose of operating an embroidery and printing business. The request property is located at 6419 Tradewinds Drive and is identified as Tax Map 250(05)00-007-0. The Comprehensive Plan indicates the property is suitable for agricultural uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-19-08 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception request is granted to Alexander Olivieri-Rodriguez for Cottage industry home occupation on a parcel of five acres or more in area and Home occupation within an accessory building on Tax Map 250(05)00-007-0 for the purpose of operating an embroidery and printing business which customizes apparel and gifts.
2. A maximum of two (2) employees other than those who are family and live on the premises may be present on the premises in conjunction with the use.
3. Hours of operation for employees shall be limited to Monday – Friday, 8:00 am – 6:00 p.m., and Saturdays 10:00 a.m. – 4:00 p.m.
4. There shall be no outside storage of materials associated with the home occupation.

5. 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.
6. 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 January 14, 2020 and becoming effective immediately

SPECIAL EXCEPTION CASE SE-19-08
BOARD OF SUPERVISORS
PUBLIC HEARING: JANUARY 14, 2020

SUMMARY

APPLICANT:

Alexander Olivieri-Rodriguez

REQUEST:

Special Exception to permit the following uses, for the purpose of operating an embroidery and printing business which customizes apparel and gift items.

1. Cottage industry home occupation on a parcel of five acres or more in area
2. Home occupation within an accessory building

ZONING:

A-1 General Agricultural

STAFF RECOMMENDATION:

Approval, subject to recommended conditions.

PLANNING COMMISSION RECOMMENDATION (Dec. 19, 2019):

Approval, subject to recommended conditions. (6-0)

SPECIAL EXCEPTION SE-19-08 STAFF REPORT

**BOARD OF SUPERVISORS
PUBLIC HEARING: JANUARY 14, 2020**

SPECIAL EXCEPTION SE-19-08: Request of Alexander Olivieri-Rodriguez pursuant to Prince George County Zoning Ordinance Sections 90-53(53), and (55) to permit a Cottage Industry Home Occupation on a parcel of five acres or more in area and a Home Occupation in an accessory building within an A-1, General Agricultural District, for the purpose of operating an embroidery and printing business. The request property is located at 6419 Tradewinds Drive and is identified as Tax Map 250(05)00-007-0. The Comprehensive Plan indicates the property is suitable for agricultural uses.

CASE NUMBER:	SE-19-08
APPLICANT:	Alexander Olivieri-Rodriguez
ADDRESS:	6419 Tradewinds Drive
TAX MAP ID:	250(05)00-007-0
SIZE OF PROPERTY:	8.35 ac
MAGISTERIAL DISTRICT:	Blackwater
PLANNING DISTRICT:	Rural Conservation Area
UTILITIES:	Well and Septic
REAL ESTATE TAXES:	All taxes paid as of 12/5/19
PROPOSED USE(S):	Cottage industry home occupation on a parcel of five acres or more in area; Home occupation within an accessory building
CURRENT USE:	Residential – Single Family Dwelling
COMP PLAN FUTURE USE:	Agricultural
EXISTING ZONING:	A-1, General Agricultural
SURROUNDING ZONING:	A-1, General Agricultural

STAFF RECOMMENDATION: Staff recommends Approval with recommended conditions

MEETING INFORMATION:

Planning Commission:	December 19, 2019 at 6:30 p.m. Recommended approval 6-0, subject to conditions.
Board of Supervisors:	January 14, 2020

ATTACHMENTS:

1. Application
2. GIS Location Map
3. Aerial View
4. Zoning Map

SPECIAL EXCEPTION SE-19-08 STAFF REPORT

Request:

The applicant is requesting a Special Exception for a Cottage industry home occupation on a parcel of five acres or more in area, occurring within an accessory building. The specific type of cottage industry involves the customization of apparel and gifts by operating an embroidery and printing business.

