

# Issue Analysis Form

**Date:** November 22, 2022

**Item:** Special Exception Request # SE-22-10

**Applicant:** Robert and Tonya Dempsey

**Lead Department:** Community Development

**Contact Person:** Tim Graves, Planner I



## Description and Current Status

The applicants would like to open an automotive repair and maintenance shop within an accessory building on a residential property.

In order for this to be permitted, they are requesting a Special Exception for a "Home occupation within an accessory building", pursuant to Section 90-103(53) of the Zoning Ordinance.

The Planning Commission recommends **APPROVAL** of this request, subject to recommended conditions contained in the draft ordinance.

Staff, on behalf of the Planning Commission, has attached the draft ordinance for consideration and is requesting a motion to **APPROVE** the ordinance.

### Sample Motion:

*"I move that the Board approve Special Exception request SE-22-10, subject to the specified 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 | PC Recommended Approval by 5-0 vote on October 27, 2022<br>Public Hearing on November 22, 2022 |
| Does this require Board of Supervisors action? | <input checked="" type="checkbox"/> Yes |  |
| 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 from an additional business.

## County Impact

The special exception would allow an automotive repair/maintenance shop to open in the County and would provide residents and the surrounding community with services.

## Notes

**Attached:** Draft Ordinance; Staff report; Application and attachments; Public notice materials: APO letter, map, list, newspaper ad; Powerpoint Presentation

Board of Supervisors  
County of Prince George, Virginia

**DRAFT** Ordinance

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 November, 2022:

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Present:

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

Vote:

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**SPECIAL EXCEPTION SE-22-10:** Request of Robert and Tonya Dempsey to permit a Home occupation within an accessory building within a R-A (Residential Agricultural) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(53). The purpose of the request is to open a car repair shop as a home-based business on a residential property. The subject property is approximately 4.18 acres in size, located at 19725 Carson Ruritan Road and is identified as Tax Map 620(0A)00-035-E. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Agricultural uses.

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BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-22-10 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception is granted to Robert and Tonya Dempsey for the following use on Tax Map 620(0A)00-035-E: Home occupation within an accessory building, pursuant to Section 90-103(53), for the purpose of operating an automobile repair and maintenance shop as a home occupation business.
2. There shall be no signage for the business.
3. Hours and days of operation shall be limited to 9:00am to 6:00pm Monday to Friday.
4. Adequate parking shall be provided to serve customers on-site, and the parking area shall be located to avoid any visibility of the business activities from any public road.
5. One additional employee/helper may assist with the business on-site in addition to the applicant.
6. There shall be no outside storage of materials related to car-repair.
7. No work shall be performed outside the shop building.
8. The maximum number of customer visits to the property per day shall be limited to ten (10).

9. The applicant shall be responsible for ensuring that all automotive waste is disposed of in accordance with all local, state and federal guidelines.
10. No more than five (5) vehicles being repaired or awaiting pick up shall be permitted on the premises. The applicant may be asked by the County of Prince George to provide a copy of the vehicle registration for any automobiles on site, as proof of compliance with this provision.
11. The site shall not be used to store inoperable vehicles. During business hours, the police department shall be allowed to inspect parked vehicles awaiting repair to confirm compliance with applicable county and state code requirements.
12. 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.
13. The applicants shall obtain certification from an Authorized Onsite Soil Evaluator or Professional Engineer indicating the sewage disposal system and water well have been evaluated to support their proposed usage, with review and approval by the Health Department prior to the granting of a business license.
14. The applicants shall obtain and hold all required State and County permit or license approvals, which may include: Drinking water permit from the Virginia Department of Health; DMV license from Virginia Department of Motor Vehicles; Entrance permit from the Virginia Department of Transportation; Compliance with applicable building codes; Business licenses from the Commissioner of Revenue.
15. This Special Exception is renewable or transferrable to future owners only by approval of the Board of Supervisors without a public hearing so long as there are no deviations from the conditions.
16. The Special Exception shall become null and void if the use is abandoned for a period of twenty-four (24) consecutive months.
17. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of federal, state or local regulations.

