

# Issue Analysis Form

**Date:** January 14, 2020

**Item:** Special Exception SE-19-09 - Shari and Roger Boisclair

**Lead Department:** Community Development

**Contact Person:** Tim Graves, Planner



## Description and Current Status

The applicants are 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 woodturning to create various wood and acrylic products to be sold at off-site locations such as craft shows and flea markets.

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 ☐ No  
Dec 19, 2019  
Recommended for  
Approval by 6-0 vote

**Does this require Board of Supervisors action?**

☒ Yes ☐ No  
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 14<sup>th</sup> day of January, 2020:

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Present:

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

Vote:

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P-2

SPECIAL EXCEPTION SE-19-09: Request of Shari and Roger Boisclair pursuant to Prince George County Zoning Ordinance Sections 90-103(52), and (53) 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 R-A, Residential-Agricultural District, for the purpose of operating a business producing wood craft products. The request property is located at 18360 Loving Union Road and is identified as Tax Map 600(05)00-004-0. 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-19-09 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception request is granted to Shari and Roger Boisclair for a Cottage industry home occupation on a parcel of five acres or more in area and Home occupation within an accessory building on Tax Map 600(05)00-004-0, for the purpose of operating a business producing wood and acrylic craft products.
2. At the end of each day, the applicants shall remove all sawdust, wood shavings, wood chips, etc. to an outside trash can, for the purposes of fire prevention.
3. The applicants shall take appropriate measures to ensure compliance with the County's Noise Ordinance.
4. 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.

5. 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.

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Adopted on January 14, 2020 and becoming effective immediately

**SPECIAL EXCEPTION CASE SE-19-09**  
**BOARD OF SUPERVISORS**  
**PUBLIC HEARING: JANUARY 14, 2020**

**SUMMARY**

**APPLICANTS:**

Shari and Roger Boisclair

**REQUEST:**

Special Exception to permit the following uses for the purpose of operating a business producing wood and acrylic craft products:

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

**ZONING:**

R-A Residential Agricultural

**STAFF RECOMMENDATION:**

Approval, subject to recommended conditions.

**PLANNING COMMISSION RECOMMENDATION (Dec. 19, 2019):**

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

**SPECIAL EXCEPTION SE-19-09 STAFF REPORT**

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

**SPECIAL EXCEPTION SE-19-09:** Request of Shari and Roger Boisclair pursuant to Prince George County Zoning Ordinance Sections 90-103(52), and (53) 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 R-A, Residential-Agricultural District, for the purpose of operating a business producing wood craft products. The request property is located at 18360 Loving Union Road and is identified as Tax Map 600(05)00-004-0. The Comprehensive Plan indicates the property is suitable for agricultural uses.

**CASE NUMBER:** SE-19-09  
**APPLICANT:** Shari and Roger Boisclair  
**ADDRESS:** 18360 Loving Union Road  
**TAX MAP ID:** 600(05)00-004-0  
**SIZE OF PROPERTY:** 5 ac  
**MAGISTERIAL DISTRICT:** Templeton  
**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:** R-A Residential Agricultural  
**SURROUNDING ZONING:** R-A Residential Agricultural

**STAFF RECOMMENDATION:** Staff recommends Approval with recommended conditions

**MEETING INFORMATION:**

**Planning Commission:** December 19, 2019  
**Recommended approval 6-0 subject to conditions**  
**Board of Supervisors:** January 14, 2020

**ATTACHMENTS:**

1. Applicant Use Statement
2. Application
3. GIS Location Map
4. Satellite View
5. Zoning Map

## SPECIAL EXCEPTION SE-19-09 STAFF REPORT

### **Request:**

The applicants are 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 woodturning to create various wood and acrylic products to be sold at off-site locations such as craft shows and flea markets.

### **Request Details:**

The applicants provided a statement with details:

*"We would like to use our 2-car garage to produce products to sell at different venues. We have started a business, Bo's Wooden Antics, LLC, in order to be sure all is done in a legal manner.*

*We will not be opening a retail store on the premises. We will not have any additional employees besides myself and Roger Boisclair (my husband).*

*Woodturning is a hobby. We produce wooden pens, bottle stoppers, bowls, kaleidoscopes and other miscellaneous woodturning products. In order to continue to work on our hobby we will sell the items we make at craft shows and flea markets."*

### **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. 90-103. - Uses and structures permitted by special exception. (R-A District)***

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

*(53) 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-19-09 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 (24'x30') detached garage constructed in 2019, not yet visible in the satellite view but located on the northern side of the house. The proposed use is considered accessory to the principal use of the property (Single Family Dwelling).