Request Details:

The applicant provided a statement with details:

The intent is to use the current detached garage to run the business. The business consists of customization of apparel and gifts. The business involves embroidery and printing on all types of garments (shirts, hats, jackets, bags, etc.) and engraving of plaques, glasses and many other items.

The business has the potential to grow and would need to add employees in the future (2-3 employees). There is ample parking area. The hours for employees would normally be 9-5, Monday to Friday with some weekend work.

Proposed Use:

Based on the activities described by the applicants, the request fits 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)

(53) Cottage industry home occupation on a parcel of five acres or more in area

(55) Home occupation within an accessory building

Sec 90-1 Definitions.

Home occupation means an occupation carried on by the occupant of a dwelling as a secondary use in connection with which no one is employed other than members of the family residing on the premises, with the exception of such employees as may be provided for through approval of a special exception. No display of goods nor outside storage of materials and equipment is permitted except as provided for by special exception. No use or activity will be permitted which would change the outside appearance or character of the home or lot, except as provided for by special exception. Within this category the following four types of home occupations shall exist:

(3)Cottage industry, in addition to those uses permitted under subsections (1) and (2) of this definition, means a home occupation which shall permit the preparation of food products for sale; the rental of rooms not to exceed four, including bed and board; arts and crafts; construction of wood, leather goods, saddles, clothing and other similar products; and lawn care and landscaping businesses with outside storage or the storage or parking of more than one vehicle and one trailer used in association with the business.

[Not shown: 1) Office 2) Home professional and trade office 4) Home occupation child care]

SPECIAL EXCEPTION SE-19-08 STAFF REPORT

Comprehensive Plan:

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

Staff Review Comments:

Planning & Zoning Division:

The use is proposed to occur in the 720 SF detached garage constructed in 2001. The proposed uses are considered accessory uses to the principal use of the property (Single Family Dwelling).

Building Inspections Division:

"This is an existing 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

Transportation (VDOT):

"Based on the information contained in the submitted application, VDOT anticipates the proposed home occupation will generate few new vehicular trips. The residence is located on a private lane that connects to the VDOT ROW with an appropriate entrance. Based on the information submitted, VDOT has no objection to the County approving a special exception for the proposed home occupation."

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

Environmental Division; Economic Development; Police Department; Real Estate Assessor; Health Department, Fire Department: No comments.

Public Notice:

- Six (6) adjacent property owners were notified by mailing on 12/9/19. No comments were received.
- A legal ad was run for the request on 12/4/19 and 12/11/19. No comments were received.
- Seven adjacent property owners were notified about the Board of Supervisors hearing by mailing on 1/3/20.
- A legal ad was run for the Board of Supervisors hearing on 1/2/20 and 1/9/20.

Planning Commission:

There were no public comments at the meeting. There was limited discussion which clarified that more than two employees may be employed, however per condition #2, no more than two may be present on the property at one time.

Planning Commission recommended approval 6-0 with conditions.

SPECIAL EXCEPTION SE-19-08 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 Alexander Olivieri-Rodriguez for Cottage industry home occupation on a parcel of five acres or more in area and Home occupation within an accessory building on Tax Map 250(05)00-007-0 for the purpose of operating an embroidery and printing business which customizes apparel and gifts.
2. A maximum of two (2) employees other than those who are family and live on the premises may be present on the premises in conjunction with the use.
3. Hours of operation for employees shall be limited to Monday – Friday, 8:00 am – 6:00 p.m., and Saturdays 10:00 a.m. – 4:00 p.m.
4. There shall be no outside storage of materials associated with the home occupation.
5. 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.
6. 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.



