

Issue Analysis Form

Date: February 14, 2023

Item: Special Exception Request # SE-22-12

Applicant: Dennis & Wendy Plear

Lead Department: Community Development

Contact Person: Tim Graves, Planner I



Description and Current Status

The applicants would like to start a dog breeding program as a business at their home. In order for this to be permitted, they are requesting a Special Exception for an "Animal Boarding Place".

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 adopt the Ordinance to approve Special Exception request SE-22-12, subject to the specified conditions."

Government Path

Does this require IDA action?

☐ Yes ☒ No

Does this require BZA action?

☐ Yes ☒ No

Does this require Planning Commission action?

☒ Yes PC Recommended Approval by 7-0 vote on January 26, 2023

Does this require Board of Supervisors action?

☒ Yes Public Hearing on Feb. 14, 2023

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 from a new business operating in the County.

County Impact

The special exception would allow an animal breeding business to open in the County and would provide residents and the surrounding community with an additional available service provider for adopting puppies.

Notes

Contents: 1. Issue Analysis 2. Draft Ordinance 3. BOS Staff Report
4. Application and attachments 5. Public notice materials 6. 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 14th day of February, 2023:

Present:

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

Vote:

SPECIAL EXCEPTION SE-22-12: Request of Dennis and Wendy Plear to permit an Animal Boarding Place in a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(23). The purpose of the request is to allow a dog-breeding business to operate within the existing single-family dwelling on the property. The subject property is approximately 2.76 acres in size, located at 10608 Walton Lake Road, and is identified as Tax Map 440(0A)00-001-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-22-12 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception is granted to Dennis and Wendy Plear for the following use on Tax Map 440(0A)00-001-0: Animal Boarding Place pursuant to 90-103(23), specifically for the breeding, raising and training of dogs intended to be sold, and shall not include overnight boarding of dogs other than those permitted under the below conditions.
2. There shall be no more than seven (7) dogs permanently kept on the premises as breeders or pets of the owners.
3. There shall be no more than 20 puppies between the ages of 0 and 12 weeks temporarily living on the property while growing and awaiting adoption. All puppies shall be adopted before they reach 12 weeks (3 months) of age unless taking the place of one the seven (7) permanent dogs on the property.
4. There shall be no more than six (6) litters per year, which shall all be whelped indoors within dedicated and permitted accessory buildings, or within the house.
5. The owners shall maintain adequate records to uniquely identify and provide an age for all dogs on the property at any given time, and any additional information as needed to confirm compliance.

6. Customer visits shall be limited to 1 family at a time by appointment only, between the hours of 9am-6pm, with the majority of appointments occurring on weekends (Friday-Sunday).
7. Customers shall park on-site in the driveway or in an established parking area on the property.
8. The owners shall employ effective means to prevent conflicts with neighbors resulting from excessive barking. Any dog that proves to be a nuisance shall be removed from the breeding program and adopted out.
9. Dogs shall be kept fenced, leashed or indoors at all times when not in transport.
10. The owners shall maintain adequate visual screening such as a fence or vegetation to effectively obscure view of the kennels from the road.
11. All areas associated with the animal boarding and training facility shall be cleaned and made free of waste on a regular basis. In addition, the applicant shall employ effective means of eliminating any odor problems and the propagation of insects on the premises.
12. Signage for the business shall be limited to one business sign of no more than 16 square feet located the front of the property and meeting all applicable ordinance requirements for a business sign including but not limited to setback requirements.
13. No employees shall be permitted in conjunction with this use other than members of the family residing on the premises.
14. The owners shall submit all documentation required by the Virginia Department of Health, with approval from the Health Department prior to the granting of a business license.
15. The owners 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.
16. The owners shall accommodate unannounced visits from Animal Services during business hours, and take appropriate measures for health and safety of the animals as recommended by Animal Services.
17. The owners shall operate in compliance with all applicable local, state and federal codes, including but not limited to, state codes for commercial dog breeders and County dog licenses.
18. The Special Exception shall become null and void if the use is abandoned for a period of twenty-four 24 consecutive months.
19. 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.
20. 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.

Adopted on February 14, 2023 and becoming effective immediately.



BOARD OF SUPERVISORS STAFF REPORT

Public Hearing February 14, 2023

SE-22-12 – Animal Boarding Place (Dog Breeding Kennel)

Applicant: Dennis and Wendy Plear

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

I. Request

The applicants would like to start a dog breeding program as a business at their home. In order for this to be permitted, they are requesting a Special Exception for an Animal Boarding Place.

II. Property

Address: 10608 Walton Lake Road

Tax Map: 440(0A)00-001-0

Site Size: 2.76 acres

Legal Owner: Dennis and Wendy Plear

RE Taxes Paid?: Yes

Zoning District: Residential Agricultural (R-A)

Current Use(s): Single-Family Residential

Comp Plan Land Use: Residential

Planning Area: Prince George Planning Area

Previous Zoning Cases: N/A

Figure 1: Aerial view of request property from County GIS



Note: Property lines not exact on County GIS.

Figure 2: Photo (Google Street View, May 2018)



III. Meeting Information

Planning Commission Public Hearing: December 22, 2022 (Meeting Cancelled)

Planning Commission Public Hearing: January 26, 2023 (Recommended approval 7-0)

Board of Supervisors Public Hearing: February 14, 2023

IV. Background

- The applicants already have an approved kennel license for 5 adult Labrador Retrievers as pets.
- The applicants submitted a preliminary application identified as # PSE-22-12 on August 8, 2022 and received a comment letter from staff. On October 6, 2022 they submitted the formal application.