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Adopted on November 22, 2022 and becoming effective immediately.



## BOARD OF SUPERVISORS STAFF REPORT

Public Hearing November 22, 2022

**SE-22-10** – Home occupation in an accessory building (Auto Repair)

**Applicant:** Robert and Tonya Dempsey

**Case Manager:** Tim Graves - (804)722-8678

### I. Request

The applicants would like to open an automotive repair and maintenance shop within an accessory building on a residential property.

In order for this to be permitted, they are requesting special exception for a “Home occupation within an accessory building”.

### II. Property

**Address:** 19725 Carson Ruritan Road

**Zoning District:** R-A (Residential Agricultural)

**Tax Map:** 620(0A)00-035-E

**Current Use(s):** Single-family Residential

**Site Size:** 4.18 acres

**Comp Plan Land Use:** Agricultural

**Legal Owner:** Robert and Tonya Dempsey

**Planning Area:** Rural Conservation Area

**RE Taxes Paid?:** Yes

**Previous Zoning Cases:** N/A

### III. Meeting Information

Planning Commission Public Hearing: October 27, 2022 (Recommended Approval 5-0)

Board of Supervisors Public Hearing: November 22, 2022

### IV. Background

Mr. Dempsey submitted a preliminary application previously, and received a comment letter from staff on July 27, 2022 before submitting his formal application on August 29, 2022.

### V. Applicant Proposal

- Run an auto maintenance shop on property
- Services include: oil changes, brakes, engine repair, tune-ups, lift kits, suspension work
- I have spoken to all of my surrounding neighbors and explained to each of them what I would like to do with my business. See attached documentation with neighbors’ names, phone numbers and signatures showing their support for this request.
- No signage
- Hours of operation: 9:00am to 6:00pm Monday to Friday
- Max number of customers per day: 0 to 10
- Shop building will be 30’ x 30’ = 900 square feet
- No fence planned to be installed
- Parking will be on the left side of the shop where you can’t see cars from the road
- Robert Dempsey initially plans to be the only person working in the shop. In the longer term he may want to add one (1) helper for on-site work.
- The max number of vehicles stored on the property for work is expected to be 3 vehicles as reported on the application, however is requesting to be able to have up to 5 vehicles as the business grows.

- Access to property via a recorded private access easement

**VI. Exhibits**

Exhibit 1 – Site sketch provided by applicant



Exhibit 2 – Aerial View with adjacent roads



### Exhibit 3 – Zoning Map



### VII. Planning and Zoning Review Comments

1. The desired land use, a home-based auto repair garage in an accessory building, may be permitted by Special Exception under Section 90-103(53) as a “Home occupation within an accessory building”.
2. Zoning cases that currently affect the subject property: None
3. Other relevant zoning cases: Various home-based car repair shops have been approved by special exception in the past. The most recent case was SE-09-13 on Tax Map 260(07)00-014-0, located at 12620 Silvercrest Lane. This case was considered when preparing recommended conditions for Mr. Dempsey’s request.
4. The subject property is accessed via a private driveway across the property of Lawrence D Kennedy. There is a recorded easement for this driveway.
5. Other zoning processes required after SE approval:
  - a. Building/Zoning Permit for the proposed new building
  - b. Home occupation zoning approval for a business license for the business
6. Expected impacts from this request (and potential mitigation options):
  - a. Traffic: Customers will visit the property to drop off or retrieve automobiles. (Staff may recommend a condition to limit the number of customer visits per day)  
Mitigation: Staff has recommended conditions limiting the number of customer visits per day, and hours of operation.
  - b. Visual: Automobiles may be visible while parked outside while awaiting work.  
Mitigation: Most or all of the work will occur within the building and the subject property is surrounded by existing trees on adjacent properties. Staff has recommended a condition to limit the number of cars that may be parked on the property while awaiting work.
  - c. Noise: There may be audible sounds from engines and other noises related to automobile work.  
Mitigation: The nearest houses are approximately 300 feet away from the shop building site. Since there is only potential for one employee besides the applicant there is a natural limit to the

amount of work that can occur on the property. Staff has also recommended a condition to limit the hours of operation, and the owner is required to follow the County's noise ordinance.