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-19-08

DATE SUBMITTED:

OCT 17 2019

ZONING ORDINANCE

SECTION:

90-53(55)

(PLEASE FILL-IN ALL BLANKS)

LEGAL OWNER(S) OF PROPERTY REQUESTED FOR PERMIT:

Alexander Olivien-Rodriguez

ADDRESS:

6419 Tradewinds Dr.

CITY:

Prince George

STATE:

VA

ZIP CODE:

23875

PHONE NUMBER:

804-931-3313

E-MAIL ADDRESS:

alexander@woodpeckerscraft.com

TAX MAP OF SUBJECT PARCEL:

250 (05) 00-007-0

RECORDED IN THE CIRCUIT COURT CLERK'S OFFICE:

DEED BOOK _____ PAGE _____ Date _____ DEED RESTRICTIONS:

ACREAGE:

8.35

PARTIAL PARCEL:

☐ YES

☐ NO

SUBDIVISION:

PRESENT USE:

Residential

ZONING CLASSIFICATION

LAND USE CLASSIFICATION:

Agricultural

PRESENT ZONING:

A-1

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

NAME:

ADDRESS:

CITY:

STATE:

ZIP CODE:

PHONE NUMBER:

E-MAIL:

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

Use current detach garage to run business. Business consist of customization of apparel and gifts. We do embroidery and printing on all type of garments (shirts, hats, jackets, bags, ect...) and engraving of plaques, glasses and many other items.

We have a potential to grow and would need to add employees in the future (2-3 employees) We have ample parking area. The hours for employees would normally be 9-5 Monday to Friday with some weekend work.

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: 17 Oct 19

MAILING ADDRESS: 6419 Tradewinds Dr.

CITY/STATE/ZIP: Prince George, VA 23875

PHONE NUMBER: 804-931-3313

E-MAIL ADDRESS: alexander@woodpeckercraft.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 17th day of October, 2019

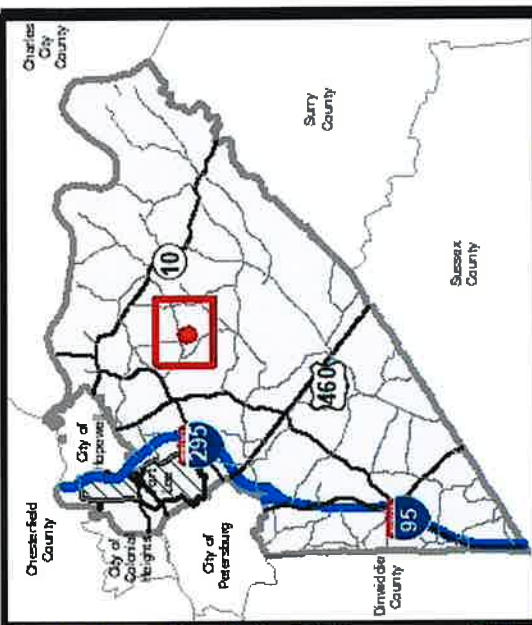
My Commission expires: November 30, 2022