#### **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

#### **Transportation (VDOT):**

"Based on the information contained in the submitted application, VDOT does not anticipate that the proposed wood working shop will generate new vehicular trips. The proposed use will require a low volume commercial entrance. It is not anticipated that any modifications will be needed to the existing entrance to meet VDOT's criteria for a low volume commercial entrance."

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

#### **Fire Department:**

"At the end of the day, remove all sawdust, wood shavings, wood chips, etc. to an outside trash can.

Contact: Shawn Jones, Firefighter/Medic

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

### **Public Notice:**

- Seven adjacent property owners were notified about the Planning Commission hearing by mailing on 12/9/19. No comments were received.
- A legal ad was run for the Planning Commission hearing 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.

## **SPECIAL EXCEPTION SE-19-09 STAFF REPORT**

### **Planning Commission:**

There were no public comments at the meeting. The applicant displayed some example products and there was some discussion about whether condition #1 would allow the production of acrylic products in addition to wood crafts. The commission, applicant and staff subsequently agreed to modify condition #1 to read "wood and acrylic craft products".

Planning Commission recommended approval, 6-0 with conditions.

### **Recommendation:**

County Staff and the 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 Shari and Roger Boisclair for a Cottage industry home occupation on a parcel of five acres or more in area and Home occupation within an accessory building on Tax Map 600(05)00-004-0, for the purpose of operating a business producing wood and acrylic craft products.
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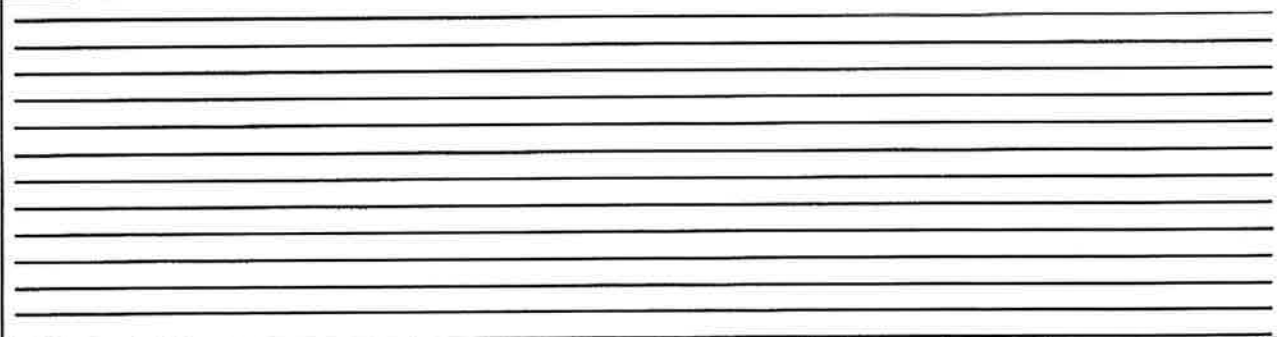


We would like to use our 2 car garage to produce products to sell at different venues. We have started a business, Bo's Wooden Antics, LLC, in order to be sure all is done in a legal manner.

We will not be opening a retail store on the premises. We will not have any additional employees besides myself and Roger Boisclair (my husband).

Woodturning is a hobby. We produce wooden pens, bottle stoppers, bowls, kaleidoscopes and other miscellaneous woodturning products. In order to continue to work on our hobby we will sell the items we make at craft shows and flea markets.

Shari and Roger Boisclair  
18360 Loving Union Rd  
Disputanta, VA 23842  
804-991-3441 H  
804-721-0172 C



**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: 10/24/19

MAILING ADDRESS: 18360 Loving Union Rd

CITY/STATE/ZIP: Disputanta VA 23842

PHONE NUMBER: 804-991-3441

E-MAIL ADDRESS: boswoodenartics@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 24<sup>th</sup> day of October, 2019.