V. Applicant Proposal

Based on the application materials (attached to staff report) and subsequent discussions, the applicants:

- Are currently approved for a kennel license for 5 adult Labrador Retrievers as pets.
- Would like to start a breeding program as a business, with a focus on providing service dogs for disabled veterans.
- Have the following plans for the layout of the property in conjunction with the use:
 - Relocate two existing sheds and the existing kennels toward the front of the property.
 - Whelp (birth) the puppies primarily within the two sheds to be relocated, though some whelping may occur indoors within the home.
 - Install a fence around the kennel areas.
 - Install a fence between the kennels and the road for security and visual screening purposes.
 - Install French drains and concrete slabs to assist in keeping areas dry and clean.
 - Possibly place a new shed in the front part of the property to be used as a reception area.
 - Provide onsite parking in driveway or in the front of the lot.
 - Have a small sign for advertising the business at the front of the property.
- Have the following plans regarding number and ages of dogs on the property:
 - Maintain 7 adult dogs (2 breedable males and 3-4 breedable females) that will produce an average of 4-6 litters per year with 5-10 puppies per litter (avg. 7).
 - Make puppies available for adoption/purchase when they are 6-12 weeks old, with most adopted at around 8 weeks old. Limit of 12 weeks before adoption.
 - Limit of 20 puppies on the property at one time.
- Have the following plans regarding operation of the business:
 - Will limit customer visits to 1 family at a time by appointment, mostly on weekends, between the hours of 9am-6pm.
 - Have various means to cut down on barking. Any dog that is a nuisance would be removed from breeding program and adopted out.
 - Use bark collars only if needed in the event of a nuisance and only on dogs over 1 year old. For dogs under 1 year old they have other means to keep puppies quiet if needed, such as tone machines, vibration collars, etc.
 - Clean and dispose of waste regularly, and use a solution to clean the kennel areas, groom dogs regularly, etc. to reduce or eliminate pests and odor.
- Have spoken with neighbors and have not heard any concerns
- Have spoken with Animal Services and noted their recommendations