7. Compatibility with surrounding zoning districts and surrounding uses: Appears to be consistent with existing surrounding low-density residential zoning and uses.
8. Compatibility with the Comprehensive Plan: Appears to be compatible with future land use designation of Agricultural, which includes agricultural activities that may also make noise, and low-density residential, which will remain the primary use of the property.

### VIII. Supplemental Staff Review Comments

#### **Building Inspections Division – Charles Harrison III, Building Official**

1. The Applicant will be required to apply for a Change of Use/Occupancy permit as the structure was erected as a Residential Accessory Building. This Change of Use process may require additional building/life safety components, permit(s), and any required inspections that may be discovered during the application review process.
2. Per Table 1106.1(2), at least (1) *accessible* parking space will be required at this facility.
3. Fire extinguisher(s) must be installed and compliant with Section 906 of the Virginia Construction Code.
4. Storage and disposal requirements of waste oil, motor oil, or Class IIIB liquids prescribed in Section 2311 of the Virginia Statewide Fire Protection Code shall be applicable.
5. INFORMATIONAL:
  - a. Other items may become apparent during the review/inspection process should the Applicant proceed with the Change of Use requirement.
  - b. This structure shall not be approved to be used in the requested manor until all permit(s) and inspection(s) have been performed/approved, and a Certificate of Occupancy has been issued.

#### **Virginia Department of Health - Alice Weathers, Environmental Health Specialist**

**Applicant needs to work with an AOSE (Authorized Onsite Soil Evaluator) or PE (Professional Engineer) who can determine what the sewage disposal system and water supply needs are for the proposed project. A Waste Characterization Letter from a PE will need to be submitted to the Health Department.**

#### **Virginia Department of Transportation (VDOT) - Paul Hinson, Area Land Use Engineer**

1. A low volume commercial entrance will be required for permanent access to the site for the proposed use. Low volume commercial entrances must demonstrate that stopping sight distance is provided at the proposed entrance, be encumbered in an entrance maintenance agreement, and meet applicable standards.
2. VDOT has no objection to the proposed special exception request.

#### **Environmental Division - Angela Blount, Environmental Program Coordinator**

1. Land disturbance associated with this project in excess of 10,000 sq. ft. will require a Land Disturbance Permit issued by Prince George County.
2. Land disturbance associated with this project which reaches 1 acre and above will require permitting from both Prince George County (Land Disturbance Permit) and the Virginia Department of Environmental Quality (Construction General Permit) for erosion and sediment control and stormwater management.

#### **Economic Development – Stacey English, Economic Development Specialist**

1. Prince George County Economic Development has contacts and resources for small business planning, financing, and more. For more information about resources and contacts, please contact Stacey English – [senglish@princegeorgecountyva.gov](mailto:senglish@princegeorgecountyva.gov) or 804-722-8709.

**Police Department – Harold Shreves**

1. I have “NO COMMENTS” at this time and have spoken to the property owner about the concerns in reference to inoperative vehicles on the property as well as the county ordinance.

The departments below reviewed this request and had no comments.

**Utilities Department - Frank Haltom, Director of Engineering and Utilities**

**Real Estate Assessor – Brian Gordineer, Real Estate Assessor**

The departments below received a copy of this request and did not provide comments.

**Fire & EMS Department – Paul Beamon, Chief**

**IX. Public Notice and Community Feedback**

- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- No comments from the community were received prior to finalizing this report.

**X. Planning Commission Recommendation**

At the October 27, 2022 Planning Commission meeting, the PC held a public hearing. There were no public comments during the hearing. The PC recommended Approval of this request, subject to the recommended conditions in the section below and contained in the draft ordinance.