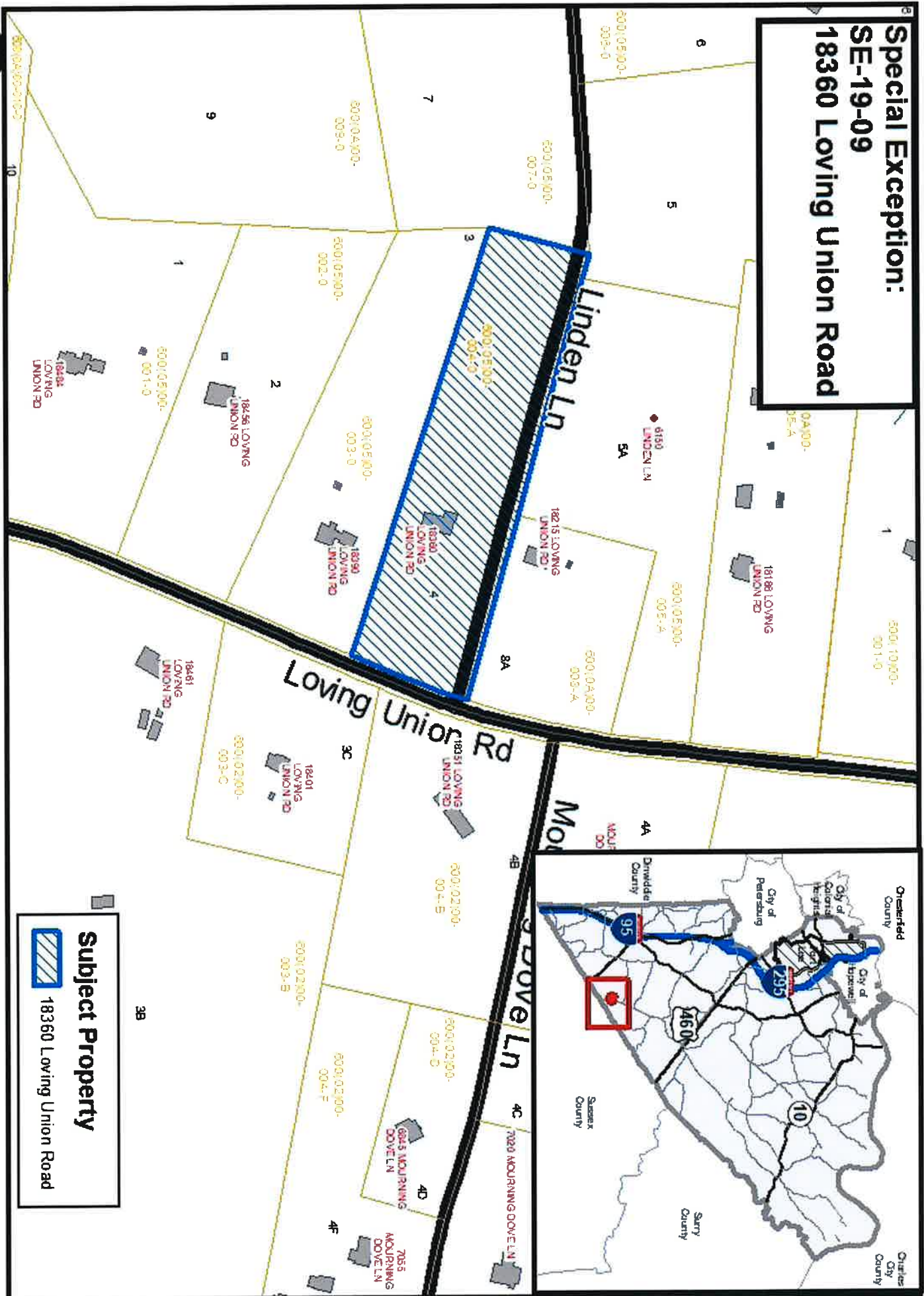
My Commission expires: November 30, 2022

[Signature]  
Notary Public

SHERRI M BOWMAN  
NOTARY PUBLIC  
REGISTRATION # 7808828  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES  
NOVEMBER 30, 2022