VI. Exhibits

Photo 1 – Existing kennels to be relocated



Photo 2 – Area where kennels will be relocated to



Photo 3 – one of the sheds to be relocated for whelping the dogs



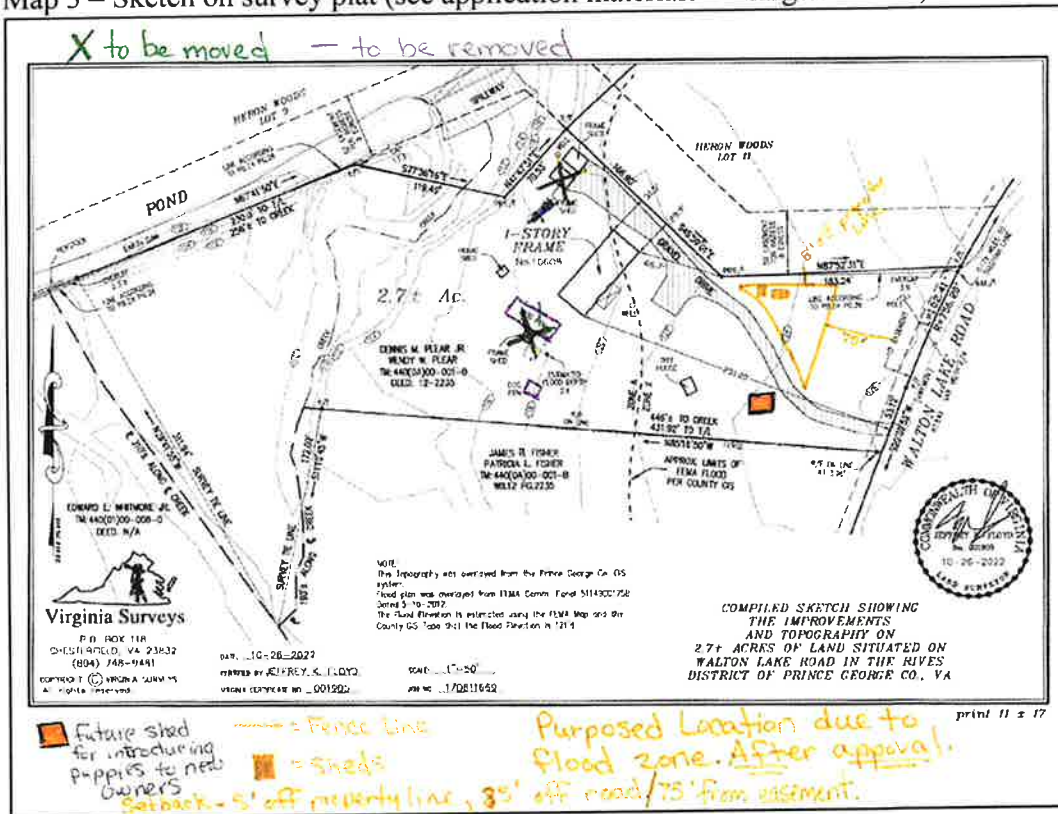
Map 1 – Zoning Map



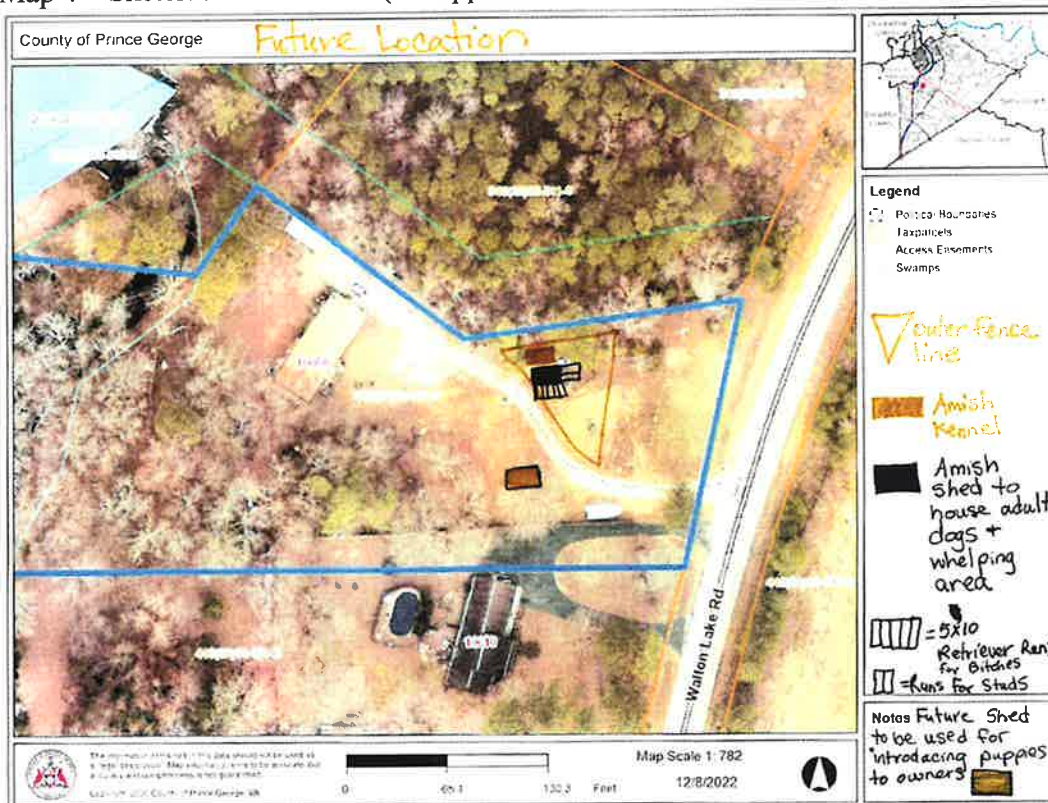
Map 2 – Aerial view of area including subject property



Map 3 – Sketch on survey plat (see application materials for larger version)



Map 4 – Sketch on aerial view (see application materials for larger version)



VII. Planning and Zoning Review Comments

1. The subject property is approximately 2.76 acres in area and is zoned R-A Residential Agricultural.
2. The desired land use is classified as:
 - a. “animal boarding place” – This land use is permitted by Special Exception under Section 90-103(23). This land use is defined in the Zoning Ordinance as: *“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 of animals used for agricultural purposes.”*
3. Other relevant zoning cases considered by Staff in developing recommended conditions for this case:
 - a. Special Exception SE-09-12 was a request to allow dog breeding of up to 2 litters per year based at a residence on Taylor Drive (approved 9-22-2009).
 - b. Special Exception SE-19-05 was a request for a dog boarding “doggie daycare” business based at a residence on Merchants Hope Road (approved 10-22-2019).
4. Other zoning approvals required after the SE is approved:
 - a. Building Permit and/or Zoning Permit for any new or relocated building.
 - b. Professional Business Zoning Approval for the new business prior to beginning operations. Note that this is in addition to the special exception approval.
 - c. Dog kennel license from Treasurer’s office.
5. Expected impacts and mitigation for this request:
 - a. Traffic from customer visits: – Mitigation: Applicant volunteered to have only one customer visit at a time by appointment. Staff has recommended a condition to enforce this.
 - b. Visual/Noise from 7 adult dogs and upwards of 20 puppies on the property at any given time – Mitigation: Staff recommends that conditions be included with the use to limit the maximum number of dogs and prevent issues from barking.
 - c. Potential for Odor – Mitigation: Staff has recommended conditions to be included with the use to prevent odors and ensure regular cleaning.
 - d. Staff also recommends that there be conditions to address additional topics that may impact neighbors, such as parking, hours of operation and signage.
6. Compatibility with surrounding zoning districts, surrounding uses, and Comprehensive Plan: The recommended conditions are intended to ensure the proposed use is compatible with the surrounding neighborhood and the continued residential uses that are planned in the neighborhood for the future.
7. In application materials, the applicants stated that they discussed their plans with all surrounding property owners immediately surrounding their property on their side of Walton Lake Road. They stated that none of the owners they spoke with had any issue with the dogs they already own, nor their full plans as laid out in the application. There is no house anywhere in the vicinity on the opposite side of the road.
8. All sheds are considered accessory buildings in relation to the single-family dwelling and therefore need to meet setback requirements for accessory buildings, specifically at least 75 feet from the front property line along Walton Lake Road and at least 5 feet from any side property line. If the applicants relocate the existing shed or to place a new shed on the property, a building/zoning permit is required for each proposed building location or relocation.
9. There is a floodplain on the property. Any new or relocated accessory buildings will be required to be located outside of the floodplain or raised above the base flood elevation.

VIII. Supplemental Staff Review Comments

Building Inspections Division – Charles Harrison III, Building Official

1. The applicant(s) will be required to submit plans/layout of proposed reception area to the building inspections department to be considered for mixed-occupancy change of use. Any structure(s) mentioned to be used as a meeting/reception area in the future will be required to meet the VUSBC occupancy requirements.
2. The owner(s) shall obtain all required permit(s) for any addition(s), renovation(s), or alteration(s) to existing structure(s), or new structures not meeting the exemption criteria of Section(s) 102.3 and/or 108.2 of the Virginia Uniform Statewide Building Code. All subsequent inspection(s) shall be performed and receive approval prior to issuance of any associated Occupancy Certificate(s) granting use of the structure(s).

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

1. A low volume commercial entrance will be required for the proposed use. The existing entrance appears to meet VDOT's criteria for a low volume commercial entrance.
2. VDOT has no objection to the submitted special exception application.

Environmental Division - Angela Blount, Environmental Program Coordinator

1. All land disturbance associated with this project in excess of 10,000 sq. ft. will be required to obtain a land disturbance permit from Prince George County. Additionally, land disturbance exceeding .99 acres (42,124 sq. ft.) will require both a local land disturbance permit as well as a Construction General Permit issued by the Virginia Department of Environmental Quality.