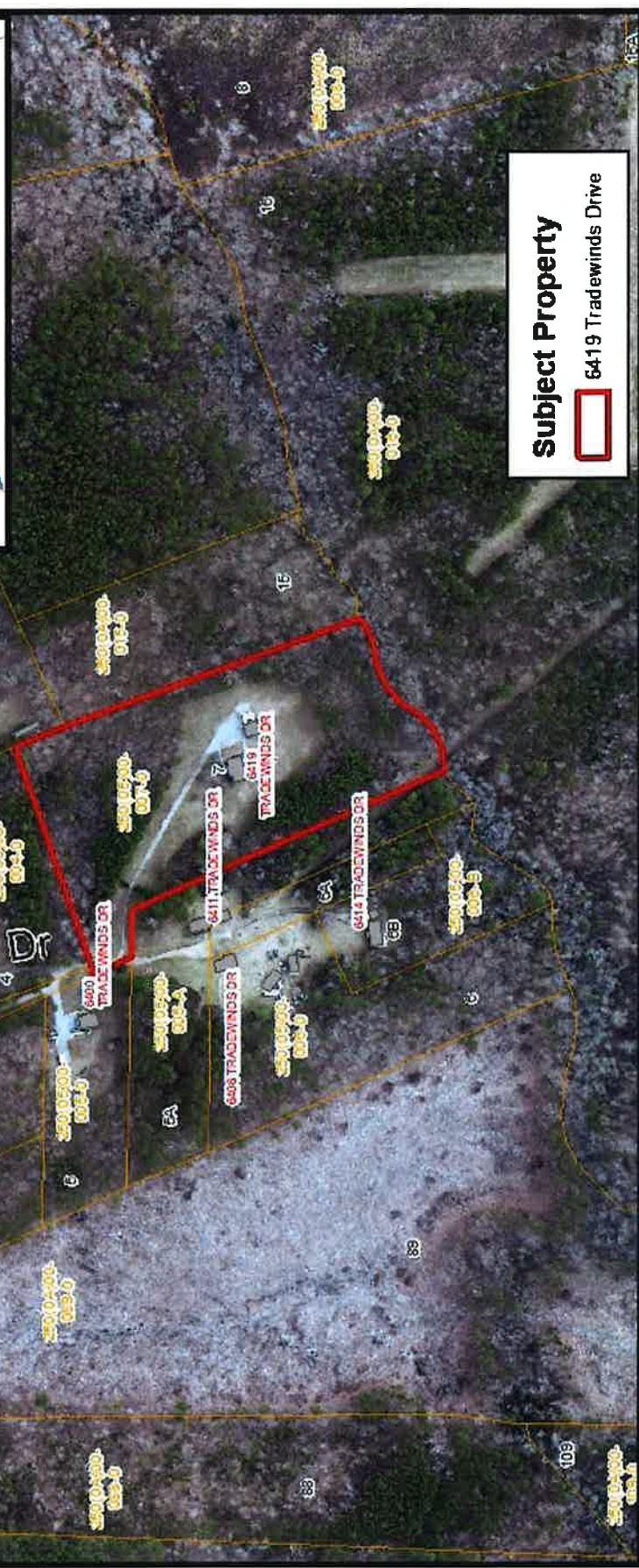
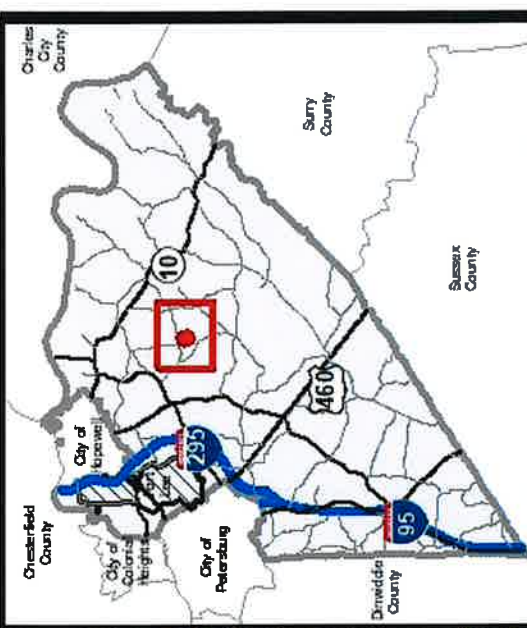
[Signature]
Notary Public

SHERRI M BOWMAN
NOTARY PUBLIC
REGISTRATION # 7808829
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
NOVEMBER 30, 2022