AFFIDAVIT

# Special Exception: SE-19-09 18360 Loving Union Road




**Subject Property**

18360 Loving Union Road



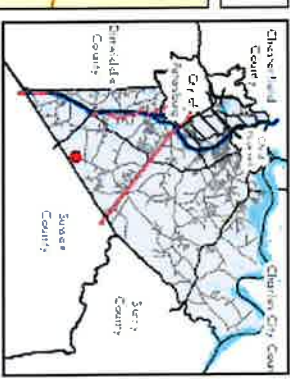
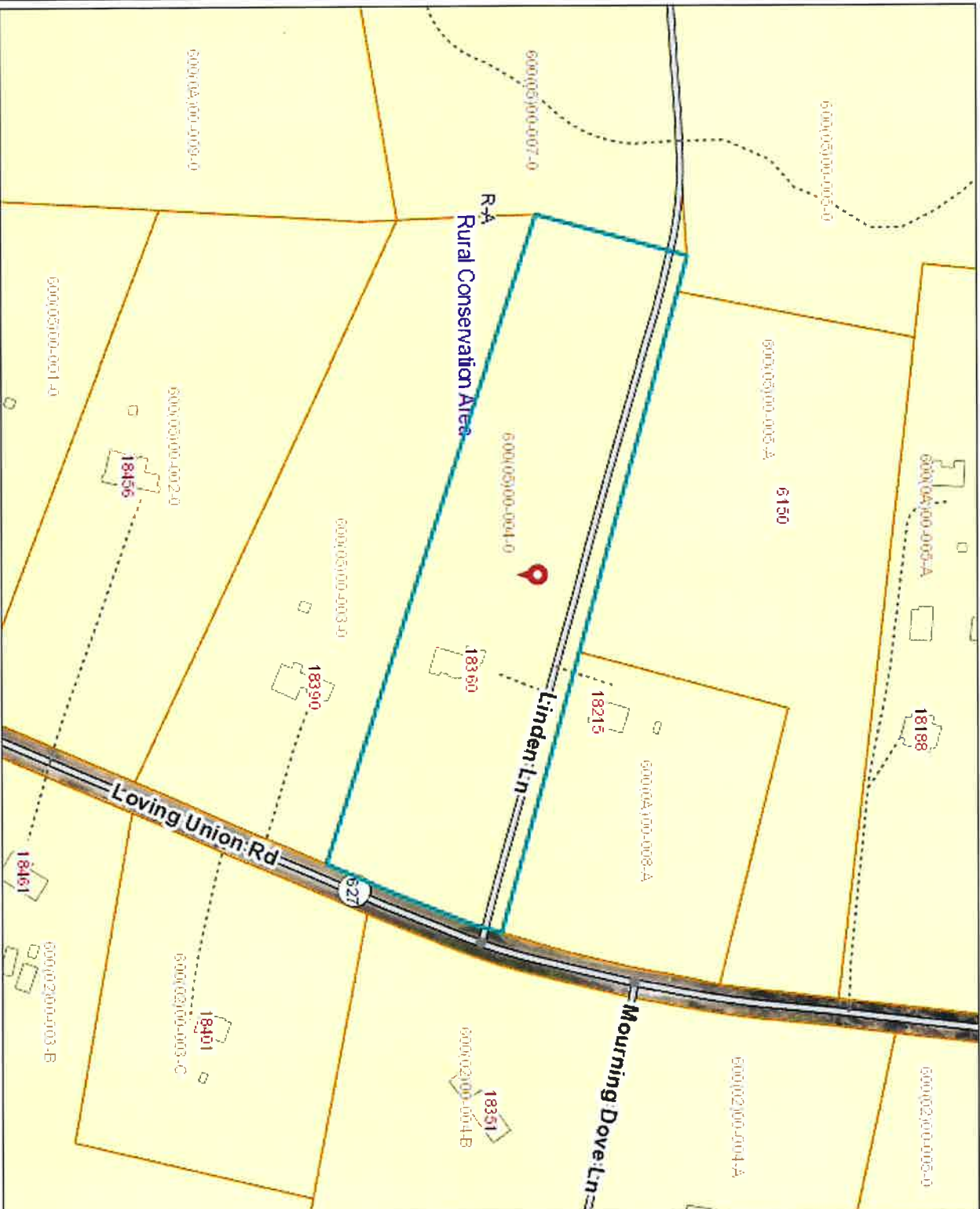
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 18360 Loving Union Road





# County of Prince George



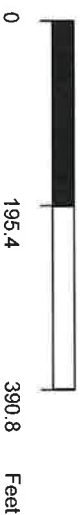
- Legend**
- Political Boundaries
  - FEMA Floodzones
  - Taxparcels
  - Access Easements
  - Wetlands
  - RPA Area
  - Planning Area
  - Zoning
    - A-1
    - B-1
    - M-1
    - M-2
    - M-3
    - R-1
    - R-2
    - R-3
    - R-4
    - R-E
    - PUD

## 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.

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Map Scale 1 : 2,345

11/21/2019