Virginia Department of Health - Alice Weathers, Environmental Health Specialist

Since this is a proposed commercial project, an AOSE (Authorized Onsite Soil Evaluator) or PE (Professional Engineer) would need to be contacted to evaluate the sewage disposal system and well. A Waste Characterization Letter from a PE which provides information about the waste strength and water flow required for this proposed project would need to be submitted to the Health Department.

The permit on file for this property (HDID# 95-174-0151, Whittle) states that the sewage disposal system was designed for 3 bedrooms (450 gpd) only. Also, the well installed is a IIC well (20' casing min.; 20' grout min.).

PG Animal Services may also need to be informed of this proposed venture. There may be comments from that department.

Animal Services – Nicholas Wilder

1. The only [potential] issue I can see with this request is the potential for noise complaints with similar kennels in the county. I am not aware of any calls for service or problems with the person nor the address listed on the application.

Police Department / Sheriff's Department – Harold Shreves

Mr. Shreves submitted the following comments on the preliminary application:

1. In regards to this Preliminary Special Exception request for an Animal Boarding Place for a Dog Breeding Kennel, I would need to know that the state codes for commercial dog breeder requirements have been consulted and followed:
 - a. VA State code 3.2-6507.1 - Business License Required
 - b. VA State Code 3.2-6507.2 - Commercial Dog Breeding – Requirements

- c. VA State Code 3.2-6507.3 - Right of Entry by The Commissioner, the State Veterinarian or his assistant, any animal control officer, and any public health or safety official employed by the locality.
2. I would also suggest that the Plears contact the Prince George Animal Services to check for local ordinances on dog breeders and guidance from the State Veterinarian's office.

The departments below reviewed this request and had no comments.

Economic Development – *Stacey English, Economic Development Specialist*

Real Estate Assessor – *Randall Horne, Senior Real Estate Appraiser*

Utilities Department – *Rachael Lumpkin, Utility Project Engineer*

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.
- Staff posted a sign on the property on December 12, 2022.
- No comments from the community were received prior to finalizing this report.

X. Planning Commission Recommendation


The Planning Commission recommended Approval, subject to the recommended conditions in the draft ordinance.

The vote on the recommendation was 7-0 after holding a public hearing on January 26, 2023.

The reason offered for the recommendation was:

The applicant's request appears to be compatible with current and future surrounding land uses.

Univ. 2955
Envtl Gov SE-22-0018

		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		OFFICE USE ONLY	
				APPLICATION #: SE-22-12	DATE SUBMITTED: OCT 06 2022 BY: TWG
APPLICANT FILL-IN ALL BLANKS					
REQUEST	REQUEST:	Animal Boarding Place			
	REQUEST PROPERTY ADDRESS / LOCATION:	10608 Walton Lake Rd Disputanta, VA 23842			
	REQUEST TAX MAP PIN(S): (List all)	AFFECTED ACREAGE (Each parcel):	ENTIRE PARCEL - Each parcel:		
	440(OA)00-001-0	506,100 (1/2)	106,100 (1/2)		
LEGAL OWNER	ATTACHMENTS (Check If Attached; * = Required):				
	<input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.) <input type="checkbox"/> COMMUNITY MEETING SUMMARY				
	<input type="checkbox"/> PROPOSED CONDITIONS <input type="checkbox"/> ADDITIONAL ATTACHMENTS:				
LEGAL OWNER	NAME(S): Dennis Plear Jr. Wendy Plear				
	MAILING ADDRESS: (Incl. City, State, Zip): 10608 Walton Lake Rd. Disputanta VA 23842				
	E-MAIL: dmplear@gmail.com wwplear@gmail.com		PHONE: 804-943-5891 804-943-5746		
APPLICANT CONTACT	NAME(S): If different than owner:				
	RELATION TO OWNER: Self				
	MAILING ADDRESS: (Incl. City, State, Zip):				
	E-MAIL:		PHONE:		
OFFICE USE ONLY (Completed at the time of application)					
ZONING DISTRICT(S): R-A			LAND USE(S) CODE REFERENCE(S): 90-103(23)		
PAYMENT	FEE DUE: Special Exception: \$700 Special Exception Home Occ: \$350		FEE PAID:		PAYMENT TYPE: <input checked="" type="checkbox"/> 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 respect true and correct to the best of their knowledge and belief.

NAME:

[Signature]

NAME:

[Signature]

SIGNED:

DENNIS M. PLEAR, JR.

SIGNED:

Wendy Plear

DATE:

5 Oct 2022

DATE:

Oct. 5, 2022

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF: COLONIAL HEIGHTS

Subscribed and sworn before me this

5TH

day of

OCTOBER, 20 22.

[Signature]
Notary Public

My Commission expires:

Nov 30, 2024

DAVID CRAIG STALLARD
Notary Public
Commonwealth of Virginia
Registration No. 7685690
My Commission Expires Nov 30, 2024

Special Exception Request

Animal Boarding Place

October 6, 2022

Our names are Dennis and Wendy Plear. We live at 10608 Walton Lake Road Disputanta, VA 23842 on 2.77 Acres. We are currently approved for a kennel license for housing our 5 adult Labrador Retrievers as pets only. We are requesting a special exception to turn the kennel license(pet only) into a kennel to start a small family breeding program as a business. Dennis is a 100% (total & permanent)Disabled Veteran of the Navy and is currently an Instructor for the DAV at the Army Logistics on Fort Lee VA. He is set to retire this year and we are wanting to turn our love for Labradors into a lucrative business as we plan for retirement age. Our heart is to breed the healthiest and smartest Labradors and serve not only our local community but as a generational Military family, we have a heart to serve our Disabled Veterans in need of service dogs.