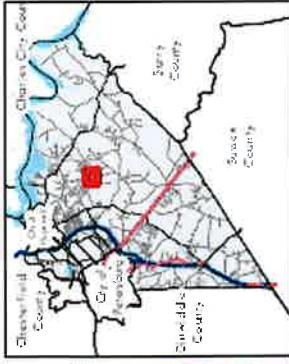
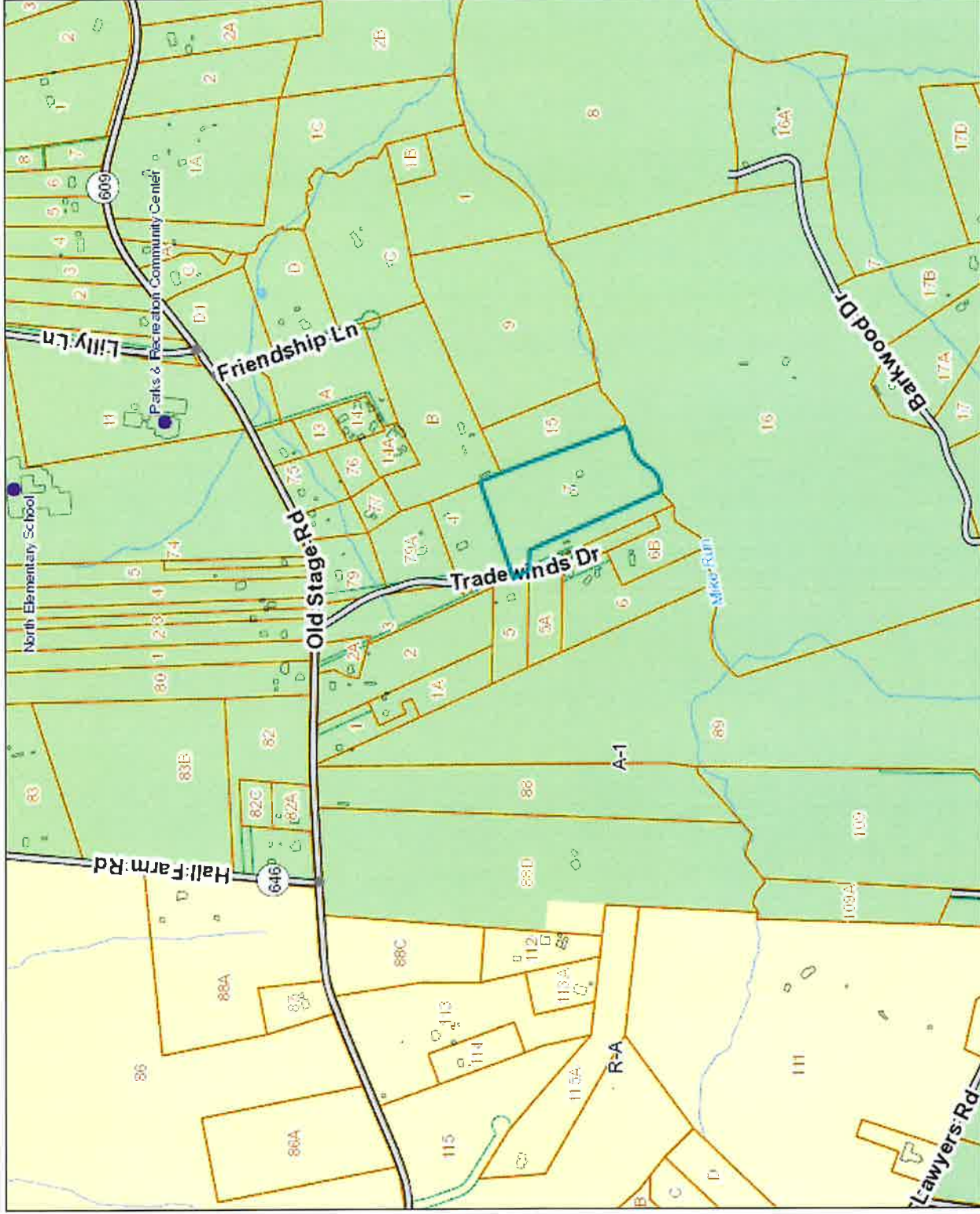
AFFIDAVIT

Subject Property
6419 Tradewinds Drive





County of Prince George



Legend

- Schools
- Firestations
- Political Boundaries
- Taxparcels
- Access Easements
- Swamps
- 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: 9,379

10/15/2019