Staff recommended approval to the PC based on the following considerations:

1. The applicant’s request appears to be compatible with current and future surrounding land uses.
2. No negative feedback was received from adjacent property owners and community prior to publishing this staff report.
3. Staff has recommended the below conditions for this request which are intended to ensure applicable code requirements are met and limit any expected impacts on adjacent property owners and the surrounding community. The Applicant has reviewed and supports these conditions.

**XI. Recommended Conditions**

1. This Special Exception is granted to Robert and Tonya Dempsey for the following use on Tax Map 620(0A)00-035-E: Home occupation within an accessory building, pursuant to Section 90-103(53), for the purpose of operating an automobile repair and maintenance shop as a home occupation business.
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11. The site shall not be used to store inoperable vehicles. During business hours, the police department shall be allowed to inspect parked vehicles awaiting repair to confirm compliance with applicable county and state code requirements.
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13. The applicants shall obtain certification from an Authorized Onsite Soil Evaluator or Professional Engineer indicating the sewage disposal system and water well have been evaluated to support their proposed usage, with review and approval by the Health Department prior to the granting of a business license.
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SE-22-0016  
INV00002705



# SPECIAL EXCEPTION APPLICATION

Department of Community Development and Code Compliance  
Planning & Zoning Division  
6602 Courts Drive, Prince George, VA 23875  
(804) 722-8678 | [www.princegeorgecountyva.gov](http://www.princegeorgecountyva.gov)

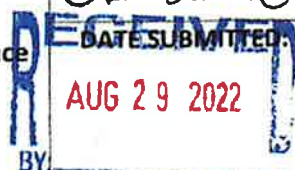
OFFICE USE ONLY

APPLICATION #:

SE-22-10

DATE SUBMITTED:

AUG 29 2022



APPLICANT FILL-IN ALL BLANKS

REQUEST: To open SHOP For Auto repair

REQUEST PROPERTY ADDRESS / LOCATION: 19725 Carson Ruritan Rd Carson VA 23830

REQUEST TAX MAP PIN(S): (List all)

620 (0A) 00-035E

AFFECTED ACREAGE  
(Each parcel):

4.18

ENTIRE PARCEL (Y / N)  
- Each parcel:

Yes

ATTACHMENTS (Check if Attached; \* = Required):

APPLICANT STATEMENT\* (Specify goals, details, etc.)

COMMUNITY MEETING SUMMARY

PROPOSED CONDITIONS

ADDITIONAL ATTACHMENTS:

SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN\*

(Show proposed improvements; Use GIS or Engineer Drawing)

LEGAL OWNER NAME(S):

ROBERT D Dempsey Tonya L Dempsey

MAILING ADDRESS: (Incl. City, State, Zip):

19725 Carson Ruritan RD Carson VA 23830

E-MAIL:

ROBERT.Dempsey1@yahoo.com

PHONE:

804-255-6424

APPLICANT CONTACT NAME(S): (if different than owner):

RELATION TO OWNER:

MAILING ADDRESS: (Incl. City, State, Zip):

E-MAIL:

PHONE:

OFFICE USE ONLY (Completed at the time of application)

ZONING DISTRICT(S):

LAND USE(S) CODE REFERENCE(S):

PAYMENT

FEE DUE:

Special Exception: \$700  
Special Exception Home Occ: \$350

FEE PAID:

PAYMENT TYPE:

CHECK / CASH / CREDIT / DEBIT

CHECK # / TRANSACTION #:

DATE RECEIVED:

RECEIVED BY:

OWNER AFFIDAVIT

The undersigned Property Owner(s) or duly authorized Agent or Representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief.

NAME: ROBERT DEMPSEY

NAME: Tonya Dempsey

SIGNED: [Signature]

SIGNED: [Signature]

DATE: 8-29-2022

DATE: 8-29-2022

AFFIDAVIT

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF: PRINCE GEORGE

Subscribed and sworn before me this 29<sup>TH</sup> day of AUGUST, 20 22.