Currently we have a 12 x 12 chain link kennel with 2 dog houses,2- 5 x 12 Retriever Kennels with dog houses and a 7 x 12 Amish kennel in the area to the south side of our home. We will be doing improvements to this area. Upon approval, we will have a perimeter fence surrounding the kennels that will allow them to have full access to a large play yard/work area. We will also be pouring some concrete slabs and installing French drains to be able to keep the area neat, dry and clean. Currently we have a 12 x 14 shed on our property that is being used for storage that we would like to possibly have moved(if necessary) to the dog's area for them to be housed at night inside and this would allow us to have an appropriate area for whelping puppies inside with heat and A/C. We would also have a place inside our home that we could bring the breeders inside to whelp a litter if need be. In the future we would love to get approval for a small shed to be placed toward the front of our land as a reception area for clients to meet and greet their new babies in a comfortable/quiet setting.

We would maintain approximately 7 adult dogs (2 breed able males/ 3-4 breed able females). We would expect an average of 4-6 litters a year and an estimate of 8-12 puppies with each litter.

We would like to request a small sign for advertising our business at the front of our property. This will also serve as a sign for visitors.

On premise customer hours would be limited to 1 family at a time(by apt only), cutting down on traffic and parking. Our hours for receiving, on promise customers would be limited to mostly when we have 6-10 week old puppies that are available for adoption/purchase and by previously scheduled appointments. Most of my interactions will be over the phone/internet. Times would be mostly on weekends(Friday-Sunday, 9am-6pm). We have plenty of parking in our current driveway but are willing to designate parking at the front of our lot for customers.

We will also be using professional trainers and training collars to cut down on obsessive barking issues to keep the noise down. Any dog that becomes a nuisance would be removed from the breeding program and adopted out. We love our neighbors and do not want disturb the peace.

We will be keeping the kennel area clean of feces which will cut down on pests and smell. We will be using a local garbage pickup to dispose of this, keeping the smell down. We will also use a solution to clean the kennel areas that brings a pleasant smell. The dogs will be groomed regularly and treated for fleas, ticks and wormed regularly to keep down parasite cycles. Our feed will be stored in 50 gallon metal trash cans inside to eliminate rodents.

We have spoken with the neighbors that directly meet up to our property lines and they have all given the o.k. for this endeavor. We discussed our plans in full detail that has been laid out in this document. They didn't have any concerns, as they know we currently have many dogs and have not had any issues with noise, smell, ect. We did ensure them that they can come to us at any time, day or night, and let us know if there is anything that arises that is a disturbance. We have given each of them our phone number if they need to reach out to us. Here are their names; Larry Henshaw(map pin #s 340(23)00-011-0, 340(23)00-009-0), Edward Whitmore JR(map pin# 44D(01)00-008-0), Balmer Lopez (Map pin # 440(OA)00-001-D). We also spoke with Doaty Stiles currently residing at 10700 Walton Lake Rd.

We are looking forward to working with Prince George County to establish another business to serve of community. We are open to any suggestions that our local and state officials would deem necessary in this process. Thank you for your time and expertise.

With Great Pleasure,

Dennis and Wendy Plear

(804)943-5746

wwplear@gmail.com

Follow Up Questions for the Staff Report Answered

1. Have you discussed your plans with PG Animal Services to see if there are any particular rules or guidelines you need to follow? If so, what did they say?

As of this morning, *I have spoken with a SGT. Wilder* at the Prince George Animal Shelter.

His only concerns were the welfare of the animals. ***Making sure they are properly housed, fed, vetted and when bred that I stay within the limits that are established. He mentioned the state code is 1 year old dogs are not to be limited to more than 50. He mentioned that the county would require a business license to operate.***

He said that neighbors' usual complaints are barking and confinement.

When I asked him for any advice that he could give that would be helpful, he said that most complaints he receives, that are code driven are about noise...barking violations. He also said that the smells/cleanliness coming from the hunting kennels is the second most calls they receive. Dogs running at large and lastly, general welfare of an animal.

I believe the steps we have in place will cover any of these potential issues. Once again, I am happy to work with the County Authorities to ensure what's best for everyone.

2. Since you could not move the shed in the floodplain as originally planned, do you still plan to provide any building for dogs?

I was given the approval to move the shed in the flood zone with the stipulation that we would have to raise the sheds to 1 foot above the 120' elevation, which means they would be raised 4' in the air. That is not ideal. After speaking with Virginia Surveyors, ***we decided it best to move the 2 buildings up toward the front left/north side of the land.*** We will keep in the parameters that the county allows. That being at least 75' from the front and 5' from the property line. A county representative came out to the property and took pictures of the new location and the current location today.

3. What is the updated plan regarding the whelping of litters? Will that all occur in the house?

I will have the 2 buildings set up to whelp ***litters outside.*** We will also be prepared to have those litters inside if the need arises or we feel it best to do so. ***We are open to either or both.***

4. Do you have a survey plat that shows actual property lines for the property? If so, please send it or deliver it?

I do have a plot and have ***attached*** that to this letter.

5. Will you use training collars on the puppies, or just the breeders?

I will only use bark collars as needed on the ***dogs that are over 1 year*** and only when they are violating a county code. If a dog is under 1, we would use other ways that to keep puppies quiet if they would be considered to violate the 10-minute constant barkingcounty noise code. Other means would be tending to their individual needs, vibration collars, tone machines, etc.

6. What is a reasonable maximum number of puppies you wish to allow on the property at any one time. We need a limit.

7. What is a reasonable maximum age by which the puppies will need to be adopted? We need a limit.

Limited to 20 puppies on the property at one time. According to AKC and UKC Kennel clubs, Labradors tend to have 5-10 puppies a litter with the average of 7. My goal would be to not have but one female dog having puppies at a time but there may be some instances where 2 litters are on the property at one time. The way I plan to care for them and train them, I would prefer it that way. I can control when they breed and who breeds and this will be a planned event(s).

Most of the puppies will be adopted at 8 weeks. Limit 12 weeks at the max just in case 1 or 2 do not get adopted out or the parents need a little more time.

8. What age do you consider to be an "adult" dog?

For the purpose of a "breeding kennel business", I will answer with this. I would consider an adult dog, on my property, any dog that I am going to keep, to fulfill a purpose for the business. ***Limit will be 7***, to include the female dogs to be bred, Studs(males) for the purpose of breeding and to include any dogs to be kept as retired/spayed/neutered. This excludes litters. Let's say that I have 7 adult dogs on the property and want to keep/buy a puppy to raise up, I would adopt that adult dog out that is going to be replaced by that puppy.