[Signature]  
Notary Public

My Commission expires: Nov 30, 20 23



To Whom it may concern.

My name is Robert Demosey, I live at 19725 Cason Ruritan Road Carson, Virginia 23830. I am writing in to request a special exception of my property and a business license to run a auto maintenance shop on my property, the services I will offer include oil changes, brakes, engine repair, tune-ups, lift kits, suspension. I have spoken to all of my surrounding neighbors and explained to each of them what I would like to do with my business. Attached you will find documentation with the above neighbors names, phone numbers and signatures showing their support in my request to get business license to run the business that I am in hopes of starting. I am requesting a "special exception". I will not have any signage. The hours that I will be open is from 9:00am to 6:00pm Monday -Friday. Max number of customers per day will be 0 to 10. The shop building is a 30x30 900 sq feet. There will not be a fence put up at this time. Parking will be on left side of shop where you can't see cars from road. I Robert Demosey will be the only person working in shop.

Max number vehicles stored on property 3

Thank you  
Rob Demosey

804-894-3581 79736 Rowanty Court  
Vacy Frye Carson VA 23830 Yes

MIKE DISE 19515 Rowanty Ct  
Carson VA 23830 OK YES

CYNTHIA SIMMONS 19101 Rowanty Ct.  
804-898-5233 Carson VA 23830 YES

David Creech 19801 Carson  
434-246-2414 RUTLAND Rd.  
Carson, VA. 23830

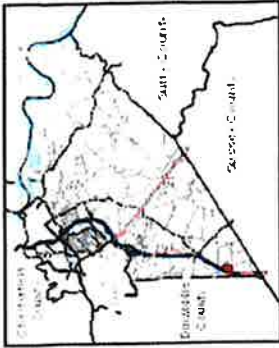
Brian Donner 19715 Rowanty Ct  
YES Carson VA 23830 YES

8:00 AM

Sue Moneyacher 19727  
804-892-0958 YES Rowanty Court  
Carson VA 23830

Rick Kemicks 1434-6321051

YES  
Linda Arrington  
804-295-8315  
YES

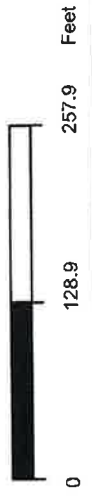


- Legend**
- County Parks
  - Firestations
  - Political Boundaries
  - FEMA Floodzones
  - Taxparcels
  - Access Easements
  - Wetlands
  - RPA
  - Planning Area

Notes



Map Scale 1: 1,547  
8/29/2022



The information contained in this data should not be used as a "legal description". Map information aims to be accurate, but accuracy and completeness is not guaranteed.  
Copyright, 2020 County of Prince George, VA





**County of Prince George, Virginia**  
"A global community where families thrive and businesses prosper"

November 10, 2022

**BOARD OF SUPERVISORS - NOTICE OF PUBLIC HEARING**

Dear owner, agent or occupant of each parcel that is abutting, immediately across the street or road, or within close proximity of the property affected:

This is notification that the Prince George County Board of Supervisors will hold a public hearing on **Tuesday, November 22, 2022 beginning at 7:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

**SPECIAL EXCEPTION SE-22-10:** Request of Robert and Tonya Dempsey to permit a Home occupation within an accessory building within a R-A (Residential Agricultural) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(53). The purpose of the request is to open a car repair shop as a home-based business on a residential property. The subject property is approximately 4.18 acres in size, located at 19725 Carson Ruritan Road and is identified as Tax Map 620(0A)00-035-E. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Agricultural uses.