9. Please send or deliver a sketch (you may use the attached aerial view or other means) to show the planned fence location, existing kennels, planned kennels.

Attached are 2 arial views of before and after locations.

Thank you all for your time and efforts in this matter!

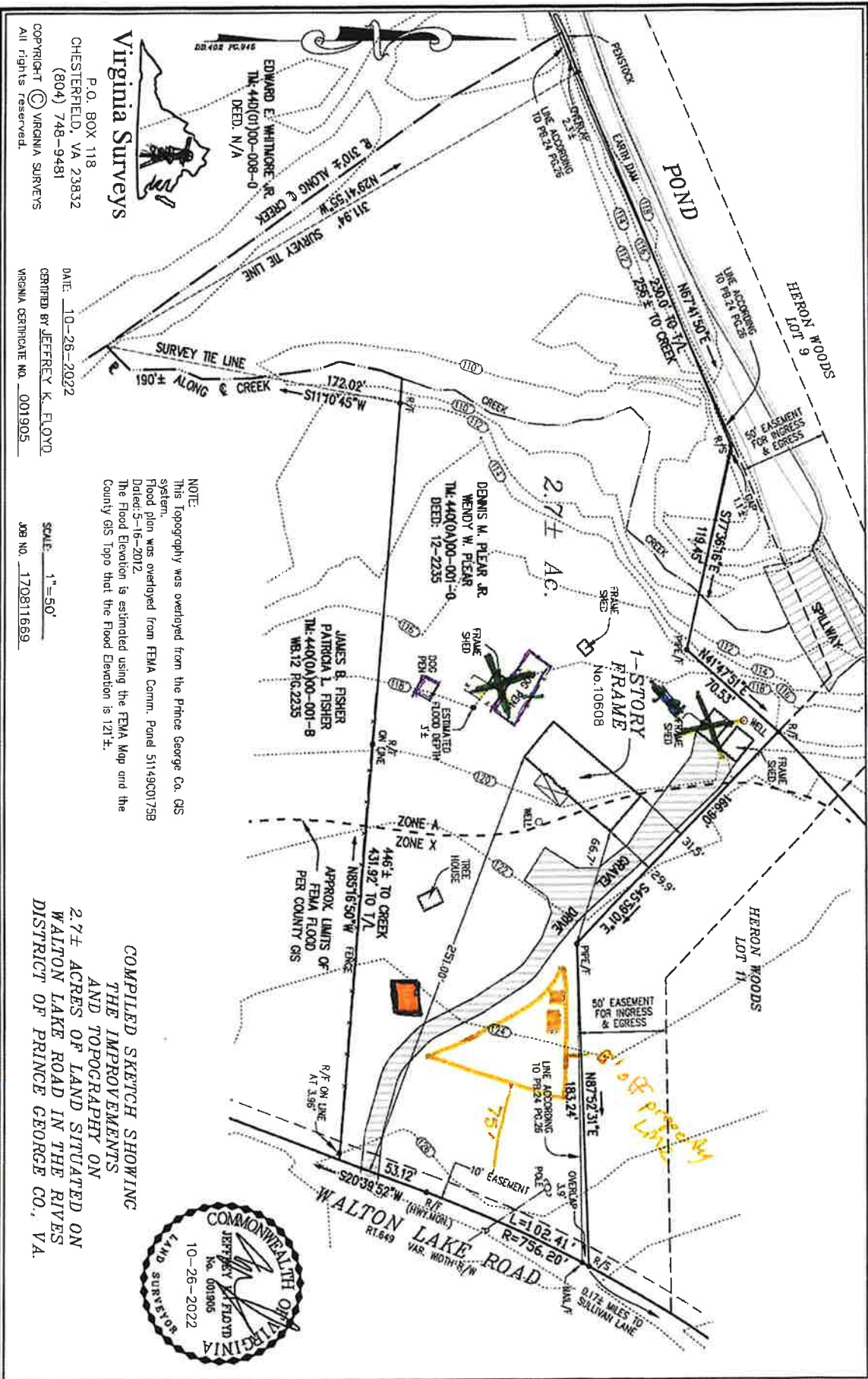
Sincerely,

Wendy Plear

~If you get your dog from a responsible breeder....

know that they have trusted you with a piece of their legacy,

X to be moved - to be removed



Future shed for introducing puppies to new buyers

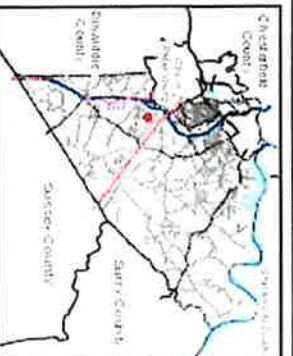
— = Fence line
■ = Sheds

Purposed location due to flood zone. After approval.

Setback - 5' off property line, 85' off road/75' from easement.

print 11 x 17

Future Location



Legend

- Political Boundaries
- Taxparcels
- Access Easements
- Swamps

Outer fence line

Amish kennel

Amish shed to house adult dogs + whelping area

5x10 Retriever Runs for Ditches

= Runs for Studs

Notes Future Shed to be used for introducing puppies to owners



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.

0 65.1 130.3 Feet

Map Scale 1 : 782

12/8/2022





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

February 1, 2023

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, February 14, 2023 beginning at 7:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

SPECIAL EXCEPTION SE-22-12: Request of Dennis and Wendy Plear to permit an Animal Boarding Place in a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(23). The purpose of the request is to allow a dog-breeding business to operate within the existing single-family dwelling on the property. The subject property is approximately 2.76 acres in size, located at 10608 Walton Lake Road, and is identified as Tax Map 440(0A)00-001-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

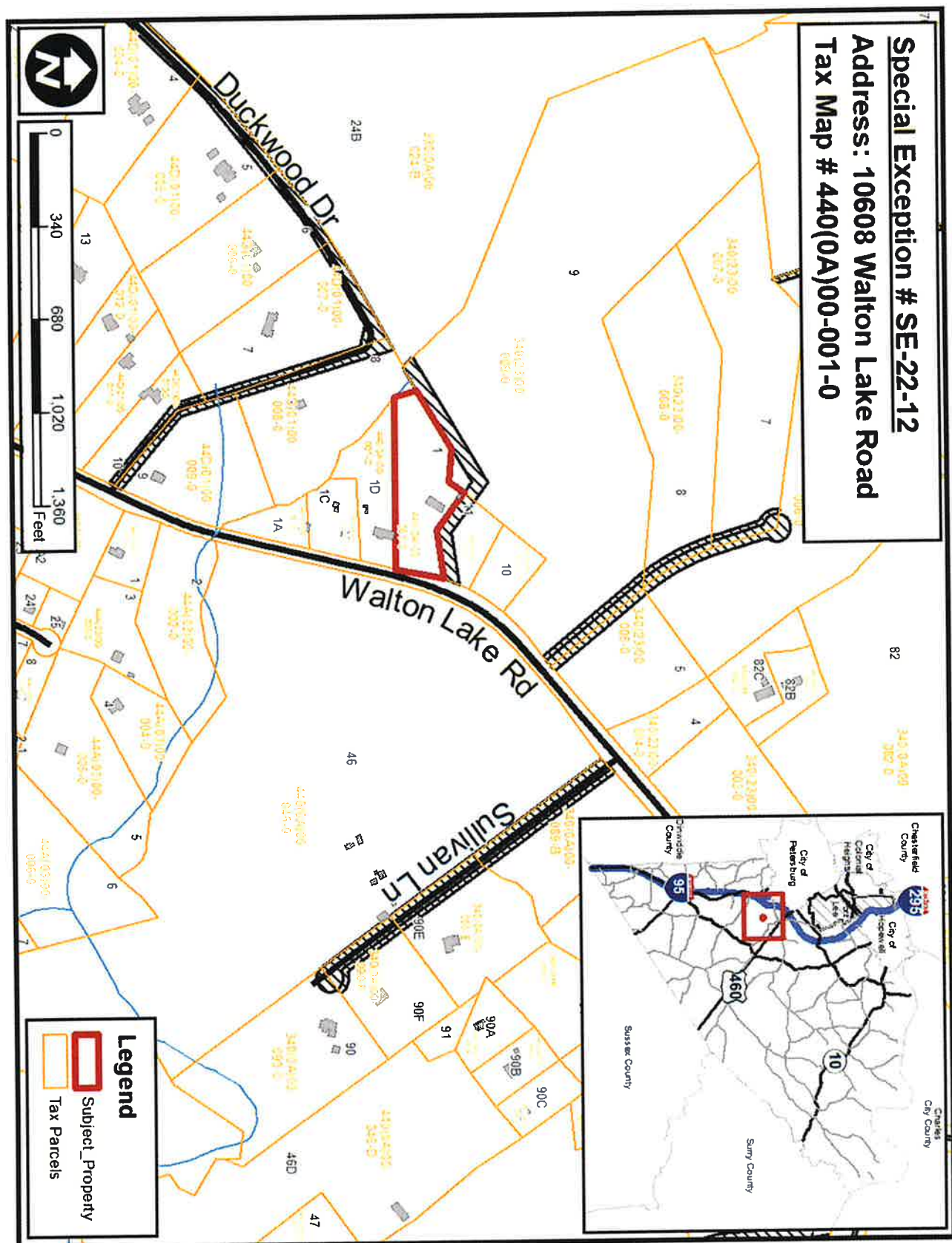
The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or 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/. 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 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



HENSHAW LARRY L & JUDITH C
505 SANDHURST DR
SOUTH PRINCE GEORGE, VA 23805

PLEAR WENDY W & DENNIS M JR
10608 WALTON LAKE RD
DISPUTANTA, VA 23842

STILES MICHAEL R
10700 WALTON LAKE RD
DISPUTANTA, VA 23842

JOHNSON CHRISTOPHER TYLER
15660 GREENBRIAR BLVD
DISPUTANTA, VA 23842

LOPEZ BALMER N
10610 WALTON LAKE RD
DISPUTANTA, VA 23842

THE GIBBS AND STORY TEAM LLC
2200 RIVER ROAD
PRINCE GEORGE, VA 23875

WHITMORE EDWARD E JR
4254 DUCKWOOD DR
DISPUTANTA, VA 23842

**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, February 14, 2023 beginning at 7:30 p.m. concerning the following requests:

REZONING RZ-22-02: Request of Jeff Oakley, Robert Forehand Jr., and Buckingham Pines, LLC to conditionally rezone approximately 12.18 acres from M-1 (Limited Industrial) District to M-2 (General Industrial) District, to accommodate existing and future industrial land uses. The subject property consists of seven (7) tax parcels located on the north and south sides of Harvest Road within an existing industrial park, and is identified as Tax Maps 240(0A)00-069-A, B, F, G, K, L, and M. The Comprehensive Plan Future Land Use Map indicates that the land underlying all affected tax parcels is planned for Industrial uses.

SPECIAL EXCEPTION SE-22-12: Request of Dennis and Wendy Plear to permit an Animal Boarding Place in a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(23). The purpose of the request is to allow a dog-breeding business to operate within the existing single-family dwelling on the property. The subject property is approximately 2.76 acres in size, located at 10608 Walton Lake Road, and is identified as Tax Map 440(0A)00-001-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

The public hearings 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/. 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>.