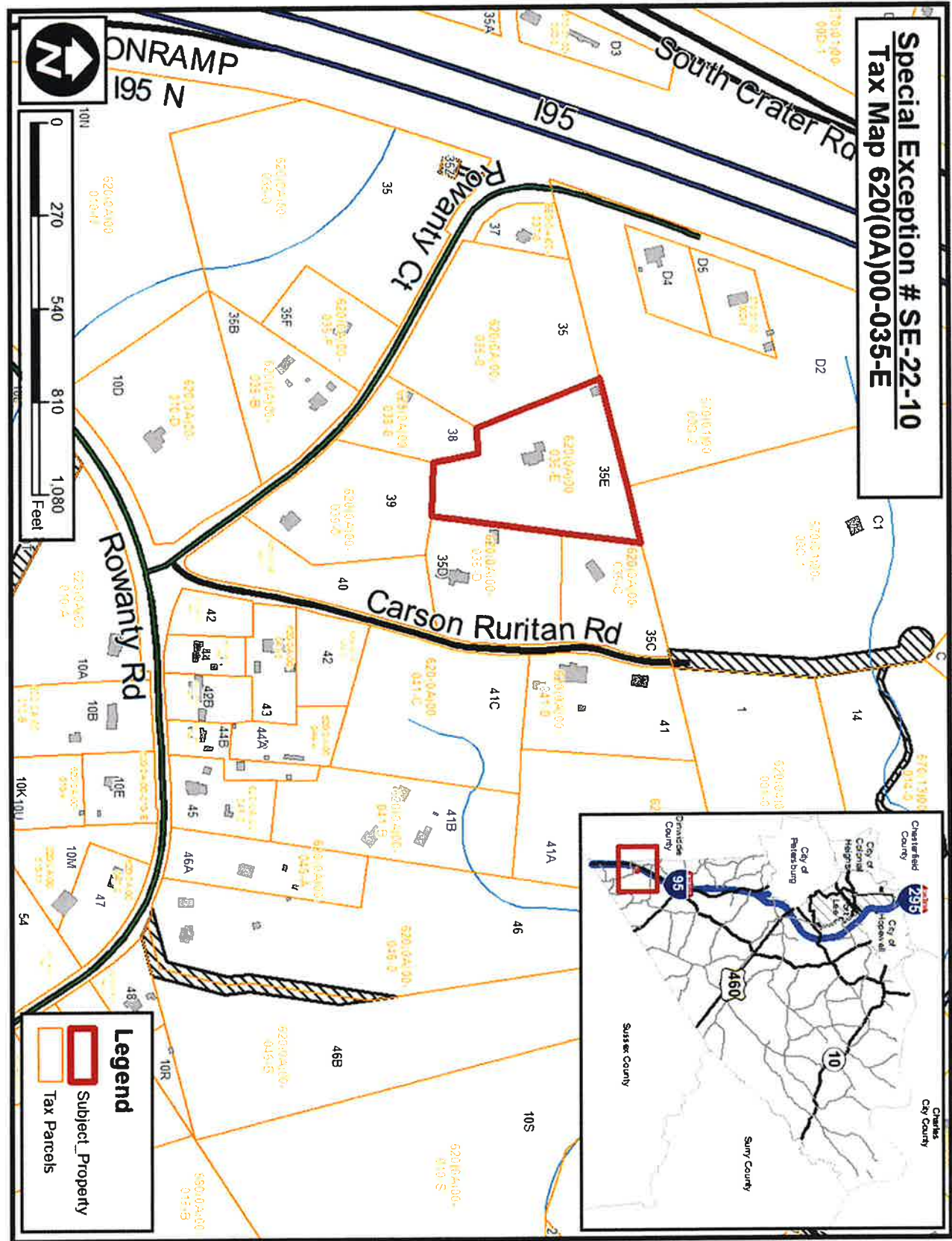
The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or 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 hearings in person. A live video stream will be available at [https://www.princegeorgecountyva.gov/live\\_stream/](https://www.princegeorgecountyva.gov/live_stream/). Public comments can be submitted prior to 5:00 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>.

You may also contact Planning and Zoning Division at (804)722-8678 or by e-mail at [planning@princegeorgecountyva.gov](mailto:planning@princegeorgecountyva.gov) with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

Sincerely,

A handwritten signature in blue ink that reads "Tim Graves".