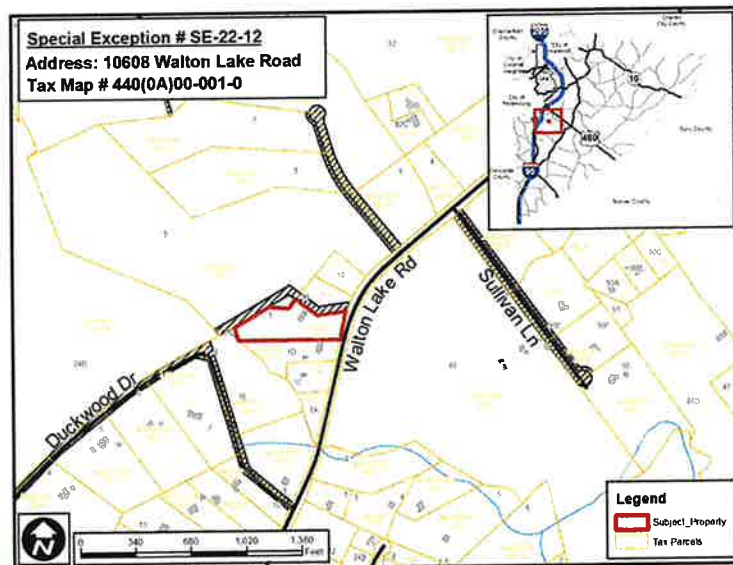
Jeffrey D. Stoke
County Administrator

SPECIAL EXCEPTION SE-22-12:

Request of Dennis and Wendy Plear to permit an Animal Boarding Place in a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(23). The purpose of the request is to allow a dog-breeding business to operate within the existing single-family dwelling on the property. The subject property is approximately 2.76 acres in size, located at 10608 Walton Lake Road, and is identified as Tax Map 440(OA)00-001-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

SE-22-12 | Dennis & Wendy Plear

Location Map



Zoning Map



Aerial View



Site photos



Request Details

Objective: Start a breeding program as a business, with a focus on providing service dogs for disabled veterans.

- Maintain 7 adult dogs (2 breedable males and 3-4 breedable females) that will produce an average of 4-6 litters per year with 5-10 puppies per litter (avg. 7)
- Make puppies available for adoption/purchase when they are 6-12 weeks old, with most adopted at around 8 weeks old.
- Limit of 12 weeks before adoption.
- Limit of 20 puppies on the property at one time.

Request Details

Planned changes to the property:

- Relocate two existing sheds and the existing kennels toward the front of the property
- Whelp (birth) the puppies primarily in the sheds and sometimes possibly in the dwelling
- Install a fence around the kennel areas
- Install a fence between the kennels and the road
- Install French drains and concrete slabs to keep areas dry
- Possibly place a new shed for a reception area
- Provide onsite parking in driveway or in the front of the lot
- Have a small sign for advertising the business

Request Details

- Limit customer visits to 1 family at a time by appointment, mostly on weekends, between hours of 9am-6pm.
- Prevent or limit barking:
 - Any dog that is a nuisance would be removed from breeding program and adopted out
 - Use bark collars only if needed in the event of a nuisance and only on dogs over 1 year old
 - For dogs under 1 year old, use other means to keep puppies quiet if needed, such as tone machines, vibration collars, etc.
- Reduce or eliminate pests and odor:
 - Clean and dispose of waste regularly
 - Use a solution to clean the kennel areas
 - Groom dogs regularly

Planning & Zoning Staff Review Comments

The desired land use is classified as:

"animal boarding place" – This land use is permitted by Special Exception under Section 90-103(23).

Zoning Ordinance Definition: *"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 of animals used for agricultural purposes."*

Other relevant zoning cases considered by Staff :

- Special Exception SE-09-12 was a request to allow dog breeding of up to 2 litters per year based at a residence on Taylor Drive (approved 9-22-2009)
- Special Exception SE-19-05 was a request for a dog boarding "doggie daycare" business based at a residence on Merchants Hope Road (approved 10-22-2019)

Planning & Zoning Staff Review Comments

- Expected impacts for this request:
 - Traffic from customer visits
 - Visual/Noise from 7 adult dogs and upwards of 20 puppies on the property at any given time, and kennels
 - Odor from dogs and waste
- Mitigation: Staff recommends conditions to address these impacts
- All sheds are accessory structures and will need building/zoning permits for final locations and must meet setback requirements
- Compatibility with surrounding zoning districts, surrounding uses, and Comprehensive Plan: Yes, low impacts to surrounding residential uses with recommended conditions
- Applicants discussed plans with neighbors and invited them to contact them to resolve any issues if they arise

Other Staff Review Comments

Building Inspections Division – Charles Harrison III, Building Official

- Submit plans/layout of proposed reception area to Building Inspections office. Any meeting/reception structure(s) required to meet Building Code requirements.
- Obtain all required permit(s) for any addition(s), renovation(s), or alteration(s) to existing structure(s), or new structures, and obtain inspections/approval for all

Virginia Department of Transportation (VDOT)

Existing entrance appears to meet VDOT's criteria, no objection to this use

Virginia Department of Health

Provide waste characterization letter to confirm systems capacities are adequate

Animal Services

Potential for noise complaints. Not aware of any calls for service or problems with the applicants.

Police Department / Sheriff's Department

Adhere to state codes for commercial dog breeder requirements

Recommended Conditions (Highlights)

- Animal Boarding Place is specifically for breeding, not for overnight boarding, etc.
- Max 7 dogs, 20 puppies
- Max 12 weeks age for puppies
- Max 6 litters per year, whelped indoors
- Maintain adequate records to confirm compliance
- Onsite parking
- Dogs kept leashed, fenced or indoors (not running free on the business property)
- Screen view of kennels from the road
- Clean everything regularly
- One small sign on front of property
- No employees
- Accommodate Animal Services visits

(Full list of recommended conditions in the Draft Ordinance)

Planning Commission Recommendation

Approval, subject to the recommended conditions

- 7-0 vote on January 26, 2023,
- no public comments during public hearing

Basis:

- Compatible with current and future surrounding land uses

Questions?