Tim Graves  
Planner





ANDERSON LINDA M  
19811 CARSON RURITAN RD  
CARSON, VA 23830

ARRINGTON EMORY K & LINDA W  
19525 CARSON RURITAN RD  
CARSON, VA 23830

BROCKWELL ROY S & JENNIFER T  
19915 HALIFAX RD  
CARSON, VA 23830

CARSON RURITAN CLUB BY TRUSTEES  
PO BOX 10  
CARSON, VA 23830

DEMPSEY ROBERT & TONYA  
19725 CARSON RURITAN RD  
CARSON, VA 23830

DISE MICHAEL W & GLENICE M  
19515 ROWANTY CT  
CARSON, VA 23830

DONNER BRIAN D & PATTI A  
2720 EAGLE ROCK RD  
SOUTH PRINCE GEORGE, VA 23805

KENNEDY LAWRENCE D  
19705 CARSON RURITAN RD  
CARSON, VA 23830

LEMOCKS RICHARD M  
19703 CARSON RURITAN RD  
CARSON, VA 23830

MONEYMAKER JARET R  
19727 ROWANTY CT  
CARSON, VA 23830

SCRUGGS CHRISTOPHER & KIMBERLY  
19519 ROWANTY CT  
CARSON, VA 23830

**PUBLIC NOTICE  
COUNTY OF PRINCE GEORGE**

Public Notice is hereby given to all interested persons regarding the following public meeting: The Prince George County Board of Supervisors will hold public hearings on Tuesday, November 22, 2022 beginning at 7:30 p.m. concerning the following requests:

**SPECIAL EXCEPTION SE-22-10:** Request of Robert and Tonya Dempsey to permit a Home occupation within an accessory building within a R-A (Residential Agricultural) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(53). The purpose of the request is to open a car repair shop as a home-based business on a residential property. The subject property is approximately 4.18 acres in size, located at 19725 Carson Ruritan Road and is identified as Tax Map 620(0A)00-035-E. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Agricultural uses.

**COMPREHENSIVE PLAN AMENDMENT CPA-22-02:** Request of Prince George County to amend the Comprehensive Plan Future Land Use Map designation for a specific property from Multi-Family Residential to Commercial. The subject property, approximately 2.18 acres in size, is identified as Tax Map 430(03)00-00B-0 and addressed as 11800 South Crater Road. The purpose of the amendment is to update the Future Land Use Map to be consistent with the County's Exit 45 Strategic Plan, which calls for restaurant or retail business development on the subject property.

**REZONING RZ-22-03:** Request of Prince George County to rezone approximately 2.18 acres from R-1 (General Residential) District to B-1 (General Business) District. The purpose of the rezoning is to attract a restaurant or retail business in accordance with the County's Exit 45 Strategic Plan. The subject property is located on the west side of South Crater Road and was formerly occupied by the Continental Motel, addressed as 11800 S. Crater Road, before its demolition in 2022. The subject property is identified as Tax Map 430(03)00-00B-0. The Comprehensive Plan Future Land Use Map indicates the property is planned for "Multi-Family Residential" development; however, the County has requested to amend the future use designation for this property to "Commercial".

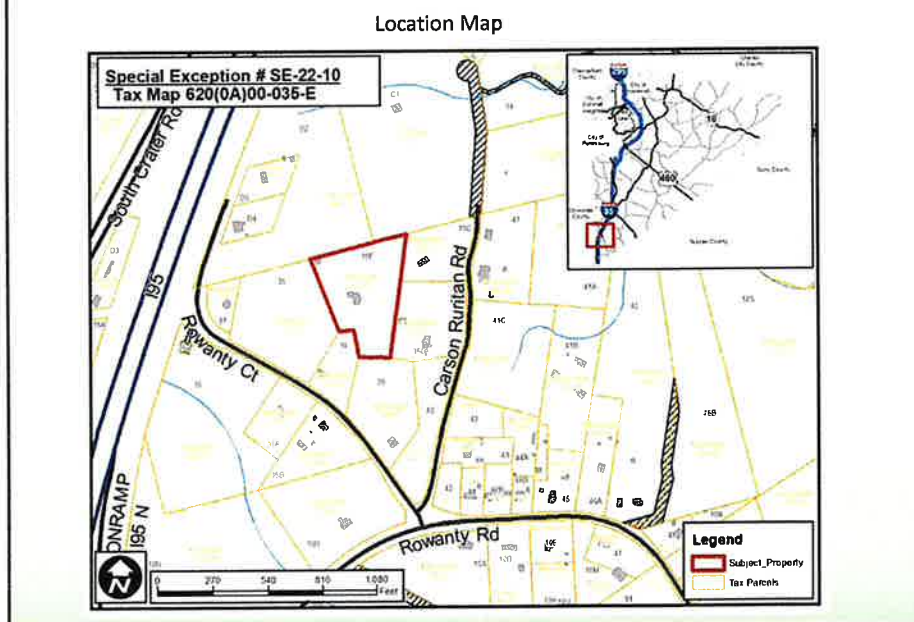
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Jeffrey D. Stoke  
County Administrator

## SPECIAL EXCEPTION SE-22-10:

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### SE-22-10 | Robert & Tonya Dempsey



SE-22-10 | Robert & Tonya Dempsey

Zoning Map



SE-22-10 | Robert & Tonya Dempsey

Aerial View



## Request Summary

- Run an auto maintenance shop on property
- Services include: oil changes, brakes, engine repair, tune-ups, lift kits, suspension work
- Hours of operation: 9:00am to 6:00pm Monday to Friday
- Max number of customers per day: 0 to 10
- Existing shop building is 30' x 30' = 900 square feet
- No signage
- No fence planned to be installed, however, parking will be on the left side of the shop where cars are not visible from the road
- Robert Dempsey will initially be the only person working in the shop, but he may employ one (1) helper in the future
- Max number of vehicles stored on the property for work: up to 5

The applicant spoke with surrounding neighbors and explained to each of them what he would like to do, and attached documentation with neighbors' contact info and signatures showing their support.

**This use may be permitted by Special Exception under Section 90-103(53) as a "Home occupation within an accessory building".**

Site layout / Conceptual Plan



## Planning & Zoning Staff Review Comments

**Prior similar zoning cases:** Approximately 20 since 1974

**Adjacent uses:** Low density residential

**Expected Impacts on adjacent properties and roadways:**

Limited traffic, possible noise during work hours, some cars parked on-site awaiting work or retrieval by customers

**Mitigation of expected impacts:**

See recommended conditions limiting vehicles on property, hours of operation, customer visits per day, max 1 employee

**Compatibility with the comprehensive plan:**

OK – no change to primary land use, limited impact on adjacent properties

## Other Staff Review Comments

### Building Inspections

- Change of use required for shop building
- Accessible parking space
- Fire safety compliance
- Storage and disposal of waste in compliance with code

### Virginia Department of Health

- Well and septic system must be evaluated

### Virginia Department of Transportation (VDOT)

- Low volume commercial entrance required. Existing entrance appears to meet the criteria. No objection to request.

### Police Department

- Request has been discussed with applicant and no concerns

**Recommended Conditions (Highlights)**

- No signage
- Hours and days of operation: 9:00am to 6:00pm Monday to Friday
- Adequate parking to serve customers on-site, avoid any visibility of the business activities from any public road
- One additional employee/helper may assist
- No outside storage of materials related to car-repair
- No work performed outside the shop building
- Max # of customer visits per day: 10
- Max # of vehicles being repair or awaiting pickup: 5
- Cooperate with police department to prevent storage of inoperable vehicles.
- Comply with noise ordinance

*(Full list of recommended conditions in the Staff Report / Draft Ordinance)*

**Planning Commission Recommendation**

Approval, subject to the recommended conditions

Public hearing held by the PC on October 27, 2022

No public comments were heard at the meeting.

## Questions?

*See Staff Report for Sample Motions*

